

The Pennsylvania Department of Corrections respectfully submits this written testimony to convey its use of, need for, and goals with restrictive housing.

Why Restrictive Housing and Special Management Housing Are Used

Restrictive housing and special management housing are indispensable tools for maintaining safety and order in the carceral community. Prisons function as small cities, with rules ensuring safety and order, yet certain segments are predatory and disruptive. The Pennsylvania Department of Corrections holds both a constitutional and moral obligation to safeguard inmates and staff from harm. Control mechanisms become necessary when individuals engage in conduct endangering others, necessitating their removal from the general population. These measures, akin to those in society at large, aim to protect communities and incapacitate dangerous individuals. Unlike typical communities, carceral residents lack the freedom to choose their environment or associates, necessitating protective measures. For those threatened by predatory actors, restrictive housing offers refuge or temporary control until further protective measures can be implemented. In extreme cases involving severe violence or escape risks, indefinite incapacitation in high-security housing ensures the safety of all within the carceral community.

Placement Rationales

Restrictive housing and special management housing serve five key purposes:

1. Disciplinary custody for rule violations with determinate sanctions and potential early release for positive behavior;
2. Short-term investigation to assess the need for longer-term control;
3. Protective custody for inmates facing threats, reviewed regularly for potential return to general population;
4. Preventative placement to neutralize threats, with indefinite duration until safety is assured; and
5. Transitional placement while awaiting transfer for threat mitigation or relocation.

Mental Health Reviews for Inmates in Restrictive and Special Management Housing

Psychology staff, nursing staff, and security staff screen every new individual placed in restrictive housing and special management housing for risk of suicide and possible mental health deterioration, immediately upon placement. Staff complete a thorough Suicide Risk Assessment, wherein they conduct a comprehensive Mental Status Exam, identify chronic, acute, and protective factors of suicide, identify a general level of suicide risk for each person, and develop a collaborative safety plan with every person. Psychology and nursing staff conduct daily screening rounds on each restrictive housing and special management housing unit. During these rounds, incarcerated people are provided the opportunity to request out-of-cell contact when necessary. Additionally, the purpose of these rounds is to not only screen for potential mental deterioration but also to ensure each person has access to mental health care. When a person remains in restrictive housing or special management housing they are fully assessed and reassessed by psychology staff to determine, with reasonable assurances, whether the individual poses significant risk to themselves or others and to determine whether restrictive housing or special management housing is contraindicated. Additionally, all persons who are followed on the active Mental Health/Intellectual Disability (MH/ID) Roster will have their individual

treatment plan reviewed and or updated, upon admission, as this document will drive the out of cell clinical treatment offerings that are afforded to these patients, when indicated.

Moreover, all inmates who are diagnosed with a serious mental illness are diverted from restrictive housing and are immediately placed in a Diversionary Treatment Unit (DTU). Inmates housed in a DTU are offered a minimum of 20 hours of out-of-cell activity, ten of which are structured and facilitated by staff in classifications, such as, but not limited to, psychology, counseling, education, chaplaincy, substance use disorder treatment specialists, and social workers. The remaining ten out-of-cell hours may consist of unstructured activities, such as exercise or contact with peer specialists. Inmate Individual Recovery Plans (IRPs) drive the content of the out-of-cell programming offerings on the unit. Participation is encouraged through an incentive system that rewards participation with privileges, such as radio, television, telephone calls, increased property, and commissary purchases. In addition to structured and unstructured activities, each DTU inmate is provided with an individual psychology session at least once every 14 days, or more frequently if clinically indicated. The Program Review Committee (PRC), guided by input from psychology staff, meets with each DTU inmate weekly, assessing their adjustment, readiness to reintegrate to general population, or need for continued placement. Inmates who require longer-term structure may be transferred to a Secure Residential Treatment Unit (SRTU), which offers the same minimal 20 hours out of cell.

Lengths of Stay in SL5 Housing

Although the public perception may be that many inmates are housed in restrictive housing and special management housing, collectively referred to as Security Level 5 (SL5) housing, for prolonged and indefinite periods; placement in SL5 housing is limited to approximately 5% of the population who are often housed short-term, with limited use of longer-term placements for those who have committed the most serious acts while confined and those who fail to demonstrate a level of positive adjustment sufficient to declare them suitable for safe reintegration to general population.

Despite a cadre of outliers who remain in SL5 housing for extended periods of time, the median number of days an inmate spent in restrictive housing as of December 31, 2023, was 33 days. To provide perspective, inmates who were confined to a SL5 housing unit as of December 31, 2023, were housed in SL5 housing for the following durations:

Duration of Stay	Percentage of Inmates
Less than 7 days	15.9%
7 to 14 days	12.6%
14 to 30 days	17.1%
30 to 90 days	29.6%
90 to 180 days	11.2%
180 to 365 days	5.8%
One year or longer	7.8%

Nearly half of the SL5 housing population is housed for less than 30 days and more than 75% of the SL5 population is housed for less than 90 days. Notably, all inmates housed in SL5 housing for more than 30

days are eligible for a minimum of three hours of out-of-cell time and are housed under special management conditions.

Privileges in SL5 Housing

Because placement in SL5 housing is facilitated to protect the safety of the carceral community, privileges upon entry to SL5 housing are typically limited and the items authorized for retention are controlled until such time that the inmate demonstrates safe and compliant behavior. The PRC is authorized to grant access to privileges during periodic reviews to reward and incentivize positive adjustment, such as access to televisions, phone calls, tablets, and an increased array of commissary purchases. Specialized programs are divided into phases, which grant access to greater levels of privileges and decreasing levels of security precautions as an inmate advances through the programs and demonstrates safe behavior.

Reforms to Reduce Restrictive Housing Conditions

In January 2024, the Department deployed restrictive housing reforms to each of its 23 State Correctional Institutions (SCIs) with restrictive housing units. Reforms require that SCIs offer inmates who would have otherwise been housed in Extended Restrictive Housing (ERH) status (confinement in restrictive housing conditions for greater than 30 days) a minimum of three-hours of out-of-cell activity each day. Activities may be structured or unstructured, depending upon the facility's resources. Some activities currently being provided include: increased outdoor exercise, congregate meals, and unstructured indoor activities, such as viewing a movie/television. The goal of these reforms is to provide inmates who have been confined to restrictive housing conditions for more than 30 days an opportunity to engage in pro-social behaviors indicative of their readiness to reintegrate them back to general population. These reforms apply to more than half of the Department's SL5 populations. To do so, additional staff are necessary to facilitate escorts and supervision of out-of-cell activities for this population. The Governor's 2024-25 budget includes \$5 million to support DOC in these efforts.

The Department would like to note for the Committee that in December 2023 the Security Threat Group Management Unit (STGMU) in SCI Fayette was closed. The Department ensured that each inmate exiting the STGMU had a plan of action that involved legal review.

Closing Remarks

The Department thanks the Committee for this opportunity to provide its written testimony for this vital issue. The Department has been at the forefront of the national landscape on many issues, but with an appreciation for the balance necessary to successfully implement change without overt disruption of institutional order. The Department proactively implemented some of its most expansive reforms with its SL5 populations in January 2024 and time is necessary to assess the successes of this initiative before moving forward with additional changes. While the Department acknowledges there are continued opportunities for improvement, the Department contends that any future changes to restrictive housing and special management policies must be measured, deliberate, and incremental to ensure safety and success.