



NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION

PROTECTIVE HOUSING SEGREGATION

ADMINISTRATIVE REGULATION – 509

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

EFFECTIVE DATE: PENDING

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 inmates/offenders requiring Protective Segregation/protective accommodations.

Institutional Classification Committees are responsible for investigating, identifying and classifying Protective Segregation-Housing inmates/offenders.

509.01 GENERAL PROVISIONS

1. Inmates/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 Segregation.
2. Protective Housing Segregation may be used voluntarily or involuntarily, but it will never be used as a form of punishment.
3. Inmates/Offenders requesting protection should be placed in Administrative Segregation pending classification pursuant to the Department's Administrative Regulation 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 Segregation.

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5. The committee will take reasonable steps to ensure that an inmate-offender is not permitted entry into a Protective HousingSegregation unit under false pretenses. The committee should be cautious to ensure the inmate-offender is not requesting Protective HousingSegregation to access enemies or for housing convenience.
 6. The following steps will be used to manage inmatesoffenders who require separation from other inmatesoffenders for their protection. A transfer to general population at a different institution should be considered prior to Protective HousingSegregation.
 - A. ~~Preference will be given to transfer to a different institution~~Review of alternate General Population placement (facility, unit, wing, etc.) or;
 - B. Assignment to an area of the Department designated for Protective HousingSegregation, or;
 - C. Transfer to another state under provisions of the Interstate Corrections Compact.
 7. All inmatesoffenders admitted to or released from Protective HousingSegregation require a classification review to be ~~done~~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 inmate-offender is being placed in Protective HousingSegregation: an alert for Protective Housing will be entered in NOTIS.
 - A. ~~A Central Monitoring Status Sheet (DOC Form 2023) will be completed for the I-File.~~
 - B. ~~Protective Segregation status will be entered in the Offender Care in Placement screen in NOTIS.~~
 - C. ~~A Protective Segregation Alert will be entered in NOTIS.~~
 9. Protective ~~Segregation~~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 HousingSegregation status will be reviewed as outlined in AR 506 at each ~~(6) month review~~ to determine whether reasons for the placement continue and with the goal of terminating the Protective HousingSegregation status housing, if possible, with the ultimate goal of the inmate-offender reintegrating into general population.

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11. ~~All inmates in Protective Segregation will be classified as close custody. Protective Housing is a designation, not a custody. Offender custody will be determined by customary classification procedures.~~

509.02 VOLUNTARY ASSIGNMENT TO PROTECTIVE HOUSING SEGREGATION

1. The ~~offender inmate~~ 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 Segregation is needed. If names are not known or available, the ~~inmate-offender~~ must provide the committee with appropriate justification and must cooperate with any investigation regarding their placement in ~~protective~~ Protective segregation ~~in~~ Housing.
2. Admission to Protective Housing Segregation will be fully documented with consent by the ~~inmate-offender~~ noted in appropriate classification case notes.
3. An ~~offender inmate~~ who has been voluntarily placed in Protective Housing Segregation may request a classification hearing to discuss removal from that status.

A. This request must be made in writing by the ~~offenders~~ inmate.

B. The ~~offender inmate~~ will be scheduled and seen by the Classification Committee to consider his or her request.

B.C. Documentation of the hearing and outcome shall be entered into case note.

~~4. If the inmate is approved to leave Protective Segregation:~~

~~A. The caseworker will have the inmate sign a Protective Segregation Waiver (DOC Form 2084).~~

~~B. The caseworker will fill out a Central Monitoring Status Sheet for the I-File.~~

~~C. The Protective Segregation designation will be "released" on the Care in Placement screen in NOTIS and the Protective Segregation alert will be "expired."~~

5.4. The Committee may require the ~~offender inmate~~ to remain in Protective Housing Segregation involuntarily. In such instances, the procedural safeguards set forth in 509.03 of this regulation shall apply.

509.03 INVOLUNTARY ASSIGNMENT TO PROTECTIVE HOUSING SEGREGATION

1. When an ~~offender inmate~~ is involuntarily assigned ~~to, or to~~ or required to remain in Protective Segregation Housing, the Classification Committee should consider the following general considerations.

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- A. The decision should be based on evidence that the ~~inmatesoffender's~~ or institution's safety and/or security would be in jeopardy if the ~~offender inmate~~ 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 inmate~~ in Protective Housing Segregation.
 - C. If it appears a safety or security threat no longer exists, the ~~offender inmate~~ 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 SEGREGATION MANAGEMENT

- 1. ~~InmatesOffenders~~ housed in Protective Housing Segregation 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 Segregation 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.

APPLICABILITY

- 1. This AR requires an Operational Procedure at locations housing Protective Housing Segregation inmatesoffenders.
- 2. This AR requires an audit.

~~James G. Cox~~ Charles Daniels, Director

Date