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|  <p style="text-align: center;"><b>DIVISION OF ADULT INSTITUTIONS</b></p> <p style="text-align: center;"><b>POLICY AND PROCEDURES</b></p> | <b>DAI Policy #:</b> 306.00.11   | <b>Page</b> 1 of 7                     |
|  | <b>Original Effective Date:</b><br>09/25/02                                | <b>New Effective Date:</b><br>03/13/23 |
|  | <b>Supersedes:</b> 306.00.11   | <b>Dated:</b> 01/06/20                 |
|  | <b>Administrator's Approval:</b> Sarah Cooper,<br>Administrator – 02/23/23 |  |
|  | <b>Required Posting or Restricted:</b>                                     |  |
| <input checked="" type="checkbox"/> <b>PIOC</b> <input checked="" type="checkbox"/> <b>All Staff</b> <input type="checkbox"/> <b>Restricted</b>  |  |  |
| <b>Chapter:</b> 306 Security   |  |  |
| <b>Subject:</b> Restrictive Housing Meal Restrictions  |  |  |

**POLICY**

The Division of Adult Institutions shall provide nutritious food to PIOC who have demonstrated behavioral problems relating to food and meal procedures.

**REFERENCES**

Federal Public Law 106-274, Sec. 3 – Protection of religious exercise of institutionalized persons

Wisconsin Statutes s. 301.33 – Freedom of Worship: religious ministrations

Wisconsin Administrative Code s. DOC 309.23 – Food

Wisconsin Administrative Code s. DOC 309.61 – Religious Beliefs and Practice

DOC Diet Manual #101 – Nutrition Standards

DAI Policy 300.00.75 – Hunger Strike – PIOC Refusal to Eat or Drink

DAI Policy 303.00.02 – Restrictive Housing Programs and Review

DAI Policy 306.00.34 – Restrictions and Security Precautions

DAI Policy 309.61.03 – Religious Diets

Attachment A – Kosher Symbols

Attachment B – Religious Diet Participation Agreement

DAI Policy 500.30.24 – Modified Diets for Medical/Dental Reasons

DAI Policy 500.70.30 – Behavior Management Plans

Attachment A – Potential RH Food Substitutions

**DEFINITIONS, ACRONYMS AND FORMS**

Advanced Care Provider (ACP) – Health care provider with prescriptive authority.

Bag meal – Meals served in a paper bag or alternative food container. May contain finger foods and/or items that require minimal packaging (e.g. disposable wax paper bags, Styrofoam/paper cups with lids) or utensils. All food and beverages shall be packaged/covered for passage through the door slot. In addition to exclusions of standard meal tray, bag meals may prohibit: foil, plastic bags, plastic wrap/cellophane, staples, tape, plastic utensils and napkins.

Chaplain/Designee – Employee who coordinates and supervises the facility's religious programs and who may provide direct services.

CompuTrition – Foodservice management software.

DAI – Division of Adult Institutions

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DAI Annual Religious Dietary Accommodations Memo – Posted notice of dates and sign-up deadlines for temporary/multi-day religious fasting/dietary prohibitions and URG religious observance congregate meals within the coming year.

DOC – Department of Corrections

DOC-9 – Adult Conduct Report

DOC-112 – Observation of Inmate

DOC-2167 – Religious Diet Request

DOC-2466 – Incident Report

DOC-2935 – Request Accommodation for Temporary/Multi-Day Religious Fasting/Dietary Prohibitions

DOC-3341 – Modified Diet Consent/Refusal

Food Loaf – Meal served in loaf-type format requiring no utensils to consume. Served as a protective measure (i.e. not punitive) only after less-restrictive meal delivery methods have been exhausted. Dietetic Services Director/designee shall approve recipe(s) to ensure PIOC receives proper nutrients to maintain health.

HSM – Health Services Manager

ISHR175 – Offender Restriction/Precaution Notice (WICS)

PIOC – Persons in Our Care

PSU – Psychological Services Unit

RH – Restrictive Housing

Standard Meal Tray – Meals provided to each PIOC from the general menu, medical/dental treatment and/or religious diet when individual behavior does not create safety/security concerns. Plastic or paper utensils are provided for all meal service (i.e. no knives). Standard meal trays in RH may exclude meat with bones and whole fresh fruit. HSM/designee may advise use of alternative food container(s) to prevent spread of infectious disease.

## **PROCEDURE**

### **I. General**

- A. Facilities shall serve PIOC in RH their standard meal tray unless it becomes necessary to make alternative arrangements to provide for the safety and/or security of staff or the PIOC. Facilities shall impose restrictions based upon

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- individualized behavior and circumstances (i.e. not a blanket prohibition imposed all on RH PIOC).
- B. Facility may temporarily serve an alternative meal or substitute food items for any PIOC who abuses/misuses food or meal-related materials or is disruptive during the meal-delivery process. Examples of abuse/misuse of food, tray, containers or utensils include but are not limited to:
1. Throwing/smearing food or meal-related materials
  2. Damaging or interfering with safety, security or mechanical function of cell (e.g. clogging plumbing, jamming doors/locks).
  3. Damaging or abusing/misusing meal-related materials.
  4. Refusing to surrender meal-related materials when ordered to do so.
  5. Smearing or throwing waste/fluids.
- C. Staff shall document PIOC abuse/misuse of food or meal-related materials as follows:
1. Security staff shall complete DOC-9, DOC-112 and/or DOC-2466 detailing incident(s), forwarding copy to the Security Director/designee for review.
  2. The Security Supervisor shall complete an ISHR175 in WICS and may impose a temporary restriction.
  3. Security Director/designee shall review and assess whether to maintain, discontinue or alter meal restriction via the ISHR175 in WICS.

## II. **Bag Meal Restriction**

- A. Facility may serve pre-approved bag meal menu to ensure PIOC receives proper nutrients, while limiting PIOC's opportunity for continued abuse/misuse of meal-related materials. Packaging shall be returned to staff upon routine RH meal tray retrieval.
- B. If PIOC is receiving modified diet or medical/dental treatment or religious dietary accommodation, facility shall consult the Dietetic Services Director/designee to substitute items from pre-approved bag meal menu.
- C. Bag Meal Duration
1. Initial bag meal restriction shall be imposed a maximum of nine (9) meals.
  2. Security Director/designee may authorize up to six (6) additional bag meals (i.e. maximum of 15 total bag meals) if necessary to manage safety.
  3. As needed, Security Director/designee may maintain bag meal restriction through the duration of a back-of-cell/kneel precaution, lower trap precaution or sharps restriction in accordance with DAI Policy 306.00.34.
  4. HSM/designee shall evaluate any further extensions to assess potential medical contraindications and diet-related needs (e.g. sodium-restrictions).
  5. Standard meal tray and delivery procedure may be resumed at any time at the discretion of the Security Director/designee.

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### III. **Cup/Carton/Utensil Restriction**

- A. When necessary to ensure safety and security, facility may impose additional packaging requirements concurrent with bag meal (e.g. no cartons, cups, plastic/paper single portion cups, condiment cups, plastic eating utensils).
- B. If menu item texture/consistency cannot be reasonably packaged food service shall make a nutritionally comparable substitution from Attachment A.

### IV. **Food Loaf Restriction**

- A. A PIOC who abuses/misuses bag meals, or is disruptive during the delivery process may have bag meal menu replaced with Food Loaf.
  1. Food Loaf recipes shall be provided by the Dietetic Services Director/designee.
  2. Standard Food Loaf contains non-fat dry milk, and therefore shall be served with water.
  3. Plant-based Food Loaf does not contain dry milk and may be served with fortified fruit drink as specified in DAI Policy 309.61.03.
- B. HSM/designee and PSU Coordination:
  1. A Food Loaf restriction shall not be imposed if the PIOC's health would be compromised (e.g. certain medical conditions; some modified diets for medical/dental treatment).
  2. Security staff shall notify Food Services, HSM/designee and PSU staff of any new Food Loaf restriction orders.
  3. Prior to implementation and if time permits:
    - a. PSU staff to determine whether a Behavior Management Plan is appropriate.
    - b. HSM/designee shall verify the PIOC has no known contraindications to time-limited Food Loaf restriction.
- C. Food Loaf Delivery:
  1. Staff shall monitor the PIOC's behavior and document all Food Loaf meal delivery procedures via DOC-2466.
  2. Packaging shall be returned to the staff upon routine RH meal tray retrieval.
  3. If PIOC does not cooperate with the delivery procedure staff shall encourage compliance by giving PIOC notice of potential consequences (e.g. missed meal; nutritional deficiencies; possible extension of Food Loaf restriction if PIOC engages in further abuse/misuse of meal-related materials).
  4. If PIOC continues to defy staff directives, staff shall secure the area (e.g. retrieve Food Loaf and lock trap door if possible; temporarily leave the cell door area).
  5. Staff shall make a second attempt to deliver the Food Loaf meal.
  6. Staff shall document Food Loaf delivery acceptance and/or refusal via DOC-112.

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7. In the event of repeated refusal, staff shall follow DAI 300.00.57.

**D. Food Loaf Duration:**

1. Initial Food Loaf restriction shall be imposed a maximum of six (6) meals.
2. Security Director/designee may impose an additional six (6) meal Food Loaf/monitoring period(s) in response to any further documented incident(s) of PIOC abuse/misuse of meal-related materials (i.e. behaviors detailed in Section I.B.).
3. Security Director/designee shall evaluate any further extensions in consultation with HSM/designee and PSU, consistent with DAI 306.00.34.
4. Refusal to accept/retrieve Food Loaf delivery (i.e. without abusing/misusing meal-related materials) shall not result in denial of further meals, and is not sufficient cause for extension/additional Food Loaf/monitoring period(s).
5. Security Director/designee may order that Food Loaf restriction be lifted prior to the end of any six (6) meal period if PIOC no longer abuses/misuses meal-related materials; at this point bag meal restriction would resume.

**V. Modified Diets for Medical/Dental Treatment and Religious Diets**

- A. If a PIOC's behavior, as described in the Section I of this policy, requires an alternative to their standard meal tray, attempts shall be made to maintain PIOC's existing:
  1. Medical/dental dietary treatment (DOC-3341 on record) as ordered by Advanced Care Provider per DAI 500.30.24.
  2. Religious dietary accommodations (approved DOC-2167 or DOC-2935 on record) as defined by DAI 309.61.03, the DAI Annual Religious Dietary Accommodations Memo and Computrition recipes.
- B. Proper menu and meal delivery method shall be assessed on a case-by-case basis by the Dietetic Services Director/designee, in consultation with Advanced Care Provider, Religious Practices Coordinator and/or Chaplain/designee as needed.
- C. If religious accommodation packaging/handling expectations (e.g. sealed kosher-certified entrée; hard-cooked eggs with shells intact; whole fresh fruit with skin intact) may undermine compelling security or safety concerns, food service shall make a nutritionally comparable substitution from Attachment A while implementing religious accommodation packaging/delivery in the least restrictive manner.

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- D. PIOC's previous medical/dental treatment and/or religious dietary accommodation shall be resumed as soon as the security restrictions are no longer necessary for individual safety and behavior management.
  
- E. New requests for religious dietary accommodations (i.e. DOC-2167) shall be reviewed after safety/security measures have been lifted.

**DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES**

|  |                                     |               |
|--|-------------------------------------|---------------|
| <b>Facility:</b> Name  |                                     |               |
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| <b>New Effective Date:</b>   | <b>Supersedes Number:</b>           | <b>Dated:</b> |
| <b>Chapter:</b> 306 Security   |                                     |               |
| <b>Subject:</b> Restrictive Housing Meal Restrictions  |                                     |               |
| <b>Will Implement</b> <input type="checkbox"/> As written <input type="checkbox"/> With below procedures for facility implementation |                                     |               |
| <b>Warden's/Center Superintendent's Approval:</b>  |                                     |               |

**REFERENCES**

**DEFINITIONS, ACRONYMS AND FORMS**

**FACILITY PROCEDURE**

- I.
  - A.
  - B.
    - 1.
    - 2.
      - a.
      - b.
      - c.
    - 3.
  - C.

II.

III.

**RESPONSIBILITY**

I. Staff

II. PIOC

III. Other