DEPARTMENT OF CORRECTIONS

Policy Number:	**301.083**
Title:	**Restrictive Housing Management**
Effective Date:	**7/1/19**

PURPOSE: To provide procedures regarding the operation of restrictive housing units in adult facilities.

APPLICABILITY: All adult facilities

DEFINITIONS:
Administrative segregation –see Policy 301.085, "Administrative Segregation."

Continuing observation status (COS) – see Policy 500.300, "Mental Health Observation."

Disciplinary segregation status – see Policy 303.010, "Offender Discipline."

Dry cell – non-punitive security restrictions imposed when it becomes necessary to regulate the water supplied to an offender's cell and maintain other surveillance conditions.

High level control (HLC) – non-punitive security restrictions imposed on offenders in a restrictive housing unit who have engaged in a pattern or serious incident of destructive, disruptive, or threatening behavior.

Hunger strike – see Policy 301.190, "Hunger Strikes."

Pre-hearing detention (PHD) – see Policy 301.085, "Administrative Segregation."

Quiet control – a non-punitive security status imposed on an offender who is placed in a specific room in a restrictive housing unit and is subject to restricted amenities due to destructive, disruptive, or threatening behaviors.

Restrictive disciplinary segregation – see Policy 303.010, "Offender Discipline."

Restrictive housing review team – a team chaired by the restrictive housing program director or designee, which must include representatives from unit security staff, case management, and mental health.

Step-down management program (SDMP) – See Policy 301.088, "Restrictive Housing Step-Down Management Program."

Temporary housing status (THS) – a non-punitive status assigned to an offender temporarily housed in a restrictive housing unit due to non-availability of space in the general population.

PROCEDURES:
A. General Requirements

1. Each adult facility except MCF-Togo and MCF-Red Wing (adults only) must provide a restrictive housing unit that is separate from the general population. These units must maintain adequate conditions for environmental, health, and fire safety.

2. Restrictive housing units must provide living conditions that are approximate to those in general population, including reduced lighting during nighttime hours. All exceptions must be clearly documented. Restrictive housing cells permit offenders to converse with and be observed by staff. Space must be available either inside or outside the unit for restrictive housing offenders to consult with treatment staff.

3. The primary purpose of restrictive housing is to separate offenders from the general population when necessary to ensure safety, security, and the orderly operation of the facility. Placement of an offender in restrictive housing must comply with the policy and procedures governing the type of status that warranted the placement. Only offenders on the following statuses may be placed in restrictive housing:
   a. Administrative segregation;
   b. Disciplinary and restrictive disciplinary segregation;
   c) Step-down management program status;
   d. Pre-hearing detention;
   e. Continuing observation status (COS);
   f. Dry cell; or
   g. Temporary housing status.

4. Female offenders who are pregnant, are within six weeks post-partum, recently had a miscarriage, or recently terminated a pregnancy should not be placed in restrictive housing. In rare situations, they may be placed in restrictive housing as a temporary response to behavior that poses a serious and immediate risk of physical harm. Even in such cases, the decision must be approved by the warden in consultation with a health services supervisor and reviewed every 24 hours.

5. An offender must not be placed in a restrictive housing unit on the basis of gender identity alone.

6. Whenever an offender in restrictive housing is deprived of any usually authorized item or activity, staff must write an incident report describing the restriction and the reasons for it. It must be noted in the offender's unit or electronic file and reports must be forwarded to the captain.

7. A permanent log must be maintained within the unit. In addition, a daily Captain's Report is maintained by staff operating the restrictive housing unit and reviewed every business day by the warden and health services administrator/designee.

8. All offenders in restrictive housing must be personally observed by a correctional officer twice per hour, but no more than 40 minutes apart, on an irregular schedule. Observation must be documented in the unit log.

9. Unit lieutenants/designees must conduct daily visits to restrictive housing units. Additionally, a health services staff person must perform a daily wellness round in the restrictive housing unit setting. All non-unit staff coming into the restrictive housing unit must be documented in the unit log with times of arrival and departure, name, and reason for the visit. Program staff, including education, religious, and transition staff, may visit as necessary or upon request by the offender or other staff.

10. The department must have a standing committee, consisting of facility and department administrators and line staff, to regularly evaluate existing restrictive housing policies and develop safe and effective alternatives to restrictive housing. This committee is chaired by the Deputy Commissioner – Facility Division and meets twice annually.

11. Restrictive housing or discipline unit staff must develop, maintain, and update a phase roster or log to track an offender's restrictive housing placement. At a minimum, the phase roster or log must include:
    a) Offender identification number (OID);
    b) Offender name;
    c) Status;
    d) Phase;
    e) Next phase;
    f) Admission date;
    g) Previous complex/unit (if applicable);
    h) Restrictive housing release date; and
    i) Comments.

12. The restrictive housing review team must review the status of all offenders in restrictive housing units at regular intervals.
    a) Reviews must occur every seven days for the first 60 days of restrictive housing placement and every 30 days thereafter, and retained according to records retention schedules.

    b) The purpose of these reviews is to monitor and respond to the offender's adjustment in restrictive housing. The team must consider:
        (1) The offender's compliance with unit expectations, including positive and negative behaviors displayed;
        (2) Signs or symptoms of mental or physical health deterioration;
        (3) Whether the circumstances that led to the offender's placement in restrictive housing have resolved and the offender can safely be returned to general population; and
        (4) Referral for the step-down management program, if appropriate.

    c) The restrictive housing review team chair must seek input from the office of special investigations (OSI) and health services prior to the meeting, as needed.

    d) Placement, continuation, and release from restrictive housing is determined by the policies governing the offender's specific status. Nevertheless, the restrictive housing review team may provide information and recommendations to the authority responsible for the offender's status to ensure any concerns about the offender's well-being are promptly addressed. As appropriate, a more in-depth care conference may be convened to establish a plan that may include modification of the offender's status or housing placement.

    e) The outcome of the review must be documented and provided to the authority who authorized the offender's placement in restrictive housing as follows:
        (1) Administrative segregation status – warden/designee
        (2) COS – facility mental health director/designee
        (3) Pre-hearing detention, disciplinary segregation, or restrictive disciplinary segregation – warden/designee

(4) Step-down management program (SDMP) – warden/designee

f) The commissioner of corrections must receive notification of all offenders with consecutive placement in a restrictive housing setting for more than 30 days. This notification must occur on a monthly basis.

g) For offenders in restrictive housing more than 120 days, the reason for the placement and the behavioral management plan for the offender must be submitted to the commissioner of corrections. (See 120 Day Restrictive Housing Behavioral Management Plan form, attached.)

B. Restrictive Housing Unit Admission Procedures

1. Unit staff must:

a) Complete the Restrictive Housing Unit Room Inspection form (attached), Restrictive Housing Property Pick-Up form (attached), and Restrictive Housing Unit Intake form (attached) for each offender placed in a restrictive housing unit.

b) Complete the following:

(1) Unclothed body search;
(2) Personal property inventory;
(3) Issuance of state clothing, hygiene items, and linens;
(4) Reviews of incompatibility, phone monitoring, and medical needs, including prescription or over-the-counter (OTC) medications; and
(5) Immediate notification to health services of the offender's admission and documentation of the notification in the unit daily log.

c) Issue a restrictive housing unit manual that includes information on the following:

(1) Privileges and amenities provided on each status or restriction;
(2) Allowable cell items and property;
(3) Canteen;
(4) Cell cleanliness and liability for damage;
(5) Clothing and linen exchange;
(6) Emergency evacuation;
(7) Exercise;
(8) Haircuts;
(9) Informal sanctions;
(10) Kite system;
(11) Legal calls and material;
(12) Mail;
(13) Meal services, including temporary meal service and alternate meals;
(14) Medical services;
(15) Mental health services;
(16) Offender employment;
(17) Over-the-counter medications;
(18) Phases in restrictive housing;
(19) Religious programming;
(20) Shaving and showers;
(21) Supply delivery;
(22) Telephone; and
(23) Visits.

2. Personal allowable items

The following items are allowed unless supervisory staff prohibit an item for safety or security reasons, including imminent danger that an offender may destroy the item or use it to induce self-injury. Item restrictions and reasons for the restrictions must be documented in an incident report.

	Pre-Hearing Detention, Disciplinary Segregation, Restrictive Disciplinary Segregation	**Administrative Segregation**	**Step-Down Management Program**
Personal mail and papers (stack thickness)	6" high	6" high	6" high
Legal materials	5 lbs	5 lbs	5 lbs
Wedding ring with no stones, plain band	1	1	1
Comb, allowed pick or brush	1	1*	1
Approved religious items	1	5*	5
Shower thongs (if not provided)	1	1	1
Address book	1	1	1
Medically approved adaptive equipment	Yes	Yes	Yes
Photographs	0	10*	10
Subscription newspapers/publications	No	Yes*	Yes
Unit-issued books	5	10	10
Educational materials	See E.4 below	Yes	Yes
Radios	No	Yes*	Yes
Approved canteen items per the restrictive housing canteen lists	Yes	Yes*	Yes
Ear plugs	1 pair	1 pair	1 pair
Envelopes	10	10	10
Dentures	Yes	Yes	Yes

* These items may be limited for safety or security reasons if the offender is placed on administrative segregation for the reasons listed in Policy 301.085A.1.c), A.1.d), A.1.f), or A.2.

C. Restrictive Housing Statuses and Phases

1. Dry cell restriction

a) Dry cell restriction may occur when staff suspect an offender has ingested or inserted contraband into the offender's body and has not had the opportunity to excrete or remove the contraband. Dry cell may also be used to restrict water access for offenders who have flooded their cells.

b) General requirements

(1) Offenders may use personal hygiene items upon request and under staff supervision.

(2) An offender on a dry cell restriction is not allowed out-of-cell exercise or showers.

(3) Water must be offered every two hours.

(4) Emergency or legal phone calls are allowed under direct staff supervision.

c) Dry cell for suspected contraband ingestion or insertion

(1) The watch commander must determine the need for an offender's placement in a dry cell. The offender must remain in a dry cell for at least 24 hours. The unit lieutenant or watch commander may remove an offender from this restriction after consulting with the special investigator, program director, or other appropriate staff.

(2) The watch commander must notify the officer of the day (OD) of the dry cell placement.

(3) Officers must perform routine intake procedures before placing an offender in a dry cell, with the exception of issuing only one set of clothing with the normal bedding issue. Officers must instruct the offender on how to comply with dry cell procedures.

(4) Preparing the cell

(a) The cell must be equipped with camera observation.

(b) Prior to offender placement in the cell, an officer must thoroughly search the empty cell.

(c) Officers must turn off water to the sink and toilet and plunge the remaining toilet water. Staff must "test-flush" the toilet to relieve any remaining pressure.

(5) To ensure the dry cell's integrity, staff must search everything entering or exiting the cell, including bedding, food trays, medical supplies, refuse, and human waste.

(6) When the offender needs to use the toilet, the offender must contact staff. Officers must provide a container for the offender's toileting use.

(7) Officers must observe the offender at all times. Upon completion of an offender bowel movement, officers must thoroughly check the stool for contraband. Officers must take all precautions to protect their health and safety, including use of personal protective equipment (see Policy 105.113, "Personal Protective Equipment (PPE)"). The officers must document these actions in the daily unit log and an incident report.

(8) Officers must place any recovered contraband into evidence and immediately notify the watch commander.

d) Dry cell for hunger strikes – see Division Directive 301.190, "Hunger Strikes."

e) Dry cell for misuse of water (e.g., flooding cell)

(1) Officers must turn off all water to the cell and plunge the remaining toilet water. Staff must "test-flush" the toilet to relieve any remaining pressure.

(2) Officers must offer the offender drinking water at least every two hours or more frequently upon offender request, and document water offers and intake in the daily unit log.

(3) Offenders must notify staff when the toilet needs to be flushed (at reasonable intervals).

(4) The unit lieutenant or watch commander must review this restriction daily and restore water to the cell when it is believed the offender will refrain from flooding the cell.

2. High level control (HLC)

a) A lieutenant or higher authority must review the offender's behavioral history and determine appropriateness for placement on high level control (HLC). The offender must be verbally informed of placement and removal from this status.

b) Placement on HLC status is based on the following factors:
   (1) Current disciplinary offense involves assaultive behavior, weapons, or escape behavior;
   (2) Recent history of assaultive behavior or threats to staff;
   (3) Recent history of mental health issues that could lead to assaultive or dangerous behavior; or
   (4) Recent history of escape or attempted escape from a secure setting.

c) The offender's cell and unit records must be flagged to alert staff to HLC.

d) The unit supervisor must review an offender's placement on HLC at least every seven days to determine if continuation is needed.

e) Cell assignments
HLC offenders must reside in a cell that allows for officer observation and control to maintain needed security precautions.

f) Movement
   (1) In restrictive housing units whose designs allow for non-contact, indirectly-supervised offender movement, HLC offenders may move without escort to designated secure rooms for exercise, showers, visits, telephone, etc.

   (2) Under all other circumstances, three staff must be present when removing the offender from the cell or placing the offender back into the cell.
      (a) Escort restraints must include, at a minimum, a padded helmet, handcuffs, waist chain, leg irons, and, if necessary, a spit mask.
      (b) Staff must conduct a pat search during cell removal and return (see Policy 301.010, "Searches").
      (c) The offender must be escorted by at least two officers whenever the offender is out of the cell.
      (d) Additional control methods (see Policy 301.081,"Use of Force and Restraints – Adult") must be used if the offender has demonstrated extremely assaultive or threatening behavior.

g) Exercise
All exercise must be conducted alone during regular programming times. The allotted time is the same as phase 1 offenders (see Restrictive Housing Status Grid and Proc. E.5., below).

h) Telephone calls and showers
Telephone and shower activities must be conducted during exercise time.

i) Book passes
The book pass must remain closed at all times except during cell delivery and must be secured immediately upon completion of delivery.

j) Cell delivery

Whenever staff deliver an item (e.g., mail, food, laundry), the offender must sit on the bed with hands visible. The staff member must ensure that the offender is on the bed before opening the book pass.

k) Cell searches
The officer in charge may approve cell searches after consultation with the unit lieutenant.

3. Informal sanctions plan

a) Staff may use informal sanctions as an alternative to formal discipline procedures for violations of unit or facility rules while the offender is in restrictive housing. Staff must complete the Restrictive Housing Informal Sanctions form (attached).

b) Any privilege granted to an offender placed in a restrictive housing unit, including on administrative segregation status, may be suspended upon the writing of a report that describes a violation of rules.

c) A supervisor/designee must review all loss of privileges (LOP) prior to implementation of the penalty. The supervisor and the reporting staff determine whether formal discipline or informal sanctions are processed. Privileges may be suspended for up to ten days. Suspension of privileges must 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.

d) Restrictive Housing Informal Sanctions forms and reports of loss of privileges must be retained according to retention schedules.

4. Phase program

An offender serving a disciplinary segregation penalty or being held on pre-hearing detention status participates in the phase program (see Restrictive Housing Status Grid). The phase program is a system of incentives to allow offenders who demonstrate appropriate behavior the ability to earn additional privileges. Offenders on HLC are allowed to participate in the phase program if positive behavior is exhibited.

a) All offenders on disciplinary segregation or pre-hearing detention status start at phase I.

b) After 30 consecutive days of good behavior, the offender is placed on phase II.

c) If an offender is formally charged with a rule violation, the offender automatically drops to phase I. If the offender is found not guilty of the rule violation, the offender's previous phase status is restored, including the accumulated time toward the next phase.

d) Any offender receiving three or more informal reports within a 90-day period reverts back to phase I.

e) If an offender transfers to the Mental Health Unit, the offender's phase status is not affected, except by negative behavior.

f) As an option of accelerating return to the general population, when appropriate and available, an offender may complete any part of the disciplinary segregation

sanction on in-house segregation status (IHS) within a general population living unit.

5. Quiet control

a) Staff must write an incident report documenting the offender's disruptive behaviors in order to initiate a quiet control placement. Examples of behaviors that can warrant quiet control placement include physical harm to self or others, property damage, threats of physical harm or property damage, inciting other offenders, or other actions that negatively impact the orderly and secure operation of the unit.

b) The restrictive housing unit supervisor determines if an offender is placed on quiet control. In the absence of the unit supervisor, the watch commander determines placement. The placing supervisor or watch commander must document an offender's quiet status placement on the Quiet Control Placement form (attached).

c) Placement on quiet control is normally of short duration with the offender's subsequent behavior as a determining factor for length of placement.

d) The restrictive housing unit supervisor or watch commander must review the offender's quiet control placement daily and document the decision on the Quiet Control Continuation/Removal form (attached). If the offender has refrained from negative behaviors for 24 hours and it is reasonably apparent that the behaviors will not reoccur, the offender must be removed from quiet control.

e) The unit supervisor must consult with his/her supervisor in order to extend the offender's quiet control placement beyond ten days. The unit supervisor must provide written notification to the offender when extending quiet control beyond ten days and place a copy of the notification in the offender's file.

f) Quiet Control Placement/Continuation/Removal forms are placed in the offender's electronic file.

g) Allowable items for offenders on quiet control are: one set of clothing, footwear, prescription eyewear, and access to personal hygiene items. The offender is allowed these items unless the behavior that resulted in placement on quiet control involved abuse of these items and prior approval to deny these items is obtained from the unit supervisor or watch commander. If the offender's clothing is removed from the cell, the offender must be given a security gown and security blanket. The garment must promote offender safety in a way that is designed to prevent humiliation and degradation.

h) Offenders on quiet control receive regular meals, but alternative serving containers and utensils may be provided.

i) Each facility restrictive housing unit must have cells that can accommodate quiet control placement. These cells are not required to have camera observation, but, if available, camera observation may be used.

6. Restrictive disciplinary segregation

Offenders on restrictive disciplinary segregation receive the privileges and amenities as described on the Restrictive Housing Status Grid. In addition, the following limitations apply:

a) One religious book/item or pamphlet;
b) Only mail that is received while on restrictive disciplinary segregation;
c) Five sheets of writing paper;
d) Two envelopes; and
e) One paperback book.

7. Temporary housing status (THS)
When bed space is not available in general population for an offender who is about to be released from a restrictive housing unit, the offender must remain in the unit on temporary housing status (THS) until bed space is available. General population offenders newly arrived to the facility may also be placed in a restrictive housing unit on THS if bed space is not available in general population. Staff must notify the offender of the placement on THS using the THS Assignment Notice form (attached) and document the notification in the restrictive housing unit log. THS privileges and amenities must meet or exceed those of administrative segregation status.

D. Restrictive Housing Unit Health Services

1. Medical services

a) Nursing staff must ensure that offenders are seen within 24 hours of receiving notification of the offender's admission into the restrictive housing unit. If the screening indicates symptoms of a mental illness, a qualified mental health professional must be consulted regarding appropriate treatment and placement. The health services staff person must document any time an offender screens in for symptoms of a mental illness and whether or not the health services staff person made a connection with a mental health professional. The nursing visit must be logged in the offender's medical record progress notes.

b) Each offender in restrictive housing has access to medical services. Unit staff collect and deliver requests to medical staff prior to each daily visit. Nursing staff must conduct daily visits to each offender in a restrictive housing unit to address medical concerns. If the health services staff person indicates the offender exhibits symptoms of a mental illness, a qualified mental health professional must be consulted regarding appropriate treatment and placement. Unit staff must document and announce the presence of nursing staff in the unit. Emergent medical issues may require activation of the incident command system (ICS).

c) A nurse practitioner, physician's assistant, or physician must, at a minimum, conduct one weekly visit to the restrictive housing unit. Unit staff must announce and document the presence of the health care practitioner. Medical staff handle all emergency medical needs on an individual basis.

d) Nursing staff must distribute medications to offenders in restrictive housing units. During the medication distribution times, nursing staff may make rounds throughout the entire unit.

e) Staff must notify nursing staff to conduct an assessment any time an offender is involved in an incident that has the potential for injury or when physical force was used to restrain the offender. A nurse determines whether medical attention is necessary and the level of such attention.

2. Mental health services

a) Unless the mental health provider determines that attention is needed more frequently, mental health staff must make a weekly round in a restrictive housing unit. The presence of staff must be announced and documented on the unit log.

b) If restrictive housing placement continues beyond 30 days, a qualified mental health professional must personally interview and prepare a written mental health assessment report for the offender. For offenders who have an identified mental health need, a qualified mental health professional must make additional mental health assessments at least every 30 days. For all other offenders, additional assessments must occur every three months, or more frequently if prescribed by the chief medical authority.

c) Staff must immediately notify and prepare a written request to mental health services if an offender requests such services or exhibits signs of depression, disorientation, or unusual behavior. Staff witnessing depression, disorientation, or unusual behavior must also immediately notify the watch commander.

d) Whenever possible, mental health assessments must occur outside the cell in a confidential area.

3. Continuing Observation Status (COS)

a) Each facility must have cells that accommodate the monitoring requirements of Policy 500.300, "Mental Health Observation."

b) Unit staff must complete the Continuing Observation Log form (attached) for each offender on COS.

4. Over-the-counter (OTC) medications

Offenders are allowed to purchase over-the-counter (OTC) medications while housed in a restrictive housing unit.

a) Offenders may keep one pain medication package and one cold/antihistamine medication package in their cells. One additional cold/antihistamine medication package may be held in the offender's restrictive housing property storage bin.

b) Offenders who are not allowed to keep OTC medications in their cells due to safety or security reasons must receive OTC medications directly from health services as clinically indicated.

E. <u>Services and Privileges</u>

1. Canteen

Canteen privileges, including item selection and spending limits, are determined by the offender's status while in restrictive housing. MINNCOR maintains separate canteen lists and order forms as determined by the standing committee on restrictive housing (see Proc. A.10., above). Canteen order forms are distributed weekly and a product catalog is available for offenders.

2. Damage to bedding

The term "bedding" is used throughout this section to mean any of the following items: mattresses, pillows, sheets, blankets, mattress pads, and pillowcases. If an offender damages, alters, burns, or destroys any issued bedding, a lieutenant or higher authority may authorize the following procedures:

a) All of the bedding is removed from the cell, including the mattress.

b) By 2200 hours, the offender is issued four blankets to sleep on that night.

c) The following morning, the four blankets are removed.

d) This restriction is reviewed daily, including a daily discussion with the offender by the unit lieutenant or designee.

e) If three nights pass and there is no damage to the blankets, the offender's standard bedding issue is returned.

f) If further damage occurs to the four blankets during the three-night period, the four blankets are removed and replaced with a tear-resistant blanket.

g) At the point the four blankets are returned to the offender, the three-day period starts over.

h) After regular bedding has been returned, further damage to the bedding results in this restriction being enforced for seven nights.

i) All bedding restrictions must be noted in an incident report and in the daily unit log.

3. Delegation status of offenders from restrictive housing units
Offenders serving disciplinary penalties in restrictive housing receive credit for time out of the facility on delegation status.

4. Education programming
   a) Offenders in a restrictive housing unit must be offered education services in accordance with their status. Materials and service delivery may be modified according to the security requirements of the offender's status.

   b) All offenders age 21 and under who have active individual education plans (IEPs) must have access to education materials and services while in a restrictive housing unit.

   c) For offenders not subject to IEP requirements, access to education materials and services is determined based on the facility education department's available resources. Access is provided to individual offenders under the following conditions:
      (1) The offender must be categorized as phase II or SDMP;
      (2) The offender must not have met the literacy mandate of having a verified GED or high school diploma, and was enrolled in a literacy class when the offender was assigned to restrictive housing;
      (3) The offender must make the initial request to education staff to receive education materials; and
      (4) Only soft-cover books, workbooks, and handouts are provided to the offender. Education materials are included in the six-inches of allowable materials.

5. Exercise – see Restrictive Housing Status Grid (attached).

Each offender receives a minimum of one hour of exercise per day, five days per week, outside of the offender's cell, unless security or safety considerations dictate otherwise (e.g., dry cell, COS, quiet control). Programming may be modified based on facility needs as approved by the unit lieutenant or higher authority.

6. Hygiene
Offenders in restrictive housing have the opportunity to shave and shower at least three times per week, unless this causes an undue security risk.

7. Laundry exchange
Staff must provide offenders in restrictive housing with the opportunity to have three complete sets of clean clothing per week. Staff must determine when blanket exchanges are done. Offenders in restrictive housing must exchange clothing, bedding, and linen on the same basis as offenders in the general population, unless otherwise directed by the unit lieutenant.

8. Legal calls and materials
   a) Legal calls are allowed in accordance with Policy 302.210, "Offender Telephone Use."

   b) Staff must provide offenders access to legal materials in accordance with Policy 204.045, "Library." Offenders must request legal reference materials from the facility law library or the Law Library Services for Prisoners (LLSP) by offender kite.

   c) Offenders are not allowed to possess personal legal reference books if the same books or excerpts are available through the law library.

9. Mail
Mail and offender messaging (o-mail) are allowed in accordance with Policies 302.020, "Mail," and 302.022, "Offender/Resident Kiosk Services." Offenders must be able to write and receive letters on the same basis as offenders in the general population. Incoming mail may only include the following:
   a) Paper with words/drawings on it (letters with photographs or photocopies of photographs are not allowed);

   b) Signed, non-musical, commercial greeting cards and post cards no larger than 8.5" by 11"; and

   c) Subscribed legal or legislative publications or photocopies of articles from such publications (newspapers, other newsletters or published materials, and internet printings are not allowed). Possession of such items is subject to the overall five pound limit on legal materials.

10. Meals
   a) Meals in restrictive housing consist of the same food served to the general population. However, substitutions may be made for foods that present a security risk (e.g., hot coffee, thin soups, fruit items, bones, wooden sticks, etc.).

   b) Temporary meal service
   Offenders who have used food or food service equipment in a manner that is harmful to themselves, staff, or other offenders, or is otherwise inappropriate, must

be provided with temporary meal service. This alternate meal service may be based on health or safety considerations only.

(1) Staff must complete an incident report and a Temporary Meal Service form (attached), including a description of the offender behaviors resulting in the restriction, any time temporary meal service is provided.

(2) The warden/designee and the facility health services administrator/designee must provide written approval for temporary meal service.

(3) Any temporary meal service must meet basic nutritional requirements. If the offender has special dietary needs, health services staff must consult with food service staff to determine any medically necessary modifications.

(4) Any temporary meal service order must not exceed seven days.

11. Offender movement, cell access, escorts, and use of restraints
Because each restrictive housing unit differs in design and staffing, each facility must develop procedures for the secure movement of offenders within and outside the restrictive housing unit.

12. Religious programming
Offenders in restrictive housing units must have access to the facility chaplain/religious coordinator for in-person meetings and may request religious materials by kite. Possession of religious items and materials is regulated by the offender's status.

13. Telephone
An offender in restrictive housing is allowed limited social telephone privileges as described in the Restrictive Housing Unit Status Grid, unless social phone privileges have been suspended by the warden/superintendent or designee. Phone privilege suspensions do not apply to attorney calls. Offenders may also receive authorized phone calls in response to family emergencies unless security or safety considerations dictate otherwise.

14. Visits
Offender visits are allowed in accordance with the Restrictive Housing Status Grid and Policy 302.100, "Visiting." Visits are conducted in a non-contact manner or by video. Any substantial reasons for withholding visiting privileges must be documented.

F. Restrictive Housing Unit Release

1. Restrictive housing facility-to-facility transfer
   a) An offender's current phase status transfers from facility to facility.
   b) Canteen items purchased while in restrictive housing are not allowed in another facility's restrictive housing unit.

2. Offenders are released from restrictive housing when they are removed from the status that initiated the placement, unless they are placed on another restrictive housing status.

3. When applicable, restrictive housing unit staff must verify the accuracy of an offender's disciplinary segregation release date in the correctional operations management system (COMS). Offenders are released from restrictive housing as bed space and facility needs dictate.

4. For offenders in the step-down management program, Policy 301.088, "Restrictive Housing Step-Down Management Program," determines their release dates.

5. An offender must not be released into the community from a stay in restrictive housing for 60 days or more absent a compelling reason. In cases where there is a compelling reason, the commissioner of corrections or deputy commissioner must directly authorize the offender's release into the community from restrictive housing. (See 60-Day Restrictive Housing Release Authorization form, attached.)

6. An offender who will be released from a restrictive housing unit directly to the community must receive case management services as required by Policy 203.010, "Case Management Process," and release planning services as required by Policy 205.140, "Adult Offender Reentry Services and Programming."

7. If an offender will be released directly to the community following more than 30 days in restrictive housing, and the release is not based on a court order for immediate release, the facility must document the reasons the offender did not transition to the general population and must receive agency level approval. In addition to required release procedures, the following steps must be taken:
   a) Development of a release plan that is tailored to the offender's specific needs;
   b) Notification of release to state and local law enforcement;
   c) Notification to the offender of applicable community resources; and
   d) Victim notification, if applicable.

G. Restrictive Housing Unit Corrections Officers

1. The selection criteria for officers to work in a restrictive housing unit includes the following:
   a) They must have completed these on-line classes in the current year:
      (1) Fire Safety and Evacuation
      (2) A-Team De-Escalation
      (3) Evidence Based Practices

   b) They must have completed all mandatory training for the prior fiscal year.

   c) All specialized training they have must be documented.

2. All officers assigned to restrictive housing units must be re-assigned for a minimum period of three months after two years of continuous assignment.
   a) The timing of the reassignment may be at the facility's discretion or an officer's request. Reassignments may be prioritized based on the length of continuous time assigned to the unit.

   b) Staff-arranged exchanges that extend a minimum of three months are recognized as a reassignment.

   c) No more than one staff person per shift is rotated from second and third watches.

   d) As officers from the unit are reassigned, officers from the utility pool assume the vacant restrictive housing positions. Selection from the utility pool begins 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) The least senior staff persons are assigned for three months, or

(2) The watch commander assigns staff on a daily basis (the local/labor management committee decides how the daily assignment from the utility pool occurs).

e) Probationary employees are excluded from consideration in the rotation pool.

H. Reporting

By January 15, 2020, and by January 15 each year thereafter, the commissioner of corrections must report to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over public safety and judiciary on the status of the implementation of the provisions in Minn. Stat. § 243.521. The commissioner's office must retain these reports according to retention schedules. This report must include, but not be limited to, data regarding:

1. The number of inmates in each institution placed in restrictive housing during the past year;

2. The ages of inmates placed in restrictive housing during the past year;

3. The number of inmates transferred from restrictive housing to the mental health unit;
4. The lengths of terms served in restrictive housing, including terms served consecutively; and

5. The number of inmates by race in restrictive housing.

INTERNAL CONTROLS:

A. Weekly restrictive housing offender status reviews are documented by the restrictive housing review team and retained according to the records retention schedule.

B. Informal sanctions and suspension of privileges/amenities are documented on Restrictive Housing Informal Sanctions Reports or loss of privileges reports, and retained according to records retention schedules.

C. Incident reports are retained at the facility according to the records retention schedule.

D. Reports to the legislature are retained by the commissioner's office according to retention schedules.

ACA STANDARDS: 4-4249, 4-4256, 4-4258, 4-4400, 4-4259, 4-4260, 4-4262, 4-4263, 4-4264, 4-4265, 4-4267, 4-4270, 4-4346, and 4-4276

REFERENCES: Minn. Stat. §§ 241.01; 243.521 (2019 1st Special Session Chapter 5, Article 3, Section 10)
Policy 105.113, "Personal Protective Equipment (PPE)"
Policy 203.010, "Case Management Process"
Division Directive 204.040, "Education"
Division Directive 204.045, "Library"
Policy 205.140, "Adult Offender Reentry Services and Programming"
Policy 301.085, "Administrative Segregation"
Policy 301.088, "Restrictive Housing Step-Down Management Program"
Division Directive 301.190, "Hunger Strikes"
Division Directive 302.020, "Mail"
Division Directive 302.022, "Offender/Resident Kiosk Services"

Policy 302.030, “Food Service”
Division Directive 302.100, “Visiting”
Division Directive 302.210, “Offender Telephone Use”
Policy 302.300, “Religious Programming”
Policy 303.010, “Offender Discipline”
Policy 500.300, “Mental Health Observation”

REPLACES: Policy 301.083, "Restrictive Housing Management," 6/3/19.
All facility policies, memorandums, or other communications whether verbal, written or transmitted by electronic means regarding this topic.

ATTACHMENTS:
Restrictive Housing Unit Room Inspection (301.083A)
Restrictive Housing Property Pick-Up (301.083B)
Restrictive Housing Unit Intake (301.083C)
Restrictive Housing Status Grid (301.083D)
Restrictive Housing Informal Sanctions (301.083F)
Continuing Observation Log (301.083G)
Quiet Control Placement (301.083H)
Quiet Control Continuation/Removal (301.083I)
Temporary Meal Service Placement/Continuation/Removal (301.083J)
Notice of Temporary Housing Assignment (301.083K)
120-Day Restrictive Housing Behavioral Management Plan (301.083L)
60-day Restrictive Housing Release Authorization (301.083M)

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