



# KEY ELEMENTS OF NEW PROPOSED RESTRICTIVE HOUSING RULE

BOC PUBLIC MEETING

MARCH 9, 2021

# NEW RULE PACKAGE

- Amendments to Chapter 1
  - Ends Co-mingling except in medical areas/nursery
  - Person-first and gender inclusive language
- Brand New Chapter 6
  - Ends PSEG and all other current forms of restrictive housing on 11/1/2021 and replaces it with RMAS (explained later)
  - Ends use of routine non-individualized restraints (e.g. restraint desks) by 11/1/2021
  - De-escalation confinement
  - Emergency lock-ins
  - Robust reporting

# RISK MANAGEMENT AND ACCOUNTABILITY SYSTEM (RMAS)

- Three-level progression model
- Steady, experienced case managers
- Individualized behavioral support plans
- Periodic reviews by multidisciplinary team
- 5 hours of daily programming
- Daily rounding by health and mental health staff

# RMAS LEVEL 1 – MOST RESTRICTIVE

- Grade 1 violent offenses
- 10 hours out of cell, socializing with 1 other person (expanded NIC)
- Mandatory minimum of 60 days for assault on staff
- Periodic reviews start at 30 days then every 15 days after
- Everyone else has an opportunity to progress starting at 30 days
- Presumption of progression for everyone at 60 days, unless specific security threat. Extension requires chief approval

# RMAS LEVEL 2 – MEDIUM RESTRICTIVE

- People progressing from Level 1, or people who have committed Grade 1 non-violent offenses or Grade 2 offenses
- 12 hours out of cell, socializing with at least 3 others (SECURE)
- Periodic reviews every 15 days
- Presumption of progression at review unless specific security threat OR consistent, willful refusal to participate in programming. Extension requires Chief approval

## RMAS LEVEL 3: LEAST RESTRICTIVE

- People progressing from Level 2 (no direct placements)
- 14 hours out of cell, no restrictions on socialization
- Periodic reviews every 15 days
- Presumption of progression at 15 days unless specific security threat OR consistent, willful refusal to participate in programming. Extension requires chief approval
- Presumption of progression at 30 days unless specific threat. Extension requires chief approval

# EXCLUSIONS FROM RMAS

- SMI or intellectual disability
- Pregnant persons/ persons within 8 weeks of giving birth/ persons caring for someone in nursery

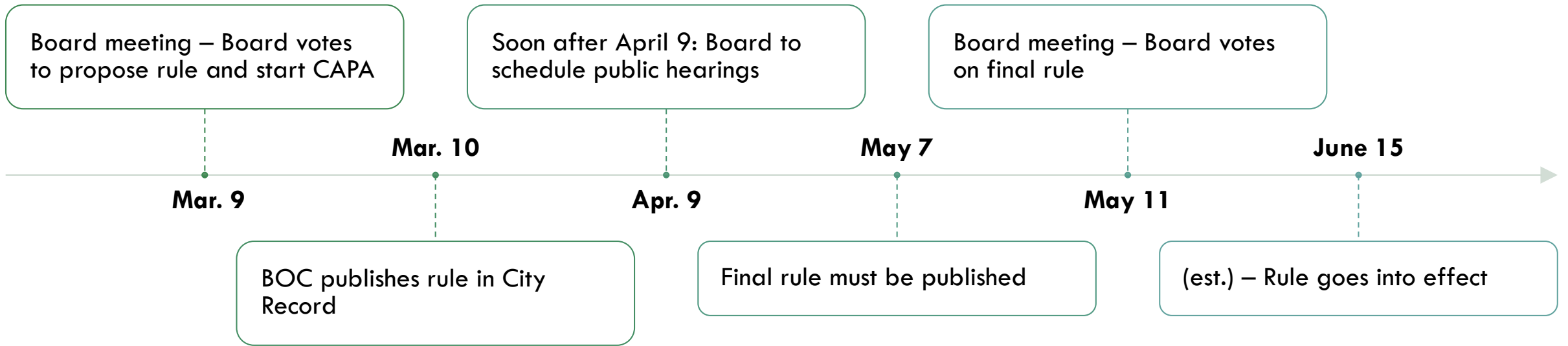
# DE-ESCALATION CONFINEMENT

- Must use cells (not intake areas) within 6 months of Rule
- Immediate notification to CHS
- Observations every 15 minutes
- Maximum of 6 hours, with reauthorization by DOC security chain of command after first 3 hours
- Notification to Board whenever more than 6 hours
- Quarterly reports



# EMERGENCY LOCKDOWNS

- Limit scope of lockdowns to only housing areas that must be locked down
- Notification to Board and CHS
- Medical and mental health rounds by CHS after 6 hours of lockdown
- Creation of a directive
- Quarterly reports



# WHAT'S NEXT?