

Minnesota Department of Corrections

Division Directive: 301.083	Title: Segregation Unit Management
Issue Date: 5/4/09	
Effective Date: 5/4/09	

AUTHORITY: Minn. Stat. §241.01

PURPOSE: To establish procedures regarding the operation of segregation units in adult facilities.

APPLICABILITY: All adult facilities

DIRECTIVE: Each adult facility will provide a segregation unit that is separate from the general population. The segregation unit is maintained primarily for the purpose of separating offenders following the discipline process as penalty for facility rule violations, however, it also houses offenders on statuses referenced in this directive. Each facility will develop operating guidelines or instructions to implement this directive. MCF-Shakopee may also develop instructions or operating guidelines for gender-specific needs. Unit lieutenants/designees will conduct daily visits to segregation units.

All staff assigned to segregation units will be re-assigned for a minimum period of three months after two years of continuous assignment.

The reassignments from segregation will prioritize staff that have worked in segregation for the longest continuous period. Staff arranged exchanges that extend a minimum of three months are recognized as a reassignment. No more than one staff per shift is rotated from both second and third watches. As officers from segregation units are reassigned, officers from the utility pool will assume the vacant segregation unit positions. Selection from the utility pool will begin with the "most senior volunteer" for a three-month period. If there are no volunteers from the utility unit, two options for assignment are available: 1) least senior assignment for three months, or 2) watch commander assigns on a daily basis (the local/labor management committee will decide how the assignment from utility will occur).

DEFINITIONS:

Administrative segregation – a form of separation from the general population administered by authorized staff when continued offender presence in the general population would pose a serious threat to life, property, self, staff or other offenders or to the orderly operation or security of the facility. Offenders pending investigation for disciplinary or criminal proceedings, detainees, and pre-sentence holds may be included in this status designation.

Continuing observation – status assigned to an offender who requires the highest level of monitoring as determined by mental health/medical services staff and/or other supervisory staff in consultation with mental health staff.

Detainee status – status assigned to an offender being held for another authority.

Disciplinary segregation – specified number of days of confinement in a room/cell following either the signing of a waiver or a finding of a rule violation. Serving a disciplinary segregation term may result in an extended incarceration.

Dry cell status – a status assigned when it becomes necessary to regulate the water supplied to an offender's cell as well as maintain other surveillance conditions. This may occur when staff suspect an offender has ingested contraband and has not had the opportunity to remove the contraband or to

monitor fluid intake for medical reasons.

High Level Control (HLC) – status assigned to an offender in segregation who is subject to long term additional security controls and selective conditions of programming due to a pattern of or serious incident of destructive, disruptive, or threatening behaviors.

High Level Security - a status assigned to an offender who is admitted to a correctional facility with special security or safety concerns that usually require placement in segregation and special monitoring during any facility movement.

Hunger strike – offender declaring or demonstrating refusal of nourishment.

Pre-hearing detention – placement of offender in a more restricted living status/unit prior to disciplinary action due to behavior(s) impacting the safety and security of the facility, offender, or others

Quiet status – status assigned to an offender placed in a specific room in segregation and subject to restricted amenities due to destructive, disruptive, threatening or acting out behaviors. Placement on quiet status is normally of short duration with the offender's subsequent behavior as a determining factor for length of placement.

Restrictive disciplinary segregation – a more restrictive form of disciplinary segregation limited to a maximum of ten days in any fifteen calendar day period. Restrictive segregation will result in extended incarceration for major violations.

Temporary Housing Status (THS) – assigned to an offender temporarily housed in the segregation unit due to non-availability of space in the general population.

PROCEDURES:

A. Admission/Release Procedure – Unit Access

1. Facility staff will complete the Segregation Unit Room Inspection, Segregation Room Pick-Up and Segregation Unit Intake forms (attached).
2. Facilities will develop and maintain operating guidelines and/or instructions for admission procedures that will be applied to all admissions to segregation. The operating guidelines and/or instructions must include the following:
 - a) Unclothed body searches
 - b) Personal property inventories and cell pickup
 - c) State issue clothing, hygiene and linens
 - d) Offender status review of incompatibility, phone monitoring and medical including prescriptions/over-the-counter (OTC) medications
3. Facilities will develop a segregation intake packet that will be issued to offenders. The packet must include information on the following:
 - a) Administrative segregation (if applicable to the offender's status)
 - b) Authorized cell items
 - c) Canteen
 - d) Cell cleanliness, checks and liability
 - e) Clothing, linen exchange
 - f) Damage to bedding
 - g) Containers
 - h) Emergency evacuation

- i) Exercise
- j) Gangs and offensive material
- k) Haircuts
- l) High level control
- m) Informal sanctions
- n) Offender employment
- o) Kite system
- p) Legal calls and material
- q) Mail
- r) Medical services
- s) Observation status
- t) OTC medications
- u) Phase program
- v) Property
- w) Psychological services
- x) Religious expression
- y) Restrictive segregation
- z) Shaving and showers at least 3 times per week.
- aa) Supply box
- bb) Telephone
- cc) Temporary housing
- dd) Visits

4. Segregation transfer facility to facility

- a) Current phases status will transfer.
- b) Segregation property is limited to allowable cell pick-up items only.

5. Release from segregation status

- a) Each facility will follow the procedure to track an offender's segregation sentence. Discipline staff will daily create, maintain and update the Segregation Roster. The Segregation Roster will include, at a minimum:
 - (1) offender identification number (OID);
 - (2) offender name;
 - (3) phase;
 - (4) next phase;
 - (5) admission date;
 - (6) previous complex/unit (if applicable);
 - (7) segregation release date;
 - (8) comments; and
 - (9) level
- b) Segregation staff will daily check Corrections Operations Management System (COMS) to verify accuracy of release date from segregation. On the day indicated by COMS, offenders will be released from Segregation between 0600-1400 hours.
- c) Offenders with incarceration time remaining on his/her conviction(s) will be placed in an appropriate living assignment within the department.
- d) In exceptional cases, facility wardens may develop special management plans and behavioral contracts with offenders when there is a clear benefit to both the

offender and/or the community or department. The purpose of the contract is to allow Segregation status offenders access to programs and treatment when appropriate to facilitate the goal of increasing public safety and rehabilitative efforts. Segregation sentences will continue to run during the contract period even though the offender is permitted to participate in programming per the contract. Once the contract has been fulfilled to the satisfaction of facility staff, the warden may suspend the remainder of the sentence or assigned extended incarceration time, unless the action would result in immediate release of the offender.

- e) Offenders who are being released directly to supervised release from disciplinary segregation will be provided with transition/re-entry materials. In accordance with Policy 203.010, "Case Management Process" and Policy 205.140, "Offender Transitions," offenders with supervised release dates will receive release planning assistance and coordination from their case manager and a formal re-entry review with the Hearings and Release Unit. (See Policy 106.112, "Release Reviews.") Case planning includes a review for the type of community supervision, agent assignment, and special conditions of release, residential placement, employment, health care applications, and acquisition of personal identification documents, transportation, and any other release concern that surfaces. Offenders may also receive additional assistance on an individual basis from a facility transition coordinator or a mental health/medical release planner who is familiar with community resources that would address the offender's special needs.
- f) Offenders who are being released directly via expiration of sentence from disciplinary segregation are not obligated to participate in advance release planning. They will be provided with the transitional/re-entry materials and offered assistance with release planning. This may include assistance from case managers in coordinating residential placement, employment, health care applications, acquisition of personal identification documents, transportation or other release related topics. Facility transition coordinators and/or mental health/medical release planners may also be of assistance if requested.

B. Allowable Items

- 1. Clothing - segregation issue
 - a) T-shirts
 - b) Underwear
 - c) Socks
 - d) Shirts
 - e) Pants
 - f) Footwear
- 2. Linen
 - a) Towels
 - b) Pillowcase
 - c) Blankets
 - d) Sheets
- 3. Intake issue
 - a) Roll of toilet paper
 - b) Five sheets of writing paper
 - c) Two offender kite forms

- d) One writing utensil
- e) One toothpaste/toothbrush
- f) One deodorant
- g) One bar of soap/shampoo
- h) Segregation information packet
- i) Two envelopes

4. Personal allowable items. The following are allowed unless prohibited for safety or security reasons as determined by staff.

	Discipline Segregation	Administrative Segregation
a) Personal mail	6" high	6" high
b) Legal materials	5 lbs	5 lbs
c) Ring with no stones, plain band	1	1
d) Comb, allowed pick or brush	1	1
e) Approved religious items	1	5
f) Shower thongs	1	1
g) Address book	1	1
h) Prescription eyeglasses	1	1
i) Dentures	1	1
j) Medically approved prosthesis	1	1
k) Photographs	0	10
l) Subscription magazines/newspapers/publications	See Procedure M. below	Yes
m) Segregation issued books or magazines	5	10
n) Religious reference book	1	1
o) Educational materials/services. Limited Phase III	See Procedure G below	Yes
p) Radios are allowed by the Segregation Status Grid	Yes-Phase III	Yes
q) Approved canteen items as covered in attached status grid and canteen list	Yes	Yes
r) Ear plugs	1 pair	1 pair

5. Whenever an offender in segregation is deprived of any usually authorized item or activity, the staff involved will write an incident report.

- C. Bed Space Management - each facility will develop and maintain a contingency plan for placing offenders on other statuses such as in-house segregation, transfer, early release or segregation release in order to manage segregation bed space.
- D. Canteen - the Segregation Status Grid (attached) provides for canteen service. There is a standard list of allowable canteen items (attached).
- E. Damage of Bedding and Mattress - each facility will develop operating guidelines and/or instructions to address damage of bedding and mattress. Operating guidelines and/or instructions must include restricted use and restitution as a consequence for damage.

- F. Dry Cell - each facility will develop operating guidelines and/or instructions to include medical assessment, observation, status review, allowable items and security procedures for dry cell status.
- G. Education Programming
1. Administrative Segregation – facilities will provide access to education materials, in accordance with Division Directive 204.040, “Education,” for offenders on administrative segregation. Each facility may develop instructions and/or operating guidelines for implementation.
 2. Disciplinary Segregation
 - a) Offenders age 21 and under AND have an active individual education plan (IEP) will have access to education materials while in disciplinary segregation.
 - b) For offenders in disciplinary segregation who do not meet the criteria in Procedure G.2.a) above, access to education materials will be determined based on the facility education department’s available materials and resources. Access will be granted to individual offenders under the following conditions:
 - (1) Must be categorized as Phase III, and
 - (2) Has not met the literacy mandate of having a verified GED or high school diploma AND was enrolled in a literacy class when he/she received a segregation sentence, and
 - (3) The offender must make the initial request to education staff to receive education materials.
 - c) Only soft-cover books/workbooks and handouts will be sent to the offender. Education materials are included in the six-inches/five pounds of allowable materials.
 - d) Each facility will determine which segregation staff will be the education contact (s), and all materials will be sent through segregation staff.
- H. Exercise - refer to Segregation Status Grid. All offenders will receive a minimum of one hour of exercise per day outside of their cells, five days per week, unless security or safety considerations dictate otherwise. Programming may be modified based on facility needs as approved by the unit lieutenant or higher authority.
- I. Fire Prevention - refer to Division Directive 105.160, “Fire Prevention.”
- J. High Level Control (HLC)
1. Each facility will develop operating guidelines and/or instructions for placement, management, cell assignments, movement, exercise, book passes, cell delivery, cell searches and review of HLC status.
 2. The supervisor will review the offender behavior history and determine the appropriateness for placement on HLC.
 3. The supervisor will review the placement on HLC at least every seven days to determine if continuation is needed.
- K. Informal Sanctions Plan

1. Staff will complete the Segregation Informal Sanctions (attached) forms.
 2. Staff may use informal sanctions as an alternative to formal discipline procedures for violation of unit and facility rules.
 3. Any privileges granted to an offender placed in the segregation unit including administrative segregation may be suspended upon the writing of a report that describes a violation of rules.
 4. A supervisor/designee will review all Loss of Privilege (LOP) prior to implementation of penalty. A supervisor and reporting staff will determine whether formal discipline or informal sanctions will be processed. Privileges may be suspended up to ten days. Whenever practical, suspension of privileges will be relevant to the violation such as suspension of telephone privileges if the offender abuses the telephone policy or suspension of exercise for a violation of the exercise rules.
- L. Laundry Exchange - staff will provide offenders the opportunity to have three complete sets of clean clothing per week. Staff will determine when blanket exchanges will be done. Offenders in segregation will exchange clothing, bedding and linen on the same basis as offenders in the general population, unless otherwise directed by the unit lieutenant.
- M. Legal Calls, Material and Documents
1. Legal calls will be allowed as outlined in Division Directive 302.210, "Offender Telephone Use."
 2. Offenders will not have access to personal legal research/reference books when the same books are available through the law library.
 3. Each facility will establish operating guidelines and/or instructions for access to law library materials.
 4. Staff will provide offender access to legal materials and documents consistent with Policy 106.210, "Data Practices."
- N. Mail - US Mail is allowed consistent with Division Directive 302.020, "Mail." On disciplinary segregation status, incoming mail may include only the following:
1. paper with words/drawings on it (letters with photographs or photocopies of photographs are not allowed);
 2. signed, unmusical, commercial greeting cards and post cards;
 3. only subscribed legal or legislative publications or photocopies of articles from such publications (newspapers, other newsletters, photocopied or original published materials, photocopies, internet printings are not allowed). Possession of such items is subject to the overall five pound legal material limit.
- O. Meals
1. Facilities will serve meals in segregation consisting of the same food served to the general population.
 2. Food substitutions will be made for foods that present a security risk (e.g., hot soup).
 3. Offenders who have used food or food service equipment in a manner that is harmful to

him/herself, staff or other offenders or who are otherwise inappropriate must be provided with alternative meal service. The warden/designee and the responsible facility health authority must provide written approval for alternative meal service. Any alternative meal service must meet nutritional requirements. Any alternative meal service order must not exceed seven days. Staff must complete an incident report anytime alternative meal service is provided.

4. Each facility will develop operating guidelines or instructions to include the following:
 - a) Food delivery/pick-up times
 - b) Special diets
 - c) Damage of meal trays and utensils
 - d) Alternative meal service

P. Medical and Psychological Services

1. Health services staff will conduct daily visits to segregation units to address health care concerns. Segregation unit staff will collect and deliver requests to the health services staff for each daily visit. Segregation staff will document and announce the presence of health services staff in the segregation unit. This procedure does not supersede emergent health issues requiring the activation of the Incident Management System.
2. A mental health professional will personally interview and prepare a written report on offenders remaining in segregation for more than thirty days. If an offender's confinement extends beyond thirty days, the mental health professional will conduct an assessment at least every three months.
3. Health services staff will handle all emergency medical needs on an individual basis.
4. Health services staff will distribute medication to offenders in segregation.
5. Staff will immediately notify and prepare a written request to mental health services if an offender requests mental health services or an offender exhibits signs of depression, disorientation or unusual behavior. Witnessing staff must immediately notify the watch commander.
6. The facility will establish a review team that will review and recommend an offender to a facility mental health unit in the event an offender is unable to function appropriately within the requirements of the segregation unit.
7. Staff will notify health services to conduct an examination any time an offender is involved in an incident that has the potential for injury or physical force was used to restrain the offender. Health services staff will determine if and the level of medical attention necessary.
8. Staff will document any offender refusal of health or mental health care.

Q. Offender Movement - each facility will develop operating guidelines and/or instructions for the movement of offenders within and outside the segregation unit.

R. OTC Medications – each facility will develop instructions and/or operating guidelines for the allowance and storage of OTC medications. Offenders will be allowed to store one pain medication and one cold medication/antihistamine in cell; one pain medication and one cold

medication/antihistamine will be held in the segregation storage bin.

S. Observation Status

1. Each facility will develop operating guidelines or instructions to implement continuing observation in accordance to Policy 500.300, "Mental Health Observation."
2. Staff will complete the Segregation Continuing Observation Log form (attached).

T. Phase Program - any offender convicted of a disciplinary offense or is being held on pre-hearing detention status will participate in the Phase Program (see Segregation Status Grid). The Phase Program offers the offender an opportunity to earn additional privileges by exhibiting good behavior for specified periods of time. Offenders may be removed from HLC status if positive behavior is exhibited.

1. All offenders placed on segregation status or pre-hearing detention are on Phase I.
2. After sixty consecutive days of good behavior the offender will be placed on Phase II.
3. After one hundred and twenty consecutive days of good behavior the offender will be placed on Phase III.
4. If an offender receives a formal rule violation for behavior while on segregation status, the offender will automatically drop to Phase I. If acquitted, the offender phase status at the time of the report will be restored to the offender including the accumulated time the offender had lost toward his/her next phase.
5. If an offender transfers to the mental health unit, his/her phase status will not be affected except by negative behavior.

U. Pre-Hearing Detention Status - each facility will establish operating guidelines or instructions for pre-hearing detention status in accordance with Policy 303.010, "Offender Discipline."

V. Quiet Status

1. Staff must write an incident report in order to place an offender on quiet status.
2. Each facility will develop operating guidelines and/or instructions where applicable for quiet status to include book passes, door flap, restraints, movement and tray slots.
3. The segregation unit supervisor will determine if an offender will be placed in quiet status. The watch commander will determine the placement in the absence of the segregation unit supervisor.
4. If the segregation unit supervisor determines that the offender will be on continued on quiet status, the segregation unit supervisor/watch commander will review the offender's status daily. The segregation unit supervisor will consult with his/her supervisor in order to extend the offender's quiet status beyond 10 days. The segregation unit supervisor will provide written notification to the offender when extending quiet status beyond 10 days.
5. Allowable items for offenders on quiet status are one set of clothing, footwear, prescription eyewear, and the offender may have access to personal hygiene items. Offender will be allowed these items unless the behavior that resulted in placement on

quiet status was due to abuse of clothing items. Upon supervisory review, the offender may be given, at a minimum, a security gown and security blanket.

- W. Access to Religious Programming – each facility may develop instructions and/or operating guidelines to implement religious programming in accordance with Policy 302.300, “Religious Programming.”
- X. Restrictive Disciplinary Segregation
1. Each facility will establish operating guidelines and/or instructions for restrictive disciplinary segregation in accordance with Policy 303.010, “Offender Discipline.”
 2. Offenders privileges are described in the Segregation Status Grid.
 3. Allowable items for offenders on restrictive disciplinary segregation
 - a) one mattress
 - b) one linen issue
 - c) one writing utensil
 - d) soap
 - e) toothbrush
 - f) toothpaste
 - g) comb
 - h) one religious book or pamphlet
 - i) legal material
 - j) mail that is received while on restrictive disciplinary segregation
 - k) ring with no stones, plan band
 - l) one religious item approved by religious coordinator, item must not constitute a risk to security
 - m) one pair of shower thongs
 - n) five sheets of writing paper
 - o) two envelopes
 - p) one address book
 - q) prescription eyewear
 - r) one paperback book
 - s) ear plugs
- Y. Special Duty Status of Offenders On Segregation Status - segregation time will continue for offenders who are transported from the facility on special duty status or housed other facility status.
- Z. Temporary Housing Status (THS) - when there is not bed space available in general population for an offender who has completed his/her segregation penalty, is discontinued from administrative segregation or is recently transferred into the facility, the offender will be housed in segregation on temporary housing status. Each facility will notify the offender of the placement on THS and include notification in segregation log.
- AA. Use of Force
1. Facility staff will comply with all department policies and directives in the use of force.
 2. Staff will complete the Segregation Unit Restraint Document form (attached) whenever restraints are used in the segregation unit.

BB. Visits - visits are allowed in accordance with the Segregation Status Grid (attached) and Division Directive 302.100, "Visiting." Visits are non-contact/video visit.

REVIEW: Annually

REFERENCES: Division Directive 105.160, "Fire Prevention."
Policy 106.210, "Data Practices."
Division Directive 202.110, "Status Overview and Summary – Adult Facilities."
Division Directive 204.045, "Library."
Policy 301.080, "Use of Force and Restraints."
Division Directive 301.081, "Use of Force and Restraints - Adult Facilities."
Division Directive 301.084, "Pre-Hearing Detention."
Division Directive 301.085, "Administrative Segregation."
Division Directive 301.190, "Hunger Strikes."
Division Directive 302.030, "Food Service."
Division Directive 302.210, "Offender Telephone Use."
Policy 303.010, "Offender Discipline."
Policy 500.010, "Health Services."
Policy 500.187, "Medical Release Planning."
Policy 500.300, "Mental Health Observation."
Policy 500.302, "Mental Health Continuity of Care."
Policy 500.306, "Management of Suicidal, Self-Injurious, Severely Developmentally Disabled or Aggressively Mentally Ill Offenders."
Division Directive 302.020, "Mail."
Policy 302.300, "Religious Programming."
Division Directive 204.040, "Education."
Division Directive 302.100, "Visiting."
Policy 203.010, "Case Management Process."
Policy 205.140, "Offender Transitions."
Policy 106.112, "Release Reviews."
 ACA Standards 4-4131, 4-4128, 4-4190, 4-4222, 4-4248, 4-4249, 4-4250, 4-4251, 4-4253, 4-4258, 4-4400, 4-4259, 4-4260, 4-4262, 4-4263, 4-4264, 4-4265, 4-4267, 4-4270, 4-4328, 4-4346, 4-4274, and 4-4276.

SUPERSESSION: Division Directive 301.083, "Segregation Unit Management," 6/3/08.
 All facility policies, memorandums, or other communications whether verbal, written or transmitted by electronic means regarding this topic.

ATTACHMENTS: Segregation Unit Room Inspection form (301.083A)
Segregation Room Pick-Up Form (301.083B)
Segregation Unit Intake (301.083C)
Segregation Status Grid (301.083D)
Segregation Informal Sanctions (301.083E)
Segregation Unit Continuing Observation Log (301.083F)

/s/

David R. Crist, Assistant Commissioner
 Facility Services

Instructions

301.083LL, "Segregation-Administrative Reviews"

301.083-1LL, "Segregation Meal Service"

301.083-2SCL, "Segregation Bed Space Management"

Security Instructions (restricted access)

301.083FRB, "Alternative Meal Service-Segregation"

301.083ML, "Segregation Unit Management"

301.083-1ML, "Temporary Housing in Segregation"

301.083OPH, "Segregation Unit Management"

301.083RC, "Segregation Unit Management"

301.083SCL, "Temporary Housing"

301.083-1SCL, "Selection and Rotation of Segregation Staff"

301.083STW, "Segregation Unit Management"