



## INMATE CLASSIFICATION

### POLICY.

It is the policy of the Deschutes County Sheriff's Office - Adult Jail (AJ) to use an objective system to classify inmates based on the inmates' needs and risks. It is a non-punitive system separate and distinct from inmate discipline. The system is to protect the jail against litigation and create a safer environment.

### PURPOSE.

The purpose of this policy is to provide the AJ with an objective system to manage inmates and meet confinement needs for the protection of members, inmates and the public, to provide fair and consistent guidelines for members to determine custody levels, proper lodging assignments, special handling needs, and appropriate program activities.

### OREGON JAIL STANDARDS:

- C-102 Classification Staff
- C-103 Classification Training
- C-104 Function of Classification
- C-105 Classification is Non-Disciplinary
- C-106 Pre-Classification
- C-107 Re-Assessment
- C-108 Inmate Requests for Reconsideration
- C-109 Specific Classification Requirements
- C-110 Race
- C-111 Gender
- C-112 Violent Inmates
- C-113 Communicable Disease
- C-114 Documenting Classification
- C-115 Classification of Records

### DEFINITIONS.

**Administrative Segregation (A-Seg).** Housing an inmate away from the general population because of a need or risk. It restricts contact with other inmates. It includes, but is not limited to, inmates classified 8-maximum, in prehearing detention, in protective custody, who are

suicidal, or who need medical or behavioral health segregation. A-Seg is non-disciplinary in nature.

**Custody Level.** A ranking to identify the specific degree of physical control and staff supervision that an inmate needs. It has eight levels: 1-minimum, 2-minimum, 3-minimum, 4-medium, 5-medium, 6-medium, 7-close, and 8-maximum.

**Disciplinary Segregation (D-Seg).** A disciplinary sanction that houses an inmate away from the general population. D-Seg carries severe limits on privileges, access to personal property, and out-of-cell time.

**Direct Housing:**

**General Population.** Housing which allows inmates to mix with each other and have certain living area privileges. It is for maximum, medium, or minimum custody inmates that do not have needs or risks that require segregation.

**High Profile.** Inmates who may require increased security or special housing based on intense media coverage or public concern as a result of their alleged crime.

**Initial Classification.** A basic assessment done to best determine where to first lodge an inmate after intake. It identifies the immediate needs and risks based on information members know at intake.

**Lodge.** To place an inmate in a living area within the jail.

**Maximum Custody.** The security category with the highest degree of custody and supervision practices. It uses highly secure housing, restricts inmates to their cells, and has separate management procedures for activities. It includes custody levels 7-close and 8-maximum.

**Medical Segregation (M-Seg).** Housing inmates apart from the general population due to a medical or behavioral health condition. It is a form of administrative segregation.

**Medium Custody.** The midrange custody and supervision security category. Assigned to inmates with moderate risks. It uses housing with 2-person cells or dormitories, common living areas, and a variety of activities and programs. It includes the custody levels 4-medium, 5-medium, and 6-medium.

**Minimum Custody.** The lowest custody and supervision security category, assigned to inmates who are low risk. It uses housing with 2-person cells or dormitories, common living areas, and has a strong emphasis on activities and programs. It includes the custody levels 1-minimum, 2-minimum, and 3-minimum.

**Noncompliant Behavior.** Actions by an inmate that are violent, disruptive, or uncooperative.

**Objective Classification.** A data collection and decision-making process that uses known facts such as, past behavior in the jail, prior criminal history, current charges and a rating system to determine an inmate's custody level, special and program needs and eligibility, and housing assignment.

**Override.** To assign a different custody level than what objective classification division tools indicate it should be. Supervisors and classification specialists may override when there is documented information not considered in the division tools.

**Primary Classification.** The first in-depth classification of an inmate following his initial classification. It uses objective classification tools to determine an appropriate custody level.

**Primary Classification Tree.** A computer aided tool used to determine the appropriate custody level for an inmate.

**Protective Custody.** The administrative segregation of an inmate who asks for or needs protection from other inmates.

**Reclassification.** Changing an inmate's custody level because of a classification review.

**Segregation.** The confinement of an inmate to an individual cell and living area that is separate from the general population. Staff strictly limit and control out-of-cell time.

**Target population.** An inmate with a known psychiatric history, past or current use of psychiatric medications, and/or who appears to be suicidal, severely depressed, psychotic, severely anxious or agitated.

**Unclassified.** An inmate who has not had primary classification for the current booking.

**Violent Inmate.** Any inmate who demonstrates a propensity towards violence. May include prior assaults against staff or other inmates, or prior felony assaultive convictions.

**Vulnerable.** A need that puts an inmate at high risk of being a victim of violence, intimidation, or other harm by other inmates. It may include being a criminally unsophisticated first offender, young looking, elderly, homosexual, transsexual, physically weak, or having victims who were young or elderly. Being vulnerable sometimes calls for protective custody.

## **PROCEDURES.**

### ***SECTION A: GENERAL GUIDELINES***

**A-1.** Members will be fair, consistent, and objective when classifying an inmate. Members will not prejudicially discriminate against any inmate based on sex, race, color, creed, culture, background, physical disability, mental disability, sexual orientation or national origin. Members will assign inmates to the lowest possible classification level that does not jeopardize the safety, security and good order of the jail or any person.

- A-2.** The shift supervisor will review the classification process on a regular basis to ensure compliance and forward any recommended changes to the Corrections Captain for consideration.
- A-3. Risks, Needs and Hazards.** As a part of the classification process, members will note inmates who are high-risk, have a special need, or present a hazard using the appropriate codes and remarks in the Jail Management System (JMS). These notations indicate to members that an inmate needs increased attention.
- A-4. High-Risk Inmates.** Members will segregate inmates who pose a risk to the safety and security of the jail from general population inmates. Members will note an inmate as “high-risk” if the inmate meets any of the following criteria:
- a. Escape risk.
  - b. Assaultive toward staff or other inmates.
  - c. Severe emotional, behavioral or mental health problems.
  - d. Noncompliant.
  - e. History of disciplinary problems.
  - f. Suicide risk.
  - g. Gang member.
  - h. Sexual predator.
- A-5. Special Needs.** Some inmates may have conditions or situations that call for them to have increased supervision, segregation, or special living conditions. These “special needs” may be based on, but are not limited to, the following factors that affect the inmate:
- a. Medical condition or communicable disease.
  - b. Mental illness concern.
  - c. Developmental disability.
  - d. Physical or mental disability.
  - e. Gender, gender identity (male, female, non-binary, transgender, intersex)
  - f. Diet restriction
  - g. Drug or alcohol withdrawal.
  - h. History of drug and alcohol abuse.
  - i. Age.
  - j. Criminal history.
  - k. Time until release.
  - l. Need for protective custody, for reasons such as:
    - 1) High public notoriety (High Profile).
    - 2) Testifying as a witness.
    - 3) Being an informant.
    - 4) Being vulnerable.
    - 5) Juvenile remanded on Measure-11 crime.

- m. History of sex offenses.
- n. Type of current offense.
- o. State Department of Corrections or United States Marshal prisoner.
- p. In-transit prisoner or inmate awaiting transfer.
- q. Gang affiliation.
- r. Incompatibility with one or more inmates.

### ***SECTION B: INTAKE PROCESS***

**B-1. Intake Process.** During the intake process, deputies will assess inmates for proper placement in the booking room. The assessment and placement will be based on, but not limited to, the following criteria:

- a. Age.
- b. Sex. Physical gender (based upon anatomy).
- c. Special medical needs, including inmates who may have a communicable disease and present a substantial risk of infecting other inmates.
- d. Behavioral health status.
- e. Current criminal charges and/or prior criminal activity.
- f. Personality and behavioral characteristics of the inmate, including risk factors.
- g. In-custody inmates versus new inmates.
- h. Disabilities and needs for reasonable accommodations – such as a lower tier bunk or an Americans with Disabilities Act (ADA) cell.

**B-2. Lodging Criteria.** Deputies will lodge an inmate when normal booking processes are complete and the inmate does not have any reasonably available pretrial release options. The deputy should dress the inmate in for lodging as soon as practical, and generally before the end of shift.

**B-3. Lodging Assessment.** Inmates suitable for lodging will be directly housed into the least restrictive housing unit for which they meet classification criteria.

- a. Female inmates will be lodged in units 1600, 1700 or 1800 depending on their supervision level assigned to them prior to housing.
- b. Male inmates will be housed in unit 900 or 1100 if they are placed on administrative segregation or for medical reasons. All other male inmates will be housed in a dorm: 400, 600, 800, 1000, 1200, 1300, 1400, and 1500. Inmates with a Security Classification of 7 or 8 will be housed in Units 500 or 700.
- c. Inmates requiring special needs will be housed in unit 100, 200, 300, 2000 or the Medical Unit in accordance with AJ Policy CD-6-6, Segregation Housing.

**B-4. Lodging Assessment Review.** A deputy will complete the lodging assessment in the JMS. A shift supervisor will review the results and selection of the lodging assessment.

**B-5. Special Needs.** Inmates not suitable for immediate lodging (i.e., intoxicated, disruptive, combative, etc.), may be detained in the Booking Room longer if necessary. Generally,

inmates will be assessed for lodging and moved out of booking within 12 hours. A shift supervisor must approve an inmate held in booking longer than 12 hours. The supervisor will also submit an incident report outlining reasons for delay.

- B-6. Documentation.** All cell assignments will be documented in the JMS. Any keep-away, known associates, known victims or incarcerated family members will also be documented. Whenever feasible, these inmates should be assigned to different housing units.

### ***SECTION C: INITIAL AND PRIMARY CLASSIFICATION***

- C-1. Initial Classification.** Deputies, Classification Specialists, or a shift supervisor in their absence, will review and initially classify an inmate being lodged. To determine initial classification, members will review lodging and intake assessments, and other classification criteria found in this policy.
- C-2. Classifying a Person as 8-Maximum Custody at Intake:**
- a. Any arrestee classified as an 8-maximum-custody upon release during a previous incarceration will remain in 8-maximum status until classification members assign a primary classification and review any change with a supervisor.
  - b. Members will consider and use appropriate caution when classifying an inmate transferred from another facility with assaultive felony conviction(s), serving a significant sentence, on disciplinary status or with any indication of escape or assault risk. When in doubt, initial classification should be at the higher security level and reasoning documented in the JMS.
  - c. Supervisors have discretion to classify an arrestee or transferring inmate as 8-maximum if the arrestee was ever previously classified as 8-maximum, but left custody at a lower level and whose current charges or detention purposes do not call for an automatic 8-maximum classification.
  - d. As soon as a supervisor approves a reclassification to 8-maximum, deputies will complete an unclothed search, dress the inmate into the clothing designated for an 8-maximum inmate and issue the inmate the appropriate hygiene items.
- C-3. Initial Classification**
- A supervisor (or assigned deputy) will initially classify an inmate being lodged after intake based on a review of the results of the Intake Assessments and other classification criteria found in this policy.
- C-4. Primary Classification.** The Classification Specialist will complete the primary classification of an inmate within 72 hours of being lodged. Each inmate will be interviewed in private, using a *Notice of Primary Classification Form No. 421* to obtain information not in jail records. If an inmate is violent or unstable, the interview may be conducted through the cell door. During the interview, the Classification Specialist will:

- a. Explain the reason for the classification process.
  - b. Answer questions about jail rules and programs.
  - c. Treat the inmate in a fair and consistent manner.
- C-5. Classifying an Inmate.** The Classification Specialist will use the *Notice of Primary Classification Form No. 421* and follow the Primary Classification Tree in the JMS to classify the inmate and do any future reclassifications. Members will use the, “Attachments” section in the JMS to chronicle classification information. In addition to the decision tree, the Classification Specialist will use guidelines in classification orders to determine the custody-level options, need for segregation, and eligibility for programs.
- C-6. Classification Override.** The Classification Specialist or a supervisor may override the custody level generated from the decision tree on the *Notice of Primary Classification Form No. 421* for good cause. They may override a custody level by any number of levels. Members will use overrides sparingly. The Classification Specialist will record the reason for the override in the inmate’s Attachment tab in the JMS and in the remarks section of the Primary Classification Tree. Reasons for good cause for an override may include, but are not limited to:
- a. Inmate’s demonstrated or communicated hostility towards members or other inmates.
  - b. Behavioral health issues indicating unpredictability or other safety concerns.
  - c. Prior violence in correctional facilities.
  - d. Failure of the inmate to cooperate in the classification interview or follow staff directives, which normally will result in an initial 7-close custody classification level.
- C-7.** All classification overrides will be reviewed by a shift lieutenant to determine the appropriateness of the override.
- C-8. Notice of Primary Classification.** The Classification Specialist will complete the *Notice of Primary Classification Form No. 421* for each inmate. A copy will be placed in the inmate’s jail file and a copy will be given to the inmate.

#### **SECTION D: REVIEWS AND RECLASSIFICATIONS**

- D-1. Classification Reviews and Reclassifications.** The Classification Specialist will conduct scheduled and unscheduled reviews of records to identify a need to reclassify an inmate. They will use these reviews to make sure inmates are in the least restrictive housing.
- D-2. Scheduled Reviews.** A lieutenant will review all 8-maximum custody inmates for reclassification every 7 days. The Classification Specialist will review all 7-close custody inmates every 30 days. The Classification Specialist will not review minimum and medium custody inmates on a scheduled basis, but will do so when they meet the criteria for an unscheduled review.

**D-3. Unscheduled Reviews.** The Classification Specialist will do a classification review upon a change in any inmate's legal, custody, work, or disciplinary status; they may also review at member or inmate request.

- a. Legal Status Change.** The Court Security/Transports Unit will notify the Classification Specialist by e-mail, telephone, or sending copies of pertinent documents if the following occurs:
  - 1. An inmate that currently does not have any violent felony charges is arraigned on an added violent felony charge.
  - 2. The court amends a sentencing order.
  - 3. The inmate's legal status changes in a way that may affect the inmate's classification.
- b. Change in Custody Status.** The Classification Specialist will reclassify an inmate if the inmate is returned to jail from the Work Center or is removed from any alternative program.
- c. Disciplinary Action.** The Classification Specialist will review copies of all documents and reports relating to inmate discipline to determine the need for reclassification. They may reclassify an inmate if the inmate:
  - 1. Committed a major rule violation.
  - 2. Committed three or more minor rule violations in a 30-day period.
  - 3. Is free from any rule violations for 30 days.
- d. Change in Work Status.** The Programs Deputy will notify the Classification Specialist when they consider an inmate for an inmate worker position. The Programs Deputy will also notify the Classification Specialist when they take an inmate off work status or changes an inmate's work assignment.
- e. Staff Request.** To ask for a reclassification of an inmate, the member will fill out a *Deputy Reclassification Evaluation Order Form No. 425* and route it to the Classification Specialist. The Classification Specialist will respond back to the request using e-mail and will send a copy of the response to a shift supervisor. The Classification Specialist will file a copy of the form in the inmate's file.
- f. Inmate Request.** An inmate may use an *Inmate Message Form No. 103* to ask for classification review or move to or from segregation. The Classification Specialist will do limited, informal review of such requests. Classification is a non-punitive management function. It is not a protected liberty interest subject to due-process requirements.

### **SECTION E: HOUSING PLAN AND BED MOVES**

**E-1. Housing Plan.** The Classification Specialist and/or a shift supervisor will assign classified and re-classified inmates to housing units within the jail based on the housing

plan. The housing plan will address the density of housing, capacity limits of cells, and the classification of inmates to house in each cluster of housing units. The Administrative Lieutenant will update the housing plan as needed and review it with Corrections Captain at least annually after the date of the last change. The Lieutenant will make the plan accessible to members in the JMS.

- E-2. Inmate in Same Housing Unit for Extended Period.** As part of any reviews that do not result in reclassification and a bed move, the Classification Specialist will inform a shift supervisor of the need to move an inmate to a different housing unit when that inmate has been in the same housing unit for an extended period of time.
- E-3. Scheduling Bed Moves.** The shift supervisor and/or a Classification Specialist will create a cell move list for inmates needing to relocate to a different housing unit or cell lodging assignment as a result of a change in classification level. They will assign inmates to segregation housing according to AJ Policy [CD-6-6, Segregation Housing](#). Each day, the shift supervisor or Classifications Specialist will print out the Cell Move list. The shift supervisor will assign a deputy to move the inmates each morning. The deputy will inform the shift supervisor if and why a bed move does not take place as scheduled and document the reason in the JMS.

#### ***SECTION F: CLASSIFICATION RECORDS***

- F-1.** Members will file all relevant records used to classify an inmate in the inmate file.
- F-2.** Classification records are to be considered confidential information, consistent with the Oregon Public Records Act.

#### ***SECTION G: CLASSIFICATION APPEAL***

- G-1.** Inmates may submit a written appeal of a classification decision. The request must be submitted within five days of the classification or re-classification decision.
- G-2.** The appeal must be submitted to an on-duty supervisor. The inmate will briefly state the reason for the appeal and include any information that would indicate the inmate was improperly classified.
- G-3.** Upon receipt of the appeal, the supervisor will:
- a. Consult with the Classification Specialist to determine justification for any override, or to clarify issues in the classification process.
  - b. If after reviewing the classification material an error is realized, take immediate corrective action.
  - c. Upon completion of the appeal process, document the results of the appeal and attach the findings to the inmate's *Notice of Primary Classification Form No. 421*.
  - d. Notify the inmate of the decision in writing within ten days of the date of receipt of the appeal by the lieutenant.

- e. All appeal decisions made by the supervisor are final.

### ***SECTION H: TRAINING***

**H-1.** Prior to classifying an inmate, the Classification Specialist and shift supervisors will be provided advanced classification training sufficient to demonstrate a thorough understanding of how to classify an inmate before undertaking this responsibility. Topics to be covered may include:

- a. Updates on case law regarding classification, duty to protect and due process.
- b. Classification assessment.
- c. Re-classification.
- d. Evaluating violence risk.
- e. Validating classification criteria.
- f. Communicable disease control.
- g. Gangs and gang identification.
- h. Transgender or intersex inmates.

### **FORMS USED:**

- Classification Process Form (JMS)
- Classification Flow Chart (JMS)
- Holding Room Extended Stay Report (JMS)
- *Deputy Reclassification Evaluation Order Form No. 425*
- *Inmate Message Form No. 103*
- *Notice of Primary Classification Form No. 421*
- *Re-Classification Form No. 422*