

**GENERAL DISTRIBUTION**

**WEST VIRGINIA  
DIVISION OF CORRECTIONS  
& REHABILITATION**

**NUMBER: 326.00**

**EFFECTIVE DATE: 17 September 2025**

**SUBJECT: DISCIPLINARY  
SEGREGATION**

# **POLICY DIRECTIVE**

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**PURPOSE:**

To provide policy ensuring appropriate guidelines and procedures for the removal of an inmate from general population and placement in disciplinary segregation for a rule violation only after an impartial hearing.

**REFERENCE:**

ACA Expected Practices 5-ACI-3C-10, 5-ACI-4A-01 through 04, 06, 09 through 24, and 26; and 5-ALDF-2E-01 through 02, 04, 08 through 23, and 5-ALDF-3A-02; and National Commission on Correctional Health Care (NCCHC) §§P-G-02 and J-G-02.

**RESPONSIBILITY:**

Superintendents are responsible for enacting Operational Procedures and ensuring the requirements of this Policy Directive are included in applicable Post Orders.

**CANCELLATION:**

Any previous written instruction on the subject including DCR Policy Directive 326.00, dated 21 December 2022.

**APPLICABILITY:**

All adult facilities within the Division of Corrections and Rehabilitation (DCR). This Policy is available for general distribution and is to be made available for inmate review upon the effective date.

**DEFINITIONS:**

**Administrative Segregation:** A form of separation from the general population administered by the classification committee or other authorized group when the continued



presence of the inmate in the general population would pose a serious threat to life, property, self, staff, or other inmates or to the security or orderly running of the institution. Inmates pending investigation for trial on a criminal act or pending transfer also can be included. (See Policy Directives 326.01 and 326.02.)

**Disciplinary Segregation:** A form of separation from the general population in which inmates committing serious violations of conduct regulations are confined by a Correctional Hearing Officer for short periods of time to individual cells separated from the general population.

**POLICY:**

- I. A Correctional Hearing Officer may place inmates with serious rule violations in disciplinary segregation only after an impartial hearing has determined (1) that other available alternative dispositions are inadequate to regulate the inmate's behavior within acceptable limits and (2) that the inmate's presence in the general population poses a serious threat to the orderly operation or security of the institution.
  - A. There is a sanctioning schedule for institutional rule violations. The time an inmate spends in Disciplinary Segregation should be proportional to the offense committed, taking into consideration the inmate's prior conduct, specific program needs, and other relevant factors.
  - B. Continuous confinement for more than thirty (30) days requires the review and approval of the Superintendent or designee.
  - C. Inmates held in Disciplinary Segregation for periods exceeding sixty (60) continuous days are provided the same program services and privileges as inmates in Administrative Segregation.
- II. An inmate may be placed in prehearing detention until an investigation is completed, or a disciplinary hearing is conducted. Such detention is not punitive and should only be used when necessary to ensure the inmate's safety or the security of the institution. As such, detention can allow for the removal and segregation of an inmate from general population for purposes including, but not limited to, allowing the responsible official to conduct an investigation into the circumstances of the incident(s), ensuring immediate control and supervision, protecting potential victims, ensuring witnesses against intimidation, and ensuring facility security and public safety. The procedures and conditions of confinement for Disciplinary Segregation will be followed for inmates in prehearing detention.
  - A. The employee placing an inmate in prehearing detention, whether before the inmate is charged or pending the outcome of the disciplinary hearing shall submit a Detention Report (**Attachment to Policy Directive 325.00**) in which he/she states the reason(s) for the detention.



- B. The employee shall either submit the Detention Report to the Superintendent/designee or notify and receive verbal approval within twenty-four (24) hours after the inmate is detained and receive written approval within seventy-two (72) hours after the inmate is detained.
  - C. The Superintendent/designee shall review the report and make any inquiry of staff or the inmate he/she feels is necessary.
  - D. The Superintendent/designee may release the inmate from detention should it be determined he/she believes the detention is not necessary under the circumstances.
- III. The following procedures apply to Disciplinary Segregation ordered by a Correctional Hearing Officer and prehearing detention status.
- A. **Inmates in Disciplinary Segregation are confined to a cell for periods of time less than twenty-two (22) hours per day.** Facilities will develop out-of-cell schedules, according to their available resources, including structured or unstructured activities.
  - B. When an inmate is transferred to Disciplinary Segregation, health care staff will be informed immediately and provide a screening and review.
    - 1. Unless medical attention is needed more frequently, a qualified health care professional will conduct daily screening rounds with each inmate in segregation. This visit ensures that inmates in segregation have access to the health care system. The presence of a health care professional in segregation housing is announced and documented by signature on the chronological segregation log.
    - 2. Inmates in segregation who request sick call are evaluated by a health care provider who determines the appropriate setting for further medical attention in consultation with security staff.
  - C. A qualified mental health professional personally interviews and prepares a written report on any inmate remaining in Disciplinary Segregation for more than thirty (30) days. If confinement continues beyond thirty (30) days, a mental health assessment by a qualified mental health professional is made at least every thirty (30) days for inmates who have an identified mental health need and every three (3) months for all other inmates; more frequently if prescribed by the mental health professional.
  - D. All Disciplinary Segregation inmates are personally observed by a staff twice per hour, but no more than forty (40) minutes apart, on an irregular schedule. Inmates who are violent or mentally disordered or who demonstrate unusual or bizarre behavior receive more frequent observation; suicidal inmates are under continuing or continuous observation. Observation will be documented in the unit log.



- E. Inmates in Disciplinary Segregation receive daily visits from the senior correctional supervisor in charge, as documented by signature on the chronological segregation log. Inmates also receive visits from members of the program staff upon request.
- F. Staff operating segregation units maintain a permanent chronological log (**Attachment #1**) for each inmate admitted to Disciplinary Segregation. Any unusual or out of the ordinary incidents will be documented in an incident report.
- G. Facility operational procedures govern the selection criteria, supervision, and rotation of staff who work directly with inmates in segregation housing on a regular and daily basis in accordance with the following.
  - 1. Employee performance appraisals include an evaluation of the on-the-job performance of the staff who work with inmates in segregation housing.
  - 2. Administrative procedures for the prompt removal of ineffective staff are followed.
  - 3. Correctional officers assigned to work in segregation housing should have successfully completed their probationary period.
  - 4. The need for rotation should be based on the intensity of the assignment.
- H. Segregation units provide living conditions that approximate those of the general inmate population; all exceptions are clearly documented. Segregation cells/rooms permit the inmates assigned to them to converse with and be observed by staff members.
- I. All cells/rooms in segregation housing in **PRISONS** provide a minimum of eighty (80) square feet and provide thirty-five (35) square feet of unencumbered space for the first occupant and twenty-five (25) square feet of unencumbered space for each additional occupant.
- J. All cells/rooms in segregation housing in **JAILS** provide a minimum of seventy (70) square feet and provide thirty-five (35) square feet of unencumbered space for the first occupant and twenty-five (25) square feet of unencumbered space for each additional occupant.
- K. The general conditions of confinement for all inmates in Disciplinary Segregation require the following. Any exceptions are permitted only when found necessary by the senior officer on duty, are justified in writing, recorded in the unit log and the inmate's case record and forwarded to the Chief of Security/Chief Correctional Officer.
  - 1. All inmates in Disciplinary Segregation are provided prescribed medication, clothing that is not degrading, and access to basic personal items for use in their cells unless there is imminent danger that an inmate or any other inmate(s) will destroy an item or induce self-injury.



- a. Basic personal items include, but are not limited to, personal hygiene items as well as items such as eyeglasses and writing materials.
  - b. If a supervisor determines that there is imminent danger that an inmate will destroy an item or use it to induce self-injury, the inmate may be deprived of the item. In such cases, every effort will be made to supply a substitute for the item or to permit the inmate to use the item under the supervision of staff.
2. Inmates in Disciplinary Segregation have the opportunity to shave and shower at least three (3) times per week.
3. Inmates in Disciplinary Segregation receive laundry, barbering, and hair care services and are issued and exchange clothing, bedding, and linens on the same basis as general population inmates.
4. Alternative meal service may be provided to an inmate in Disciplinary Segregation who uses food or food service equipment in a manner that is hazardous to self, staff, or other inmates. Alternative meal service is on an individual basis, is based on health or safety considerations only, meets basic nutritional requirements, and occurs with the written approval of the Superintendent or designee and the responsible health authority or designee. The substitution period shall not exceed seven (7) days.
5. Inmates in Disciplinary Segregation can write and receive letters on the same basis as general population inmates.
6. Inmates in Disciplinary Segregation have opportunities for visitation unless there are substantial reasons for withholding such privileges.
7. Inmates in Disciplinary Segregation have access to legal materials and reading materials.
8. Inmates in Disciplinary Segregation receive a minimum of one (1) hour of exercise per day outside their cells, five (5) days per week, unless security or safety considerations dictate otherwise. The opportunity to exercise is in an area designated for this purpose, with opportunities to exercise outdoors, weather permitting. Outdoor recreation may be provided in an enclosed area that provides fresh air and natural lighting.
9. Inmates in Disciplinary Segregation are allowed limited telephone privileges unless phone restrictions have been invoked by the Superintendent or Correctional Hearing Officer. Restrictions would not apply to calls related specifically to access to the attorney of record/ judicial process and family emergencies as determined by the Superintendent or designee.



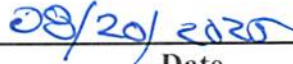
- IV. All documents pertaining to an inmate's Disciplinary Segregation status shall be uploaded to the appropriate file in the Offender Information System (OIS).

ATTACHMENT(S):

#1 Chronological Disciplinary Segregation Log

APPROVED SIGNATURE:

  
David L. Kelly, Commissioner

  
Date



Chronological Disciplinary Segregation Log

MONTH:      YEAR:

INMATE NAME:      HOUSING LOCATION:

DATE IN:      DATE OUT:      OID#:

SPECIAL NEEDS:

NOTES:

Date	B	L	D	Meals	Exercise Times	Hair Care	Phone	Visit	Shave/Shower	Laundry	Mail	Reading Material	State Shop Exchange	Qualified Health Care Professional Signature	Senior Correctional Supervisor Signature
Start	Finish														
1															
2															
3															
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Legend: NA = non-applicable; R = refused; RR = requested to return to cell before scheduled end of exercise; Staff Member's Initials = Activity Completed