



## **SEGREGATION HOUSING**

### **POLICY.**

It is the policy of the Deschutes County Adult Jail (DCAJ) and Work Center (WC) to segregate inmates with special needs and risks in separate housing that provides a safer and secure environment.

### **PURPOSE.**

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

### **OREGON JAIL STANDARDS:**

- C-101 Housing Plan
- 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.

**Segregation.** The confinement of an inmate to an individual cell and living area that is separate from the general population.

## **PROCEDURES.**

### ***SECTION A: GENERAL GUIDELINES***

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

- a. The inmate requests to be segregated for his or her own safety or staff 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. 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.** Staff 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 health care staff may recommend an inmate for M-Seg.
    - 3) Deputies must have a corrections sergeant or lieutenant's 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 the 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 staff place the inmate in D-Seg, unless for the purpose of prehearing detention.
  - c. Staff will not use A-Seg or M-Seg as punishment.
  - d. Staff must justify and document all moves to segregation from another housing unit in JMS.
- A-4. Segregation Bed Space.** Shift supervisors will control the number of empty beds in segregation housing at any point in time. They must balance the need to respond to immediate inmate needs and risks with the need to use any available jail bed before force releasing (matrix) an inmate.
- A-5. Special Instructions for Segregation.** If there is a need for special instructions for certain inmates in segregation, individual work plans may be developed to ensure strict safety and security measures are in place.
- A-6. Records.** Individual records will be maintained on the inmates in segregation, to include:
- a. Inmate name and booking number.
  - b. Current classification level.
  - c. Current supervision level.
  - d. Assigned cell number.
  - e. Type (status) of segregation (A-Seg, D-Seg or M-Seg).
  - f. Remarks.
- A-7. Inmate Supervision and Rounds.** Staff 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 DCAJ Policy [CD-8-6, Security Checks and Rounds](#). All checks and rounds will 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 mental health staff will review the list to see if 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.

**SECTION B: SEGREGATION CONDITIONS**

**B-1. Cell Conditions.** Corrections staff 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. Staff 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 safe and sanitary.

**B-2. Living Conditions.** Corrections staff 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. Staff may alter what items are issued if there is a legitimate safety and security reason.
- c. Permit professional visits and other communication avenues with legal counsel and the courts, 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. Staff may limit opportunities for personal hygiene if an inmate is an unusually high risk to safety and security.

**B-3. Access to Privileges.** Segregation inmates, unless limited by disciplinary sanction, may have access to the below privileges based on the inmate's classification, supervision level 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 and supervision level. Staff may restrict commissary items that present a threat to the safety and security and 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 and supervision level.
- c. Allow access to programs, unless limited by the inmate's behavior, sentencing status, classification or supervision level.
- d. Offer similar opportunities for exercise and leisure activities as are available to the general population and based on the inmate's classification and supervision level.
- e. Allow access to similar types of reading materials that are available to the general population. Staff may limit an inmate to one religious book and staff 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, jail staff must be allowed discretion to impose temporary, non-disciplinary restrictions of privileges. All restrictions will be documented in JMS and reviewed by the shift supervisor. The following restrictions may be imposed when necessary:
- Gain immediate control over an inmate's dangerous, threatening, or manipulative behavior.
  - Control any situation that threatens the safety, security, or order of the jail.
  - Facilitate an investigation or other administrative process.
- B-5. Prohibited Restrictions.** Restrictions for non-disciplinary matters will not include:
- Loss of good time.
  - Denial of food, medical care, personal hygiene, or other essential necessities.
  - Denying access to courts and counsel or other restrictions that would violate the clearly established rights of inmates.
- B-6. Review of Restrictions.** Temporary restrictions will be reviewed by the shift supervisor on a weekly basis. Once the need for the non-disciplinary restriction is resolved, the restriction will be lifted. If the restriction is to be continued beyond a week, the shift sergeant will submit documentation to the on duty lieutenant for review and approval.
- B-7. Out-of-Cell Time.** Deputies will keep Maximum and D-Seg inmates locked in their cells except when there is a specific, legitimate need to be out. Normally, this out-of-cell time should not be more than one hour a day. Any other segregated inmate may only be out-of-cell time when it does not present a safety and security risk. The time of day that out-of-cell time occurs is at the discretion of the floor deputy based on the management needs of the housing unit. A floor or Control Center Deputy/Technician will provide adequate supervision when inmates are in the dayroom of the housing unit.
- B-8. Use of Restraints.** Whenever segregated inmates are out of their housing units, deputies will restrain them in accordance with their classification and DCAJ Policy [CD-8-5, Use of Restraints](#).

### ***SECTION C: DISCIPLINARY SEGREGATION***

- C-1.** Inmates in D-Seg have been found guilty of a DCAJ or WC rule violation in accordance with DCAJ Policy [CD-6-3, Rules and Discipline](#).
- C-2.** Inmates in D-Seg will 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 DCAJ Policy [CD-6-3, Rules and Discipline](#).

- C-3.** When D-Seg is approved and prior to placing an inmate into disciplinary segregation, deputies will:
- 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 box, including all purchased commissary items. All items taken will be logged into the inmate property list in JMS and the inmate will be given a copy of the logged property.
- C-4.** D-Seg inmates will be reviewed daily by the shift supervisor and removed from segregation when appropriate.

***SECTION D: ADMINISTRATIVE SEGREGATION***

- D-1.** A-Seg will 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.
- D-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.
- D-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 DCAJ or other institutions and has requested protective custody.
  - c. Other situations when it is necessary to ensure the safety of the involved inmate.
- D-4.** Inmates placed into A-Seg under protective custody have the option of agreeing or disagreeing with this housing assignment. If an inmate disagrees, he has the right to a hearing to determine whether protective custody is required for his 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 why protective custody is necessary and the supporting factual basis. The deputy serving the notice shall ask the inmate whether he wishes 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 E: MEDICAL SEGREGATION**

- E-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 concern to restrict certain privileges.
- E-2.** Inmates in M-Seg will meet one or more of the following criteria:
- a. Medical risk inmates.
  - b. Alcohol or Substance withdrawal.
- E-3.** Medical staff will physically examine medically segregated inmates daily and determine whether circumstances warrant continued placement in segregation. If continued segregation is warranted, the medical staff will provide any necessary day-to-day instructions to corrections staff.

**SECTION F: DOCUMENTATION**

- F-1.** When an inmate is placed into close supervision housing under A-Seg, a Segregation Housing Order Form No. 410 will be submitted to the shift supervisor detailing the reason(s) for placement. Any related Incident Report(s) will be included.
- F-2.** When an inmate is placed into segregation housing under M-Seg, facility medical staff will review daily and document in the JMS any change in status and/or appropriate medical instructions to corrections staff.
- F-3.** Prior to placing an inmate into D-Seg, the Hearings Officer's findings will be affirmed or modified by a corrections lieutenant in accordance with DCAJ Policy [CD-6-3, Rules and Discipline](#), and documented in the JMS.
- F-4.** Inmates placed into segregation will be noted in the JMS in detail noting the reason for placement. It is the responsibility of the shift supervisor to review these inmates daily and brief staff accordingly on the privileges afforded each inmate based on supervision 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