

**POLICY & PROCEDURES**

<b>CHAPTER:</b>	3	Institutional Operations	<b>3. 6. 1</b>
<b>SECTION:</b>	6	Classification	<b>EFFECTIVE DATE:</b> 4 / 8 / 2020
<b>SUBJECT:</b>	1	<b>Classification</b>	
<b>STANDARDS: ACA – 4 – ALDF:</b> 2A-25, 2A-30, 31, 32, 33, 34, 2A-36, 37, 4D-22-1, 4D-22-3, 4D-22-4, 6A-05.			
<b>APPROVED:</b>			<b>REVIEW DATE:</b> 4 / 8 / 20
<hr/> Dale Glass <b>COMMISSIONER OF CORRECTIONS</b>			<b>REVISION DATE:</b> 6 / 24 / 20
Rescind: 3.6.1 dated 3/20/18 Cancel:			

**I. POLICY**

It is the policy of the St. Louis City Division of Corrections to classify all inmates admitted into the Division by using an objective jail classification system that includes the identification of special needs, program, and status review.

**II. RESPONSIBILITIES**

All Correctional staff assigned with the responsibility of classifying inmates, all contracted staff and Correctional staff having direct contact with the inmate population are responsible for adhering to the following procedures.

**III. DEFINITIONS**

**Adult:** In the state of Missouri, an adult person is seventeen years of age or older.

**Arrestee:** An individual who has been arrested and booked by the St. Louis City Police Department, the St. Louis City Sheriff’s Department or any other local, state, or federal law enforcement agency and has not been admitted by the Division of Corrections.

**Certified Juvenile:** A person who is sixteen (16) years of age and under and has been charged with a law violation and ordered by the court to be tried as an adult.

**Classification:** The process for determining the needs, and risk assessments for those whom confinement has been ordered.

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**Classification Committee:** A committee chaired by the Unit Manager/designee consisting of Caseworkers, Classification staff, and a Custody Supervisor.

**Classification Officer:** A Correctional Staff trained to assess inmates' social and criminal history, determine custody level, appropriate housing, facility services, and inmate programs.

**Confined Under Civil Process:** A person committed for civil disobedience, unlawful assembly and/or civil contempt of court.

**Criminal:** A person convicted and under sentence for a crime.

**Classification Officer:** Watch levels applied with inmates identified as being at risk of self-harm or emotionally, and mentally unstable.

**Custody Level:** Refers to the level of classification, supervision, and security an inmate requires. In this Division, the custody levels are minimum, medium and maximum.

**Custody Level Adjustment:** Three or more major disciplinary reports resulting in segregation sentences within 90 days.

**Detainee:** With respect to ACA #4D-22-3 and for the purpose of this policy, the term "Detainee" implies inmate.

**Dangerous Felonies/Deadlies:** Charges eligible for 85% of the sentence. This list is available in the Classification Unit.

**Enemy:** An individual identified by another as someone who might do them great bodily harm.

**High Risk:** An inmate with a documented history of any or a combination of the following: escape, attempted escape, assault on staff/inmates, sentenced to a State Department of Corrections or Federal Correctional Facility.

**Integrated Jail Management System (IJMS):** Automated system that tracks admitted and preadmitted inmates; collects, organizes and stores standard information and demand information. The application also documents the activities of inmates within the Division of Corrections, including classification, cell history, Disciplinary Reports, demographic information, personal property information, grievance reports, medical and social service history, chronological notes, and program participation.

**Inmate:** An individual that has been lawfully transferred and accepted for custody by the Division of Corrections.

**Intersex:** A general term used for a variety of conditions in which a person is born with a

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reproductive or sexual organs, chromosomal patterns, and/or other physical anatomy that doesn't seem to fit the typical definitions of male or female.

**Maximum Assault Status (MAS):** An inmate with documented history of assault on staff or other inmates.

**Objective Classification System:** A narrowly set of well-defined legal variables such as: severity of offense, prior convictions, prior incarcerations, and personal characteristics (e.g., age, identified enemy, physical stature, etc.) to guide classification decision-making. These items are incorporated into a standardized form or checklist that is used by staff to assess every inmate's custody and program needs.

**Protective Custody:** A status of confinement indicating the removal of an inmate from the general population to prevent harm to the inmate.

**Security Level:** Refers to the physical design of the facility or housing unit.

**Special Management:** (ACA 2A-61 et. Seq): For the purpose of this policy and clarifications, in this Division, this term is synonymous to "special management status" with respect to inmates with special needs as defined in this policy. The Division does not operate a Mental Health Housing Unit.

**Special Management Status:** A status of confinement assigned to inmates that display unusual or bizarre behavior, inmates diagnosed with a severe mental disability, inmates that are physically handicapped, or inmates diagnosed with a contagious or infectious medical condition, etc. These factors pose a risk of harm to the inmate or others if the inmate is housed in the general population.

**Transgender or Trans:** means someone whose gender identity did not match their biological sex. Transgender people may identify as male or female, or they may feel that neither label fits them. For the purposes of this policy, a transgender inmate is one who has been screened by a St. Louis City Division of Corrections mental health staff/psychologist and signed a form indicating consent to be identified within the Division as transgender. This step allows for accommodations to be considered.

#### **IV. PROCEDURES**

##### **A. General Information**

1. The Division complies with state statutes and the ACA Standards with respect to inmate classifications, and will house persons 16 years and younger if certified as an adult and transferred to the Division under the provisions of section 211.071 RSMO and, as defined in section 211.151 RSMO.

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2. The Division operates two facilities – the City Justice Center (CJC), and the Medium Security Institution, (MSI). Institutional classification of detainees starts at CJC. Detainees assigned to MSI are then transferred to that facility. The Detention Center Superintendent of the Medium Security Institution establishes additional classification criteria or Post Order for classification of transferred inmates to MSI.
3. The Screening of detainees prior to 24 hours of arrival at the facility for potential vulnerabilities and other tendencies are completed at the first intake by contracted medical staff, (4D-22-1).
4. Detainees transferred to the Division's open-sitting area or temporary holding cells are kept secured in consideration of safety and security issues, (ACA: 2A-05).
5. The classification process of detainees assigned for custody in the facilities starts at admission. The Division considers and utilizes verifiable and documented data about inmates to make classification decisions, (ACA: 2A-30; 2A-32).
6. The Division separates confined individuals according to sex. Persons confined under civil process or civil causes are kept separate from other arrestees and inmates
7. Inmates are assigned to institutional security custody level consistent with their individual custody classification. The following is a list of inmate custody and supervision levels:
  - a. Minimum custody level: These inmates are considered to be a minimal escape risk and demonstrate stable behavior.
  - b. Medium custody level: These inmates present potential risk of escape and /or require a structured environment.
  - c. Maximum custody level: These inmates present a serious and real threat to institutional security, including threat of physical harm to staff, other inmates, and property. They are considered to be a serious escape risk.
8. The Classification Officer will refer to facility's Classification Post Order for information that identifies and categorize detainees by offense category, gender, age, appropriate housing (i.e., female housing, etc.), and additional information that allow for properly classification of inmates.

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9. Staff will use the Objective Classification Criteria listed below to assign inmates to either CJC or MSI:
  - a. Severity of Current Charges/Convictions.
  - b. State charge combined with parole violation - Severity of Offense History (Most severe prior conviction).
  - c. Federal Detainer, Out of State Fugitive.
  - d. Federal or State Writs.
  - e. Escape History.
  - f. Gender.
  - g. Medical Status.
  - h. Age.
  - i. Need to keep separate, and
  - j. Other relevant factors.
10. The Division will assign single occupancy cells to the degree allowable, to inmates when indicated, (ACA: 2A-34), as follows:
  - a. Suicide or Detox watch.
  - b. Inmates with severe medical disabilities.
  - c. Inmates suffering from serious mental illness.
  - d. Sexual predators.
  - e. Inmates likely to be exploited or victimized by others.
  - f. Juvenile inmate certified as adults.
  - g. Inmates who have other special needs for single occupancy housing.
11. The Division will review and revise inmate's classified status when necessary and in response to changes in either inmate's behavior or circumstances, (ACA: 2A-31). Custody level assessment may be based on, but not limited to the following risk factors:

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- a. The inmate's charges have been reduced by the court, or a new charge is filed that will affect the current custody level.
  - b. The inmate commits an assault on staff or another inmate.
  - c. Institutional factors that may warrant reassessment.
12. Staff will promptly refer detainees with history of sexually assaultive behavior or, who are likely to be victims of sexual assault to a mental health staff. These individuals will be monitored based on assigned watch status while in custody of the Division, (ACA: 4D-22-3).
  13. Staff will promptly refer detainees identified as being at risk for sexual victimization to a mental health staff for counseling and will be monitored based on assigned watch status while in custody of the Division, (ACA: 4D-22-4).
  14. The initial inmate classification decision and placement cannot be appealed. Classification decisions are not grievable either. Only a re-assessment of classification that alters inmate original custody level designation may be appealed. (See Procedure C, item #2 of this policy).
  15. There is nothing in this procedure and work rule to infer a right to placement in any custody classification. In all deliberations, Classification Officers or facility's classification committee may consider custody related issues not anticipated or spelled out in this policy.
  16. The Classification Committee chairperson will prepare a written summary report on each individual inmate and submit it to the Detention Center Superintendent.

**B. Classification and Housing Assignment Considerations**

1. Each facility will follow procedures defined in this policy, and facility's specific Post Orders on classification to classify and re-assess inmate's classification status.
2. At a minimum, the following factors will be taken into consideration in all matters pertaining to classification, housing, celling, and bed placement of inmates in a housing unit:
  - a. Age similarity: Careful consideration will be given to age similarity. Individuals with vast age differences will not be celled together.
  - b. Physical Stature: Inmates with a significant size variation will not be celled together.

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- c. Juveniles inmates (16 years and younger) will not be celled with an adult inmate 17 years and older. The Division will protect the certified juvenile from sight and sound of adult inmates to the degree allowable, (see DOC # 1.1.3: Adult and Juvenile Separation).
  - d. Co-defendants, registered sex-offenders/sexual predators /special needs inmates, and identified enemies will be evaluated on a one-on one basis and housed separately as appropriate. Named enemies will be documented in IJMS and housed separately.
  - e. Court orders regarding placement will be adhered to, and where there is concern, staff will notify the Detention Center Superintendent.
3. Classification staff will permit inmate to make at least one phone call during classification or prior to transfer to assign housing unit, (ACA: 6A-05).
4. The classification process will consist of in-depth interview with the inmate, and detailed evaluation of court documents and information acquired from other agencies concerning the inmate's background and criminal history.
5. Information gathered will be used with available documentation to develop the inmate's initial classification profile. This documentation may include, but is not limited to:
  - a. Commitment papers.
  - b. FBI rap sheets.
  - c. REJIS / IJMS check results.
  - d. Detainer information.
  - e. Pre-sentence investigation reports.
  - f. Probation Officer reports.
  - g. Review of wants and warrant check.
  - h. Other relevant information.
6. Classification staff will document on IJMS all classification decisions immediately following the finalized classification screening. This includes

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changes to inmate re-assessment. The Unit Manager will review all classification decisions to ensure compliance.

**C: PREA and Intersex/Transgender Inmates' Classification, [section 28 C.F.R. § 115.42 (c)]**

1. Staff will not conduct a physical search of the Intersex/Transgender inmate for the purpose of determining inmate's gender classification status, (115.15, et seq). Inmate will be asked to provide gender information but will not be disciplined for refusing to provide such information.
2. If inmate refuses to provide information, staff may determine gender during conversations with the inmate, by reviewing Medical Records, or, if necessary, learning that information as part of a broader medical examination conducted in private by a medical practitioner. This provision does not prohibit or otherwise affect searches of inmates to ensure the safe, secure and orderly operation of the institution.
3. Intersex/transgender inmates will be interviewed by medical/mental health staff on a one-on one basis prior to housing placement decision. The Mental health staff and the classification team will jointly assess and determine any special housing needs of this inmate.
4. Staff will not place a Transgender or Intersex inmate in administrative segregation unit or protective custody solely on the basis of their gender identification or status unless doing so is warranted in connection with a court consent decree, legal settlement, legal judgment, or as recommended by qualified Mental Health staff for the purpose of protecting such inmates.
5. Staff will consider on a case by case basis whether a placement of Intersex/Transgender inmate(s) in a particular housing will ensure the inmate's health and safety, and whether it would present management or security problems.
6. To comply with PREA, staff will give serious consideration to a Transgender or Intersex inmate's own views with respect to the inmate's own safety, prior to making decision on housing placement and is documented. Intersex/Transgender inmates will be given the opportunity to shower separate from other inmates if they request.
7. The Classification committee will twice-yearly review the current housing unit status, and programming for the Intersex/Transgender inmates, if any. The reviews will consider on a case-by-case basis that the inmate housing placement does not jeopardize the inmate's health and safety and does not present management or security concerns. Any threat to safety experienced by the inmate will be included in decision making, (PREA: 115.42(d)).

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8. This special review will be documented by the Chair of the Classification committee and a copy forwarded to Detention Center Superintendent and Divisional PREA Coordinator.

**D. Re-assessment of Inmate Classified Status**

1. Inmates assigned as maximum assault status or high-risk inmates cannot appeal their custody level.
2. Staff will utilize Custody Reassessment Form on IJMS to review and /or make changes or recommendation to an inmate's custody level.
3. If there are any changes identified that will affect the inmate's custody level, the assessing staff will complete a Custody Reassessment Form and forward it to the Unit Manager with recommendation.
4. The Unit Manager and the Classification committee will reassess the inmate's custody level in consideration of the recommendation. Each inmate will be given notice and the opportunity to appear personally before the classification committee for purposes of review.
5. Inmate will be notified of review decision. If inmate is reclassified as a result of the re-assessment, the inmate may appeal the decision to the Unit Manager by completing the Inmate Request Form. The Unit manager will have 15 days to respond to the appeal, (ACA: 2A-31). The Unit Manager will provide a written response to the inmate.
6. If the Unit Manager determines the inmate is to be re-classified, the Supervisor initiates the appropriate steps to re-classify the inmate.
7. Inmates whose appeal is denied by the Unit Manager may appeal to the Detention Center Superintendent by completing another Inmate Request Form within 5 days of the receipt of the appeal decision and is forwarded to the Unit Manager who attaches the initial appeal decision and forwards to the Detention Center Superintendent.
8. The Detention Center Superintendent will provide a written response to the inmate within 15 working days of receipt of the Inmate Request Form.
9. All documents related to the inmates' appeal will be documented in the IJMS or placed in inmate's custody file.
10. Female inmates confined at MSI and male inmates housed at CJC as an out of state fugitive may not be reassessed for a lower custody level. (Out of state fugitive male inmates are never housed at MSI).