I. **PURPOSE**

The purpose of this General Order is to provide directives for a system that identifies an inmate's housing assignment and program needs as well as to improve the overall operations of the facility by reducing incidents and increasing the use of staff where security is most needed.

II. **POLICY**

It shall be the policy of the Corrections Division to provide equal and fair housing, programs, privileges and custody status to all inmates based on an objective jail classification system. Inmates shall not be housed or segregated, denied rights, privileges, programs or accessibility to activities due to their race, color, creed or national origin. Male and female inmates will always be housed separately. An inmate's housing assignment, level of supervision and program eligibility shall be based on a valid assessment instrument. Inmates shall not be assigned to General Population until a classification interview is conducted by a member of the Intake Section to determine the inmate’s Objective Jail Classification Level. The Loudoun County Sheriff’s Office does not house juvenile offenders.

III. **DEFINITIONS:**

Classification: A continuous evaluation process used to determine the programmatic needs and security requirements for inmates incarcerated in the Loudoun County Adult Detention Center. It is a diagnostic process by which an inmate's emergency needs, initial assistance, custody and housing assignments, program and service participation, progress assessments and security needs can be identified and addressed.

Jail Adjustment: An evaluation of an inmate’s behavior during initial incarceration done by a staff member.

Reclassification: Classification process that occurs when an inmate’s custody status is reviewed and changed due to changes in charges, behavior or other factors that may affect the inmate’s Objective Jail Classification Level.

Risk Assessment: An evaluation tool used in appraising an inmate’s probable adjustment to incarceration.
Security Risk: A determination made based on the inmate’s Risk Assessment to establish any potential to breach the security of the facility in some manner, pose an escape threat or threat to themselves or others based on past or present history or behavior.

IV. PROCEDURE

A. Initial Booking

1. Once the initial booking paperwork process is complete, medical staff and the intake supervisor will assess the inmate for medical, mental or at-risk housing status. Criteria used for this initial assessment of jail adjustment and will be based on the information gathered during the booking process:
   
   a. Escape risk
   b. Mental health or emotional factors
   c. General health, including severity of any current illness
   d. Physical or disability factors
   e. Severity or circumstances of offense
   f. Current medical clearance from another facility (with paperwork showing current medical clearance status, or upon the verification by the medical section)
   g. Risk of being sexually abused or sexually harassed

2. Inmates who need to be segregated due to the above factors will be placed in a special housing area until their status changes and/or they are re-evaluated by the medical, security staff and/or classification staff. The decision to separate or segregate inmates will be made by the Shift Supervisor at the recommendation of the medical staff.

3. Information gathered during the booking process will be kept as confidential as possible in order to ensure the sensitive information is not exploited to the inmate’s detriment by staff or other inmates.

B. Formal Interview

1. Within seventy-two (72) hours after an inmate is officially arraigned in court, an Intake deputy will conduct a formal interview with the inmate using the
Classification Workflow located in the Offender Management System (OMS). The interview process is used to collect objective criteria.

a. This interview is designed to collect necessary information and objective criteria for evaluation. More importantly, the interview provides interaction between the inmate and interviewer to further aid in the evaluation.

b. The interview will be conducted in a language in which the inmate is fluent. If an interpreter is not available on staff, all efforts will be made to obtain one. Telephone interpretation services are also available through a county contract to assist in this process.

2. In addition to obtaining vital information from this formal interview, the deputy will familiarize the inmate with the listed forms and daily jail routine:

   a. Inspection
   b. Inmate mail – incoming and outgoing
   c. Telephone use – personal and professional
   d. Canteen
   e. Visiting hours and regulations
   f. Meal services
   g. Medical rounds, services and co-payment
   h. Programs
   i. Disciplinary offenses and the disciplinary process
   j. Grievance procedures
   k. Inmate/staff relations
   l. Inmate request forms
   m. Allowable personal property and money
   n. Recreation
   o. Inmate Handbook review
3. The inmate will be assigned and issued an Inmate Handbook.

4. At the conclusion of the interview, the following forms will be completed and made a permanent part of the inmate record: Inmate Orientation, Notice of Co-Pay for Health Care Services.

C. Classification

1. The deputy will have a criminal history run on the inmate and make any necessary telephone calls to obtain information from other sources such as probation or parole offices and other jails.

2. The deputy will conduct the formal interview.

3. The deputy will consider the following specific criteria to determine each inmate’s classification, custody and housing assignment:

   a. Sex

   b. Nature of offense/seriousness of current charge (based upon the Classification Custody of Crimes)

   c. Criminal offense history (based upon the Classification Custody of Crimes)

   d. Past and present institutional behavior

   e. Escapes

   f. Stability factors

   g. Program authorization from sentencing courts

   h. Prior jail experience

   i. Prior felony convictions

4. The deputy will complete the Classification and Custody Assessment portion of the Offender Management System (OMS). Once OMS has been updated, the form will be printed and made a permanent part of the inmate’s record. This form will document:

   a. Severity of current charge(s)
b. Criminal offense history

c. Escape history

d. Previous institutional behavior

e. Prior felony convictions

f. Present institutional behavior

g. Stability factors

h. Total score

5. The severity of current and past criminal charges will be based on the Classification Custody of Crimes.

6. The deputy conducting the initial classification will also take into account the PREA questions from the booking questioner in an attempt to keep those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive. The deputy will then make a determination about how to better the inmate’s safety.

7. In deciding whether to assign a transgender or intersex inmate to a housing unit for male or female inmates, and in making other housing and programming assignments, staff will consider on a case-by-case basis whether a placement would ensure the inmate’s health and safety, and whether the placement would present management or security problems.

8. Based on all available information, the deputy will determine the initial custody level of the inmate, categorized as follows:

   a. Minimum custody (3 points or less)

   b. Medium custody (4 – 8 points)

   c. Maximum custody (9 or more points)

9. The Intake Supervisor will review the Classification and Custody Assessment Form and the initial custody level assigned by the deputy to ensure an accurate assessment of the inmate has been done. Notation of this review will be documented in OMS and on the Classification and Custody Assessment Form in the inmate record.
10. After reviewing all available information, if the Intake Supervisor believes an inmate has the potential to be a security or safety risk to the facility and there is a need for an override to more secure housing, a Custody Level Override may be warranted. If recommended, the reasons for the override will be documented on the Classification and Custody Assessment Form and the request forwarded to the Assistant Division Commander of Confinement through the Classification Section for approval.

11. If the status of any inmate should change which would require a need to lower the housing custody level to a less restrictive housing, the recommendation will be made and presented to the Division Commander for final approval by the Classification Section.

12. Inmate Classifications are divided into specific custody levels based on an inmate’s potential risk to the security of the facility as well as probable adjustment to incarceration. These custody levels are defined as follows:

   a. Maximum Custody: Those areas designated for inmates whose current and/or past criminal activity and institutional behavior dictate their placement, e.g. offenses that include violent/assaultive/”predator-like” crimes, escape risks, etc.

   b. Medium Custody: Those areas designated for inmates whose current and/or past criminal activity and institutional behavior dictate their placement, e.g. offenses which do not pose as serious a threat as one requiring maximum security, but whose assessment has shown that the inmate is not an appropriate candidate for a lower custody level. Inmates in this custody level may be considered for participation in the Inmate Trusty, Work Force and Work Release Programs.

   c. Minimum Custody: Those areas designated for inmates whose assessment does not require the increased security of the other designations. Inmates in this custody level can be considered for participation in the Inmate Trusty, Work Force and Work Release Programs.

13. Once an inmate has been classified to a custody level based on the assessment and assigned an appropriate housing area, the intake deputy will prepare an identification wristband. The deputy affecting the move to the assigned housing area will securely affix the wristband to the inmate’s left wrist.

   a. The color of the wristband will alert staff to an inmate’s primary custody level when an inmate is out of his or her housing unit. The colors and their designation are described as follows:
1) Red – Maximum custody

2) Yellow – Minimum/Medium custody

3) Blue – Inmate Worker

4) White or Older Style – Receiving inmate or Inmate serving Non-Consecutive sentences

b. The wristband will remain in place for the duration of the inmate’s incarceration. Any inmate found without his or her wristband will be charged with the in-house disciplinary infraction of Failure to Wear Identification Wristband.

c. Notations on the wristband will include the inmate’s full name, Adult Detention Center booking number and Objective Jail Classification Level.

D. Reclassification

1. An inmate may make a request to the Classification Supervisor, in writing, for a reclassification for the following reasons:

   a. Inmate reaches the age of thirty-three (33)

   b. Inmate achieves G.E.D. Certificate

2. The Classification Section will review an inmate’s custody status every ninety (90) days for the following reasons:

   a. Inmate’s criminal charges have been reduced to a lesser offense and the inmate has been sentenced on all outstanding offenses

   b. Inmate has been released on specific criminal charges

   c. Inmate has received additional charges or detainers

   d. Inmate has received in-house disciplinary convictions and/or sanctions

   e. Inmate has been removed from an Adult Detention Center or Work Release Center program

3. If an inmate’s custody level appears to have changed, the Classification Deputy will present the appropriate documentation and written recommendation to the Classification Supervisor for possible further review from Command Staff.
a. If approval has been granted, the move will be affected.

b. A new wristband that reflects the custody change will be prepared and affixed to the inmate’s left wrist.

4. All inmates will be reassessed within thirty (30) days of intake, to reassess the inmate’s risk of victimization or abusiveness based on any additional relevant information that may have been received since the initial booking process. Any inmate may be reassessed at any time when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information.

5. Housing assignments for each transgender or intersex inmate will be reassessed at least twice each year to review any threats to safety experienced by the inmate. A transgender or intersex inmate’s own views with respect to his or her own safety shall be given serious consideration.

E. Inmate Appeals

1. If an inmate wishes, they may appeal their classification level by submitting a request form to the Classification Section.

2. This request will then be forwarded to the Classification Review Committee for action. This committee consists of: Assistant Division Commander of Confinement; Assistant Division Commander of Administration and the Records/Classification Manager.

   a. If the request is approved by the Classification Review Committee, a memo is submitted to the Division Commander for approval.

   b. If the request is denied by the Committee, a memo will be sent to the inmate by the Records/Classification Manager advising of such.

   c. If the Division Commander overturns the decision, the inmate will be returned to the previously assigned custody level.

2. Classification decisions are not grievable.

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Written policy, procedure and practice shall ensure the following:

1. Classification of inmates as to level of housing assignment and participation in correctional programs;
2. Separate living quarters for males, females and juveniles;
3. Inmates are not segregated by race, color, creed or national origin;
4. Security permitting, equal access to all programs and activities, through separate scheduling, or other utilization of combined programs under supervision; and

5. Any exception to the above to be documented in writing.

If the facility is using objective classification, then the following shall be followed:

1. Classification is conducted upon intake and prior to final housing assignment;
2. Classification determines the custody level and housing assignment;
3. Classification is conducted through prisoner interviews and the use of data collection instruments or forms, which are maintained on file;
4. Classification instruments enable objective evaluation and/or scoring of:
   a. Current offenses
   b. Prior convictions
   c. History of assaultive behavior
   d. Escape history
   e. Prior institutional adjustment
   f. Court status and pending charges
   g. Mental health or medical treatment history or needs
   h. Identified stability factors

5. The classification system includes administrative review of decisions; periodic reclassification and override procedures, that are documented and maintained on file;
6. The classification system addresses both the potential security risk posed and treatment needs of the inmate;
7. Male, female and juvenile inmates are housed separately;
8. Inmates are not segregated by race, color, creed or national origin.

Compliance Documentation:
- Review written policy and procedures
- Review classification documents
- Review eligibility requirements for Work Force (see §53.1-128 – §53.1-131 of the Code of Virginia) and trusty program participants
- Observation of housing units
- Review any exceptions to the above
- Interview staff/inmates

A sound classification system can improve the overall operations of the facility by reducing incidents, identifying both housing and program needs for inmates and increase utilization of staff in units where security is most needed. Male and female inmates must have separate and distinct living quarters, which provide for sight and sound separation to the extent possible for privacy, maintain individual integrity and ensure facility order and security. However, both sexes shall have equal access to facility program space and opportunities. With appropriate security consideration, mutual program activities are permissible. Juvenile housing is mandated and must be in Compliance with §16.1-249 of the Code of Virginia.
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§ 115.41 Screening for risk of victimization and abusiveness.

(f) Within a set time period, not to exceed 30 days from the inmate’s arrival at the facility, the facility will reassess the inmate’s risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening.

(g) An inmate’s risk level shall be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate’s risk of sexual victimization or abusiveness.

(h) Inmates may not be disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section.

(i) The agency shall implement appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate’s detriment by staff or other inmates.

§ 115.42 Use of screening information.

(a) The agency shall use information from the risk screening required by § 115.41 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.

(b) The agency shall make individualized determinations about how to ensure the safety of each inmate.

(c) In deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, and in making other housing and programming assignments, the agency shall consider on a case-by-case basis whether a placement would ensure the inmate’s health and safety, and whether the placement would present management or security problems.

(d) Placement and programming assignments for each transgender or intersex inmate shall be reassessed at least twice each year to review any threats to safety experienced by the inmate.

(e) A transgender or intersex inmate’s own views with respect to his or her own safety shall be given serious consideration.

This General Order becomes effective October 29, 2020, and rescinds all previous rules and regulations pertaining to the subject.