



THE CITY OF NEW YORK
DEPARTMENT OF CORRECTION



DIRECTIVE



[] NEW [] INTERIM [X] REVISED			SUBJECT		
EFFECTIVE DATE X/XX/17			*TERMINATION DATE / /		
SECURE UNIT					
CLASSIFICATION # 4496R-A	SUPERSEDES 4496	DATED 6/28/16	APPROVED FOR WEB POSTING <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DISTRIBUTION A	PAGE 1 OF 21 PAGES
RECOMMENDED FOR APPROVAL BY REVIEW BOARD MEMBER DRAFT					
MARTIN J. MURPHY, CHIEF OF DEPARTMENT			SIGNATURE		

I. PURPOSE

The purpose of this Directive is to establish New York City Department of Correction (Department) policy and procedures for the selection and housing of young adults in, and the operation of, the young adult Secure Unit.



II. POLICY

- A. The Department shall maintain Secure Units for young adults who have a history of persistent violent and/or assaultive behavior and/or whose assaultive behavior results in a serious injury to staff, the public, or other young adults.
1. Secure Unit shall address populations who are either inappropriate for Second Chance or Transitional Restorative Unit (TRU), or who during their time in Second Chance or TRU housing have continued to engage in assaultive/violent behavior.
 2. Secure Unit programming shall be focused on facilitating rehabilitation, addressing root causes of violence, and minimizing idleness.
 3. Behaviors of individuals housed in Secure Unit will be addressed through an individualized support plan developed and monitored by a multidisciplinary Support Team.
 4. The Department shall maintain statistical data on the operation of Secure Unit in the Monthly Facility Management Report for Security (MFMR-S).

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III. DEFINITIONS

- A. **Secure Unit:** A non-punitive housing unit for selected young adults age eighteen (18) through twenty-one (21) that shall be used to ensure the safe and secure management of young adults who demonstrate a persistent history of violent and/or assaultive behaviors directed towards staff, the public, or other young adults or whose violent actions result in a serious injury to others.
- B. **Secure Unit Phases:** Individuals admitted to Secure Unit will enter at Phase I and may progress to Phase II, Phase III, and eventual discharge from Secure Unit by following its rules, exhibiting positive behavioral changes, and participating in required programming, as determined by the Support Team. Young adults must successfully complete each phase before consideration can be made for placement in general population (GP). Young adults assigned to Secure Unit are permitted access to the same programs and services as dictated within the New York City Board of Correction (BOC) and Health Care Minimum Standard with exceptions outlined in variances pertaining to lockout and location of services.
- C. **Support Team:** Consisting of a Deputy Warden, Unit Manager (Assistant Deputy Warden), Area Supervisor (Captain), Lead Correction Officer, Program Counselor, a mental health provider (when applicable), and relevant service providers, this group shall meet at least weekly to review behavior cards, progress reports, and individualized support plan and to monitor the young adults' progress against these objectives. On a weekly basis, the Support Team shall also meet individually with each young adult to discuss their progress towards the objectives outlined in the Individual Support Plan (ISP). The Support Team may meet more frequently if an ISP requires immediate modification.
- D. **Behavior Card:** Individualized card used by housing unit officers to evaluate targeted behaviors of the young adult on a daily basis. Behavior cards will be reviewed and used during the assessment period to determine movement through each phase. Each behavior card will be signed by the Captain/Area Supervisor and reviewed by the Support Team.
- E. **Young Adults:** Inmates in the custody of the Department of Correction between the ages of eighteen (18) and twenty-one (21).
- F. **Hearing Facilitator:** A Hearing Facilitator is a non-uniformed employee of the Department, usually a Legal Coordinator from the Law Library; he/she is not an attorney. He/she shall assist the young adult by clarifying the reasons for placement into Secure Unit, explaining the hearing and appeal process to the individual, and assisting the individual in gathering material evidence. The Hearing Facilitator will not advocate for or defend the young adult's placement into Secure Unit. If the Hearing Facilitator detects that the young adult is unable to understand or participate in the

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hearing process because of cognitive ability or mental health reason, referral shall be made to the mental health service.

- G. Individual Support Plan (ISP): A document created by the Support Team with the input of the young adult to memorialize milestones and objectives demonstrating positive behavioral changes. Based on regular reviews by the Support Team, the young adult's ISP will change as the young adult's behavior changes.
- H. Serious Injury: Injury that requires medical treatment beyond the prescription of over-the-counter analgesics or the administration of minor first aid, including those resulting in one or more of the following treatments/injuries: multiple abrasions and/or contusions, chipped or cracked tooth, loss of tooth, laceration, puncture, fracture, loss of consciousness, concussion, suture, internal injuries (e.g., ruptured spleen, perforated eardrum, etc.), or admission to a hospital.
- I. Serious Mental Illness (SMI): Serious Mental Illness, as defined by the New York State Office of Mental Health.
- J. Restraint Desk: A security restraining device consisting of a school-type desk surface and a chair that are bolted to the floor. The floor level locking device secures ankle restraints; the locking device is operated with a waist level handle and padlocked during use. The desks are designed to secure potentially disruptive inmates during therapeutic, educational, programming, and/or recreational sessions in a classroom setting.
- a. All young adults attending school and other programming by providers within the classroom and/or area designated for school within the unit may be subject to placement in a restraint desk, as warranted, based on a security concern.
 - b. The use of restraint desks shall be in accordance with Directive 4522, "Restraints," and use shall comply with all applicable procedures (e.g., officers shall maintain constant and continuous supervision of inmates secured in restraint desks; when using leg restraints, check to ensure that cuffs are not placed over clothing/boots; and restraints shall never be used in a manner that may restrict blood circulation or breathing).
- Note: Young adults shall not be three point restrained while in the restraint desk during school or other programming by providers within the classroom and/or area designated for school within the unit.

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IV. PROCEDURES



A. PLACEMENT CRITERIA

1. A young adult may be immediately placed in the Secure Unit in a pre-hearing status if the individual presents a significant threat to the safety and security of the facility if housed elsewhere. Such a determination must be supported by a finding that one of the following has occurred:
 - a. Involvement in an assault on staff with injury, assault on any other person with injury, assault on an inmate with injury, assault on any person while using a weapon; or taking or holding any person hostage;
 - b. Involvement in the organization and/or the perpetration of violent or dangerous Security Risk Group ("SRG") activity that results in serious injury;
 - c. Has committed a slashing or stabbing; has rioted or actively participated in inmate disturbances while in Department custody or otherwise incarcerated;
 - d. The individual has been identified as an SRG member and has perpetrated violent or dangerous SRG-related activity;
 - e. While in Departmental custody or otherwise incarcerated, the individual has engaged in repeated activity or behavior of a gravity and degree of danger similar to the acts described above and such activity or behavior has an identifiable and adverse impact on the safety and security of the facility.

Note: The presence of a mental health diagnosis does not preclude the placement of a young adult in the Secure Unit. However, New York City Health and Hospitals (H+H) Correctional Health Services staff (clinical staff) retains the authority to determine and effect the placement of young adults in special medical and mental health housing areas as detailed in the BOC's Mental Health Minimum Standards and Health Care Minimum Standards.

2. Exclusions

- a. SMI individuals or individuals with serious physical disabilities or conditions are excluded from placement in Secure Unit.

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IV. PROCEDURES (Cont.)



B. RECOMMENDATION FOR INITIAL SECURE UNIT PLACEMENT

1. If at any time a Captain or higher ranking member of the Department determines that a young adult should be considered for placement in the Secure Unit, a recommendation for such placement shall be submitted on Form SU-1, "Recommendation for Initial Placement in Secure Unit" (Attachment A) and signed by the Tour Commander for immediate transmittal to the Operations Security Intelligence Unit (OSIU) and the Deputy Warden for Security.
2. Upon receipt of the aforementioned form, OSIU or the Officer of the Day (OD) shall promptly determine whether the young adult placement is authorized. Upon authorization, the young adult shall immediately be transferred to a Secure Unit. The sending facility shall provide notice to the young adult via Form SU-2, "Notice of Authorization for Initial Placement in Secure Unit" (Attachment B), within twenty-four (24) hours of initial Secure Unit placement. The notice shall also be placed in the young adult's electronic folder on the appropriate shared drive.
3. If OSIU (or OD) determines that the young adult should not be placed in the Secure Unit, a determination shall be made for alternative means of housing for the young adult to properly address security concerns.

Note: For those young adults who have mental illnesses that are classified as less than severe or medical concerns identified by clinical staff that may preclude placement in the Secure Unit, the Deputy Warden for Security (or designee) shall work with the Deputy Commissioner for Health Affairs (or designee) and senior H+H clinical staff to evaluate such concerns, determine specific treatment needs, and determine if such treatment could be provided in the unit or whether other appropriate housing options could meet the necessary security and health concerns.



C. NOTICE OF AUTHORIZATION FOR INITIAL PLACEMENT

1. Form SU-2 directs the immediate placement of the young adult into Secure Unit with a hearing and review of such placement and imposition of restrictions.
2. Form SU-2 shall be provided to the young adult within one business day of initial placement in the Secure Unit. Such notice shall:
 - a. State the grounds relied on and the facts that support the young adult's initial placement in the Secure Unit;

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- b. Inform the young adult of the individual restrictions to be imposed during Secure Unit initial placement;
 - c. Inform the young adult that during attendance in school and other programming by providers within the classroom and/or area designated for school within the unit, he may be subject to placement in a restraint desk based on a security concern.
 - d. Notify the young adult of the Secure Unit placement review hearing; and
 - e. Inform the young adult of the right to review the evidence relied upon prior to the placement hearing, to appear at the hearing in person, to submit a written statement for consideration, to call witnesses, and to present evidence.
3. Young adults who are unable to read or understand such notice shall be provided assistance by the language service team or translation services on the telephone.
 4. Form SU-2 includes information regarding the justification for placement. It also requires the young adult's signature acknowledging receipt of the notice. If the young adult refuses to sign the form, such refusal shall be documented on Form SU-2 and signed by the Department staff that served the notice on the young adult as well as a staff member who witnessed the young adult's refusal.
- D. MEDICAL ASSESSMENT
1. Clinical staff shall be permitted to review Secure Unit initial placements and may participate in the placement review hearings. When assignment to the Secure Unit would pose a serious threat to a young adult's physical or mental health, clinical staff shall have the authority to determine that the young adult shall be barred from placement or shall be moved from the Secure Unit to a more appropriate housing unit. This determination may be made at any time during the young adult's incarceration.



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2. Any young adult placed in the Secure Unit who evidences a mental or emotional disorder at any time during their placement in Secure Unit shall be referred to mental health services staff prior to or immediately upon placement. If the clinical staff or H+H (the correctional healthcare provider) determine that a patient requires a level of health or mental health care that cannot be provided in the Secure Unit, then a mental health referral will be immediately generated. The Executive Director of Mental Health, the Correctional Health Services Chiefs of Medical and Mental Health Services, the Chief Medical Officer of Correctional Health Services, the Deputy Commissioner of Health Affairs, and the Deputy Warden for Security (their designees, or designees of the respective Commissioners) will convene regular meetings to discuss and make plans for any young adults who may be considered as having both health and security concerns that result in conflicting housing area designations by H+H and the Department. Should circumstances require immediate action, the parties may confer by phone or email for resolution.
3. In the event that a young adult reports that he/she plans to harm him/herself or others, a mental health referral shall be generated immediately. The designated H+H mental health clinician shall determine if the individual must be placed on suicide watch at which time the Support Team shall determine the most appropriate location for the suicide watch to occur.
4. The Deputy Warden for Security shall document all decisions and maintain records of such.

E. SECURE UNIT PLACEMENT REVIEW HEARING AND DETERMINATION



1. Within three (3) business days of service of Form SU-2 to the young adult, the Adjudication Unit shall conduct a hearing to adjudicate the young adult's Secure Unit placement and related restrictions. The young adult can be placed in the Secure Unit for up to an additional four (4) business days. If the hearing cannot be completed after a total of seven (7) business days, the Department must determine whether the individual should be released to GP or whether he or she should be moved into more appropriate housing. Where the Secure Unit placement is based on a current infraction, the infraction shall be forwarded to the Adjudication Captain along with the SU-2 form for a hearing of both the infraction and Secure Unit placement.
2. The purpose of the hearing is to determine whether the facts upon which the Department relied for Secure Unit placement and the imposition of related restrictions do, in fact, exist and whether they support, by a preponderance (greater than 50%) of the evidence, the conclusion that the young adult presents

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a current significant threat to the safety and security of the facility such that Secure Unit placement and each of the imposed restrictions is appropriate.

IV. PROCEDURES (Cont.)



3. At the commencement of the hearing, the Adjudication Captain must begin audiotaping the hearing.
4. The Adjudication Captain's review shall include:
 - a. Consideration of the time that has elapsed since the occurrence of the activity or behavior relied on by the Department to support Secure Unit placement;
 - b. A review of the individual restrictions proposed by the Department and a determination of whether each is supported by evidence of the legitimate safety and security concern related to that individual young adult;
 - c. Consideration of any relevant information provided by clinical staff;
 - d. Consideration of any credible and relevant evidence submitted or statements made by the young adult or witnesses at the hearing; and
 - e. Consideration of any other evidence deemed relevant to the Secure Unit status determination or imposition of individual restrictions.
5. For the purpose of this hearing, the Deputy Warden for Security shall ensure that the Adjudication Captain is provided with:
 - a. A copy of the completed Form SU-1 and SU-2.
 - b. Copies of all evidence, including video footage where relevant, reports, and other documents relevant to the young adult's Secure Unit placement and related restrictions. Where such placement is based upon infraction history, the Adjudication Captain shall be provided with the Infraction History Report from the Inmate Information System (IIS) of such determination and all relevant supporting documentation. Where such placement is based on a current infraction that has not yet been adjudicated, the infraction, Supervisor's investigation, and all related supporting documentation shall be provided to the Adjudication Captain.
 - c. Copies of any documents reflecting a history of placement into the Secure Unit or Red ID/Enhanced Restraint Status during the current or prior

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incarceration(s).

IV. PROCEDURES (Cont.)

- d. Copies of any reports or other information that were relied upon in making the recommendation to place the young adult in Secure Unit based upon association with or engagement in the activities of a Security Risk Group. Where such information contains the name or other identifying information of a confidential informant, such information shall be redacted and clearly be marked by OSIU as "Confidential."
6. The Right to Assistance of Hearing Facilitator
- a. A Hearing Facilitator is a non-uniformed employee of the Department, usually a Legal Coordinator from the Law Library, or a Counselor; he/she is not an attorney. He/she shall assist the young adult by interviewing witnesses; obtaining evidence and/or written statements; providing assistance at the Secure Unit hearing; providing assistance understanding administrative segregation decisions; providing assistance understanding the evidence relied on by the hearing officer and the reasons for action taken; providing assistance understanding the waiver of any rights provided by this Directive; and providing assistance in filing an appeal as provided by this Directive. The Hearing Facilitator will not advocate for or defend the young adult's placement into Secure Unit. The Adjudication Captain may adjourn the hearing for the young adult to receive this assistance. If the young adult requests the assistance of a Hearing Facilitator and that request is denied by the Adjudication Captain, he/she shall state the reasons for denying the request in the hearing record.
- b. A young adult may ask for a Hearing Facilitator in the following circumstances:
- i. The young adult is non-English speaking;
 - ii. The young adult is illiterate;
 - iii. The young adult is blind or deaf; or
 - iv. For any other reason the young adult is unable to prepare a defense.
- c. A young adult has the right to assistance of a Hearing Facilitator if the Adjudication Captain cannot obtain material evidence or witnesses requested by the inmate or the Adjudication Captain deems that a Hearing Facilitator is necessary.
7. A young adult who has been recommended for placement in Secure Unit may review evidence against him or her prior to the hearing. A young adult who has

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been recommended for placement in Secure Unit has the right to appear at the hearing in person, submit a written statement, call witnesses, and present evidence at the hearing. Evidence must be relevant and may not be redundant. Based on these standards, the Adjudication Captain shall determine whether a witness is able to testify, the conditions under which testimony will be given, and whether the evidence will be accepted. The fact that a witness is expected to testify as to facts about which testimony or written material has already been received is not a reason, by itself, to exclude the witness.

IV. PROCEDURES (Cont.)

8. Hearings may be held in absentia (without the individual present) only under the following circumstances:
 - a. The young adult is notified of the hearing and refuses to appear;
 - b. The young adult appears and is extremely disruptive causing a situation which is unduly hazardous to the institutional safety and necessitating his or her removal from the hearing room thus constituting a constructive refusal to appear; or
 - c. The young adult is notified of the hearing, appears, and leaves before the hearing has concluded.

When one of these situations arises, the justification for holding the hearing in absentia must be clearly documented in the Adjudication Captain's decision and in the audio recording.

9. Once the hearing has begun, the Adjudication Captain shall make a reasonable effort to conclude the hearing in one session. Adjournments may be granted if a young adult requests additional time to locate witnesses, obtain the assistance of a hearing facilitator, or prepare a defense. Adjudication Captains may also adjourn a hearing in order to question additional witnesses not available at the time of the hearing, gather further information, refer a case to Mental Health, or if issues are raised that require further investigation or clarification in order to reach a decision. However, hearings must be completed within seven (7) business days of convening.
10. When a case is adjourned, the adjournment and the underlying reason(s) for it must be stated on the record and noted on the Form SU-3, "Notice of Hearing Determination for Secure Unit" (Attachment C). Adjournments should be as brief as possible.
11. The Adjudication Captain shall have two (2) business days to render a decision whether to continue placement in the Secure Unit and the related restrictions

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based upon a preponderance of the evidence presented, including any evidence submitted by the young adult. Where the placement is based on the current infraction, the Adjudication Captain shall submit the infraction disposition at the same time as the placement determination. Confidential information, including information that is marked as "confidential" shall not be disclosed to the young adult. Instead, the young adult shall be advised of at least general information concerning the nature of the activities alleged to have occurred so that he or she may present a response, provided that such information does not lead to or disclose the identity of a confidential informant.

IV. PROCEDURES (Cont.)

12. If it is determined that the Secure Unit placement and related restrictions are supported by the evidence, the placement shall be continued and written notice outlining the basis of such determinations shall be provided to the young adult.

If it is determined that the Secure Unit placement and/or the imposition of any related restrictions is/are unsupported by a preponderance of the evidence, the Adjudication Captain shall direct the immediate revocation of such status and/or individual restriction()

- a. A dismissal of the current infraction based solely on an administrative or procedural error will not prohibit the Adjudication Captain from determining that the individual's placement in the Secure Unit was and remains appropriate so long as the error did not violate the young adult's right to present evidence to the Hearing Officer.
 - b. If the Adjudication Captain finds the young adult not guilty of the current infraction based on the evidence presented, placement in the Secure Unit may still be found to be appropriate so long as there are additional facts upon which the Department relied for Secure Unit placement and the imposition of related restrictions that the Adjudication Captain finds support, by a preponderance (greater than 50%) of the evidence, the conclusion that the young adult presents a current significant threat to the safety and security of the facility such that Secure Unit placement and each of the imposed restrictions is appropriate.
13. The Adjudication Captain shall document the findings of the review and determination on Form SU-3. The notice shall be delivered to the Deputy Warden for Security. The Deputy Warden for Security shall ensure that a copy is served on the young adult within seventy-two (72) hours of the conclusion of the hearing, excluding weekends and holidays. If unforeseen circumstances prevent compliance with this time period, the notice shall be served on the young adult as soon as practicable. Form SU-3 shall advise the young adult that within

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twenty-one (21) days, he or she may appeal the determination in writing to the Chief of Security.



IV. PROCEDURES (Cont.)

14. Form SU-3 shall serve as notice to the young adult of Secure Unit placement and any and all related restrictions, including that any incoming and outgoing non-privileged correspondence shall be read. The notice shall also be provided to the facility Warden and Chief of Security to be placed on file in the facility Security Office. Visits shall be conducted in accordance with Section 1-09 (“Visiting”) subdivision (h) of the BOC Minimum Standards. All original copies of documentation regarding Secure Unit shall be kept on file in the office of the Deputy Warden of Security.

Note: The Deputy Warden for Security or designee shall ensure written notification is made to the Commanding Officer of Special Operations Division (SOD) on Form SU-5, “Notice of Appeal Determination for Inmate Placed in Secure Unit” (Attachment E) whenever a Secure Unit young adult is removed from a non-contact visit restriction.

F. APPEALS

1. Young adults may appeal placement in Secure Unit or imposition of a restriction while housed in a Secure Unit. Appeals must be done in writing on Form SU-4, “Inmate Appeal of Secure Unit Placement and/or Restrictions” (Attachment D), within twenty-one (21) days of receipt of Form SU-3.
2. The Chief of Security or designee shall process all submitted written appeals of a young adult of Secure Unit placement and related restrictions. The Chief of Security or designee shall review the specifics of the young adult’s appeal as well as all documented facts and circumstances surrounding the individual’s placement and related restrictions. He or she shall render a written decision using Form SU-5, “Notice of Appeal Determination for Inmate Placed in Secure Unit” (Attachment E), within seven (7) days from receiving the individual’s appeal. The Chief of Security or designee shall ensure that the determination regarding the young adult’s appeal is delivered to the individual within one (1) business day of its issuance. If extenuating circumstances prevent compliance with this time period, the determination shall be delivered to the young adult as soon as practicable.

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G. SECURE UNIT PHASES

1. Phase I will apply to individuals newly admitted to Secure Unit (or as behavior warrants).
 - a. Phase I Minimum Placement Duration: Twenty-eight (28) days.
 - b. Lock out for ten (10) hours per day.
 - c. Commissary purchases up to ten dollars (\$10.00) can be made weekly, limited to hygiene products and bottled water.
 - d. Family pictures.
 - e. Writing paper and a pencil.
 - f. One stamped envelope provided per week.
 - g. Institutional clothing shall be worn at all times when out of cell.
 - h. Personal property will be limited to one book (which can be exchanged) in the cell at any one time. This allotment does not include program workbooks/materials or DOE issued homework materials.

2. Phase II will apply to individuals who have demonstrated progress in their support plans and positive behavior in Phase I for at least twenty-eight (28) days, and are approved by the Support Team for advancement.
 - a. Phase II placement duration as reviewed and determined by the Support Team.
 - b. Lock out for twelve (12) hours per day.
 - c. Commissary purchases up to fifteen dollars (\$15.00) can be made weekly from the approved commissary list (see Attachment J).
 - d. Family pictures.
 - e. Writing paper and a pencil.
 - f. Two (2) stamped envelopes provided per week.
 - g. Institutional clothing shall be worn at all times when out of cell.
 - h. Personal property permitted but limited to the following items: a combination of three (3) books and/or magazines in the cell at one time (which can be exchanged). This allotment does not include program workbooks/materials or DOE-issued homework materials.

3. Phase III will apply to individuals who have demonstrated progress in their support plans and substantial positive behavior at Phase II for a time period consistent with the recommendation of the Support Team, and are approved by the Support Team for advancement.
 - a. Phase III placement duration as reviewed and determined by the Support Team
 - b. Lock out for fourteen (14) hours per day.

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- c. Commissary purchases up to twenty-five dollars (\$25.00) can be made weekly from the approved commissary list.
- d. Family pictures.
- e. Writing paper and a pencil.
- f. Three (3) stamped envelopes provided per week.
- g. Institutional clothing shall be worn at all times when out of cell.
- h. Personal property permitted but limited to the following items: a combination of five (5) books and/or magazines in the cell at any one time (which can be exchanged). This allotment does not include program workbooks/materials or DOE-issued homework materials.

IV. PROCEDURES (Cont.)

4. Discharge from Secure Unit may be achieved after satisfactory behavior for a time period consistent with the recommendation of the Support Team, in Phase III. Discharge from Secure Unit may be initiated by the Support Team and approved only by the Chief of Security. Where the Chief of Security disapproves the Support Team's recommendation for discharge, the reasons for the rejection shall be documented in writing.

H. PLACEMENT

1. Upon placement in Secure Unit, young adults shall be provided with information regarding the rules in advance of their assignments to each phase.
2. Orientation:
 - a. An Officer, Captain, and a Program Counselor shall meet and conduct an orientation session with each young adult within forty-eight (48) hours of admission to Secure Unit. The orientation session shall include a detailed review of the Secure Unit rules and phases including descriptions of the programming and the expectations and requirements for successful program completion. The orientation shall take place in a private setting.
 - b. Within a week of arrival in Secure Unit the young adult shall have the first weekly meeting with the Support Team.
3. Development of ISP:
 - a. The young adult shall meet with the program counselor within three days of placement in Secure Unit to complete the ISP template in advance of the first Support Team meeting (Attachment K).
 - b. The young adult shall present ideas to the Support Team for discussion.

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- c. The Support Team shall provide feedback and recommendations on the ISP.
- d. Within three business (3) days of the young adult's first weekly meeting of the Support Team, the individual shall receive a copy of the ISP. The individualized support plan shall provide an outline of programming that will be offered to address the maladaptive behaviors exhibited by the individual.

IV. PROCEDURES (Cont.)



I. PROGRAMMING

1. Young adults in the Secure Unit shall be offered programming in alignment with the objectives delineated in their ISP. The young adults shall be offered cognitive based intervention programming. Activities shall be offered by Program Counselors and other service providers daily, and may include but are not limited to interactive journaling, anger management, stress-reduction techniques, and structured recreation. Each individual shall be offered a minimum of 15 hours of programming per week.
2. Education shall be afforded in accordance with Directive 3503R, "Inmate Access to Board of Education Services."

J. TWENTY-EIGHT DAY REVIEW



1. In addition to weekly reviews conducted through Support Team meetings, every young adult placed in Secure Unit shall be subject to review by the Support Team after the first twenty-eight (28) days in the unit (based on admission date to the unit) to determine if the young adult should remain in the current housing phase or progress to Phase II.
2. The Support Team shall reach its decision regarding the individual's advancement to Phase II using the criteria described below, and the decision shall be shared with the young adult immediately in the Support Team's regular meeting with the young adult.
3. Young adults shall be notified of the results of the initial 28-day review in writing by the following business day and are permitted to appeal the Support Team's decision. Appeals shall be reviewed by the Commanding Officer and a decision shall be rendered in writing within two (2) business days of the appeal.

Some examples of behavior that a young adult would need to display to progress through the phases include but are not limited to:

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IV. PROCEDURES (Cont.)

- a. Advancement from Phase I to Phase II:
- i. Must complete a minimum of twenty-eight (28) days in Phase I;
 - ii. Receipt of any infractions during Phase I shall result in Support Team review and conference with the young adult to revise support plan and discuss an extension of phase I based on severity;
 - iii. Comply with all assigned programs in accordance with the support plan;
 - iv. Attend Department of Education (DOE) services if applicable;
 - v. Maintain proper sanitary conditions within cell and housing unit;
 - vi. Comply with all direction and instruction from staff; and
 - vii. Demonstrate positive interaction with staff and all other young adults.
- b. Advancement from Phase I to Phase III:
- i. Must receive recommendation from Support Team for advancement;
 - ii. Receipt of any infractions during Phase II will result in Support Team review and conference with the young adult to revise support plan and discuss an extension of current phase or a regression to phase I based on severity;
 - iii. The young adult must complete all of the Phase II required programs;
 - iv. Attend DOE services if applicable;
 - v. Maintain proper sanitary conditions within cell and housing unit;
 - vi. Comply with all direction and instruction from staff; and
 - vii. Demonstrate positive interaction with staff and all other young adults.



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IV. PROCEDURES (Cont.)

- c. Advancement from Phase III to GP status:
- i. Must receive recommendation from Support Team for advancement;
 - ii. Receipt of any infractions during Phase III shall result in Support Team review and conference with young adult to revise support plan and discuss an extension of current phase or a regression to Phase I or II based on severity;
 - iii. The young adult must complete all of the Phase III required programs;
 - iv. Attend DOE services if applicable;
 - v. Maintain proper sanitary conditions within cell and housing unit;
 - vi. Comply with all direction and instruction from staff;
 - vii. Demonstrate positive interaction with other young adults;
 - viii. Receive favorable review by the unit team with final approval from the Warden and Chief of Security; and
 - ix. All young adults returning to GP status shall be assigned to an appropriate placement determined by Security.

4. Use of De-escalation cells

- a. Young adults shall be confined in a cell for de-escalation purposes when the individual exhibits behavior that poses an immediate safety risk to him/herself or others and/or who significantly disrupts the activities that are in progress. This will be done in an effort to aid young adults in calming and controlling their own behavior.
- b. The de-escalation area is a cell that has all of the amenities as required by BOC Minimum Standards.
- c. Prior to confinement, the staff shall attempt to deescalate the young adult's behavior through less restrictive measures, time and circumstances permitting. Such measures shall be documented in the logbook.
- d. Every adolescent placed in the de-escalation area will have assigned 1:1 Officer watching them at all times. The 1:1 Officer will also be responsible

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for engaging with youth to assist with de-escalation.

IV. PROCEDURES (Cont.)

K. MANAGEMENT OF SECURE UNIT

Based on the need for enhanced security measures applicable to the young adults placed in a Secure Unit, the following custody management policies are applicable to Secure Unit:



1. Housing Type: Single cells
2. Search Requirements for Movement in and Out of Housing Area: Standard three-point search consisting of: search of the young adult and their items through the use of a magnetometer; search of the young adult and their items through the use of a transfrisker; a strip search without a visual body cavity search; inspection and manipulation of all of the subject's clothing and items; and examination of all clothing and items through the use of a linescan machine.
 - a. All cells shall be searched at a minimum of twice per calendar day. All young adults shall be thoroughly pat searched each time they exit their cell. All young adults are subject to three-point searches upon exiting and entering the housing unit.
3. Movement: Escorted, with mechanical restraints (rear-cuffed unless medically contraindicated) when moving outside the housing area. All enhanced restraint status and Centrally Monitored Case (CMC) young adults shall be escorted in specified restraints in accordance with Department policy.
4. Housing Area Surveillance: Video required.
5. Sick Call: All young adults in the Secure Unit shall have access to sign up for daily sick call and shall be seen on the unit, at least once each day, by mental health staff who will make referrals to mental health services where appropriate.
6. Clothing/Footwear: Department-issued clothing and authorized footwear. Institutional clothing shall be exchanged with a laundered replacement every four (4) calendar days.
7. Television: programming times shall be determined by the housing area officers in conjunction with program counselors; however, the televisions will not be operated during facilitated programming sessions unless required by the facilitator. All television programs shown shall be pre-determined and educational in nature.

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8. Telephone Privileges: A minimum of one (1) call per day of at least six (6) minutes, plus calls with attorneys.
9. Barber Services: shall be afforded in the housing area every twenty-one (21) days.
10. Work Assignments: Within housing unit only; pending approval by the Support Team.

IV. PROCEDURES (Cont.)

11. Commissary:
 - a. In Phase I: Ten dollars (\$10) per week, purchases limited to hygiene products and bottled water.
 - b. In Phase II: Fifteen dollars (\$15) per week, purchases from approved commissary list.
 - c. In Phase III: twenty-five dollars (\$25) per week, purchases from approved commissary list.
12. Lock-out: Phase I will receive a minimum of ten (10) hours of lock-out time between 0500 hours and 2100 hours in accordance with Section 1-05 ("Involuntary Lock in") of the BOC Minimum Standards (as amended). Phase II will receive a minimum of twelve (12) hours lock-out time. Phase III will receive fourteen (14) hours of lock-out time.
13. Recreation: A minimum of one (1) hour per day, seven (7) days a week, indoors or outdoors (weather permitting).
14. Mandatory Religious Services: Congregate services will be held in the housing unit.
15. Mandatory Law Library Program: Young adults shall be provided two (2) hours of law library time per day, five (5) days per week, within the housing area in accordance with Section 1-08 ("Access to Courts and Legal Services") of the BOC Minimum Standards (as amended).
16. BOC Minimum Standards: Young adults shall receive all services in accordance with BOC Minimum Standards except as provided by approved variances, such as in regards to lock-out times.

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IV. PROCEDURES (Cont.)

L. USE OF RESTRAINT DESKS

1. Young adults attending school and other programming by providers within the classroom and/or area designated for school within the unit may be subject to placement in a restraint desk, as warranted, based on a security concern.
 - a. The use of restraint desks shall be in accordance with Directive 4522. In accordance with Directive 4522, inmates shall not be kept in a restraint desk for more than four (4) continuous hours without approval of a Deputy Warden or above. Young adults shall be afforded an opportunity on an hourly basis to be removed from the Restraint Desk for another permissible purpose (e.g., place a phone call, return to their cell, use the bathroom, take a shower, etc.). If the young adult elects to return to their cell, they will be offered the opportunity on an hourly basis to be removed from the Restraint Desk each subsequent hour. A substantial break (at least 30 minutes) will be afforded to inmates after four (4) continuous hours in the Restraint Desk. The short breaks offered every hour do not interrupt the four (4) hour continuous use calculation (in other words, continuous use of the Restraint Desk for four (4) hours is inclusive of any short breaks taken between each hour).
 - b. Use of restraint desks within the classroom and/or area designated for school within the unit shall be subject to periodic review to assess the continued use of the restraint desk and the related underlying security concerns.

V. ATTACHMENTS

- A. Form SU-1, "Recommendation for Initial Placement of Inmate in Secure Unit.
- B. Form SU-2, "Notice of Authorization for Initial Placement in Secure Unit."
- C. Form SU-3, "Notice of Hearing Determination for Secure Unit."
- D. Form SU-4, "Inmate Appeal of Secure Unit Placement and/or Restrictions."
- E. Form SU-5, "Notice of Appeal Determination for Inmate Placed in Secure Unit."
- F. Form SU-7, "Notice of Twenty-Eight (28) Day Review."

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G. "Approved Commissary List."

H. "Individualized Support Plan Template."

VI. SUPERSEDES

Any other Directive, Operations Order, Teletype, Memorandum, etc., that may be in conflict with the policies and procedures outlined herein.

VII. SPECIAL INSTRUCTIONS

A. All facility managers and supervisors shall ensure strict enforcement of the policy, guidelines and procedures noted herein.

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