

BOC Rules 60-Day Report: Punitive Segregation  
 Reporting period February 1, 2017 to March 31, 2017

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|-------|---|--|
| (i)   | the number of inmates held in punitive segregation  | Census on March 31: 98   |
|       | the number of inmates waiting to be held in punitive segregation  | Backlog on March 31: 618 (156 GP and 462 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 and any other efforts to reduce the use of and length of stay in punitive segregation  | The Department's new sentencing grid, designed around a 30 day maximum sentence, went into effect on February 21, 2015. The only possible sentence that may be longer than 30 days would be for assaults on staff that cause serious injury.   |
| (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  | The 30 day length of stay limit began when the new rules went into effect on February 21, 2015. From that time on, all inmates who serve 30 consecutive days are released for at least seven days before they may return to punitive segregation, unless the Chief of Department has approved an override. |
| (v)   | the number of punitive segregation sentences of thirty-one (31) to forty-five (45) days in duration given to inmates for a serious assault on staff, disaggregated by whether the sentence was approved or disapproved by the Chief of Department or a designee;                          | None   |
| (vi)  | the number of punitive segregation sentences exceeding forty-five (45) days in duration given to inmates for a serious assault on staff, disaggregated by whether the sentence was approved or disapproved by the Chief of Department or a designee;                                      | Sentences given: 1 <ul style="list-style-type: none"> <li>• Approved by the Chief: 1</li> <li>• Denied by the Chief: 0</li> </ul>  |
| (vii) | the number of punitive segregation sentences the Chief of Department or a designee reviewed forty-five (45) days after commencement and the number of instances where, as a result of this review, an inmate was placed in an alternative housing unit for the remainder of the sentence; | Number of reviews: 0<br>Number that were placed in alternative housing: n/a  |

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| (viii) | the number of requests submitted to the Chief of Department to hold an inmate in punitive segregation for more than a total of sixty (60) days within a six (6) month period, disaggregated by whether the request was approved or disapproved by the Chief of Department; | Total number of requests: 13 <ul style="list-style-type: none"> <li>• Total number approved: 12</li> <li>• Total number disapproved: 1</li> </ul> |
| (ix)   | the number of inmates who received two (2) or more placements in punitive segregation pursuant to section 1-17(d)(3);  | 2   |
| (x)    | the number of inmates currently in Department custody who have, during their current incarceration, been housed in punitive segregation a total of:  |   |
|        | one (1) to thirty (30) days  | 75  |
|        | thirty-one (31) to sixty (60) days   | 17  |
|        | sixty-one (61) to ninety (90) days   | 4   |
|        | ninety-one (91) to one-hundred-twenty (120) days   | 1   |
| (xi)   | the number of inmates currently housed in punitive segregation (September 30), who have been held there, consecutively, for:   |   |
|        | one (1) to thirty (30) days  | 98  |
|        | thirty-one (31) to sixty (60) days   | 0   |
|        | sixty-one (61) to ninety (90) days   | 0   |
|        | ninety-one (91) to one-hundred-twenty (120) days   | 0   |

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| (xii)  | 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, with possible exception for assaults on staff that cause serious injury.<br>Punitive segregation has been eliminated for all inmates aged 16-21. Additionally, DOC has partnered with the Vera Institute of Justice to develop safe alternatives to segregation. This nearly two year project includes a year of policy and procedure assessment before reforms are recommended and implemented. DOC will share any recommendations with the Board when they are issued. |
| (xiii) | data related to the amount of recreation provided to inmates housed in punitive segregation   | Number of inmates who went to rec: 1,009   |
|        | 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: 39<br>Average daily population who received 7 hours of out-of-cell time: 8   |
| (xiv)  | 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.

**Report on Hearing Results with Sentences to Restrictive Housing for Rule Violations Committed in February and March 2017**

| Rule Violation Grade                            | Pun. Seg. Type | Rule #   | # of Cases | Average Sentence to PS (days) | Minimum Sentence to PS (days)                      | Maximum Sentence to PS (days)  | Rule Description   |
|---|----------------|----------|------------|-------------------------------|--|--|--|
| 1   | PS I           | 101.1    | 154        | 28.0                          | 3  | 30   | Assault on staff with injury or attempted injury   |
|   |                | 101.12   | 68         | 24.7                          | 10   | 30   | Assault on inmate with injury or attempted injury  |
|   |                | 101.14   | 91         | 17.3                          | 10   | 30   | Fighting / physical struggle with an inmate resulting in injury  |
|   |                | 103.1    | 37         | 23.9                          | 5  | 30   | Make, possess, sell or exchange any type of contraband weapon  |
|   |                | 101.13   | 18         | 27.8                          | 15   | 30   | Assault or attempted assault to any person with a weapon   |
|   |                | 100.1    | 15         | 25.9                          | 15   | 30   | Arson  |
|   |                | 101.11   | 22         | 25.5                          | 11   | 30   | Assault on any other person with injury or attempted injury  |
|   |                | 123.1    | 3          | 18.3                          | 15   | 20   | Smuggle weapons, drugs or drug-related products, alcohol or tobacco  |
|   |                | 103.10.6 | 1          | 20                            |  |  | Return all Department-issued razors after shaving is completed   |
|   |                | 121.12   | 1          | 20                            |  |  | Shall not encourage or in any way persuade other inmates to take any action in order to take control over the area (rioting) |
|   |                | 121.12   | 1          | 25                            |  |  | Shall not take any action with the intention of taking control over any area of any facility (rioting)                       |
|   |                | 122.1    | 1          | 15                            |  |  | Shall not force or in any way coerce any person to engage in sexual activities   |
|   | PS 2           | 127.1    | 43         | 9.2                           | 5  | 10   | Shall not make any threat whether spoken in writing or by gesture against staff member                                       |
|   |                | 126.1    | 33         | 15.8                          | 5  | 30   | Shall not tamper with, destroy or sabotage any security related devices or equipment   |
|   |                | 109.1    | 33         | 9.9                           | 7  | 10   | Shall not physically resist staff members  |
|   |                | 130.11   | 10         | 10.0                          | 10   | 10   | Shall not test positive for or be found under the influence of alcohol or illegal drugs / substances                         |
|   |                | 130.1    | 6          | 11                            | 5  | 20   | Shall not refuse to provide a urine, hair, salive or other sample  |
|   |                | 109.11   | 5          | 10                            | 10   | 10   | Shall not harass or annoy staff members by touching or rubbing against them  |
|   |                | 107.1    | 5          | 10                            | 10   | 10   | Misuses, defaces, or destroys City property with a value greater than \$100  |
|   |                | 106.1    | 4          | 10                            | 10   | 10   | Shall not lead or attempt to lead or encourage boycotts, work stoppages or demonstrations                                    |
|   |                | 103.12.5 | 3          | 20.3                          | 11   | 30   | Possess any type of electronic telecommunication and/or recording devices  |
|   |                | 103.05   | 3          | 7                             | 5  | 10   | Possess tobacco-related products   |
|   |                | 103.11   | 3          | 13                            | 10   | 20   | Make, possess, sell, give or exchange any amount of drugs or drug paraphernalia  |
|   |                | 103.12.7 | 3          | 13                            | 10   | 20   | Possess money exceeding \$20   |
|   |                | 102.1    | 1          | 10                            | 10   | 10   | Bribery  |
| 103.08  | 1              | 10       | 10         | 10                            | Make, possess, sell or exchange alcoholic beverage |  |  |
| 131   | 1              | 10       |            |                               | Shall not engage in acts of hate                   |  |  |
| 2   | 101.17         | 155      | 8.6        | 2                             | 10   | Fighting / physical struggle with an inmate, no injury   |  |
|   | 120.1          | 76       | 8.7        | 3                             | 10   | Shall obey all orders of Department staff (stop fighting /assaulting another inmate, to be frisked, to have cell searched to be locked-in/out, etc         |  |
|   | 101.16         | 75       | 9.3        | 5                             | 10   | Assault or attempted assault to any other person, not a staff person, no weapon, no injury   |  |
|   | 109.12         | 23       | 7.8        | 3                             | 10   | Shall not verbally abuse or harass staff members or make obscene gestures towards any staff members  |  |
|   | 107.11         | 2        | 10.0       | 10                            | 10   | Misuses, defaces, or destroys City property with a value between \$10 and \$100  |  |
|   | 103.13.6       | 2        | 8          | 5                             | 10   | Possess any drug that by prescription/medical order must be ingested in view of Department or medical staff  |  |
|   | 124.1          | 1        | 10.0       | 10                            | 10   | Shall not steal property belonging to another person or the City   |  |
|   | 124.11         | 1        | 10.0       | 10                            | 10   | Shall not possess property belonging to any other person or the City   |  |
|   | 103.15         | 1        | 10         |                               |  | Possess money not in excess of \$20  |  |
|   | 117.1          | 1        | 10         |                               |  | Shall follow facility rules and staff orders relating to movement inside and outside of the facility, including dealing with seating, lock-in and lock-out |  |
|   | 125.1          | 1        | 8          |                               |  | Shall not destroy, tamper with, change, counterfeit or give other inmates any institutional documents, passes, ID cards                                    |  |
|   | 127.11         | 1        | 3          |                               |  | Shall not make any threat whether spoken in writing or by gesture against any person other than staff member.  |  |
| <b>All Hearing Results with Sentences to PS</b> |                |          | <b>905</b> | 16.3                          | 2  | 30   |  |