

# KANSAS DEPARTMENT OF CORRECTIONS

## INMATE CUSTODY CLASSIFICATION MANUAL

Final

Issued November 1, 2005

Revised January 24, 2006

Revised March 19, 2007

Revised April 1, 2008

Revised March 1, 2016

Revised September 6, 2016

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**SECTION I:**

**General Classification Information and Scoring  
Instructions for Inmate Classification**

# **Kansas Department of Corrections Inmate Classification System**

## **What is inmate custody classification?**

Custody classification is the means by which inmates are assessed regarding the risk they present to themselves, other inmates, staff and the community, based upon a standard set of objective criteria.

This classification instrument was developed to promote public safety and institutional order. It provides guidelines to place inmates in the least restrictive level of supervision required based upon their assessed level of risk.

## **When do we classify inmates?**

Each inmate receives a classification review:

- upon reception;
- upon admission as a conditions violator;
- at regularly scheduled intervals(120 day or annual) following admission, and,
- as unscheduled events occur that trigger a reclassification.

## **What kind of assessment instrument is used?**

The KDOC classification system includes objective point-based and non-point based risk criteria.

The point-based classification criteria include:

- Most serious current offense
- Length of time remaining to serve
- Severity of prior convictions
- Escape history
- Escape characteristics
- Institutional adjustment
- Current age
- Incentive level

The non-point based items include:

- Inmate performance in sex offender's treatment/civil commitment issues
- Detainers
- Pending disciplinary issues/STG activity
- RDU refusal, multiple murders
- Special needs (protective custody, segregation, etc.)

## **Is compliance with the criteria mandatory?**

If the criteria do not accurately reflect the level of risk the inmate presents, an exception to the classification system supported by documentation that either raises or lowers the inmate's classification may be approved. Comments on an exception should include an assessment of the mitigating or aggravating factors that support the exception request.

## **Are condition violators treated differently than other inmates?**

Pursuant to KSA 75-5210, there is a presumption of minimum custody status for offenders returned to prison for violating conditions of their post release supervision (PRS) not involving a new criminal conviction and whose classification immediately prior to their most recent release from prison was not maximum custody or special management and who are within 90-days of their scheduled release. This presumption is to be applied to the offender's first custody classification upon return to prison subject to exclusionary enhancement factors pursuant to policies adopted by the Secretary of Corrections. Inmates returned to prison as violators who have **Lifetime Post Release** shall be scored as an indeterminate **LIFE** sentence unless otherwise noted in this manual. Condition Violators shall be scored as a reclassification.

## **Coding Instructions**

- Classifying within the criteria:

The custody criteria are designed to provide for stratification of the inmate population into manageable groups, based on the actual risk presented by each group. In the development of the criteria schema, two factors must be considered. The first is making the determination as to the criteria that are relative in the assessment of the risk that one presents to the system. The second is making the determination as to the weight of each of those factors. In some instances it was the interaction among and/or culmination of factors that results in the determination of the inmate's level of risk. For these criteria, points are assessed. In other instances criteria considerations do not fit well within the point-based scheme. To assure that these criteria are not overlooked, while simultaneously ensuring that they do not lead to unnecessary over classifications and/or subjective classification, these criteria are established as non point-based items and are applied only in the range of circumstances in which they actually become a risk factor.

- Classifying outside the criteria (classification exceptions)

As with any systemized decisions, there are three possible outcomes: (1) agree with the decision indicated by the system; (2) desire a lesser degree of control than

indicated by the system; and (3) desire a higher degree of control than indicated by the system. In the first situation, no special action is required; the custody will be determined at Item 12.

- If the custody classification indicated by the assessment instrument accurately reflects the level of risk that presented by the offender, the staff person completes the classification and assigns the individual to the custody level indicated in Item 12.
- If the inmate does not appear to need the level of management indicated by the assessment instrument, the staff person completing the classification has the opportunity to objectively document the justification for a reduction in custody indicated by the criteria. All exceptions for a reduction in custody shall be forwarded to the Deputy Secretary of Facilities Management or designee for review and approval, on form Classification by Exception (Attachment B).
- If the inmate appears to need a greater level of management than indicated by the assessment instrument, the staff person completing the classification has the opportunity to objectively document the justification for a higher custody than indicated by the criteria. All exceptions for an increase in custody shall be forwarded to the Deputy Secretary of Facilities Management or designee for review and approval, on form Classification by Exception (Attachment B). The facility may temporarily classify the inmate at the more restrictive security level pending approval from the Deputy Secretary.
- Types of Classification Exceptions:

- Re entry Custody Review and Recommendation:

A classification exception for all inmates whose custody classification is greater than minimum custody shall be submitted at the inmate's regularly scheduled review which occurs from fifteen months to twelve months prior to the inmate's scheduled release. The custody review shall either indicate support for or opposition to a less-restrictive classification based upon the inmate's institutional record, LSI-R score, applicable treatment summaries, etc. using the Classification by Exception form (Attachment B). The comments shall include an assessment of the inmate's risk to public safety and institutional order and shall include the mitigating or aggravating factors considered. If point-based Items 4: Escape, 5: Escape Characteristics or special management items are scored, an exception need not be submitted. A chrono entry in TOADS shall be entered to indicate that this custody review has been completed and the outcome. If the risk level changes prior to release a subsequent custody review may be completed.

Item 5.a.on the Classification Exception form shall be coded as follows: [X]  
Reentry – offender is within one years of release.

- Prisoner Review Board (PRB) Recommendation:  
Upon receipt of a decision issued by PRB with the recommendation that an inmate be placed in a program not available at the inmate's current custody level, the inmate's counselor shall prepare a classification review indicating support for or opposition to a less-restrictive classification based upon the inmate's institutional record, LSI-R score, applicable treatment summaries, etc. using the Classification by Exception form (Attachment B). The comments shall include an assessment of the inmate's risk to public safety and/or institutional order.

Item 5.b. on the Classification Exception form shall be coded as follows: [X] KPB Recommendation. Provide the decision date in the space provided.

- Request that Active validated members of unsanctioned prison groups be assigned to maximum custody using the Classification by Exception form (Attachment B).

Item 5.c. on the Classification Exception form shall be coded as follows: [X] Active validated gang member.

- General Security/Case Management Recommendation:

All requests for exceptions to the custody classification indicated on the inmate's initial assessment or reassessment not included above.

Item 5.d. on the Classification Exception form shall be coded as follows: [X] General Security/Case Management. Indicate whether the recommendation is for a more restrictive or less restrictive classification by placing an X in the appropriate [ ].

- The need for documentation

A major premise upon which this classification scheme rests is that the application of each criterion be supported by appropriate documentation. This means that appropriately documented information of officials in the criminal justice system may be used. This also means that judgments by KDOC personnel about the behavior of the inmate must be based on professional diagnosis or staff observations, which are appropriately documented. This requirement of documentation is essential to support and confirm the application of the classification criteria.

- Revision date

Some items of the classification criteria are time limited. That is, they have dates after which the item, as coded, becomes invalid and needs revision. Such revision,

however, may or may not result in an actual custody change. The significance of revision dates is explained in the discussion of non-routine reclassification below.

- Inmates with five (5) years four (4) months or more to serve at the time that the custody assessment is completed will be on an annual classification cycle.
- Inmates with less than five (5) years four (4) months to serve at the time that the custody assessment is completed will be on a 120 day classification cycle.

- Types of Classification

- Initial classification

Initial classification criteria shall be applied by a classification committee. For those inmates referred to the Reception and Diagnostic Unit for evaluation, initial classification will take place upon completion of the evaluation, prior to transfer to another institution. An Initial Classification Record shall be created for each inmate whose admission type is coded as a New Court Commit (NCC), Probation Violator - New Sentence (PB-NS) or Probation Violator – No New Sentence (PB-NNS), Probation Violator – New Conviction (PB-NC), for an in-abstentia inmate or corrections compact inmate that does not have a current custody classification, or for an inmate who receives a new sentence after the completion of their initial custody. An initial classification shall also be created on inmates released to a detainer as a result of action by the Prisoner Review Board, as a result of having reached their guidelines release date, conditional release date or maximum sentence expiration date returned with a new sentence or released to court and returned with a new sentence. Except as provided below, all active convictions shall be considered in the scoring of the most serious active offense (Item 1) and not as a prior conviction (Item 3). Inmates admitted as a **Prison Sanction** from probation or community corrections shall be scored as an initial each time they are admitted on a prison sanction in lieu of revocation.

- Except as provided in the scoring instructions for Item 1, do not count convictions for active sentences in which the prison portion has been satisfied in Item 1.
- With limited exceptions, LIFE sentences, Lifetime Post Release, or sentences with a maximum term of LIFE remain active upon the offender being paroled or released. They may, therefore, be scored in as the Most Serious Active Offense (Item 1) and as Severity of Prior Conviction (Item 3).

Any unscheduled classification occurring subsequent to the initial classification but prior to the first regularly scheduled reclassification shall be scored using the criteria for an initial classification. It is essential that the “next custody due” date

be computed correctly; the edit for this item uses the review date and not the review code for assessing points on items 1 and 3.

The Initial Classification shall be completed using the Assessment Instrument (Attachment A).

- **Reclassification**

Any regularly scheduled classification action that takes place after the initial classification (including condition violator admission) is regarded as reclassification. There are two types of reclassification: (a) regular or routine and (b) unscheduled.

- a. **Regular:** Except for inmates classified as minimum custody, regular reclassifications shall take place on each inmate at the regularly scheduled (120 day or annual) review using the Custody Classification – Assessment Instrument (Attachment A).

- b. **Unscheduled:** Unscheduled reclassifications shall take place:

- When a revision date changes or expires
      - When a change of points occurs
      - When a non-point based item becomes applicable
      - Upon newly identified risk factors

- **Changes in Special Management Status:**

Inmates in need of specialized supervision may be assigned to special management for one or more reasons. The reason(s) that an inmate is assigned to special management may change while in that status. Rather than recreate an entire classification record for an inmate whose status within special management changes, the counselor may create a “Change in Special Management Status” record. When such an option is selected, only the reason(s) for the special management assignment can be modified.

- **Custody revisions for inmates classified minimum custody:**

**Effective March 19, 2007 for minimum custody inmates:**

Once an initial custody has been completed, all subsequent custodies for minimum custody inmates shall be event driven. An event shall be defined as any activity or action which results in a change in the point total or change in the revision date of a point-based item or an activity or action which results in a revision to a non-point-based item regardless of whether or not the event results in an increase in the inmate’s custody.

If for example, the inmate receives a disciplinary conviction that changes the scored category or extends the revision expiration date in Item 6: Institutional

Adjustment, then a new custody record must be created. If for example, a detainee is lodged or withdrawn, Item 10 must be revised even if it does not result in a change in the inmate's custody.

All custody records for minimum custody inmates created subsequent to the Initial Custody shall be scored as an Unscheduled Custody. The computer will score unscheduled custodies created within 120 days of the Initial Custody (within one year if the inmate is on an annual cycle) as an Initial. It will score all other unscheduled custodies for minimum custody inmates as reclassifications.

Consistent with current practice, an exception to a more restrictive custody shall be requested on an as needed basis.

## **SECTION II:**

## **Specific Coding and Scoring Instructions For each Custody Item**

### **Identifying Information:**

Provide the following information in the spaces provided:

### **Initial and Reclassification:**

- **KDOC #:** Enter the inmate's KDOC number including preceding zeros
  
- **Inmate Name:** Enter the first three letters of the inmate's last name.
  
- **Type of Assessment:**
  - Initial
  - Reassessment
  - Unscheduled
  - Special Management Status

**Item 1: Most Serious Current Offense (INITIAL AND RECLASSIFICATION)**

**Initial:**

9 = Greatest  
8 = High  
2 = Moderate  
1 = Low

**Reclassification**

6 = Greatest  
5 = High  
2 = Moderate  
1 = Low

**Intent of the Item**

Due to the potential ramifications of an incident involving inmates with more serious convictions, the behavior involved in the offense must be considered as an important factor in determining the level of supervision required. Such consideration is especially important in cases involving death, personal injury, and threat of harm to the victim.

The statutory violation for which the inmate was tried and convicted sometimes does not reflect what took place in the offense. Because of this, the rater must look for behaviors of the offense that might require more intensive supervision. If there are behaviors outside of the crime of conviction that warrant a higher level of supervision, an exception must be submitted.

**Scoring Instructions**

The offenses are categorized in order of severity. Except as indicated below, the section of the most serious active offense (Attachment C) is to be coded regardless of when the offense occurred.

This section should be scored Greatest, High, Moderate, or Low.

Aiding and Abetting, Attempts or Solicitation, and Conspiracy, shall be scored the same as the actual offense for the purpose of coding this item.

Inmates returned to prison as post release supervision (PRS) condition violators (determinate sentences) with no new sentence, who are not serving a LIFE or Lifetime Post Release sentence shall have this item scored as "Low".

Inmates returned to prison as post release supervision (PRS) violators with a new sentence, who are not serving a LIFE or a Lifetime Post release sentence, shall have the new sentence on which the inmate is returned to prison coded on this item in accordance with Attachment C. The sentence for which the inmate was serving on post release becomes history and should be scored if applicable in Item 3. Note: If the inmate received probation on the new offense, they shall be scored as a condition violator. The new conviction shall be noted in the comments section of the custody. If staff feel that new conviction warrants an increase in the level of risk, an exception shall be requested.

Inmates returned to prison as parole (indeterminate sentence or lifetime post release) condition violators shall have the most serious active conviction coded in this section in accordance with Attachment C.

Inmates serving indeterminate sentences who return to prison with a new indeterminate or determinate sentence shall have the most serious active conviction scored in this section. If the most serious active conviction is associated with the indeterminate sentence, upon parole to the determinate sentence the indeterminate sentence shall be treated as history only except as provided below.

Inmates paroled from a LIFE sentence or a sentence with a maximum term of LIFE to a determinate sentence shall continue to have the LIFE sentence scored under Item 1 as long as the sentence is active.

If a sentence for a new conviction is received due to court action occurring while the inmate is in KDOC custody, a new custody record shall be created. The new record shall be scored as an "Initial".

## Item 2: Time Remaining to Serve

- 3 = Life or 29.5+ years (greater than or equal to 354 months)
- 2 = 15 – 29.49 years (greater than or equal to 180 months but less than 354 months)
- 1 = 5 – 14.99 years (greater than or equal to 60 months but less than 180 months)
- 0 = Less than 5 years (less than 60 months)

## Intent of the Item

There is an important relationship between an inmate's potential for adverse behavior and the amount of time remaining to be served. The basis for this is twofold: (1) the more time an inmate has invested in their sentence, the less likely the inmate is to risk jeopardizing their record and (2) the more time the inmate has served, the more likely the factors within the institution have affected change in the inmate.

An inmate's projected release date is either: (1) the parole eligibility date; (2) the conditional release date; (3) the projected guidelines release date; (4) the maximum sentence expiration date; (5) or the sentence discharge date.

## Scoring Instructions:

1. Considering projected release, conditional release, maximum sentence expiration, guidelines release, guidelines discharge date, determine the inmate's projected release date. A LIFE sentence or a sentence with a maximum term of LIFE shall always be scored as LIFE remaining to serve without regard to any scheduled hearing before the Prisoner Review Board. **Lifetime Post Release** shall be scored as LIFE when the inmate has returned as a condition violator and nonpoint based item # 10.14 (20 years or more remaining to serve) shall apply until a PRB decision has been published. Once a decision of PRB has been published item #2 shall still be scored as LIFE until a decision to parole has been granted by PRB, items 10.13 and 10.14 may still apply based on scoring instruction for those items.
2. Calculate the time between the current date of action and the projected release date.
  - a. Initial Assessment -Use the most recent admission date as the current date of action
  - b. Reassessment - Use date of classification as current date
3. A Indicators

If the inmate is serving an aggregate consecutive indeterminate-determinate sentence (A Guidelines Indicator) the time remaining to serve shall be determined by adding the time remaining until the projected release date on the indeterminate sentence to the time owed on the determinate sentence less the maximum potential good time credits (15% or 20%). Except for inmates serving an indeterminate sentence of LIFE, LIFETIME post release, or having a maximum term of LIFE the indeterminate

sentence shall become inactive upon release and should be reviewed for consideration under item #3.

4. For inmates serving aggregate concurrent indeterminate-determinate sentences (C Guidelines Indicators) the projected release date shall be computed on whichever sentence results in the inmate's latest release date from prison.

**Revision Date:**

If the inmate is 5 or more years from projected release, a revision date must be entered in the space provided in the scoring guide.

An inmate serving a sentence of LIFE or a sentence with a maximum term of LIFE shall be scored under category 1 (3 points) until such time a decision of parole or parole to determinate sentence is issued by the Prisoner Review Board. The revision date shall be 12-31-9999.

### **Item 3: Severity of Prior Convictions (INITIAL AND RECLASSIFICATION)**

#### **Initial:**

4 = Greatest  
3 = High  
2 = Moderate  
1 = Low  
0 = None

#### **Reclassification:**

3 = Greatest  
2 = High  
1 = Moderate  
0 = Low/None

#### **Intent of Item:**

The intent of this item is to ensure that the offender's prior criminal behaviors, as well as any current behaviors, are considered in assessing the overall risk presented by the individual. The inmate's prior criminal history shall be based on official criminal history data. For the purpose of this item, include prior adult felony convictions or juvenile felony dispositions using the "Offense Severity Categories" (Attachment C) which have been verified to have occurred during the past fifteen (15) years from the date of admission or for which were still being supervised. Do not consider prior charges which have been dismissed or which a disposition cannot be verified. Felony convictions from jurisdictions other than Kansas shall be scored using the Kansas offense which most resembles the conviction from the other jurisdiction.

Aiding and abetting, attempts or solicitations and conspiracy offenses shall be scored the same as the actual offense.

#### **Scoring Instructions:**

In considering prior convictions the fifteen year limit shall be computed from the date of conviction on the prior offense to the date of admission to the KDOC.

This item has no expiration date. If applicable at the time the initial custody classification record is completed, it shall be scored throughout inmate's incarceration, including any readmission as a condition violator or return from court. **(Do not use "admissions" as CVs or returns from court to adjust the 15 year time frame on this item).**

Inmates sentenced to a determinate sentence due to a conviction for an offense committed while on release on an indeterminate sentence shall be scored on the most serious conviction (whether it is part of the indeterminate or determinate sentence) under Item 1. Once the inmate is paroled from the indeterminate sentence to the determinate sentence and the indeterminate sentence is no longer scored as active in determining the offender's custody classification, the indeterminate sentence shall still be coded as history even if the conviction occurred fifteen (15) years or more in the past.

If an inmate is admitted as a probation violator with a new sentence, the most serious presenting offense (whether be the original offense for which the offender was sentenced to probation or the offense resulting in the violation of the probation) shall be scored in Item 1.

It is possible for a conviction on an indeterminate sentence to be scored both in Item 1 and Item 3 if it is part of an active aggregate sentence.

Except as provided below, convictions for which the inmate receives a determinate sentence cannot be scored as Current (Item 1) and as History (Item 3).

If the inmate is convicted of a new offense committed while in prison, the most serious active offense is scored in Item 1: Most Serious Current Conviction. The original offense (the one on which the inmate was admitted) is scored as Item 3: Most Serious Prior Conviction. If the original offense was also the most serious, it shall also be scored under Item 1.

Expunged convictions are counted as criminal history.

#### **Item 4: Escape History**

##### **Categories:**

- 6 = Secure less than 10 years
- 4 = Non-secure less than 3 years
- 2 = Multiple escapes less than 10
- 0 = None

##### **Intent of the Item:**

Previous escapes or attempted escapes may predict a tendency to repeat the behavior.

Convictions for an attempted escape or for aiding and abetting an escape/attempted escape shall be treated the same as an escape.

The date from which the escape time period takes effect is the date of the most recent conviction either in court or through the disciplinary process. This item only applies to escapes from confinement, while in escort or while in court. It does not include convictions for failure to appear. If the inmate was under police escort or under police escort and out to court, it shall be considered a secure escape. If the inmate is out on bond and walks or flees from the court, it is considered non-secure.

If there is no conviction for a particular escape or an aggravated juvenile delinquency involving escape behaviors, either in court, by the disciplinary process, or by revocation of probation for absconding from a community corrections facility (Johnson or Sedgwick County), then the item **SHALL NOT** apply. If however, revocation from a community corrections facility was the direct result of absconding, score the behavior as an escape from a non-secure facility.

If other escape type behaviors of concern are documented for which there is no conviction, an exception shall be considered. Escape-type behaviors involving an arrest for which there was no conviction (plea bargains) shall be noted in the comment section of the assessment instrument even if an exception is not submitted.

##### **Scoring Instructions**

Identify the escape in view of the type of facility at which the escape occurred and the date of conviction. Both **felony and misdemeanor** convictions resulting from an unauthorized absence from an adult or juvenile facility, jail, holding/detention facility, community corrections facility, conservation camp, or work release, shall be considered an escape and scored in item #4. For the purpose of scoring **multiple escapes** the highest scoring event shall be scored until such time as it no longer applies. Subsequent custodies shall be scored using the multiple escape coding and shall expire 10 years from the date of the most recent escape. If the multiple escapes include escape from a secure facility 6 points shall be scored until they expire 10 years from the most recent secure facility escape. Likewise, if the 10

points are not applicable but the inmate has an escape from a non-secure facility as one of the multiple escapes 4 points shall be scored until they expire 3 years from the non-secure escape.

Escapes represent a particular behavior that must be tracked closely. Escapes shall be scored in this item as applicable, even if not scored in Items 1 and 3. For example: An inmate is on probation sentenced to a community residential facility and then escapes. He is granted probation of the escape, but the original probation is revoked. Per instructions in the escape would not be scored in Items 1 and 3. However, the escape behavior would be scored under this item, irrespective of when it occurred in relationship to the probation violation.

**Types of Facilities:**

**Secure facility or escort escapes** [Escape from minimum, medium, or maximum custody, or escape from a non-secure facility with violence, force, and/or threats of violence.]

**Non-secure facility escapes** [Escape from outside work detail, work release or community corrections residential facility.]

**Revision Date:**

Indicate the revision date in the space provided.

### **Item 5: Escape Characteristics**

4 = Special Characteristic

0 = None

### **Intent of the Item**

An escape or escape attempt is magnified when the action involved violence, taking of hostages, weapons, outside assistance, or an escape plan. (May include paraphernalia such as rope, handcuffs, blue prints, etc.) The commission of a felony while on escape intensifies the risk to the public. The intent of this item is to identify those characteristics when they are a documented part of an inmate's previous escape record.

While it is recognized that the use of a sophisticated escape plan in prior escapes or attempted escapes indicates a need for the application of enhanced security measures, it is also recognized that any escape or attempted escape would require at least momentary premeditation. This item is intended, therefore, to identify those escape characteristics, which indicate a level of planning, and sophistication, which is clearly above that which would be minimally required to take advantage of an opportune moment. This item shall not be coded unless there is clear documentation of such circumstances. Examples of an escape plan might include, but are not limited to, letters to family indicating a plan to escape, investigation reports indicating other inmates created a diversion to distract attention from the attempt, maps of escape routes, or manufacturing of tools which were needed to facilitate the escape plan.

### **Scoring Instructions**

Documented information in files or official reports may be sources of information on the escape characteristics. Such information may reference one or more of the following escape characteristics. If no characteristics apply, but the intent of this item does appear to be applicable due to other involved behaviors, it shall be clearly documented.

Item 4: Escape/attempted escape must be scored for this item to apply.

1. Taking of hostage(s)
2. Violence and/or inflicting harm
3. Weapon(s)
4. Commission of a felony while at large
5. Outside assistance
6. Escape plan (premeditated)
7. Other

## **ITEM 6: Institutional Adjustment**

1. 17 = 2 or more R1 w/in 1yr
2. 11 = 1 R1 w/in 1yr
3. 6 = 1 or more R1 w/in 3 yr
4. 3 = 1 or more R2 w/in 1yr
5. 3 = 8 or more R3 and/or R4 w/in 8 months
6. 2 = 1 or more R3 w/in 6 mo
7. 1 = 2 or more R4 w/in 6 mos
8. 0 = None

### **Intent of the Item**

Demonstrated poor adjustment in correctional and detention facilities provides information relevant to the determination of the nature of supervision that is required for the inmate.

At the time of Initial Classification, the inmate has not been in KDOC facilities for a sufficient length of time to adequately observe if the inmate has behavioral problems and attitudes, which detract from his/her ability to adjust to the new and varied conditions of prison life. Documented negative behaviors during jail detention, etc., provide indicators of poor adjustment to conditions of confinement similar to prison.

### **Scoring Instructions**

Refer to the Categories for Rule Infraction form (Attachment D) for a listing of rule infractions by level of seriousness.

**Prior Incarceration:** Information about past behavior in prison is deemed appropriate if the behavior occurred during the last year of the inmate's most recent period of confinement, providing that such period occurred within the last ten years. For purposes of scoring only Rule 1 Disciplinary Violations shall apply. The revision date shall be the date of the next regularly scheduled review. (NOTE: If there is only one R1 conviction during the last twelve months of a prior conviction, score category 2. If there are two or more R1 convictions, score as category 1).

**Local detention:** If the behavior occurred while held in local detention prior to transfer to the KDOC it shall also be scored on the initial custody if there is documentation that includes the circumstances of the violation and that behavior would have violated an R1 or R2 rule infraction if committed in a KDOC facility.

The categories within the consideration of Institutional Adjustment have been arranged in a hierarchy of seriousness, from most serious to least serious. Only one category can be coded to reflect a history of poor adjustment. In the instance that several categories are appropriate, the most serious category shall be the one selected to score.

For purposes of determining the inmate's custody, summary judgments pursuant to KAR 44-13-201b shall be scored the same as a disciplinary conviction. The purpose of the summary

judgment process is to expedite the disciplinary process. The violation must still be considered when assessing the inmate's overall level of risk.

**Revision Date:** Indicate revision date in the space provided. (month and year only)Revision date is determined by using the offense date of the disciplinary infraction

**Item 7: Current Age**

3 = less than 25

2 = 25 - 30

1 = 31 - 40

0 = 41 or greater

**Intent of the Item:**

Age has been shown to be statistically correlated with institutional adjustment.

**Scoring Instructions:**

This item will be computer generated by subtracting the offender's date of birth from the date of the classification action.

**Revision Date:**

This date will be computer generated based on the month and year of the inmate's next birth date that will change the points applied.

**Item 8: Incentive level (RECLASSIFICATION ONLY)**

1. 0 = Level = D, R, 0, 1, 2, or 3 for less than one full year
2. -1 = Level = 3 for one year or longer

**Intent of the Item**

An inmate's positive behavior and program participation is a predictor of future institutional adjustment.

**Scoring Instructions**

This item will be computer generated.

For inmates whose Incentive Level is Exempt (E), the incentive level to which the inmate was assigned immediately prior to placement on exempt status shall be scored.

In order for a reduction in points to occur (category 2), the inmate cannot have served any portion of the previous year on restriction status.

**Revision Date:**

Although this item may change during the review period, it shall only be revised as necessary at the time of a regular or unscheduled review. There is therefore no revision date.

**Item 9: Scoring point-based Items (1-8)**

This item is computer generated.

6.	Maximum	17+
7.	Medium High	12 - 16
8.	Medium Low	11 - 8
9.	Minimum	7 - 0

**Item 10: Non-point based items:**

**Mark all that apply, the highest custody will control:**

- 10.1 Inmate refuses RDU Evaluation or has multiple (more than one) convictions for murder and has more than 50 years remaining to serve - Requires no less than maximum custody: \_\_\_\_\_
- 10.2 Inmate needs to be managed at LCMHF-CU, Isaac Ray Unit (LSSH) LCF-TRU or TCF-MH – Requires no less than maximum custody: \_\_\_\_\_
- 10.3 Pending disciplinary report that will change custody to maximum - Requires no less than maximum custody: \_\_\_\_\_
- 10.4 Inmate is a validated member of a security threat group (STG) and Item 6 Categories 1, 2, 3 or 4 are scored – Requires no less than maximum custody: \_\_\_\_\_
- 10.5 High risk to be civilly committed as a violent sexual predator– Requires no less than medium low custody: \_\_\_\_\_
- 10.6 Pending felony charges – Requires no less than medium low custody: \_\_\_\_\_
- 10.7 Judgment for felony offense that will result in additional time of more than one additional year to serve – Requires no less than medium low custody: \_\_\_\_\_
- 10.8 Inmate refused or was volitionally terminated from a facility based sex offender’s treatment – requires no less than medium low custody: \_\_\_\_\_
- 10.9 An Immigration and Customs Enforcement (ICE) Detainer has been filed against the inmate or the inmate was foreign-born and their immigration status in unknown- requires no less than medium low custody: \_\_\_\_\_
- 10.10 Probation or parole violation likely to result in additional time of more than one year - requires no less than medium low custody: \_\_\_\_\_
- 10.11 Multiple misdemeanor convictions or pending charges likely to result in additional time of more than three years - requires no less than medium low custody: \_\_\_\_\_
- 10.12 Pending disciplinary report that will change custody to medium - requires no less than medium low custody: \_\_\_\_\_

- 10.13 The inmate has ten or more years to serve to projected release – Requires no less than medium-low custody. \_\_\_\_\_
- 10.14 The inmate has twenty or more years to serve to projected release – Requires no less than medium-high custody: \_\_\_\_\_
- 10.20 The inmate has a misdemeanor conviction(s) or pending charge(s) likely to result in additional time of less than three years – does not impact custody: \_\_\_\_\_
- 10.21 The inmate has a professional diagnosis of “pedophilia” – does not impact custody. \_\_\_\_\_
- 10.22 Notification Detainer only – does not impact custody: \_\_\_\_\_
- 10.23 The inmate has a felony detainer that is likely to result in additional time to serve of one year or less – does not impact custody. \_\_\_\_\_
- 10.30 None: \_\_\_\_\_

**Intent of Items:**

Inmate characteristics that may either expand or limit the level of risk that the department is willing to accept in considering the appropriate level of housing. Application of a non-point based item does not prohibit a request for an exception

**Scoring Instructions:**

Mark every non-point based category that applies to the inmate. The highest custody will control. If none of the categories are applicable, score 10.30.

The following criteria shall be used in coding Item 10.5:

- The inmate scores high (6-11) on the Static 99.
- The inmate is managed as a sex offender and scores high (41+) on the LSIR
- The inmate is high risk to be civilly committed as a violent sexual predator per Multidisciplinary Team (MDT).
- The inmate has a conviction for a sex offense or a sexually motivated offense that was committed after the completion of a sex offender treatment program.

Once the decision not to pursue civil commitment has been made, the inmate shall no longer be considered high risk based upon these criteria.

The following criteria shall be used in coding 10.13 and 10.14:

- LIFE sentence or lifetime post release returned to prison as a violator shall be scored 10.14 until a decision of the PRB has been published, at that time the PE date shall be used to determine if 10.13 or 10.14 are applicable.

- For inmates serving the prison portion of their determinate sentence the projected guidelines release date shall be used to determine if 10.13 or 10.14 are applicable
- For inmates serving an indeterminate sentence use the earliest of the following dates PE , CR, or SDD to determine if 10.13 or 10.14 are applicable

**Item 11: Special Management Needs:**

The inmate needs to be segregated:

1. \_\_\_ No
2. \_\_\_ Yes

If yes, select Disciplinary Segregation, Administrative Segregation or both.

\_\_\_ Disciplinary Segregation (DS)

\_\_\_ Administrative Segregation (IMPP 20-104)

If Administrative Segregation is applicable, select as many of the following categories as apply:

1. \_\_\_ Protective Custody (PC)
2. \_\_\_ Pending results of investigation (PI)
3. \_\_\_ To prevent (OS):
  - a. Communication and collaboration between inmates
  - b. The possible intimidation of witnesses or accusers
  - c. Further disruption
4. \_\_\_ Pre-hearing detention (PD)
5. \_\_\_ Communicable Disease (CD)
6. \_\_\_ Critical Monitoring (OT)
7. \_\_\_ Inflicts Self-injury (SM)
8. \_\_\_ History of self-mutilation or self-injury (SM)
9. \_\_\_ Mental or emotional problems which cause a threat to self or others (MP)
10. \_\_\_ Violent Behavior (VB)
11. \_\_\_ Extreme Risk of Escape (ER)
12. \_\_\_ Consistent Bad Behavior (BB)
13. \_\_\_ Other Security Risk (OS)
14. \_\_\_ Holdovers (HO)
15. \_\_\_ Refusal to participate in identification procedure (OS)
16. \_\_\_ Sentence to Death for a Capital Offense (CP)

**Intent of the Item**

This item is designed to identify those inmates who must be isolated from other inmates as a result of their special assignment.

**Scoring Instructions**

Identify the appropriate category(s) which reflects the inmate's current segregation need. It may be possible for the inmate to be assigned to two or more categories at one time.

If the inmate changes status within administrative segregation or changes status from disciplinary segregation to administrative segregation, and there are no other changes to any of the inmate's remaining custody items, the segregation status may be revised without creating a new custody record. To do so, place an 'X' in the space immediately preceding "Special Management Status" under Type of Assessment.

**Note: All inmates sentenced to Death under KSA 21-3439 shall be classified special management unless approved for a less restrictive custody by the Secretary of Corrections or designee.**

### **Coding Instructions**

If the inmate is assigned to disciplinary segregation, a revision date must be entered. This date would be the date that the disciplinary segregation ends.

If the only change in status is within Special Management as identified above, a new custody record need not be created. Place an "X" in the space following "S" (Special Management) on the data entry screen to access the menu for assigning inmates within Special Management status.

If a Special Management record is "open", the scorer needs to mark "yes" on segregation. Once the date is closed, the program will return the scorer to the segregation question, which may then be marked "no".

**Item 12: Custody:**

This item is computer generated based on the highest custody indicated by items 9, 10, or 11.

5.	Special Management	Item 12
6.	Maximum	17+
7.	Medium High	12 - 16
8.	Medium Low	11 - 8
9.	Minimum	7 - 0

**Item 13: Condition Violators and Prison Sanctions from Probation:**

Condition Violator Rule Applies?

1. \_\_\_ yes
2. \_\_\_ no

For the Condition Violator Rule to apply (condition violator/prison sanction assigned to minimum custody) questions 1, 2, 3 as listed below must be answered “yes” and questions 4, 5, 6 as listed below must be answered “no”.

The computer will generate the response (“Yes” or “No”) to the following questions:

1. \_\_\_ Is the inmate’s most recent admission to prison for a post release supervision (PRS) violator NNS (condition violator) or Prison Sanction?
2. \_\_\_ Was the inmate’s custody at the time the most recent prior release medium or minimum custody?
3. \_\_\_ Is the inmate is within 90 days of their scheduled (projected) release.
4. \_\_\_ Is the inmate’s current custody greater than medium custody based upon the application of the point-based classification items (Items 1-8)?
5. \_\_\_ Are any of the non-point-based categories 10.0 through 10.12 or is special management applicable?
6. \_\_\_ Is the inmate medium custody due to the application of Item 4: Escape or Item 6: Institutional Adjustment?

**Intent of the Item:**

KSA 75-5210(b) provides for the presumption of minimum custody for post release supervision violators who meet criteria set forth by the Secretary of Corrections. Such status shall apply only to the first classification conducted upon the inmate’s return to prison as a PRS NNS. All custody classifications for sanction inmates shall consider these items.

This item applies only to inmates returned to prison from post release supervision with no new sentence and inmates sentenced to a prison sanction from probation. This item does not apply to inmates serving indeterminate, lifetime post release or off-grid sentences. A check for warrants and warrants shall be conducted prior to placement in a minimum security living area. All other custody items shall be coded to ensure that the inmate’s custody at the time of his or her prior release correctly reflected the inmate’s level.

It is the responsibility of the staff member completing the custody record to review the “Transportation Memo” and “Statement of Charges” prepared by Field Services staff to ensure that all risk behaviors are considered prior to assigning the inmate to minimum custody.

**Item 14: Classification Exception Requested:**

Is an exception being requested?

- 1. \_\_\_\_ no
- 2. \_\_\_\_ yes
- 3. \_\_\_\_ grandfather

Requested Custody \_\_\_\_\_

Type of Exception Request:

- a. \_\_\_\_ Re-entry
- b. \_\_\_\_ PRB recommendation
- c. \_\_\_\_ Active member of Security Threat Group
- d. \_\_\_\_ General Security/Case Management

**Intent of Item**

This item identifies any exceptions sufficiently serious to warrant modification of the custody level. This item also enables the facility to recommend an exception to the inmate’s custody classification to the Deputy Secretary.

**Coding Instructions**

If no exception is recommended "no" must be entered on the Custody Classification Record. If an exception is recommended a “yes” must be entered.

If yes is coded the “Classification Exception Form” (Attachment B) must be completed. The inmate’s current location, name, KDOC #, and custody by classification by criteria will be generated by the computer.

The user must enter the custody that is being proposed on the exception and the type of exception.

The section titled “Reason for Recommendation” is a comment section to include any information concerning aggravating or mitigating circumstances that support the proposed custody classification as well as an assessment of the inmate’s risk to public safety and institutional order.

Classification by Exception Form (Attachment B), the coding sheet and all necessary supporting documentation not in OMIS must be sent to the Central Office for the review and approval of the Deputy Secretary or designee. Following the review and decision by the Deputy Secretary or designee, the item as coded by facility personnel will be modified by the Central Office to reflect the decision made. Approval by the Deputy Secretary will be carried forward and automatically reflected on subsequent classification records. If the

recommendation to assign a classification level lower than prescribed was approved, the case need not be reviewed by the Deputy Secretary at the time of subsequent reclassification, so long as there have been no changes to the classification record which result in a point total (Item 9) increase, or an increase do a non-point based criteria (Item 10) or Special Management (item 11) and so long as no further decrease in custody level is requested. If there is an increase in point total in any subsequent reclassification, then the inmate security level shall revert to that prescribed by the criteria until another exception is approved by the Deputy Secretary.

Except as provided below, if the recommendation is for an exception to assign an inmate to a higher level of custody, (Attachment B) must be resubmitted at each subsequent reclassification for review by the Deputy Secretary.

When the approved exception is for an elevation in custody of an active validated member, the revision date on the exception shall be set for two years (24 months). The revision date shall be entered in the space provided.

**Grandfather Clause:**

No longer Applicable

**Item 15: Facility Custody/ Next Custody Due:**

This item indicates the custody level to be assigned to the inmate:

5.	Special Management	Item 11
6.	Maximum	17+
7.	Medium High	12 - 16
8.	Medium Low	11 -8
9.	Minimum	7 - 0

If a recommendation for an exception is to a more restrictive custody level than prescribed by the criteria, the proposed new custody level shall be entered.

If a recommendation for an exception is to a less restrictive custody level than prescribed by the criteria, the custody level prescribed by the criteria shall be entered. Following action by the Deputy Secretary, the item will be modified by central office staff to indicate the custody level assigned. In essence, no reduction in custody classification assignment shall be effective until approved by the Deputy Secretary. An increase in custody level by exception shall be considered to be approved, unless an action to reverse the exception is taken by the Deputy Secretary.

The next custody due is the date of the next regularly scheduled review or the item revision date that would cause a change in the custody level. A revision date that will not change the custody level will not be used to determine when the next custody is due.