



SEGREGATION HOUSING

POLICY.

It is the policy of the Deschutes County Sheriff's Office – Adult Jail (AJ) to segregate inmates with special needs and risks in separate housing that promotes a more safe and secure environment. Members have a duty to protect inmates, other members, and the public from potentially dangerous inmates and a duty to prevent inmates from harming themselves.

PURPOSE.

The purpose of this policy is to guide members in providing fair, impartial and closely supervised housing for segregated inmates.

OREGON JAIL STANDARDS:

- C-101 Housing Plan
- C-112 Violent Inmates
- C-113 Communicable Disease
- C-201 Use of Non-Disciplinary Restrictions
- C-202 Justification for Segregation
- C-203 Administrative Segregation Conditions
- C-204 Justification and Authorization for Restriction
- C-205 Prohibited Restrictions
- C-206 Authorization for Restriction
- C-207 Review of Restrictions

REFERENCES:

- ORS 169.076, Standards for Local Correctional Facilities

DEFINITIONS.

Administrative Segregation (A-Seg). Housing an inmate away from general population due to need or risk. A-Seg restricts contact with other inmates. It includes, but is not limited to, inmates classified 8-maximum, in prehearing detention, in protective custody, who are suicidal, and who need medical or mental health segregation. A-Seg is non-disciplinary in nature.

Disciplinary Segregation (D-Seg). A disciplinary sanction that houses an inmate away from the general population. It carries limits on privileges, access to personal property, and out-of-cell time.

General Population. Housing that allows inmates to mix with each other and have living area privileges. It is for maximum, medium, or minimum custody inmates that do not have needs or risks that require segregation.

High Risk. Factors used in the pre-classification process which may identify inmates requiring close supervision housing. Such factors include, but are not limited to: assaultive behavior, escape risk, severe emotional or mental problems, gang member, violent, disciplinary problems, sexual predator, protective custody need, remanded juvenile, etc.

Medical Segregation (M-Seg). Housing inmates apart from the general population due to a medical or mental health condition. It is a form of administrative segregation.

Prehearing Detention. An administrative segregation action used to separate inmates awaiting adjudication or a disciplinary hearing away from the general population. It is non-punitive in nature.

Protective Custody. The administrative segregation of an inmate who asks for or needs protection from other inmates.

Restrictive Housing. Any housing classification in which inmates receive less than two (2) hours of out-of-cell time per day.

Segregation. The confinement of an inmate to an individual cell and living area that is separate from the general population. Members strictly limit and control out-of-cell time. Segregation does not include inmates in general population housing while in lockdown, because of supervisory needs or inmates who are serving a cell-restriction or loss of privilege sanction. Ideally, the use of segregation and isolation will be rare. The shift supervisor will ensure eligible segregated inmates spend – at a minimum – two (2) hours out-of-cell time each day. Additionally, some A-Seg and M-Seg inmates may be eligible for up to four (4) hours out-of-cell time per day.

Separation. The housing of an inmate in a way that allows for out-of-cell time and access to privileges in smaller groups in order to increase observation and protection of designated inmates. Members will limit contact with other inmates to those similarly designated.

PROCEDURES.

SECTION A: GENERAL GUIDELINES

A-1. Justification for Segregation. Members will consider administrative segregation when:

- a. The inmate requests to be segregated for their own safety or members deem the inmate to be in need of protection (protective custody).
- b. The inmate is a juvenile (anyone under 18 years of age or in some circumstances under 21 years of age).
- c. Necessary to protect the safety of others.
- d. Is classified as 8 maximum.
- e. Necessary to meet the needs of the safety, security, or order of the jail facility or operation.
- f. An inmate awaiting a disciplinary process needs to be segregated prior to the hearing.
- g. Isolation of an inmate is necessary pending investigation for a criminal violation committed while in the facility.
- h. Necessary to isolate an in-transit inmate or an inmate who is awaiting transfer.
- i. Ordered by medical staff for medical reasons.
- j. An inmate is suspected of having a contagious disease.
- k. An inmate is exerting undue influence over, or attempting to exert influence or authority over other inmates or groups of inmates.
- l. Other circumstances indicate that A-Seg may enhance jail safety, order, or security.

A-2. Inmate Requests for Segregation Status Change. An inmate may use an *Inmate Request Form* No. 103 to request a move into or out of segregation.

A-3. Assigning Inmates to Segregation. Members will follow these procedures for assigning an inmate to segregation:

- a. Only a corrections supervisor has the authority to lodge an inmate in A-Seg or M-Seg housing.
 - 1) Deputies and the Classification Specialist may recommend an inmate for A-Seg.
 - 2) Deputies, the Classification Specialist, and healthcare members may recommend an inmate for M-Seg.
 - 3) Deputies must have a corrections supervisor approval before moving an inmate to segregation. Exceptions: First, a deputy may move an inmate to segregation if an inmate poses an immediate threat or danger to others or self. Deputies must inform a shift supervisor of the move as soon as possible after the move. Deputies will document the move in the, "Attachments" section of JMS as soon as possible.
- b. An inmate must have an approved D-Seg sanction before members place the inmate in D-Seg, unless it is for the purpose of pre-hearing detention.
- c. Members shall not use A-Seg or M-Seg as punishment.
- d. Members will justify and document all moves to segregation in JMS.

- A-4. Segregation Bed Space.** Shift supervisors will control the number of empty beds in segregation housing. They must balance the need to respond to immediate inmate needs and risks with the need to use any available jail bed.
- A-5. Special Instructions for Segregation.** If there is a need for special instructions for inmates in segregation, individual work or management plans may be developed to ensure strict safety and security measures are in place.
- A-6. Records.** Individual records shall be maintained on each inmate in segregation, to include:
- a. Inmate name and booking number.
 - b. Current classification level.
 - c. Assigned cell number.
 - d. Type (status) of segregation (A-Seg, D-Seg or M-Seg).
 - e. Special instructions or details related to the segregation.
- A-7. Inmate Supervision and Rounds.** Members will closely supervise inmates in segregation at all times. Deputies will monitor inmates from the Control Center as well as follow the procedures set forth in AJ Policy [CD-8-6, Security Checks and Rounds](#). Once completed, all checks and rounds shall be logged in the Jail Management System (JMS).
- A-8. Segregation Review and Removal.** Shift supervisors will maintain a computer-generated list of the inmates lodged in segregation. Shift supervisors, medical and/or Behavioral Health Staff (BHS) will review the list to determine whether an inmate qualifies to move out of segregation. They will remove an inmate when any of the following conditions exist:
- a. The reason that required the inmate to be in segregation no longer exists.
 - b. New information or evidence indicates conditions have changed and the inmate no longer presents a threat to self or others.
 - c. The inmate finished serving all disciplinary segregation sanctions.
- Supervisors, classification specialists, and health care members shall review the segregation list according to the frequency noted in the table below to determine whether an inmate needs to be moved out of segregation. Classification specialists will also look at the need for reclassification during the review process.

Scheduled Reviews by Segregation Status		
Type of Segregation	Review Required	By Whom
Administrative Segregation (Excluding medical segregation and pre-hearing segregation inmates)	Within 12 hours of placement and at least every 7 days thereafter	Supervisor for placement, Lieutenant for segregation status, Classification Specialist for classification level.
Disciplinary Segregation	Every 7 days	Supervisor for segregation status and Classification Spec. for classification level.
Pre-hearing Segregation	Before or immediately after the move takes place then every 7 days thereafter for segregation status.	Supervisor for segregation status, and Classification Spec. for classification level.
Medical Segregation	Daily for segregation status	Healthcare member for segregation status and Classification Spec. for classification level.

SECTION B: SEGREGATION CONDITIONS

B-1. Cell Conditions. Deputies will ensure the following for cell conditions in segregation:

- a. Equip and furnish cells in a similar way to the cells in the general population. Deputies may alter the contents if there is a legitimate safety and security reason.
- b. Maintain adequate lighting, ventilation and moderate temperatures in cells.
- c. Make sure cells are clutter free, safe and sanitary.

B-2. Living Conditions. Deputies will ensure the following for living conditions in segregation:

- a. Provide meals that are substantially the same quality and quantity as that served to the general population, unless limited by sanction. Access to special diets will be the same as general population.
- b. Issue and replace clothing, towels and bedding at the same intervals as the general population. A supervisor may alter what items are issued if there is a legitimate

safety and security reason. Adjustments to issued items will be documented in the, "Attachments" section of the JMS.

- c. Permit professional visits and other communication avenues (phone or mail) with their attorney, the courts and foreign consulates unless the contact would jeopardize the safety and security of the area.
- d. Give each inmate similar access to health care as the general population.
- e. Keep common areas sanitary.
- f. Provide each inmate with similar opportunities for personal hygiene as the general population based on the inmate's classification, or inmate's behavior. Members may limit opportunities for personal hygiene if an inmate is an unusually high risk to safety and security.
- g. A supervisor may limit an inmate in segregation to two showers per week based on the inmate's behavior or risk. The reason for the restriction shall be documented in the JMS.
- h. Inmate workers will clean the cells and commons area in segregated living areas. Inmates in segregated living will not have access to cleaning supplies.

B-3. Access to Privileges. Segregated inmates, unless limited by disciplinary sanction, may have access to the below privileges based on the inmate's classification and sentencing status:

- a. Allow each inmate similar opportunity to buy commissary off the "Standard Selection" order form used based on the inmate's classification. Staff may restrict commissary items that present a threat to the safety, security or health of the inmate.
- b. Allow each inmate similar access to telephones and visiting, as much as is practical, based on the inmate's classification level.
- c. Allow access to programs, unless limited by the inmate's behavior, sentencing status, or classification level.
- d. Offer similar opportunities for exercise and leisure activities as are available to the general population and based on the inmate's classification level.
- e. Allow access to similar types of reading materials that are available to the general population. Members may limit an inmate to one religious book and approved program-related books based on the inmate's behavior.
- f. Allow each inmate the similar amount and types of personal property as the general population, unless it poses a safety and security threat.

B-4. Restriction of Privileges. A-Seg and D-Seg inmates are granted privileges similar to those of general population inmates. However, members have discretion to impose temporary, non-disciplinary restrictions of privileges. All restrictions shall be documented in JMS and reviewed by the shift supervisor. The following are common (but not an all-inclusive list) of restrictions:

- a. Loss or restriction on issued items.
- b. Loss of recreation time.
- c. Loss of out-time.
- d. Loss of privileges.

Reasons to impose restrictions may include:

- a. Gaining immediate control over an inmate's dangerous, threatening, or manipulative behavior.
- b. Control any situation that threatens the safety, security, or order of the jail.
- c. Facilitate an investigation or other administrative process.

B-5. Prohibited Restrictions. Restrictions for non-disciplinary matters will not include:

- a. Loss of good time.
- b. Denial of food, medical care, personal hygiene, or other essential necessities.
- c. Denying access to courts, attorney or other restrictions that would violate the clearly established rights of inmates.
- d. Restricting an inmate's mail privileges unless the restriction is in response to a violation of jail mail rules.

B-6. Review of Restrictions. Temporary restrictions shall be reviewed by the shift supervisor on a daily basis. Once the need for the non-disciplinary restriction is resolved, the restriction shall be lifted. A lieutenant will review facts, notes and supporting documentation and approve any temporary restrictions which would last more than a week.

B-7. Out-of-Cell Time. In all housing units where disciplinary, administrative segregation or Maximum-8 inmates are housed, out-of-cell time shall be scheduled so that all inmates receive the maximum allowable out-of-cell time per day. Staff shall ensure that no inmate receives less than two (2) hours out-of-cell time per day.

Maximum and D-Seg inmates may split their out-of-cell time between a recreation yard and the dayroom of their housing unit totaling two (2) hours of time on scheduled recreation days. The time of day that out-of-cell time occurs is at the discretion of members assigned to Control, based on the out time schedule and management needs of the housing unit. Members will provide adequate supervision when inmates are in the dayroom of the housing unit.

On any day a segregated inmate does not receive at least two (2) hours out-of-cell time, a shift supervisor shall be notified and the reason(s) will be documented in the JMS.

For A-Seg inmates, Members will allow, encourage and schedule at least four (4) hours out-of-cell time. The BHS will regularly review the status of inmates segregated for mental health reasons and will advise staff of which inmates are appropriate for group out-of-cell time.

B-8. Use of Restraints. Whenever segregated inmates are out of their housing units, deputies shall restrain them in accordance with their classification and AJ Policy [CD-8-5, Use of Restraints](#). Deputies may increase the minimum restraint based on the inmate's risk or behavior.

B-9. Showers. Members may limit an inmate in segregation to two showers per week based on the inmate's behavior or risk. A lieutenant may limit the showers to fewer than two per week only if an inmate is an unusually high risk to safety and security. Such an inmate will have to use the cell sink and water supply to take "sponge" baths. Deputies must make sure the inmate takes at least two sponge baths a week. Deputies will document all witnessed sponge baths and when an 8-maximum custody inmate (or other shower-limited inmate) was offered the opportunity to shower and whether the inmate accepted or declined. Staff will use, "Attachments" in the JMS to track and manage showering.

Showers in 100 and 300 Units shall be offered daily in accordance with the out time schedule. Control staff will notify floor staff when an inmate would like to shower and when the shower is over. The shower doors shall remain closed and locked at all times except when an inmate is going in or out of the shower.

B-10. Hardback Books. Inmates in segregation may not have hardback books.

SECTION C: 8-MAXIMUM-CUSTODY INMATES

C-1. Entering a Cell of an 8-Maximum Inmate. A single deputy may not enter the cell of an 8-maximum-custody inmate alone for any reason with the inmate present. A minimum of two deputies must go in the cell with a third deputy standing by outside the open door.

C-2. Access to Property for 8-Maximum Inmate. To help prevent the manufacture of dangerous contraband, members shall further limit access to property by inmates classified as 8-maximum.

Deputies will limit the amount of property to what is needed at that time or the immediate near future. Deputies will maintain one bin for the temporary storage of property for each 8-maximum inmate. Deputies will store any property that the inmate does not have an immediate need to use, eat or read in that bin until needed.

SECTION D: DISCIPLINARY SEGREGATION

D-1. Inmates in D-Seg have been found guilty of an AJ rule violation in accordance with AJ Policy [CD-6-3, Rules and Discipline](#).

D-2. Inmates in D-Seg shall have similar cell and living conditions as other segregated inmates. However, inmates in D-Seg may forfeit any or all of their privileges, in

accordance with AJ Policy [CD-6-3, Rules and Discipline](#). D-Seg inmates shall receive two (2) hours out-of-cell time per day.

- D-3.** When D-Seg is approved and prior to placing an inmate into disciplinary segregation, deputies shall:
- a. Search all of the inmate's property for contraband.
 - b. Perform an unclothed search on the inmate.
 - c. Have the inmate keep currently issued clothing and bedding.
 - d. Transfer excess or disallowed property to inmate's property bag, including all purchased commissary items. All items taken shall be logged into the inmate property list in JMS and the inmate will be given a copy of the logged property.
- D-4.** D-Seg inmates shall be reviewed daily by the shift supervisor and removed from segregation when appropriate.
- D-5.** Control staff shall schedule the D-Seg inmate's two sanction-allowed showers per week if the inmate's behavior does not allow for daily showers. Showers will then be scheduled on night shifts or during other slow periods.

SECTION E: ADMINISTRATIVE SEGREGATION

- E-1.** A-Seg shall not be punitive in nature. Inmates housed in A-Seg will be provided equal living conditions and all privileges of the general population except where there is an overriding security concern to restrict certain privileges. A-Seg inmates shall receive no less than two (2) hours out-of-cell time per day.
- E-2.** Inmates in A-Seg will meet one or more of the following criteria:
- a. High risk.
 - b. Protective custody.
 - c. Unidentified inmates.
 - d. Prehearing detention inmates.
- E-3.** Inmates may be placed in A-Seg under protective custody for the following reasons:
- a. The inmate has a hostile or potentially adverse relationship with another inmate.
 - b. The inmate appears physically vulnerable and/or has been assaulted in prior incarcerations at AJ or other institutions and has requested protective custody.
 - c. Other situations when it is necessary to ensure the safety of the involved inmate.
- E-4.** Inmates placed into A-Seg under protective custody have the option of agreeing or disagreeing with this housing assignment. If an inmate disagrees, they have the right to a hearing to determine whether protective custody is required for their protection.

Upon initial placement into protective custody, the inmate will be served with a copy of the *Close Supervision Custody Housing Order Form No. 410* within four hours of

placement. Included on the form is a *Notice to Protective Custody Inmates* which states the reason(s) why protective custody is necessary and the supporting factual basis. The deputy serving the notice shall ask the inmate whether they wish to have a hearing and shall witness the inmate's signature on the notice indicating whether the inmate elects a hearing or accepts the determination. If the inmate elects a hearing, the inmate shall be given a copy of the *Protective Custody Hearings Procedures Form No. 806*, which explains the form and content of the hearing.

SECTION F: MEDICAL SEGREGATION

- F-1.** M-Seg shall not be punitive in nature; inmates housed in M-Seg will be provided equal living conditions and all privileges of the general population except where there is an overriding security or medical concern to restrict certain privileges. Unless there is a documented restriction, M-Seg inmates shall receive two (2) hours out-of-cell per day.
- F-2.** Inmates in M-Seg will meet one or more of the following criteria:
- a. Medical risk.
 - b. Alcohol or Substance withdrawal.
- F-3.** Medical staff shall physically examine medically segregated inmates once per shift and determine whether circumstances warrant continued placement in segregation. If continued segregation is warranted, the medical staff shall provide any necessary day-to-day instructions to deputies.
- F-4.** Medically segregated inmates shall be directly supervised by a deputy 24 hours a day. Deputies will conduct a special watch round between each hourly round. These and other important activities shall be documented on *Inmate Round Record Form No. 402*.

SECTION G: DOCUMENTATION

- G-1.** When an inmate is placed into close supervision housing under A-Seg, a *Segregation Housing Order Form No. 410* shall be submitted to the shift supervisor detailing the reason(s) for placement. Any related Incident Report(s) will be included.
- G-2.** When an inmate is placed into segregation housing under M-Seg, health care staff shall provide a supervisor and the deputy assigned to medical with a *Booking Room Medical Observation Form 589*. Health care staff will review these inmates daily; documentation will be in the patient's electronic health record. Any change in status and/or applicable medical instructions will be provided to the assigned deputy.
- G-3.** Prior to placing an inmate into D-Seg, the Hearings Officer's findings will be affirmed or modified by a lieutenant in accordance with AJ Policy [CD-6-3, Rules and Discipline](#), and documented in the JMS.

- G-4.** Thorough notes describing the reason for placement shall be noted in the JMS for any inmate(s) placed into segregation. It is the responsibility of the shift supervisor to review the status of each inmate daily and brief members accordingly on the privileges afforded each inmate based on behavior, medical or mental health needs and classification level.

FORMS USED:

- Holding Cell Log Form No. 365
- Segregation Housing Order Form No. 410
- Hearing's Officer Report Form No. 702
- Inmate Request Form No. 103
- Inmate Round Record Form No. 402
- Protective Custody Hearing Procedures Form No. 806
- Booking Room Medical Observation Form No. 589