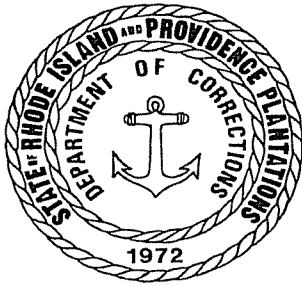


RHODE ISLAND DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE



POLICY NUMBER:
9.33-4 DOC

EFFECTIVE DATE:
12/01/2014

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SUPERCEDES:
9.33-3 DOC

DIRECTOR:

Arthur T. W. [Signature]

SECTION:
SECURITY & CONTROL

SUBJECT:
INMATE HOUSING ASSIGNMENTS

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

REFERENCES: RIDOC Policy #'s 12.26-3 DOC, Special Management of Juvenile Offenders; 13.10-2 DOC; Inmate Grievance Procedure; 15.01-5 DOC, Classification, 18.22 DOC; Inmates and Visitors with Special Needs; RIDOC SOP, Management of Offenders Whose Emotional/Psychiatric Status Presents a Danger to Self or Others; ACA Standard #'s 4-4137, Bathroom Facilities; 4-4138, Hot/Cold Water; 4-4139, Showers; 4-4142, Housing for the Handicapped; 4-4151, Indoor Air Quality; 4-4281, Protection from Harm; 4-4182, No Inmate Control Over Other Inmates; 4-4295, Classification Plan, DOJ Final PREA Standards 115.5 Definitions; 115.41 Screening for risk of victimization and abusiveness; 115.42 Use of screening information; 115.81 Medical and mental health screenings; history of sexual abuse

INMATE/PUBLIC ACCESS? **X YES**

AVAILABLE IN SPANISH? **X NO**

I. PURPOSE:

To specify criteria for consideration when making inmate housing assignments.

II. POLICY:

- A. Criteria are established to ensure that inmate housing assignments are accomplished in a systematic, orderly fashion that minimizes the possibility of physical or mental harm to inmates and facilitates their safe and harmonious co-existence.

- B. Inmates are screened during intake and upon transfer to another facility for risk of being sexually abused by other inmates or risk of being sexually abusive toward other inmates.

This information shall inform the individualized determination as to where an inmate will be housed with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.

No inmate may be disciplined for refusing to answer questions during this screening.

- C. Double occupancy of cells may be used when necessary to ensure the safe and secure housing of inmates.
- D. Under no circumstances are juveniles housed with adult offenders.

III. PROCEDURES:

- A. It is the responsibility of the Warden/Deputy Warden to ensure the provisions of this policy are carried out at each facility.
- B. Each Facility Warden shall submit for approval a facility-specific Standard Operating Procedure (SOP) to the Assistant Director of Institutions and Operations within 30 days of the effective day of this policy. The SOP shall take the following into consideration:
1. Upon initial commitment or transfer to another facility inmates are screened for risk of being sexually abused by other inmates or risk of being sexually abusive toward other inmates.

NOTE: Records and ID staff shall follow procedures outlined in 14.01-2 DOC, Intake and Committing Process and 14.05-3 DOC, Records and ID Committing Process, or successive policies. Information gathered at initial commitment shall be considered whenever an inmate is transferred to another facility.

2. The Shift Commander/designee makes all routine cell assignments (as designated in facility SOPs) subject to the review and approval of the Warden /designee.

3. Housing assignments are reviewed and adjusted as necessary to ensure the safety, security, and good order of the facilities and inmates' well being.

NOTE: Risk levels shall be reassessed in a period not to exceed thirty (30) days from the date of the inmate's arrival at a facility and/or when warranted due to referral, request of the inmate, incident of sexual abuse, or receipt of additional information since the inmate's initial screening that bears on the inmate's risk of sexual victimization or abusiveness.

4. Emergency housing transfers may be approved by the Shift Commander at any time.

NOTE: Such moves are followed by a detailed report to the Warden/designee, stating the reason(s) for the transfer by the close of the shift on which the transfer occurred.

5. Inmates may request housing changes through request slips to the facility's Warden/designee. (Please refer to 13.10-2 DOC, Inmate Grievance Procedure, or successive policy.)

B. Criteria for Making Housing Assignments

Housing assignment decisions are based on professional judgment.

NOTE: Please refer to 12.26-3 DOC, Special Management of Juvenile Offenders, or successive policy for procedures for making juvenile housing assignments.

The following criteria are considered making housing assignments.

1. Personalities – exhibit similar personality traits.
2. Transient Inmates – by their crimes, sentences, or status, may be in a particular facility for only a brief time.
3. Language - inmates must speak the same language or share a similar language or means of communication.
4. Interests– exhibit similar attitudes and interests.

5. Size, Weight, Height, and Age – are of comparative size, weight, height, and age. Offenders in this category are prone to offset and/or deter each other from physical confrontation due to similar body structures.
6. Enemy Situations – may have similar enemies within the facility. This arrangement could remove the possibility of their becoming threatened, harassed, or assaulted.
7. Protective Custody – through court recommendation or Departmental screening are placed in protective custody status.

NOTE: In cases where protective custody has been court ordered, facility staff contacts RIDOC's Legal Counsel for further instructions.

8. Inmates with a history of suicide attempts should have a cellmate whenever possible.
9. Inmate appears to have a mental, physical or developmental disability.
10. Previous Criminal History – violent or non-violent history, prior convictions for sex offenses against a child or an adult.
11. Previous Incarceration History – history of disciplines.
12. Whether the inmate is, or is perceived to be, gay, lesbian, bisexual, transgender, intersex, or gender non-conforming.
13. Whether the inmate has previously experienced sexual victimization.
14. The inmate's own opinion of his/her vulnerability.
15. Whether the inmate is detained solely for civil immigration purposes.

C. Initial Transition to Double Occupancy

1. Whenever a facility changes from single occupancy to double occupancy, the following procedures are used in accordance with the criteria established in this policy.
 - a. Inmates are notified in advance that double occupancy will occur.

- b. Except for protective custody detainees, pre-trial detainees are housed separately from convicted prisoners.
 - c. Juveniles are only housed with other juveniles. At no time are juvenile inmates housed with adult inmates.
 - d. Prior to double bunking inmates with documented physical handicaps and/or special needs, all factors necessary to provide reasonable accommodations, including access to integrated services, are identified and considered. (Please refer to 18.22 DOC, Inmates and Visitors with Special Needs, or a successive policy.)
2. Double bunking consideration will NOT be given to the following individuals:
- a. Sexual Deviations/Preferences –sexual behavior that may lead to a person's being a sexual aggressor, victim, or partner.

NOTE: Prior acts of sexual abuse, prior convictions of violent offenses and a history of prior institutional violence or sexual abuse shall be used in assessing inmates for the risk of being sexually abusive.
 - b. Disruptive Inmates – lack of compatibility with each other has proven disruptive to the safety, good order, and discipline of the facility.
 - c. Rival Gang Affiliations – membership in a rival gang which may cause issues that jeopardize facility security.
 - d. Relatives – have a relationship to another inmate by blood or marriage (e.g, in-laws, step-siblings)