

# Administrative Segregation: A Review of State and Federal Policies

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## Abstract

The use of administrative segregation in prison is a controversial correctional policy. Proponents argue this type of housing is necessary for maintaining institutional safety and order, whereas critics contend it is damaging to inmate mental health. Despite the increase in academic attention over the last decade, there is much that remains unknown about the uses and effects of this practice. This study addresses this gap in knowledge by content-analyzing the administrative segregation policies of 48 state and federal prison systems. The results provide evidence of consistency and discrepancy across key elements of these policies, including placement criteria and review procedures. Findings further highlight how basic information regarding mental health provisions and conditions of confinement are missing from a substantial number of policies. This investigation emphasizes a need for more governmental accountability and transparency in the use of this correctional policy and identifies several areas for future research.

## Keywords

administrative segregation, solitary confinement, restrictive housing, prison

## Introduction

Broadly speaking, restrictive housing—a practice scholars often refer to as solitary confinement and supermax custody—is a prisoner management strategy that involves

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separating problematic inmates from the general prison population into closed cells with limited access to other people (Frost & Monteiro, 2016). Falling under the umbrella of restrictive housing, there are three subtypes: disciplinary segregation (i.e., isolation as punishment for violating institutional rules), protective custody (i.e., protection of inmate from harm), and administrative segregation (i.e., separation for the well order of the facility; see also Labrecque, 2016; Mears, 2016). The use of such housing, however, is a controversial correctional policy. On one hand, prison officials and supporters of the practice often note the necessity of these housing options for maintaining institutional safety and order (see Labrecque & Mears, 2019; Mears & Castro, 2006), and on the other hand, critics of this practice argue that prison authorities tend to misplace inmates in these settings and that such placements can cause serious physical and mental health problems (see Haney, 2018; Kupers, 2017; Lobel & Smith, 2020). Although this debate remains contentious, several recent reviews highlight how little is known about the uses and effects of restrictive housing (Garcia, 2016; Labrecque & Smith, 2019b; Morgan et al., 2016).

Given the evidence that situational factors in prison environments can influence one's behavior generally (Bonta & Gendreau, 1990; Steiner & Wooldredge, 2020; Wortley, 2002), there is good reason to suspect that variations in the use of restrictive housing may also produce differential effects among its inhabitants (see also Gendreau & Bonta, 1984; Gendreau & Labrecque, 2018). There is a gap in the segregation literature, however, as little research explores the policies regulating the uses, conditions, and provisions in restrictive housing settings (Foster, 2016). This line of inquiry is essential for gaining a better understanding of the ways in which these environments may influence psychological and behavioral outcomes. It is also critical to provide correctional policymakers with information for modifying their policy standards in ways that might mitigate the potential negative effects associated with this type of confinement.

The current study addresses this research gap by systematically examining the restrictive housing policies of 48 state and federal prison systems. Although all forms of restrictive housing appear to share some commonalities, scholarship suggests that its three subtypes differ in many potentially meaningful ways (e.g., rationale, entry and exit criteria, conditions; see Labrecque, 2016; Mears, 2016). For pragmatic purposes, therefore, this review limits its scope to only administrative segregation policies. This type of confinement was selected because it is arguably the most controversial and least understood form of restrictive housing. We begin with a review of the literature on the uses and effects of restrictive housing generally and then focus on the administrative segregation research more specifically.

## **Background**

Over the last decade, there has been a notable rise in restrictive housing scholarship. By far, the majority of this research focuses on the effect this setting has on psychological functioning measures, including anger, hostility, and depression (see, for example, the reviews by Kapoor & Trestman, 2016; Morgan et al., 2016). In addition,

a growing body of criminological scholarship assesses the effectiveness of this practice in reducing antisocial behavior. These investigations include a variety of outcomes, such as prison-level measures of violence and disorder (e.g., Briggs et al., 2003; Crouch & Marquart, 1990; Huebner, 2003; Wooldredge & Steiner, 2015) and individual-level indicators of institutional violence/misconduct (Labrecque & Smith, 2019a; Lucas & Jones, 2019; Morris, 2016; Salerno & Zgoba, 2019; Woo et al., 2020) and postrelease recidivism (Butler et al., 2017; Clark & Duwe, 2019; Lovell et al., 2007; Mears & Bales, 2009; Wildeman & Andersen, 2020; Woo et al., 2020; Zgoba et al., 2020). Scholarship in this area also explores whether providing correctional programming in restrictive housing settings is an effective strategy for improving inmate behavior ((Batastini et al., 2020; Butler et al., 2018; Meyers et al., 2018).

The summaries of the empirical research largely conclude that restrictive housing generally produces small to null negative effects on psychological (Kapoor & Trestman, 2016; Morgan et al., 2016) and behavioral outcomes (Labrecque & Smith, 2019b; Steiner & Cain, 2016). In spite of such findings, there is still good reason to suspect the impact of this setting may also vary based on differences in inmate characteristics (e.g., demographics, mental health status, risk level) and environmental conditions (e.g., provisions in segregation, how staff treat inmates; Gendreau & Bonta, 1984; Gendreau & Labrecque, 2018). Although research has yet to fully explore these possibilities in segregation settings, a recent evaluation by Labrecque, Mears, and Smith (2020) lends credence to this possibility. This study found that men were slightly more likely to engage in institutional misconduct following a stay in disciplinary segregation, whereas women were slightly less likely to violate the institutional rules upon release from this setting.

There is a clear need for more scholarship on potential moderators of the impacts of restrictive housing. As a precursor to this line of inquiry, however, it is also essential that research explores how authorities employ this housing in practice. Most of the available literature focuses on disciplinary segregation specifically or lumps all forms of restrictive housing together. Consequently, far less is known about protective custody or administrative segregation. The former category in particular receives little academic or media attention, perhaps because inmates request placement in this setting for their own personal protection (see Brodsky & Scogin, 1988; Wormith et al., 1988). The latter category, in contrast, is often the subject of legal challenges and ethical concerns (Cohen, 2016). Critics of administrative segregation often charge that inmates remain in the setting for too long, the conditions are too restrictive, and that there are too few options for release (Haney, 2018; Reiter, 2016). Due to the lack of an empirical focus in these areas, many questions remain about the use of administrative segregation. For example, how many people are held in administrative segregation? How long do they remain in administrative segregation? Who do authorities place in administrative segregation? What provisions are available in administrative segregation? Addressing these questions is of significant research and policy importance. Without the establishment of a baseline of knowledge about this practice, debating sides will inevitably talk past one another and reform efforts will consequently be of limited utility.

### *Counting Inmates in Administrative Segregation*

One way of assessing the use of administrative segregation is to determine how many inmates are held in this type of housing. Although this may seem like a relatively easy and straightforward task, it has nevertheless proven challenging owing to, among other things, inconsistencies in operational definitions and limits placed on researcher access to data (Naday et al., 2008). One estimate on the prevalence of this practice in U.S. prisons comes from the Bureau of Justice Statistics (see Beck, 2015). Using 2011–2012 survey data from a nationally representative sample of 38,251 inmates in 233 state and federal prisons, Beck (2015) found that approximately 4.4% of the total prisoner population was held in administrative segregation each day. In addition, Beck (2015) estimated that more than 18% of inmates spent one day or more in some form of restrictive housing during one's previous year in prison. Due to the wording in the survey questions, however, Beck (2015) was unable to provide separate yearly estimates for the use of administrative segregation only.

Another source for prevalence estimates comes from the Liman Program at the Yale Law School (see Resnik et al., 2018). Since 2013, this group has undertaken a series of research reports on restrictive housing, which it defines as the practice of "separating prisoners from the general population and holding them in their cells for an average of 22 hours or more per day for 15 continuous days or more" (Resnik et al., 2018, p. 7). In their most recent publication involving a 2017–2018 survey of officials from 43 state and federal prison systems, Resnik et al. (2018) reported that 4.5% of all inmates experience restrictive housing daily. Extrapolating these results across all U.S. prison systems, Resnik et al. (2018) estimated that there are approximately 61,000 inmates held in this type of housing every day. These two surveys from different sources provide convergent validity that prison authorities rely on restrictive housing widely throughout the United States (i.e., isolating more than 4% of the total prison population daily). These studies also highlight that more is known about the general use of restrictive housing than about administrative segregation more specifically.

### *Time Spent in Administrative Segregation*

Another approach for estimating use includes the examination of how long inmates spend in administrative segregation over time. Two studies conducted in the Florida (Mears & Bales, 2010) and Ohio prison systems (Labrecque & Mears, 2019) provide evidence that inmate encounters in administrative segregation settings range from singular placements for relatively short durations (e.g., <15 days) to multiple placements (e.g., 10 or more) and seclusions lasting for much greater lengths of time (e.g., >180 days). Although informative, it is unknown whether the heterogeneity in these results is generalizable to other prison systems.

### *Characteristics of Inmates in Administrative Segregation*

Another research strategy for examining the use of administrative segregation involves investigating the characteristics of inmates held in this setting. This scholarship has

sought to uncover factors that influence officials' decisions to segregate (Butler & Steiner, 2016) and, in particular, whether there are certain subgroups of inmates—such as young men who are minorities—who are more likely to be placed in this setting (Cochran et al., 2018; Logan et al., 2017). A meta-analysis on the predictors of placement concluded that segregated inmates tend to be younger and are more likely to possess a serious mental health disorder, gang affiliation, history of violence, juvenile justice record, prior segregation experience, higher custody rating, and higher risk for recidivism (Labrecque, 2018). Other research in this area makes use of such characteristics to develop risk instruments that can help predict placements in administrative segregation in the United States (Labrecque & Smith, 2019c) and Canada (Helmus et al., 2019). The use of segregation risk assessments holds promise for assisting authorities in developing proactive treatment and supervision interventions that may reduce the occurrence of institutional misconduct and lower the need for administrative segregation in the first place.

Although evaluations of treatment programs in segregation settings have yet to reveal evidence of crime reduction benefits (e.g., Butler et al., 2018; Meyers et al., 2018), there are concerns about implementation issues that may have contributed to the null findings in these studies. An abundance of research on offender rehabilitation more generally emphasizes that in order for treatment to be effective, authorities must implement these services in accordance with the principles of effective intervention (e.g., adhere to the principles of risk, need, and responsivity; Bonta & Andrews, 2017). There is good reason to suspect that if agencies were to adhere to these principles in administrative segregation, better results may ensue (Batastini et al., 2019; Smith, 2016). There is a great need for more implementation studies and outcome evaluations of rehabilitative services and interventions in administrative segregation settings.

### *Provisions in Administrative Segregation*

A final strategy for assessing use of administrative segregation includes describing the conditions and provisions available to inmates in this type of confinement. Qualitative scholarship often provides details about the administrative segregation setting. These reports, however, frequently involve small samples of inmates under unique circumstances (e.g., court order; Grassian, 1983; Haney, 2003; Kupers, 2017). With such a narrow focus, it is questionable whether the use of segregation in these locations and situations may generalize to the broader use of this practice across other prisons and prison systems (see Labrecque, Gendreau, et al., 2020). Discussions of administrative segregation in the quantitative literature, on the contrary, remain rather perfunctory. This practice is often vaguely conceptualized in these studies to include little more than statements about being held in a single cell for 22 to 23 hr per day. These minimalist descriptions seemingly give the impression that authorities use administrative segregation similarly across prisons, which may or may not be the case in reality. These imprecise definitions further mask information about variation in use that may be important for developing strategies for identifying and reducing the harms of this setting on individuals and systems.

Another way to investigate the context of administrative segregation involves examining departmental policies. One research group led by Butler evaluated 42 state prison policies collected in 2010. In their first study, Butler et al. (2012) explored admission criteria and reported that all but one jurisdiction included a criterion for being a “threat to institutional safety.” This study also revealed significant differences in other placement criteria across jurisdictions, including “repeat violent behavior” (74%), “escape risk” (67%), “riotous behavior” (45%), and “security threat group” (36%). In a subsequent publication, Butler et al. (2014) focused on the guidelines for mental health services found in these same documents. According to their review, 55% of jurisdictions required a mental health evaluation upon entry into segregation and 74% mandated routine mental health evaluations while in segregation.

Another group of researchers from the Liman Program at the Yale Law School published a review of prison administrative segregation policies in 2013 (see Metcalf et al., 2013). This report largely included qualitative excerpts from the policies in 46 state and federal prison systems, which were discussed along the themes of criteria and procedures for placement, periodic review standards, and the conditions of confinement (see also Baumgartel et al., 2015). In a subsequent National Institute of Justice White Paper, Foster (2016) drew heavily on the Liman report to qualitatively summarize the current state of knowledge on the conditions of confinement in segregation, including physical conditions, sanctions and incentives, social conditions, psychological conditions, and service provisions. In this review, Foster (2016) came to the conclusion that “there is an overwhelming lack of systematic information on this topic” (p. 108).

### Current Study

The current study seeks to address this gap in knowledge and advance our understanding of the use of administrative segregation in U.S. prisons. Rather than examine the number of inmates held in this setting (Beck, 2015; Mears & Bales, 2010; Resnik et al., 2018) or the characteristics that its inhabitants possess (Butler & Steiner, 2016; Cochran et al., 2018; Labrecque, 2018; Logan et al., 2017), this investigation proceeds by systematically reviewing the administrative segregation policy regulations obtained from state and federal prison systems. Most of the documents reviewed apply the term *administrative segregation* to refer to this type of confinement, although some refer to this practice as administrative confinement, administrative control, administrative detention, administrative housing, close management, intensive control, local control, maximum control, and maximum custody. To avoid any confusion, we use the term *administrative segregation* when referring to this type of housing regardless of what authorities call it among the different jurisdictions. This study expands upon the prior reviews in this area (Butler et al., 2012, 2014; Metcalf et al., 2013) by involving a more recent collection of policies and moving beyond summarizing the language to concentrate on four critical elements in these documents: placement criteria, review procedures, mental health provisions, and the conditions of confinement.

## Method

### *Sample of Policies*

Administrative segregation policies were collected between January and March of 2016 via a search of state and federal departments of corrections websites and other online sources. In total, we obtained documents from 48 state and federal prison systems (92.2% of all state and federal jurisdictions).<sup>1</sup> We were unable to locate the policies from Delaware, Louisiana, and Utah. Our research team emailed officials from these three jurisdictions but were not provided a copy of their administrative segregation policies.

### *Coding of Policies*

The policies were coded on four dimensions. First, these documents were reviewed for placement criteria, including “ensuring the safety of others,” “providing personal protection,” “maintaining orderly operation of facility,” “preventing damage to property,” “protecting the public,” and “pending disciplinary hearing or investigation.” Second, policies were examined for information on inmate housing status review requirements, including how often these reviews must be conducted and who is responsible for making the housing decisions. Third, documents were inspected for mental health provisions, including whether a psychological screening is required upon entry, how often mental health reviews are required, and whether inmates have access to psychological services while in segregation. Finally, policies were reviewed for details about the conditions of confinement, including accommodations and the minimum standards for out-of-cell recreation and personal hygiene time. If a policy did not include sufficient information to code these constructs, it was recorded as “not listed.” The first five authors were randomly assigned an equal proportion of policies to code. The first and second author developed the coding form for this study and trained the coders. Our team met regularly to discuss the project, and whenever questions were raised about how to score a particular item, we collaboratively made a decision.

### *Analytical Strategy*

This study applies basic descriptive research techniques to record and compare information from the administrative segregation policies. We focus our attention in these documents on the (a) reasons for placement, (b) procedures for housing status reviews, (c) provisions for mental health services, and (d) conditions of confinement. The results are tabulated as the number and percentage of policies possessing the specific elements within each of our coded themes. This analytical strategy allows us to document what these policies say about the use of administrative segregation in U.S. prisons. It also provides the opportunity to assess how similar (or different) these policies are across jurisdictions.

## Results

### *Placement Criteria*

Table 1 lists the placement criteria found within the state and federal administrative segregation policies separated by jurisdiction. The table uses an “X” to distinguish whether the jurisdiction includes the criterion in its policy.

As can be seen in the table, every state policy includes a provision allowing authorities to place inmates in administrative segregation when necessary to ensure the safety of others or to maintain the orderly operation of the facility. The vast majority of policies (44 or 91.7%) also enable officials to hold inmates in this type of housing pending the outcome of a disciplinary segregation hearing or criminal investigation. The four policies without this explicit criterion, however, still allow placements for those posing a threat to institutional safety and security, which the alleged engagement of institutional misconduct or other criminal behavior may qualify for, at least in some circumstances. Most of the policies (38 or 79.2%) authorize placements into administrative segregation when being in the general population poses a threat to their own personal safety. It should also be noted that the 10 jurisdictions without provisions for self-protection all have separate protective custody policies, which allow authorities to isolate vulnerable inmates from suffering potential harm in the general population under a different form of restrictive housing. In addition, 26 of the jurisdictions (or 55.3%) that included personal protection as a placement criterion also have separate protective custody policies, whereas 12 (or 25.5%) subsumed all protective placements under its administrative segregation policy. Finally, 19 of the policies (or 39.6%) allow authorities to place inmates in administrative segregation when necessary to prevent damage to institutional property and 15 (or 31.3%) enable officials to place inmates in this type of housing when necessary to protect the public (i.e., prevent an escape).

### *Review Procedures*

Table 2 summarizes the housing status review schedules listed in the administrative segregation policies. The maximum duration allowed between reviews varies across jurisdictions, with some that must occur every 7 days and others that must occur every 90 or 180 days. The modal proportion of policies (24 or 50.0%) mandate that jurisdictions must conduct a review on any inmate spending 7 days in this type of housing for the first 2 months, and then every 30 days thereafter. None of the policies specified a maximum period for inmates to be held in administrative segregation; instead, all of these jurisdictions leave open the possibility of retaining an inmate in administrative segregation until the reason for his or her placement is no longer present or pertinent, or when an alternative housing option becomes available.

Table 2 also indicates which authorities are responsible for conducting these status review hearings. The majority of policies indicate that reviews must be conducted by a classification committee (19 or 39.6%) or a segregation review committee<sup>2</sup> (13 or



**Table 1.** Administrative Segregation Placement Criteria by Jurisdiction.

Jurisdiction	Ensuring the safety of others	Providing personal protection	Maintaining orderly operation of facility	Preventing damage to property	Protecting the public	Pending disciplinary hearing or investigation
Alabama	X	X	X	X		
Alaska	X	X	X	X		X
Arizona	X		X		X	X
Arkansas	X	X	X		X	
California	X	X	X			X
Colorado	X	X	X	X		X
Connecticut	X		X			X
Florida	X		X			X
Georgia	X	X	X	X		X
Hawaii	X	X	X			X
Idaho	X	X	X	X		X
Illinois	X	X	X			X
Indiana	X	X	X	X		X
Iowa	X		X			X
Kansas	X	X	X		X	X
Kentucky	X	X	X			X
Maine	X	X	X		X	
Maryland	X	X	X	X		X
Massachusetts	X	X	X	X		X
Michigan	X	X	X		X	X
Minnesota	X	X	X	X		X
Mississippi	X	X	X	X		X
Missouri	X		X			X
Montana	X	X	X			X
Nebraska	X	X	X			X
Nevada	X	X	X		X	X
New Hampshire	X		X			X
New Jersey	X	X	X	X		X
New Mexico	X		X			X
New York	X		X			X
North Carolina	X		X		X	X
North Dakota	X	X	X	X		X
Ohio	X	X	X			X
Oklahoma	X	X	X	X		X
Oregon	X	X	X			
Pennsylvania	X	X	X	X	X	X
Rhode Island	X	X	X		X	X
South Carolina	X	X	X		X	X
South Dakota	X	X	X	X		X
Tennessee	X		X		X	X
Texas	X	X	X		X	X
Vermont	X	X	X	X	X	X

(continued)

**Table 1. (continued)**

Jurisdiction	Ensuring the safety of others	Providing personal protection	Maintaining orderly operation of facility	Preventing damage to property	Protecting the public	Pending disciplinary hearing or investigation
Virginia	X	X	X			X
Washington	X	X	X	X	X	X
West Virginia	X	X	X			X
Wisconsin	X	X	X	X		X
Wyoming	X	X	X	X		X
Federal Bureau of Prisons	X	X	X		X	X
Total (N = 48)	48 100%	38 79.2%	48 100%	19 39.6%	15 31.3%	44 91.7%

**Table 2.** Administrative Segregation Status Review Schedules and Responsible Parties (N = 48).

Status review criteria	n	%
<b>Review schedule</b>		
Every 7 days	2	4.2
Every 7 days for the first 2 months, every 30 days thereafter	24	50.0
Every 14 days	1	2.1
Every 30 days	9	18.8
Every 30 days for the first 3 months, every 120 days thereafter	1	2.1
Every 60 days	2	4.2
Every 90 days	5	10.4
Every 180 days	3	6.3
Not listed	1	2.1
<b>Responsible parties</b>		
Classification committee	19	39.6
Segregation review committee	13	27.1
Warden/superintendent	6	12.5
Unit manager/supervisor	6	12.5
Institutional probation officer	1	2.1
Not listed	3	6.3

27.1%). Other policies, however, list the responsible party as an individual staff member, including the Warden/Superintendent (6 or 12.5%), Unit Manager/Supervisor (6 or 12.5%), or Institutional Probation Officer (1 or 2.1%).

### *Mental Health Provisions*

Table 3 describes the mental health provisions found in the administrative segregation policies. In 27 of the jurisdictions (or 56.3%), a qualified mental health professional

**Table 3.** Administrative Segregation Mental Health Provisions (N = 48).

Mental health	n	%
Initial mental health screening		
Required	27	56.3
Not listed	21	43.8
Mental health review schedule		
Every 7 days	1	2.1
Every 30 days	5	10.4
After 30 days and every 90 days thereafter	22	45.8
Every 60 days	1	2.1
Every 90 days	1	2.1
After 180 days and every 60 days thereafter	1	2.1
Every 365 days	1	2.1
Not listed	16	33.3
Access to mental health services		
Available	34	70.8
Not listed	14	29.2

must conduct an initial psychological screening on all administrative segregation placements, generally within the first 24 hr. In addition, 32 policies (or 66.7%) require a mental health professional to conduct a psychological review on all inmates held in this setting for specific durations. The review schedules vary by jurisdiction, with some that must occur every 7 days and others that must occur once per year. The largest proportion of policies (22 or 45.8%) mandate that a psychological review must occur on everyone serving 30 days of continuous confinement in administrative segregation, and then again after every additional 90 days spent in this setting. Finally, the majority of policies (34 or 70.8%) stated that inmates are provided with access to mental health services while confined in administrative segregation.

**Conditions of Confinement**

There were 42 policies (or 87.5%) that describe information about the conditions of confinement in administrative segregation. These policies often articulate that the living conditions in these units must meet the basic minimum standards for healthy and humane treatment, including being well ventilated, adequately lighted, appropriately heated, and maintained in a sanitary condition. Some of the policies further specify that all cells must be equipped with basic furnishings, including a mattress, toilet, door with a service hatch, wash basin, and running water. Although the level of detail varies by jurisdiction, these policies also discuss the minimum allowable provisions for inmates in segregation, which generally include state-issued clothing, bedding, hygiene items, reading and writing materials, personal property, and three nutritionally adequate meals per day. In addition, most of these policies state that inmates shall have

**Table 4.** Administrative Segregation Minimum Standards for Out-of-Cell Time (*N* = 48).

Out-of-cell activity	<i>n</i>	%
<b>Recreation</b>		
1 hr per day, 7 days per week	4	8.3
1 hr per day, 5 days per week	30	62.5
1 hr per day, 3 days per week	1	2.1
2 hr per day, 3 days per week	1	2.1
Not listed	12	25.0
<b>Shower/shave</b>		
Every day	1	2.1
3 times per week	27	56.3
Every 3 days	1	2.1
Every 5 days	1	2.1
2 times per week	1	2.1
Not listed	17	35.4

access to a number of correctional services available among the general prison population, including regular laundry, hair care, personal hygiene, medical, mental health, library, law library, legal, commissary, religious, mail, telephone, visitation, recreation, education, counselor/case management, and other programs.

Table 4 reports the minimum standards for out-of-cell time found in the administrative segregation policies. Opportunities for out-of-cell recreation time and other hygiene activities were generally similar among reporting jurisdictions, with some places imposing slight variants to these requirements. The majority of policies (30 or 62.5%) indicate that inmates shall be offered out-of-cell recreation time at least 1 hr per day, 5 days a week. In addition, most of the jurisdictions (27 or 56.3%) also mandate that inmates shall receive the opportunity to shower/shave at least 3 times per week. It should be noted, however, that these policies also indicate authorities can deny access to these services (and other privileges) if it would jeopardize the safety, security, or orderly operation of the institution.

## Discussion

This investigation provides the most comprehensive review of state and federal administrative segregation policies to date. The study's results advance knowledge on the use of this practice across U.S. prisons. Although this work finds elements of consistency across policies, it also uncovers variation in some critical areas. All of the documents reviewed here, for example, authorize prison officials to place inmates in administrative segregation for purposes of ensuring other people's safety and maintaining institutional order. In addition, however, a number of prison systems also allow officials to hold inmates in this setting pending a disciplinary hearing or criminal investigation (91.7%) and when necessary for providing personal protection (79.2%).

Some jurisdictions even permit placements as a means of preventing damage to property (39.6%) and protecting the public (31.3%).

Most policies include information about inmate housing status reviews. There were, however, a wide range of standards listed. More than three quarters of jurisdictions require these reviews to occur at least once per month. Other places only mandate reviews be held every 90 or 180 days. Variation also exists in dictating who is responsible for facilitating the review hearings. In two thirds of the jurisdictions, housing decisions are determined by a group: either a classification or segregation review committee. Other organizations empower individuals to make such housing decisions (e.g., Warden, Unit Manager) or do not specify the responsible party. Despite concerns about the potential negative psychological impacts of prolonged placements in administrative segregation (Haney, 2018; Lobel & Smith, 2020), none of the policies indicate a maximum time limit for inmates to be held in this setting. All 48 prison systems, rather, leave open the potential of keeping an inmate in this type of confinement until the reason for his or her placement is no longer valid. It is not clear from these documents, however, what factors officials consider during these review hearings when making decisions to release (or retain) inmates from administrative segregation. This omission emphasizes the point that there may be little inmates can do to be released from this setting and returned to the general prison population (Reiter, 2016).

One of the most informative aspects of this review is the lack of information that these documents include about the provisions for inmate mental health in administrative segregation. Approximately one third of policies do not contain any information in this regard. The remaining two thirds of jurisdictions provide little more detail than whether the policy requires a psychological screening upon entry, how often officials must review inmate mental health status, and whether treatment services are available to inmates while in segregation. Absent is information on necessity and frequency of health and mental health rounds, which is a recommended best practice (Metzner, 2015; Morgan et al., 2017). Similarly, there is a striking absence of information in these documents that discusses the conditions in administrative segregation. While some jurisdictions outline specifics about the accommodations and services available to inmates in these settings, others provide far less detail or do not include any information on this topic. Most jurisdictions share similarities in the minimum allowances for out-of-cell opportunities to recreate and shower/shave. Other places, however, vary in these requirements and more than a quarter of policies do not list any standards for these activities. The lack of information regarding mental health services and the conditions of confinement found in these documents highlight a concern that much of what happens in administrative segregation occurs within a “black box” (Mears et al., 2019). These results further signal the need for more clarification and transparency about the use of this practice in departmental policies.

### *Limitations*

The findings of this investigation must be interpreted with an understanding of its limitations. First, the study results are based on the administrative segregation policies

that we were able to obtain during the collection period (i.e., January–March 2016). It is possible that some of these jurisdictions may have since updated these documents. Future research should explore whether a more recent pull of policies can provide additional information on this topic or reflect changes in the use of this type of confinement. Second, our research focused on administrative segregation policies and did not involve a review of medical documents. This is another area for further academic inquiry as medical policies may contain additional information about mental health screenings, reviews, and services for inmates in segregation settings.

Finally, the volume of documents involved in this study—more than 2,500 pages of text—rendered double coding unfeasible for our research team. Although the use of one coder per jurisdiction did not allow for the assessment of interrater reliability, our team met biweekly for several months to discuss this project and address questions about scoring. The first author also spot checked all of the coding forms and found no evidence of discrepancies in scoring across coders. As such, we feel confident that the policies reviewed in this study were coded accurately and reliably.

### *Policy Implications*

Despite these limitations, the findings of this study hold important implications for policy. Our general difficulty in locating administrative segregation policies and our inability to obtain documents from three states underscore the need for more governmental accountability. The omission and lack of detail found in many of these documents regarding fundamental aspects of this practice, including provisions for inmate mental health and the conditions of confinement, further emphasize the need for more transparency. In our view, there is much more that can and should be done to make administrative segregation policies more comprehensive and publicly available.

Taken as a whole, these documents were inconsistent in terms of content, language, structure, and detail. We acknowledge that as long as policies adhere to state and federal laws, it is up to departmental leaders to articulate these documents as they best deem fit to meet the needs of their local staff and inmate populations. In addition to this allowable variation, there is also a need for policymakers to appropriately define the basic elements of their policies. More specifically, these documents should detail who is responsible for doing what with whom, in what sequence, how much is applied, and how often it occurs (Welsh & Harris, 2016). Vague descriptions are not sufficient. If provisions and procedures are not clearly written in these documents, staff may take actions in the administrative segregation units that are inconsistent with the intentions of the policymakers.

Despite the heterogeneity found across documents on some elements, there were also a striking number of jurisdictions with similar requirements for housing status and mental health review schedules, as well as minimum allowable out-of-cell times for recreation and personal hygiene activities. We believe a great deal of credit for this policy uniformity is owed to the American Correctional Association (ACA) and the Commission on Accreditation for Corrections. These two organizations collaboratively published a manual establishing policy standards for adult correctional institutions,

which is now in its fifth edition (ACA, 2019). When we collected administrative segregation policies in 2016, this book was in its fourth edition (ACA, 2003). As a testament to the influence of this work on correctional policy in the United States, it is worth emphasizing that the modal responses found in our review all align with the recommendations of the manual. The following four standards taken from Special Management section of the ACA (2003) book illustrate this point:

4-4253 Written policy, procedure, and practice provide for a review of the status of inmates in administrative segregation and protective custody by the classification committee or other authorized staff group every seven days for the first two months and at least every 30 days thereafter. (p. 70)

4-4256 Written policy, procedure, and practice provide that a qualified mental health professional personally interviews and prepares a written report on any inmate remaining in segregation for more than 30 days. If confinement continues beyond 30 days, a mental health assessment by a qualified mental health professional is made at least every three months—more frequently if prescribed by the chief medical authority. (p. 70)

4-4262 Written policy, procedure, and practice provide that inmates in segregation have the opportunity to shave and shower at least three times per week. (p. 72)

4-4270 Written policy, procedure, and practice provide that inmates in segregation receive a minimum of one hour of exercise per day outside their cells, five days per week, unless security or safety considerations dictate otherwise. (p. 74)

We recognize that some people may feel these standards are too punitive or too lenient. For those seeking to modify how prisons use this practice (in either direction), the findings of this study suggest that one way to influence policy is through the ACA. While efforts to invoke such changes can focus on individual jurisdictions (e.g., recommendations, litigation), another approach is to try and persuade the ACA committee to modify its recommendations. If jurisdictions continue to follow its guidelines, such efforts may prove fruitful in producing a more wide-reaching impact on administrative segregation policies in U.S. prisons.

Yet, another way to identify best practice standards for virtually any correctional policy is to incorporate the use of data into the decision-making processes. Information about administrative segregation, however, is often not collected or maintained in a manner that allows for easy analysis (e.g., creating state-run dashboards for self-audits). If correctional leaders wish to better understand how this practice is used and whether it helps or hinders institutional operations, they simply must collect and analyze these data.

### *Research Implications*

This review also has implications for the interpretation of administrative segregation research, and it identifies several topics for future research. To the first point, our

results indicate that administrative segregation policies are not homogeneous across U.S. prison systems. Although similarities do exist among some documents, on the whole, this group of policies include many nuanced differences in placement criteria, status review requirements, provisions for mental health, conditions of confinement, and allowances for out-of-cell time.<sup>3</sup> These findings raise concerns about the generalizability of administrative segregation research. One should not assume the impact of this type of housing operating under more punitive conditions (e.g., more placement criteria, less frequent housing reviews, fewer mental health provisions, harsher conditions, and less out-of-cell time) would necessarily produce the same effect under more lenient conditions (e.g., less placement criteria, more frequent housing reviews, more mental health provisions, more comfortable accommodations, and more out-of-cell time), or vice versa. To minimize the potential for generalization errors in the academic literature, we offer two recommendations: (a) evaluations of administrative segregation should provide sufficient information about the setting and its conditions (see also Gendreau & Labrecque, 2018), and (b) reviews of prior research should be mindful of study settings and conditions when summarizing findings (see also Labrecque, Gendreau, et al., 2020). It is up to everyone in the academic community—authors, peer reviewers, and editors—to make sure these generalization errors stay out of print.

This study also helps identify several areas in need of further academic exploration. Our review of policies reveals that correctional officials have the authority to place inmates in administrative segregation for a wide range of managerial purposes. The next logical question, however, is how often do authorities segregate inmates for each of these different rationales. This is an important line of inquiry because the remedies for alleviating the underlying causes of segregation may vary by the reason for placement (e.g., effective prevention strategies may differ when necessary to ensure other people's safety versus one's own personal safety). It is also possible that placement criteria may differentially influence the impact of this setting on important psychological and behavioral outcomes. We encourage future outcome evaluations to assess for this potential.

The administrative segregation policies also only list minimum requirements and provisions. It remains unknown to what extent correctional officials actually adhere to their policy guidelines. Possibilities exist that authorities may fail to comply, meet, or exceed these various standards. It is also probable that variations in adherence exist within and across prisons. We see a tremendous amount of value for researchers to situate themselves within these settings to assess how practices may correspond (or conflict) with those articulated in policy. As factors such as the conditions of confinement and how staff treat inmates may mitigate or exacerbate the negative impact of administrative segregation (Gendreau & Bonta, 1984), there is also a need for more empirical research on how variations in practice (e.g., mental health provisions, out-of-cell time, review procedures) may affect outcomes. Investigations of this type are critical and may help lead to the establishment of more effective (i.e., evidence-based) policy standards.



## Conclusion

Despite the increase in scholarly attention of administrative segregation in the last decade (Garcia, 2016), a great deal remains unknown about the use of this practice (Labrecque, 2018; Mears et al., 2019). The current study sought to peer into this black box by analyzing the content in administrative segregation policies of state and federal prison systems. This review of documents provides evidence of consistency and variation across jurisdictions. It also reveals that several policies were missing critical information about the provisions for mental health and minimum allowances for out-of-cell activities. This latter finding emphasizes the need for more governmental transparency and accountability. More globally, the results of this study highlight that there are many potential paths into administrative segregation and further suggest that one's experience within this setting may differ based on his or her location. As variation in treatment conditions likely influence the impact of administrative segregation on psychological and behavioral outcomes, we caution against the overgeneralization of research findings between dissimilar segregation settings.

Although this review helps paint a better picture of the administrative segregation policies employed in the United States, there are many more questions that remain about the use and effect of this practice. This study identifies several avenues for future research, including exploring why authorities place inmates in administrative segregation, assessing how closely correctional staff adhere to their policy standards, and evaluating what impact these variations have on psychological and behavioral outcomes. We encourage the pursuit of these topics because it would help advance knowledge about administrative segregation and may assist prison authorities in improving their correctional management policies and practices.

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## Notes

1. These included the states of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South

- Dakota, Tennessee, Texas, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the Federal Bureau of Prisons.
2. Although varied by jurisdiction, the segregation review committees were generally described as being comprised of three or more institutional staff members, including a senior ranking official (e.g., Warden/Superintendent, Unit Manager, Security Supervisor), classification officer, security staff, care and treatment worker (e.g., case manager, counselor, behavioral health specialist, medical professional, mental health staff), chaplain, and population management staff.
  3. It should be noted that across the 48 administrative segregation policies reviewed, only four jurisdictions (or 8.3%) included the modal responses to all seven categories in Table 2, 3, and 4. In addition, 10 jurisdictions (or 20.8%) had six of the modal responses, five jurisdictions (or 10.4%) had five modal responses, nine jurisdictions (or 18.8%) had four modal responses, seven jurisdictions (or 14.6%) had three modal responses, four jurisdictions (or 8.3%) had two modal responses, five jurisdictions (or 10.4%) had one modal response, and four jurisdictions (or 8.3%) had none of the modal responses.

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