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|  | DISTRICT OF COLUMBIA<br>DEPARTMENT OF CORRECTIONS                                                                                                                                                                                                            |  | <b>EFFECTIVE DATE:</b>     | October 15, 2019             | <b>Page 1 of 9</b> |
|                                                                                   | <b>POLICY AND PROCEDURE</b>                                                                                                                                                                                                                                  |  | <b>SUPERSEDES:</b>         | 4353.3C<br>December 19, 2016 |                    |
|                                                                                   |                                                                                                                                                                                                                                                              |  | <b>OPI:</b>                | CASE MANAGEMENT              |                    |
|                                                                                   |                                                                                                                                                                                                                                                              |  | <b>REVIEW DATE:</b>        | October 15, 2020             |                    |
|                                                                                   |                                                                                                                                                                                                                                                              |  | <b>Approving Authority</b> | Quincy L. Booth<br>Director  |                    |
| <b>SUBJECT:</b>                                                                   | SEPARATION CASES                                                                                                                                                                                                                                             |  |                            |                              |                    |
| <b>NUMBER:</b>                                                                    | 4353.3D                                                                                                                                                                                                                                                      |  |                            |                              |                    |
| <b>Attachments:</b>                                                               | Attachment 1 – Separation Order Request Memorandum<br>Attachment 2 – Separation Order/U.S. Attorney/U.S. Marshall Service<br>Attachment 3 – No Animosity Request Memorandum Form<br>Attachment 4 – Separation Order Lift/U.S. Attorney/U.S. Marshall Service |  |                            |                              |                    |

**SUMMARY OF CHANGES:**

| Section | Change                                           |
|---------|--------------------------------------------------|
|         | <i>Minor changes made throughout the policy.</i> |

**APPROVED:**


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**Quincy L. Booth, Director**

10/15/19  
**Date Signed**

|                                                   |                                                                                                                                                                                                                                                 |                        |                              |                    |
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1. **PURPOSE AND SCOPE.** To establish procedures for separating inmates from one another when required for safety, security and/or and order of the D.C. Department of Corrections (“DOC”) facilities. Inmates who have separation orders require clearance before internal housing changes, transfers, temporary releases (court appearances, writs, etc.) or participation in community activities to safeguard against potential contact with inmates from whom they are separated.
2. **PROGRAM OBJECTIVE.** The expected results of this program are that
  - a. Inmates shall be separated at all times from all documented Separatees.
  - b. Information regarding separations shall be maintained and utilized securely.
3. **NOTICE OF NON-DISCRIMINATION**
  - a. In accordance with the D.C. Human Rights Act or 1977, as amended, D.C. Official Code § 2-1401.01 et seq., (hereinafter, “the Act”), the District of Columbia does not discriminate on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, or place or residence or business. Sexual harassment is a form of sex discrimination that is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.
4. **DIRECTIVES AFFECTED**
  - a. **DIRECTIVES RESCINED**  
PP 4353.3C Separation Cases (12/19/2016)
  - b. **DIRECTIVES REFERENCED**  
PP 3350.2 Elimination of Sexual Abuse, Sexual Assault, and Sexual Misconduct
5. **STANDARDS REFERENCED.** None

|                                                   |                                                                                                                                                                                                                                                 |                        |                              |                    |
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## 6. AUTHORITY

- a. D.C. Code § 24-211.2 Powers; Promulgation of Rules.
- b. Farmer v. Brennan, 511 U.S. 826

## 7. DEFINITIONS

- a. **Separation Cases.** For the purpose of this directive, separation cases are defined as inmates who may not come in contact with other specified inmates who are housed in any DOC institution or who may come into DOC custody in the future to include contact in transport, housing, programming, recreation, eating, visiting, shower, medical care, work detail or any other area. , Inmates identified as separation cases may be housed on the same restrictive housing unit but on separate tiers.
- b. **Separatee.** Any inmate from whom another inmate is separated.
- c. **Separation Order.** A separation order is a procedure that requires the separation of inmates when their safety or the secure and orderly operation of the DOC facility is at risk.

## 8. SEPARATION FACTORS. The factors to consider in identifying an individual as a **separation case** include, but are not limited to:

- a. Testimony provided by or about an individual in open court, to a grand jury, or other tribunal;
- b. Inmates who have provided law enforcement or investigative authorities with information concerning the unauthorized or illegal activities of others;
- c. Whether there has been aggressive behavior towards or from other specific individuals, either in the community or within the institution;
- d. Inmates for whom there is no identifiable threat, but who are to be separated from others at the request of the courts, prosecutors, corrections or other law enforcement officials;
- e. Inmates who have known rival associations, affiliations or crews/ gang involvement.

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- f. Intelligence or information received that warrants the individuals' separation for the safety, security or order of the facility.

## 9. ORIGIN OF A SEPARATION ORDER

- a. A Separation Order May Be Initiated By The Following:

- 1) Intake Screening
- 2) Self-Admission /Interview
- 3) Institutional incidents
- 4) PREA Complaint
- 5) Court Order
- 6) Court Alert
- 7) United State's Attorney Request
- 8) MPD Report
- 9) OIS Request
- 10) USMS, FBOP
- 11) Adjustment Board
- 12) Housing Board

- b. Process for the Different Types of Separation Order Requests

- 1) **Intake Screening** During the admission process of inmates into the institution, the Case Manager or designee responsible for intake screening shall:
  - a) Review all documents pertaining to the incoming inmate. If documentation reveals a need for a separation, or if the case manager or designee learns of a need to separate an inmate the case manager or designee shall complete a Separation Order Request Memorandum (Attachment 1) and forward the request

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through the chain-of-command to the Warden or designee for approval and issuance of the Separation Order.

- b) The Case Manager or designee will enter the separation into JACCS.
  - c) Once the Warden approves the separation memorandum a copy shall be forwarded to the Records Office.
  - d) The Records Office staff will confirm that the separation memorandum has been entered into JACCS and then the Records Office will scan it into PaperClip.
- 2) **Self-Admission/Interview** A staff who becomes aware of a need for a separation based on self-admission by the inmate or when disclosed in documentation shall:
- a) Immediately take steps to separate the inmates.
  - b) Interview the inmate.
  - c) The staff shall complete a Separation Order Request Memorandum (Attachment 1) and forward to the Warden or designee for approval and issuance of the Separation Order.
  - d) If the staff is a Case Manager he or she will enter the separation into JACCS.
  - e) If the staff is an Officer he or she needs to notify his or her immediate Supervisor or Shift Captain. The immediate Supervisor or Shift Captain shall enter the information into JACCS immediately.
  - f) Once the Warden approves the separation order a copy shall be forwarded to the Records Office.
  - g) The Records Office staff will confirm that the separation memorandum has been entered it into JACCS and then the Records Office will scan it into PaperClip.

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- 3) **Institutional Incidents Such as a Fight or an Assault or a Threat** A staff who witnesses or becomes aware of an incident involving inmates that requires a separation shall:
- a) Immediately take steps to separate the inmates.
  - b) The staff shall complete a Separation Order Request Memorandum (Attachment 1) and forward the request through the chain-of-command to the Warden or designee for approval of the separation.
  - c) A copy of the separation memorandum is forwarded to the Compliance Office/Count Book.
  - d) The Compliance Office/Count Book Officer or the Adjustment Board Chairperson will enter the separation into JACCS and forward a copy to the Records Office.
  - e) The Records Office staff will confirm that the separation memorandum has been entered it into JACCS and then the Records Office will scan it into PaperClip.
- 4) **PREA complaint** A staff who learns that inmates need to be separated after a PREA related incident shall:
- a) Immediately take steps to separate the inmates.
  - b) At the time the incident occurs, the PREA staff should complete a Separation Order Request Memorandum (Attachment 1) and forward the request through the chain-of-command to the Warden or designee for approval and issuance of the separation.
  - c) The PREA staff shall enter the documentation into JACCS.
  - d) Once the Warden approves the separation order a copy shall be forwarded to the Records Office.
  - e) The Records Office staff will confirm that the separation memorandum has been entered into JACCS and then the Records Office will scan it into PaperClip.

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- 5) **Court Order/Court Alert** A court order/alert comes in when the inmate is transported to the Inmate Reception Center (IRC) or through email/fax to the Records Office. Once a court order is received:
  - a) The Records Office will forward the court order to the Compliance Office/Count Book Officer.
  - b) The Records Office staff will scan the court order into PaperClip
  - c) The Compliance Office/Count Book Officer will enter the separation into JACCS
  
- 6) **U.S. Attorney's Request.** A U.S. Attorney's request comes in through email/fax or phone call to case management services prior to the inmates arrival or after arrival. Case Management Services will complete and scan the Separation Order/U.S. Attorney/U.S. Marshall Service (Attachment 2) into PaperClip and enter the information into JACCS.
  
- 7) **Office of Investigative Services Request (OIS)** An OIS request is generated through a request from MPD or US Attorney's office via email (Intel Alert).
  - a) OIS will forward the information to the Warden or designee.
  - b) The Warden or designee confirms that the separation alert is entered into JACCS.
  
- 8) **United States Marshals Service (USMS), Federal Bureau of Prisons (FBOP).** A separation request from the USMS or FBOP is received through email, fax to the Records Office prior to the inmates arrival or after arrival.
  - a) The Records Office staff will forward the separation request to the Compliance Office
  - b) The Records Office staff will scan the separation into PaperClip
  - c) The Compliance Officer will enter the separation into JACCS
  
- 9) **Adjustment Board** When a board member becomes aware of a separation need between inmates the Adjustment Board Chairperson

|                                                   |                                                                                                                                                                                                                                                 |                        |                              |                    |
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shall be notified and the Chairperson or designee will enter the information into JACCS:

- a) The Chairperson or designee shall complete a Separation Order Request Memorandum (Attachment 1) and forward the request through the chain-of-command to the Warden or designee for approval.
- b) The Adjustment Board Chairperson or designee will scan the memorandum into PaperClip.

10) **Housing Board** – If the Housing Board becomes aware of a separation need, the Housing Board Chairperson.

- a) The Housing Board Chairperson enters the separation request into JACCS
- b) The Housing Board Chairperson also completes the Separation Order Request Memorandum (Attachment 1) and forwards it to the Warden or designee for approval.
- c) Once approved the Housing Board Chairperson scans the separation into PaperClip.

11) **Cooperating Witnesses Separatee**

- a) The Chief Case Manager or designee shall be responsible for entering the separation into JACCS
- b) The Chief Case Manager or designee shall complete, maintain, and scan the Separation Order/U.S. Attorney/U.S. Marshall Service (Attachment 2) into PaperClip.

**10. CONFIDENTIALITY OF SEPARATION ORDER.** Separation orders must be kept confidential at all times.

- a. It is essential to the safety, security, and order of DOC facilities that DOC does not confirm or deny the existence or non-existence of a separation order (outside of law enforcement). Information regarding a separation order shall not be released to callers, attorneys, family members, friends, other inmates or other outside requestors.



|                                                   |                                                                                                                                                                                                                                                 |                        |                              |                    |
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- b. Separation orders are not produced in subpoenas or discovery or FOIA requests without appropriate General Counsel review and legal protections.

## 11. SEPARATION ORDER LIFT

- a. All requests for the removal of a separation order resulting from incidents at DOC shall be forwarded through the chain of command to the Warden for final approval.
- b. The request must include the rationale for the separation lift and any appropriate supporting documentation, such as signed Non-Animosity Request Memorandum (Attachment 3). This documentation shall be immediately forwarded to the Records Office to be placed in the affected inmate's institutional record and/or scanned into PaperClip.
- c. All requests for the removal of a separation order from the U.S. Attorney's Office and/or U.S. Marshall Services comes in through email/fax or phone call to Case Management Services. Case Management Services will complete and scan the Separation Order Lift/U.S. Attorney/U.S. Marshall Service (Attachment 4) into PaperClip and remove the separation from JACCS.
- d. All requests for the removal of a separation order from the Courts, the Office of Attorney General (OAG), etc., shall be forwarded to the Records Office.

## 12. AUTHORITY TO APPROVE AND LIFT SEPARATIONS. The authority to approve and lift Separation Orders is delegated as follows:

- a. The Warden shall have approving authority for inmates incarcerated at DOC facilities that require separations.
- The Community Corrections Administrator of halfway houses shall approve separations for inmates confined to the halfway houses.
- c. The Judge shall approve court order separation lifts. The U.S. Attorney's Office shall approve separation lifts place on by the U.S. Attorney's Office.
- d. The U.S. Marshall Service shall approve separation lifts place on by the U.S. Marshall Service.



GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF CORRECTIONS

\_\_\_\_\_ Facility  
Washington, DC 20003

**Separation Order Request Memorandum (Security Sensitive Document):**

To: \_\_\_\_\_  
Warden

Through:

From:

Date:

Subject: Separation Orders

Re: Inmate's name:

DCDC Number:

Housing:

The above-named inmate is to be separated from:

| Inmate Name | DCDC Number | Housing |
|-------------|-------------|---------|
| _____       | _____       | _____   |
| _____       | _____       | _____   |
| _____       | _____       | _____   |

**Effective the date shown above**, the above-referenced inmates are to be separated from each other at all times. This separation includes housing, feeding, recreation, visiting, transportation, showering, medical attention and in any other area where they may come into contact with one another. This order will remain in effect at all times, until rescinded by the institutional Warden or designee.

CC: Each inmate's file  
Count Book



GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF CORRECTIONS  
Office of Case Management Services  
1901 E Street, SE  
Washington, DC 20003

DATE: \_\_\_\_\_

**Separation Order/U.S. Attorney/U.S. Marshall Service**

The following inmate is to be kept separated, at all times, from the inmate(s) indicated below:

NAME & DCDC#: \_\_\_\_\_

To be separated from:

NAME & DCDC#: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

This separation is ordered by or has been requested by the United States Attorney's Office, United States Marshall Service:

\_\_\_\_\_

This order is not to be lifted unless approved by the Office of Case Management Services.



Date: \_\_\_\_\_

**Non- Animosity Request Memorandum**

TO: Institutional Record

THROUGH: \_\_\_\_\_, Warden or Designee

SUBJECT: No Animosity Separation

I \_\_\_\_\_ DCDC \_\_\_\_\_ hereby attest that I  
have no animosity or intent of causing harm to  
Inmate \_\_\_\_\_ DCDC \_\_\_\_\_.

I have been advised that if this request is approved, both of us can be placed  
in the same housing area. I attest that I have not been coerced into signing  
this request. I hereby request that (check the appropriate box below):

No separation be imposed     The separation order be lifted

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witnessed by: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Title: \_\_\_\_\_

Requested by: \_\_\_\_\_  
DCDC \_\_\_\_\_  
Housing Unit: \_\_\_\_\_



Office of Case Management Services

## SEPARATION ORDER LIFT/U.S. Attorney/U.S. Marshall Service

At the request of the

\_\_\_\_\_ United States Attorney's Office for the District of Columbia  
\_\_\_\_\_ U.S. Marshals Service

The following inmates were previously ordered to be separated from each other at all times. This order is now rescinded.

Inmate Name \_\_\_\_\_

**KEEP SEPARATED FROM**

**Inmate Name** \_\_\_\_\_

This order is now LIFTED; however any other Separation Orders for each of the inmates listed will remain in effect.

Thank you for your cooperation.

\_\_\_\_\_  
Case Management Services

\_\_\_\_\_  
Date