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January 15, 2021

Senate Judiciary and Public Safety Finance and Policy Committee

Senator Warren Limmer, Chair
3221 Minnesota Senate Bldg.
St. Paul, MN 55155

Senator Ron Latz, DFL Lead
2215 Minnesota Senate Bldg.
St. Paul, MN 55155

House Public Safety and Criminal Justice Reform Finance and Policy Division Committee

Representative Carlos Mariani, Chair
479 State Office Building
St. Paul, MN 55155

Representative, Brian Johnson, Republican Lead
243 Rev. Dr. Martin Luther King Jr. Blvd.
St Paul, MN 55155

RE: Annual Submission of the Department of Corrections Administrative and Disciplinary Segregated Report, as Required by Minnesota Statutes, Section 243.521

Dear Legislators:

Minnesota Statutes, section 243.521, Subd. 9(a) requires that by January 15, annually, the Department of Corrections submit a report on the use of restrictive housing the preceding calendar year, to the chairs and ranking minority members of the legislative policy and budget committees with jurisdiction over the Department.

If you have any questions regarding this report, please contact Safia Khan, Director, Government and Partner Relations, at 651-361-7219.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul Schnell', followed by a long horizontal line.

Paul Schnell, Commissioner
Minnesota Department of Corrections

Enclosure

c: Safia Khan

Restrictive Housing Report

Minnesota Department of Corrections
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January 2021

FY 2020 restrictive housing admissions by age¹

Restrictive housing unit	Age at admission						Total	Average age at admission
	16-20	21-26	27-35	36-44	45-60	61+		
MCF-FRB Segregation	23	264	539	310	227	51	1,414	36.3
MCF-LL Segregation	51	175	298	202	124	12	862	34.5
MCF-ML Unit 04	16	152	368	357	263	37	1,193	38.5
MCF-OPH ACU	1	24	44	15	9	1	94	32.6
MCF-OPH CX5	7	85	224	74	73	10	473	34.8
MCF-RC 1W	34	298	530	270	163	9	1,304	34.0
MCF-SCL Unit Segregation	141	379	606	312	169	12	1,619	32.4
MCF-SHK Segregation	10	138	238	132	100	12	630	35.0
MCF-STW Cell Hall Segregation	117	545	885	413	233	24	2,217	32.9
Total	400	2,060	3,732	2,085	1,361	168	9,806	34.5

FY 2020 restrictive housing admissions by race

Restrictive housing unit	American					Total
	Indian	Asian	Black	White	Unknown	
MCF-FRB Segregation	116	45	593	659	1	1,414
MCF-LL Segregation	88	16	321	436	1	862
MCF-ML Unit 04	87	29	394	683		1,193
MCF-OPH ACU	16	1	43	34		94
MCF-OPH CX5	61	8	267	136	1	473
MCF-RC 1W	195	24	700	385		1,304
MCF-SCL Unit Segregation	177	18	662	761	1	1,619
MCF-SHK Segregation	198	7	124	293	8	630
MCF-STW Cell Hall Segregation	351	42	1,154	667	3	2,217
Total	1,289	190	4,258	4,054	15	9,806

¹ A "restrictive housing admission" is an entry into a segregation-unit living assignment during the fiscal year, either as a movement from a non-segregation living assignment, or as the initial living assignment upon new commitment or release violator admission. Movements from one segregation bed to another are excluded. An individual may have more than one such admission during the fiscal year.

Unduplicated count of individuals entering restrictive housing in FY 2020, by age and race

Race	Age at admission						Total
	16-20	21-26	27-35	36-44	45-60	61+	
American Indian	22	116	274	167	70	8	657
Asian	3	19	44	27	11	2	106
Black	99	511	840	423	311	26	2,210
White	49	361	864	648	469	84	2,475
Unknown	1	4	1	1			7
Total	174	1,011	2,023	1,266	861	120	5,455

Individuals transferred from restrictive housing to the mental health unit

During FY 2020, 31 individuals were directly transferred from restrictive housing to CX4 (“Mental Health Unit”) at MCF-Oak Park Heights.

Disciplinary sanctions by infraction (rule), FY 2020

Rule#	Rule Title	Number of sanctions during FY 2020							Avg. sanction days	
		Confiscate Property	Extended Incarceration	Loss of Privileges	Restitution	Restricted Segregation	Segregation	Total	Segregation	Restricted Segregation
020	Disturbing Others			11		14	32	57	9.7	4.4
030	Failure to Comply	2		394		57	181	634	9.1	4.7
050	Gambling			9			7	16	7.3	
130	Contempt						3	3	17.7	
160	Disobeying a Direct Order			95	1	71	1,599	1,766	16.4	4.9
161	Refusing Placement			108		11	893	1,012	16.6	4.8
170	Interference with Security Procedures			65		27	516	608	15.3	4.3
180	Enterprises and Fraud			3	2		25	30	9.0	
190	Unauthorized Control, Theft, Possession, Transfer or Use of Property	12		398	7	24	344	785	10.8	4.9
200	Refusing To Work			63		1	18	82	9.8	5.0
202	Use of Alcohol or Other Intoxicants					2	137	139	16.1	10.0
203	Possession of Illegal Drugs (RCV)		10				44	54	36.0	
211	Use of Illegal Drugs		13				70	83	27.3	
213	Misuse of Prescribed Medications			37		21	388	446	10.2	4.5
214	Misuse of Over-the-Counter (OTC) Medications			10			21	31	11.2	
215	Refusal to Provide Sample			1		2	81	84	25.1	10.0
216	Possession of Alcohol or Other Intoxicants			5		4	509	518	12.8	8.8
220	Tampering With Security/Safety Devices			23		10	187	220	29.6	8.0
240	Lying And Misrepresentation			24		11	119	154	10.2	5.0
270	Destruction, Damage, or Alteration of Property	1		209	50	19	259	538	14.5	5.0
281	Smuggling Within a Facility			10	6	28	159	203	16.5	5.2
282	Smuggling Into or Out of a Facility (RCV)		10			2	38	50	40.9	5.0
290	Being in an Unauthorized Area			124		45	424	593	11.0	4.5
300	Abuse/Harassment			91		95	1,096	1,282	14.1	4.9
301	Offender Sexual Harassment			2			7	9	10.0	

Rule#	Rule Title	Number of sanctions during FY 2020							Avg. sanction days	
		Confiscate Property	Extended Incarceration	Loss of Privileges	Restitution	Restricted Segregation	Segregation	Total	Segregation	Restricted Segregation
310	Threatening Others (RCV)		46	5		13	565	629	29.0	8.0
320	Disorderly Conduct		1	223	3	145	3,864	4,236	14.6	4.9
321	Fighting		3	8		13	1,224	1,248	23.1	8.5
322	Tattooing/ Disfigurement			26		1	79	106	10.2	5.0
323	Possession of Tattoo Paraphernalia			22		1	197	220	10.8	5.0
330	Arson (RCV)						1	1	15.0	
340	Sexual Behavior			10		8	247	265	16.1	4.0
341	Sexual Abuse of Inmate (RCV)		1				1	2	300.0	
350	Soliciting/ Bribery			4		6	73	83	15.5	6.3
360	Extortion (RCV)						12	12	13.3	
380	Possession of Wireless Phone (RCV)		1				3	4	23.7	
382	Possession of Alcohol (Obsolete)						1	1	15.0	
383	Possession of Weapons (RCV)		49			1	148	198	32.0	10.0
384	Possession of Money			2			6	8	8.5	
385	Possession of Escape Materials (RCV)		1	1		1	7	10	13.9	5.0
386	Possession of Other Contraband	2		156	2	39	309	508	13.4	4.9
387	Possession of Smuggling Device			3			35	38	18.8	
388	Possession of Tobacco			5		1	6	12	14.7	10.0
389	Possession of Unauthorized Medications			73		32	250	355	13.6	5.2
390	Inciting/Unlawful Assembly/Protest (RCV)		7			1	45	53	35.2	4.0
410	Assault (RCV)		1				4	5	56.3	
411	Assault Staff (RCV)		27			2	111	140	59.5	10.0
412	Assault Inmate (RCV)		161			1	453	615	44.1	10.0
413	Assault Staff with Weapon (RCV)		7				12	19	118.6	
414	Assault Inmate with Weapon (RCV)		17				37	54	113.2	
420	Riot (RCV)		1				31	32	109.4	
431	Escape (RCV)		34				2	36	22.5	
440	Homicide (RCV)		4				6	10	200.0	

Rule#	Rule Title	Number of sanctions during FY 2020							Avg. sanction days	
		Confiscate Property	Extended Incarceration	Loss of Privileges	Restitution	Restricted Segregation	Segregation	Total	Segregation	Restricted Segregation
441	Assault with Bodily Harm of Staff (RCV)		6				22	28	145.5	
442	Assault with Bodily Harm of Inmate (RCV)		21				62	83	119.2	
443	Assault of Staff with Bodily Fluids (RCV)		10				41	51	66.4	
444	Assault of Staff with Bodily Fluids, significant exposure (RCV)		5				10	15	177.0	
450	Assault with Significant Bodily Harm of Staff (RCV)		2				5	7	234.6	
460	Assault with Significant Bodily Harm of Inmate (RCV)		17				41	58	257.0	
470	Creating a Fire Hazard			9			18	27	11.8	
490	Sexual Abuse of Staff (RCV)		3				4	7	172.5	
511	Mandated Treatment Failure/Refusal-Chemical Dependency (CD)			1				1		
512	Mandated Treatment Failure/Refusal-Sex Offender Treatment (SOT)		64					64		
513	Mandated Treatment Failure/Refusal-Minnesota Sex Offender Program (MSOP)		5					5		
517	Mandated Treatment Assessment Refusal, Chemical Dependency		1					1		
Total		17	528	2,230	71	709	15,089	18,644	19.7	5.1

Lengths of terms served in restrictive housing

During FY 2020, there were 9,544 individuals released from restrictive housing.² The duration of their restrictive housing terms can be summarized as follows:

Duration	n	Percent
366+ days	28	0%
181-365 days	58	1%
91-180 days	105	1%
61-90 days	170	2%
31-60 days	530	6%
16-30 days	1,306	14%
11-15 days	1,448	15%
6-10 days	2,148	23%
0-5 days	3,751	39%
Total	9,544	100%

July 1, 2020 restrictive housing population by basis and race³

Basis	American Indian	Asian	Black	White	Total
Disciplinary segregation	42	3	108	82	235
Administrative segregation	5		19	24	48
Special management status	11	1	14	8	34
Temporary housing status	3		15	14	32
Pre-hearing detention	1	1	4	6	12
Mental health observation			1	3	4
All other assignments	5		6	20	31
Total	67	5	167	157	396

² These include releases to non-restrictive MCF housing, transfers to non-MCF housing, and releases from custody. An individual may have more than one such release during the fiscal year.

³ People in restrictive housing units are counted as "disciplinary segregation" if they have an active segregation sanction in COMS Discipline as of 7/1/2020. The remaining individuals are categorized by their "work assignment" as of that date.