

# 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;"><b>DIVISION OF ADULT INSTITUTIONS</b></p> <p style="text-align: center;"><b>POLICY AND PROCEDURES</b></p>	<b>DAI Policy #:</b> 306.05.01	<b>Page</b> 1 of 4
	<b>Original Effective Date:</b> 08/01/88	<b>New Effective Date:</b> 07/01/18
	<b>Supersedes:</b> 306.05.01	<b>Dated:</b> 06/15/17
	<b>Administrator's Approval:</b> Jim Schwochert, Administrator	
<b>Required Posting or Restricted:</b>		
<input checked="" type="checkbox"/> <b>Inmate</b> <input checked="" type="checkbox"/> <b>All Staff</b> <input type="checkbox"/> <b>Restricted</b>		
<b>Chapter:</b> 306 Security		
<b>Subject:</b> Protective Confinement		

**POLICY**

The Division of Adult Institutions shall ensure the safety and security of the inmate and facility through the use of protective confinement.

**REFERENCES**

Executive Directive 72 – Sexual Abuse and Sexual Harassment in Confinement (PREA)

Wisconsin Administrative Code Ch. DOC 302 – Inmate Classification, Sentence and Release Provisions

Wisconsin Administrative Code s. DOC 303.10 – Temporary Lockup; Use

Wisconsin Administrative Code s. DOC 303.73 – Major Penalty: Disciplinary Separation

Wisconsin Administrative Code s. DOC 306.05 – Protective Confinement

DAI Policy 328.14.01 – Interstate Compact for Supervision of Wisconsin Parole Cases Requesting Transfer to Other States

**DEFINITIONS, ACRONYMS, AND FORMS**

DAI – Division of Adult Institutions

DOC – Department of Corrections

DOC-30 – Review of Inmate in Restrictive Housing

DOC-67 – Notice of Inmate Placed in Temporary Lockup

DOC-1116 – Protective Confinement Request

GP – General Population

ICC – Interstate Corrections Compact

Long-term Protective Confinement – 30 or more days in protective confinement.

Protective Confinement – Separation from the GP of an institution/center necessary to ensure the safety and welfare of that inmate.

Reclassification Committee (RC) – Formerly known as Program Review Committee (PRC).

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RH – Restrictive Housing

SPN – Special Placement Need

TLU – Temporary Lock Up

## **PROCEDURE**

### **I. General**

- A. Protective confinement is a non-punitive status.
  1. Inmates who require protective confinement should not be placed in RH, if alternatives are available.
  2. Alternatives include, but are not limited to:
    - a. Alternative housing within the facility as determined by the Security Director in consultation with the Security Chief.
    - b. SPN transfer to another facility in GP.
    - c. ICC/out of state placement.
    - d. A protective confinement placement into RH may be utilized with approval of the Warden.
- B. Inmates at high risk for sexual victimization shall not be placed in involuntary restrictive housing unless an assessment of all available alternatives has been made, and a determination has been made there is no available alternative means of separation from likely abusers. An inmate shall not be held for more than 24 hours pending this assessment.
- C. The inmate shall be allowed privileges and property consistent with the allowed property for the unit to which they are assigned.
  1. At a minimum, property equal to that provided for inmates in step three of disciplinary separation status.
  2. Additional privileges and property may be provided subject to the rules governing the location of the unit in which the inmate is placed.
  3. Inmates at high risk for sexual victimization shall have access to programs, privileges, education and work opportunities to the extent possible. If access is restricted, the facility shall document which opportunities have been limited; the duration of the limitation; and the reasons for such limitations.
- D. Inmates in long-term protective confinement status shall have a maximum custody status.

### **II. Facilities Shall:**

- A. Receive and review inmate's written request for placement.
- B. Determine if safety concerns warranting protective confinement placement are present.

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- C. Place inmate in TLU status or alternative housing pending investigation of potential safety concerns, if necessary. Document reason for placement on DOC-67.
- D. Place the inmate in protective confinement if additional security precautions are necessary to ensure for the safety and welfare of the inmate.
- E. Ensure inmate's protective confinement placement is reviewed every 30 days to determine if placement remains necessary. Document reviews of existing protective confinement placement on DOC-30.
- F. Refer long-term protective confinement status inmates to the RC.
- G. Review inmate's written request to be released from protective confinement.
- H. Release inmate from protective confinement if conditions which warranted protective confinement no longer exist.

**III. Inmates Shall:**

- A. Submit completed DOC-1116 to the Security Director/designee for placement in protective confinement and the specific reasons for the placement.
- B. Direct requests for consideration of release to the Security Director/designee. State specific reasons for request of removal from protective confinement status and why the additional security measures are no longer necessary.

**Administrator's Approval:** \_\_\_\_\_ **Date Signed:** \_\_\_\_\_  
Jim Schwochert, Administrator

**DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES**

<b>Facility:</b> Name		
<b>Original Effective Date:</b> 00/00/00	<b>DAI Policy Number:</b> 306.05.01	<b>Page</b> 4 of 4
<b>New Effective Date:</b> 00/00/00	<b>Supersedes Number:</b>	<b>Dated:</b>
<b>Chapter:</b> 306 Security		
<b>Subject:</b> Protective Confinement		
<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. Inmate

III. Other