PRISON CLASSIFICATION SYSTEMS:

A NATIONAL OVERVIEW

Testimony before the House Judiciary Sub-Committee on Crime and Corrections

State Correctional Institution at Camp Hill

Prepared by
James Austin, Ph.D.

The Institute on Crime, Justice, and Corrections
At The George Washington University
1819 H Street, NW Suite 700
Washington, D.C. 20006
202-496-6321
202-496-6342

I. Introduction

I first want to thank the Committee for this opportunity to appear before you today on this very important subject. Prison classification systems are experiencing intense scrutiny as the size and costs of correctional systems continue to escalate. These systems are expected to reduce institutional violence, escapes, increase inmate and staff productivity, minimize waste and inefficiency in prison operations and provide guidance on future operating and construction costs.

I have helped more than 20 states and several major jail systems (including Philadelphia) design and evaluate objective prison classification systems. I was involved in assisting the Department develop its Pennsylvania Additive Classification Tool or PACT. That system was developed to meet national standards on prison classification which I will review later in my testimony.

As suggested above, prison classification systems are essential to the successful operation of any correctional agency. From my perspective, a prison classification system is the "brain" of a correctional agency as it drives where inmates housed, what services they will receive, how many staff are needed to supervise them, and what types of beds (security) the correctional agency requires. A classification system coupled with a good population projection should also drive the agency's operational and capital budget requests. Finally, a well functioning classification system should also reduce the number of escapes, serious incidents within the prison system such as assaults, improve staff and inmate morale, and minimize the agency's exposure to litigation. In the time I have left, I want to give you an overview of prison classification and what it looks like today.

II. The History of Objective Prison Classification Systems

Objective prison classification systems are well established in virtually every state. These systems were first developed in the 1970s in response to a number of major law suits filed on behalf of inmates claiming that the lack of an objective classification system was contributing to conditions of confinement that was in violation of the inmate's constitutional rights. Specifically, the courts held that state correctional officials had an obligation to ensure that

inmates were being classified according to risk and that the classification criteria were both *reliable* and *valid*.

Reliability has to do with consistency in decision-making. The courts were especially concerned that most states were using so called "subjective" classification systems, and the decision-making process was arbitrary and capricious. This means that inmates must be classified using objective and factual criteria to ensure that inmates will be housed in a consistent manner.

Validity has to with the ability of the classification system to actually sort inmates according to risk. A classification system may be reliable but may not pass the test of validity. Consequently, a department must demonstrate through research that it's classification criteria separate inmates according to their risk to other inmates, staff, and the public.

III. Key Components of Prison Classification Systems

As states have progressed with objective classification systems, a number of key classification system attributes have been identified that can be used to evaluate whether a system meets "industry standards." These can be summarized as follows:

#1: *Mission Statement and Classification Goals*

The very foundation for an objective classification system rests with the prison system developing a clear and comprehensive mission statement. Such a statement articulates the core values and philosophy for the prison's mission in accordance with national and local correctional standards.

For example, a mission statement should reflect that the classification system represents a formal process for separating and managing inmates, and operating a prison system, consistent with the agency's mission, classification goals, agency resources, inmate custody, and program and service needs. The classification system relies upon a trained classification staff, the use of reliable and valid classification criteria, objective and accurate data, and a means for monitoring and evaluating the impact of the classification process. The mission statement itself should embody the following major values:

- Adhere to all federal, state, and local laws and regulations regarding the prison's operations;

- Protect public safety;

- Protect staff and inmate safety;

- Provide essential medical, mental health, educational and program services; and

- Effectively manage agency resources.

#2: Dedicated Classification Unit and Staff

It goes without saying that prisons are labor-intensive operations. It is estimated that 60-70% of a prison system's operational budget is devoted to salaries, fringe benefits, overtime and other labor related costs. In order for classification to function in a prison system, there must be a classification unit established with a sufficient number of dedicated and well-trained staff to ensure that all inmates are properly classified in a timely manner. Even in small facilities, this requirement must be met. It may be that classification staff cannot dedicate all of their time to classification activities, but certain staff must be designated as responsible for carrying out classification policies and procedures. As indicated below, one of the most important classification functions is for staff to conduct an initial screening of all newly admitted inmates with a special focus on identifying severe mental health, medical, and security needs.

#3. Reliable and Valid Classification Forms

As suggested earlier, objective classification systems use well-structured instruments to guide the classification process. These instruments are designed to produce classification decisions that are reliable and valid. These two concepts are essential for a well functioning classification system. In order to ensure the system meets the dual tests of reliability and validity, highly structured forms are used to score the inmate's custody level. These forms use factors that are known to be related to inmate conduct and/or should influence classification policy. The basic classification components and instruments are described next.

Initial Classification.

The initial classification form is used by professional classification staff to determine the most appropriate custody level of the inmate. The initial classification form must consist of a standard set of scoring items that have been tested on their reliability and validity attributes. In general, the initial classification form will place emphasis on the charges or convicted crimes, previous criminal record, and any history of serious institutional misconduct.

Re-Classification.

The reclassification form is used to reassess the inmate's initial classification designation form by reviewing the inmate's conduct over the past 6-12 months. Consequently, it places more emphasis on institutional behavior and less on the inmate's charges and criminal history. In this manner, the reclassification symbolizes a "just desert" management philosophy in which the inmate will have his/her custody level modified based on their conduct.

Program Needs Assessment

In addition to the custody considerations, the program or treatment needs of the inmate population must also be assessed and revised throughout the inmate's period of incarceration. These considerations become very important in determining the most appropriate facility to be assigned to as well as the most appropriate housing unit within a particular prison. The areas that an inmate should be assessed on would include education, vocational training, substance abuse, mental health and medical needs. This assessment should, in coordination with the inmate's custody, heavily influence the initial facility designation, which meets the inmate's custody level, and program needs.

#4. Appropriate Use of Over-Rides

Both the initial and reclassification forms allow for overrides to the scored custody level. This is done in recognition that any classification form will not produce the most accurate or appropriate custody level for all inmates. Consequently, classification staff must have the ability to alter the scored custody level. The danger is that override, if not done properly, can easily undermine the goal of consistency in decision-making. Conversely, if staff rarely use overrides, it would suggest that they are not exercising their professional judgment that also serves to misclassify inmates. The general standard is that 5-15% of the prison population should be classified based on an override and not the original classification score. Furthermore, the direction of the overrides should be balanced, meaning that about half of the overrides should result in a lower custody lever and about half resulting in a higher custody level.

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#5 *Inmates are Classified in a Timely and Accurate Manner*

Objective classification systems require that newly admitted inmates are classified in a timely and accurate manner. For example, there should be standards that require staff to complete both the initial and reclassification process within certain time limits. The classification system also needs to be monitored on a regular basis to ensure there are no inmates who have not been classified or who have not had their most recent assessment updates according to departmental policy.

#6 *A Formal Housing Plan Exists for All Housing Units Indicating the Security/Custody Designation for Each Unit and Housing Area*

In order for classification to function, both the inmate and the prison facility have to be classified. Classifying the prison relates to the need to determine the number and types of beds from a security perspective. This information is then used to establish a housing plan that determines how inmates will be housed within each prison system. The housing plan must incorporate the need for an intake/assessment unit and special management inmates (protective custody, administrative segregation, severe mental health, medical, and disciplinary segregation units). Ideally, the housing plan should be part of the MIS database for purposes of ensuring that inmates are housed according to their custody designations. In other words, inmates classified as maximum custody-general population should be housed in the maximum-security housing unit.

#7 *Inmates are Housed According to the Housing Plan*

Ideally, inmates will not be mixed in housing units with inmates of other custody levels. Minimum custody inmates will never be housed with maximum custody inmates. The structure, supervision, programming and privilege level of the housing units must be well suited for the custody levels of the inmates housed there.

#8 Inmates Who Pose Unique Security and Management Problems Must be Segregated from the General Population Inmates

Only those inmates who exhibit a willingness and an ability to obey the rules of the facility will be allowed to remain in general population. Inmates, whose presence in the general population is disruptive to the orderly operation of the facility, will be removed and placed in

disciplinary segregation, administrative segregation or protective custody. All inmates remaining in general population, whether minimum, medium or maximum custody, will be afforded privileges and living conditions sufficient to convince the inmates that it is in their own best interest to remain in general population.

#9 Inmates Should be Fully Informed of the Basis for their Custody Designation

All inmates should know what privileges they would lose if they were to be reclassified to a higher custody level. They should also know what privileges they would gain if they were to be reclassified to a lower custody level. Security staff should be encouraged to document inmate behavior, and an inmate's institution behavior should be used to determine housing placements, program eligibility, future prison classification and release conditions.

#10. Automated Classification Data

Related to the above requirement for accurate data is the associated need to automate the classification system. This means that information contained on the initial screening, initial classification, and all subsequent reclassification forms must be stored in the prisons' MIS database. Unless this requirement is met, classification scoring errors will persist and it will be extremely difficult, if not impossible, to monitor the classification system. Automation should also increase the efficiency of the classification process by reducing the need to re-enter the same basic data at each stage of the classification process. At a minimum, the following data need to be automated:

- Current charges or offenses including description of the crimes;
- Prior criminal record as both a juvenile and adult;
- Prior conduct and classification records if previously incarcerated in the prison;
- Any active warrants;
- Prior escape history;
- Stability factors such as age, education level, employment history, and residency;
- Special mental health and medical needs;
- Special management factors such gang affiliation and separation from other inmate orders; and

- Disciplinary records.

It should also be emphasized critical classification data must be collected via the interview process with inmates. A well-conducted interview will provide more and better data than information stored by law enforcement and correctional agencies. Thus, current data contained in official documents should be verified via the interview process. The interview can also be used to orient the inmate to the classification system, explain the basis of his/her custody designation and to answer any questions the inmate may have regarding classification.

V. SUMMARY COMMENTS

I've had the opportunity to review Bill Harrison's testimony on the agency's classification system and process. Here are my major concluding thoughts at this time:

- It appears that the DOC has a very sound classification process that meets or exceeds industry standards.

- The system has been validated and is well monitored by a centralized classification unit.

- The level of over-rides is appropriate and shows that staff are using sound judgement in making over-ride decisions.

- The classification system is fully automated which makes it relatively easy to monitor and evaluate the system on a regular basis.

- I agree with the Department's desire and need to conduct a re-validation study this near. It has been some time since the original system was designed and many things have changed including the number and type of inmates now housed within the Department.

- If the DOC does not have a separate system for female inmates, it should develop one. Relying upon one system for both males and females will result in women being over-classified.

- Classification data should be incorporated with population projections to provide estimates of the number and types of beds the DOC will require in the future as well as the appropriate levels of staff (security, administrative, and professional services) and inmate services (education, vocational, drug and alcohol treatment).

I thank you for this opportunity to speak today and would be happy to answer any questions you may have.