

1 **BOARD BILL NO. 9 INTRODUCED BY ALDERMAN JOSEPH VACCARO,**
2 **PRESIDENT LEWIS REED**

3 An ordinance requiring the corrections commissioner to post a quarterly report on
4 the City’s Division of Corrections website regarding administrative segregation of
5 inmates at city detention centers; and containing a severability and an emergency clause.

6 **WHEREAS**, the use of solitary confinement, known as administrative
7 segregation, in detention centers is of great public interest and concern; and

8 **WHEREAS**, solitary confinement has drawn scrutiny by mental health
9 professionals who have found its effects can be counterproductive to the rehabilitation of
10 inmates, can be damaging to the inmate, and can lead to social costs that outweigh its
11 purported benefit; and

12 **WHEREAS**, increased reporting of statistics related to the use of solitary
13 confinement and segregation of inmates can provide the public and mental health
14 professionals transparency into the treatment of our City’s inmates.

15 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

16 **SECTION 1. Title.**

17 This ordinance shall be known as the “Detention Center Statistics Reporting
18 Law.”

19 **SECTION 2. Definitions.**

20 For the purposes of this ordinance, the following terms shall have the following
21 meanings:

22 “Administrative segregation” shall mean a status of confinement indicating

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1 special management risk resulting in the loss of some privileges. This status of
2 confinement is assigned to an inmate whose presence in the general population poses a
3 threat to the safety and security of property, inmates, staff, or the facility. Administrative
4 segregation for the purposes of this ordinance shall include but is not limited to inmates:
5 in protective custody (a status currently codified at Section 3.4.1 of the Division of
6 Corrections manual of policy and procedures), in the “Administrative Segregation/Step-
7 Down Program” (a status currently codified at Section 3.4.2 of the Division of
8 Corrections manual of policy and procedures), in disciplinary segregation (a status
9 currently codified at Section 3.4.4 of the Division of Corrections manual of policy and
10 procedures), in special needs segregation, or in a mental health unit.

11 “Commissioner” shall mean the Commissioner of the Corrections Division of the
12 City of St. Louis’s Department of Public Safety.

13 “Disciplinary segregation” shall mean city detention center housing units where
14 inmates who have been found guilty of violating department rules may be temporarily
15 housed as a sanction for their offense(s) and restricted to their cells more than 15 hours
16 per day. It includes inmates currently classified with a status pursuant to Section 3.4.4 of
17 the Division of Corrections manual of policy and procedures.

18 “Division” shall mean the Corrections Division of the City of St. Louis’s
19 Department of Public Safety.

20 “Inmate recreation day” shall mean one day per each individual for every day in
21 administrative segregation during each quarter.

22 “Inmate shower day” shall mean one day per each individual for every day in

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1 administrative segregation during each quarter.

2 “Mental health unit” (“MHU”) shall mean any separate housing area or special
3 management unit staffed by mental health clinicians where inmates with mental illness
4 who have been found guilty of violating division rules are housed.

5 “Serious injury” shall mean a physical injury that includes: (i) a substantial risk of
6 death or disfigurement; (ii) loss or impairment of a bodily organ; (iii) a fracture or break
7 to a bone, excluding fingers and toes; (iv) an injury defined as serious by a physician; and
8 (v) any additional serious injury as defined by the division.

9 “Staff” shall mean anyone, other than an inmate, working at a facility operated by
10 the division.

11 “Use of force” shall mean the use of chemical agents or physical contact between
12 a uniformed member of staff and an inmate, but shall not include physical contact used in
13 a non-confrontational manner to apply mechanical restraints or to guide an inmate.

14 “Use of force A” shall mean a use of force resulting in an injury that requires
15 medical treatment beyond the prescription of over-the-counter analgesics or the
16 administration of minor first aid, including, but not limited to: (i) multiple abrasions
17 and/or contusions; (ii) chipped or cracked tooth; (iii) loss of tooth; (iv) laceration; (v)
18 puncture; (vi) fracture; (vii) loss of consciousness, including a concussion; (viii) suture;
19 (ix) internal injuries, including but not limited to ruptured spleen or perforated eardrum;
20 or (x) admission to a hospital.

21 “Use of force B” shall mean a use of force resulting in an injury that does not
22 require hospitalization or medical treatment beyond the prescription of over-the-counter

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1 analgesics or the administration of minor first aid.

2 "Use of force C" shall mean a use of force resulting in no injury to staff or
3 inmates.

4 **SECTION 3. Reporting of Statistics.**

5 For the quarter beginning April 1, 2017, commencing on or before July 20, 2017,
6 and on or before the 20th day of the month following each quarter thereafter, the
7 Commissioner shall post a report on the division's website containing information
8 relating to the use of administrative segregation housing in city detention centers for the
9 previous quarter. Such quarterly report shall include separate indicators, disaggregated by
10 facility and housing category for the total number of inmates housed in administrative
11 segregation. Such quarterly report shall also include the following information regarding
12 the administrative segregation population:

- 13 1) the number of inmates in each security risk group as defined by the division's
14 classification system directive,
- 15 2) the number of inmates subject to enhanced restraints, including but not limited
16 to, shackles, waist chains, and hand mittens,
- 17 3) the number of inmates sent to administrative segregation housing during the
18 period,
- 19 4) the number of inmates sent to administrative segregation from mental
20 observation housing areas or mental health units,
- 21 5) the number of inmates, by highest infraction offense grade as classified by the
22 division,

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- 1 6) the number of inmates serving punitive segregation in the following specified
- 2 ranges: less than 10 days, 10 to 30 days, 31 to 90 days, 91 to 180 days, 181 to
- 3 365 days, and more than 365 days,
- 4 7) the number of inmates receiving mental health services,
- 5 8) the number of inmates 21 years of age and under,
- 6 9) the number of inmates over 21 years of age in 10-years-of-age intervals,
- 7 10) the race and gender of inmates,
- 8 11) the number of inmates who received infractions while in administrative
- 9 segregation housing,
- 10 12) the number of inmates who received infractions that lead to the imposition of
- 11 additional administrative segregation time,
- 12 13) the number of inmates who committed suicide,
- 13 14) the number of inmates who attempted suicide,
- 14 15) the number of inmates on suicide watch,
- 15 16) the number of inmates who caused injury to themselves (excluding suicide
- 16 attempt),
- 17 17) the number of inmates seriously injured while in administrative segregation,
- 18 housing,
- 19 18) the number of inmates who were sent to non-psychiatric hospitals outside the
- 20 city jails,
- 21 19) the number of inmates who died (non-suicide),
- 22 20) the number of inmates transferred to a psychiatric hospital from administrative

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- 1 segregation (not an MHU),
- 2 21) the number of inmates transferred to a psychiatric hospital from disciplinary
- 3 segregation (not an MHU),
- 4 22) the number of inmates transferred to a psychiatric hospital from an MHU,
- 5 disaggregated by program, status, or classification,
- 6 23) the number of inmates moved from general administrative segregation to an
- 7 MHU, disaggregated by program, status, or classification
- 8 24) the number of inmates placed into an MHU following a disciplinary hearing,
- 9 disaggregated by program, status, or classification,
- 10 25) the number of inmates moved from an MHU to disciplinary segregation,
- 11 disaggregated by program, status, or classification,
- 12 26) the number of inmates prescribed anti-psychotic medications, mood stabilizers
- 13 or anti-anxiety medications, disaggregated by the type of medication,
- 14 27) the number of requests made by inmates for medical or mental health
- 15 treatment and the number granted,
- 16 28) the number of requests made by inmates to attend congregate religious
- 17 services and the number granted,
- 18 29) the number of requests made by inmates for assistance from the law library
- 19 and the number granted,
- 20 30) the number of requests made by inmates to make telephone calls and the
- 21 number granted, disaggregated by weekly personal calls and other permissible
- 22 daily calls,

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- 1 31) the number of inmate recreation days and the number of recreation hours
2 attended,
- 3 32) the number of individual recreation hours that were offered to inmates prior to
4 six a.m.,
- 5 33) the number of inmate shower days and the number of showers taken,
- 6 34) the number of inmates who received visits,
- 7 35) the number of instances of allegations of use of force,
- 8 36) the number of instances of use of force A,
- 9 37) the number of instances of use of force B,
- 10 38) the number of instances of use of force C,
- 11 39) the number of instances in which contraband was found,
- 12 40) the number of instances of allegations of staff-on-inmate sexual assault,
- 13 41) the number of instances of substantiated staff-on-inmate sexual assault,
- 14 42) the number of instances of allegations of inmate-on-staff sexual assault, and
- 15 43) the number of instances of substantiated inmate-on-staff sexual assault.

16 **SECTION 4. Severability Clause.** The provisions of this ordinance shall be
17 severable. In the event that any provision of this ordinance is found by a court of
18 competent jurisdiction to be unconstitutional, the remaining provisions of this ordinance
19 are valid unless the court finds the valid provisions of this ordinance are so essentially
20 and inseparably connected with, and so dependent upon, the void provision that it cannot
21 be presumed that the Board of Aldermen would have enacted the valid provisions without

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1 the void ones or unless the Court finds that the valid provisions, standing alone, are
2 incomplete and incapable of being executed in accordance with the legislative intent.

3 **SECTION 5.** Emergency Clause. This being an ordinance for the preservation
4 of public peace, health and safety, it is hereby declared to be an emergency measure
5 within the meanings of Sections 19 and 20 of article IV of the Charter of the City of St.
6 Louis and therefore shall become effective immediately upon its passage and approval by
7 the Mayor.

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