DEPARTMENT OF CORRECTIONS

Policy Number:	**202.105**
Title:	**Multiple Occupancy Cell/Room Assignment**
Effective Date:	**4/16/19**

PURPOSE: To provide procedures for offender assignment to multiple occupancy cells/rooms within a facility.

APPLICABILITY: All facilities housing adult offenders in multiple occupancy cells/rooms.

DEFINITIONS:

Dormitory – four or more person room.

Multiple Occupancy Room – two or three-person room.

Single cell restriction – a designation assigned to an offender who must not be placed in a multiple occupancy cell/room.

PROCEDURES:

A. General Requirements

1. All general population offenders at level two through four facilities are presumed eligible for assignment to multiple occupancy cells/rooms, unless they have been assigned a single cell restriction consistent with this policy. Staff assign offenders to multiple occupancy cells/rooms according to these procedures.

2. Offenders must immediately notify staff of legitimate threats to their safety, but are not permitted to manipulate the cell/room assignment process.

3. When DOC staff learn that an offender is subject to a substantial risk of imminent sexual abuse, they must take immediate action to protect the offender.

B. Single cell restriction

1. Mental health and medical restrictions:

a) The facility psychological services director/designee may assign a single cell restriction to an offender when a mental health condition precludes placement in a multiple occupancy cell/room.

(1) A mental health condition includes significant vulnerability or dangerousness to others.

(2) Restrictions are documented in the offender's psychological file.

b) The facility health services administrator/designee may assign a single cell restriction to an offender when a medical condition precludes placement in a multiple occupancy cell/room.

c) Staff assigning a single cell restriction must:

(1) Ensure the information is entered in the correctional operations management system (COMS);

(2) Inform the offender of the restriction; and
(3) Notify appropriate assignment supervisory/unit staff.

d) Mental health and health services administrators must review single cell restrictions prior to facility transfers and as needed, due to changes in an offender's mental health or medical status.

e) The transgender committee must review a transgender offender's need for a single cell and recommend placement as appropriate (see Policy 202.045, "Management of Transgender/Gender Non-Conforming/Intersex Offenders").

2. Disciplinary or other documented history of sexually victimizing offenders or others:

a) Offenders with a documented disciplinary history of sexually victimizing other offenders, or any other documented history of sexually victimizing in any facility setting, are not initially assigned to multiple occupancy or dormitory cells/rooms. A single cell restriction review must be completed prior to placement in a multiple occupancy or dormitory cell/room.

b) In addition to the requirements of Policy 202.057, "Sexual Abuse/Harassment Prevention, Reporting, and Response," reported or observed offender sexual victimization must be documented in an incident report, forwarded to the facility discipline unit, and retained at the facility.

c) Upon completion of the investigation and disciplinary process, the discipline unit supervisor must forwards all documentation to the associate warden of operations (AWO)/assistant superintendent or designee.

d) Upon receipt of such documentation, the AWO/assistant superintendent or designee convenes a committee of programming and security staff to review the offender's status.

e) If the committee concludes the offender must not be assigned to a multiple occupancy cell/room, the offender is assigned a single cell restriction.
(1) The single cell restriction must be entered in COMS;
(2) The offender must be informed of the restriction; and
(3) The appropriate supervisor/unit staff must be notified.

f) The committee may review single cell restrictions assigned to offenders with a disciplinary history of sexually victimizing other offenders on an individualized basis:
(1) If the offender's adjustment and/or treatment participation warrant a change in status; and/or
(2) To facilitate transfer to another facility for participation in sex offender treatment.

C. Multiple occupancy or dormitory cell/room assignment:

1. Intake and reception status

a) Offenders are assigned to a cell/room based on available information such as:
(1) Offender-reported incompatibility concerns;
(2) Input from mental health and health services staff;

(3) Observations of intake staff;
(4) Prior adjustment at DOC facilities; and
(5) Adjustment at sending facility.

b) Intake staff must communicate cell/room assignment concerns to living unit staff where the offender is assigned.

c) All living assignments must be entered in COMS.

2. General population
a) Offenders with an active single cell restriction must not be placed in multiple occupancy cells/rooms.

b) Offenders are assigned to a cell/room with consideration of:
(1) Living and assignment status; and
(2) Information relevant to cell/room assignment received from facility staff (including, the transfer coordinator, intake, security, discipline, office of special investigations (OSI), mental health, health services, and case management).

3. Offender-initiated cell/room assignment changes:
a) Offenders may request a change of cell/room assignment based on legitimate, verifiable security concerns.

b) Facilities may develop a process by which offenders meeting specified criteria may request to change rooms and specify which other offender the offender wants to live with.

c) Offender requests are reviewed by living unit staff consistent with Policy 202.120, "Offender Incompatibility" and Policy 301.085, "Administrative Segregation."

D. Transfer – adult male facilities
1. Facility transfer coordinators must carefully review offenders with an active single cell restriction prior to transfer to any Minnesota Correctional Facility level one through three.
a) Facility transfer coordinators may create a subscription in COMS for "offenders with single cell restrictions" to assist in identifying offenders with single cell restrictions.

b) The sending and receiving facility transfer coordinators must ensure the factors supporting the single cell restriction can be adequately and safely addressed at the receiving facility.

c) A change in circumstances may result in removing the offender's single cell restriction.

2. The sending facility transfer coordinator must communicate and address cell/room assignment concerns to the receiving facility transfer coordinator prior to transfer.

3. The receiving facility transfer coordinator must convey assignment concerns to intake staff and/or living unit staff.

INTERNAL CONTROLS:

A. All living assignments and single cell requirements are retained in COMS.

B. Documented reasons for single cell restrictions are retained in an offender's psychological file.

C. Incident reports are retained at the facility.

ACA STANDARDS: 4-4133

REFERENCES:
Policy 202.120, "Offender Incompatibility"
Division Directive 301.085, "Administrative Segregation"
Policy 202.100, "Classification System"
Policy 202.040, "Offender Intake Screening and Processing"
Policy 203.115, "Consular Notification and International Prisoner Transfer"
Policy 202.110, "Status Overview and Summary – Adult Facilities"
Policy 202.045, "Management of Transgender/Gender Non-Conforming/Intersex Offenders"
Policy 205.300, "Placement of Release Violators"
Policy 202.057, "Sexual Abuse/Harassment Prevention, Reporting, and Response"
Minn. Stat. §§ 241.01, subd. 3a (b) and 243.53
Prison Rape Elimination Act (PREA), 28 C.F.R. §115 (2012)

REPLACES: Policy 202.105, "Multiple Occupancy Cell/Room Assignment," 7/17/18.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: None

APPROVALS:
Deputy Commissioner, Community Services
Deputy Commissioner, Facility Services
Assistant Commissioner, Operations Support
Assistant Commissioner, Facility Services