

Chippewa County Correctional Facility <u>Policy & Procedure</u>	Effective Date: 9/1/1997	Policy Number: 5 . 14
	Updated: 2/5/2021, 2/9/2023, 2/14/2023	Page Number: 1 of 6
Section: Security & Control	Reference: NDS 2019 – 2.9 – Special Management Units ACA 4-ALDF-2A-44, 2A-51, 2A-52	
Subject: Administrative Segregation	Authority: Michael D. Bitnar , Sheriff	
Rescinds: All Previously Issued Policies, Procedures, Directives, or Memoranda Relative to this Topic		

I. POLICY

It is the policy of the Chippewa County Correctional Facility to properly house inmates who are assaultive, escape risks, display disciplinary problems, or who display behavior that could disrupt the safe and orderly operation of the facility.

II. FORMS

- A. 5-14A (Administrative/Disciplinary Segregation Order)
- B. 5-14B (Administrative/Disciplinary Segregation Review)

III. INFORMATION

- A. Administrative segregation is a non-punitive form of separation from the general population.
- B. Inmate/detainees may be placed on administrative segregation if their presence in general population would pose a threat to self, staff, other inmate/detainees, property, and/or the security or orderly operation of the facility.
- C. Inmate/detainee placed on Protective Custody status will be housed as administrative segregation.
- D. Inmate/detainees waiting for a disciplinary review and/or hearing will be housed as administrative segregation.
- E. Any inmate/detainee scheduled for a transfer may be placed on administrative segregation status for security reasons. A segregation

order is not necessary for any detainee awaiting transfer within twenty-four (24) hours.

- F. Inmate/detainees on administrative segregation will receive the same general privileges as inmate/detainees in general population. Some personal items may be restricted dependent on the housing area (e.g. *A Section*) and security considerations.
 - G. The number of inmate/detainees housed in a cell will normally not exceed the capacity for which it was designed. A supervisor may approve excess occupancy on a temporary basis.
 - H. Inmate/detainees who are pregnant, who are post-partum, who recently had a miscarriage, or who recently had a terminated pregnancy should as a general matter not be placed in disciplinary segregation. The individual may be placed in administrative segregation as a response to behavior that poses a serious and immediate risk of physical harm to self or others, or if the individual has requested to be placed in protective custody and there are no more appropriate alternatives available. The decision to place the individual in administrative segregation must be approved by both the Jail Administrator and medical personnel. The placement must be reviewed every forty-eight (48) hours.
 - I. Clothing and bedding will be issued/exchanged as per *CCCF Policy & Procedure 3.14 – Issuance & Exchange of Clothing, Bedding, & Towels* except in the following circumstances:
 - a. When prescribed by a medical professional for medical or psychiatric reasons.
 - b. When a supervisor determines the inmate/detainee poses a threat to self or property.
- ***All denials of such items will be documented via the Jail Management System****
- J. Inmate/detainees on administrative segregation will receive the same meals served to the general population. Under no circumstances will food be used as punishment.
 - K. Inmate/detainees will have the opportunity to maintain a normal level of personal hygiene. Inmate/detainees will have unrestricted access to personal hygiene items unless the items pose as a security threat.

Inmate/detainees will be permitted to possess one (1) of each item type (e.g. one (1) deodorant, one (1) toothpaste, etc.).

- L.** Inmate/detainees will have the opportunity to shower at least three (3) times weekly unless the procedure presents a security risk. Any security risk preventing an inmate/detainee from the opportunity to shower at least three (3) times weekly will be documented via the Jail Management System. Denial of showers will be temporary and situational and only until the security risk is over.
- M.** Inmate/detainees will be provided the same barbering services as the general population unless the service presents a security risk.
- N.** Outdoor recreation will be provided as per *CCCF Policy & Procedure 4.10 – Inmate/detainee Outdoor Recreation*. Recreation may be suspended if the inmate/detainee's recreation would pose a threat to the facility and the occupants. In the event recreation is suspended, an incident report will be written via Jail Management System. ICE/ERO will be notified when an ICE detainee is denied recreation privileges in excess of seven (7) days.
- O.** Inmate/detainees will retain visitation privileges. If an inmate/detainee is found to have committed an act that violates visitation rules and/or acting in a way that would reasonably indicate they are a security threat, their visit is subject to immediate cancelation. All visits will be non-contact.
- P.** Inmate/detainee legal visits will be non-contact and take place in the Attorney Client Room.
- Q.** Inmate/detainees religious visits (e.g. clergy, chaplain, etc.) will be non-contact and conducted in the visitation room.
- R.** Inmate/detainees placed in administrative segregation are permitted to retain a reasonable amount of personal legal materials. Any excessive legal materials will be stored in the SGT's office and will be available 0800 – 2200 hours upon request. Requests to access such legal materials should be met as soon as possible, but in no case longer than twenty-four (24) hours after receipt of the initial request, unless there is a documented security concern.
- S.** Inmate/detainees in administrative segregation will have the same correspondence privileges as general population.

- T.** Telephone access for inmate/detainees in administrative segregation will be granted in accordance with *CCCF Policy & Procedure – 3.15 – Inmate/Detainee – Telephone Access*.
- U.** Detainees housed in administrative segregation shall have the same law library access as the general population. Detainees will be granted access upon request and the availability of the law library. Detainees are required to utilize the law library separately from other detainees. If an ICE detainee is denied access to the law library, documentation and justification of the denied access will be placed in the detainee's detention file. ICE/ERO will be notified of the denied access.
- V.** A daily activity log will be maintained to document all activities while the inmate/detainee is on Administrative Segregation status.
- W.** Medical staff will visit every detainee on administrative segregation at a minimum of one (1) time daily. The visit will be documented by medical staff.
- X.** The shift supervisor and/or designee will see each detainee at a minimum of one (1) time daily. The visit will be recorded via the inmate/detainee activity sheet.
- Y.** Security rounds shall be conducted at least every thirty (30) minutes on an irregular schedule. For cases that warrant increased observation, staff shall observe the inmate/detainee accordingly.

IV. PROCEDURE

- A.** In the event an inmate/detainee is placed on administrative segregation status, the following shall occur:
 - a.** The supervisor or designee will complete the Segregation Order (5-14A) detailing the reason(s) for placing the inmate/detainee in administrative segregation, before actual placement. In an emergency, the inmate/detainee's placement in administrative segregation may precede the paperwork, which the supervisor or designee will prepare as soon as possible.
 - b.** A copy of the Segregation Order (5-14A) along with all relative reports, misconducts, etc. will be attached to the inmate/detainees booking file. An electronic copy will also be submitted to the Jail Sergeant and Jail Administrator via email.

- c.** A copy of the Segregation Order (5-14A) shall be immediately forwarded to ICE/ERO for any ICE detainee placed on administrative segregation.
- d.** A copy of the 5-14A form will be given to the inmate/detainee within twenty-four (24) hours of placement unless the form would jeopardize the safe, secure, and/or orderly operation of the facility.
- e.** Once the inmate/detainee is released from administrative segregation status, the 5-14A form will be completed and attached to the inmate/detainee's booking file. ICE/ERO will be notified of an ICE detainee's release from administrative segregation.

B. Review(s) of Administrative Segregation will be conducted as follows:

- a.** Reviews will be conducted for ICE Detainees.
- b.** All reviews will be completed using the 5-14B (Administrative/Disciplinary Segregation Review) form.
- c.** The Jail Sergeant and/or designee will conduct a review within seventy-two (72) hours of the detainee's placement in administrative segregation to determine whether segregation is still warranted. The review will be forwarded to ICE/ERO.
- d.** The Jail Sergeant and/or designee will review the order every seven (7) days until the 30th day in segregation. After the first thirty (30) days has passed the Sergeant will review each case on ten (10) day intervals.
- e.** A copy of each review will be provided to the detainee unless this provision would jeopardize the safety and security of the facility.

C. After seven (7) consecutive days in administrative segregation, the detainee may appeal the administrative segregation status. Appeals must be submitted in writing via Letter of Concern. Appeals will be conducted by the Jail Administrator.

D. The Jail Administrator will review the administration segregation status of any ICE detainee objecting to the status after thirty (30) days and

every thirty (30) days thereafter. A written record of the decision will be documented and placed in the detainee's detention file.

- E.** The Jail Sergeant will maintain a permanent log of all ICE detainees placed on Administrative Segregation status.
- F.** The housing unit(s) and the inmate/detainee's personal property will be searched for contraband before any inmate/detainee is placed inside the housing unit(s).
- G.** Once an inmate/detainee is released from Administrative Segregation, staff will search the housing unit for contraband and/or damage.
- H.** Mental health will reassess any inmate/detainee placed on administrative segregation status due to sexual abuse before they are returned to general population.
- I.** Victims shall not be held for longer than five days in any type of administrative segregation, except in highly unusual circumstances or at the request of the detainee.