

	ICL 17.00	Classification / Screening / Housing Categories / Non- Discrimination	Effective Date: July 15, 2013
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Purpose:

The purpose of this policy is to ensure that MDC staff will implement and maintain the inmate classification plan to provide for inmates being classified in a fair and consistent manner according to their individual custodial management and program needs. The purpose of inmate classification is to provide fair and consistent guidelines in determining inmate assignments (pre- and post-arraignment) to housing areas, security levels, treatment, and program services. This plan is intended to ensure that such decisions are made to the benefit of both the facility and the inmate and will ensure that proper documentation is maintained of such decisions. Classification information will be managed in a fashion that allows monitoring and evaluation of facility programs, planning, and budgeting.

The classification system will provide for the management and confinement needs of MDC and the inmates housed within. The goal of the classification system is to provide for the safety and security of inmates, staff and the general public. The risks and needs of each newly admitted inmate will be assessed and addressed individually, based on objective and identifiable criteria that provides for placement of the inmate in the least restrictive housing compatible with his or her assessed risks and needs. Inmates will not be classified based on the lack of the availability of space in an appropriate housing assignment. Classification assignments will not be changed to meet a housing placement.

Classification procedures will be administered equitably and consistently, without discrimination against any individual based on sex, race, color, creed, culture, background, physical or mental handicap, or national origin.

A classification record will be maintained for each inmate. The record will contain all available information concerning current offense, criminal conviction history, and past and present institutional records, including the inmate's complete disciplinary history.

Field of Application:

New Mexico, Bernalillo County, Metropolitan Detention Center.

Policy:

The policy of the Bernalillo County Metropolitan Detention Center (MDC) will maintain administrative oversight to ensure that inmates are classified in a fair and consistent manner according to the inmate's individual custodial management and program needs. Following this policy, a flow chart depicting the classification and inmate movement process within the facility can be found, followed by an updated MDC Housing Plan.

Definitions:

- 1. Inmate Classification:** The process of assigning an inmate to a level of security and identifying program and treatment needs according to the MDC's classification plan.
- 2. Jail Classification Plan:** This consists of the MDC's classification policies and procedures.
- 3. Custodial Management:** This describes the way in which jail staff supervises and houses an

inmate according to a specific plan based on the level of security assigned to an inmate.

4. Classification Security Category: The inmate's assigned security designation will be maximum, medium, or minimum.

5. Classification Custody Level: This refers to the inmate's assigned institutional custody designation within an assigned security level, consisting of one of the following: level 1, high; level 2, close custody; level 3, medium (with assaultive or escape background); level 4, medium; level 5, medium pre-sentence prison bound; level 6, minimum pre-sentence; level 7, minimum; and level 8, low minimum and level 9 very low minimum.

6. Override: This refers to the option of changing the objective classification instrument assignment of an inmate in response to mitigating or aggravating circumstances as determined appropriate by the Classification Staff, or designated Corrections Officers,.

7. Initial Classification: The initial assessment/screening process at intake/booking to determine immediate temporary cell assignment, level of supervision, and emergency medical or mental health needs.

8. Primary Classification: The process of determining the inmate's security classification prior to making a housing assignment into the general population.

9. Classification Review: The process of reviewing an inmate's security/custody level periodically, or as a result of disciplinary action, change in legal status, new pertinent information, a change in mental health, program or work record, or by staff request.

10. Reclassification: The process of changing an inmate's classification designation as a result of a classification review.

11. Gender nonconforming: A person whose appearance or manner does not conform to traditional societal gender expectations.

12. Intersex: A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.

13. Transgender: A person whose gender identity (i.e. internal sense of feeling male or female) is different from the person's assigned sex at birth.

Responsibility:

The requirements and processes described in this document apply to all staff members at MDC. Area managers and supervisors are responsible for maintaining associated documents and records, for ensuring that staff members have access to up-to-date information and policies, and for ensuring that staff members are trained in all policy updates.

Procedure:

A. Classification Roles:

1. The Chief of Corrections (or designee) will review the jail inmate classification plan at least annually with the Policy administrator, the Assistant Chief of Security, the PREA Coordinator, and the Classification Committee.
2. The Classification Committee will consist of at least three (3) members:

Classification Coordinator (or designate), one member of the Segregation Unit security, one Segregation Unit Social Services Coordinator, a classification specialist, and a member of the medical/mental health provider. The Classification Committee will have the authority to:

- a. Review classification appeals when necessary,
 - b. Review complex classification decisions when necessary or required by the Jail Administrator or designate; and
 - c. Participate in the annual review of the jail classification plan.
3. The Assistant Chief of Security (or designate) will be responsible for and coordinate all classification functions within the Metropolitan Detention Center.
 4. The Assistant Chief of Security (or designate) will ensure that Classification Staff, or designated Corrections Officers, have specialized training in inmate classification methods and theory.
 5. The Assistant Chief of Security (or designate) will provide for the training of all staff to the jail classification policies and procedures on an entry-level and ongoing basis.
 6. The Assistant Chief of Security (or designate) will assign the classification staff(s) as the jail staff responsible for the primary classification.
 7. The Assistant Chief of Security (or designate) will ensure that decisions made by classification jail staff concerning the level of custodial management and program participation of an inmate is consistent with the jail classification plan.
 8. The Classification Staff, or designated Corrections Officers, will be responsible for making inmate housing assignments consistent with the assigned security level.
 9. The Classification Staff, or designated Corrections Officers, will have the authority to make decisions regarding the following tasks:
 - a. Assign inmates to security/custody categories,
 - b. Hold classification reviews and reclassify inmates as appropriate to ensure that inmates' classification and treatment considerations are current, and
 - c. Assign inmates to appropriate housing.

B. Security Classification Categories:

1. Minimum Security: Includes inmates with designated custody levels of 6, 7, 8 or 9.
 - a. Those inmates assigned to a minimum security level may be un-sentenced inmates who will be likely sentenced to county time or time-served, sentenced misdemeanants or selected sentenced felons.
 - b. Inmates so assigned must have no holds or other pending court action.
 - c. Minimum security inmates must display a cooperative attitude toward the staff and the rules and regulations of the facility.
 - d. Minimum security inmates will not be considered an escape risk.
2. Medium Security: Includes inmates designated as custody levels 3, 4 or 5.
 - a. Inmates assigned to the medium security level will include those sentenced misdemeanants and felons who do not qualify for minimum

- security and also who do not require a maximum level of security.
- b. In addition, inmates in the facility awaiting trial or sentencing and likely prison bound who do not require a maximum level of security will be placed in medium security.
 - c. Medium security inmates should be treated as an escape risk and may prove to be slightly uncooperative or resistant to jail rules but may not display a significant disciplinary problem.
 - d. These inmates will require a normal amount of staff supervision.
3. Maximum Security: Includes inmates designated as custody level 1 or 2.
- a. Inmates who are assigned to a maximum security level (close custody, high) will be those who have been charged with serious assaultive felony crimes or have a history of assaultive felony violent convictions.
 - b. They may also have other holds or detainers concerning such types of crimes or may be individuals who have displayed a significant disciplinary problem within the facility or display a need of maximum amount of supervision.
 - c. Maximum security inmates may be allowed only a very limited amount of out-of-cell recreation time and such time will be under direct officer supervision.
 - d. Their program participation will be limited. These inmates will not be allowed to associate with the general inmate population.
4. Special Management: Special management includes inmates who are maximum security level 1, in protective custody, on suicide watch, STG, High Risk, and other inmates who require housing separate from the general population.
- e. Inmates so identified may be allowed only very limited out-of-cell movement and any movement outside the cell will be under continuous direct supervision of correctional officers when appropriate.
 - f. Their program participation may be limited to one-on-one situations within a secure area of the facility.
 - g. Such inmates may not be allowed contact with any other inmates.
5. High Risks: Inmates who are identified as high risk will be those who have demonstrated any of the following:
- a. Extremely high escape risks,
 - b. Assaultive toward staff or other inmates,
 - c. Severe emotional or mental problems presenting security concerns,
 - d. Extremely violent crimes,
 - e. Continuous and severe disciplinary problems,
 - f. Gang leaders, and
 - g. May also include those who have had their life threatened by other inmates within the facility and those identified as suicidal.
6. Special Condition:
- a. Inmates who are identified as having special conditions will be those who have demonstrated any of the following:

- (1) Inmates having a need or condition that requires special attention such as physical or mental handicap,
 - (2) diet restrictions,
 - (3) alcohol or drug withdrawal,
 - (4) Inmates needing protective custody, and so on.
7. Inmates identified as having a special condition may not require housing separate from the general population but may require modified living quarters.
 8. A special condition or high-risk designation *may or may not* require a classification override.
 9. Such inmates will be treated in accordance with the requirements of the special condition (e.g., special dietary restrictions).
 10. The amount of their out-of-cell movement, as well as participation in programs, will be determined on an individual basis.

C. Security Classification Overrides:

If it is determined that circumstances requiring a deviation from the primary classification instrument's security designation is warranted due to aggravating or mitigating circumstances, it will be designated an override. If it is necessary to make an override, the override option on the classification instruments should be used and a note of the reason should be entered in the designated area. Approved agency override reasons include:

1. Assaultive threats toward staff
2. Increased risk of escape
3. Serious institutional behavior history
4. Inmate under investigation for additional crimes
5. New charges may be added
6. Hold, detainer for assaultive felony offense
7. Known gang leader, as identified by the STG unit
8. Suspected drug trafficker
9. Inmate faced with lengthy prison term (20+ years)
10. Mentally unstable
11. Lengthy period of street time since last assaultive offense
12. Notorious/particularly heinous offense
13. Inmate well known to staff
14. Developmentally disabled

D. Administrative Overrides:

Department of Corrections inmates will be an automatic override, classified at least maximum security level 2. Inmates who are detained on a "Steps" violation or who are serving sentences of three days or less will also be classified as at least a maximum security level 2.

E. Housing of Female Inmates:

The same classification policies and procedures will be applied to female inmates, with the exception that the female inmates will be housed separately from the male population.

F. Initial Classification:

Initial Classification procedures have been designed to provide the intake/booking officer with an initial classification process. This process will assist the officer in identifying and making decisions regarding initial and immediate custodial management and treatment needs of inmates admitted to the MDC. The purpose of the process is to provide safe and secure temporary housing and identify any immediate emergency treatment needs. Inmates will be moved from a temporary holding area within 72 hours of reception. Designated intake/booking staff will implement and complete initial classification procedures on inmates admitted to the MDC at the time of booking. Initial Classification is intended to aid in the initial decision of the temporary cell assignment upon admission into the jail. A direct interview with the inmate and officer takes into consideration current charges, legal status, current physical/mental and medical condition, suicide and predatory risk, among others; in determining appropriate short-term housing placement.

1. Upon receipt of an inmate, the medical/mental health provider will complete the initial/medical screening form.
2. During the booking process, the booking staff will make an immediate determination as to appropriate temporary housing assignment and appropriate supervision level for each new inmate.
3. In making the determination for initial housing assignment, consideration will be given to any and all special needs of the inmate in an effort to avoid undue hardships or allow situations where the inmate may harm himself or others.
4. The booking officer will also be responsible for making a determination as to any immediate needs of the new inmate including any emergency treatment that may be necessary.
5. Inmates who have been charged with an assaultive felony and who are determined appropriate for placement in an "intake" or "pre-classification" pod upon completion of the initial classification process will be kept separate from those not charged with or convicted of assaultive felonies by ensuring that such inmates are kept separate from those who have never been charged with an assaultive felony.
6. Within seventy-two (72) hours of admission, all relevant initial screening information will be forwarded by the booking unit to the classification unit, at which time all inmates will be subject to the primary classification process.

G. Primary Classification:

1. Primary classification of an inmate will occur within 72 hours of admission and prior to an inmate being moved to the general housing areas of the jail.
2. This classification will be the lowest security level necessary to ensure community, staff, and inmate safety.
3. The primary classification instrument and process provides fair and consistent guidelines in determining inmate assignments to housing areas, security levels, programs, and treatment services.
4. Classification assures that such decisions are made for the mutual benefit of both the inmate and the facility and further ensures that proper documentation of such decisions is maintained.
5. Primary classification considers security risk assessment and special conditions to develop a general housing assignment.
6. The primary classification interview, which utilizes the Classification

Interview form contained at the end of this policy, will be conducted by classification staff for the purpose of determining the security level and the general housing assignment consistent with the designated security level.

- a. Said interview must be completed as part of the primary classification and prior to placement in the general housing area of the facility.
- b. In completing the primary classification interview, the classification staff is expected to:
 - (1) Explain the reason for the classification process;
 - (2) Conduct a jail orientation, be willing to answer questions concerning the jail rules and regulations, and either give the inmate a jail handbook or direct the inmate to where they can access the handbook on the kiosk;
 - (3) Process inmate personal information with an appropriate degree of confidentiality;
 - (4) Treat all inmates in a fair and consistent manner; and
 - (5) Thoroughly and accurately complete the primary classification instrument.

H. General Housing Assignments:

1. Classification Staff, or designated Corrections Officers, will assign inmates to the least restrictive housing that appears to be consistent with the inmate's classification and according to the MDC's approved housing plan (attached to this policy). When appropriate bed space matching the inmate's security or custody level is not available, the inmate will be housed in the next security level, either above or below the inmate's security classification, and will be moved to the appropriate housing unit as soon as space becomes available.
2. In addition to other relevant information, Classification staff will also consider the screening for risk of victimization and abusiveness conducted pursuant to Policy.
3. In deciding whether to assign a transgender or intersex inmate to the MDC for male or female inmates, and in making other housing and programming assignments, the facility 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.
 - a. A transgender or intersex inmate's own view with respect to his or her own safety will be given serious consideration.
4. Transgender and intersex inmates will be given the opportunity to shower separately from other inmates regardless of where they are housed.
5. MDC will not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated units or pods solely on the basis of such identification of status, unless such placement is in a dedicated unit or pod established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmates.
6. Inmates at high risk for sexual victimization will not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. If the MDC cannot conduct such an assessment immediately, the facility may hold the inmate in involuntary

- segregated housing for less than 24 hours while completing the assessment.
7. Inmates placed in segregated housing for this purpose will have access to programs, privileges, education, and work opportunities to the extent possible. If the MDC restricts access to programs, privileges, education, or work opportunities, the following will be documented:
 - a. The opportunities that have been limited;
 - b. The duration of the limitation; and
 - c. The reason for such limitation.
 8. The MDC will assign such inmates to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment will not ordinarily exceed a period of 30 days.
 9. If an involuntary segregated housing assignment is made pursuant to paragraph 3 of this section, the MDC will document:
 - a. The basis for the MDC’s concern for the inmate’s safety; and
 - b. The reason why no alternative means of separation can be arranged.
 10. Every 30 days, the MDC will afford each such inmate a review to determine whether there is a continuing need for separation from the general population.

I. Will Inmate Privileges and Behavioral Incentives:

The inmate’s assigned security or custody level restricts eligibility for certain inmate privileges. Privileges that may be available and are assigned based on level of security are:

Decision Tree*
High (Custody Level 1): Only mandatory commissary/personal items. No television, minimal reading materials, visits with legal counsel only, one hour out-of-cell activity daily. No contact with other inmates.
Close (Custody Level 2): Limited commissary, limited visitation, limited television, and limited access to day room and outside recreation. May have contact with other Level 2 inmates only, pending approval by custody staff.
Medium-High (Custody Level 3): May receive standard access to day room, commissary, television privileges, standard visitation, and outside recreation time. May have contact with other Level 3 inmates only.
Medium-Low (Custody Levels 4 & 5): May receive the maximum permitted access to day room, maximum permitted commissary privileges, maximum permitted television privileges, maximum permitted visitation, and maximum permitted outside recreation time. May be considered for trustee/detail positions inside the secure perimeter (kitchen, hall, etc.). May have contact with other Level 4 or 5 inmates only.
Minimum Security Pre-sentence (Custody Level 6): May receive the maximum permitted access to day room, maximum permitted commissary privileges, maximum permitted television privileges, maximum permitted visitation, and maximum permitted outside recreation time. May be considered for trustee/detail positions outside the secure perimeter but not offsite (administration, warehouse, parking lot, etc.). May have contact with other Level 6 inmates only.

Minimum (Custody Level 7): May receive the maximum permitted access to day room, maximum permitted commissary privileges, maximum permitted television privileges, maximum permitted visitation, and maximum permitted outside recreation time. May be considered for trustee/detail positions anywhere outside the secure perimeter, including offsite details (Clean Team, Landfill, MATS, etc.). May have contact with other Level 7, 8, or 9 inmates only.

Minimum (Custody Levels 8 & 9): May receive the maximum permitted access to day room, maximum permitted commissary privileges, maximum permitted television privileges, maximum permitted visitation, and maximum permitted outside recreation time. May be considered for trustee/detail positions anywhere outside the secure perimeter, including offsite details (Clean Team, Landfill, MATS, etc.). May have contact with other Level 7, 8, or 9 inmates only.

Special Conditions, High Risk Inmates and Administrative Segregation: Privileges are determined by the assigned security level restrictions and case-by-case circumstances.

*the above listed breakdown of custody levels and privileges does not apply to disciplinary segregation, the transitional housing unit (THU), or administrative segregation.

J. Classification Appeal:

Any inmate who so desires may request a review of the classification assignment within ten (10) days of the primary classification or of reclassification to the classification unit.

1. Upon receipt of the appeal notice the classification will be reviewed by the classification staff who conducted the original primary classification and/or
2. Upon receipt of the appeal notice the classification might also be reviewed by the classification committee if so requested by the Jail Administrator, Assistant Chief of Security, or their designees.
 - a. Reviewed by the classification staff who conducted the original primary classification Interview, and/or
 - b. Reviewed by Classification Sergeant, and/or
 - c. Reviewed by the classification committee upon request of the classification sergeant.
3. Upon completion of a classification review at any of the three levels, the review and the results of the review will be documented attached to the original classification form. The inmate will be notified of the decision in writing.

Standards & References:**A. ACA:**

1. 4-ALDF-1A-11
2. 4-ALDF-2A-30
3. 4-ALDF-2A-32
4. 4-ALDF-2A-33
5. 4-ALDF-2A-34
6. 4-ALDF-2A-36

B. Court Order:

1. N/A

C. Cross-Referenced Documentation:

1. N/A

D. Forms:

1. N/A

E. Other:

1. N/A