



State of North Carolina
Department of Correction
Division of Prisons

Chapter: C
Section: .1100
Title: **Protective Control**
Issue Date: 09/24/07
Supersedes: 09/22/00

POLICY & PROCEDURES

.1101 GENERAL

- (a) Protective control is the reassignment of an inmate from the general population to confinement in a secure area to protect the inmate involved from self injury or threat of harm by others. An inmate's request to be placed in protective control does not alone constitute grounds for reassignment. The officer in charge must evaluate all the circumstances of each case. A determination must be made that the inmate's request is legitimate and that segregation is necessary for the continued well-being of the inmate. The only purpose for protective control is the protection of the inmate when it is apparent that the inmate's life or well-being may be threatened if the subject remains in the general population. Generally, protective control measures will be employed in accordance with the following criteria:
- (1) Alternative assignments have proven insufficient to provide adequate safeguards.
 - (2) A determination has been made that the inmate is unable or unwilling to adjust to the regular population.
 - (3) Generally, inmates will not be assigned to protective control as a result of failure to meet racketeering obligations or other illicit activities before completion of other applicable administrative, disciplinary, or classification action.
 - (4) Any request for placement in protective control will be thoroughly investigated by correctional personnel. If the investigation fails to substantiate a need for protective control the denial will be documented by the facility head or designee within a reasonable length of time. Should the investigation support the need for protective control, appropriate measures should be taken to safeguard the inmate in accordance with Division of Prisons Policy and Procedures.
 - (5) Inmates placed in protective control status are afforded access to programs and privileges consistent with the protective control requirements and the interests of the inmate.
 - (6) A protective control assignment will not restrict the normal progression by appropriate classification through the various custody levels.

.1102 PROCEDURE

- (a) Assignment to and removal from protective control housing, including the referral of an inmate to the Director's Classification Committee will be made for periods up to 60 days in accordance with normal administrative segregation procedures (Division of Prison's policy C .0300). The procedure will be as follows:
- (1) Inmates may be segregated for 72 hours or less at the discretion of the officer in charge as a "cooling-off" measure. The reasons for the action will be documented through the Control Action (IS11) automated record screen process with appropriate comment and justification for the isolation assignment. No inmate may be placed in protective control for more than 72 hours without the documented approval of the facility head or designee.
 - (2) Inmates may be segregated for an additional period not to exceed a total of 15 days (including the initial 72 hours) with approval of the facility head or designee. The approval will be documented through the Control Action (IS11) automated record screen process with appropriate comment and justification documenting the assignment to isolation.
 - (3) In cases where an inmate is assigned to protective control for a period greater than 15 days, the inmate shall be reviewed before a facility classification committee. The inmate shall receive written notice on form DC-123 of the reasons that protective control is being considered at least 24 hours before the review is held.
 - (4) The committee shall consist of at least three members, one of which must be a member of the programs staff. At the review, the inmate will be informed of the reasons he or she is being held in protective control and will be given an opportunity to speak in his or her own behalf about any matter relevant to the classification control status. If the committee determines that continued confinement is appropriate, it will note its findings through the Control Action (IS11) automated record screen process with committee rationale and justification for the control action assignment noted on the appropriate comment screens. All committee decisions must be approved by the facility head or designee.
 - (5) Removal from protective control may be considered if an inmate requests in writing to be removed from protective control status. The request will be verified, and, provided no apparent constraints to the inmate's health or personal safety can be determined, the inmate will be removed from protective control.
 - (6) In those cases where the classification authority finds the inmate should be removed from protective control, appropriate steps will be taken and documented on the Control Action (IS11) automated record process with final approval by the facility head to remove the inmate from protective control. Following final approval such action will be taken and the inmate reassigned appropriately.

- (7) No inmate shall be confined in protective control for more than 60 days unless authorized by a Director's Classification Committee. Referrals for extended periods of isolation beyond 60 days if necessary are made to the Director's Classification Committee.
- (b) Assignments by the Director's Classification Committee to protective control:
- (1) Assignments to protective control status for periods beyond 60 days are subject to review by the Director's Classification Committee. The final approving authority shall be the Director of Support Services, Region Directors or designees, Assistant Director for Auxiliary Services, Manager of Classification, or other authorities as designated by the Director of Prisons. Such action may be taken without an inmate's request for assignment to protective control.
 - (2) Cases referred to the Director's Classification Committee for protective control beyond 60 days must be thoroughly documented using the Control Action (IS11) screen process. Completed referrals shall be forwarded to the Manager of Classification Services or designee for review and scheduling. Inmates considered for protective control status by the Director's Classification Committee must be given advance written notice by the Facility Head or a respective designee of the review meeting on a form DC-123 at least 24 hours before the review.
 - (3) The status of inmates assigned to protective control shall be reviewed at least every 6 months by the Director's Classification Committee.
 - (4) If an inmate requests in writing to be removed from protective control, the facility head or designee may review the request to determine that the life or personal safety issues are no longer implicated in the specific case and remove the requesting inmate from protective control if appropriate. All such actions shall be documented using the automatic Control Action (IS11) screen process and shall be forwarded to the Manager of Classification Services or designee for administrative reviews with a comment notation confirming that the written request by the inmate for removal from protective control is on file in the inmate's facility jacket.
 - (5) Inmates assigned to protective control will be subject to all controlling rules and regulations for administrative segregation and subject to the conditions of confinement established according to the Division of Prisons policy governing inmates assigned to protective control.


Director of Prisons Date

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