



NEVADA DEPARTMENT OF CORRECTIONS  
ADMINISTRATIVE REGULATION

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**PROTECTIVE HOUSING**

**ADMINISTRATIVE REGULATION – 509**

**SUPERSEDES:** AR 509 (06/17/12); AR 509 (Temporary 06/05/13); AR 509 (10/15/13)

**EFFECTIVE DATE:** August 8, 2022, TEMPORARY EDITION

**AUTHORITY:** NRS 209.341, NRS 209.351

**RESPONSIBILITY**

The Director of the Nevada Department of Corrections (NDOC and Department), is responsible for the implementation of this Administrative Regulation (AR).

The Director of the Department of Corrections is responsible to provide adequate housing for those offenders requiring protective accommodations.

Institutional Classification Committees are responsible for investigating, identifying and classifying Protective Housing offenders.

**509.01 GENERAL PROVISIONS**

1. Offenders may require separation and/or secure housing to ensure their physical safety and well-being or for institutional security. These general provisions are for both voluntary and involuntary Protective Housing.
2. Protective Housing may be used voluntarily or involuntarily, but it will never be used as a form of punishment.
3. Offenders requesting protection should be placed in Administrative Segregation pending classification pursuant to AR 507.
4. The Classification Committee will schedule a hearing and conduct a classification review as soon as practicable after being informed of a request for Protective Housing.

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5. The committee will take reasonable steps to ensure that an offender is not permitted entry into a Protective Housing unit under false pretenses. The committee should be cautious to ensure the offender is not requesting Protective Housing to access enemies or for housing convenience.
  6. The following steps will be used to manage offenders who require separation from other offenders for their protection. A transfer to general population at a different institution should be considered prior to Protective Housing.
    - A. Review of alternate General Population placement (facility, unit, wing, etc.) or;
    - B. Assignment to an area of the Department designated for Protective Housing, or;
    - C. Transfer to another state under provisions of the Interstate Corrections Compact.
  7. All offenders admitted to or released from Protective Housing require a classification review to be completed in accordance with AR 503 – Conduct of Objective Classification and AR 506 - Reclassification Schedule.
  8. After the Classification Committee hearing, a classification case note documenting the hearing, will be entered in the Nevada Offender Tracking Information System (NOTIS). If an offender is being placed in Protective Housing an alert for Protective Housing will be entered in NOTIS.
  9. Protective Housing will not be permitted without approval of the classification committee or without documentation that the status is warranted, and no reasonable alternatives are available.
  10. The Protective Housing status will be reviewed as outlined in AR 506 to determine whether reasons for the placement continue and with the goal of terminating the Protective Housing status housing, if possible, with the ultimate goal of the offender reintegrating into general population.
  11. Protective Housing is a designation, not a custody. Offender custody will be determined by customary classification procedures.

#### **509.02 VOLUNTARY ASSIGNMENT TO PROTECTIVE HOUSING**

1. The offender shall provide the Classification Committee with the names of his or her enemies and a reason why the enemy situation exists and/or a reason why Protective Housing is needed. If names are not known or available, the offender must provide the committee with appropriate justification and must cooperate with any investigation regarding their placement in Protective Housing.

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2. Admission to Protective Housing will be fully documented with consent by the offender noted in appropriate classification case notes.
  3. An offender who has been voluntarily placed in Protective Housing may request a classification hearing to discuss removal from that status.
    - A. This request must be made in writing by the offenders.
    - B. The offender will be scheduled and seen by the Classification Committee to consider his or her request.
    - C. Documentation of the hearing and outcome shall be entered into case note.
  4. The Committee may require the offender to remain in Protective Housing involuntarily. In such instances, the procedural safeguards set forth in 509.03 of this regulation shall apply.

#### **509.03 INVOLUNTARY ASSIGNMENT TO PROTECTIVE HOUSING**

1. When an offender is involuntarily assigned to or required to remain in Protective Housing, the Classification Committee should consider the following general considerations.
  - A. The decision should be based on evidence that the offender's or institution's safety and/or security would be in jeopardy if the offender was in general population.
  - B. The security or safety threat should continue to be evident in reviews by the Classification Committee in order to retain an offender in Protective Housing.
  - C. If it appears a safety or security threat no longer exists, the offender should be scheduled for a Classification Committee hearing to determine if he or she can be moved to the general population.

#### **509.04 PROTECTIVE HOUSING MANAGEMENT**


1. Offenders housed in Protective Housing units will have the same canteen, educational, programming and recreational privileges, as those in general population, which do not conflict with institutional safety or security.
2. Protective Housing units may be managed differently at different institutions, depending on the security needs and management of the institution.
3. This section is not intended to affect restrictions which may be imposed by the Disciplinary Committee.

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**APPLICABILITY**

1. This AR requires an Operational Procedure at locations housing Protective Housing offenders.
2. This AR requires an audit.

  
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Charles Daniels, Director

  
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Date