

State of Utah - Department of Corrections



Department Manual

<i>FD20 - Privilege Level System</i>	<i>PROCEDURE</i>
<i>Date Effective: 7-15-1991</i>	<i>Date Revised: 4-24-2023</i>
<i>GRAMA Designation:</i>	<i>PUBLIC</i>
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01.00 PRIVILEGE LEVEL SYSTEM

01.01 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 matrix.
  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 Lockdown.

- C. IPP Work Eligibility status will be identified with a three-character assignment of, Zy3 or Zz3.

01.02 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 an inmate shall have out of their cell. 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 explains what is allowed at each level.
- B. It is the inmate's responsibility to apply with OMC for an Inmate Management Review to request an advancement in their Lockdown/out-of-cell level when they become eligible.

01.03 Advancement/Review Level

- A. Advancement/Review Levels are numbers that 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. Each Advancement/ Review Level has basic inmate 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 before an inmate is eligible to advance a Lockdown/out-of-cell level.
    - a. Level "5" is for inmates that have advanced to the maximum level authorized and are intended for a scheduled yearly review.

01.04 Levels 1 and 2 Inmates with a status of LTIM

- A. Lockdown/out-of-cell level options are A.
- B. Privilege/Activity Level options are a, b, c, d, e, or f.
- C. Advancement/Review Level options are 4 or 5.

01.05 Level 2 Inmates with a status of RH

- A. Lockdown/out-of-cell level options are A, B, C, or D.
- B. Privilege/Activity Level options are a, b, c, d, or e.
- C. Advancement/Review Level options are 1, 2, or 3.

01.06 Level 2 Inmates with a status of 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.

01.05 Levels 3 and 4 Classified Inmates

- 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 "II1." This privilege level includes:
  - 1. an inmate who is transferred from a facility that does not utilize the Privilege Level System (i.e., county jails or federal facilities);
  - 2. R&O inmates that have completed the R&O process and are transferred to general population housing; or start at least restrictive PML unless documented justification is entered into the OMR notes in O-Track; and
  - 3. an inmate who has been transferred from a less restrictive facility.
- E. Entry-level for Classification Level 3 inmates from Structured Housing is "Gi1".

#### 01.06 R&O Inmate

- A. An inmate on R&O status shall be granted the standards set in the Privilege Level System under "Cb4" (without visiting privileges) until they are classified and moved to general population housing.
- B. R&O status inmates housed in other than specifically designated R&O housing shall be managed the same as other R&O inmates.

#### 01.07 Staff Referral

- A. The unit OMR Team may modify an inmate's privilege level when deemed appropriate for safety, security, management, and control purposes.
- B. Staff members may refer an inmate to OMR for the following reasons but are not limited to:
  - 1. violations of housing unit, facility, or other prison rules and regulations;
  - 2. committing disciplinary infractions; and
  - 3. management problems.
- C. Staff members will complete an Offender Management Review Referral Form and submit it to the Unit Manager for OMR review.

#### 01.08 Privilege Level Override

An inmate who meets the privilege level criteria qualifying them to be eligible for a higher level may be denied that level if such an increase would have a negative effect on the facility for reasons of safety, security, management, and control as defined by the captain/designee. Any override must be properly documented in O-track with the supporting reasons and justification outlined.

#### 01.09 Privilege Level Adjustments

If any adjustments are made to an inmate's Lockdown/out-of-cell level, Privilege/Activity Level, and/or Advancement/Review Level, the housing captain/designee shall:

- A. document the reason for the modification;
- B. enter the modification to the three-character privilege level in the PML portion of O-Track;
- C. notify the inmate of the modifications and why they were made; and
- D. ensure all privilege level reviews are documented in the OMR portion of the O-Track system.

### 02.00 PRIVILEGE/ACTIVITY LEVEL

#### 02.01 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.
- 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 Inmate Management Coordinator (OMC).
- C. The OMC shall screen all Privilege/Activity Level advancement requests for eligibility by reviewing:
  - 1. if an inmate has been found guilty of a disciplinary or has been reduced any privilege level due to a negative event, the inmate shall not advance for a minimum of 30 days;
  - 2. Privilege/Activity level advancements will be the responsibility of the inmate's respective housing unit OMC. A review of Privilege/Activity Levels will be completed monthly as part of the OMC's duties; and
    - a. The OMC will use monthly work, program, and/or educational activity to determine advancement eligibility.
    - b. If the OMC has reasoned an inmate shall be reduced in Privilege/Activity Level, the OMC may reduce the PML and schedule the inmate for OMR so that the entire OMR team may review the reduction.
  - 3. inmates can only advance one Privilege/Activity Level every 30 days and must stay within the inmate's LockDown/Out-of-Cell Level range of privileges. Inmates found guilty of a major disciplinary action may be reduced up to two Lock Down/Out-of-Cell Levels and/or Privilege/Activity Levels.
    - 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 30 days.
- D. If an inmate is eligible to advance a Privilege/Activity Level, the OMC shall:
  - 1. document under the PML in the O-Track system indicating the inmate's new Privilege/Activity Level;
  - 2. change the inmate's Privilege/Activity Level in the PML portion of the O-Track system; and
  - 3. notify the inmate of the advancement.
- E. An inmate shall only advance one Privilege/Activity Level at a time
- F. If an inmate is not eligible to advance a Privilege/Activity Level, the OMC shall document under the PML in the O-Track system 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 the privilege level reduction before sending the inmate.

#### 02.02 Immediate Privilege Level Adjustment

- A. Staff members may initiate a privilege level review by completing an OMR Referral Form and forwarding it to the inmate's respective housing captain/designee.
- B. A housing unit officer may initiate an immediate privilege level adjustment to achieve safety, security, management, and control objectives when:
  - 1. the adjustment is pre-authorized by the housing captain/designee; and
  - 2. A C-note documenting the issue and a written OMR referral being completed for the next OMR meeting explaining the inmate action, action taken by the officer, the rationale for the action, and the name of the approving member.

- C. The OMR Team shall support the adjustment, modify the adjustment, or reinstate the inmate to their previous privilege level.

### 03.00 MATRIXES

#### 03.01 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 & Out-of-Cell Level	A 6-12 hrs/week (Structured Housing)	B 8-14 hrs/week (Structur ed Housing)	C 12-18 hrs/week (Structure d Housing)	D 16+ hrs/week not to exceed G level out- cell-time (Structure d Housing))	E 1000 lock- down	F 1130 lock- down	G 1630 lock- down Level 3 Entry from SH	H 1900 lock-down	I 2100 lock- down Level 3 entry
Privilege / Activity Level	a-f	a-c	ad	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 Level 3 Entry from SH	J	K	L Level 3 entry
Commissary	30.00 Letter writing and Hygiene/ OTC Meds Only	35.00 Letter writing and Hygiene/ OTC Meds Only	40.00	45.00	45.00	50.00	\$55.00	\$60.00	\$65.00	\$70.00	\$75.00	\$80.00

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