



OLR RESEARCH REPORT

July 5, 2012

2012-R-0306

RESTRICTIVE HOUSING AND ADMINISTRATIVE SEGREGATION

By: Christopher Reinhart, Chief Attorney

You asked about the legal guidelines for putting an inmate in “the box” including how long and under what conditions an inmate can be placed in “the box.”

“The box” is not a term used in the statutes or Department of Correction (DOC) administrative directives. According to DOC, placing an inmate in “the box” likely refers to placing him or her in restrictive housing, such as administrative segregation (AS). The statutes do not define restrictive housing or AS but DOC’s administrative directives do.

Under DOC directives, restrictive housing status requires “closely regulated management and separation of an inmate.” AS is one type of restrictive status. Under the directive, AS is for inmates who (1) have behaved while incarcerated in a way that poses a risk to the safety of staff or inmates, (2) have demonstrated that they cannot be placed in the general population, and (3) can no longer be safely managed in the general population. AS places an inmate in a restrictive housing unit that segregates him or her from other inmates.

With some exceptions, the directives require notice and a hearing before a hearing officer before placing an inmate in AS. The hearing officer’s recommendation is reviewed by the offender classification and population management director who makes the final decision on AS placement.

AS includes three phases and an inmate must successfully complete each phase to progress to the next one. Some of the restrictions imposed in AS are lifted as the inmate progresses through the program's phases. For example, use of restraints while inmates are outside their cells is phased out until no restraints are generally authorized; the amount inmates can spend on commissary items and the number of phone calls and non-contact visits allowed per week increases; recreation is limited to one hour per day, five days per week but the use of restraints is phased out; work assignments within the unit may be allowed in the later phases; inmates take classes throughout the program but in-cell during the program's initial phase; and meals are in-cell during the program's first two phases. Throughout the program, inmates can have a radio but not a television.

The administrative directives do not place a limit on the time an inmate can be placed in AS but the inmate's status is reviewed by (1) classification staff every seven days during the first two months and every 30 days after and (2) mental health professionals after 30 days and every three months after (Administrative Directive 9.4, Attachment B).

For further information on AS and other forms of restrictive housing see:

Administrative Directive 9.4

<http://www.ct.gov/doc/LIB/doc/PDF/AD/ad0904.pdf>

Attachment A

<http://www.ct.gov/doc/LIB/doc/PDF/AD/ad0904atta.pdf>

Attachment B

<http://www.ct.gov/doc/LIB/doc/PDF/AD/ad0904attb.pdf>

CR:eh