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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 that reads '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 age<sup>1</sup>*

| 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                     |
| <b>Total</b>                  | <b>400</b>       | <b>2,060</b> | <b>3,732</b> | <b>2,085</b> | <b>1,361</b> | <b>168</b> | <b>9,806</b> | <b>34.5</b>              |

*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        |
| <b>Total</b>                  | <b>1,289</b> | <b>190</b> | <b>4,258</b> | <b>4,054</b> | <b>15</b> | <b>9,806</b> |

<sup>1</sup> 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            |
| <b>Total</b>    | <b>174</b>       | <b>1,011</b> | <b>2,023</b> | <b>1,266</b> | <b>861</b> | <b>120</b> | <b>5,455</b> |

*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             |                    |                        |
| <b>Total</b> |  | <b>17</b>                          | <b>528</b>             | <b>2,230</b>       | <b>71</b>   | <b>709</b>             | <b>15,089</b> | <b>18,644</b> | <b>19.7</b>        | <b>5.1</b>             |

***Lengths of terms served in restrictive housing***

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

| <b>Duration</b> | <b>n</b>     | <b>Percent</b> |
|-----------------|--------------|----------------|
| 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%            |
| <b>Total</b>    | <b>9,544</b> | <b>100%</b>    |

***July 1, 2020 restrictive housing population by basis and race<sup>3</sup>***

| <b>Basis</b>               | <b>American Indian</b> | <b>Asian</b> | <b>Black</b> | <b>White</b> | <b>Total</b> |
|----------------------------|------------------------|--------------|--------------|--------------|--------------|
| 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           |
| <b>Total</b>               | <b>67</b>              | <b>5</b>     | <b>167</b>   | <b>157</b>   | <b>396</b>   |

<sup>2</sup> 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.

<sup>3</sup> 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.