



RHODE ISLAND DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE

DIRECTOR:

Wayne P. Santolucito

POLICY
NUMBER:
12.27-2 DOC

EFFECTIVE
DATE:
05/02/2025

SUBJECT:
CONDITIONS OF CONFINEMENT

LAST REVIEWED:
05/2025

SECTION:
SPECIAL MANAGEMENT

SUPERSEDES:
12.27-1 DOC

AUTHORITY: Rhode Island General Laws (RIGL) § 42-56-10(22), Powers of the director

REFERENCES: The most recent versions of RIDOC policies 9.05 DOC, [Institutional Log Book System](#); 9.14 DOC, [Detecting and Confiscating Contraband on or in the Possession of Inmates/Detainees](#); 9.16 DOC, [Procedure for Protecting, Gathering, and Preserving Evidence](#); 11.01 DOC, [Inmate Discipline](#); 12.28 DOC, [Restorative Housing Program](#); 13.03 DOC, [Access to the Courts and Legal Materials](#); 13.10 DOC, [Inmate Grievances](#); 15.01 DOC, [Classification Process](#); 18.43 DOC, [Health Evaluation of Inmates in Administrative/Disciplinary Confinement](#); 24.01 DOC, [Inmate Mail](#)

INMATE/PUBLIC ACCESS: YES

AVAILABLE IN SPANISH: YES

I. PURPOSE:

To define the different commitment categories that inmates may be placed on at the Rhode Island Department of Corrections (RIDOC), and to establish Department-wide standards and procedures for the monitoring and supervision of those inmates.

II. POLICY:

- A. Inmates are placed in the least restrictive status, for the shortest time-period possible, while maintaining the safety and security of the institutions for inmates, staff and community.

- B. Inmates are provided with programming opportunities designed to help them become productive and law-abiding members of the community.
- C. Inmates shall not be placed in a housing setting based solely on gang affiliation or identification as lesbian, gay, bisexual, gender diverse, or intersex.
- D. Inmates who are pregnant or post-partum shall be excluded from restrictive housing settings, except as a temporary measure to address a serious risk of harm to self or others. The Warden/designee, in consultation with Health Care Services staff, must approve all temporary placements of pregnant or post-partum inmates into restrictive housing.
- E. This policy does not address conditions of confinement as it relates to the Restorative Housing Program (RHP). For conditions of confinement relative to the RHP, see the most recent version of RIDOC policy 12.28 DOC, [Restorative Housing Program](#).

III. **DEFINITIONS:**

1. **Administrative Confinement/Detention (Investigative)** - Administrative Detention is a temporary form of separation from the general population used when the continued presence would pose a serious threat to the security of the facility, a risk to the safety of the inmate, staff, or other inmates and that the inmate can no longer be safely managed in general population. Administrative Detention is used for awaiting trial inmates and Administrative Confinement is used for sentenced inmates.
2. **Behavioral Management Unit (BMU)** - inmates placed in this unit are diagnosed with serious and persistent mental illness (SPMI) and present with personality disorders, significant behavioral and management issues, and/or significant functional impairment that may have been contributed to disciplinary sanctions and/or affect an inmate's ability to thrive in a general population setting. Behavioral Health Services staff determine which inmates shall be placed in the BMU.

NOTE: the BMU is located at the High Security facility, however, inmates placed in this unit remain classified to their appropriate security level.

3. **Case Management Team** - staff whose duties involve providing and/or monitoring the services offered to inmates from initial contact with the Department, through release into the community. All RIDOC staff/contractors may be involved in the phases of case management.

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4. **Classification** – the ongoing process of collecting and evaluating information about each inmate to determine risk and need level for appropriate confinement location, treatment, programs, and employment assignment, whether in a facility or community-based program.
 5. **General Population** - any housing area, other than the Restorative Housing Program, Disciplinary Confinement Unit, Health Care Services Unit, or Behavioral Health Unit (BMU/RTU). Inmates in general population are classified to a maximum, medium or minimum custody level with no restrictions placed on activities.
 6. **Disciplinary Confinement** - a form of temporary separation from the general population for those inmates who are found guilty of serious disciplinary infractions; place of confinement to be designated by the Warden/designee; duration is commensurate with the seriousness of the offense, consistent with RIDOC's Discipline Severity Scale (See Inmate Discipline); includes a loss of privileges (LOP) and loss of good time.
 7. **Residential Treatment Unit (RTU)** - inmates diagnosed with serious and persistent mental illness (SPMI) can be voluntarily placed in the RTU for up to six (6) months. Behavioral Health Services staff determine which inmates shall be placed in the RTU for treatment.

NOTE: The RTU is housed at High Security; however, inmates remain classified to their appropriate security level.

8. **Restrictive Housing (RH)** - a type of detention that involves removal of an inmate from general population, voluntarily or involuntarily; restricted placement in a locked room or cell, whether alone or with another inmate (excluding being placed in the infirmary or on suicide watch for medical purposes). Restrictive Housing consists of Disciplinary Confinement and Administrative Detention/Confinement.
9. **Restorative Housing Program (RHP)** - a separate program located at the High Security facility. Inmates will be assigned to the RHP by the Restorative Housing Program Committee (RHPC) if it has been determined that the inmate poses an unacceptable risk to the safety of others, significant damage or destruction of property, or to the operation of a correctional facility.
10. **Qualified Mental Health Professional (QMHP)** - a Licensed Mental Health Counselor (LMHC), Licensed Clinical Social Worker (LCSW), Licensed Marriage and Family Therapist (LMFT), Psychologist, Psychiatric Advanced Practice Nurse (APRN), Psychiatrist, master's level clinician and others who, by their

education, credentials, and experience are permitted by law to evaluate and care for the behavioral health needs of inmates.

IV. PROCEDURES:

A. Categories of Confinement

1. RIDOC has the following categories of housing:

- a. General Population;
- b. Administrative Detention/Confinement (Investigative);
- c. Disciplinary Confinement;
- d. Residential Treatment Unit/Behavioral Management Unit;
- e. Restorative Housing Program

2. General Population

Inmates within this category shall be eligible for work assignments, educational, rehabilitative, and recreational programming as available. Inmates shall be afforded all privileges and housing assignments commensurate with their assigned security level.

NOTE: Inmates in Protective Custody shall be afforded all privileges as those in general population.

3. Administrative Confinement/Administrative Detention (Investigative)

- a. Any staff member, with the approval of the Shift Commander, may administratively transfer an inmate at the request of the Special Investigations Unit (SIU), Office of Inspection (OI), Office of the Attorney General or the Rhode Island State Police (RISP) due to an ongoing investigation.
- b. An inmate should not be placed in restrictive housing pending investigation of a disciplinary offense, or based upon intelligence, unless the inmate's presence in general population would pose a danger to the inmate, staff, other inmates, or the public.
- c. In making this determination, officials should consider the seriousness of the alleged offense, including whether the offense

involved violence, involved escape, or posed a threat to institutional safety by encouraging others to engage in such misconduct. Investigative restrictive housing shall not be interpreted overly broadly to permit the imposition of restrictive housing.

- d. Such matters shall have a maximum of ten (10) days to conclude. If said investigation is not completed within ten (10) days, a referral to the Restorative Housing Program Committee (RHPC) shall be made for a determination within seventy-two (72) hours or the inmate shall be returned to general population or their status prior to being placed in Administrative Detention/Confinement.
- e. The inmate shall receive a completed [Administrative Transfer Notice](#) within twenty-four (24) hours of removal from general population. The form includes information on the inmate's right to object to the transfer to Administrative Detention/Confinement via the Inmate Grievance Procedure (see the most recent version of RIDOC policy 13.10 DOC, [Inmate Grievances](#)). Copies of Administrative Transfer Notices are distributed in accordance with the distribution list on the bottom of the form.

4. Disciplinary Confinement

- a. An inmate may be transferred from general population to Disciplinary Confinement when s/he has received a Disciplinary Confinement sanction as a result of the process outlined in the most recent version of RIDOC policy 11.01 DOC, [Inmate Discipline](#).
- b. **An inmate in Disciplinary Confinement shall not serve more than thirty (30) consecutive days in said status without being referred to either the Restorative Housing Program (RHP), Residential Treatment Unit (RTU), or the Behavioral Management Unit (BMU). In the event that a bed is unavailable in the referred unit, said inmate shall remain in their Disciplinary Confinement status until such time a bed is available.**

5. Residential Treatment Unit (RTU)/Behavioral Management Unit (BMU)

- a. SPMI Inmates who are identified by Behavioral Health Services staff for placement in the RTU may choose **not** to participate in the program.
- b. Behavioral Health Services staff shall document an inmate's placement in the RTU/BMU in the EMR and notify security staff.

- c. Placement into the RTU/BMU shall be documented in INFACTS by the Count Board Officer upon transfer.

NOTE: Inmates placed in the RTU/BMU shall attend their regularly scheduled classification hearing. Changes to classification will **not** affect their RTU/BMU placement.

6. Restorative Housing Program (RHP)

Inmates will be assigned to the RHP by the Restorative Housing Program Committee (RHPC) if it has been determined that the inmate poses an unacceptable risk to the safety of others, significant damage or destruction of property, or to the operation of a correctional facility. **This policy does not address conditions of confinement as it relates to the Restorative Housing Program (RHP). For conditions of confinement relative to the RHP, see the most recent version of RIDOC policy 12.28 DOC, Restorative Housing Program.**

- B. Placement

1. Prior to placement in any category of confinement, an inmate shall be screened and interviewed by a QMHP to identify if the inmate is designated as seriously and persistently mentally ill (SPMI) and to assess whether the assigned housing is clinically contraindicated based on clinical standards adopted by RIDOC.
2. Additionally, the inmate shall be screened and interviewed by Health Care Services staff. The screening shall include a determination of any medical contraindications to placement in the assigned housing unit, including the existence of a physical disability that precludes placement in the unit, in which the inmate will not be placed in the assigned housing. This screening shall be documented in the inmate's electronic medical record (EMR).
3. In the event an incident occurs necessitating an inmate to be placed in restrictive housing when a QMHP is not on duty, the Health Care Services staff shall review the inmate's EMR and interview him/her to determine if placement is contraindicated for medical or behavioral health reasons. If so, the inmate shall not be placed in restrictive housing. If it is not contraindicated, the inmate shall be placed in restrictive housing and a QMHP shall be notified of the placement and to ensure a screening and interview is completed within seventy-two (72) hours.

C. Categories of Confinement - Minimum Privileges

The following are minimum privileges for each category description. Unless otherwise noted, the minimum privileges are the same as general population; however, the facility Warden may alter the minimum privileges as deemed appropriate, and with the approval of the Assistant Director of Institutions and Operations (ADIO).

For a list of items inmates are authorized to have in their cell for each category, please see Authorized Items in Cells (Attachment 1), at the end of this policy.

1. Administrative Confinement/Detention (Investigative)

- a. Housing – Housed at a facility as determined by the Director, ADIO, Shift Commander, or their designees.
- b. Out-of-Cell Time
 - (1) **Minimum** of two (2) hours per day out-of-cell recreation time, seven (7) days per week.
 - (2) In addition, participation in education and programming as determined by the facility Warden/designee.
- c. Restraints – Inmates may be handcuffed in the rear and shackled when leaving the housing unit.

NOTE: Inmates **shall** be handcuffed in front when being escorted downstairs and **may** be handcuffed in front when being escorted to the showers, to be seen by Health Care Services staff, to attend programming or visiting with their attorney.
- d. Visitation – One (1) personal visit per week and two (2) video visits per week, based on facility schedule.
- e. Legal Visits - There are no restrictions on legal visits.
- f. Phone Calls - Inmates may place three (3) personal phone calls per week. There are no restrictions on legal phone calls.

If an inmate is transferred to Administrative Confinement/Detention by SIU/OI, an initial phone call will **not** be automatically allowed until a request to make this phone call is first cleared by SIU/OI so as not to jeopardize an ongoing investigation.

g. Messaging

The messaging feature on the tablet and kiosks will be suspended upon commitment and for the duration of time spent in Administrative Confinement/Detention and shall only be allowed with approval from the ADIO or Chief of Inspections.

h. Removal from Administrative Confinement/Detention

(1) The facility Warden/designee instructs the Shift Commander to remove the inmate from Administrative Detention/Confinement status and instructs the Count Officer to document the removal in INFACIS.

(2) The Count Officer ensures the inmate's status is accurately reflected on the "Events" screen in INFACIS.

2. Disciplinary Confinement (Disciplinary)

a. Housing - The facility Warden determines the housing assignment utilized for inmates serving Disciplinary Confinement.

b. Out-of-Cell Time

(1) **Minimum** of two (2) hours per day out-of-cell, seven (7) days per week for the first fifteen (15) days and three (3) hours per day out-of-cell, seven (7) days per week thereafter.

NOTE: In the event an inmate receives a subsequent booking after the first fifteen (15) days, s/he shall not revert to the two (2) hours per day out-of-cell. S/he shall remain at three (3) hours out-of-cell time unless staff or inmate safety reasons dictate otherwise and are approved by the Warden.

(2) Recreation will commence on the next scheduled day of recreation. (i.e., inmate transferred on Tuesday morning, s/he is offered recreation on Wednesday).

NOTE: If the transferred inmate has been determined to be a threat to the staff, facility or his/her safety recreation may be curtailed by the Shift Commander. This must be documented, and the Warden and/or Deputy Warden must be notified.

- (3) In addition, participation in education and programming as determined by the facility Warden/designee.

- c. Restraints – Handcuffed in rear when leaving housing unit.

NOTE: Inmates **shall** be handcuffed in front when being escorted downstairs and **may** be handcuffed in front when being escorted to showers or to be seen by Health Care Services staff or to attend programming.

- d. Visitation – None.

- e. Legal Visits - There are no restrictions on legal visits.

- f. Phone Calls

Within twenty-four (24) hours of the inmate's transfer to Disciplinary Confinement, the inmate will be afforded a brief phone call to his/her immediate family to apprise them of his/her change in status.

NOTE: If the inmate is exhibiting violent or problematic behavior, this phone call privilege shall wait until the inmate no longer exhibits such behavior.

- g. Messaging

The messaging feature on the tablet and kiosks will be suspended upon commitment and continue for the duration of time spent in Disciplinary Confinement.

Messaging on the tablet and kiosks in Disciplinary Confinement shall only be allowed by approval of the ADIO or facility Warden.

- h. Change of Status (Review and Response)

- (1) In addition to the Warden's review (as outlined in the most recent version of RIDOC policy 11.01 DOC, Inmate Discipline), inmates may also write the facility Warden/designee to request a suspension from his/her remaining disciplinary confinement time. The Warden/designee shall base his/her decision on the inmate's conduct, staff reports, and any other relevant information.

The Warden/designee may consider suspension and/or step-down to Loss of Privilege (LOP) status.

Staff may recommend a review of an inmate's status at any time.

- (2) The Warden/designee shall provide the inmate with a written response approving or denying his/her request within ten (10) business days of reviewing the request.
- (3) Wardens/Deputy Wardens shall make cell-to-cell visits in the Disciplinary Confinement unit no less than once every month.

For the notification and review process regarding inmates in Disciplinary Confinement, please refer to the most recent version of RIDOC policies 11.01 DOC, [Inmate Discipline](#) and 18.43 DOC, [Health Evaluation of Inmates in Administrative/Disciplinary Confinement](#).

- (4) Suspension of Remaining Disciplinary Confinement Time
 - (a) An inmate may have some or all of his/her remaining disciplinary confinement time suspended or commuted in one of the following ways:
 - i. Upon recommendation of **Behavioral Health/Health Care Services** staff:

The Behavioral Health/Health Care Services staff may recommend to the facility Warden/designee to suspend a portion or the remaining disciplinary confinement time for medical/behavioral health reasons.
 - ii. Upon recommendation of **custodial staff** or **area supervisor**:

The area correctional staff may recommend to the facility Warden/designee to suspend a portion, or the remaining disciplinary confinement time based on an observed improvement in the inmate's behavior while housed in Disciplinary Confinement.

iii. Upon inmate **written request**:

The inmate serving disciplinary confinement time may write to the facility Warden/designee to suspend a portion or the remaining disciplinary confinement time.

iv. Upon **scheduled long-term review**:

The facility Warden/designee may, at his or her discretion, suspend or commute a portion of the remaining disciplinary confinement time during the scheduled long-term review process.

(b) The Warden may utilize the following criteria when considering suspension of disciplinary confinement time:

- i. Severity of original infraction;
- ii. Inmate's discipline history;
- iii. Staff recommendation of inmate's behavior;
- iv. Inmate and family letters;
- v. Demonstrated positive behavior;
- vi. Interview with inmate;
- vii. Additional inmate reports (i.e., Classification, SIU, OI, Intelligence, etc.)

(c) The Warden's decision shall be in writing and shall include the following:

- i. Denial of the request due to a factor that is explained in the response letter. The inmate shall be provided with a date to reapply for reconsideration.

- ii. Records of these requests and responses are maintained by the Warden/designee in the appropriate designated tracking database.

3. **Residential Treatment Unit (RTU)/Behavioral Management Unit (BMU)**

The conditions of confinement for inmates housed in the RTU/BMU shall be outlined in the most recent version of the Department's behavioral health policy.

D. **General Recreation Information**

1. Out-of-cell time outlined below for recreation, education and/or programming purposes is **in addition to** other out-of-cell time (e.g., meals, showering, etc.). The Department considers the following activities when determining total time out-of-cell:
 - a. Recreation;
 - b. Education;
 - c. Programming;
 - d. Meals;
 - e. Showers;
 - f. Library (law or recreation);
 - g. Phone calls;
 - h. Kiosk;
 - i. Work assignments.
2. RIDOC affords maximum recreational opportunities for inmates consistent with the secure and orderly operation of all facilities. Recreational opportunities consist of both active and passive activities, including but not limited to the following:
 - a. Active:
 - (1) Gross motor activities (e.g., team sport activities);

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- (2) Access to strength training and cardiovascular equipment.
- b. Passive:
- (1) Playing cards;
- (2) Board games;
- (3) Television viewing;
- (4) Listening to radios/music;
- (5) Tablets;
- (6) Reading libraries and/or book collections;
- (7) Vocational programs such as painting/drawing, creative writing, etc. may be made available on a part-time basis in all facilities when consistent with the needs and orderly operation of each facility.
3. Inmates confined to infirmaries are afforded the opportunity for recreation including exercise. The amount and type of exercise may be limited by doctor's order.
4. Each facility affords all general population inmates' access to activities on a routinely scheduled basis consistent with the orderly operation of that facility. Access is defined in terms of *daily* minimum out-of-cell times as set forth by each facility:

Facility	Minimum Out-of-Cell Time
Intake Service Center	6.25 hours
Maximum Security	8.5 hours
Medium Security	10 hours
Minimum Security	10 hours
Women's Facility	13 hours

5. RIDOC will adhere to out-of-cell times as outlined above, except for exigent circumstances which affect the operation of the facility(s). The schedule will be restored as soon as practicable within the safe and orderly operation of the facility.

- a. Any disruption or alteration to this schedule is noted, consistent with the most recent version of RIDOC policy 9.05 DOC, [Institutional Log Book System](#), and facility-specific log book procedures.
- b. The facility Warden/designee is notified of disruptions/alterations.
- c. All efforts are made to restore the normal schedule as soon as possible. Examples of such circumstances include, but are not limited to:
 - (1) severe weather conditions (snowstorm, hurricane);
 - (2) catastrophe (fire, equipment failure, infectious disease outbreak, etc.);
 - (3) staffing shortages;
 - (4) job actions;
 - (5) work stoppage;
 - (6) riot and/or disturbance.

E. Medical/Behavioral Health Needs

All inmate health, behavioral health and dental needs are managed the same as general population, including but not limited to, sick call, keep on person medication (KOP), and access to physicians/dentists. All medical emergencies are attended to immediately.

NOTE: The facility Warden may restrict/modify KOP medications for inmates in a restrictive housing setting, as deemed appropriate. Inmates in the RTU shall **not** be allowed to have KOP medications.

1. Health Care

Nursing staff shall do rounds of housing areas daily. For more information, please refer to the most recent version of RIDOC Policy 18.43 DOC, [Health Evaluation of Inmates in Administrative/Disciplinary Confinement](#).

2. Behavioral Health

- a. A QMHP shall make rounds in all restrictive housing settings, every seven (7) calendar days, and may conduct an out-of-cell

meeting with an inmate for whom a confidential meeting is warranted in the clinician's professional judgment.

- b. Behavioral Health Services staff shall meet with inmates who have acute or chronic mental illness, are currently receiving behavioral health treatment or who have behavioral health histories as clinically appropriate.
- c. Behavioral Health Services staff will review the aforementioned inmate, records in INFACIS, and the EMR. For more information, please refer to the most recent version of RIDOC policy 18.43 DOC, [Health Evaluation of Inmates in Administrative or Disciplinary Confinement](#).

F. Personal Hygiene

1. Inmates receive a minimum of five (5) showers per week, daily whenever possible, provided inmates transferred to a new housing unit shall receive a shower on the next available day.
2. Laundry (including uniforms and inmate bedding) is exchanged/washed a minimum of once per week per building schedule.

G. Access to Legal Materials/ Assistance

Legal assistance is available upon request, using a [Request Form](#). Interviews with law clerks are conducted in a secure area.

1. Inmates housed in a restrictive housing setting do not have physical access to the law library. Legal material will be made available. Access to the legal cart/law books is by [Law Library Request Form](#) only. The officer will schedule time to allow inmates to access the legal material requested. Access to the legal materials will not take the place of or be in lieu of recreation time out of cell.
2. Inmates housed in a restrictive housing setting will be allowed direct “in-person” access to an inmate law clerk. The request will be made by [Law Library Request Form](#). These forms will be made available. An inmate law clerk may be permitted to enter the restrictive housing area to assist the inmate. This access will not occur while inmates are on recreation. For more information on inmate access to legal materials, please refer to the most recent version of RIDOC policy 13.03 DOC, [Access to the Courts and Legal Materials](#).

H. Deprivation of Entitlements (DOE)

An inmate may have his/her minimum privileges (as outlined in Section [IV.C.](#)) reduced while in a restrictive housing setting subject to the following:

1. Whenever a Shift Commander determines there is danger that an inmate has or will destroy items required to be furnished, or that an inmate may be injurious to himself or others, some or all the minimum privileges may be denied.
2. Upon removal of any minimum entitlement, a [Deprivation of Entitlement](#) form shall be completed and forwarded to the Warden/designee by the end of their shift.
3. Upon receipt of a completed [Deprivation of Entitlement](#) form, the Warden/designee shall arrange for Behavioral or Health Care Services staff to visit the inmate as soon as possible.
 - a. Any recommendations made by Behavioral Health or Health Care Services staff shall be taken under consideration and discussed with the Case Management Team.
 - b. Recommendations made that indicate the inmate has a chronic or acute disorder that may be negatively affected by the reduction of privilege(s) shall be immediately addressed.
 - c. The Warden/designee shall be notified immediately after the issue has been addressed.
 - d. In all cases where minimum privileges are reduced, they shall be restored (incrementally or fully as determined by the Case Management Team) as soon as it appears to be consistent with the safety of the unit and the inmate.