



# INTERNAL MANAGEMENT POLICY & PROCEDURE

## Policy Memorandum<sup>1</sup>

Policy Issuance #: 21-01-001  Is **STAFF READ ONLY**  Is for Both Staff and Offenders

Effective Date: January 19, 2021

Expiration Date<sup>2</sup> (required): N/A

Addresses subject matter for which an IMPP will be forthcoming and assigned to Chapter \_\_\_ of the IMPP manual.

Amends or modifies existing IMPP #12-136 SECURITY AND CONTROL: Special Management Transition Programs

Elaborates on the contents of IMPP #

This policy memorandum is being issued to establish a transition program for existing capital offense residents to transition from administrative segregation to general population.


New addition Section II is as follows:

- II. Capital Offense Resident Transition Program** – These procedures establish a process of transitioning residents convicted of a capital punishment offense (CP residents) from long term administrative segregation to a less restrictive housing environment or general population. All previous policies, procedures or practices related specifically to long term administrative segregation of CP residents are superseded by this Policy Memorandum.
- A. All newly admitted residents convicted of a capital offense after the date of this Policy Memorandum will not be placed in administrative segregation based solely on that conviction.
  - B. A multidisciplinary team (MDT) will be convened to review each CP resident's classification/housing status. Members of this MDT will include representatives from the Unit Team, Classification Administrator, Legal, Security, Behavioral Health, Health Services, and Deputy Wardens.
  - C. Transition Procedures
    - 1. Step One.

<sup>1</sup>Note: To keep your IMPP Manual current, please place this Policy Memorandum in your manual at the appropriate location. If the memorandum addresses subject matter for which an IMPP will be forthcoming, place this issuance before the first IMPP in the Chapter indicated. If the memorandum addresses an existing IMPP, the issuance should be placed in front of the existing policy. If this memorandum is for both staff and offenders, it shall be immediately posted.


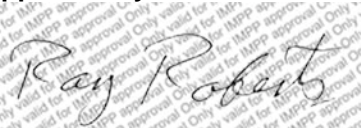
<sup>2</sup>Unless another Policy Memorandum or IMPP on this subject is issued, the requirements contained herein have no force and effect after the indicated expiration date.

- a. The MDT will review the CP resident's classification/housing status to determine whether to allow participation in outside and inside recreation collectively with other CP residents. This review will consider, among any other relevant factors, the CP resident's disciplinary history, central monitoring status, mental and physical health.
  - b. If participation is not allowed, the MDT will convene every thirty (30) days to reconsider.
  - c. If participation is allowed, the CP resident will proceed to Step Two.
2. Step Two.
- a. MDT will review the CP resident's classification/housing status to determine whether to allow double bunking with another CP resident. This review will consider, among any other relevant factors, the CP resident's disciplinary history, central monitoring status, mental and physical health.
  - b. If double bunking is not allowed, the MDT will convene every thirty (30) days to reconsider.
  - c. If double bunking is allowed, the CP resident will proceed to Step Three.
3. Step Three.
- a. The MDT will review the CP resident's classification/housing status to determine whether to allow participation in mainline dining and library access with general population residents. This review will consider, among any other relevant factors, the CP resident's disciplinary history, central monitoring status, mental and physical health.
  - b. If participation is not allowed, the MDT will convene every thirty (30) days to reconsider.
  - c. If participation is allowed, the CP resident will proceed to Step Four.
4. Step Four.
- a. The MDT will review the CP resident's classification/housing status to determine whether to allow placement into general population within any appropriate correctional facility. This review will consider, among any other relevant factors, the CP resident's disciplinary history, central monitoring status, mental and physical health.
  - b. If general population placement is not allowed, the MDT will convene every thirty (30) days to reconsider.

  
Secretary of Corrections

01/19/2021  
Date

## KANSAS DEPARTMENT OF CORRECTIONS

	<b>INTERNAL MANAGEMENT POLICY AND PROCEDURE</b>	<b>SECTION NUMBER</b>  12-136	<b>PAGE NUMBER</b>  1 of 6
		<b>SUBJECT:</b>  <b>SECURITY AND CONTROL: Special Management Transition Programs</b>	
<b>Approved By:</b>  <b>Secretary of Corrections</b>		<b>Original Date Issued:</b> <span style="float: right;"><b>04-08-13</b></span>	
		<b>Current Amendment Effective:</b> <span style="float: right;"><b>N/A</b></span>	
		<b>Replaces Amendment Issued:</b> <span style="float: right;"><b>N/A</b></span>	

### POLICY

Special Management Transition Programs are intended to transition long term administrative segregation OSR or CBB inmates back into general population. The programs serve as an intermediate step from segregation to general population when there are safety concerns regarding an inmate's immediate release from segregation status.

### DEFINITIONS

Administrative Segregation Review Board: The board shall consist of one person from the security staff, one person from the clinical staff, and one person from the classification staff. IMPP 20-106.

Behavior Management Program: A 9-month program that safely re-integrates long term segregation inmates back into general population using a 3-step process. The program's focus is to use cognitive based elements to encourage behavioral changes. After the first 9 months, the program has an additional 3 months of monitoring under Intensive Supervision.

Enhanced Management Unit: A status for sexually predatory inmates who sexually victimize other inmates within a correctional setting.

Program Management Committee (PMC): The committee, consisting of the warden or designee and an administrative/supervisory representative from the Programs and Security divisions of the facility, responsible to review and approve or deny proposed classification exceptions, amendments to inmate program agreements, and transfer requests/recommendations.

Senior Administrative Committee: Consists of the wardens or designees of LCF, HCF and EDCF. This committee will make the final decisions concerning administrative segregation status and housing placements for inmates who have completed a Special Management Transition Program.

SMU: A Special Management Transition Program, lasting a minimum of 12 months, with a four-stage curriculum of assignments and activities designed to transition primarily Security Threat Group (STG)/ SMU inmates back into the general inmate population. Progress through the stages is based on the inmate's meeting specific goals within a specified time frame and final approval by the Program Management Committee (PMC).

Special Management Transition Programs: Transitional programs designed to manage segregated offenders through a stratified behavior modification program based on steps of increased privileges for demonstrated appropriate behavior and program compliance. Facility General Orders shall be developed to implement the individual policies.

Unit Review Team: Team of unit staff responsible to review all inmates who are housed in the SMU. This team shall consist of Unit Team Manager, Security Management level staff, and a member of the Enforcement, Apprehensions, and Investigation staff.

## **PROCEDURES**

- I. **Security Management Unit** -- These procedures establish the placement of inmates in the SMU program, the working of the program, and the release of inmates from the program.
  - A. Admissions Eligibility Requirements
    1. Any inmate being placed in the SMU must meet the requirements outlined in IMPP 20-104--Purpose of Administrative Segregation & Appropriate Placements.
      - a. SMU is for STG members who are experiencing STG related behavior problems, as documented by disciplinary reports, staff reports, or EAI reports regarding activities.
      - b. The Program Management Committee may place inmates in SMU from general population, administrative segregation status or other management program/unit in accordance with Attachment C.
  - B. Intake Procedures
    1. Potential placements into the SMU will be reviewed by the Administrative Segregation Review Board and/or Unit Team prior to the inmate's being assigned to the unit.
    2. The Administrative Segregation Review Board and/or Unit Team members will make recommendations to the (PMC) for the placement approval or denial.
    3. The recommendation to the PMC may be made at any time, but for inmates held in administrative segregation (OSR or CBB), there shall be a recommendation with justifications made for program placement or program denial at every 180-Day PMC Review. Inmates held in administrative segregation because of a capital offense with a death sentence are exempt from the 180-Day (PMC) review per IMPP 20-104.
    4. The Unit Review Team will review all admissions to the program within thirty working days after the placement.
    5. Within three working days after initial placement in the program, the inmate will see his/her counselor for orientation into the program and to sign the SMU Rules and Program Expectations forms provided in the relevant general order.
  - C. Reviews
    1. At a minimum, Administrative Segregation Review Board reviews will be completed every seven (7) days for the first thirty (30) days, and once every thirty (30) days thereafter, and a PMC Review will be completed every 180 days in accordance with IMPP 20-106.
  - D. Change In SMU Steps
    1. Progression, return to prior step, or removal from the unit will be determined by the Unit Review Team based on lack of progression/inappropriate behavior, including return to non-program segregation status.
    2. The step system will be administered in accordance with Attachment A and recommendation by the Unit Review Team with final approval by the Senior Administrative Review Committee.

E. Automatic Removal from SMU

1. An inmate will be automatically removed from the SMU program for the following disciplinary convictions:
  - a. Fighting (KAR 44-12-301);
  - b. Disobeying orders (KAR 44-12-304) when the inmate's behavior is for refusal to submit to a urinalysis or any type of alcohol/drug testing;
  - c. Threatening (KAR 44-12-306);
  - d. Being in a condition of drunkenness, intoxication, or a state of altered consciousness (KAR 44-12-311);
  - e. Except as provided below, the use of stimulants, sedatives, unauthorized drugs, or narcotics, the misuse, or hoarding of authorized or prescribed medication (KAR 44-12-312);
    - (1) Convictions for possession of over the counter medications sold via the canteen (aspirin, Tylenol, ibuprofen, etc.) exceeding authorized limits may not result in the inmate's automatic removal to level 1.
  - f. Sodomy, aggravated sodomy, or aggravated sexual act (KAR 44-12-314);
  - g. Riot or incitement to riot (KAR 44-12-319);
  - h. Assault (KAR 44-12-322);
  - i. Arson (KAR 44-12-323);
  - j. Battery (KAR 44-12-324);
  - k. Inmate Activity (limitations) (section c of KAR 44-12-325);
  - l. Sexual Activity (KAR 44-12-326);
  - m. Undue Familiarity involving relationships with staff (KAR 44-12-328);
  - n. Dangerous Contraband (KAR 44-12-901); or
  - o. Violation of statutes (KAR 44-12-1001a), if the statute is a felony crime.
2. Other disciplinary convictions will be evaluated on a case by case basis. Any recommendation shall be submitted to PMC for approval.

F. Release Procedures

1. Inmates successfully completing the SMU program will be recommended for return to the General Population at the time of their last Unit Review Team hearing. The Unit Review Team will prepare a written discharge recommendation for the PMC.
2. If at any time the inmate fails to comply with the program, s/he may be removed from the program and placed into segregation on Other Security Risk or Consistent Bad Behavior status.
3. Upon release, all inmates will be placed on surveillance status in accordance with IMPP 12-125 Central Monitoring of Inmates.

**II. Behavior Management Program** -- These procedures establish the placement of inmates in the Behavior Management Program (BMP), the working of the program, and the release of inmates from the program.

A. Admissions Eligibility Requirements:

1. Any inmate being placed in the BMP must meet the requirements outlined in IMPP 20-104--Purpose of Administrative Segregation & Appropriate Placements.
  - a. BMP is for segregation inmates with a minimum of 6 months continuous administrative segregation who do not have STG related behavior problems.
  - b. The Program Management Committee may approve placement of inmates in the BMP from administrative segregation status or other management program/unit in accordance with Attachment C.

B. Intake Procedures

1. Potential placements into the BMP will be reviewed by the Administrative Segregation Review Board prior to the inmate's being assigned to the unit.
2. The Administrative Segregation Review Board will make recommendations to the PMC for the placement approval or denial.
3. The recommendation to the PMC may be made at any time after the first 6 months of continuous segregation. Eligible inmates held in administrative segregation (OSR or CBB) shall have a recommendation with justifications made for program placement or program denial at every 180-Day PMC Review. Inmates held in administrative segregation because of a capital offense with a death sentence are exempt from the 180-Day (PMC) review per IMPP 20-104.
4. The Unit Team will review all admissions to the unit within thirty working days after the placement.
5. Within three working days after initial placement, the inmate will see his/her counselor for orientation into the program.

C. Reviews

1. At a minimum, the Administrative Segregation Review Board reviews will be completed every seven (7) days for the first (30) days, once every thirty (30) days thereafter and a PMC Review will be completed every (180) days in accordance with IMPP 20-106.

D. Change In BMP Steps

1. Progression, return to prior step, or removal from the unit will be determined by the Administrative Segregation Review Board based on lack of progression/inappropriate behavior, including return to the segregation unit.
2. The step system will be administered in accordance with Attachment E and recommendation by the Segregation Review Board with final approval by the Senior Administrative Review Committee.

E. Release Procedures

1. Inmates successfully completing the BMP program will be returned to the General Population at the time of program completion.
2. If at any time the inmate fails to comply with the program, s/he may be terminated and placed into segregation on Other Security Risk or Consistent Bad Behavior status.

3. Upon release, all inmates will be placed on surveillance status in accordance with IMPP 12-125--Central Monitoring of Inmates.

F. Automatic Removal from BMP

1. An inmate will be automatically removed from the BMP program for the following disciplinary convictions:
  - a. Fighting (KAR 44-12-301);
  - b. Disobeying orders (KAR 44-12-304) when the inmate's behavior is for refusal to submit to a urinalysis or any type of alcohol/drug testing;
  - c. Threatening (KAR 44-12-306);
  - d. Being in a condition of drunkenness, intoxication, or a state of altered consciousness (KAR 44-12-311);
  - e. Except as provided below, the use of stimulants, sedatives, unauthorized drugs, or narcotics, the misuse, or hoarding of authorized or prescribed medication (KAR 44-12-312);
    - (1) Convictions for possession of over the counter medications sold via the canteen (aspirin, Tylenol, ibuprofen, etc.) exceed authorized limits may not result in the inmate's automatic removal to level 1.
  - f. Sodomy, aggravated sodomy, or aggravated sexual act (KAR 44-12-314);
  - g. Riot or incitement to riot (KAR 44-12-319);
  - h. Assault (KAR 44-12-322);
  - i. Arson (KAR 44-12-323);
  - j. Battery (KAR 44-12-324);
  - k. Inmate Activity (limitations) (section c of KAR 44-12-325);
  - l. Sexual Activity (KAR 44-12-326);
  - m. Undue Familiarity involving relationships with staff (KAR 44-12-328);
  - n. Dangerous Contraband (KAR 44-12-901); or
  - o. Violation of statutes (KAR 44-12-1001a), if the statute is a felony crime.
2. Other disciplinary convictions will be evaluated on a case by case basis. Any recommendation shall be submitted to PMC for approval.

**NOTE:** The policy and procedures set forth herein are intended to establish directives and guidelines for staff and offenders and those entities that are contractually bound to adhere to them. They are not intended to establish State created liberty interests for employees or offenders, or an independent duty owed by the Department of Corrections to employees, offenders, or third parties. Similarly, those references to the standards of various accrediting entities as may be contained within this document are included solely to manifest the commonality of purpose and direction as shared by the content of the document and the content of the referenced standards. Any such references within this document neither imply accredited status by a Departmental facility or organizational unit, nor indicate compliance with the standards so cited. The policy and procedures contained within this document are intended to be compliant with all applicable statutes and/or regulatory requirements of the Federal Government and the state of Kansas. This policy and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.

### **REPORTS REQUIRED**

None

### **REFERENCES**

KSA 75-5210, 75-5251, 75-7552  
KAR 44-13-101 *et seq.*  
IMPP 12-105, 12-125, 12-133, 20-104, 20-106

### **ATTACHMENTS**

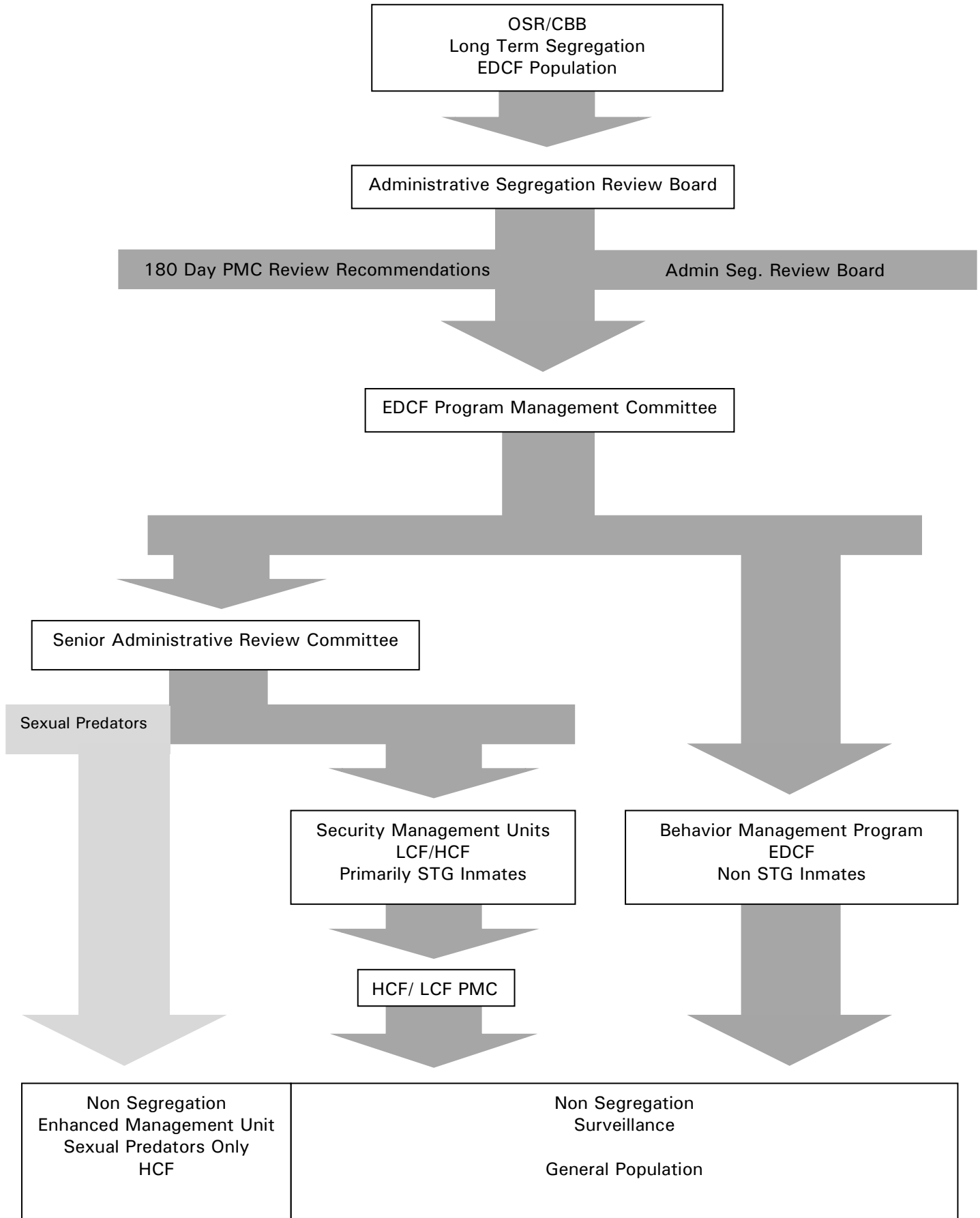
Attachment A – SMU Step Chart  
Attachment B – SMU Administrative Segregation Review Board Flow Chart  
Attachment C – BMP Step Chart



## SMU Step Chart

Progression through the levels will be based on positive progression as determined by the Unit Review Team with final approval from the Program Management Committee.

	<b>PROGRESSION</b>	<b>ASSIGNMENTS</b>	<b>REQUIREMENTS</b>	<b>PRIVILEGES/ SEGREGATION EXERCISE</b>
<b>Entry Level</b>	<p>30 day maximum</p> <p>Constructive communication/interactions/participation</p>	<p>Required interviews and Evaluations</p>	<p>Participation in interviews and evaluation</p>	<p>Basic privileges and property are in accordance with those allowed in IMPP 12-120 for Administrative Segregation inmates.</p>
<b>Step 1</b>	<p>90 days minimum</p> <p>Constructive communication/interactions/participation</p>	<p>Autobiography</p> <p>SMU assignment as determined by unit staff</p>	<p>Satisfactory ratings on daily segregation report</p> <p>Positive assignment participation</p>	<p>Basic privileges and property are in accordance with those allowed in IMPP 12-120 for Administrative Segregation inmates.</p>
<b>Step 2</b>	<p>120 days minimum</p> <p>No unsatisfactory ratings on the Daily Segregation Report for 120 days</p> <p>Completion of all assignments and orientation</p> <p>Constructive communication/interactions/Participation</p>	<p>All SMU assignments as determined by unit staff</p>	<p>Satisfactory ratings on Daily Segregation Report</p> <p>Completion of all assignments in a timely manner</p> <p>Satisfactory completion of all assignments</p>	<p><u>Same as Entry Level &amp; Step 1, PLUS:</u></p> <p>Contact Visiting</p> <p>In-unit detail work assignment</p>
<b>Step 3</b>	<p>120 days minimum</p> <p>No more than three unsatisfactory ratings on the Daily Segregation Reports while on Step 2</p> <p>Completion of all assignments</p> <p>Constructive communication/interactions/participation</p>	<p>SMU Assignments</p> <p>All assigned work from classes</p>	<p>Satisfactory ratings on Daily Segregation Report</p> <p>Completion of all assignments in a timely and satisfactory manner</p> <p>No indication of STG affiliation</p>	<p><u>Same as Entry Level, Step 1, &amp; Step 2, PLUS:</u></p> <p>One hour non-segregated rec. yard</p> <p>Noon meal in dining hall Monday-Friday</p> <p>In-unit detail assignment</p> <p>Attend self-help and Religious activities</p>



## BMP Step Chart

**Progression through the levels will be based on positive progression as determined by the Segregation Review Board with final approval from the Program Management Committee.**

	<b>PROGRESSION</b>	<b>ASSIGNMENTS</b>	<b>REQUIREMENTS</b>	<b>PRIVILEGES/</b>
<b>Step 1</b>	<p>Individual Skill Building And Self-Control Development</p> <p>Minimum of 14 Weeks</p>	<p>Develop an outlined Behavior Modification Program Plan (BMPP)</p>	<p>Maintain Medication Compliance</p> <p>Display appropriate behavior</p>	<p>Segregation Review Board provides feedback on progress H.</p> <p>During Step One, basic privileges and property are in accordance with those allowed in IMPP 12-120 for Administrative Segregation inmates.</p> <p>Inmate restraints are used when out of cell</p>
<b>Step 2</b>	<p>Social Skills Building And Group Interactions</p> <p>Minimum of 9 Weeks</p>	<p>Demonstrate compliance with program and staff directives and have good interaction with other inmates in small group settings</p>	<p>Participate in all programs outlined in their Behavioral Modification Program Plan</p> <p>Inmates shall be expected to be out of the cell for Program and Activity Group and participate in Dayroom activity</p>	<p><u>Same as Step 1, PLUS:</u></p> <p>Inmates shall be unrestrained while inside the cellhouse</p>
<b>Step 3</b>	<p>General Population Re-Integration</p>	<p>Inmates on this Step shall have regularly-demonstrated pro-social behavior and attitudes and skills for progression to a General Population setting.</p>	<p>Minimum of nine (9) positive behavioral reports during BMP</p> <p>Inmates shall have completed all goals on the Behavioral Modification Program Plan.</p>	<p><u>Same as, Step 1, &amp; Step 2, PLUS:</u></p> <p>Issued General Population clothing and property in accordance with their respective incentive level</p> <p>Participate in General Population activities</p>