

NEBRASKA

JAIL BULLETIN

OCTOBER/NOVEMBER 1996

NUMBER 130

The *Jail Bulletin* may be used as a supplement to your jail in-service training program. If officers study the material and complete the attached "open book" quiz, they may receive **one hour of credit**. The bulletin and quiz may be reproduced for staff use as necessary. ***We welcome any material you would like to contribute to the "Jail Bulletin".***

INMATE CLASSIFICATION PROGRAM PART II

OVERVIEW OF A CLASSIFICATION SYSTEM

I. CUSTODY LEVELS

The Classification System works by assigning each inmate to a custody level. Each housing area, in turn, is designated for a particular custody level or levels. When an inmate is classified, he or she is lodged in a location designated to house inmates of that particular custody level. Housing Area custody designations should be established in Policy.

Policy defines the term custody level as "the risk factors associated with a particular inmate." "Risk" is used as a general term here, and can be interpreted to mean the inmate's potential in many areas of institutional adjustment, such as:

- C Escape potential

The contents of the *Jail Bulletin* represent the views of the author(s) and do not necessarily reflect official views or policies of the Nebraska Crime Commission or the Nebraska Jail Standards Board.

- C Potential to harm self or others

- C Potential for preying on or manipulating weaker inmates

- C Potential for disruptive behavior

- C Potential for being victimized

Custody levels are arrived at by assigning numerical values to important factors in the inmate's history and current institutional adjustments which are seen as indicators of the risk factors involved. The resulting score corresponds to a particular custody level.

The detention facility uses four levels: minimum custody, medium custody, close custody and maximum custody. Because the scoring system is reviewed annually and adjusted as needed (based on population distribution and availability of housing), the point values that correspond to these levels are listed on the classification forms and do not appear in policy.

Custody levels are defined by points only, and inmates are never assigned to a custody level based on a written description or definition. However, a general illustration of each custody level may assist staff in understanding the rationale behind the levels:

MINIMUM CUSTODY AND MEDIUM CUSTODY: These are the lowest custody levels to which an inmate may be assigned. When compared to inmates in higher custody levels, these inmates are viewed as presenting a lower risk of escape, a lower level of criminal sophistication or institutionalization, and a greater potential for maintaining satisfactory relationships with other inmates and staff.

Minimum and medium custody inmates may appear very similar and have similar scores. They are differentiated by the fact that only sentenced inmates with no detainers, holds or unsatisfied bonds may be assigned to minimum custody. Minimum custody inmates can be housed at a facility or housing unit with a lower level of supervision and fewer security features, and inmates who are still facing sentencing or other legal actions are seen as having a significantly higher motivation for escape. They are, therefore, seen as inappropriate for a minimum custody setting.

CLOSE CUSTODY: The scores these inmates receive indicate that they are mature and sophisticated enough to adjust successfully to maximum security populations, but are not so predatory or unsocialized that they would represent a threat to inmates of a lower custody level. Their escape potential, although not extreme, is sufficient that placement in low-supervision settings would be unsuitable. Placement in a more secure or closely supervised housing unit is therefore indicated.

When making housing assignments, close custody inmates may be placed in any of the secure and closely supervised housing units. It is therefore essential that these inmates have the capability to

live successfully with both Maximum and Medium Custody inmates. If there are indications that the inmate could not adjust satisfactorily to Maximum Custody inmates, an over-ride recommendation should be submitted for Medium Custody; if the inmate may not adjust well to a Medium Custody population, a recommendation for Maximum Custody should be made.

MAXIMUM CUSTODY: Maximum custody inmates usually share some of the following traits:

- C high risk of escape, or charged with an offense which indicates a higher level of dangerousness to others than inmates of lower classifications normally pose;
- C a longer history of criminal activity or incarcerations which would indicate a higher level of sophistication or institutionalization;
- C a known history of unsatisfactory institutional adjustment, disregard for rules and regulations, and/or animosity towards authority figures which would make them difficult to manage.

CLASSIFICATION OVER-RIDES

A classification over-ride is the assigning of an inmate to a custody level different from the one indicated by the numerical score. This may be to either a higher or lower level.

One may ask, if classification is designed to treat all inmates fairly, why do we have over-rides? It is because no classification system can be completely comprehensive; none can examine every conceivable factor that might be critical to assigning a custody level. Since all inmates are individuals who bring with them their own personal traits, backgrounds and situations, the classification process must be flexible enough to consider special cases when necessary.

Classification over-rides are not intended to be used routinely or for trivial reasons. They are exceptions to the rule. Two main reasons an over-ride may be considered are:

- C **SAFETY OR PROTECTION OF AN INMATE.** Due to physical appearance or traits, maturity level, or other factors it may be necessary to house certain inmates with less aggressive inmates, even though their scores are the same.
- C **SAFETY OR PROTECTION OF THE COMMUNITY OR THE FACILITY.** (In other words, security) In some cases the jail staff may have knowledge that a particular inmate is a greater risk than the classification score would indicate, and assignment to a more secure area would be desirable.

There may be other reasons as well. But all over-rides, for whatever reason, must be justified by detailed written rationale accompanied by whatever documentation is available. Such justification is critical since indiscriminate use of over-rides can lead to charges of favoritism and unequal treatment.

Over-rides are recommended during either the initial classification (or an update of an initial classification), or during a classification review. The recommendations are made by the Classification Specialist doing the classification, and are made to the Jail Manager. Only the Jail Manager or Sheriff may approve classification over-rides. Jail Managers or the Sheriff may also choose to initiate an over-ride where there has been no recommendation for such by a Classification Specialist.

Over-rides are not permanent, and must be renewed during each classification review. When performing a review on an inmate who is presently on an over-ride, the Classification Specialist should forward the review to the Jail Manager along with a recommendation on whether the over-ride should or should not be continued. As with any other recommendation, this should be accompanied by a written rationale and any appropriate documentation.

II. CLASSIFICATION SCHEDULE

The classification schedule is set up to monitor and respond promptly to changes in every inmate's situation throughout his or her incarceration.

ADMISSION HOUSING ASSIGNMENT

The Admission Housing Assignment is the housing assignment given to an inmate when he/she is first booked and lodged into the facility. It is a temporary assignment to a designated reception area while the inmate is awaiting classification. Inmates should not be placed in a regular housing location until they have been classified.

INITIAL CLASSIFICATION

The initial classification is the first formal classification performed on an inmate lodged in official detention. Initial classifications must be performed:

- C after the inmate has been arraigned;
- C but within seven days of booking.

There are two advantages to this schedule. The first is that by waiting until after the arraignment, many inmates will obtain the opportunity for release and may not need to be classified and moved to a regular unit. Secondly, it provides for a period of observation, which is essential in any classification system.

Inmates in admission housing can be restricted to their cells while awaiting classification. Female receptees, for instance, should be confined to their cells in the women's housing area during the reception period if the facility lacks a separate female reception area. Under some circumstances male receptees may also be restricted to their rooms.

Restricted inmates need to be classified as soon as possible since they are not being given access to the dayroom as are other admission housing inmates. Therefore, the initial classification must be done and the inmate moved out of admission housing immediately after the arraignment or the Court review of the arrest affidavit.

The Initial Classification mainly assesses the inmate's current charge(s), criminal history, and known institutional adjustment from previous incarcerations. These values are then added together to arrive at the "comprehensive custody score"--the numerical score which indicates which custody level will be assigned to the inmate.

UPDATES TO INITIAL CLASSIFICATIONS

Under some circumstances it may be necessary to update an initial classification. This would generally be necessary when something occurs which would change the score on any of the factors which are evaluated on the initial classification. Examples of this would be additional charges are filed on an inmate, or conviction on reduced or amended charges.

CLASSIFICATION REVIEWS

In order to insure that the custody level continues to accurately reflect the inmate's situation, reviews of the inmate's classification are conducted throughout the period of incarceration. These reviews are largely concerned with assessing the inmate's current institutional adjustment (that is, behavior) by looking at disciplinary histories and records of program attendance. Depending on the inmate's behavior during the review period, the comprehensive custody score may increase or decrease, and the assigned custody level may change accordingly.

There are two types of classification reviews:

1) **Periodic Reviews**: These are conducted according to a fixed schedule which is the same for all inmates.

- C 30 days after the Initial Classification
- C 60 days after the previous (30-day) review
- C 90 days after the previous review
- C 180 days after the previous review

Inmates with work or education release are a special case. Their custody level is not reviewed during the period of time that their release order is in effect. They are, however, reviewed immediately upon the loss of their release order for any reason, and this may result in an immediate change in custody level.

2) **Special Reviews**: Special reviews are conducted whenever certain types of changes occur to an inmate's status.

- C prior to release from Administrative Housing
- C prior to release from Disciplinary Segregation
- C prior to release from medical housing
- C prior to transfer from special needs housing
- C when a referral is made for Administrative Housing (and a review is ordered by the Program Director)
- C upon conviction on criminal charges, and again upon sentencing (if these occur at different times)
- C loss of work or education release
- C when there has been an update to the initial classification and the inmate has been in custody 30 days or more.

Any time special review is conducted, the schedule of periodic reviews starts over. That is, if an inmate receives a special review, he/she will receive periodic review 30 days later, followed by another periodic review 60 days after the 30 day review, etc.

CORRECTIONS TO CLASSIFICATIONS

Initial classifications and classification reviews which are found to contain errors or may be based on incomplete or incorrect information, may be corrected according to the following procedures:

- 1) The staff member discovering a classification which he or she believes to be incorrect will prepare a memorandum to the Jail Manager. This memorandum should be specific as to why the staff member believes the classification is incorrect and clearly state what the errors are.

- 2) Submit a copy of the classification instrument and prepare copies of any related documents, such as NCIC/NCIS printouts, disciplinary histories, reports, etc. These are attached to the memorandum and forwarded to the Jail Manager.
- 3) The Jail Manager will review the memorandum and documentation. If, in the Jail Manager's opinion, the classifications incorrect, sh/he will instruct a Classification Specialist to conduct a classification review.

UNSCHEDULED CLASSIFICATIONS

there are no provisions for conducting any classification function at any time other than according to the schedule discussed above. This includes classification reviews, over-ride recommendations, and changes to the most recent classification review.

However, emergency classifications may be ordered by the Sheriff or the Jail Manager when it is determined that a specific need exists. This may be the result of a significant shift in population distribution or traits, a change in the availability of facilities or other resources, or for other reasons.

The next bulletin will continue with a model disciplinary system.

The "Inmate Classification program" was adapted from material contributed by the Lancaster County Department of Corrections, Lincoln, Nebraska. We gratefully acknowledge the contributions of Administrator Mike Thurber and his staff for this and other material. If you or your agency wish to contribute to the Jail Bulletin or have a special subject to be addressed through the bulletin, please contact: Jail Standards Division, P.O. Box 94946, Lincoln, Nebraska 68509-94946, Telephone 402-471-3710, FAX 402-471-2837.

QUIZ

Nebraska Jail Standards require that jail staff receive eighteen (18) hours of in service training each year. The Jail Bulletin may be used to supplement in service training if an officer studies the bulletin, completes the quiz, and this process is documented by the jail administrator for review during annual jail inspections.

**SUBJECT: Inmate Classification Program
Part II-Overview of a
Classification System**

NAME: _____

DATE: _____

1. List the five "Risk" factors used to assess an inmate's custody level.
 - 1)
 - 2)
 - 3)
 - 4)
 - 5)
2. What are the four custody levels a detention facility should use?
 - 1)
 - 2)
 - 3)
 - 4)
 - 5)
3. Inmates who are considered mature and sophisticated, but are not predatory or unsocialized, would most likely be assigned to which custody level? (Circle one)
 - a. Medium
 - b. Minimum
 - c. Close
 - d. Maximum
 - e. None of the above
4. List the two reasons to over-ride an inmate's classification.
 - 1)
 - 2)
5. **Admission housing** is the housing assignment given to an inmate when first booked and lodged into the facility. (Circle one)
 - a. True
 - b. False
6. What is the time frame for the first periodic classification review? (Circle one)
 - a. 90 days after the previous review
 - b. 60 days after admission
 - c. 30 days after the initial classification
 - d. 30 days after an over-ride
7. When an inmate is about to be released from disciplinary segregation, what kind of classification review should be conducted? (Circle one)

- a. Periodic review
 - b. Monthly review
 - c. Segregation review
 - d. Special review
 - e. None of the above
8. A special review should be conducted when an inmate is pending release from medical housing. (Circle one)
- a. True
 - b. False
9. Who can approve a recommendation for a classification over-ride. (Circle one)
- a. A shift supervisor
 - b. The nurse and the shift supervisor
 - c. The Sheriff
 - d. The Jail Manager
 - e. A classification specialist
 - f. C and D
10. Certain inmates can be restricted to their cells while in admission housing awaiting initial classification. (Circle one)
- a. True
 - b. False

CREDIT: One Hour credit for jail in service training requirement.

QUIZ

(Answers)

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1. List the five "Risk" factors used to assess an inmate's custody level.
 - 1) **Escape potential**
 - 2) **Potential to harm self or others**
 - 3) **Potential for preying on or manipulating weaker inmates**
 - 4) **Potential for disruptive behavior**
 - 5) **Potential for being victimized**

2. What are the four custody levels a detention facility should use?
 - 1) **Minimum custody**
 - 2) **Medium custody**
 - 3) **Close custody**
 - 4) **Maximum custody**

3. Inmates who are considered mature and sophisticated, but are not predatory or unsocialized, would most likely be assigned to which custody level? (Circle one)
 - a. Medium
 - b. Minimum
 - < c. **Close**
 - d. Maximum
 - e. None of the above

4. List the two reasons to over-ride an inmate's classification.
 - 1) **Safety or protection of an inmate**
 - 2) **Safety or protection of the community or the facility**

5. **Admission housing** is the housing assignment given to an inmate when first booked and lodged into the facility. (Circle one)
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Answer sheet should be retained by the Jail Administrator.