

R.C.C.C. RIVER CITY CORRECTIONAL CENTER POLICIES AND PROCEDURES	EFFECTIVE DATE: 6/26/06
	ANNUAL REVIEW: Yes
	DATE REVIEWED: 3/3/08
SECTION: Resident Rights	
SUBJECT: Disciplinary Isolation/Corporal Punishment/Qualified/Fundamental Rights	
DRC CBCF STANDARD: Facility Specific #6	
ACA STANDARD: #4-ACRS-6A-03	PAGE <u>1</u> OF <u>4</u> PAGES

I. POLICY

It is the policy of River City Correctional Center that corporal punishment is prohibited. Levels for disciplinary loss of privileges and certain rights will take into consideration the following limitations:

- a. Isolation – River City does not use isolation for disciplinary reasons. A resident may be put in Administrative Isolation/Segregation if the resident’s behavior becomes a threat to himself/herself or others. The resident can remain in segregation up to 72 hours.

If the resident is on suicide watch, he/she is to be observed every 15 minutes. In all other situations he/she is to be observed periodically, not to exceed 30 minute intervals. The observations are to be documented.

- b. Privileges which may be suspended include, but are not limited to the following:
 - i. Entertainment (e.g., radio, television, movies, games)
 - ii. Commissary (except personal hygiene items)
 - iii. Approved visitors
 - iv. Phone calls to friends and family
- c. Qualified rights which may be suspended:
 - i. Minimum of one (1) visit per week
(To be reviewed weekly for reinstatement)
 - ii. Two (2) hours of exercise per week
(To be reviewed weekly for reinstatement)
 - iii. Clothing, bed, bedding, unlimited access to restroom, lavatory and shower
 - iv. The qualified rights provided in paragraphs c-i and c-iii of this standard may be suspended only:
 - a. When the practice in a particular case poses a serious threat to security or the safety of him/herself or others.
 - b. When the facility’s property is seriously abused.
 - v. The suspension of qualified rights and review for reinstatement

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shall be in accordance with written policies and procedures and the justification for suspension documented.

- vi. The decision of the facility's director or designee to deny a resident of a provision(s) provided in paragraph c-i, c-ii and c-iii of this standard will be reviewed for the purpose of reinstating the provision(s) at the earliest possible time.

- d. Fundamental rights, which cannot be suspended.
 - i. Visits by attorneys
 - ii. Visits by clergy
 - iii. Phone calls to attorneys and clergy
 - iv. Adequate food (nutritional diet)
 - v. Adequate light, ventilation, temperature control and sanitation.
 - vi. Medical care

- e. The Executive Director or designee must approve any penalty greater than a verbal reprimand.

- f. All assessment of penalties against a resident will be documented.

II. PROCEDURES

Isolation will not be used as a means of discipline, unless it is determined the resident is a threat to the safety of herself/himself, other residents and/or staff.

A complete list of rules and the possible consequences of rule violations will be listed in the Resident Handbook. All residents are required to know the House, Major and Cardinal Rules in order to move from Orientation Phase to Treatment Phase.

All violations of Cardinal Rules (Serious Rules) and persistent violations of Major Rules are documented on the Incident Report Form. Copies of the Incident Report Form are provided to the his/her Case Manager, the members of the Due Process Committee and the Executive Director.

The Due Process Committee is comprised of the Operations Director, Program Director, Case Manager, Clinical Supervisor, Security Chief and a Resident Supervisor III.

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During the Due Process Committee meeting, a Secretary documents the specific violations and actions taken by the committee on the Due Process Decision Form. All report forms are submitted for filing in each resident's case file with a copy kept in the Due Process Notebook. The minutes for the meeting and documentation on the individual's sanction history are filed in the Due Process Notebook.

Sanctions that may be imposed by the Due Process Committee for persistent major rule violations or cardinal rule violations may include, but are not limited to the following:

- Loss of privileges (entertainment, visits, phone use)
- Demotion of phase status
- Special educational assignments
- Disciplinary segregation
- Meeting with the administrative team
- Termination from R.C.C.C.

Grounds for immediate termination from the program are immediately reported to the Program Director or Operations Director in writing via the Incident Report Form. Such violations include, but are not necessarily limited to:

- Repeat major violations
- Physical assault on staff, residents or visitors
- Arrest for a new offense
- Possession of contraband which is considered illegal
- Arson or attempted arson
- Theft
- Tampering with RCCC fire alarm, security system or Computer system
- Absence without leave

Suspended Rights

Qualified rights which may be suspended as a sanction are:

- Loss of visitation
- Loss of telephone privileges

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Loss of recreation/exercise time

Qualified rights may be suspended when the practice in a particular case poses a serious threat to security or to the safety of the residents or others and/or when the facility property is seriously abused. The decision to suspend qualified rights rests with the Clinical/Security Pod Staff. The decision to suspend qualified rights is fully documented on the Incident Report Form, which is processed in accordance with established procedures. Review for reinstating any suspended qualified right is made at the earliest possible time when less restrictive penalty is deemed safe by the staff person(s) who suspended same. All suspensions will be reviewed weekly for reinstatement.

Fundamental Rights

Fundamental rights that are not suspended as a sanction for any reason are:

- Visits by attorney-of-record
- Visits by clergy
- Phone calls to attorney and clergy
- Adequate food (nutritional diet)
- Adequate light, ventilation, temperature control, and sanitation
- Medical care

Documentation of the violation and the sanction will be filed in the resident's case file and in the Due Process Notebook.