

	MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES	
	Subject RESTRICTIVE HOUSING OPERATION	Policy Number DI-3
		Effective Date 04-28-21
Related Information DB-2, <i>Shift Logs and Logbooks</i> DH-7, <i>Intrafacility Inmate Movement</i> DI-2, <i>Administrative Restrictive Housing</i> DI-4, <i>Special Management Review Committee</i> DJ-2, <i>Inmate Disciplinary Procedure</i> DJ-8, <i>Alternative Meal Disciplinary Sanction</i>	Supersedes DI-3 (04-30-16)	

PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures for housing and supervising inmates in administrative, disciplinary, or security restrictive housing; or closed custody housing.

POLICY

It is the policy of the Office to provide the least restrictive setting necessary to ensure a safe and secure environment for employees, Correctional Health Services (CHS), and inmates.

DEFINITIONS

Administrative Restrictive Housing: Removal from general population of an inmate whose safety is, or may be, threatened from within the jail facility. Placement into administrative restrictive housing shall be made at the direction of Inmate Classification Division personnel.

Back Time: Credit which may be given to an inmate, for disciplinary sanction purposes, for the time the inmate was placed into restrictive housing prior to their disciplinary hearing. Back time credit shall be given to an inmate for any amount of time in restrictive housing in excess of 72 hours.

Closed Custody: The classification category of an inmate who, based upon documented factual information, poses a serious threat to life, property, employees, CHS personnel, other inmates, or to the orderly operation of the jail facility.

Disciplinary Profile: A disciplinary profile is assigned to each inmate's tablet and will limit the tablet applications available when the inmate is in a disciplinary status. Legal phone dialer, grievance forms, inmate request forms, and education programs will normally be available but may be subject to change based on an inmate's disciplinary status.

Disciplinary Restrictive Housing: This housing is provided for inmates who violate inmate rules and regulations, as determined by Custody Bureau Hearing Unit (CBHU) sergeants. Disciplinary restrictive housing may consist of restrictive housing away from general population, including lockdown for up to 23 hours daily and restriction from certain privileges.

Inmate Tablet: A handheld computerized electronic device which uses a touch screen interface. The inmate tablet is provided and maintained by a contracted vendor. Inmate tablets are battery operated and must be returned to the charging station on a regular basis in order to be charged.

Restrictive Housing: Any type of detention that involves: removal from the general inmate population, whether voluntary or involuntary; placement in a locked room or cell, whether alone or with another inmate; and the inability to leave the room or cell for the vast majority of the day, typically 22 hours or more.

Security Restrictive Housing: Removal from general population of an inmate who poses a threat to the orderly operation of the jail facility, and who needs immediate, temporary restrictive housing pending reclassification, reassignment, or placement into another housing category. Placement into security restrictive housing shall be determined by detention personnel.

PROCEDURES

1. **Reasons for Restrictive Housing:** Inmates are placed in restrictive housing when continued placement in general population creates a safety risk to themselves, other inmates, employees, or CHS personnel; or threatens the orderly operation and security of the jail facility. Restrictive housing may also be imposed as a sanction for a violation of the *Rules and Regulations for Inmates*.
 - A. Detention personnel, Custody Bureau Hearing Unit (CBHU), the Inmate Classification Division, and CHS personnel shall clearly articulate the specific reasons for an inmate’s placement and retention in restrictive housing. Inmates should remain in restrictive housing no longer than necessary to address the specific reasons for the placement.
 - B. Inmates shall only be placed in restrictive housing by the appropriate personnel, including, but not limited to, the CBHU, the Inmate Classification Division, and CHS.
 - C. CHS personnel will be consulted before placing an inmate into any type of restrictive housing, as specified in this Office Policy. If immediate placement is necessary due to safety and security reasons, CHS shall be contacted immediately following the placement.
 - D. Upon placing an inmate into restrictive housing, detention personnel making the placement shall review the Alerts section of the inmate’s Booking Record in the Sheriff’s Inmate Electronic Data (SHIELD). If there is an Alert designating the inmate as Seriously Mentally Ill (SMI) or Mental Health Chronic Care (MHCC), detention personnel shall notify the Mental Health Unit and an on-duty detention supervisor.

2. **Inmates in Security Restrictive Housing:** Detention personnel placing an inmate into security restrictive housing shall notify the supervisor of the placement, as soon as practical.
 - A. For the safety and security of other inmates, employees, and CHS personnel, an inmate who, based upon documented factual information, may be placed in security restrictive housing. If the inmate continues to jeopardize the safety and security of others prior to or when placing them into restrictive housing, the following additional safety measures may be taken which include, but are not limited to, the following:
 1. Removing all of the inmate’s personal items with the exception of clothing and legal papers, unless the said items are being used in a manner to cause security concerns; and
 2. If necessary, the inmate may be fed an alternative meal, as specified in Office Policy DJ-8, *Alternative Meal Disciplinary Sanction* (Alternative Meal Muffins), which does not involve giving the inmate any paper, plastic, or other material which could be used to assault personnel, or to contain or project bodily fluid, excrement, or urine.
 - B. For all security restrictive housing placements, detention personnel shall forward a *Jail Commander Notification Form* (JCNF) through the chain of command to the jail commander,

prior to the end of the shift. If a rule violation occurred, a copy of the *Disciplinary Action Report* (DAR) shall be attached.

1. A copy of the DAR, if applicable, shall be forwarded to detention personnel assigned to the housing unit receiving the inmate.
 2. If an *Incident Report* (IR) is generated as the result of an incident and detention personnel request the inmate be placed on the Alternate Meal Disciplinary Sanction, as specified in Office Policy DJ-8, *Alternative Meal Disciplinary Sanctions* (Alternative Meal Muffins), a copy of the IR face sheet from The Traffic and Criminal Software (TraCs) shall also be forwarded to the CBHU.
- C. Detention personnel assigned to the housing unit receiving the inmate shall ensure all pertinent information is entered into the housing unit's Shift Logs, as specified in Office Policy DB-2, *Shift Logs and Logbooks*.
- D. Prior to the end of the shift, the shift supervisor shall indicate on the JCNF which programs or services are restricted. Programs that the inmate is normally allowed to attend shall be denied if attendance jeopardizes the security or operation of the jail facility.
- E. All inmates in security restrictive housing shall become the priority for the reviewing parties and shall be seen within 72 hours, unless exigent circumstances exist. The case of an inmate who has been placed in security restrictive housing shall be reviewed by one of the following:
1. CBHU: Once the CBHU is notified of an inmate's initial placement into security restrictive housing, the CBHU shall normally conduct a hearing within the timeframe specified in this Office Policy.
 - a. If the CBHU is not able to complete the hearing within 72 hours, the CBHU shall give the inmate back time for any time spent in restrictive housing in excess of 72 hours.
 - b. If disciplinary action is recommended, the case shall be reviewed by a CBHU sergeant.
 2. Inmate Classification Division: If the purpose of the placement is to have the inmate reclassified, or placed into administrative restrictive housing, Inmate Classification Division personnel shall review the case. To ensure the inmate is reviewed within the specified timeframe, a copy of the inmate request for Administrative Restrictive Housing shall be e-mailed to the Inmate Classification Division at MCSO.Classifications.OPS@MCSO.Maricopa.gov.
 3. CHS: If the purpose of the placement is to have the inmate evaluated for medical reasons, CHS personnel shall review the case.
- F. Placement in security restrictive housing may be made for up to 72 hours. The housing unit officer shall be responsible for reviewing the inmate's status and ensuring the removal of the inmate from security restrictive housing after 72 hours has expired. If the housing unit officer feels the inmate's behavior requires additional security restrictive housing, they shall notify their supervisor. The housing officer shall also contact the appropriate reviewing parties to ensure security restrictive housing is warranted and complete a new JCNF. The extension of the inmate's security restrictive housing shall not exceed an additional 72 hours.

- G. The release of an inmate from security restrictive housing prior to an evaluation by the personnel responsible for review may only be authorized by the jail facility commander, shift commander, or their designee. However, an inmate who was placed into security restrictive housing through an *Inmate Request Administrative Segregation* request shall not be removed from security restrictive housing until Inmate Classification personnel conducts a review.
3. **Inmates in Disciplinary Restrictive Housing:** Inmates shall be placed into disciplinary restrictive housing for a rule violation following a disciplinary hearing as a part of the formal disciplinary procedure, as specified in Office Policy DJ-2, *Inmate Disciplinary Procedure*, and sanctions have been imposed by a CBHU sergeant.
- A. Time limitations for the disciplinary restrictive housing and other restrictions, if applicable, shall be indicated on the DAR.
 - B. When it is determined that the inmate is to serve 15 or more days in disciplinary restrictive housing, the CBHU sergeant shall forward a copy of the DAR to the Inmate Classification Division. The Inmate Classification Division shall review the inmate's classification file to determine if the inmate shall be reclassified to a higher security level.
 - C. Disciplinary restrictive housing for more than 30 days is prohibited for sanctions arising out of one incident, or the continuation of one incident.
 - D. Inmates who are housed in disciplinary restrictive housing may only purchase hygiene items from the Inmate Canteen Section.
 - E. Inmates who are housed in disciplinary restrictive housing shall have their cell property inventoried and removed from their cell, except for hygiene items. The property shall be placed in a secure area until the inmate is rehoused in general population.
 - F. Inmates housed in disciplinary restrictive housing shall only have access to the Disciplinary Profile on the inmate tablets.
4. **Inmates in Administrative Restrictive Housing:** Inmates shall be placed into administrative restrictive housing upon their request or if it is determined that the inmate may be in danger if they remain in general population. Inmates in administrative restrictive housing shall have their classification reviewed by the Special Management Review Committee (SMRC) every 30 days, or as specified in Office Policy DI-4, *Special Management Review Committee*.
5. **Inmates in Closed Custody:** Inmates are placed into closed custody upon a classification review that determines their continued presence in general population poses a threat to themselves, other inmates, or the security of the jail facility.
- A. Closed custody inmates are identified by level as, CC I, CC II, CC III, and CC IV. Closed custody inmates shall be separated into their assigned levels. These levels shall determine the dayroom access and recreation time each inmate shall receive.
 - B. Closed custody inmates shall have their classification level reviewed by the SMRC every 30 days, or as specified in Office Policy DI-4, *Special Management Review Committee*.
 - C. Detention personnel shall not enter a closed custody housing area without adequate assistance, as specified in Office Policy DH-7, *Intrafacility Inmate Movement*.

6. **Medical Restrictive Housing:** An inmate shall be placed in medical restrictive housing when the inmate does not show symptoms of a communicable disease but merely refuses a physical examination or medical testing for ruling out a communicable disease. The medical restrictive housing cells shall normally be located at the same place as a jail facility's other restrictive housing cells.

7. **Inmate Access to Programs and Services:** Inmates placed into restrictive housing may have access to programs and services that include, but are not limited to, education, canteen purchases, legal and general library services, social services, counseling, religious guidance, and recreational opportunities. Inmates may be denied certain programs or services for disciplinary, security, or safety reasons. Some programs normally afforded to general population inmates may not be available to inmates in restrictive housing due to inmate population numbers, jail facility space availability, or other restrictions, as determined by the Custody Support Division.
 - A. Inmates in restrictive housing are provided with opportunities for visitation, unless there are disciplinary or security reasons for withholding such privileges.
 1. Upon request, visitors shall be informed when an inmate is restricted from visitation privileges and, if possible, when the restriction is lifted.
 2. Inmates in restrictive housing shall not be restricted from legal visits.
 - B. Except when limited by security precautions, inmates in restrictive housing shall receive the same meals as inmates housed in general population.
 - C. Inmates in restrictive housing shall be allowed at least one hour out of their cells or rooms on a daily basis in order to shower and clean their living areas. Exceptions may be made, with the approval of the jail facility commander or their designee, when there is a potential threat of property damage or the possibility of an assault to employees, CHS personnel, or other inmates.
 - D. Except when limited by security precautions, inmates in restrictive housing shall be provided the opportunity to exchange jail clothing, bedding, and linen, and receive barbering services on the same basis and frequency as inmates in general population. Exceptions are permitted only when it is deemed necessary by the shift supervisor.
 - E. Inmates in restrictive housing are allowed legal and telephone privileges.
 1. Inmates in disciplinary restrictive housing are allowed limited telephone privileges which shall consist of legal telephone calls related specifically to the judicial process, and legitimate family emergencies, as determined by the jail facility commander or shift commander, or their designees.
 2. Disciplinary sanctions that prohibit an inmate from using the telephone shall be strictly enforced.
 - F. Inmates in restrictive housing shall have access to legal materials and services provided by the Inmate Legal Services Section.
 - G. Inmates in restrictive housing shall have access to various reading materials provided by the Inmate Library.
 - H. Inmates in restrictive housing may be afforded additional time outside of their cells for the purpose of recreation, as time and staffing permit, unless security or safety precautions prohibit

such activity. Inmates in disciplinary restrictive housing shall be denied access to outdoor recreation for the first seven days of a sanction.

- I. Inmates in restrictive housing may receive educational opportunities, social services, counseling, and religious guidance, unless security or safety precautions prohibit such activities.
 - J. Inmates in restrictive housing may be allowed to purchase and receive canteen items, unless disciplinary sanctions prohibit this privilege.
8. **Restrictions:** When an inmate is deprived of any generally authorized item or activity due to restrictive housing, a report of the action shall be completed and forwarded to the jail commander through the chain of command. The memorandum shall identify the inmate, the privilege or activity restricted, reasons for the action, and the shift supervisor approving the action.
- A. A jail facility not equipped to house an inmate in disciplinary or security restrictive housing due to the physical design or limitation of the jail facility, shall transfer the inmate to another jail facility capable of housing the inmate.
 - B. Detention personnel at the jail facility transferring the inmate shall verify space is available in the receiving jail facility. The documentation shall be placed in the inmate's Custody or Facility File upon transfer to the receiving jail facility.
 - C. Detention personnel at the receiving jail facility shall ensure that all documentation is present in the Custody or Facility File, and that copies are provided to detention personnel assigned to the restrictive housing unit.
9. **Documentation:** Detention personnel assigned to the restrictive housing unit shall ensure that documentation which authorizes the placement of an inmate in restrictive housing is retained within the unit. Documentation may include, but is not limited to, the following:
- A. DAR;
 - B. JCNF; and
 - C. *Administrative Restrictive Housing Assignment Consent And Understanding* form.