

Rethinking Restrictive Housing: Lessons from Five U.S. Jail and Prison Systems

May 2018
Fact Sheet

The use of restrictive housing (sometimes referred to as “solitary confinement” or “segregation”) in U.S. jails and prisons has increased over the past few decades. In restrictive housing, a person is held in a cell, typically 22 to 24 hours a day, with minimal human interaction or sensory stimuli. Originally intended to manage people who committed violence in jails and prisons, restrictive housing has become a common tool for responding to all levels of rule violations, managing challenging populations, and housing vulnerable people.

The role of restrictive housing has come under increased scrutiny from policymakers, researchers, advocates, and the media due to growing evidence of the negative effects it can have on incarcerated people, facility staff, and communities. In recent years, a number of corrections leaders have reappraised the use of restrictive housing in their systems, and have sought out and developed innovative and safe ways to reduce reliance on the practice.

The Safe Alternatives to Segregation Initiative

In 2015, with support from the U.S. Department of Justice's Bureau of Justice Assistance, the Vera Institute of Justice (Vera) expanded its efforts to help reduce the use of restrictive housing by launching the Safe Alternatives to Segregation Initiative. Vera partnered with five corrections agencies to assess their policies and practices, analyze related outcomes, and provide recommendations for safely reducing the use of restrictive housing in their systems: the Middlesex County Adult Correction Center in New Jersey; the Nebraska Department of Correctional Services; the New

York City Department of Correction; the North Carolina Department of Public Safety; and the Oregon Department of Corrections. This report summarizes the key findings and recommendations Vera presented to these agencies.

Findings

Despite variations in the five partner agencies' use of restrictive housing, Vera's analysis led to these common findings:

- > Conditions in restrictive housing units were marked by isolation and sensory deprivation.
- > Disciplinary segregation—a type of restrictive housing used to sanction incarcerated people found guilty of violating facility rules—accounted for a substantial proportion of the people in restrictive housing.
- > Low-level nonviolent offenses were among the most common infractions to result in disciplinary segregation.
- > Staff, as well as people who are incarcerated, believed that some people committed infractions in order to be placed in restrictive housing because they feared victimization or violence in the general population.
- > Agencies often placed people in restrictive housing for indefinite periods of time if they were thought to pose a risk to the safety of others or the security of an institution. Infrequent reviews and lack of clear pathways out contributed to long lengths of stay.
- > Young people, people with mental health needs, and people of color had disproportionately high rates of placement in restrictive housing.
- > Women were less likely than men to be placed in restrictive housing, but had high levels of mental health needs.

For more information

To learn more about Vera's Safe Alternatives to Segregation Initiative, read the full report at www.vera.org/rethinking-restrictive-housing. For more information about this report, contact Ram Subramanian, editorial director, at rsubramanian@vera.org. For more information about Vera's work on restrictive housing, contact Sara Sullivan at ssullivan@vera.org. Vera prepared specific findings and recommendations for each of the initiative's five agency partners; those reports can be found at <https://perma.cc/LGH4-RN3F>. The Vera Institute of Justice is a justice

reform change agent. Vera produces ideas, analysis, and research that inspire change in the systems people rely upon for safety and justice, and works in close partnership with government and civic leaders to implement it. Vera is currently pursuing core priorities of ending the misuse of jails, transforming conditions of confinement, and ensuring that justice systems more effectively serve America's increasingly diverse communities. For more information, visit www.vera.org. This project was supported by Grant No. 2014-DB-BX-K009, awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department

of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

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- > Incarcerated people were sometimes released directly to the community from restrictive housing, often with little preparation for reentry.

Recommendations

Broadly, Vera recommends that jails and prisons use restrictive housing *only*:

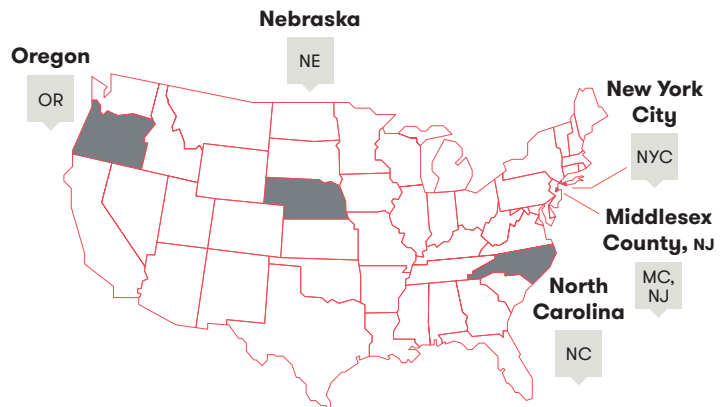
- > as a last resort;
- > as a response to the most serious and threatening behavior;
- > for the shortest time possible; and
- > with the least-restrictive conditions possible.

Vera made detailed recommendations to each agency. These commonly included the following:

- > Reduce the negative effects of restrictive housing by improving the conditions there to provide more out-of-cell time, opportunities for meaningful social interaction, and access to programming and mental health treatment.
- > Employ strategies to minimize the use of restrictive housing for disciplinary infractions, such as maximizing the use of alternative sanctions and using communication and de-escalation techniques to resolve conflicts.
- > Adopt strategies to minimize the placement of people in restrictive housing and shorten the length of time people spend there, such as establishing multidisciplinary teams to make placement and release decisions and increasing the frequency of reviews of people held there.

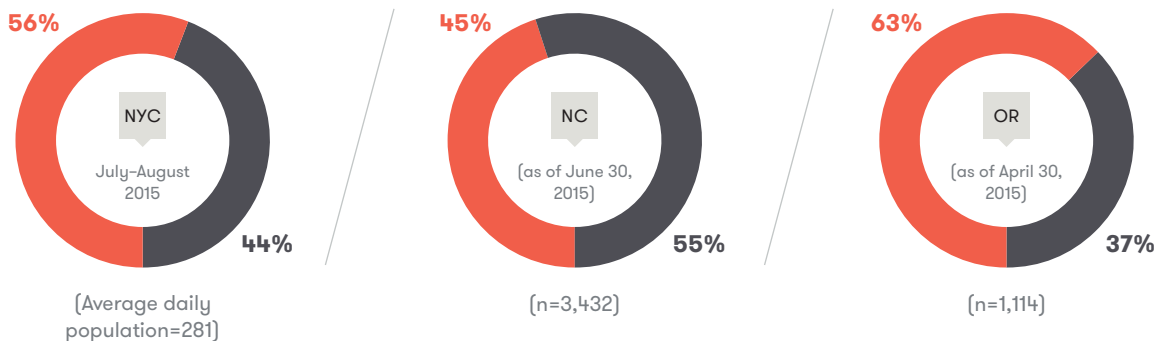
- > Prohibit the use of restrictive housing for certain vulnerable populations—including youth; people who have serious mental illness, developmental disabilities, or neurodegenerative diseases; and pregnant women.
- > Monitor the use of restrictive housing for other populations, including people of color and women, and ensure that policy changes positively impact these populations and reduce disparities.
- > Never release people directly to the community from restrictive housing, a practice that can be achieved through the use of alternative sanctions for people nearing release, step-down programs, or a structured reentry process.
- > Pursue system-level strategies to improve the safety and wellbeing of people in the general population of prisons and jails.

Five partner agencies



Percentage of population in restrictive housing held in disciplinary segregation

■ Disciplinary segregation ■ Other restrictive housing



Source: Vera Institute of Justice analysis of data from the New York City Department of Correction, the North Carolina Department of Public Safety, and the Oregon Department of Corrections. Note that in New York City, disciplinary segregation includes people held in the Central Punitive Segregation Unit, Punitive Segregation Unit II, and Restrictive Housing Units. These units range from 17 hours in a cell per day to 23 hours. This data includes people who are pending the results of an investigation or hearing, as well as those charged and sent to disciplinary segregation.