

 <p>Corrections and Community Supervision</p> <p>DIRECTIVE</p>	<p>TITLE</p> <p>Incarcerated Individual Exposure Control</p>		<p>NO. 4939</p>
			<p>DATE 10/18/22</p>
<p>SUPERSEDES</p> <p>DIR. #4939 Dtd. 05/18/21</p>	<p>DISTRIBUTION</p> <p>A B</p>	<p>PAGES</p> <p>PAGE 1 OF 4</p>	<p>DATE LAST REVISED</p>
<p>REFERENCES (Include but are not limited to)</p> <p>Standards of Incarcerated Individual Behavior All Institutions</p>	<p>APPROVING AUTHORITY</p> <p><i>John North</i></p>		

- I. **PURPOSE:** To establish a standard for the protection from, as well as to alert staff and/or visitor(s) to an incarcerated individual who has a recent history of engaging in lewd conduct by either: 1) intentionally exposing the private area(s) of their body (breasts, genitals, buttocks), and/or 2) intentionally masturbating in the presence of staff and/or visitor(s). This policy affords facility administrators a means to control such behavior and sets forth the rationale and procedures to be followed in the use of the Exposer Shield, Exposer Placard, and the Exposer Control Suit.
- II. **DEFINITIONS**
 - A. Exposer Shield: A semi-opaque* Plexiglas shield outlined with a 3" yellow painted border for utilization on open front bar or mesh cell doors. It shall cover the entire width of the cell door and extend from the bottom of the feed-up-port to a point no more than 18" from the floor or above the shackling port. It will be placed on the cell door to alert staff/visitors of an incarcerated individual with a recent history of lewd exposure.
*NOTE: Facilities will sandblast or sand the Plexiglas to obtain the desired semi-opaque finish.
 - B. Exposer Placard: A bright yellow sign measuring 8 ½" x 11", with the word "EXPOSER" imprinted on it. It will be utilized on cells with solid doors, to alert staff/visitors of an incarcerated individual with a recent history of lewd exposure. In general confinement areas where the use of a placard is not feasible, another readily identifiable means may be used to alert staff/visitors (i.e., yellow padlock/witness wire attached to the cell handle, feed-up hatch, etc.).
 - C. Exposer Control Suit: A one-piece green jumpsuit with a 3" white stripe around the midsection that zips in the back and will be secured at the top with a small padlock. This suit is designed to be worn over the incarcerated individual's regular clothing. While the suit does not restrict the incarcerated individual's movement, it does, however, prevent the incarcerated individual from exposing their private area(s) or intentionally masturbating.
- III. **POLICY:** When an incarcerated individual engages in lewd conduct by intentionally exposing the private area(s) of their body (breasts, genitals, buttocks) and/or intentionally masturbating in the presence of staff and/or visitor(s), etc., they will be issued a misbehavior report in accordance with established policy.
- IV. **PROCEDURE:** Incarcerated individuals who engage in lewd conduct shall be provided an "Incarcerated Individual Exposure Control - One Time Warning," [Form #4939B](#), by a Security Supervisor, explaining that further conduct of this nature may result in the incarcerated individual being placed on an Exposer Shield and Exposer Placard Order and/or Exposer Control Suit Order.

The original completed [Form #4939B](#) will be forwarded to the Disciplinary Office as part of the hearing packet, one copy to be retained in the incarcerated individual's Guidance folder, and one copy to the incarcerated individual.

NOTE: This one-time warning is not required for incarcerated individuals who engage in lewd conduct in visiting areas.

A. Use of the Exposer Shield and Exposer Placard

1. The Deputy Superintendent for Security (DSS) or, in their absence, the Officer of the Day (OD) or higher-ranking authority may issue an order placing an incarcerated individual (in other than a general population cell) who has repeatedly and actively exposed their private area(s) to staff and/or visitors on an "Exposer Control Order – Shield/Placard/Suit," [Form #4939A](#). The Order shall be valid for no more than 30 days and may be renewed by the DSS or, in their absence, the OD or higher-ranking authority.
2. A copy of the Order and any renewal thereafter shall be forwarded to the Superintendent and the incarcerated individual within 72 hours. The Order and renewal thereafter shall briefly state the reason for the Order or renewal and contain the following notice to the incarcerated individual: "You may write to the DSS or designee to make a statement as to the need for continuing the Exposer Shield/Placard Order."
3. The Exposer Shield/Placard is strictly prohibited from being used under any other circumstances.
4. In any Residential Rehabilitation Unit (RRU)/Group Therapy Program (GTP)/Special Housing Unit (SHU)/Residential Mental Health Unit (RMHU)/Behavioral Health Unit (BHU)/Therapeutic Behavior Unit (TBU)/Residential Crisis Treatment Program (RCTP)/Step Down or Correctional Alternative Rehabilitation (CAR) Program where an incarcerated individual is on a current Cell Shield Order, the Exposer Shield will be placed over the existing cell shield as prescribed in subsection II-A.

B. Use of Secure Exposer Control Suit

1. The DSS or, in their absence, the OD or higher-ranking authority may issue an Order (see [Form #4939A](#)) placing an incarcerated individual who has repeatedly and actively exposed their private area(s) to staff and or visitors on an ExposerControl Suit Order. The Secure Exposer Control Suit may be used for:
 - a. Incarcerated individuals in Disciplinary Confinement or Administrative Segregation whenever they are out of their cells for:
 - (1) Interviews
 - (2) Group counseling
 - (3) Visits
 - (4) Exercise

- b. Incarcerated individuals in any RRU/GTP/SHU/RMHU/BHU/TBU/RCTP/Step Down or CAR Programs whenever they are out of their cells for:
 - (1) Interviews
 - (2) Group counseling
 - (3) Visits
 - (4) Exercise
2. [Form #4939A](#) will be completed, filling in specific information regarding when the suit will be worn (e.g., interviews, visits, group counseling, exercise, etc.), as well as the duration of the Order (e.g., 30 days, etc.), or for the number of events (e.g., 6 visits, 5 days group counseling, etc.).

NOTE: An incarcerated individual who is on a Full Restraint Order and under constant escort will not be placed in the Exposer Control Suit.
3. A copy of the Order, and any renewal thereafter, must be reviewed every 30 days and forwarded to the Superintendent and the incarcerated individual within 72 hours. The Order and renewal thereafter shall briefly state the reason for the Order or renewal, and contain the following notice to the incarcerated individual: "You may write to the DSS or designee to make a statement as to the need for continuing the Exposer Control Suit Order."
4. A copy of the Order and any renewal thereafter shall be forwarded to the DSS, Watch Commander, housing area supervisor, Guidance Unit, and any appropriate areas as indicated (e.g., visiting room).
5. Incarcerated individuals shall be subjected to a pat frisk and metal detector search in accordance with Directive #4910, "Control of & Search for Contraband."

NOTE: Incarcerated individual(s) who refuse to comply with the Exposer Control Suit Order will not be permitted to exit their cell. A use of force is not authorized to gain compliance with an Exposer Control Suit Order. Any such refusal will be documented.
6. If an incarcerated individual is under an Exposer Control Suit Order, the incarcerated individual will remain in the suit for the entire period of time they are out of the cell except:
 - a. Upon request of a Physician, Nurse Practitioner, or a Physician's Assistant (PA) when removal is necessary to permit medical treatment.
 - b. Upon order of the DSS or higher-ranking authority.
 - c. When an incarcerated individual requests to use the restroom, the escorting Officer will retain custody of the Exposer Control Suit while the incarcerated individual utilizes the facilities.
 - d. For general population incarcerated individuals who engage in lewd activities in the visiting room, the suit will be applied following the pre-visit frisk and removed prior to the post-visit strip frisk. If an incarcerated individual refuses to comply with the Exposer Control Suit Order, this will constitute a visit refusal on the part of the incarcerated individual.

7. When the Exposer Control Suit is removed pursuant to the subdivision above, except as described in subsection IV-B-6-d, it will be reapplied as specified in the Order prior to return to the cell.
8. The use of the Exposer Control Suit is strictly prohibited from being used under any other circumstances. The suit will be sent to the facility laundry for cleaning after each use and stored in an appropriate, secure location approved by the DSS when not in use. It is to be issued only when its use is required as previously described.