

WEBER COUNTY CORRECTIONAL FACILITY

Volume

INMATE MANAGEMENT

Chapter

JD 03 - TEMPORARY RESTRICTIONS

Effective Date:

11-01-94

Review Date:

06-15-05

Pages

7

Approved

JD 03/01.00 GENERAL

JD 03/01.01 Purpose

JD 03/01.02 Cross Reference

JD 03/01.03 Definitions

JD 03/02.00 TEMPORARY RESTRICTION ORDERS

JD 03/02.01 Policy

JD 03/02.02 Rationale

JD 03/02.03 Procedure: Initiating Temporary Restrictions

JD 03/02.04 Procedure: Restriction Process

JD 03/02.05 Procedure: Monitoring Temporary Restriction Use

JD 03/03.00 LEARNING OBJECTIVES

FORMS AND EXHIBITS:

TRO Form

JD 03/01.00 **GENERAL**

JD 03/01.01 **Purpose**

- A. Circumstances may make it necessary to place an inmate in a more restrictive supervision level than that required by his assigned classification for **non-punitive** reasons for a limited period of time.
- B. Such restriction may require separating an inmate from the general population or otherwise restricting his movement until his classification can be reassessed.

JD 03/01.02 **Cross Reference**

JD 06 - Inmate Disciplinary
JF 14 - Special Intensive Management

UJS D.03

JD 03/01.04 **Definitions**

TRO Temporary Restriction Order

WCCF Weber County Correctional Facility

JD 03/02.00 **TEMPORARY RESTRICTION ORDERS**

JD 03/02.01 **Policy**

It is the policy of the WCCF that:

- A. temporary restrictions are **non-punitive**, and shall not be used for punitive reasons.
- B. temporary restrictions may be used as necessary:
 - 1. to protect the inmate from another inmate;
 - 2. to protect other inmates from the restricted inmate;
 - 3. to stabilize a volatile or difficult situation;
 - 4. to facilitate a criminal/administrative investigation;
 - 5. to provide a cooling off period for agitated, combative, or confrontational inmates; or
 - 6. to isolate an inmate with a contagious or communicable disease.

JD 03/02.02 **Rationale**

- A. Non-punitive restrictions are not intended to punish; rather, they are intended to manage prisoners who jail officials reasonably believe present unique management problems for the facility which can best be met by restricting those inmates in a manner that neutralizes the risk to the facility.
- B. Restrictions which are intended to punish may be ordered only after due process has been applied in a disciplinary proceeding.
- C. Restrictions imposed by staff for the management of an inmate or a unit should require authorization by supervisors to ensure an objective determination of the appropriateness of the action. Further review of the action shall be made by the Classification Committee.

JD 03/02.03 **Procedure: Initiating Temporary Restrictions**

- A. Restrictions may be invoked by the Sheriff, Chief Deputy, Jail Commander/Designee, Operations Lieutenant, and Shift Sergeant/OIC.
- B. Restrictions may take the form of:

1. temporary **non-punitive** isolation;
 2. restricted movement; or
 3. other restrictions rationally related to the perceived need.
- C. Such restrictions should be related to precipitating events or conditions and the needs created by such events or conditions.

JD 03/02.04 **Procedure: Restriction Process**

- A. The staff member initiating the temporary restriction shall document the need for the action, and the relationship of the restriction to the precipitating event.
- B. The following steps shall then be followed to properly process the action.
1. Immediate approval for the temporary restriction shall be given by the Shift Sergeant/OIC, or the Operations Lieutenant, or the Jail Commander/Designee, or the Chief Deputy, or the Sheriff.
 2. The staff member initiating the TRO shall complete the following sections of the Temporary Restriction Form:
 - a. the Inmate's Name, Name ID #, and Booking #;
 - b. the date TRO is initiated;
 - c. the prior housing assignment and temporary housing assignment;
 - d. the staff member's name initiating the temporary restrictions;
 - e. the reason for the restriction (specific as to the event which precipitated the TRO– the statement, "Management and Control" is insufficient); and
 - f. the type of restriction imposed to control the problem. TRO's are meant to temporarily control and manage inmate behavior or problems and the restrictions shall not be used as punitive measures.
 3. The Duty Sergeant shall:
 - a. review and give the immediate approval of the TRO,
 - b. forward the TRO to the Operations Lieutenant; and

- c. ensure that all documents, including the original incident or log reports, and other written justification are forwarded to the Operations Lieutenant no later than the next working day following the Duty Sergeant's implementation of the TRO.
- 4. The Operation Lieutenant shall:
 - a. review the TRO for accuracy and thoroughness;
 - b. determine whether to continue or discontinue the TRO;
 - c. complete the TRO form, ensuring that the reasons for the temporary restriction are clearly stated; and
 - d. sign the TRO form and forward it to the Classification Committee for action as necessary, and distribution as follows:
 - 1) Original to Records for placement in the inmate's file;
 - 2) Yellow copy to Classification;
 - 3) Pink copy to Jail Commander/Designee;
 - 4) Goldenrod copy to the inmate's Housing Unit.
- 5. If the decision by the Operation Lieutenant is to discontinue the TRO, the Duty Sergeant shall restore the restricted privileges immediately.
- 6. If the decision by the Operations Lieutenant is to continue the TRO and pursue reassessment the Operations Lieutenant shall:
 - a. calculate the 15 day classification reassessment date and fill it in the appropriate section on the TRO form; and
 - b. have the Duty Sergeant personally review the TRO with the inmate to:
 - 1) inform the inmate that a classification reassessment has been set; and
 - 2) explain the reason for the temporary restriction.
- 7. If the decision by the Operations Lieutenant is to continue the temporary restriction and **not** pursue reassessment the Operations Lieutenant shall return the inmate to his former classification within three working days.

8. Photocopies of the TRO, incident or log reports, and any other written justification shall remain in the housing unit or be immediately forwarded to the receiving housing unit in the event the inmate is transferred.
9. If a reassessment is requested, the entire reassessment process should be completed within 15 working days of the date the TRO was invoked, during which time the inmate shall remain at the temporary restriction level.
10. During the 15 day reassessment period, if the Operation Lieutenant receives information that the temporary restriction is no longer necessary, he may re-institute the inmate's privileges.
 - a. If the TRO has gone beyond three working days, the classification reassessment shall be completed even if the restrictions are removed.
 - b. The Classification Officer shall be notified of the reinstatement.
11. Once the classification reassessment has been completed the inmate shall be handled according to the reassessment results.

JD 03/02.05 **Procedure: Monitoring Temporary Restriction Use**

- A. The use of Temporary Restriction Orders shall be monitored by the Classification Officer and monthly reports made to the Operations Lieutenants and Jail Commander/Designee.
- B. The procedure governing TRO's shall not be abused.
 1. Instances of suspected abuse shall be reported by any staff member having knowledge of such abuse to the:
 - a. Jail Commander/Designee;
 - b. Chief Deputy; or
 - b. Sheriff.
 2. Verified abuse may result in disciplinary action.
 3. Examples of abuse shall include:
 - a. unjustified use of Temporary Restrictions,

- b. use of Temporary Restrictions for punitive or harassment reasons; and
- c. unnecessarily repetitive use of Temporary Restrictions.

JD 03/03.00 **LEARNING OBJECTIVES**

- A. Staff shall identify:
 - 1. under what circumstances TRO's may be initiated;
 - 2. who may initiate a TRO;
 - 3. who initially approves a TRO;
 - 4. who reviews TRO's.
- B. Staff shall demonstrate an understanding of the following:
 - 1. The restriction process;
 - 2. investigating abuse of TRO's.

Inmate Name: _____ ID Number _____

Last First MI

Current Classification: ☐ Level 1 ☐ Level 2 ☐ Level 3 ☐ Level 4 ☐ Level 5 ☐ Other _____

Date TRO Was Initiated: ____ / ____ / ____ Classification Reassessment Due Date: ____ / ____ / ____
To Be Set By Lieutenant

Temporary Housing Assignment: ☐ 12th Street ☐ Kiesel Section: _____ Cell: _____

Staff Member Initiating Temporary Restriction: _____
Print Name

Reason for Restriction: _____

Type of Restriction: _____

_____/_____/_____
 Approving Sergeant's Signature Date Signed

_____/_____/_____
 Watch Commander's Signature Date Signed

I have personally reviewed the above restriction order with the above-named inmate and the above-named inmate has been informed that a classification reassessment has been ordered.

_____/_____/_____
Operations Sergeant's Signature Date Reviewed with Inmate

