



# Department of Corrections

<i>FC04 - Inmate Classification</i>		<i>POLICY &amp; PROCEDURE</i>	
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01.00 GENERAL PROVISIONS01.01 Purpose & Scope

The Utah Department of Corrections (UDC) inmate classification system has been developed as a management tool for efficiently operating the department's institutions. History has demonstrated a need for consistency and fairness in applying objective criteria to manage inmate behavior. The initial assessment is a gender-specific process for determining the appropriate custody level for men and women entering the prison system. There may be legitimate security, management, or programming circumstances that necessitate placing an inmate in a custody level and/or behavioral category other than that designated by their custody assessment/reassessment scores. Such a departure from the designated classification requires written justification and documentation.

01.02 General Requirements

- A. UDC shall create a classification system to serve as a management tool to ensure the safety and security of staff and incarcerated individuals in its institutions and the community.
- B. The classification process includes the initial and reclassification/review assessments.
  1. The initial assessment aims to assign the inmate to a custody level.
  2. The purpose of the reclassification process is to update and review the custody level, monitor the inmate's adjustment, and bring attention to problems that may have arisen.
- C. Housing captains/designees can override or depart from the strict application of point totals of an inmate's custody or behavioral designation(s) if it is in the prison's legitimate interests.

02.00 ROLE RESPONSIBILITIES02.01 Individual Service Provider (ISP)

The ISP is responsible for the initial external custody and the behavioral assessment before transferring the inmate to a general population housing unit or county jail. The forms to be completed include:

- A. Custody assessment/reassessment
  1. Complete the initial custody classification instrument if:
    - a. the inmate has no prior commitments to the custody of the UDC; or
    - b. the current UDC incarceration date is more than 12 months from the date of the inmate's most recent release from UDC.
  2. Complete the custody reassessment instrument if the current UDC incarceration date is less than 12 months from the date of the individual's most recent release from UDC.
- B. Behavioral Assessment
  1. Complete the inmate behavioral assessment instrument.

02.02 Classification Review Office (CRO)

- A. The CRO shall notify the submitting CCM of any errors.
- B. Should the deputy warden disagree with the decision on the assessment, they will notify the CRO/designee in writing.
- C. The CRO/designee reviews classification challenges and notifies the deputy warden and the inmate.
- D. The inmate's classification is not official until approved by the CRO.

- E. Following the review by the CRO of the assessment, the CRO shall ensure a copy is distributed to the inmate.

### 03.00 ASSESSMENT PROCESS

#### 03.01 General Instructions

The CCM:

- A. reviews the information generally available in the following UDOCA, O-Track, CourtXchange, and BCI, as well as any other resources;
- B. any section with a comment field must include justification for the assigned point value; and
- C. reassessments become effective once the required CRO approval is obtained.

#### 03.02 Schedule of Assessments

- A. Inmates who have between 0 and 36 months shall be assessed every six months.
- B. Inmates over 36 months to serve shall be assessed once a year.
- C. When the results of a Board of Pardons hearing affect a change in an inmate's parole date or status, that inmate shall be assessed.
- D. An inmate shall be assessed with a continuation of a TRO.
- E. An inmate shall be assessed at the request of the CRO, IPP Director, or warden/designee.

#### 03.03 Custody Assessment: Severity of Current Offense

Point values shall be assigned according to the most severe current offense category. Any class A will be given a score of 1 point for male offenders.

#### 03.04 Custody Assessment: History of Institutional Violence

- A. Point values shall be assigned according to the most serious disciplinary infraction of which the individual was found guilty in the past 36 months, either past or current incarceration.
- B. See Appendix A for a severity index for institutional misconduct.
- C. If scored as History of Institutional Violence, do not score the same charge in Violent Criminal Convictions.

#### 03.05 Custody Assessment: Violent Criminal Convictions

- A. Violence for the purpose of this includes:
  - 1. felony court convictions for violent offenses (males), felony/misdemeanor convictions for violent offenses (females);
  - 2. institutional behavior processed as criminal offenses; and
  - 3. parole violation convictions for violent misconduct.
- B. Violent conduct Offense Code Types include:
  - 1. A - Murder;
  - 2. G - Person;
  - 3. D - Sex-Registerable; and
  - 4. P - Weapons.

#### 03.06 Custody Assessment: Prior Institutional Commitments (These are only scored on a Male Assessment)

- A. Prior Institutional Commitments are defined as incarceration as a result of a conviction. Count the number of commitments that occurred during the last ten calendar years.

- B. Parole violations or jail sentences before the current commitment, which resulted in incarceration, are counted as institutional commitments.

03.07 Custody Assessment: Current Age

Enter the current age, which can be found on O-Track.

03.08 Custody Initial Assessment Procedure: Stability

- A. Score the risk factor according to the most recent LSRNR.
- B. If multiple indicators of institutional conflict and attitude orientation apply to the individual, assign the point value according to the indicator with the greatest number of points.

03.09 Custody Initial Assessment Procedure: Institutional STG Activity

- A. This factor assesses the individual's history of involvement with security threat groups.
- B. Information about this factor can be found in inmate files: disciplinary reports, STG Database.
- C. The institutional disciplinary history requires a calculation of the most recent finding of guilt for security threat group activities (A-17). Consider infractions for A-17 that have occurred within the last 36 months, calculated as the date of the custody assessment minus the date of the hearing for the disciplinary report.
- D. Validation of the individual's membership or suspected involvement with a security threat group is the responsibility of the STG Committee. Score this risk factor according to an STG classification as Known or Suspect.
- E. Validation with a modified/monitored status will be scored 0.

03.10 Computation and Assignment of Custody Level

- A. At initial classification for male inmates:
  - 1. death row inmates shall be designated as custody level 1;
  - 2. inmates whose total custody score is greater than or equal to 32 points shall be designated as custody level 1;
  - 3. inmates whose total custody score is 22 to 31 points shall be designated as custody level 2;
  - 4. inmates whose High Custody score (the sum of risk factors: Severity of Current Offense and History of Institutional Violence) is greater than or equal to 9 points shall be designated as custody level 2;
  - 5. inmates whose total custody score is 13 to 21 points shall be designated as custody level 3; and
  - 6. inmates whose total custody score is less than or equal to 12 points shall be designated as custody level 4.
- B. At initial classification for female inmates:
  - 1. death row inmates shall be designated as custody level 1;
  - 2. inmates whose total custody score is greater than or equal to 22 points shall be designated as custody level 2;
  - 3. inmates whose High Custody Score (the sum of the scores for the risk factors: Severity of Current Offense, History of Institutional Violence, and Violent Criminal Convictions) is greater than or equal to 15 points shall be designated as custody level 2;
  - 4. inmates whose total custody score is 12 to 21 points shall be designated as custody level 3; and
  - 5. inmates whose total custody score is less than or equal to 11 points shall be designated as custody level 4.

### 03.11 Approval and Routing

The approval and routing process is as follows:

- A. captain/designee;
- B. a DPO deputy warden will review all overrides before forwarding them to the CRO; and
- C. the CRO reviews, approves, and then distributes overrides.

## 04.00 DELL FACILITY CLASSIFICATION

### 04.01 Individual Service Provider (ISP)

The ISP is responsible for the initial external custody and the behavioral assessment before transferring the resident to a county jail. Appropriate housing inside the Dell facility may be determined by a Dell housing lieutenant while the custody and behavioral assessment is being completed. The forms to be completed include:

- A. Custody Assessment/Reassessment:
  1. complete the initial custody classification instrument if:
    - a. the inmate has no prior commitments to the custody of the UDC; or
    - b. the current UDC incarceration date is more than 12 months from the date of the inmate's most recent release from UDC.
  2. complete the custody reassessment instrument if the current UDC incarceration date is less than 12 months from the date of the individual's most recent release from UDC.
- B. Behavioral Assessment:
  1. complete the individual's behavioral assessment instrument.

### 04.02 Custody Lieutenant

The Dell custody lieutenant is responsible for determining appropriate housing for residents housed in the Dell facility. Upon intake, the lieutenant will house the resident in a designated Receiving and Orientation (R&O) bed for at least 24 hours but no longer than seven (7) calendar days. If exigent circumstances prevent the inmate from being moved from an R&O bed within seven (7) calendar days, the lieutenant will notify the Dell housing captain in writing detailing the exigent circumstances.

- A. During the seven (7) calendar day timeframe, the lieutenant will:
  1. complete an initial Offender Management Review (OMR) to create a management plan and determine:
    - a. safety and security concerns;
    - b. observable mental health concerns;
    - c. other housing concerns;
    - d. any STG affiliation; and
    - e. review next of kin and other relevant information.
  2. observe the inmate while in R&O for:
    - a. medical and mental health concerns that may pose safety concerns; and/or
    - b. behavioral issues.
  3. document the decision rationale to an acceptable standard:
    - a. the lieutenant will document in OMR notes the rationale for the housing decision; and
    - b. in addition to the decision rationale, the documentation will also clearly articulate the inmate's management plan, OMR determinations, and R&O observations.
  4. ensure that the inmate is moved into appropriate housing to mitigate the risk to staff and the facility if the lieutenant determines that the inmate poses a serious safety risk; and

5. if the Dell lieutenant and OMR team are satisfied that the inmate can be safely housed in a general population section of the Dell facility, the lieutenant will:
  - a. notify the assignment office and request a move to a general population section of Dell;
  - b. email the assignment office or attach to the move sheet acceptable OMR documentation;
  - c. direct the inmate to be moved into an appropriate general population section; and
  - d. set the inmate's privilege level (PML) at entry level for the Dell housing facility.
    - i. This may take place at the same time as the CCM is completing the custody and behavioral assessment and before O-track has a classification listed.
- B. The inmate's classification is not official until approved by the CRO.
- C. The inmate may only be moved within the Dell facility while awaiting an official classification.
- D. Other standard intake procedures, such as documenting scars, marks, and tattoos, medical and mental health evaluations, and other standard intake procedures, shall still take place.

## 05.00 CUSTODY REASSESSMENTS

### 05.01 Custody Reassessment: Severity of Current Offense

Point values shall be assigned according to the most severe current offense category.

### 05.02 Custody Reassessment: Violent Criminal Convictions

- A. Violence for the purpose of this includes:
  1. felony court convictions for violent offenses (males), felony/misdemeanor convictions for violent offenses (females);
  2. institutional behavior processed as criminal offenses; and
  3. parole violation convictions for violent misconduct.
- B. Violent conduct Offense Code Types include:
  1. A - Murder;
  2. G - Person;
  3. D - Sex-Registerable; and
  4. P - Weapons.

### 05.03 Custody Reassessment: History of Institutional Violence

- A. Point values shall be assigned according to the most serious disciplinary infraction of which the individual was found guilty in the past 36 months, either past or current incarceration.
- B. See Appendix A for a severity index for institutional misconduct.
- C. If scored as History of Institutional Violence, do not score the same charge in Violent Criminal Convictions.

### 05.04 Custody Reassessment: Prior Institutional Commitments (These are only scored on a Male Reassessment)

- A. Prior Institutional Commitments are defined as incarceration as a result of a conviction. Count the number of commitments that occurred during the last ten calendar years.
- B. Parole violations or jail sentences before the current commitment, which resulted in incarceration, are counted as institutional commitments.

### 05.05 Custody Reassessment: Most Severe Non-Predatory Discipline Report in the Last 12 Months

Most Severe Non-Predatory Discipline Report in the Last 12 Months determines the severity of the institutional behavioral history. See the Appendix for a severity index for institutional misconduct.

05.06 Custody Reassessment: Number of Disciplinary Reports in the Last 12 Months

Count the number of disciplinary reports, not the number of charges.

05.07 Custody Reassessment: Current Age

Enter the current age, which can be found in O-Track.

05.08 Custody Reassessment Procedure: Institutional Conflicts/ Attitude

- A. This factor assesses the individual's history of involvement with institutional security threat groups and attitude/orientation.
- B. Involvement with an STG group is indicated by the following:
  - 1. finding of guilt for institutional disciplinary infraction of STG activities (A-17) within the last 12 months. Consider infractions for A-17 that have occurred within the previous 12 months, calculated as the date of the custody reassessment minus the date of the hearing for the disciplinary report;
  - 2. validation of the individual's membership, affiliation, or suspected involvement with a security threat group by the institutional investigation unit. Score this risk factor according to an STG classification as Known or Suspect;
  - 3. inmates with a modified/monitored designation will score a 0; or
  - 4. for a custody reassessment, attitude/orientation is based on the most recent risk/ needs assessment.
    - a. Score the risk factor according to the most recent Level of Services Inventory-Revised (LSI-R) + RNR.
    - b. If multiple indicators of institutional conflict and attitude/orientation apply to the individual, assign the point value according to the indicator with the greatest number of points.

05.09 Computation and Assignment of Custody Level

- A. The Custody Score is used to determine the Custody Level.
  - 1. At reclassification for male inmates:
    - a. inmates whose total custody score is greater than or equal to 38 points shall be designated as custody level 1;
    - b. inmates whose total custody score is 23 to 37 points shall be designated as custody level 2;
    - c. inmates whose total custody score is 11 to 22 points shall be designated as custody level 3; and
    - d. inmates whose total custody score is less than or equal to 10 points shall be designated as custody level 4.
  - 2. At reclassification for female inmates:
    - a. inmates whose total custody score is greater than or equal to 25 points shall be designated as custody level 2;
    - b. inmates whose total custody score is 10 to 24 points shall be designated as custody level 3; and
    - c. inmates whose total custody score is less than or equal to 9 points shall be designated as custody level 4.

05.10 Approval and Routing

The approval and routing process is as follows:

- A. captain/designee;

- B. a DPO deputy warden will review all overrides before forwarding them to the CRO; and
- C. the CRO reviews, approves, and then distributes overrides.

## 06.00 CLASSIFICATION OVERRIDES

### 06.01 Administrative Override

- A. This override condition is invoked when the housing captain/designee has documented information to demonstrate that the inmate could be managed at a less restrictive classification than the assessment score currently indicates.
- B. This override shall move an inmate to a less restrictive classification level. This will require the approval of the site warden/designee.
- C. Upon approval of the site warden/designee, documentation shall be forwarded to the CRO for placement in UDOCA.

### 06.02 Severe Management Override

- A. This override condition is invoked when the housing captain/designee has documented information to demonstrate that the inmate:
  - 1. poses an undue danger to self or others in prison or the community;
  - 2. has a documented history of repetitive, serious institutional infractions;
  - 3. exhibits inappropriate behavior that cannot be sufficiently managed or controlled by their existing classification security levels;
  - 4. documented information exists to demonstrate that the inmate requires a greater degree of supervision than is called for by the assessment score; and/or
  - 5. when an inmate returns from escape from any secure facility owned, operated, leased, or contracted by UDC to house inmates, a severe management override shall be invoked to reduce the classification level to level 2.
- B. Removal of the Severe Management Override returns the inmate to the classification level before the override. Upon override approval, documentation shall be forwarded to the CRO for placement in UDOCA.

### 06.03 Escape Override

- A. This override condition is used if there is documented information that the inmate represents an escape risk.
- B. A currently committed inmate is returned to the prison to escape from any facility owned, operated, leased, or contracted by UDC to house inmates or any other state/county facility, agency, or other jurisdiction.
- C. Inmates having a history of escape convictions within the last ten years shall not advance beyond level 3 without the written authorization of the warden/designee.
- D. When an escape or attempted escape override cannot be verified, it shall not be counted towards an override. Removal of the escape overrides shall require a complete reassessment and documentation forwarded to the CRO for placement in UDOCA.

### 06.04 Inmate Safety Override

- A. Documentation for placing a safety override on an inmate shall be forwarded to the CRO for placement into UDOCA.
- B. Inmate Safety Override Removal
  - 1. The inmate shall provide a written statement explaining why the override was invoked initially and what has changed to eliminate the inmate's safety needs.

- C. OMR reviews any further need for safety measures with the inmate and forwards the documented information to the warden/designee.
- D. A justification memo to remove or maintain the override shall be made available in UDOCA.

#### 06.05 Notoriety Override

- A. A notoriety override may be invoked when the inmate's crime is a high-profile case, or there is evidence that the inmate may pose a serious risk to others or the institution.
- B. The notoriety override removal shall require a reassessment to be completed, documentation approval by the warden/designee, and submission to the CRO for placement in UDOCA.

#### 06.06 Medical/Psychological Override

- A. This override is used when an inmate's medical or psychological condition requires a change in the degree of supervision other than that called for by the assessment score.
- B. When this override is used to move an inmate to a less secure classification level, it requires the approval of the warden/designee along with a recommendation from an institutional physician or psychiatrist.
- C. Documentation shall be forwarded to the CRO for placement into UDOCA.

#### 06.07 Commissioner's Override

- A. Only the commissioner of UDC shall invoke or remove this override. The respective OMR committee recommends invoking or removing this override through its chain of command to the commissioner.
- B. Overrides should be considered only if a lower level of management is not appropriate or possible.
- C. Overrides should only be expected to be for a 1-year time period.
  - 1. Annual reviews of the override shall be initiated in November of each calendar year.
  - 2. The offender's behavior and/or aggravating factors will add to this time period.
- D. A quarterly OMR shall be conducted using the criteria outlined in FE06 01.02.
  - 1. This quarterly review shall specifically address the offender's behavior through a review of the monthly OMC notes, disciplinary records, chronological entries, unit log entries, TROs, and/or incident reports.
  - 2. Consideration shall be given to classification reassessment and possible overrides.
  - 3. Adjustment in the inmate privilege matrix level and referral to the BOPP will be documented within the OMR module of O-Track under Override Review.
  - 4. This review should specifically outline what progress the offender has made and any specific adjustments the offender needs to demonstrate in order to work towards the removal of the override.
- E. The CRO shall put together an override packet showing (only written recommendations will be considered):
  - 1. OMR recommendations with recommendations from all first-line supervisors of the unit;
  - 2. a mental health evaluation;
  - 3. recommendations from any staff involved in the incident;
  - 4. and all available documentation, including;
  - 5. OMR notes;
  - 6. C-notes;
  - 7. disciplinary actions;
  - 8. the inmate face sheet;
  - 9. the most current BOPP dispositions;

10. the PSI; and
  11. any other documentation that has merit in recording the inmate's behavior or status.
- F. The override packets are forwarded to the respective deputy warden/warden.
  - G. The respective OMR committee shall review with the inmate and the override, and the CRO office will prepare the override packet.
  - H. The site warden and deputy warden(s) shall review the OMR recommendation and forward the packet and their recommendation to the DPO Director for submission to the commissioner for final review and decision of each inmate on override status.
  - I. After the commissioner renders a decision, the CRO will notify the warden's office, which shall notify the inmate. The notification shall include verbiage that the inmate may request a reconsideration of the commissioner's decision. Inmate appeals to the commissioner shall be submitted on a Classification Challenge form. The CRO shall initiate decisions requiring a change in the override to the respective ISP for the completed classification reassessment.
  - J. The CRO office shall maintain a record of each yearly review.

#### 06.08 Procedural Reasons

- A. Death Penalty/Life Without Parole (LWOP) Override
  1. This override is invoked for those inmates with a Death Penalty or a LWOP sentence.
  2. When this override is used, the inmate cannot advance beyond level 3.

### 07.00 BEHAVIORAL ASSESSMENT PROCESS

#### 07.01 The ISP Responsibilities

The ISP reviews the information generally available in the following UDOCA, O-Track, CourtXchange, BCI, and any other resource.

#### 07.02 Behavioral Assessment: Most Serious Felony Conviction

- A. This assessment is based on the inmate's criminal convictions, including the present offense. Do not score behaviors processed as institutional disciplinary infractions.
- B. Point values shall be assigned according to the category of the most serious current offense or prior felony conviction during the last ten calendar years.

#### 07.03 Behavioral Assessment: Current Age

Information for this item can be located on the prison face sheet, PSI, and O-Track.

#### 07.04 Behavioral Assessment: Institutional Behavior

- A. Point values shall be assigned according to the most serious disciplinary infraction of which the individual was found guilty in the past 60 months.
- B. See the Appendix for a severity index for institutional misconduct.

#### 07.05 Behavioral Assessment: Aggressive Interactions

- A. Score the risk factor according to the applicable scores on the most recent Level of Services Inventory-Revised (LSRNR).
- B. Assign the point value according to the indicator with the greatest number of points.

#### 07.06 Behavioral Assessment: Security Threat Group (STG)

- A. Involvement with an institutional security threat group is indicated by the following:
  1. any finding of guilt for any STG-related disciplinary charges within the last 12 months;

2. validated STG members with any STG-related incidents within the last 12 months;
3. identified as known, suspected, or modified-monitored; or
4. no STG-related activity.

#### 07.07 Behavioral Assessment: Computation of Behavioral Category

- A. Inmates whose total behavioral score is greater than, or equal to, 16 points shall be designated as behavioral category I - High Risk.
- B. Inmates whose total behavioral score is 9 to 15 points, inclusive, shall be designated as behavioral category II - Moderate Risk.
- C. Inmates whose behavioral score is less than, or equal to, 8 points shall be designated as behavioral category III - Low Risk.

#### 07.08 Behavioral Override

The deputy warden shall document and review all recommended changes to the Behavioral Classification instrument for approval.

### 08.00 INMATE CUSTODY LEVEL OR BEHAVIORAL CATEGORY CHALLENGE

#### 08.01 Inmate Custody Level or Behavioral Category Challenge

- A. Inmates shall initiate a challenge by completing the Classification Challenge form and submitting it to the CRO within 10 working days of notification.
- B. Inmates shall provide written justification for the following reasons:
  1. insufficient funds;
  2. classification processes were not properly followed; and/or
  3. inmate requests that he/she not be moved to a less restrictive custody level for safety and security reasons.
- C. The reason and supporting explanation shall be clearly stated.
- D. The CRO may return an unclear Classification Challenge form to the inmate for clarification.
- E. The CRO enters the classification change into O-Track if the score is changed.
- F. The CRO should answer inmate challenges within 21 working days.

### 09.00 INFRACTIONS FOR INITIAL AND REASSESSMENTS

#### 09.01 Infractions

- A. Predatory:
  1. A02 Aggravated Assault;
  2. A03 Engaging in or Inciting a Riot;
  3. A05 Possession or Use of any Weapon, Explosive, Infernal/Incendiary Device;
  4. A06 Robbery or Extortion;
  5. A07 Sexual Misconduct;
  6. A08 Hostage-Taking or Unlawful Detention;
  7. A09 Causing or Attempting to Cause the Death of Another;
  8. A17 Inappropriate or Unauthorized Staff/Inmate Relations or Bribery;
  9. A18 Unwanted/Unsolicited Touching of a Staff Member or Civilian; and
  10. A21 Assault Against a Correctional Officer.
- B. Disruptive
  1. A01 Arson;
  2. A04 Escape, Attempted Escape, Absconding, or Possession of Escape Paraphernalia;

3. A11 Refusing a Direct Order, Resisting Arrest, or Required Movement – Under Aggravated Circumstances;
  4. A12 Tampering with any Locking or Security Device;
  5. A14 Introduction of Illicit Contraband into a Facility;
  6. A15 Evidence Tampering;
  7. A16 Participating in Any Security Threat Group Activity;
  8. A19 Conspiracy;
  9. A20 Interfering with or Failing to Attend Count or Unaccountable Absence;
  10. B02 Fighting/Assault; and
  11. B07 Resisting Arrest, Required Movement, Refusing a Direct Order, or Command.
- C. Management
1. A10 Any Act Chargeable as a Crime;
  2. A13 Substance Abuse;
  3. B03 Unauthorized Possession or Use of an Electronic Device;
  4. B06 Gambling, Loan-Sharking;
  5. B10 The Unauthorized Use of Any Vehicle, Tool, Device, or Object;
  6. B11 Possession of Tobacco or Being in an Area Where Drugs, Intoxicants, Alcohol, or Tobacco are Present;
  7. B13 Disorderly Conduct, Reckless Endangerment;
  8. B14 Prohibited Sexual Acts or Indecent Exposure;
  9. B15 STG Activity or Paraphernalia; and
  10. B16 Tattooing, Branding, or Body Piercing.
- D. Nuisance
1. B01 Misuse of Administrative Review;
  2. B04 Unauthorized Possession or Use of Property;
  3. B05 Forgery, Fraud, Possession of Stolen Property, or Insufficient Funds;
  4. B08 Interfering with an Investigation, Making False Statements, or Providing False Identification;
  5. B09 Violating any Contract; and
  6. Abuse or Misuse of Medications.