

June 2024

SOLITARY CONFINEMENT: PART I



DISCLAIMER

The mission of the Office of the Corrections Ombuds (OCO) is to provide opportunities for people impacted by incarceration to raise issues and resolve conflicts. The OCO works to reduce harm in the Washington corrections system by negotiating outcomes, recommending positive change, and reporting individual and systemic concerns.

The following report was prepared by the Office of the Corrections Ombuds Solitary Confinement Research Team (OCO-SCRT). The work of corrections oversight includes producing accurate, unbiased, and credible public reports. This solitary confinement report is one of the ways the OCO brings transparency and accountability – pillars of a democratic society – to systems and daily operations of the Washington Department of Corrections, which are overwhelmingly hidden from the public eye.

CONTENT NOTICE: Please be aware that this report includes content regarding suicides attempts and deaths by suicide.



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June 2024

The Honorable Jay Inslee
Governor, State of Washington
Office of the Governor
PO Box 40002
Olympia, WA 98504-0002

Sarah Bannister
Secretary of the Senate
Deliver to: senate.secretary@leg.wa.gov

Bernard Dean
Chief Clerk of the House
Deliver to: clerk.chief@leg.wa.gov

Dear Governor Inslee, Secretary Bannister, and Chief Clerk Dean:

As required by Engrossed Substitute Senate Bill (ESSB) 5187 (2023-2024), Sec. 117 (7), enclosed please find a report by the Office of the Corrections Ombuds on incarcerated persons who have been in solitary confinement.

Solitary Confinement: Part I is the first of three reports on solitary confinement planned for release throughout the coming months. Part I responds to the legislature's direction to conduct a review of all incarcerated people who had or have been:

1. housed in solitary confinement or any other form of restrictive housing more than 120 days in total, or
2. housed in solitary confinement or any other form of restrictive housing more than 45 consecutive days in Fiscal year 2023 (July 1, 2022-June 30, 2023).

ESSB 5187 also directed the OCO to answer a short list of specific questions about the WADOC's historical and current use of solitary confinement. Solitary Confinement: Part II, planned for release later this summer, looks deeply at the experiences, perspectives, and opinions of a sampling of people who have lived in solitary confinement in WADOC prisons. Solitary Confinement: Part III, planned for release later this year, pieces together Part I and Part II through a discussion of opportunities for further administrative policy changes and legislative solutions.

At the OCO, we envision a more humane and transparent Washington corrections system. Our solitary confinement report series represents hundreds of hours of data review, report writing, and travel throughout our state by a handful of dedicated and passionate public employees – The OCO Solitary Confinement Research Team (OCO-SCRT). This report demonstrates the OCO's commitment to following Ida B. Wells' suggestion that "the way to right wrongs is to turn the light of truth upon them."

Sincerely,



Caitlin Robertson, Ph.D.
Director



Elisabeth Kingsbury, J.D.
Deputy Director

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Office of the Corrections Ombuds-Solitary Confinement Research Team (OCO-SCRT)



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1.0 Introduction

Civilian oversight of corrections brings an independent set of eyes and, if done correctly, the values of integrity, respect, collaboration, equity, and courage to bear witness to the ways in which the norms and cultures of carceral systems are rooted in secrecy, a lack of transparency, and rules and regulations. The Washington State Office of the Corrections Ombuds is the only civilian oversight of the Washington state corrections system established in state government with the authority and the responsibility to investigate actions or inactions of the Washington Department of Corrections (WADOC). The Office of the Corrections Ombuds (OCO) routinely monitors places that are among the most opaque public institutions in our state – the state’s corrections facilities (prisons and reentry centers). In addition to monitoring prisons and reentry centers, the OCO, in its capacity as the statewide prison oversight mechanism, responds to the governor and legislature’s concerns about conditions of confinement and the inherent dangers of living and working inside corrections facilities.

Advocates of eradicating the use of solitary confinement in WADOC have waged a multi-year campaign requesting greater attention be paid to what happens to people living and working inside prisons in the state of Washington. Some elected officials have demanded greater accountability and transparency from the WADOC about the use of solitary confinement. Multiple bills calling for a reduction in solitary confinement have been introduced in the state legislature in



Solitary Confinement Cell at Stafford Creek

recent years; however, none have passed out of the legislature. At the end of the 2023 legislative session, seeing that once again, a bill requiring the WADOC to reduce the use of solitary confinement would not pass out of the legislature, a request was made of the Office of the Corrections Ombuds (OCO) to write a report answering a short list of specific questions about the WADOC’s historical and current use of solitary confinement. This report, *Solitary Confinement: Part I*, provides a step-by-step answer to the specific questions asked by the Legislature.

Solitary Confinement: Part II will look deeply at the experiences, perspectives, and opinions of a sampling of people who have lived in solitary confinement in WADOC prisons.

The final release, *Solitary Confinement: Part III*, pieces together Part I and Part II through a discussion of opportunities for further administrative policy changes and legislative solutions.

2.0 Conceptual Framework: Proviso ESSB 5187 (2023-2024)

Engrossed Substitute Senate Bill (ESSB) 5187 (2023-2024) included a proviso directing the Office of the Corrections Ombuds (OCO) to prepare a report on incarcerated persons who have been in solitary confinement. The proviso directed this office to conduct a review of all incarcerated people who had or have been:

1. housed in solitary confinement or any other form of restrictive housing more than 120 days in total, or
2. housed in solitary confinement or any other form of restrictive housing more than 45 consecutive days in Fiscal year 2023 (July 1, 2022-June 30, 2023).

The proviso also directed the OCO to provide information about:

1. the reason each person was placed in restrictive housing,
2. the types of restrictive housing used by the Department of Corrections,
3. the specific type of restrictive housing each incarcerated person was placed in and the reason for the placement,
4. each incarcerated person's underlying offense,
5. any sanctions imposed during the incarceration of each person,
6. the amount of time each person has remaining in total confinement,
7. any attempted suicides by each individual over the past ten years and the reason, if known,
8. the programming offered to and accepted by each incarcerated person during the period of restrictive confinement, and
9. any short-term policies identified, implemented, or improved by the Department of Corrections for the restrictive housing population.



Former solitary confinement cells at Washington State Reformatory at Monroe Correctional Complex

2.1 Methodology

In an empirical research study, the conceptual framework drives the research and gives balance and direction to the overall structure¹. Sometimes called a logic model, conceptual map, or theoretical framework, the conceptual

¹ Ravitch, S. M., & Riggan, M. (2016). *Reason & rigor: How conceptual frameworks guide research*. Sage Publications.

framework guides a research study from start to finish. A conceptual framework often provides the justification or support for why the study is meaningful and necessary. The OCO solitary confinement research team (OCO-SCRT) used the proviso questions to guide the overall structure and research design. This first in a series of three reports is entirely driven by data requested from the WA Department of Corrections (WADOC) and independently verified by the OCO-SCRT.

2.1.1 Trustworthiness

Evaluating the trustworthiness of a research team and its findings often comes down to reliability, confirmability, and transferability. Reliability, argue Lincoln and Guba², is the idea that a study is dependable if it is replicable. Confirmability means that “the findings are the result of the research, rather than an outcome of the biases and subjectivity of the researcher.”³ Transferability includes the ways in which the outcomes of a specific phenomenon are transferable to another context⁴. Therefore, most researchers, interested in demonstrating their trustworthiness, choose to explain the ethical processes in which data was collected and evaluated.

2.1.2 Ethical Considerations

As part of the original research design, members of the OCO-SCRT met with members of the Washington State Institutional Review Board (WSIRB) to discuss the driving questions of the proviso. After a series of clarifying discussions with WSIRB members, it was determined that a research design developed to answer the proviso questions, even one that included requesting and reviewing data, did not constitute analyzing data to form an opinion or conclusion. Therefore, members of the OCO-SCRT and WSIRB members agreed that while the research design could follow the normative guidelines of empirical research, without the analysis to form an opinion or conclusion, the design did not require an application to the WSIRB. While this is not an empirical research study, the OCO-SCRT adhered closely to universally recognized, ethical standards required of empirical research.

2.2 Methods of Data Collection: Demands and Review of WADOC Data

Chapter 43.06C RCW grants the Office of the Corrections Ombuds “the right to access, inspect, and copy all relevant information, records, or documents in the possession or control of the [WADOC] that the ombuds considers necessary in an investigation of a complaint[...].” Additionally, RCW 43.06C grants the office access to inspect all WADOC facilities and interview incarcerated individuals and WADOC employees.

In preparation of this three-part series, the OCO solitary confinement research team (OCO-SCRT) made the following nine separate demands for WADOC records and data:

1. Currently incarcerated individuals who have been in Administrative Segregation for 45 days or more in the fiscal year 2022-2023 or COA, Administrative Segregation, Disciplinary Segregation, or Max Custody for over 120 days during their current period of incarceration.
2. Max Custody list from July 2023 and March 2024.
3. Individuals currently on the out-of-state transfer list as of March 2024.

² Lincoln, Y.S. & Guba, E.G. (2000). Paradigmatic controversies, contradictions, and emerging confluences. In N.K. Denzin & Y.S. Lincoln (Eds.). *The Handbook of Qualitative Research* (2nd ed.), 163-188.

³ Bloomberg, L.D. and Volpe, M. (2018) *Completing Your Qualitative Dissertation A Road Map from Beginning to End*. 4th Edition, Sage, Los Angeles, CA.

⁴ Lincoln, Y.S. & Guba, E.G. (2000). Paradigmatic controversies, contradictions, and emerging confluences. In N.K. Denzin & Y.S. Lincoln (Eds.). *The Handbook of Qualitative Research* (2nd ed.), 163-188.

4. Dates of implementation for the transfer pod, progressions pods, and Washington Way Resource teams and a list of all programs that have been utilized in restrictive housing from January 1, 2014, until April 2024, including programs no longer used.
5. A list of individuals who have been placed ten or more times in MAX custody or Ad-Seg, or a combination of both placements, for a combined total equaling ten or more Ad-Seg/MAX custody placements.
6. Security enhancement plans for multiple individuals currently housed in MAX custody.
7. 72-hour cell confinement ordered for individuals in restrictive housing from February 2024 to April 2024.
8. Administrative segregation placements for FY 2022-2023 and a snapshot of the incarcerated population for FY 2022-2023.
9. Individuals who attempted or died by suicide between 2014 -2023 while housed in restrictive housing.

After receiving the data from WADOC, the OCO-SCRT did a full review of this data, independently verifying each data entry with a data point found in WADOC's OMNI (Offender Management Network Information). The WADOC uses OMNI, a software tool, to document, track, and inspect information about incarcerated individuals under its care, custody, and control, while also using the tool to support basic management of facility functions. OMNI is an integrated, web-based system of data points used by the WADOC since 1999, with various phases and updates deployed as needed and available.

Using OMNI, the OCO-SCRT independently verified placement reasons, sanctions, programming options, earned release date, and each individual's crime of conviction. The OCO-SCRT identified over 3,000 incarcerated individuals who fit the proviso questions' criteria and independently reviewed over 4,000 unique solitary confinement placements for those identified individuals.

The OCO-SCRT, by nature of their previously described dual roles as ombuds and researcher, were able to use their unique OCO subject matter experience with OMNI in ways that most external research teams likely cannot. Subject to laws and regulations, the WADOC is required to respond to external researchers' requests for data. Most external researchers use public records requests to obtain unique and static datasets from the WADOC. One of the ways that the OCO-SCRT is different than other external researchers is the ability to look through OMNI in real time, and review raw data. This additional layer of independent verification allowed the OCO-SCRT to draw greater understandings of the limits of each field in OMNI which helped refine records demands while developing a different type of understanding than could be made by only reviewing static data.

2.3 Method of Data Presentation – Datasets

The OCO solitary confinement research team (OCO-SCRT) – observing the OCO agency value of integrity: we believe in honesty, transparency, and authenticity – chose to create two new detailed datasets in response to the proviso questions. Datasets included in this report (Appendix 1 and 2) provide OCO-SCRT verified information about the people the proviso questions concern. The two data tables reveal trends and patterns about WADOC's use of solitary confinement, including types and lengths of placement, demographic information, and underlying crimes of convictions of the people held in solitary confinement. These datasets are published by the OCO-SCRT to provide greater access to information often shielded and held in secrecy by WADOC administrative policies and actions.

2.4 Research Limitations and Delimitations

All research has limitations, that is to say that all research has shortcomings. Research limitations are often created by the conceptual framework of the research design itself and are frequently thought of as the weakness of a study and are things regularly outside the researcher's control that impact the research. In contrast, research delimitations are the limits on a research study, such as the scope of the research, the research questions – put simply, research delimitations reflect the choices made by the researcher.

2.4.1 Limitations

The OCO solitary confinement research team (OCO-SCRT) relied heavily on WADOC data, in the form of responses to records demands and through independently verifying data points in OMNI. The quality and consistency of WADOC data is directly impacted by the different training and quality assurance expectations of each facility. Discrepancies in the data received and the data independently verified is likely due to human error at the point of input. In addition to accuracy of WADOC data in OMNI, the OCO-SCRT also noted significant problems with the quality of scanned pages, with some scanned files containing identifiable information belonging to numerous incarcerated individuals, many whom should not have been identified in the records demands.

The WADOC maintains electronic information about incarcerated individuals from 1980s through the early 2000s, often only through scans of handwritten records uploaded into the WADOC's electronic filing system called OnBase. These records are not automated in a searchable database, but rather, are uploaded into a central repository. The WADOC electronic system does not have the capability of electronically searching handwritten documents. Without an automated search function, scouring decades of scanned, handwritten records belonging to over 3,000 individuals, to verify the specific sanctions received that resulted in a solitary confinement placement, as well as all programming offered and accepted, would have been an extremely labor-intensive task that simply was not possible with the limited funding appropriated for this project. Recognizing the limitations of the WADOC data, the OCO-SCRT prioritized reviewing each person's scanned records to verify that they had, in fact, been placed in solitary confinement within the time frames outlined in the proviso questions.

2.4.1.1 Inconsistencies in the Data

The OCO solitary confinement research team (OCO-SCRT) identified numerous inconsistencies in the WADOC data. Inconsistencies include

- attempted suicides coded as
 - emergency transport
 - self-injury
 - other
- self-harm not identified as a suicide attempt

Due to inconsistencies in WADOC naming protocols and data entering procedures, the OCO-SCRT suspects that most data produced by WADOC on suicide attempts is likely incomplete. Additionally, the OCO-SCRT could not independently verify that some individuals identified in the WADOC data as attempting suicide in a solitary confinement setting had, in fact, attempted suicide in that setting. Therefore, those individuals are not included in the data.

2.4.2 Delimitations

The OCO solitary confinement research team (OCO-SCRT) made an intentional decision to boundary Part I by containing the report's framework within the proviso questions. By choosing to narrowly focus the first report on the proviso questions, the scope of this solitary confinement report is purposefully restricted. Constraining the focus of Part I to the WADOC data helps to narrow down and identify specific problems found in WADOC data, while simultaneously drawing attention to patterns easily identified by focusing on a single WADOC dataset.

3.0 Types of Solitary Confinement (Restrictive Housing)

Proviso Direction: Define the types of restrictive housing used by the department of corrections including, but not limited to, solitary confinement, administrative segregation, disciplinary segregation, protective custody, and maximum custody.

3.1 Overview of Terminology

Throughout this report, when discussing the WADOC agency action made to limit an individual's social contact for a determinate or indeterminate period of time, the OCO solitary confinement research team (OCO-SCRT) uses one consistent term: solitary confinement. However, there are many terms associated with segregated housing in WADOC prisons: solitary confinement, administrative segregation, disciplinary segregation, protective custody, and maximum custody are only a handful of the variations. Making meaning of these phrases requires recognition that different terms refer to different combinations of:

- Conditions imposed, including "privileges"
- Assigned statuses
- Physical locations or spaces

Conceptualizing solitary confinement conditions as being based on an individual's assigned status allows us to understand that individuals may be physically housed next to each other in identical cells; however, the reasons WADOC uses to place each individual in the solitary confinement cell may be very different.

3.2 Key Terms

3.2.1 Solitary Confinement

The WADOC defines solitary confinement as conditions "in restrictive housing where the individual is confined to a single-occupancy cell for more than 20 hours a day without meaningful human contact, out-of-cell activities, or opportunities to congregate."⁵ The WADOC also explains that these "conditions exist within restrictive housing areas such as Intensive Management Units (IMUs), Administrative Segregation (AdSeg) Units, Close Observation Areas (COAs), or other isolated settings within prisons."

3.2.2 Restrictive Housing

According to the WADOC, restrictive housing is defined as "the physical structure/unit in which individuals who pose a safety concern are housed, separated from the general population." Cells in restrictive housing units are single cells.

⁵ <https://doc.wa.gov/corrections/incarceration/restrictive-housing.htm>

Additionally, WADOC defines restrictive housing as “a housing assignment for individuals whose presence in general population is deemed to present a danger to self, others, or facility security.”⁶

3.2.3 Administrative Segregation (AdSeg)

Administrative segregation is a “hold” status, and is a tool used by the WADOC to temporarily house an individual away from general population for a variety of reasons, including: (1) person accused by the WADOC of posing a significant risk to the safety and security of staff or other individuals; (2) person requested protective status or the WADOC believes the person requires protective status; (3) person is pending transfer to a higher custody level at another facility than available at the current facility; (4) person is under investigation for a disciplinary infraction or Prison Rape Elimination Act (PREA) violation; or (5) person is at the facility due to a medical hold but the facility does not have housing appropriate for their custody level.

Per WADOC Policy #320.200 Administrative Segregation, if an individual is housed in Administrative Segregation (AdSeg) for more than 30 consecutive days, the person must be either:

- referred to the Headquarters Max Custody Review Committee for Max custody placement (referrals may occur at any time), or
- returned to the general population with clear behavioral expectations.

In 2021, a report released by the Office of the Corrections Ombuds⁷ documented the frequency and high number of extensions that WADOC grants, resulting in longer Ad Seg status stays in solitary confinement .

3.2.3.1 Protective Custody

Individuals requiring protective custody status (PC status) are assigned to administrative segregation (AdSeg) status in solitary confinement for safety purposes. According to the WADOC Policy #320.180 Separation and Facility Prohibition Management, an individual may be placed on PC status if the agency determines “based on specific, verifiable information that the individual may be at high risk of being assaulted or victimized based on the nature/notoriety of the crime, physical/mental vulnerability, or situations arising during incarceration.”

3.2.3.2 Dry Cell

According to the WADOC Policy #420.311 Dry Cell Search/Watch, individuals on dry cell watch are assigned to Administrative Segregation status and held in solitary confinement. The WADOC may place an individual on dry cell watch when the person is suspected of ingesting or internally concealing contraband.

3.2.4 Disciplinary Segregation

Until 2021, disciplinary sanctions under WADOC policy #460.050 Disciplinary Sanctions, Attachment 1 allowed for a hearings officer to sanction an individual to time in segregation known as “disciplinary segregation.” The maximum time that an individual could be sanctioned to segregation was 30 consecutive days for a Category A infraction which includes infractions for things such as aggravated assault (WAC 502 and 511), possessing a weapon (WAC 602), introducing drugs (WAC 603), rioting (WAC 650) and possessing or introducing a cellphone (WAC 882). Category B level 1, 2 and 3 and C level 1 infractions allowed for up to 25 consecutive days of segregation as a sanction. Category C level 2 infractions

⁶ <https://doc.wa.gov/docs/publications/400-GU042.pdf>

⁷ <https://oco.wa.gov/sites/default/files/Admin%20Seg%20at%20MCC%20Report%20with%20DOC%20Response.pdf>

allowed for up to 15 days consecutive segregation and Category C level 3 infractions allowed for up to 10 consecutive days. Category D infractions did not include segregation as a sanction option.

The WADOC eliminated the use of disciplinary segregation in 2021 as part of the Department's effort to reduce solitary confinement. Today, the WADOC disciplinary sanctions no longer include the option for a hearings officer to sanction someone to segregation time; however, individuals still may be sanctioned to cell confinement. When an individual is confined to cell/quarters, the individual is required to remain in their cell for a certain number of days based on the category of the infraction. During this time, individuals are not allowed to go to the yard, dayroom, or participate in programming. When serving the confined to cell/quarters sanction, individuals are only permitted to leave their cell for meals, showers, and mandatory callouts (e.g. medical appointments). If an individual breaks cell confinement sanctions, they will receive an additional infraction and another sanction.

3.2.5 Maximum Custody (MAX custody)

Max custody (MAX custody) is the most restrictive custody level in the WADOC. Individuals can be placed in MAX custody when the WADOC determines they pose a significant risk to the safety and security of staff or other incarcerated people. Some people assigned to MAX custody may also have validated protection needs or serious mental illness. People assigned to MAX custody must complete an assigned program in order to be eligible for promotion to a lower level of custody. MAX custody beds are located at Clallam Bay Corrections Center (CBCC); Monroe Correctional Complex (MCC), including parts of Sky River Treatment Center Residential Treatment Unit; Stafford Creek Corrections Center (SCCC); Washington Corrections Center (WCC); Washington Corrections Center for Women (WCCW); and the Washington State Penitentiary (WSP).

Once a person is referred to MAX custody, the placement referral is reviewed by the MAX Committee for a final decision. The committee is generally 10-12 people, consisting of the Mission Housing Administrator, Security Threat Group (STG) Specialists, Program Specialist, Treatment Specialist, Director of Behavioral Health, headquarters level classification experts, and facility personnel in custody, mental health, or classifications. In general, the committee meets weekly to review MAX custody placements. Classification reviews are conducted every six months to determine if the individual will be promoted to a lower custody level. All demotions, transfers, and promotions must be sent to Headquarters for another Max Committee review before a determination is made. Even if the person completes the required program, the WADOC is within policy to maintain the person in MAX custody in solitary confinement.

3.2.6 Close/Continuous Observation Status & Close Observation Area (COA)



Updated cell door in Close Observation Area at Monroe Correctional Complex (2024)

According to WADOC policy #320.265 Close Observation Areas, individuals may be put on close or continuous observation status (COA) because the WADOC determines that they pose an imminent risk to themselves or others or because they have a mental health concern that has resulted in a grave disability. Additionally, per the policy, only a mental health provider is authorized to place an incarcerated person on close/continuous observation status. Similarly, a mental health provider must determine the appropriate watch level.

Observation intervals include:

- Continuous watch: an officer must maintain constant direct line of sight with the individual. Per policy, cameras may not be used in place of an officer.
- Close 15-minute watch: an officer will observe the person at cell front for signs of life at irregular intervals, none of which may exceed 15 minutes in length.
- Close 30-minute watch: an officer will observe the person at cell front for signs of life at irregular intervals, none of which may exceed 30 minutes in length.

Dedicated cells for people on close/continuous observation status are referred to as close observation areas (COAs). COA cells are “suicide-resistant,” meaning that WADOC has made structural modifications to the cells to reduce the possibility of an incarcerated person attempting suicide. Typical COA cells have no privacy, and the individuals have no access to their tablets, kiosks, or recreation. The assigned mental health provider must determine an individual’s “conditions of confinement,” which limit the types of items allowed in the cell. Conditions of confinement may require that the incarcerated individual is restricted from items such as clothing (a security garment would be provided instead), pens, and paper.

3.3 Other Terms for Physical Structures & Locations

3.3.1 Intensive Management Unit (IMU)

The Intensive Management Unit (IMU) is the name of the unit most often used across the state to hold people in solitary confinement on MAX Custody or AdSeg by the WADOC.

3.3.2 Secured Housing Unit (SHU)

The solitary confinement areas most often used in camps are the Secured Housing Unit (SHU). Per WADOC policy #320.260 Secured Housing Units, individuals should only be held in SHUs for 14 days, with an extension of 7 days allowed under some circumstances. SHUs are intended for temporary housing. All standalone camp facilities have SHUs

including Mission Creek Corrections Center for Women (MCCCW), Cedar Creek Corrections Center (CCCC), and Olympic Corrections Center (OCC).

3.3.3 Special Management Unit (SMU)

The Special Management Unit (SMU) is a facility specific term that describes the solitary confinement units at Airway Heights Corrections Center (AHCC) and Coyote Ridge Corrections Center (CRCC). These units are meant to serve as temporary solitary confinement units for people waiting to transfer to a different, long-term housing assignment, or to be returned to the general population.

3.3.4 Restrictive Housing Unit (RHU)

The Restrictive Housing Unit (RHU) is a facility-specific term that describes the solitary confinement unit at Clallam Bay Corrections Center (CBCC).

3.3.5 Residential Treatment Unit (RTU)

Residential Treatment Units (RTU) are units where people receive a more intensive level of mental health treatment services than typically can be provided in general population units. RTUs are located at Monroe Correctional Complex (MCC), Washington Corrections Center for Women (WCCW), and Washington State Penitentiary (WSP), and serve different levels of custody.

The RTUs at MCC and WCCW have dedicated solitary units:

- MCC - Sky River Treatment Center (SRTC), formerly known as the Special Offender Unit (SOU), has six units.
 - Unit A: ad seg
 - Unit B: Intensive Treatment Unit (ITU) for “highly disruptive and unpredictable individuals”⁸
- WCCW - Treatment & Evaluation Center (TEC)
 - TEC-Acute: solitary confinement

3.3.6 Infirmary/Inpatient Unit (IPU)

Incarcerated individuals on “medical isolation” due to an infectious disease are typically temporarily held in an infirmary or inpatient unit (IPU). Additionally, some individuals living with a long-term illness are also held for longer terms in the IPU. As there is no scheduled time out of cell or programming in the IPU, and privileges are often limited in these spaces, even the WADOC agrees that these settings meet the definition of solitary confinement.

3.3.7 Death Row

Individuals sentenced to the death penalty (ISDP) lived on death row at the Washington State Penitentiary (WSP) until 2008, when the WADOC reclassified them to MAX Custody and housed them in WSP’s Intensive Management Unit (IMU) in solitary confinement. The individuals sentenced to the death penalty remained housed in the IMU for a decade – from 2008 to 2018 – when they were re-classified and permitted to live in lower custody levels based on the ruling in the case of *State v. Gregory* where the Supreme Court of Washington found the death penalty invalid because it was imposed in an arbitrary and racially biased manner. Later, in April 2023, the legislature approved, and Governor Inslee signed into law, Senate Bill 5087 which removed the death penalty from state law.

⁸ <https://www.doc.wa.gov/docs/publications/100-PL019.pdf>

3.4 Restrictions and Limitations in Solitary Confinement

A sampling of the additional restrictions and limitations to movement placed on people when they are held in solitary confinement are listed below.

3.4.1 Property Restrictions

Individuals have limited access to their personal property while in solitary confinement. The Office of the Corrections Ombuds (OCO) has substantiated multiple incidents in which the WADOC destroyed incarcerated individual's purchased food and purchased personal hygiene after exceeding a certain amount of time in solitary confinement.

3.4.2 Pen or Paper Restriction

If the WADOC determines that an incarcerated individual is found to be misusing a pen or paper, these items will be removed from their cell, and they will be placed on a pen and/or paper restriction. Paper restrictions often include all books and paper, including toilet paper.

3.4.3 No-Contact Visits

Individuals housed in solitary confinement units are allowed visits; however, visits are strictly limited to a no-contact room. Typically, no-contact rooms are a small booth, with a plastic barrier separating the visitor from the incarcerated person. The WADOC may require the incarcerated individuals be restrained during the visit.

3.4.4 Security Enhancement Plans

WADOC Policy #320.255 Restrictive Housing, allows the WADOC to issue security enhancement plans (SEPs) for incarcerated individuals who the WADOC views as dangerous to the safety and security of staff. The plans are frequently taped to the front of the individual's cell to alert staff. Most individuals found guilty of an assault, weapon possession, or taking a cuff port hostage will be assigned a mandatory security enhancement for 14 days. These plans frequently include a combination of a four-person escort whenever the individual leaves their cell, a camera present during movements, and/or leg restraints.

3.5 Table of WADOC Solitary Confinement Only Units

WADOC Solitary Confinement Only Units		
Facility Name	Restrictive Housing Unit Name	Capacity
Airway Heights Corrections Center	SMU	64
Cedar Creek Corrections Center	SHU	8
Clallam Bay Corrections Center	RHU	124
Coyote Ridge Corrections Center	SMU	100
Mission Creek Corrections Center for Women	SHU	4
Monroe Correctional Complex	IMU & SRTC (Units A & B)	172
Olympic Corrections Center	SHU	28

Stafford Creek Corrections Center	IMU	136
Washington Corrections Center	IMU	124
Washington Corrections Center for Women	IMU & TEC (TEC-Acute)	56
Washington State Penitentiary	IMU (IMU-North & IMU-South)	294

4.0 Incarcerated Persons Who Have Lived in Solitary Confinement

Proviso Direction: Prepare a report on incarcerated persons who have been in solitary confinement or any form of restrictive housing for

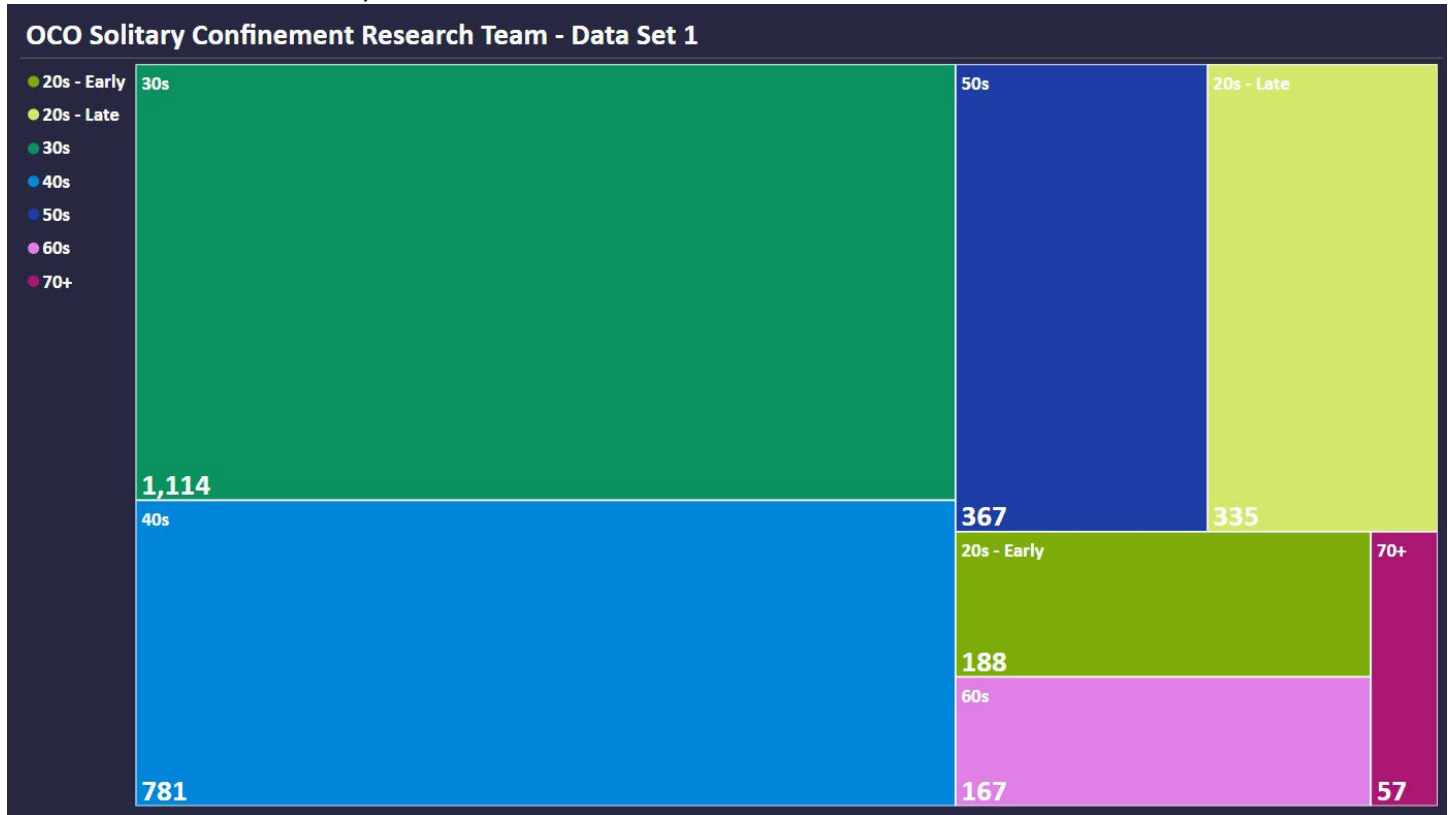
- **more than 120 days during their period of incarceration or**
- **more than 45 days in the fiscal period from July 1, 2022, to June 30, 2023.**

The OCO solitary confinement research team (OCO-SCRT) reviewed thousands of solitary confinement placements spanning from the 1980s to 2024. As requested by the proviso, the OCO-SCRT identified over 3,000 individuals, who in late 2023 were still currently incarcerated and had served more than 120 total days in solitary confinement or more than 45 days in Fiscal Year 2023 (July 1, 2022 – June 30, 2023). Data reviewed by the OCO-SCRT show that a significant percentage of the people identified had been placed in solitary confinement more than once. Ultimately, the OCO-SCRT reviewed more than 4,100 unique solitary confinement placements, with at least one person being placed in solitary confinement by the WADOC more than 25 times.

As of December 2023, there were over 3,000 currently incarcerated individuals in WADOC who have served more than 120 days in solitary confinement . . . or had been held in solitary confinement for more than 45 days in Fiscal Year 2023 (July 1, 2022-June 30, 2023).

4.1 Age Ranges of People in WADOC Solitary Confinement – Graphic

The graphic below makes visible the broad age ranges of the thousands of people identified in this report as having served time in WADOC solitary confinement.



4.2 What types of placements did people in the dataset have?

Proviso Direction: Identify the specific type of restrictive housing each incarcerated person was placed in and the reason for the placement

The OCO solitary confinement research team (OCO-SCRT) identified 6,120 unique instances of WADOC solitary confinement placements in FY2023. The data revealed patterns of people entering and exiting solitary confinement throughout the review period. Some placements lasted less than one day, with a significant number extending far past 45 days. All documented FY2023 solitary confinement placements can be reviewed in the dataset found in Appendix 2.

Systems, patterns, and practices of the WADOC solitary confinement were uncovered through the review of ten years of data. The dataset found in Appendix 1 provides a deep dive into the administrative actions driving solitary confinement placements.

4.3 Why were people in the dataset housed in solitary confinement?

According to the WADOC records reviewed, placement in solitary confinement is most often related to the following categories:

- Threat to Safety & Security (Violence)
- Threat to Orderliness of Facility
- Protective Custody (Involuntary & Voluntary)
- Refusal of Housing Assignment

- Contraband
- County Violator/Boarder Status

The following pages provide a summary definition of the reason for solitary confinement placement categories.

4.3.1 Threat to Safety & Security (Violence) – Including Threats to Self

Circumstances resulting in a solitary confinement placement due to posing a threat to safety and security vary significantly. Examples include threats, “strongarming” or intimidation, fights, assaults, and homicide. While the duration of time the individual is housed in solitary confinement will differ, the initial placement due to the potential for violence is the same.

Threats include statements made by an individual that are perceived by another incarcerated individual or WADOC to be threatening in nature. Individuals may be housed in solitary confinement pending the outcome of an infraction investigation or while waiting for an infraction hearing.

Staff assaults vary in severity; however, all result in the same infraction (WAC 704) along with placement in solitary confinement. Someone who purposefully tips over a paper cup of water resulting in water spilling on an officer will be issued a staff assault infraction (WAC 704) in the same way that an individual who punches an officer in the head is infraacted. Both incidents would result in an infraction and placement in solitary.

4.3.2 Threat to Orderliness of Facility

Threats to the orderliness of a facility include a wide range of circumstances other than violence, such as:

- Certain holds:
 - Medical: A person who is pending a transfer for medical treatment, but they are in a facility that does not house their classification level
 - Transgender Housing Protocol: A person who is transgender is awaiting transfer to an appropriate facility.
 - Court Appearance: A person who has a court appearance scheduled in a location that is a long distance from their assigned facility.
- Infection Control: During the COVID-19 pandemic, the Department used restrictive housing units as isolation units. Most individuals incarcerated between 2020 and 2022 served time in isolation for COVID-19. The time spent in isolation varied from facility to facility.
- Escape risk
- Notoriety
- Individuals sentenced to death penalty (ISDP)

Certain types of refusal also fall into this category, including:

- Refusal of staff directives (WAC 509) These directives may range from telling an individual to sit on a stool to telling an individual to return to their cell in lieu of an officer deploying OC spray due to an escalating situation.
- Refusing to submit to a search (WAC 556): Additionally, a person may not specifically refuse a search but ask for another staff member to conduct the search. The WADOC typically views this as a refusal, which results in an infraction and placement in solitary confinement.
- Refusing to proceed or disperse (WAC 509).
- Refusing to submit to a urinalysis (UA) (WAC 607): Some instances of individuals refusing a UA are because the individual knows that the test will be positive for substances. However, other instances may be due to the person being physically unable to provide a sample at the time requested. Regardless of the reason, the outcome is the same.
- Refusing to submit to a breath analysis (BA) test (WAC 608)

- Refusing to participate in available work or education (WAC 557). This can vary from an individual refusing to go to work for several shifts to an individual not following the proper protocol for submitting their two weeks' notice to quit a job.

4.3.3 Refusal of Transfer or Housing Assignment

Individuals' reasons for refusing to transfer to another facility (WAC 745) or refusing a cell assignment (WAC 724) are often rooted in safety concerns at the facility, unit, or cell. Safety concerns may be due to a variety of reasons, such as:

- security threat group (STG) affiliations
- crime of conviction
- drug debts

Prior to a transfer of units or facilities, individuals have the ability to voice safety concerns to the facility risk management team (FRMT). WADOC often requires that these safety concerns be verified by the Intelligence and Investigations Unit (IIU). If IIU does not verify the safety concerns, the individuals are often transferred to the facility of concern. If the individual disagrees with this decision and refuses the new placement, they will likely be placed in solitary confinement.

4.3.4 Contraband

Solitary confinement placements resulting from contraband may stem from incidents related to bringing in or attempting to bring drugs into a facility, possessing drugs, making alcohol (even possessing too many fruits is sufficient reason to allege intent to make "pruno"), or possessing items such as drug paraphernalia, cellphones, tattoo motors, or weapons.

4.3.5 Protective Custody (Involuntary & Voluntary)

Safety concerns can result in voluntary or involuntary protective custody.

- Voluntary protective custody: an individual requests protection due to fear for their physical safety; WADOC is able to verify that concern.
- Involuntary protective custody: the WADOC has reason to believe an incarcerated person's life is in danger, but the individual disagrees.

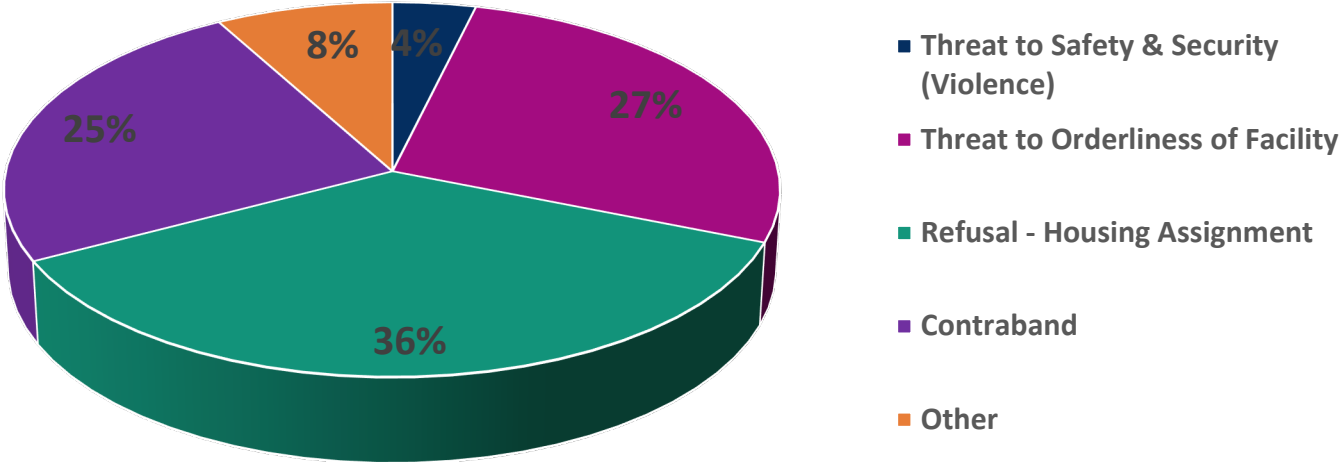
4.3.6 County Violator/Boarder Status

Individuals on community custody supervision who receive a sanction while in the community can be held in solitary confinement inside a WADOC prison to serve their sanction. This population is referred to by WADOC as "violators." If a county, city, or tribal jail does not have the resources to provide proper care to individuals awaiting trial, they may ask the WADOC to hold these individuals during the process. These individuals are often referred to as "boarders."

The following graphs illustrate the top five reasons for solitary confinement placement in WADOC during the timeframe 2014-2023.

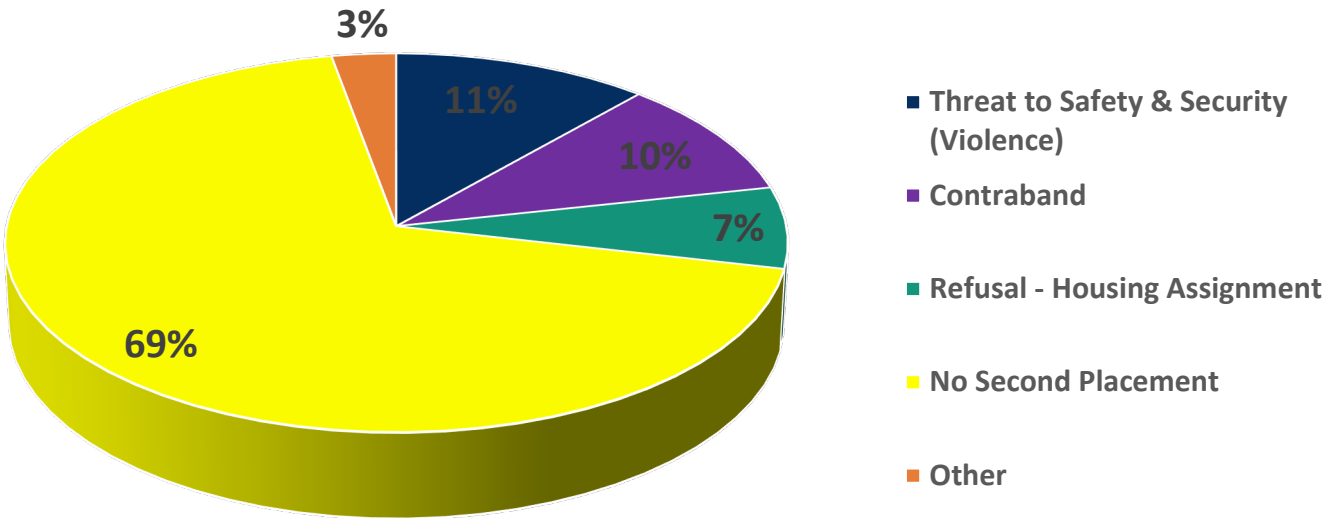
4.4 Reasons for First Placement in WADOC Solitary Confinement – Graphic

Reasons for First Placement in WADOC Solitary Confinement (2014-2023)



4.5 Reasons for Second Placement in WADOC Solitary Confinement – Graphic

Reasons for Second Placement in WADOC Solitary Confinement (2014-2023)



5.0 Underlying Crimes of Conviction

Proviso Direction: Provide information regarding each incarcerated person's underlying offenses

Solitary Confinement Dataset 1, Appendix 1, includes the first three crimes of conviction for each person held in solitary confinement. Some individuals in the dataset are serving time on only one conviction, whereas others may be serving time on dozens. The OCO solitary confinement research team (OCO-SCRT) determined that the best way to de-identify the data, while answering the proviso questions, was to limit the list to the first three crimes of convictions per person.

In addition to limiting the crimes of convictions to the first three, the OCO-SCRT used umbrella coding to combine various crimes of convictions into a manageable list of codes with the goal of increasing the practical uses of the dataset. The umbrella codes primarily follow definitions found in the Washington Criminal Code, RCW 9A, along with definitions of terms found in the following RCWs: 16.52.205, 69.50, 46.61.502, 70.74, 69.50.415, and 26.50.

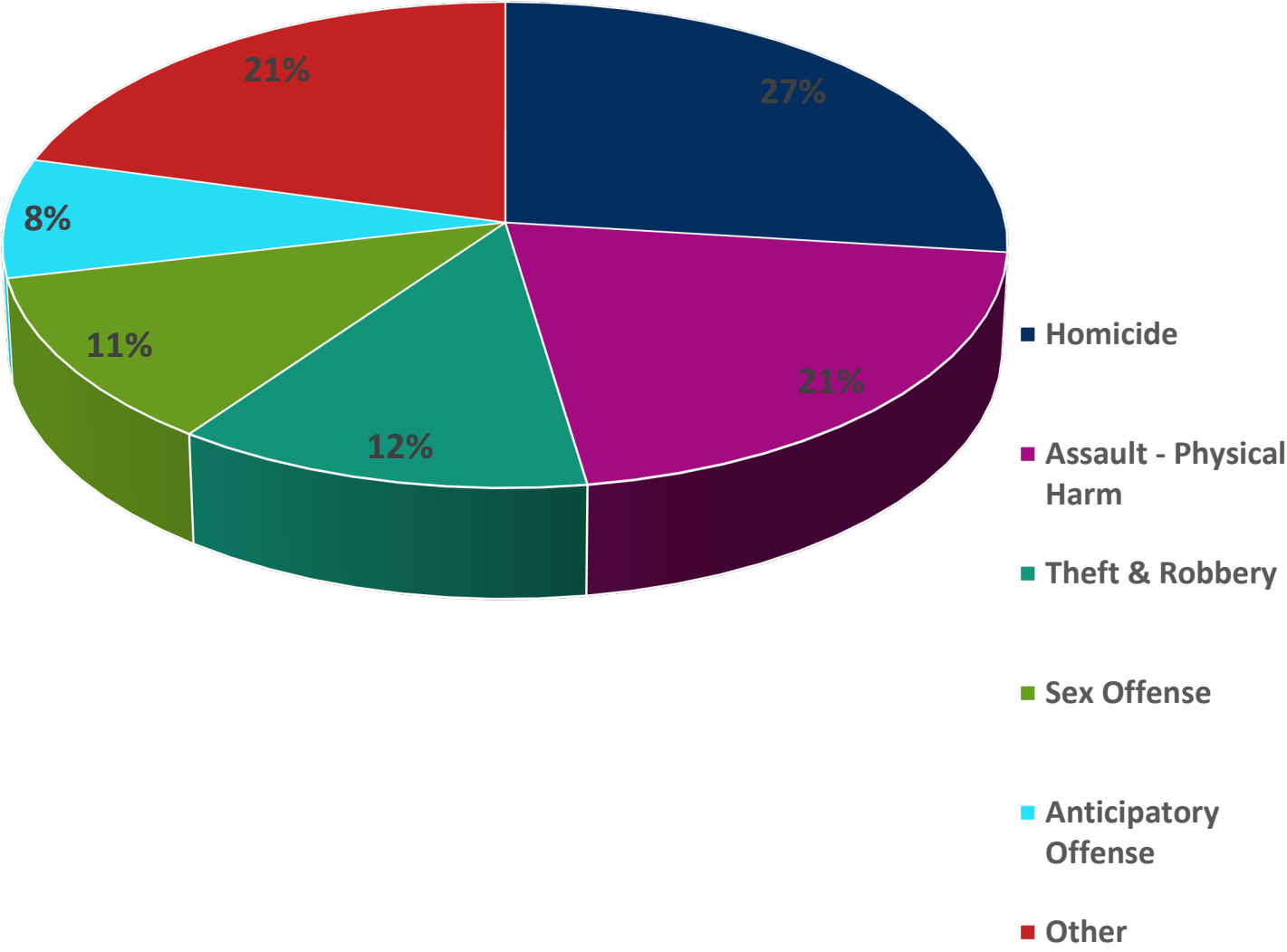
Some people in the dataset were released during the time between the OCO-SCRT made the record demands to the WADOC and the publication of this report in June 2024. For consistency in the dataset, their crimes of convictions are listed as closed (person released and crimes closed) and/or vacated (person released and crimes vacated).

By de-identifying the data, the OCO-SCRT can share more information about the people living in WADOC solitary confinement with a greater audience. Furthermore, this de-identified data enhances opportunities for collaborative research efforts.

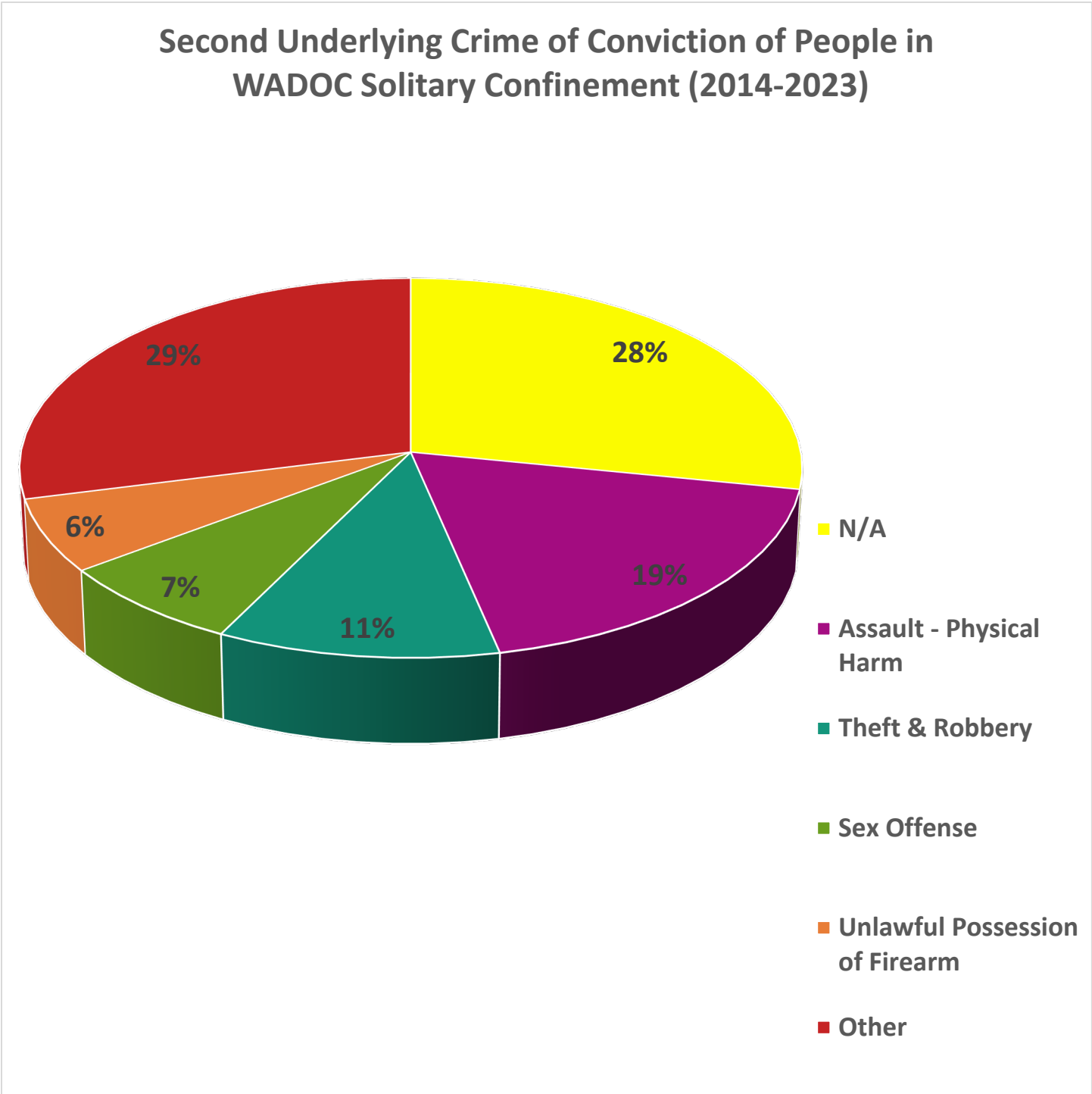
The following three pie charts present the percentage of each umbrella code crime of conviction found in the dataset.

5.1 First Underlying Crime of Conviction of People in WADOC Solitary Confinement – Graphic

First Underlying Crime of Conviction of People in WADOC Solitary Confinement (2014-2023)

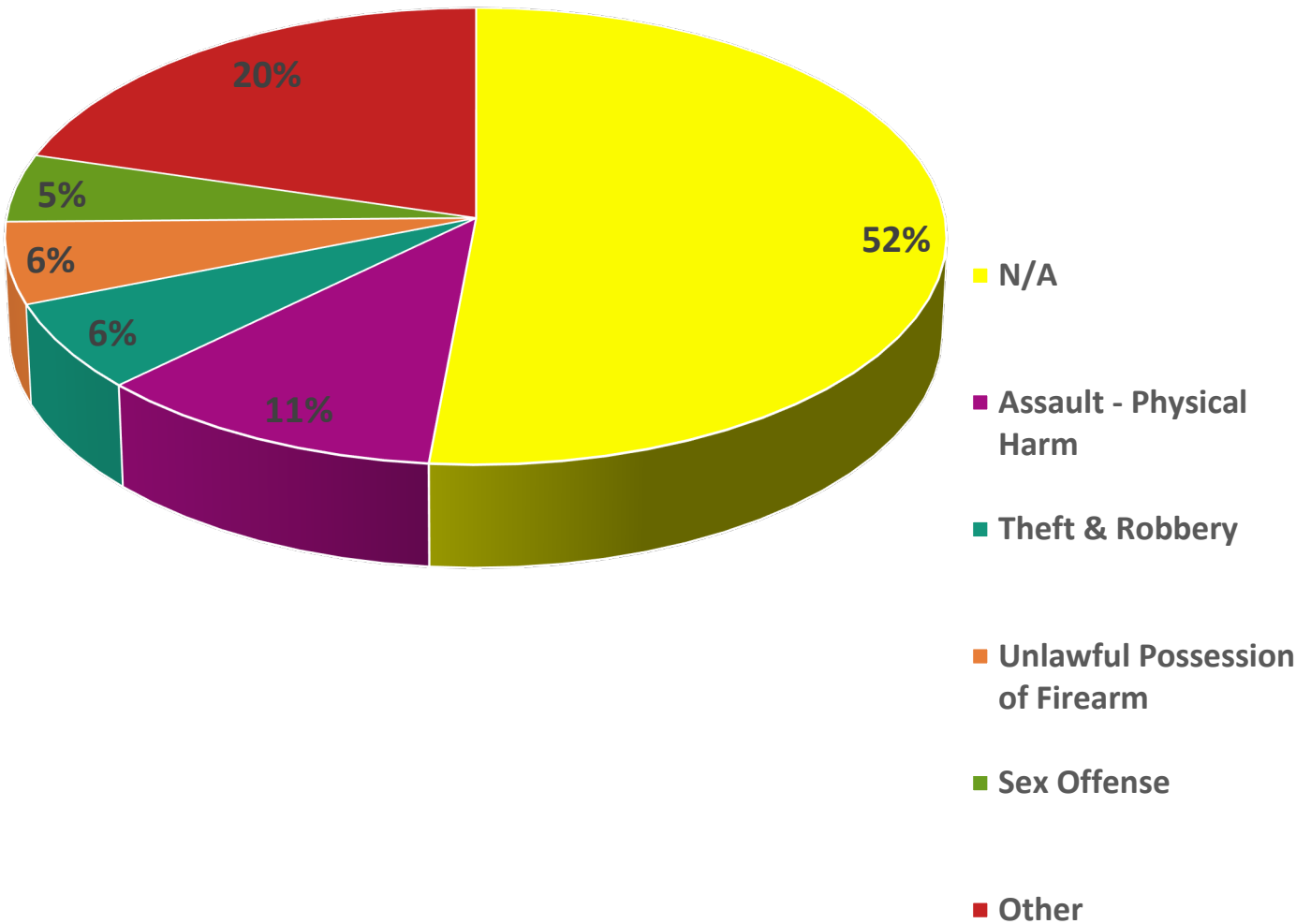


5.2 Second Underlying Crime of Conviction of People in WADOC Solitary Confinement – Graphic



5.3 Third Underlying Crime of Conviction of People in WADOC Solitary Confinement – Graphic

Third Underlying Crime of Conviction of People in WADOC Solitary Confinement (2014-2023)



6.0 Sanctions

Proviso Direction: Identify any sanctions imposed during the incarceration of each person

6.1 Sanctioning Guidelines

According to WADOC Policy #460.050 Disciplinary Sanction, sanctions are intended to impact and guide behavior rather than to punish, and will be determined based on the circumstances, seriousness of the offense, and the individuals' previous conduct record. Appendix 3, Sanctioning Guidelines (DOC 460.500 Attachment 2), is the most current data available from the WADOC related to prison-initiated, mandatory sanctions and sanctions imposed for violations. The WADOC groups sanctions into three categories:

- Loss of Privileges
- Loss of Good Conduct Time Credits
- Loss of Earned Time Credits

According to WADOC data reviewed by the OCO solitary confinement research team (OCO-SCRT), the most commonly imposed sanctions for individuals assigned to solitary confinement are loss of privileges and loss of earned time credits.

6.2 Discontinued Sanction – Disciplinary Segregation

Numerous studies, including longitudinal empirical studies, suggest that the use of disciplinary segregation has not been proven to be effective in changing behavior or rates of institutional violence. In 2021, responding to changes in the field of corrections, and in response to the research that shows that disciplinary segregation is not effective at deterring future infractions or preventing violence, the WADOC discontinued the use of disciplinary segregation as a sanction.

7.0 Remaining Time on Sentence

Proviso Direction: State the amount of time each person has remaining in total confinement

7.1 Earned Release Date (ERD)

In Appendix 1, the dataset includes the current, as of June 2024, Earned Release Date (ERD) of each individual in groupings of years. The OCO solitary confinement research team (OCO-SCRT) purposefully grouped the ERD as a means to simultaneously de-identify the data while maintaining data fidelity.

According to WADOC Policy #350.100 Earned Release Time, the reduction of confinement days for an individual committed to confinement as required by law is known as Earned Release Time (ERT). Incarcerated individuals can earn reduction in confinement days through two pathways:

- Earned Time for program participation
- Good Conduct Time for good behavior

Per policy, individuals are ineligible for earned time if they serve 20 consecutive days or more in solitary confinement for negative behavior or unfounded/unsubstantiated protection concerns.



Close Observation Area Cell at
Monroe Correctional Complex (2023)

8.0 Attempted Suicides and Deaths by Suicide

Proviso: Document any attempted suicides by each individual in restrictive housing over the past 10 years and the reason, if known

ESSB 5187 directed the OCO solitary confinement research team (OCO-SCRT) to report on any attempted suicides in restrictive housing over the past 10 years, and the reason if known. In this section, the OCO-SCRT outline data findings as well as contextual information, including S-codes and MAX custody placements for people in Residential Treatment Units.

A review of the data revealed 176 attempted suicides and suicides of people in WADOC solitary confinement over the past 10 years. ... Fourteen of the individuals identified in this dataset died by suicide.

A review of the data revealed 176 attempted suicides and suicides of people in WADOC solitary confinement over the past 10 years. The OCO-SCRT found that some individuals are captured multiple times in this dataset due to multiple documented incidents of self-harm and suicide watch.

Of the documented incidents, 137 were deaths or attempts to die by hanging or self-strangulation using bed sheets, shoelaces, clothing, or a suicide smock. The other 39 incidents primarily involved the use of razors, swallowing objects, or overdosing on medications.

Fourteen of the individuals identified in this dataset died by suicide. Each of these 14 people died by asphyxiation due to hanging or self-strangulation. WADOC documentation revealed that one of the individuals had 39 documented suicide attempts and/or self-harm incidents prior to their death. Another individual had nine documented suicide attempt/self-harm incidents before their death.

For this report, the OCO-SCRT made the decision to include data from the Reception Center Units at Washington Corrections Center (WCC). Until recently, individuals in receiving at WCC spent 20 or more hours per day in their cells. In November 2023, WCC staff, recognizing that conditions there amounted to solitary confinement, implemented longer dining and rec times that result in more than four hours out of cell time.

8.1 Mental Health Codes

PULHES (pronounced “pull-heez”) codes are meant to assist staff “in determining the best placement for living and working for incarcerated individuals.”⁹ Each letter represents a different healthcare need. When an incarcerated individual has been assessed by WADOC health services staff, the staff person then assigns a number to each letter. Generally speaking, the higher the number, the higher the need.

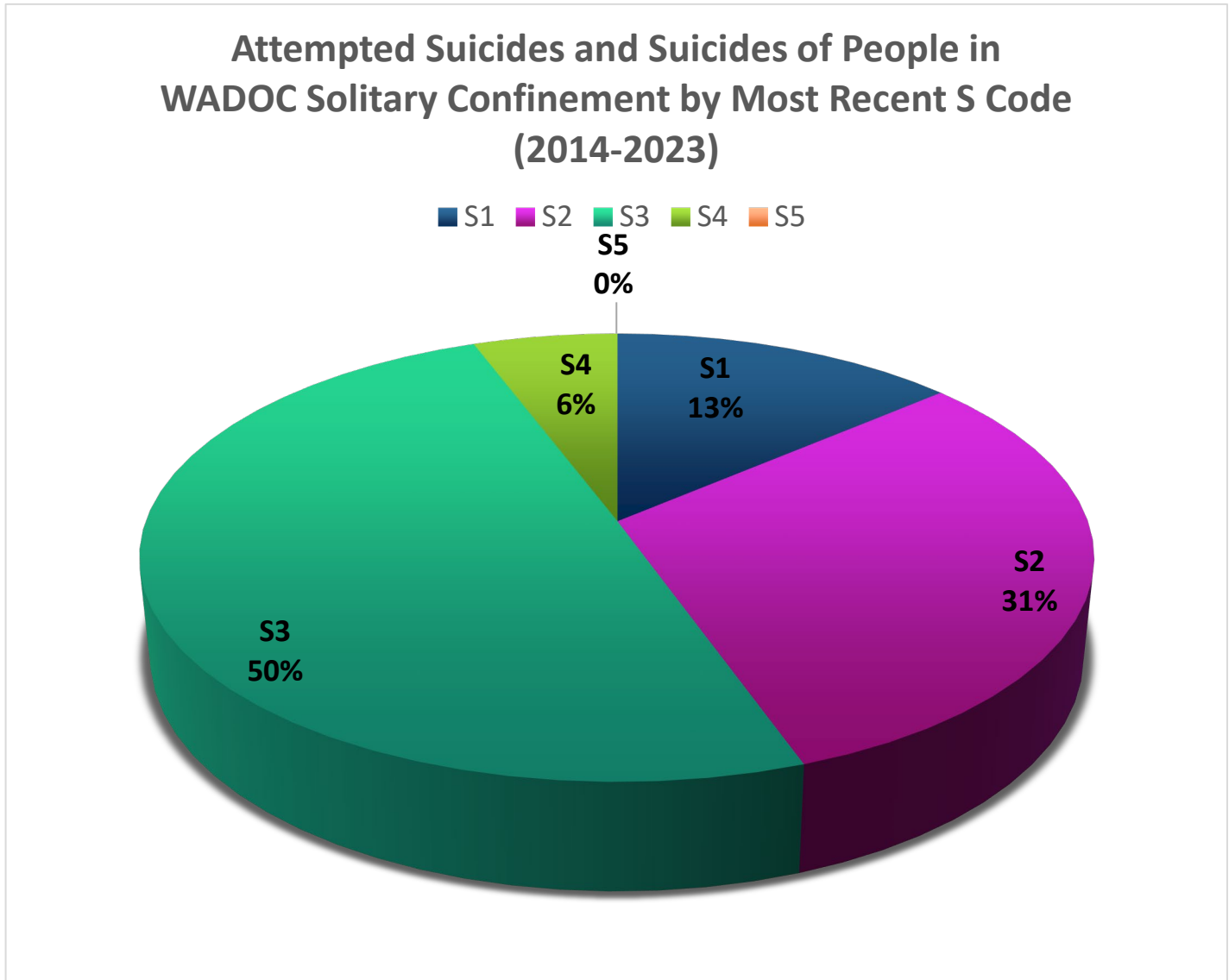
A person’s S code is meant to reflect their mental health service utilization. Any number greater than 1 (no identified mental health need) indicates that the person is on WADOC’s mental health caseload. S codes 2, 3, 4, and 5 (most significant) reflect increasing mental health services use and needs. Below are general guidelines found in OMNI for understanding S codes.

- **S1:** No serious mental illness symptoms are currently evident; any symptoms that are present are normally expected reactions to situational stress.
- **S2:** Mild symptoms of mental illness; may have mild deficits in functioning or mood but can be maintained in the general population with minimal mental health treatment.
- **S3:** Current active symptoms of mental illness; moderate severity with some noted problems with functioning (e.g. school, work, interpersonal) could be managed in general population(G.P.) with appropriate mental health treatment.
- **S4:** Significant active symptoms that cause serious impairment in functioning in one or more areas may pose a safety risk to other incarcerated individuals or others, unable to function in G.P., require more intensive treatment- should be placed in a Residential Treatment Unit (RTU).
- **S5:** Significant active symptoms in most or all areas, maybe a safety risk for self and others, cannot be safely managed in a G.P. setting, requires treatment in a specialized mental health setting (e.g. COA, RTU)

The pie chart below shows the most recent S code of all 176 people who were identified in this dataset. The OCO-SCRT was unable to obtain an individual’s S code on the date they attempted suicide. However, it is notable that the majority of individuals were either S3 or S4 at the time the OCO-SCRT obtained this data from the WADOC. Also noteworthy is that the three individuals who died by suicide while in Receiving Units at WCC had a code of S1. The default S code assigned to people who have just arrived at prison is S1.

⁹ WADOC PULHES Codes Guidelines, Version 4.2, January 2023.

8.2 Attempted Suicides and Suicides of People in WADOC Solitary Confinement by Most Recent S Code – Chart



8.3 Total Attempted Suicides & Suicides in WADOC Solitary Confinement (2014-2023) – Table

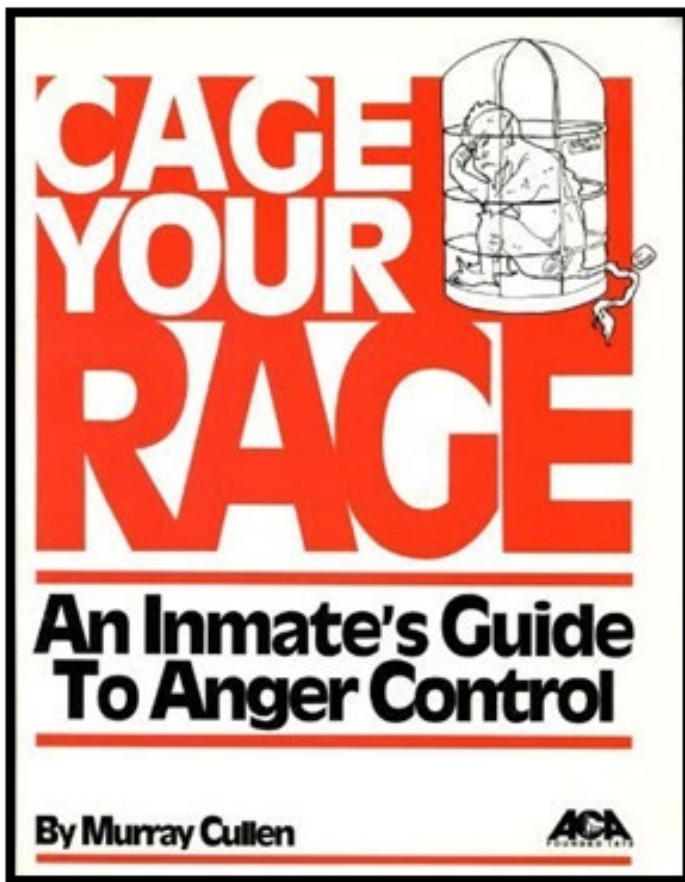
Data in the table below show the numbers of attempted suicides and deaths by suicide by people housed in solitary confinement settings across WADOC facilities over the past 10 years. Data from each facility is further divided by types of solitary settings:

- Health Services, which includes Residential Treatment Units, Close Observation Areas, Hospital/Infirmary, and Medical Isolation
- Facility-specific solitary confinement unit (IMU, SHU, SMU, etc.)
- Receiving Units

Attempted Suicides & Suicides in WADOC Solitary Confinement 2014-2023		
WADOC Facility	# of Attempts	# of Suicides
Airway Heights Corrections Center (AHCC)		
AHCC – Health Services	3	2
AHCC – SMU	16	-
AHCC Total	19	2
Clallam Bay Corrections Center (CBCC)		
CBCC – Health Services	-	-
CBCC – IMU	8	-
CBCC Total	8	-
Cedar Creek Corrections Center (CCCC)		
CCCC- Health Services	-	-
CCCC- SHU	1	-
CCCC Total	1	-
Coyote Ridge Corrections Center (CRCC)		
CRCC – Health Services	-	-
CRCC – SMU	2	-
CRCC Total	2	-
Larch Corrections Center (LCC)		
LCC – Health Services	-	-
LCC – SHU	-	1
LCC Total	-	1
Monroe Correctional Complex (MCC)		
MCC – Health Services	14	4
MCC – IMU	10	2
MCC Total	24	6
Mission Creek Corrections Center for Women (MCCCW)		
MCCCW – Health Services	-	-
MCCCW – SHU	1	-
MCCCW Total	1	-
Olympic Corrections Center (OCC)		
OCC – Health Services	-	-
OCC – SHU	1	1
OCC Total	1	1
Stafford Creek Corrections Center (SCCC)		
SCCC – Health Services	1	1
SCCC – IMU	13	-
SCCC Total	14	1
Washington Corrections Center (WCC)		
WCC – Health Services	1	-
WCC – IMU	10	-
WCC – Receiving Units	32	3
WCC Total	43	3

Washington Corrections Center for Women (WCCW)		
WCCW – Health Services	3	-
WCCW – IMU	4	-
WCCW— Receiving Units	1	-
WCCW Total	8	-
Washington State Penitentiary (WSP)		
WSP – Health Services	19	-
WSP – IMU	22	-
WSP Total	41	-
WADOC Total	162	14

9.0 Programming



Proviso Direction: Describe the programming offered to and accepted by each incarcerated person during the person’s period of restrictive confinement.

9.1 Programming in MAX Custody

Individuals living in solitary confinement, assigned to MAX custody must complete a program before the WADOC will approve their promotion to a lower custody level. These programs have changed many times over the decades. Currently, the WADOC offers two in-cell programming: Hustle 2.0 and Cage Your Rage. These programs are a modified self-paced and directed, in-cell program which an incarcerated individual completes alone in their cell and submits a completed part of the program to their counselor to be “turned in” and marked as complete. Individuals in MAX Custody may also be offered GED, Redemption, and substance use disorder classes in certain facilities, dependent on available staffing.

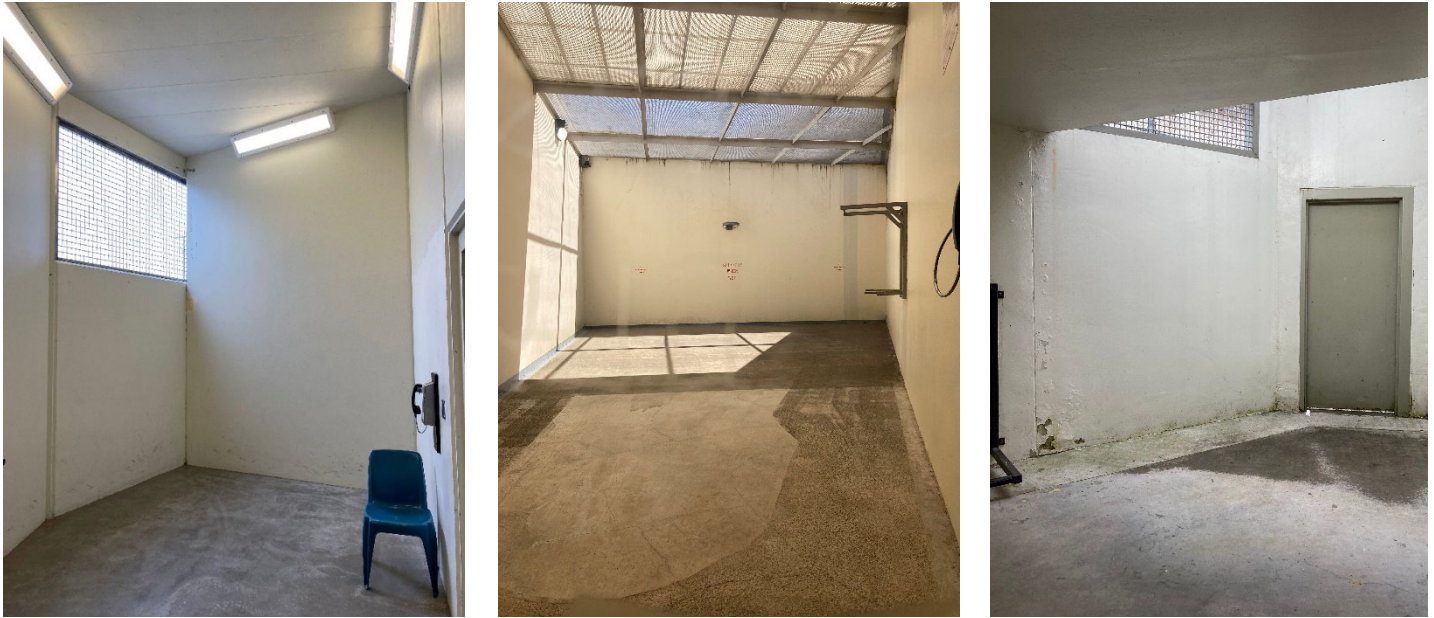
Hustle 2.0 is offered at nearly every major facility and is described as a program that “reduces crime, violence, and recidivism by equipping incarcerated people with motivation, knowledge, and skills to transform their lives by changing their thoughts and behaviors.” According to the Hustle 2.0 website, it is currently used in over 376

corrections facilities across 47 states.¹⁰

Cage Your Rage is a program offered in IMU settings such as Washington State Penitentiary (WSP) and Monroe Correctional Complex (MCC). The program is described by the author as “the perfect rehabilitation resource for inmates in prisons, jails, and detention centers.” The program was first published in 1992.¹¹

¹⁰<https://www.hustle20.com/>

¹¹<https://www.impactpublications.com/product/cage-your-rage-program-enhanced-curriculum/>



Left to Right: Solitary Confinement Yards at Coyote Ridge Corrections Center, Stafford Creek Corrections Center, and Monroe Correctional Complex

9.2 Programming in Administrative Segregation and Health Services Settings

Individual units may provide informal activities and depending on staffing availability, there may be exceptions. In general, individuals in solitary confinement under the following statuses rarely receive programming: administrative segregation, close observation, inpatient unit, or any status other than MAX.

9.3 Programming and Informal Activities in WADOC Solitary Confinement – Table

Through records demands and conversations with individual WADOC unit staff, the OCO solitary confinement research team (OCO-SCRT) developed the following list of active WADOC programming and informal activities which are offered in some solitary confinement areas throughout the state. Unfortunately, due to the inconsistent nature of WADOC's record keeping, the OCO-SCRT was unable to independently establish a complete landscape of programs and activities offered by facility.

As previously stated, the limitations of the WADOC data precluded the OCO-SCRT's ability to independently identify and verify each program offered to and accepted by individuals in the dataset. Part II of this series will provide additional insight into the lack of programming experienced by individuals who have lived in solitary confinement over the past decade.

Programs & Informal Activities in WADOC Solitary Confinement	
Program	Informal Activity
Acceptance and Commitment Therapy	Arts and Crafts
Basic Skills in Classroom	Cards
Beekeeping	Chess or Checkers

Cage Your Rage (in-cell)	In Unit Jobs
Challenge Program	Puzzle and Game Packets
Cognitive Behavior Change Program (in-cell)	Religious Groups
Coping skills	Yard/Exercise Equipment
WADOC ART	
Education	
Gardening	
Getting it Right	
House of Healing	
Hustle 2.0	
MRT	
Nature Imagery Room	
Recovery Workshop, Chemical Dependency, & AA	
Redemption	
Reentry Life Skills	
Stress and Anger Management	
Thinking for a Change (T4C)	
Transfer Pod	
Truthought	
Washington Way (Amend)	

10.0 Short-Term Policy Changes

Proviso Direction: Identify any short-term policies identified, implemented, or improved by the department for the restrictive housing population including, but not limited to, lighting, ventilation, and access to personal property, communication, and visitation

In early 2023, WADOC announced plans to reduce solitary confinement by 90 percent over five years. WADOC formed the Solitary Confinement Transformation Project to identify ways to safely increase meaningful time out of cell. This plan focuses on providing more than four hours out of cell per day, improving staff training and ratios, expanding program access, enhancing alternatives to solitary confinement, and increasing the efficiency of movement through restrictive housing.¹² While this is the long-term plan that WADOC has expressed interest in meeting, there are several other short-term changes that WADOC has made related to solitary confinement.

10.1 Amend - Washington Way

Amend at the University of California, San Francisco is a public health and human rights program focused on culture-change initiatives, public education, advocacy, staff training, and policy-oriented research. Using the Norwegian Correctional Services as a primary example of progressive and public-health focused principles, Amend focuses on three theories: (1) normalization, (2) dynamic security, and (3) progression.

¹² <https://www.doc.wa.gov/corrections/incarceration/restrictive-housing.htm>

Beginning in 2020, the WADOC launched a partnership with Amend to establish the program’s principles and theories in the Washington corrections system. Later rebranded by WADOC as “the Washington Way” the program aims to transform correctional culture by focusing on health and wellness outcomes for staff and incarcerated individuals. As the Washington Way is incrementally rolled out throughout WADOC, as of spring 2024, the program is deployed in two WADOC IMUs:

- Stafford Creek Corrections Center: Started in August 2022 and began activities the next month. A new team started in September 2023 when the positions became biddable.
- Washington State Penitentiary: Started in July 2023 and began activities that month.

10.2 Transfer Pods

In 2021, WADOC established procedures that changed conditions for people in solitary confinement awaiting transfer. By creating transfer pods, individuals were able to have less restricted movement despite still technically living in solitary confinement.¹³ According to the WADOC, the following prisons have the capacity for transfer pods:

- Airway Heights Corrections Center (AHCC)
- Coyote Ridge Corrections Center (CRCC)
- Clallam Bay Corrections Center (CBCC)
- Monroe Correctional Complex (MCC)
- Stafford Creek Corrections Center (SCC)
- Washington Corrections Center (WCC)
- Washington State Penitentiary (WSP)

10.3 Progression Pods

In addition to transfer pods, WADOC created progression pods modeled after Colorado’s step-down units. Progression pods are meant to support individualized transitions from solitary confinement to general population units. In these progression pods, a customized approach can allow an incarcerated individual’s perspective and voice to be part of their transition plan to a less restrictive setting.¹⁴

10.4 WADOC Policy Changes

The OCO solitary confinement research team (OCO-SCRT) identified the following recent policy changes that affected conditions, placements, and circumstances in which people are placed in solitary confinement settings.

- Revised in 2021, WADOC Policy #460.050 Disciplinary Sanctions, now excludes solitary confinement placement as a disciplinary sanction. After evaluating agency data, WADOC reported that disciplinary segregation had not been proven to be an effective sanction or deterrent to negative behavior.
- In 2022, WADOC Policy #320.200 Administrative Segregation was revised with the goal of reducing the maximum Administrative Segregation (AdSeg) placement timeframe from 30 days to 14 days.

In addition to the recent policy changes, it is worth noting that the WADOC made several temporary changes during the COVID-19 pandemic through agency leadership memos that impacted conditions in solitary confinement. In April 2024, the WADOC rescinded many of these additional privileges related to accessing tablets and phones in solitary confinement.

¹³<https://www.doc.wa.gov/docs/publications/fact-sheets/400-F5004.pdf>

¹⁴<https://doc.wa.gov/docs/publications/100-PL019.pdf>

11.0 Summary and Looking to Part II

Part I of this Solitary Confinement Project answered specific questions asked by the legislature in the proviso. Appendix 1 and 2 include the OCO solitary confinement research team's (OCO-SCRT) independently verified, solitary confinement datasets. The OCO-SCRT encourages the readers to explore the individual data points and find patterns, trends, and meaning from this now publicly available quantitative information.



Part II of this Solitary Confinement Project moves the conversation away from the prescribed proviso questions toward an in-depth examination of individuals' experiences living in WADOC solitary confinement. Through a series of qualitative interviews, the OCO-SCRT will take the readers through unique incidents and encounters inside solitary confinement in WADOC.

Appendix 1

Appendix 1, 2, and 3 are available in all law libraries and can be publicly disclosed.

Solitary Confinement Dataset 1

An independently verified, solitary confinement dataset representing over 3,000 incarcerated individuals (2014-2023).

#	SC 1	SC 2	Placement Reason 1	Placement Reason 2	ERD	Race	Ethnicity	Gend.	Age	S Code	Conviction 1	Conviction 2	Conviction 3
1	AdSeg		Threat to Safety and Security (Violence)	Refusal - Housing Assignment	2025-2029	WHITE	OTHER	M	30s	1	Sex Offense	Family Offense	
2	AdSeg	MAX	Threat to Safety and Security (Violence)	Threat to Safety and Security (Violence)	2050-2059	HISPANIC	AFRICAN, CHICANO/SPANISH	M	20-25	3	Homicide	Homicide	Harassment
3	AdSeg	MAX	Threat to Safety and Security (Violence)	Threat to Safety and Security (Violence)	2030-2039	WHITE	EUROPEAN/N.AM./AUSTR	M	40s	2	Homicide	Theft and Robbery	
4	AdSeg		Threat to Safety and Security (Violence)		2024	ASIAN/PACIFIC ISLANDER	FILIPINO	M	30s	1	Assault - Physical Harm	Assault - Physical Harm	Assault - Physical Harm
5	AdSeg	MAX	Threat to Safety and Security (Violence)		2025-2029	HISPANIC		M	26-29	1	Substance Related	Substance Related	Substance Related
6	AdSeg	MAX	Threat to Safety and Security (Violence)		2025-2029	BLACK	AFRICAN	M	30s	3	Assault - Physical Harm		
7	AdSeg		Threat to Safety and Security (Violence)		2025-2029	AMERICAN INDIAN/ALASKA NATIVE	BLACKFEET TRIBE	M	30s	1	Burglary and Trespass	Anticipatory Offense	Anticipatory Offense
8	AdSeg		Threat to Safety and Security (Violence)	Threat to Safety and Security (Violence)	2025-2029	WHITE		M	30s	3	Homicide		
9	AdSeg		Threat to Safety and Security (Violence)		2025-2029	WHITE	EUROPEAN/N.AM./AUSTR	M	40s	2	Homicide	Malicious Mischief	Malicious Mischief

Appendix 2

Solitary Confinement Dataset 2

An independently verified, solitary confinement dataset representing over 6,100 unique solitary confinement placements in FY2023.

Placement #	Number of Days	Gender	MAX (Y/N)	Race	Ethnicity
1	350+	Male	Y	Asian/Pacific Islander	Pacific Islander
2	350+	Male	Y	Black	Black
3	350+	Male	Y	Black	Black
4	350+	Male	Y	Black	Black
5	350+	Male	Y	North American Indian	American Indian or Alaska Native
6	350+	Male	Y	White	White
7	350+	Male	Y	White	White
8	350+	Male	Y	White	White
9	350+	Male	Y	White	White
10	350+	Male	Y	White	White
11	350+	Male	Y	White	White
12	350+	Male	Y	White	White
13	350+	Male	Y	White	White
14	350+	Male	Y	White	White
15	350+	Male	Y	White	White
16	350+	Male	Y	White	Hispanic
17	300-349	Female	Y	White	White
18	300-349	Male	Y	North American Indian	American Indian or Alaska Native
19	300-349	Male	Y	White	White
20	300-349	Male	Y	White	White
21	300-349	Male	Y	Asian/Pacific Islander	Pacific Islander
22	300-349	Male	Y	Black	Black
23	300-349	Male	Y	White	Hispanic
24	300-349	Male	Y	Unknown	Other Race
25	300-349	Male	Y	White	White
26	300-349	Male	Y	Black	Black
27	250-299	Male	Y	White	White
28	250-299	Male	Y	Asian/Pacific Islander	Asian
29	250-299	Male	Y	Black	Black
30	250-299	Male	Y	White	Hispanic
31	250-299	Male	Y	Black	Black
32	250-299	Male	Y	White	Hispanic
33	250-299	Male	Y	Black	Black
34	250-299	Female	Y	White	White
35	250-299	Male	Y	White	White
36	250-299	Male	Y	Asian/Pacific Islander	Asian
37	250-299	Male	Y	Black	Black
38	250-299	Male	N	White	White
39	250-299	Male	Y	White	White
40	250-299	Male	Y	White	White
41	250-299	Male	Y	Black	Black
42	250-299	Male	N	White	White
43	250-299	Male	Y	White	White
44	250-299	Male	Y	White	White
45	250-299	Male	Y	White	Hispanic
46	250-299	Male	Y	White	White
47	250-299	Male	Y	Black	Black
48	200-249	Male	Y	Asian/Pacific Islander	Pacific Islander
49	200-249	Male	Y	Other	Other Race
50	200-249	Male	Y	Black	Black
51	200-249	Male	Y	Black	Black
52	200-249	Male	Y	White	White
53	200-249	Male	Y	White	Hispanic
54	200-249	Male	Y	Black	Black
55	200-249	Male	Y	White	White
56	200-249	Male	Y	Asian/Pacific Islander	Pacific Islander
57	200-249	Male	Y	Asian/Pacific Islander	Pacific Islander
58	200-249	Male	Y	White	White
59	200-249	Male	Y	White	White
60	200-249	Male	Y	White	White
61	200-249	Male	Y	White	Hispanic
62	200-249	Male	Y	Black	Black
63	200-249	Male	Y	White	White
64	200-249	Male	Y	White	Hispanic
65	200-249	Male	Y	White	White
66	200-249	Male	Y	Black	Black
67	200-249	Male	Y	Black	Black
68	200-249	Male	Y	White	Hispanic
69	200-249	Male	Y	White	White
70	200-249	Male	Y	White	Hispanic
71	200-249	Male	Y	White	White
72	200-249	Male	Y	Black	Black
73	200-249	Male	Y	White	White
74	200-249	Male	Y	White	White
75	200-249	Male	Y	White	Hispanic
76	200-249	Male	Y	White	White
77	200-249	Male	Y	North American Indian	American Indian or Alaska Native
78	200-249	Male	Y	Black	Black
79	200-249	Male	Y	White	White
80	200-249	Female	Y	North American Indian	American Indian or Alaska Native

Appendix 3

Sanctioning Guidelines (DOC 460.050 Attachment 2)

SANCTIONING GUIDELINES

Violation Categories and Range of Sanction Options

Mandatory sanctions cannot be suspended or revoked. Unless otherwise noted, mandatory sanctions are in addition to other sanctions imposed for the violation.

GENERAL VIOLATION SANCTION OPTIONS	FIRST OFFENSE	SECOND OFFENSE WITHIN 6 MONTHS	THIRD OR SUBSEQUENT OFFENSE WITHIN 6 MONTHS	MAXIMUM RANGE OF SANCTION WITHIN 6 MONTHS
Reprimand and Warning (R & W)	As determined by Disciplinary Hearing Officer			
Removal from waiting lists for work/other program assignments	As determined by Disciplinary Hearing Officer			
Loss of privileges (one or more): <ul style="list-style-type: none"> • Loss of recreation (i.e., gym/yard) • Loss of fee-based recreation • Loss of telephone • Loss of television/radio • Loss of library, except law library when a documented court deadline has been imposed • Loss of dayroom access • Loss or limitation of personal property • Denial of attendance at special events • Denial of participation in organization functions for individuals • Loss of in-cell hobby • Loss of hobby craft • Loss of mobile electronic device or other electronic media • Loss or limitation of commissary (loss is based on facility ordering rotation schedule) • Loss of weightlifting 	0 - 10 days	0 - 20 days	0 - 30 days	30 days
Evening confinement to cell/room	0 - 5 consecutive evenings	0 - 7 consecutive evenings	0 - 10 consecutive evenings	10 consecutive evenings per incident
Weekend and/or holiday confinement to cell/room	0 - 1 consecutive weekends	0 - 2 consecutive weekends	0 - 4 consecutive weekends	4 consecutive weekends per incident
Confinement to cell/room	0 - 5 consecutive days	0 - 7 consecutive days	0 - 10 consecutive days	10 consecutive days
Extra work duty hours	0 - 40 hours	0 - 80 hours	0 - 120 hours	120 hours
Written order to cease problematic behavior. The order will include a warning that if the behavior is repeated within a specified period, not to exceed 180 days, the individual will be charged with a	0 - 60 days	0 - 90 days	0 - 180 days	180 days

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DOC 460.050 Attachment 2