



State of Indiana
Indiana Department of Correction

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1/1/2018	22	02-04-102

**POLICY AND ADMINISTRATIVE
PROCEDURE**
Manual of Policies and Procedures

Title
DISCIPLINARY RESTRICTIVE STATUS HOUSING

Legal References (includes but is not limited to)	Related Policies/Procedures (includes but is not limited to)	Other References (includes but is not limited to)
IC 11-8-2-5 (a) (8) IC 11-10-1-7 IC 11-11-5 IC 11-11-6-1	00-02-102 01-01-101 01-02-101 01-03-105 01-04-101 02-01-101 02-01-102 02-01-103 02-01-104 02-01-105 02-01-108 02-01-110 02-04-101	ACA Standards: 4-4249, 4-4250, 4-4253, 4-4254, 4-4256 through 4-4271, 4-4273

I. PURPOSE

This policy and administrative procedure establishes the standards for the use and operation of adult offender disciplinary restrictive status housing.

II. POLICY

The Department of Correction shall operate adult offender disciplinary restrictive status housing in a manner which ensures:

- A. A clean, healthy, safe, and secure environment for offenders and staff;
- B. Availability of offender programs, services, and activities consistent with the safety and security of the facility; and,
- C. The establishment of a system that identifies the review and release process from the unit.

An offender shall only be placed on adult disciplinary restrictive status after the finding of guilt in a disciplinary hearing and imposition of a disciplinary restrictive status housing sanction as established for Policy and Administrative Procedure 02-04-101, “The Disciplinary Code for Adult Offenders.”

The Department shall establish a continual monitoring system that ensures compliance with this policy and administrative procedure.

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III. DEFINITIONS:

For the purpose of this policy and administrative procedure, the following definitions are presented:

- A. **BUSINESS DAY:** Monday through Friday, excluding weekends, State holidays, and emergency days declared in writing by the Warden.
- B. **DISCIPLINARY RESTRICTIVE STATUS HOUSING:** Housing resulting from the regulations and actions of Policy and Administrative Procedure 02-04-101, "The Disciplinary Code for Adult Offenders."
- C. **DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDERS (DSM):** The manual published by the American Psychiatric Association that includes all currently recognized mental health disorders. The DSM codes are thus used by mental health professionals to describe the features of a given mental disorder and indicate how the disorder can be distinguished from other, similar problems.
- D. **RESTRICTIVE STATUS HOUSING:** A form of housing for offenders whose continued presence in the general population would pose a serious threat to life, property, self, staff, other offenders, or to the security or orderly operation of a facility.
- E. **SAFEKEEPER:** An offender whom a court has determined cannot be managed in a local facility, and has ordered to the Department prior to sentencing.
- F. **SERIOUSLY MENTALLY ILL:** Offenders determined to have a current diagnosis or recent significant history of schizophrenia, delusional disorder, schizophreniform disorder, schizoaffective disorder, brief psychotic disorder, substance-induced psychotic disorder (excluding intoxication and withdrawal), undifferentiated psychotic disorder, bipolar I or II disorders; offenders diagnosed with any other validated mental illness that is clinically severe, based on evidence-based standards, and that results in significant functional impairment; and offenders diagnosed with an intellectual or developmental disability or other cognitive disorder that results in significant functional impairment. For the purpose of this definition, "recent significant history" refers to a diagnosis made at any time in the last 12 months.

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- G. STAFF/EMPLOYEE: Any and all persons employed by the Department, including contractors and volunteers.
- H. TRANSITION UNIT: An adult male offender housing unit for offenders who present a special safety or security management concern who require additional structure, based on conduct or administrative reasons as outlined in Policy and Administrative Procedure 01-04-101, "Adult Offender Classification."
- I. TREATMENT TEAM: A multidisciplinary team chaired by a qualified mental health professional of administrative staff, restrictive status housing unit staff (Custody and Case Management), mental health professionals, and treatment staff which reviews each offender in the disciplinary restrictive status housing unit at a minimum of every thirty (30) days. The treatment team is responsible to ensure the offenders receive treatment for any mental health or developmental disability issue in accordance with requirements. The treatment team causes the treatment plan to be developed, implemented, and monitored.

IV. STANDARDS AND CRITERIA FOR PLACEMENT IN DISCIPLINARY RESTRICTIVE STATUS HOUSING UNITS:

Standards for the placement of offenders on disciplinary restrictive status shall be in accordance with Policy and Administrative Procedure 02-04-101, "The Disciplinary Code for Adult Offenders," and this policy and administrative procedure.

An offender shall be placed in disciplinary restrictive status housing for a disciplinary violation only after a hearing by the Disciplinary Hearing Board in accordance with Policy and Administrative Procedure 02-04-101, "The Disciplinary Code for Adult Offenders."

A. Facility Disciplinary Restrictive Status Housing

Offenders placed on disciplinary restrictive status as a result of a disciplinary hearing shall be given a fixed period of time in disciplinary restrictive status. This time may be reduced in accordance with Procedure VII below. However, the length of time in disciplinary restrictive status housing cannot be increased unless the offender is found guilty on additional violations of the disciplinary code and additional restrictive status time is given as a sanction.

Offenders who have pending disciplinary hearings or are under investigative status shall not be placed on disciplinary restrictive status housing status. However, they may be housed under administrative restrictive status housing, in accordance with

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the administrative procedures for Policy 02-01-111, “The Use and Operation of Adult Offender Administrative Restrictive Status Housing Units,” and Policy 02-04-101, “The Disciplinary Code for Adult Offenders,” until their disciplinary hearings have been completed.

B. Department-Wide Disciplinary Restrictive Status Housing

1. The following criteria shall be applied when considering an offender for, or continuing assignment to a Department-wide disciplinary restrictive status housing unit.
 - a. The offender shall have six (6) months or more of accumulated disciplinary restrictive status housing time to serve.
 - b. The offender has a Medical Code of A, B, F, G, or I.
 - c. The offender has a Mental Health Code of:
 - 1) For Westville Control Unit; A, B, C, or D.
 - 2) For Wabash Valley Correctional Facility Secure Housing Unit (SCU); A (free of mental health diagnosis).
 - d. The offender has a Disability Code of:
 - 1) For Westville Control Unit: A and D.
 - 2) For Wabash Valley Correctional Facility SCU: A, B, C, and D.
 - e. Safekeepers, who meet the above listed criteria, may not be assigned to a Department-wide disciplinary restrictive status housing unit without the approval of the Deputy Commissioner of Operations.
 - f. The Executive Director of Mental Health and Special Populations must review and approve a decision to house an offender in disciplinary restrictive status housing for longer than thirty (30) days if the offender is determined to be Seriously Mentally Ill.

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2. The following procedure is to be used for referral of an offender for assignment to the Department-wide disciplinary restrictive status housing units at the Wabash Valley Secure Control Unit and the Westville Control Unit.
 - a. Upon determining that an offender meets the criteria for consideration for assignment to a Department-wide disciplinary restrictive status housing unit, a qualified doctoral-level mental health professional (licensed psychologist or licensed psychiatrist) shall evaluate the offender prior to referral to the Warden.
 - 1) During this evaluation, the qualified doctoral-level mental health professional shall determine whether the offender has an Axis I mental health diagnosis. The qualified doctoral-level mental health professional shall complete State Form 53491, "Request for Mental Status Report for Offender Recommended for Placement In a Secure Confinement Unit," to record the findings of this evaluation.
 - 2) The qualified doctoral-level mental health professional shall determine whether the offender is Seriously Mentally Ill, and whether there are any other mental health conditions that may be negatively impacted by the offender's assignment to a Department-wide disciplinary restrictive status housing unit.
 - 3) The qualified doctoral-level mental health professional shall prepare a written evaluation of the offender using State Form 53491 and ensure that it is forwarded to the Warden for processing.
 - b. If the results of the evaluation indicate the offender is in need of mental health services at the New Castle Correctional Facility Mental Health Unit, the INSIGHT Unit at the Pendleton Correctional Facility, or the Special Needs Unit at the Wabash Valley Correctional Facility, the request shall be forwarded to the contracted Mental Health Director for review.
 - c. If the contracted Mental Health Director determines that the offender is capable of placement in either Department-wide

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disciplinary restrictive status housing unit, the following procedure is to be applied.

- 1) The contracted Mental Health Director shall submit a written evaluation (State Form 53491) to the Warden and advise that the offender may be considered for transfer to a Department-wide disciplinary restrictive status housing unit.
- 2) The Warden shall prepare a written request and submit it to the appropriate Regional Director. The written request shall include the following:
 - a) An updated State Form 7263, "Classification Designation Instrument," (A transfer to the department-wide restrictive status housing unit does not require an offender to be classified to Security Level 4);
 - b) A completed State Form 44355, "Inter-Facility Transfer Report," to include a summary of the offender's behavior that initiated the transfer request;
 - c) A completed State Form 3412, "Report of Classification Hearing;"
 - d) A copy of the evaluation prepared by the contracted Mental Health Director using State Form 53491;
 - e) Refer to section IV, B of this policy and administrative procedure for appropriate Medical, Mental Health, and Disability Status Codes. Any exceptions shall be made on a case-by-case basis; and,
 - f) A written recommendation to the appropriate Regional Director outlining the reason for requesting placement in the Department-wide disciplinary restrictive status housing unit;

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- d. Upon receipt of the referral material, the appropriate Regional Director shall review the material and either approve or deny the assignment on the submitted Inter-Facility Transfer Report. The appropriate Regional Director shall forward the decision and accompanying paperwork to the Executive Director of Classification.
- 1) If approved, the referring facility shall be notified in writing. The Executive Director of Classification shall cause the issuance of a State Form 1736, "Transfer Authority." The Classification Division and Offender Movement Section shall coordinate a transfer date. The offender may appeal this decision to the Deputy Commissioner of Operations using State Form 9260, "Classification Appeal."
 - 2) If denied, the referring facility shall be notified in writing. The offender shall be returned to the facility, and the offender shall remain in the assigned facility.

Any exceptions to these criteria or procedures shall be made on a case-by-case basis with the Deputy Commissioner of Operations holding final approval.

V. ADMISSION TO A DISCIPLINARY RESTRICTIVE STATUS HOUSING UNIT:

- A. Admission of an offender to a disciplinary restrictive status housing unit shall be documented in the unit log.

The following information shall be recorded on the unit log:

- a. Offender's name;
 - b. Identification number;
 - c. Date and time admitted;
 - d. Reason for admission;
 - e. Tentative release date, if such a date is given;
 - f. Special medical/psychiatric problems/needs; and,
 - g. Any other information pertinent to the admission.
- B. State Form 39588, "Restrictive Status Housing/Confinement Report," shall be completed at the time of admission to the disciplinary restrictive status housing unit.

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- C. State Form 21255, “Record of Offender Restrictive Status Housing,” shall be prepared for each offender. This record shall completely document all activities of the offender. The routine delivery of meals shall be recorded on the unit log as well.

State Form 21255 is to be maintained by staff assigned to the unit in a controlled area of the disciplinary restrictive status housing unit. After the completion of the disciplinary restrictive status sanction, the form(s) shall be forwarded to the offender's facility packet. However, for offenders serving extended disciplinary restrictive status sanctions, the Warden or designee may authorize that a portion of these records may be transferred to the offender's facility packet if it is determined that it is no longer needed on the unit.

All non-routine unit activities in which an offender participates shall be recorded on the unit log. The unit logs shall be maintained in accordance with an approved records retention schedule.

- D. At the time of admission to a disciplinary restrictive status housing unit, the offender's property shall be inventoried. All items shall be listed and the disposition of the property recorded on State Form 40093, “Restrictive Status Housing Unit Inventory List - Personal Property.”
- E. Immediately upon admission to a disciplinary restrictive status housing unit, the facility's Health Services staff shall be contacted. Upon notification of an offender being placed in restrictive status housing, the Health Services staff shall review the offender's health record to determine whether there are any health conditions which might be impacted by the offender's restrictive status housing. The contacting of the Health Services staff shall be recorded on State Form 21255. The review of the offender's health record shall be documented in the offender's health record.

If the Health Services staff determines, due to a health or mental health condition, that the restrictive status housing unit assignment is not indicated, the Health Services staff shall contact the Warden, Duty Officer (after hours, weekends, and holidays), or other designated staff for placement. The Warden or designee shall determine appropriate alternate placement.

- F. Within twenty-four (24) hours of admission, an offender admitted to a disciplinary restrictive status housing unit shall be assessed for suicide risk and current mental

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health status by a mental health-trained nurse. This assessment shall be documented in the offender's medical record.

If the offender is determined to be seriously mentally ill, the following shall occur at specified times:

1. The mental health professional shall report that the offender was classified as Seriously Mentally Ill in restrictive status housing to the designated staff member for the facility;
2. The offender shall be staffed on the weekly mental health staffing call to determine if placement in a mental health treatment unit is warranted;
3. If the offender is stable and the Treatment Team determines that the offender's mental health needs can be met in restrictive status housing, the offender may remain for up to thirty (30) days. The offender shall have, at a minimum, face-to-face contact with a mental health professional multiple times per week, with no more than three (3) non-contact days between contacts and with such contact being recorded in the offender's file and with the offender being offered out-of-cell evaluation and counseling by a mental health professional at least once every two (2) weeks, but more often if specified in the offender's treatment plan. The offender shall be removed from restrictive status housing in the event that mental health staff determine that his/her mental health is decompensated to the point that remaining in restrictive status housing would cause problems that outweigh the disruption to the offender's mental health caused by the removal.
4. If the offender is determined to be stable by the mental health professional, and barring or removing a Seriously Mentally Ill offender from restrictive status housing would pose a threat to the safety and security of offenders and/or staff, the Warden may request an exception to house the offender in restrictive status housing longer than thirty (30) days from the Executive Director of Mental Health and Special Populations. The decision shall be recorded in the offender's facility packet, shall be reviewed by the Treatment Team, and documented in the Offender Case Management System (OCMS) every fourteen (14) calendar days. In the event that a Seriously Mentally Ill offender is required by exceptional circumstances to remain in restrictive status housing, a specific written treatment plan shall be developed which shall determine the frequency of contact above the minimum listed above.

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If, as a result of a mental health evaluation, qualified mental health staff diagnose the offender with a mental health crisis, the offender shall be transferred within seventy-two (72) hours of the diagnosis to an appropriate facility where he/she can obtain needed mental health treatment, unless a psychiatrist, physician, or other qualified primary care provider determines after a face-to-face evaluation that the offender cannot be safely moved for medical or mental health reasons. In such a case, the offender shall be moved to the appropriate facility as soon as the psychiatrist, physician, or other qualified primary care provider determines that it is medically safe to move the offender.

VI. REVIEW OF OFFENDER'S DISCIPLINARY RESTRICTIVE STATUS (See Operational Procedure):

The Treatment Team shall review the need for and appropriateness of continued disciplinary restrictive status housing of each offender every seven (7) days for the first two (2) months and at least every thirty (30) days thereafter. The presence of the offender during the review is at the discretion of the Treatment Team, consistent with the facility's operational procedure.

A qualified mental health professional shall personally interview and prepare a written report on any offender remaining in disciplinary restrictive status housing for more than thirty (30) days. If an offender with no identified mental health needs remains in restrictive status housing beyond thirty (30) days, a mental health assessment shall be made at least every three (3) months. If the offender has an identified mental health need, a mental health assessment by a qualified mental health professional is made at least every thirty (30) days. These assessments shall be completed more frequently if prescribed by the facility medical director.

A qualified mental health professional shall make weekly rounds of the unit, assessing each offender on the unit. The qualified mental health professional shall determine if an out-of-cell assessment is necessary.

Operational procedures shall be developed which indicate how and by whom these interviews and assessments shall be conducted.

VII. RELEASE FROM DISCIPLINARY RESTRICTIVE STATUS HOUSING (See Operational Procedure):

A. Facility Disciplinary Restrictive Status Housing

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1. An offender may not remain on disciplinary restrictive status housing longer than the given disciplinary sanction imposed by the Disciplinary Hearing Board in accordance with Policy and Administrative Procedure 02-04-101, “The Disciplinary Code for Adult Offenders.”
2. The Warden may review and/or order the early release of an offender from disciplinary restrictive status housing. The early release shall be considered a “time served” sanction and shall not be considered a suspension of the restrictive status housing term. The effective date of the early release shall be the date that State Form 47455, “Approval for Early Release from Disciplinary Restrictive Status Housing,” is completed and signed by the Warden.

When a Warden authorizes an early release from disciplinary restrictive status housing, State Form 47455, “Approval for Early Release from Disciplinary Restrictive Status Housing,” shall be completed. The Warden shall ensure that copies of the completed form are forwarded to the Chairperson of the Disciplinary Hearing Board and the facility’s Supervisor of Classification. The Chairperson shall ensure that the “Sanctions Screen” on the offender information system is changed to reflect the early release. A narrative shall be added indicating that the Warden authorized the offender’s early release and the date of the release. The Supervisor of Classification shall ensure that the release form is reviewed and disseminated appropriately. Also, the Supervisor shall ensure that the status and condition of the offender has not changed in any manner that would impact a pending transfer request. If the offender’s status or condition has changed, the Supervisor shall ensure that the assigned Classification Analyst, or designee, in Central Office is notified as quickly as possible.

Operational procedures shall be developed to ensure that an offender is released from a disciplinary restrictive status housing unit in accordance with this policy and administrative procedure.

B. Department-Wide Disciplinary Restrictive Status Housing

1. If it is determined by the contracted Mental Health Director that an offender’s mental illness makes the offender no longer eligible for placement in one of the Department-wide disciplinary restrictive status housing units, the appropriate Regional Director, with input from the

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contracted Mental Health Director, shall determine whether the offender's disciplinary restrictive status should be terminated or modified due to the offender's mental illness, as well as, the appropriate placement for the offender outside Department-wide disciplinary restrictive status housing.

- a. The Treatment Team at the Department-wide restrictive status housing unit, through the Warden, shall report the transfer request to the appropriate Regional Director and provide a written report from the qualified mental health professional of the mental health diagnosis and status of the offender at the time of transfer, together with any other information that the Treatment Team believes relevant to a determination in accordance with this policy and administrative procedure.
 - b. The Regional Director shall consult with the Deputy Commissioner of Operations and the Executive Director of Classification to render a final decision and to determine to which facility the offender shall be transferred.
 - b. The Regional Director shall make a written record of the decision and the reason(s) for the decision and shall ensure that a copy of this written record is filed in the offender's facility and Central Office packets.
 - c. The appropriate Regional Director shall ensure that a copy of the decision is provided to the Warden of the facility housing the offender and that the Warden advises appropriate staff of the decision.
 - d. Unit staff shall ensure that the offender is notified of the decision and shall explain the consequences of the decision to the offender.
2. Upon completion of the offender's disciplinary restrictive status time, Classification staff at the Department-wide restrictive status housing unit shall forward a request for reassignment to the appropriate Classification Analyst using standard Classification documents for inter-facility transfers. The Classification Analyst shall forward the request to the Executive Director of Classification, who in consultation with the appropriate Regional Director shall determine the facility placement to include whether the offender is appropriate for assignment to the Transition Unit.

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3. Any release from the Department-wide disciplinary restrictive status housing unit, other than a scheduled release or transfer by the appropriate Regional Director and contracted Mental Health Director due to the offender's mental illness, requires a review and approval of the Deputy Commissioner of Operations. The Warden shall support the request in writing noting the reasons for requesting an early release from the Department-wide disciplinary restrictive status housing unit. The request, along with a Transfer Report, shall be forwarded to the appropriate Regional Director by facility Classification. Upon approval of an unscheduled reassignment from the Department-wide disciplinary restrictive status housing unit, the appropriate Regional Director shall consult with the Deputy Commissioner of Operations and Executive Director of Classification for the issuance of a Transfer Authority.

VIII. CONDITIONS OF THE DISCIPLINARY RESTRICTIVE STATUS HOUSING UNIT
(See Operational Procedure):

- A. Offenders shall be notified when an opposite gender individual is in the unit. Staff shall announce the presence of the opposite gender individual in the unit, and shall log the presence and announcement.
- B. State issued clothing shall be the only clothing allowed on the unit. Outerwear shall be a red jump suit. Shoes shall be State issue, Commissary-purchased tennis shoes (white only), or personal tennis shoes that are equivalent to those purchased from Commissary. The Warden shall establish limits of State issued clothing items to be retained by the offender. Offenders shall be permitted to exchange clothing for laundered clothing at least three (3) times per week. If possible, the clothing exchanges shall be in conjunction with when the offender is permitted to shower.

Operational procedures shall indicate the limits that shall be placed on the amounts and types of clothing permitted in the restrictive status housing unit and the manner in which clothing exchanges will be made.

- C. Other permitted property shall include:
 1. Bedding in accordance with facility limits;
 2. Legal material;
 3. Personal mail and photographs;

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4. Approved religious material (may be restricted if reasonably determined to be a threat to the safety and security of the facility);
5. Writing materials and stamps;
6. Wedding band; and,
7. Prescribed medications that licensed Health Services staff determines must be carried on the offender's person. No oral medications (prescribed or over-the-counter), except nitroglycerin and inhalers, shall be distributed as keep-on-person (KOP) to the following categories of offenders:

- a. Offenders assigned to the B, C, or D Mental Health Status Code classification;
- b. Offenders prescribed psychotropic medication; or,
- c. Offenders with a previous suicide attempt.

The amounts of the items listed may be limited by the Warden based upon the security and/or safety of the facility, restrictive status housing unit, staff, and offenders. Operational procedures shall specify the amounts of these items that shall be permissible.

- D. Other property items may be retained in a controlled situation and provided to the offender on an as-needed basis, such as:
 1. Towel and washcloth;
 2. Bath soap and shampoo;
 3. Toothbrush and toothpaste;
 4. Plastic comb;
 5. Shaving material;
 6. Deodorant;
 7. Over-the-counter medications available on commissary (except as directed by subsection C, 7 above; and,
 8. Prescription medications that the offender is not authorized to carry.

The Treatment Team may approve additional items as determined necessary for treatment goals.

Operational procedures shall specify which of these items the offender may keep and which items shall be kept by staff and issued on an as-needed basis.

- E. In those facilities that permit offenders in the general population to possess a television, offenders in short-term disciplinary restrictive status housing may be

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permitted to possess a television. Prior to offenders in disciplinary restrictive status housing being allowed to possess a television, the facility must determine whether the restrictive status housing unit is capable of allowing the possession of individual televisions. Facilities shall not make renovations to a restrictive status housing unit solely to allow offenders in the unit to possess a television.

In those facilities that permit an offender in short-term disciplinary restrictive status housing to possess a television, the offender must have ninety (90) days of clear conduct (No findings of guilt in a disciplinary hearing.) in order to be eligible to have a television. Additionally, in order to continue to possess the television, the offender must maintain a clear conduct record. If the offender receives a finding of guilt after being authorized to possess a television, the privilege to possess the television shall be revoked. (NOTE: The basis of the Report of Conduct and the subsequent finding of guilt do not have to involve the use or possession of the television.) If the offender loses his/her privilege to possess a television while in restrictive status housing due to a finding of guilt in a disciplinary hearing, the offender must complete a period of ninety (90) days of clear conduct from the date of the last disciplinary hearing before he/she is eligible to possess a television again.

- F. Each offender shall receive the same meal provided the general population. Based on the security needs of the unit, substitutes may be permitted. Prescribed medical diets, approved religious diets, and approved personal preference diets shall be provided in accordance with Policy and Administrative Procedure 04-01-301, "The Development and Delivery of Foodservices."
- G. Each offender shall retain the privilege of the mail service as presented in Policy and Administrative Procedure 02-01-103, "Offender Correspondence." The amount of correspondence that an offender may possess, at any one time, may be restricted due to the size of the living area.
- H. Each offender shall retain the privilege of visitation as presented in Policy and Administrative Procedure 02-01-102, "Offender Visitation." A facility may reduce the frequency of visits that an offender may have; however, unless the offender abuses the visitation privilege, an offender shall be permitted minimally one (1) visit per month. A facility may establish a separate visiting area for disciplinary restrictive status housing offenders. This area may be a non-contact visit setting. If the facility has the capability for video visitation, video visits are acceptable for disciplinary restrictive status housing units.

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Offenders found guilty of certain violations of the applicable disciplinary code shall be administratively subjected to non-contact or video visits for prescribed periods of time as provided in Section XVII of Policy and Administrative Procedure 02-01-102, "Offender Visitation."

Operational procedures shall be developed which establish the frequency, manner and method of operation of the visitation program.

- I. Each offender shall be permitted use of a telephone for calls related to access to an attorney of record in accordance with Policy and Administrative Procedure 00-01-102, "Offender Access to the Courts." The facility may restrict the frequency and length of all calls, except those to an attorney. Offenders shall be permitted a minimum of two (2) telephone calls per month, unless the offender abuses this privilege. Offenders who are held in disciplinary restrictive status housing units for more than sixty (60) days shall be given the same opportunity to make telephone calls as offenders held in administrative restrictive status housing. The facility shall develop operational procedures for offender access to the telephones.

- J. Each offender shall retain the right of access to legal materials in accordance with Policy and Administrative Procedure 00-01-102, "Offender Access to the Courts." The facility may limit the amount of legal materials that an offender may possess in the immediate living area. This limit shall be based upon the amount of space available to the offender and the safety and security of the facility. Excess legal materials may be stored in another location, such as the facility's property room. If the facility stores an offender's excess legal materials, it shall ensure that the offender may have access to these materials within two (2) business days of the offender's request, unless the offender can provide written documentation that a court has imposed a deadline that requires access to the materials sooner. Each facility shall develop operational procedures to establish the manner and method which ensures the offender's access to legal materials.

- K. Each offender shall be offered one (1) hour of exercise per day outside his/her cell, five (5) days per week, unless safety or security considerations dictate otherwise. Reasons for allowing less than one hour of exercise per day, five days per week shall be documented in the unit log. Based upon the security needs of the facility and the weather conditions this recreation may be held outdoors or indoors. Group recreation activities may be considered based upon the past behavior of the offenders and the safety and security of the facility. The Treatment Team may determine additional activities based upon the individual treatment needs and treatment plan.

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- L. Each offender shall be offered a sufficient period of time, at least three (3) times per week, to shower and shave. This time shall not be counted against any other out-of-cell activity.
- M. Each offender shall receive laundry, barbering, and hair care services and are issued and exchange clothing, bedding, and linen on the same basis as offenders in general population. Exceptions shall only be permitted when found necessary by the highest ranking officer on duty. Any exception shall be recorded in the unit log and justified in writing via State Form 7212, "Incident Report Form."

Operational procedures shall be developed to ensure that these general personal services are provided.

- N. Each offender may have limited access to the commissary to order personal hygiene items and over-the-counter medications. Operational procedures shall specify the manner in which the offender may order these items and which items will be available to the offender.
- O. Each offender shall have access to reading materials. Offenders in disciplinary restrictive status housing shall have access to library services based upon facility security and availability of Department/facility resources. This access does not require that these offenders be permitted to go to the library. The facility shall ensure that an alternative means of providing access to library services is implemented and that these offenders have access to a variety of materials that is rotated on a frequent basis.

The amount of reading materials allowed shall be determined by the Warden. Operational procedures shall be developed to ensure this access.

- P. Limited programs and services shall be provided to the offenders either in their living areas or on the unit, based upon the security needs of the facility. Offenders held on disciplinary restrictive status housing for periods exceeding sixty (60) days are provided the same program services and privileges as inmates in administrative restrictive status housing and Protective Custody. Programs and services shall include, but are not limited to: educational services, commissary services, independent studies, library services, self-help, social services, counseling services, religious guidance, and recreational programs. Operational procedures shall be developed indicating the programs and services that are available to offenders on the unit and the manner in which offenders may access these programs and services.

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- Q. The facility Chaplain shall visit the unit weekly to walk each range to review the religious needs of offenders. Operational procedures shall be developed in accordance with the provisions of Policy and Administrative Procedure 01-03-101, "The Development and Delivery of Religious Services," to ensure that the religious needs of the offenders on the unit are addressed.
- R. An appropriate sick call procedure shall be developed which requires Health Services personnel to evaluate offenders for illness or injury. A qualified health care professional shall visit the unit daily to walk the ranges to determine the offenders' continuing health status. The presence of Health Services personnel shall be verbally announced to the offenders before the health care professional enters the ranges. The presence of Health Services personnel and the announcement shall be documented in the unit log. Reports of contacts with an offender by the Health Services staff shall be recorded in the offender's medical packet. Requests for evaluation may be initiated by staff or offenders. Prescribed controlled medications shall be dispensed by medical personnel.
- Operational procedures shall ensure that offenders in disciplinary restrictive status housing have unimpeded access to Health Services and shall specify the procedure that offenders may use to obtain this access.
- S. Each offender shall be afforded access to mental health care evaluation and treatment on an as-needed basis. In addition to the interview and report indicated in Procedures IV and V, an offender held in disciplinary restrictive status housing shall be afforded mental health treatment by a qualified mental health professional if such a need is indicated. Operational procedures shall be developed to ensure that access to mental health professionals is available on an as-needed basis.
- T. Each offender shall be afforded access to Program/Re-Entry staff on an as-needed basis. Each facility shall develop a request system for offenders to receive visits from Program/Re-Entry Staff.
- U. Offenders assigned to the disciplinary restrictive status housing unit following a finding of guilt shall not receive offender wages.
- V. Each offender shall have access to the offender grievance process.

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IX. OBSERVATION OF OFFENDERS (See Operational Procedure):

Staff assigned to the disciplinary restrictive status housing unit shall personally observe each offender (as a living, breathing human being), at least once every thirty (30) minutes. This observation shall be on an irregular basis. Staff shall record in the unit log that such observations have been made.

Offenders that are violent, mentally disordered, or who demonstrate unusual or bizarre behavior shall be observed more frequently. Offenders who are determined to be suicidal shall be maintained under continuing observation per orders from the qualified mental health professional.

Operational procedures shall be developed to ensure that these offender observations are made.

X. STAFF ASSIGNMENTS:

Staff persons assigned to the unit who work routinely with offenders on a daily basis shall be reviewed, reassigned, or rotated periodically in accordance with this policy and administrative procedure. Such assignments, reassignments, and/or rotations shall be made in the best interests of the staff person, facility operations, and security. The decision to deviate from this policy and administrative procedure shall be made by the Warden, Deputy Wardens, Custody Supervisor, and/or Unit Team Manager in consultation with the appropriate Regional Director. Such decisions shall be based solely on operational and security needs.

Before being assigned to a disciplinary restrictive status housing unit, staff members must have at least six (6) months of departmental experience with satisfactory work performance.

Staff shall be given on-the-job training in accordance with Policy and Administrative Procedure 01-05-101, "Staff Development and Training." No staff member shall be assigned to work in a restrictive status housing unit for more than thirty (30) days in any twelve (12) month period without successfully completing the restrictive status housing certification program.

A staff person, Custody and non-Custody, assigned to a disciplinary restrictive status housing unit who has routine contact with offenders shall be reviewed once every six (6) months, to determine whether the staff person is experiencing job burn-out or other job-related problems. The staff person's immediate supervisor shall complete this review. This

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review shall be documented completely on State Form 51852, “Restrictive Status Housing Unit Staff Review.” State Form 51852 shall be forwarded to the Shift Supervisor, if the staff person being reviewed is a member of Custody staff. For a review of a non-custody staff person, State Form 51582 shall be forwarded to the Unit Team Manager. The Assistant Warden of Operations, the Assistant Warden of Re-Entry, the Unit Team Manager, and the Custody Supervisor shall review all staff evaluations to determine what actions, if any, are necessary to ensure the proper level of unit security is maintained. The results of the review may include placing the staff person on a work improvement plan, reassignment, or other action necessary to correct the situation and maintain security. The completed State Form 51852 shall be filed in the staff person’s fact file and personnel packet.

XI. DAILY INSPECTIONS:

The highest ranking Custody supervisor on duty in the facility shall inspect the restrictive status housing unit daily to ensure safe, clean, and efficient operation. The inspection shall be documented in writing and shall be noted in the unit log book and the visitor’s log for the unit. The highest ranking Custody supervisor on duty in the facility shall:

- A. Examine the general cleanliness of the unit;
- B. Ensure that personal hygiene opportunities are available;
- C. Review unit records for completeness, including shaving razors, tool, and key control; and,
- D. Examine all areas of the unit to ensure the rights and privileges as presented in this policy and administrative procedure are provided and to ensure the general operation of the unit is in accordance with the facility’s operational procedures.

The highest ranking Custody supervisor conducting this inspection shall provide a written report to the Deputy Warden of Operations indicating all deficiencies found and the steps that are taken to correct them. The Deputy Warden shall advise the Warden of any deficiencies in the unit that cannot be corrected in a timely manner. The Warden shall take the appropriate action to correct these deficiencies.

The highest ranking Custody supervisor shall make him/her-self available to offenders housed in the disciplinary restrictive status housing unit on a daily basis. This staff person shall address any concerns presented by the offenders on the unit and ensure that all proper procedures are followed.

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XII. EMERGENCY RESTRICTIONS:

A need may arise to restrict an offender from one or more of the previously addressed activities itemized in these procedures. A situation may arise when an offender abuses a particular activity which threatens the safety and/or security of the facility, staff or offenders. In those cases where an offender is deprived of any usually authorized item or activity, State Form 16050, "Adult Restrictive Status Housing Restrictions Report," shall be completed. This report shall be forwarded to the Shift Supervisor for review, approval, signature, and appropriate distribution.

When the Warden determines that an emergency situation exists as presented in Policy and Administrative Procedure 02-03-102, "Emergency Response Operations," any activities under this policy and administrative procedure may be suspended. In such cases, it shall not be necessary to advise each offender that these activities are suspended. When the emergency situation no longer exists, activities shall be reinstated.

XIII. MAINTENANCE OF PERMANENT VISITOR'S LOG:

Each restrictive status housing unit shall maintain a permanent unit log. This log shall be used to record any activities as indicated in this policy. Staff shall ensure that all entries into the unit log are made in a timely manner and are legible. The unit log shall be maintained in a safe and secure location in the unit where the offenders will not have access.

Anyone not assigned to work on the administrative restrictive status housing unit who enters the unit, except in emergency situations, shall sign a permanent unit visitor's log, including name, date and time. There are to be no exceptions to this procedure. State Form 37621, Visitors Log-Restrictive Status Housing," shall be used for this purpose. Unit staff shall ensure that the State Form 37621 includes the name of the unit.

In an emergency situation (such as when the E-Squad is activated), the staff person in charge of the unit shall obtain the names of all persons who enter the unit and record the names and titles of these persons in the visitation log. It will not be necessary for each person entering the unit to sign the log during an emergency situation.

XIV. STAB-RESISTANT VEST:

For the Indiana State Prison (IDU and D Cellhouse), Pendleton Correctional Facility, and Wabash Valley Correctional Facility's Secure Confinement Unit, the wearing of a stab-resistant vest by all staff providing services to the offenders, both Custody and non-

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Custody, entering the restrictive status housing unit shall be mandatory. Visitors to the units that are not providing services to offenders may be offered the vests, but it is not mandated that the vests are worn.

For staff members with the rank of Major and above, the wearing of the stab-resistant vests shall be at the discretion of the Warden. If questions arise regarding a staff member below the rank of Major wearing or not wearing the vest, the decision of the Warden shall be final.

For the Westville Control Unit, staff members providing services to the offenders shall wear the vests, minimally, during times of movement or when cuff ports are unsecured.

XV. FACILITIES USING NON-DEPARTMENTAL RESTRICTIVE STATUS HOUSING UNITS (See Operational Procedure of Applicable Facility):

Those facilities which use a non-departmental restrictive status housing facility (i.e., a county jail) as their restrictive status housing unit shall follow the procedures as established for the operation of the non-departmental restrictive status housing unit. These facilities shall develop operational procedures which indicate that the non-departmental restrictive status housing unit is used. The rules of the facility which are used for this purpose shall be attached.

XVI. APPLICABILITY:

This policy and administrative procedure shall be applicable to all Department facilities housing adult offenders which operate a disciplinary restrictive status housing unit or which use a non-departmental facility as a disciplinary restrictive status housing unit.

signature on file
Robert E. Carter, Jr.
Commissioner

Date