



Virginia Department of Corrections

Inmate Management and Programs

Operating Procedure 830.1

Institution Classification Management

Authority:

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Access: Restricted Public Inmate

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Content Owner:	James Parks Director of Offender Management Services	<i>Signature Copy on File</i>	11/27/23
			Signature
Reviewer:	Marcus Elam Corrections Operations Administrator	<i>Signature Copy on File</i>	11/27/23
			Signature
Signatory:	A. David Robinson Chief of Corrections Operations	<i>Signature Copy on File</i>	11/28/23
			Signature

REVIEW

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

COMPLIANCE

This operating procedure applies to all units operated by the Virginia Department of Corrections (DOC). Practices and procedures must comply with applicable State and Federal laws and regulations, American Correctional Association (ACA) standards, Prison Rape Elimination Act (PREA) standards, and DOC directives and operating procedures.

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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 statuses and assignments.

Chief of Housing and Programs (CHAP) - The facility/institutional staff member designated to conduct informal inmate or CCAP probationer/parolee case review hearings such as outside work classification, job assignments/removals, academic and vocational assignments/removals, and assignments/removals from treatment programs.

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 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 receive notice of the results of the hearing and the reason for the decision.

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.

Good Time - For purposes of this operating procedure, "good time" refers to Good Conduct Time (GCT), Good Conduct Allowance (GCA) and the equivalent Earned Sentence Credits (ESC).

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.

Inmate - A person who is incarcerated in a Virginia Department of Corrections facility or who is Virginia Department of Corrections responsible to serve a state sentence.

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 staff member designated to conduct informal case review hearings such as outside work classifications and work, academic, vocational and program assignments/removals; the Work PAR is the staff member with primary responsibility of the facility's work program.



Restorative Housing Unit - A general term for special purpose bed assignments including restorative housing, and step-down statuses; usually a housing unit or area separated from full privilege general population.

- **Alt-GP Status** - General population bed assignments operated with increased privileges above RHU status but more control than full privilege general population for inmates making an informed voluntary request for placement and inmates assigned to the restorative housing unit for their own protection.
- **RHU-Restorative Housing (RHU) Status** - Special purpose bed assignments operated under maximum security regulations and procedures, and utilized under proper administrative process, for inmates requesting placement with informed voluntary consent, inmates needing confinement for their own protection, when there is a need to prevent imminent threat of physical harm to the inmate or another person, or the inmate's behavior threatens the orderly operation of the facility.
- **RH Step-Down 1 (SD-1), RH Step-Down 2 (SD-2) Status** - General population bed assignments operated with increased privileges above RHU status but more control than full privilege general population.

VACORIS - The computer-based Virginia Department of Corrections inmate and probationer/parolee information management system.



PURPOSE

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

PROCEDURE

- I. Inmate Classification (2-CO-4B-03)
 - A. Institutional Classification Authority (ICA) and Multi-Disciplinary Team (MDT):
 1. The ICA is an experienced senior staff member appointed by the Facility Unit Head who has contact with the inmate but is impartial to the inmate presented for review.
 - a. The ICA must be in pay band 4 or above and preferably functioning in a supervisory status.
 - b. The Facility Unit Head may choose to utilize a committee for ICA hearings. If a committee is used, the committee chairperson must have contact with and be impartial to the inmate under review.
 2. MDTs are comprised of three or more staff members responsible for conducting ICA hearings on inmates assigned to Restorative Housing Units. Staff assignment to an MDT will be in accordance with Operating Procedure 425.4, *Management of Bed and Cell Assignments* (Restricted).
 - B. Staff responsibilities during the ICA Hearing:
 1. The ICA or MDT:
 - a. Ensures there is a docketing procedure for all cases eligible for review.
 - b. Ensures cases are heard within applicable time limits.
 - c. Ensures that all cases heard are documented in VACORIS.
 - d. Ensures that the ICA hearing is conducted properly and in compliance with applicable operating procedures.
 - e. Will moderate questions and comments at the ICA hearing to ensure all individuals, including inmates, have an opportunity to be heard.
 - f. Guides the ICA process to reach a decision.
 - g. Determines if a witness has relevant testimony.
 - h. Ensures the ICA hearing is orderly and may remove anyone who attempts to disrupt the hearing.
 - i. Makes a recommendation based only on the facts presented at the ICA hearing and their review of the inmate's record.
 - j. Ensures the decisions are fair and impartial.
 2. The Reporting Officer, if required, during a formal due process hearing:
 - a. Becomes familiar with all facts relevant to the case prior to the ICA hearing.
 - b. Presents all the facts relevant to the case.
 - c. Responds to questions relevant to the case during the hearing and in the presence of the inmate.
 - d. Submits a signed, notarized statement if legitimately unable to attend the ICA hearing.
 3. The Counselor:
 - a. Ensures the inmate understands the reasons for, purpose of, and possible results of the ICA hearing.
 - b. Ensures the inmate is eligible for the type of review scheduled.
 - c. Ensures that the inmate understands the ICA hearing process, i.e., organization, procedural requirements, etc.
 - d. Attends ICA hearings to present the ICA or MDT with additional relevant facts and alternative solutions or courses of action.
 4. A Witness:



- a. Witnesses, if required, during a formal due process ICA hearing will:
 - i. Present relevant facts pertinent to the case.
 - ii. Answer questions from the ICA or MDT members and the inmate related to their given testimony.
- b. Staff, when requested as a witness, must document their testimony in writing and submit their written testimony to the ICA or MDT. If the ICA or MDT determines the testimony is relevant, the ICA or MDT may use the staff members written testimony or they may require the staff member's presence at the ICA hearing.
- c. Inmate witnesses testifying before the ICA or MDT at the ICA hearing do so on a strictly voluntary basis, staff cannot force an inmate to testify.
 - i. Any inmate witness who does not wish to testify should submit a written statement to that effect.
 - ii. Confidential inmate witnesses are not required to testify in person before the ICA or the MDT.
 - (a) The Reporting Officer may present the confidential witnesses' testimony to the ICA or MDT in the presence of the inmate.
 - (b) Staff must keep the name of any inmate providing testimony confidential for security reasons.
 - (c) Either the confidential witness or the Corrections Officer presenting the inmate's testimony at the ICA hearing should record the testimony in writing.
 - (d) Staff should verify the confidential witness's testimony and establish the reliability of the inmate witness.
 - iii. The ICA or MDT will determine whether a witness' testimony is relevant to the ICA hearing and may choose not to call a witness to appear at the hearing when the testimony is irrelevant or repetitious.

C. The following staff members may refer an inmate to the ICA or MDT for an ICA hearing:

1. Director
2. Deputy Director for Institutions
3. Regional Administrator
4. Director of Offender Management Services or designee
5. Central Classification Services (CCS)
6. Facility Unit Head, Assistant Facility Unit Head, or designee
7. Chief of Security, Chief of Housing and Programs (CHAP), Unit Manager, Shift Commander
8. Hearings Officer, see Operating Procedure 861.1, *Inmate Discipline*.
9. Institutional Program Manager (IPM), Counselor, Medical and Mental Health staff.

D. Staff must document ICA, Multi-Disciplinary Team (MDT), and Program Assignment Reviewer (PAR) hearing actions and administrative reviews in VACORIS. Staff will generate paper documents only as needed for inmate signatures and to provide notice or copies to inmates of classification actions.

II. Formal ICA Hearings

A. Staff must conduct a formal ICA hearing for administrative and interim reviews outside the inmate's annual review cycle when there is the opportunity for the inmate to be removed from general population status, for the inmate's good time earning level to be reduced, for the inmate's security level to be increased, for the inmate to be transferred to a higher security level institution, or there is a loss of liberty involved.

1. Formal ICA hearings are due process hearings and require the use of the *Institutional Classification Authority Hearing Notification* with the ICA or MDT decisions documented on an *Institutional Classification Authority Hearing* report.



2. Staff should address the inmate's needs, i.e., security, programs, etc., during the formal ICA hearing.
 3. 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.
- B. The ICA or MDT must conduct a formal ICA hearing for the following actions: (5-ACI-4A-08, 5-ACI-4B-09)
1. Transfer for security reasons and for permanent assignment to a protective custody unit. (5-ACI-4A-08)
 2. Reduction in good time earning level during interim review.
 3. Increase in security level during interim review.
 4. Referrals to review an inmate for an interstate corrections compact transfer.
 5. Assignment to the following:
 - a. Shared Allied Management (SAM) Unit that require an institutional transfer.
 - b. Steps to Achieve Reintegration (STAR) Program.
 - c. Voluntary Substance Use Disorder Treatment Program (V-SUDT)
 6. Removals from the following:
 - a. Re-entry programs
 - b. SAM Unit
 - c. Work Release
 7. Assignment to and removal from:
 - a. Cognitive Therapeutic Community (CTC) Programs, see Operating Procedure 830.5, *Transfers, Institution Reassignments*
 - b. Restorative Housing Units (5-ACI-4A-08, 5-ACI-4B-09)
 - c. Secure Diversionary Treatment Program (SDTP)
 8. Administrative Hearing i.e., refusal of an off-site specialist appointment, diagnostic procedure, or treatment procedure.
- C. Due Process Requirements
1. 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 *Institutional Classification Authority Hearing Notification* in VACORIS. (5-ACI-5B-08)
 2. Staff will advise the inmate of their due process rights and permit the inmate to: (5-ACI-5B-08)
 - a. Waive the 48-hour notice in writing.
 - b. Be present at the ICA Hearing.
 - c. Remain Silent.
 - d. Have a Counselor or other staff member present to advise.
 - e. Hear the testimony or statement of the Reporting Officer.
 - f. Call and question witnesses.
 - g. Be advised verbally at the hearing and in writing within five working days of the ICA's or MDT's recommendation and the reason for their decision.
 - h. Receive a copy of the *Institutional Classification Authority Hearing* report after the final approving authority reviews the ICA or MDT recommendation and makes a final decision on the recommended actions.
 - i. Access the *Inmate Grievance Procedure* to appeal all classification decisions; see Operating Procedure 866.1, *Inmate Grievance Procedure*

3. The right to hear the Reporting Officer's statement and to call and question witnesses does not apply in the following cases:
 - a. ICA hearing conducted as the result of a documented disciplinary conviction.
 - b. ICA Hearing conducted based on a criminal conviction.
 - c. Initial review of an inmate's assignment to Alt-GP status due to a keep separate situation, pending outcome of the investigation.
 - d. Interim reviews of on-going restorative housing unit assignments.
4. The staff member serving the *Institutional Classification Authority Hearing Notification* must:
 - a. Record the names of any requested witnesses.
 - b. Indicate if the inmate waived their 48-hour notice prior to the ICA hearing.
 - c. Have the inmate sign and witness the inmate's signature on the *Institutional Classification Authority Hearing Notification*. If the inmate refuses to sign the notice, the staff member serving the notice will so note and sign as witness.
 - d. Provide a copy of the *Institutional Classification Authority Hearing Notification* to the inmate.
5. 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.
6. 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.
7. 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.

III. Informal Hearing Requirements

- A. Staff will document informal ICA hearing actions on an *Institutional Classification Authority Hearing* report.
- B. The ICA or MDT may conduct an informal ICA hearing for the following actions:
 1. Inmate requested transfers during the annual review.
 2. Extraordinary Good Time (EGT) awards.
 3. Assignments to work release.
 4. 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, *Inmate and CCAP Probationer/Parolee Religious Programs*.
 5. Keep Separate designation; see Operating Procedure 830.6, *Inmate Keep Separate Management*



6. Removal from the STAR Program.
 7. Assignment to the SAM Unit that does not require a transfer.
 8. Initial Classification Actions.
- C. Although staff are not required to notify the inmate prior to the informal ICA hearing, it is generally preferable staff advise the inmate in advance of the nature of the hearing. If the inmate requests to be present, the ICA or MDT may permit the inmate to be present if deemed appropriate and necessary.
1. If the inmate is present at the hearing, the ICA or MDT chairperson should inform the inmate of their decision or recommendation at the time of the hearing.
 2. If the inmate is not present, the ICA or MDT should advise the inmate of their decision in writing within five working days using the *Institutional Classification Authority Hearing* report.
- D. 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 or MDT's recommendation and the final decision by the approving authority.

IV. Annual Review Hearing Requirements (5-ACI-5B-07)

- A. Counselors should conduct inmate annual reviews within 30 days after the *Annual Review Date* provided in VACORIS. (5-ACI-5B-06)
- B. Staff must document the inmate's 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 *Case Management Review Checklist*.
- C. Due to the routine nature of annual reviews, due process during a general population inmate's annual review is not required, but staff should allow the inmate to be present and have input in the process. (5-ACI-5B-08)
1. The inmate's Counselor during the inmate's annual review will:
 - a. Ensure all inmate record information is current and accurate.
 - b. Update the inmate's:
 - i. Home Plan
 - ii. Re-entry Timeline
 - iii. Re-entry Case Plan
 - iv. Emergency Contact and Next of Kin Notification using *Emergency Notification Information 050_F11*
 - v. Family Environmental Information
 - vi. COMPAS Assessment
 - c. Conduct a complete assessment and when necessary, update each component of the inmate's institution status to include:
 - i. Infraction History
 - ii. Program Participation
 - iii. Academic, Career, and Technical Education Program Participation
 - iv. Institutional Employment History
 - d. Document completion of each annual review process on the *Case Management Review Checklist* in the *Facility Supervision* section of VACORIS; factors to be addressed include: (2-CO-1E-09)
 - i. Security Level; see Operating Procedure 830.2, *Security Level Classification*
 - ii. Institution Assignment to include assignment to the appropriate re-entry site within the established time frame and assignment to other residential programs; see Operating Procedure 830.5, *Transfers, Institution Reassignments*.
 - iii. Good Time Level; see Operating Procedure 830.3, *Good Time Awards*



- iv. COMPAS Re-entry Assessment
- v. Re-entry Case Plan
- vi. Re-entry Timeline
- vii. Any other factors affecting the inmate.

2. The completion of a new COMPAS assessment is based on the date of the inmate's last COMPAS assessment and the inmate's scheduled release date; see Operating Procedure 820.1, *Inmate Case Management*.
3. Before staff recommends approval of an inmate requested transfer during the inmate's annual review cycle staff should confirm the inmate meets the eligibility criteria in Operating Procedure 830.5, *Transfers, Institution Reassignments*. Such recommendation does not require due process.

V. Contract Inmate Annual Review Requirements (5-ACI-5B-07)

- A. Counselors will conduct annual reviews for contract inmates i.e., Virgin Islands and Hawaii within 30 days after the *Annual Review Date*, the date the inmate was received into the Virginia DOC provided in VACORIS. (5-ACI-5B-06)
- B. 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. (5-ACI-5B-08)
- C. The inmate's Counselor during the inmate's annual review will:
 1. Ensure all inmate record information is current and accurate.
 2. Update the inmate's:
 - a. Home Plan
 - b. Re-entry Timeline
 - c. Re-entry Case Plan
 - d. Emergency Contact and Next of Kin Notification using *Emergency Notification Information 050_F11*
 - e. Family Environmental Information
 - f. COMPAS Assessment
 3. Conduct a complete assessment and when necessary, update each component of the inmate's institution status to include:
 - a. Infraction History
 - b. Program Participation
 - c. Academic, Career, and Technical Education Program Participation
 - d. Institutional Employment History
 4. Document completion of each annual review process on the *Case Management Review Checklist* in the *Facility Supervision* section of VACORIS; factors to be addressed include: (2-CO-1E-09)
 - a. Security Level: utilize the *Reclassification Score Sheet (DOC 11B) Worksheet* for informational purposes only, do not complete the process and change the inmate's Security Level in VACORIS.
 - b. Institution Assignment: Assign to Red Onion State Prison, Wallens Ridge State Prison, or Keen Mountain Correctional Center, only.
 - c. Class Level: utilize the *Class Level Evaluation-Sample*, for informational purposes only, do not complete the process and change the inmates Class Level in VACORIS. Staff must notify CCS of all disciplinary convictions that resulted in a *Loss of Good Time* penalty; see Operating Procedure 861.1, *Inmate Discipline*.
 - d. COMPAS Re-entry Assessment
 - e. Re-entry Case Plan



- f. Re-entry Timeline
- g. Any other factors affecting the inmate.

5. Complete and upload the *Reclassification Score Sheet (DOC 11B) Worksheet*, Attachment 1 to Operating Procedure 830.2, *Security Level Classification*, and the *Class Level Evaluation Sample*, Attachment 1 to Operating Procedure 830.3, *Good Time Awards*, as an external document in lieu of completing these documents in VACORIS.

- D. 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*.
- E. Contract inmates assigned to a step-down status in the restorative housing unit must complete the requirements of the step-down program prior to transfer to lower security institutions.
- F. Staff will not transfer contract inmates for re-entry services; necessary services will be provided at the inmate's assigned institution.
- G. The completion of a new COMPAS assessment is based on the date of the last COMPAS and the inmate's scheduled release date; see Operating Procedure 820.1, *Inmate Case Management*.
- H. Following the ICA hearing, the ICA or MDT chairperson will escalate the ICA hearing in VACORIS for appropriate review and approval.

VI. Review and Approval of ICA and MDT Recommendations

A. Facility Unit Head

1. The Facility Unit Head or designee is the final authority for the approval and disapproval of the following ICA or MDT actions:
 - a. Good time earning 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 unit assignments, reviews, and removals.
 - d. Common Fare and Sealed Religious Diet assignments and inmate requested removals.
 - e. Assignment to the SAM Unit.
2. The Facility Unit Head, Assistant Facility Unit Head, or designee will review each ICA or MDT recommendation and will approve or disapprove the ICA's or MDT's recommended actions.
3. The Facility Unit Head, Assistant Facility Unit Head, or designee cannot review cases for which they served as the ICA or the MDT chairperson.
4. The Facility Unit Head, Assistant Facility Unit Head, or designee may disapprove or return cases to the ICA or MDT for additional information.



5. The Facility Unit Head or designee will approve or disapprove the ICA's or MDT's recommendation where the ICA or MDT recommended no status change during restorative housing reviews. The Facility Unit Head or designee will note that the ICA/MDT did not recommend a change and provide any comments.
 6. The Facility Unit Head, Assistant Facility Unit Head, or designee will document the specific reasons for their decision in the respective narrative fields.
- B. Director, Chief Deputy Director, Deputy Director for Institutions, Regional Administrator
1. The Regional Administrator has final authority to approve or disapprove temporary specialized work crews, work assignments in the community, and intra-regional transfers; see Operating Procedure 830.5, *Transfers, Institution Reassignments*.
 2. The Deputy Director for Institutions or designee has final approval for Interstate Compact transfers; see Operating Procedure 020.2, *Compact for Interstate Transfer of Inmates*.
 3. The Director, upon referral of the Regional Administrator, Chief Deputy Director, or Deputy Director for Institutions is the final and sole authority for the approval of *Restoration of Lost Good Time* requests.
- C. CCS is the authority for the approval and disapproval of the following actions:
1. Security level changes as follows:
 - 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 utilizing an H-7 override.
 - d. Reclassification assignments to SL W
 2. Mandatory restrictors and inmate assignment criteria override.
 3. Reclassification assignments to a work center.
 4. Keep separate approvals and removals.
 5. Work release recommendations for assignment or removal.
 6. Assignments to:
 - a. STAR Program: CCS staff will escalate STAR Program assignment to the appropriate Facility Unit Head or designee and Regional Administrator; see Operating Procedure 830.5, *Transfers, Institution Reassignments*.
 - b. Security Level S: CCS staff will escalate SL S assignments to the appropriate Facility Unit Head or designee and Regional Administrator in accordance with Operating Procedure 830.5, *Transfers, Institution Reassignments*.
 - c. A SDTP: The Regional Administrator of the Western Region and the Multi-Institution Treatment Team (MITT) will and SDTP assignment approvals escalated to the Senior Mental Health Clinician at CCS; see Operating Procedure 830.5, *Transfers, Institution Reassignments*.
 - d. SAM Unit that requires an institutional transfer.
 7. VSUDT recommendations for assignment or removal.
 8. All transfers, except intra-regional, including administrative, security, inmate request, and assignment to protective custody units; see Operating Procedure 830.5, *Transfers, Institution Reassignments*,
- D. The Facility Unit Head, Assistant Facility Unit Head, or designee will ensure staff properly documented all classification actions in VACORIS once the final approval authority has acted on the classification recommendation.

- E. 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.

VII. Program Assignment Reviews

- A. The Facility Unit Head will designate at least one pay band 4 or above staff member who is impartial to the case being reviewed and the classification action to serve as the Program Assignment Reviewer (PAR).

B. Program Assignment Review Participant Responsibilities

1. Program Assignment Reviewer

- a. Ensures there is a docketing procedure that provides for all cases eligible for review.
- b. Ensures cases are heard within applicable time frame.
- c. Ensures that a hearing docket is maintained.
- d. Ensures the review is conducted in compliance with the requirements on inmate requests to attend the classification review.
- e. Reviews the inmate's record and all documentation submitted.
- f. May ask questions of all individuals present during the hearing to assist in making their recommendation.
- g. Considers COMPAS needs scores for counseling service program assignments.
- h. Ensures all recommendations are fair, impartial, and based upon the facts presented.

2. Counselor

- a. Ensures the inmate is eligible for the type of review requested and the recommended actions.
- 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.

3. Inmate

- a. The inmate is not required to attend the review.
- b. The inmate should notify their counselor prior to the scheduled hearing to attend.
- c. The PAR will decide whether to allow the inmate to attend.

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

1. Outside work classifications and reclassifications, see Operating Procedure 425.1. *Outside Work Assignments* (Restricted).
2. Work assignments and removals to include outside the security perimeter; see Operating Procedure 841.2, *Inmate Work Programs*.
3. Program assignments and removal, except the Sex Offender Residential Treatment Programs, VSUDT programs, CTC programs, academic and vocational assignments and removals, and Re-Entry Case Plan reviews.

D. Hearing Requirements

1. The Facility Unit Head or designee should develop and maintain a *Classification Hearing Docket* to document cases reviewed as required in this operating procedure.
 - a. The *Classification Hearing Docket* 830_F1 is a model. Each Facility Unit Head or designee is encouraged to modify and develop a *Classification Hearing Docket* to meet the institution needs.
 - b. For work assignments, staff should use the *Work Assignment Docket* 841_F6 and the *Application for Work Assignment* 841_F5.
 - c. In restorative housing units, 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).

- d. Individual inmate notification of PAR actions may be accomplished using forms developed at the institution.
 2. Program assignment reviews are informal hearings.
 - a. Staff should inform the inmate of the purpose of the hearing; 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 work assignment, 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. Staff will review all PAR hearings and approve, disapprove or no action the case.
 - a. Staff should remand all no action cases to the Assistant Superintendent or IPM for further review.
 - b. Staff will document their reason for disapproval on the respective form.
 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 security perimeter. The Facility Unit Head may only delegate this authority to the Assistant Facility Unit Head for Work Centers; see Operating Procedure 841.2, *Inmate 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.
 5. The Facility Unit Head or designee will ensure copies of all classification paperwork are distributed.

VIII. Central Classification Services (CCS) Initiated Reviews

- A. CCS staff may administratively review the inmate population for security level reductions to maximize the efficient use of available bed space.
- B. CCS may administratively review and approve inmates for a security level change and an institution reassignment in the absence of an or ICA hearing when it is necessary for the well-being of the DOC.
- C. CCS may request Facility Unit Heads review the inmate population and recommend inmates for a security level reduction.

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

- A. The inmate may initiate a request for an interim review by submitting a *Facility Request* 801_F3 identifying exactly why an interim review is warranted.
- B. The Counselor should review the *Facility Request* 801_F3, make a recommendation to the ICA or MDT,



justify their recommendation, when applicable, and forward the *Facility Request* 801_F3 to the ICA or MDT for consideration.

C. Counselor recommendations for an interim review should generally be based on:

1. A confirmed procedural error in the previous annual review.
2. An erroneous calculation of the inmate's security level or good time earning level.
3. A status change that resulted from an expunged disciplinary conviction, a detainer, or other administrative action.
4. Completion of programmatic activities of long-standing duration, e.g., inmate receives High School Equivalency diploma after repeated attempts.

D. The Counselor should select the reason for the review in the *Classification Action Type* section of VACORIS.

E. An interim review does not change the next annual review date. The reason for the review should be selected in the *Classification Action Type* section of VACORIS.

X. Appeal Process (5-ACI-5B-07; 2-CO-4B-03)

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 *Inmate Grievance Procedure*.

C. The Director of Offender Management Services is the appellate authority for all classification decisions.

REFERENCES

Operating Procedure 020.2, *Compact for Interstate Transfer of Inmates*

Operating Procedure 425.1, *Outside Work Assignments (Restricted)*

Operating Procedure 425.4, *Management of Bed and Cell Assignments (Restricted)*

Operating Procedure 820.1, *Inmate Case Management*

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, *Inmate Keep Separate Management*

Operating Procedure 841.2, *Inmate Work Programs*

Operating Procedure 841.3, *Inmate and CCAP Probationer/Parolee Religious Programs*

Operating Procedure 861.1, *Inmate Discipline*

Operating Procedure 866.1, *Inmate Grievance Procedure*

ATTACHMENTS

None

FORM CITATIONS

Emergency Notification Information 050_F11

Facility Request 801_F3

Classification Hearing Docket 830_F1



Application for Work Assignment 841_F5

Work Assignment Docket 841_F6

