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|  <p style="text-align: center;">DIVISION OF ADULT INSTITUTIONS</p> <p style="text-align: center;">POLICY AND PROCEDURES</p> | DAI Policy #: 308.00.01 | Page 1 of 9 |
| | Original Effective Date: 01/01/99 | New Effective Date: 03/16/20 |
| | Supersedes: 308.00.01 | Dated: 03/01/17 |
| | Administrator's Approval: Makda Fessahaye, Administrator | |
| Required Posting or Restricted: | | |
| <input checked="" type="checkbox"/> Inmate <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted | | |
| Chapter: 308 Administrative Confinement | | |
| Subject: Administrative Confinement/Restrictive Housing | | |
| Guidance Document | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Posting date 03/09/20 |

POLICY

The Division of Adult Institutions shall develop and maintain guidelines for placement of inmates in Administrative Confinement/Restrictive Housing to protect staff, other inmates and the public and to ensure the orderly operation of the facility.

REFERENCES

Wisconsin Administrative Code Ch. DOC 303 – Discipline

Wisconsin Administrative Code Ch. DOC 308 – Administrative Confinement

DAI Policy 303.00.02 – Restrictive Housing Programs and Review

DAI Policy 500.70.30 – Behavior Management Plans

DEFINITIONS, ACRONYMS AND FORMS

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

ACRHRC – Administrative Confinement/Restrictive Housing Review Committee

DAI – Division of Adult Institutions

DOC – Department of Corrections

DOC-30 – Review of Inmate in Restrictive Housing

DOC-30B – Risk Assessment Information Guide (WSPF)

DOC-121 – Recommendation for Administrative Confinement

DOC-122 – Notice of Review of Administrative Confinement

DOC-123 – Waiver of Time Limits for Review for Administrative Confinement

DOC-1875 – Administrative Confinement Hearing – Reasons for Decision and Evidence Relied On

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DOC-1881 – Appeal of Administrative Confinement Review Committee Decision

DOC-1882 – Review of Administrative Confinement Review Committee Decision

DOC-3509A – Psychology Input for Administrative Confinement Review

GP – General Population

ID – Intellectually disabled

PSU – Psychological Services Unit

Restrictive Housing (RH) - Secured housing unit where inmates are separated from the general population and privileges and property are limited.

RH Review Team – A multi-disciplinary group of staff that meets weekly to review the status of inmates in RH and make decisions as to programming, step movement, behavior management and other issues. The team may be comprised of: Corrections Program Supervisor or Security Supervisor assigned to RH, Health Service Manager, Psychiatrist, Psychologist Supervisor, Psychologist, Social Worker assigned to RH, Program Escort Officer, and security staff assigned to RH. The Warden shall designate one member to the group as chairperson. Complex cases, including those of great public interest, may involve Central Office representatives.

Serious Mental Illness (SMI) – MH-2A or MH-2B mental health codes.

STG – Security Threat Group

TLU – Temporary Lock-up

PROCEDURE

I. Referral Criteria

- A. The Security Director may refer an inmate to the ACRHRC when there is good cause to believe the ongoing presence of the inmate in the GP poses a serious risk to staff, other inmates, the public, state property, facility security or the orderly operation of the facility. This risk may be demonstrated by any threats, attempts, planning or behaviors related to:
1. Homicidal, assaultive or other violent behavior.
 2. Intimidation, threats, victimization, stalking or harassment of others.
 3. Activity that gives a staff member reason to believe the inmate's continued presence in GP may incite a disturbance, including involvement with STG activities.
 4. Any other behavior that leads staff to believe the ongoing presence of the inmate in the GP poses a serious risk to staff, other inmates, the public, state property, facility security or the orderly operation of the facility.

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- B. Use of disciplinary process and penalties has not been effective to correct the behavior or mitigate the risks.

II. Referral Process

- A. The Security Director shall identify inmates who may be appropriate for referral to the ACRHRC for potential placement in AC.
- B. Prior to referral, the Security Director shall consider whether other options would provide the desired outcome of correcting behavior or minimizing risk to safety or security. Examples include involvement in programming, mental health treatment or placement in disciplinary separation for violation of rules.
- C. For inmates with SMI or ID codes, the Security Director shall obtain written input from PSU staff on DOC-3509A regarding the inmate's mental health condition and the availability of alternative treatment settings.
- D. For inmates who are considered appropriate for AC referral, the Security Director/designee shall complete the following:
 - 1. Place the inmate in TLU status pending investigation, when appropriate.
 - 2. Assign an investigator to review the inmate's record and complete DOC-121.
 - 3. Assign a staff representative to perform duties per Wisconsin Administrative Code s. DOC 303.83 during the review and hearing process.
 - 4. Provide DOC-122 to the inmate.
 - 5. Serve the DOC-121 and informational packet to the inmate, staff representative and ACRHRC. The packet may include, but is not limited to:
 - a. DOC-123.
 - b. Conduct history.
 - c. Judgment of Conviction.
 - d. STG information.
 - e. Status reviews.
 - 6. Process witness request/statements.
 - 7. Assign ACRHRC to conduct a hearing and document its findings on DOC-1875 and provide a copy to the inmate.
 - 8. If the ACRHRC decision is not unanimous, the Warden shall complete DOC-1882 to determine whether AC is appropriate and provide a copy to the inmate.
 - 9. In cases where the inmate is in disciplinary separation status, refer the matter to the Warden for possible waiver of disciplinary separation time and referral to the ACRHRC.
- E. Appeal of Decision by ACRHRC

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1. An inmate may appeal to the Warden within 10 days of the date of the decision by submitting a DOC-1881.
2. An inmate may appeal to the DAI Administrator within 10 days of the date of the Warden's decision by submitting a DOC-1881.
3. In cases where the Warden makes the determination that AC is appropriate due to the decision not being unanimous, the appeal is submitted directly to the DAI Administrator's office.
4. Inmates who have been in AC status for 12 months or longer will automatically have a DOC -1882 generated for review by the Warden.

III. **Scheduled Reviews**

- A. At a minimum of every 30 days, the RH Review Team shall review the inmate's progress per DAI Policy 303.00.02 and document on DOC-30 or DOC-30B.
- B. At a minimum of every six months, the ACRHRC shall conduct a full review and complete a DOC-1875. The full review shall be consistent with the procedures used in the hearing for initial placement.
- C. Considerations for all reviews of AC shall include:
 1. Risk to self, another person or facility security.
 2. Behavior and attitude.
 3. Interactions with staff and inmates.
 4. PSU staff input on DOC-3509A for any inmate with a SMI or ID code.
 5. Conduct history and severity of behavior that resulted in placement.
 6. Medical and mental health needs.
 7. Involvement in programming or other noteworthy activities or groups.
 8. Whether the inmate remains active in STG activities.
- D. Prior to a schedule ACRHRC review, inmates may request to review Legal and Social Service files from the Records Office.
 1. During this review, all AC packets shall be removed from the Social Service file.
 2. Requests for documents contained in the AC packets shall be processed under public records law.
- E. The Warden may release an inmate from AC at any time.

IV. **Programming and Level System**

- A. Each facility shall have a structured and progressive level system that allows inmates to progress through privilege levels based on program participation, behavior and appropriate interactions with staff. Where space and resources allow, the program shall include opportunities for recreation and leisure time activities and out-of-cell time with other inmates (with or without restraints), consistent with level of risk.

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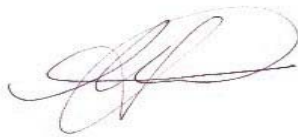
- B. At the time of AC placement, inmates shall be informed of the behaviors and actions required to successfully transition to a less restrictive setting.
- C. Property and privileges of AC shall be consistent with the highest level allowed in the RH area where they are housed.
- D. Additional property, privileges and programming may be initiated to assist in transition planning and preparation for release from this status.

V. Mentally Ill Inmates

Inmates placed in AC with SMI or ID codes:

- A. Facility staff shall complete a Behavior Management Plan in the health record as defined in DAI Policy 500.70.30 within 10 days of AC placement.
- B. PSU staff shall meet with the inmate at least once per week and document the clinical contacts in the health record.
- C. If the inmate is not already on a mental health treatment unit, staff shall regularly review options for placement on such unit.
- D. Each facility shall review their capabilities for additional out of cell activities for SMI inmates.
- E. Out of cell time for SMI – Where Resources Allow
 - 1. Four hours per week out of cell time for unstructured recreational/leisure activities per Wisconsin Administrative Code. 309.
 - 2. Five hours per week out of cell for structured activity.

Administrator's Approval: _____



_____ Date Signed: 02/27/20

MARKUS J. COBURN, Administrator

DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES

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| Facility: Wisconsin Secure Program Facility | | |
| Original Effective Date: 01/01/99 | DAI Policy Number: 308.00.01 | Page 6 of 9 |
| New Effective Date: 08/21/20 | Supersedes Number: 308.00.01 | Dated: 03/25/19 |
| Chapter: 308 Administrative Confinement | | |
| Subject: Administrative Confinement/Restrictive Housing | | |
| Will Implement <input type="checkbox"/> As written <input checked="" type="checkbox"/> With below procedures for facility implementation | | |
| Warden's/Center Superintendent's Approval: Warden Gary Boughton | | |

REFERENCES

DAI 303.00.02 – Restrictive Housing Programs and Review
Wisconsin Administrative Code DOC 309 - Resources for Inmates
WSPF 900.516.03 - Inmate Movement within the Institution

DEFINITIONS, ACRONYMS, AND FORMS

ABE - Adult Basic Education

COMPAS - Correctional Offender Management Profiling for Alternative Sanctions

GP - General Population

PACE – Progressing through Administrative Confinement Effectively

FACILITY PROCEDURE**I. Progressing through Administrative Confinement Effectively (PACE)**

- A. All inmates on Administrative Confinement shall be placed in the PACE program.
- B. The Unit Supervisor/designee shall confirm a COMPAS assessment is current. The assessment results shall be used to identify the individual program needs for the participant during the PACE program.
- C. The unit team shall review the COMPAS assessment, inmates conduct, past programming completions, and program needs to determine an individualized program plan.
 1. The expectation is inmates in the program participate and successfully complete identified programming.
 2. The unit team may consist of the following staff:
 - a. Unit Supervisor
 - b. Social Worker
 - c. Unit Sergeants / Officers
 - d. Programs Department staff
 - e. Health Services Unit staff
 - f. Psychological Services Unit staff

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- D. The allowable property for inmates in PACE shall be in accordance with DAI 303.00.02.

II. Program Requirements**A. Phase One**

1. Inmates on Phase One are to participate in programming.
 - a. Inmates may participate in ABE if this has been identified as a need.
 - b. Inmates shall contact the Program Department to request participation in identified programs.
 - c. Individual programs needs shall be identified by the unit team.
2. Inmate movement shall occur in accordance with WSPF 900.516.03.
3. Up to 20 completed phone calls may be allowed per month.
4. Up to 5 out of cell hours per week, not including structured programming time.
5. Choice of one electronic item to include personal radio, television, or tablet.
6. This phase may be approximately 1 month. Progression shall be based on positive behavior, positive interpersonal skills, and interactions with staff, monthly evaluations and meeting programming expectations.

B. Phase Two

1. Inmates on Phase Two are to participate in programming.
 - a. Inmates may participate in ABE if this has been identified as a need.
 - b. Inmates shall contact the Program Department to request participation in identified programs.
 - c. Individual programs needs shall be identified by the unit team.
2. Inmate movement shall occur in accordance with WSPF 900.516.03.
3. Up to 20 completed phone calls may be allowed per month.
4. Up to 5 out of cell hours per week, not including structured programming time.
5. Choice of two electronic items to include personal radio, television, or tablet.
6. Inmates may participate with one other inmate in congregate out of cell activities as determined by the unit team and based on unit operations and staffing availability.
7. This phase may be approximately 2 months. Progression shall be based on positive behavior, positive interpersonal skills, and interactions with staff, monthly evaluations and meeting programming expectations.

C. Phase Three

1. Inmates on Phase Three may be required to participate in out of cell, small group programming. Other individual programming needs shall be identified by the unit team.
2. Inmate movement shall occur in accordance with WSPF 900.516.03.

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3. Up to 20 completed phone calls may be allowed per month.
4. Up to 7 out of cell hours per week, not including structured programming time.
5. Choice of two electronic items to include personal radio, television, or tablet.
6. Inmates may participate with up to two other inmates in congregate out of cell activities as determined by the unit team and based on unit operations and staffing availability.
7. This phase may be approximately 3 months based on positive behavior, positive interpersonal skills, interactions with staff, monthly evaluations, overall all conduct and assaultive history, time frame of positive and non-assaultive conduct and meeting programming expectations and unit team recommendations.

D. Phase Four

1. Inmates on Phase Four shall be required to participate in out of cell, group programming. Other individual programming needs may be identified by the unit team.
2. Inmate movement shall occur in accordance with WSPF 900.516.03.
3. Up to 20 completed phone calls may be allowed per month.
4. Up to 10 out of cell hours per week, not including structured programming time.
5. Choice of two electronic items to include personal radio, television, or tablet.
6. Inmates may participate with up to three other inmates in congregate out of cell activities including recreation, assigned duties and education.
7. Phase Four shall participate in a GP preparation and orientation group.
8. This phase may be approximately 6 months based on positive behavior, positive interpersonal skills, interactions with staff, monthly evaluations, meeting programming expectations and unit team recommendations.

III. Phase Consideration

- A. The unit team shall review and evaluate each inmate monthly to assess the individual inmate's level of risk, identify potential target behaviors for change and to evaluate an inmate's participation in programming.
- B. Inmates in PACE may request the opportunity to meet with the unit review team during its monthly review a minimum of once per phase. The assessment shall be the foundation for the recommendation the unit team makes to the Security Director and Warden regarding the appropriate phase placement.
- C. A DOC-30B shall be completed monthly on each inmate in Administrative Confinement.

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D. Temporary Phase Reduction

1. A Unit/Security Supervisor may demote an inmate for behavior indicating an increased level of risk.
2. The unit team shall review the inmate's status at the next scheduled team meeting and make a recommendation for placement to the Security Director and Warden when an inmate is temporarily demoted.

E. Disposition of Disciplinary Separation

1. If an inmate receives a disposition resulting in Disciplinary Separation, he shall be removed from PACE.
2. If an inmate is placed in Administrative Confinement after serving Disciplinary Separation he shall be placed on phase one in PACE.