



**STATE OF MONTANA  
DEPARTMENT OF CORRECTIONS  
POLICY DIRECTIVE**

Policy No. DOC 3.5.1	Subject: <b>LOCKED HOUSING UNIT OPERATIONS</b>
Chapter 3: FACILITY/PROGRAM OPERATIONS	Page 1 of 5
Section 5: Special Management	Effective Date: May 1, 1997
Signature: /s/ Mike Batista, Director	Revised: 09/09/2016

## **I. POLICY**

The Department of Corrections maintains safe, secure housing for offenders who require separation from the general offender population for protection, detention or special management.

## **II. APPLICABILITY**

Department secure care adult facilities, secure care youth facilities where standards are specifically noted, private and regional facilities contracted to the Department of Corrections, and the alternative secure care facilities where appropriate.

## **III. DEFINITIONS**

Administrator – The official, regardless of local title (administrator, warden, superintendent), ultimately responsible for the division, facility or program operation and management.

Administrative Segregation – A non-punitive housing status for offenders whose continued presence in the general population may pose a serious threat to life, property, self, staff, other offenders, or to the facility's security or orderly operation, e.g., an offender may be housed in administrative segregation during an investigation of alleged violations.

Alternative Secure Care (Alt-Secure) – The adult community corrections' facilities or programs where offenders are placed as an alternative to incarceration in secure care facilities.

Disciplinary Detention – A punitive confinement determined by a due process impartial hearing that separates offenders from the general population for serious rule violations.

Locked Housing – Cells designated for pre-hearing or temporary confinement, disciplinary detention, administrative segregation, special management, and/or maximum security offender housing.

Pre-hearing/Temporary Confinement – A short-term, non-punitive housing status that is used to safely and securely control high-risk or at-risk offenders.

Special Management – A non-punitive housing status for offenders who request removal from the general population or require protection for their safety and well-being.

## **IV. DEPARTMENT DIRECTIVES**

### **A. General Policy**

1. Operational procedures that govern locked housing units will incorporate American

**Subject: LOCKED HOUSING UNIT OPERATIONS**

- Correctional Association (ACA) standards in accordance with the provisions of this policy.
2. Written operational procedures will govern locked housing units or cells for the supervision of offenders under administrative segregation, disciplinary detention, pre-hearing status, and special management.
  3. For secure care adult facilities, the administrator, shift supervisor or designee, may order immediate segregation or placement in a locked unit when it is necessary to protect the offender or others. The action must be reviewed within 72 hours, excluding weekends and holidays, by the appropriate supervisor.
  4. Secure care adult facilities will maintain a sanctioning schedule for facility rule violations. The administrator, or designee, must review and approve adult offender confinement that continues beyond 30 days.

**B. Admission and Review of Status**

1. Adult facility operational procedures will include the following requirements:
  - a. there will be a documented process to admit an offender to a locked housing unit. Offenders may only be admitted when there is documentation that this status is warranted and no reasonable alternatives were available;
  - b. the classification committee or other authorized staff group will conduct a status review of offenders in administrative segregation and special management units every 30 days;
  - c. there will be a documented review process to release an offender from administrative segregation or special management status;
  - d. a hearing by the disciplinary committee or hearings officer must be completed before placing an offender in disciplinary detention for a rule violation; and
  - e. offenders held in disciplinary detention for periods exceeding 60 days will be provided the same program services and privileges as offenders in administrative segregation and special management units.

**C. Mental Health Status Reviews**

1. When housing or management units exist for adult or youth offenders with mental health issues or mental illness, procedures provide for placements, assessments, specialized treatments, program services, and scheduled case reviews by qualified mental health professionals in accordance with *DOC 4.5.21, Locked Housing Offender Health Assessment and Services* and *DOC 4.5.27, Offender Mental Health Services*.
2. Since adult and youth offenders whose movements are restricted in locked housing units may develop symptoms of acute anxiety or other mental problems, procedures provide that these offenders will be seen and assessed by a qualified mental health professional once a week or upon referral by a staff member. Each contact will be documented on the individual offender's log, and contain, at a minimum, a status report and the date and time of the contact. Individual logs will be filed in the offender's medical and mental health records.

**D. Supervisory Oversight**

1. Procedures provide that adult offenders in locked housing units receive daily visits from the shift supervisor or supervisor in charge, daily visits from a qualified health care professional unless more frequent visits are indicated, and visits from members of the program staff upon request.
2. Procedures require that all special management adult offenders are personally observed by a correctional officer at least every 30 to 60 minutes on an irregular schedule. Adult offenders who are violent or mentally disordered or who demonstrate unusual or bizarre behavior will receive more frequent observation; suicidal offenders will be under continuing observation.
3. Procedures will govern the selection criteria, supervision, and rotation of staff who work directly with offenders in locked housing units on a regular and daily basis.

**E. Logs and Record-keeping**

1. All adult and youth locked housing units will comply with the general record-keeping requirements provided in *DOC Policy 3.1.3, Logs and Record-keeping Systems*.
2. Adult and youth facility procedures provide that staff operating locked housing units maintain permanent logs and records that adequately document the activities, programs, and visitation patterns of the unit and of individual offenders. Staff will maintain records that include the following:
  - a. all admissions and releases including date of action, time of action, reason for admission or release, and authorizing official or committee;
  - b. a record of visitors, including all official visits by staff members, e.g., medical staff visits, and the time, date, and signature of the visitor;
  - c. notations of unusual behavior by individual offenders or the unit as a whole; and
  - d. information from and observations by staff members, which are forwarded for staff action and observation to future shifts.

**F. Conditions of Confinement**

1. Procedures include that adult and youth offenders in locked housing units are provided:
  - a. prescribed medication;
  - b. clothing that is not degrading or specialized clothing when reasons for its use are documented;
  - c. access to basic personal items for use in their cells unless there is imminent danger that an offender or any other offender(s) will destroy an item or induce self-injury;
  - d. the opportunity to shower and shave at least three times per week;
  - e. laundry, barbering, and hair care services; and
  - f. exchange clothing, bedding, and linen on the same basis as offenders in the general population; exceptions may be permitted if found necessary by the supervisor, recorded in the log and justified in writing.
2. The facility may provide alternative meal service to an adult or youth offender who uses food or food service equipment in a manner that is hazardous to self, staff, or other

**Subject: LOCKED HOUSING UNIT OPERATIONS**

offenders. Service will be provided on an individual basis, based only on health or safety considerations, meet basic nutritional requirements, and occur with the written approval of the administrator or chief health care authority. The food substitution period will not exceed seven days.

3. Procedures provide that whenever an adult or youth offender is deprived of any usually authorized item or activity, a report of the action is filed in the offender's case record and forwarded to the facility's chief of security.

**G. Programs, Services, and Access to Legal and Reading Materials**

1. Procedures provide that adult and youth offenders in locked housing units may:
  - a. write and receive letters on the same basis as offenders in the general population;
  - b. have opportunities for visitation unless there are substantial reasons for withholding such privileges;
  - c. have access to personal legal materials and available legal reference materials; and
  - d. have access to reading materials from the facility library.
2. Procedures provide that adult and youth offenders in administrative segregation and special management units have access to programs and services that include, but are not limited to, the following:
  - a. educational services;
  - b. commissary services;
  - c. library services;
  - d. social services;
  - e. counseling services;
  - f. religious guidance; and
  - g. recreational programs.
3. The programs and services described above may not be identical to those provided to the general population; however, there will be no major differences for reasons other than danger to life, health, or safety. This standard also applies to adult offenders held in disciplinary detention for more than 60 days.

**H. Exercise Outside of Cell**

1. Procedures provide that adult offenders in locked housing units receive a minimum of one hour of exercise per day outside their cells, five days per week, unless security or safety considerations dictate otherwise.
2. When adult offenders are confined to disciplinary detention or pre-hearing confinement for 15 days or less, recreation outside of the cell may be denied for that period of time.
3. Youth will be allowed one hour of large muscle activity every 24 hours.

**I. Telephone Privileges**

1. Procedures provide that adult offenders in administrative segregation and special management units and youth in temporary confinement are allowed telephone privileges.

**Subject: LOCKED HOUSING UNIT OPERATIONS**

2. Procedures provide that, unless authorized by the administrator, or designee, adult offenders in disciplinary detention are allowed limited telephone privileges except for calls related specifically to access to the attorney of record.

**J. Additional Youth Facility Requirements**

1. Youth facilities will not use confinement as a sanction to manage youth behavior.
2. The administrator, shift supervisor, or designee may order a youth be placed in temporary confinement when it is necessary to protect the youth or others. The action must be reviewed within four hours regardless of weekends or holidays or the next morning if the youth is placed in temporary confinement after 2100 hours.
3. Procedures will provide special management for youth offenders with serious behavior problems and for youth requiring protective care. Youth facilities will develop individual program plans and provide appropriate services that may require youth offenders to be separated from the general population.
5. Youth in temporary confinement will be observed by staff at least every 15 minutes
6. Youth in temporary confinement will be visited at least once each day by staff from administrative, clinical, social work, religious, or medical units.

**V. CLOSING**

Questions concerning this policy should be directed to the facility administrator.

**VI. REFERENCES**

- A. *Mont. Code Ann. § 53-30-101 (2009)*
- B. *4-4249 through 4-4273; ACA Standards for Adult Correctional Institutions, 4<sup>th</sup> Edition*
- C. *4-4271; ACA Standards Supplement, 2008*
- D. *3-JTS-3E-01 through -3E-05; ACA Standards for Juvenile Correctional Facilities, 2003*
- E. *ACA Guidelines for Development of a Security Program, 3<sup>rd</sup> Edition, 2007*
- F. *National Commission on Correctional Health Care Standards, 2014*
- G. *DOC Policies 3.1.3, Logs and Record-keeping Systems; 3.5.5, Behavior Management Plans; 4.5.21, Locked Housing Offender Health Assessment and Services; 4.5.27, Offender Mental Health Services*

**VII. ATTACHMENTS**

None