

# INTERNAL MANAGEMENT POLICY & PROCEDURE


**Applicability:** ☐ Adult Operation Only ☒ JUVENILE Operations Only ☐ DEPARTMENT-WIDE

IMPP #: 20-101J

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

Original Date Issued: 08-23-22 Replaces IMPP Issued: N/A CURRENT EFFECTIVE DATE: 08-23-22

Approved By: , Secretary Next Scheduled Review: 02/2025

### 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 shall apply to the manner in which residents are fed, clothed, housed, and managed on a daily basis. The provisions of this IMPP shall apply to all residents in restrictive housing.

### DEFINITIONS

None.

### PROCEDURES

#### I. Diet and General Housing Considerations

- A. Each resident shall receive daily at least 3,500 calories of food from the normal diet of residents not in restrictive housing.
- B. Each room in which a resident is confined in restrictive housing shall, whenever possible, be at least as large as other rooms in the facility and shall be adequately lighted during the daylight hours.
  1. All the necessities of civilized existence, including clothing, toilet, bedding and water for drinking and washing shall be provided.
    - a. If any of these necessities are removed temporarily, that removal shall be only to prevent suicide or self-destructive acts, or damage to the room and its equipment, or to other persons.
  2. Each resident shall have the opportunity to shave and shower at least three (3) times per week unless this would present a clear security hazard as determined by the Superintendent or designee.
  3. The procedure for issue and exchange of clothing, bedding, and linen, and for barbering and hair care services shall be as frequent and of the same quality as for the general population unless an exception is found necessary by the shift supervisor.
    - a. Such an exception shall be recorded in the restrictive housing electronic log and justified in writing.

- C. All residents in restrictive housing shall be provided clothing that is not degrading, and access to basic personal items for use in their rooms, unless there is imminent danger that a resident or any other resident will destroy an item or induce self-injury.
  - 1. Residents confined in restrictive housing shall not be deprived of normal body clothing except for the resident's own protection.
    - a. If such a deprivation is temporarily necessary, the resident shall be provided with body clothing and bedding adequate to protect the resident's health, depending on air temperature and other conditions in the room.

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

- A. If a resident is confined in restrictive housing under conditions of emergency or for the resident's own protection, or that of personnel or other others, the confinement shall not be continued for longer than is necessary for the emergency.
- B. A resident's right to communicate with an attorney or a person or agency designated to receive complaints shall not be interfered with.
- C. A resident shall not be placed in restrictive housing without the approval of the highest-ranking officer on duty at the time unless there is a serious emergency or major disturbance.
  - 1. In such a case, the procedures in IMPP 20-104J as it relates to certain placements within restrictive housing shall be followed.
- D. Unless access to medical services is provided on an as needed basis, no resident shall be kept in restrictive housing, for any reason, longer than four (4) hours without being examined by medical personnel under doctor's supervision.
  - 1. The resident shall be observed once daily thereafter, and examined if deemed necessary.
  - 2. Any medication prescribed for a resident shall be provided for that resident.

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

- A. Each resident in restrictive housing shall 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 Superintendent or designee.
- B. Visitation shall be allowed on a restricted basis unless there are substantial reasons for withholding the privilege.
  - 1. If possible, the resident shall be given an opportunity to notify visitors of any restrictions before the visitors arrive.
- C. Telephone privileges shall be granted on a restricted basis.
- D. Each restrictive housing resident shall have access to legal materials.
- E. Each restrictive housing resident shall have access to reading materials unless doing so would present a safety or security risk. This determination will be made by the Restrictive Housing Review Board or the Shift Supervisor.
- F. Each resident confined in restrictive housing shall be allowed to exercise outside the room, if desired, for at least one (1) hour per day and at least five (5) days per week unless security, health, or safety considerations dictate otherwise.

1. Except as provided herein, weather permitting, restrictive housing residents shall be permitted to exercise outdoors.
  - a. Exercise on the indoor day hall shall be provided in an area outside the resident's own room.
2. When limitations on normal exercise are necessary, alternatives shall be explored to provide adequate exercise to maintain health.
3. A resident may be required to remain in the room and be allowed, at the resident's own discretion, to exercise in the room 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 room interior.

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

- A. Administrative restrictive housing residents shall have reasonable access to programs and services including, but not limited to, access to legal counsel and courts, educational services, commissary services, library services, social services, behavioral health services and religious guidance.
- B. The Corrections Counselor II (CCII) of a restrictive housing unit or the unit manager's designee shall make daily rounds in the unit.
- C. A qualified health care professional shall visit the restrictive housing unit at least once per day unless more frequent medical attention is needed. Routine visits by qualified health care staff to administer or distribute medication shall minimally satisfy this requirement.
- D. A Behavioral Health Professional shall visit the restrictive housing unit at least once daily, unless more frequent attention is needed. Routine visits by qualified behavioral health staff to administer or distribute medication shall minimally satisfy this requirement.
- E. Restrictive housing residents shall receive visits from members of the program staff on reasonable request.
- F. The shift supervisor or assistant shift supervisor shall visit the unit during each shift.
- G. The Superintendent, Deputy Superintendent and Chief of Security are each required to tour the restrictive housing unit at least weekly.
- H. Log entries, as set out within the provisions of procedural Section V. of this IMPP, shall document all visits to a restrictive housing unit.

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

- A. A permanent log (may be electronic) shall be maintained at or near the restrictive housing rooms, and employees in charge of these rooms shall be responsible for recording all admissions, releases, indicators of health and medical condition, clothing and bedding restrictions, food intake, visits to rooms and other events, including those of a routine nature.
- B. If the resident is deprived of any usually authorized item or activity, a report of this action shall be made for the resident's file and forwarded to the Superintendent, Deputy Superintendent, and Chief of Security.
  1. This report shall be in addition to the notation in the log required by procedure V.A. of this

IMPP.

## **VI. Disciplinary Procedures**

- A. All applicable provisions and requirements of the disciplinary procedure set forth within K.A.R. 123-13-101 *et seq.* (Juvenile) 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 and residents and those entities that are contractually bound to adhere to them. They are not intended to establish State created liberty interests for employees or residents, or an independent duty owed by the Department of Corrections to employees, residents, 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 123-13-101, *et seq.*

### **HISTORY**

08-23-22 Original

### **ATTACHMENTS**

None.