Maryland
GOVERNOR'S OFFICE OF CRIME PREVENTION AND POLICY

Restrictive Housing

Data Definitions and Reporting Guide

This *Restrictive Housing: Data Definitions and Reporting Guide* provides information and guidance regarding the submission of restrictive housing information, as required by § 9–614(b) of the Correctional Services Article. Created with input from key stakeholders from the Maryland Correctional Administrators Association, and sponsors of the bill, this guide serves to identify the reporting requirements, a definition for each required data element, and instruction on the submission of all restrictive housing information. **To quickly access one of these areas, please select from the following list.**

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Introduction

Chapters 526 and 527 of 2019 (House Bill 1001/Senate Bill 774) amended §§ 9-614(b) and 9-614(b)(2) of the Correctional Services Article to expand the submission of restrictive housing information from the Department of Public Safety and Correctional Services, only, to all correctional units within each jurisdiction. Under § 9-614(b) of the Correctional Services Article, each correctional unit must submit restrictive housing information, from the preceding year, to the Governor's Office of Crime Prevention and Policy by December 31 of each year, as it relates to the following:

1. The total population of the correctional unit;
2. The number of incarcerated individuals who have been placed in restrictive housing during the preceding year by age, race, gender, classification of housing, and the basis of the incarcerated individual's placement in restrictive housing;
3. The number of incarcerated individuals with serious mental illness that were placed in restrictive housing during the preceding year;
4. The definition of "serious mental illness" used by the correctional unit in making the report;
5. The number of incarcerated individuals known to be pregnant when placed in restrictive housing during the preceding year;
6. The average and median lengths of stay in restrictive housing of the incarcerated individuals placed in restrictive housing during the preceding year;
7. The number of incidents of death, self-harm, and attempts at self-harm by incarcerated individuals in restrictive housing during the preceding year;
8. The number of incarcerated individuals released from restrictive housing directly into the community during the preceding year;
9. Any other data the correctional unit considers relevant to the use of restrictive housing by correctional facilities in the State; and
10. Any changes to written policies or procedures at each correctional unit relating to the use and conditions of restrictive housing, including steps to reduce reliance on restrictive housing.

Furthermore, under § 9-614(b)(2) of the Correctional Services Article, the Governor's Office of Crime Prevention and Policy must make the information available on its website and, when the information has been received from every correctional unit, promptly submit the information in a report to the General Assembly.

Data Definitions

The following definitions must be used when submitting restrictive housing information:

Correctional unit means a unit of Maryland State or local government that is directly responsible for the care, custody, and control of individuals committed to the custody of the unit for the commission or alleged commission of a crime or an act that would be a crime if committed by an adult.[1] A correctional unit includes the Department of Public Safety and Correctional Services; the Department of Juvenile Services; and the office of the sheriff or other unit of government with responsibility for operating a local correctional facility or county detention center.

Restrictive housing means a form of physical separation that has not been requested by the incarcerated individual in which the incarcerated individual is placed in a locked room or cell for approximately 22 hours or more out of a 24–hour period.[2]

Administrative segregation means a form of physical separation of an incarcerated individual from the general population determined by the classification process or authorized personnel when the continued presence of an incarcerated individual in the general population would pose a serious threat to (1) life; (2) property; (3) self; (4) staff or other incarcerated individuals; (5) the security of orderly functioning of the facility; or (6) the well-being of society.[3]

Disciplinary detention means a form of physical separation in which an incarcerated individual found guilty at a disciplinary hearing is confined apart from the general population for a designated period of time.[4]

Reporting Period

All jails must compile and submit their data in the described format (see below) no later than December 31 of each year, covering the reporting period of October 1 through September 30.

[1] Maryland General Assembly. *Chapter 527 of 2019 (Senate Bill 774), Correctional Services - Restrictive Housing - Reporting by Correctional Units and Requirements Relating to Minors*.
[2] Ibid.
[3] Department of Legislative Services. *Senate Bill 774 (2019), Correctional Services - Restrictive Housing - Reporting by Correctional Units and Requirements Relating to Minors (Fiscal and Policy Note)*.
[4] Ibid.

Reporting Guide

All restrictive housing information can be entered into an excel spreadsheet which includes the data elements required by law. A description of the data elements, to include the available selections for each, is provided below.

#1. The total population of the correctional unit.

This DOES NOT need to be entered into the reporting template. This information will be obtained from monthly jail statistics reports compiled by the Department of Public Safety and Correctional Services. Two measures will be calculated including the total number of intakes and the average monthly daily population for the October 1 through September 30 reporting period each year.

#2. The number of incarcerated individuals who have been placed in restrictive housing during the preceding year by age, race, gender, classification of housing, and the basis of the incarcerated individual's placement in restrictive housing.

The template will designate eight columns to capture this data element, to include the following:

> **ID#**: A unique identifier must be provided for each incarcerated individual who has been placed in restrictive housing during the reporting period. If an individual is placed in restrictive housing multiple times during the reporting period, include the same ID# as his/her first placement. This information will be used to track the total number of incarcerated individuals placed and the total number of placements. Please note that the ID# is the only identifier that will be used; therefore, any other identifying information, such as the name of an incarcerated individual, should not be provided.
>
> **Age**: Provide the date of birth for each incarcerated individual placed.
>
> **Race**: Select the race for each incarcerated individual placed, based on the following options:
>
> - American Indian or Alaskan Native
> - Asian
> - Black
> - Latino/Hispanic
> - Native Hawaiian/Pacific Islander
> - White

- Other

Gender: Identify the gender of each incarcerated individual placed, based on the following options:

- Male
- Female
- Transgender

Classification of Housing: For the classification of housing, select one of the following options:

- Minimal
- Medium
- Maximum
- Special needs
- Other

Other Classification: If *other* is selected for the classification of housing, write out the applicable classification.

Reason for Housing: Select the most appropriate reason for placement, based on the definitions listed below. Please note that only one reason per incarcerated individual should be selected. If, however, multiple selections are made, only the first selection will be accounted for.

- Medical
- Administrative segregation
- Disciplinary detention
- Protective custody
- Quarantine
- Mental health
- Suicide watch
- Juvenile
- Other

Other Reason: If *other* is selected for the reason for housing, write out the applicable reason.

Please refer to the following definitions when selecting a reason for housing:

Medical refers to a medical hold of an incarcerated individual which is determined by medical providers.

Administrative segregation refers to the confinement of an incarcerated individual whose presence in the general population would pose a serious threat to: life; property; self; staff or other incarcerated individuals; security of orderly functioning of the facility; or well-being of society.

Disciplinary detention refers to the confinement of an incarcerated individual found guilty at a disciplinary hearing.

Protective custody refers to the confinement, voluntary or involuntary, of an incarcerated individual who authorities believe will be threatened without such confinement.

Quarantine refers to the confinement of an incarcerated individual due to COVID-19 or other communicable disease that can spread from one person to another (i.e., contact with blood and bodily fluids; breathing in an airborne virus; etc.).

Mental health refers to the confinement of an incarcerated individual due to symptoms of mental illness. This is determined by mental health providers.

Suicide watch refers to the confinement of an incarcerated individual due to the incarcerated individual's risk for suicide. This is determined by mental health and/or medical providers.

Juvenile refers to the confinement of an incarcerated individual who is under 18 years old.

Other refers to any confinement not listed above.

#3. The number of incarcerated individuals with serious mental illness that were placed in restrictive housing during the preceding year.

The template will designate one column to capture this data element, to include the following:

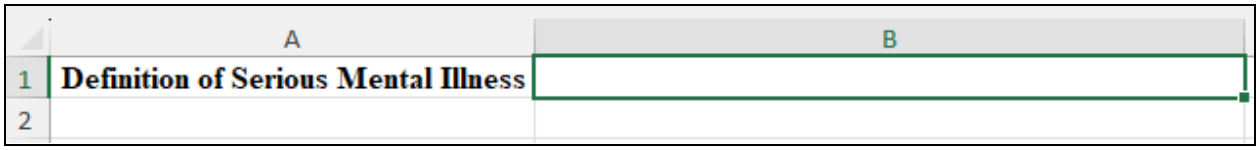
Serious Mental Illness: Use the "dropdown" menu to select if the incarcerated individual had serious mental illness when placed into restrictive housing.

- Yes
- No

Please note that by selecting "Yes," this indicates that the incarcerated individual was diagnosed with (or assumed to have) serious mental illness at the time of his/her confinement in restrictive housing.

#4. The definition of "serious mental illness" used by the correctional unit in making the report.

Provide your correctional units' definition of serious mental illness that was used when reporting restrictive housing information for this report. This will be entered into the **SMI** tab of the reporting template. Please provide your definition in column B1 (*as illustrated below*).



Please note that the Department of Public Safety and Correctional Services defines serious mental illness in accordance with the Code of Maryland Regulations (COMAR) 10.21.17.02 (76).[5]

> "*This generally includes individuals with schizophrenia disorder, major affective disorder, other psychotic disorder; or borderline or schizotypal personality disorder, based on a diagnosis consistent with the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DSM-5). These individuals have demonstrated inability to maintain social support and independence within the community, and may require additional assistance with basic living skills.*"[6]

#5. The number of incarcerated individuals known to be pregnant when placed in restrictive housing during the preceding year.

The template will designate one column to capture this data element, to include the following:

> **Pregnant**: Use the "dropdown" menu to select if the incarcerated individual was known to be pregnant when placed in restrictive housing.
>
> - Yes
> - No

[5] Department of Public Safety and Correctional Services. (2020). *Report on Restrictive Housing - Fiscal Year 2019*.
[6] Ibid.

#6. The average and median lengths of stay in restrictive housing of the incarcerated individuals placed in restrictive housing during the preceding year.

The template will designate two columns to capture this data element, to include the following:

> **Start Date**: Provide the date in which the incarcerated individual was placed in restrictive housing (intake date into segregation).
>
> **End Date**: Provide the date in which the incarcerated individual was removed from restrictive housing (released from segregation).

These data elements will be used to calculate the average and median lengths of stay. Please note that the lengths of stay will not be added together for individuals who were placed in restrictive housing multiple times during the reporting period. An average of those placement lengths will be calculated only.

#7. The number of incidents of death, self-harm, and attempts at self-harm by incarcerated individuals in restrictive housing during the preceding year.

The template will designate three columns to capture this data element, to include the following:

> **Death**: Use the "dropdown" menu to select if the incident resulted in a death.
>
> - Yes
> - No
>
> **Self-Harm**: Provide the number of incidents that resulted in self-harm while the incarcerated individual was in restrictive housing. If there were zero incidents, enter 0.
>
> **Attempted Self-Harm**: Provide the number of incidents that resulted in attempted self-harm while the incarcerated individual was in restrictive housing. If there were zero incidents, enter 0.

#8. The number of incarcerated individuals released from restrictive housing directly into the community during the preceding year.

The template will designate two columns to capture this data element, to include the following:

> **Community (Released into the Community)**: Select the most appropriate community placement based on the following options:
>
> - No
> - Released in the community
> - Released to a mental hospital
> - Released to a program

- Other

Other Community Placement: If *other* is selected for community placement, write out the applicable placement.

This includes incarcerated individuals directly released into the community from restrictive housing for completing their sentence (assuming the normal exit process for each facility) and those incarcerated individuals released to a state mental hospital/mental health treatment facility or other program.

#9. Any other data the correctional unit considers relevant to the use of restrictive housing by correctional facilities in the State.

Please note that no additional data elements were found to be relevant when the reporting requirements were discussed with stakeholders.

#10. Any changes to written policies or procedures at each correctional unit relating to the use and conditions of restrictive housing, including steps to reduce reliance on restrictive housing.

If your facility made any changes to any written policies or procedures, this information can be sent via email to: dean.atanasoff@maryland.gov.