

 <p>ARIZONA DEPARTMENT OF CORRECTIONS</p> <p>DEPARTMENT ORDER MANUAL</p>	<p>CHAPTER: 800 INMATE MANAGEMENT</p>	<p>OPR:  SS OPS</p>
	<p>DEPARTMENT ORDER: 804 INMATE BEHAVIOR CONTROL</p>	<p>SUPERSEDES: DO 804 (10/25/02) DI 235 (12/29/05)</p>
		<p>EFFECTIVE DATE: AUGUST 28, 2009</p> <p>REPLACEMENT PAGE EFFECTIVE DATE: MARCH 7, 2011</p>

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## PURPOSE

This Department Order establishes procedures relative to inmate behavior control situations in which correctional staff may become involved in situations that require the use of less than lethal and lethal force, firearms, chemical agents or other weapons or force. In addition, the Department Order describes the operation of prison detention units as a means to temporarily or permanently segregate inmates from the general population in order to preserve the safe, secure and orderly operation of an institution, while also safeguarding the health and welfare of inmates.

## APPLICABILITY

Force shall only be used after every other reasonable attempt to neutralize the real or potential danger has been considered and determined ineffectual. The use of force is reserved for situations where no other reasonable alternative is available to prevent escape, imminent death, serious bodily harm, or the taking of hostages. Verbal abuse by inmates does not constitute cause for the use of force. The use of force shall never be used as punishment or retaliation.

This Department Order is applicable to institutional staff who are authorized to carry weapons in the performance of their duties, and who may become involved in situations in which arrest and/or the use of force is required. Community Corrections staff shall arrest, restrain and transport inmates in accordance with Department Order #1003, Community Supervision.

Contract Beds facilities shall develop an Institution Order to comply with this Department Order. The Department Contract Beds Monitor shall be notified of all incidents requiring the use of force, maximum behavior control and/or progressive behavior control. In these situations, the inmates located at the:

- In-state Contract Beds facilities shall be transported to the Department facility specified below, as authorized by the Contract Beds Operations Director in consultation with the Department Health Services as needed:  
  
ASP-Marana to ASPC-Tucson  
ASP-Kingman to ASPC-Lewis  
ASP-Phoenix West to ASPC-Phoenix  
ASP-Florence West to ASPC-Eyman  
ASP-Central Arizona Correctional Facility to ASPC-Eyman
- Out-of-state Contract Beds facilities shall be transferred to a Department facility determined by the Department Medical and Mental Health staff once stabilized.

## PROCEDURES

### 804.01 INMATE DETENTION AND OBSERVATION

#### 1.1 Placement of Inmates in Detention

1.1.1 Wardens and Deputy Wardens may place inmates in detention status as necessary:

1.1.1.1 To ensure the safe, secure and orderly operation of a prison or facility.

- 1.1.1.2 To ensure the integrity, and pending completion, of an ongoing investigation.
- 1.1.1.3 While determining eligibility for protective segregation.
- 1.1.1.4 For observation status, to identify, minimize and intervene in the possibility of self-destructive behaviors.
- 1.1.1.5 Pending institutional review and classification placement, such as pending transfer to a higher custody level.
- 1.1.1.6 Pending revocation of parole, work furlough, home arrest, or temporary, mandatory or provisional release.
- 1.1.1.7 To fulfill disciplinary sanctions.
- 1.1.2 In the absence of the Warden or Deputy Warden, security shift commanders shall determine detention placement in accordance with the specific guidelines established in this Department Order when an emergency situation warrants. The security shift commander shall notify the Off-site Duty Officer for final placement approval. The Off-site Duty Officer shall notify the Warden/Deputy Warden the next work day.
- 1.1.3 The Disciplinary Hearing Officer shall place inmates into detention in accordance with the Department Inmate Discipline System.
- 1.2 Required Services - Wardens and Deputy Wardens shall ensure that inmates placed in detention are provided:
  - 1.2.1 Verbal notification advising of the circumstances for placement into detention, such as suicide watch, mental health watch, health and welfare, etc, which is not a disciplinary action.
  - 1.2.2 Written notification advising of the circumstances for the detention placement, such as disciplinary, pending classification changes or investigation. Inmates shall have the opportunity to respond to these reason(s) for placement by using the established inmate discipline or classification system guidelines as outlined in Department Order #801, Inmate Classification, and Department Order #803, Inmate Discipline System.
  - 1.2.3 Meals at the standard meal hours and in the same quality as served to the general population, including special medical or religious diets.
    - 1.2.3.1 Medical and religious diets will not be modified without approval from the medical provider or chaplain.
    - 1.2.3.2 Due to restricted movement, inmates in detention may receive reduced calorie meals that are still nutritionally adequate.
    - 1.2.3.3 Food shall not be withheld or varied as a disciplinary sanction.
    - 1.2.3.4 When security precautions dictate, sack meals may be served.

- 1.2.4 Medical sequence. Inmates in detention shall be monitored by professional health staff as outlined in Department Order #1101, Inmate Access to Health Care.
- 1.2.5 Access to courts, legal materials and legal reference material in accordance with Department Order #902, Inmate Legal Access to the Courts.
- 1.2.6 A clean environment, unless the inmate's behavior, such as destruction of state property or assaultive behavior, hinders providing the inmate:
  - 1.2.6.1 The opportunity to shower and shave a minimum of three different days, each week.
  - 1.2.6.2 Hygiene and toiletry items authorized by the Warden/Deputy Warden.
  - 1.2.6.3 Laundry service comparable to the service provided for general population inmates.
  - 1.2.6.4 The same issue and exchange of clothing, bedding and linen as the general population.
    - 1.2.6.4.1 Inmates shall not be without clothing and/or bedding except as prescribed by mental health care staff, in accordance with Department Order #807, Inmate Suicide Prevention, Precautionary Watches, and Maximum Behavioral Control Restraint, or as deemed necessary by the security shift commander, subject to immediate review by the Warden/Deputy Warden.
  - 1.2.6.5 Inmate personal property shall be managed as outlined in Department Order #909, Inmate Property, except when precluded by disciplinary sanctions.
  - 1.2.6.6 The opportunity to exercise outside the cell for a minimum of two hours on three different days of each week.
  - 1.2.6.7 The opportunity to clean their cell and discard trash as specified in applicable Institution Orders and Post Orders.
- 1.2.7 Mail service of the same quality and frequency as that of the general population.
- 1.2.8 Visits by counseling/mental health staff upon request or as needed.
- 1.2.9 Chaplain and religious visits when requested if a provider is available.
- 1.2.10 Commissary purchases shall be managed as outlined in Department Order 909, Inmate Property, except when precluded by disciplinary sanctions.
- 1.2.11 Barber and hair care services to maintain compliance with the Department grooming standards established in Department Order #704, Inmate Regulations.

- 1.2.12 Non-contact visitation privileges, as directed by the Warden/Deputy Warden, except when precluded by disciplinary sanctions.
- 1.2.13 Telephone privileges, except when precluded by disciplinary sanctions.
- 1.2.14 Reading materials from the inmate library.
- 1.2.15 All medical and dental property issued by Health Services, unless such items are removed by order of Health Services staff.
  - 1.2.15.1 Medical and dental property (such as orthopedic devices, dentures, additional mattresses, bed wedges, crutches etc.,) shall be transferred to the detention unit with the inmate as outlined in Department Order #705, Inmate Transportation.
  - 1.2.15.2 If staff identify what is believed to be a reason(s) for a medical or dental item to be removed, or have justifiable reasons that the item poses a threat to security based on the inmate's assignment to detention, the shift commander shall contact the Facility Health Administrator with the concerns.
    - 1.2.15.2.1 The Facility Health Administrator, in consultation with the appropriate medical authority, shall make a determination as to the disposition of the item and notify the shift commander.
  - 1.2.15.3 Correctional staff shall ensure inmates in detention are transported to medical, dental and specialty appointments. Any interruption or possible cancellations shall be approved by the Facility Health Administrator.

### 1.3 Restrictions

- 1.3.1 The Warden/Deputy Warden, in conjunction with an investigation, may restrict or curtail items (except meals) listed in section 804.01, 1.2, Required Services, and all other inmate contact when objective evidence demonstrates such items or contact would:
  - 1.3.1.1 Impede or nullify an investigation.
  - 1.3.1.2 Cause the destruction of evidence.
  - 1.3.1.3 Lead to the commission of a crime or a violation of Department and/or institution written instructions.
- 1.3.2 Correctional staff shall document emergencies that require the restriction or curtailment of items listed in section 804.01, 1.2 through 1.2.15.2.1, whether due to compelling reasons or investigative needs.

### 1.4 Detention Unit Logs - Detention logs shall be maintained to document inmate behavior, activities and staff communications. Detention logs shall include, but shall not be limited to:

- 1.4.1 Inmate intake information using the Detention Assignment Checklist, Form 804-1. The receiving unit staff shall:
  - 1.4.1.1 Notify Health Services staff within one hour of the inmate being placed in detention.
  - 1.4.1.2 Document that Health Services staff was notified on the Detention Assignment Checklist in the section labeled "Special Conditions". Documentation shall include the name of the nurse and the date and time the notification took place.
- 1.4.2 Daily entries using the Individual Inmate Detention Record, Form 804-3. Entries shall include:
  - 1.4.2.1 Accept or refused scheduled meal during shift.
  - 1.4.2.2 Time in/out of the shower.
  - 1.4.2.3 Time in/out of exercising.
  - 1.4.2.4 Time seen by Health Services staff, to include Medical, Mental Health and Dental.
  - 1.4.2.5 Time on/off of phone.
- 1.4.3 Detention log entries shall be written legibly, initialed and dated by the staff member making the entry, to include badge number when applicable.
- 1.5 Investigations
  - 1.5.1 When an inmate is placed into detention pending the investigation of an alleged rule violation, the Warden/Deputy Warden shall be notified of the results of the investigation and action to be taken within 30 days, or the inmate shall be released from detention on the 30th day.
    - 1.5.1.1 Release from detention shall not preclude disciplinary action.
    - 1.5.1.2 Disciplinary time frames stated in the Department Order #803, Inmate Discipline System shall be enforced.
  - 1.5.2 When an investigation of rule violations may result in criminal charges being processed by the Department through a court of competent jurisdiction:
    - 1.5.2.1 Staff shall complete and serve an Assignment to Investigative Detention Form 2A, Form 803-7, to the inmate at the time of placement.
    - 1.5.2.2 When a case is submitted to prosecuting authorities by the 30th day from placement, the inmate may be detained in detention for an additional 30 days.

- 1.5.2.3 Staff shall refer to the Department Order #803, Inmate Discipline System when concurrent Departmental disciplinary action is proceeding.
- 1.5.3 When an inmate is placed into detention for protective segregation, either voluntary or involuntary, staff shall follow the time frames and guidelines as outlined in the written instructions for Protective Segregation.
- 1.5.4 After the 26th day of investigative detention, the Warden or Deputy Warden shall ensure:
  - 1.5.4.1 The inmate is classified. For reclassification actions, staff shall follow time frames and guidelines as outlined in Department Order #801, Inmate Classification.
  - 1.5.4.2 The Correctional Officer III (CO III) or Correctional Officer IV (CO IV) advises the inmate of due process issues. For maximum custody, the investigation and/or criminal charges process, and ensure the inmate is provided the opportunity to respond to the charges or make a statement.
- 1.5.5 The assigned CO III in the detention unit shall closely monitor all time frames, which shall apply regardless of the unit initiating the detention.
- 1.6 Access to Detention Units - Entrance to a detention unit shall be restricted to:
  - 1.6.1 On-duty Correctional Officers and staff in the performance of their assigned duties.
  - 1.6.2 Authorized non-security persons who shall be escorted by security staff when entering an inmate's living area.
  - 1.6.3 Essential inmate workers such as porters, Suicide Prevention Aides and maintenance workers. Authorization shall be received by the unit supervisor or shift commander prior to their entry into the detention unit.
- 1.7 Opening Cell or Run Doors - The shift commander shall ensure that cell and run doors are opened in accordance with applicable Institution and Post Orders.
- 1.8 Security and Safety Inspections
  - 1.8.1 Correctional Officers shall inspect all security and safety devices at the beginning of each shift. Inspections shall be documented in the detention log and shall include any deficiencies and corrective action(s) taken.
  - 1.8.2 The Chief of Security shall conduct a weekly inspection of all security and safety devices, and shall submit a monthly report to the Warden/Deputy Warden detailing any deficiencies and corrective action(s) taken.
- 1.9 Sanitation Inspections - Correctional Officers shall conduct a general sanitation inspection of all areas in the unit during each shift.
  - 1.9.1 Inspections shall be documented in the detention log and shall include any deficiencies observed and corrective action(s) taken.

- 1.9.2 Sanitation deficiencies shall be corrected as quickly as possible.
- 1.10 Inmate Welfare Checks - Correctional Officers shall:
  - 1.10.1 Conduct random, periodic inmate welfare checks, in addition to checks at specifically timed intervals.
  - 1.10.2 Document and report conditions or abnormal/unusual behavior adversely affecting an inmate's welfare in an incident report, correctional journal and detention log, and immediately report observations through their chain of command.
- 1.11 Access to Key Personnel
  - 1.11.1 The detention unit program supervisor and senior security officer (highest ranking security officer on shift) shall conduct a daily walk-through inspection of the unit to ensure that inmates have access to supervisory personnel.
  - 1.11.2 Inmates may contact the Warden/Deputy Warden and other personnel by using the Inmate Letter.
- 1.12 Inmate Observation Record - When an inmate is placed on a watch, the staff member conducting the timed watch shall initiate an Observation Record, Form 1101-16. Any staff member may recommend starting, continuing or canceling a watch. The recommendation shall be submitted through the chain-of-command.
  - 1.12.1 Types of watches include:
    - 1.12.1.1 Medical Watch - Health care staff may order this watch when clinically indicated for physical health reasons.
    - 1.12.1.2 Security Watch - The shift commander may order this watch when they have reason to believe that the inmate may attempt to harm themselves but the inmate is not currently exhibiting any self-destructive behaviors. For example, an inmate has suffered a family tragedy. The inmate shall remain on this watch until mental health or health care staff have evaluated the inmate and begun a treatment plan.
    - 1.12.1.3 Suicide Watch - When an inmate is considered a possible risk self-destructive or suicidal behavior, the shift commander, mental health care staff, or Health Services may order this watch, as outlined in Department Order #807, Inmate Suicide Prevention, Precautionary Watches, and Maximum Behavioral Control Restraint. Only a licensed mental health provider is authorized to cancel or remove a suicide watch.
    - 1.12.1.4 Mental Health Watch - Mental health staff may order this watch when an inmate is demonstrating acute signs or symptoms of significant mental disorder but is not acting in a manner indicating significant suicide risk. This watch shall be conducted as outlined in Department Order #807, Inmate Suicide Prevention, Precautionary Watches, and Maximum Behavioral Control Restraint.
  - 1.12.2 While an inmate remains on a watch, a staff member on each shift shall be assigned the responsibility of conducting the timed watch.

- 1.12.3 The assigned staff member shall initiate an Observation Record at the beginning of the shift and shall keep the record current throughout the shift.
- 1.12.4 The assigned staff member shall complete the Observation Record in the following manner:
  - 1.12.4.1 Inmate Name - The inmate's last name, first name and middle initial (e.g., Rivers, John J.).
  - 1.12.4.2 Department Number - The inmate's Department number and alphabetical designation (e.g., 10023B).
  - 1.12.4.3 Facility/Unit - The inmate's housing unit (e.g., ASPC-PX-PV).
  - 1.12.4.4 Authorized by - The name and title of the staff member authorizing the watch (e.g., John Brown, Capt.; Karen Black, CPS; or Mary Jones, R.N.).
  - 1.12.4.5 Date - The date the watch was authorized (e.g., 02/03/01).
  - 1.12.4.6 Time - The time the watch was authorized (e.g., 1615).
  - 1.12.4.7 Type of Observation - The specific type of watch ordered (e.g., suicide watch).
  - 1.12.4.8 Restraint Method - When applicable, the specific method of restraint applied to the inmate during the watch (e.g., upper restraint).
  - 1.12.4.9 Time Checks - The maximum number of minutes allowed between each observation check (e.g., every 15 minutes).
    - 1.12.4.9.1 The staff member authorizing the watch shall specify the maximum time interval between observation checks.
    - 1.12.4.9.2 Mental health and health care staff may change the time interval based on notification of a change in circumstances.
  - 1.12.4.10 Date - The date of each observation check (e.g., 11/02/01).
  - 1.12.4.11 Time - The time of the observation check (e.g., 1730).
  - 1.12.4.12 Code - The alphabetical code letter(s) for each inmate action observed and/or staff action taken during each observation check, e.g., as identified on the Observation Record, Form 1101-16.
  - 1.12.4.13 Signature - The signature and title or badge number of the security, program, health care, mental health or administrative staff conducting the observation check.

- 1.12.4.14 Shift Commander - The shift commander shall sign the Observation Record and list title or badge number at the end of the shift (e.g., John Brown, Capt.; Karen Black, CPS; or Mary Jones, R.N.).
- 1.12.4.15 Canceled By - The name and title of the staff member canceling the watch (e.g., Jason Jones, M.D.).
- 1.12.4.16 Date - The date the watch was canceled (e.g., 11/01/01).
- 1.12.4.17 Time - The time the watch was canceled (e.g., 0730).
- 1.12.4.18 Suicide and Mental Health Watches shall be conducted and documented on the Mental Health Disposition form as outlined in Department Order #1103, Inmate Mental Health Care, Treatment and Programs.

**804.02 USE OF HOLDING ENCLOSURES** – Holding enclosures are to be used as a control measure to confine and restrict inmate movement on a temporary/short term basis. See Department Order #704, Inmate Regulations, for inmate temporary holding enclosures and exercise enclosures (maximum custody, detention and mental health units).

**804.03 DEVIATIONS FROM INSTRUCTIONS**

- 1.1 Any deviation from the procedures outlined in this Department Order shall be pre-approved by the Division Director for Offender Operations or designee.
- 1.2 Any deviation from the medical or mental health procedures outlined in this Department Order shall be approved by the Division Director for Program Services or the Mental Health Program Manager or designee.
- 1.3 Sanctions for Violations of the Guidelines in this Department Order - Any employee who violates or permits the violation of this Order or who fails to report any violation or suspected violation of this Order shall be subject to disciplinary action as outlined in Department Order #601, Administrative Investigations and Employee Discipline.

**804.04 USE OF FORCE – RESTRICTED**

**804.05 PLANNED USE OF FORCE- RESTRICTED**

**804.06 FIREARMS AND OTHER WEAPONS – RESTRICTED**

**804.07 USE OF FIREARMS - REVIEW AND INVESTIGATIONS – RESTRICTED**

## IMPLEMENTATION

The Division Director for Offender Operations shall ensure that the provisions of this Department Order are addressed in the Technical Manuals authorized by Department Order #706, Incident Command System, as appropriate.

Within 60 days of the effective date of this Department Order, Wardens shall update Institution Orders and Post Orders, which shall address: (To ensure staff and inmate safety, structural boundaries such as steps, stair wells, cells or dorms and institution grounds are to be considered when developing Institution Orders.)

- Authority levels for the issuance and/or use of firearms for the types and amount of firearms, ammunition, chemical agents and other weapons, as authorized in this Department Order, which are available at their prison.
- Actions that may be taken and types of firearms, ammunition, chemical agents or other weapons that may be used by on-duty and authorized staff, tactical support units, transportation officers, mounted details, tower posts or other armed positions.
- The use of a stretcher, gurney, back-board, or other appropriate means to physically move an inmate, or otherwise carry/transport an inmate:
  - To the Health Unit for examination and/or treatment after a “use of force” incident.
  - From one location or cell to another to avoid the use of force.
- Any specific actions that are not otherwise addressed and which are to be taken by a specific post in the event of a serious incident or major disturbance.
- Yearly inspections of suicide watch cells by the Warden/Deputy Warden, Mental Health Program Manager and the Mental Health Key Contact person. Modifications to these cells shall require a review by Mental Health Program Manager and the Mental Health Key Contact person prior to any changes being made.
- The use of holding enclosures used as a control measure to confine and restrict inmate movement on a temporary/short term basis as outlined in Department Order #704, Inmate Regulations.

The Staff Development and Training Bureau Administrator shall ensure that the Use of Restraints training is incorporated into the curriculum for the Correctional Officer Training Academy (COTA) program and that training programs are provided for all staff.

## DEFINITIONS

**MEDICAL WATCH** - A watch ordered by health care staff when clinically indicated for physical health reasons.

**MENTAL HEATH WATCH** - A watch that may be ordered by mental health staff when an inmate is demonstrating acute signs or symptoms of significant mental disorder but is not acting in a manner indicating significant suicide risk.

**OBSERVATION RECORD** - A documented record of all visual health and welfare checks conducted by staff during a watch on a specific inmate.

**SECURITY WATCH** - A watch ordered by the security shift commander. When less restrictive measures prove ineffective, restraints may be applied until mental health/health care staff can evaluate the inmate and begin a treatment plan.

**SPIT SHIELD/MASK** - A shield or mask that staff place over a restrained inmate's face to prevent the inmate from biting or spitting on staff.

**SUICIDE WATCH** - A watch ordered when an inmate is considered a possible risk to engage in self-destructive or suicidal behavior. This type of watch shall be cancelled only by licensed mental health staff.

{Original Signature on File}

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Charles L. Ryan  
Director

### **ATTACHMENTS**

Attachment A - First Aid/Aftercare for Chemical Agent Symptoms

Attachment B - First Aid for Chemical Agent Symptoms (CS/OC)

Attachment C - Cell Move Lead-In Statement (R)

### **FORMS LIST**

804-1, Detention Assignment Checklist

804-2, Use of Force/Incident Command Report

804-2A, Use of Force/Incident Command Report Continuation

804-3, Individual Inmate Detention Record

804-4, Use of Force Checklist

804-5, Taser Use Report

804-6, Use of Force Video Recording Log

### **AUTHORITY**

A.R.S. 13-105, Definitions.

A.R.S. 13-401et seq, Justification (Use of Force).

A.R.S. 13-414, Justification; Use of Reasonable and Necessary Means.

A.R.S. 13-3101 et seq, Weapons and Explosives.

A.R.S. 31-127, Abuse of Prisoner; Classification.

A.R.S. 31-201-01, Medical Treatment Costs.

A.R.S. 31-223, Use of Force by Correctional Officers.