



ARKANSAS DEPARTMENT OF CORRECTIONS
Division of Correction – Director’s Office

6814 Princeton Pike
Pine Bluff, Arkansas 71602
Phone: (870) 267-6200 | Fax: (870) 267-6244

ADMINISTRATIVE DIRECTIVE

SUBJECT: Restrictive Housing

NUMBER: 2021-15

SUPERSEDES: 19-28

APPLICABILITY: Director, Deputy/Assistant Directors,
Warden/Center Supervisors, Employees
involved in Segregation, and Inmates

REFERENCE: AR 836 Segregation;
AD Disciplinary Court Review;
AD Punitive Segregation-Restriction;
AD Step-Down Program; and
SD Prison Rape Elimination Act

PAGE: 1 of 6

APPROVED: Original Signed by Dexter Payne

EFFECTIVE DATE: 8/5/2021

I. POLICY

It is the policy of the Arkansas Division of Correction (ADC) to provide safe and secure housing to inmates who require a higher degree of physical control, or who staff find necessary to remove from the general population of the facility. The policy is to limit the use of Restrictive Housing to the shortest period of time possible while maintaining a safe environment within the institutions.

The use of “segregation” or administrative segregation” in existing policies also applies to inmates in “Restrictive Housing” or “Extended Restrictive Housing” unless such use poses a conflict with this policy. The Institutional Classification Committee or, in an emergency, the Warden/Center Supervisor or designee may place an inmate in Restrictive Housing if his/her continued presence in the general population poses a direct threat to the safety of other inmates and staff or is a clear threat to the safe and secure operations of the facility.

II. DEFINITIONS

1. **Administrative Status.** Separation from the general population by the classification committee or shift supervisor when the continued presence of the inmate in the general population poses a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility. Inmates pending investigation by the unit or law enforcement, pending trial on a criminal act, pending disciplinary court review, or pending transfer. While this status may be in restrictive housing, it is a temporary status, and a Release Plan is not required while in this status.
2. **Restrictive Housing (RH).** Placement that requires an inmate to be confined to a cell at least twenty-two (22) hours per day.
3. **Extended Restrictive Housing.** Placement in housing that separates the inmate from contact with general population while restricting an inmate to his/her cell for twenty-two (22) hours per day for thirty (30) days or longer for the safe and secure operation of the facility. A 48-hour relief does not end Extended RH because the inmate is not returned to general population during this time.

4. Restrictive Recreation. A status Assignment allowing the Classification Committee or Warden/Center Supervisor to assign an inmate to be kept in full restraints during the inmate's scheduled recreation period if his/her actions pose a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility. These actions include but are not limited to tampering with, or blocking, any lock or locking device; tampering or manipulating any recreation enclosure or RH recreation area; running from, avoiding, or otherwise resisting apprehension; aggravated battery to include attempted battery or battery on staff or inmates; and attempts to remove or manipulate restraints.
5. Serious Mental Illness. Psychotic, Bipolar, and Major Depressive Disorders and any other diagnosed mental disorder (excluding substance use disorders) associated with serious behavioral impairment as evidenced by examples of acute decompensation, self-injurious behaviors, and mental health emergencies that require an individualized treatment plan by a qualified mental health professional.
6. Step-Down Program. A system of review that establishes criteria to prepare an inmate for transition from RH to general population or the community. A classification committee made up of a multidisciplinary team (medical, mental health, security, and others determined by the Warden) will determine which individual inmates enter the program.
7. Protective Custody. Form of separation from the general population for inmates requesting or requiring protection from other inmates for reasons of health or safety. The classification committee reviews the inmate's status periodically. Inmates assigned to Protective Custody are not assigned to RH due to this status alone.
8. Disciplinary Court Review (DCR). The confinement of an inmate in RH until a disciplinary hearing is completed due to an alleged disciplinary infraction.
9. Placement. Removal of an inmate from general population to a RH Assignment.
10. Assignment. A decision by the Institutional Classification Committee that RH is appropriate.
11. Release Plan. The steps the inmate needs to take to be released to general population which may include one or more of the following: a certain number of disciplinary free days, completion of disciplinary sanctions, completion of anger management, thinking errors, and/or a Step-Down Program.
12. Reentry Plan. A pre-release assessment and plan that includes at a minimum a review of parole stipulations and program referrals, transportation to the inmate's closest commercial pick-up point, information on community services available in the area, and information on how to reinstate voting rights upon discharge of their sentence.
13. Youthful Inmate. Any inmate under the age of eighteen (18). Note: Refer to the Youthful Inmate Administrative Directive for procedures pertaining to the housing of Youthful Inmates.

III. PROCEDURES

A. Initial Placement

1. Upon the determination that the inmate poses a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility, the Chief Security Officer on duty (shift supervisor) may place the inmate in RH.
2. Inmates placed in RH must be transferred out of RH within three (3) business days when Placement is due to Protective Custody status alone absent approval by the appropriate Deputy Director.
3. When a PREA incident (sexual abuse/assault) has occurred or is alleged to have occurred, victims shall be separated from the accused as soon as possible. If the victim is placed in RH, the placement should not exceed 24 hours, unless necessary to protect the victim from further harm or other security concerns. For further guidance in post-allegation housing of victims of sexual abuse/assault, refer to Secretarial Directive Prison Rape Elimination Act (PREA).
4. Any inmate Placement in RH will be approved, denied, or modified within twenty-four (24) hours by an appropriate and higher authority who was not involved in the initial Placement. The higher authority shall, after reviewing the inmate's status, either release him/her from the RH area or retain him/her in the

RH area and refer the inmate to the next regularly scheduled meeting of the Classification Committee. The inmate will receive written notification of the hearing not less than twenty-four (24) hours prior to the hearing.

B. Institutional Classification Committee Procedures for Assignment to RH

1. The Classification Committee will hold the hearing to determine Assignment within seven (7) days of Placement and after the inmate has received written notice.
2. The inmate will be allowed to appear before the committee to make any relevant statement, and to present related documentary evidence.
3. Assignment to RH will be made by a majority vote of the committee.
4. The inmate will be advised of the reasons for his/her Assignment to RH and the steps he/she needs to take to be released to general population which may include a Step-Down Program. Both the reason for Assignment and the method to earn release will be provided to the inmate in writing and a copy of the reasons will be maintained in the inmate's electronic file. All decisions may be subject to review and approval or disapproval by the Warden or his/her designee.
5. Any inmate who is potentially dangerous to his or her own person shall immediately be placed in RH and evaluated by Mental Health Staff the same business day or within four (4) hours.
6. Any inmate who exhibits chronic unruly behavior shall be evaluated by the Mental Health Staff upon request by the Warden or his/her designee. The results of the evaluation shall be considered by the Classification Committee in determining the RH status of the inmate.
8. Confinement of pregnant inmates or inmates who are Seriously Mentally Ill (SMI) in Extended RH is prohibited.
9. An inmate will not be placed in RH based on Gender Identity alone.

C. Administrative Status. An inmate that poses a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility, can be placed in RH on Administrative Status due to one of the following:

1. Pending trial on a criminal act; Placement is not to exceed three (3) business days following a court decision;
2. Pending DCR; Placement is not to exceed fourteen (14) days. If the disciplinary action is dismissed prior to a disciplinary hearing, the inmate must be released from DCR status and appropriately reassigned;
3. Pending transfer to another unit; Placement is not to exceed three (3) business days absent approval from the appropriate Deputy Director; or
4. Pending investigation by unit staff, Internal Affairs, or Arkansas State Police not to exceed three (3) business days which may be extended by the Warden or designee. The extension approved by the Warden or Deputy/Assistant Warden may not exceed five (5) working days per extension. If there are more than four (4) extensions, they must have the approval of the Director. Extensions can only be made for one of the following reasons:
 - a. An inmate who is suspected of having information which would aid in the resolution of the investigation is unavailable for interview by appropriate authorities;
 - b. Awaiting information, documents and/or decisions which would aid in the resolution of the investigation, from appropriate authorities; or
 - c. The case requires more extensive investigation.
5. For inmates on Administrative Status, these procedures will be followed except that this status is temporary, and a Release Plan is not necessary while in this status.

D. Control Precautions and Privileges while in Restrictive Housing

Controls and privileges do not govern inmates serving punitive restriction, participating, or assigned to Step-Down Units, Death Row, and other special housing areas including Residential Programming Unit (RPU), VSM Program, infirmaries, and the hospital.

1. Control Precautions

- a. The inmate will be housed in a separate area of the institution determined by the Warden.
- b. Inmates will receive regular mail privileges as inmates housed in population.
- c. Visits may be in a separate visiting room and will be conducted in the presence of an officer.
- d. Inmates will have opportunity for exercise, a minimum of one (1) hour of exercise per day, five (5) days per week, unless security or safety dictates otherwise. Opportunities may be available to exercise outdoors, weather permitting. Reasons for the imposition of any constraints should be documented in the log and justified in writing. Inmates who have out-of-cell work Assignments are not required to receive the one-hour exercise period.
- e. If assigned work duties, the job will be within the limits of the inmate's medical classification/restrictions.
- f. Regularly scheduled meals may be served in cells instead of the chow hall.
- g. Chaplains will visit the RH area at least weekly and upon request.
- h. Although no razors will be allowed, inmates will have the opportunity to groom facial hair and shower a minimum of three (3) times per week. Barbering and hair care services should be available on the same basis as general population except that no razors will be allowed. Exceptions to the schedule are permitted when found necessary by the shift supervisor on duty. All exceptions will be recorded in the log and justified in writing.
- i. Requests for medical, dental, or mental health services are the same as general population. The requests can be through sick call/health services request or by staff for medical emergencies. Inmates in RH are provided medication as prescribed.
- j. Commissary purchases will be limited to \$10 weekly due to security requirements on inmates in RH. Items not allowed include ice cream, razors, any sharp objects, canned items, and others as designated in writing by unit policies.
- k. Appropriate clothing will be issued. Jumpsuits may replace pants/tops due to strings necessary for pants and other security concerns.
- l. A reasonable amount of reading material and educational material approved by the Educational Department.
- m. Bedding is to be changed weekly and weekly laundry services are to be provided.
- n. Access to legal materials upon request and in accordance with unit policy.
- o. Access to attorney of record via legal mail and telephone.
- p. Inmates leaving or entering the RH unit must be thoroughly searched. Those on RH status shall be escorted by two (2) officers and will be in restraints to and from their destination.
- q. RH inmates are personally observed by a correctional officer twice per hour, but no more than forty (40) minutes apart, on an irregular schedule. Inmates who are mentally disordered or who demonstrate unusual, bizarre, or self-injurious behavior receive more frequent observation as determined by a qualified mental health professional (minimal to constant); suicidal inmates are under continuous observation (directly or by monitored camera) while on treatment precautions. Observation shall be documented in a log.

2. Privileges

- a. Inmates in RH will attend Institutional activities only with prior written approval from the Warden.
- b. Television, radio, MP4, and/or tablet privileges may be denied only upon documentation of the reason(s) in each inmate's record. Separate documentation is not required when class status required for the privilege does not exist, or a disciplinary restriction is in the inmate's record.

E. Review of RH Status

1. The Classification Committee or authorized staff must review the status of every inmate assigned to RH classification every seven (7) days for the first sixty (60) days, and every thirty (30) days thereafter to determine if the reason(s) for Assignment continues to exist. At every other thirty (30) day review, the inmate will be personally interviewed by the Classification Committee or authorized staff. All reviews will be documented utilizing the appropriate segregation form, and all refusals by inmates will be signed by the inmate and at least one member of the classification committee who confirmed the refusal by speaking with the inmate. Any inmate who advises the classification member that he/she did not refuse will be assigned to the next regularly scheduled classification meeting.
2. A mental health practitioner/provider completes a mental health appraisal and prepares a written report on all inmates placed in RH within seven (7) days of Placement. If confinement continues beyond thirty (30) days, a behavioral health assessment by a mental health practitioner/provider is completed at least every thirty (30) days for inmates with a diagnosed behavioral health disorder and more frequently if clinically indicated. For inmates without a diagnosed behavioral health disorder, an assessment is completed every ninety (90) days and more frequently if clinically indicated. The evaluation will be conducted in a confidential area.
3. The Warden/Center Supervisor or designee will review all committee recommendations for possible transfer to general population within five (5) days.
4. No inmate shall remain in RH for more than one (1) year unless the Warden has personally interviewed him/her at the end of the year and approves the Assignment. At the end of the second and each additional year that an inmate remains in RH, the Warden and the Deputy Director shall personally interview the inmate and determine whether the Assignment is necessary and appropriate.
5. The calculation and scheduling of an inmate's RH hearing will not change if that inmate transfers to another unit and remains in RH.
6. Inmates assigned to RH have the opportunity to participate in the Step-Down Program to assist with reintegration of the inmate into general population in accordance with his/her Release Plan or to the community in accordance with his/her Reentry Plan.
7. The ADC will attempt to ensure that inmates are not released directly into the community from RH or Extended RH. In the event that the release of an inmate directly from RH into the community is imminent, the Unit Warden or designee will document the justification and receive approval from the appropriate Deputy Director. Additionally: The following must be met:
 - a. Classification shall verify that a Reentry Plan is in the Division's electronic Offender Management Information System (eOMIS) at least one-hundred twenty (120) days prior to release. The Reentry Plan will be tailored to specific needs of the inmate. This does not apply to court orders for immediate release.
 - b. Notice is required of release to local law enforcement where the inmate intends to reside, and/or local law enforcement where the ADC releases the inmate from custody.
 - c. Notify releasing inmate of applicable community resources as part of the Reentry Plan.
 - d. Victim Information and Notification Everyday (VINE) is made to those victims who have current information in VINE or eOMIS.

F. Restrictive Recreation**A. Initial Placement:**

1. Upon determination that the inmate poses a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility, the shift supervisor will notify the Warden, Deputy Warden, or Chief of Security to recommend an inmate's Placement on Restrictive Recreation Status. The recommendation shall include all pertinent information regarding the request and be forwarded to the Warden for review and approval, unless the Warden approved the initial Placement.
2. Once the Warden initially approves the use of Restrictive Recreation for an inmate, the Warden will contact the appropriate Deputy Director or the Duty Director, requesting final authorization. The request for authorization will be made within twenty-four (24) hours of the initial Placement of an inmate on Restrictive Recreation Status and documented.
3. Any inmate placed on Restrictive Recreation Status will be scheduled to appear before the next regularly scheduled meeting of the unit's Classification Committee for review.

B. Institutional Classification Committee Procedures for Continued Placement on Restrictive Recreation Status

1. The inmate will be allowed to appear before the Classification Committee to make any relevant statements, and to present related documentary evidence. An inmate's refusal to appear before the committee will be documented in writing.
2. Continued Placement will be made by majority vote of the committee.
3. The inmate will be advised in writing of the reasons for continued Placement and the steps the inmate must take to be removed from Restrictive Recreation Status.
4. The inmate will be on staff restricted movement of a Lieutenant or above for the duration of the Placement. The Lieutenant or above restriction will begin with the initial Placement.
5. The Restrictive Recreation Status will be documented in the Case Notes Section of the inmate's electronic record and a Restrictive Recreation Precaution will also be entered. A handout on in-cell exercise shall be provided to the inmate upon request.
6. All decisions of the Classification Committee will be subject to review and approval or disapproval by the Warden or his/her designee.

C. Review of Restricted Recreation Status.

1. The Classification Committee or authorized staff, at the rank of Major or above, must review the status of each inmate placed on Restrictive Recreation every sixty (60) days following the initial Classification Committee Review. The status review will be documented in the Classification Committee Action Section of the inmate's electronic record.
2. The Warden or his/her designee will review all recommendations for possible release from Restrictive Recreation status.
3. Upon release from RH an inmate will automatically be released from Restrictive Recreation status.

IV. ATTACHMENTS:

- I. Restrictive Housing Placement
- II. Restrictive Recreation Placement
- III. Restrictive Housing Status Review Record of Release Consideration
- IV. Restrictive Housing Release Plan
- V. Restrictive Housing Classification Committee Waiver



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RESTRICTIVE HOUSING PLACEMENT

Attachment I

Any Placement requires a finding that this inmate’s continued presence in the general population poses a serious threat to life, property, self, staff, other inmates, or to the security of the Unit.

TO: _____

FROM: _____

DATE: _____

Inmate _____ ADC # _____ is/was placed in RH on
_____ at _____ for the following reason(s):

Administrative Status (Temporary):

- pending trial for a criminal act
- pending disciplinary court review
- pending transfer to another unit
- pending investigation (Note: PREA victims cannot be placed in RH for more than twenty-four hours (24) unless necessary to protect the victim from further harm or other security concerns)

Review required within twenty-four (24) Hours of Placement

- I was not involved in the initial Placement and have reviewed the reasons for the Placement. I find the Placement appropriate.
- I find the inmate should be moved to _____ rather than remain in RH.

SIGNATURE

DATE

Note: If the inmate’s Placement in RH is approved, he/she shall appear before the Classification Committee for possible Assignment within seven (7) days.



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RESTRICTIVE RECREATION PLACEMENT

Attachment II

Any Placement requires a finding that this inmate’s continued actions pose a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility. These actions include but are not limited to: tampering with or blocking any lock or locking device; tampering or manipulating any recreation enclosure or Restricted Housing recreation area; running from, avoiding or otherwise resisting apprehension; aggravated battery to include attempted battery/battery on staff or inmate(s); and attempts to remove or manipulate restraints.

TO: _____

FROM: _____

DATE: _____

Inmate _____ ADC# _____ is/was placed on Restrictive
Recreation on _____ at _____ for the following reason(s):

- Tampering with, or blocking, any lock or locking device.
- Tampering or manipulating any recreation enclosure.
- Running from, avoiding, or otherwise resisting apprehension.
- Aggravated battery to include attempted battery on staff or inmate(s).
- Attempts to remove and/or manipulate restraints.
- Other: _____

Review required within twenty-four (24) hours of Placement

I have reviewed the reasons for the Placement and find that the inmate **should** **should not** remain on Restrictive Recreation status.

Warden Signature

Date

I have reviewed the reasons for the Placement and find that the inmate **should** **should not** remain on Restrictive Recreation status.

Deputy/Duty Director

Date

Note: If the inmate’s Placement on Restrictive Recreation status is approved, he/she shall appear before the next Classification Committee for review and every sixty (60) days thereafter.



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RESTRICTIVE HOUSING STATUS REVIEW
RECORD OF RELEASE CONSIDERATION

Attachment III

Facility: _____
Inmate: _____
ADC #: _____

- 7 Day Review
Warden’s Review
30 Day Review
Director’s Review
60 Day Review
Special Consideration

Date of Review _____ Date of Initial Assignment _____

REASON FOR INITIAL ASSIGNMENT

- Poses a direct threat to the safety of themselves or other
Poses a direct threat to the safe and secure operations of the facility
Administrative Status due to: _____

Table with 2 columns: COMMITTEE MEMBERS, VOTE. VOTE sub-columns: REMAIN (), RELEASE ().

INMATE'S STATEMENT CONCERNING RELEASE OR CONTINUED SEGREGATION

ACTION/REASON

- Continue RH (Describe how the inmate continues to pose a direct threat to safety of persons or a clear threat to the safe and secure operations of the facility):
Inmate is not a threat to the security of persons or a clear threat to the safe and secure operations of the facility, and should be released from RH
Release pending completion of RH Restrictive Release Plan

MENTAL HEALTH APPRAISAL REPORT: Completed [] Yes [] No

WARDEN'S REVIEW

- I have reviewed the above and agree with the Committee's decision.
I have reviewed the above and am referring this back to the Committee.

WARDEN OR DESIGNEE SIGNATURE

DATE



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RESTRICTIVE HOUSING RELEASE PLAN

Attachment IV

Facility Name: _____ Date: _____

Inmate Name: _____ ADC Number: _____

- Upon completion of the following steps, the above-referenced inmate may be returned to general population from a RH Assignment:
- Upon completion of the following steps, the above-referenced inmate may be removed from a Restrictive Recreation Placement:
 - Achieve Class II status or better
 - Complete the sanction(s) imposed by the Disciplinary Court
 - Complete a Step-Down Program
 - Complete a/an _____ program
 - Other (must be specific):

Classification Committee Member Signature

Date

INMATE ACKNOWLEDGEMENT

I have read, or have had read to me, this Release Plan. I understand that I may remain in RH or on Restrictive Recreation until this plan is completed.

Inmate’s Signature

Date

WARDEN’S REVIEW

- I have reviewed the above and agree with the proposed Release Plan.
- I have reviewed the above and am referring this proposed Release Plan back to the Classification Committee.

Warden or Designee’s Signature

Date



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RESTRICTIVE HOUSING CLASSIFICATION COMMITTEE WAIVER

Attachment V

Date of Review: _____

I, Inmate _____, ADC# _____

Hereby waive or refuse to appear before the RH Classification Committee (RHCC).

My waiver or refusal to appear before the RHCC is done freely and voluntarily without threat or coercion from any person(s). I understand that my refusal to appear before the RHCC will result in the review of my RH or Restrictive Recreation Status in my absence and a decision without any comments or statements from me.

Inmate Name (Please print): _____

Inmate Signature: _____

Date: _____

RHCC Member Name (Please print): _____

RHCC Member Signature: _____

Date: _____

Witness Name (Please print): _____

Witness Signature: _____

Date: _____