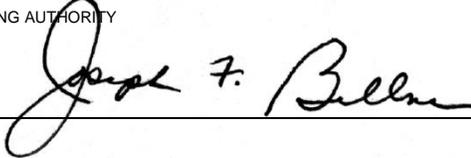


 <b>Corrections and Community Supervision</b>  <b>DIRECTIVE</b>	TITLE <b>Special Housing Units</b>		NO. 4933
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Parts 300 - 305 appear in Title 7 NYCRR, Chapter VI. Sections I-III only appear in this directive.

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## **PART 300**

### **GENERAL PROVISIONS**

#### **§ 300.1 Purpose**

- (a) To establish standards for the operation of special housing units (SHUs) at the Department's facilities. Unless otherwise provided, the provisions contained herein apply to designated SHUs only.
- (b) Set forth herein are the minimum conditions of confinement for inmates admitted to SHUs pursuant to Part 301 of this directive. These inmates shall be housed in an area designed to maximize facility safety and security.
- (c) Whenever the provisions of any section of this directive are inconsistent with the provisions of a Federal or State court order, such court order will be controlling.

#### **§ 300.2 Definition**

- (a) The Superintendent may, by written order, designate certain areas or cells as SHUs. A copy of any such designation shall be transmitted to the Commissioner immediately for approval by the Commissioner or designee.

- (b) A SHU, in maximum security facilities, as well as in designated medium security facilities, shall consist of single or double-occupancy cells grouped so as to provide separation from the general population, and may be used to house inmates confined to such units pursuant to 7 NYCRR Part 301, as well as such other inmates as approved by the Commissioner or designee.

## **PART 301**

### **SPECIAL HOUSING UNIT ADMISSIONS**

§ 301.1 Purpose: Inmates may be admitted to SHUs for any of the several situations described in this Part.

#### § 301.2 Disciplinary admissions

- (a) Disposition of Superintendent's (Tier III) hearing for a designated period of time, as specified by the Hearing Officer (Directive #4932, "Chapter V, Standards Behavior & Allowances," Section 254.7).
- (b) Upon transfer from another facility's SHU while serving a disciplinary disposition rendered at the former facility.

#### § 301.3 Detention admissions

- (a) Detention admissions may be used in the following cases:
1. In the case of an inmate who is awaiting initial appearance before or determination of a disciplinary hearing or Superintendent's hearing;
  2. In cases where an inmate is received from another correctional facility and his or her record in the other facility raises a reasonable question as to whether he or she is presently ready to adhere to the Department's rules and policies governing inmate behavior; or
  3. In cases where an inmate is awaiting transfer from Southport Correctional Facility or a double-celled SHU.
- (b) In the case of a detention admission that occurs upon receipt of a transferred inmate from another institution, the purpose of such detention shall be solely to ascertain the manner in which the inmate will conduct himself or herself in the present correctional facility; provided, however, that a disposition pursuant to a Superintendent's hearing in another facility may be carried out in the facility to which an inmate is transferred, and in such case the admission shall be considered to be a disciplinary admission and the provisions of subdivision (c) of this section shall not apply.
- (c) In the case of any detention admission, if a misbehavior report has been issued, the provisions of Directive #4932, Section 251-2.2, shall be applicable. If a misbehavior report or a notice directing involuntary protective custody or administrative segregation has not been issued, the facility's Deputy Superintendent for Security or a Watch Commander shall review the detention admission inmate's status at least once every 24 hours.

#### § 301.4 Administrative segregation admissions

- (a) This section applies to inmates assigned involuntarily to SHU after a hearing conducted pursuant to Directive #4932 Section 254 that result in a hearing disposition that sets forth specific reasons why administrative segregation is warranted. The hearing shall be conducted within 14 days of an inmate's admission to administrative segregation, after issuance of an administrative segregation recommendation made by the employee who ascertained the facts or circumstances.

- (b) Administrative segregation admission results from a determination by the facility that the inmate's presence in general population would pose a threat to the safety and security of the facility.
- (c) An inmate in administrative segregation status will upon admission to SHU be placed in Level II of the Uniform Progressive Inmate Movement System (PIMS) Program and be afforded the opportunity to earn established PIMS incentives.
- (d) An inmate in administrative segregation status shall have such status reviewed every seven days for the first two months and at least every 30 days thereafter. [Form #2170](#), "Administrative Segregation Review," shall be used to record the report(s), any recommendation and the decision. The procedure is as follows:
1. A three-member committee consisting of a representative of the facility executive staff, a security supervisor, and a member of the guidance and counseling staff shall examine the inmate's institutional record and prepare and submit to the Superintendent or designee a report setting forth the following:
    - (i) Reasons why the inmate was initially determined to be appropriate for administrative segregation;
    - (ii) Information on the inmate's subsequent behavior and attitude; and
    - (iii) Any other factors that they believe may favor retaining the inmate in or releasing the inmate from administrative segregation.
  2. Upon receipt of the report and any written statement received from the inmate, the Superintendent shall, except where the Superintendent or designee refers the matter to central office pursuant to paragraph (3) below, make a determination to retain the inmate in or release the inmate from administrative segregation.
  3. Where the Deputy Commissioner for Correctional Facilities has notified the Superintendent that an inmate in administrative segregation is to receive central office review, the Superintendent or designee shall as part of every review thereafter, refer the committee report, and any written statement received from the inmate, to a three-member central office committee consisting of a representative from the Office of Facility Operations, a member of the Department's Office of Special Investigations, and an attorney from the Office of Counsel. The central office committee shall then complete its review and forward the paperwork along with its recommendation to the Deputy Commissioner for Correctional Facilities. Upon receipt of the materials from the central office committee, including any written statement received from the inmate, the Deputy Commissioner shall make the determination to retain the inmate in or release the inmate from administrative segregation.
  4. As part of every review, whenever a determination is made to continue the inmate in administrative segregation, the Superintendent or, as applicable, the Deputy Commissioner for Correctional Facilities, shall provide a notice to the inmate that states the reason(s) for the determination and includes the following statement:

"A determination has been made to continue your administrative segregation status for the reason(s) stated in this notice. Prior to your next review, you may write to the Superintendent or designee to make a statement regarding the need for continued administrative segregation. The reason(s) stated in this notice, any written statement that you submit, as well as your overall custodial adjustment will be considered during the next scheduled review."

- (e) At any time when deemed appropriate, an inmate may be evaluated and recommended for return to general population at the current facility or transferred to another facility where it is determined the inmate may be programmed into general population. Nothing in this subdivision shall be construed to terminate the administrative segregation status of an inmate who is subject to central office review in accordance with paragraph (3) of subdivision (d) of this section upon the inmate's transfer to another facility, absent written authorization from the Deputy Commissioner for Correctional Facilities.

**§ 301.5 Protective custody inmates:** An inmate in protective custody status may be housed in a SHU. Inmates in this status shall upon admission be placed in the PIMS Level II and be afforded the opportunity to earn established PIMS incentives. An inmate in this status shall be subject to reviews as outlined and in accordance with Directive #4948, "Protective Custody Status."

**§ 301.6 Keeplock admission**

- (a) An inmate in a medium or minimum security facility or Upstate Correctional Facility may be admitted to a special housing unit for reasons such as, but not limited to, the following:
1. Awaiting disposition of a disciplinary (Tier II) or Superintendent's (Tier III) hearing;
  2. For confinement pursuant to a disposition of a disciplinary (Tier II) hearing or Superintendent's (Tier III) hearing; or
  3. Awaiting transfer to another facility.
- (b) An inmate in any correctional facility may be admitted to a special housing unit for confinement pursuant to a disposition of a disciplinary (Tier II) or a Superintendent's (Tier III) hearing, where the disposition included a determination that the inmate violated rule 106.11 for failure to comply with a direct order to provide a DNA sample.
- (c) When a Keeplock sanction is imposed and is served in a SHU cell, service of the sanction will be created at the rate of three days for every two days served in the SHU cell.

**§ 301.7 Other admissions**

- (a) An inmate may be admitted to a special housing unit for any other reason, with the approval of the Deputy Commissioner for Correctional Facilities. The inmate shall be allowed the opportunity to be interviewed by an official designated by the Superintendent concerning the inmate's placement in a SHU.
- (b) When housed in SHU, such inmates shall upon admission be placed in Level II of the PIMS Program and be afforded the opportunity to earn established PIMS incentives.

**PART 302**

**ADMISSION PROCEDURE**

**§ 302.1 Guidelines:** Whenever an inmate is admitted to a SHU, a security supervisor will be present and the inmate will:

- (a) Undergo a strip-frisk followed by a hand-held metal detector, portable metal detector and/or BOSS chair search in accord with the provisions outlined in Department directives concerning "Control of and Search for Contraband."

*Note: An inmate being transferred from another facility shall not be strip-frisked upon admission without probable cause. The metal detector search shall be conducted by the receiving facility.*

- (b) Admission Examinations and Assessments:
1. Be medically evaluated. Health Services staff will be informed immediately and the inmate will be examined by a registered nurse from the facility Health Services staff as soon as possible, but no later than 24 hours after admission. The registered nurse will complete [Form #3278MH](#), "Mental Health Screening for Reception/Classification, Transfers, SHU or Separate KL Unit, or Juvenile Separation Unit Admissions," [Form #3278MED](#), "Health Screening for Reception/Classification, Transfers, SHU or Separate KL Unit, or Juvenile Separation Unit Admissions," [Form #3278-PREA](#), "PREA Screening for Reception/Classification, Transfers, SHU or Separate KL Unit, or Juvenile Separation Unit Admissions."  
Those inmates who were involved in a fight, a use of force, or a use of chemical agent incident will be examined immediately. When allegations of sexual assault are present, the inmate will be examined by Health Services staff immediately.
  2. A suicide prevention screening instrument will be completed by the SHU/Separate KL Unit Security Supervisor in accordance with Directive #4101, "Inmate Suicide Prevention" for all inmates immediately upon admission to any SHU or separate keeplock (KL) housing unit. If an inmate is taken to the infirmary on the way to SHU/KL, the suicide prevention screening [Form #3152-SHU-KL](#) is not to be completed until the inmate is in the SHU or separate KL housing unit admission area.
- (c) Receive a mental health assessment by Office of Mental Health (OMH) staff within one working day of admission at all correctional facilities designated as OMH level 1 or level 2 and within 14 days of admission at all correctional facilities designated as OMH level 3 or 4 SHU. Reference §304.5 of this Directive. The inmate will receive a copy of all rules (in Spanish when applicable) pertaining to the unit and be permitted to discuss these rules with a member of the SHU staff.
- (d) Be assigned to a cell within the SHU.
1. Each cell shall be heated adequately for comfort, as well as being lighted adequately to permit reading. Each cell shall be equipped with the following:
    - (i) One toilet and sink;
    - (ii) One mattress per occupant;
    - (iii) One bed per occupant;
    - (iv) One pillow per occupant; and
    - (v) One adequate storage container for clothes and personal belongings.
  2. An inventory of cell equipment will be taken in the presence of the inmate.
  3. A statement to the effect that all equipment listed is present and in an undamaged state shall be signed by the inmate and the Officer in charge of the SHU. If the inmate refuses to sign, a statement to that effect will be affixed to the list, signed by the Officer.

### § 302.2 Issue items (initial)

- (a) Clothing
1. All new admissions to the SHU shall be provided with a clean State-issue set of clothing from an established SHU inventory. The following items shall be provided immediately after the required search:

- (i) 1 pair of pants;
- (ii) 1 shirt;
- (iii) 1 set of underwear (including bra for female inmates or those requiring due to gender identity); and
- (iv) 1 pair of slippers (where available; if not available, 1 pair of sneakers).

*Note: Inmates who have previously been issued and possess gender confirming undergarments (e.g., female underwear and bras for an inmate in a male classified correctional facility) due to their gender identity will have their underwear and bra returned to them following the required admission search. In cases where the underwear or bra are in a condition that prohibits its return to the inmate, staff will retrieve these items from the inmate's personal property for issuance to the inmate following the thorough searching of these items.*

2. After the inmate is secured in a cell, the following State-issue items shall be provided for both male and female inmates:
  - (i) 1 sweat shirt;
  - (ii) 1 pair of socks; and
  - (iii) 1 pair of sneakers (if not already provided).

Female inmates shall be provided with basic feminine hygiene items as required.

*Note: Three additional State-issue pants, two additional State-issue shirts and three additional State-issue sets of underwear (including bras for female inmates or those requiring due to gender identity) and socks shall be provided within 72 hours of admission from the inmate's property.*

3. Subsequent to admission, the above-listed initial issue items (other than underwear and socks) may be replaced by the same State-issue items from the inmate's property. If replaced, the initial issue items shall be laundered and returned to the SHU inventory for future admissions.
- (b) Bedding/flatwork: Upon admission, each inmate will be issued the following State-issue items:
    1. 1 set sheets;
    2. 1 towel;
    3. 1 pillowcase;
    4. 1 washcloth; and
    5. 1 blanket.
  - (c) Toilet articles: As soon as possible, but no more than 24 hours after admission, each inmate will be issued the following State-issue toilet articles, which will be replaced as needed:
    1. 1 bar soap (1 oz. size);
    2. 1 plastic comb;
    3. 1 toothbrush (mini);
    4. 1 roll toilet tissue; and
    5. 1 tube toothpaste.
  - (d) Writing materials: Upon request, each inmate will be issued the following writing materials:
    1. writing paper;

2. envelopes; and
  3. mini pen (once issued, will only be replaced on an exchange basis). Note: Upon request of the inmate for the purpose of completing legal work (facilitating production of 3-5 carbon copies), a flexible barrel mini pen (if issued) shall be exchanged for a stiff barrel mini pen, unless a deprivation order has been issued.
- (e) Headphones/Earbuds (facility issue only, if cells are equipped with a jack);
- Note: In facilities not equipped with jacks, inmates will be allowed to have their personal radios/tape players for use with an earplug, no tapes permitted. Batteries may be purchased from the commissary.*
- (f) Personally owned items: Inmates may request personally owned items as specified in this subdivision. Permitted items will be thoroughly searched before delivery.
1. As soon as possible, but no more than 24 hours after admission, inmates will be permitted the following personally owned items:
    - (i) 1 pair eyeglasses, prescription only;
    - (ii) 1 hearing aid, prescription only;
    - (iii) dentures;
    - (iv) prescription medicines as authorized by medical staff;
    - (v) denture cleanser (effervescent tablet form only; a cup may be issued for use); and
    - (vi) denture adhesive (one 2.4 Oz. tube only; to be issued on a use-and-exchange basis).
  2. Within 72 hours of admission, each inmate will be permitted the following personally owned items:
    - (i) 1 religious book;
    - (ii) 1 prayer rug;
    - (iii) 1 religious pendant and chain or cord;
    - (iv) tarot cards;
    - (v) 1 prayer shawl;
    - (vi) tefillin;
    - (vii) talit katan;
    - (viii) 1 kufi, yarmulke, fez, khimar or tsalot-kob;
    - (ix) rosary or dhikr beads;
    - (x) 1 plain wedding band;
    - (xi) photographs (maximum of 10);
    - (xii) personal mail, up to 20 letters of the inmate's choice;
    - (xiii) address book (no spiral binding);
    - (xiv) stamps;
    - (xv) 1 calendar (no spiral binding);
    - (xvi) personal legal materials (i.e. papers, transcripts, briefs);

*Note: May be limited to materials related to active cases; quantity should not constitute a fire hazard; questions shall be referred to the Office of Counsel.*

- (xvii) books, magazines and newspapers (maximum of 5);
- (xviii) legal books and publications (maximum 15);
- (xix) 1 shampoo (issued only during shower);
- (xx) 1 shaving cream/soap (issued only during shower)

*Note: Inmates in double-occupancy special housing units shall be provided with State-issue shampoo and shaving cream while in PIMS Level I status.*

- (xxi) one unsealed medicine bag;
- (xxii) one rosette;
- (xxiii) one small pouch of sacred herbs (excluding tobacco products); and
- (xxiv) one knit cap, green.

*Note: on request, a Native American inmate will be provided one facility-issued disposable ashtray for smudging, to be replaced on a one-for-one basis.*

- (g) Denial of specific items: If possession of any item specified in subdivisions (a)-(f) of this section is determined to present a threat to the safety and security of staff, inmates, or State property, an inmate may be deprived of specific items upon issuance of a deprivation order (see section 305.2).
- (h) Other property
  1. All other inmate property not mentioned above will be confiscated upon admission and securely stored in accord with the provisions of Department directives concerning "Inmate Property; Temporary Storage of Personal Belongings," until the inmate is released or transferred from the SHU.
  2. All items confiscated will be inventoried by the Officer in charge within five days of admission and the inventory sheet will be signed by the Officer and the inmate. If the inmate refuses to sign, that refusal will be so noted and signed by a witnessing Officer. A copy of the signed inventory sheet will be given to the inmate. To avoid claims of improper handling of property, the inmate should be permitted to view the inventory in process. However, if it is determined by the area supervisor that the inmate's presence may pose a threat to the safety and security of the facility, permission may be denied upon issuance of a deprivation order (see section 305.2).
- (i) Correspondence: Upon admission, each inmate in addition to the items authorized above or mandated by law will be granted the right to receive and send privileged or personal correspondence.
  1. Within 72 hours of admission, and every 30 days thereafter, an inmate may make a special stamp buy in accordance with the provisions of Directive #4422, "Inmate Correspondence Program."
  2. If an inmate has sufficient funds in his or her inmate account, the inmate may also purchase postage by attaching a disbursement form to the correspondence. (See Directive #4422)

- (j) Other privileges
1. Visiting: Except as a result of a visitation sanction at a Superintendent's proceeding or as otherwise provided by this Part, no inmate shall be deprived of the visiting privileges available to inmates in the general population.
    - (i) One non-legal visit per week will be permitted during visiting hours scheduled by the facility and may be increased in accordance with the PIMS (See Attachment A) (See Section 303.1). There will be no limits on the number of legal visits, subject to reasonable scheduling.
    - (ii) Visits for persons in special housing units shall be in accordance with any special precautions deemed necessary or appropriate by the Superintendent of the facility. Such special precautions may include, but are not limited to, restriction to noncontact visiting for all visits or with a specified visitor or visitors; denial of visiting with a specified visitor or visitors; or other special precautions to maintain the safety, security or good order of the Department or its correctional facilities. However, no employee shall be permitted to monitor the content of conversation between an inmate and his or her legal or spiritual advisor.
    - (iii) An inmate serving a penalty of confinement to a special housing unit pursuant to Directive #4932, Section 254, shall be subject to the provisions regarding visitation contained in this Part, regardless of the location of actual confinement.
  2. Telephone calls to be completed in accordance with the PIMS (See Attachment A) (See Section 303.1). Emergency calls and legal telephone calls as approved by the Superintendent, and if requested by the inmate, within 24 hours of an inmate's arrival at a new facility a staff person designated by the Superintendent, usually from the Guidance and Counseling Unit, shall make an arrival telephone call to a person of the inmate's choice to inform them of the inmate's transfer.
  3. No packages may be received at any time by a PIMS Level I or II inmate in a SHU except books, periodicals and legal materials. PIMS Level III and IV may receive packages in accordance with the PIMS (See Attachment A) (See Section 303.1).

## **PART 303**

### **PROGRESSIVE INMATE MOVEMENT SYSTEM (PIMS)**

#### **§ 303.1 Procedures**

- (a) A uniform behavioral incentive program – PIMS has been established for all Special Housing Units (SHUs) with progressive increase in privileges in accordance with the PIMS level table (See Attachment A). Upon admission to SHU, inmates will be assigned to the PIMS as follows:
1. Disciplinary Admissions will begin at PIMS Level I, and their time in PIMS I shall be calculated as of the date their SHU sanction begins.
  2. Detention Admissions will begin at PIMS Level I, and their time in PIMS I shall be calculated as of the date of admission to SHU.
  3. Administrative Segregation Admissions will begin at PIMS Level II, and their time in PIMS II shall be calculated as of the date their administrative segregation hearing disposition begins.

4. Protective Custody Admissions will begin at PIMS Level II, and their time in PIMS II shall be calculated as of the date of admission to SHU.
  5. Keeplock Admissions will begin at PIMS Level I, and their time in PIMS I shall be calculated as of the date their Keeplock sanction begins.
  6. Other Admissions will begin at PIMS Level II, and their time in PIMS II shall be calculated as of the date of admission to SHU.
  7. SHU to SHU Admissions will maintain the PIMS Level attained at the previous correctional facility SHU.
- (b) Inmates that complete a period free of regressions, deprivation orders, or misbehavior reports, will be eligible for the progressive increases in privileges by PIMS Level.
- (c) Actions resulting in regressions, deprivation orders, or misbehavior reports during the initial PIMS Level I period may result in a loss of privileges and the imposition of a new 30-day PIMS Level I period.

**§ 303.2 Additional in-cell items:** Upon request of each PIMS Level II, III or IV eligible inmate, additional in-cell items (provided they are not restricted by the issuance of a deprivation order in accord with section 305.2) will be permitted as follows:

- (a) playing cards (one deck);
- (b) books, magazines or newspapers (not to exceed a total of 10 per inmate in the cell, excluding legal publications);
- (c) photos (personal, additional 10, not to exceed a total of 20 per inmate in the cell, no frames/albums);
- (d) stamps; and
- (e) skin cream, 1 oz. size.

**§ 303.3 Commissary purchase:** Eligible PIMS Level I inmates will be permitted to make one commissary purchase per month of stamps only in a monetary amount not to exceed 50 percent of the monthly total permitted for general population. Eligible PIMS Level II, III and IV inmates will be permitted to make one commissary purchase per month of those items listed below in a monetary amount not to exceed 50 percent of the monthly total permitted for general population inmates and in accordance with the PIMS (See Attachment A):

- (a) stamps (up to maximum buy and possession limits set forth in Directive #4422);
- (b) writing pad without spiral binding;
- (c) legal paper;
- (d) carbon paper;
- (e) legal folders without metal clips/fasteners;
- (f) shampoo (one container), not to be kept in cell;
- (g) shaving cream (one only, not to be kept in cell);
- (h) toothbrush, mini (one only);
- (i) toothpaste (one only);
- (j) deodorant, stick type only;
- (k) personal soap (if larger than 1 oz. size bar to be given at shower time);

- (l) skin cream (1 oz. size containers - up to 10 containers may be purchased per buy; 1 container in cell, others to be issued on use and exchange basis);
- (m) denture cleanser (effervescent tablet form only; a cup may be issued for use);
- (n) shower slippers;
- (o) knit cap (1 green);
- (p) playing cards (one deck);
- (q) batteries (for inmates allowed to possess personal radios/tape players)(one for one exchange by SHU Staff);
- (r) denture adhesive, 2.4 oz. tube (up to 2 tubes may be purchased per buy: one for use in cell, others to be issued on a use-and-exchange basis);
- (s) up to \$5 non-cookable food (PIMS Level III only); and
- (t) up to \$10 non-cookable food (PIMS Level IV only).

*Note: Shampoo and shaving cream/soap will be issued at shower time.*

## **PART 304**

### **SERVICES**

§ 304.1 Purpose: The following inmate support services are mandated and must be furnished at any time following admission unless deprived by issuance of a deprivation order in accord with section 305.2.

§ 304.2 Food: Inmates confined in the SHU will be provided meals of the same type as the meals available to inmates in general population and in sufficient quantity to be nutritionally adequate, except as provided in this section.

- (a) All food items will be delivered to the inmates upon receipt from the food service area and in a manner that will ensure receipt of the food in an appropriate condition.
- (b) Inmates may be placed on a special management meal order for the following reasons:
  1. Throwing food while assigned to the SHU; and
  2. Refusing to obey a direct order at the time of meal distribution or refusing to obey a direct order to return a food container or utensil at the conclusion of a meal while assigned to SHU.
- (c) The Superintendent or designee (the Officer of the Day (OD) or higher ranking authority) may issue a written order ([Form #2190](#), "Special Management Meal Order") placing an inmate reported to have engaged in conduct described in subdivision (b) of this section on a Special Management Meal Order ([Form #2190](#)). Initial authorization may be given verbally but must be confirmed in writing within 24 hours with copies to the Commissioner, the Superintendent, and one copy to the inmate. The order shall briefly state the reason(s) for the imposition of the Special Management Meal Order and contain the following notice to the inmate: "You may write to the Deputy Superintendent for Security or designee to make a statement as to the need for the continued imposition of this Special Management Meal Order."

- (d) Each Special Management Meal Order ([Form #2190](#)) must be reviewed on a daily basis by the Deputy Superintendent for Security or, in his or her absence, the OD or higher ranking authority if the OD is not present at the facility (weekends or holidays), the Watch Commander will personally review the Special Management Meal Order and sign the form indicating approval or discontinuance. This review shall be documented by the reviewing Officer, who shall initial and date the order, adding any comments that are appropriate. The Special Management Meal Order ([Form #2190](#)) will be limited to a duration of seven days, or 21 consecutive meals. At the conclusion of that period, if not rescinded prior based on the daily review, the Superintendent will ensure that the inmate shall be provided meals of the same type as the meals available to inmates in general population.
- (e) Special Management Meal Orders will not be extended beyond the 7th day without permission of the Assistant Commissioner for Special Housing/Inmate Disciplinary Programs.
- (f) The Special Management Meal must consist of a sufficient quantity of wholesome and nutritious food. Such meal may be served in either a paper bag or Styrofoam tray.
- (g) Health Services and Food Services shall be notified in advance of the imposition of a Special Management Meal Order ([Form #2190](#)). Health Services shall review the inmate's Ambulatory Health Record (in accordance with HSPM Section 1.25), and sign the form prior to the commencement of a Special Management Meal Order to ensure that the use of the Special Management Meal Order is medically appropriate. A Physician, Nurse or Physician's Assistant, designated by the Facility Health Services Director, must examine into the state of health of the inmate within 24 hours of the commencement of the restriction and daily thereafter during the period of restriction.
- (h) The Superintendent shall give full consideration to any recommendation that may be made by such Physician, Nurse, or Physician's Assistant, shall forthwith report to the Commissioner any recommendation made by such person that is not carried out, and shall, in any event, make a full report, in writing, to the Commissioner at least once per week concerning the inmate's condition.
- (i) The Special Management Meal Order shall be suspended during the Passover holiday for an inmate who is designated as Jewish in accordance with Directive #4202, "Religious Programs and Practices."

**§ 304.3 Exercise:** All inmates confined in the SHU must be permitted outdoor exercise daily in accordance with the PIMS (See Attachment A), exclusive of the time it takes to go to and return from the exercise area, beginning on the day following admission.

- (a) Inmates normally will be offered the opportunity for outdoor exercise despite weather conditions. If during the exercise period the weather significantly deteriorates, the inmate may request and shall be permitted to return to his or her cell. If this occurs, the outdoor exercise opportunity for that day will be considered to have been satisfied.
- (b) Inclement weather items: Except at double-celled SHUs, coats and galoshes or rubbers will be maintained on the unit and will be provided to inmates during exercise periods in the event of cold or inclement weather.
- (c) On those rare occasions when the weather so reduces visibility that it significantly impacts the ability of security staff to visually observe the exercise area (i.e., fog, blizzard, etc.); exercise may be curtailed for the duration of the extreme weather conditions by issuance of a deprivation order in accord with section 305.2.

- (d) An inmate may be deprived of daily exercise by a deprivation order issued in accord with section 305.2. This shall be requested when the supervisor in charge of the SHU determines that an inmate presents a threat to the safety, security or good order of himself or herself, other persons, or State property, and the use of restraints will not adequately address the problem.

#### § 304.4 Medical Services

- (a) A qualified medical practitioner (Physician, Physician's Assistant, Nurse Practitioner, Registered Nurse) will be required to examine each inmate upon admission to a SHU in accordance with section 302.1(b).
- (b) A qualified medical practitioner (as listed above) is required to visit the SHU once in every 24-hour period to examine into the state of health of the inmates confined in such unit.
- (c) Sick call will be conducted daily.
1. The Officer in charge will prepare a list of all inmates who request to see a medical practitioner.
  2. Any inmate who requests to see a medical practitioner will be permitted an opportunity to do so in accord with all good security precautions.
  3. The medical encounter will be recorded in each inmate's medical file and in the appropriate SHU file.
- (d) If an inmate has a medical complaint, requests health services other than at sick call, or a medical emergency occurs, the facility Health Services unit will be contacted immediately. The response/action taken by Health Services staff shall be logged.
- (e) A qualified medical practitioner must examine the state of health of an inmate within 24 hours of the commencement of any special management meal, and daily thereafter during the period of the special management meal.
- (f) To the extent consistent with the safety and good order of the facility, staff shall respect an inmate's right to privacy during medical encounters and the confidential nature of communications between inmates and health care providers.

#### § 304.5 Mental Health Services

- (a) Initial Assessment: A mental health clinician (Psychiatrist, Psychologist, Social Worker, or Nurse Practitioner, who is licensed by the Department of Education and employed by the Office of Mental Health) shall initially assess all inmates placed in SHU or separate keeplock housing unit:
1. Within one business day at an OMH level 1 or 2 facility; and
  2. Within 14 days at an OMH level 3 or 4 facility.
- (b) Ongoing Assessments:
1. Inmates in SHU or a separate keeplock housing unit with a serious mental illness (SMI) who have not been diverted or removed to a residential mental health treatment unit shall be reassessed by a mental health clinician within 14 days of the initial assessment and at least every 14 days thereafter.
  2. Inmates in SHU or a separate keeplock housing unit not assessed with a SMI at the initial assessment shall be offered an interview with a mental health clinician:
    - (i) Within 14 days of their initial assessment and every 30 days thereafter at an OMH level 1 or 2 facility; and

- (ii) Within 30 days of their initial assessments and every 90 days thereafter at an OMH level 3 or 4 facility.
- (c) The Superintendent shall make a full report to the Commissioner at least once a week concerning the condition of an inmate with an SMI designation and any recommendation relative to mental health treatment or confinement made by the mental health clinician that is not carried out by the Superintendent.

#### **§ 304.6 Personal hygiene**

Each inmate shall have access to the following:

- (a) Showers: Shall be provided in accordance with the PIMS (See Attachment A), for a minimum of five minutes per shower, exclusive of the time it takes to go to and return from the shower area. Use of shampoo is permitted.
- (b) Shaves: Shall be provided in accordance with the PIMS (See Attachment A). Shaving equipment will be on an issue basis and must be returned after use. Use of shaving cream/soap is permitted.
- (c) Hot water will be provided two times per day where hot water is not available in the cell.
- (d) Haircuts: One per month if requested by inmate.
- (e) Cell-cleaning materials will be made available three times per week to permit inmates to adequately clean their cells and cell ventilation grates.
- (f) Inmates may be deprived of personal hygiene services by a deprivation order issued in accord with section 305.2 of this directive.

**§ 304.7 Laundry:** All clothing items, bedding (excluding blankets), flatwork, and the washcloth will be submitted on a weekly basis in accordance with the facility laundry procedures and schedule. The towel will be exchanged one for one a minimum of two times per week except in those facilities that elect to exchange two towels once per week. Any item issued to an inmate will be freshly laundered.

**§ 304.8 Law Library Services:** The facility law library will provide a list of legal books, journals, and papers in the facility law library. This list will be made available to the inmates in the SHU upon request.

- (a) An inmate may obtain legal material from the law library, subject to the following restrictions, by submitting a written request:
  1. A maximum of two items may be ordered at one time.
  2. The law library will deliver the requested items, if available, to the SHU within 24 hours of receiving the request.
  3. Inmates may retain said legal material for a period of not less than 16 hours nor more than 24 hours at a time.
- (b) Inmates may receive legal materials pursuant to procedures set forth in Department directives concerning "Law Libraries and Inmate Legal Assistance."
- (c) No inmate advisors or inmate law clerks will be permitted to visit the SHU.
- (d) All communications between inmates in the SHU and the law library will be monitored by facility staff.
- (e) All inmate legal materials going to or coming from the law library will be subject to search.

- (f) Whenever a "law library service" item is deemed to be improper or inappropriate, it shall be referred to the watch commander for a determination as soon as possible. The staff member doing this shall notify the inmate and record the action in the SHU log.
- (g) Inmates may be deprived of law library services by issuance of a deprivation order after consultation with the Office of Counsel.

**§ 304.9 Notary public:** Notarial services will be provided to an inmate at least two times per week.

**§ 304.10 Religious counseling**

- (a) Counseling by a member of the facility's Ministerial Services staff will be provided upon the written request of an inmate.
- (b) The facility senior chaplain or a designated member of the Ministerial Services staff will be required to make a minimum of one round per week in the SHU.
- (c) No inmate religious advisor or assistant will be permitted to visit the SHU.
- (d) Attendance at congregate religious services will not be permitted.

**§ 304.11 Counseling services:** Inmates who have displayed such adverse behavior as to warrant assignment to a SHU generally require counseling services to a greater extent than most inmates in general population.

- (a) An Offender Rehabilitation Coordinator will visit the SHU on a daily basis (excluding weekends and holidays) to provide appropriate counseling services. This will include responding to inmate requests, Offender Rehabilitation Coordinator referrals, emergency services, and to see each new admission.
- (b) Counseling contacts will be noted in each inmate's guidance and counseling unit file and in the appropriate SHU file.

**§ 304.12 Education:** Inmates in special housing units will be offered the opportunity to participate in a cell study program. However, an inmate assigned to a disciplinary housing unit will be offered the opportunity to participate in a cell study program to the extent possible based upon the inmate's overall behavioral adjustment. Education Offender Rehabilitation Coordinators, teachers or other appropriate staff members may visit the special housing inmates as needed to provide assistance to any inmate participating in a cell study program.

**§ 304.13 General library services:** There shall be available to inmates in the SHU, general library materials in a quantity equal to at least two books and one magazine/periodical for each inmate. This reading material will be rotated in the special housing unit every 30 days.

- (a) Items selected from the general library shall be considered part of the maximum allowed as set forth in section 302.2(f) or 303.2(b), whichever is applicable.
- (b) Each facility will develop a system for the maintenance of an appropriate inventory record.

**§ 304.14 Correspondence**

- (a) Each inmate shall be permitted to send and to receive privileged and regular correspondence, in accordance with Directives #4421, "Privileged Correspondence" and #4422, "Offender Correspondence Program." The inmate's ability to send or receive correspondence may not be limited by a deprivation order.

- (b) An inmate may at any reasonable time address a written communication to the Superintendent or the Commissioner. When an inmate makes a request for permission to write such a communication, the responsible employee to whom the request is made shall: supply the inmate with necessary writing materials and an envelope; allow the inmate to write his or her communication in privacy; and forward it promptly to the addressee.

§ 304.15 Inmate Grievance Program: Inmates assigned to the SHU will have access to the inmate grievance mechanism as follows:

- (a) Grievance forms will be made available upon request to an SHU Officer.
- (b) A staff representative of the inmate grievance resolution committee will visit the SHU a minimum of once per week, or more often if necessary or requested to do so by the supervisor in charge of the SHU, to interview the inmate and investigate the grievance.
- (c) Appropriate procedures as required by Directive #4040, "Inmate Grievance Program," will be implemented.

## **PART 305**

### **CONTROLS/RESTRICTIONS/RESTRAINTS**

§ 305.1 Frisks: In accordance with the provisions of Directive #4910, "Control of & Search for Contraband," the following procedures will be followed in such designated special housing units.

- (a) Strip frisk.
1. On initial entry to an SHU, an inmate will be strip-frisked.
  2. When an inmate is transferred from one facility disciplinary SHU to another facility disciplinary SHU, he may be strip-frisked on exiting the facility, but may not be strip-searched or strip-frisked without probable cause upon entry to the receiving facility and/or its SHU.
- (b) Pat frisk: An inmate will be pat-frisked whenever he or she goes out of or returns to the SHU; and prior to and upon returning from any exercise periods, hearings, interviews, etc.

§ 305.2 Deprivation order

- (a) Deprivation orders will not be imposed as punishment, but only where there is a threat to the safety and security of staff, inmates, or State property. Deprivation orders will be terminated when the threat has abated, as determined by security staff.
- (b) A deprivation order must be authorized by the OD or the Deputy Superintendent for Security Services or higher ranking authority. Initial authorization may be given verbally but must be confirmed in writing within 24 hours with a copy to the Superintendent, and one copy to the inmate.
- (c) Each deprivation order must be reviewed on a daily basis by the Deputy Superintendent for Security or, in his or her absence, the OD or higher ranking authority. If the OD is not present at the facility (weekends or holidays), the Watch Commander will personally review the deprivation order and sign the form indicating approval or discontinuance. This review shall be documented by the reviewing Officer, who shall initial and date the order, adding any comments that are appropriate. After seven days, deprivation orders will be reviewed, and can be renewed, by the Superintendent.

- (d) The written order and any notice of renewal thereafter must briefly state the reason(s) for the deprivation and contain the following notice to the inmate: "You may write to the Deputy Superintendent for Security or his or her designee to make a statement on the need for continuing the deprivation order."
- (e) Any deprivation order depriving an inmate of minimum standard items (e.g., bedding, clothing, etc.) for "mental health" or "psychiatric" reasons must be approved by an appropriate clinical professional or, in their absence, by the ranking facility health service professional.
- (f) If there is an order depriving an inmate of in-cell water, the inmate's cell water shall be turned on for at least ten minutes, five times per day, as follows: approximately (30) minutes prior to the service of each meal, once at the beginning of tour I (nights), and once during tour III (evenings) in accordance with a schedule established by the Superintendent. Staff shall notify the inmate prior to turning on the water and record the times that the water is turned on and off in the unit activity log. Additional beverages shall be provided if determined necessary by medical staff.
- (g) The Office of Mental Health (OMH) will be notified of the issuance, renewal and termination of all deprivation orders issued to inmates on the OMH caseload.

*Note: Deprivation orders and renewals shall be recorded on [Form #2187](#), "Deprivation Order," and [Form #2187R](#), "Deprivation Order Renewal."*

### § 305.3 Use of restraints, generally

- (a) Definition: For the purposes of this section, mechanically restrained means either:
  - 1. Handcuffed in front with or without a waist chain; or
  - 2. Handcuffed in back with or without a waist chain.
- (b) Application of restraints: An inmate assigned to SHU will be placed in mechanical restraints in accordance with the PIMS (See Attachment A) for inter unit movement prior to exiting his or her cell. If the inmate is escorted off the unit, the inmate shall be handcuffed in front with a waist chain. In order to accommodate the restraint procedure, the inmate will be required to place his or her hands through the feed-up port, if available, or the partially opened cell door.
- (c) Temporary Removal of Restraints:
  - 1. Once outside the cell, restraints shall be removed to accommodate the following:
    - (i) A request of a Physician or a Physician's Assistant (PA) when removal is necessary to permit medical treatment;
    - (ii) A request of the Parole Board at a parole hearing;
    - (iii) A request of a Judge or Magistrate; or
    - (iv) An order of the Deputy Superintendent for Security Services or higher ranking authority.
  - 2. Once outside the cell, restraints shall also be removed to accommodate the following, unless otherwise specified in a restraint order pursuant to section 305.4:
    - (i) A scheduled shower, when the inmate can be secured in a shower room;

- (ii) A scheduled period of exercise when the inmate can be secured in an exercise area; however, an inmate at Southport Correctional Facility will remain restrained (handcuffed in front with waist chain) in the exercise area while in PIMS Level I; or
  - (iii) A visit; however, an inmate at Southport Correctional Facility or any double celled SHU facility will remain restrained (handcuffed in front with waist chain) in the visiting area while in PIMS Level I.
3. If mechanical restraints have been removed, they will be reapplied prior to return to the SHU cell.

#### § 305.4 Restraint orders

- (a) Any inmate assigned to an SHU who has a history of assaultive behavior and/or who presents a threat to the safety or security of himself/herself, other persons, or State property may be placed under a restraint order by the Deputy Superintendent for Security or, in his or her absence, the OD or higher ranking authority.
- (b) A restraint order will be valid for no more than seven days and will be reviewed and may be renewed by the Superintendent or, in his or her absence, the OD.
- (c) A copy of the restraint order must be forwarded to the Superintendent and the inmate within 24 hours. The order and any renewal thereafter must briefly state the reason(s) for the order or renewal and contain the following notice to the inmate: "You may write to the Deputy Superintendent for Security or designee to make a statement as to the need for continuing the restraint order."
- (d) A restraint order will describe the types of restraints to be used and the manner in which they are to be applied (e.g. handcuffed in front or in back, with or without waist chain, with or without leg irons).
- (e) If an inmate is under a restraint order directing that he or she be mechanically restrained whenever he or she leaves the SHU cell for any reason, the inmate will remain mechanically restrained during the entire period of time he or she is out of the SHU cell, except:
  - 1. Upon request of a Physician, Nurse Practitioner, or a Physician's Assistant (PA) when removal is necessary to permit medical treatment;
  - 2. Upon request of the Parole Board at a parole hearing;
  - 3. Upon the request of a Judge or Magistrate;
  - 4. When the inmate can be secured in a shower room during the scheduled shower period;
  - 5. When the inmate has been secured in the exercise area, unless the restraint order (or renewal) includes a written determination stating the reason(s) why the removal of restraints in the exercise area would, in the light of the particular circumstances relative to the affected inmate, present a threat to the safety or security of the inmate, other persons or State property. Such a determination, in any restraint order or renewal, shall only remain in effect for three days, unless approved in writing by the Superintendent or acting Superintendent, based upon his or her review of the relevant facts. Note: This paragraph does not apply to Southport Correctional Facility;
  - 6. Upon order of the Deputy Superintendent for Security Services or higher ranking authority; or

7. When in a general population visiting room and not in a noncontact area.
- (f) When mechanical restraints are removed pursuant to subdivision (e) above, they will be reapplied as specified in the restraint order prior to return to the SHU cell.
- Note: Restraint orders and renewals shall be recorded on [Form #2186](#), "Restraint Orders," and [Form #2186R](#), "Restraint Order Renewal."*

#### **§ 305.5 Closing cell hatch covers**

- (a) In those SHU cells that have only one solid door, the fixed vision panels will be maintained with the solid metal hatch coverings in an opened position, unless a deprivation order is issued. A deprivation order to close such hatch coverings may be imposed only where there is a threat to the safety of staff, inmates or State property.
- (b) Feed-up hatches shall remain closed except during feed-up activities or when it is necessary to open the hatches to pass items to or from the inmate.

#### **§ 305.6 Use of cell shields**

- (a) A cell shield is a transparent cell front covering, equipped to provide adequate ventilation.
- (b) Cell shields may be ordered for good cause, including but not limited to the reasons listed below:
1. Spitting through the cell door, or the throwing of feces, urine, food, or other objects through the cell door.
  2. The inmate refuses to keep his or her hands within the cell and/or otherwise attempts to assault or harass staff.
  3. The inmate is so disruptive as to adversely affect the proper operation of the unit.
- (c) Use of the cell shield shall be ordered by the Deputy Superintendent for Security or, in his or her absence, the OD or higher ranking authority. The cell shield order shall be valid for no more than seven days and will be reviewed and may be renewed by the Superintendent or, in his or her absence, the OD.
- (d) A copy of the cell shield order shall be forwarded to the Superintendent and the inmate within 24 hours. The order and any renewal thereafter shall briefly state the reason for the order or renewal and contain the following notice to the inmate: "You may write to the Deputy Superintendent for Security or designee to make a statement as to the need for continuing the cell shield order."

*Note: Cell shield orders shall be recorded on [Form #2188](#), "Cell Shield Order – SHU," and [Form #2188R](#), "Cell Shield Order – SHU –Renewal."*

Sections I - IV do not appear in Title 7

### **I. OPERATIONS**

- A. Special Housing Unit Operations Manual: Each SHU shall operate in accordance with a SHU Operations Manual, which has been approved by the facility Superintendent.
1. The Operations Manual will be based on the provisions of this directive.
  2. A copy of this directive (#4933, "Special Housing Units") shall be included in the SHU Operations Manual.
  3. A copy of the SHU Operations Manual will be located within the SHU proper and is to be reviewed by every employee assigned therein, and will be maintained constantly available for reference purpose.

4. A copy of the SHU Operations Manual and all revisions thereto will be forwarded to the Director of Special Housing in Central Office and maintained on file at that location.
- B. Sign-In/Out Log: Each SHU will maintain an official log of all visitors to the unit.
1. Each and every visitor will be required to place the following information in the log immediately upon entry to the SHU:
    - Date
    - Purpose of visit
    - Time entered unit
    - Signature
    - Printed name and title
    - Upon exit will enter time left unit
  2. Supervisors must make their log entries in red ink.
  3. Completed logs will be placed in secure storage in a location designated by the Superintendent.
- C. Unit Activity Log: Each SHU will maintain an official chronological log of all activities occurring on the unit. Contents will include but are not limited to the following:
1. Names and titles of all employees assigned to the unit. List date and tour of duty.
  2. Names and titles of all visitors to the unit, and including the specific purpose(s) of the visit.
  3. A record of inmate admissions to include the following:
    - a. Name and number,
    - b. Time admitted,
    - c. Supervisor who authorized admission,
    - d. Type of admission,
    - e. Disposition,
    - f. Escorting employees,
    - g. Officer(s) who conducted strip frisk, and
    - h. Supervising sergeant.
  4. A record of incidental inmate exit and entry including name and number, times, reasons for exit/entry, and names of escorting Officer(s).
  5. A record of inmate releases to include the following:
    - a. Name and number,
    - b. Time released, and
    - c. Reason (time expired, transfer, etc.)
  6. A record of occasions when a restraint order is applied to include:
    - a. Inmate name and number,
    - b. Time placed in restraint,
    - c. For what reason,
    - d. Time removed from restraint, and
    - e. Name and title of authorizing employee.

- This does not include those inmates placed in restraint merely for escort off the unit.
7. A record of all occasions when a deprivation order is imposed.  
This record will include the reasons for said deprivation and the name of the authorizing official.
  8. A record of all occasions when all hatch coverings are closed and the reasons therefore.
  9. A record of all occasions when "cell shields" are used and the reasons therefore.
  10. A record of the starting and ending times of inmate recreation, inmate showers and inmate telephone calls.
  11. A record that indicates the announcement of the presence of medical or mental health staff on the unit and that medical or mental health rounds were completed.
  12. The names and numbers of inmates who receive medical attention or medication.\*
  13. The name and number of any inmate who refuses medical attention when it is felt that medical attention is required.
  14. The name and number of any inmate who refuses a visit.
  15. A record of all inmates on a special management meal, when served.
  16. A record of all unusual incidents occurring on the unit.
  17. A record of all inmate contacts with the Inmate Grievance Resolution Committee staff representatives.
  18. A record of all contacts between Mental Health Staff and specific inmates to include all out-of-cell interviews that are completed or an indication if the inmate refused a scheduled interview. The time out and end time of the out-of-cell interview shall also be recorded.\*
  19. A record of all contacts between Offender Rehabilitation Coordinators and specific inmates.\*  
  
\*Note: For double-celled SHUs and Southport, routine medical encounters, routine mental health encounters, and routine Offender Rehabilitation Coordinator contacts may be recorded in an appropriate unit file.
  20. A record of any occasion in which an employee enters an inmate's cell for other than a routine reason.
  21. A record of each round conducted in accordance with Section III-A, below.  
  
Note: Completed logs will be placed in secure storage in a location designated by the Superintendent. Upon completion of an authorized removal of an individual or sign in/out logbook, a notation (in red ink) will be made explaining the reason for the removal along with the utilized auxiliary logbook number and page of the recorded minutes.

D. Cell Search Log: Each SHU shall maintain a log for recording searches of inmate cells. This log shall include:

1. Name and number of the inmate whose cell is searched;
2. Date and time of search;
3. Names of Officers conducting search;

4. List of contraband found;
5. Name of supervisor authorizing search;
6. List of any State or inmate property damaged; and
7. Cell integrity items including, but not limited to: walls, floors, ceilings, sinks, vents, and bars, etc., have been inspected. An entry will also be made indicating any deficiencies noted.

It is the duty of the supervisor assigned to the special housing unit to make periodic inspections of these logs to determine that they are current and that searches are made in a timely and reasonable manner.

- E. PIMS Telephone Call Log: Each SHU shall maintain a log for recording PIMS inmate telephone calls. This log shall include;
1. Name, Number and cell location of the inmate;
  2. Date and time of telephone call;
  3. Name of Officer(s) supervising the telephone call;
  4. PIMS Level of inmate; and
  5. Notation indicating if the inmate accepted or declined the opportunity to make a telephone call.
- F. Inmate File: The supervisor in charge of the SHU will cause a file to be kept on each inmate assigned. That file will contain:
- Cell Equipment Statement
  - Restraint Orders
  - Miscellaneous
  - Disciplinary Dispositions
  - Medical Order
  - Property Storage Receipts
  - Suicide Prevention Screening Form
  - Deprivation Orders
  - Shield Orders
- G. Solid cell doors with expanded vision panels: Designated cells in designated Special Housing Units will be equipped with solid cell doors with Expanded Vision Panels (EVP) to promote increased visibility and communication for inmates with serious mental illness (SMI). Inmates designated with SMI who are placed in SHU should be placed in a cell equipped with EVP, keeping with the Department's efforts to provide visibility and communication, while maintaining a safe working environment for staff.
1. In those SHU cells that have EVP doors, the sliding transparent lexan vision panel will be maintained in a closed position when an inmate who has not been diagnosed as SMI is assigned to the cell.
  2. In those SHU cells that have EVP doors, the sliding transparent lexan vision panel will be maintained in an open position when an inmate with SMI is assigned to the cell to facilitate increased visibility and communications.
    - (a) A cell shield order will be required to close the sliding transparent lexan vision panel when an inmate with SMI is assigned to the cell and will be issued in accordance with Section 305.6, "Use of Cell Shields."
    - (b) The sliding transparent lexan vision panel may be temporarily closed when it is necessary to move an inmate for other than routine reasons, e.g. when an inmate is being disruptive during movement or use of chemical agents.

## II. SPECIAL HOUSING UNIT SUPERVISION

- A. Unit Supervisor: A supervisor of the rank of Correction Sergeant (or higher) will be responsible for the supervision of the unit and at a minimum be present whenever:
1. An inmate is admitted;
  2. An inmate is removed from his or her cell for other than routine reasons (showers, exercise, etc.);
  3. An inmate who is under a restraint order is removed from his or her cell for any reason; and
  4. In the discretion of the facility Watch Commander or higher authority, whenever an inmate is escorted from the unit for activities including, but not limited to, visits and routine infirmary visits.

Note: Items A-2, and 3 above do not apply when Keeplock or Protective Custody inmates are removed from their cells; the unit supervisor may exercise discretion in determining whether his or her presence is required.

- B. Unit Supervisor: The unit supervisor will be notified whenever a cell is entered by staff for other than routine reasons. A record of such occurrence will be entered in the unit activity log.
- C. Watch Commander: The SHU, including the sign-in/out and chronological logs will be inspected daily by each Watch Commander during his or her tour of duty. The Watch Commander will sign each log in red ink during his or her inspection.
- D. Facility Executive Staff: Superintendent and each member of the Executive Team shall visit the SHU at least once per week. All on-duty facility Correction Captains, regardless of facility duty assignment, shall visit each SHU a minimum of once per day.

## III. INSPECTIONS: Essential to good security practices, constant physical inspections will be conducted by security staff as follows:

- A. Rounds: Unit Officers will conduct rounds on all three shifts. Rounds will be made at least every 30 minutes, but on an irregular basis. Each inmate and cell will be observed to ensure that anyone in need of medical attention receives prompt care, that scheduled activities (e.g., showers and exercise) are being completed, to guard against misconduct, and to detect fire/safety hazards, etc. Night time rounds will be conducted in a manner that is not disruptive to the unit and does not interfere with inmates asleep.
- B. Cells: Each SHU cell will be thoroughly inspected prior to and immediately after occupancy in order to prevent the presence of contraband and to ensure its good condition in addition to those inspections required in accordance with the provisions of Directive #4910, "Control of & Search for Contraband." Discrepancies will be recorded in the SHU Log. All inmate cell doors/gates will remain closed and locked at all times with the exception of when the inmate is entering or exiting the cell or staff is conducting a search or frisk.
- C. Gates/Locks: Gates and locks will be examined and tested on a periodic basis, but not less than once per week. The results of such examinations and tests shall be reported in writing to the Deputy Superintendent for Security.
- D. Bars: Bar checks will be conducted on a scheduled basis, but not less than once per week. To ensure that all bars receive proper attention, the results of such examinations and tests shall be reported in writing to the Deputy Superintendent for Security.

- E. Ventilation Grates: Each SHU cell ventilation grate shall be thoroughly inspected and cleaned prior to occupancy in order to prevent the presence of contraband and to ensure its good condition. Periodically, the ventilation grate shall be inspected for contraband and to ensure that the inmate is keeping the grate clean.
- F. Exercise Areas: Each area will be physically inspected immediately before and after use, except for double-celled exercise areas, which will be physically inspected on a scheduled basis but not less than once per week.
- G. Inmates: Physical searches of inmates will be conducted as required in accord with the provisions of Directive #4910, "Control of & Search for Contraband." Inmates who provide services to inmates in the Special Housing Unit (e.g., barber, maintenance, etc.) must be approved by the facility Deputy Superintendent for Security. These inmate(s) shall be pat frisked and hand scanned upon entry and exit of the SHU unit.
- H. Items entering the SHU: All items entering the SHU area must be thoroughly searched by security staff (e.g., food carts, property, etc.).

**IV. SHU INMATE TABLET PROGRAM:** The Department will provide each inmate assigned to a SHU with access to a Static Content Tablet.

A. Definitions

- 1. Static Content Tablet: An electronic device distributed by security staff to each inmate assigned to a SHU, at no cost, which contains a variety of preloaded applications, including educational material, videos, e-books, music, games, and other media approved by the Department.
- 2. Tablet Charging Cart: A steel mobile storage container utilized for the secure storage and charging of the tablets. Tablets remain locked and secure in the cart while not in use. Static Content Tablets will be securely stored and charged in these charging carts.
- 3. Headphones/Earbuds: A pair of small loudspeaker drivers worn on or around the head over a user's ears. Headphones are also known as earbuds.

B. Procedures

- 1. Tablets
  - a. All SHU inmates will be provided access to a Static Content Tablet during their period of confinement in a SHU, by the service provider, at no cost to the inmate or the Department.
  - b. All inmate refusals to accept the issuance of any tablet shall be documented in the SHU Tablet Logbook.
  - c. The approved and supplied SHU in-cell headphones are compatible and must be utilized with the tablets.
  - d. Tablets shall not be connected to any other device or computer.
  - e. Tablets will be distributed and collected by security staff members.
  - f. SHU inmates will be issued tablets and utilize them in their assigned cell only.
  - g. Inmates may only possess or use the tablets issued to them and are prohibited from lending or giving their assigned tablets to other inmates.
  - h. Any problems or issues during tablet usage will be reported immediately to a staff member.

- i. An inmate who damages a tablet with malice may be responsible for the repair or replacement cost.
  - j. The service provider, in consultation with the Department, reserves the right to deny a tablet to an inmate who has destroyed or damaged a tablet in the past. Use of a tablet is a privilege and may be suspended for abuse, misuse, or other misconduct, pursuant to the procedures for implementing the standards of inmate behavior under 7 NYCRR Part 254 and Directive #4932, "Chapter V, Standards Behavior & Allowances."
  - k. The service provider is solely responsible for maintaining and repairing the tablets and any associated infrastructure.
2. Issuing/Collection: The Static Content Tablets will be distributed once daily for a specific timeframe based on the facility schedule and in accordance with the inmates' PIMS Level and PIMS Level Table. All eligible inmates will be issued a tablet by a security staff member.
- a. The Static Content Tablets shall be removed from the charging cart and distributed to the eligible inmates of the SHU.
  - b. The Static Content Tablets shall be collected, visually inspected, and secured in the charging cart in charging mode following the completion of the allotted time.
3. Storage
- a. When not in use, all tablets will be stored in a secured charging cart in a secure area in close proximity to the area where the tablets are being utilized.
  - b. The tablet charging cart will be connected to power, securely locked, and in charging mode.
- C. Termination, Suspension of Tablet Use Privileges: A Hearing Officer may impose a loss of Static Content Tablet privileges for an inmate for violation of this policy or as a disciplinary sanction pursuant to the procedures for implementing the standards of inmate behavior under 7 NYCRR Part 254 and Directive #4932, "Chapter V, Standards Behavior & Allowances."
- D. Documentation: Each SHU shall maintain a PIMS Inmate Tablet Use Log, bound and page numbered, for recording PIMS inmate tablet use. This log shall include:
1. Starting daily inventory number for Static Content Tablets;
  2. Date and times of issuance of the Static Content Tablet for each eligible inmate (include name, DIN, cell location, and PIMS Level);
  3. Name of Officer(s) who issued, supervised, and collected the tablets;
  4. Record of any problems or issues;
  5. Notation indicating if the inmate accepted or declined the issuance of a tablet; and
  6. Ending daily inventory number of Static Content Tablets.

SHU Program Privileges by PIMS Level				
	PIMS Level I	PIMS Level II	PIMS Level III	PIMS Level IV (Albion, Bedford Hills, Upstate & Southport Only)
Time Spent in Each PIMS Level (No regressions, deprivation orders or misbehavior reports)	15 Days	60 Days	90 Days	Contingent on good behavior and positive programming
Daily Recreation (hrs. daily/traditional SHUs & Southport)	1 hour	1 hour	1 hour	1 hour at Albion, Bedford Hills, & Southport on days when congregate rec is not offered
Daily Recreation (hrs. daily/Upstate & S200s)	2 hours	2 hours	2 hours	2 hours at Upstate on days when congregate rec is not offered
Congregate Recreation (Albion, Bedford Hills, CPP/Upstate & Southport)	N/A	N/A	2 hours once per week	2 hours 3x per week
Restraints	Cuffs w/waist chain	Cuffs w/waist chain	Cuffed in front	Cuffed in front
Telephone Call (15 minutes each)	Initial call within 24 hours and 1 call per week	1 call per week	1 call per week	1 call per week
Static Content Tablet (grey)	None	2 hours/ daily	4 hours/daily	4-6 hours/daily
Visits (per week)	1 visit	1 visit	2 visits	2 visits
Headphones (or personal radios where no jacks exist)	Yes	Yes	Yes	Yes
In-Cell Property (Packages – Incarcerated Individuals will receive packages pursuant to Directive #4933, except PIMS III + IV will be allowed 1 package of Personal Clothes as listed, if not available in the incarcerated individual's property)	4933 §302.2	4933 §303.2	Personal Shorts & 1 pair sneakers	Pers. Shirt, Sweatshirt (non- hooded) & Sweatpants
Commissary	Stamps Only	4933 §303.3	Up to \$5 non- cookable food/playing cards	Up to \$10 non-cookable food/playing cards
Law Library Tablet (Green)	Upon Request	Upon Request	Upon Request	Upon Request
Hygiene (Showers/Shaves per week)	3	3	4	4