



## Ohio Administrative Code Rule 5120-9-10 Restrictive housing assignments.

Effective: January 9, 2020

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(A) As used in this rule and rules 5120-9-08 and 5120-9-11 of the Administrative Code:

"Restrictive housing" means a housing placement that requires an inmate to be confined to a cell at least twenty-two hours per day.

(B) An inmate may be placed in and/or transferred to a restrictive housing assignment:

(1) When needed to facilitate an investigation prior to the issuance of a conduct report, other administrative action or criminal prosecution;

(2) Pending a hearing before the RIB;

(3) Pending transfer to another institution; or,

(4) When the inmate has been found guilty through the processes set forth in rule 5120-9-08 of the Administrative Code for any violation of the inmate rules of conduct set forth in rule 5120-9-06 of the Administrative Code.

(C) To place an inmate in a restrictive housing placement under paragraph (B) of this rule, justification shall be provided as to why a limited privilege housing assignment under rule 5120-9-09 of the Administrative Code is insufficient to manage the safety and security requirements of the inmate.

(D) An inmate may be placed in a restrictive housing assignment for the following time periods:

(1) In the case of an inmate placed in a restrictive housing assignment under paragraph (B)(1) of this rule, the inmate may be placed until such time that the investigation has been completed subject to the required extensions set forth in rule 5120-9-11 of the Administrative Code;



(2) In the case of an inmate placed in a restrictive housing assignment under paragraph (B)(2) of this rule, the inmate may be placed for a time period no longer than seven calendar days for an RIB hearing unless prevented by exceptional circumstances, unavoidable delays or reasonable postponements. Extensions beyond seven calendar days shall be documented in the record of the RIB along with the reason for the delay. No extension shall exceed twenty-nine calendar days. In the event the inmate is found guilty by the RIB of misconduct, any additional time frames will be set by paragraph (B)(4) of this rule.

(3) In the case of an inmate placed in a restrictive housing assignment under paragraph (B)(3) of this rule, the inmate may be placed until such time that the transfer has been completed;

(E) Nothing in paragraph (B) of this rule shall be construed to prohibit the managing officer or designee from referring an inmate to the institutional reclassification committee or serious misconduct panel at any time.

(F) The managing officer or designee shall retain the discretion to release an inmate from a restrictive housing assignment or to modify the placement to a limited privilege housing assignment at any time for positive behavior or if the security needs of the inmate change.

(G) An inmate shall not be placed in a restrictive housing assignment on the basis of gender identity alone.

(H) Inmates placed in restrictive housing placements shall receive the following cell privileges:

(1) Access to legal material and services;

(2) Access to reading materials;

(3) Mail and kite privileges;

(4) Opportunity for recreation exercise, outside of the cell, no less than one hour per day, five days per week;



- (5) Opportunity to shower and shave no less than five times per week;
- (6) Personal hygiene articles, including, at minimum, a toothbrush, toothpaste, deodorant, feminine hygiene products for female inmates and soap;
- (7) Access to hair care services;
- (8) Cell furnishings to include a toilet, wash basin, running water, bunk, mattress, pillow, and sheets and blankets adequate for current weather conditions;
- (9) Adequate state-issued clothing and apparel;
- (10) Personal shower shoes;
- (11) Adequate light for reading;
- (12) Access to medical services and/or mental health services as needed;
- (13) Adequate food;
- (14) Access to administrative rules in Chapter 5120-9 of the Administrative Code;
- (15) Access to approved department policies;
- (16) Visits by authorized department staff;
- (17) Access to telephone privileges at a minimum to access the judicial process and family emergencies as determined by the managing officer or designee unless security or safety considerations dictate otherwise;
- (18) Access to cleaning articles for cell sanitation, as approved by the managing officer or designee;



(19) Access to educational services, commissary services, library services, social services, behavioral health and treatment services, religious guidance and recreational programs.

(I) Abuse of cell privileges may be dealt with summarily by the staff member on duty in restrictive housing (except that in no event shall access to kite, 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 responsible chief of security. The responsible chief security officer shall forward to the managing officer a weekly list of those inmates in restrictive housing who have had cell privileges denied, the length of time denied, and the reasons therefore.

(J) The hearing officer or 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 managing officer for the safety or security of the institution, or the well-being of the inmate. In no event shall access to kite, medical, mental health, or legal services be denied. Such restrictions shall continue only as long as is reasonably necessary.

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