



PROJECT TO RESHAPE
**RESTRICTIVE
HOUSING**

Restrictive Housing FAQ

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What is restrictive housing? How does it work?

Restrictive housing, sometimes called administrative segregation, is used by correctional administrators to manage offenders who may be disruptive within their facilities. Restrictive housing entails physically removing inmates from the general population of a prison, separating them from other inmates, and includes imposing restrictions on their movement, behavior, and privileges. Because of the decentralized nature of the American prison system, there is no universal definition for “administrative segregation.” The terms “administrative confinement”, “departmental segregation” and “security housing units” are all used interchangeably to refer to these restrictive housing units,¹ which have generally been described as “prisons within prisons.”²

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Why is restrictive housing used?

While the reasons that a prisoner may be moved into this type of environment vary from state to state, the purpose of administrative segregation is to maintain control of the correctional facility, ensure safety and order, prevent violence, protect inmates who may be in danger, reduce gang influence, and control inmates who may be an escape risk. Assignment to administrative segregation can stem from a single incident or a pattern of behavior that constitutes a threat to the proper functioning of the correctional facility. Examples include assaulting a staff person or actively engaging in a security threat group (i.e. prison gang).

What are the conditions like in restrictive housing?

In most states, inmates are housed alone in a high security cell³. Inmates are commonly given an hour per day for recreation and hygiene, alone in an enclosed space. The inmate is then returned to

¹ Morgan, Tae, & Work, 2013

² Browne, Cambier, & Agha, 2011, p. 46

³ Some states allow inmates in restrictive housing to share a cell with another inmate.

his or her cell until the next scheduled recreation time. Allowable property in restrictive housing is often substantially less than inmates in general population.

Is restrictive housing different than solitary confinement?

Some people refer to restrictive housing as solitary confinement, but that is not the preferred term in the field of corrections. Other names sometimes used include Special Housing Units, SHUs, or Intensive Management Units.

How common is the use of restrictive housing? Is this a growing population?

From 1995 to 2005, the last year for which we have accurate data, the population of inmates housed in administrative segregation increased 40%. By 2005, 2.7% of inmates in state and federal correctional facilities were housed in units designated as administrative segregation⁴.

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Why is it controversial?

Administrative segregation has been a focus of recent challenges, both in court and in the form of inmate protests. Most legal challenges focus on the Eighth and Fourteenth Amendments but also touch upon the First, Fourth, and Sixth Amendments. Eight Amendment challenges center upon whether the physical conditions of confinement constitute cruel and unusual punishment, but also include the use of force procedures, access to medical and mental health care. Fourteenth amendment challenges focus upon the inmate's due process rights, including the notification and process of placing the inmate, opportunity to contest the placement, meaningful review of his or her

⁴ United States Department of Justice, (2008) Census of State and Federal Corrections Facilities
<http://www.bjs.gov/index.cfm?ty=pbdetail&iid=530>;

United States Department of Justice, (1997) Census of State and Federal Corrections Facilities
<http://www.bjs.gov/index.cfm?ty=pbdetail&iid=535>

stay in administrative segregation, and length of stay in administrative segregation. For more detailed information about the basis of the legal grounds for opposition, see our forthcoming summary on constitutional challenges to restrictive housing.

Additionally, there has been significant interest in this area by lawmakers and the popular press. In February 2014, the U.S Senate Judiciary Subcommittee on the Constitution, Human Rights, and Civil Rights held a hearing on “Reassessing Solitary Confinement II: The Human Rights, Fiscal, and Public Safety Consequences”. Testimony highlighted the growth of restrictive housing and its fiscal and psychological impacts. Federal Bureau of Prisons Director Charles Samuels and Rick Raemisch, the Executive Director of the Colorado Department of Corrections (DOC), were among those invited to testify. Media coverage includes articles in the Hartford Courant⁵, the Atlantic⁶, the Washington Post,⁷ and stories on NPR⁸ and Frontline/ PBS⁹, among others. Inmates in Pelican Bay, a maximum security prison in California, recently organized a hunger strike that spanned the state, with approximately 30,000 inmates refusing meals in the first day.

What is the fiscal impact of restrictive housing?

Faced with increasing corrections costs, many states have looked to criminal justice reform to reduce their bottom line. Administrative segregation and all forms of restrictive housing impose additional costs due to physical plant necessities and additional staffing needed to transport inmates to and from their cells for appointments, showers, and recreation time. In 2011, California estimated the annual cost of incarcerating an administrative segregation inmate as \$77,000, which is 33% more than the cost of housing an inmate in maximum security general

In California, incarcerating an administrative segregation inmate costs 33% more than maximum security general population. In Colorado, this cost is \$15,000 - \$21,000 more per year.

⁵ http://articles.courant.com/2014-05-13/news/hcrs-20137--20140508_1_punishment-jane-doe-statute

⁶ <http://www.theatlantic.com/national/archive/2014/04/Frontline/360812/>

⁷ http://www.washingtonpost.com/opinions/the-torture-of-solitary-confinement/2014/04/14/8b816be6-c361-11e3-9ee7-02c1e10a03f0_story.html

⁸ <http://www.npr.org/2014/03/06/286794055/how-four-inmates-launched-a-statewide-hunger-strike-from-solitary>

⁹ <http://video.pbs.org/video/2365229709/>

population¹⁰. In analysis conducted by the ACLU, the cost of housing an inmate in Colorado's administrative segregation unit was approximately \$15,000 to \$21,000 more per year¹¹. than general population housing.

How does solitary confinement affect mental health?

Mental health and restrictive housing are inextricably intertwined because of both the high proportion of offenders with mental illness who have been placed in restrictive housing, and the possible effects this confinement might have on mental health¹². Many persons with serious mental illness have difficulty complying with prison rules, which may result in a stay in restrictive housing. In a review of published data, Human Rights Watch found that between approximately 25% and 50% of inmates in restrictive housing were mentally ill¹³. While research on the effects of restrictive housing on mental health is mixed, many correctional practitioners believe that placement of individuals with mental illness in restrictive housing may lead to a deterioration in mental health¹⁴. Some states now conduct screening and assessment of individuals before placement into restrictive housing, diverting those with mental illness into a more therapeutic environment.

Many concerns about the psychological impact of restrictive housing arise from the lack of human contact. Reintegration of inmates serving time in administrative segregation is also a challenge that many departments face. While some individuals may spend very long periods of time in restrictive housing settings, the majority will be released, either to general population or directly to the street.

¹⁰California Department of Corrections and Rehabilitation (2011). Pelican Bay
http://www.cdcr.ca.gov/comio/uploadfile/pdfs/pelican_bay.pdf

¹¹ ACLU of Colorado (2011). The High Cost of Solitary Confinement: http://www.cslc.org/sujy-f0001-sac/supporting_documents/Leg_fact_sheets/co_solitary_fact_sheet.pdf.

¹² Kupers, T. et al (2009) Beyond Supermax Administrative Segregation: Mississippi's Experience Rethinking Prison Classification & Creating Alternative Mental Health Programs. *Criminal Justice and Behavior*, 36, 1037-1050.

O'Keefe, M. L. (2008) Administrative Segregation From Within: A Corrections Perspective. *The Prison Journal*, 88, 123-143.

¹³Human Rights Watch, "Ill-Equipped: U.S. Prisons and Offenders with Mental Illness "
<http://www.hrw.org/sites/default/files/reports/usa1003.pdf>

¹⁴ O'Keefe, M. L. et al (2013) A Longitudinal Study of Administrative Segregation. *Journal of the American Academy of Psychiatry and the Law*, 41, 49-60.

Arrigo, B. & Bullock, J. L. (2008) The Psychological Effects Of Solitary Confinement On Prisoners In Supermax Units: Reviewing What We Know And Recommending What Should Change. *International Journal of Offender Therapy and Comparative Criminology*, 52, 622-640.