

account); and holy books. The same diet as provided to the general population at the institution shall be provided.

(3) **OTHER PROPERTY.** Inmates in adjustment segregation may have material pertaining to legal proceedings and books provided by the institution librarian in adjustment segregation.

(4) **VISITS AND TELEPHONE CALLS.** Inmates in adjustment segregation shall be permitted visitation and telephone calls in accordance with ch. HSS 309.

(5) **MAIL.** Inmates in adjustment segregation may receive and send mail in accordance with the departmental rules relating to inmate mail.

(6) **SHOWERS.** Inmates in adjustment segregation shall be permitted to shower at least once every 4 days.

(7) **SPECIAL PROCEDURES.** No property is allowed in the cell except that describe in subs. (1), (2) and (3), and letters received while in adjustment segregation. Smoking is forbidden. Each institution may establish specific procedures relating to talking. No yelling or whistling is permitted.

(8) **LEAVING CELL.** Inmates in adjustment segregation may not leave their cells except for urgent medical or psychological attention, showers, visits and emergencies endangering their safety in the cell.

(9) **GOOD TIME.** An inmate shall not earn extra good time while he or she is in adjustment segregation. Wages are not paid to inmates in adjustment segregation.

(10) **OBSERVATION.** A person placed in observation while in adjustment segregation receives credit toward the penalty being served.

(11) **TRANSFER.** An inmate may be transferred from one institution to another while in adjustment segregation in accordance with ch. HSS 302.

History: Cr. Register, August, 1980, No. 296, eff. 9-1-80.

HSS 303.70 Major penalties: program segregation. (1) **CONDITIONS.** Program segregation may not exceed the period specified in HSS 303.84. It may only be imposed for a major offense by the adjustment committee or the hearing officer. Only one person shall be kept in each segregation cell, unless overcrowding prevents it. Each cell must meet the following minimum standards: clean mattress, sufficient light to read by at least 12 hours per day, sanitary toilet and sink and adequate ventilation and heating.

(2) **NECESSITIES.** The following shall be provided promptly upon request for each inmate in program segregation: adequate clothing and bedding; a toothbrush, toothpaste, soap, a towel, a face cloth and a small comb, unless the inmate is allowed to use his or her own such hygiene supplies; paper, envelopes, stamps and pens (the cost of stamps may be deducted from the inmate's account); and holy books. The same diet as provided to the general population at the institution shall be provided.

(3) **PROPERTY.** Inmates in program segregation shall be allowed to have any property in their cells which can feasibly be moved from quarters of the general population, except as follows:

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(a) For the first 35 days in segregation, an inmate may not receive his or her personal electronic or electric units such as a television, radio, cassette player, or stereo receiver.

(b) If an inmate commits a major offense during the first 35 days in segregation, the inmate shall not receive such electronic units until 35 days from the date of the offense.

(c) If an inmate is found guilty of 3 offenses, either major, minor, or any combination thereof while in segregation, the inmate shall lose such personal electronic equipment for 35 days upon being found guilty of the third offense.

(4) VISITS AND TELEPHONE CALLS. Inmates in program segregation shall be permitted visitation and telephone calls in accordance with ch. HSS 309.

(5) MAIL. Inmates in program segregation may receive and send mail in accordance with departmental rules relating to mail.

(6) SHOWERS. Inmates in program segregation shall be permitted to shower at least once every 4 days.

(7) SERVICES AND PROGRAMS. Social services, clinical services and program and recreation opportunities shall be provided as possible but must be provided at the individual's cell, unless otherwise authorized by the security director. A program of exercise shall be provided for inmates in program segregation.

(8) LEAVING CELL. Inmates in program segregation may not leave their cells except for medical or clinical attention, showers, visits, exercise and emergencies endangering their safety in the cell.

(9) GOOD TIME AND PAY. Inmates in program segregation earn neither extra good time nor compensation.

(10) CANTEEN. Inmates in program segregation may bring approved items in from the canteen on the same basis as all other inmates but may not go to the canteen in person.

(11) SPECIAL RULES. Smoking is permitted if no hazard is thereby caused. Talking is permitted in a normal tone during approved times. No yelling or whistling is permitted.

(12) REVIEW OF PROGRAM SEGREGATION. An inmate's status in program segregation may be reviewed at any time and he or she may be placed in the general population at any time by the superintendent. Such status must be reviewed every 30 days by the superintendent. Such review shall include a recommendation by the security director as to whether the inmate should remain in program segregation and an evaluation of the inmate by either the crisis intervention officer or the adjustment program supervisor, or both. In deciding whether an inmate should be removed from program segregation and placed in the general population, the superintendent shall consider:

(a) The offense, including:

1. Its nature and severity;

2. Mitigating factors;

3. Aggravating factors; and
4. Length of sentence to program segregation;
 - (b) Motivation and behavior of the inmate, including:
 1. Attitude toward himself or herself and others and changes in his or her attitude;
 2. Goals of the inmate;
 3. Physical and mental health; and
 4. Attempt to resolve emotional and mental disorders;
 - (c) Institutional adjustment, including:
 1. Disciplinary record;
 2. Program involvement;
 3. Relationship to staff and inmates; and
 4. Security problems created by release;
 - (d) Programs, including:
 1. Social and clinical services available to help the inmate; and
 2. Any programs available to help the inmate.

History: Cr. Register, August, 1980, No. 296, eff. 9-1-80.

HSS 303.71 Controlled segregation. (1) **USE.** Any inmate in TLU or segregation of any kind who exhibits loud and seriously disruptive behavior or destructive behavior toward the contents of the cell or himself or herself may be put into controlled segregation upon order of the shift supervisor. No inmate may be placed in controlled segregation unless a conduct report is written for the conduct giving rise to the use of controlled segregation. The adjustment committee shall review the report to determine if disciplinary action is appropriate. Controlled segregation lasts for not more than 72 hours for a single inmate. After an inmate has been in controlled segregation for a total of 72 hours, he or she must be returned to a regular segregation cell for at least 24 hours before he or she may be returned to controlled segregation.

(2) **CONDITIONS.** Only one person shall be kept in each segregation cell, except in emergencies. Each cell must meet the following minimum standards: clean mattress, sufficient light to read by for at least 12 hours per day, sanitary toilet and sink and adequate ventilation and heating.

(3) **NECESSITIES.** The following shall be provided for each inmate in controlled segregation: adequate clothing, essential hygiene supplies upon request, and the same diet as provided to the general population. While an inmate is acting in a disruptive manner, close control of all property shall be maintained.

(4) **VISITS.** Inmates in controlled segregation may not receive visits except from their attorney or with permission from the security director.

(5) **MAIL.** Inmates in controlled segregation may receive and send mail in accordance with departmental rules relating to mail. Correspondence materials may be provided if they do not pose a threat to anyone.

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(6) **SPECIAL RULES.** (a) No property is allowed in the cell except that described in subs. (2) and (3), letters received while in controlled segregation and legal materials. Smoking is forbidden. Talking is permitted in a normal tone. No yelling or whistling is permitted.

(b) Inmates in controlled segregation may not leave their cells except in emergencies endangering the inmate's safety in the cell or with permission from the security director or his or her designee.

(7) **GOOD TIME.** An inmate in controlled segregation earns extra good time and compensation if he or she was doing so in the previous status.

(8) **RECORDS.** Inmates in controlled segregation shall be visually checked every half hour. A written record or log entry shall be made at each such interval noting the emotional condition of the inmate.

(9) **CREDIT.** An inmate in controlled segregation receives credit toward a term of program segregation and adjustment segregation during such period of confinement.

History: Cr. Register, August, 1980, No. 296, eff. 9-1-80.

HSS 303.72 Minor penalties. Minor penalties in accordance with HSS 303.68 and 303.84 shall include:

(1) **REPRIMAND.** A reprimand is any oral statement by the committee or hearing officer to an inmate when the inmate is found guilty of a disciplinary offense. The reprimand should only be recorded if no other penalty is given.

(2) **LOSS OF RECREATION PRIVILEGES.** Recreation privileges include sports or exercise periods, movies, and leisure activities outside the cell, either on grounds or off grounds.

(3) **ROOM CONFINEMENT.** Room confinement may be imposed during non-school or non-work program hours, including weekends, for a maximum of 10 days. During the hours of confinement, the inmate may not leave his or her quarters without specific permission. Permission may be granted for religious services, medical appointments, showers, and visits from outside persons, if these must occur during the hours of confinement. Any or all electronic equipment may be removed from an inmate's quarters if room confinement is imposed.

(4) **LOSS OF A SPECIFIC PRIVILEGE.** Specific privileges which may be lost if abused include: use of inmate's own TV, radio or cassette player; phone calls; participation in off grounds activities; and having meals in the dining room. These privileges may be taken away for up to 30 days for the first offense, for up to 60 days for the second, and permanently for the third. However, visiting and mail may be suspended for periods of time in accordance with departmental rules relating to resources for inmates.

(5) **RESTITUTION.** Restitution is payment to the owner for the replacement or repair of stolen, destroyed and damaged property or for medical bills. Property for which restitution is ordered shall be valued at the cost of replacing or repairing such property, whichever is less. An inmate may be ordered to make full or partial restitution. Money may be withheld from earnings or taken from an inmate's account to satisfy the requirements to make restitution.