

State of Utah - Department of Corrections



Department Manual

<i>FD20 - Privilege Level System</i>	<i>POLICY & PROCEDURE</i>
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01.00 PURPOSE, SCOPE, & POLICY

01.01 Purpose & Scope

The Privilege Level System (PLS) is a management tool to reward positive behavior and discourage negative behavior.

01.02 Policy

It is the policy of the Utah Department of Corrections (UDC) that a Privilege Level System is established, which enables inmates to govern their behavior in a progressive and responsible manner.

02.00 PRIVILEGE LEVEL SYSTEM

02.01 Function

- A. Inmates shall receive information about the Privilege Level System during the R&O process.
- B. Inmates with classification Levels 1 through 4 may have privileges available as managed by the approved three-character identification system and privilege level matrix (PLM).
 - 1. The first character indicates an inmate's lockdown/out-of-cell level, identified by an uppercase letter ranging from "A" through "I." Each Lockdown/out-of-cell level has its own range of privilege/activity levels and advance/review levels.
 - 2. The second character indicates an inmate's privilege/activity level, identified by a lowercase letter ranging from "a" through "i."
 - 3. The third character indicates an inmate's advancement/review level, identified by a number ranging from "1" through "5." These numbers represent days from the last advancement or reduction of an inmate's privilege/activity level.
- C. Inmate Placement Program (IPP) work Eligibility status will be identified with a three-character assignment of Zy3 or Zz3.

02.02 Lockdown/Out-of-Cell Level

- A. The lockdown/out-of-cell level specifies when an inmate shall be locked in their cell or how many hours they will have out of it. The lockdown/out-of-cell level ranges from "A" through "I." Each lockdown/out-of-cell level has a range of privilege/activity levels and advancement/review levels. The privilege level matrix (PLM) explains what is allowed at each level.
- B. An increase in the lockdown/out-of-cell level is the responsibility of the inmate. They will request an increase with their OMC when they become eligible according to their advancement/review level.
- C. When an inmate is on a temporary restriction order (TRO) or disciplinary restriction (DR), these days will not count towards the advancement/review level.

02.03 Advancement/Review Level

- A. Advancement/review levels represent days from the last advancement or reduction of an inmate's lockdown/out-of-cell level before the inmate is eligible to advance to the next lockdown/out-of-cell level.
- B. The advancement/review levels are tools to be used by the OMR team/designee. Each advancement/review level has basic requirements:
 - 1. Advancement/Review level 1 equals 30 days before an inmate is eligible to advance a lockdown/out-of-cell level;
 - 2. Advancement/review level 2 equals 60 days before an inmate is eligible to advance a lockdown/out-of-cell level;
 - 3. Advancement/review level 3 equals 90 days before an inmate is eligible to advance a lockdown/out-of-cell level;
 - 4. Advancement/review level 4 equals 120 days before an inmate is eligible to advance a lockdown/out-of-cell level; and
 - 5. Advancement/review level 5 equals 365 days and means the inmate is at the maximum available privilege/out-of-cell level.
 - a. The OMR Team shall see the inmate with the advancement/review level 5 at least once a year.

02.04 Classification Levels 1 & 2 and Long-Term Intensive Management (LTIM)

- A. Lockdown/out-of-cell level options are A.
- B. Privilege/activity level options are a, b, c, d, e, or f. Advancements beyond “c” are at the discretion of the Captain/designee.
- C. Advancement/review level options are 4 or 5.
- D. The structured housing (SH) OMR Team determines the entry level for LTIM.

02.05 Classification Level 2 and Long-Term Management (LTM)

- A. Lockdown/out-of-cell level options are A, B, C, or D.
- B. Privilege/activity level options are a, b, c, d, e, or f.
- C. Advancement/review level options are 1, 2, 3, 4, or 5.

02.06 Classification Level 2 in RH

- A. Lockdown/out-of-cell level options are A, B, C, or D.
- B. Privilege/Activity Level options are a, b, c, d, e, or f.
- C. Advancement/Review Level options are: 1, 2, 3, 4, or 5.
- D. The SH OMR Team determines the entry level for LTM.

02.07 Classification Levels 3 and 4

- A. Lockdown/out-of-cell level options are E, F, G, H, or I.
- B. Privilege/activity level options are g, h, i, j, k, or l.
- C. Advancement/review level options are: 1, 2, 3, 4, or 5.
- D. Entry level for classification level 3 or 4 inmates from non-structured housing is “II5.”
 - 1. An exception can be justified by the OMR Team and documented in the OMR note.
- E. Entry level for Classification Level 3 inmates from Structured Housing “GI1.”
 - 1. An exception can be justified by the OMR Team and documented in the OMR note.

02.08 R&O

- A. An inmate classified as R&O will have a lockdown/out-of-cell level “Cd4” (excluding visiting privileges).
 - 1. An exception can be made by the OMR Team and documented in the OMR note.

02.09 Staff Referral

- A. Any staff member or volunteer who witnessed negative or positive behavior from an inmate may refer them to the OMR Team.
- B. The person referring an inmate to the OMR Team may include recommendations to correct or praise the behavior.
 - 1. Some reasons for the referral may include, but are not limited to, the following:
 - a. violations of housing unit, facility, or other prison rules and regulations;
 - b. committing disciplinary infractions; and
 - c. management problems.
 - 1. To recognize positive behavior.
- C. The OMR Team may modify an inmate’s lockdown/out-of-cell level when appropriate for safety, security, and management purposes.

02.10 Privilege Level Override

- A. Any override of levels that require other lower options shall be appropriately documented in O-Track, with the supporting reasons and justification outlined.

- B. All lockdown/out-of-cell levels are available for all classifications of inmates for safety, security, and management as defined by the captain/designee.
- C. All overrides shall be reviewed by the OMR Team weekly. The supporting reasons and justification shall be outlined and documented in O-track.

02.11 Privilege Level Adjustments

- A. An OMC or a direct supervision section officer may manage the inmate's privilege level under the following conditions:
 - 1. When witnessing and correcting negative behavior; and
 - 2. when appropriate for safety, security, and management purposes, and
 - 3. when the inmate requests a level advancement as outlined in 01.02/B above.
- B. When any adjustment is made to an inmate's lockdown/out-of-cell level, privilege/activity level, and/or advancement/review level, the change shall be:
 - 1. Verbally stated to the inmates by the officer the day the modification is made, and the reason for the modification; and
 - 2. Documented in the O-Track PLM screen and with a c-note to include the reason for the modification; and
 - 3. Report the reduction to the OMR Team for review.
 - 4. The OMR Team shall support, modify, or reinstate the modification.

03.00 PRIVILEGE/ACTIVITY LEVEL

03.01 Privilege/Activity Level Process

- A. The privilege/activity level specifies what privileges an inmate is authorized to have and the activities an inmate is authorized to participate in. Reference the Privilege Level Matrix below.
- B. An inmate may be eligible to advance a privilege/activity level at least every 30 days by submitting a privilege modification request form to their respective OMC.
- C. The OMC shall screen all privilege/activity level advancement requests for eligibility by reviewing the following:
 - 1. if an inmate has been found guilty of an administrative charge or reduced privilege level due to a negative event, the inmate shall not advance for a minimum of 60 days from being found guilty of an administrative charge. The OMC will change the advancement/review level to 2;
 - 2. if the inmate has 3 or more negative c-notes in 30 days, they cannot advance in the privilege/activity level, and the privilege/activity level will be reduced at the captain's/designee's discretion.
 - 3. Privilege/activity level advancements will be the responsibility of the inmate's respective housing unit OMC. As part of their OMC duties, they will complete a monthly review of privilege/activity levels, and with 2 negative events, the inmate will maintain their current level. The following will be considered if an advancement in privilege level has been requested:
 - a. The OMC will use monthly work, program, and educational activities to determine advancement eligibility.
 - b. If the level disqualifies them for education, work, or programming, advancement shall be based on unit productivity. This includes tablet classes, volunteer unit work, and unit-designated productive hours. Productive hours will be based on out-of-cell time determined by the captain/designee.

- c. If the OMC has determined an inmate shall be reduced in privilege/activity level, the OMC may reduce the level and report the reduction to the OMR Team for review.
 4. inmates can only advance one privilege/activity level every 30 days and must stay within the inmate's lockdown/out-of-cell level range according to the PLM matrix.
 - a. The inmate's advancement/review level may also be changed at the discretion of the OMR Team.
 - b. Inmates found guilty of a major disciplinary, or received a referral to OMR, resulting in a reduction in any privilege level, shall not advance for a minimum of 60 days.
- D. If an inmate is eligible to advance a privilege/activity level, the OMC shall:
 1. Change and document in the PLM O-Track screen the new privilege/activity level, and notify the inmate.
- E. An inmate may advance only one privilege/activity level at a time unless the OMR Team, captain, or designee approves higher advancement.
- F. If an inmate is not eligible to advance a privilege/activity level, the OMC shall document this in the PLM O-Track screen indicating:
 1. what the inmate has not done to be compliant;
 2. notify the inmate of the denied advancement; and
 3. inform the inmate what they must do to become eligible for advancement.
- G. When an inmate is transferred within DPO due to management issues, the sending unit is responsible for reducing the privilege level before sending the inmate.

04.00 MATRICES

04.01 Privilege Level Classification Matrix 1-4

The following matrix explains what's authorized within each available lockdown/out-of-cell level, privilege/activity level, and advancement/review level for the classification of all inmates.

Lock Down (LD) & Out-of-Cell Time (OCT) H = hours out W = per week GP = General Population	A 6-12 H/W - OCT Structured Housing (SH)	B 8-14 H/W - OCT (SH)	C 12-18 H/W - OCT (SH)	D 11.5 H/W - OCT (SH)	E 7-28 H/W - OCT GP	F 1130 LD	G 1630 LD GP Entry PLM from SH	H 1900 LD	I 2100 LD Entry Level to GP
Privilege/Activity Level	a-f	a-c	a-d	a-f	g	g-h	g-i	g-k	g-l
Advancement/Review Level	4-5	1-3	1-3	1-5	1-3	1-5	1-5	1-5	1-5

Privilege / Activity	A	B	C	D	E	F	G	H	I GP Entry PLM from SH	J	K	L Entry Level to GP
Commissary	\$30.00 Letter writing and Hygiene/OTC Meds Only	\$35.00 Letter writing and Hygiene/OTC Meds Only	\$40.00	\$45.00	\$55.00	\$60.00	\$65.00	\$70.00	\$75.00	\$80.00	\$85.00	\$90.00

