

NEWS RELEASE

DELAWARE DEPARTMENT OF CORRECTION

Commissioner Claire DeMatteis

Presented by Jason P. Miller, Chief of Communications and Community Relations

245 McKee Road | Dover, DE 19904 | Office: 302.857.5232 | jason.miller@delaware.gov

DOC eliminates restrictive housing in Delaware prisons

Cited in national survey as one of only four states with no inmates in restrictive housing last year

Dover, DE -- The Delaware Department of Correction (DOC) today highlighted the success and impact of its years-long effort to end the use of restrictive housing as a disciplinary measure in the state's prison facilities. It eliminated restrictive housing as part of its commitment to employ modern evidence-based practices to create safe prison environments for officers, healthcare providers, counselors, and inmates. The revised procedures hold inmates accountable for dangerous behavior while expanding access to programming and recreation and by improving treatment and services for inmates with mental illness.

"These reforms required new ways of thinking and new investments in programs," **Department of Correction Commissioner Claire DeMatteis said**. "Thanks to strong support from Governor Carney and the General Assembly and buy-in from correctional officers, wardens, and treatment providers we have ended this outdated and counterproductive practice while making our prisons safer."

Sometimes referred to as solitary confinement or segregation, restrictive housing has been shown to have a profound negative psychological impact on inmates. In 2016, the U.S. Department of Justice published a report that concluded: *"There are occasions when correctional officials have no choice but to segregate inmates from the general population, typically when it is the only way to ensure the safety of inmates, staff, and the public. But as a matter of policy, we believe strongly this practice should be used rarely, applied fairly, and subjected to reasonable constraints."*

In response to the 2016 federal findings, national best-practice standards were drafted and the Delaware DOC led the way among states in changing policies and practices to eliminate the use of restrictive housing by adopting standards that meet or exceed minimum standards for out-of-cell time and lengths of stay in disciplinary detention. These changes began taking shape in Delaware even earlier, in 2015, when the DOC opened a new housing unit at James T. Vaughn Correctional Center with enhanced treatment for dozens of mentally ill inmates who had been previously held in maximum security housing. The DOC implemented its reforms collaboratively with the Community Legal Aid Society of Delaware (CLASI) and the American Civil Liberties Union of Delaware (ACLU), which had filed litigation seeking an end to restrictive housing practices. Recently, the Yale Law School report [Time-In-Cell: A 2019 Snapshot of Restrictive Housing](#) recognized Delaware as one of only four states that placed zero inmates in restrictive housing last year.

"Our Wardens, Correctional Officers, counselors, and healthcare providers have embraced our restrictive housing reforms because they know from experience that being firm and fair in a prison includes an emphasis on programming, recreation, and social contact because that more

well-rounded approach improves safety and supports rehabilitation," said **Bureau of Prisons Chief Shane Troxler**. "I am proud that the Delaware DOC has been a leader in using proven practices, first-class training, and the latest technology to protect our facilities while expanding treatment and programs to enhance inmate wellbeing,"

The DOC today released the attached publication [*Elimination of Restrictive Housing in DOC - 5 Things You Should Know*](#) that provides information about these reforms for criminal justice stakeholders and the public. Highlights from the publication include:

Eliminating restrictive housing has made Delaware prisons safer

Recreational and treatment improve safety by reducing inmates' idle time and expanding programming and services. DOC monitored the most serious institutional offenses in maximum security and disciplinary detention over three years starting before these reforms were launched, and found that these offenses trended lower after the reforms were implemented.

Providing recreation and mental health treatment to inmates with problematic or violent behavior presents unique challenges

Recreation and programming has historically been limited for maximum security inmates because of criminal history, institutional behavior, and severity of offense. In 2016, DOC agreed to provide maximum security inmates in housing units that formerly employed restrictive housing with at least 17.5 hours each week for recreation, religious practices, library, visits, and time with inmates in common areas. [In 2020, education and skill training classrooms specially-designed classrooms for maximum security inmates were opened at James T. Vaughn Correctional Center to facilitate group participation in academic classes and counseling services.](#)

Many inmates in maximum security and disciplinary detention have mental illness

59% of Delaware inmates who were living in what used to be restrictive housing were diagnosed as mentally ill. To meet this unique challenge, today mentally ill inmates in maximum security or disciplinary detention receive Individualized Treatment Plans to guide therapy and programming. Seriously mentally ill inmates are housed in Residential Treatment Units where they receive at least 10 hours per week each of recreation and mental health programming.

DOC carefully monitors mentally ill inmates in disciplinary detention

Mental illness may contribute to rulebreaking and violent behavior, and placing mentally ill inmates in disciplinary detention can aggravate mental health conditions. While disciplinary detention must be considered in some cases, mentally ill inmates receive special consideration. A mental health assessment is conducted to determine the inmate's ability to participate in a disciplinary hearing, what role mental health may have played in an infraction, and whether disciplinary detention will negatively impact mental health.

DOC's use of disciplinary detention does not rise to level of restrictive housing

National standards define restrictive housing as being confined to a cell for at least 22 hours per day for 15 consecutive days or more. According to DOC policy, inmates in disciplinary detention receive 10 hours per week of out-of-cell recreation and disciplinary detention cannot exceed 15 consecutive days.