

	MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES	
	Subject INMATE CLASSIFICATION AND FILES	Policy Number DF-1 Effective Date 06-23-23
Related Information DI-1, <i>Inmate Housing Categories</i> DI-6, <i>Limited English Proficiency (LEP) Inmates</i> GD-9, <i>Litigation Initiation, Document Preservation, and Document Production Notices</i> GI-5, <i>Voiance Language Services</i>	Supersedes DF-1 (08-02-22)	

PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures for maintaining a uniform process for classifying inmates based upon assessed risk and need; and for processing, safeguarding, and storing information obtained and documented during an inmate's initial Classification assessment; permitting detention personnel to make informed decisions and utilize available resources to house, supervise, deliver, or facilitate care to those incarcerated in the Maricopa County Jail System.

POLICY

It is the policy of the Office to ensure jail management decisions pertaining to inmate security, supervision, housing assignment, and program participation are supported by the use of an objective assessment process designed to collect, record, and evaluate data relative to an inmate's risk and need.

DEFINITIONS

Classification File: The file maintained by the Inmate Classification Division which contains information relating to an inmate's classification status. The file may be in digital and hard copy formats.

Commitment File: The file containing the inmate's judicial records pertaining only to charges, holds, or sentencing information.

Custody File: The file containing the inmate's judicial and custodial records. The Custody Files consist of two files, the Commitment and Jail Files.

Custody Security Level: The established level of supervision and control determined necessary to maintain public safety, institutional safety, and inmate welfare within the jail environment. This type of classification assists in directing facility placement, staff supervision, access to inmates, program participation, transport considerations, and guide the designation of appropriate housing categories.

Inmate: A person who has been accepted for confinement into an Office jail facility.

Jail File: The file containing the inmate's custodial records pertaining only to jail-related information, exclusive of any judicial records with the exception of any protective orders.

Point Additive Objective Classification System: A validated instrument which consists of information-gathering assessments that identify the level of risk and needs presented by an inmate so appropriate housing assignments can be made.

Pre-Trial Inmate: A person who is legally detained as an inmate but is still awaiting trial, being tried, or awaiting a verdict.

Sheriff's Inmate Electronic Database (SHIELD): An Office jail management system containing information about individuals who are, or have been, incarcerated or booked into an MCSO jail facility. Information is entered in this database when an individual is booked and updated throughout the term of incarceration. This includes, but is not limited to: inmate charges; holds; court dispositions; and bond and fine amounts; inmate listed booked in personal property; locker assignments; housing locations; restrictions; emergency medical information; scheduled inmate appointments; and the day-to-day operations of a jail facility and housing unit Shift Logs.

PROCEDURES

1. **Determination of Custody Level:** The Inmate Classification Division is responsible for determining an inmate's custody level by objectively evaluating available relevant information, such as the inmate's criminal history, institutional history, gang affiliation, physical or medical restrictions, and social background. Based on the Point Additive Objective Classification System used by the Office, all inmates are assigned a custody security level designation as follows:
 - A. Minimum: Inmates who score in the minimum range of security are presumed to be a low risk to others, as supported by non-violent felony convictions and histories, free of escape convictions, and any known gang involvement.
 - B. Medium: Inmates who score in the medium range of security are presumed to be a moderate risk to the safety of Office personnel, other inmates, or the orderly operation of a jail facility.
 - C. Maximum: Inmates who score in the highest level of security are presumed to be a higher risk of violence, escape, or require greater observation for various reasons, as supported by their current charge, criminal histories, or documented institutional misconduct.
2. **Inmate Processing:** Inmates will be processed for classification according to the following criteria:
 - A. Pre-trial and fully sentenced inmates shall be classified as soon as possible.
 - B. An inmate who states they are hearing-impaired, or who appears to be unable to effectively communicate as a result of a hearing-impairment, shall be provided with a nationally certified interpreter at the time they are classified. A current list of authorized vendors for this service shall be maintained by the Inmate Classification Division Commander.
 1. An inmate with Limited English Proficiency (LEP) shall be interviewed by a bilingual Office employee.
 2. If no bilingual Office employee is available to conduct the interview, the LEP inmate shall be provided a language line interpreter who speaks their preferred language during the interview process, as specified in Office Policies GI-5, *Voiance Language Services* and DI-6, *Limited English Proficiency (LEP) Inmates*.
3. **Initial Assessment:** The initial classification assessment consists of a search of the inmate's prior booking and criminal history records, and may include a formal interview. Unverifiable, undisputed information volunteered

by the inmate may be considered credible. Information which may be collected includes, but is not limited to, the following:

- A. Personal identification data;
 - B. The inmate's current charges;
 - C. Past criminal history;
 - D. Institutional behavior;
 - E. Special housing requirements;
 - F. Previous classification records; and
 - G. Any known physical or mental health condition which would have an impact on the assigned custody level or housing determination.
4. **Custody Level and Housing Assignment:** Upon completion of the initial assessment, the Inmate Classification Specialist will review the data and determine the inmate's most appropriate custody security level. Housing shall be determined, as specified in DI-1, *Inmate Housing Categories*.
 5. **Entering Data into the Sheriff's Information Electronic Database (SHIELD):** The Inmate Classification Specialist shall be responsible for entering the custody security level, housing category, facility assignment, and any appropriate Alerts into SHIELD.
 6. **Reclassification/File Review:** The reclassification process provides jail facility personnel with an updated evaluation of an inmate's current classification status. Inmate Classification Specialists may interview staff or inmates and review detention records as necessary, to determine whether an inmate is assigned to the most appropriate custody security level or housing category. Reclassification reviews shall be conducted as follows:
 - A. A pre-trial inmate in closed custody or administrative segregation shall have their status reviewed by an inmate Classification Specialist at least every seven days for the first two months. Thereafter, their status shall be reviewed at least every 30 days and that review shall be submitted to the Special Management Review Committee (SMRC) for continued/discontinued placement in specialized housing.
 - B. An inmate may have their classification reviewed at any time during the period of their incarceration when new or updated information warrants it. This classification review may, or may not, result in a change in the custody level or housing category. Such reviews may be initiated at the request of detention personnel; Correctional Health Services personnel; the inmate; a third party, such as an attorney, probation officer, or family member; or as a result of a change in the inmate's judicial status or institutional behavior.
 - C. An inmate may request their custody level be reviewed by submitting an *Inmate Request Form* in either hard copy or electronically to the Inmate Classification Division.
 - D. Every 120 days in Office custody, SHIELD will generate a notification on the Inmate Classification Dashboard alerting an inmate is due for their reclassification review.
 7. **Classification Override:** When documented information exists that the uniform procedures used to assign an inmate's custody level do not result in a determination consistent with the inmate's risk or need, the Inmate

Classification Specialist may initiate an override to a higher or lower security level. The Inmate Classification Supervisor shall approve or deny overrides that are outside of a three-point security level range. Factors to be considered include, but are not limited to, the following:

- A. Documented intelligence information from a credible source indicating an increased threat, such as information received from the Custody Bureau Intelligence Unit (CBIU);
 - B. Special physical or mental health requirements; and/or
 - C. Incomplete or contradictory information.
8. **Classification File Content:** Information contained in the Classification File is utilized to determine the classification of an inmate.
- A. The following information shall be included in an inmate’s Classification File:
 - 1. Current criminal charges and appropriate booking information;
 - 2. Initial classification review;
 - 3. Intelligence information from other law enforcement agencies;
 - 4. Reclassification and housing unit changes, in addition to classification assessment forms; and
 - 5. The Prison Rape Elimination Act (PREA) Screening Questionnaire.
 - B. Information that may be included in an inmate’s Classification File includes, but is not limited to:
 - 1. *Administrative Restrictive Housing Consent and Understanding* form.
 - 2. *Administrative Restrictive Housing Removal/Refusal* form.
 - 3. *Inmate Request Form* addressed to or regarding an issue handled by the Classification Division.
 - 4. Copies of *Disciplinary Action Report (DAR)* and *Incident Report (IR)*, including memorandums from detention personnel regarding an inmate’s institutional behavior.
9. **Access to Classification Files:** Files shall not be removed from the Inmate Classification Section unless authorized by the Classification Division Commander. Access to an inmate’s Classification File is limited to the following personnel:
- A. The Sheriff;
 - B. Detention command staff; and
 - C. Office personnel authorized by the Inmate Classification Division Commander.
10. **Storage and Retention of Classification Files:**
- A. Physical Files:

1. The Classification Section may maintain and store physical Classification Files for up to five months following an inmate's release from custody.
 2. The physical Classification File shall be forwarded to the records warehouse when maintenance and storage are no longer required, unless otherwise directed by the Inmate Classification Division Commander.
 3. Records warehouse personnel shall be responsible for ensuring that physical Classification Files are maintained and secured for a period of three years, as specified by Arizona State Library, Archives and Public Records retention schedules, and then the file shall be authorized for destruction.
- B. Electronic Files: Classification Files created after October 4, 2019, are stored electronically in SHIELD. These files are electronically stored for three years, as specified by the Arizona State Library, Archives and Public Records retention schedules.
- C. Electronic and physical files that have been identified as Preservation of Evidence shall be retained by the Inmate Classification Division until notification from the Legal Liaison Section (LLS) that the Document Preservation Notice has been released. The documents shall then revert to their previous retention schedule, as specified in Office Policy GD-9, *Litigation Initiation, Document Preservation, and Document Production Notices*.
11. **In-Custody and Imminent Deaths:** Classification Files for inmates who have been released due to death or imminent death shall be forwarded to the LLS of the Administrative Services Division. The LLS is responsible for combining the Commitment File with the Jail File to reestablish the Custody File. The LLS will retain the Classification File and the Custody File for a period of three years after the inmate's year of death, unless otherwise directed by the LLS Commander.
12. **Process Review:** The Inmate Classification Division Commander shall review the classification process at least annually and update it, as necessary.
- A. The objective classification assessment tool shall have a reliability test conducted on an annual basis; and
 - B. The objective classification assessment tool shall have a validity test conducted every five years.