

BOC Rules 60-Day Report: Punitive Segregation  
 Reporting period February 23, 2015-March 31, 2015

(i)	the number of inmates held in punitive segregation	Census on March 31: 224*
	the number of inmates waiting to be held in punitive segregation	Backlog on March 31: 986 (146 GP and 840 MH)
(ii)	data related to the length of punitive segregation sentences and the frequency of the types of offences resulting in punitive segregation sentences	(see attachment)
(iii)	the status of the reduction of punitive segregation sentences from ninety (90) to thirty (30) days	The Department's new sentencing grid went into effect on February 21. This new sentencing grid is designed around a 30 day maximum sentence. At the start of the rule change, nine sentences were erroneously issued based on the old sentencing grid. These records have been corrected and the incorrect punitive segregation time was not served.
(iv)	the status of implementation of the Department's planned policy to require that an inmate be released from punitive segregation for a minimum of seven (7) days before returning to punitive segregation	Counting for the 30 day length of stay limit began when the new rules went into effect on February 21. All inmates who were in punitive segregation on that date were released on or before March 23. From that time on, all inmates who serve 30 consecutive days will be released for at least seven days before they may return to punitive segregation.
(v)	a plan and timeline detailing steps necessary to reduce the length of punitive segregation sentences and to reduce the number of inmates housed in punitive segregation	Punitive segregation sentences have been reduced to a maximum of 30 days. A detailed timeline for future reduction in this population cannot be provided at this point, because factors that are currently unknown, including the reform of RHU, will affect that plan.
(vi)	data related to the amount of recreation provided to inmates housed in punitive segregation	Number of inmates who went to rec: 1206
	data related to the amount of out-of-cell time provided to inmates housed in punitive segregation	Number of inmates who received 7 hours per day of out-of-cell time: 638 Average daily population who received 7 hours of out-of-cell time: 16
(vii)	any other information the Department or the Board deems relevant to the Board's assessment of punitive segregation in Department facilities	Information has been shared with the Board as it has been requested.

\*Total includes all punitive segregation and RHU areas Department-wide.

(ii) data related to the length of punitive segregation sentences and the frequency of the types of offenses resulting in punitive segregation sentences:

Report on Hearing Results for Rule Violations Committed February 21 thru March 31, 2015								
Rule Violation Grade	PS Type*	Rule #	Number of Cases	Average Sentence to PS (days)	Minimum Sentence to PS (days)	Maximum Sentence to PS (days)	Rule Description	
1	PS I	101.1	168	26.4	5	90	Assault on staff with injury or attempted injury	
		101.14	125	16.1	2	30	Fighting / physical struggle with an inmate resulting in injury	
		101.12	68	23.9	3	70	Assault on inmate with injury or attempted injury	
		103.1	56	22.1	10	30	Make, possess, sell or exchange any type of contraband weapon	
		109.1	43	9.3	5	15	Shall not physically resist staff members	
		101.13	29	28.6	21	30	Assault or attempted assault to any person with a weapon	
		101.11	17	18.1	5	30	Assault on any other person with injury or attempted injury	
		121.1	11	25.2	20	30	Shall not take any action with the intention of taking control over any area of any facility (rioting)	
		103.11	7	9.3	5	10	Make, possess, sell, give or exchange any amount of drugs or drug paraphernalia	
		100.1	5	30	30	30	Arson	
		123.1	4	17.5	15	20	Smuggle weapons, drugs or drug-related products, alcohol or tobacco	
		109.11	3	8.3	5	10	Shall not harass or annoy staff members by touching or rubbing against them	
		130.1	3	16.7	10	30	Shall not refuse to provide a urine, hair, saliva or other sample	
		106.1	2	10	10	10	Shall not lead or attempt to lead or encourage boycotts, work stoppages or demonstrations	
		121.12	2	25	20	30	Shall not encourage or in any way persuade other inmates to take any action in order to take control over the area (rioting)	
		103.10.5	1	20	20	20	Possess or transport Department-issued razor outside of housing area	
		111.1	1	30	30	30	Shall not escape or aid others to escape or attempt to escape or aid others to escape	
	2	PS II	127.1	49	9.3	3	20	Shall not make any threat whether spoken in writing or by gesture against staff member
			126.1	25	16.3	11	20	Shall not tamper with, destroy or sabotage any security related devices or equipment
			107.1	19	10.5	10	20	Misuses, defaces, or destroys City property with a value greater than \$100
			130.11	7	8.9	6	10	Shall not test positive for or be found under the influence of alcohol or illegal drugs / substances
			103.12.7	4	8.8	5	10	Possess money exceeding \$20
			112.1	4	10	10	10	Shall not make threats, spoken, in writing or by gesture against a staff member
103.12			1	20	20	20	Make, possess, sell, give or exchange any type of escape paraphernalia	
103.12.5			1	20	20	20	Possess any type of electronic telecommunication and/or recording devices	
101.17			238	8.7	5	20	Fighting / physical struggle with an inmate, no injury	
101.16			65	9.1	5	10	Assault or attempted assault to any other person, not a staff person, no weapon, no injury	
120.1			48	8.8	5	10	Shall obey all orders of Department staff	
109.12			30	9	5	10	Shall not verbally abuse or harass staff members or make obscene gestures towards any staff members	
122.12			4	10	10	10	Shall not expose private parts in lewd manner	
104.11			2	10	10	10	Shall not intentionally delay the count	
105.1			2	10	10	10	Shall not create a fire hazard, health hazard or other safety hazard	
103.13			1	10	10	10	Exchange or sell prescription drugs or non-prescription drugs	
105.11	1	5	5	5	Shall not tamper with any fire safety equipment			
107.11	1	10	10	10	Misuses, defaces, or destroys City property with a value between \$10 and \$100			
110.1	1	2	2	2	Shall not interfere with or disrupt institutional services, programs or special activities			
3	No PS	105.15	1	11	11	11	Shall not litter, spit or throw garbage or any kind of waste or substance	
		105.24	1	10	10	10	Shall not block the view into or out of any cell by putting anything on the bars of the cell or any cell door, etc	
		120.11	1	5	5	5	Shall obey all orders of Department staff (other)	
<b>All Grades &amp; Charges</b>			<b>1,051</b>	<b>15.5</b>	<b>2</b>	<b>90</b>		

\*In PS I, inmates are locked out for at least one hour per day. In PS II, inmates are locked out at least seven hours per day.

NOTE: At the start of the rule change, nine sentences were erroneously issued based on the old sentencing grid. These errors are reflected in the three Grade III infractions and the sentences longer than 30 days. These records have been corrected and the incorrect punitive segregation time was not served.

Note on methodology: It is common practice for multiple rule violations committed by an inmate on the same day to be handled at one hearing. Since 2012, all of the sentences to PS given for multiple rule violations at one hearing are served concurrently, so in practice it is only the longest sentence for the top charge heard at any one hearing that is served. That is what is reported here. In a very small number of instances, however, when an inmate commits more than one very serious rule violation due to separate incidents on the same day, two or more hearings may be held for these. In such cases, the 30 days in PS limit applies to each hearing. For this first reporting period, due to data limitations, for cases where 2 or more hearings are held for rule violations by one inmate on the same day, only the longest sentence to PS is reported here.