



**U.S. Department of Justice**  
Federal Bureau of Prisons

**PROGRAM STATEMENT**

OPI: CPD/CSB

NUMBER: 5270.12

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## **Special Housing Units**

/s/

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Director, Federal Bureau of Prisons

### **1. PURPOSE AND SCOPE**

#### **§ 541.20 Purpose.**

This subpart describes the Federal Bureau of Prisons' (Bureau) operation of special housing units (SHU) at Bureau institutions. The Bureau's operation of SHUs is authorized by 18 U.S.C. 4042(a)(2) and (3).

a. **Program Objectives.** The expected results of this program are:

- Special Housing Unit (SHU) placement should always serve a specific penological purpose.
- Inmates are housed in the least restrictive setting necessary to ensure their own safety, as well as the safety of employees, other inmates, and the public.
- A safe and orderly environment will be provided for employees and inmates.
- Living conditions for inmates in disciplinary segregation and administrative detention will meet or exceed applicable standards.
- Accurate and complete records will be maintained on conditions and events in SHU.

b. **Summary of Changes**

*Policy Rescinded*

5270.11 Special Housing Units (11/23/2016)

Federal Regulations from 28 CFR are shown in this type.

Implementing instructions are shown in this type.

- Provides guidance for the Special Confinement Unit (SCU) to follow the requirements of the SCU Institution Supplement.
- Requires all SHUs with an inmate population of more than 50 be staffed with a second officer on the Morning Watch shift.
- Provides guidance for the placement of pregnant inmates in the Special Housing Unit.
- Provides updated guidance for required SHU training.
- Notice received when placed in the SHU has been updated requiring Health Services be notified of all new arrivals to SHU.
- Review of placement in the SHU has been updated with requirements for the multidisciplinary team.
- Conditions of Confinement in the SHU Section 13 (b) has been updated with requirements of placing an inmate in a single cell status.
- Conditions of Confinement in the SHU Section 13 (g) has been updated with guidance in cases where cover is not provided to mitigate inclement weather, requiring appropriate weather-related equipment and/or attire to be made available to inmates.
- Conditions of Confinement in the SHU Section 13 (h) has been updated allowing transgender inmates to retain their accommodations (e.g., binders, stand-to-pee cups, etc.) at the Warden's discretion.
- Conditions of Confinement in the SHU Section 13 (m) has been updated requiring mental health and education employees to visit all inmates in the SHU at least weekly.
- Conditions of Confinement in the SHU Section 13 (m) has been updated with the requirement of making meaningful contact to the inmate population in SHU.
- Medical and Mental Health Care in the SHU Section 14 (b) has been updated to provide definition of extended restrictive housing.
- Section 15, Special Accountability has been added to this Program Statement.
- New BP-A1117, Multidisciplinary Team Review form provided for weekly SHU reviews.
- New BP-A1121, Single Cell Review form provided for review of single cell inmates.
- For purposes of this Program Statement, the term "employee" is used in black implementing text and is intended to have the same meaning as the term "staff" used in blue regulatory text. The terms "staff" and "staff member(s)" have been replaced with the term "employee(s)" throughout the black implementing text.

In addition, the requirements of Section 301 of the First Step Act, codified at 18 § USC 4322 have been added to this version of the Program Statement:

- Guidance on placing inmates in the Special Housing Unit during and after pregnancy, miscarriage, and pregnancy termination.
- Guidance on the use of restraints during and after pregnancy, miscarriage, and pregnancy termination.

c. **Institution Supplement.** None required. Should local facilities make any changes outside the required in the national policy or establish any additional local procedures to implement the national policy, the local Union may invoke to negotiate procedures or appropriate arrangements.

## 2. § 541.21 Special Housing Units (SHUs).

Special Housing Units (SHUs) are housing units in Bureau institutions where inmates are securely separated from the general inmate population, and may be housed either alone or with other inmates. Special housing units help ensure the safety, security, and orderly operation of correctional facilities, and protect the public, by providing alternative housing assignments for inmates removed from the general population.

For inmates with suspected or confirmed contagious diseases, refer to the Program Statements **Intake Screening**, **Infectious Disease Management**, and **Patient Care**, and, when applicable, Pandemic plans.

a. **Restrictive Housing.** Restrictive housing is defined as any type of detention that involves these elements:

- Removal from the general inmate population, whether voluntary or involuntary.
- Placement in a locked room or cell, whether alone or with another inmate.
- Inability to leave the room or cell for the majority of the day.

Restrictive housing arrangements outside the SHU itself must be proposed by the Warden to the Regional Director, and ultimately approved by the Assistant Director, Correctional Programs Division (CPD), before activation. Restrictive housing of this type will only be approved as SHU overflow for inmates in administrative detention or disciplinary segregation status. Operation of such restrictive housing requires compliance with all Bureau rules, policies, staffing, and post orders for operating Special Housing Units to include the accommodation of inmates with disabilities.

Correctional units, areas, or cells in addition to SHU that meet this definition will ordinarily follow requirements of this Program Statement to the extent possible. Inmates housed at the United States Penitentiary-Administrative Maximum (ADX), a Communications Management Unit (CMU), or a Special Management Unit (SMU) follow the requirements of those policies. Inmates housed in the Special Confinement Unit (SCU) follow the requirements of the SCU Institution Supplement.

All SHUs with an inmate population of more than 50 will require a second officer on the

Morning Watch shift to maintain the safety and security of the unit. In the event of an institution emergency, this post may need to be temporarily vacated to aid and assist elsewhere in the facility.

b. **General Population Inmates.** General population inmates are not permitted to enter a secure housing unit to interact with inmates for dispute resolutions, intelligence gathering, or security threat group/disruptive group meetings. This also applies to removing inmates from a restrictive housing unit to meet with inmates in general population. Institution employees must rely on trained investigative techniques, link analysis, and other means of gathering information without allowing inmates into a secure housing setting to conduct face-to-face meetings with one another.

Inmate work details entering SHU must be accompanied by their detail supervisor (e.g., Facilities, Laundry, etc.). After hours or during an emergency, inmate work details may be accompanied by an employee assigned by the Operations Lieutenant.

c. **Pregnant Female Inmates.** Women who are pregnant, in post-partum status (the 12 weeks following a pregnancy outcome) as the result of childbirth, miscarriage, or who recently terminated a pregnancy should not be placed in restrictive housing. In rare situations, a woman who is pregnant, is post-partum, recently had a miscarriage, or recently terminated a pregnancy may be placed in restrictive housing as a temporary response to behavior that poses a serious and immediate risk of physical harm. This decision must be approved by the Women and Special Populations Administrator, in consultation with the Bureau Medical Director, and must be reviewed every 24 hours. Should this placement be required, the Women and Special Populations Administrator will be contacted without delay. The placement of pregnant inmates in Special Housing Units and any use of restraints will be guided by the procedures outlined in the Program Statement **Female Offender Manual**.

To ensure the safety, security, and orderly running of a Bureau facility, when restrictive housing placements affecting females in any of the above specified categories is necessary, the severity of the inmate's behavior must be carefully considered. In immediate response situations, notification of the temporary placement must be made to the Bureau's Women and Special Populations Administrator. When placing any of these inmates in restrictive housing, the Warden must contact the Women and Special Populations Branch Administrator, the Bureau Medical Director, and the Correctional Services Administrator, Central Office for further guidance and continuation of care. In consultation with the Bureau Medical Director, the Women and Special Populations Administrator will approve, and conduct 24-hour reviews of continued placement in restrictive housing. For additional guidance see the Program Statement **Female Offender Manual**.

### 3. TRAINING

Completion of quarterly training will be required for employees assigned to SHU prior to the start of each new quarter, regardless of how many times an employee has completed the training. When assignment to a SHU post is known sufficiently in advance, each employee should be afforded a reasonable amount of duty time to complete the training.

This quarterly training session may include, but is not limited to, search procedures, escort procedures, application of restraints, use of force, orderly supervision, cell/unit sanitation, emergency response, suicide prevention, working with mentally ill inmates, information regarding pregnant/postpartum individuals, as well as other security procedures related to the unit. If in-person training is completed, a training sheet will be completed documenting the training, and will be routed to the Captain and Employee Development Department for retention.

For instances when last-minute assignments to the SHU occur, the employer must advise the employee of the general requirements of a SHU post and answer any questions.

### 4. § 541.22 Status when placed in the SHU.

When placed in the SHU, you are either in administrative detention status or disciplinary segregation status.

(a) **Administrative detention status.** Administrative detention status is an administrative status which removes you from the general population when necessary to ensure the safety, security, and orderly operation of correctional facilities, or protect the public. Administrative detention status is non-punitive, and can occur for a variety of reasons.

The Warden or designee may temporarily impose more restrictive conditions on an inmate which may be in an area normally set aside for disciplinary segregation and therefore requires the withdrawal of privileges ordinarily afforded in administrative detention status, until a hearing before the Disciplinary Hearing Officer (DHO) can be held who:

- Is causing a serious disruption, threatening life, serious bodily harm, or property damage in administrative detention.
- Cannot be controlled within the physical confines of administrative detention.
- Upon the advice of qualified health personnel, does not require confinement in the institution hospital if the institution has one for mental or physical treatment, or who would ordinarily be housed in the institution hospital for mental or physical treatment, but who cannot safely be housed there because the hospital does not have a room or cell with

adequate security provisions.

Inmates confined under these more restrictive conditions must have their status reviewed and fully documented on a BP-A0321, Special Housing Unit – Temporary Restrictive Housing Order, every five days.

A fully documented BP-A0321, Special Housing Unit – Temporary Restrictive Housing Order is maintained in the Inmate Central File.

(b) ***Disciplinary segregation status.*** Disciplinary segregation status is a punitive status imposed only by a Discipline Hearing Officer (DHO) as a sanction for committing a prohibited act(s).

#### 5. § 541.23 Administrative detention status.

You may be placed in administrative detention status for the following reasons:

(a) ***Pending Classification or Reclassification.*** You are a new commitment pending classification or under review for Reclassification.

This includes newly arrived inmates from the bus, airlift, and United States Marshals Service.

(b) ***Holdover Status.*** You are in holdover status during transfer to a designated institution or other destination.

(c) ***Removal from general population.*** Your presence in the general population poses a threat to life, property, self, staff, other inmates, the public, or to the security or orderly running of the institution and:

(1) ***Investigation.*** You are under investigation or awaiting a hearing for possibly violating a Bureau regulation or criminal law;

(2) ***Transfer.*** You are pending transfer to another institution or location;

(3) ***Protection cases.*** You requested, or staff determined you need, administrative detention status for your own protection; or

(4) ***Post-disciplinary detention.*** You are ending confinement in disciplinary segregation status, and your return to the general population would threaten the safety, security, and orderly operation of a correctional facility, or public safety.

Employees must obtain approval from a Lieutenant or the Captain before placing an inmate in administrative detention status pending investigation of a disciplinary violation. When considering approval for administrative detention, the seriousness of the violation should be reviewed.

When making a SHU 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, employees, or the orderly running of the institution.

If an inmate is terminating confinement in disciplinary segregation and employees determine placement in the general population is not prudent, the inmate may be placed in administrative detention status, if warranted by the conditions established above. The decision for post-disciplinary detention must be based on a separate review, not solely on the initial hearing before the DHO that resulted in the inmate's placement in disciplinary segregation.

For all inmates placed in administrative detention, the Segregation Review Official (SRO) advises the inmate of this determination and the reason for the action via a BP-A0308, Administrative Detention Order form (ADO). The Warden or shift supervisor can order immediate segregation. Ordinarily, within 24 hours of an inmate's placement in administrative detention, a supervisory official not involved in the initial placement will review and approve the placement decision.

Within 90 days of an inmate entering post-disciplinary detention status, employees must ordinarily return the inmate to general population or request a transfer of the inmate to a more suitable institution using an EMS-A0409, Request for Transfer/Application of Management Variable form. The Regional Correctional Programs Administrator will be copied on the completed form. This expectation does not apply to pretrial or inmates in a Control Unit Program.

The institution must generate a regional referral for each inmate in post-disciplinary detention more than 90 days that includes case-specific information stating why the inmate is not appropriate for return to general population or immediate transfer. The Regional Director must submit a recommendation for post-disciplinary detention of more than 90 days and every 60 days thereafter to the Assistant Director, CPD, for concurrence. Distribution includes a copy emailed to the CPD DHO mailbox.

The institution generates an ADO that cites the same case-specific information and includes documentation indicating the SRO has advised the inmate of the reasoning for the extended stay.

6. **§ 541.24 Disciplinary segregation status.**

You may be placed in disciplinary segregation status only by the DHO as a disciplinary sanction.

7. **§ 541.25 Notice received when placed in the SHU.**

You will be notified of the reason(s) you are placed in the SHU as follows:

The Lieutenant or other correctional supervisor prepares an ADO. The specific reason for placement in SHU must be supported by objective evidence and clearly articulated in the narrative section of the ADO. A new ADO is required if an inmate's status in administrative detention changes (e.g., upon completion of a protective custody investigation, the status changes to unverified/verified). Inmates will remain in SHU for no longer than necessary to address the specific reason for placement. Distribution of copies is indicated on the ADO.

Health Services will be notified of all new arrivals to SHU.

(a) **Administrative detention status.** When placed in administrative detention status, you will receive a copy of the administrative detention order, ordinarily within 24 hours, detailing the reason(s) for your placement. However, when placed in administrative detention status pending classification or while in holdover status, you will not receive an administrative detention order.

(b) **Disciplinary segregation status.** When you are to be placed in disciplinary segregation status as a sanction for violating Bureau regulations, you will be informed by the DHO at the end of your discipline hearing.

8. **§ 541.26 Review of placement in the SHU.**

Your placement in the SHU will be reviewed by the Segregation Review Official (SRO) as follows:

(a) **Three day review.** Within three work days of your placement in administrative detention status, not counting the day you were admitted, weekends, and holidays, the SRO will review the supporting records. If you are in disciplinary segregation status, this review will not occur. For reviews of Protection Cases, see Section 9 of this Program Statement.

(b) **Seven day reviews.** Within seven continuous calendar days of your placement in either administrative detention or disciplinary segregation status, the SRO will formally review your status at a hearing you can attend. Subsequent reviews of your records will be performed in your absence by the SRO every seven continuous calendar days thereafter.



(c) **Thirty day reviews.** After every 30 calendar days of continuous placement in either administrative detention or disciplinary segregation status, the SRO will formally review your status at a hearing you can attend.

(d) **Administrative remedy program.** You can submit a formal grievance challenging your placement in the SHU through the Administrative Remedy Program, 28 CFR part 542, subpart B.

Refer to the Program Statement **Administrative Remedy Program**.

The SRO refers to the individual at each Bureau institution assigned to review the status of each inmate housed in disciplinary segregation and administrative detention. The SRO must conduct the required reviews. The SRO does not have to be a DHO. Ordinarily, the SRO is the Lieutenant responsible for supervision of the SHU under the direction of the Captain. This review must include:

- A review of the inmate's records while in the SHU, utilizing the BP-A0292, Special Housing Unit Record.
- All available memoranda from employees, including Psychology Services.
- All available investigatory memoranda.
- The SRO completing a BP-A0295, Special Housing Review after review of relevant documentation.

A multidisciplinary team that includes, at a minimum, these institution employees or their designees: Executive Team, Captain, Unit Managers, Case Management Coordinator, Health Services Administrator, and Chief Psychologist will manage the SHU population. The multidisciplinary team reviews the inmate's initial and ongoing placement in SHU, and for inmates with approaching release dates, reviews options to prevent a direct release to the community from restrictive housing. The team will also explore available options for inmates pending return to general population. This multidisciplinary team meets weekly, and reviews applicable logs and documentation specific to the unit. The team determines the factors preventing the inmate from being housed in a less restrictive setting. Attendance will be documented on the BP-A1117, Special Housing Multidisciplinary Team Review form, and maintained by the Captain.

#### 9. § 541.27 Protection case – placement in Administrative Detention status.

You may be placed in administrative detention status as a protection case in the following circumstances.

(a) ***Victim of inmate assault or threats.*** You were the victim of an inmate assault, or are being threatened by other inmates, including threats of harm if you do not act in a certain way, for example, threats of harm unless you engage in sexual activity.

(b) ***Inmate informant.*** Your safety is threatened because you provided, or are perceived as having provided, information to staff or law enforcement authorities regarding other inmates or persons in the community.

(c) ***Inmate refusal to enter general population.*** You refuse to enter the general population because of alleged pressures or threats from unidentified inmates, or for no expressed reason.

(d) ***Staff concern.*** Based on evidence, staff believe your safety may be seriously jeopardized by placement in the general population.

When an inmate is placed in administrative detention for an investigative period and the threat is verified, correctional officials should seek alternative housing, by transferring the threatened inmate either to the general population of another institution or to a special-purpose housing unit for inmates who face similar threats, with conditions comparable to those of the general population.

When the inmate poses such security risk even a special-purpose housing unit is insufficient to ensure the inmate's safety and the safety of employees, other inmates, and the public, the inmate may be housed in more restrictive conditions. The inmate's placement should be regularly reviewed to monitor any medical or mental health deterioration and to determine whether the security risks have subsided.

#### 10. § 541.28 **Protection case – review of placement in the SHU.**

(a) ***Staff investigation.*** Whenever you are placed in the SHU as a protection case, whether requested by you or staff, an investigation will occur to verify the reasons for your placement.

(b) ***Hearing.*** You will receive a hearing according to the procedural requirements of § 541.26(b) within seven calendar days of your placement. Additionally, if you feel at any time your placement in the SHU as a protection case is unnecessary, you may request a hearing under this section.

(c) ***Periodic review.*** If you remain in administrative detention status following such a hearing, you will be periodically reviewed as an ordinary administrative detention case under § 541.26.

When an inmate is placed in administrative detention for protection, the Warden or designee (ordinarily the Captain), must review the placement within two workdays of the placement to

determine if continued protective custody is necessary. This review includes documents that led to the inmate being placed in protective custody status and any other documents pertinent to the inmate's protection.

**11. § 541.29 Staff verification of need for protection.**

If a staff investigation verifies your need for placement in the SHU as a protection case, you may remain in the SHU or be transferred to another institution where your status as a protection case may not be necessary, at the Warden's discretion.

**12. § 541.30 Lack of verification of need for protection.**

If a staff investigation fails to verify your need for placement in the SHU as a protection case, you will be instructed to return to the general population. If you refuse to return to the general population under these circumstances, you may be subject to disciplinary action.

Inmates refusing placement in general population should be maintained in administrative detention status and, if appropriate, face disciplinary action.

**13. § 541.31 Conditions of confinement in the SHU.**

Your living conditions in the SHU will meet or exceed standards for healthy and humane treatment, including, but not limited to, the following specific conditions:

- (a) **Environment.** Your living quarters will be well-ventilated, adequately lighted, appropriately heated, and maintained in a sanitary condition.
- (b) **Cell Occupancy.** Your living quarters will ordinarily house only the amount of occupants for which it is designed. The Warden, however, may authorize more occupants so long as adequate standards can be maintained.

The Bureau works to minimize the risk of inmate suicide by ensuring each inmate has a cellmate whenever possible. Employees must place inmates in SHU with a cellmate, unless there are unique circumstances that warrant single cell placement. Circumstances warranting an inmate's placement in a single cell are determined individually, based upon sound correctional judgement, and not limited to a verified threat assessment finding and/or recent assaultive behavior.

If it appears necessary to single cell an inmate in SHU during regular working hours, the Captain and Chief Psychologist or designee, will be contacted for their recommendations. The Warden's written approval is required immediately following the placement of an inmate in a

single cell. The Warden or Acting Warden may not delegate the authority to place an inmate in a cell alone. A Lieutenant completes a BP-A1121, Single-Cell Review Form, documenting this approval.

If it appears necessary to single cell an inmate in SHU after hours or on weekends, the Captain and Chief Psychologist or designee, will be contacted telephonically for their recommendations. After hours or on the weekend, in lieu of written approval, the Warden will be contacted telephonically for their authorization. Ordinarily, in such cases the BP-A1121, Single-Cell Review Form will be signed no later than the next business day. Upon completion, this document will be maintained in the Inmate's Central File and in the officer's station in the SHU.

During each shift a SHU Lieutenant or Operations Lieutenant will verify and document that only inmates who have a Warden's approval for a single cell placement are celled alone. All other inmates will have an assigned cellmate. Lieutenants will document their findings in the SHU Report and will document a specific explanation for each inmate who is single celled on the inmate's BP-A0292, Special Housing Unit Record, in the comments section. During daily SHU rounds, the Institution Duty Officer (IDO) will review all SHU single cell forms. They will verify and document all inmates with the Warden's written approval for single cell assignments are celled alone and all other inmates have an assigned cellmate. This documentation will be placed in the Duty Officer Report.

Single cell placements will be reviewed at weekly SHU multidisciplinary team review meetings and the decision to continue or to discontinue the single cell status will be documented in the SHU program with a rationale for the decision.

(c) **Clothing.** You will receive adequate institution clothing, including footwear, while housed in the SHU. You will be provided necessary opportunities to exchange clothing and/or have it washed.

The Warden's written approval is required prior to placing an inmate on alternate clothing/linen status. The Warden or Acting Warden may not delegate the authority to place an inmate in alternate clothing/linen (e.g., paper). The memorandum must include, at a minimum, the signature of the Warden, Health Services Administrator, and a Psychologist. A written explanation for placing an inmate in alternate clothing/linen status must be included in the Warden's authorization. This status will be reviewed every three days. Inmates will not be authorized to remain in alternate clothing/linen for more than six days. After six days, the inmate is removed from the alternate clothing/linen status or, if necessary, a new authorization is generated. Inmates will be offered a change of alternate clothing daily. If necessary, the Warden may authorize additional linens.

Alternate clothing/linen is authorized when an inmate alters, destroys, or uses issued clothing/linen in a manner that poses a threat to the safety, security, orderly operation of the institution, or when used in a manner to cause harm to self, other inmates, or employees.

Alternate clothing/linen will not be used as punishment or during external transportation (i.e., outside the secure perimeter). Inmates departing from Bureau facilities will not be transported in alternate clothing for any reason.

Absent rare or exigent circumstances, alternate clothing will not be used for inmates with serious mental illness, those with identified chronic or acute suicide risk, or those on suicide watch. For additional information regarding conditions of confinement on suicide watch see the Program Statement **Suicide Prevention Program**.

(d) **Bedding.** You will receive a mattress, blankets, a pillow, and linens for sleeping. You will receive necessary opportunities to exchange linens.

If the institution issues the combination mattress with a pillow incorporated, a separate pillow will not be issued. Employees may remove an inmate's mattress during daytime hours as a "loss of privilege" sanction imposed by the Unit Discipline Committee (UDC) or DHO. Removal of an inmate's mattress is otherwise prohibited, absent life or safety concerns as specifically documented and authorized by the Warden or designee.

(e) **Food.** You will receive nutritionally adequate meals.

Refer to the Program Statement **Food Service Manual** for standards and guidelines for feeding inmates in Special Housing Units. When an inmate uses food products, food service items, or disrupts the feeding process in a manner that poses a threat to the safety, security, orderly operation of the institution, or when used in a manner to cause harm to self, other inmates, or employees, a written explanation of the reason(s) for alternate meal status must be included in the Warden's authorization and approved by Health Services. The Warden's written approval is required prior to placing an inmate on alternative meal status. After seven days, the inmate is removed from the alternative meal service or, if necessary, a new authorization is generated.

(f) **Personal hygiene.** You will have access to a wash basin and toilet. You will receive personal items necessary to maintain an acceptable level of personal hygiene, for example, toilet tissue, soap, toothbrush and cleanser, shaving utensils, *etc.* You will ordinarily have an opportunity to shower and shave at least three times per week. You will have access to hair care services as necessary.

(g) **Exercise.** You will receive the opportunity to exercise outside your individual quarters at least five hours per week, ordinarily on different days in one-hour periods. You can be denied these exercise periods for a week at a time by order of the Warden if it is determined that your use of exercise privileges threatens safety, security, and orderly operation of a correctional facility, or public safety.

If weather, resources, and staffing permit, inmates will receive at least five hours of outdoor exercise periods per calendar week. In cases where cover is not provided to mitigate the inclement weather, appropriate weather-related equipment and/or attire will be made available to inmates during their authorized exercise time.

Plans for increasing recreation time are developed locally by the institution to provide additional out of cell time.

The following factors must be considered when developing plans to increase out of cell time for recreation:

- inmate to Correctional Services employee ratio in SHU
- total number of inmates in SHU
- limitations of the physical plan and infrastructure, especially regarding spaces used for recreation
- views and input from the local Union

When an institution possesses the resources identified within the factors listed above to implement these plans, it should do so. A memorandum for the plans will be generated and reviewed at least annually by the Warden, adjusting as necessary.

Restriction or denial of exercise is not used as punishment. The Warden or Acting Warden may not delegate the authority to restrict or deny exercise. Exercise periods are only restricted or denied when an inmate's activities pose a threat to the safety, security, orderly operation of the institution, or health conditions of the unit.

The appropriate employee recommends recreation restrictions to a supervisor, who then makes the recommendation to the Warden in writing. The recommending employee briefly describes the reason for recommending a restriction and its proposed extent. The Warden reviews the recommendation and approves, modifies, or denies the restriction. If the Warden approves a restriction, it must be based on the conclusion the inmate's actions pose a threat to the safety, security, orderly operation of the institution, or health conditions of the unit.

(h) **Personal property.** In either status, your amount of personal property may be limited for reasons of fire safety or sanitation.

(1) In administrative detention status you are ordinarily allowed a reasonable amount of personal property and reasonable access to the commissary.

(2) In disciplinary segregation status your personal property will be impounded, with the exception of limited reading/writing materials, and religious articles. Also, your commissary privileges may be limited.

At the Warden's discretion, the quantity and type of personal property may be modified or withheld for reasons of security, fire safety, or sanitation. Ordinarily, the personal property allowed in administrative detention includes:

- Bible, Koran, or other scriptures (1)
- books, paperback (5)
- eyeglasses, prescription (2)
- legal material (see the Program Statement **Legal Activities, Inmate**)
- magazines (3)
- mail (10)
- newspaper (1)
- personal hygiene items (1 of each type) (no dental floss or razors\*)
- photographs (25)
- authorized religious medals/headgear (e.g., kufi)
- shoes, shower (1)
- shoes, other (1)
- snack foods without aluminum foil wrappers (5 individual packs)
- powdered soft drinks (1 container)
- stationery/stamps (20 each)
- wedding band (1)
- radio with ear plugs (1)
- watch (must not have metal backing) (1).
- over-the-counter (OTC) medications (2).
- female inmates will be allowed a choice of feminine hygiene products to include tampons, regular and super-size; maxi pads with wings, regular and super-size; and panty liners, regular
- transgender inmates will be allowed to retain their accommodations: binders, stand-to-pee cups, etc.

\*Razors are controlled by SHU employees. Only disposable razors are used.

The SHU commissary list is reviewed for approval and signed by the Warden.

Prescribed medications and medical devices will be collected and provided to inmates as soon as

practical.

The Warden may modify the quantity and type of personal property allowed. Personal property may be limited or withheld for reasons of security, fire safety, or sanitation. Unauthorized use of any authorized item may result in the restriction of the item. If there are numerous misuses of an authorized item, the Warden may determine the item will not be issued in the SHU.

**Reading Material.** The inmate will receive a reasonable amount of non-legal reading material, not to exceed five books per inmate at any one time, on a circulating basis. Employees will provide the inmate the opportunity to possess religious scriptures of the inmate's faith.

(i) *Correspondence.* You will receive correspondence privileges according to part 540, subpart B.

Refer to the Program Statement **Correspondence**.

(j) *Telephone.* You will receive telephone privileges according to part 540, subpart I.

If an inmate has not been restricted from telephone use because of a specific disciplinary sanction, they will be allowed to make one telephone call per month. Specifically, the inmate will receive access to a telephone and offered the opportunity to make a call within the first 30 calendar days of placement in SHU, and subsequently make a phone call every 30 days thereafter. Moreover, this Section of this Program Statement refers to social calls, not legal calls. For additional information, see the Program Statement **Inmate Telephone Regulations**.

(k) *Visiting.* You will receive visiting privileges according to part 540, subpart D.

Refer to the Program Statement **Visiting Regulations**.

(l) *Legal Activities.* You will receive an opportunity to perform personal legal activities according to part 543, subpart B.

Refer to the Program Statement **Legal Activities, Inmate**.

(m) *Staff monitoring.* You will be monitored by staff assigned to the SHU, including program and unit team staff.

Program employees, including unit team, arrange to visit inmates in SHU within a reasonable time after receiving the inmate's request.



In addition to direct supervision by the unit officer, qualified health personnel, and one or more responsible employees the Warden designates, ordinarily the IDO, visit each SHU inmate daily, including weekends and holidays. A Lieutenant must visit the SHU during each shift to ensure all procedures are followed. Mental health employees must visit all inmates in the SHU on a weekly basis unless mental health attention is needed more frequently. Education employees must visit all inmates in the SHU on a weekly basis to address educational and leisure needs. All employees assigned to and required to make regular visits to SHU, provide for meaningful contact to the inmate population. This is accomplished as employees communicate with the inmates to address any concerns related to their specific areas of responsibility.

Duress buttons, if present, will be utilized only for emergency and/or life-threatening situations, including health-related issues. The use of the duress button for anything other than an emergency and/or life-threatening situation is subject to disciplinary action.

(n) *Programming Activities.* In administrative detention status, you will have access to programming activities to the extent safety, security, orderly operation of a correctional facility, or public safety are not jeopardized. In disciplinary segregation status, your participation in programming activities, e.g., educational programs, may be suspended.

Inmates placed in SHU will be afforded accommodations for disabilities according to the procedures outlined in the Program Statement **Management of Inmates With Disabilities**.

All out of cell time will be recorded on the BP-A0292, Special Housing Unit Record.

(o) *Administrative remedy program.* You can submit a formal grievance challenging any aspect of your confinement in the SHU through the Administrative Remedy Program, 28 CFR part 542, subpart B.

Refer to the Program Statement **Administrative Remedy Program**.

#### 14. § 541.32 **Medical and mental health care in the SHU.**

(a) *Medical Care.* A health services staff member will visit you daily to provide necessary medical care. Emergency medical care is always available.

While in a SHU, inmates may continue taking their prescribed medications. For additional information see the Program Statements **Pharmacy Services** and **Over-the-Counter Medications**.

(b) *Mental health care.* After every 30 calendar days of continuous placement in either administrative detention or disciplinary segregation status, mental health staff will examine you, including a personal interview. Emergency mental health care is always available.

Generally, an inmate who has been identified by Psychology or Psychiatry Services as a Care3-MH, Care4-MH, psychology alert, or identified on the monthly SHU advisory should not be placed in Special Housing unless they present an immediate and/or serious danger to self, employees, or the orderly running of a Bureau facility. An inmate's mental health care level alone does not preclude them from placement in SHU.

If an inmate who has been identified by Psychology or Psychiatry Services as a Care3-MH, Care4-MH, psychology alert, or identified on the monthly Psychology Advisory List (PAL), is placed in Special Housing, Psychology Services will be notified and conduct a mental health evaluation within 24 hours of placement. Psychology Services will conduct a psychological assessment, including a personal interview, when administrative detention continues beyond 30 days.

Psychology Services conduct a similar psychological assessment and report at 30-day intervals should detention continue for an extended period.

If it is not possible to avoid the placement of an inmate with serious mental illness in SHU, a transition plan should begin immediately. A multidisciplinary team should be convened, consider all options, including return to the general population, transfer to another general population setting, transfer to a mental health psychology treatment program, or transfer to a psychiatric inpatient setting. See the Program Statements **Treatment and Care of Inmates With Mental Illness, Psychology Treatment Programs, Psychiatry Services, and Inmate Security Designation and Custody Classification.**

**Extended SHU Placement Definition.** An inmate is considered to be housed in "extended placement" when continuously housed in SHU for six months or longer. Inmates with serious mental illness must be removed from SHU before they have been housed continuously for six months, unless they have extraordinary security needs. A multidisciplinary team will be convened to determine whether extended placement is warranted. At a minimum, the team will include the Captain, Unit Manager, and a Psychologist.

Examples of extraordinary security needs may include a pending ADX referral, pending Federal Bureau of Investigation referral, or serious assaultive behavior. If it is determined a seriously mentally ill inmate has extraordinary security needs warranting extended SHU placement, that determination, along with verification a team was convened and appropriate referrals were made,

will be documented in the Psychology Data System-Bureau Electronic Medical Record. Psychology Services will also enter the corresponding Bureau inmate management system code.

#### 15. § 541.33 Release from the SHU.

(a) *Administrative detention status.* You will be released from administrative detention status when the reasons for your placement no longer exist.

(b) *Disciplinary segregation status.* You will be released from disciplinary segregation status after satisfying the sanction imposed by the DHO. The SRO may release you earlier if it is determined you no longer require disciplinary segregation status.

Ordinarily, inmates nearing the end of their term of incarceration will not be placed in SHU, except when their presence in general population threatens the safety, security, or the orderly running of a Bureau facility.

Every effort should be made to avoid releasing an inmate directly from SHU to the community. If the inmate remains in SHU within 180 days of release, options to release the inmate to less restrictive settings should be considered. If a less restrictive setting is not possible, justification will be documented and approved by the Warden. The inmate will receive targeted reentry programming to prepare for return to the community in accordance with applicable policies.

A clear plan for returning the inmate to less restrictive conditions will be developed and is ordinarily shared with the inmate.

The SRO may not increase any previously imposed sanction(s). When considering release from disciplinary segregation, the SRO first consults with the Captain and must notify the DHO of the inmate's release from disciplinary segregation before satisfying the imposed sanction.

#### 16. SPECIAL ACCOUNTABILITY

Observation of inmates in a continuous locked down status (e.g., SHU, SMU or Control Units) will be accomplished as outlined in the Program Statement **Correctional Services Procedures Manual**. Procedures for documenting these observations, outside of TRUSCOPE (e.g., rounds sheet, their location within the unit, etc.) will be determined locally. In doing so, the Captain will utilize sound correctional judgement to assist employees in ensuring they are completing these observations per established policy.

Documentation to be utilized for observations will include at a minimum the:

- date
- time
- printed name of employees conducting the observations (during a specific shift)
- signature of employees conducting the observations (during a specific shift)
- Correctional Supervisor review as determined by the Captain
- procedures for reporting missed timeframes.

For additional information regarding Control Unit procedures, see the Program Statement **Control Unit Programs**.

## REFERENCES

### *Program Statements*

1315.07	CN-1	Legal Activities, Inmate (8/1/2023)
1330.18		Administrative Remedy Program (1/6/2014)
4700.07		Food Service Manual (2/16/2024)
5100.08	CN-1	Inmate Security Designation and Custody Classification (9/4/2019)
5200.06		Management of Inmates With Disabilities (11/22/2019)
5200.07	CN-1	Female Offender Manual (7/8/2022)
5212.07		Control Unit Programs (2/20/2001)
5217.02		Special Management Units (8/9/2016)
5264.08		Inmate Telephone Regulations (1/24/2008)
5265.14		Correspondence (4/5/2011)
5267.09	CN-1	Visiting Regulations (8/1/2023)
5270.09	CN-1	Inmate Discipline Program (11/18/2020)
5290.15		Intake Screening (3/30/2009)
5310.16		Treatment and Care of Inmates With Mental Illness (5/1/2014)
5324.08		Suicide Prevention Program (4/5/2007)
5330.11	CN-1	Psychology Treatment Programs (4/25/2016)
5500.14	CN-1	Correctional Services Procedures Manual (8/1/2016)
6031.04		Patient Care (6/3/2014)
6190.04		Infectious Disease Management (6/3/2014)
6340.04		Psychiatric Services (1/15/2005)
6360.02		Pharmacy Services (10/24/2022)
6541.02		Over-the-Counter Medications (11/17/2004)

### *Federal Regulations*

28 CFR §§ 541.20-541.33, Inmate Discipline and Special Housing Units

### *Federal Statutes*

Title 18, United States Code, § 3582, Imposition of a sentence of imprisonment

### *Bureau Forms*

BP-A0292	Special Housing Unit Record
BP-A0295	Special Housing Review
BP-A0308	Administrative Detention Order
BP-A0321	Special Housing Unit - Temporary Restrictive Housing Order
BP-A1117	Special Housing Multidisciplinary Team Review
BP-A1121	Single-Cell Review Form
EMS-A0409	Request for Transfer/Application of Management Variable

### *ACA Standards*

Performance-Based Standards and Expected Practices for Adult Correctional Institutions (5th Edition): 5-ACI-2C-02, 5-ACI-3C-10, 5-ACI-4B-01, 5-ACI-4B-02, 5-ACI-4BV-03, 5-ACI-4B-04, 5-ACI-4B-05, 5-ACI-4B-06, 5-ACI-4B-07, 5-ACI-4B-08, 5-ACI-4B-09, 5-ACI-4B-11, 5-ACI-4B-12, 5-ACI-4B-13, 5-ACI-4B-14, 5-ACI-4B-15, 5-ACI-4B-16, 5-ACI-4B-17, 5-ACI-4B-18, 5-ACI-4B-19, 5-ACI-4B-20, 5-ACI-4B-21, 5-ACI-4B-22, 5-ACI-4B-23, 5-ACI-4B-24, 5-ACI-4B-25, 5-ACI-4B-26, 5-ACI-4B-27, 5-ACI-4B-28(M), 5-ACI-4B-29, 5-ACI-4B-30, 5-ACI-4B-31, 5-ACI-4B-32, 5-ACI-4B-34

Performance-Based Standards for Adult Local Detention Facilities (4th Edition): 4-ALDF-2A-34, 4-ALDF-6C-06

### *Records Retention Requirements*

Requirements and retention guidance for records and information applicable to this program are available in the Records and Information Disposition Schedule (RIDS) on the Bureau's intranet site.