



## Special Housing Unit

This guide is based on B.O.P. Program Statement 5270.11 on Special Housing Units. For more details, please refer directly to the policy, which is available in the law library.

The Special Housing Unit (SHU) is a separated unit where people can be placed in segregation. There are two types of segregation: **Administrative Detention** and **Disciplinary Segregation**, each of which has different rules and policies.

You should be told why you are being placed in the SHU. The Lieutenant, or other staff, will write an Administrative Detention Order (ADO) which will be given to you within **24 hours** of your placement (unless you are waiting to be classified).

### Administrative Detention

This status separates you from the general population for the **safety and security of the institution**. This is not used as a punishment.

Administrative Detention (AD) includes people who

- are waiting to be classified or reclassified,
- are pending a transfer (holdovers),
- pose a threat in some way to the general population
- are under investigation or are awaiting a disciplinary hearing,
- have just finished their disciplinary detention but are not safe to be placed back in general population (Post-Disciplinary Detention), or
- require protective custody.

You may be placed in the SHU as a **Protection Case**, if you (1) are the victim of an assault, (2) are being threatened or believe you are being threatened, (3) acted as an informant, (4) refuse to enter the general population, OR (5) your safety is thought, by staff members, to be jeopardized by placement in the general population. This is also known as Protective Custody or PC. You can request PC, but you can also be placed in PC if someone else informs authorities you are in danger.

- **Within 2 work days:** the Warden or Captain must review your placement.
- **Within 7 days:** you should receive a hearing. You can also request one sooner if you think you have been misplaced.
- The staff will investigate and decide whether you should be kept in the SHU or released into general population. If you remain in the SHU your case will be reviewed as an ordinary Administrative Detention Case. See "Review of Placement in the SHU" below.

Conditions of Administrative Detention are usually less restrictive than Disciplinary Segregation. However, if you are causing a serious disruption in AD, the Warden can impose **more restrictive conditions** on you without giving you a disciplinary hearing. If this happens, your status should be reviewed fully every **5 days** and a report should be kept in your file called “Special Housing Unit – Temporary Restrictive Housing Order (BP-A0321).”

### **Disciplinary Segregation**

This status is a punishment for committing a prohibited act. This can **only** be imposed by the Discipline Hearing Officer (DHO). It is more restrictive than Administrative Detention. The amount of time that you can be placed in Disciplinary Segregation depends on the severity of the offense and the number of offenses committed:

#### **Time Constraints of Disciplinary Segregation**

<b>Offense</b>	<b>Frequency of Offense</b>	<b>Length of Segregation</b>
Low Severity	1 <sup>st</sup> Offense	No Segregation
	2 <sup>nd</sup> Offense in 6 months	Up to 1 month
	3 <sup>rd</sup> Offense	Up to 3 months (or any other sanction available for Moderate Severity offenses)
Moderate Severity	1 <sup>st</sup> Offense	Up to 3 months
	2 <sup>nd</sup> Offense in 12 months	Up to 6 months
	3 <sup>rd</sup> Offense in 12 months	Up to 6 months + any sanction available for High Severity offenses
High Severity	1 <sup>st</sup> Offense	Up to 6 months
	2 <sup>nd</sup> Offense in 18 months	Up to 12 months
	3 <sup>rd</sup> Offense in 18 months	Up to 12 months + any sanction available for Greatest Severity offenses
Greatest Severity	1 <sup>st</sup> Offense	Up to 12 months
	2 <sup>nd</sup> Offense in 24 months	Up to 18 months

### **What to Expect in the SHU**

#### **Review of Placement in the SHU**

The Segregation Review Official (SRO) must review your status while in the SHU and keep a Special Housing Review form (BP-A0295) in your file. The review is to ensure that your placement in the SHU is appropriate.

- Three Day Review – if you are in Administrative Detention, the SRO will review your status and records within three work days of your placement within three work days of your placement
- Seven Day Reviews – within seven calendar days of your placement in the SHU, the SRO will formally review your status at a hearing, which you can attend. At this hearing, you should be able to explain why you think you should not be housed in the SHU and present evidence and witnesses in support.
  - After this, the SRO will continue to review your records every seven days without you present.
- Thirty Day Reviews – After every thirty days in the SHU, the SRO will formally review your status at a hearing, which you can attend. At this hearing, you should be able to explain why you think you should not be housed in the SHU and present evidence and witnesses in support.

### **Challenging your Placement in the SHU**

If you want to challenge your placement in the SHU, you should file a formal grievance stating that you should not be there and why. You should follow the normal grievance procedure. Start with a BP-8. Make sure you file a BP-9 within twenty days of your placement in the SHU and file appeals all the way through the BP-11.

### **Conditions of Confinement in the SHU**

People housed in disciplinary segregation have fewer privileges than those in administrative detention. However, certain standards for healthy and humane treatment are required regardless of your status:

1. Cell Conditions: Your cell should be well-ventilated, lighted, heated and sanitary. It should have a mattress, blankets, pillows, and linens for sleeping.
  - Staff can remove your mattress as a sanction *only* during daytime hours.
  - Your cell should not house more than the intended number of inmates, unless the Warden authorizes this.
2. Clothing: You should get adequate clothing and footwear while in the SHU.
  - You should also be given opportunities to exchange clothing and/or wash it.
3. Food: You should receive nutritious meals in compliance with the Food Service Manual.
4. Personal hygiene: You should receive access to a wash basin and a toilet and should be given toilet tissue, soap, toothbrush, cleanser, shaving utensils, etc.
  - You will usually be able to shower and shave at least three times per week.
5. Exercise: You will get to exercise outside your living quarters at least five hours per week.

- Only the Warden can deny you exercise time. This **cannot be used as a punishment**. This should happen only if the Warden believes your activities will threaten the safety and health conditions of the prison.
6. Personal Property: Your property can be limited for safety and sanitation reasons.
- **Administrative Detention** – you are usually allowed a “reasonable amount” of personal property and “reasonable access” to the commissary.
    - This usually includes:
      - Bible, Koran or other scriptures (1)
      - Books, paperback (5)
      - Eyeglasses, prescription (2)
      - Legal materials
      - Magazine (3)
      - Mail (10)
      - Newspaper (1)
      - Personal hygiene items (1 of each type)(no dental floss or razors)
      - Photographs (25 photos)
      - Authorized religious medals/headgear
      - Shoes, shower and other (1 each)
      - Snack foods without aluminum foil wrappers (5)
      - Soft drinks, powdered (1 container)
      - Wedding band (1)
      - Radio with ear plugs (1)
      - Watch without a metal backing (1)
    - This can be limited or restricted for safety reasons.
  - **Disciplinary Segregation** – There are more restrictions on your property. Your property will be impounded. You can keep limited reading/writing materials and religious articles. Your commissary privileges will also be limited.
7. Correspondence: You should continue to have full correspondence privileges unless you are placed on restricted general correspondence as a disciplinary sanction.
8. Telephone: You should continue to have normal telephone privileges and should be allowed *at least* one phone call per month, unless you have been restricted from telephone use as a disciplinary sanction.
9. Visiting: You should continue to have the same visiting privileges unless visiting privileges were taken as a disciplinary sanction. Visits can be restricted if you commit a prohibited act while in the SHU or if the staff believes you would be a danger in the visiting room.
- You **must be given a disciplinary hearing** in front of the Discipline Hearing Officer (DHO) before your visiting privileges can be taken away.

10. Staff monitoring – You will be monitored by staff assigned to the SHU. Along with your Program and Unit Staff, one or more officers should visit you **daily** (including weekends and holidays). A Lieutenant must visit the SHU during each shift.
11. Programming Activities – In Administrative Detention you will continue to have access to programming activities. However, in Disciplinary Segregation your programming activities can be suspended.
12. Medical and Mental Health Care in the SHU- A health service staff member should visit you **daily** to provide necessary medical care and emergency medical care should always be available. Mental health staff should also examine you after every 30 days.

If you have any problems with your conditions of confinement, use the Administrative Remedy Process to grieve.

### **Release from the SHU**

If you are in **Administrative Detention**, you will be released when the reasons for your confinement no longer exist.

If you are in **Disciplinary Segregation** Status you will be released when your sanction is over. The length of your segregation was determined by the DHO at a hearing. The SRO **may not** increase your stay.

This guide was created by the D.C. Prisoners' Project of the Washington Lawyers' Committee for Civil Rights and Urban Affairs in July 2011. It was last updated in December 2018.

It is not intended to replace the advice of an attorney. It is not legal advice and does not create an attorney client relationship.

You are responsible for meeting all necessary deadlines and requirements.