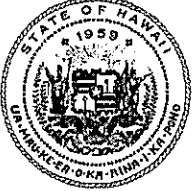


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|  | DEPARTMENT OF CORRECTIONS AND REHABILITATION CORRECTIONS ADMINISTRATION POLICY AND PROCEDURES | EFFECTIVE DATE: January 01, 2024 | POLICY NO.: COR.10.G.04 |
| | | SUPERSEDES (Policy No. & Date): COR.10.11.03 (10/09/07) | |
| | SUBJECT: THERAPEUTIC RELATIONSHIP, FORENSIC INFORMATION, AND DISCIPLINARY ACTIONS | | Page 1 of 4 |

1.0 PURPOSE

The purpose of this policy is to ensure health care staff protect the integrity of the therapeutic relationship with patients.

2.0 SCOPE

This policy and procedure applies to all correctional facilities, their assigned personnel, and contract staff.

3.0 REFERENCES, DEFINITIONS & FORMS

.1 References

- a. Department of Corrections and Rehabilitation, Policy and Procedures, ADM.08.08, Prison Rape Elimination Act.
- b. Department of Corrections and Rehabilitation, Policy and Procedures, ADM.08.20, DNA Sampling for Convicted Felons.
- c. Department of Corrections and Rehabilitation, Policy and Procedures, COR.08.03, Seizure of Evidence.
- d. Department of Corrections and Rehabilitation, Policy and Procedures, COR.08.10, Inmate/Defendant Drug Detection Program.
- e. Department of Corrections and Rehabilitation, Policy and Procedures, COR.08.15, The Safe WRAP Restraint.
- f. Department of Corrections and Rehabilitation, Policy and Procedures, COR.08.24, Use of Mechanical Restraints.
- g. Department of Corrections and Rehabilitation, Policy and Procedures, COR.10.11.01, Restraint and Seclusion (Clinically Ordered).
- h. Department of Corrections and Rehabilitation, Policy and Procedures, COR.11.01, Administrative Segregation and Disciplinary Segregation.

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| COR P & P M | SUBJECT: THERAPEUTIC RELATIONSHIP, FORENSIC INFORMATION, AND DISCIPLINARY ACTIONS | POLICY NO.: COR.10.G.04 |
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- i. Department of Corrections and Rehabilitation, Policy and Procedures, COR.13.03, Adjustment Procedures Governing Serious Misconduct Violations and the Adjustment of Minor Misconduct Violations.
 - j. Position Statement: Correctional Health Professionals' Response to Abuse of Incarcerated People, National Commission on Correctional Health Care, (April 2022).
 - k. Position Statement: Solitary Confinement (Isolation), National Commission on Correctional Health Care, (April 2016).
 - l. Standards for Health Services in Prisons. National Commission on Correctional Health Care, (2018).
 - m. Standards for Health Services in Jails. National Commission on Correctional Health Care, (2018).
 - n. Standards for Mental Health Services in Correctional Facilities. National Commission on Correctional Health Care, (2015).
- .2 Definitions:
- a. Forensic Information: Physical or psychological data collected from an incarcerated individual that may be used against the incarcerated individual in disciplinary or legal proceedings.
 - b. Dry Cell: A room that lacks any plumbing facilities, such as a toilet, shower, or other fixtures used to dispense running water.

4.0 POLICY

- .1 Health care staff are not involved in the collection of forensic information.
- .2 Health care staff do not participate in disciplinary action nor are compelled to provide clinical information solely for the purposes of discipline.
- .3 Treatments and medications are never withheld as a form of punishment.
- .4 Segregation and restraints are never clinically implemented as disciplinary action.

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5.0 PROCEDURES

.1 Collection of Forensic Information. Examples include but are not limited to the following:

- a. Health care staff shall not perform psychological evaluations of incarcerated individuals for use in adversarial proceedings (e.g., court, probation, or parole hearings). Where laws and regulations require that such evaluations be performed by health care staff, the services of outside health professionals should be obtained by the entity in need of the service.
- b. Health Care staff shall not conduct body cavity searches of incarcerated individuals for contraband. In lieu of body cavity searches, a dry cell could be used. The use of a dry cell does not require the involvement of health care staff.
- c. Health Care staff shall not collect blood or urine specimens for drug analysis other than for clinical purposes. Urine testing for drug use and oral or buccal sampling for DNA do not require and shall not include the involvement of health care staff. Where laws and regulations require that such collections be performed by health care professionals, the services of outside health professionals should be obtained by the requesting entity.
- d. In situations involving allegations of sexual abuse or sexual harassment, the role of the health care staff shall be to assess the need for treatment, provide treatment, and preserve, not collect, physical evidence.

.2 Disciplinary Action

- a. Disciplinary action for misconduct violations shall be administered in accordance with COR.13.03 (Adjustment Procedures Governing Serious Misconduct Violations and the Adjustment of Minor Misconduct Violations).
- b. Health care staff shall not participate in making disciplinary decisions beyond providing consultation to disciplinary committees regarding the role of medical and/or mental illness in a particular event, or for mitigating circumstances in the case of medical and mental health disorders.

.3 Treatments and Medications

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- a. Health care staff shall not withhold treatment or medication as a method to punish incarcerated individuals.
- b. Health care staff shall administer treatment and medication as clinically indicated and as ordered by a medical, dental, or mental health provider.

.4 Segregation and Restraints

- a. Segregation shall be administered in accordance with COR.11.01 (Administrative and Disciplinary Segregation). Health care staff shall not order the segregation of incarcerated individuals for disciplinary purposes.
- b. The use of restraints or seclusion for therapeutic purposes shall be administered in accordance with COR.10.11.01 (Restraint and Seclusion (Clinically Ordered)). Health care staff shall not order the use of restraints or seclusion for disciplinary purposes.

APPROVAL RECOMMENDED:



Deputy Director for Corrections JAN 01 2024
Date

APPROVED:



DIRECTOR JAN 01 2024
Date

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