

 <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> 500.70.04	<b>Page</b> 1 of 5
	<b>Original Effective Date:</b> 01/22/10	<b>New Effective Date:</b> 10/23/23
	<b>Supersedes:</b> 500.70.04	<b>Dated:</b> 05/27/15
	<b>Administrator's Approval:</b> Sarah Cooper, Administrator – 10/03/23	
<b>Required Posting or Restricted:</b>		
<input type="checkbox"/> PIOC <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted		
<b>Chapter:</b> 500 Health Services		
<b>Subject:</b> Psychological Input to Security Decisions		

**POLICY**

The Division of Adult Institutions shall ensure Psychological Services staff collaborate with Security staff to provide relevant input within the context of the disciplinary process.

**REFERENCES**

Wisconsin Administrative Code Ch. DOC 303 – Discipline

Wisconsin Statutes s. 302.85 – Medical Care of Prisoners

DAI Policy 500.70.01 – Mental Health Screening, Assessment and Referral

DAI Policy 308.00.01 – Administrative Confinement/Restrictive Housing

**DEFINITIONS, ACRONYMS, AND FORMS**

Administrative Confinement/Restrictive Housing (AC) – A non-punitive placement in Restrictive Housing for PIOC whose continued presence in general population poses a serious threat to life, property, self, staff, other PIOC or to the secure an orderly operation of a facility.

ACRHRC – Administrative Confinement/Restrictive Housing Review Committee.

DAI – Division of Adult Institutions

DOC – Department of Corrections

DOC-9 – Adult Conduct Report

DOC-84 – Disciplinary Hearing – Reasons for Decision and Evidence Relied On

DOC-1882 – Review of Administrative Confinement Review Committee Decision

DOC-2466 – Incident Report

DOC-3509 – Psychology Input for Security Decisions

DOC-3509B – Psychology Input for Administrative Confinement

HCR - Health Care Record

ID – Intellectual Disability

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MH – Mental Health

PIOC – Persons in our Care

PSU – Psychological Services Unit

PSU Staff – Employees classified as Psychologist Supervisor, Psychologist – Licensed, Psychological Associate Psychological Services Assistant, Clinical Social Worker, or any other clinical classification that is directly supervised by Psychological Services.

Working Days – all days except Saturdays, Sundays, and legal holidays.

## **PROCEDURE**

### **I. Psychology Input – Major Conduct Reports**

- A. The Security Director/designee shall refer PIOC who receive major conduct reports to PSU staff for completion of DOC-3509 for the following:
  1. PIOC with a mental health classification of 2A, 2B or ID.
  2. PIOC whose conduct report derives from self-harm behavior.
- B. The assessment shall be conducted by a Psychologist Supervisor, Psychologist-Licensed or Psychological Associate.
- C. The assessment may include but is not limited to the following:
  1. Review of the DOC-9 and/or DOC-2466.
  2. Review of the PIOC PSU record.
  3. Face-to-face interview of the PIOC.
  4. Consultation with other staff.
- D. PSU staff shall submit a copy of the completed form DOC-3509 to the Security Director/designee within two working days of receipt or according to facility procedure. The time frame shall ensure the copy of the DOC-3509 is available to the hearing officer for consideration at the disciplinary hearing.
- E. The Security Supervisor/Hearing Officer shall consider identified psychological factors, during the disposition portion of the disciplinary hearing.
- F. The following areas may be relevant in determining mitigating factors for discipline if present at the time of the misconduct:
  1. Delusions, hallucinations or thought disorder.
  2. Mood disturbance, impaired judgment, or lack of insight, if related to mental illness.
  3. Medication non-compliance leading to worsening of symptoms.
  4. ID, brain injury or a medical condition that has a known relationship to behavioral dyscontrol.

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G. In cases of severe impairment, PSU may recommend to the Security Director/designee via the DOC-3509 a delay in the disciplinary hearing may be necessary until the PIOC has the capacity to participate in the disciplinary hearing.

## **II. Disciplinary Hearing Documentation and Recordkeeping**

- A. The Security Supervisor/Hearing Officer shall review the Security Director's copy of the DOC-3509 to assist with determination of mitigating factors to determine an appropriate disposition.
- B. Staff shall make reference to PSU input in the "Reasons for Decision" section of DOC-84 for PIOC with mental health classifications 2A, 2B, or ID or engage in self-harm behavior.
- C. After the disciplinary hearing, the Security Director's copy of DOC-3509 shall be destroyed due to the Protected Health Information content.
- D. The DOC-3509 shall be scanned into the HCR. No copies of the DOC-3509 shall be maintained in files outside the HCR.

## **III. Psychology Input – Administrative Confinement**

- A. The Security Director/designee shall refer PIOC with a mental health classification of 2A, 2B, or ID for completion of a DOC-3509B when:
  - 1. The PIOC is being considered for initial placement into Administrative Confinement.
  - 2. The PIOC six month Administrative Confinement review is due.
- B. When indicated, the Warden/designee may request PSU staff provide such input for PIOC with other mental health codes.
- C. The assessment shall be conducted by a Psychologist Supervisor, Psychologist-Licensed or Psychological Associate.
- D. The assessment may include but is not limited to the following:
  - 1. Review of the DOC-9 and/or DOC-2466.
  - 2. Review of the PIOC PSU record.
  - 3. Face-to-face interview of the PIOC.
  - 4. Consultation with other staff.
- E. The content of the evaluation may include but is not limited to the following:
  - 1. Summary of MH concerns.
  - 2. Prior treatment participation.
  - 3. Future treatment options which may reduce behavioral risk.
  - 4. Recommendations for treatment if placed in AC status (and whether MH symptoms would impair the ability to participate in treatment).

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- F. PSU staff shall submit a copy of the completed form DOC-3509B to the Security Director/designee within one week of receipt or according to facility procedure. The time frame shall ensure the copy of the DOC-3509B is available for the ACRHRC hearing.

**IV. ACRHRC Hearing Documentation and Recordkeeping**

- A. The ACRHRC shall review the Security Director's copy of the DOC-3509B to assist with decisions related to Administrative Confinement.
- B. Staff shall make reference to PSU input in the "Reasons for Decision" section of DOC-1882 for PIOC with mental health classifications 2A, 2B, or ID or who were otherwise referred by the Warden/designee.
- C. After the ACRHRC hearing, the Security Director's copy of DOC-3509B shall be destroyed due to the Protected Health Information content.
- D. The DOC-3509B shall be scanned into the HCR. No copies of the DOC-3509B shall be maintained in files outside the HCR.

**DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES**

<b>Facility:</b> Name		
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<b>New Effective Date:</b> 00/00/00	<b>Supersedes Number:</b>	<b>Dated:</b>
<b>Chapter:</b> 500 Health Services		
<b>Subject:</b> Psychological Input to Security Decisions		
<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