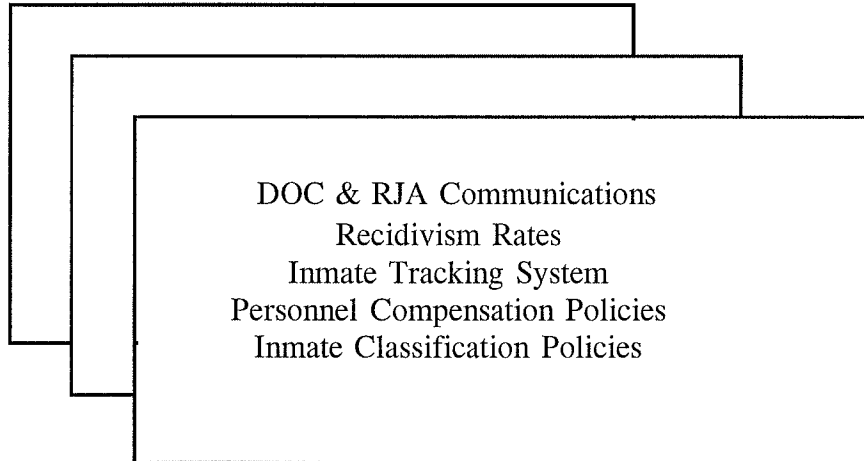


STATE OF WEST VIRGINIA

**UPDATE OF THE  
DIVISION OF CORRECTIONS**

**PERFORMANCE AUDIT**



**OFFICE OF LEGISLATIVE AUDITOR**  
**Performance Evaluation & Research Division**  
**Building 5, Room 751**  
**State Capitol Complex**

**CHARLESTON, WEST VIRGINIA 25305**  
**(304) 347-4890**

PE95-18-39

**WEST VIRGINIA LEGISLATURE**  
*Performance Evaluation and Research Division*

Building 5, Room 751A  
1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305-0592  
(304) 347-4890  
(304) 347-4889 FAX



Antonio E. Jones, Ph.D.  
Director

January 6, 1996

The Honorable A. Keith Wagner  
State Senate  
Box 446  
Iaeger, West Virginia 24844

The Honorable Joe Martin  
House of Delegates  
Building 1, Room 213E  
1900 Kanawha Blvd. East  
Charleston, West Virginia 25305

Gentlemen:

Pursuant to the West Virginia Sunset Law, we are transmitting this update of the Division of Corrections Performance Audit which will be reported to the Joint Committee on Government Operations on Saturday, January 6, 1996. The issues covered herein are "DOC & RJA Communications, Recidivism Rates, Inmate Tracking System, Personnel Compensation Policies, and Inmate Classification Policies."

Sincerely,

A handwritten signature in black ink, appearing to read "Antonio E. Jones".

Antonio E. Jones

AEJ/wsc

Enclosure



## TABLE OF CONTENTS

Executive Summary . . . . .	2
Objective, Scope and Methodology . . . . .	6
<b>ISSUE 1:</b> Communication Between the Division of Corrections and the Regional Jail Authority has Improved . . . . .	9
<b>ISSUE 2:</b> Recidivism Rates are Being Developed . . . . .	11
<b>ISSUE 3:</b> Inmate Tracking System is Fully Functional . . . . .	13
<b>ISSUE 4:</b> DOC and RJA Compensation Policies Equalized . . . . .	15
<b>ISSUE 5:</b> DOC Inmate Classification Policies Should be Reviewed . . . . .	17
APPENDIX 1: Agency Response . . . . .	21



## **EXECUTIVE SUMMARY**

This performance audit is an update of issues reported on during the 1994 Interim period. In light of the issues reported on in the 1994 interim period, the evaluation focused on: whether the Division of Corrections and the Regional Jail Authority had developed a system to share information; whether the Division of Corrections had developed a method to determine recidivism rates; whether the Corrections inmate tracking system was now operational; and whether the policies leading to compensation differences among correctional officers between the two systems had been changed. In addition, this update includes an evaluation of the Division's classification policy which was not in last year's report.

### **ISSUE 1: COMMUNICATION BETWEEN THE DIVISION OF CORRECTIONS AND THE REGIONAL JAIL AUTHORITY HAS IMPROVED**

While the Division of Corrections and the Regional Jail Authority computer systems are not electronically integrated, the Division has on-line access to reports generated by the Authority that enables the Division to obtain information on custodials that will be transferred across systems.

### **ISSUE 2: RECIDIVISM RATES ARE BEING DEVELOPED**

The Division of Corrections is in the process of developing information that can be used to track recidivism. It is recommended that this process continue into the future. With adequate information on recidivism available, the Division will be in a better position to evaluate the effectiveness of its rehabilitation programs.

### **ISSUE 3: INMATE TRACKING SYSTEM IS FULLY FUNCTIONAL**

The Division has maintained the hardware and software discussed in the 1994 evaluation. DOC staff has indicated, that with no additional cost, the system is now fully operational. Further, DOC staff indicated that the hardware operating system is now a UNIX based product, an open system, enabling the Division to connect with WVFIMS and prospectively HRIS.

### **ISSUE 4: DOC AND RJA COMPENSATION POLICIES EQUALIZED**

Both the Division of Corrections and the Regional Jail Authority have reviewed and amended their compensation, promotion and classification policies for correctional officers. As time passes, the changes in the agencies' compensation schedules and promotion policies should result in pay equity for correctional officers in the two systems.

## **ISSUE 5: DOC INMATE CLASSIFICATION POLICIES SHOULD BE REVIEWED**

In August of 1995, an inmate at the Northern Regional Jail and Correctional Facility serving a sentence of life without mercy escaped the custody of the Division of Corrections. The Division's Inmate Custody Classification System is at the root of the incident. The Inmate Custody Classification System allows inmates that demonstrate good behavior while incarcerated to be reclassified to lower levels in the Classification scheme. Under DOC policy, an inmate that has been sentenced to life without mercy is eligible to Class II Minimum status. Inmates that are Minimum (II) classification are allowed to function more freely within the confines of the institution and permits the inmate to become eligible for selection to a work crew or job assignment that is not within the confines of the institution. As of August 30, 1995 there were 38 inmates that had been incarcerated with a life without mercy sentence in the Class II Minimum Level in West Virginia Corrections Facilities. Another factor contributing to the August 1995 escape is a provision in the Classification System that prohibits the Division from considering inmate escapes or attempted escapes that occurred prior to 5 years in the past in reclassification decisions. The 5-year rule included in the Classification System is from a circuit court order entered as part of the Cain v. Bordenkircher litigation in 1991.

## **OBJECTIVE, SCOPE AND METHODOLOGY**





## OBJECTIVE, SCOPE AND METHODOLOGY

This performance audit is an update of the Division of Corrections (DOC) and is conducted in accordance with the West Virginia Sunset Law, West Virginia Code, Chapter 4, Article 10. The objectives of a performance audit are to determine:

- whether the Division is acquiring, protecting and using its resources economically and efficiently; whether the Division has complied with laws and regulations;
- whether the desired results and benefits established by the Legislature are being achieved; and
- the effectiveness of the Division's program and functions.

This performance audit is an update that will assist the Joint Committee on Government Operations in making one of three recommendations:

- the department, agency or board be terminated as scheduled;
- the department, agency or board be continued and reestablished;
- the department, agency or board be continued and reestablished, but the statutes governing it be amended in specific ways to correct ineffective or discriminatory practices or procedures, burdensome rules and regulations, lack of protection of the public interest, overlapping of jurisdiction with other governmental entities, unwarranted exercise of authority either in law or in fact or any other deficiencies.

This performance audit is an update of issues reported on during the 1994 Interim period. There were four issues raised during the 1994 audit. **First**, it was reported that the Division of Corrections and the Regional Jail Authority (RJA) had both implemented computer systems for inmate tracking. However, the systems were incompatible and information could not be shared as a custodial moved from the Regional Jail system to the custody of the Division of Corrections. **Second**, it was reported that the Division implemented a variety of programs for the purpose of rehabilitating custodials. However, the Division did not assess the success of the programs with analyses of recidivism rates. **Third**, it was reported that the Division had purchased computer software for \$128,000 without competitive bid. **Finally**, it was reported that the Division of Corrections and Regional Jail Authority had compensation policies that resulted in corrections officers in the two systems being paid different salaries. In light of the issues reported on in the 1994 Interim period, the evaluation focused on: whether the Division of Corrections and the Regional Jail Authority had developed a **system to share** information; whether the Division of Corrections had developed **recidivism rates**; whether the Corrections **inmate tracking system** was now operational; and whether the policies leading to compensation differences among correctional officers between the two systems had been changed. The evaluation included a review of the Division's classification policy. This year's evaluation included interviews of Division employees and examination of the Division's records and equipment.



**ISSUE 1: COMMUNICATION BETWEEN THE DIVISION OF CORRECTIONS AND THE REGIONAL JAIL AUTHORITY HAS IMPROVED**

During the 1994 evaluation it was identified that the Division of Corrections and the Regional Jail Authority had both implemented computer systems. The Division of Corrections system is based on a centralized architecture and is used to track information on inmates that are in the custody of DOC, as well as, provide office support such as word processing and electronic mail services. The Regional Jail system is a decentralized architecture that is used to collect information on RJA custodials, and most importantly support billing for the Authority. At the core of the issue presented in the 1994 report was the inability of the Division to capture information that was already being collected by the Regional Jail Authority when a large proportion of the DOC custodials are originally incarcerated in a Regional Jail.

Since the 1994 report several changes have occurred in the information sharing relationship between the two agencies. While the agencies' systems are still not electronically linked, the Division now has access to the RJA system in the Division's central office. With this access, DOC staff can pull down reports on RJA custodials that are likely to move to the custody of the Division. It should be noted that because the systems are not interactive DOC must still do intake when an inmate is transferred across the systems.



## ISSUE 2: RECIDIVISM RATES ARE BEING DEVELOPED

During the 1994 evaluation it was determined that the Division did not track recidivism rates. As a result the Division is unable to effectively evaluate the rehabilitation programs operated at various DOC facilities. Since the 1994 report the Division has been in contact with the WV Statistical Analysis Center at Marshall University. Staff from the Center consulted with the Division on a "Recidivism Data Form." However, discussion between the two parties has stopped because the Center identified a \$25,000 need to continue participation in the project. **In short, the Division has not yet implemented procedures for evaluation of recidivism across DOC programs.** It should be noted that the Division inmate tracking system only has data for one year. Recidivism is commonly defined by an inmate's return to the corrections system within 3 or 5 years after release from custody. As a practical matter the Division has two years to complete the development of the measure before sufficient data can be compiled in the Division inmate tracking system.

### *Recommendation 1*

*The Division should continue its efforts to develop a measure of recidivism. In addition, the data collected should include the programs in which the inmate participated while incarcerated. The programs should be evaluated with respect to the recidivism of their participants.*



# JOINT COMMITTEE ON GOVERNMENT OPERATIONS

## House of Delegates

Joe E. Martin, Chair  
Scott G. Varner, Vice Chair  
Sam Love  
Jay Nesbitt  
Douglas Stalnaker

## Senate

A. Keith Wagner, Chair  
Edwin J. Bowman, Vice Chair  
Larry Wiedebusch  
Sarah Minear  
John Yoder

## Citizen Members

Andy Gurtis  
Jack McComas  
W. Joseph McCoy  
Phyllis Presley  
Ronald Solomon

Aaron Allred, Legislative Auditor  
Office of Legislative Auditor

Antonio E. Jones, Ph.D., Director  
Performance Evaluation and Research Division

David Ellis, Research Manager

January, 1996



### **ISSUE 3: INMATE TRACKING SYSTEM IS FULLY FUNCTIONAL**

During the 1994 evaluation it was identified that the Division's inmate tracking system had been obtained through direct purchase. In addition, the Division hardware platform was questioned because of doubt over the economic viability of the hardware vendor and the closed nature of the system. The Division has maintained the hardware and software described in the 1994 evaluation. DOC staff have indicated, that with no additional cost, the system is now fully operational. Further, DOC staff indicated that the hardware operating system is now a UNIX based product, which is an open system. The open operating system enables the Division to connect into WVFIMS and prospectively HRIS. The ability to connect with some other systems will enhance the current value of the system as well as extend its utility into the future.



#### **ISSUE 4: DOC AND RJA COMPENSATION POLICIES EQUALIZED**

The 1994 evaluation identified that the Division of Corrections and the Regional Jail Authority utilized different compensation, classification and promotion policies for correctional officers. Since the evaluation, DOC and RJA have amended the policies for compensation so that the classification, compensation and promotion for correctional officers is now comparable. While some discrepancies may still exist between the two systems, the underlying procedure that caused the differences has been addressed by the agencies. Therefore, as time passes with the equalization policies in place, the compensation for the average correctional officers in either system should be similar notwithstanding which agency employs the person.



## ISSUE 5: DOC INMATE CLASSIFICATION POLICIES SHOULD BE REVIEWED

In August of 1995, an inmate at the Northern Regional Jail and Correctional Facility serving a sentence of life without mercy escaped the custody of the Division of Corrections. The inmate was left unsupervised while outside of the prison while performing janitorial work. Subsequently, responsible officials at the Northern Facility have received reprimands from the Central Office for allowing the inmate to go unsupervised. However, it was the Division's Inmate Custody Classification System that is at the root of the incident.

The Inmate Custody Classification System allows inmates that demonstrate good behavior while incarcerated to be reclassified to lower levels in the Classification scheme. As the inmate's Classification decreases, they are allowed to move more freely within the institution. The system ranges from Class V Maximum, the most restrictive environment, to Class I Community, the least restrictive environment. Under DOC policy, an inmate with a Minimum (II) classification is allowed to function more freely within the confines of the institution and is eligible for selection to a work crew or job assignment that is not within the confines of the institution. Inmates sentenced to life without mercy that demonstrate good behavior are eligible for Class II Minimum status under the current system. As of August 30, 1995 there were 38 inmates that had been incarcerated for life without mercy in the Class II Minimum Level in West Virginia Corrections Facilities.

Another factor contributing to the August escape is a provision in the Classification System that prohibits the Division from taking into consideration inmate escapes or attempted escapes that occurred more than 5 years in the past in reclassification decisions. The 5-year rule included in the Classification System is from a circuit court order entered as part of the Cain v. Bordenkircher litigation in 1991. In the escape cited above, the inmate had attempted escapes on two other occasions, one in 1977 and one in 1989. However, the escapes could not be considered in the Division's reclassification decision of the inmate due to DOC procedures, albeit procedures imposed by the circuit court.

### ***Recommendation 2***

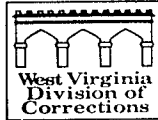
*A circuit court order entered as part of Cain vs. Bordenkircher allows life-without mercy inmates eligibility for a Minimum II Inmate Classification if no escapes nor attempted escapes have occurred within a five-year period, and that escape-related offenses prior to five years' time could not be entered into evidence against them. The Legislature should consider amending the West Virginia Code to eliminate the "5-year rule."*



## APPENDIX 1







DEPARTMENT OF PUBLIC SAFETY  
 DIVISION OF CORRECTIONS  
 NICHOLAS J. HUN, COMMISSIONER



GASTON CAPERTON  
 GOVERNOR

MAJOR GENERAL JOSEPH J. SKAFF  
 SECRETARY

OFFICE OF THE COMMISSIONER  
 112 CALIFORNIA AVE.  
 STATE CAPITOL COMPLEX  
 CHARLESTON, WV 25305-0280  
 (304) 558-2036

M E M O R A N D U M

TO: David Ellis  
 Legislative Auditor

FROM: Nicholas J. Hun *NJH*  
 Commissioner

DATE: January 4, 1996

RE: Response to Update of the Division of Corrections  
 Performance Audit January 1996

The following information is offered for clarification in response to the "draft" copy of the report to be presented to the Joint Committee on Government Operations.

ISSUE 1: Communication between the Division of Corrections and Regional Jail Authority

RESPONSE: The report states that the computer systems are not electronically integrated which is accurate in part. However, there is an existing capability for connectivity due to existing dedicated lines from the Division of Corrections central office to the Regional Jail Authority central office, Southern Regional Jail and the Eastern Regional Jail. The Division of Corrections can also communicate with the Regional Jail Authority via modem with a PC to PC interface.

ISSUE 2: Recidivism Rates are being developed

RESPONSE: The report states that discussion between the Division of Corrections and the WV Statistical Analysis Center at Marshall University has stopped because the Center identified a \$25,000 need to continue participation in the project. Discussions have not stopped as evidenced in the attached copy of correspondence

WE ARE AN AFFIRMATIVE ACTION EMPLOYER

January 4, 1996

Page 2

dated December 13, 1995. The Division of Corrections is continuing its efforts to work with the WV Statistical Analysis Center, keep the lines of communications open, and seek funding to accomplish our commonly recognized goal.

Recommendation 1:

Response: The Division of Corrections does have the capability to include programs in which an inmate participates during incarceration in a data base. The new inmate tracking program has screens specifically for Program Participation as well as Program Recommendations. The screens are identified in the inmate tracking program as the "PP" and "PR" screens. As the data base builds, any inmate who returns to our system will have a complete history available in the system and in time an analysis of the effectiveness of treatment programs will be possible.

ISSUE 5: Inmate Classification Policies

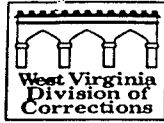
RESPONSE: Attached is a copy of the recent classification guidelines for the Division of Corrections. This document makes it impossible for an inmate who has committed capital murder to ever be allowed to go outside unsupervised to work.

Additionally, there have been two subsequent meetings of classification personnel within the Division to further tighten our views on the severity of risk of inmates who have committed violent crimes. Also attached is a copy of the proposal under consideration which will probably be adopted in the near future. This proposal also reflects a more conservative approach on how the Division of Corrections views inmates. Public risk is rated on a scale on 1 to 5, with 5 being the most severe risk posed by an inmate in the correctional system and 1 being the least severe. Attachments: Policy Directive 664.00 and Public Risk Score assessment instrument.

If you should have any questions or need additional information, please feel free to contact my office.

NJH:DG:BH

Attachments:



DEPARTMENT OF PUBLIC SAFETY  
DIVISION OF CORRECTIONS  
NICHOLAS J. HUN, COMMISSIONER



GASTON CAPERTON  
GOVERNOR

MAJOR GENERAL JOSEPH J. SKAFF  
SECRETARY

---

OFFICE OF THE COMMISSIONER  
112 CALIFORNIA AVE.  
STATE CAPITOL COMPLEX  
CHARLESTON, WV 25305-0280  
(304) 558-2036

December 13, 1995

Girmay Berhie, Ph.D.  
Professor/Director  
West Virginia Statistical Analysis Center  
1050 Fourth Avenue  
Huntington, West Virginia 25755-2195-05

Dear Dr. Berhie:

I am sorry that it has taken more time than we anticipated to get a response back to you in regard to possible financial assistance for the West Virginia Statistical Analysis Center's recidivism project. Due to the Division of Corrections' historic underfunding, only recently corrected by the current Administration and Legislature, the availability of twenty-five thousand dollars in surplus funds has never really appeared to be a realistic option. There was, however, hope that funding of some sort might be identified as expense patterns developed during this fiscal year.

Unfortunately, this has not happened. To the contrary, continued high rates of sentencing by the courts have caused jail per diem bills to quickly outstrip the projected funding needs provided for in the Corrections budget. We hope to be able to juggle numbers so as to make it through to June 30 within our allotted funds, but a surplus that could be directed to a non-budgeted project does not appear to be a part of this reality.

I have discussed this in some detail with Commissioner Hun and he has directed me to have staff explore the possibility of a grant from the National Institute of Corrections. This unit of the Department of Justice, in addition to offering national training opportunities for Corrections professionals, does have some limited money available for technical assistance and short term projects. Acquiring money is not a given, as it is competitively sought by corrections agencies in all of the States, and the amount available seldom exceeds five or six thousand dollars per grant. We will begin exploring this possibility right away.

---

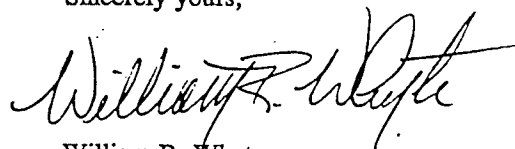
WE ARE AN AFFIRMATIVE ACTION EMPLOYER

December 13, 1995

Page Two

Dr. Behrie, you know that the West Virginia Division of Corrections strongly supports the Statistical Analysis Center and that we very much need a protocol for measuring recidivism rates. I regret that fiscal exigencies have interfered with the timely achievement of our commonly recognized goal.

Sincerely yours,



William R. Whyte  
Deputy Commissioner - Operations

WRW/bjh

cc: General Skaff  
Commissioner Hun  
Henry Lowery  
Scott Neely  
File: R105

WV DEPARTMENT OF CORRECTIONS

XXXXXXXXXXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXXXXXXXXXX

XXXX XXXX XXXX XXXX  
XXXX XXXX XXXX XXXX  
XXXX XXXX XXXX XXXX  
XX XX XX XX  
XX XX XX XX

P-O-L-I-C-Y D-I-R-E-C-T-I-V-E

NUMBER: 664.00

DATE: July 21, 1995

SUBJECT: Correctional  
Classification  
Guidelines

REFERENCE: WV Code § 62-13-4

SECTION I. GENERAL

1.01 GENERAL

The purpose of this document is to establish and define those regulations and procedures as herein set forth governing the general classification of adult inmates at the Mount Olive Correctional Center, Huttonsville Correctional Center, Pruntytown Correctional Center, Denmar Correctional Center, Northern Regional Jail and Correctional Center, and Work Release Centers.

1.02 AUTHORITY AND REFERENCE

The authority of the Commissioner of the Division of Corrections is to implement, revise and manage a departmental Classification System as empowered by West Virginia Code § 62-13-4 (f) and in compliance with ACA Standards 3-4237 to 3-4261 (3rd Edition).

1.03 APPLICABILITY

This Policy Directive is applicable to all personnel in the Division of Corrections who are assigned the responsibility for and the authority to classify the adult inmate populations at the Mount Olive Correctional Center, Huttonsville Correctional Center, Northern Regional Jail and Correctional Center, Pruntytown Correctional Center, Denmar Correctional Center, and Work Release Centers.

1.04 CANCELLATION

This Policy Directive cancels and supercedes all previous Policy Directives or instructions concerning this subject.

**SECTION II. DEFINITIONS**

**2.01 CLASSIFICATION**

A process for determining the appropriate security placement and special needs of the inmate population in order to provide a safe secure and humane correctional system for the public, staff and inmates.

**2.02 CLASSIFICATION COMMITTEE**

Division of Corrections employees who have been designated as members of a Classification Committee and who have the responsibility and authority to determine the custody and housing needs of the inmate population.

The Classification Committee may make program recommendations based upon the assessed needs of each inmate.

**2.03 CLASSIFICATION CONTINUUM**

A classification process that demonstrates and permits inmate movement throughout the correctional system.

**2.04 CLASSIFICATION MEETING**

A formal meeting of the Classification Committee.

**2.05 CORRECTIONAL CLASSIFICATION PROFILE (CCP)**

A factorial grid with the factors being placed on the CCP in priority going from left to right, and the rating for each factor ranging from a low importance of one (1) to a high importance of five (5). The first two factors on the CCP are the determinors of institutional placement.

**2.06 CUSTODIES**

The Division of Corrections recognizes and utilize the five following general classification/security custodies:

**A. Maximum (V)**

The most severe and restrictive of all custodies relative to housing and movement throughout the institution.

**B. Close (IV)**

The next most severe and restrictive custodies relative to housing and movement.

**C. Medium (III)**

A mainline population custody which permits inmates to function somewhat freely within the confines of the institution.

**D. Minimum (II)**

A custody classification which allows inmates to function more freely within the confines of the institution. Minimum Classification II, permits an inmate to become eligible for selection to a work crew or job assignment that is not within the confines of the institution.

**E. Community (I)**

The least restrictive custody classification within the Division of Corrections. Inmates classified as community are eligible for consideration for placement in community programs or work release.

**2.07 DISCIPLINE**

A formal process holding inmates accountable for their behavior and adherence to institutional rules and regulations.

**2.08 SELECTION**

A process by which inmates are chosen for institutional assignment, work, or program assignment.

**2.09 SPECIAL NEEDS**

A special needs inmate is an individual that is specifically in need of treatment or housing options that are offered by the Division of Corrections at a designated facility designed to meet a particular need. Examples of special need programs would include but not be limited to psychiatric care, protective custody and acute medical care. Special needs treatment or housing options shall be provided to inmates to the extent possible without prejudice to public or institutional safety.

**2.10 I-SCORE**

A scale of salient factors used to determine an inmate's institutional adjustment.

**2.11 P-SCORE**

A scale of salient factors used to determine an inmate's public risk or risk of escape.

**2.12 CLASSIFICATION GRID**

Custody level will be determined by the level of the I-Score and P-Score on the Classification grid.

	P 1	P 2	P 3	P 4	P 5
I 1	I	I	II	III	IV
I 2	I	II	III	III	IV
I 3	II	III	III	IV	IV
I 4	III	III	IV	IV	V
I 5	IV	IV	IV	V	V

I - Community      II - Minimum      III - Medium  
 IV - Close          V - Maximum



**SECTION III. SYSTEMIC ROLES**

**3.01 GENERAL PROVISION**

The Correctional Classification Profile (CCP) will be incorporated into the classification systems of all adult institutions.

**3.02 CORRECTIONAL FACILITIES**

The Division of Correction's institutions shall house inmates at the most appropriate custody level consistent with institutional design, public safety and the needs of the inmate. The systemic role of each institution shall be:

- (1) **Mount Olive**  
(Level V to Level I)  
  
Special Needs: (A) Psychiatric  
(B) Acute Medical  
(C) Special Management Inmates
- (2) **Northern Regional Jail and Correctional Center**  
(Level IV to Level I)  
  
Special Needs: (A) Special Management  
(B) Female Inmates
- (3) **Huttonsville Correctional Center**  
(Level III to Level I)  
  
Special Needs: Geriatric Inmates who have been determined to be appropriate for dormitory living.
- (4) **Denmar Correctional Center**  
(Level III to Level I)  
  
Inmates who have been determined to be appropriate for dormitory living.
- (5) **Pruntytown Correctional Center**  
(Level II to Level I)  
  
Inmates who have been determined to be appropriate for dormitory living and physically capable. Male and female.

(6) **Work Release**  
(Level I )

Only inmates who are Level I (Community) are eligible for consideration for placement at work release.

**SECTION IV. CLASSIFICATION REVIEW**

**4.01 ANNUAL REVIEW**

All inmates will be classified at least annually.

**SECTION V. CLASSIFICATION PROCEDURES**

**5.01 GENERAL**

Specific classification procedures, staffing, etc., will be formulated at each institution, as approved by the Commissioner.

Certain American Correctional Association (ACA) requirements pertaining to classification must be adhered to. They are listed in the following sections 5.02 through 7.01.

**5.02 COMPOSITION OF CLASSIFICATION COMMITTEES**

Classification Committees within the Division of Corrections will consist of the Director of Classification or Unit Manager and members of the counseling, education and/or correctional officer staff; any three of whom constitute a quorum (except for Work Release - see Policy Directive 664.04).

**5.03 INMATE'S NOTICE OF CLASSIFICATION MEETING**

An inmate will receive written notice of his/her appearance before the Classification Committee at least five days prior to the hearing. The notice will state the time and place of the meeting, the reason for the inmate's appearance before the Classification Committee, and a list of all items and/or written materials which will be used in the classification decision-making process. Any inmate may waive, in writing, a personal appearance before the Classification Committee.

5.04 DOCUMENTATION OF CLASSIFICATION MEETING

An inmate's appearance before the Classification Committee will be magnetically recorded and documented on a Classification Information form. Magnetic recordings will be kept by the institutions for a minimum of one year.

5.05 Inmate's Rights to Speak at Classification Meeting

An inmate will be permitted to speak for him/herself and offer facts and information on his/her own behalf. An inmate will be allowed to express his/her desire to participate in institutional programming.

5.06 CLASSIFICATION

The Classification Committee may recommend a program which may address the following areas:

- A. Custody
- B. Housing
- C. Job Performance
- D. Education/Vocational Assignment
- E. Medical Needs
- F. Dental Needs
- G. Parole Status
- H. Transfer Status
- I. Individual Educational Program
- J. Referral to Available Counseling Programs
- K. Special Needs

5.07 WRITTEN DECISION

The Classification Committee will issue a written decision to each inmate within five working days after the hearing date. The decision will indicate the inmate's custody, housing, and give specific reasons for the classification decision. This decision may list certain recommendations for the inmate to follow (i.e., maintain good institutional record, educational program participation, vocational program participation, etc.)

5.08 INMATE APPEAL

If the inmate feels that the Committee has reached an inappropriate decision in his/her case, he/she may appeal his/her decision to the Warden, Superintendent, or Administrator using the standard inmate grievance procedures. Inmate appeals must be filed in writing within five days of receipt of the Committee's decision.

5.09 RESOURCE AVAILABILITY

All classification considerations and recommendations will be tied closely to all treatment, academic, vocational and work programs as resources are available.

5.10 REVIEW OF CLASSIFICATION PROCEDURES

Classification procedures will be reviewed at least annually at the institutional level and updated as necessary.

**SECTION VI. WRITTEN CLASSIFICATION MANUAL**

6.01 GENERAL

A written Classification Manual shall be devised by each institution.

6.02 AVAILABILITY OF CLASSIFICATION MANUAL

Copies of the Classification Manual shall be readily available to all institutional personnel.

**SECTION VII. AUDIT**

7.01 REVIEW OF CLASSIFICATION

Central Office staff, designated by the Commissioner of Corrections, will review and audit all classification procedures and practices as needed.

APPROVED: \_\_\_\_\_

NICHOLAS J. HUN, COMMISSIONER

7/21/95  
DATE

Pd15

PUBLIC RISK SCORE

Proposed - In going over, please refer to handout given which gives the previous classifications in order to make comparison.

I. EXTENT OF VIOLENCE IN CURRENT OFFENSE (1-5)

5. Life w/o mercy  
Life w/mercy plus consecutive sentences that would equal 15 or more years to life
4. Sexual abuse  
Sexual assault  
Sexual Offender with over five (5) yr. minimum  
Murder I, with Mercy  
Armed Robbery or Aggravated Robbery for which a twenty-one year or more sentence is imposed  
Kidnapping  
Any offense involving explosives (detonation, potential risk of injury to other, criminal possession or transportation)  
Habitual Life sentences  
Murder, 2nd degree
3. Extortion (with threat of serious injury)  
Drug offenses (1-15 yr. sentence)  
Abduction of individual for purposes of sex  
Arson (1st degree)  
Spousal Sexual Assault  
Anyone with a three (3) year minimum  
Voluntary Manslaughter  
Attempted Murder  
DUI, Causing Death  
Malicious Assault (2-10 yr. sentence)  
Use of Firearm in the Commission of a Felony  
Armed Robbery or Aggravated Robbery (below 20 yr. sentence imposed)  
Unarmed Robbery  
Non-Aggravated Robbery  
Incest  
Conviction for escape  
Child abuse - non-sexual  
Stalking - 3rd offense  
Abduction  
Property offense (over 100,000)  
Possession or trafficking in narcotics (1-15 yr.)
2. Possession of a Dangerous Weapon (felony)  
Burglary  
Drug offense - 1-5 yr. or less

Extortion without threat of personal injury  
Arson (2nd degree)  
Auto Theft  
Bribing a public official  
Fraud  
Wanton endangerment with a firearm  
Unlawful Assault (1-5 yr. sentence)  
Unlawful Wounding  
Attempted Armed Robbery (1-5)  
Property Offense: B & E, Grand larceny - 1000 to 100,000  
Counterfeiting (1000 to 100,000)  
Alcohol law violation  
DUI  
Forgery & Uttering

1. Arson - 3rd and 4th degree  
Soliciting for Sexual Activity  
Property offense (under 1000)  
Shoplifting (felony)  
Counterfeiting (under 1000)  
Feloniously injuring or killing an animal

II. WEAPON USED IN CURRENT OFFENSE (1-3)

- 1 - None
- 3 - Weapon involved

Elimination of the word "dangerous" regarding instrument.

III. ESCAPE HISTORY (Conviction in court or disciplinary write-up). Documentation necessary to be classed as a 4 - PSI, self reporting, CIB, etc.

Juvenile records can be used if tried as an adult.

- 1 - None
- 4 - If any
- 5 - If more than 2 escape attempts

IV. PRIOR COMMITMENTS

- 1 - 5 According to severity of offense scale - Use the most serious offense - No reduction.

V. VIOLENCE HISTORY

- 1 - None
- 2 - One serious
- 3 - Two or more serious

VI. HOLDS OR DETAINERS

- 1 - None
- 3 - Any
- 5 - Could result in death sentence

Types of detainers and notifications will be clarified at a later meeting.

VII. TIME TO EXPECTED RELEASE

- 1 - 0-12 months
- 2 - 13-60 months (5 yrs.)
- 3 - 61-120 months (10 yrs.)
- 4 - 121-180 months (15 yrs.)
- 5 - 181 or more months (more than 15 yrs.)

This is projected to decrease as inmate serves sentence.  
Release - Parole eligibility or discharge, whichever comes first.

INSTITUTIONAL RISK SCORE

Please refer to handout to make comparisons.

- I. COMMUNITY STABILITY - 1-3 (1 being the most stable)
- II. PRIOR INSTITUTIONAL ADJUSTMENT - 1-4
- III. PROTECTION CONSIDERATIONS - 1-5
- IV. PSYCHOLOGICAL STABILITY - 1-5  
Needs to begin as a "3"
- V. ADJUSTMENT WHILE ON PROBATION/PAROLE - 1-3
- VI. ALCOHOL/DRUG USE: 1-3