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<p>Legal References (includes but is not limited to)</p> <p>IC 11-8-2-5 (a) (8) IC 11-10-1-7 IC 11-11-5 IC 11-11-6-1</p>	<p>Related Policies/Procedures (includes but is not limited to)</p> <p>00-02-201 01-01-101 01-02-101 01-03-105 01-04-101 02-01-101 02-01-102 02-01-103 02-01-104 02-01-105 02-01-108 02-01-110 02-04-101</p>	<p>Replaces:</p> <p>02-04-102 (Eff. Date 1-1-2018 / ED # 17-68)</p>
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I. PURPOSE

This policy and administrative procedure establishes the standards for the use and operation of adult disciplinary restrictive status housing.

II. POLICY

The Department of Correction shall operate adult disciplinary restrictive status housing in a manner which ensures:

- A. A clean, healthy, safe, and secure environment for incarcerated individuals and staff;
- B. Availability of programs, services, and activities consistent with the safety and security of the facility; and,
- C. The establishment of a system that identifies the review and release process from the unit.

An incarcerated individual shall only be placed on disciplinary restrictive status only after a finding of guilt in a disciplinary hearing and imposition of a disciplinary restrictive status housing sanction as established for Policy and Administrative Procedure 02-04-101, “The Disciplinary Code for Adult Offenders.”

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This policy and administrative procedure also addresses the relationship between the threat the incarcerated individual poses and the behaviors articulated here, the impact that restrictive status housing may have on medical and mental health conditions presented and the possible alternative(s) that may be available to compensate for those conditions, and a description of alternatives that may be available to safely deal the threat posed by the incarcerated individual other than restrictive status housing.

The Department shall establish a continual monitoring system that ensures compliance with this policy and administrative procedure.

III. DEFINITIONS:

For the purpose of this policy and administrative procedure, the following definitions are presented:

- A. **BUSINESS DAY:** Monday through Friday, excluding weekends, State holidays, and emergency days declared in writing by the Warden.
- B. **DISCIPLINARY RESTRICTIVE STATUS HOUSING:** Housing resulting from the regulations and actions of Policy and Administrative Procedure 02-04-101, "The Disciplinary Code for Adult Offenders."
- C. **DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDERS (DSM):** The manual published by the American Psychiatric Association that includes all currently recognized mental health disorders. The DSM codes are thus used by mental health professionals to describe the features of a given mental disorder and indicate how the disorder can be distinguished from other, similar problems.
- D. **INDIGENT INCARCERATED INDIVIDUAL:** An incarcerated individual who has a Trust Fund account balance of less than \$15.00 (not including monies in the offender's Re-Entry Administrative Account) on the day of request and has not had a total of more than \$15.00 credited to the Trust Fund account (not including the incarcerated individual's Re-Entry Administrative Account) in the preceding 30 days or credits of more than \$90.00 in the last 180 days.
- E. **RESTRICTIVE STATUS HOUSING:** A form of housing for incarcerated individuals whose continued presence in the general population would pose a

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serious threat to life, property, self, staff, other incarcerated individuals, or to the security or orderly operation of a facility.

- F. **SAFEKEEPER:** An incarcerated individual whom a court has determined cannot be managed in a local facility and has ordered to the Department prior to sentencing.
 - G. **SERIOUSLY MENTALLY ILL:** Incarcerated individuals determined to have a current diagnosis or recent significant history of schizophrenia, delusional disorder, schizophreniform disorder, schizoaffective disorder, brief psychotic disorder, substance-induced psychotic disorder (excluding intoxication and withdrawal), undifferentiated psychotic disorder, bipolar I or II disorders; incarcerated individuals diagnosed with any other validated mental illness that is clinically severe, based on evidence-based standards, and that results in significant functional impairment; and incarcerated individuals diagnosed with an intellectual or developmental disability or other cognitive disorder that results in significant functional impairment. For the purpose of this definition, “recent significant history” refers to a diagnosis made at any time in the last 12 months.
 - H. **STAFF/EMPLOYEE:** Any and all persons employed by the Department, including contractors and volunteers.
 - I. **TRANSITION UNIT:** An adult housing unit for incarcerated individuals who present a special safety or special security management concern who are determined by staff to benefit from additional structure and/or programming, based on conduct or administrative reason as outlined in Policy and Administrative Procedure 01-04-101, “Adult Offender Classification.”
 - J. **TREATMENT TEAM:** A multidisciplinary team chaired by a qualified mental health professional. The Treatment Team includes, but is not limited to administrative staff, restrictive status housing unit staff (Custody and Case Management), mental health professionals, and treatment staff which reviews each offender in the disciplinary restrictive status housing unit at a minimum of every thirty (30) days. The Treatment Team is responsible to ensure the incarcerated individuals receive treatment for any mental health or developmental disability issue in accordance with requirements. The Treatment Team ensures the treatment plan is developed, implemented, and monitored.
- IV. STANDARDS AND CRITERIA FOR PLACEMENT IN DISCIPLINARY RESTRICTIVE STATUS HOUSING UNITS:

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Standards for the placement of incarcerated individuals on disciplinary restrictive status shall be in accordance with Policy and Administrative Procedure 02-04-101, "The Disciplinary Code for Adult Offenders," and this policy and administrative procedure.

An incarcerated individual shall be placed in disciplinary restrictive status housing for a disciplinary violation only after a hearing by the Disciplinary Hearing Board in accordance with Policy and Administrative Procedure 02-04-101, "The Disciplinary Code for Adult Offenders."

A. Facility Disciplinary Restrictive Status Housing

An incarcerated individual placed on disciplinary restrictive status as a result of a disciplinary hearing shall be given a fixed period of time in disciplinary restrictive status. This time may be reduced in accordance with Procedure VII below. However, the length of time in disciplinary restrictive status housing cannot be increased unless the incarcerated individual is found guilty on additional violations of the disciplinary code and additional restrictive status time is given as a sanction.

Incarcerated individuals who have pending disciplinary hearings or are under investigative status shall not be placed on disciplinary restrictive status housing. However, they may be housed under administrative restrictive status housing, in accordance with Policy and Administrative Procedure 02-01-111, "The Use and Operation of Adult Offender Administrative Restrictive Status Housing Units," and Policy and Administrative Procedure 02-04-101, "The Disciplinary Code for Adult Offenders," until their disciplinary hearings have been completed.

B. Department-Wide Disciplinary Restrictive Status Housing

1. The following criteria shall be applied when considering an incarcerated individual for, or continuing assignment to a Department-wide disciplinary restrictive status housing unit.

- a. The incarcerated individual shall have six (6) months or more of accumulated disciplinary restrictive status housing time to serve.
- b. The incarcerated individual has a Medical Code of A, B, F, G, or I.
- c. The incarcerated individual has a Behavioral Health Code of:
 - 1) For Westville Control Unit; A, B, C, D, or F.

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- 2) For Wabash Valley Correctional Facility Secure Housing Unit (SCU); A (free of mental health diagnosis), B, C, or F
 - d. The incarcerated individual has a Disability Code of:
 - 1) For Westville Control Unit: A and D.
 - 2) For Wabash Valley Correctional Facility SCU: A, B, C, and D.
 - e. Safekeepers, who meet the above listed criteria, may not be assigned to a Department-wide disciplinary restrictive status housing unit without the approval of the Deputy Commissioner of Operations.
 - f. The Executive Director of Behavioral Health or designee must review and approve a decision to house an incarcerated individual in disciplinary restrictive status housing for longer than thirty (30) days if the incarcerated individual is determined to be Seriously Mentally Ill.
2. The following procedure is to be used for referral of an incarcerated individual for assignment to the Department-wide disciplinary restrictive status housing units at the Wabash Valley Secure Control Unit and the Westville Control Unit.
- a. Upon determining that an incarcerated individual meets the criteria for consideration for assignment to a Department-wide disciplinary restrictive status housing unit, a qualified mental health professional shall evaluate the incarcerated individual prior to referral to the Warden.
 - 1) During this evaluation, the qualified mental health professional shall determine whether the incarcerated individual has a mental health diagnosis. The qualified mental health professional shall complete State Form 53491, "Request for Mental Status Report for Offender Recommended for Placement In a Secure Confinement Unit," to record the findings of this evaluation.

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- 2) The qualified mental health professional shall determine whether the incarcerated individual is seriously mentally ill, and whether there are any other mental health conditions that may be negatively impacted by the incarcerated individual's assignment to a Department-wide disciplinary restrictive status housing unit.
- 3) The qualified mental health professional shall prepare a written evaluation of the incarcerated individual using State Form 53491 and ensure that it is forwarded to the Warden for processing.
 - b. If the results of the evaluation indicate the incarcerated individual is in need of mental health services, the request shall be forwarded to the contracted Mental Health Director for review.
 - c. If the contracted Mental Health Director determines that the incarcerated individual is capable of placement in either Department-wide disciplinary restrictive status housing unit, the following procedure is to be applied.
 - 1) The contracted site psychologist or designee shall submit a written evaluation (State Form 53491) to the Warden and advise that the incarcerated individual may be considered for transfer to a Department-wide disciplinary restrictive status housing unit.
 - 2) The Warden shall prepare a written request and submit it to the assigned Executive Director of Adult Facilities. The written request shall include the following:
 - a) An updated State Form 7263, "Classification Designation Instrument," (A transfer to the department-wide restrictive status housing unit does not require an incarcerated individual to be classified to Security Level 4);
 - b) A completed State Form 44355, "Inter-Facility Transfer Report," to include a summary of the

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incarcerated individual's behavior that initiated the transfer request;

- c) A completed State Form 3412, "Report of Classification Hearing;"
 - d) A copy of the evaluation prepared by the qualified mental health professional with consultation with a psychologist using State Form 53491;
 - e) Refer to section IV, B of this policy and administrative procedure for appropriate Medical, Mental Health, and Disability Status Codes. Any exceptions shall be made on a case-by-case basis; and,
 - f) A written recommendation to the assigned Executive Director of Adult Facilities outlining the reason for requesting placement in the Department-wide disciplinary restrictive status housing unit;
- d. Upon receipt of the referral material, the assigned Executive Director of Adult Facilities shall review the material and either approve or deny the assignment on the submitted Inter-Facility Transfer Report. The assigned Executive Director of Adult Facilities shall forward the decision and accompanying paperwork to the Executive Director of Classification.
- 1) If approved, the referring facility shall be notified in writing. The Executive Director of Classification shall cause the issuance of a State Form 1736, "Transfer Authority." The Classification Division and Offender Movement Section shall coordinate a transfer date. The incarcerated individual may appeal this decision to the Deputy Commissioner of Operations using State Form 9260, "Classification Appeal." State Form 57076, "Department-Wide Restrictive Housing Review Roster," shall be used to monitor the status of each incarcerated individual's review(s) from admission to discharge from the unit.

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- 2) If denied, the referring facility shall be notified in writing. The incarcerated individual shall be returned to the facility, and the offender shall remain in the assigned facility.

Any exceptions to these criteria or procedures shall be made on a case-by-case basis with the Deputy Commissioner of Operations holding final approval. The Division of Classification shall review bed availability weekly in order to minimize wait times for transfers to the unit(s).

V. ADMISSION TO A DISCIPLINARY RESTRICTIVE STATUS HOUSING UNIT:

- A. Admission of an incarcerated individual to a disciplinary restrictive status housing unit shall be documented in the unit log.

The following information shall be recorded on the unit log:

- a. Incarcerated individual's name;
 - b. Identification number;
 - c. Date and time admitted;
 - d. Reason for admission;
 - e. Tentative release date, if such a date is given;
 - f. Special medical/psychiatric problems/needs; and,
 - g. Any other information pertinent to the admission.
- B. State Form 39588, "Restrictive Status Housing/Confinement Report," shall be completed at the time of admission to the disciplinary restrictive status housing unit.
 - C. State Form 21255, "Record of Offender Restrictive Status Housing," shall be prepared for each incarcerated individual. This record shall completely document all activities of the incarcerated individual. The routine delivery of meals shall be recorded on the unit log as well.

State Form 21255 is to be maintained by staff assigned to the unit in a controlled area of the disciplinary restrictive status housing unit. After the completion of the disciplinary restrictive status sanction, the form(s) shall be forwarded to the incarcerated individual's facility packet. However, for incarcerated individuals serving extended disciplinary restrictive status sanctions, the Warden or designee may authorize that a portion of these records may be transferred to the incarcerated individual's facility packet if it is determined that it is no longer needed on the unit.

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All non-routine unit activities in which an incarcerated individual participates shall be recorded on the unit log. The unit logs shall be maintained in accordance with an approved records retention schedule.

- D. At the time of admission to a disciplinary restrictive status housing unit, the incarcerated individual's property shall be inventoried in accordance with Policy and Administrative Procedure, "Personal Property." All items shall be listed and the disposition of the property recorded on State Form 40093, "Restrictive Status Housing Unit Inventory List - Personal Property."

Incarcerated individuals housed in disciplinary restrictive status housing are subject to the property allowance list approved by the Division of Legal Services in Central Office. Incarcerated individuals with excess property shall have non-perishable items stored until their release to general population. Incarcerated individuals must determine the disposition of all perishable items.

- E. Immediately upon admission to a disciplinary restrictive status housing unit, the facility's Health Services staff shall be contacted. Upon notification of an incarcerated individual being placed in restrictive status housing, the Health Services staff shall review the incarcerated individual's health record to determine whether there are any health conditions which might be impacted by the incarcerated individual's restrictive status housing. The contacting of the Health Services staff shall be recorded on State Form 21255. The review of the incarcerated individual's health record shall be documented in the incarcerated individual's health record.

If the Health Services staff determines, due to a health or mental health condition, that the restrictive status housing unit assignment is not indicated, the Health Services staff shall contact the Warden, Duty Officer (after hours, weekends, and holidays), or other designated staff for placement. The Warden or designee shall determine appropriate alternate placement.

- F. Within twenty-four (24) hours of admission, an incarcerated individual admitted to a disciplinary restrictive status housing unit shall be assessed for suicide risk and current mental health status by a mental health-trained nurse. This assessment shall be documented in the incarcerated individual's medical record.

If the incarcerated individual is determined to be seriously mentally ill, the following shall occur at specified times:

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1. The mental health professional shall report that the incarcerated individual was classified as Seriously Mentally Ill in restrictive status housing to the designated staff member for the facility and the Director of Mental Health.

2. If the incarcerated individual is stable and the Treatment Team determines that the incarcerated individual's mental health needs can be met in restrictive status housing, the incarcerated individual may remain for up to thirty (30) days. The incarcerated individual shall have, at a minimum, face-to-face contact with a mental health professional multiple times per week, with no more than three (3) non-contact days between contacts and with such contact being recorded in the incarcerated individual's medical file\electronic medical record (EMR) and with the incarcerated individual being offered out-of-cell evaluation and counseling by a mental health professional at least once every two (2) weeks, but more often if specified in the incarcerated individual's treatment plan. The incarcerated individual shall be removed from restrictive status housing in the event that mental health staff determine that their mental health has decompensated to the point that remaining in restrictive status housing would cause problems that outweigh the disruption to the incarcerated individual's mental health caused by the removal.

3. If the incarcerated individual is determined to be stable by the mental health professional and removing an individual from restrictive status housing would pose a threat to the safety and security of other incarcerated individuals and/or staff, the Warden may request an exception to house the incarcerated individual in restrictive status housing longer than thirty (30) days from the Executive Director of Behavioral Health. The decision shall be recorded in the incarcerated individual's facility packet, shall be reviewed by the Treatment Team, and documented in the Offender Case Management System (OCMS) every fourteen (14) calendar days. In the event that a seriously mentally ill incarcerated individual is required by exceptional circumstances to remain in restrictive status housing, a specific written treatment plan shall be developed which shall determine the frequency of contact above the minimum listed above.

If, as a result of a mental health evaluation, qualified mental health staff diagnose the incarcerated individual with a serious mental illness or note an exacerbation of serious mental health needs, the incarcerated individual shall be recommended for

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transfer to a facility that can meet their safety and security needs while also obtaining needed mental health treatment.

VI. REVIEW OF INCARCERATED INDIVIDUAL'S DISCIPLINARY RESTRICTIVE STATUS:

The Treatment Team shall review the need for and appropriateness of continued disciplinary restrictive status housing of each incarcerated individual every seven (7) days for the first two (2) months and at least every thirty (30) days thereafter. The presence of the incarcerated individual during the review is at the discretion of the Treatment Team, consistent with the facility's operational procedure. This must be a meaningful review that includes goals and treatment plans for the eventual return to general population by the incarcerated individual.

Physical Health and Mental Health reviews for incarcerated individuals in restrictive status housing shall be conducted in accordance with Health Services Directive 2.21A, "Health Evaluation of Incarcerated Individuals in Restrictive Status Housing."

VII. RELEASE FROM DISCIPLINARY RESTRICTIVE STATUS HOUSING (See Operational Procedure):

A. Facility Disciplinary Restrictive Status Housing

1. An incarcerated individual may not remain on disciplinary restrictive status housing longer than the given disciplinary sanction imposed by the Disciplinary Hearing Board in accordance with Policy and Administrative Procedure 02-04-101, "The Disciplinary Code for Adult Offenders."
2. The Warden may review and/or order the early release of an incarcerated individual from disciplinary restrictive status housing. The early release shall be considered a "time served" sanction and shall not be considered a suspension of the restrictive status housing term. The effective date of the early release shall be the date that State Form 47455, "Approval for Early Release from Disciplinary Restrictive Status Housing," is completed and signed by the Warden.

When a Warden authorizes an early release from disciplinary restrictive status housing, State Form 47455, "Approval for Early Release from Disciplinary Restrictive Status Housing," shall be completed. The Warden shall ensure that copies of the completed form are forwarded to the

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Chairperson of the Disciplinary Hearing Board and the facility’s Supervisor of Classification. The Chairperson shall ensure that the “Sanctions Screen” on the information system is changed to reflect the early release. A narrative shall be added indicating that the Warden authorized the incarcerated individual’s early release and the date of the release. The Supervisor of Classification shall ensure that the release form is reviewed and disseminated appropriately. Also, the Supervisor shall ensure that the status and condition of the incarcerated individual has not changed in any manner that would impact a pending transfer request. If the incarcerated individual’s status or condition has changed, the Supervisor shall ensure that the assigned Classification Analyst, or designee, in Central Office is notified as quickly as possible.

Operational procedures shall be developed to ensure that an incarcerated individual is released from a disciplinary restrictive status housing unit in accordance with this policy and administrative procedure.

B. Department-Wide Disciplinary Restrictive Status Housing

1. If it is determined by the contracted Mental Health Director that an incarcerated individual’s mental illness makes the incarcerated individual no longer eligible for placement in one of the Department-wide disciplinary restrictive status housing units, the assigned Executive Director of Adult Facilities, with input from the contracted Mental Health Director, shall determine whether the incarcerated individual’s disciplinary restrictive status should be terminated or modified due to the incarcerated individual’s mental illness, as well as, the appropriate placement for the incarcerated individual outside Department-wide disciplinary restrictive status housing.
 - a. The Treatment Team at the Department-wide restrictive status housing unit, through the Warden, shall report the transfer request to the assigned Executive Director of Adult Facilities and provide a written report from the qualified mental health professional of the mental health diagnosis and status of the incarcerated individual at the time of transfer, together with any other information that the Treatment Team believes relevant to a determination in accordance with this policy and administrative procedure.
 - b. The assigned Executive Director of Adult Facilities shall consult with the Deputy Commissioner of Operations and the Executive

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- Director of Classification to render a final decision and to determine to which facility the incarcerated individual shall be transferred.
- c. The assigned Executive Director of Adult Facilities shall make a written record of the decision and the reason(s) for the decision and shall ensure that a copy of this written record is filed in the incarcerated individual's facility and Central Office packets.
 - d. The assigned Executive Director of Adult Facilities shall ensure that a copy of the decision is provided to the Warden of the facility housing the incarcerated individual and that the Warden advises appropriate staff of the decision.
 - e. Unit staff shall ensure the incarcerated individual is notified of the decision and shall explain the consequences of the decision to the offender.
2. Upon completion of the incarcerated individual's disciplinary restrictive status time, Classification staff at the Department-wide restrictive status housing unit shall forward a request for reassignment to the appropriate Classification Analyst using standard Classification documents for inter-facility transfers. The Classification Analyst shall forward the request to the Executive Director of Classification, who in consultation with the assigned Executive Director of Adult Facilities shall determine the facility placement to include whether the incarcerated individual is appropriate for assignment to the Transition Unit.
 3. Any release from the Department-wide disciplinary restrictive status housing unit, other than a scheduled release or transfer by the assigned Executive Director of Adult Facilities and contracted Mental Health Director due to the offender's mental illness, requires a review and approval of the Deputy Commissioner of Operations. The Warden shall support the request in writing noting the reasons for requesting an early release from the Department-wide disciplinary restrictive status housing unit. The request, along with a Transfer Report, shall be forwarded to the assigned Executive Director of Adult Facilities by facility Classification. Upon approval of an unscheduled reassignment from the Department-wide disciplinary restrictive status housing unit, the assigned Executive Director of Adult Facilities shall consult with the Deputy Commissioner of

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Operations and Executive Director of Classification for the issuance of a Transfer Authority.

VIII. CONDITIONS OF THE DISCIPLINARY RESTRICTIVE STATUS HOUSING UNIT
(See Operational Procedure):

- A. Incarcerated individuals shall be notified when a different gender individual is in the unit. Staff shall announce the presence of the different gender individual in the unit and shall log the presence and announcement.
- B. State issued clothing shall be the only clothing allowed on the unit. Outerwear shall be a red jump suit. Shoes shall be State issue, Commissary-purchased tennis shoes (white only), or personal tennis shoes that are equivalent to those purchased from Commissary. The Warden shall establish limits of State issued clothing items to be retained by the incarcerated individual. Incarcerated individuals shall be permitted to exchange clothing for laundered clothing at least three (3) times per week. If possible, the clothing exchanges shall be in conjunction with when the incarcerated individual is permitted to shower.

Operational procedures shall indicate the limits that shall be placed on the amounts and types of clothing permitted in the restrictive status housing unit and the manner in which clothing exchanges will be made.

- C. Other permitted property shall include:
 1. Bedding in accordance with facility limits;
 2. Legal material (up to 1 legal size box);
 3. Personal mail (up to 1 legal size box);
 4. Photographs (up to 25);
 5. Approved religious material (may be restricted if reasonably determined to be a threat to the safety and security of the facility (up to 1 legal size box);
 6. Writing materials and stamps;
 7. Wedding band; and,
 8. No oral medications (prescribed or over-the-counter), except nitroglycerin and inhalers, shall be distributed as keep-on-person (KOP).
 9. Tablet;
 10. Books (3) or magazines (3)
 11. Melatonin (1 bottle as available from Commissary)

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The amounts of the items listed may be limited by the Deputy Commissioner of Operations in consultation with the Division of Legal Services based upon the security and/or safety of the facility, restrictive status housing unit, staff, and incarcerated individuals. Operational procedures shall specify the amounts of these items that shall be permissible.

Excess property shall be retained in accordance with Policy and Administrative Procedure 02-01-101, "Personal Property."

- D. Incarcerated individuals shall have access to basic personal items for use in their cells unless there is imminent danger that an incarcerated individual or any other incarcerated individual(s) will destroy an item or induce self-injury.
- E. Incarcerated individuals who are indigent shall be issued hygiene items in accordance with Policy and Administrative Procedure 02-01-104, "Offender Grooming, Clothing, and Personal Hygiene."

Operational procedures shall specify which hygiene items the incarcerated individual may keep and which items shall be kept by staff and issued on an as-needed basis.

- F. In those facilities that permit incarcerated individuals in the general population to possess a television, incarcerated individuals in short-term disciplinary restrictive status housing may be permitted to possess a television. Prior to incarcerated individuals in disciplinary restrictive status housing being allowed to possess a television, the facility must determine whether the restrictive status housing unit is capable of allowing the possession of individual televisions. Facilities shall not make renovations to a restrictive status housing unit solely to allow incarcerated individuals in the unit to possess a television.

In those facilities that permit an incarcerated individual in short-term disciplinary restrictive status housing to possess a television, the incarcerated individual must have ninety (90) days of clear conduct (No findings of guilt in a disciplinary hearing.) in order to be eligible to have a television. Additionally, in order to continue to possess the television, the incarcerated individual must maintain a clear conduct record. If the incarcerated individual receives a finding of guilt after being authorized to possess a television, the privilege to possess the television shall be revoked. (NOTE: The basis of the Report of Conduct and the subsequent finding of guilt do not have to involve the use or possession of the television.) If the incarcerated individual loses their privilege to possess a television while in

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restrictive status housing due to a finding of guilt in a disciplinary hearing, the incarcerated individual must complete a period of ninety (90) days of clear conduct from the date of the last disciplinary hearing before they are eligible to possess a television again.

- G. Each incarcerated individual shall receive the same meal provided the general population. Based on the security needs of the unit, substitutes may be permitted. Prescribed medical diets, approved religious diets, and approved personal preference diets shall be provided in accordance with Policy and Administrative Procedure 04-01-301, "The Development and Delivery of Foodservices."
- H. Each incarcerated individual shall retain the privilege of the mail service as presented in Policy and Administrative Procedure 02-01-103, "Offender Correspondence." The amount of correspondence that an incarcerated individual may possess, at any one time, may be restricted due to the size of the living area.
- I. Each incarcerated individual shall retain the privilege of visitation as presented in Policy and Administrative Procedure 02-01-102, "Visitation." A facility may reduce the frequency of visits that an incarcerated individual may have; however, unless the incarcerated individual abuses the visitation privilege, an incarcerated individual shall be permitted minimally one (1) visit per month. A facility may establish a separate visiting area for disciplinary restrictive status housing incarcerated individuals. This area may be a non-contact visit setting. If the facility has the capability for video visitation, video visits are acceptable for disciplinary restrictive status housing units.

Incarcerated individuals found guilty of certain violations of the applicable disciplinary code shall be administratively subjected to non-contact or video visits for prescribed periods of time as provided in Section XVII of Policy and Administrative Procedure 02-01-102, "Visitation."

Operational procedures shall be developed which establish the frequency, manner and method of operation of the visitation program.

- J. Each incarcerated individual shall be permitted use of a telephone for calls related to access to an attorney of record in accordance with Policy and Administrative Procedure 00-01-102, "Access to the Courts for Incarcerated Individuals." The facility may restrict the frequency and length of all calls, except those to an attorney. Incarcerated individuals shall be permitted a minimum of two (2) telephone calls per month unless the incarcerated individual abuses this privilege.

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Incarcerated individuals who are held in disciplinary restrictive status housing units for more than sixty (60) days shall be given the same opportunity to make telephone calls as incarcerated individual held in administrative restrictive status housing. The facility shall develop operational procedures for access to the telephones.

- K. Each incarcerated individual shall retain the right of access to legal materials in accordance with Policy and Administrative Procedure 00-01-102, "Offender Access to the Courts." The facility shall limit the volume of legal materials that an incarcerated individual may possess in the immediate living area. The limit of legal materials is 1 legal size box in the immediate living area. Excess legal materials may be stored in another location, such as the facility's property room. If the facility stores an incarcerated individual's excess legal materials, it shall ensure that the incarcerated individual may have access to these materials within two (2) business days of the incarcerated individual's request, unless the incarcerated individual can provide written documentation that a court has imposed a deadline that requires access to the materials sooner. Each facility shall develop operational procedures to establish the manner and method which ensures the incarcerated individual's access to legal materials.

- L. Each incarcerated individual shall be offered one (1) hour of exercise per day outside their cell, five (5) days per week, unless safety or security considerations dictate otherwise. Reasons for allowing less than one hour of exercise per day, five days per week shall be documented in the unit log. Based upon the security needs of the facility and the weather conditions, this recreation may be held outdoors or indoors. Group recreation activities may be considered based upon the past behavior of the incarcerated individuals and the safety and security of the facility. The Treatment Team may determine additional activities based upon the individual treatment needs and treatment plan.

- M. Each incarcerated individual shall be offered a sufficient period of time, at least three (3) times per week, to shower and shave. This time shall not be counted against any other out-of-cell activity.

- N. Each incarcerated individual shall receive laundry, barbering, and hair care services and are issued and exchange suitable clothing, bedding, and linen on the same basis as incarcerated individuals in general population. Exceptions shall only be permitted when found necessary by the highest ranking officer on duty. Any exception shall be recorded in the unit log and justified in writing via State Form 7212, "Incident Report Form."

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Operational procedures shall be developed to ensure that these general personal services are provided.

- O. Each incarcerated individual may have limited access to the restrictive status housing gender neutral commissary list to order personal hygiene items. Operational procedures shall specify the manner in which the incarcerated individual may order these items and which items will be available to the offender.
- P. Each incarcerated individual shall have access to reading materials. Incarcerated individuals in disciplinary restrictive status housing shall have access to library services based upon facility security and availability of Department/facility resources. This access does not require that these incarcerated individuals be permitted to go to the library. The facility shall ensure that an alternative means of providing access to library services is implemented and that these incarcerated individuals have access to a variety of materials that is rotated on a frequent basis.

The volume of reading materials shall be consistent with the restrictive status housing property list developed by the Deputy Commissioner of Operations. Operational procedures shall be developed to ensure this access.

- Q. Limited programs and services shall be provided to the incarcerated individuals either in their living areas or on the unit, based upon the security needs of the facility. Incarcerated individual held on disciplinary restrictive status housing for periods exceeding sixty (60) days are provided the same program services and privileges as inmates in administrative restrictive status housing and Protective Custody. Programs and services shall include, but are not limited to: educational services, commissary services, independent studies, library services, self-help, social services, behavioral health services, religious guidance, and recreational programs. Operational procedures shall be developed indicating the programs and services available to incarcerated individuals on the unit and the manner in which incarcerated individuals may access these programs and services.
- R. The facility Chaplain shall visit the unit weekly to walk each range to review the religious needs of incarcerated individuals. Operational procedures shall be developed in accordance with the provisions of Policy and Administrative Procedure 01-03-101, "The Development and Delivery of Religious Services," to ensure that the religious needs of the incarcerated individuals on the unit are addressed.

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- S. An appropriate sick call procedure shall be developed which requires Health Services personnel to evaluate offenders for illness or injury. A qualified health care professional shall visit the unit daily to walk the ranges to determine the incarcerated individuals' continuing health status. The presence of Health Services personnel shall be verbally announced to the incarcerated individuals before the health care professional enters the ranges. The presence of Health Services personnel and the announcement shall be documented in the unit log. Reports of contacts with an incarcerated individual by the Health Services staff shall be recorded in the incarcerated individual's medical packet. Requests for evaluation may be initiated by staff or incarcerated individuals. Controlled medications shall be dispensed by medical personnel as prescribed by the provider.

Operational procedures shall ensure that incarcerated individuals in disciplinary restrictive status housing have unimpeded access to Health Services and shall specify the procedure that incarcerated individuals may use to obtain this access.

- T. Each incarcerated individual shall be afforded access to behavioral health care evaluation and treatment on an as-needed basis. In addition to the interview and report indicated in Procedures IV and V, an incarcerated individual held in disciplinary restrictive status housing shall be afforded behavioral health treatment by a qualified behavioral health professional if such a need is indicated. Operational procedures shall be developed to ensure that access to behavioral health professionals is available on an as-needed basis.
- U. Each incarcerated individual shall be afforded access to Program/Re-Entry staff on an as-needed basis. Each facility shall develop a request system for incarcerated individuals to receive visits from Program/Re-Entry Staff.
- V. Incarcerated individuals assigned to the disciplinary restrictive status housing unit following a finding of guilt shall not receive State wages.
- V. Each incarcerated individual shall have access to the grievance process.
- IX. OBSERVATION OF INCARCERATED INDIVIDUALS: (See Operational Procedure):
- Staff assigned to the disciplinary restrictive status housing unit shall personally observe each incarcerated individual (as a living, breathing human being), at least once every thirty (30) minutes. This observation shall be on an irregular basis. Staff shall record in the unit log that such observations have been made.

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Incarcerated individuals that are violent, mentally ill, or who demonstrate unusual or bizarre behavior shall be observed more frequently. Incarcerated individuals who are determined to be suicidal shall be maintained under continuing observation per orders from the qualified mental health professional.

Operational procedures shall be developed to ensure that these incarcerated individual observations are made.

X. STAFF ASSIGNMENTS:

Employees assigned to the unit who work routinely with incarcerated individuals on a daily basis shall be reviewed, reassigned, or rotated periodically in accordance with this policy and administrative procedure. Such assignments, reassignments, and/or rotations shall be made in the best interests of the employee, facility operations, and security. The decision to deviate from this policy and administrative procedure shall be made by the Warden, Deputy Wardens, Custody Supervisor, and/or Unit Team Manager in consultation with the assigned Executive Director of Adult Facilities and the Division of Legal Services. Such decisions shall be based solely on operational and security needs.

Before being assigned to a disciplinary restrictive status housing unit, employees must have at least six (6) months of departmental experience with satisfactory work performance.

Staff shall be given on-the-job training in accordance with Policy and Administrative Procedure 01-05-101, "Staff Development and Training." No staff member shall be assigned to work in a restrictive status housing unit for more than thirty (30) days in any twelve (12) month period without successfully completing the restrictive status housing certification program.

An employee, Custody and non-Custody, assigned to a disciplinary restrictive status housing unit who has routine contact with incarcerated individuals shall be reviewed once every six (6) months, to determine whether the employee is experiencing job burn-out or other job-related problems. The employee's immediate supervisor shall complete this review. This review shall be documented completely on State Form 51852, "Restrictive Status Housing Unit Staff Review." State Form 51852 shall be forwarded to the Shift Supervisor if the employee being reviewed is a member of Custody staff. For a review of a non-custody employee, State Form 51852 shall be forwarded to the Unit Team Manager. The Assistant Warden of Operations, the Assistant Warden of Re-Entry, the Unit Team Manager, and the Custody Supervisor shall review all staff evaluations to determine what actions, if any, are necessary to ensure the proper level of unit security is maintained. The results of the review may include placing the employee on a work improvement plan,

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reassignment, or other action necessary to correct the situation and maintain security. The completed State Form 51852 shall be filed in the employee’s fact file and personnel packet.

XI. DAILY INSPECTIONS:

The highest ranking Custody supervisor on duty in the facility shall inspect the restrictive status housing unit daily to ensure safe, clean, and efficient operation. The inspection shall be documented in writing and shall be noted in the unit log book and the visitor’s log for the unit. The highest ranking Custody supervisor on duty in the facility shall:

- A. Examine the general cleanliness of the unit;
- B. Ensure that personal hygiene opportunities are available;
- C. Review unit records for completeness, including shaving razors, tool, and key control; and,
- D. Examine all areas of the unit to ensure the rights and privileges as presented in this policy and administrative procedure are provided and to ensure the general operation of the unit is in accordance with the facility’s operational procedures.

The highest ranking Custody supervisor conducting this inspection shall provide a written report to the Deputy Warden of Operations indicating all deficiencies found and the steps that are taken to correct them. The Deputy Warden shall advise the Warden of any deficiencies in the unit that cannot be corrected in a timely manner. The Warden shall take the appropriate action to correct these deficiencies.

The highest-ranking Custody supervisor shall make themselves available to incarcerated individuals housed in the disciplinary restrictive status housing unit on a daily basis. This employee shall address any concerns presented by the incarcerated individuals on the unit and ensure that all proper procedures are followed.

XII. EMERGENCY RESTRICTIONS:

A need may arise to restrict an incarcerated individual from one or more of the previously addressed activities itemized in these procedures. A situation may arise when an incarcerated individual abuses a particular activity which threatens the safety and/or security of the facility, staff or incarcerated individual. In those cases where an incarcerated individual is deprived of any usually authorized item or activity, State Form 16050, “Adult Restrictive Status Housing Restrictions Report,” shall be completed. This report shall be forwarded to the Shift Supervisor for review, approval, signature, and appropriate distribution.

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When the Warden determines that an emergency situation exists as presented in Policy and Administrative Procedure 02-03-102, "Emergency Response Operations," any activities under this policy and administrative procedure may be suspended. In such cases, it shall not be necessary to advise each incarcerated individual that these activities are suspended. When the emergency situation no longer exists, activities shall be reinstated.

XIII. MAINTENANCE OF PERMANENT VISITOR'S LOG:

Each restrictive status housing unit shall maintain a permanent unit log. This log shall be used to record any activities as indicated in this policy. Staff shall ensure that all entries into the unit log are made in a timely manner and are legible. The unit log shall be maintained in a safe and secure location in the unit where incarcerated individuals will not have access.

Anyone not assigned to work on the administrative restrictive status housing unit who enters the unit, except in emergency situations, shall sign a permanent unit visitor's log, including name, date, and time. There are to be no exceptions to this procedure. State Form 37621, "Visitors Log-Restrictive Status Housing," shall be used for this purpose. Unit staff shall ensure that the State Form 37621 includes the name of the unit.

In an emergency situation (such as when the E-Squad is activated), the employee in charge of the unit shall obtain the names of all persons who enter the unit and record the names and titles of these persons in the visitation log. It will not be necessary for each person entering the unit to sign the log during an emergency situation.

XIV. BALLISTIC AND STAB RESISTANT VESTS:

The requisition, use, and maintenance of ballistic and stab resistant vests are covered in Policy and Administrative Procedure 04-03-108, "Ballistic and Stab Resistant Vests."

XV. FACILITIES USING NON-DEPARTMENTAL RESTRICTIVE STATUS HOUSING UNITS (See Operational Procedure of Applicable Facility):

Those facilities which use a non-departmental restrictive status housing facility (i.e., a county jail) as their restrictive status housing unit shall follow the procedures as established for the operation of the non-departmental restrictive status housing unit. These facilities shall develop operational procedures which indicate that the non-departmental restrictive status housing unit is used. The rules of the facility which are used for this purpose shall be attached.

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XVI. APPLICABILITY:

This policy and administrative procedure shall be applicable to all Department facilities housing incarcerated adults which operate a disciplinary restrictive status housing unit or which use a non-departmental facility as a disciplinary restrictive status housing unit.

signature on file
 Christina Reagle
 Commissioner

_____ Date