

5120-9-11 **Security control and disciplinary control.**

(A) An inmate may be placed in security control:

- (1) When needed to facilitate an investigation prior to the issuance of a conduct report or other administrative action, criminal prosecution; and/or,
- (2) Pending a hearing before the rules infraction board (RIB);
 - (a) When the inmate poses a threat or danger to himself or others, to institutional property, or to the security of the institution; and/or,
 - (b) When the inmate poses a threat of disruption to the orderly operation of the institution.
- (3) Pending transfer to another institution;
 - (a) When the inmate poses a threat or danger to himself or others, to institutional property, or to the security of the institution; and/or,
 - (b) When the inmate poses a threat of disruption to the orderly operation of the institution.
 - (c) The inmate's security level is incompatible with the security level of the general population.
- (4) As a temporary housing assignment for inmates to facilitate an inmate's appearance in judicial or administrative proceedings.

(B) The deputy warden of operations, or designee, must approve the placement of an inmate in security control. This approval shall be written, and shall summarize the reasons for placement in security control. The deputy warden shall forward a copy of this approval to the warden.

(C) An inmate may be held in security control pursuant to an investigation for the following periods:

- (1) The deputy warden of operations may authorize an inmate to be held in security control pursuant to an investigation for up to seven days.
- (2) If the investigation has not concluded at the end of the initial seven day period, the warden may authorize that the inmate be held in security control for an additional seven days. This authorization shall be in writing with a copy sent to the appropriate regional director.

- (3) If the investigation is not completed within this fourteen day period, the warden may request that the regional director approve retaining the inmate in security control for an additional seven days.
- (4) After twenty-one days, upon the warden's request, the director or director's designee may authorize holding an inmate in security control for investigative purposes until the completion of the investigation when,
 - (a) The matter under investigation involves the commission or possible commission of a felony,
 - (b) The investigation cannot be completed within twenty-one days, and,
 - (c) Releasing the inmate to general population would jeopardize the safety of the inmate or any other individual, the successful completion of the investigation, or the security of the institution.

The decision of the director or the director's designee shall be in writing and shall state the anticipated duration of the extension and the reason therefore. The extension may be renewed so long as the conditions described in this rule continue to exist.

- (D) The hearing of the rule infraction shall be held within three business days of the issuance of the conduct report unless prevented by exceptional circumstances, unavoidable delays or reasonable postponements. However, the hearing shall be held no longer than seven business days following the issuance of the conduct report. Unless waived, the inmate shall be afforded twenty-four hours notice prior to the hearing pursuant to rule 5120-9-08 of the Administrative Code.
- (E) Disciplinary control: An inmate who has been found guilty of a rule violation by the RIB, pursuant to rule 5120-9-08 of the Administrative Code, may be placed in disciplinary control. An RIB panel may impose up to fifteen days in disciplinary control for a single violation or series of violations arising out of a single event. An RIB panel may impose consecutive penalties of up to fifteen days for two or more unrelated violations, not to exceed a total of thirty days. An RIB panel may impose an additional fifteen days in disciplinary control if the panel determines that an inmate violated a rule while placed in disciplinary control. No combination of offenses shall require an inmate to continuously serve more than thirty days in disciplinary control
- (F) Inmates placed in either security control or disciplinary control shall receive the following cell privileges:
 - (1) Access to legal material and services;
 - (2) Mail and kite privileges;

- (3) Opportunity for recreation exercise, outside of the cell, no less than one hour per day, five days per week;
 - (4) Opportunity to shower and shave no less than five times per week;
 - (5) Personal hygiene articles, including, at minimum, a toothbrush, toothpaste, deodorant and soap;
 - (6) Cell furnishings to include a toilet, wash basin, running water, bunk, mattress, pillow, and sheets and blankets adequate for current weather conditions;
 - (7) Adequate state-issued clothing and apparel;
 - (8) Personal shower shoes;
 - (9) Adequate light for reading;
 - (10) Access to medical services and/or mental health services as needed;
 - (11) Adequate food;
 - (12) Access to administrative rules in the 5120-9 series;
 - (13) Access to approved department policies;
 - (14) Visits by authorized department staff;
 - (15) Access to cleaning articles for cell sanitation, as approved by the warden or designee.
- (G) Abuse of cell privileges may be dealt with summarily by the staff member on duty in the disciplinary control or security control area (except that in no event shall access to kites, medical, mental health, or legal services be denied). This action shall then be reported by such staff member to his superior for review and approval. This action shall also be reported in writing to the deputy warden of operations. The deputy warden of operations shall forward to the managing officer a weekly list of those inmates in disciplinary control who have had cell privileges denied, the length of time denied, and the reasons therefore.
- (H) The RIB may order restrictions on personal privileges following an inmate's abuse of such privileges or facilities or when such action is deemed necessary by the warden for the safety or security of the institution, or the well-being of the inmate. In no event shall access to kites, medical, mental health, or legal services be denied. Such restrictions shall continue only as long as is reasonably necessary

(I) Any denial of cell privileges shall be reported in writing to the deputy warden of operations, who shall be responsible for submitting a weekly report to the warden of those inmates who have been denied cell privileges, the specific privileges denied, length of time the privilege was denied, and reasons therefore.

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Certification

Date

Ronald R. Wilkinson

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