

	State of Alaska Department of Corrections Policies and Procedures	Index #: 804.02	Page 1 of 1
		Effective:	Reviewed:
		Distribution:	Due for Rev:
	Chapter: Special Management Prisoners		
Subject: Punitive Segregation			

Policy

- A. The Disciplinary Committee/Hearing Officer may impose punitive segregation, confinement to quarters, or weekend or holiday lockups to alter a prisoner's inappropriate behavior and to affirm institutional standards for prisoner conduct.
- B. Prisoners' privileges will be limited while in punitive segregation, consistent with the sanction of segregation as punishment.
- C. The Superintendents of each institution shall ensure that staff supervise and monitor segregated prisoners according to the security considerations inherent in punitive segregation status. 22 AAC 05.505

Procedures

A. Assignment to Punitive Segregation:

The institution may place a prisoner in punitive segregation after a disciplinary hearing in which the prisoner is found guilty of a violation that warrants this sanction. See policy #809.02, Acts Prohibited and Penalties. 22 AAC 05.470

B. Conditions of Punitive Segregation:

1. A prisoner's participation in the following activities are automatically suspended when the prisoner is in punitive segregation:
 - a. participation in education programs or group religious services; 22 AAC 05.470(b)(1)
 - b. contact visitation; 22 AAC 05.470(b)(2)
 - c. secure visitation other than with immediate family members (e.g., spouse, parents, children, or siblings); 22 AAC 05.470(b)(3)
 - d. telephone calls, except those to an attorney or the ombudsman's office; 22 AAC 05.470(b)(4)
 - e. use of radio, tape recorder, phonograph, television or games; 22 AAC 05.470(b)(5)
 - f. recreation, except the prisoner has the right to out-of-cell exercise at least one hour per day and must have access to fitness equipment sufficient to exercise the large muscle groups in an area large enough to reasonably accommodate the equipment and activity; 22 AAC 05.470(b)(6)
 - g. reading material, except for religious, legal matter, or educational materials if the prisoner is enrolled in a course; 22 AAC 05.470(b)(7)
 - h. eating in a community dining area; 22 AAC 05.470(b)(8)
 - i. use of the commissary; 22 AAC 05.470(b)(9)
 - j. right to wear personal clothing in living units; and
 - k. physical access to the law library and assistance in using the law library, except for law librarian's services, as individual security demands require. The prisoner may have at least four law books in his or her cell at anyone time, and the law librarian's assistance locating, researching, and obtaining legal materials. If necessary, the Department may arrange secure visits between the prisoner and the law librarian.
 2. The prisoners' living conditions in punitive segregation must approximate but be more restrictive than those of the general prisoner population. The basic conditions below apply to punitive segregation:
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- a. quarters must be sanitary and have adequate ventilation, light, and heat;
- b. the cell or room must be single occupancy. Staff shall inform the Superintendent when a situation arises that necessitates multiple occupancy. The Superintendent or designee shall establish the criteria for exceeding single occupancy;
- c. prisoners must wear a prescribed uniform, and have a bed, mattress, bedding, and linens. The institution may not segregate a prisoner without clothing or bedding unless health care personnel prescribe these extraordinary limitations for medical or psychiatric reasons and the Superintendent approves the limitations;
- d. prisoners must normally be provided normal meals from the institution's daily menu, although the Department may use disposable utensils. Prisoners on special diets must be provided meals that meet their special needs. See policy #805.03, Special Meals and Foods;
- e. prisoners must maintain standard personal hygiene. The institution shall provide personal hygiene items such as toothpaste, toothbrush, soap, and shaving items, etc. For safety or security, the institution may issue the prisoner a returnable kit of toilet articles. Each segregated prisoner must shower at least three times a week, unless these procedures present an undue security hazard. The Department shall provide laundry and barbering services on a regularly scheduled basis;
- f. segregated prisoner personal property is limited to personal hygiene items and the reading and writing materials under section B(l)(g) above; and
- g. incoming or outgoing mail for segregated prisoners' is the same as for the general prisoner population. See policy #810.03, Prisoner Mail/Public/Packages.

C. Supervision of Segregation:

1. The Superintendent shall ensure that:
 - a. the shift supervisor familiarizes the segregation supervision staff with the policies and procedures governing punitive segregation;
 - b. segregation supervision staff receive orientation on the typical needs and problems of prisoners in segregation; and
 - c. post orders exist that contain specific instructions for the supervision of punitive segregation. See policy #803.01, Post Orders.
 2. The Superintendent or designee shall inspect the segregation units daily. The Superintendent must personally inspect the segregation unit at least once each work week.
 3. Staff shall monitor the segregation unit and the prisoners housed therein as set forth below to observe and evaluate the segregation conditions and to maintain the appropriate degree of staff contact with the segregated prisoners:
 - a. the Assistant Superintendent shall visit punitive segregation at least once each working day;
 - b. the shift supervisor shall visit punitive segregation at least once during each shift;
 - c. health care personnel shall visit or otherwise be available to prisoners on an as-needed basis, consistent with Chapter 807, Health Care Services;
 - d. institutional probation officers, institutional program representatives, and staff counselors shall visit punitive segregation as appropriate to the segregated prisoners' needs and requests;
 - e. mental health professionals shall visit punitive segregation as requested by institutional staff and as appropriate to the segregated prisoners' needs; and
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- f. religious faith representatives shall visit punitive segregation in response to prisoners' requests that are authorized by institutional staff.

D. Release from Punitive Segregation:

The institution shall discharge prisoners from punitive segregation after the prisoners complete the period, sequence, or conditions of segregation that the Disciplinary Committee/Hearing Officer imposed in the Summary Finding (form 809.04B) and Report of Disciplinary Decision (form 809.04C). See policy #809.04, Disciplinary Committee/Hearing Officer and Basic Operation. The Report of Disciplinary Decision (form 809.04C) must contain specific details regarding the punitive segregation sanctions including the period and sequence of segregation for the prisoner under policy #809.02, Prohibited Acts and Penalties.

E. Documentation:

1. Staff shall maintain a Segregation Log on the segregation unit that includes the following information:
 - a. date, time, name, and reasons for placing each prisoner in segregation;
 - b. names of professional visitors, such as a mental health professional, probation officer, etc.;
 - c. the Superintendent or designee's daily observation visits and the Superintendent's inspections;
 - d. description of prisoner behavior, including requests and/or complaints and any actions taken by staff;
 - e. prisoners' condition, e.g., obvious emotional and physical problems;
 - f. beginning and ending time of showers, phone calls, and exercise periods, including any refusals and the time of refusal;
 - g. bedding, linen, and clothing exchange;
 - h. all items given or taken from prisoners;
 - i. date, time, and initials of the officer making each entry; and
 - j. release authority mechanism, including the date, time, and name of the officer releasing the prisoner from segregation. See policy #803.11, Permanent Record Logs.
 2. The shift supervisor of the segregation unit shall prepare an Individual Prisoner Special Housing Record (form 804.02A) for prisoners who are confined to punitive segregation in their quarters, outside the normal segregation unit. The institution shall maintain the record as long as the prisoner is in punitive segregation status. Upon release of the prisoner from segregation under section D above, staff shall place the record in the prisoner's case record. See policy #602.01, Prisoner Case Record Management.
 - a. At the commencement of the punitive segregation, the officer overseeing the segregation unit shall complete the basic information at the top of the form.
 - b. Staff shall enter the rest of the information using the "key" at the bottom of the form.
 - c. Health care staff shall document health care contacts by signature and appropriate comments regarding prisoners receiving medication, examination, or interview by the health care staff. If prisoners do not request or receive any health care contact during a shift, the officer in charge shall enter a "NO or (N)" in the medical column.
 - d. The officer in charge shall sign the form each shift, and the shift supervisor shall initial the officer's signature.
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July 9, 1995
Date

Margaret M. Pugh
Margaret M. Pugh, Commissioner
Department of Corrections

Authority:

Cleary Final Order, 3AN-81-5274 CIV, Sept. 1990

22 AAC 05.470

22 AAC 05.505

Applicable Forms:

804.02A

809.04B

809.04C
