



Virginia Department of Corrections

Offender Management and Programs

Operating Procedure 830.1

Institution Classification Management

Authority:

Directive 830, *Classification Management*

Effective Date: February 1, 2021

Amended: 9/1/21, 3/1/22, 1/1/23, 2/24/23,
4/1/23

Supersedes:

Operating Procedure 830.1, June 1, 2017

Access: Restricted Public Inmate

ACA/PREA Standards: 5-ACI-4A-08,
5-ACI-4B-09, 5-ACI-5B-06, 5-ACI-5B-07,
5-ACI-5B-08, 5-ACI-5B-09; 2-CO-1E-09,
2-CO-4B-03

Content Owner:	Jim Parks Director of Offender Management Services	<i>Signature Copy on File</i>	12/28/20
		Signature	Date
Reviewer:	Jermiah Fitz, Jr. Corrections Operations Administrator	<i>Signature Copy on File</i>	12/29/20
		Signature	Date
Signatory:	A. David Robinson Chief of Corrections Operations	<i>Signature Copy on File</i>	1/5/21
		Signature	Date

REVIEW

The Content Owner will review this operating procedure annually and re-write it no later than three years after the effective date.

The content owner reviewed this operating procedure in January 2022 and necessary changes are being drafted.

The content owner reviewed this operating procedure in February 2023 and necessary changes have been made.

COMPLIANCE

This operating procedure applies to all units operated by the Virginia Department of Corrections. Practices and procedures must comply with applicable State and Federal laws and regulations, ACA standards, PREA standards, and DOC directives and operating procedures.

Table of Contents

DEFINITIONS	3
PURPOSE	4
PROCEDURE.....	4
I. Institutional Classification.....	4
II. Institutional Classification Authority Hearing Procedural Requirements.....	8
III. Review of Institutional Classification Authority/Multi-Disciplinary Team Recommendations.....	10
IV. Program Assignment Reviews	11
V. Inmate Initiated Review of Progress (5-ACI-5B-09).....	13
VI. Central Classification Services Authority	13
VII. Appeal Process	13
REFERENCES.....	13
ATTACHMENTS	14
FORM CITATIONS	14



DEFINITIONS

Annual Review - A uniform yearly review of an inmate's classification, needs, and objectives; the Initial Classification Date (ICD) is used to establish the review date for an inmate received on or after February 1, 2006. The Custody Responsibility Date (CRD) is used to establish the review date for an inmate received prior to February 1, 2006.

Case Management Review - An action taken to document the specific processes completed during an inmate's annual review

Central Classification Services (CCS) - Staff members from the Offender Management Services Unit who review certain recommendations made by the Institutional Classification Authority and Multi-Disciplinary Team to render a final decision regarding inmate status and assignments

Classification - A process for determining the needs and requirements of inmates; this is an ongoing process that attempts to utilize all relevant information concerning the inmate to identify and analyze individual strengths and risks, address individual needs, and encourage proper adjustment to the prison setting and ultimately free society.

Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) - The DOC approved risk/needs assessment, which consists of different versions for community corrections and institutions. COMPAS is a support system for supervision and case-management decisions, a database used in combination with VACORIS, a tool that assesses two critical risks, violence and recidivism, and a tool for determining the criminogenic needs that are used to develop case plans and set programing

Formal Due Process Hearing - A classification hearing that requires a prior formal notification to the inmate indicating the reason for, purpose of, and possible results of the classification hearing, the inmate's right to be present at the hearing, and notice of the results of the hearing and the reason for the decision. A formal due process hearing is required when an inmate is considered for removal from general population, or faces the possibility of increase in security level or reduction in good time earning level outside the Annual Review Cycle.

Formal Notification - Institutional staff are required to provide, at a minimum, 48 hour written notification to the inmate of a scheduled formal due process hearing using the *Institutional Classification Authority Hearing Notification* generated in VACORIS.

ICA Hearing - An inmate case review conducted by the Institutional Classification Authority or Multi-Disciplinary Team; these hearings may be either formal due process or informal hearings depending on the purpose of the review.

Informal Hearing - A classification hearing which does not require advance notification to the inmate of the hearing except for involuntary removals from a job or program assignment

Initial Classification Date (ICD) - The date on which the inmate was initially assigned to a security level

Institutional Classification Authority (ICA) - The institutional employee designated to conduct inmate case review hearings

Multi-Disciplinary Team (MDT) - MDT members are responsible to review individual inmates related to restorative housing and step-down statuses and act as the Institutional Classification Authority to make recommendations for housing status, transfer, security level, good time class, etc.; decisions are the responsibilities of the Facility Unit Head and Regional Administrator.

Program Assignment Reviewer (PAR) - The institutional staff member designated to conduct informal inmate case review hearings such as outside work classification, job assignments/removals, academic and vocational assignments/removals, and assignments/removals from treatment programs

VACORIS - The computer-based Virginia Department of Corrections inmate information management system



PURPOSE

This operating procedure provides for the organization, function, and management of inmate classification in Department of Corrections (DOC) institutions.

PROCEDURE

I. Institutional Classification

A. Inmate Classification

1. This operating procedure provides for a classification review and appeal process for inmates in DOC institutions. (2-CO-4B-03)
2. Institutional Classification Authority (ICA), Multi-Disciplinary Team (MDT), and Program Assignment Reviewer (PAR) hearing actions and administrative reviews must be documented in VACORIS.
3. Staff will generate paper documents only as needed for inmate signatures and to provide notice or copies to inmates of classification actions.

B. Institutional Classification Authority (ICA) Hearings

1. An ICA hearing is required for the below listed actions and may be either a formal due process hearing or an informal hearing depending on the purpose of the hearing.
 - a. A formal due process hearing is required for administrative and interim reviews whenever there is the opportunity for the inmate's removal from general population status, a reduction in good time earning level, increase in security level, transfer to a higher security level institution, or a loss of liberty is involved.
 - b. Staff should address the inmate's needs, i.e., security, programs, etc., during the hearing.
2. Types of hearings:
 - a. Counselors will conduct annual reviews utilizing the Initial Classification Date (ICD) or the Custody Responsibility Date (CRD), as applicable. (5-ACI-5B-06)
 - i. The Counselor should conduct the annual review within 30 days after the *Annual Review Date* provided on the inmate's *Home Page* in VACORIS.
 - ii. The Counselor will document completion of each annual review process on the *Case Management Review Checklist* in the *Facility Supervision* section of VACORIS.
 - iii. The review requires an updated Home Plan, Employment Plan, Re-entry Timeline, Re-entry Case Plan, Emergency Contact and Next of Kin Notification using *Emergency Notification Information 050_F11*, Family Environmental Information, COMPAS Assessment and a complete assessment of each component of the inmate's institutional status.
 - iv. The completion of a new COMPAS assessment is based on the date of the last COMPAS and the inmate's scheduled release date.
 - (a) The Counselor will complete a COMPAS assessment every other year on inmates with more than five years to serve from their annual review date.
 - (b) The Counselor will complete a COMPAS assessment annually for inmates who have less than five years, but more than one year to release from their annual review date.
 - (c) Counselors are not required to complete a COMPAS assessment for inmates with less than a year from their annual review date to their release.
 - v. Due to the routine nature of annual reviews, due process is not required, but staff should allow the inmate to be present and have input in the process.
 - vi. Counselors must ensure that all inmate record information is current and accurate and will review and when necessary update each component of the inmate's institutional status, and will document completion on the *Case Management Review Checklist* in VACORIS; factors to be addressed include: (2-CO-1E-09)



- (a) Security Level; see Operating Procedure 830.2, *Security Level Classification*
 - (b) Institution Assignment, including assignment to the appropriate re-entry site for inmates within the established time period
 - (c) Good Conduct Allowance (GCA)/ Earned Sentence Credit (ESC) Class Level; see Operating Procedure 830.3, *Good Time Awards*
 - (d) COMPAS Re-entry Assessment
 - (e) Re-entry Case Plan
 - (f) Inmate Re-entry Timeline
 - (g) Any other decisions affecting the inmate
- b. Counselors will conduct annual reviews for contract inmates, i.e. Virgin Islands and Hawaii, utilizing the date the inmate was received into the Virginia DOC. (5-ACI-5B-06)
- i. The Counselor should conduct the annual review within 30 days after the *Annual Review Date* provided in VACORIS.
 - ii. The review requires an updated Home Plan, Re-entry Timeline, Re-entry Case Plan, Emergency Contact and Next of Kin Notification using *Emergency Notification Information 050_F11*, Family Environmental Information, COMPAS assessment, and a complete assessment of each component of the inmate's institution status to include:
 - (a) Infraction History
 - (b) Program Participation
 - (c) Academic and Career and Technical Education Programs Participation
 - (d) Institutional Employment History
 - iii. The completion of a new COMPAS assessment is based on the date of the last COMPAS and the inmate's scheduled release date.
 - (a) The Counselor will complete a COMPAS assessment every other year on inmates with more than five years to serve from their annual review date.
 - (b) The Counselor will complete a COMPAS assessment annually for inmates who have less than five years, but more than one year to release from their annual review date.
 - (c) Counselors are not required to complete a COMPAS assessment for inmates with less than a year from their annual review date to their release.
 - iv. Due to the routine nature of annual reviews, due process is not required, but staff should allow the inmate to be present and have input in the process.
 - v. Counselors must ensure that all inmate record information is current and accurate and will review and when necessary update each component of the inmate's institutional status and will document completion on the *Case Management Review Checklist* in VACORIS; factors to be addressed: (2-CO-1E-09)
 - (a) Security Level; Security Level Scoresheet for informational purposes only, do not complete the process and change the inmates Security Level in VACORIS
 - (b) Institution Assignment; Red Onion State Prison, Wallens Ridge State Prison, or Keen Mountain Correctional Center, only
 - (c) Class Level; Class Level Scoresheet, for informational purposes only, do not complete the process and change the inmates Class Level in VACORIS. Facility staff must notify CCS of all Loss of Good Time penalties imposed for a disciplinary conviction.
 - (d) COMPAS reentry assessment
 - (e) Re-entry Case Plan
 - (f) Inmate Re-entry Timeline
 - (g) Any other decisions affecting the inmate
 - vi. The *Reclassification Score Sheet (DOC 11B) Worksheet*, Attachment 1 to Operating Procedure 830.2, *Security Level Classification*, and the *Class Level Evaluation*, Attachment 1 to Operating Procedure 830.3, *Good Time Awards*, may be completed and uploaded as an external document in lieu of completing these documents in VACORIS.
 - vii. Contract inmates in general population may request a transfer during their annual review to Red Onion State Prison, Wallens Ridge State Prison, or Keen Mountain Correctional Center if they



- are eligible and meet the *Institutional Assignment Criteria*; see Operating Procedure 830.5, *Transfers, Institution Reassignments*.
- viii. Contract inmates assigned to the Step Down Program are required to complete the requirements of the program prior to transfer to lower security institutions.
 - ix. Contract inmates will not be transferred for re-entry services; necessary services will be provided at the assigned institution.
- c. Formal Due Process Hearings require the use of the *Institutional Classification Authority Hearing Notification* with actions documented on an *Institutional Classification Authority Hearing* report. Examples of formal due process hearings: (5-ACI-4A-08, 5-ACI-4B-09)
- i. Transfer for security reasons and transfers to a permanent protective custody unit
 - ii. Decrease in GCA/ESC earning level during interim review
 - iii. Increase in security level during interim review
 - iv. Removals from work release
 - v. Assignments and removals from Cognitive Therapeutic Community Programs; see Operating Procedure 830.5, *Transfers, Institution Reassignments*
 - vi. Administrative Hearings i.e., inmate's refusal of an off-site specialist appointment, diagnostic procedure, or treatment procedure
 - vii. Removals from re-entry programs
 - viii. Assignments to and removals from a Restorative Housing Unit (5-ACI-4A-08, 5-ACI-4B-09)
 - ix. Assignments to *Steps to Achieve Reintegration (STAR) Program*
 - x. Assignments to the *Shared Allied Management (SAM) Unit* that require an institutional transfer
 - xi. Removals from the *Shared Allied Management (SAM) Unit*
 - xii. Assignments to and removals from the *Secure Diversionary Treatment Program (SDTP)*
- d. Staff will document informal hearing actions on an *Institutional Classification Authority Hearing* report. Examples of informal hearings:
- i. Inmate requested transfers during the annual review
 - ii. Extraordinary Good Time (EGT) awards
 - iii. Assignments to work release program
 - iv. Inmate requested assignment to and removal from the Common Fare and the Sealed Religious Diet. Inmate must be present at ICA review; see Operating Procedure 841.3, *Offender Religious Programs*.
 - v. Keep Separate designation; see Operating Procedure 830.6, *Offender Keep Separate Management*
 - vi. Removal from the *Steps to Achieve Reintegration (STAR) Program*
 - vii. Assignment to the *Shared Allied Management (SAM) Unit* that does not require a transfer
 - viii. Initial Classification Actions
3. Referrals for ICA hearings may be made by any of the following staff members:
- a. Facility Unit Head, Assistant Facility Unit Head or designee
 - b. Chief of Security, Chief of Housing and Programs, Unit Manager, Shift Commander
 - c. Hearings Officer, when based on disciplinary reports
 - d. Institutional Program Manager, Counselor, Medical or Mental Health staff I
 - e. Director
 - f. Chief of Corrections Operations
 - g. Regional Operations Chief
 - h. Regional Administrator
 - i. Director of Offender Management Services or designee
 - j. Central Classification Services

C. Appointment of the Institutional Classification Authority (ICA)/Multi-Disciplinary Team (MDT):

1. The ICA is an institution staff member who has contact with the inmate, but who is impartial to the inmate being presented for review.
 - a. The ICA is an experienced senior staff member appointed by the Facility Unit Head. This person must be in pay band 4 or above, preferably functioning in a supervisory status.
 - b. The Facility Unit Head may choose to utilize a committee for ICA hearings at an institution.
 - c. If a committee is used, the committee chairperson must meet these criteria.
2. The MDT is comprised of three or more staff members responsible for conducting ICA hearings for inmates assigned to Restorative Housing Units. Staff member assignment to an MDT will be in accordance with Operating Procedure 425.4, *Management of Bed and Cell Assignments (Restricted)*.

D. Responsibilities of the ICA, MDT, and the other participants during the ICA Hearing:

1. ICA and MDT:
 - a. Ensures there is a docketing procedure that provides for all cases eligible for review and ensures cases are heard within applicable time limits
 - b. Ensures that all cases heard are documented in VACORIS
 - c. Ensures that the ICA hearing is conducted properly and in compliance with all established procedures
 - d. Moderates questions and comments at the hearing to ensure that all persons, including inmates, have an opportunity to be heard and guides the process to reach a decision
 - e. Determines whether witnesses have relevant testimony
 - f. Ensures the hearing is orderly, and may have anyone who attempts to disrupt the hearing removed
 - g. Makes a recommendation based only on the facts presented at the hearing and review of the inmate's record, and ensures that the decision is fair and impartial
2. Reporting Officer, formal due process hearing, if required - Becomes familiar with all facts relevant to the case prior to the hearing, presents all the facts and responds to questions relevant to the case during the hearing and in the presence of the inmate
3. Counselor
 - a. Ensures the inmate understands the reasons for, purpose of, and possible results of the hearing
 - b. Ensures the inmate is eligible for the type of review scheduled
 - c. Ensures that the inmate understands the procedure of the ICA hearing, i.e., organization, procedural requirements, etc.
 - d. Be present for ICA hearings to present to the ICA/MDT additional, relevant facts, alternative solutions, or courses of action
4. Witnesses, formal due process hearing, if required
 - a. Presents relevant facts pertinent to the case
 - b. Answers questions from the ICA/MDT members and inmate relative to the given testimony
 - c. Any witness for the inmate who does not wish to testify should submit a written statement to that effect.
 - d. Confidential inmate witnesses are not required to appear before the ICA/MDT.
 - i. The Reporting Officer may present the confidential witnesses' testimony to the ICA/MDT in the presence of the inmate.
 - ii. Staff will maintain the confidentiality of the names of those inmates providing testimony for security reasons.
 - iii. Either the informant or the Officer who presents the information should write information received from confidential sources.



- iv. Staff should verify the information received from a specific informant and establish the reliability of the informant.
- e. Inmate witnesses appearing before the ICA/MDT are doing so on a strictly voluntary basis, and cannot be forced to present any information. The ICA/MDT will determine whether the information presented by the inmate is relevant to the hearing.
- f. The ICA/MDT may choose not to call witnesses to appear at the hearing if their testimony is irrelevant or repetitious.
- g. Staff requested as inmate witnesses must state, in writing, what testimony they could give at the ICA hearing and submit their written statements to the ICA/MDT. If the ICA/MDT determines their testimony is relevant, the ICA or MDT may use the statement for the hearing or the staff member's presence may be required as deemed appropriate by the ICA/MDT.

II. Institutional Classification Authority Hearing Procedural Requirements

A. Formal Due Process Hearings (5-ACI-4A-08, 5-ACI-4B-09)

1. Staff will use the *Institutional Classification Authority Hearing Notification* generated in VACORIS for all formal ICA hearings to ensure that the inmate receives due process.
2. Referral and Prior Notification - Staff must serve the *Institutional Classification Authority Hearing Notification* on the inmate at least 48 hours in advance of the scheduled hearing and will upload the *Notification* in VACORIS; the inmate may waive the 48-hour notice in writing. (5-ACI-5B-08)
3. The inmate will be advised of their due process rights and will be permitted to:
 - a. Be present at the hearing
 - b. Remain silent
 - c. Have a Counselor or other staff member present to advise
 - d. Hear the testimony or statement of the Reporting Officer; a signed, notarized statement from the Reporting Officer will suffice if the person is legitimately unable to attend the hearing
 - e. Call and question witnesses
 - f. Be advised verbally at the hearing and in writing within five working days of the ICA's/MDT's recommendation and reason for the decision
 - g. Receive a copy of action of the final approving authority
 - h. Access the *Offender Grievance Procedure* to appeal all classification decisions; see Operating Procedure 866.1, *Offender Grievance Procedure*
4. The rights to hear the Reporting Officer's statement and to call and question witnesses do not apply in the following cases:
 - a. Hearings based on a documented disciplinary conviction
 - b. Hearings based on criminal convictions
 - c. Initial review of an inmate's detention status based on their claim of a keep separate situation, pending outcome of the investigation
 - d. Interim reviews of on-going restorative housing assignments
5. The staff member serving the *Notification* will record the names of any requested witnesses, indicate if the inmate waived the 48 hour notice, have the inmate sign, witness the inmate's signature, and provide a copy to the inmate. If the inmate refuses to sign the notice, the staff member serving the notice will so note and sign as witness.
6. At the start of the hearing, the ICA/MDT will determine that the inmate received advance formal notification or waived such notification in writing and that the inmate understands the reason for the hearing and all procedural requirements.
 - a. The ICA/MDT will conduct the hearing in accordance with this operating procedure.



- b. Upon conclusion of the hearing, the ICA/MDT will inform the inmate of their recommendation and the reasons for the recommendation.
 7. Designated staff will complete the hearing documentation in VACORIS, entering the statements of the Reporting Officer, the inmate, and any witnesses, the ICA's/MDT's recommendation, and the reasons for the recommendation.
 - a. The ICA or a member of the MDT will escalate the hearing for review as necessary.
 - b. The inmate should receive a copy of the *Institutional Classification Authority Hearing* report within five working days of the hearing.
 8. Upon final action by the appropriate approving authority, staff will provide the inmate with a copy of the *Institutional Classification Authority Hearing* report reflecting the ICA's/MDT's recommendation, and the final decision by the appropriate approving authority.
 - a. Staff should provide the inmate with a copy of any relevant evaluation reports associated with the review.
 - b. If the approving authority disapproves or modifies the ICA/MDT decision, documentation of the action should be noted in VACORIS.
- B. Informal Hearing Requirements
 1. Although prior notification of the inmate is not required, it is generally preferable to advise the inmate in advance of the nature of the hearing. If the inmate requests to be present, the ICA/MDT may permit the inmate to be present if deemed appropriate and necessary.
 2. If the inmate is present at the hearing, the ICA/MDT should inform the inmate of the decision or recommendation at that time. If the inmate is not present, the ICA/MDT should advise the inmate of the decision in writing within five working days using the *Institutional Classification Authority Hearing* report.
 3. Upon final action by the appropriate approving authority, staff will provide the inmate with a copy of the *Institutional Classification Authority Hearing* report reflecting the ICA's/MDT's recommendation and the final decision by the approving authority.
- C. Annual Review Hearing Requirements
 1. Formal due process is not required for an increase in an inmate's security level or GCA/ESC Class Level during a general population inmate's annual review. (5-ACI-5B-07)
 - a. Such reviews are routine and afforded every inmate; however, staff should allow the inmate to be present, provide input during the review process and receive a copy of the outcome of the review.
 - b. The inmate may appeal each component of the annual review through the *Offender Grievance Procedure*; see Operating Procedure 866.1, *Offender Grievance Procedure*.
 2. Staff must document the annual review in VACORIS using the *Case Management Review Checklist*. Staff should write a note under the *Annual Review* note type if any significant information arises while completing the *Checklist*.
 3. Inmates requesting transfer during their Annual Review Cycle should meet the criteria in Operating Procedure 830.5, *Transfers, Institution Reassignments*, before staff recommend the inmate for a transfer. Such recommendation does not require due process.
 4. CCS may administratively review the inmate population for security level reductions to maximize the efficient use of available bed space.
 5. Facility Unit Heads may be requested to review the inmate population and make recommendations for security level reductions. An interim review will not change the next Annual Review date. The reason for the review should be selected in the *Classification Action Type* section of VACORIS.
- D. Following the ICA hearing, the ICA/MDT will escalate the hearing for appropriate review and approvals.



- III. Review of Institutional Classification Authority/Multi-Disciplinary Team Recommendations
- A. The Facility Unit Head, Assistant Facility Unit Head, or their designee will ensure that staff properly enter all information into VACORIS.
 - B. The Facility Unit Head or designee will review each ICA/MDT action as required and will approve or disapprove the ICA's/MDT's recommendation.
 - 1. The Facility Unit Head, Assistant Facility Unit Head, or their designee cannot review cases for which they served as the ICA/MDT chairperson.
 - 2. The Facility Unit Head, Assistant Facility Unit Head, or their designee may disapprove or return cases to the ICA/MDT for additional information.
 - C. For restorative housing reviews for which the ICA/MDT recommended no status change, the Facility Unit Head or designee will approve or disapprove the ICA's/MDT's recommendation, note that the ICA/MDT did not recommend a change, and provide any comments.
 - D. The Facility Unit Head, Assistant Facility Unit Head, or their designee will document the specific reasons for their decision in the respective narrative fields.
 - E. The levels of final approval and disapproval authority for ICA/MDT classification actions and decisions are as follows:
 - 1. Facility Unit Head or designee is the final authority for approving/disapproving the following ICA/MDT actions:
 - a. All GCA and ESC Class Level changes and EGT recommendations
 - b. Security Level changes as follows:
 - i. No change in security level when score is in the assigned level, e.g., inmate is SL 4 and scores 28 points, which is in the SL 4 range. Staff determines the inmate will remain SL 4.
 - ii. No change in security level with one level override, e.g., inmate is SL 3 and scores 15 points, which is in the SL 2 range. Staff determines the inmate will remain in SL3 utilizing a one level override.
 - iii. Security level decrease with one level override, e.g., inmate is SL 3 and scores 9 points, which is in the SL 1 range. Staff determines the inmate's security level will be decreased to a SL 2 with a one level override.
 - iv. Security level increase with one level override, e.g., inmate is SL 4 and scores 30 points, which is in the SL 4 range. Staff determines the inmate's security level will be increased to SL 5 with a one level override.
 - c. Restorative housing assignments, reviews and removals
 - d. Common Fare and Sealed Religious Diet assignments and inmate requested removals
 - e. Assignment to the *Shared Allied Management (SAM) Unit*
 - 2. The Regional Administrator upon referral from the Facility Unit Head or designee has final authority for approving/disapproving community activities and intra-regional transfers as defined in Operating Procedure 830.5, *Transfers, Institution Reassignments*.
 - 3. Chief of Corrections Operations or designee approval is needed for Interstate Compact transfer; see Operating Procedure 020.2, *Compact for Interstate Transfer of Incarcerated Offenders*.
 - 4. Upon referral by the Regional Administrator and the Chief of Corrections Operations, the Director is the final and sole authority for approval of *Restoration of Lost Good Time* requests.
 - 5. Actions Requiring CCS Approval: CCS, upon referral by the Facility Unit Head or designee, has final authority for approval/disapproval of the following:
 - a. No change in security level with a two level override, e.g., inmate is SL 4 and scores 14 points, which is in the SL 2 range. Facility staff recommends remain SL 4 with a two level override.

- b. Security level increase when the score is two levels higher, e.g., inmate is SL 2 and scores 27 points, which is in the SL 4 range. Facility staff recommends SL 4 assignment.
- c. Security level assignments with an H-7 override
- d. Any override of mandatory restrictors or inmate assignment criteria
- e. Reclassification assignments to SL W
- f. Reclassification assignments to work centers
- g. Assignments to the *Steps to Achieve Reintegration (STAR) Program*, which are escalated by CCS to the designated Facility Unit Head or designee, and Regional Operations Chief in accordance with Operating Procedure 830.5, *Transfers, Institution Reassignments*
- h. Assignments into SL S, which are escalated by CCS to the designated Facility Unit Head or designee, and Regional Operations Chief in accordance with Operating Procedure 830.5, *Transfers, Institution Reassignments*
- i. All transfers, except intra-regional, as defined in Operating Procedure 830.5, *Transfers, Institution Reassignments*, including administrative/security, inmate request, and assignment to protective custody units
- j. Keep separate approvals and removals
- k. All work release recommendations for assignment or removal
- l. Assignments to the *Shared Allied Management (SAM) Unit*, that require an institutional transfer
- m. Assignments to the *Secure Diversionary Treatment Program (SDTP)*, which are reviewed by the Regional Operations Chief of the Western Region and the Multi-Institution Treatment Team (MITT) and are escalated to the Senior Mental Health Clinician at CCS in accordance with Operating Procedure 830.5, *Transfers, Institution Reassignments.*)
- n. All *Intensive Drug Treatment Program (IDTP)* recommendations for assignment or removal

F. When the final approval authority has acted on the classification recommendation, the Facility Unit Head, or designee, will ensure that staff have properly documented all classification actions in VACORIS.

G. Facility staff must provide the inmate with a copy of appropriate classification documents on which the final approving authority recorded their decision in accordance with this operating procedure and the appropriate procedure governing the classification action involved.

IV. Program Assignment Reviews

A. Classification actions that require Program Assignment Reviews, only:

- 1. Outside work classification and reclassification
- 2. Job assignments and removals to include outside perimeter assignments; see Operating Procedure 841.2, *Offender Work Programs.*
- 3. Treatment program assignments and removal, except the Sex Offender Residential Treatment Program and Cognitive Therapeutic Community Programs, academic and vocational assignments and removals, Re-Entry Case Plan reviews

B. Appointment of the Program Assignment Reviewer (PAR) - The Facility Unit Head will designate at least one staff member who is impartial regarding the classification matter and the case being reviewed to serve as the PAR. This staff member must be pay band 4 or above.

C. Responsibilities of the Program Assignment Review Participants:

- 1. Program Assignment Reviewer (PAR)
 - a. Ensures there is a docketing procedure that provides for all cases eligible for review and ensures cases are heard within applicable time limits
 - b. Ensures that a hearing docket is maintained



- c. Ensures the review is conducted in compliance with established procedures, reviews, and rules on inmate requests to attend the review
 - d. Reviews the inmate's record and all documentation submitted for the review, and may ask questions of all persons present during the hearing in order to assist in making a recommendation in the case
 - e. Considers COMPAS needs scores for counseling service program assignments
 - f. Ensures all recommendations are fair and impartial, and based upon the facts presented
2. Counselor:
 - a. Ensures the inmate is eligible for the type of review requested and action recommended
 - b. Advises the inmate prior to the hearing of the reasons for, purpose of, and possible results of the hearing, and of the inmate's opportunity to request to attend the hearing
 - c. Presents relevant facts and may recommend alternative courses of action at the review
 3. Inmate:
 - a. The inmate is not required to attend their program assignment review hearing.
 - b. If an inmate wishes to attend, they should notify the Counselor prior to the scheduled hearing.
 - c. The decision of whether to allow the inmate to attend rests with the PAR.
- D. Program Assignment Review Hearing Requirements:
1. A *Classification Hearing Docket* should be developed and maintained at each institution to document cases reviewed as specified in this operating procedure.
 - a. The *Classification Hearing Docket* 830_F1 is a model, but each institution is encouraged to modify and develop a *Classification Hearing Docket* to meet institutional needs. Individual inmate notification of PAR actions may be accomplished using forms developed at the institution.
 - b. For job assignment actions, facility staff should use the *Facility Job Assignment Docket* 841_F6 and the *Offender Work Program Job Application* 841_F5.
 - c. In Restorative Housing Units, facility staff should use the *Multi-Disciplinary Team Hearing Docket* to document cases reviewed; see Operating Procedure 425.4, *Management of Bed and Cell Assignments* (Restricted).
 2. Program assignment reviews are informal hearings.
 - a. Staff should inform the inmate of the purpose of the hearing, but advance notification is not required.
 - b. If the inmate desires to be present, the PAR may permit the inmate to be present.
 3. When the review concerns the involuntary removal of the inmate from a job, educational or treatment program assignment, there should be a written or verbal statement from the person requesting the removal.
 - a. The written or verbal statement should provide the reason for the removal and the PAR should provide the inmate with the opportunity to be present and make a statement.
 - b. If the inmate is present at the hearing, the PAR should inform the inmate of the decision or recommendation at that time.
 - c. Staff should advise inmates that are not present of the decision either verbally or in writing.
 4. Upon final action by the appropriate approving authority, staff should enter the action into VACORIS and provide a copy of the appropriate review form reflecting the PAR's recommendation and the final decision by the appropriate approving authority to the inmate.
- E. Approval of Program Assignment Reviews:
1. All PAR hearings are reviewed and acted on by a staff person as designated below, who will approve, disapprove or no action the case.

- a. Staff should remand all no action cases to the Assistant Superintendent/Institutional Program Manager for further review.
 - b. Staff will document all comments and reasons for all disapprovals on the respective forms.
 - c. The Facility Unit Head or designee will ensure copies of all classification paperwork are distributed.
2. The Facility Unit Head is the sole and final authority for approving or disapproving PAR recommendations for outside work assignments and must personally approve all work assignments outside the secure perimeter. The Facility Unit Head may only delegate this authority to the Assistant Facility Unit Head for Work Centers; see Operating Procedure 841.2, *Offender Work Programs*.
 3. The Chief of Security must approve all PAR recommendations for work assignments inside the designated security perimeter but outside the housing unit.
 4. The Facility Unit Head may designate one or more supervisory staff to be the final authority for approving and disapproving all other PAR work assignment recommendations. This designated staff member must not be the same individual who served as the PAR for the case under review.

V. Inmate Initiated Review of Progress (5-ACI-5B-09)

- A. It is the responsibility of the inmate to initiate the request for an interim review by completing an inmate request identifying exactly why an interim review is warranted.
- B. The Counselor should make a recommendation and give justification to support their recommendation, when applicable, and forward the request to the ICA/MDT for consideration.
- C. Counselor recommendations for an interim review should generally be based on the following criteria:
 1. Confirmed procedural errors in the previous annual review
 2. An erroneous calculation of the inmate's security level and/or good time award score
 3. Status change resulting from an expunged institutional infraction, detainer, or other administrative action
 4. Completion of programmatic activities of long standing duration, e.g., inmate receives GED after repeated attempts
- D. The Counselor should select the reason for the review in the *Classification Action Type* section of VACORIS.

VI. Central Classification Services Authority

When it is necessary for the well-being of the DOC, CCS based on appropriate consideration may administratively review and approve inmates for security level changes and/or institution reassignments in the absence of a PAR, MDT, or ICA hearing.

VII. Appeal Process

- A. The Facility Unit Head or designee may appeal CCS decisions to the Director of Offender Management Services by submitting an appeal electronically or in writing, including specific, detailed justification as to why CCS should amend their decision.
- B. Inmates may appeal all classification decisions through the *Offender Grievance Procedure*. The Director of Offender Management Services is the appellate authority for all classification decisions.

REFERENCES

- Operating Procedure 020.2, *Compact for Interstate Transfer of Incarcerated Offenders*
Operating Procedure 425.4, *Management of Bed and Cell Assignments* (Restricted)



Operating Procedure 830.2, *Security Level Classification*
Operating Procedure 830.3, *Good Time Awards*
Operating Procedure 830.5, *Transfers, Institution Reassignments*
Operating Procedure 830.6, *Offender Keep Separate Management*
Operating Procedure 841.2, *Offender Work Programs*
Operating Procedure 841.3, *Offender Religious Programs*
Operating Procedure 866.1, *Offender Grievance Procedure*

ATTACHMENTS

None

FORM CITATIONS

Emergency Notification Information 050_F11
Classification Hearing Docket 830_F1
Offender Work Program Job Application 841_F5
Facility Job Assignment Docket 841_F6

