

# INTERNAL MANAGEMENT POLICY & PROCEDURE

**Applicability:** ☒ ADULT Operations Only    ☐ JUVENILE Operations Only    ☐ DEPARTMENT-WIDE


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**SEGREGATION/RESTRICTIVE HOUSING: Minimum Standards for the Operation of Restrictive Housing Units**

Original Date Issued: 3-10-21    Replaces IMPP Issued: 02-02-22    **CURRENT EFFECTIVE DATE: 08-23-22**

Approved By: , Secretary    Next Scheduled Review: 10/2025

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## POLICY

To ensure the humane and effective treatment of special management residents, minimum standards are established with regard to the operation and maintenance of restrictive housing units. Additionally, minimum standards are to apply to the manner in which residents are fed, clothed, housed, and treated on a daily basis. The provisions of this IMPP are to apply to disciplinary and administrative restrictive housing alike. Privileges are to be consistent with available resources based on the security needs of the unit.

## DEFINITIONS

None.

## PROCEDURES

### **I. Diet and General Housing Considerations**

- A. Each resident is to receive the same quality and portions of food daily, including selective and medical diets, with at least 2,800 calories of food from the normal diet of residents not in restrictive housing.
  - 1. The noon meal provided to residents in restrictive housing may consist of the approved sack lunch as established in the department-wide standardized menu and approved by the licensed dietician to meet the daily caloric requirements.
- B. Each cell in which a resident is confined in restrictive housing is to, whenever possible, be at least as large as other cells in the facility and is to be adequately lighted during the daylight hours.
  - 1. All the necessities of civilized existence, including toilet, bedding and water for drinking and washing is to be provided.
    - a. If any of these necessities are removed temporarily, that removal is to be only to prevent suicide or self-destructive acts, or damage to the cell and its equipment, or to other persons.
  - 2. Each resident is to have the opportunity to shave and shower at least three (3) times per week, with one shower being required, unless this would present a clear security hazard as determined by the Warden or designee.
  - 3. Barbering services may be sought every 30 days.

4. The procedure for issue and exchange of clothing, bedding, and linen is to be as frequent and of the same quality as for the general population unless an exception is found necessary by the senior officer on duty.
  - a. Such an exception is to be recorded in the RH electronic log and justified in writing.
- C. All residents in restrictive housing are to be provided clothing that is standard facility, and access to basic personal items for use in their cells, unless there is imminent danger that a resident may become destructive or self-injurious.
  1. Residents confined in restrictive housing are not to be deprived of normal body clothing except for the resident's own protection.
    - a. If such a deprivation is temporarily necessary, the resident is to be provided with body clothing and bedding adequate to protect the resident's health, depending on air temperature and other conditions in the cell.
    - b. This does not preclude search protocol upon admission.
  2. Residents on disciplinary or long-term restrictive housing status are to be issued coveralls or scrubs.
- D. Residents are to have freedom to talk with other residents on the respective unit or tier, from within cells, in recreation areas, and while being moved within the restrictive housing unit, providing such communication is productive and does not delay unit maneuvers.
- E. Residents are to be allowed to clean their cell and windows with mop, toilet brush, cloth, and appropriate disinfectant every seven (7) days. The cell may be cleaned more often if a resident is moved to/from the cell.

## **II. Availability of Legal Counsel and Access to Medical Care**

- A. A resident's right to communicate with an attorney or a person or agency designated to receive complaints is not to be interfered with, including access to virtual court appearances as mandated by order to appear.
  1. Attorney visits may take place in the appropriate visiting area, as scheduled by the attorney with the facility Warden or designee.
- B. No resident is to be kept in restrictive housing, for any reason, for longer than 24 hours without being examined by a medical doctor, or other medical personnel under the doctor's supervision.
  1. The resident is to be observed once a week thereafter and examined if deemed necessary.
  2. Any medication prescribed for a resident must be provided for that resident.
- C. Residents are to have access to the health care system while on restrictive housing status, to include the right to receive prescribed medication.
  1. Checks by qualified health care staff must occur to ensure that the residents have an opportunity to request care for medical, dental, or behavioral health needs.
  2. Health care staff is to make daily rounds while residents are confined to restrictive housing units and behavioral health care professionals is to make rounds at least weekly. All healthcare rounds are to be documented.
  3. The presence of health care staff in restrictive housing is announced and recorded.
  4. In addition to the health rounds, arrangements must be made for triage, examinations, and

treatment in an appropriate clinical setting when a resident requests health care.

5. Restrictive housing practices are not to adversely affect a resident's health. Health care staff is to promptly identify and inform security staff if a resident's medical or behavioral health is in jeopardy or deteriorating.
- D. Behavioral Health staff shall provide an initial and ongoing assessment of each individual placed in restrictive housing as part of their regular rounds. Documentation of these interactions shall be included in the medical record.
1. For individuals maintained in restrictive housing for more than 15 days, behavioral health staff shall be included as part of the resident's monthly restrictive housing reviews at which time feedback shall be provided to the unit team with any concerns or issues related to the resident's behavioral health.

**III. Mail, Visitation, Access to Telephones, Availability of Legal and Reading Materials, and Opportunities to Exercise**

- A. Each resident in restrictive housing is to be provided with the same opportunities for writing and receiving letters as provided to the general population unless this would present a clear security hazard as determined by the Warden/superintendent or designee.
- B. Residents may request one (1) visit after their first seven (7) days in short-term restrictive housing by submitting their request to the Unit Team Manager via form 9.
1. Residents classified as PI or PHD status are not eligible to receive visits.
  2. Residents classified as Long-Term Restrictive Housing Status are limited to video visitation only.
  3. If possible, the resident is to be given an opportunity to notify visitors of any restrictions before the visitors arrive.
- C. With the exception of residents classified as Pending Results of an Investigation (PI), residents in short-term restrictive housing may receive one (1) opportunity to place a completed telephone call up to 20 minutes in length every seven days.
- 1.. Investigation staff may ask the facility Warden to make an exception to a resident's telephone call privilege based on the need to maintain the integrity of an investigation.
- D. Each restrictive housing resident is to have access to legal materials.
- E. Each restrictive housing resident is to have access to reading materials.
- F. Each resident confined in disciplinary or administrative restrictive housing is to be allowed to exercise outside the cell, if desired, for at least one (1) hour per day and at least five (5) days per week unless circumstances such as an emergency or extreme weather make such exercise periods impractical or dangerous.
1. Any cancellation of exercise periods are to be documented in the unit log noting authorization by the Chief of Security.
  2. The facility Warden, or designee, may approve that a resident remain in restraints during exercise if the resident's behavior puts staff or others at risk of bodily harm.
  3. Except as provided herein, weather permitting, restrictive housing residents are to be permitted to exercise outdoors, for four (4) of the five (5) days, to the extent that facilities and staff are available to maintain basic security for those residents.

- a. Exercise on the indoor day is to be provided in an area outside the resident's own cell.
- 4. When limitations on normal exercise are necessary, alternatives are to be explored to provide adequate exercise to maintain health.
- 5. A resident may be required to remain in the cell and be allowed, at the resident's own discretion, to exercise in the cell if:
  - a. A substantial security risk for the resident is documented; and,
  - b. A set of exercises is approved for the resident, by a doctor or physical fitness professional, as being adequate for the maintenance of health and capable of being accomplished within the physical limitations imposed by the cell interior.
  - c. If while in restrictive housing status, a resident who has battered staff, upon written approval by the warden or warden's designee, out of cell exercise may be suspended for up to seven (7) days provided that a set of exercises pursuant to subsection III.F.5. b. has been identified.
  - d. In-cell exercise information is to be provided as applicable to residents not permitted to participate in outside recreational activity.
- G. Property is limited to only that allowed in Attachment J of IMPP 12-120A.
  - 1. As an incentive of program participation, wardens may approve limited increases in property allowance of food items in a general order.
  - 2. If a resident is transferred to another facility, property is to be reduced back down to the IMPP allowance.

#### **IV. Access to Programs and Services and Staff Visits to Restrictive Housing Units**

- A. Administrative restrictive housing residents must have reasonable access to programs and services including, but not limited to, access to court services, educational services, commissary services, library services, social services, counseling services and religious guidance.
  - 1. Residents are to be allowed to practice religious beliefs in accordance with IMPP 10-110D Religious Programs.
- B. The unit manager of a restrictive housing unit or the unit manager's designee is to make daily rounds in the restrictive housing unit to each cell. In the absence of the unit manager and/or his/her designee, the shift supervisor or the supervisor's designee must make these daily rounds.
- C. In addition to the daily rounds specified in Section II. E. above, a qualified health care professional must visit the restrictive housing unit at least once per day, unless more frequent medical attention is needed. For purposes here, routine visits by qualified health care staff to administer or distribute medication must minimally satisfy this requirement.
- D. Restrictive housing residents are allowed to receive visits from members of the program staff on reasonable request.
- E. A shift captain or designee is to visit each cell of the unit during each shift.
- F. Log entries, as set out within the provisions of Section V. of this IMPP, must document all visits to a restrictive housing unit.

#### **V. Resident Complaints and Institution Compliance Monitor**

- A. Upon verbal request of any resident in administrative restrictive housing, a resident request form and a writing implement with which to make a written complaint to the administrative restrictive housing review board concerning the resident's condition or treatment are to be provided to that resident.
- B. The Warden, (including Acting Warden) or Deputy Warden, must make a weekly on-site spot check, interviewing at least two (2) residents, to determine compliance with institution and department policy, rules and regulations.
  - 1. A notation must be made in the log stating the name of the resident interviewed and the name of the staff member making the check.

#### **VI. Documentation of Service Delivery and Visits to Restrictive Housing Units**

- A. A permanent log in a bound book (may be electronic) is to be maintained at or near the restrictive housing cells, and employees in charge of these cells are responsible for recording all admissions, releases, indicators of health and medical condition, clothing and bedding restrictions, food intake, visits to cells and other events, including those of a routine nature.
- B. A monthly report is to be made to the Secretary of Corrections giving the following data for restrictive housing residents:
  - 1. Name of resident;
  - 2. Race or ethnic origin;
  - 3. Type of, and reason for, restrictive housing;
  - 4. Length of time in restrictive housing; and
  - 5. Health and medical condition.
- C. If the resident is deprived of any usually authorized item or activity, a report of this action is to be made for the resident's file and forwarded to the Warden/Superintendent or the deputy in charge of Security.
  - 1. This report is to be in addition to the notation in the log required by procedure VI.A. of this IMPP.

#### **VII. Disciplinary Procedures**

- A. All applicable provisions and requirements of the disciplinary procedure set forth within K.A.R. 44-13-101 *et. seq.* are to apply to residents housed in a restrictive housing unit.

**NOTE:** The policy and procedures set forth herein are intended to establish directives and guidelines for staff, residents 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, residents or offenders, or an independent duty owed by the Department of Corrections to employees, residents, 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 are not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.

#### **REPORTS**

Name/Type of Report

By Whom/To Whom

Due

Monthly Restrictive Housing Report

Warden/Secretary of Corrections

Monthly

### **REFERENCES**

KAR 44-13-101, *et seq.*  
IMPP 12-120A, 20-104A

### **HISTORY**

03-10-21 Original  
04-09-21 Revision 1  
02-02-22 Revision 2  
08-23-22 Revision 3

### **ATTACHMENTS**

None.