

Restrictive Housing and Security Classification in Ohio: Reform, Challenges, and Operational Implications

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Restrictive Housing in Ohio

This presentation details the restrictive housing reforms and operational changes within the state prison system in Ohio over the last few years.

This presentation will provide: **(1)** a brief overview of descriptive data trends before and after the implementation of several key policy changes; **(2)** an in-depth discussion of particular disciplinary and restrictive housing reforms; and **(3)** an assessment of the challenges these changes pose for future research studies, information tracking and monitoring, prison operations, and staff climate.

Restrictive Housing Data Trends

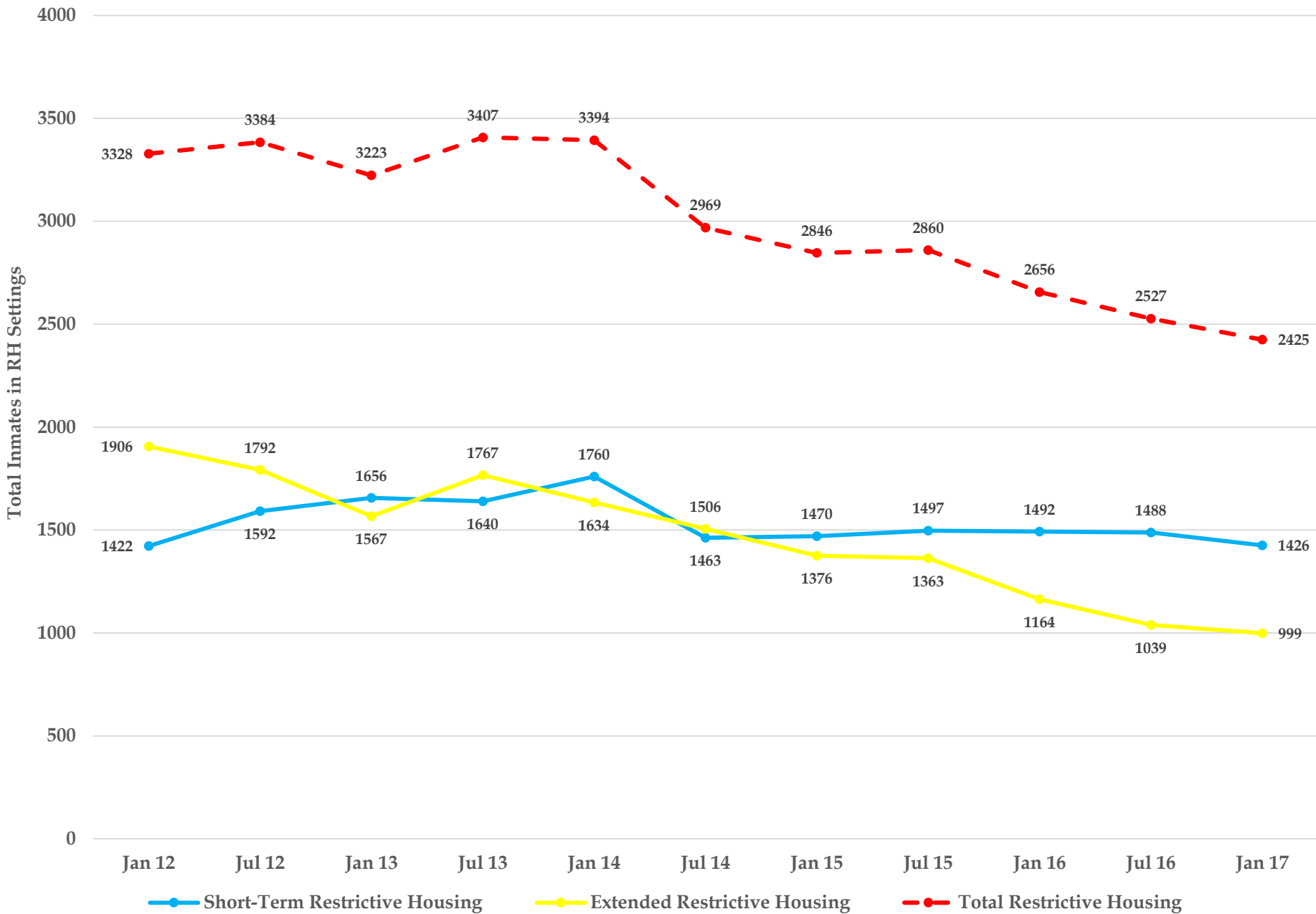
Please exhibit some caution interpreting the following trends since the data is limited to annual snapshots.

The restrictive housing statuses are functionally equivalent to the ACA Proposed Definition for Restrictive Housing in terms of conditions of confinement, where . . .

. . . short-term restrictive housing entails confinement to a cell at least 22 hours per day.

. . . extended restrictive housing entails confinement to a cell at least 22 hours per day for more than 30 days.

Biannual Restrictive Housing Snapshots, 2012-2017



Disciplinary and Restrictive Housing Reforms

Particular *disciplinary* and *administrative reforms* (currently in progress) targeting restrictive housing settings include:

- (1) alternative placement in limited privilege housing (with different conditions of confinement);
- (2) less total time in restrictive housing settings;
- (3) more access to programming and privileges in restrictive housing settings;
- (4) alternative extended placement option (with different conditions of confinement) for serious mentally ill inmates exhibiting serious institutional misconduct;

Disciplinary and Restrictive Housing Reforms

Particular *disciplinary* and *administrative reforms* (currently in progress) targeting restrictive housing settings include:

(5) presumptive reduction policies/criteria setting maximum length of stays in extended restrictive housing;

(6) placement in extended restrictive housing settings occurs through disciplinary process and particular behavioral criteria only (via the serious misconduct panel); and

(7) strategic operational changes to attempt to successfully manage gang-related misconduct.

Disciplinary and Restrictive Housing Reforms

(1) alternative placement in limited privilege housing (with different conditions of confinement)

*LPH is the default placement for investigations related to rule infractions, criminal prosecution, pending disciplinary hearings, pending transfers, or other administrative action.

*More than 2 hours out of cell time per day 7 days a week.

*LPH can be used as a step-down from restrictive housing placements.

*LPH settings are located both in traditional segregation housing arrangements (i.e., TPU) and traditional general population housing arrangements (i.e., unit-based).

Disciplinary and Restrictive Housing Reforms

(2) less total time in restrictive housing settings

Consider a hypothetical misbehavior scenario that results in a security level increase . . .

Pre-reform:* 7 days SC, 15 days DC, 180 days LC = **202 days (plus time needed to process and actually transfer inmate).

Post-reform:* 29 days RH = **29 days (plus time needed to process and actually transfer inmate).

Disciplinary and Restrictive Housing Reforms

(3) more access to programming and privileges in restrictive housing settings

*This particular part of restrictive housing reform is the least developed as changes so far have been limited to conditions of confinement and operational changes to the disciplinary process.

Disciplinary and Restrictive Housing Reforms

(4) alternative extended placement option (with different conditions of confinement) for serious mentally ill inmates exhibiting serious institutional misconduct

*More than 2 hours out of cell time per day 7 days a week (similar to LPH conditions of confinement).

*Additional 5 hours of structured, out-of-cell activity per week with mental health staff.

Disciplinary and Restrictive Housing Reforms

(5) presumptive reduction policies/criteria setting maximum length of stays in extended restrictive housing

**Pre-reform:* vague policy language often leading to somewhat indefinite time periods in ERH statuses.

**Post-reform:* specific policy language mandating releases from various ERH statuses for adherence to the inmate adjustment plan.

Disciplinary and Restrictive Housing Reforms

Average time served in **level 4B** status among released inmates admitted since 2003, by year of release.*

Release Year	Mean Days Served in 4B Status
2012	628.0
2013	524.2
2014	587.5

*Numbers reflect inmates with a classification history in level 4B, regardless of status at time of release.

Average time served in **level 5A** status among released inmates admitted since 2003, by year of release.*

Release Year	Mean Days Served in 5A Status
2012	301.8
2013	466.0
2014	462.4

*Numbers reflect inmates with a classification history in level 5A, regardless of status at time of release.

Average time served in **level 5B** status among released inmates admitted since 2003, by year of release.*

Release Year	Mean Days Served in 5B Status
2012	493.8
2013	320.5
2014	420.5

*Numbers reflect inmates with a classification history in level 5B, regardless of status at time of release.

Disciplinary and Restrictive Housing Reforms

Presumptive Release from ERH - Unless an inmate has been determined to be ineligible for presumptive release by the chief of the BOCR, an inmate may not be housed in ERH, including ERHT, for more than thirty-three (33) months, excluding those who violate their IAP. The maximum length of time an inmate who is IAP compliant, and not exempt, may spend at each level is as follows:

ERH Level 3:	3 months
ERH Level 2:	12 months
ERH Level 1:	12 months
ERH Transitional:	6 months

Disciplinary and Restrictive Housing Reforms

(6) placement in extended restrictive housing settings occurs through disciplinary process and particular behavioral criteria *only* (via the serious misconduct panel)

*The overwhelming majority of *gang member* placement in restrictive housing and extended restrictive housing settings stems from the disciplinary process/particular behavioral criteria, and not for simple affiliation alone.

*Inmates in *protective custody* are not housed in restrictive housing conditions of confinement.

Gangs and Disruption in Ohio Prisons

(7) strategic operational changes to attempt to successfully manage gang-related misconduct.

*The formulation of correctional policies that address prison violence and disruption are complicated by the challenge of successfully managing gang-related misconduct.

*Security threat group (STG) participation in Ohio prisons overwhelmingly consists of street-related and prison-related gang activity.

Gangs and Disruption in Ohio Prisons

Ohio's new prisons director has plan to fight back against rising gang-related prison violence

Published: Sunday, September 25, 2011, 5:26 PM

Updated: Monday, September 26, 2011, 12:56 PM



By **Reginald Fields**, The Plain Dealer

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COLUMBUS, Ohio -- The new leader at the Ohio Department of Rehabilitation and Correction has launched a prison-within-a-prison system to isolate gang leaders and curb gang-related violence, the biggest threat to inmate and worker safety.

Director Gary Mohr made his intent clear in August with a missive to his 50,000 inmates across the state,



Enlarge

Marvin Fong, The Plain Dealer

Gangs and Disruption in Ohio Prisons

Logistic Regression Models of STG Participation and Prison Misconduct (2009)

Individual-Level Characteristics	Overall Prison Misconduct	Disruptive Prison Misconduct
Age at Current Admission	-.058 ***	-.067 ***
Most Serious Current Conviction Offense		
High Adjustment Risk Offenses	.452 ***	.449 ***
Low Adjustment Risk Offenses (reference)		
Security Level Last Adult Prison Release		
Released Level 3 or Higher	1.179 ***	1.023 ***
Released Level 2	.411 ***	.524 ***
No Priors or Released Level 1/Other State (reference)		
Assault Conviction History		
Yes	.207 ***	.200 **
No (reference)		
Prior Active or Disruptive STG Participation		
Yes	.456	.781 **
No (reference)		
Nagelkerke R ²	.127	.098

DRC Male Commitment Population (July to December 2009; n = 10,019).

* $p \leq .05$, ** $p \leq .01$, *** $p \leq .001$ (two-tailed). Unstandardized coefficients presented.

Gangs and Disruption in Ohio Prisons

We see some evidence to suggest that the STG/misconduct relationship is evolving to encompass more complex, planned, and group-based forms of institutional rule violations.

Gangs and Disruption in Ohio Prisons

The Ohio DRC strategy was twofold:

- (1) Revise the STG profile from both a content and operational perspective (occurred February 2012).
- (2) Place active and disruptive gang members at Level 3 security (the conditions of confinement here are **NOT** restrictive housing; occurred May/June 2012).

STG Profile Revision

The *prior* STG profile utilized:

- *subjective items
- *non-empirically based scoring structure
- *long exposure time periods
- *haphazard reassessments

The *current* STG profile utilizes:

- *more objective items
- *parsimonious profile criteria
- *shorter time periods
- *more consistent reassessment policy

STG Profile Revision

Passive Participation (STG Level 1):

- (A) Inmate at time of reception has tattoos, brands, or scars that are identified as symbols of a security threat group within 24 months.
- (B) Inmate self-admits that he/she is/was a member of a security threat group within 24 months.
- (C) Inmate has prior Active (STG Level 2) or Disruptive (STG Level 3) STG participation during current incarceration.

STG Profile Revision

Active Participation (STG Level 2):

(A) Inmate at time of reception or while incarcerated has documented identification of STG activity including group photos, new STG tattoos, or possession of STG contraband (alphabets, codes, drawings, or insignias) within 24 months.

(B) Inmate has developed leadership in a STG group within 24 months.

(C) Inmate is attempting to recruit, organize, guide, or direct inmates for control within 24 months.

(D) Information received from other law enforcement agencies or presentence investigation reports that substantiate that the inmate is a member of a security threat group within 24 months.

(E) Inmate has been convicted of participating in a criminal gang (ORC 2923.41) within 24 months.

STG Profile Revision

Disruptive Participation (STG Level 3):

- (A) The inmate functions as a leader, enforcer, or recruiter of a STG, which is actively involved in violent or disruptive behavior within 24 months.
- (B) Inmate has threatened or assaulted a staff member or another inmate within 24 months.
- (C) Inmate has participated in encouraging/creating an uprising or activity that disrupts the normal operations/security of the institution within 24 months.
- (D) Inmate is involved in the conveyance or attempted conveyance of major contraband excluding STG contraband within 24 months.
- (E) Inmate is found to be in possession of a weapon, cellular telephone/device, or any item that aids in an escape within 24 months.
- (F) Inmate has conducted disruptive acts (extortions, thefts, robberies, etc.) within 24 months.

Level 3 Security Placement

The vast majority of active and disruptive gang members from the revised STG profile are placed at Level 3 security.

Level 3 security in Ohio comprises:

- *A double perimeter, razor ribbon reinforced, alarmed, and officer-patrolled fence.

- *Housing must be celled (most are double bunked), and the cells must be able to be secured.

- *Movement is more controlled than lower security levels.

- *Have the ability to accumulate privileges with pro-social behavior.

- *Typically see 4 to 6 hours out-of-cell time (and sometimes 8 hours dependent on institutional assignments).

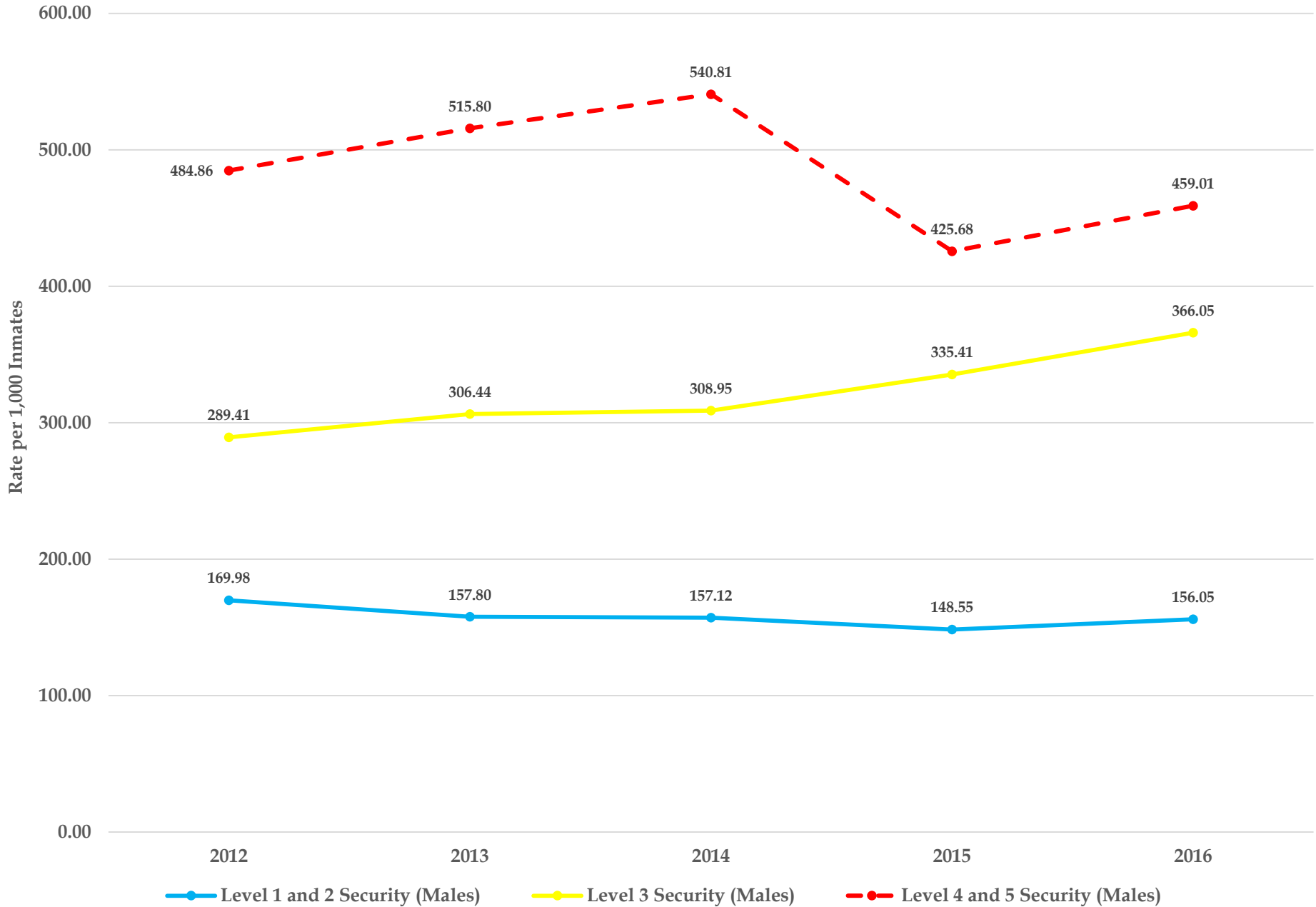
Gang Affiliation and Restrictive Housing

Since these operational strategies were implemented:

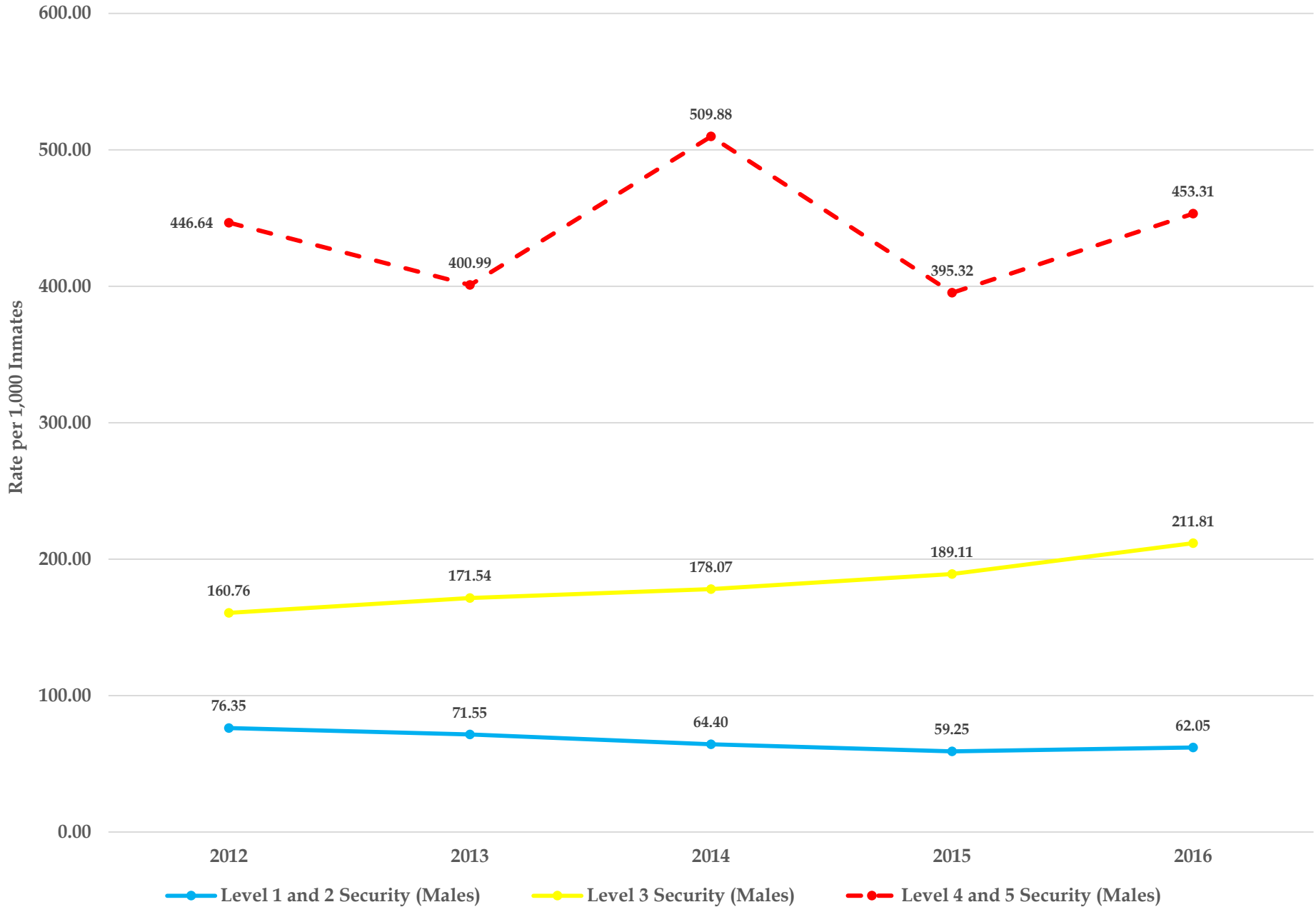
*The agency has obtained a more valid and reliable indicator of gang membership.

*Reductions and stability in violence are seen at lower level security male institutions (and primarily open dorm facilities), but in contrast, the rate of violence has steadily increased at Level 3 security male facilities where active and disruptive gang members are primarily housed.

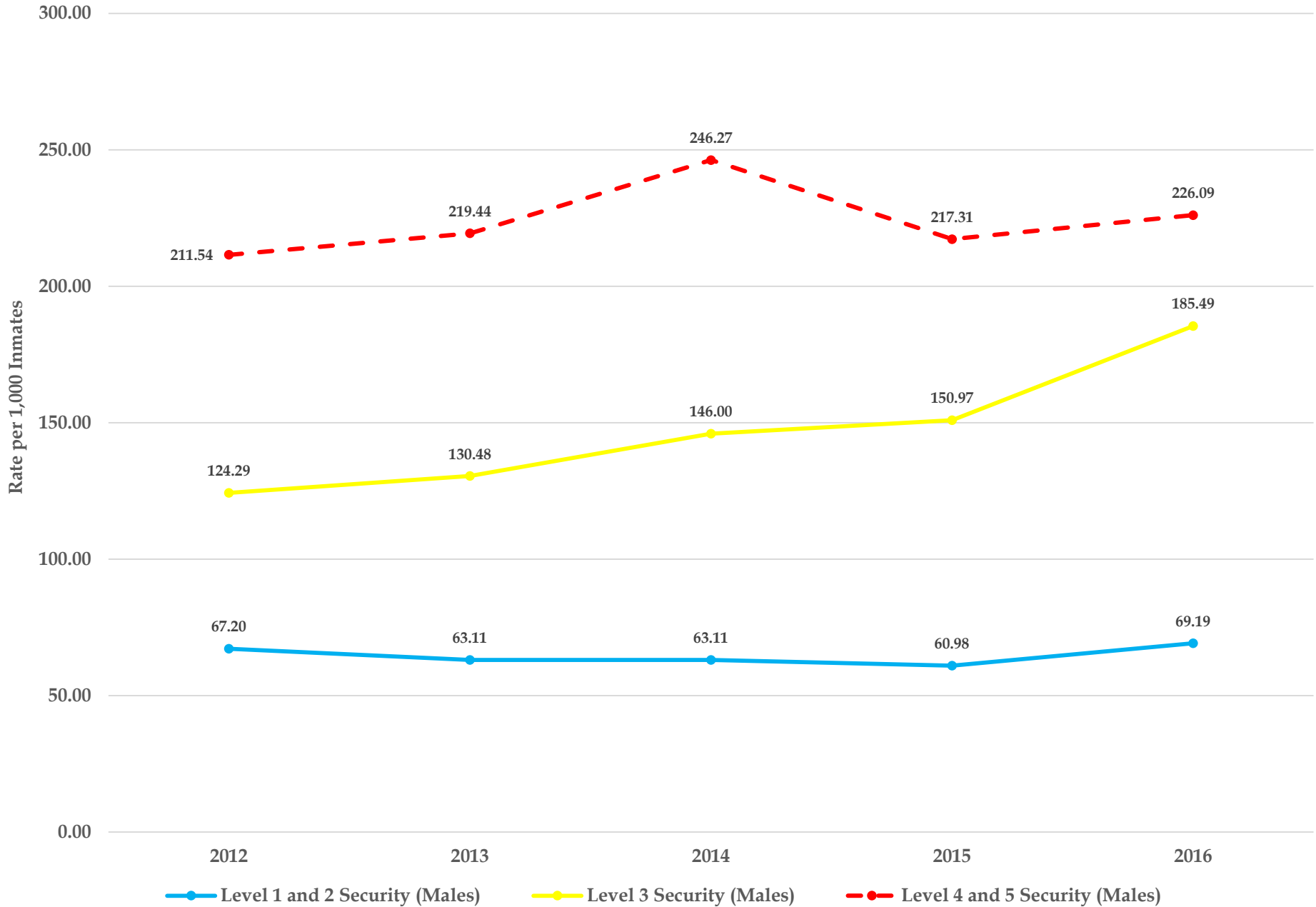
Violent Rule Infraction Rate per 1,000 Inmates

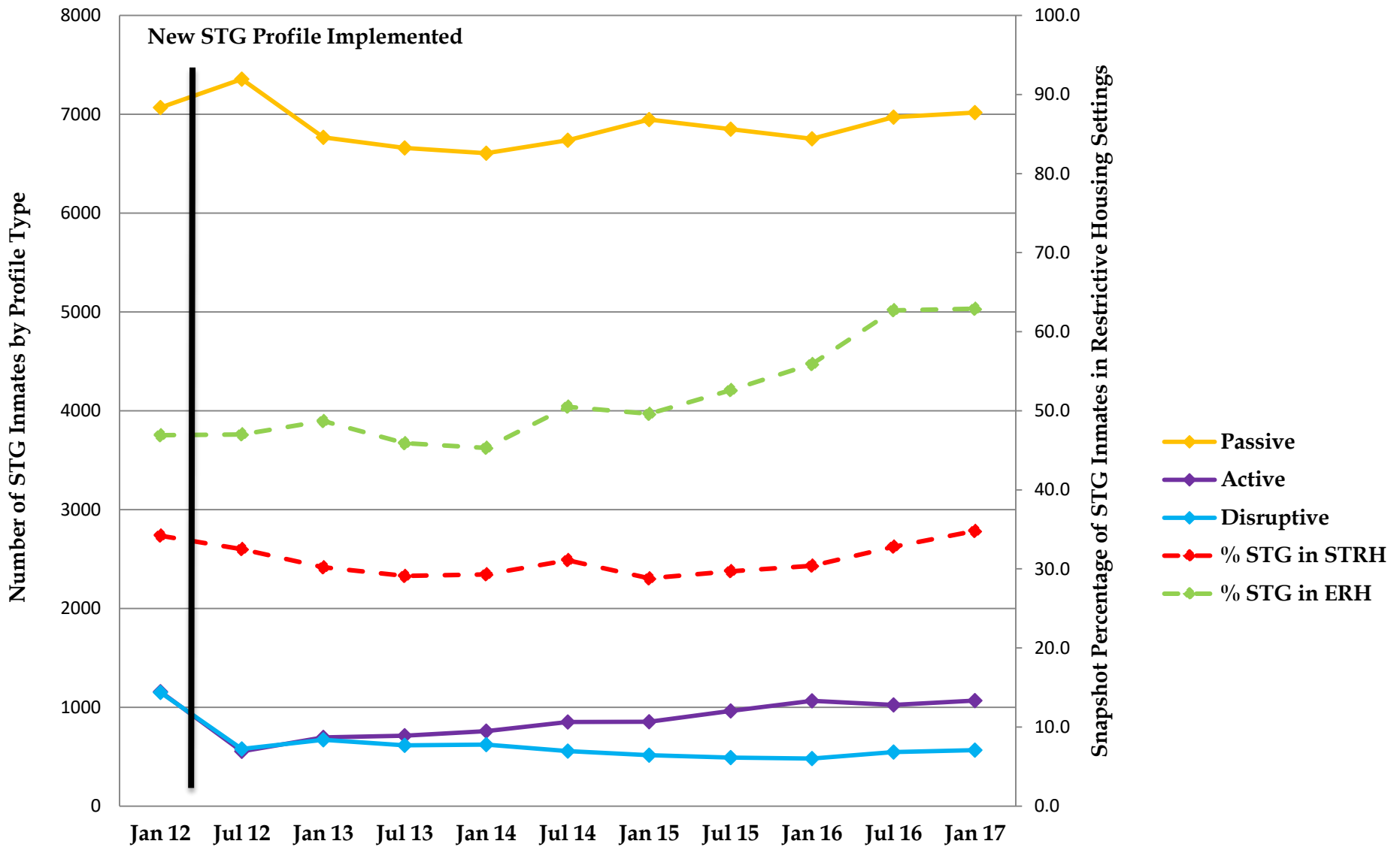


Disruptive Rule Infraction Rate per 1,000 Inmates



Threat Rule Infraction Rate per 1,000 Inmates





NOTE: Please exhibit some caution interpreting these trends since the data is limited to an biannual snapshots. The restrictive housing statuses are functionally equivalent to the ACA Proposed Definition for Restrictive Housing in terms of conditions of confinement. DRC currently undertaking significant disciplinary and restrictive housing reform, and as such, some restrictive housing categorical overlap and data error could be present in the last 3 years.

Gang Affiliation and Restrictive Housing

The majority of gang members are being housed in general population settings (i.e., non-restrictive housing).

The *overwhelming majority* of gang member placement in restrictive housing and extended restrictive housing settings stems from the disciplinary process and particular behavioral criteria (i.e., and not for simple affiliation alone).

Gang members in Ohio prisons account for about 63% of all extended restrictive housing placements at the start of 2017.

Restrictive Housing Reform Challenges

Current/future research studies and internal evaluations are hindered by different operational policies, terminology, and housing categories (with different conditions of confinement lengths) for both pre- and post-reform time periods.

Post-reform information tracking and monitoring currently exhibits reliability issues (i.e., self report) as a new restrictive housing tracking system is currently in development.

Restrictive Housing Reform Challenges

Reason Codes (from Screen 1)

- (1) Rule Violation
- (2) PC Investigation
- (3) PREA Investigation
- (4) Administrative Investigation
- (5) Unit Investigation
- (6) Defecation Observation
- (7) Prior Institutional Disciplinary History
- (8) Inmate Separation
- (9) Staff Nexus
- (10) Mental Health Observation

Restrictive Housing Reform Challenges

Glossary of Relevant Housing Acronyms

GP = General Population

LPHI = Limited Privilege Housing Investigation

LPH = Limited Privilege Housing

LPHPT = Limited Privilege Housing Pending Transfer

LPHTA = Limited Privilege Housing Transfer Approved

LPHTD = Limited Privilege Housing Transfer Denied

RHI = Restrictive Housing Investigation

RH = Restrictive Housing

RHPT = Restrictive Housing Pending Transfer

RHTA = Restrictive Housing Transfer Approved

RHTD = Restrictive Housing Transfer Denied

ERH1 = Extended Restrictive Housing Level 1

ERH2 = Extended Restrictive Housing Level 2

ERH3 = Extended Restrictive Housing Level 3

ERHT = Extended Restrictive Housing Transitional

SAU = Secure Adjustment Unit

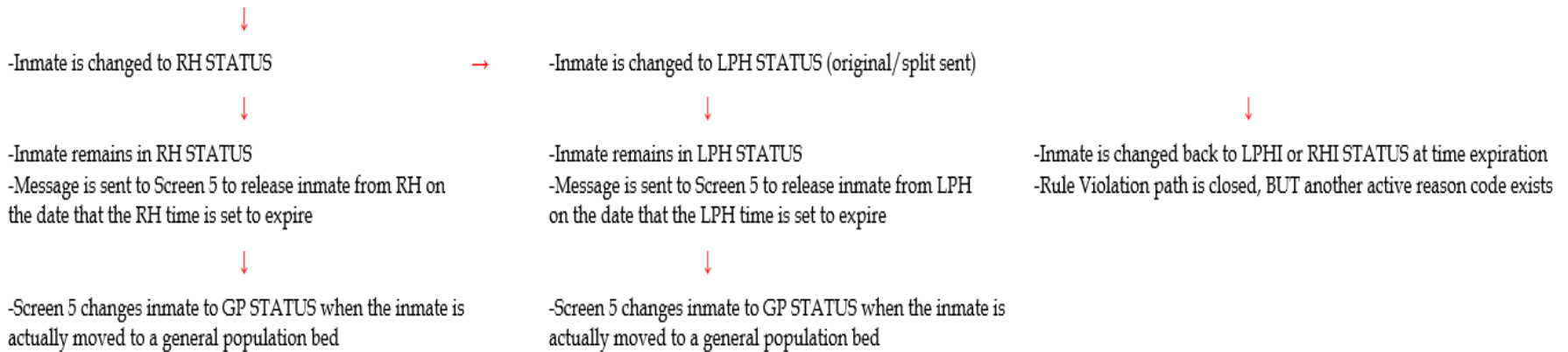
Restrictive Housing Reform Challenges

(f) RIB or SMP/GUILTY with NO SECURITY REVIEW to RH STATUS

Please note that any change from LPHI to RH would need an additional 24 hour approval.

*Inmate is currently in LPHI or RHI STATUS

*Screen 3 chooses a finding of guilty at the RIB or SMP level



OR

-Screen 5 changes inmate to ERH1, ERH2, or ERH3 STATUS at CURRENT prison

Restrictive Housing Reform Challenges

“Restrictive housing units all have some characteristics in common . . . but the degree to which each of these characteristics is present in a given facility or housing unit varies greatly between institutions” (Kapoor and Trestman, 2016, p. 200).

“. . . highly heterogeneous set of conditions” (Mears, 2016).

We know that policies, procedures, and conditions of confinement will vary widely between institutions, but we also see these differences *between prisons within single jurisdictions, between prisons within security levels, and even between units within the same prison.*

Restrictive Housing Reform Challenges

The implementation of restrictive housing reforms and operational changes are sensitive to a broader set of factors and influences, including:

- *aggregate population composition shifts

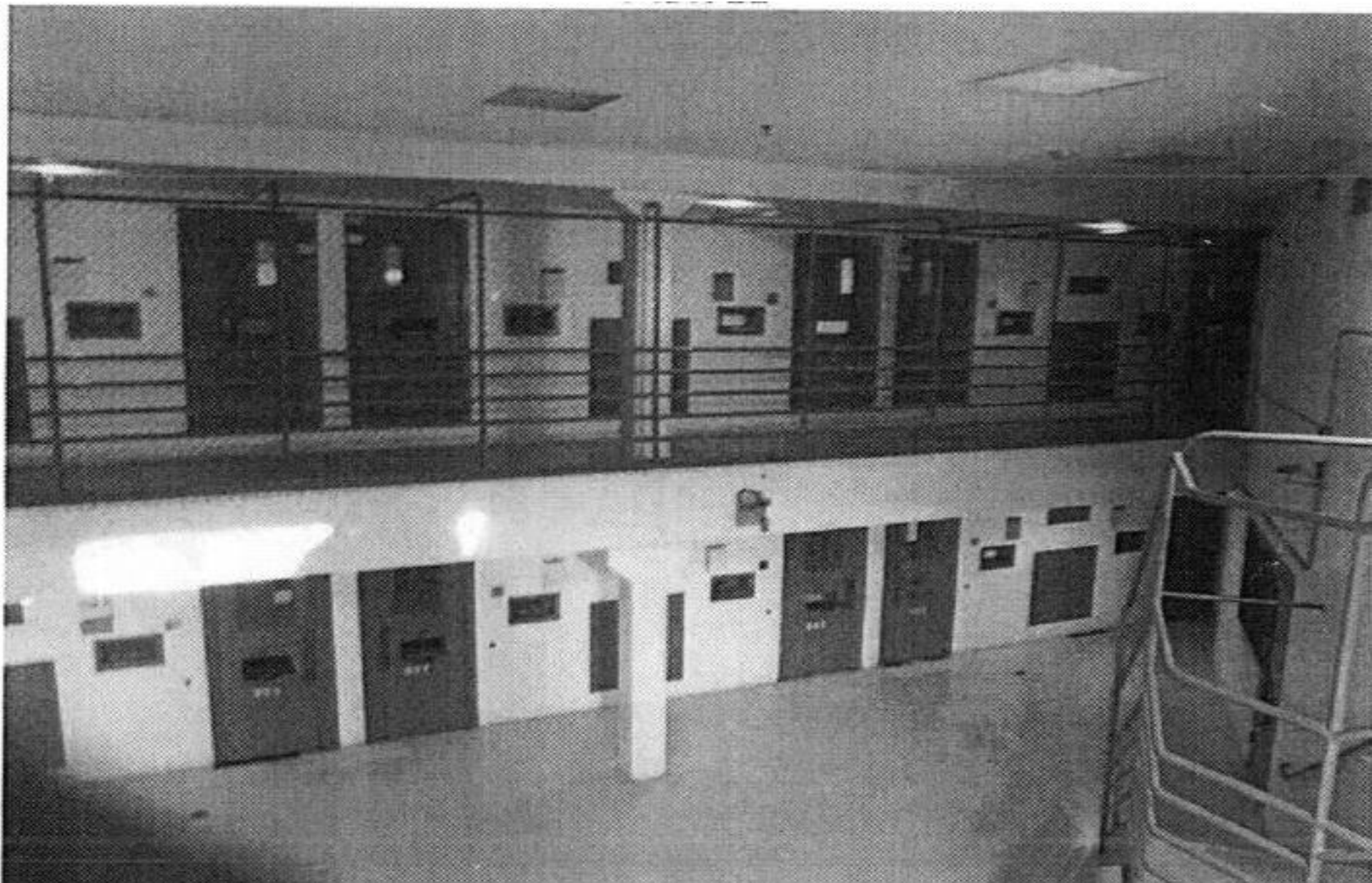
- *population crowding and instability

- *prison-level operational mission

- *prison-level differences in the situational context of misconduct and disciplinary processes

- *unit-based physical layout, surveillance, and control

LPH Unit at a Level 3 Prison



Restrictive Housing Reform Challenges

Prison operational staff (i.e., security management staff and corrections officers) have faced an enormous amount of change to virtually all aspects of the disciplinary process in a relatively short amount of time.

Current policy and administrative rule development has lagged behind the operational implementation of several restrictive housing reforms and procedures.

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