

# Exhibit 9

|                                                                                                                                   |                |                                                                        |                                                     |       |
|-----------------------------------------------------------------------------------------------------------------------------------|----------------|------------------------------------------------------------------------|-----------------------------------------------------|-------|
|  <h1 style="margin: 0;">Operating Procedure</h1> | Effective Date | 2/15/18                                                                | Number                                              | 830.A |
|                                                                                                                                   | Amended        | 2/18/13                                                                | Operating Level                                     | Local |
|                                                                                                                                   | Supersedes     | 2/18/13                                                                |                                                     |       |
|                                                                                                                                   | Authority      | COV §53.1-10                                                           |                                                     |       |
| Subject                                                                                                                           |                | ACA/PREA Standards                                                     |                                                     |       |
| SEGREGATION REDUCTION STEP-DOWN PROGRAM                                                                                           |                | None                                                                   |                                                     |       |
| Incarcerated Offender Access                                                                                                      | Public Access  | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>    | Office of Primary Responsibility                    |       |
| Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>                                                               | Attachments    | Yes <input checked="" type="checkbox"/> #3 No <input type="checkbox"/> | Red Onion State Prison – Wallens Ridge State Prison |       |

## I. PURPOSE

Red Onion State Prison (ROSP) and Wallens Ridge State Prison (WRSP) have established procedures for incentive based offender management which will create a pathway for offenders to step-down from security level S to lower security levels in a manner that maintains public, staff and offender safety. The established procedure infuses evaluation tools into the operational design by establishing observable and measurable standards to ensure fidelity in offender management services and programming. This operating procedure provides re-entry transition services by helping to motivate offenders in making appropriate pro-social choices and provide effective programming to assist offenders with making a successful reduction in security level while at the same time providing opportunities for successful re-entry into their communities upon release from incarceration.

## II. COMPLIANCE

This Local Operating Procedure provides institution specific information concerning staff and offender responsibilities pertaining to segregation reduction and re-entry preparation for general population as well as society.

## III. DEFINITIONS

**Dual Treatment Team (DTT)** - A team headed by the Chief of Housing and Programs (CHAP) and representing both ROSP and WRSP; DTT members include but are not limited to: CHAP, Unit Manager, Institutional Program Manager (IPM), Intelligence Officer, Qualified Mental Health Professional (QMHP), Facility Medical Director, Counselor, Correctional Officer, an/or any other staff member with relevant information that is assigned by the respective facility's CHAP.

**Security Level S-** A non-scored security level reserved for offenders who must be managed in a segregation setting; Level S offenders are assessed and assigned to:

- **Intensive Management (IM), Security Level S-** Offenders with the potential for extreme and/or deadly violence; they may have an institutional adjustment history indicating the capability for extreme/deadly violence against staff or other offenders. This group most often would have an extensive criminal history and lifestyle that has escalated so that extreme/deadly violence has become a behavior characteristic. The potential for extreme or deadly violence is not eliminated despite the offender's daily institutional adjustment even when providing more than a year of compliant, polite, and cooperative behavior and attitude. Alternatively, the offender may present a routinely disruptive and threatening pattern of behavior and attitude. Also includes offender incarcerated for a notorious crime that puts them at risk from other offenders.
- **Special Management (SM), Security Level S-** Offenders who may display an institutional adjustment history indicating repeated disruptive behavior at lower level facilities, a history of

fighting with staff or offenders, and/or violent resistance towards a staff intervention resulting in harm to staff, other offenders without the intent to invoke serious harm or the intent to kill, or serious damage to the facility, and where reasonable intervention at the lower security level have not been successful in eliminating disruptive behaviors.

**Security Level 6 (SL6)**- The offender's first step down from Level S into general population; there will be greater opportunities to socialize with other offenders. Security Level 6 offenders will be managed in accordance with Operating Procedure 847.1, Structured Living Unit Program with increased privileges over Level S and will be provided with programming and behavior goals allowing them to earn eligibility for additional privileges. Level 6 offenders are assessed and assigned to:

- **Intensive Management Security Level 6 Closed Pod (IM-SL6)** - Housing reserved for offenders, possibly facing long term in high security, who have successfully completed necessary programming required to step down from Security Level S into Level 6.
- **Secured Integrated Pod (SIP) (SL6)** - Housing reserved for offenders who express resistance to out of cell activities or a general population environment and/or display a pattern of intentionally committing minor disciplinary violations to ensure they are trained in segregation; programming will focus on strategies to reintegrate offenders into a general population setting in preparation for advancement to a lower security level.
- **Secured Allied Management (SAM) (SL6)** – Housing reserved for offenders who may be vulnerable to victimization by other offenders as a result of their cognitive impairment; programming will focus on stabilization and increasing their resiliency to determine if they are appropriate for living in general population.
- **Step-Down Pods Phase I and II (SL6)** – Pods designed for offenders in preparation for transfer to lower security level; programming will focus on beginning the process of re-socialization following potentially lengthy periods housed in segregation. Offenders will work toward participation in limited general population activities such as but no limited to recreation, meals, programming, etc.

**Re-Entry Unit** - Security Level 6 incentive based special housing units that house offenders with 24 months or less remaining on their sentence; re-entry units provide programs designed to prepare offenders to re-enter society. Some services provided during re-entry are education, job training, and risk assessment. Level S offenders with 24 months or less to re-entry will be immediately directed into a Level 6 re-entry program that incorporates accelerated stages of security with the goal of providing a period of socialization prior to release to the community.

**Building Management Team** – A multi-disciplinary team comprised of staff assigned to work in the housing unit that tracks, measures, and advances or lowers offenders to appropriate privilege levels based on established criteria. Members may consist of Unit Manager, Security Supervisors, Counselor, Officer, Mental Health and Investigator. Additional members can be included as needed.

#### IV. PROCEDURE

##### A. Eligibility Criteria for Assignment to Security Level S

1. While Segregation is not a scored security level, it is a type of housing reserved for special purpose bed assignment which is utilized by facilities under proper administrative process for the protective care and management of offenders.
2. The Segregation Qualifiers listed in Operating Procedure 830.2, *Security Level Classification*, indicate that an offender should be considered for assignment to Security Level S. Extreme consideration will be given to offenders who meet the following criteria:
  - a) Aggravated Assault on staff
  - b) Aggravated Assault on staff
  - c) Aggravated Assault on Offender w/weapon or Resulting in Serious Injury w/o weapon

- d) Serious Escape Risk - requiring maximum security supervision
  - e) Commission of Crime of Exceptional Violence and/or Notoriety
  - f) Excessive Violent Disciplinary Convictions - reflecting inability to adjust to a lower level of supervision
  - g) Setting Fire Resulting in Injury to Persons or Extensive Damage to State Property
  - h) Rioting resulting in Injury to Persons or Extensive Damage to State Property
  - i) Seizing or Holding Hostages
  - j) Possession of Firearms, Ammunition, Explosives, Weapons
3. An offender may be assigned to Security Level S through Institutional Classification Authority (ICA), Central Classification Services Review (CCS), Warden of ROSP, Western Regional Operations Chief (ROC) or designee Regional Administrator (RA). The Warden of ROSP and Western Regional Operations Chief or designee will have final approval for the increase of Security Level S.

**B. Intake, Orientation, and Assessment**

1. All Level S offenders arriving at ROSP will be initially housed in the Intake/Orientation Unit which is managed as Special Housing in accordance with Operating Procedure 425.4, *Management of Bed and Cell Assignments (Restricted)*, and Operating Procedure 861.3, *Special Housing*.
  - a. Immediately upon arrival, offenders will be provided an orientation and case plan including goals, expectations, privilege earning process, and step-down process.
  - b. A primary goal of the immediate orientation is to begin a positive rapport, motivate offenders to want to participate in the assessment process and step-down program, and outline the expectation and benefits the offender can anticipate.
  - c. Programming will begin during the offender's stay in the Intake/Orientation unit.
  - d. At the completion of the Intake/Orientation process, offenders will be referred to the Dual Treatment Team where they will be:
    - i. Assigned to either Intensive Management (IM) or Special Management (SM) path based on their identified risk level

**C. Screening and Assessment** – an initial battery of assessments will be used to establish a baseline for each offender. Assessments will be repeated at mid-point and completion of each major program curriculum (the Challenge Series, Thinking for a Change, and other possible curricula) to measure change.

1. Counselors will engage offenders in a review of the findings from the assessment instruments and use Effective Communication skills to:
  - a. Build Rapport
  - b. Validate the Offender's profile including risks and needs
  - c. Engage the offender in developing a program and management plan
  - d. Help improve the offender's motivation to participate in the Step-Down program
2. Each Security Level S offender will complete a battery of assessment instruments during Intake/Orientation to include the following:
  - a. COMPAS – The findings from the COMPAS will be used to reach the following goals:
    - i. Program Planning – support development of Program/Management Path plans based on identified risks and needs
    - ii. Criminal Thinking Scales (CTS) – Introduced at intake to create a baseline of criminogenic thinking and repeated at intervals to measure change in criminal thinking
  - b. TCU Criminogenic Scales
    - i. Social Function Scales (SOC)

- ii. Psychological Functioning Scales (PSY)
- iii. Treatment Needs and Motivations Scales (MOT) (as needed)
- iv. Treatment Engagement and Process Scales (ENG) (as needed)
- c. Other COMPAS Screeners to be considered but not required initially
  - i. TCU Drug Screening
  - ii. NIJ Mental Health Screening
  - iii. VASOC (sex offender recidivism)

#### D. Intensive Management Pathway (IM)

1. IM privilege levels are IM0, IM1, IM2 and IM-SL6
  - a. IM-0 is the initial privilege level for offenders being placed in the IM-Pathway. Offenders who choose to participate in the step down program, may progress to higher IM privilege levels. Offender choosing not to participate in the step down program will remain at IM-0 Status and will receive the basic requirements set forth in Operating Procedure 861.3, *Special Housing*.
  - b. Security Level VI is the lowest security level for offenders in the IM Pathway.
2. Offenders on the Intensive Management Pathway will be afforded privileges in accordance with the Intensive Management Privilege Level Chart, Attachment 1. Assignment to privilege levels will be done by the Building Management Team. Building Management Team actions should be done informally as a program assignment. Actions should be documented on the Classification Hearing Docket – DOC 11F (See Operating Procedure 830.1, *Facility Classification Management*)
3. Intensive Management Status Level Goals
  - a. Offenders participating in the Step-Down Program will be challenged to meet goals in three areas:
    - i. Disciplinary Violation goals – To reduce or eliminate disciplinary violations
    - ii. Responsible behavior goals
      - Personal Hygiene
      - Standing for count
      - Cell Compliance
      - Deportment; satisfactory rapport with staff and offenders
    - iii. Program participation goals
      - To participate in programs initially in-cell and eventually moving to therapeutic modules, program chairs, and finally to unrestrained during counseling and small group programming.
  - b. As offenders meet goal levels, they will be eligible to advance from IM0, IM1, to IM2. As offenders advance in status, they will earn additional privileges (outlined on a separate IM Privilege Level Chart).
  - c. Rating System – to be documented on Special/Intensive Management Status Rating Chart, Attachment 2
    - i. The Unit Manager (or designee) will track each offender's charges
    - ii. Responsible Behavior will be rated each week by Correctional Officers, Counselors, and the Unit Manager as "*poor, acceptable, or good*" in each category (cell compliance, personal hygiene, standing for count, and respect)
    - iii. Treatment Officers will rate each offender's program participation for that week as either "*incomplete, complete or positive effort*"
  - d. It is valuable for Officers, Counselors, and the Unit Manager to communicate with each offender routinely on their ratings as an opportunity to acknowledge positive performance as well as to motivate them to improve when needed.
4. Assignment to Lower Incentive Level
  - a. Offenders that do not meet the standards for disciplinary, responsible behavior, and/or self-

improvement and programming can be placed back to a lower incentive level by decision of the Building Management Team

- b. When an offender received a serious disciplinary offense or refuses over a period of time to meet standards for responsible behavior or program participation, the Building Supervisor or higher authority can decide to immediately lower an offender's status. The Building Management Team will review all such actions.

#### E. Special Management Pathway (SM)

1. SM privileges are SM0, SM1, SM2, and SM-SL6
2. SM-0 is the initial privilege level for offenders being placed in the SM-Pathway. Offenders who choose to participate in the step down program, may progress to higher SM privilege levels. Offender choosing not to participate in the step down program will remain at SM-0 Status and will receive the basic requirements set forth in Operating Procedure 861.3, *Special Housing*
3. SM0 Offenders having completed Intake/orientation at ROSP and demonstrated satisfactory participation in the step-down program may be assigned to SM 1 or 2 and either retained at ROSP or may be transferred to WRSP in some circumstances
4. Offenders on the Special Management Pathway will be afforded privileges in accordance with the Special Management Privilege Level Chart, Attachment 3. Assignment to privilege levels will be done by the Building Management Team. Building Management Team actions should be done informally as a program assignment. Actions should be documented on the Classification Hearing Docket – DOC 11F (See Operating Procedure 830.1, *Facility Classification Management*)
5. Special Management Status Level Goals
  - a. Offenders participating in the Step-Down Program will be challenged to meet goals in three areas:
    - i. Disciplinary Violation goals – To reduce or eliminate disciplinary violations
    - ii. Responsible behavior goals
      - Personal Hygiene
      - Standing for count
      - Cell Compliance
      - Deportment; satisfactory rapport with staff and offenders
    - iii. Program participation goals
      - To participate in programs initially in-cell and eventually moving to therapeutic modules, program chairs, and finally to unrestrained during counseling and small group programming.
  - b. As offenders meet goal levels, they will be eligible to advance from SM0, SM1, to SM2. As offenders advance in status, they will earn additional privileges (outlined on a separate SM Privilege Level Chart).
  - c. Rating System – to be documented on Special/Intensive Management Status Rating Chart, Attachment 2
    - i. The Unit Manager (or designee) will track each offender's charges
    - ii. Responsible Behavior will be rated each week by Correctional Officers, Counselors, and the Unit Manager as "*poor, acceptable, or good*" in each category (cell compliance, personal hygiene, standing for count, and respect)
    - iii. Treatment Officers will rate each offender's program participation for that week as either "*incomplete, complete or positive effort*"
  - d. It is valuable for Officers, Counselors, and the Unit Manager to communicate with each offender routinely on their ratings as an opportunity to acknowledge positive performance as well as to motivate them to improve when needed.
6. Assignment to Lower Incentive Level

- a. Offenders that do not meet the standards for disciplinary, responsible behavior, and/or self-improvement and programming can be placed back to a lower incentive level by decision of the Building Management Team
- b. When an offender received a serious disciplinary offense or refuses over a period of time to meet standards for responsible behavior or program participation, the Building Supervisor or higher authority can decide to immediately lower an offender's status. The Building Management Team will review all such actions.

#### F. Level 6; SIP, SAM and Step-Down

1. Following a successful period in IM or SM, offenders will be eligible for advancement and to step-down from Level S to their first introduction into general population at Security Level 6.
  - a. Prior to advancement to Security Level 6, each offender will be formally reviewed by the Institutional Classification Authority (ICA) in accordance with Operating Procedure 830.1, *Facility Classification Management*.
    - i. Recommendations for advancement to Level 6 will be referred to the Dual Treatment Team.
    - ii. The Dual Treatment Team will escalate their recommendations to the Warden for final decision.
  - b. The purpose of Level 6 is to reintroduce offenders into a social environment with other offenders, and to serve as a proving ground and preparation for stepping down to Level 5.
  - c. At Level 6, Offenders are assigned to an appropriate program pod based upon the common characteristics and motivations that resulted in the offender's assignment to Level S initially.
  - d. The various program pods are designed to be responsive to the common goals for each sub-population: I/M Closed Pod, Secure Allied Management Pod/Secure Integrated Pod (SAM/SIP), SM Re-Entry, IM Re-Entry, or Step-Down Pod
  - e. Each sub-population of Security Level 6 (SL6) will have two phases.
2. Step Down Phase 1
  - a. New transfers from SM to Level 6 will come out of cell unrestrained individually (no other offenders out of cell unrestrained at the same time) for at least their first 7 days to assess their adjustment out of Restrictive Housing into a General Population environment.
  - b. Single Celled
  - c. Unrestrained to shower and recreation
  - d. In-Pod recreation 1 tier at a time for 1 hour on days there is no outside recreation
  - e. Outside recreation 1 tier at a time for 1 hour, three times per week
  - f. Programming will be conducted in small groups. The primary curriculum will be Thinking for a Change which may be supplemented with additional curriculum. The amount of offenders placed within the group will be consistent with Thinking for a Change protocols.
  - g. Walk to meals 1 tier at a time with no more than one tier in the dining hall at a time.
3. Step Down Phase II
  - a. Double celled
  - b. Unrestrained to shower and recreation
  - c. In-Pod recreation 1 tier at a time for 1 hour on days there is no outside recreation
  - d. Outside recreation 1 tier at a time for 1 hour, three times per week
  - e. Programming will be conducted in small groups. The primary curriculum will be Thinking for a Change which may be supplemented with additional curriculum. The amount of offenders placed within the group will be consistent with Thinking for a Change protocols.
  - f. Walk to meals 1 tier at a time with no more than one tier in the dining hall at a time.
4. Secured Allied Management Pod (SAM) Secure Integrated Pod (SIP)

- a. The SIP/SAM pod is designed for offenders who have a pattern of intentionally committing numerous minor disciplinary violations to ensure they are retained in Restrictive Housing rather than returned to General Population. Programming will focus on strategies to socially reintegrate offenders in preparation for advancement to Level 5.
  - b. The following management protocols are in place for both SIP and SAM units:
    - i. Single-Celled Housing
    - ii. Meals will be eaten in cell
    - iii. Move unrestrained to shower and recreation
    - iv. Programming will be delivered in Secure Chairs or small groups in the pod
    - v. The Challenge Series must be completed prior to entering these programs
    - vi. Options: At a minimum of 30 days, offenders may participate in the following options upon being reviewed and approved by the building management committee:
      - Group Meals in pod up to 1 tier at a time
      - In-pod group recreation up to 1 tier at a time
      - Outside group recreations up to 1 tier at a time
5. Step-Down Pod – Security Level 6
- a. The Step-Down program is for previously SM offenders that do not meet the criteria for SAM or SIP. (IM offenders are not eligible for Step-Down Phase I/II) These are offenders with a lengthy history of disciplinary behavior including assaultiveness (but do not rise to the level of dangerousness reserved for IM status), or multiple charges for non-compliance with facility rules. They have spent frequent and lengthy periods in Restrictive Housing and with limited social contact with others. They have also satisfactorily completed the requirements for SM1 and SM2 indicating a new pattern of complying with rules and appropriate interactions with staff and other offenders. They will have also completed the Challenge Series Programming increasing the likelihood for a change in thinking and attitude and an increased sense of responsibility and maturity.
  - b. However, while in Level S Restrictive Housing, they have adjusted their routines and attitudes and acclimated to long periods of time alone with limited social interactions. Therefore, programming will focus on beginning the process of resocialization in preparation for stepping down to Level 5. A primary curriculum will be *Thinking for a Change (T4C)* as a tool for offenders to understand the connection between their thinking and their behavior as a means to improve more responsible and self-directed behavior in contrast to impulsive and reactionary behavior, and improved decision-making skills.
6. Level 6; IM Closed Pod
1. Following a successful period in IM, offenders will be eligible for advancement and to step-down from Level S to their first introduction into general population at Level 6. The purpose of IM Level 6 is to create an opportunity for an increased quality of life for offenders possibly facing a long term in high security.
  2. IM Closed Phase I offenders in Level 6 will continue to be managed per Special Housing Guidelines policy 861.3 to include single celled housing, segregated recreation, and out of cell restraints. Pod workers will wear a level of restraints deemed appropriate by the Unit Manager to maintain safety and security. Security Level 6, Phase I IM Closed Offenders will have increased privileges over Level-S. Phase I, IM offenders can earn eligibility for additional privileges to include:
    - Limited in-pod job assignments, (meeting specific eligibility criteria)
    - Programming in-cell and in secure chairs up to 5 offenders in a group
    - Video visitation and extended in person visitation
    - JP5 players available for purchase in commissary for audio books and music
    - Productive activities such as a structured art program and creative writing with out of cell meetings in secure chairs
    - Food Service Support projects out of cell at a secure work station.

3. Offenders who have advanced to Phase II of this program will have the opportunity to earn eligibility for additional privileges to include:
  - i. Continued privileges outlined in Phase I
  - ii. Contact visitation in secure chair
  - iii. Extended Commissary spend limits
4. Upon a 12 month, successful and charge free housing assignment in IM Closed Phase I, an offender may be eligible to progress to IM Closed Phase II, upon approval by the Building Management Committee
5. IM Closed Phase II offenders may receive the same privileges as offenders assigned to IM Closed Phase I in addition to; increased commissary spend limit and additional phone usage. Offenders assigned to IM Closed Phase II may be allowed to move unrestrained to and from specified activities, such as recreation and showers at the discretion of the building committee.

#### G. Enhanced Security Options

1. Level S Offenders will be managed in accordance with Operating Procedure 425.4, *Management of Bed and Cell Assignments (restricted)*, and Operating Procedure 861.3, *Special Housing*
2. As part of this initiative, a number of advanced security measures, beyond required procedures, are being instituted to enhance officer safety to include, but not limited to, the following:
  - i. All Restrictive Housing offender property will be x-rayed during cell shakedowns and bed moves.
  - ii. During cell searches, shakedowns, or bed moves the BOSS (Body Orifice Security Scanner) chair will be used to detect the presence of metal contraband that might be concealed inside the offenders' body.
  - iii. Two officers will be stationed on the floor during any offender movement in buildings housing SL-6.
  - iv. A K-9 will be present outside of the housing units during any out of cell movement including showers, recreation, and movement to the Therapeutic Modules or Program Chairs for programming or work for security level 6 offenders.
  - v. Following any incident involving the use of restraints (ambulatory restraints, 5-point humane restraints, the use of a security strip cell) the offender's behavior will be reviewed by the Unit Manager and/or members of the Building Management Committee before the offender is returned to normal management status.
  - vi. Therapeutic Modules and Security Chairs will be used to allow Level S offenders to come out of cell for individual interviews or to join small groups (of up to 5 offenders) facilitated by a Treatment Officer. This increases the effectiveness of programming while ensuring safety for both staff and other offenders.

#### H. Formal Programming

1. Challenge Series
2. Thinking for a Change
3. GED Education
4. TCU Brief Interventions

#### I. Level S/Level 6 Reentry Program

- a. A Level S/Level 6 Reentry Program has been developed at ROSP for offenders within the SM and IM pathways. These programs will address many of the identified risks and needs and prepare the offender for return to the community. The reentry program includes an accelerated level of programming and appropriate social interactions between the offender, staff, and other offenders as part of a broader reentry strategy to prepare them for return to the outside community. Attention to reentry will begin at five (5) years prior to release. This will allow

ample time to develop a success-based reentry plan, for a GED to be attained, to complete vocational training, and to build a sufficient savings account. At two-years prior to release Level S and Level 6 offenders will be diverted into the Level S/Level 6 Reentry Program from whatever point they may be in the Level S step-down program. Also to assist in reentry efforts at lower level facilities, offenders who are within 9 months of release to the community and are refusing reentry programming offered to them may be assigned to this program by following the existing procedures for assignment to ROSP from another facility.

- b. Each offender diverted into the reentry path should have their assessments reviewed or updated to include COMPAS assessments (risk/needs, CTS) by the Unit Manager and the Building Management Committee. Additionally, a Psychological Self-Efficacy Evaluation may be completed which will help assess the offender's level of self-reliance, considered an important factor in their reliability to accomplish the multitude of tasks facing them at reentry. This Evaluation will be conducted by a QMHP and the results discussed with the Unit Manager and the Building Management Committee
- c. Upon completion of the assessment, the offender will be aligned with the appropriate programming. Some of the programs that are offered may include but are not limited to the following:
  - Anger Management
  - Resources for Successful Living
  - P.R.E.P.S.
  - Challenge Series
  - Thinking for a Change
  - Thinking for a Change Aftercare
  - ServSafe
  - Ready to Work
  - Cognitive Self Change
  - Re-Entry – Skills for Successful Living
  - Re-Entry – Money Smart
  - Decision Points

#### J. SM Re-Entry

- a. The first six months of reentry programming will be delivered to the offenders in the Security Chairs. In the second six-months offenders may be advanced to unsecured direct contact with staff that will occur one to one. During this time, the offenders may advance to small groups for programming with other reentry offenders participating in the program. The assessment of the offender's readiness to advance will be determined by the Unit Manager and the Building Management Committee. Some factors to be considered are: the behavior patterns of the offender, the willingness of the offender to participate in programming and the offender's participation
- b. Special security measures can be implemented when needed to include specialized movement, programming being delivered by specially trained treatment officers, having K-9 present in front of the housing unit or additional officers present within the Reentry Pod. The decision to adapt the security measures would be made by the Unit Manager and the Building Management Committee.
- c. Progression from restrained to unrestrained movement in SM-Re-Entry will be determined with the approval of the building committee.
- d. For the final six months of reentry, Level 6 SM Re-Entry offenders may be reduced to Level 5

and transferred to the Sussex I reentry program if their plan includes releasing to the north, south or eastern regions of the state, or into the WRSP Level 5 reentry program if they will be releasing to the western region

#### K. IM Re-Entry

- a. Programming for the offenders housed in IM Re-Entry is similar to that of the programming offered to SM-Re-Entry. Additional programming will be made available to address the needs of the offenders participating in the program.
- b. Security measures will mirror those currently utilized within IM Closed. Progression from Phase I to Phase II IM Re-Entry may be determined based on the review and approval of the Building Management Committee.
- c. Phase II offenders will walk unrestrained to and from the showers and recreation when no other offenders or staff members are present on the pod floor.

#### L. Review of Offender Classification Assignments

##### 1. Bi-Annual External Review Team

- a. A team external to ROSP and WRSP will perform bi-annual reviews of each offender's case assigned to ROSP and WRSP in Security Levels S and 6. The review will include, but not be limited to, the following areas:
  - i. Is the offender currently appropriately assigned to Level S?
  - ii. Does the offender meet the criteria for the Intensive Management or Special Management path to which they are assigned?
  - iii. Does the offender require a pathway change at this time?
  - iv. Has the Dual Treatment Team made appropriate decisions to advance the offender through the step-down process?
- b. The External Review Team will consist of the following members or designee:
  - i. Security Operations Manager, Chairman
  - ii. Regional Operations Chief of the Eastern and Central Regions
  - iii. Chief of Offender Management
  - iv. Manager of Classification and Records
  - v. Reentry and Programs Administrator
  - vi. Chief of Mental Health Services
  - vii. Chief Nurse

#### M. Western Regional Operations Chief, External Review

- a. The Regional Operations Chief/Regional Administrator will provide an external review in the following situations:
  - i. In advance of offender movement from any facility to ROSP for placement in Level S; the Regional Operations Chief must approve the transfer of any offender to ROSP and assignment to Level S.
  - ii. In advance of any change in offender classification level including:
    - (a) Reassignment from a lower classification (other than security level 6) to Level S
    - (b) Reassignment from Level S to Level 6; the Regional Operations Chief or designee will review cases in which the two Wardens do not agree.
    - (c) Reassignment from Level 6 to Level 5
- b. Wardens Review - Wardens are responsible for the following decisions:
  - i. For reassignment from Level S to Level 6 or Level 6 back to Level S, decisions will be made by the Warden of ROSP or WRSP depending on where the Level S offender is located.
  - ii. For reassignment from Level 6 to Level 5, the recommendation will be made by the Warden

- of ROSP with an External Review by the Regional Operations Chief/Regional Administrator.
- iii. For Level-5 transfers from ROSP to WRSP, the decision will be made by consensus of the ROSP and WRSP Wardens. If consensus cannot be reached, the decision will be referred to the Regional Operations Chief
- c. Central Classification Services (CCS) Review
    - i. Reassignment from any all lower classification (security level 1-5) to Level S will result in the following approval process: Referring facility->Central Classification Services->Warden of the primary Maximum Security Prison (currently ROSP)->Regional Operations Chief (ROC) or designee Regional Administrator (RA)
    - ii. The Warden and Western Regional Operations Chief or designee will have final approval for the increase of security level
  - d. Dual Treatment Team Review
    - i. The Dual Treatment Team (DTT) refers to a team headed by both Chiefs of Housing and Program representing both ROSP and WRSP. Representatives from both ROSP and WRSP will make up the DTT may include, but not limited to, the following individuals or their designees:
      - Chief of Housing and Programs
      - IPM / Cognitive Counselor
      - Unit Manager
      - Investigator / Intelligence Officer
      - Qualified Mental Health Professional (QMHP)
      - Counselor (s) – (Counselors directly involved in the management of the offenders being reviewed should be utilized.)
      - Corrections Officer - (When possible, line staff members directly involved with the management of the offenders being reviewed should be involved.)
    - ii. The Dual Treatment Team is responsible to review individual offenders and make certain recommendations. Recommendations by the Team are reached through dialogue and consensus. Decisions will not be made by a voting majority. The team is responsible to consider a variety of options when necessary until a recommendation is reached which all members can support. If there is difficulty reaching consensus, then the team should default to the safer options. Decisions are the responsibility of the Wardens and Regional Operations Chief. The Dual Treatment Team is may be responsible for the following reviews and recommendations:
      - Advise the Regional Operations Chief and Warden if the team believes an offender may not meet the criteria for Level S status (The Dual Treatment Team is authorized to make contact with the staff from any sending facility to gather background information.) If at any time, evidence is obtained that an offender no longer needs to be a Level S or was assigned as a Level S incorrectly, the Dual Treatment Team shall advise the Regional Operations Chief and Warden of this information and present it to them for consideration.
      - The Dual Treatment Team will meet and interview offenders as part of the process in determining the offenders pathway
      - Assignment of Level S Intake/Orientation offenders at ROSP to IM or SM status
      - Assigning IM offenders from Level S to Level 6 Closed Pod and IM Re-Entry
      - Assigning offenders from SM2 to Level 6
      - Review of the QMHP's assessments on any mental health services provided for serious mental illness to include but not limited to crisis intervention, screening, psychological assessment and psychoeducational services, individual and group therapy, treatment planning, that may contribute to the appropriate housing
    - iii. The work of the Dual Treatment Team requires not only an understanding of the criteria for

the different offender sub-groups, but also the use of judgment especially when making recommendations regarding IM offenders, level of danger and assignment to appropriate pathways. Therefore, the Dual Treatment Team will meet at least quarterly to dialogue on scenarios as a means to strengthen their evaluation of high risk offenders and review offenders that are being recommended to be considered for a status or pathway change. This committee may meet more often as circumstances deem necessary. Factors the Dual Treatment Team should review would include:

- Identifying possible offender motivators and triggers,
- Investigating not only institutional adjustment history but the history of street behavior and crimes,
- Considering offender intent in addition to the results of their actions,
- Review and interpretation of assessment results (COMPAS, CTS, etc.)
- All as a way of helping to determine the offender's potential for high risk behavior.

e. Building Management Committee

f. The Building Management Committee refers to a grouping of individuals directly involved in the operations of a specific unit at ROSP and WRSP. These committees will be convened at least monthly to discuss offender statuses and unit incentives and sanctions. This grouping will be made up of but not limited to the following individuals:

- Chief of Housing and Programs
- Unit Manager
- Counselor
- Unit Security Supervisors
- Security Line Staff
- Treatment Officers
- Qualified Mental Health Professional (QMHP)

g. The Building Management Committee is responsible to review individual offenders and make certain recommendations. Recommendations by the team will be made through dialogue and consensus. Decisions will not be made by a voting majority. The team is responsible for considering a variety of options when necessary until a recommendation is reached which all members can support. If there is difficulty reaching consensus, then the team should default to the safer options. Decisions are the responsibility of the Chief of Housing and Programs. The Building Management Committee is responsible for the following reviews and recommendations:

- Assigning offenders to SM0, SM1, and SM2
- Assigning offenders to IM0, IM1, and IM2.
- Assigning offenders to return to earlier levels due to excessive disciplinary behavior or unsatisfactory performance.
- Discussing and preparing recommendations to be presented to the Dual Treatment Team and ICA.
- Discussing and adjusting individual pod incentives and sanctions based on behavior, infractions, incidents, etc.
- Reviewing individual offenders upon being removed from security protocols due to behavioral issues and prior to being returned to normal status, i.e. five point restraints, ambulatory restraints, security strip cell.

h. Institutional Classification Authority

a. Each Level S offender will be reviewed at a minimum of every 90 days by the ICA, or more frequently as necessary, to ensure the reclassification of Level S offenders is consistent with policy.

## V. REFERENCES

Operating Procedure 425.4, *Management of Bed and Cell Assignment*

Operating Procedures 830.1, *Facility Classification Management*

Operating Procedures 830.2, *Security Level Classification*

Operating Procedure 841.7, *Structure Living Unit*

Operating Procedure 861.3, *Special Housing*

## VI. FORM CITATIONS

Intensive Management Privilege Level Chart, Attachment 1

Special/Intensive Management Status Rating Chart, Attachment 2

Special Management Privilege Level Chart, Attachment 3

## VII. REVIEW DATE

The office of primary responsibility shall review this operating procedure annually and re-write it no later than October 1, 2020.

\_\_\_\_\_  
Jeff Kiser, Warden

\_\_\_\_\_  
Date

\_\_\_\_\_  
Henry Ponton, Regional Operations Chief

\_\_\_\_\_  
Date



|                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                       |                                                                                           |                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|--------------------------------------|
|                                                                                                                                                                                                                                               | <h1>Operating Procedure</h1>                                                                                                                                                          | <b>Effective Date</b><br>May 1, 2015                                                      | <b>Number</b><br>420.2               |
|                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                       | <b>Amended</b><br>9/4/15, 10/2/15, 7/29/16                                                | <b>Operating Level</b><br>Department |
|                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                       | <b>Supersedes</b><br>Operating Procedure 420.2 (5/1/12)                                   |                                      |
|                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                       | <b>Authority</b><br>COV §53.1-10, §53.1-40.1                                              |                                      |
| <b>Subject</b><br><b>USE OF RESTRAINTS AND MANAGEMENT OF OFFENDER BEHAVIOR</b>                                                                                                                                                                                                                                                 |                                                                                                                                                                                       | <b>ACA/PREA Standards</b><br>4-4190, 4-4190-1, 4-4191, 4-4202, 4-4224, 4-4264; 2-CO-3A-01 |                                      |
| <b>Incarcerated Offender Access</b><br>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>                                                                                                                                                                                                                     | <b>Public Access</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/><br><b>Attachments</b> Yes <input checked="" type="checkbox"/> #1 No <input type="checkbox"/> | <b>Office of Primary Responsibility</b><br>Security Operations Manager                    |                                      |
| <p>Portions of this operating procedure are excluded from public disclosure under the Virginia Freedom of Information Act and have been redacted in accordance with <u>COV §2.2-3704.01</u>.</p>                                                                                                                               |                                                                                                                                                                                       |                                                                                           |                                      |
| <p><b>I. PURPOSE</b></p>                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                       |                                                                                           |                                      |
| <p>This operating procedure establishes guidelines for the control and management of offender behavior through the use of restraining devices, restricted feeding, and other behavior management and control techniques.</p>                                                                                                   |                                                                                                                                                                                       |                                                                                           |                                      |
| <p><b>II. COMPLIANCE</b></p>                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                       |                                                                                           |                                      |
| <p>This operating procedure applies to all units operated by the Department of Corrections (DOC). Practices and procedures shall comply with applicable State and Federal laws and regulations, Board of Corrections policies and regulations, ACA standards, PREA standards, and DOC directives and operating procedures.</p> |                                                                                                                                                                                       |                                                                                           |                                      |
| <p><b>III. DEFINITIONS</b></p>                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                       |                                                                                           |                                      |
| <p><b>Administrative Duty Officer (ADO)</b> - A member of the senior management team of a facility or P&amp;P Office who is assigned on a rotating basis to remain in contact with on-duty staff at the unit.</p>                                                                                                              |                                                                                                                                                                                       |                                                                                           |                                      |
| <p><b>Ambulatory Restraints</b> - Utilization of handcuffs, leg irons, black box, and either a waist chain or a chain connecting the black box on the handcuffs to the leg irons; this is generally the first level of restraints utilized in physical management of offender disruptive behavior.</p>                         |                                                                                                                                                                                       |                                                                                           |                                      |
| <p><b>Community Corrections Facility</b> - A residential facility operated by the Department of Corrections to provide the Detention Center Incarceration program in accordance with <u>COV §53.1-67.8</u> or the Diversion Center Incarceration Program in accordance with <u>COV §53.1-67.7</u>.</p>                         |                                                                                                                                                                                       |                                                                                           |                                      |
| <p><b>Disability</b> - A physical or mental impairment that substantially limits a major life activity.</p>                                                                                                                                                                                                                    |                                                                                                                                                                                       |                                                                                           |                                      |
| <p><b>Disciplinary Segregation</b> - Special purpose bed assignment in which the offender is confined without privileges; imposed by the Hearings Officer as a penalty for conviction of a disciplinary offense</p>                                                                                                            |                                                                                                                                                                                       |                                                                                           |                                      |
| <p><b>Door Tether</b> - A long strap inserted through the tray slot of the cell door to fasten an offender's handcuffs while the offender is kneeling to apply leg irons; offenders shall not be escorted with the door tether attached.</p>                                                                                   |                                                                                                                                                                                       |                                                                                           |                                      |
| <p><b>Facility</b> - Any community corrections facility or institution</p>                                                                                                                                                                                                                                                     |                                                                                                                                                                                       |                                                                                           |                                      |
| <p><b>Five Point Restraints</b> - A method of restraining an offender where the offender is placed face up on the bed with both arms and legs restrained; a chest strap is placed over the offender's chest.</p>                                                                                                               |                                                                                                                                                                                       |                                                                                           |                                      |
| <p><b>Flex Cuffs</b> - Plastic restraints that may be utilized in temporary or emergency situations</p>                                                                                                                                                                                                                        |                                                                                                                                                                                       |                                                                                           |                                      |
| <p><b>Four Point Restraints</b> - A method of restraining an offender where the offender is placed face up on the bed with both arms and legs restrained.</p>                                                                                                                                                                  |                                                                                                                                                                                       |                                                                                           |                                      |
| <p><b>General Detention</b> - Special purpose bed assignments, utilized under proper administrative process, for the immediate secure confinement of offenders pending review for an appropriate assignment</p>                                                                                                                |                                                                                                                                                                                       |                                                                                           |                                      |

**Impairment** - A medically documented physiological condition or disorder affecting a body system; the condition must be of a permanent or long-term nature.

**Institution** - A prison facility operated by the Department of Corrections - includes major institutions, field units, and work centers.

**Medically Approved Restraints** - Any soft restraint that has been approved for use within DOC institutions.

**Mid-level Practitioner** - Nurse Practitioner and Physician Assistant

**Pre-Hearing Detention (PHD)** - Special purpose bed assignments utilized under proper administrative process for the immediate confinement of offenders who have been charged with an offense under the Offender Disciplinary Procedure, are awaiting a Disciplinary Hearing, and are considered to be a potential threat to persons, property, or for escape.

**Protective Custody Unit** - A special purpose general population housing unit designated by the Director for offenders classified as requiring separation from other offenders as a result of their personal security needs; offenders requesting and requiring assignment to a protective custody unit may be managed in General Detention and Segregation, as appropriate, pending assignment and transfer.

**Qualified Mental Health Professional (QMHP)** - An individual employed in a designated mental health services position as a Psychologist or Psychology Associate, Psychiatrist, Social Worker (Masters level) or Registered Nurse or an individual with at least a Master's degree in psychology, social work or relevant human services field with knowledge, training, and skills in the diagnosis and treatment of mental disorders.

**Segregation** - Special purpose bed assignments operated under maximum security regulations and procedures, and utilized under proper administrative process, for the personal protection or custodial management of offenders.

**Special Housing** - A general term for special purpose bed assignments including segregation, disciplinary segregation, general detention, and pre-hearing detention

#### IV. PROCEDURE

##### A. Management of Offender Behavior

1. Correctional facilities must control and manage offender behaviors for the safety of the public, employees, and offenders. This may be preemptive control such as the use of restraints when transporting offenders outside secure facilities or it may be control imposed due to the actions or threat of actions by offenders within the facility. This operating procedure provides guidance on the use of restraining devices in DOC facilities. (2-CO-3A-01) (added 10/2/15)
2. Facility staff should provide appropriate intervention and control of unusual or problematic offender behavior as needed to protect the offender, staff, and other offenders, and to maintain a sanitary, safe, and secure environment.
3. Because unusual or problematic offender behavior may occur as the result of physical illness or mental disorder (including personality disorders) or may be deliberately manipulative to gain desired ends, facility administration, security, mental health, and medical staff must work together closely to determine the appropriate level and duration of controls imposed on each offender.
4. The control measures in this procedure must be appropriately matched to the seriousness of the behaviors they are intended to control.
  - a. The controls must not be applied any longer than necessary to manage the targeted behaviors.
  - b. The use of excessive controls may be equated to the use of excessive force.
5. In facilities where a QMHP is not assigned and an offender is demonstrating disruptive, self-injurious behavior or other signs of a possible mental disorder, a Nurse will be notified to provide a preliminary assessment and contact either the QMHP at a designated major facility or the designated Mental Health Clinical Supervisor regarding the possible assessment, treatment, and management of

the individual. Transfers are initiated only as needed and after consultation and review of interventions.

#### B. Approved Restraint Equipment

1. Restraint equipment authorized for use in the DOC is listed in Attachment 1, *Approved Restraints*.
2. All purchases of security equipment must be approved by the Office of Special Operations.
3. Instruments of restraint may never be applied as punishment and are applied only with the approval of the Facility Unit Head or designee. (4-4190)
  - a. For DOC institutions, this procedure serves as the Facility Unit Head's approval for use of restraints other than restraints applied within a cell, which requires specific advance approval by the Facility Unit Head or designee.
  - b. Each use of restraints in Community Corrections facilities requires the specific approval of the Facility Unit Head.
4. The use of personally owned restraints is prohibited.

#### C. Restraint Application Procedures (added 9/4/15)

1. **[Information redacted]**
  - a. **[Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]**
  - b. **[Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]**
  - c. **[Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]**
  - d. **[Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]**
  - e. **[Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]**
  - f. **[Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]**
2. **[Information redacted pursuant to]**
  - a. **[Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]**
  - b. **[Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]**
  - c. **[Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]**
3. **[Information redacted]**
  - a. **[Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]**
  - b. **[Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]**
  - c. **[Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]**
4. **[Information redacted]**
  - a. **[Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]**
  - b. **[Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]**

- [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
- c. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
- d. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
5. [Informat
- a. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
- b. [Information redacted pursuant to Code of Virginia
- c. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
- d. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
- e. [Information redacted pursuant to Code of Virginia
6. [Information redacted
- a. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
- b. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
- c. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

#### D. Approved Offender Behavior Control Techniques

1. Offenders who threaten the safety and security of a Community Corrections facility should be separated from the general population and removed from the facility under a *PB-15, Arrest Authority*.
2. Offenders who threaten the safety and security of an institution may be removed from the general population and placed in special housing by use of appropriate administrative process.
3. Specific property items may be removed from an offender's possession to prevent harm to the offender or others.
  - a. Property removal may range from removing specific items to stripping the cell of all property.
  - b. Any removal of property must be properly documented in accordance with Operating Procedure 802.1, *Offender Property*.
4. Special control measures may be needed for special problems such as restricting water flow to a cell that an offender has tried to flood or the use of restricted feeding procedures for offenders who disrupt food service operation. Any restriction of services to an offender must be properly documented using a *Special Housing: Denial of Activity/Service* 425\_F3.
5. Watches consisting of more frequent or continuous observation of the offender may be used to prevent self-injury by the offender in accordance with Operating Procedure 730.5, *Mental Health Services: ~~Suicide Prevention and Behavior Management~~*.

6. With proper approvals, in-cell restraints may be used to prevent an offender from causing harm to self or others.
7. No control measure shall be imposed and no item or activity shall be withheld for the purpose of punishment or for longer than necessary to ensure the safety and well-being of the offender and others.

#### E. Reporting Incidents

1. Facility Unit Heads shall report incidents in accordance with Operating Procedure 038.1, *Reporting Serious or Unusual Incidents*.
2. All use of restraints other than for routine offender movement in institutions and all use of controls must be properly documented and applied under the appropriate administrative controls.
3. A written report shall be submitted to the Facility Unit Head or designee no later than the conclusion of the tour of duty when an offender remains in restraints at the end of the shift. (4-4202) This does not include routine use of restraints, i.e. transportation or movement of offenders in special housing.

### V. RESTRAINTS USED AS PREEMPTIVE CONTROL

#### A. Use of Restraints during Offender Transportation

1. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
2. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
  - a. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
  - b. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
  - c. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
3. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

#### B. Movement of Special Housing Offenders

1. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
  - a. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
  - b. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
  - c. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
  - d. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

[Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

e. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

2. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

a. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

b. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

#### C. Other Preemptive Control Situations

1. Hands may be restrained behind the offender's back when, in the judgment of the officer in control, the offender poses a danger to the officer or other persons.
2. The Facility Unit Head may authorize the use of an electronic security belt when deemed appropriate and necessary to move an offender within the facility, during transportation, at hearings, at medical appointments, etc. An electronic security belt shall not be used as an in-cell restraint.
3. An offender in restraints should never be allowed direct contact with an offender who is not restrained.

#### D. Restraining Offenders with Disabilities

1. Before restraining an offender who may have a medically documented disability, security staff should consult with a physician or mid-level practitioner to determine any restrictions on applying restraints.
2. Unless there is a medically documented restriction regarding the use of restraints, restraints should be applied to disabled offenders taking into account any illness or disability that adversely affects an offender's stability, balance, and/ or coordination in accordance with this operating procedure in the same manner as any other offender. (changed 9/4/15)
3. Force multipliers (chemical agents, impact weapons, canines, etc.) may be used on offenders with disabilities, if necessary to protect the staff, visitors, and other offenders or to control disruptive behavior.
4. Any restraints authorized in this operating procedure may be used on disabled offenders subject to the guidance below and recommendations of a physician or mid-level practitioner.
5. Methods of Restraint for Types of Disabilities

a. [Information redacted]

i. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

ii. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

iii. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

iv. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

b. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

i. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

ii. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

c. [Information redacted]

i. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

ii. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

1. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]  
a. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]  
[Redacted]  
[Redacted]  
b. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]  
[Redacted]  
i. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]  
ii. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
iii. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]  
iv. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]  
v. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]
2. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]  
[Redacted]
3. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]  
[Redacted]
4. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]  
[Redacted]

## VI. MANAGEMENT OF DISRUPTIVE BEHAVIORS

A. Facilities should be operated in a manner which effectively and professionally addresses situations that may precipitate disruptive behaviors.

1. Housing

- a. Appropriate assignment of offenders to housing areas is an important tool in facility management. Operating Procedure 425.4, *Management of Bed and Cell Assignments*, provides guidance to assure that offenders are provided appropriate housing assignments.
- b. The Facility Unit Head should review the demographic composition of general population housing units on a regular basis to ensure that appropriate balance is maintained so that the population is manageable, incident trends are considered, and the climate of the facility is assessed to minimize risk of incidents. Demographic factors to consider include race, creed, color, religion, national origin, and gang allegiance.
- c. Assignments may be based on behavioral adjustment, program status, seniority, need for supervision, and other measurable criteria.
- d. Offender requests for particular assignments may be considered if the request is in keeping with prudent classification and security practices.
- e. Offender requests for housing changes based on reasons of personal safety shall receive prompt attention. Refer to Operating Procedure 425.4, *Management of Bed and Cell Assignments*, and Operating Procedure 830.5, *Transfers, Facility Reassignments*.
- f. Offenders should not be assigned to housing areas with documented enemies as defined in Operating Procedure 830.6, *Offender Keep Separate Management*. Exceptions may be made in disciplinary segregation, segregation, or other controlled areas where special care should be taken to prevent actual contact between known enemies.

2. The facility administration and staff should be available to offenders personally through facility rounds, by written request, and by appointment to communicate offender concerns and address offender problems.

3. Mental Health and treatment staff should assess and provide or recommend appropriate services or other interventions to offenders who have a history of engaging in or threatening self-injury, suicidal, or disruptive behavior.

- a. Every offender should be seen by a doctor or nurse, upon arrival at the facility in accordance with Operating Procedure 720.2, *Medical Screening, Classification, and Levels of Care*.
- b. A QMHP should review any suspected "at risk" offender as provided in Operating Procedure 730.5, *Mental Health Services: Behavior Management* ~~730.4, Offenders "At Risk" in Special Housing~~. (changed 9/4/15)
- c. The offender's Counselor should review the offender's VACORIS record to determine any special needs.

4. Recreation and other offender group activities should be monitored to ensure they are not used as cover for offenders to exert control over other offenders.

B. An offender who threatens the safe, orderly operation of a facility may be removed from general population and placed in special housing.

1. Documentation of assignment to and management of special housing units shall be in accordance with Operating Procedure 425.4, *Management of Bed and Cell Assignments*.
2. When an offender is placed in special housing, the shift commander or designee shall determine if the offender has been screened to identify those with a mental health or physical condition that precludes such an assignment, or requires special care. This screening and any special management instructions needed will be prepared by a QMHP or other appropriate staff in accordance with Operating Procedure 425.4, *Management of Bed and Cell Assignments*; ~~Operating Procedure 730.4, Offenders "At Risk" in Special Housing~~; and Operating Procedure 730.5, *Mental Health Services*:

~~Suicide Prevention and Behavior Management.~~ (changed 9/4/15)

3. Any offender with identified mental health problems who is placed in special housing should be monitored per Operating Procedure 730.5, *Mental Health Services: Behavior Management* ~~730.4, Offenders "At Risk" in Special Housing~~, and Operating Procedure 720.1, *Access to Health Services*. (changed 9/4/15)
- C. An offender that poses a risk of harm to self or others may have items of property removed from their control to reduce the risk of harm.
  1. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
  2. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
  3. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
  4. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
- D. Certain specific offender behaviors require specific control measures that are not included in the other general control techniques. When warranted, these measures may be applied with other techniques as needed.
  1. *Refusal of Food, Hunger Strikes* - See Operating Procedure 730.5, *Mental Health Services: ~~Suicide Prevention and Behavior Management~~*. Any Offender may refuse food for one or more meals, but when staff becomes aware that an offender, on a regular basis, is refusing food or not eating the following steps should be taken: (4-4224)
    - a. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
    - b. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
    - c. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
    - d. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
    - e. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
      - i. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
      - ii. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
      - iii. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
  2. *Food Abuse, Disrupting Food Service Operations, or Throwing/Smearing Body Waste* - Restricted feeding procedures may be utilized for an offender in special housing who uses food, food service equipment, or body waste in a manner that is hazardous to self, staff, or other offenders. See Operating Procedure 730.5, *Mental Health Services: ~~Suicide Prevention and Behavior Management~~*, for management of offenders who smear or manipulate feces.
    - a. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

- b. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]  
[Redacted]
- i. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]  
[Redacted]  
[Redacted]
- ii. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]  
[Redacted]
- iii. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]  
[Redacted]  
[Redacted]
- iv. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]
- v. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]
- (a) [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]
- (b) [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]
- (c) [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]
- vi. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]  
[Redacted]
- vii. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]
- viii. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]  
[Redacted]
- ix. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]
- x. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]
- c. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]
- i. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]
- ii. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]  
[Redacted]
- iii. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]
- iv. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]  
[Redacted]  
[Redacted]
- v. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]

### 3. Arson Prevention and Management

- a. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]  
[Redacted]
- b. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]  
[Redacted]  
[Redacted]

- [Information redacted pursuant to Code of Virginia]
- c. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
4. Cell Flooding
- a. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
- b. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
- c. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
- d. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
- e. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
5. *Self-Mutilation, Suicide Attempt, Threat Of Suicide - See Operating Procedure 730.5, Mental Health Services: ~~Suicide Prevention and Behavior Management~~.*
- E. Restraints Applied Within a Cell for Behavior Management
1. Clinical restraints (Medical or Mental Health) may be ordered by a physician or QMHP in accordance with Operating Procedure 730.5, *Mental Health Services: ~~Suicide Prevention and Behavior Management~~* and are subject to the notification, authorization and documentation requirements of that operating procedure.
2. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
3. Offenders may not be restrained to the cell bars or any other fixture or equipment of a cell except the bed.
4. Restraints applied within a cell will be removed as soon as the offender's dangerous or disruptive behavior has subsided, and it is determined the offender no longer poses a threat to himself or others.
5. Restraint of an offender within a cell shall be ended as soon as it is safe to do so.
- a. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
- b. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
- c. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
6. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]
7. A QMHP will visit the cell and assess the offender within 24 hours of the offender's placement in restraints to ensure that the incident is not attributable to mental illness or confusion on the first working day that the offender is restrained. (changed 9/4/15) (moved 10/2/15)
- a. This assessment will be documented on the *Special Housing Notification: "At Risk" Offender (MH 14A)* (see Operating Procedure 730.5, *Mental Health Services: ~~Suicide Prevention and~~*

Behavior Management).

- b. The QMHP will determine the extent and frequency of any additional necessary mental health monitoring and/or services.

## 8. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

9. *Four or Five Point Restraints* - Offenders who continue to display dangerous or disruptive behavior may be placed in four/five point restraints only with the approval of the Facility Unit Head or designee. Subsequently, the health authority or designee and a QMHP must be notified to assess the offender's medical and mental health conditions respectively, and to advise whether, on the basis of serious danger to self or others, the offender should be placed in a medical observation unit or recommended for transfer to a designated mental health unit. If the offender is not transferred to a medical/mental health unit and is restrained in four/five point position, the following minimum procedures will be followed: (4-4191)

## a. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

## b. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

## c. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

## i. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

## ii. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

## d. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

## e. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

## f. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

## g. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

## h. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

## i. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

## ii. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

## iii. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

## iv. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]

## i. [Information redacted pursuant to Code of Virginia §2.2-3705.2 (6)]