

WISCONSIN DEPARTMENT OF CORRECTIONS

Governor Tony Evers / Secretary Kevin A. Carr

GUIDANCE DOCUMENT CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections §227.10 and §227.11 of the Wisconsin Statutes.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

Doug Percy

Name of Individual Certifying this Document/Proposed Document

DAI Assistant Administrator

Title


Doug Percy

Signature

6/25/19

Date Signed

Department of Corrections – Wisconsin
Office of the Secretary
Wis. Stat. § 227.112(6)
DOC-2910 (6/2019)

 <p style="text-align: center;">DIVISION OF ADULT INSTITUTIONS</p> <p style="text-align: center;">POLICY AND PROCEDURES</p>	DAI Policy #: 303.00.02	Page 1 of 12
	Original Effective Date: 09/17/00	New Effective Date: 07/16/18
	Supersedes: 303.00.02	Dated: 05/01/17
	Administrator's Approval: Jim Schwochert, Administrator	
Required Posting or Restricted:		
<input checked="" type="checkbox"/> Inmate <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted		
Chapter: 303 Discipline		
Subject: Restrictive Housing Programs and Review		

POLICY

Division of Adult Institution facilities shall establish guidelines for Restrictive Housing Step Programs and monitor the status and progress of individual inmates. Such programs shall provide inmates with opportunities and incentives to change their behavior and attitudes and foster a successful return to a general population setting.

REFERENCES

Wisconsin Administrative Code s. DOC 303.73 – Major penalty; disciplinary separation
Wisconsin Administrative Code s. DOC 303.74 – Controlled Separation
Wisconsin Administrative Code s. DOC 306.05 – Protective Confinement
Wisconsin Administrative Code Ch. DOC 308 – Administrative Confinement
Wisconsin Administrative Code Ch. DOC 309 – Resources for Inmates
Wisconsin Administrative Code Ch. DOC 311 – Observation Status
Wisconsin Administrative Code Ch. DOC 314 – Mental Health Treatment for Inmates
DAI Policy 306.00.34 – Restrictions and Security Precautions
DAI Policy 306.05.01 – Protective Confinement
DAI Policy 309.04.01 – Inmate Mail
DAI Policy 309.20.03 – Inmate Personal Property and Clothing
DAI Policy 309.51.01 – Legal Loans
DAI Policy 500.00.05 – Medical Observation and Monitoring
DAI Policy 500.70.01 – Mental Health Screening Assessment and Referral
DAI Policy 500.70.14 – Mental Health Multidisciplinary Teams
DAI Policy 500.70.30 – Behavior Management Plans
DAI Policy 500.80.04 – Over the Counter Medications

DEFINITIONS, ACRONYMS, AND FORMS

Administrative Confinement – The confinement of an inmate separate from the general population whose continued presence in general population poses a serious threat to life, self, staff, or other inmates, or to the secure or orderly operation of the facility.

BMP – Behavior Management Plan

Clinical Observation – Involuntary or voluntary non-punitive status used for the temporary confinement of an inmate to ensure the safety of the inmate or the safety of others.

Controlled Separation – Restrictive placement of an inmate in a Temporary Lock Up (TLU) or disciplinary separation status who exhibits disruptive or destructive behavior.

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Disciplinary Separation – Punitive status of an inmate for violation of Wisconsin Administrative Code Ch. DOC 303, with no extension of mandatory release/extended supervision date.

DOC – Department of Corrections

DOC-30 – Review of Inmate in Restrictive Housing

DOC-30B – Risk Assessment Information Guide – Wisconsin Secure Program Facility (Utilized by WSPF in lieu of DOC-30)

Health Services Unit (HSU) Staff – Employees classified as HSU Manager, Psychiatrist, Physician, Physician Assistant, Pharmacist, Dentist, Nurse Practitioner, Optometrist, Registered Nurse, Licensed Practical Nurse, Physical Therapist, Radiologic Technician, or any other clinical classification that is directly supervised by Health Services.

Mental Health Codes – Designation made by PSU staff in WICS that identifies inmates who are not on the mental health caseload (MH-0), on the mental health caseload but not with serious mental illness (MH-1), with serious mental illness (MH-2a and MH-2b), or intellectually disabled (ID).

Mental Health Multidisciplinary Team – Staff who regularly meet to review the status of inmates per DAI Policy 500.70.14.

OTC – Over the counter

Protective Confinement – Separation from the general population necessary to ensure the safety and welfare of that inmate.

Psychological Services Unit (PSU) Staff – Employees classified as Psychologist Supervisor, Psychologist-Licensed, Psychological Associate A or B, Crisis Intervention Worker, Psychological Services Assistant, Clinical Social Worker, or any other clinical classification that is directly supervised by Psychological Services.

RH – Restrictive Housing (formerly known as Segregation)

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.

WICS – Wisconsin Integrated Corrections System

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PROCEDURE

I. Intake

- A. Staff shall provide inmates with an orientation to the RH unit within one working day of placement, outlining behavioral expectations and available programming.
- B. PSU staff shall assess inmates with MH-2A, MH-2B or ID codes within one working day of placement within RH, as outlined in DAI Policy 500.70.01.
- C. Staff shall designate a step level for each inmate who receives disciplinary separation.

II. RH Step Programs

- A. Each facility shall develop a RH Step Program that provides inmates with opportunities and incentives to improve their attitudes and behavior while earning additional freedoms, privileges and property.
- B. RH Step Programs shall involve at least three steps. Facilities may implement a fourth step as described in Section III.
- C. RH Step Programs shall include the following features:
 1. Behavioral incentives.
 2. Self-help and in-cell programming.
 3. Staff encouragement and constructive feedback.
 4. Out-of-cell groups, counseling and programming as recommended by staff.
 5. Additional out-of-cell time for programming and activities for inmates with MH-2A, MH-2B and ID codes.
- D. Inmates may earn time off of their disciplinary separation sanction for each day they demonstrate positive behavior. In general, time earned shall be one day of the disciplinary separation sanction for every one day of positive behavior. Positive behavior may include:
 1. Adherence to housing unit rules and expectations.
 2. Positive interactions with staff.
 3. Completion in-cell or out-of-cell programming.
- E. Release from disciplinary separation may be accelerated based on program participation, demonstration of reduced risk and other factors as determined by the Warden.
- F. Documentation on progress and reasons for adjustment shall be included on the DOC-30.

III. Steps Levels

- A. Step 1 inmates shall be housed in the RH main unit.

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1. Placement may occur upon initial entry into RH or may represent a return from a higher step level if the inmate engages in conduct that may result in a major sanction.
 2. Placement shall be based on evaluation of risk, focusing on violent or assaultive behaviors.
- B. Step 2 inmates may be housed in the RH main unit or another unit designated for such placement. An inmate may attain this level as the result of acceptable behavior and attitude, or be assigned as initial placement if the committing offense is non-assaultive or considered a manageable risk.
- C. Step 3 inmates may be housed in the RH main unit or another unit designated for such placement.
1. An inmate may attain Step 3 as the result of acceptable behavior and attitude while in Step 2.
 2. Inmates transferring from another facility at the same step may also be placed at this step.
 3. The focus of Step 3 shall be to test readiness for a return to general population.
- D. Step 4 inmates may be housed in the RH main unit or another unit designated for such placement.
1. Inmates in Step 4 shall be allowed out of their cell for a minimum of two hours each day or for a minimum of 14 hours each week for activities.
 2. Out of cell activities shall involve social interaction with staff or other inmates may be conducted without the use of restraints. Potential activities include recreation, dayroom and programming.
 3. The focus of Step 4 shall be to test readiness for a return to general population. A facility may progress an inmate to Step 4 in lieu of Step 3.

IV. RH Review Team

- A. Facilities with a RH unit shall maintain a RH Review Team to conduct reviews of all inmates housed in the facility's RH units.
- B. RH Review Teams shall contain, at minimum, the following staff. The Warden shall designate one member of the group as chairperson.
1. Corrections Program Supervisor or Security Supervisor assigned to RH.
 2. Health Service Manager or HSU staff member.
 3. PSU staff member.
 4. Other staff as designated by the Warden, such as Psychiatrist, Social Worker, Program Escort Officer and Security staff.
 5. Administrators and/or Central Office staff for specific cases.

V. Review of Inmates in RH

- A. The RH Review Team shall review the status, programming, and needs of all inmates placed in RH, regardless of status, at least every 30 days and document on DOC-30. Reviews shall address the following:

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1. Mental health concerns such as suicide risk and psychosis.
 2. Development of BMPs when needed.
 3. In-cell or out-of-cell programming that would assist with the inmate's adjustment.
 4. Medical concerns such as food/fluid intake and medication compliance.
 5. Security concerns such as vulnerability, assault risk, escape risk, escort and special placement needs.
 6. Any necessary restrictions or precautions.
 7. Recommendations to adjust Step Status based on inmate behavior and program participation.
 8. Other concerns as appropriate.
- B. The RH Review Team and/or Security Director shall forward recommendations on the DOC-30 to the Warden/designee, who may adjust steps or remove an inmate from RH at any time.
- C. The RH Review Team may promote or demote an inmate's status at any time prior to the 30 day review if the inmate's behavior warrants it.
- D. The RH Review Team may coordinate discussion of selected inmates with the facility's mental health multidisciplinary team as needed.
- E. The RH Review Team shall document the reviews and recommendations on DOC-30. The original and any copies of DOC-30 shall be kept in a locked location with access limited to staff with a clear job-related need to know the corresponding medical and mental health information.

VI. Step Progression

- A. All inmates are eligible to progress through the steps of a RH Program. The rate of progression and release decisions may be influenced by any of the following factors:
1. Behavior, attitude and motivation.
 2. Interaction with staff or inmates.
 3. Program needs and participation.
 4. Security classification.
 5. Facility adjustment and conduct history.
 6. Security risks to staff, inmates, facility or community.
 7. Medical concerns.
 8. Mental health concerns including psychological input.
 9. Mitigating factors and any special circumstances.
- B. Security Supervisors and the RH Unit Manager/Program Supervisor may immediately place inmates who display disruptive behavior or serious misconduct in a more restrictive step, provided alternative sanctions are not appropriate. Such changes shall be reviewed by the RH Review Team at the next meeting.

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- C. Staff shall consider the inmate's adjustment to TLU when determining the most appropriate disposition, rate of progress through step levels, and/or most appropriate release date from RH status.

VII. Restrictions/Security Precautions

- A. Any inmate who exhibits threatening, violent, self-abusive, or serious disruptive behavior may be subject to security precautions and/or placed on restrictions as outlined in DAI Policy 306.00.34.
- B. Restrictions and precautions shall be imposed at the lowest level in order to achieve the desired results.

VIII. BMPs

- A. Staff may develop BMPs for RH inmates who routinely exhibit behavior that cannot be adequately managed through existing step programs and practice, as outlined in DAI Policy 500.70.30.
- B. BMPs require a multidisciplinary approach with clear documentation of the rationale for the plan and the ability for the inmate to provide input or dispute any element of the plan. Plans shall be limited in duration and allow for basic needs.
- C. Any inmate with an MH-2A, MH-2B or ID mental health code who receives a disciplinary separation disposition of 60 days or more shall have a BMP developed within 10 days of disposition.
- D. Any inmate with an MH-2A, MH-2B or ID mental health code who is placed in Administrative Confinement shall have a BMP developed within 10 days of placement.

IX. Administrative Confinement

- A. Administrative confinement is an involuntary non-punitive status for confinement of inmates in a RH unit whose continued presence in general population poses a serious threat to life, property, self, staff or other inmates, or to the security of the facility.
- B. Inmates may be referred for possible placement in Administrative Confinement pursuant to Wisconsin Administrative Code Ch. DOC 308.

X. Protective Confinement

Inmates may be placed in protective confinement by the Security Director in accordance with DAI Policy 306.05.01. The following guidelines shall apply:

- A. Privileges and property shall be at least equivalent to those allowed for inmates in the main RH building.
- B. Additional privileges and property shall correspond to what is ordinarily allowed inmates in the unit in where the inmate is protectively confined.

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- C. The Security Director shall review placements in protective confinement at least every 90 days.
- D. The RH Review Team shall review the inmate on a DOC-30 at least monthly.

XI. Step 1 Property

- A. All requests on property matters must be in writing to the Property Officer.
- B. Unless specifically authorized, glass and/or metal materials shall not be allowed in any form in the RH Unit.
- C. The RH property limits outlined below represent the standard minimum allowed property for Step 1, including Disciplinary Separation, TLU, Protective Confinement, and Administrative Separation. Based on the inmate's behavior, further limitations may be imposed by the Security Director/designee.
- D. Hygiene and toiletry articles

Quantity	Unit	Item
1	Each	Lip balm
1	Each	Hair conditioner
1	Each	Deodorant
1	Each	Shampoo
1	Each	Skin lotion
*1	Each	Soap
1	Each	Soap Dish
*1	Roll	Toilet Paper
*1	Each	Toothbrush
*1	Each	Toothpaste
		Items for dentures
*		Feminine Hygiene

* State issued or purchased through Canteen.

E. Writing Supplies

Quantity	Unit	Item	Description, If Applicable
1	Each	Address Book	5"x5" maximum size
5	Sheet	Carbon Paper	Canteen
10	Each	Legal Envelopes	Canteen
2	Each	Pen inserts/flexible pencils	State Issued, 1 for 1 exchange

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25*	Each	Embossed or blank envelopes	Not to exceed 25
50	Each	Paper, writing or typing	Canteen

- * Facilities shall provide one stamped, embossed or metered envelope and two pieces of paper to indigent inmates in RH on the 1st and 15th of each month. The inmate may use these materials to correspond to members of the public or another inmate for any purpose, legal or otherwise.

F. Reading Materials

Quantity	Unit	Item	Description, If Applicable
		Legal Material	Per DAI Policy 309.20.03 must fit in 20"x20"x20" bin. Staples, paperclips and metal fasteners are not permitted.
8	Each	Books and Publications	<ul style="list-style-type: none"> a. Shall be soft cover only. b. Permitted to exchange personal books from their stored personal property a minimum of every 30 days. c. Magazines and newspapers may be permitted in RH. When permitted, facilities shall develop procedures for distribution. d. Publications that contain contraband, or pose a security risk in RH, shall not be delivered. Must be received without staples.
25	Each	Personal Letters	
Per policy		Religious Items	Subject to review by facility Chaplain in accordance with DAI Policy 309.61.02.

G. Miscellaneous

Quantity	Unit	Item	Description, If Applicable
1	Each	Comb or pick	No handle
1	Each	Cup	State-Issued (unless physical plant has drinking fountain in cell)
1	Each	Hairbrush	6", no handle, no metal
10	Each	Photographs	No Polaroids
1	Each	Sleep mask	Canteen

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1	Pair	Shower Thongs	Canteen
1	Each	Calendar	Provided by RH staff upon placement on unit
1	Each	Eyeglasses	State issued or personal
1	Each	Earplugs	Canteen
*		OTC medications or creams	Canteen/prescribed (May be officer controlled) Per DAI Policy 500.80.04

*Subject to facility procedure.

H. Officer Controlled

Quantity	Unit	Item	Description, If Applicable
1	Each	Fingernail Clipper	
1	Each	Toenail Clipper	
1	Each	Dental Floss	12 inches (maximum)
1	Each	Razor or hair removal product	Per facility procedure
		Prescription Medication	Per facility procedure

I. Additional Canteen items such as food items shall be allowed according to established facility canteen lists and limitations.

XII. Controlled Separation Property

A. The facility shall maintain control of all property, provide adequate clothing and essential hygiene supplies, and provide nutritionally adequate meals.

B. Inmates may possess correspondence, legal and writing materials as long as the property does not pose a security risk.

XIII. Property - Additional Steps

A. Inmates in Step 2 may receive additional property items consistent with facility procedure and designated allowable property guidelines for their assigned living area. Increased privileges and availability of additional property may be impacted by physical plant construction or design.

B. Inmates in Step 3 and Step 4 may receive additional property (e.g., electronics, Hobby items) consistent with facility guidelines, and designated building allowable property guidelines for their assigned living area.

Electronics may include:

1. Television.
2. Radio.
3. Fan.
4. Earbuds.

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XIV. Requirements in Accordance With Wisconsin Administrative Code Ch. DOC 303:

- A. The facility shall provide inmates in RH all of the following:
 - 1. Clean mattress.
 - 2. Sufficient light by which to read at least 12 hours per day.
 - 3. Sanitary toilet and sink.
 - 4. Adequate ventilation and heating.

- B. The facility shall allow the following necessities for each inmate in disciplinary separation, but the items need not be kept in the cell, based on safety and security concerns as determined by the Warden:
 - 1. Adequate clothing and bedding.
 - 2. A toothbrush, toothpaste, soap, a towel, a face cloth, and a small comb.
 - 3. Religious texts.
 - 4. Nutritionally adequate meals.

- C. The facility shall permit inmates in disciplinary separation visitation and telephone calls in accordance with Wisconsin Administrative Code Ch. DOC 309.

- D. Correspondence:
 - 1. Inmates in disciplinary separation may receive and send first class mail in accordance with these rules and DAI Policy 309.04.01.
 - 2. Indigent inmates in disciplinary separation may, upon request, receive writing materials and postage in accordance with Wisconsin Administrative Code s. DOC 309.51 and DAI Policy 309.51.01.

- E. The facility shall allow inmates in disciplinary separation, observation status, and protective confinement to shower at least twice per week, unless restricted per DAI Policy 306.00.34.

- F. The facility shall provide social services, psychological and medical services, program opportunities and an opportunity to exercise for an inmate in disciplinary separation. Out-of-cell exercise and programming is encouraged where resources and space allows.

- G. Inmates in disciplinary separation may not leave their cells except as needed for:
 - 1. Medical or psychological assessments or treatment.
 - 2. Showers.
 - 3. Visits.
 - 4. Recreation.
 - 5. Emergencies endangering their safety in the cell.
 - 6. Congregate Programming/Out of Cell leisure activities
 - 7. Other reasons as authorized by the Warden.

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- H. The Warden may require inmates in disciplinary separation to wear mechanical restraints, as defined in Wisconsin Administrative Code s. DOC 306.02(13), while outside their cells.
- I. Release dates are not impacted by disciplinary separation.
- J. Inmates in disciplinary separation shall not earn compensation.
- K. Inmates in disciplinary separation may have approved items brought in from the canteen but may not go to the canteen in person.
- L. Each RH unit shall have visiting procedures to meet the minimum standards outlined in Wisconsin Administrative Code s. DOC 309.09(4).
- M. Each RH unit shall have procedures to meet at least the minimum phone call privileges consistent with Wisconsin Administrative Code s. DOC 309.39.
- N. Each facility may develop RH unit procedures to include the availability of canteen items that may be used to promote progression through the step program.

Administrator's Approval: _____ **Date Signed:** _____
Jim Schwochert, Administrator

DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES

Facility: Name		
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New Effective Date: 00/00/00	Supersedes Number:	Dated:
Chapter: 303 Discipline		
Subject: Restrictive Housing Programs and Review		
Will Implement <input type="checkbox"/> As written <input type="checkbox"/> With below procedures for facility implementation		
Warden's/Center Superintendent's Approval:		

REFERENCES

DEFINITIONS, ACRONYMS, AND FORMS

FACILITY PROCEDURE

I.

- A.
 - 1.
 - a.
- B.
- C.

II.

- A.
- B.
- C.