	DEPARTMENT OF PUBLIC SAFETY	EFFECTIVE DATE: DEC 12 2009	POLICY NO.: COR.12.01
	CORRECTIONS ADMINISTRATION POLICY AND PROCEDURES	SUPERSEDES (Policy No. & Date): 493.12.01 & 09/26/85	
	SUBJECT: RIGHT TO SAFE CUSTODY		Page 1 of 2

1.0 PURPOSE

To set forth a policy establishing standards protecting inmates from the possibility of personal abuse at the hands of either staff or other inmates.

2.0 REFERENCES

.1 References

- a. American Corrections Association (ACA), Standards for Adult Correctional Institutions, 4th Edition, 4-4281, Protection from Harm.
- b. Departmental Policy and Procedure (P&P), COR.01.05, Reporting Ward Abuse.
- c. Departmental P&P, COR.08.07, Use of Force.
- d. Hawaii Revised Statutes (HRS) Chapter 353C-2, Director of Public Safety, Powers and Duties.

3.0 POLICY

- .1 Facility personnel may manifest abuse of inmates in forms other than physical mistreatment. Abuse may be psychological as well as physical. Abuse may be perpetrated against inmates by other inmates as well as facility personnel.

Inmates have a right to reasonable security and safe custody. Facilities are required to take reasonable precaution to protect inmates from imminent harm, violent assaults, or other forms of abuse. Facility personnel must make reasonable efforts to insure inmate's safe custody.

- .2 All facilities shall take reasonable steps to protect inmates under their charge from violent assaults by other inmates or facility personnel. Where facility personnel know or have reason to know of any impending assaults on any inmate or of the dangerous propensity of an inmate for violent assault, reasonable steps shall be taken to avert the assault or danger.
- .3 Such steps may include the use of segregated confinement and reclassification. However, segregated confinement shall only be used when necessary and not to extend beyond a period of 30 days. In administrative assessment reveals

COR P & PM	SUBJECT: RIGHT TO SAFE CUSTODY	POLICY NO.: COR.12.01
		EFFECTIVE DATE: DEC 12 2009
		Page 2 of 2


that the condition necessitating the segregated confinement persists after the initial period, segregation may continue for up to an additional 30 days.

- .4 Facilities shall take appropriate measures through supervisory measures to evaluate their staff's behaviors and actions in order to identify persons who may constitute a threat to inmates and facility staff. When such individuals are identified as posing a threat to staff or inmates, Supervisors and staff shall submit reports through their chain of command to the Warden. Upon receipt, the Warden shall take appropriate action to eliminate such threats.
- .5 Facilities shall develop procedures to provide a reasonable measure of safety for inmates from attacks from other inmates or facility personnel. Technological devices such as closed circuit television should be used whenever possible to enhance supervisory requirements.
- .6 Facilities shall not deprive any inmate of clothing, bedding, light and ventilation, heat, out of cell time for recreation, balanced diet, hygiene or health care for punitive or disciplinary purposes. Any deprivation of such resources or services shall be solely for the safety and welfare of the offender and only as ordered by competent health care authority.

4.0 SCOPE

This policy applies to all State Correctional Facilities.

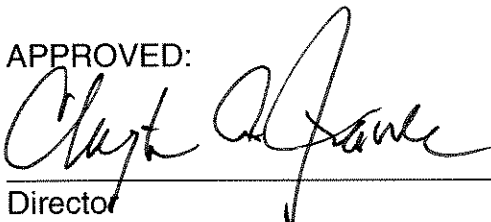
APPROVAL RECOMMENDED:



Deputy Director for Corrections

12/10/09

Date

APPROVED:


Director

12/12/09

Date