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# Maryland Correctional Classification Study

CSG

2-4-8-53

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# A STUDY OF THE MARYLAND DIVISION OF CORRECTION CLASSIFICATION SYSTEM

## FINAL REPORT

Robert A. Buchanan, Project Director
Cindie A. Unger, Assistant Project Director
F. Warren Benton, Ph.D., Facility Planning Analyst
J. Skip D'Alessio, On-Site Project Manager
Brad Fisher, Ph.D., Classification Analyst
Donald Stoughton, Classification Security Analyst
Larry Linke, Corrections Consultant
Russell Mazouch, Support Services Director

Governor's Commission
on Law Enforcement
and the Administration of Justice

Richard Friedman, Executive Director
Richard Tamberrino, Project Monitor

January 1981

CORRECTIONAL SERVICES GROUP KANSAS CITY, MISSOURI

## ACKNOWLEDGEMENTS

This report presents the findings of three months of analysis of the Maryland Division of Correction's classification system. This effort was conducted by Correctional Services Group, Inc., for the Maryland Governor's Commission on Law Enforcement and the Administration of Justice with funds provided by the Maryland Legislature.

This project involved the efforts of seven CSG staff and consultants. Robert A. Buchanan served as Project Director assisted by Cindie A. Unger. J. Skip D'Alessio served as CSG's On-site Manager throughout the duration of the study and was instrumental in coordinating project surveys, meetings and interviews. Russell Mazouch, CSG's Office Manager, was responsible for the preparation of the report as well as managing project support services.

Correctional Services Group arranged for the services of several outside consultants whose expertise in classification proved extremely valuable in conducting this study. Dr. Brad Fisher from Fisher and Associates, who recently conducted a national survey of state classification systems for the National Institute of Corrections, assisted CSG in surveying the Maryland correctional system to determine whether the current custody levels assigned to Division inmates are consistent with those determined through the application of an objective custody designation instrument.

Don Stoughton. a former correctional administrator in the state of New York, provided CSG with an in-depth analysis of the security capabilities of Maryland's major correctional institutions. Although most of his work was more directly related to CSG's Ten Year Prison Facility Plan, it was important to determine, from a classification perspective, which Division facilities could best serve different types of inmates in terms of security, programs and services.

Another consultant who was instrumental in the completion of this study was Larry Linke, Corrections Chief, Missouri Council on Criminal Justice who assisted in site interviews.

At the beginning of the study, a Steering Committee was assembled by the Governor's Commission. These committee members, representing various state agencies, provided CSG with guidance and advice throughout the course of the study either through our regular monthly meetings or through individual interviews. These committee members, identified elsewhere in this report, deserve our gratitude.

The excellent support received from the Governor's Commission is gratefully acknowledged. Special recognition is due Richard Tamberrino who served as the Comission's Project Monitor and who provided constant guidance and direction relative to CSG's project activities. Recognition is also due to Richard Friedman, Executive Director of the Governor's Commission, whose interest and support were instrumental throughout the study. We would particularly like to acknowledge his efforts in providing the Maryland Legislature with regular reports as to the progress of the study and how its findings and recommendations could impact the Maryland correctional system. CSG would also like to thank Sally Familton, Director of Planning for the Commission, who provided information pertaining to proposed state-wide plans for improvement of the criminal justice system many of which, if implemented, would have a significant impact on the classification of offenders.

We also wish to acknowledge the Secretary of Public Safety and Correctional Services, Gordon Kamka, for both his and his staff's cooperation and interest in the

study. These include: Deputy Secretary of Correctional Services, J. Brown Hardy: Director of the Maryland Division of Parole and Probation, Arnold Hopkins and his staff: and Henry Turner. Chairman of the Maryland Parole Commission and his staff.

Commissioner Edwin Goodlander and his staff from the Maryland Division of Correction provided timely information pertaining to the existing classification process. They also provided a number of recommendations as to how the classification process could be improved given additional facility and program resources. We would particularly like to extend a special note of appreciation to the classification personnel from each institution who took time from what CSG found to be extremely busy schedules to provide in-depth information on a variety of classification issues: both at the day long workshops and during on-site meetings.

Finally, CSG wishes to recognize the Classification Study Liaison Committee which was established shortly after the study began. This Committee was composed of classification staff representatives, one from each of the Division of Correction institutions and two staff from the Pre-Release System. It was assembled to provide CSG with a permanent contact at each facility which was essential in coordinating the numerous interviews, site visits, surveys and inmate file analyses necessary to complete the evaluation of the classification system.

CORRECTIONAL SERVICES GROUP, INC.

Robert A. Buchanan
President

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# EXECUTIVE SUMMARY

## MARYLAND CORRECTIONAL CLASSIFICATION STUDY

### Origin of the Study

The Maryland Division of Correction, MDOC, like many other correctional agencies, has been subject to significant financial, political, legal and public pressures in recent years regarding the effectiveness of its classification system.

This concern signifies the emphasis only recently accorded to correctional classification. For example, in hearings held before the National Institute of Corrections in 1978, prison administrators identified the improvement of classification programs as the best means of bringing about more effective and efficient correctional systems. The priority assigned to improving classification systems has come about as a direct result of a variety of new administrative, operational and legal issues:

1. Prison administrators have taken a more proactive approach to correctional planning and have determined that an effective classification system is the cornerstone of such planning.

2. Researchers have entered heretofore unchartered areas and have acquired some important knowledge about offender behavior, particularly in regard to risk assessment.

3. The Federal courts have rendered decisions which have mandated sweeping changes in correctional operations, with notable emphasis on the improvement of classification practices.

Criticisms of Maryland's present classification system center on what the Maryland citizenry consider to be an unacceptable number of escapes from the MDOC Pre-Release System. The Governor, the legislature, the courts and the public, as well as the Division itself, have debated the adequacy of the present system, and the steps necessary to improve the classification system.

An inability to obtain an accurate understanding of the current classification procedures and classification decision-making criteria employed to identify MDOC inmates for assignment to the Pre-Release System, plus the absence of an objective assessment of the classification system, have made the Maryland State General Assembly reluctant to commit further significant resources to improving the classification system, specifically, or the correctional system, in general. Complicating this situation is the fact that Maryland, like most other states, is finding it increasingly difficult to identify new revenue sources or to keep pace with inflationary pressures on existing resources. The result is that the competition for state dollars has become increasingly intense and state correctional agencies are only one of many state agencies vying for these funds.

In response to the existing situation, the 1980 Maryland General Assembly (at the request of the Governor) asked that a classification evaluation, a ten-year prison facility plan, and a study of disparate sentencing be conducted by an outside consultant for the Division of Correction. The Governor's Commission on Law Enforcement and the Administration of Justice was charged with overseeing the selection of a contractor and with monitoring the conduct of the project.

In July of 1980, the Maryland Governor's Commission on Law Enforcement and the Administration of Justice issued a Request for Proposals for consultant services to fulfill the mandate of the General Assembly. The Governor's Commission selected Correctional Services Group, Incorporated, to perform the classification evaluation and the development of a ten-year prison facilities plan. Both studies were initiated on October 6, 1980, and completed on January 31, 1981. (The Ten-Year Prison Facility Plan is provided under separate cover.)

## Focus of the Classification Evaluation Study

The overall goal of this classification study was to evaluate the inmate classification system now used by the Maryland Division of Correction and to provide costed recommendations concerning assessment of risk and efficient management of the inmate population toward the development of a more reliable and effective classification operation.

The study was to concentrate on the following four areas of correctional classification:

- Classification Information Needs

  This effort was to involve an extensive analysis of the information needed by MDOC staff to classify offenders at initial reception, during reclassification activities and for parole decision-making, while examining the availability, validity, and reliability of the information.

- Classification Policy and Procedures

  The second objective of the evaluation was to examine the current policies and procedures, namely the Division of Correction Regulations (DCR's) on classification. CSG was to compare them to national standards and procedures used by other states to provide recommendations for their improvement with emphasis on procedures pertaining to coordination of classification functions and Division institutions and units.

- Manpower Planning Issues

  The third objective of the study was to assess existing staffing capabilities covering position responsibilities; personnel deployment: staff recruitment: selection and training procedures; career development and mobility; and classification staff accountability, utilization and supervision.

- Classification Decision Process

  The final objective was to examine the current classification decision rationale, available national standards and models for risk assessment and to provide recommendations pertaining to decision-making processes and monitoring of decisions.

This report summarizes the results of this examination. The following section describes the organization of the report.

## Organization of the Final Report

The final report presents the findings and recommendations of the three month study of the Division of Correction's classification system. Chapter I describes the background for the study, provides an overview of classification, describes classification nationally and in Maryland, and presents an analysis of contemporary trends in offender classification.

. In Chapter II, the methodology for collecting and analyzing the data are presented.

. Chapter III details the goals and objectives of the Maryland correctional system and prioritizes these objectives as employed and verbalized by Division staff.

. In Chapters IV and V, CSG delineates the various classification procedures used by the Division during initial and institutional classification proceedings.

. Chapter VI provides a recommendation for a central classification authority to monitor the workings of the classification system.

. In Chapter VII, CSG briefly examines the classification of female offenders in Maryland.

. The classification of special management inmates such as the psychologically disturbed or those vulnerable to more aggressive offenders is depicted in Chapter VIII.

. Chapter IX describes the management of offender information for classification purposes and the status of the Division in developing the Offender Based State Corrections Information System (OBSCIS I).

. In Chapter X, CSG focuses on the custody and program decision mechanisms employed by the Division and describes their adequacy via the reclassification of a sample of Division inmates. This chapter also reviews the various decision-making criteria used in determining inmate eligibility and suitability for institutional and program assignment.

. The various manpower issues in classification are addressed in Chapter XI including staffing needs and personnel concerns.

. Finally, Chapter XII reviews the costs of those recommendations which will have a fiscal impact on the Maryland correctional system.

The following section briefly reviews CSG's major recommendations.

## Summary of Recommendations:

### Introduction

A great deal of effort has been expended to develop a document which will be meaningful to government leaders and to the general public. CSG has endeavored also to prepare a document which will be useful to the Maryland Division of Correction by including suggestions and strategies for implementing the recommendations set forth within the report.

The all-encompassing nature of the classification evaluation, plus time and financial constraints, precluded CSG staff from performing an in-depth analysis of the hundreds of components that make up the Maryland classification system. As a result, CSG focused its efforts on a thorough examination of the sensitive aspects of the classification system; e.g., classification decision-making, particularly as it impacts custody and institutional assignment: information availability; and classification policies and procedures. In addition, CSG reclassifed a stratified sample of MDOC inmates to assess the adequacy of the current system in terms of custody determination. The remaining aspects of the classification system are addressed within the final report but not in the same depth.

In order to obtain a complete understanding of the operation of the Maryland classification system and CSG findings and recommendations, it is necessary to carefully read the entire document. While the Executive Summary presents CSG's major recommendations, the detailed findings, rationale, and implementation strategies can only be fully understood if the entire final report is reviewed.

The recommendations presented in this summary have been organized by major area of investigation as follows:[1]

- Classification Information Needs
- Classification Policy and Procedures
- Classification Manpower Planning Issues
- Classification Decision Process

General

- The Governor's Commission should be charged with facilitating the Division's efforts to upgrade the classification system. Specifically, the Governor's Commission should:

  -- Develop, with input from the MDOC, a phased implementation plan that is responsive to the recommendations contained within this report and which contains specific strategies for their implementation:

  -- Monitor the implementation of the necessary changes in Division policies and procedures;

  -- Evaluate the effectiveness of the implemented changes; and

  -- Provide regular status and evaluation reports to the Legislature.

- Control of MDOC intake should be shifted from the committing jurisdictions to the Division of Correction based upon a priority intake system.

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1 Several recommendations concerning the improvement of the Maryland classification system do not fit appropriately into any of these categories. These general recommendations are presented first.

- Despite recent criticisms leveled at community corrections in Maryland, the Pre-Release System and the Community Adult Rehabilitation Center (CARC) program provide viable and cost-effective alternatives to confining all inmates in secure facilities and should be supported by the Legislature as well as the MDOC.

- All MDOC inmates should participate in pre-release orientation programs prior to release, although such programs for higher custody offenders should be provided in a secure environment.

- The lines of communication and cooperation between headquarters and line classification staff must be improved; otherwise, the MDOC will continue to meet with limited success in developing and implementing effective classification policies and procedures.

- Realistic projections of future MDOC staff and inmate treatment program needs are dependent upon a comprehensive survey of the entire MDOC inmate population to determine characteristics of the inmate population and specific treatment needs. The results of such a survey should be used to determine:

  -- Number of treatment and custody staff needed for each facility;

  -- Nature and extent of treatment programs that should be provided by the MDOC to be responsive to the needs of the inmate population;

  -- Specialized treatment staff positions that should be developed using current classification personnel;

  -- Pre-release orientation and counseling needs; and

  -- Post-incarceration resources that should be provided by the community.

- Providing for the needs of special management inmates should be afforded a higher priority by the MDOC and the State of Maryland. Specific recommendations include:

  -- Each maintaining institution should have a specialized unit capable of providing for the short-term, acute, treatment and observation needs of offenders with mental health problems;

  -- A centralized multipurpose unit is needed to provide for the special management and treatment needs of the MDOC inmates who have chronic mental problems or who require stabilization before being transferred back to a maintaining institution;

  -- The needs of protective custody inmates should be met through the conversion of an existing, or construction of a new MDOC facility which would be used solely as a protective custody unit;

  -- The mental health care needs of female offenders are similar to those described for male inmates. However, the relative percentage of female offenders who require psychological/psychiatric intervention is much higher. A specialized unit or facility is needed to provide these services; and

-- No inmate identified during the admission process as having special needs, i.e., the mentally ill/mentally retarded, physically handicapped, etc., should be transferred to a maintaining institution until all known information has been evaluated and a specific program plan developed.

Information Needs

● Historical criminal, social, psychological and other information necessary to initial classification should be supplied to the RDCC by committing jurisdictions and other agencies processing relevant data at the time the offender is formally admitted to the Division of Correction. Specifically:

-- No offender should be admitted to the Division without a State's Version of the Offense (they are now available for less than 40% of new admissions) and a jail adjustment record; and

-- Presentence Investigation Reports (they are available now for less than 26% of new admissions) should be provided to RDCC classification staff for all offenders, particularly offenders with sentences of three years or less.

● An offender-based records and information system to provide timely and accurate information is mandatory for administrative and operational decision-making pertinent to the maintenance of a classification system. Specifically:

-- The implementation of the Offender Based State Corrections Information System (OBSCIS I) should be accelerated;

-- An inmate progress notation system should be incorporated into the implementation of OBSCIS I:

-- A new numbering system should be developed whereby an inmate would be assigned the same number each time he enters the Division of Correction: and

-- Inmates should not be transferred to another institution without a complete and organized base file.

Classification Policies and Procedures

● There must be a clear definition of the goals and objectives of the total correctional system.

● The objectives of the MDOC classification system must be clearly defined and understandable to both staff and inmates. Further, these objectives must be assigned a priority to guide staff in fulfilling the Division's various mandates.

● The Division of Correction Regulations (DCR's) governing classification must be reorganized and rewritten to meet the needs of classification staff who are charged with carrying out these procedures. Specifically:

-- All classification procedures must be fully documented and cross-referenced to other pertinent regulations;

-- Inaccuracies, inconsistencies and outdated information must be identified and appropriate revisions made; and

-- Classification procedures should be updated as necessary through the modification and reissuance of DCR's; an annual review of the procedures is recommended.

- A classification manual should be developed to provide a consistent basis for classification decisions and day-to-day operations of the Division's classification units.

- The MDOC should discontinue classifying state offenders housed in county jails as long as the committing jurisdictions are permitted to exercise their discretion in deciding which state offenders to transfer to the state.

- The traditional security designations of maximum, medium and minimum should be replaced with numerical custody ratings (C-1 through C-4) that are based upon objective custody designation criteria.

- A change in MDOC policy, from a decentralized classification system to a centralized classification system is necessary. Specifically:

  -- A central classification authority should be established to monitor the classification decision-making process and to provide feedback for the improvement of these decisions:

  -- A Central Classification Board should be established to provide for the maximum review of classification decisions that pose a risk to the public;

  -- The authority and responsibilities of the Director of Classification should be expanded to include responsibility for the operation of the entire classification system;

  -- Population management should be a primary responsibility of the Central Classification Board. To accomplish this objective, a representative of the Central Board should participate in all initial classification hearings; and

  -- The Central Board should review the cases of inmates who remain in Administrative Segregation for more than 60 days.

- A policy and procedural change is necessary in the membership and function of team classifiation. Specifically:

  -- Classification team membership should be a permanent assignment:

  -- Classification recommendations that pose a potential public risk should be submitted to the Central Classification Board for approval; and

  -- A formal appeals procedure should be developed to enable inmates and Managing Officers to appeal any classification team recommendation to a higher authority.

- The reception and classification process should focus on identifying the incoming offenders who need in-depth evaluation and on classifying the remainder using an objective instrument. As a result, the reception and classification process should be considerably shortened.

- Inmates housed within the Reception, Diagnostic and Classification Center should be segregated according to such factors as past criminal history, length of sentence, history of violence, age, nature of detainers, psychological stability, etc.

- The participation of Classification Counselors in parole hearings should be restricted to requests from the Parole Commission or the inmate for the counselor's testimony.

- Mutual Agreement Programming (MAP) is a valuable and useful tool for both the Division and inmate clients: therefore, the MAP program should be expanded to serve a greater percentage of MDOC inmates. Treatment program plans should be developed for inmates ineligible for MAP and for those inmates who do not wish to participate in MAP. The plan should be instituted by RDCC staff and refined, implemented and monitored by institutional classification staff.

- The number of times per year an inmate is called before the Classification Team for a progress review should be dictated by the length of his sentence and the number of years he has served on that sentence.

- Maryland Division of Correction policy and procedure should be changed to allow the Pre-Release Assignment Coordinator to authorize nonpunitive transfers of inmates between pre-release units in lieu of classification team action.

Classification Manpower Planning Issues

- Additional classification counselors and classification support personnel are needed to meet the current demands of the MDOC classification system. For example, an additional 26 Classification Counselor I's are needed throughout the Division.

- Additional addictions counselors should be employed to service the 60% to 70% of the MDOC population identified as having substance abuse problems.

- Formal inservice and preservice training programs for classification staff are necessary to ensure the consistent application of classification policy, procedures and criteria.

- Inservice and on-the-job training should be provided consistent with the identified needs of current classification staff.

- Correctional officers who are permanent or alternate classification team members should be required to have 40 hours of classification training.

- The primary job responsibility of MDOC classification supervisors should be the monitoring and evaluation of classification staff job performance.

Classification Decision Process

- Institutional and custody assignments should be made utilizing an objective custody instrument that analyzes Public and Institutional Risk.

- An objective classification instrument, patterned after the instrument utilized by the Federal Bureau of Prisons, should be used to reclassify all MDOC inmates. A survey of a sample of the current Division inmate population indicated that a significant number of inmates are over- and underclassified relative to custody considerations.

  -- Sixty two percent of the total sample was appropriately classified relative to custody status, while 23% was underclassified and 15% were overclassified;

  -- Sixty six percent of the Pre-Relese (C-1) sample should be in the Pre-Release System while the other 34% should be in a higher security status;

  -- Only 50% of the Work Release/Minimum Security (C-2) sample are appropriately classified. 44% should be assigned a higher custody rating;

  -- Sixty eight percent of the Medium Security (C-3) sample are appropriately classified while 12% should be in a lower custody status and 20% in a higher; and

  -- Only 40% of the sample from Maximum Security (C-4) should be in that status while the other 60% has been overclassified.

  More stringent selection criteria should be developed for MDOC programs that permit unsupervised inmate access to the community on a regular basis, e.g., work release, pre-release. Specifically:

  -- Inmates who have a documented history of violence, escape, serious institutional adjustment problems and/or psychological distrubance should not be assigned to the Pre-Release System. (This would eliminate approximately 41% of the current inmate population from assignment to the system);

  -- No inmate should be placed in pre-release for a period in excess of six months; and

  -- Offenders removed from the Pre-Release System due to adjustment problems should spend a minimum of 12 months in a higher custody level prior to reconsideration for pre-release assignment.

- The state of the art in formulating objective decision-making criteria for female offenders is in its infancy. Therefore, the objective instrument proposed by this study is not recommended for the female segment of the MDOC population.

# Chapter One: Introduction

## CHAPTER I. INTRODUCTION

### A. Background of the Project

On October 6, 1980, the Maryland Governor's Commission on Law Enforcement and the Administration of Justice awarded a contract to Correctional Services Group, Incorporated, (CSG). to analyze the Division of Correction's classification system; to develop a ten-year facilities plan; and to study the effects of disparate sentencing on the prison population.

The need for such a study was cited as early as September 1978 in a Federal court order, Doe versus Lally, handed down by Judge Young. Further support for this type of study came from the Governor's Task Force on Prison Overcrowding which strongly recommended a study be undertaken of the classification and assignment criteria utilized by the Division of Correction. The Task Force cited the recent reclassification projects conducted by Alabama and the Federal Bureau of Prisons as examples of the type of study it envisioned for Maryland.

Furthermore, in the past year the Maryland public has become increasingly vocal in its dissatisfaction with the Division's present system of classification. This dissatisfaction stems from what they see as an unacceptable number of escapes from the Pre-Release Centers and an unacceptable number of inmates being housed in the Pre-Release Centers who have committed violent crimes, who are escape risks and who have lengthy terms left to serve under the Division's jurisdiction. The recent Grand Jury investigations, conducted by Anne Arundel and Wicomico Counties, focused statewide attention on the high level of public risk associated with placing such inmates in minimum security facilities.

Another factor that prompted the State of Maryland to examine its current correctional classification system is the continuing overcrowding crisis that has plagued Maryland's correctional system since the mid-1970's. For example, at the end of fiscal year 1980, there were 7,369 inmates housed in a system with a rated capacity of 6,305 beds. To make the situation worse, both the Maryland Penitentiary and the Maryland House of Correction were ordered by a federal court to discontinue their practice of double- celling by June 1, 1980--Nelson versus Collins, 455 F.Supp. 727 (D. Md. 1978) and Johnson verus Levine, 450 F.Supp. 648 (D. Md. 1978), respectively. Further, there is a pending overcrowding case against the Maryland Correctional Institution, Washington versus Keller, T. 78-1730, D. Md. (1978).

Thus, a combination of factors, including overcrowding, public outcry, court orders and professional opinion, led the Maryland General Assembly to allocate money to the Governor's Commission on Law Enforcement and the Administration of Justice to fund an outside consultant study of the Maryland Division of Correction's classification system.

### B. Introduction to Classification

Conviction does not correct. Conviction merely offers the convicted offender as a candidate for correction. Conviction without correction does not protect society. Incarceration only protects society for the period of the individual's confinement, provided, that is, that he does not escape from confinement and commit further crimes. Instead, how well society is protected from the recidivism of its convicted

offenders depends upon how well society develops and utilizes its correctional processes: probation, incarceration and parole.

The mandate of corrections is to manage the offender from the time of his conviction to the time of his release from all legal supervision. Probation, incarceration, parole and community-based correctional programs are an inseparable, integrated entity. Organizationally and operationally, corrections is a continuous process from probation through incarceration to parole, including their alternatives.

The goal of corrections is to prevent recidivism by utilizing the most rapid, effective, efficient and economical means possible to change convicted offenders into useful, law abiding, self-sufficient, independent citizens after their release from all correctional supervision. Ideally, the efficient and effective use of such means will protect society by releasing from supervision those offenders who will not contribute to the commission of crime by others and who will obey the law because they want to and not because they are afraid of the consequences.

Every act or failure to act that occurs from an individuals reception by corrections to his release, has potential impact upon his eventual law-abiding adjustment after release. Just as what happens to an offender before he is received by corrections affects what it can do to, with, and for him, so how corrections impacts him affects what he becomes.

Within the constraints imposed by a state's statutes, the sentences imposed by its judges, and the resources it provides, there are many alternatives available for the management of offenders. The differential impact upon law-abiding behavior of each alternative should be fully considered by each individual involved in the selection of alternatives for the management of offenders. Whenever practicable and feasible, the choice that maximizes law-abiding behavior should be made. Classification provides a mechanism for accomplishing this objective.

There are numerous advantages for a correctional system that employs an effective classification process. Several of these advantages are summarized below:

1. Classification permits a more efficient and systematic analysis of individual inmate needs. Standardized processing of inmates based upon sound classification principles responds to the administration's need for inmate management as well as the need for the system to utilize its limited resources in an appropriate manner. Further, a standardized classification procedure facilitates later research and evaluation that can be used to upgrade programs and services.

2. Effective classification permits a better communication flow through the correctional continuum--including inmate, custody staff, treatment staff, administrative staff, and even to the public. Further, an objective basis for classification decisions is more readily communicable to, and understood by, public and political sectors who are concerned with how program and custody determinations are made.

3. Another advantage to classification is that it provides a method for implementing the overall goals and mission of the correctional agency. Likewise, the agency can monitor and evaluate its effectiveness in reaching its goals.

4. Good classification, based upon fairness and objectivity, encourages systematic, specific and consistent responses to institutional behavior. Thus, the in-

mate is more likely to perceive a logic and predictability in this system that elsewhere may appear reactive, crisis-oriented, subjective or arbitrary.

5. Classification promotes an effective and orderly relationship between areas of correctional decision-making that have traditionally been addressed, at least somewhat, independently. In other words, it clarifies, for correctional staff, the inmates, and the public, the relationships among institutional behavior, custody changes, institutional transfers, and community program participation.

6. Effective classification helps the correctional agency to balance the needs of the agency with those of each institution, the individual inmate and the public. Considerations weighed during classification decision-making include:

a. The system's security resources (e.g., number of beds available at the different custody levels):

b. The system's program and staff resources and availability:

c. The individual institution's need for order and security;

d. The institution's need for institutional maintenance:

e. The inmate's program and service needs;

f. The distribution of security needs evidenced by the inmate population:

g. The public's concern and need to be protected against criminal behavior through length of incarceration, prevention of escape, and successful reintegration strategies:

h. The media's concern about public protection, prison conditions, etc.: and

i. The courts' concern about conditions of confinement, correctional practices and prisoner's rights.

7. Objective classification decision-making has a distinct advantage over arbitrary decisions in the area of pre-release or community program assignment. Many prison systems are currently overcrowded and desperately need to accurately identify inmates who are appropriate candidates for pre-release and community placement. Objective classification can address immediate system needs, as well as generate accurate data upon which to project future security facility needs.

8. Classification promotes effective pooling of knowledge about individual offenders. Important information about inmates may come from the inmates themselves, the correctional officers who supervise them on a daily basis, program supervisors, past records and treatment staff (psychologists, educators, counselors, medical staff, etc.). Classification ensures this information is given adequate consideration and that important decisions are not reached based upon inaccurate or incomplete information.

After reviewing what an effective and efficient system of objective classification can do for a correctional system, it is important to elaborate upon the limita-

tions of classification, especially in the context of the Maryland correctional system.

First, it is important to realize that classification cannot solve the current prison overcrowding crisis in Maryland. Numerous social, political and economic conditions have contributed to Maryland's overcrowding problem. One major contributing factor has been a dramatic increase in the numbers of serious offenders committed to the Division and the concomitant increases in overall lengths of sentence. Classification, per se, cannot alter these conditions, change trends in sentencing, or affect the length of sentence: it does however, permit future projections about the facilities and programs needed to service its changing population.

Second, classification will not end escapes from Maryland's pre-release system or its prisons. Classification has been partially blamed, particularly, for increased levels of "walk-off's" from minimum and pre-release units. In an overcrowded prison system, like Maryland's, there is a need to balance the public's level of tolerance for such escapes with the unrealistic expectation that classification can continue, indefinitely, to send a much larger percentage of the system's prison population to these minimum security placements, with unchanged or decreased escape rates.

In Maryland, it may be that the initial classification to the pre-release system was a reasonable decision, yet the pressures of overcrowding and program unavailability may have precipitated some of the escapes. While the relationship between conditions of confinement and institutional violence and escape is not well understood, its impact remains a plausible defense for the Maryland classification system.

## C. Contemporary Trends in Classification[1]

At the present time in the United States, there is a decided shift in classification away from subjective judgements toward the employment of standardized instruments. Many of the states currently using standardized instruments cited court pressures and overcrowding problems as their primary motivation for developing new models and guidelines. The expectation is that these guidelines will reduce the possibility that the courts will find institutional or program assignments unconstitutional or arbitrary, as well as provide a defense against public criticism concerning the necessary assignment decisions prompted by overcrowded conditions.

One of the basic considerations in developing an objective classification system is the choice of clinical versus actuarial data for decision-making purposes. Briefly, the clinical method is characterized by the application of some level of human (subjective) judgement to a case. The actuarial method is characterized by the mechanical application of statistically-derived ratings that summarize such data as past behavior for purposes of predicting future behavior. Still other classification models utilize a combination of these approaches. For example, the newer approaches generally use the actuarial approach as a foundation in considering a number of fixed factors that, on the average, will predict model outcome. However, clinical classification methods can be used to identify and evaluate mitigating or aggravating circum-

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1 This section was summarized from an unpublished report by Brad Fisher entitled, Classification Evaluation and Guidelines (1980).

stances that may suggest a classification decision that deviates from that suggested by a purely actuarial approach.

One important conceptual framework currently being used in classification is based upon a decision tree model. For these models independent variables frequently associated with recidivism, escape or unfavorable institutional adjustment are paired with dependent variables. The Maryland risk assessment instrument is based on a simplified decision tree model as the only variable under consideration is escape.

The Florida classification system uses a decision tree model based on the initial development of factors considered to be important in making classification decisions. The system was developed using Interpretive Structural Modeling (ISM) which is a particular computer-aided technique for generating a contextual map, or "structured model" of a complex issue.

According to the model, the initial and most important questions would be whether the inmate was diagnosed as "actively psychotic." If the answer to this question is yes, the inmate is immediately assigned to maximum custody. However, if the answer is no, then the scorer moves on to the next element of the decision tree which relates to the inmate's history of intentional violence. The score on this and subsequent categories define the appropriate custody assignment for that particular inmate.

Another approach used for classification in several states is termed the "Cowden Risk Screening Needs Assessment." This approach, initially developed for the Wisconsin prison system, is based on rating schedules that provide information about both risk screening and general needs assessment. This format has continued to evolve and variations have been used in such states as New Mexico and Rhode Island.

One of the newest innovations in classification risk assessment is a dual scoring system--one score for institutional violence potential and another score for perceived threat to the community (combined in a third overall security score). This system was initially developed for New York in 1978 and is being implemented currently in Missouri.

The rationale for this model is that inmates vary widely in terms of institutional and public threat potential. Some prisoners may pose a relatively low risk to the outside community, yet have a history of assaultive institutional behavior. Other prisoners manifest excellent institutional adjustment, yet when exposed to the community they commit repeated violent acts. With this knowledge and the appropriate institutional security designations, classification staff can determine the levels of perimeter control and security (supervision) required for each inmate.

A primary advantage of this type of approach is that it permits more specific pairing of a system's institutional security levels with the differential security needs of the individual (i.e., inner cell security and close supervision for the adjustment problem with perimeter security emphasized for the public risk only inmate).

The classification system developed by Dr. Herbert Eber for the Colorado Department of Corrections is almost entirely computerized. The computer program used provides scoring and analysis of a battery of diagnostic tests, as well as prediction information regarding violence, suicide and escape potential. A further function is to provide a classification data bank for record keeping, research and monitoring.

After diagnostic procedures are complete, the computer is used to generate a narrative report summarizing test results.

This brief overview of contemporary trends in classification illustrates the diverse options that are available to a correctional system that wishes to improve its classification process through the adoption of more standardized objective procedures.

# Chapter Two: Study Approach

## CHAPTER II. STUDY APPROACH

Correctional Services Group (CSG) employed a variety of approaches in obtaining information with which to assess the adequacy of the Division of Correction's classification system. These approaches are summarized below.

### A. Appointment of a Classification Study Steering Committee

During the first week of the project, the Governor's Commission's Project Monitor assembled a steering committee composed of Maryland state officials to both oversee the conduct of the project while providing liaison with their respective state agencies and providing direction concerning the focus of the Study. Steering committee members included representatives from the following state agencies:

1. Department of Public Safety and Correctional Services:
2. Division of Correction:
3. Division of Parole and Probation;
4. Parole Commission· and
5. Department of State Planning.

The initial meeting of the Steering Committee and CSG staff and subcontractors took place the second week of October. Subsequent meetings were held in November and December.

Not only did the Steering Committee, as a whole, provide valuable assistance throughout the course of the project, each individual committee member provided invaluable information relative to the operation of their respective agency.

### B. Review of Classification Documentation

Correctional Services Group staff devoted the first weeks of the project to an extensive review of the numerous documents which either directly or indirectly related to the process of offender classification in Maryland. This documentation included:

1. Annotated Code of Maryland:
2. Division of Correction Regulations (DCR's):
3. Division of Correction Information Bulletins (DCIB's):
4. Previous correctional master plans:
5. Various Task Force reports·
6. Previous research on classification: and
7. Court orders impacting classification procedures and facility needs.

### C. Development of a Classification Liaison Committee

Since CSG's project monitor was employed by the Governor's Commission and not the DOC, it was necessary to establish a liaison group composed of DOC classification staff. This group represented all DOC facilities including two staff from the Pre-Release System. Monthly meetings were held with the liaison group to obtain their input into the study and to apprise them of the project's progress.

In particular. the DOC Liaison Committee was of value in the following areas:

1. Introducing project staff to various administrative, custody and treatment personnel at their respective institutions;

2. Scheduling interview sessions with classification, administrative and security staff;

3. Relaying information pertaining to the study to institutional staff: and

4. Distributing and collecting the various questionnaires used throughout the study to collect classification information.

It should be noted that many of the liaison members chose to serve as informal advocates of the study, thus stimulating their fellow classification staff to take an interest in the study and devote two to two and one half hours to completing the comprehensive survey questionnaires. The benefit of these dedicated staff members to the study results is itself incalculable.

D. Conduct of Classification Staff Workshops

During October, CSG staff conducted three (3) day-long meetings with classification staff from the Reception, Diagnostic and Classification Center, the Maryland Penitentiary, the Maryland Correctional Institution for Women, the Maryland House of Correction, the Maryland Correctional Training Center and the Maryland Correctional Institution-Hagerstown. A total of 84 DOC staff were present at these workshops. The purpose of these meetings was threefold:

1. To acquaint DOC classification staff, particularly, to the study and to engender their support and cooperation

2. To identify the objectives of classification, as viewed by classification staff: and

3. To identify the problems classification staff face in the performance of their classification responsibilities and to develop possible strategies for resolving these problems.

The results of these three workshops were used to develop the questionnaires that were disseminated during November and to guide further inquiry into the workings of the Maryland classification system.

In December, a similar workshop was held with 34 representatives of the Pre-Release System. This meeting was not held earlier due to scheduling problems. Pre-Release staff are deployed throughout the state and geographical considerations necessitated a delayed meeting date.

Preliminary interviews were conducted with DOC headquarters staff early in the course of the project. These unstructured interviews were conducted to assess individual perceptions of the classification process and its shortcomings: to identify likely correctional policy changes; to determine individual concerns about the classification system; and to elicit individual ideas about the direction the study should take. A secondary objective of these meetings was to introduce CSG staff to headquarters personnel and to identify additional sources of classification information, both documents and additional individuals to interview.

## E. Conduct of Staff and Inmate Interviews[1]

Well over 70 personal interviews were conducted with DOC staff. Although CSG staff used a structured interview schedule to guide each personal interview, CSG staff were careful to elicit additional commentary from staff that was germane to the classification issues being investigated. Therefore, each interview lasted between one and two hours, with a few staff giving as much as three hours of their time to the formal interview session.

A total of 26 DOC inmates were interviewed to solicit their observations of the classification process. These interviews were of 30 minutes duration.

## F. Administration of Survey Instruments

A significant portion of the classification evaluation was devoted to the development and dissemination of comprehensive questionnaires related to classification issues and procedures and the analysis of these questionnaires. In total. 75 classification staff (69 percent of 108 total classification staff) completed questionnnaires; 28 security staff completed the security instruments; sixty inmates completed survey instruments: and classification counselors completed a total of 228 inmate profiles for CSG analysis. Finally, CSG examined the base files of approximately 250 inmates to determine appropriate custody levels.

## G. Meetings with Interested Groups

Because of both the sensitivity of certain aspects of this project and its relative importance to the citizens of Maryland, CSG's project staff met with interested parties to describe the study and to give these persons the opportunity to voice their concerns about Maryland corrections in general, and its classification system in particular. Much of the meeting time was devoted to describing the survey methodology: the history that led up to the study being commissioned: and the potential uses for the study results

During the month of November, CSG and the Project Monitor met with the County Executive of Anne Arundel County. In December, CSG staff met with the following groups:

- The Maryland Association of Blacks in Criminal Justice:
- The Maryland Association of Counties: and
- The Senate Subcommittee on Transportation and Corrections.

## H. Observations of Classification Procedures

Correctional Services Group's on-site project manager personally witnessed initial and institutional classification team hearings in order to obtain a better understanding of how Division classification procedures are implemented.

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1 All survey instruments and interview schedules utilized for this study are included in Appendix A.

## I. Summary of CSG's Study Approach

In reviewing the massive amounts of data and opinions contained in previous reports, studies, questionnaires and personal interviews, CSG found the inevitable variability in people's perceptions. Corrections is, and will continue to be, controversial. The overcrowding situation has reduced the effectiveness and efficiency of the classification process to the point it is adversely affecting the morale of classification staff. As long as this crisis continues, overall dissatisfaction with the classification system now operating in Maryland will continue to be a source of controversy for correctional administrators, staff and the general public.

Our analysis of the classification system does not depend upon any one group of statistics or any one opinion. Instead, our findings and recommendations are based upon overall patterns that emerged from our analysis of the overall system. Further, some of our recommendations are contrary to the recommendations of correctional staff and/or administrators. These recommendations will be identified as such and justification provided for our position. Further it should be pointed out that the classification system is only one component of the correctional system and, as such, does not function in a vacuum. There are numerous other operations that impact the effectiveness of a correctional agency. Classification is merely the most visible and thus the most vulnerable to scrutiny and criticism. While the scope of this project did not permit an in-depth analysis of the entire Maryland correctional system, we have endeavored to identify both positive and negative aspects of the present system as they impact the classification process.

# Chapter Three:

# Maryland DOC Classification System Goals and Objectives

## CHAPTER III. MARYLAND DOC CLASSIFICATION SYSTEM GOALS AND OBJECTIVES

### A. General DOC Classification Objectives

To identify the Division of Correction's goals and objectives for its classification system, the following activities were performed:

- The following documents were reviewed:
  - -- The annual reports published by the Division for the years 1954 through 1980·
  - -- The Division's Annual Program Evaluation Reports (FY 1979):
  - -- The Division's Annual 5-year executive planning documents for FY 1974 through FY 1980:
  - -- The Division of Correction Regulations governing classification: and
  - -- Miscellaneous Division-issued memoranda.
- Three separate day-long meetings were held with classification staff from each of the institutions and over 30 representatives of the pre-release system. During these meetings staff were asked, via a simplified nominal group technique, to identify the ideal objectives of a classification system.
- Questionnaires were distributed to all Division classification staff. One question asked respondents to identify and rank order what they felt should be the top five objectives of classification.

The overall goals of the Division of Correction--protection of the public and reintegration of the offender--are summarized in the Division's mission statement.

> The mission of the Division of Correction is to protect Maryland citizens from the repeated criminal activities of criminal offenders sentenced to the Division's jurisdiction. This mission is attained through the secure confinement of dangerous offenders and the successful reintegration of individuals back into the community so that they can serve as productive and law abiding members of society.

Traditionally, security and custody have been the primary goals and objectives of correctional systems. Most systems have rehabilitation or reintegration as a secondary goal because security and custody comprise the primary public mandate to corrections. Maryland, however, combines the two goals by espousing the philosophy that the best way to protect the public over the long range is to change the criminal offender into a "productive and law abiding member of society."

Prior to attempting to design a classification process or other systemwide program, the DOC must be very clear as to its own goals and objectives, that is, its function, purpose and priorities. These goals should be realistic and understandable to both staff and inmates.

It appears the Division has done this only on a limited basis. The executive plans published annually by the Division usually identify what appear to be short range objectives. For example, the 1979 plan states the Division's plans to "upgrade facilities and programs." The strategies for accomplishing this objective include:

- Determining the proper mix of local and state level involvement in criminal justice planning and separation; and

- Strengthening the DOC classification program by:

  -- improving caseload management and efficiency:
  -- improving decision-making accuracy and procedural fairness: and
  -- attaining accreditation.

These objectives are suitable planning objectives, however, they fail to give adequate direction to the classification staff in terms of what the purposes of classification are and where the priorities should be placed. This shortcoming was frequently cited by classification staff both during meetings and through questionnaire responses.

## B. Priority Objectives

As discussed previously, DOC classification staff were asked during workshop meetings to identify what they felt were the objectives of classification. These responses were tabulated and used to formulate survey questions concerning what priority staff felt should be given to each objective. Because the objectives of initial classification differ from those of institutional classification the results of the survey are broken down into these two categories.

1. Initial classification objectives: In total, 16 RDCC classification and treatment staff were surveyed. The top fourteen objectives of initial classification, identified by RDCC staff during the day-long workshop, were listed and respondents were asked to choose five. They were then to rank them on a scale from 1 to 5 with 5 being the most important and 1 the least important. The results are as follows:

| Rank | Initial Classification Objective | Score |
|---|---|---|
| 1 | Balance inmate/agency/public needs | 3.14 |
| 2 | Analyze inmate needs | 2.33 |
| 3 | Classify inmates objectively | 2.13 |
| 4 | Protect the public | 1.26 |
| 5 | Make institutional assignment | 1.10 |
| 6 | Provide information to DOC classification staff | 1.00 |
| 7 | Identify special needs inmates | 0.87 |
| 8 | Counsel inmates | 0.80 |
| 9 | Determine custody status | 0.60 |
| 10 | Provide inmate orientation/facilitate inmate rehabilitation/reintegration | 0.53 |
| 11 | Develop treatment program plans | 0.47 |
| 12 | Involve inmate in classification process | 0.13 |
| 13 | Monitor treatment program plans | 0.00 |

As can be seen from the table, initial classification staff view their primary objective as balancing the needs of the inmate with those of the agency and those of the public. Actually, objectives two, four and seven are subcomponents of this primary objective. Numbers two and seven specifically address the identification and analysis of inmate needs. The identification of objective number four, "protect the public," as a separate issue, is probably a reaction to the public's vocal dissatisfaction with and mistrust of classification. Likewise, objective number three, "classify inmates objectively," would provide classification staff with justification for their classification assignments which could be communicated to the public.

Objectives five, eight and nine reflect traditional functions of initial assification. Objective six, "provide information to DOC classification staff," dicates the emphasis that initial classification staff place on the dissemination of nformation to other persons within the Division who are in decision-making positions. he remaining objectives, numbers 10 through 13, were not considered that important by DCC staff.

2. Institutional classification objectives: Seventy-five institutional lassification staff responded to the question concerning what objectives they felt ere most important in conducting institutional classification. During the workshops eld with institutional classification staff, 15 objectives were mentioned several times. These 15 objectives were listed in the questionnaire distributed to the field and the classification staff were asked to rate each objective on a scale from one to five, with five being the most important objective and one being least important. The results are summarized in the following table.

| Rank | Institutional Classification Objective | Score |
|---|---|---|
| 1 | Protect public | 3.41 |
| 2 | Counsel inmates | 3.19 |
| 3 | Analyze inmate needs, match with DOC resources | 3.03 |
| 4 | Facilitate rehabilitation/reintegration of inmate | 3.01 |
| 5 | Develop treatment program plan | 2.99 |
| 6 | Provide inmate orientation | 2.94 |
| 7 | Monitor inmate's adjustment | 2.91 |
| 8 | Classify inmates objectively | 2.86 |
| 9 | Provide information to other DOC personnel | 2.85 |
| 10 | Make program/job assignments | 2.83 |
| 11 | Recommend interinstitutional transfers | 2.79 |
| 12 | Balance agency needs with inmate and public needs | 2.75 |
| 13 | Evaluate institutional programs | 2.52 |
| 14 | Recommend custody changes | 2.41 |
| 15 | Make housing assignment | 1.43 |

In contrast to RDCC staff, institutional classification staff felt their primary objective was to protect the public. Balancing agency, inmate and public needs, the RDCC number 1 objective, was considered only of average importance, ranking 12th out of 15 objectives.

Perhaps reflecting their inmate service orientation, institutional classification staff gave high priority to activities that provided direct inmate services or directly benefitted the inmate. Objectives two through nine all directly relate to service provision ranging from counseling the inmate, developing treatment program plans, through classifying inmates objectively. Like RDCC staff, institutional classification staff are sensitive to current public reaction toward the types of inmates being placed in pre-release units. They too would like to be able to justify their classification decision-making system. Further, since they must deal with inmates on a day-to-day basis for a lengthy period of time, they see distinct advantages to an objective system that is understandable to inmates and that can be used to counsel inmates in terms of what they, the inmates, must do to bring about changes in their custody status, program status, etc. An objective system would help to place more responsibility for his movement through the system back on the inmate, where most institutional classification staff feel it belongs.

Institutional classification staff did not feel that providing information to other DOC staff was as important as did initial classification staff. This is probably related to the different functions of the two types of classification. RDCC staff have an obligation to collect, interpret and disseminate all pertinent information concerning an offender to the maintaining institution to which he is assigned. RDCC staff initiate the development of the base file and develop admission summaries for each newly committed inmate. This information provides a classification counselor with his first introduction to an inmate. To be of use in inmate management, treatment programming and classification actions, this material must be complete, verified and interpreted correctly. While it is important for classification counselors to provide adequate progress notes, classification reports, etc., upon an inmate's transfer to another institution, this is not seen as a most important objective.

Recommending institutional transfers (objective number 11) and custody changes (objective number 14) are traditional functions of institutional classification and were not accorded much relative importance.

A few staff felt very strongly that classification had a major responsibility to evaluate institutional programs (objective number 13). Most classification staff felt this was a worthwhile endeavor but not for classification staff who already had too much to do.

Very few staff, eleven, ranked making inmate housing assignments as an important objective (scoring it 5 or 4). Therefore, it ranked lowest when all scores were tallied. It should be noted, however, that this is currently a security function. Classification staff recommend special housing assignments only in the case of protective custody inmates at the time of initial institutional classification. The fact that a small percentage see this function as an important classification function should be afforded further consideration.

3. Pre-release classification objectives: The day-long workshop with pre-release counselors was held after the questionnaires had been disseminated and collected. Therefore, objectives specific to the pre-release system were not priority ranked. However, CSG staff compared the objectives identified by pre-release with those identified by institutional counselors and found the following objectives to be unique to the pre-release system.

- Reduce escapes and serious offenses committed by DOC inmates;
- "Screen out" inmates inappropriately placed in pre-release units;
- Permit pre-release staff to select inmates for assignment to the pre-release system; and
- Monitor classification decisions.

While pre-release counselors are not responsible for the classification decisions that select the types of inmates they receive in the pre-release system, they too are exposed daily to public criticism of the classification system and extensive media coverage that, because of its prevalence, tends to exaggerate the shortcomings of the Division. Further, since classification counselors are supposed to counsel inmates, help them adjust to pre-release and facilitate the inmate's reintegration into the community, the discontent with the pre-release system must reflect somewhat on how well they feel they are doing their jobs. As a result, two of the four objectives listed above, screen out inappropriately placed inmates and pre-release staff selection of inmates assigned to the pre-release system, give the pre-release staff much

5. There must be explicit policy statements structuring and checking the discretionary decision-making powers of classification team staff;

6. There must be provision for screening and further evaluating prisoners who are management problems and those who have special needs;

7. There must be provisions to match offenders with programs; these provisions must be consistent with risk classification needs;

8. There must be provisions to classify each prisoner at the least restrictive custody level;

9. There must be provision to involve the prisoner in the classification process;

10. There must be provisions for systematic, periodic reclassification hearings;

11. The classification process must be efficient and economically sound: and

12. There must be provisions to continuously evaluate and improve the classification process.

It is further recommended that the Director of Classification develop model objectives for the Maryland DOC classification system. In performing this task, the Director should start with NIC's "principles," modify the language to present each in the form of an objective and keeping in mind Maryland's unique resources and needs. Once this is accomplished, he should review each of the DCR's governing classification and develop one or more objectives that address each DCR. This procedure will also lay the groundwork for future policy statement preparation. As discussed previously, each set of classification procedures should be preceded by a statement of Division policy that incorporates the applicable DOC objective(s) and that tells staff why they are to perform the procedures as written.

Once the Director of Classification has developed these draft objectives, he should have them reviewed by all headquarters staff for revisions and commentary. Once this input is received, he should reformulate the objectives and have them reviewed by a sample of institutional administrators, classification supervisors and line classification staff. Their input should be used to make the objectives meaningful to line personnel and to give them some vested interest in seeing that the objectives are attained. Prior to dissemination, the Secretary of the Department and the Commissioner should review the objectives one final time.

This recommendation will be relatively inexpensive to implement. It should take the Director of Classification no more than one week to develop a comprehensive set of draft objectives. Subsequent rewrites and the time to disseminate the objectives for review should take only an additional week. Institutional staff review should take no more than one hour per staff person sampled.

# Chapter Four: Initial Classification

## CHAPTER IV: INITIAL CLASSIFICATION

### A. Review of Existing Reception and Classification Process

#### 1. Historical perspective

Since its opening in 1967, the Maryland Reception and Diagnostic Classification Center (MRDCC) has functioned much the same as most centralized reception and diagnostic units that are operated by state correctional agencies. That is, it operates as a central receiving institution where male offenders sentenced for 90 days or more are received for classification and assignment to one of the Division's maintaining institutions or Pre-Release units.

Centralized classification and reception centers were developed in the 1940's in an effort to standardize the intake and diagnostic process. The initial concept was to commit every incoming prisoner (court committed, recidivist, parole violator, etc.) for agency orientation as well as for differential diagnostic referral.

By this method of operation, all offenders are committed to a central receiving institution for study. classification and recommendations for training and treatment programs. The process presupposes a plan and theory of classification consistent throughout the system. Such an approach places a major responsibility for collecting and evaluating diagnostic information on one institution; thereby requiring a high degree of specialization.

This specialization involves knowledge and authority relevant to the following components of classification:

- Verification of legal papers, e.g., detainers, commitment notices;
- Records management;
- Medical screening;
- Mental health screening;
- Orientation programming
- Diagnostic interviewing;
- Educational/vocational testing; and
- Initial RDCC housing assignment.

It also involves knowledge of classification criteria relevant to the following classification decisions:

- Institutional assignment;
- Institutional program assignment;
- Initial custody determination and rationale; and
- Long-term planning for individual inmate needs.

The RDCC, since 1975 has seen a fairly stable number of new annual admissions although some recent changes should be acknowledged. (See Figure 1).

In 1975-1976, 4,370 new admissions were processed through the RDCC. This number increased significantly during the next year but has gradually stabilized during the latter part of the decade with an estimated 4,245 admissions anticipated for 1980- 1981.

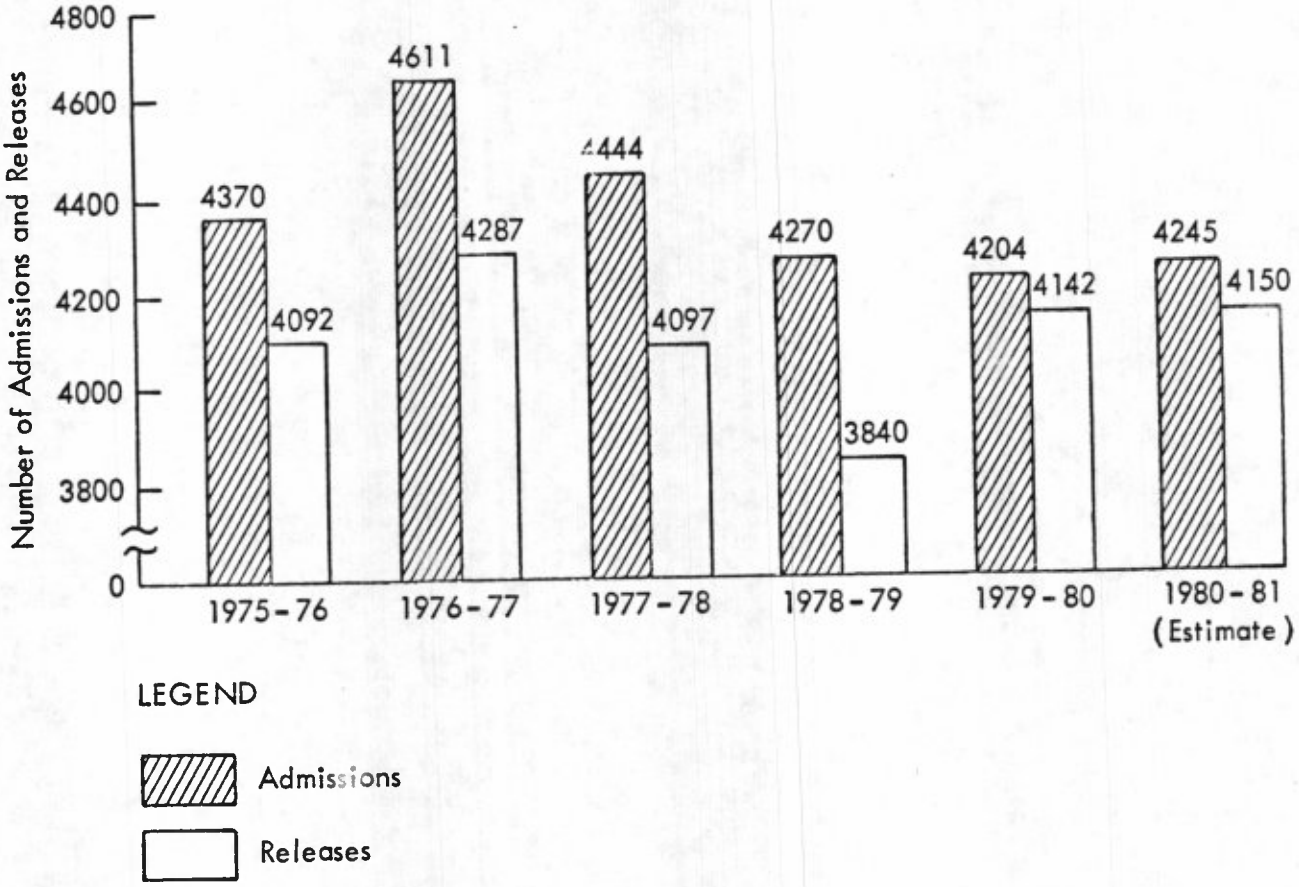



Figure 1. Total MRDCC Admissions and DOC Releases By Year

The number of releases likewise has remained fairly stable for this period with 4,092 in 1975-1976 and an estimated 4,150 for 1980-1981.

With admissions and releases remaining relatively constant for the past six years, it is logical to project that the number of inmates under the Division's jurisdiction in the coming years will approximate that of the last few years. However, one factor is changing--the sentence lengths of new admissions (Figure 2). If this trend continues, and there is reason to believe it will, the number of offenders within the system will also increase. As most correctional officials are aware, the number of offenders in a system during a given year is a function of three variables: the number of admissions: the number of releases: and the average sentence length of offenders under the Division's jurisdiction for that year. For example, based upon a review of RDCC admission reports for the past six years, the number of offenders with sentence lengths in excess of 9 years has increased by more than 12% over that period. Similarly. the number of offenders admitted for the offenses of Murder[1] and Murder[2], Rape, Armed Robbery and Manslaughter increased from 312 admittances in 1975 to an estimated 410 in 1980. This increase is over 25%.

The principal objectives of the reception and classification process, as identified in the previous section are to evaluate each offender's potential for programming and risk of violence or escape and provide program and facility assignments based upon these evaluations. This process is the cornerstone of the dual responsibilities of correctional administration: offender rehabilitation and the protection of the institution and the public.

The RDCC has been the focus of considerable attention by the courts in the last decade. The courts ruled in Doe versus Lally that the operation of the RDCC in the confines of the Maryland Penitentiary was not to be continued if it permitted comingling between RDCC inmates and inmates assigned to the Penitentiary. The court ordered the Division to make several changes during the interim period between the effective date of the court mandate and the opening of the new Reception Center.

In this same case, it was held that the classification process was unduly slow and caused offenders to be housed within the RDCC for long periods while they waited to be tested and/or interviewed.

In Nelson versus Collins the court was critical of the initial classification function performed by the RDCC staff. In particular, the court found the Division should require that initial classification staff:

- Adopt the least restrictive alternative model for determining an offender's custody assignment:
- Eliminate managerial needs from the classification process:
- Develop individual classification plans; and
- Review, on a regular basis, negative decisions made by classification counselors

These findings were based upon recommendations for improving the RDCC operation made by Dr. Carl Clements, a witness for the plaintiffs. Dr. Clements testified, after a review of the RDCC operation, that initial classifiation could be improved by:

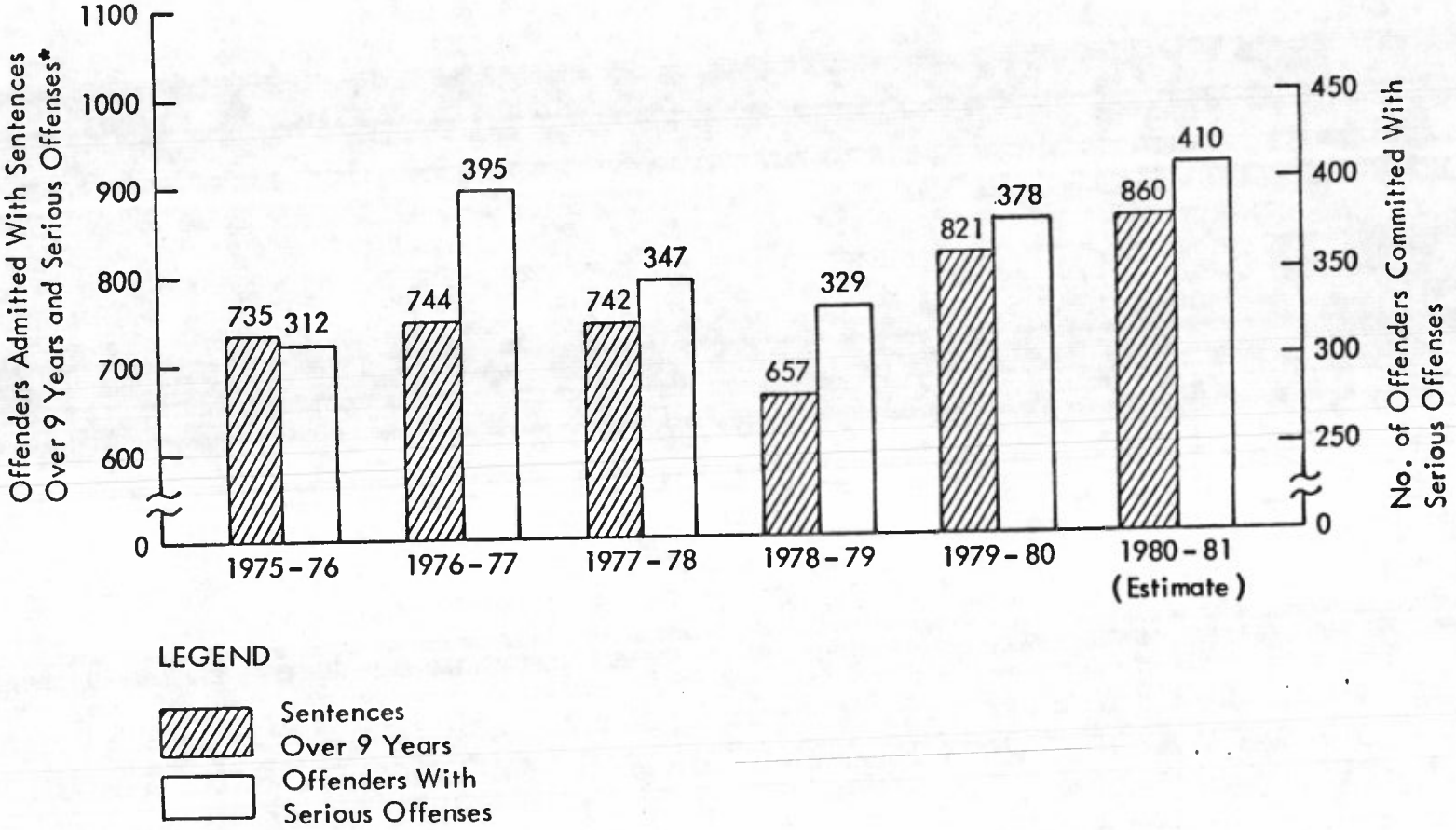



Figure 2. Changes In Inmate Admissions

- Developing objective guidelines and factors for classification decision-making:
- Minimizing the importance of sentence length in determining offenders' custody levels:
- Monitoring classification decisions to determine effectiveness of the existing decision-making process:
- Compiling information on population flow decision points, etc.; and
- Processing offenders directly from the RDCC to the Pre-Release System.

Given this brief historical overview of RDCC operations, the procedures now in effect will be examined.

2. Current procedures

Figure 3 is a schematic flow-chart of the present reception and initial classification process.

All new offenders are received at the RDCC Monday through Friday.

Reception, Diagnostic and Classification Center staff check all new arrivals to ensure that all legal papers are available and in order. These include the following:

- Court Commitment Order:
- Jail Time Credit (if any);
- State's Version of Offense; and
- Presentence Investigation Report (PSI).

Offenders who are received without a proper Commitment Order or whose order is not signed by the clerk of the committing court are generally returned to the committing jurisdiction until proper papers can be prepared. Very often the RDCC does not receive the State's Version of the Offense or a Presentence Investigation Report (PSI) for offenders it receives. For example, according to RDCC records personnel, only about 40% of the State's Versions are received while the inmate is housed at the RDCC. Likewise, PSI's are made available for less than 25% of new admissions.

Once the various legal papers have been ascertained as proper, the offender undergoes, in this order, the following processes:

- Complete body (strip) search;
- Shower:
- Disinfestation;
- Confiscation of personal property;
- Issuance of institutional clothing;
- Initial medical screening:
- Initial assessment; and
- Assignment to cell unit.

Two of the above processes require additional discussion. The medical screening is a prelude to a comprehensive medical examination which takes place that same evening. It is designed to uncover "obvious" health problems and identify offenders who are on medication. The initial assessment consists of an interview designed to

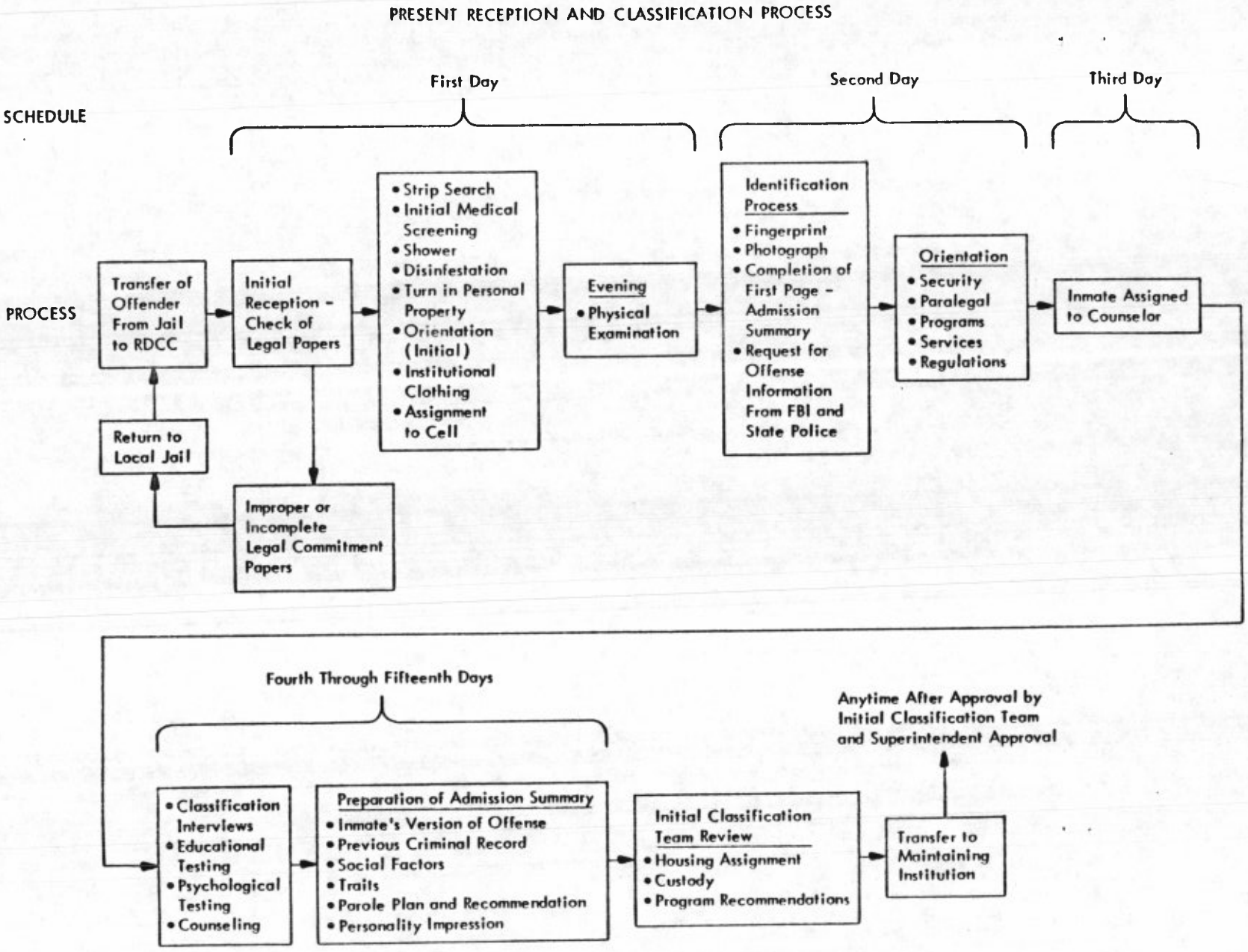



Figure 3. Present Reception and Classification Process

identify inmates who are vulnerable, who have special needs which require prompt attention, and to provide basic data for inclusion in the Admission Summary.

During the second day of the reception process, the offender is fingerprinted, photographed and interviewed to complete the first page of the Admission Summary. Information supplied by the inmate and his file is used to request information from the Maryland State Police and from the FBI. Further, during the second day of admission, the inmate participates in a formal orientation program that covers:

- Security:
- Legal/paralegal services·
- Division/RDCC programs;
- Division/RDCC inmate services:
- Regulations.

Each inmate also receives a copy of A General Information and Guidance Manual for Inmates. This handbook, published by the Division in 1976, briefly describes Division operations, facilities, procedures and general rules and regulations.

On the third day of the reception process, the inmate is assigned to a counselor. Counselors are automatically assigned to inmates according to the last number of their jail number. Counselors are notified of new assignments. They, then schedule these new additions to their caseloads for a formal classification interview.

Days 4 through 15 comprise the diagnostic and classification aspects of the reception period. Three primary activities take place during this time frame. They include:

- Completion of diagnostic testing and interviews:
- Preparation of Admission Summary;
- Review by Initial Classification Team.

The first step in the diagnostic and classification process is the meeting between the inmate and his counselor.

During this meeting, the classification counselor questions the inmate concerning:

- Basic background information such as age, physical description and religion;
- Information on the offender's charge and sentence:
- Inmate's version of the offense;
- Previous criminal record;
- Family history;
- Employment and educational background:
- Mental health problems; and
- Drug and/or alcohol problems.

Based upon the results of this interview, the Classification Counselor refers the inmate for vocational, educational and psychological testing. The Counselor may also schedule the inmate for further interviews and/ or counseling services or refer him to the Department of Social Work.

The Department of Social Work performs the following RDCC services:

- Inmate orientation;
- Family intervention;
- Family outreach;
- Educational testing;
- Pre-release program planning;
- Interviews/counseling sessions with special needs inmates:

  -- First offenders,
  -- Hospitalized inmates,
  -- Protective custody inmates, and
  -- Inmates in segregation.

Once the appropriate tests and the necessary diagnostic assessments have been completed, and any relevant data from outside agencies received, the counselor uses the resulting information, plus the commitment information contained in the inmate's base file to prepare his Admission Summary.[1] This DOC form summarizes:

- Inmate's version of the offense;
- Inmate's previous criminal history;
- Family history;
- Social factors;
- Traits;
- Inmate's parole plan and recommendations;
- Work history;
- Educational background;
- Health (medical and mental); and
- Counselor's impression of inmate.

Once the Admission Summary is completed and typed by RDCC clerical staff, the inmate is scheduled for review by the Initial Classification Team.

At the present time, the Initial Classification Team is usually composed of a Senior Counselor who chairs the hearings, the inmate's counselor and a social worker. This three person team reviews the inmate's base file, especially the Admission Summary, and assigns the inmate to an initial institutional placement capable of meeting his security and program needs. In making this assignment, the Initial Classification Team must consider, according to the Division of Correction Regulations (DCR's), the following factors:

- Age;
- Length of sentence;
- Type of offense;
- Prior criminal history;
- Social history;
- Psychological and psychiatric reports;
- Intelligence level;
- Educational level;
- Work history; and
- Previous adjustment records.

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1 At the present time the RDCC uses two different Admission Summary forms--one is a short form used for inmates sentenced to less than 3 years; the other is a longer form used for inmates sentenced to over 3 years.

The choices of institutions available to the team include:[2]

- Maryland Penitentiary--maximum security;
- Maryland House of Corrections--medium security;
- Maryland Correctional Institution--medium security:
- Maryland Correctional Training Center--medium security;
- Brockbridge Correctional Center--medium security; and
- Pre-Release System (11 facilities)--minimum security.

Each initial assignment recommendation is submitted to the Superintendent of the RDCC for approval. If the Superintendent approves the recommendation, a Classification Supervisor schedules the inmate's transfer to the appropriate institution.

This concludes an overview of the initial classification process from an offender's reception at the RDCC to his transfer from the RDCC to a maintaining institution or Pre-Release unit. The remainder of this Chapter is devoted to a series of findings and recommendations made by Correctional Services Group after a thorough review of the present system. Each series of findings and recommendations is grouped under a heading that describes an aspect of initial reception and classification. Further, an attempt has been made to present an evaulation of the reception and classification procedures in chronological order.

## B. Intake Procedures

### 1. Physical transfer of inmates to RDCC

a. Findings: At the present time the Maryland Division of Correction (MDOC) is required by law to promptly accept custody of prisoners sentenced to terms of imprisonment in State institutions upon their delivery by the Sheriff to the appropriate State reception center.[3]

However, the MDOC may defer taking physical custody of a prisoner if the county jail where the prisoner was held has been designated as a lawful place of confinement for State prisoners. Due to overcrowding in the Anne Arundel County and Baltimore City Jails, however, the Division must accept prisoners from these two jurisdictions as soon as they are sentenced to a term of imprisonment within the DOC. Further, the DOC currently has 424 state prisoners housed in county and local jails awaiting transfer to the DOC. The DOC has allowed several of its contracts with these jurisdictions to lapse because the jurisdictions have raised their per diem rates for

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2 The initial classification team may refer an inmate who is amenable to Patuxent Institution for evaluation and possible admittance. A man may not be assigned directly to Patuxent from the RDCC or any of the maintaining institutions.

3 Annotated Code of Maryland, Art. 27, § 690. "Sentence to jurisdiction of Department; transfers" (p. 262).

maintaining state prisoners to a level considered too high by Division officials. This situation creates a potentially serious problem for the DOC should those jurisdictions not bound by statute to confine state prisoners, decide to unload these prisoners on the state correctional system. The MDOC would have no recourse, other than accepting these prisoners immediately, if its agreement with the local political subdivision was no longer in force.

b. Recommendation: Although it may be perceived as a politically unfavorable move, the legislature should take the necessary steps to modify the existing practice of permitting local jurisdictions the option of transferring state prisoners to the DOC without the DOC's concurrence. That is, the DOC should be permitted to develop a priority system for admitting inmates to the DOC that are applicable to all county and local detention facilities. Based upon the priority system, the DOC would contact the appropriate facilities to schedule the reception of priority inmates into the DOC, as bed space becomes available within the RDCC. A sample priority system might resemble the following:

Priority I

Offenders who have major medical/psychological problems as documented by a physician for whom local resources are not available.

Priority II

Problematic prisoners, or those who pose a substantial threat to the local facility, as documented by appropriate due process hearings, or notorious prisoners.

Priority III

Prisoners who will attain parole eligibility at the local facility.

Priority IV

Prisoners identified for intake by the Office of the Attorney General.

Priority V

Prisoners located in overcrowded jails.

Priority VI

State prisoners who have physically spent the longest time at the local facility.

Two state correctional systems CSG has worked with in the past. Oklahoma and Virginia, have assumed this type of control over intake into their reception facilities. Both states adopted this course of action in response to overcrowded conditions within their prison systems. Virginia accomplished this procedural change simply through a change in Department policy communicated to the administrative staff of the reception centers and to county sheriffs and local jail administrators. Oklahoma, on the other hand, found it necessary to pass a law that not only gave the Department of Corrections control over its intake from local facilities, but also set a maximum limit on the number of offenders the Department could maintain within its institutions.

c. Rationale: The current Maryland statute that forces the MDOC to "promptly accept" state prisoners into the system contributes to the crisis-oriented

posture of the MDOC. The pressure to move inmates through the reception and classification process to make room for incoming commitments and to avoid double-celling RDCC inmates is counter-productive to the principles of a productive classification system. Classification counselors need adequate time to gather information about inmates upon which to base their classification decisions. This is especially true in Maryland where the State's Version of the Offense and the Presentence Investigation Report are supplied for less than 40% and 25%, respectively, of the inmates admitted to the DOC.

Furthermore, placing control over intake with the DOC will facilitate a more orderly and efficient reception and classification process beneficial to inmates and staff alike.

2. RDCC Housing Assignment

a. Findings: The RDCC intake staff complete a checklist on the first day an inmate is received by the DOC. This checklist is used to identify inmates who are in need of special housing, e.g., hospital, protective custody, etc.

In the new RDCC facility, all initial assignments, including housing assignments will be performed in a centralized intake unit. A classification counselor will be permanently assigned to this unit. One responsibility of the counselor will be to identify special needs inmates and to make housing assignments accordingly. The Division is currently performing a study of the proper balance of inmate types, i.e., victimizers, victims, "neutral inmates," to assign to one housing unit. This study is expected to result in a guideline that will aid the counselor in making housing assignments.

b. Recommendation: One of the persistent criticisms of the current RDCC operations is its practice of not segregating inmates based upon such factors as past criminal history, length of sentence, history of violence nature of detainers, etc. The proposed method for making housing assignments does not address this criticism.

Other states have had success with a "Classification Track" system for making housing assignments. The following track assignment criteria, for example, are used by one state to make housing assignments.

Track #1 - Inmate should not have prior incarcerations, escapes, assaultive personality. violent crime, be a controlled substance case, or detainers. Sentence of 0 to 4 years.

Track #2 - Inmate should not have more than two prior convictions. Sentence 0 to 6 years.

Track #3 - Inmate should not have more than three prior convictions. Sentence 6 to 25 years.

Track #4 - Inmate should have four or more prior convictions and a sentence of 25 years or more.

These particular criteria are presented for illustration only. While CSG recommends that the Division consider a track system for making housing assignments, the number of discrete tracks and the specific criteria for each should be developed by Division staff after a thorough analysis of the RDCC inmate population during recent years.

c. Rationale: In the new RDCC facility, initial intake will occur in a centralized unit after which an inmate will be transferred to a housing unit. Once an

inmate is assigned to a particular housing unit, all programs and services needed by that inmate during his stay at the RDCC will be provided in that unit. Each unit is to have its own schedule for providing diagnostic, classification, counseling, education, recreation, and other inmate services. Placing diverse types of inmates together in a housing unit governed by a common schedule does not appear to be a judicious decision. That is, housing repeat offenders, especially repeat serious offenders in units where first offenders are housed is reminiscent of the past Division practice of allowing Maryland Penitentiary inmates to comingle with RDCC inmates, the subject of the Doe versus Lally decision. Operating such units will present many of the management problems and limitations experienced by managing officers who must maintain protective custody and/or segregation units within their institutions, the so-called "institutions within an institution."

3. Other Intake Procedures

The other intake procedures, such as initial medical screening, shower, confiscation of personal property. fingerprinting, records request, etc., appear to be adequate. These procedures will be substantially improved, however, when the new RDCC opens in 1981. The RDCC intake unit will provide a coordinated approach and a central location for performing the necessary intake activities in a safe, humane and expeditious manner.

C. Commitment Procedures

1. Findings

Records personnel check the legal papers that accompany an inmate being transferred from a local jurisdiction to the DOC to ensure that they include a Commitment Order properly signed and sealed by the Clerk of the Court or a properly executed intake warrant. Other documents that may accompany an inmate at intake include: Jail Credit, State's Version of the Offense and Presentence Investigation Report. After the commitment order has been adjudged complete, RDCC records personnel complete the "Worksheet for New Prisoners" (DC Form 100-13R) and assign the inmate a DOC number. It is important to note that each time an inmate is committed to the Division's jurisdiction, he is assigned a new inmate number. This procedure makes it difficult for records staff and classification counselors to secure the base files of inmates previously released from the Division or even to determine if the inmate was formerly incarcerated within the DOC. The current method for performing a DOC records check is a laborious, manual process based upon the inmate's name. Further, it appears there is no central records holding area for storing the files of inmates released from the DOC's jurisdiction. This complicates the process of identifying and retrieving base files even further.

The "Worksheet for New Prisoners" and commitment papers are placed by RDCC records personnel in a GUSSCO folder, which has the inmate's name and newly assigned number on the outside. This action initiates the development of the inmate's base file.

2. Recommendation

In view of the dearth of information that accompanies most inmates to the Division's reception centers, CSG recommends that the Division explore the possibility of obtaining information relevant to initial classification directly from the local jurisdiction. The optimal method for securing such information would be to require the jurisdictions to provide specific classification data by law as a part of the necessary

commitment papers. However, it may be possible to secure much of this information based upon formal cooperative agreements between the officials of the largest counties and Baltimore City and the Division. Figure 4 is included for the Division's consideration. It is a form used by the Virginia Department of Corrections on a voluntary basis. Some of the most important information supplied by the form is a summary of th inmate's participation in jail programs and any disciplinary infractions he committed while confined within the jail. The information about whether or not a PSI has been completed is also important because it can alert classification staff to the presence of a PSI. If classification staff know a PSI exists, they can be more persistent in their efforts to secure the report.

The present practice of issuing an offender a new DOC inmate number each time he is received into the Maryland correctional system is not responsive to the information needs of the classification system. It is recommended that the Division convert to a system whereby each inmate receives one DOC number that he will retain throughout subsequent incarcerations. This practice should be instituted once the Division's "Offender Based State Correctional Information System" (OBSCIS) becomes operational, late in 1981. The RDCC should begin this procedure. The maintaining and pre-release units should be assigned blocks of numbers which they can assign to inmates during classification actions. This method will ensure that offenders receive a new DOC inmate number prior to their transfer to another institution. Further. the new numbers should be distinctive to prevent staff confusion concerning whether or not the inmate's number has been changed. This would involve the creation of a Master Index which will link inmate records by using all available unique identifiers: DOC number, name, race, sex, date of birth, social security number, FBI number and State Identification Number (SID). It is recommended that the SID number be used as an offender's permanent DOC number as this number remains constant and can provide an excellent linkage for cross retrieval of criminal history information.

States, such as Illinois, that have implemented an OBSCIS system find the issuance of a single DOC inmate number to an offender, regardless of how many times he enters the system, to be a profitable and workable procedure conducive to the retrieval of information important to responsible classification decision-making. States, such as Virginia, that do not have an operational computer-based correctional information system have found their practice of assigning new inmate numbers each time an offender is received to be workable under their manual records system. Virginia tried to adopt the permanent inmate numbering system using a computer-assisted program but the available program was not written to allow updated information to be added to the data bank. Therefore, the idea of a permanent numbering system was abandoned in favor of the traditional multi-numbering system.

A final recommendation is that the Division establish a central records holding area, preferably at DOC headquarters, where all files of current and released (within three years) inmates can be stored. This recommendation will be discussed further within the chapter entitled "Central Classification Authority."

Figure 4.

C-10
Rev
11/2/77

DEPARTMENT OF CORRECTIONS DIVISION OF ADULT SERVICES
CLASSIFICATION AND RECORDS
3117 WEST CLAY STREET
RICHMOND, VA 23230

JAIL PRISONER CLASSIFICATION DATA FORM

I. GENERAL STATISTICAL INFORMATION

True Name_____ AKA_____
Permanent Home Address: Street/RFD_____
City_____ State_____ Zip code_____
Person to be notified in case of emergency: Name_____
Address_____ City_____ State_____ Telephone_____

PLACE PRISONER PHOTOGRAPH HERE

Sex ( ) M ( ) F Social Security #_____
Race ( ) White ( ) Black ( ) Yellow ( ) Other
U.S. Citizen ( ) Y ( ) N Date of Birth_____
Place of Birth_____
Ht._____ Wt._____ Color Hair_____
Color Eyes_____

II. LEGAL INFORMATION

Commitment Date:_____

Offense Charges:
1._____
2._____
3._____
4._____
5._____
6._____

Location:_____

Arresting Jurisdiction:_____

Was bond set? ( ) Yes ( ) No
Amount of Bond:_____

Attorney (Name, Address/Phone _____

Presentence Report Prepared: ( ) Yes ( ) No ( ) Unknown
Prepared by:_____ District:_____

III. PERSONAL HISTORY DATA

Do you have any medical problems?_____

Are you a diabetic? ( ) Yes ( ) No Are you an epileptic? ( ) Yes ( ) No
Have you ever been treated by a psychologist or psychiatrist? ( ) Yes ( ) No
When_____

Figure 4. (concluded)

Have you ever been committed to a mental hospital? ( ) Yes ( ) No
When _____
Are you currently taking any type of medication? ( ) Yes ( ) No
Why? _____
Describe _____
Were you under a doctor's care at the time of your arrest? ( ) Yes ( ) No
Name and address of Doctor _____
Attach a copy of the medical report. (Get subject to sign a release of information statement from the doctor. Attach copy of doctor's report to this form when it is submitted.)

IV. SOCIAL DATA

Last school attended: _____ Highest grade completed _____
Employment: Last job held _____
Military: Branch _____ Dates _____ Type of Discharge _____

V. CRIMINAL HISTORY DATA, IF KNOWN (CHARGES, DATES, RESULTS)

| | | |
|---|---|---|
| First Conviction of any kind | ( )Yes | ( ) No |
| First Felony Conviction | ( )Yes | ( ) No |
| Previous Juvenile Record only | ( )Yes | ( ) No |
| Both Juvenile and Adult Record | ( )Yes | ( ) No |
| Previous Probation | ( )Yes | ( ) No |
| Current Violator | ( )Yes | ( ) No |

Now Wanted
a. For _____
b. By _____

IV. COMMITMENT STATUS

| | Date | | Date |
|---|---|---|---|
| Awaiting trial | _____ | Parole Violator | _____ |
| Awaiting sentence | _____ | On Writ | _____ |
| Awaiting Appeal | _____ | Other (Specity) | _____ |
| Direct Sentence or Fine | _____ | | |

Detainers Number _____ Location: _____

VII. METHOD OF RELEASE FROM LOCAL JAIL

a. Discharge ( ) Probation and Parole ( ) Bond ( ) To Dept. of Corrections Institution _____ Release on Own Recognizance ( )
b. Earned good time- Days_____/Good time lost- Days____/JTC- Days____

PERSONS INTERESTED IN PRISONER

| Name/Organization | Address/Phone |
|---|---|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

VIII. INSTITUTIONAL ADJUSTMENT AND RECOMMENDATIONS

A. Program Participation

B. Disciplinary Infractions

Prepared by: _____
Title/

D. Inmate Orientation Program

1. Orientation Session

a. Findings: Inmate orientation is provided formally by RDCC Social Work staff. An orientation handbook, prepared by the Division in 1976, entitled A General Information and Guidance Manual for Inmates is distributed to each inmate to read at his own leisure. RDCC staff criticisms of the current orientation program indicate too little information on classification procedures is included in the presentation and that too many inmates participate in each orientation session. Informally, an inmate's orientation to the DOC is supplemented by his contacts with custody staff, classification counselors and other inmates.

b. Recommendations: The Division should establish a comprehensive orientation program through the development of a DCR which specifies policy and procedures for providing this program during reception. The DCR should specify:

- The appointment of an Orientation Manager who is responsible for developing the orientation session, scheduling orientation speakers, preparing the necessary handouts to illustrate procedures, criteria, etc., updating the orientation session as the need arises, and developing individual daily program plans for each inmate (see number 2 below);

- A specified time period during which an inmate must receive orientation after he is received at the RDCC;

- Topics to be discussed during these sessions. Suggested topics include:

  -- Overview of the initial classification/assignment process
  -- Overview of the institutional classification/assignment process
  -- Security and housing assignment procedures
  -- Academic and vocational training programs
  -- Work opportunities
  -- Medical and dental services
  -- Treatment programs (psychiatric/counseling)
  -- Religious services
  -- Volunteer programs and self-help activities
  -- Recreation and leisure time activity programs
  -- Library
  -- Work release
  -- Leave program
  -- Grievance procedures
  -- Release/parole planning
  -- Staff/inmate relationships
  -- Mail/telephone/visiting procedures
  -- MAP (Mutual Agreement Program)
  -- Any other deemed necessary by the Division

- Informational materials, e.g., the inmate handbook, that should be distributed;

- Procedures for accessing the services of RDCC medical, mental health, classification and social work professionals.

Further. the current inmate handbook is in need of revision. It was last published in 1976 and should be reviewed by the Orientation Manager for inaccuracies and subject areas in need of updating and/or expansion. Also, the Division needs to make some provision for providing a simplified inmate handbook to those inmates who are diagnosed as being functionally illiterate. The Orientation Manager, in concert with the Social Work Department, should be charged with developing such a handbook.

c. Rationale: An effective part of any classification program is an active and well-structured orientation program for new inmates. The reception period offers an opportunity to orient the inmate to his new environment.. With the development of correctional programs, based on the concept of individualized treatment programming, it has become necessary to broaden the concept of admission to emphasize the opportunities not only for assessment and evaluation but also for orientation. The latter is crucial since it provides the initial basis for understanding the problems of the new inmate and at the same time helping him learn about the opportunities that may be offered, as well as about duties and responsibilities.

2. Orientation Manager

a. Findings: This position does not currently exist within the MDOC.

b. Recommendation: Once the new RDCC facility is operational. the Superintendent of the RDCC should consider assigning a current treatment staff member to the position of Orientation Manager.

The Orientation Manager would be responsible for scheduling all inmate activities according to the housing unit master schedule and the staff within the RDCC who are required to accomplish those activities. When the inmate arrives in the Central Intake Unit, the Orientation Manager would prepare an individual activity schedule for him. The Orientation Manager will then utilize the activity schedule to insure that each inmate completes all activities.

All inmate scheduling will be written on the activity schedule and completed by the Orientation Manager. The Orientation Manager will schedule the inmate the day he/she arrives for all activities. These activities will include all interviews, testing and other activities related to the admission process. Available education, work and recreational activities should be included in the schedule. If the inmate is interested in securing reading materials or in attending religious services, time should be alloted for these pursuits.

The Orientation Manager would monitor each inmate's activities using ae fil with a divider for each day. At the end of each day, the Orientation Managerwould in sure that each inmate has completed the assigned daily activity. Thee activity schedul for each inmate would be initialed by the staff performing the function for all completed activities.

A copy of each inmate's activity schedule would be sent to the inmate's counselor as soon as it is completed.

c. Rationale: Designating a treatment staff member to serve as an Orientation Manager will ensure that each inmate completes each phase of the reception and classification process in a timely fashion. The Orientation Manager will also ensure that the RDCC orientation program meets the informational needs of the newly-received inmates both in terms of content and delivery.

E. Inmate Assessment Process

1. Physical plant/facilities

a. Findings: The present conditions under which classification staff and social work staff must work do not provide adequate protection for these RDCC staff and are not conducive to the performance of their jobs. The area is cramped and provides inadequate space for classification interviews and both individual and group counseling sessions. The physical equipment utilized by RDCC staff is of insufficient quantity and much of what they do have is poorly maintained.

The new RDCC, which is scheduled to open in the Spring of 1981, should not have many of the physical plant limitations inherent in the present structure. That is, more space has been allocated to treatment functions and the self-contained housing unit design will make it easier for custody staff to monitor inmate movement.

When the new RDCC facility is opened, one classification counselor will be assigned full time to each housing unit. The housing unit design includes two small rooms for counseling, testing and interview purposes. One of these rooms will be permanently assigned to the classification counselor and he is expected to spend the better part of his working day in this office. The proposed furniture for the counselor's office is similar to that found in a typical counselor's office, i.e., two comfortable chairs and a low table. Due to the paperwork functions associated with the classification counselor's job description, this furniture selection is inappropriate.

b. Recommendation: While RDCC staff may experience other problems, such as problems with ready access to records, they should not experience deteriorating walls, poorly lighted and ventilated rooms, and unsanitary conditions. However, the equipment needs of classification staff and social work staff will not be solved by moving to a new facility. Therefore, the Division should determine the communications needs of RDCC treatment staff and take the necessary steps to provide sufficient equipment. Further, the Division should consider substituting the more traditional desks and chairs for the comfortable chairs slated for the counselor's office on the housing units. At a minimum, each counselor's office should be equipped with a file cabinet where the necessary classification forms can be stored for ready access by the counselor.

c. Rationale: Adequate numbers of copying machines, typewriters and dictation equipment that are properly serviced and properly placed for staff usage would add to the individual productivity of each staff member. The diagnostic and assessment functions performed by RDCC staff require that a tremendous amount of paperwork be generated in a relatively short period of time. Adequate equipment would expedite this process.

2. Accessibility of RDCC treatment staff to inmates

a. Findings: Currently it is difficult for classification staff to schedule inmate interviews. Inmates scheduled for review oftentimes are not brought up to the RDCC offices at the appointed time. This situation negates a counselor's efforts to effectively manage his time in an efficient manner. Either the counselor wastes his time waiting for a man to be brought up or begins another task, only to be interrupted when the inmate is produced. This problem appears to result from two primary factors: 1) there is an insufficient number of correctional staff to supervise inmate movement; and 2) the time classification staff may interview inmates is restricted by the routine of the Maryland Penitentiary. Doe versus Lally dictated that RDCC inmates are prohibited any contact with Penitentiary inmates--this includes contact during inmate movement.

b. Recommendations: This problem area should be resolved once the new RDCC facility is operational. If this situation continues, however, the only recourse will be study the deployment of correctional officers to see if additional correctional officers are needed to perform this function.

c. Rationale: Delays in getting inmates to counselors slows down the entire reception process and could lead to insufficient data being collected on the inmate. This in turn, could lead to an inappropriate assignment.

3. Clerical Support

a. Findings: Although clerical support for classification staff was not a focus of this study, it soon became evident that RDCC staff felt a serious lack of support in this area. Many staff felt the quality of work performed by the present clerical staff hindered performance of their classification responsibilities. Other staff felt the current typists were good but of insufficient number. The time classification staff devote to proofreading classification reports, correcting typographical errors and re-proofing these same documents once corrections have been made, takes valuable time away from important classification duties. Further, team hearings are often delayed because admission summaries have not been typed by the clerical staff. (RDCC staff report that delays of from one to two weeks are not uncommon.)

b. Recommendation: It is the responsibility of each classification counselor to bring bonafide complaints about the quality of typing services provided them to the attention of their supervisior. It is then the Classification Supervisor's responsibility to talk to the clerical supervisor. If the classification and clerical supervisors cannot solve the problem, the Classification Supervisor must ask the RDCC Superintendent to resolve the problem.

It may take a change in typing proficiency requirements and/or an increase in pay to attract high quality professional typists. Actually. however, substantially fewer good typists are needed to perform the amount of work inferior typists can achieve.

c. Rationale: Adequate clerical support, like communications equipment. is a vital component of the initial classification process. Both facilitate the preparation of the paperwork that is central to the initial classification decisions. The DOC classification forms completed by RDCC treatment staff during the assessment process, and in particular the Admission Summary, are used by the Initial Classification Team to make the inmate's custody and institutional assignments.

Delaysr

in classifying inmates due to insufficient numbers of clerical staff or underqualified clerical staff are inexcusable.

4. Addictions screening

a. Findings: Estimates of the percentage of DOC inmates who abuse drugs and/or alcohol range from 65 to 70 percent. During reception, an Addictions Counselor attempts to screen the incoming population utilizing the Mortimer-Filkins Test. RDCC treatment staff expressed dissatisfaction with this test because it does not actually identify substance abusers, instead it measures individual characteristics or personality factors associated with such abuse.

Due to the volume of offenders admitted to the RDCC during any given month, most of the Addictions Counselor's time is devoted to administering, scoring and interpreting the Mortimer-Filkins test. For example, the Addictions Counselor estimated he is able to interview only 20 to 30% of the inmates who score "positively" on the test.

The Addictions Counselor at the RDCC is further handicapped by the absence of a division-wide program for providing substance abuse treatment services.

b. Recommendation: The Addictions Counselors, Division-wide, should attempt to identify a more appropriate screening mechanism for identifying inmates who have a problem with substance abuse. The thrust in recent years has been to develop screening instruments appropriate to individuals from other than the white middle class. The National Institute on Alcohol Abuse and Alcoholism and the National Institute on Drug Abuse are federal agencies that should be able to provide guidance in this search. The Maryland State Drug Abuse Administration may also be a good source for this type of inquiry. (The need for additional Addictions Counselors is discussed in the Manpower section of this report.)

5. Assessment and Testing

a. Findings: Information as to the usefulness of tests in determining appropriate educational and vocational programs, as well as the need for counseling and treatment, was gained through staff interviews and questionnaire analysis. It was learned that testing, for the most part, is perceived by many RDCC personnel as more of an obligatory activity of the classification process and less a function which is designed to provide meaningful data for initial classification purposes, except for the Special Needs Assessment Group (SNAG) and inmates adjudged to be mentally ill. Further, there appears to be minimal documentation that test results are used by maintaining institutions to assist in program determination. Specifically, the Maryland DOC uses a variety of assessment instruments to evaluate inmates both during initial classification at the RDCC and later for institutional classification purposes at maintaining institutions.

The RDCC, prior to 1978, tested all inmates who entered the system employing a battery of tests to assess the educational and vocational skills of the individual as well as his intelligence and psychological stability. This practice of testing all offenders was terminated for several reasons:

- Delays in testing impeded the initial classification process and thus the transfer of inmates from the RDCC to another DOC facility. Testimony in Doe versus Lally held that such delays not only caused inmates to be unnecessarily detained in the RDCC preventing them from

entering a rehabilitation program but also added to the overcrowding problem.

- Many DOC treatment personnel questioned both the validity and usefulness of RDCC testing. Many institutional staff interviewed by CSG stated that test results from the RDCC were often viewed as suspect due to:

  -- Lack of RDCC personnel qualified to administer and interpret tests;

  -- Inconsistencies in the scoring of test results:

  -- Apathy or non-responsiveness on the part of newly-received offenders. For example, many classification experts hold that testing for new inmates is an effort in futility as the majority of these prisoners have a difficult time adjusting to confinement let alone sophisticated testing.

  -- Inconsistencies between test scores obtained while the inmate was housed at the RDCC versus his later scores when he is retested after assignment to a DOC maintaining institution.

- The lack of adequate physical surroundings conducive to testing.

- Difficulties in moving inmates from the housing units to the testing area. A shortage of correctional officers often creates situations where inmates cannot physically be moved from the cell house to the testing area.

According to information provided by RDCC staff and personal observations by CSG project personnel, the following assessment methods are employed to provide information for the Admission Summary:

- Initial Screening Form
- Admission Interview
- Educational Testing
- Psychological Testing and Interview
- Social Questionnaire
- Vocational Testing
- Classification Interview
- Medical and Dental Workup
- Specialized Testing, e.g., offenders with IQ's lower than 75
- Alcohol Use Screening
- Social Work Interview
- Escape Screening Worksheet/Risk Assessment
- Achievement/Aptitude Testing
- Juvenile Assessment/Interview

Staff had several criticisms relative to a number of these assessment methods. For example, the only screening instrument to evaluate alcohol and/or drug abuse available to the RDCC addiction specialist is the Mortimer-Filkins Test. This test does not adequately assess the degree of substance abuse, instead, as stated previously, it is designed to identify characteristics related to such abuse.

Several staff stated that a number of the tests presently used could be discontinued, particularly educational achievement tests which are again administered when the inmate is transferred to a maintaining institution. When questioned as to whether additional tests were necessary, staff indicated that a vocational preference test such as the Kuder Vocational Interest Test is needed to assess the vocational interests of inmates. This type of information is beneficial to staff who must identify appropriate vocational training programs for inmates. This is particularly true for inmates assigned to MCTC.

Further, the other instrument which many staff were exceptionally critical of was the Escape Screening Worksheet. Numerous RDCC personnel stated that this instrument only determines the obvious as it measures a factor (escape) which they already consider in assigning an inmate a custody level. The essential message was that considerable time and money had been expended "to tell them what they already knew." This instrument will be discussed in detail in Chapter X.

Relative to psychological testing, those inmates who the classification counselor refers for further psychological evaluation can be administered several tests to obtain further information relative to specific psychological characteristics. The selection of tests is generally up to the prerogative of the RDCC psychologist based upon his perception of the degree to which an inmate has a psychological problem.

Finally, test scores of Maryland DOC inmates, particularly those pertaining to educational testing, indicate that many offenders are unable to comprehend or compute at the levels most commonly needed to complete paper and pencil tests.

One assessment method used by centralized reception centers is a psychiatric evaluation of selected inmates. Beginning with the new arrival's admission on through to his transfer to a correctional center, an inmate may be referred to the psychiatric consultant for evaluation. At the time of this study, the RDCC did not have such a staff member available and center psychologists were "filling in."

The psychiatric consultant's position was first established in the 1960's to examine inmates for psychiatric disorders. In addition, those inmates who have previously undergone psychiatric hospitalizations are sometimes referred to the psychiatric consultant in order to obtain a more recent description of their mental status. After examination, which normally lasts less than an hour, the examiner may prescribe medication, or order the inmate to be hospitalized at the Maryland Penitentiary hospital or at Clifton T. Perkins State Hospital if the inmate's condition is severe. Cases were referred, and continue to be, by counselors and social workers in the RDCC.

Periodically, transfers to Perkins are delayed due to a lack of bed-space since it has the states only Forensic unit.

b. Recommendation: The value of testing, given the correct choice of test, proper administration, scoring and interpretation, can be a valuable aid for classification personnel in developing an offender's custody and treatment plan. A balance, however, must be attained between overreliance on testing to formulate such plans and generally disregarding the usefulness of testing.

The Division should examine each test employed in the classification process to determine its usefulness as a diagnostic tool. This task should be conducted by the existing social work and classification staff in conjunction with the psychiatric consultant and a professional psychometrist or clinical psychologist who has experience in testing and assessment. No tests should be retained which are administered only for the "sake of testing" or because they have historically been used. Further, these staff should pay particular attention to the conditions under which these tests are administered. The testing area should be free from extraneous noise and other distractions, well-lighted and ventilated and provide comfortable writing accomodations for inmates taking tests.

This reevaluation will probably identify new tests which will prove of value in classification. These could include the Correctional Environment Scale or 16 Personality Factors Test, the latter of which is now used by a number of states, in conjunction with a battery of other tests, diagnostic interviews and custody determination scales to assist in placing an inmate in an institution capable of meeting his programmatic and treatment needs.

Further, based on the high number of inmates who manifest mental problems and the need for treatment (e.g., sex offenders) it is strongly recommended that the MDOC make psychiatric services available on a full-time basis. This is particularly important since several DOC facilities presently do not have any psychiatric support. For additional information relative to this subject, refer to Chapter VIII. Classification of Special Management Inmates.

6. Admission Summary

a. Findings: Classification personnel at the RDCC cited the lack of reliable information as the most significant problem affecting the satisfactory classification of new inmates relative to their initial custody and program needs. This deficiency is felt most acutely during the counselor's preparation of the Admission Summary.

One of the most obvious deficiencies in initial classification at the RDCC is the attempt to provide a valid classification plan for an individual when there is little more available information than the commitment papers. This problem is especially acute for the first offender for whom minimal data exists regarding his community or institutional adjustment. (Only 25% of new offenders have PSI's prepared by the Division of Parole and Probation and in only 40% of the cases are the State's Version of the Offense received.) Even for repeat offenders, especially those entering with a new name, it appears that criminal case data (FBI "Rap Sheets," MILES information, presentence investigations, detainers, etc.) may not reach the RDCC before the inmate is transferred or are not available.

Until a few years ago, RDCC staff were able to obtain a significant amount of information on each offender. This included the collection of information from the following sources:

- Prior employers;
- Family and close friends;
- Military records;
- Educational institutions; and
- Mental health centers.

Collection of this information normally required four to six weeks. However, this lengthy time period, the overcrowding situation--which requires faster processing of inmates through the RDCC--and doubts pertaining to the usefulness of the information obtained via this time-consuming process, all played a part in ending this data gathering segment of the initial classification process.

The unavailability of critical information concerning the inmate's past criminal history, the official version of the crime for which he is being incarcerated, and his previous institutional adjustment(s), often forces the Initial Classification Team to classify a man based upon the self-reports he makes during his interview sessions.

Furthermore. these problems create a situation where information fowarded to maintaining institutions from the RDCC is often incomplete and/or inaccurate. As a result, institutional classification personnel perform another assessment of the individual which usually requires additional interviews and testing.

b. Recommendations: The Division should no longer tolerate the gross lack of information with which to assess new offenders. Beyond the recommendations made in CSG's final report, the Department of Public Safety and Correctional Services should develop a Task Force to develop a comprehensive plan to provide information needed by RDCC staff to effect a viable classification plan. Information the Task Force should concentrate on obtaining includes:

- PSI's:
- State's Version:
- FBI/Maryland State Police reports;
- Jail classification reports.

Presentence Investigation Reports should be made available for all new offenders, if possible, but particularly for those serving sentences of less than 3 years. This should be done even if short-form or postsentence investigations must be substituted.

Maryland currently has a statute that requires a "State's Version of the Offense" to be supplied for each inmate sentenced to the MDOC. It is imperative this statute be enforced.

c. Rationale: The availability of accurate, reliable and timely information is the cornerstone upon which initial classification decisions are made. Without such data, initial classification staff make decisions in a vacuum, uncertain that their recommendations are appropriate in terms of serving the best interests of the public, the Division staff and the individual inmate.

7. Inmate programming

Counseling

a. Findings: It is the opinion of RDCC staff that they are currently afforded too little time to counsel inmates on their caseloads. It should be noted that the Maryland Correctional System is one of the few that provides this service to newly admitted inmates. Most reception centers merely provide "crisis counseling" on an as needed basis. Further, the RDCC has the only social workers within the Division. This capability further enhances the RDCC's opportunity to counsel inmates. Unique counseling services provided by RDCC social workers include: family intervention, and family outreach: first offenders: hospitalized inmates; protective custody: and segregation

As cited previously, RDCC staff are prevented from managing their time efficiently due to frequent changes in their schedules over which they have little or no control. Classification staff further feel that counseling is given a low priority.

b. Recommendation: Improved scheduling, brought about through improved accessibility to inmates as well as improved support systems, will increase the amount of time classification staff will have to devote to counseling functions. However, the emphasis of the diagnostic and assessment phase of a man's incarceration should not be placed on counseling. Helping an inmate with his immediate problems, providing crisis counseling, and helping a man adjust to his first incarceration are important objectives, but classification staff should concentrate their efforts on: collecting data needed to properly classify an inmate; analyzing the offender's security and program needs; identifying a proper placement for him within the system; referring him to ap-

propriate RDCC resources and adequately documenting their rationale for making particular recommendations.

For the most part classification counselors should be responsive to an inmate's personal needs, e.g., housing assignment problems, telephone access problems, incarceration adjustment problems, etc. The RDCC social workers, on the other hand, should provide the more family-oriented counseling services, identify the special needs inmates and provide appropriate counseling or referral services, and address the specific problems of inmates being released directly from the RDCC. Both treatment groups shoud provide crisis counseling as the need is identified.

Post-incarceration resources

a. Findings: At the present time, there are few identified resources to which RDCC staff may refer a man who is released directly from the RDCC.

b. Recommendation: The RDCC Department of Social Work should be charged with identifying community resources to which to refer inmates who will be released directly from the RDCC. Identifying these resources should not require the addition of extra staff. However, depending on the numbers of persons released directly from the RDCC, a half-time staff position may be needed to set up the referral procedures, formulate the necessary agreements, counsel the inmates prior to release, and set up a monitoring system to evaluate the effectiveness of the referral program; i.e., are the community resources being used, for how long, to what effect?

8. Inmate involvement in initial classification

a. Findings: It appears from interviews with RDCC staff and from their responses to survey questionnaires, that the inmate's involvement in the initial classification process is minimal. Inmates surveyed corroborated this opinion. Nearly 80% of the inmates questioned said they were dissatisfied with the level of their involvement during initial classification. Another finding is that, on the whole, the initial team has an inadequate knowledge of the inmate. That is, unlike institutional classification staff who work with a man over a period of years, initial classification staff interact with a man only for a few hours over a period of a few weeks. If they do not counsel him, their knowledge of the inmate is limited to what is gained through interviews, conducted usually for a singular purpose, his records, and other staff's observations concerning that inmate.

b. Recommendation: As the current system is structured there is little room and almost no reason for involving the inmate to any great extent in the classification process. He may provide feedback on the type of programs and services he is interested in but his institutional placement is presently dictated by his security needs and bed space availability, over which he has no control. For these reasons, and others detailed in recommendation 7, above, the Division should begin developing basic treatment program plans for inmates during the time they are housed at the RDCC. A DCR should be developed for this objective outlining the reasons for setting up a treatment plan, setting up the procedures for its development and specifying how the plans will be monitored and by whom.

c. Rationale: Involving the inmate in his initial classification process is mandated by Commission on Accreditation (CAC) Standard Number 4374. Seeking the inmate's input into the development of a basic program plan will, in most cases, accomplish two objectives. First, the plan and the inmate's initial institutional placement will more adequately address the inmate's program needs and expectations: and

two, it will provide the classification counselor with added insight into the inmate's motivations and potential for positive institutional adjustment. An added benefit may be that the inmate will be more likely to follow through with his treatment program objectives if he has a viable role in developing his program plan.

9. Treatment Program Planning

a. Findings: Other than MAP, there is little treatment plan programming being done in the Maryland system. A few counselors indicated they attempt to do this on a rudimentary level, but it is up to the individual counselor to take this upon himself. Further, since the practice of developing treatment program plans is not a specific classification function sanctioned by the Division, the effort of a few counselors will not have much credence attached to it by the inmates' subsequent counselors. Further, the key to successful utilization of treatment programs is a mechanism for monitoring the implementation of the plan. Under the present system, no such mechanism exists.

b. Recommendation: The Division should require that basic treatment program plans be developed for inmates during the diagnostic and assessment phase of his incarceration. This basic plan is not a "total" incarceration plan. It merely provides a guideline and a set of priorities for institutional classification staff to use in developing a Specific Program Plan for an inmate once he is transferred from the RDCC. The basic program plan should be developed by the classification counselor with the inmate's input. It should be brief, concise, and broad in scope with stated priorities The plan should reflect realistic programming in the following areas:

- Educational;
- Vocational;
- Medical;
- Psychological;
- Release

The basic program plan should be submitted to the Initial Classification Team for review and approval or revision at the time of the inmate's initial classification hearing.

F. Initial Classification Team Review

1. Team composition

The decision-making criteria utilized by the Initial Classification Team is discussed in Chapter X.

a. Findings and recommendation: The current and proposed Initial Classification Team members are presented in the following table:

INITIAL CLASSIFICATION TEAM COMPOSITION

| Position | Current | Proposed |
|---|---|---|
| Chairman | . Assistant Superintendent | . Classification Supervisor |
| Assistant Chairman | . Classification Supervisor/ Senior Counselor | . None |
| Members | . Inmate's Assigned Counselor<br>. Senior Correctional Officer (Lieutenant or above)<br>. Social Worker<br>. Psychologist<br>. Education Specialist | . Classification Counselor other than Assigned Counselor<br>. Senior Correctional Officer (Sergeant or above)<br>. Social Worker<br>. Psychologist<br>. Representative of the Central Classification Board |

b. Rationale: Under current Division practice the duty of serving as Chairman of the Initial Classification Team usually falls on a Senior Classification Counselor. In delegating his duties to a Senior Classification Counselor, the Classification Supervisor loses a valuable opportunity to evaluate the job performance of Classification Counselors assigned to him. Furthermore, the experience of the Supervisor and his administrative perspective are lost to the Team if a Senior Counselor substitutes for the Supervisor.

Correctional Services Group project staff feel strongly that the inmate's assigned counselor should participate in team hearings only as a nonvoting member. Some classification staff feel this practice will lead counselors to make initial classification recommendations that will appease the inmate but have little or no chance of being approved by the Initial Team. While this situation may occur, it should become obvious to the counselor's supervisor that the counselor is failing to adequately perform his job. Repeated episodes of this type should be dealt with through established personnel sanctions. It cannot be stressed too strongly that the Classification Counselor's primary responsibility, to the inmate and to the Division, is to objectively evaluate the information he has on an inmate and make the best assignment recommendations he can given the existing bed space and program limitations. Based upon his analysis, the Counselor should make his recommendation to the Team and be prepared to defend his decision.

Because of shortages in correctional officer staff, the Division should permit sergeant-level correctional officers to sit on Team hearings. Such officers, however, should have received formal training in classification objectives, procedures and institutional program resources prior to their participation in Team hearings. The same training requirements should apply also to correctional officers of the lieutenant rank or above who sit on the Initial Team.

A representative of the Central Classifiction Board should participate in initial team hearings to ensure that the initial classification hearings are conducted according to Division policy and procedures; to ensure that the needs of the Division are being given consideration during hearing deliberations: to provide Team members with the most current list of beds available within the Division's facilities; and to collect information on classification decisions with which to monitor the future adjustment of selected inmates within the Division. This last function can be used to provide initial classification staff with feedback concerning unsuccessful initial placements and with documented reasons for the failures.

2. Team hearing procedures

a. Findings and recommendations: The DCR's do not currently specify team hearing procedures or duties and responsibilities of Team members. This deficiency should be rectified with the development of a DCR governing the conduct of an Initial Classification Team hearing. The DCR should follow the following format:

I. Reference:

II. Applicable to: RDCC

III. Policy: (This statement or series of statements should reflect the purpose of the DCR.)

IV. Procedures:

A. General Information: The Chairman of the Initial Classification Team and two other members must be present for an initial hearing to take place. The Chairman will vote only to break a tie.

B. Prehearing Activities:

- The Managing Officer of the RDCC will appoint a Classification Supervisor to serve as permanent Chairman of the Initial Classification Team. Any permanent team member may serve as alternate chairman, at the discretion of the Managing Officer.

- The Managing Officer will designate an appropriate place within the RDCC to hold initial classification team hearings. The meeting area should provide adequate privacy and a suitable waiting area for inmates and other persons who must wait to appear before the Team. Further, the meeting area should be located so that inmate movement to and from the hearing area can be effected in an orderly and safe manner.

- The Chairman of the Initial Classification Team, or his designee, will prepare and distribute the hearing docket at least two working days in advance of the hearing;

- The inmate's assigned counselor will be responsible for presenting the initial classification recommendations to the Team. In preparing for this presentation, the Counselor will identify any special recommendations made by RDCC psychologists or social workers and bring this finding to the attention of the Team Chairman. The Team Chairman will be

responsible for ensuring that the appropriate psychologist or social worker participates in the inmate's hearing.

- The Classification Counselor will tell the inmate when he is scheduled for a Team review and will explain the procedural requirements and possible outcomes.

- The Initial Classification Team will have each inmate's base file available for reference during the individual review of cases.

C. Hearing Procedures

- The Chairman, or his designee, will maintain the hearing minutes on Division forms.

- The Chairman will review the hearing docket.

- The Chairman will identify the inmate whose case is being reviewed and briefly summarize the inmate's record, and the counselor's assignment recommendation(s).

- The Team will discuss the case.

- The Chairman calls for the applicable inmate to be admitted to the hearing room.

- The inmate's counselor presents his initial classification recommendations to the Team, gives supporting rationale, and answers any Team questions.

- Individual Team members may question the inmate concerning the proposed assignments and the inmate's opinion of his basic treatment plan.

- The Chairman dismisses the inmate from the hearing room.

- The Team members discuss the case.

- The Initial Classification Team votes on the counselor's assignment recommendations.

- The Hearing Recorder documents the decision of the Initial Classification Team on the appropriate DOC forms.

- The Chairman calls for the inmate to be readmitted to the hearing room at which time he is advised of the Team's decision and his recourse should he feel that the decision was unfair.

- The inmate is permitted to question the Team concerning its decision.

- The Chairman dismisses the inmate from the hearing room and introduces the next case for the Team's deliberations.

D. Posthearing Activities

- The RDCC Superintendent reviews the Team's recommendation and approves or disapproves.
- If the Superintendent disapproves the recommendation, an alternative recommendation and supporting rationale should be recorded on the form. The case should be refered back to the Team Chairman to be rescheduled for the next initial hearing.
- If a majority of Team members concur with the Superintendent's recommendation, based upon the rationale given, the classification form should be signed by the Chairman and forwarded for appropriate future action.
- If the Team believes its initial recommendation is still valid, the classification form, complete with the Superintendent's dissenting opinion should be forwarded to the Central Classification Board for final approval.
- The Central Board will communicate its decision and the rationale for the decision to the Superintendent with carbon copies to the Chairman of the Initial Team and the inmate.

b. Rationale: The Division needs to establish regulations governing procedures for all types of classification hearings, not just for the RDCC. The procedural recommendations cited above are intended as guidelines. Unique aspects of the Maryland correctional system should dictate the final format.

The primary reasons for establishing hearing protocol include:

- Each of the Team members, including the Chairman, know what is expected of him:
- Regardless of who chairs the hearing or which RDCC staff participate in the decison-making process, each hearing will basically resemble all other hearings;
- Uniformity in hearing procedures will lessen the likelihood of an inmate challenging the Team's decision based upon inconsistent hearing procedures; and
- The Counselor can describe to the inmate the sequential steps in the hearing process so that he will know what to expect when his case comes up for review.

3. Staff knowledge of institutional programs/resources

a. Findings: Most RDCC staff indicated their unfamiliarity with programs currently operating within the Division's institutions and other institutional resources. The Division has developed a program manual that briefly summarizes the programs available at each institution. The brevity of the program descriptions contained within this manual lead one to question its utility to staff who are charged with developing realistic basic program plans for inmates.

b. Recommendation: This is one area that should be addressed in a comprehensive training program for all classification staff. Further, the current

program manual is underutilized by classification staff and is not well-suited to their needs. The Assistant Commissioner, Programs and Professional Services, should take the lead in developing and updating, at least every six months, a revised manual for use by classification staff that presents the information they need to make recommendations concerning programs and institutional transfers. RDCC staff will also need this information in developing basic inmate treatment program plans. Therefore, institutional staff input should be sought in the development of a revised program manual. Further, each classification counselor should receive a copy of this manual and be responsible or incorporating all subsequent revisions issued by Headquarters.

c. Rationale: A comprehensive, accurate program manual is a valuable resource that should be made available to every RDCC staff member who is charged with developing and/or approving basic inmate treatment program plans. If staff are not aware of Division resources they are poorly prepared to develop realistic program objectives for inmates. Unrealistic or inaccurate program plans are useless to both the Division and to the inmate. The Division loses an opportunity to motivate the inmate and the inmate has additional reasons to mistrust the system and to resist future attempts to involve him in what could be beneficial programs.

G. Inmate Transfer

1. Findings: The RDCC is frequently unable to process inmates through the Center within a 3-week period due to delays in obtaining sufficient information with which to make reasonable assessments and thus, institutional assignments: problems in scheduling inmates for interviews and testing sessions: inadequate equipment with which to support their report writing functions; and insufficient numbers and quality of clerical staff to prepare the necessary paperwork. Further, once an inmate is initially classified, it may be weeks or months before he is transferred from the RDCC to his assigned institution. This inability is due to a lack of bed space in the appropriate security level institution and/or insufficient program offerings needed by a particular inmate at an institution capable of providing the necessary security. The combined inability of the RDCC to process inmates within a 3-week period and to transfer inmates immediately after their initial assignment leads to overcrowded conditions within the RDCC due to a "back-up" of offenders awaiting transfer. At the present time the following table represents the average length of time an offender must wait to be transferred from the RDCC:

| Recommended Placement | Average Wait |
|---|---|
| Maryland Penitentiary | 6 to 8 weeks |
| Maryland House of Correction | 6 to 8 weeks |
| Maryland Correctional Institution | 1 to 2 weeks |
| Maryland Correctional Training Center | 1 to 2 weeks |
| Pre-Release System | Up to 2 weeks |

2. Recommendations: Please refer to Section E-6 above for specific recommendations concerning what data the RDCC needs to make appropriate classification decisions and the steps that need to be taken to ensure this information is received in a useable and timely fashion. Other recommendations within this chapter address what can be done to rectify equipment problems, scheduling problems and lack of clerical support.

The overcrowding problem, while not a direct focus of this study will nonetheless be impacted by the decisions of state policymakers who will decide which recommendations, contained within this report and the Ten Year Facilities report. to implement. Likewise, the lack of programs within the Division is a political-economic phenomenon which can only be addressed through an in-depth study of inmate needs and the allocation of sufficient funds to develop and implement programs to meet those needs. Until overcrowding becomes a manageable problem and sufficient, quality programs are available for inmate referral, classification staff will be handicapped in their ability to properly classify inmates. Solution of the problems associated with the time it takes to properly classify a man will not alleviate backup at the RDCC if there is not a bed in appropriate institution(s) to which he should be transferred. The Ten Year Facilities Plan addresses a long-term solution to the Division's overcrowding problem. Chapter X, of this report recommends specific strategies the Division may implement to more effectively identify the best candidates for placement within the pre-release system.

3. Rationale: The Division is under court order to eliminate double celling at the RDCC. Aside from the court order, keeping the RDCC population within manageable limits would allow RDCC staff to provide better services to the inmate population. Further, it would allow RDCC staff to better serve the Maryland public as it would permit them to systematically review each offender and place him in the most appropriate institution to provide for his security and program needs.

H. Overview of the Proposed Reception and Classification Process:

The proposed initial reception and classification process should resemble that depicted in Figure 5.

The following general recommendations are presented to guide the Division in restructuring the present RDCC process. Since receiving institutions within the MDOC typically reevaluate each inmate and develop their own recommendations for his program involvement it is recommended that the Maryland Division of Corrections reduce its emphasis on the reception process as a comprehensive diagnostic process for all offenders. Instead, the reception process should be oriented toward: screening for risk; filling gaps in the historical information received on an inmate; and developing basic treatment program plans. More complete diagnostic workups should be reserved for offenders who have special needs, as identified through screening. These needs may be medical, psychiatric, mental health, etc. To do a complete diagnostic workup on every inmate is costly: wasteful of scarce resources; will be time consuming: is generally not used by the receiving facilities: and simply is not necessary in the majority of cases.

In the court case, Doe vs Lally, an expert witness for the plaintiff, Dr. Stanley Brodsky, testified that only about 5 percent of all the inmates received at the RDCC actually required the full testing program then utilized. He further stated that four factors--age, nature of the current offense, length of sentence, and prior records--were critical in making the initial diagnostic decision. Dr. Brodsky further stated that the state's goal in performing initial classification should be to identify, as quickly as possible, the five percent who need the more in-depth evaluation and to classify the remaining inmates on the basis of the four factors he cited.

PROPOSED RECEPTION AND CLASSIFICATION PROCESS

| Phase I: Data Collection | Phase II Assessment | Phase III Placement Plan | Phase IV Periodic Evaluation (Institutional Classification) |
|---|---|---|---|
| Focusing on:<br>• Criminal<br>• Social<br>• Psychiatric<br>• Psychological<br>• Medical<br>• Educational<br>• Vocational<br><br>Sources:<br>• Commitment Orders<br>• Presentence Investigation Reports<br>• State's Version of the Offense<br>• Inmate's Version of the Offense<br>• Forensic Reports<br>• State Police Criminal History<br>• FBI Criminal History<br>• Jail Reports<br>• Military Records<br>• Previous Base File Material<br>• RDCC Interviews<br>• RDCC Observations<br>• RDCC Tests | Analysis of:<br>• Offender Public Risk<br>• Offender Institutional Risk<br>• Sources of Criminal Behavior/Problem<br>• Personality<br>• Socioeconomic<br>• Potential for Change/ Rehabilitation<br>• Aptitudes<br>• Skills<br>• Interests<br>• Community ties<br>• Mental stability<br>• Vulnerability | Stated as:<br>• Initial Placement<br>• Subsequent Placements and Steps<br>• Performance Objectives for each Step (MAP)<br><br>Constrained by:<br>• Bedspace Availability<br>• Custody Level Housing Assignment<br>• Special Management Needs<br>• Program Availability<br><br>Designed with:<br>• Inmate Participation<br>• Staff Input | Initiated by:<br>• Pre-established Interval Since Initial Placement or Last Evaluation<br>• Inmate or Counselor Request<br>• Institutional Managing Officer Request |
| Days 1-3 | Days 4-13 | Days 14-20 | |



Figure 5. Proposed Reception and Classification Process

. Correctional Services Group agrees with Dr. Brodksy's testimony in principle. However, we would recommend that all inmates be tested during the admission process to help identify their general program needs during the duration of their confinement. The results of these tests, along with information obtained during personal interviews, should be used by RDCC classification counselors to formulate the basic inmate program plans described earlier in this chapter.

Such testing should focus on: literacy: achievement levels; vocational ability and preference: and substance abuse involvement. Psychological and psychiatric evaluations, as well as extensive medical testing, should be reserved for those inmates who are identified, by counselors or social workers, as in need of in-depth assessment. Likewise, extensive educational and vocational testing should be performed by institutional staff once the inmate is transferred from the RDCC to a DOC facility.

In summary, the receiving institution should have the formal responsibility for extensive inmate evaluation and comprehensive treatment program planning while the RDCC should be responsible for initial placement and for recommending institutional program participation and performance objectives for each offender.

. The reception and classification process for the vast majority of offenders should be much shorter than the 15 to 25 days it takes at present. Screening the population to identify special needs inmates for extensive evaluation will help shorten this process as will any successive measures taken to expeditiously acquire the necessary background information on each inmate received.

Reception centers were initially thought to provide a positive experience for inmates in acclimating them to prison life. Many correctional authorities now believe the reception center experience can become a negative experience, especially for inmates who are housed in the centers for periods in excess of about 2 weeks. Part of the reason for this opinion is that these facilities, charged with identifying the future segregation and classification needs of new commitments, are themselves not segregated or classified, except in extreme cases. Inmates. young and old, first offenders, multiple offenders, property offenders and violent offenders are all mixed together in reception center housing and program assignments.

. Once the new RDCC facility opens, in-coming offenders should be classified during central unit intake for housing unit assignments within the RDCC. This classification should be based upon the same criteria/factors used by RDCC staff in recommending initial custody and institutional assignments, and for the same reasons. This procedure, however, will not be possible until the majority of new commitments are accompanied by: a PSI; an up-to-date Maryland State Record Check or FBI "rap" Sheet; a State's Version of the Offense; and a Jail Classification Report.

. It is recommended that the RDCC process consist of:

(1) Screening for medical and dental needs:

(2) Identifying special needs and/or special management inmates;

(3) Selective psychiatric and psychological examinations;

(4) Compiling legal documents and investigative reports;

(5) Orienting the offender to the DOC

(6) Determining the custody level appropriate for future housing; and

(7) Selective diagnostic testing:

(8) Formulating a basic program plan.

. It is recommended that the Division expand upon the preliminary work begun on this project in the area of defining custody criteria to develop an instrument or guideline to determine institutional and custody assignments. This is discussed in detail in Chapter X.

. The Maryland Division of Correction should examine its written regulations to identify those that are outdated, inaccurate or incomplete. In reviewing the DCR's to evaluate the DOC's classification procedures, CSG staff found a number of important procedures were not documented as regulations or were inadequately documented. For example, no DCR exists which describes the reception and initial classification procedures utilized by the Maryland Correctional Institution for Women: the DCR which governs the development and maintenance of inmate base files is sketchy and does not clearly outline the procedures for maintaining, storing, accessing and transferring these files: the DCR which establishes initial and institutional classification teams does not specify the hearing procedures or the individual responsibilities of team members; and so on.

## I. Jail Classification

1. Findings: There was a strong movement in the mid-1970's to move the bulk of initial classification activities into the local community. This was advocated as it was believed the classification function could involve a much wider range of personnel and resources if conducted on the local level. For example, a classification team consisting of parole and probation officers might collect the social history, while local practitioners could provide medical and psychiatric examinations. State and local institution personnel, in cooperation with the other members of the team, in turn could review the appropriate correctional programs available to meet the offender's needs.

Community classification on this scale does not occur in Maryland. The DOC does, however, assign a RDCC classification counselor to the position of County Coordinator. The County Coordinator and one or two RDCC classification counselors travel to Prince George and Montgomery Countries on a scheduled basis to identify state offenders being held in the county jails who meet the eligibility criteria for assignment to the pre-release system. Such inmates, however, must still undergo limited processing: i.e., identification, medical screening, at the RDCC. The DOC instituted this procedure to alleviate overcrowding at the RDCC and in the county jails and to identify a greater pool of inmates from which to make pre-release assignments.

Based upon interviews with RDCC staff, it appears that this effort has met with only limited success. RDCC staff are unable to predict which state offenders will be transferred by the Sheriffs and which ones will be retained to serve all or part of their sentence at the county facilities. Due to overcrowding within the DOC and to the reimbursement the state makes to local facilities for holding state inmates, the inmates spend varying lengths of time within the local jails. Jail officials use their

own discretion in deciding who to transfer to the DOC and who to retain. For the most part, the prime candidates for the MDOC pre-release system are retained in the local jails and the more serious offender with the longer sentence or the offender who creates problems within the jail, is transferred to the DOC Therefore, the time and effort RDCC staff expend classifying inmates at the local level are not always productive.

Further, a recent survey conducted by Fisher and Associates for the National Institute of Corrections discovered that the community classification concept has not developed as expected and in fact, most states continue to operate central reception and diagnostic centers. This finding appears to be the combination of several factors:

- Inability of local governmental units to adequately perceive the changing problems of state correctional agencies which impact classification.
- The overcrowding of state correctional institutions which has resulted in inmate population management being afforded a higher priority than the needs of individual offenders.
- Lack of available resources in many communities, particularly rural, to conduct adequate assignments for classification purposes.
- Political differences of opinion between state and local governmental units which affect intergovernmental cooperation relative to corrections.
- Logistical problems regarding transportation of offenders to state correctional institutions.

Several recent reports and studies have discussed the possibility of the new RDCC being converted to a maintaining institution and that initial classification be conducted on the local level. These reports go on to state that conversion of the RDCC to a maintaining institution facility would create additional bedspace for assigned inmates.

2. Recommendations: If the county jails continue to exercise their discretion in deciding who to transfer to the DOC and who to retain, at least temporarily, in the local jail, the DOC should discontinue classifying inmates at the local level. If, however, the DOC can institute a priority system for RDCC intake that uniformly applies to all local jurisdictions, the practice should continue. Obviously, top priority for DOC intake would be the inmate previously classified by RDCC staff at the local level.

Further, the concept of team classification in the community should be explored. The DOC should take the lead in developing cooperative agreements with the Division of Parole and Probation and various local governmental units to develop local teams whose principal responsibility would be to gather data needed by RDCC staff to complete the classification process. This would have some obvious advantages:

a. Local staff would have greater access to information sources such as family, previous employers, local police departments, etc.

b. Many offenders experience extensive delays from the time they are sentenced to the time they are transferred to the DOC. This would provide time to provide an initial assessment work-up.

c. Generally, staff on the local level will be more familiar with the offender and be able to provide additional insights relative to his custody and program needs.

The proposed RDCC facility should continue to be planned to operate as the state's central reception and classification unit for males. Criticisms of the past and current operation of the RDCC should not necessarily warrant the elimination of a central classification process. Indeed, the implementation of an effective initial classification program is one of the most important recommendations of this study. Unless the central administrative and classification capability provided by the RDCC is developed, the other recommendations of this report--for a more empirically-based custody determination system, new institutional classification procedures and for new institutional and community programs--cannot be effectively implemented. Even in the absence of such innovations, efficient management of the growing number of inmates requires an improved intake and classification system in a facility designed to accomplish this purpose.

Pertaining to the above recommendation, the new RDCC should not be converted into a maintaining institution even though the apparent need for more secure beds provides an obvious temptation to do so. First conversion of this facility would eliminate the use of the facility as a reception and classification center and second, the belief that it would create additional bedspace is inaccurate. Converting the RDCC into a maximum security facility would create an additional 400 maximum security beds for permanently assigned offenders; however, it would also simultaneously eliminate 400 secure beds needed for reception purposes.

# Chapter Five: Institutional Classification

## CHAPTER V: INSTITUTIONAL CLASSIFICATION

It appears that the institutional classification system procedures have changed very little over the past several years. The changes that have been made in response to court orders, i.e., Bundy versus Cannon, and to bring Maryland's classification procedures into line with those promulgated by the Commission on Accreditation for Corrections (CAC). Why then the current dissatisfaction with a system that functioned adequately for a number of years? The answer lies in the overcrowding problem. Procedures and custody and assignment criteria that were adequate ten years ago cannot meet the demands of a system wherein institutional assignments and hence custody assignments are most often dictated by bed space availability.

The effects of the overcrowding problem are particularly acute in the medium security institutions. Classification staff in these facilities feel they are pressured to move inmates from medium to minimum custody who have not demonstrated the level of responsibility and control heretofore required prior to being rewarded with minimum security status and its concomitant privileges. The system has instituted fairly drastic measures to limit its intake and maximize its outgo. These procedures, according to classification staff. empty the beds within the Pre-Release system faster than the classification staff can identify candidates for lesser security beds in order to free up beds in maximum and medium facilities and has occurred so repeatedly in recent years, classification staff feel the best they can now do is "identify the best of the worst" candidates for reduced security. Another result of overcrowding is a dramatic increase in inmate turnover within Maryland's institutions. It is reasonable to hypothesize that increased inmate turnover, coupled with a greater percentage of inappropriately placed inmates, stimulates more instability within the institution, and thus higher incidences of inmate infractions. Increased rates of inmate turnover, higher incidences of inmate infractions coupled with the pressure to identify inmates for transfer to lesser security institutions has dramatically increased the amount of time each classification counselor must devote to preparing for and participating in team hearings. Other functions performed by classification counselors have, of necessity, been relegated to secondary importance due to time constraints.

While the mandate of this study is to identify the weaknesses in the present classification system and to recommend changes to improve the system, this focus should not obscure the fact that there are many "good" components of the present system. The classification staff, for example, must be credited for maintaining their professionalism and desire to "do a good job" in the face of severe criticism and difficult mandates. Much of the disgruntlement voiced by Division staff is related to their increased caseloads, increased non-classification responsibilities, lack of time to counsel inmates and lack of input into Division policy and procedure. Many of these problems can be traced back again to the stress placed on the classification system by the overcrowding crisis. The Division administration must also be credited for its efforts to upgrade its classification system consistent with nationally recognized standards such as those of the CAC and for its responsiveness to the conflicting and difficult demands placed upon the correctional system by the courts, the public, the legislature, inmates and DOC staff.

The following description of institutional classification is presented to provide the reader with an overview of the procedures currently used to reclassify inmates. Figure 6 depicts the role of institutional classification in the overall inmate classification process. It is followed by CSG's findings concerning Maryland's classification system and recommendations for its improvement.

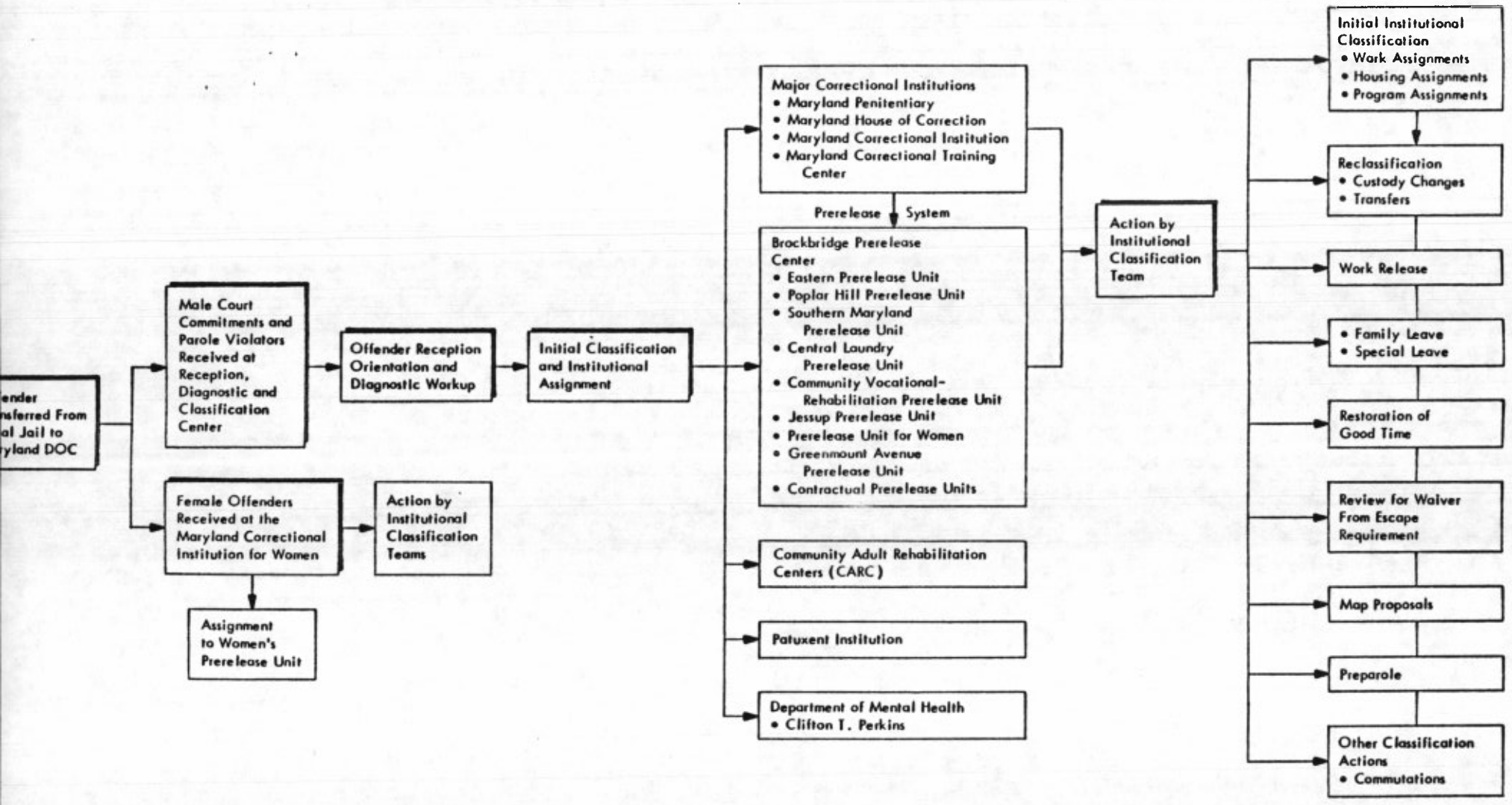



Figure 6. Flowchart of the Institutional Classification Process

## A. Overview of Institutional Classification

The basic institutional classification procedures utilized by the MDOC do not vary appreciably from institution to institution. Each institution has, however adapted the DCR's to accomodate its unique inmate population, needs and/or resources. The most extreme example of a DOC facility developing institution-specific classification procedures is the Maryland Correctional Institution for Women (MCIW). The following description of institutional classification procedures is primarily based upon the DCR's. For those procedures not governed by DCR's, the most common practice among institutions is described.

### 1. Initial institutional classification and orientation

Shortly after an inmate is received by a DOC facility, he is interviewed by the Initial (institutional) Classification Team.[1] He is usually oriented to the institution during this hearing and receives a job assignment or his name is added to the job bank. Also, a visiting list may be developed for him at this time. The inmate is told what he must do to see his counselor and any questions he may have are answered during this meeting.

The Admission Summary is reviewed to determine the inmate's special program needs, as identified by the RDCC. The Initial Team then refers the inmate to the applicable institutional programs. The inmate must usually take the initiative in following through on this referral. In some cases, the inmate's counselor will notify the program director and advise him of a particular inmate's needs. The program director or other program staff may then take a more active role in soliciting the inmate's participation in the program.

### 2. Reclassification

Each DOC facility has at least one institutional classification team (outside of the Adjustment Team) which hears requests for changes in classification on a regular basis. All of the maintaining institutions employ several teams to hear diverse types of reclassification requests. The Maryland House of Correction, for example, utilizes the following classification teams:

- Reclassification:
- Good time restoration:
- Protective Custody Review;
- Segregation Review;
- Special review, e.g., commutation:
- Transfer;
- Camp (Pre-Release); and
- Initial classification/orientation.

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1 Prior to the initial hearing, the inmate is assigned a counselor who interviews him to determine his need for a special housing assignment. Based upon the results of this interview, the institutional custody staff give the inmate a housing assignment.

Classification Team members[2] represent the operating units of the institution, i.e., treatment supervision, custody and classification counseling. At least three members of the team must be present to conduct a hearing. The inmate appears before the Team to present his reasons for desiring the reclassification and to answer any questions the Team may have. Division regulations require that each inmate receives a program and status review at least annually.

The inmate base file is the primary resource used by the Classification Team in making its decision whether or not to approve a reclassification recommendation. The testimony of the inmate and his counselor, as well as any personal knowledge team members have of an inmate also influence the Team's decision.

The Team's decision is sent to the Managing Officer for approval. If he approves, the recommended action is taken unless the recommendation requires the final approval of the Commissioner. These include:

- Work Release;
- Restoration of good time previously taken by the Commissioner
- Special or Family Leave;
- Disciplinary and administrative transfer to the Maryland Penitentiary or other institutions of greater security:
- All transfers out of the Maryland Penitentiary: and
- Selected DOC, MAP negotiated proposals.

If the Managing Officer disapproves a Team recommendation, he may send it back to the Team for further deliberation, overturn it, or change the recommendation and implement the changes.

3. Pre-Release System

The classification procedures used within the Pre-Release System are essentially those employed in the maintaining institutions. However, once an inmate is assigned to the Pre-Release System, his initial unit assignment is made by the Assignment Coordinator. Subsequent transfers between Pre-Release Units are to be made pursuant to classification team actions.

The composition of a Pre-Release Unit Classification Team is also somewhat different from that specified for maintaining institutions. Pre-Release Units do not have the number or diversity of staff from which to recruit Team members, therefore, the DCR governing the composition of Pre-Release Classification Teams is less restrictive than for maintaining institutions.

A final important difference between pre-release classification procedures and those of the maintaining institutions involves the specified frequency for conducting inmate progress reviews. Within the Pre-Release System, an inmate must be reviewed at least every two weeks. As discussed previously, an inmate within a maintaining institution must be reviewed at least annually.

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2 Classification staff rotate team duty on a regular and emergency basis.

4. Institutional programming

Classification counselors are responsible for monitoring and documenting inmate program progress. Successful or nonsuccessful program participation is currently an important criteria used by DOC classification teams to justify certain Team recommendations, e.g., custody reduction.

Classification counselors and classification teams are frequently instrumental in facilitating inmate program participation through their recommendations and referrals. Division programs available to interested and qualified inmates include:[3]

- Addictions counseling, education, TRAP and community resource referral;
- Basic through advanced college courses leading to selected bachelors and masters degrees:
- Apprenticeship training;
- Vocational training·
- Music;
- State Use Industries:
- Individual and group counseling;
- Work Release; and
- MAP (Mutual Agreement Programming).

For most of these programs the counselor's role is limited to encouraging the inmate to participate. However, work release and MAP require much more counselor involvement. The work release program, for instance, requires the counselor to verify the inmate's eligibility for the program and then submit the case to the Institutional Classification Team for its approval. Likewise, if an inmate decides he is interested in participating in MAP and feels he meets the eligibility criteria, he contacts his counselor, who orients the inmate to the MAP program. The counselor or classification Team will then verify the inmate's eligibility for MAP participation. If MAP eligibility is verified, the counselor refers the inmate to the MAP staff for specific MAP orientation.

5. Classification for Parole Decision-Making

Classification counselors currently complete preparole reports for all inmates scheduled for review by the Parole Commission. A new preparole report is completed for an inmate each time his case is reviewed by the Parole Commission. Classification Counselors are currently assigned to participate in institutional parole hearings. The counselor's participation is generally limited to performing clerical duties for the hearing officers.

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3 Certain DOC programs, such as MAP and Work Release have stringent eligibility criteria inmates must meet prior to program participation.

## B. Initial Institutional Classification and Orientation

### 1. Findings

Initial institutional classification within the Maryland system is a rather loosely defined and practiced procedure. Each institution uses different staff to conduct initial classification with differing objectives Most institutions attempt to perform inmate orientation and assign jobs during this session. Other institutions also develop visiting lists for the inmate during this meeting.

The Maryland Penitentiary holds no formal orientation, instead it relies on the orientation given by the RDCC to suffice. The other maintaining institutions orient their inmates primarily through the initial classification hearing. For the most part, both staff and inmates are dissatisifed with the quality of this orientation.

### 2. Recommendation

The following procedures should be adopted by the Division to replace the initial institutional classification hearing:

- Within three days after reception at an institution, the Classification Supervisors should assign the inmate a counselor. As soon as possible. the counselor should meet with the inmate to schedule him for orientation; schedule his regular classification reviews; determine his institutional job preferences and related skills for submission to custody; show the inmate how to fill out the visiting list; answer any questions the inmate may have: and explain to the inmate how to contact his counselor and how to request special services, e.g., medical, psychiatric, etc.

- Within 5 days. the inmate should be scheduled for an inmate orientation session.

- By the 10th day, the inmate should have attended the orientation session and should have been given a temporary (90 day) work assignment.

Each institution should provide a formal orientation program at least once a week for no more than 25 inmates at one time. If more than 25 inmates are received during a week, two orientation sessions of two hours length should be scheduled for the following week. The Managing Officer at each institution should appoint a representative of the custody staff and a representative of the treatment staff to provide this orientation. If one of these persons is unable to deliver his portion of the orientation session for any reason. he is responsible for securing for himself a temporary replacement. The orientation should cover such areas as

- Institutional rules and regulations:
- Classification and adjustment procedures;
- Institutional programs and resources;
- Chaplain's services:
- Counseling services;

- State Use Industries/work programs/work ethics;
- Leave programs; and
- Recreation/leisure activities/social organizations.

Information sheets should be passed out during orientation for future inmate referral.

3. Rationale

It appears that the primary function of the initial institutional classification hearing is to orient the newly-received inmate to the institution. Other functions performed usually include job assignments and development of visiting lists. The orientation provided, however, is cursory at best and under the recommended procedure there is no reason to hold the initial institutional hearing. The housing and job assignments should be made by custody staff who would utilize the classification counselor's initial interview findings to make these determinations.

Each institution should provide a comprehensive orientation for each newly received inmate to acquaint him with the institution's unique services and programs: the institutional schedule: and institutional rules and regulations.

C. Reclassification

1. Composition of an Institutional Classification Team

a. Findings: At the present time the DCR's specify that a minimum of three staff make up a classification team. These persons include:

- Assistant Warden/Assistant Superintendent, Treatment or a Classification Supervisor chairs the hearing. When more than two Teams are are meeting simultaneously, a Senior Classification Supervisor may chair a Team hearing.
- A Classification Counselor, preferably the inmate's counselor: and
- A Correctional Officer, rank of lieutenant or above.

In addition to this "core" group, DCR 100-1 makes reference to encouraging any one or more of the following persons to participate in hearing deliberations:

- Institutional psychologist;
- Vocational/academic staff:
- Institutional State Use Industries Manager or his/her designee:
- A work release representative; and
- Any other member of the treatment staff as designated by the Managing Officer or by the appropriate DCR.

Each member receives one vote.

In practice most Classification Teams are chaired by Senior Counselors. Other Team members include the inmate's counselor or another counselor, and a lieutenant. Because of the volume of Team hearings, Team duty rotates among classification staff. The ostensible reasons for this duty rotation are prevention of boredom and to free counselors from Team duties periodically so that they may attend to other classification duties. Further, in most institutions there is a separate Classification Team organized for each type of reclassification action being considered. For example, during interviews with classification staff at the Maryland House of Correction, staff identified the following separate classification boards currently operating at that institution:

- Reclassification:
- Good time restoration;
- Protective custody review:
- Segregation review;
- Special review; i.e., commutation·
- Transfer;
- Camp (Pre-Release): and
- Orientation/initial classification.

b. Recommendation: Each maintaining institution should establish a permanent classification team to hear all recommended classification actions. The permanent team should be composed of the following staff:

- Classification Supervisor I or II (chairs hearing);
- Correctional Officer--rank of sergeant or above;
- Classification Counselor other than the inmate's counselor;
- Maintenance Supervisor;
- Teacher or Vocational Instructor; and
- Housing Officer.

A quorum of three members must be present to conduct a hearing.

In the event that one or more members of the permanent team cannot attend a hearing, any one of the following institutional staff may substitute for a permanent voting member:

- Records Custodian·
- Food Serivce Manager;
- Recreation Supervisor.

Each member, with the exception of the Chairman, is entitled to vote on each classification decision. The Chairman should vote only to break a tie.

c. Rationale: At the present time, most classification staff indicated they spend from 25 to 50% of their time sitting on classification team hearings. A high percentage (23%) said they spend over 50% of their time on hearings. In view of the number of responsibilities assigned to classification counselors, this investment of time in team hearings is unreasonable and counterproductive to the needs of the inmates and to the efficient overall operation of the classification system. Also, within the Maryland system there are numerous counselors who are not trained to provide counseling functions. Classification staff who are not trained as counselors, have no desire to be trained as counselors and who enjoy participating in team hearings and preparing the necessary paperwork should be appointed by their respective superintendents to a permanent position as a team member.

The Chairman is not permitted a vote, except in tie situations, in order to minimize his or her influence over the counselor appointed to the team. The Chairman is responsible for docketing all cases to be heard by the team, notifying the inmate in writing within three working days following the hearing, stating the results of the Team's action. In docketing cases for review, the Chairman should make every effort to group cases for presentation according to assigned counselors.

The inmate's assigned counselor will present his case to the Team. The counselor is not permitted a vote because it is his professional responsibility to support the recommendation he is submitting to the Team. It is the Team's responsibility to weigh the facts of the case, consider the inmate's testimony and that of his counselor, and arrive at an independent judgement. To require the inmate's counselor to sit on the Team and vote on his own recommendation subverts the intention of Team classification. Maryland's current practice "stacks the deck" in favor of the recommendation before it is even presented to the Team for consideration. As mentioned before, it is the counselor's responsibility to back his recommendation: otherwise, he should not be making it. Before submitting a proposed classification action, the counselor must weigh the case himself and decide on its merits, whether the inmate meets the applicable eligibility criteria, warrants the change, e.g., in a job, program, etc., that he is requesting. If the inmate does not meet the DOC eligibility requirements for whatever classification action he is requesting, it is not incumbent on the classification counselor to submit his request for a team hearing. If the inmate is requesting a program or job change, the counselor should interview the inmate to determine the reasons for the requested change, to see if the change is in the best interests of the inmate and counsel the inmate if it is not.

2. Classification Team Procedures

a. Findings: DCR 100-1, as amended, specifies the Team composition and function and the procedures for recording classification actions and recommendations. It also briefly describes the procedures for using the special classification recommendation form (Pink Form 2) and requires that Classification Team reviews take place as often as necessary. depending on the particular institution, but at least annually.

Further, DCR 100-1 makes written provision for the involvement of the inmate in any classification matter that involves Team action. In addition, the inmate is given written notice of a Team hearing at least 48 hours prior to the hearing. Further, if an inmate requests, staff members will help him prepare for the hearing. These procedures conform to Commission on Accreditation for Corrections Standards 4374 and 4378.

The DCR's do not address the nature of the inmate involvement or specify the classification hearing procedures.

b. Recommendation: The MDOC should expand DCR 100-1 or create another DCR that specifies the hearing procedures a Team must follow. The following procedures are recommended for incorporation into the revised or new DCR:

Prehearing Activities

- The Managing Officer will appoint a Classification Supervisor to serve as permanent Chairman of the Institutional Classification Team. Any permanent Team member may serve as alternate chairman, at the discretion of the Managing Officer.

- The Managing Officer will designate an appropriate place within the institution to hold institutional classification hearings. The meeting area should provide adequate privacy and a suitable waiting area for inmates and other persons appearing before the Team. In addition. the hearing room should be located to facilitate the secure movement of inmates to and from the hearing room.

- The Chairman of the Institutional Classification Team or his or her designee, will prepare and distribute the hearing docket at least two working days in advance of the hearing.

- The Institutional Classification Team will have each inmate's base file available for reference during the individual review of cases:

- The Classification Counselor assigned to each inmate scheduled for review by the Team will review each inmate's base file prior to the hearing to ensure the file is complete, organized as specified by DCR 100-7, and that the program notes are up to date and legible.

- In addition to the Chairman or his substitute, two other permanent voting members must be present to conduct a hearing.

- All permanent voting members, or alternate members, are permitted one vote each. The Chairman, however, does not vote except to break a tie.

- The Chairman, or his or her designee, will maintain the hearing minutes on Division forms.

- At least 48 hours in advance of the hearing, the Classification Counselor will advise the inmate as to the nature of the review and procedural requirements. At this time, he will have the inmate sign the 48 hour hearing notice (DC Form 100-32R) or the Waiver of Hearing Notice (DC Form 32R).

Hearing Procedures

- The Chairman will call the hearing to order and. if desired, designate a member to serve as hearing recorder.
- The Chairman will review the hearing docket and estimate the time to be devoted to each case.
- For each case, the Chairman will identify the inmate, state the reason for the hearing and review the inmate's record.
- The Team members will then discuss the case.
- Following Team discussion, the Chairman will call for the inmate and his counselor to be admitted to the hearing room.
- The inmate's counselor or, in his absence, a counselor familiar with the case will present the case to the Team.
- Following the counselor's presentation, witnesses called by the inmate will be admitted to the hearing to present their testimony. Following their testimony they will be dismissed by the Chairman.
- Next, any witnesses called by the institution will be called to present their testimony after which time they will be dismissed by the Chairman.
- After all witnesses have been heard the counselor presents his testimony.
- The Chairman dismisses the inmate from the hearing following his testimony.
- The Team then discusses the case and identifies decision alternatives.
- The Chairman calls for the Institutional Classification Team to vote.
- The Chairman calls for the inmate to be readmitted to the hearing room.
- The inmate is advised. by the Chairman, of the Team's decision.
- The inmate is permitted to question Team members concerning the basis for their decision.
- The Chairman dismisses the inmate and his counselor from the hearing room and introduces the next case.

Posthearing Activities

- Within three working days of the hearing, the classification department's clerical staff should provide the inmate with a copy of the Team's recommendation and a rationale for same.
- The Managing Officer reviews each Team action for his approval or disapproval.
- Cases that must be approved by the Central Classification Board should be fowarded immediately for that purpose.
- The hearing minutes are typed by the clerical staff with copies to the appropriate staff and files.
- For those cases that are referred to the Central Classification Board, the inmate receives a copy of the Board's recommendations as does the Managing Officer and the Team Chairman.

Inmate Progress/Status Review

If the Division chooses to adopt the usage of inmate treatment program plans as outlined within this report, all inmates will be seen by the Team at least on an annual basis.

If the Division chooses not to utilize program planning, the following scheudle for Team reviews of each inmate should be:

| Period of Incarceration | Review Schedule |
|---|---|
| . First 3 years | . Every 6 months |
| . Intermediate period[1] | . Every year |
| . Last 2 years | . Every 6 months |
| . Pre-Release | . Every 3 months |

c. Rationale: It is important for all institutions to follow the same hearing procedures to provide conformity throughout the Division. Inconsistent procedures are likely to confuse an inmate who is transferred between institutions. Furthermore, it is extremely important when holding hearings that each inmate's due process rights are not violated. The consistent application of hearing procedural requirements will ensure this protection.

Also, by specifying the hearing procedures, delegating responsibilities and setting a standard of performance the DOC can promote staff accountability for team actions and documentation of these actions.

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1 This period covers the interim between the time an inmate has served at least three years of his sentence until he has two years or less to serve or until he is transferred to the Pre-Release System.

The present DOC standard that calls for an inmate to be reviewed by the Institutional Classification Team on an annual basis is not responsive to the needs of many DOC inmates. During the early period of a man's incarceration, it is important to provide more frequent, regular check points to evaluate his adjustment to confinement and his changing needs in order to provide more effective programming or a more appropriate institutional environment. Otherwise, during an inmate's final months of incarceration, frequent progress reviews are necessary to help the inmate prepare for reentry into the community.

The procedural recommendations cited above are intended as guidelines. Unique aspects of the Maryland system should dictate the final format.

3. Classification Team responsibilities

a. Findings: At present, classification teams evaluate and make recommendations concerning inmates in the following areas:

- Initial institutional classification (work assignments, housing assignments, programming, etc.);
- Reclassification;
- Work release;
- Restoration of good time;
- Transfers to equal, greater, or lesser security within the institution or to another institution;
- Family leave;
- Special leave;
- Review of waiver from the escape requirement;
- MAP proposals
- Pre-parole (the inmate's counselor prepares the pre-parole report if it is not feasible to hold pre-parole hearings); and
- Other classification actions if necessary.

All recommendations of the classification team must be approved or disapproved by the Managing Officer. The Managing Officer may approve or disapprove a recommendation and order further or new proceedings. Also, the Managing Officer may override a classification team recommendation or order an action that has not been recommended by the Team, if such action is not adverse to the interests of the inmate. This latter practice is troublesome to classification staff as they view it as an insult to their professional opinions and feel it negates the objective of team classification. If one person, however well-intentioned and knowledgeable, has the authority to make a classification decision on an individual basis, why bother with the time and effort it takes to prepare for a classification hearing and actually conduct the hearing? This person could single-handedly perform the responsibilities previously accorded to three persons and free them up to attend to other important matters.

Certain Team recommendations require the final approval of the Commissioner or his designee. These include:

- Work release;
- Restoration of lost good time previously taken by the Commissioner
- Special leave;
- Disciplinary and administrative transfers to the Maryland Penitentiary and other institutions of greater security;
- All transfers out of the Maryland Penitentiary; and
- Selected DOC, MAP negotiated proposals.

A special inmate movement procedure was instituted by the Division in April of last year to expedite the movement of inmates to institutions of lesser security and to allow staff to make special recommendations for parole hearings. A special form, the "Inmate Movement Recommendation Form" or Pink Form 2, was developed for this purpose.

Its development was in response to the overcrowding problem and to the current court orders barring the practice of double-celling inmates within the system's major institutions. Based upon staff interviews and personal observations, it appears the form has not performed its function. Instead, this form has added additonal paperwork chores for staff who already feel they have too much paperwork to contend with. While the reason for instituting this form was sound, existing Division forms were sufficient for accomplishing the same purpose.

Many classification staff looked upon the Pink Form 2 more as just another paperwork task than as a modification to existing Division policy, which it is, in actuality. In essence the Pink Form 2 gives classification staff more latitude in recommending inmates for reduced security and for parole. Some staff recognized the Pink Form 2 for what it was, but continued to use the Classification Assignment Sheet to make their recommendations. They did, however, follow the revised Division policy in that they began recommending inmates whose cases they believed merited special consideration.

Part of the staff's resistance to the use of the Pink Form 2 may be attributed to the belief, particularly widespread within Maryland's medium security facilities, that they had screened their institutional populations so many times for candidates for parole, reduced security, or commutation, that all they had left were the "best of the worst" candidates. This is, of course, a subjective opinion based upon each counselor's subjective interpretation of the "objective" criteria governing the action being considered. Conversations with Division classification staff indicated they were concerned about personal liability for classification actions that did not conform precisely to the DCR's, should an inmate commit new crimes while he is unsupervised in the community, or shortly after his release from the DOC.

b. Recommendation: In all DOC institutions, the classification team, with the approval of the Managing Officer or Unit Superintendent, should have the authority to implement the following classification actions:

- Assignments to and removal from academic and vocational programs;
- Assignments to special institutional programs, e.g., drug therapy, Alcoholics Anonymous, and other self-improvement programs that impact the inmate's treatment program plan;
- Review and approval of the specific treatment program plan developed by staff and the inmate;
- MAP proposals; and
- Review of waiver from the escape requirement.

The following classification team recommendations, when approved by the Managing Officer, should be forwarded to Headquarters for review and final approval:

- Changes in custody status;
- Special and family leaves;
- Institutional transfers;
- Assignment to or removal from work release;
- Restoration of good time previously taken by the Commissioner; and
- Selected DOC MAP negotiated proposals.

Job assignments and transfers, as well as housing assignments of inmates, other than special needs inmates, should be performed by custody staff. Work supervisors should regularly review the performance of inmates who work with them. These evaluations should routinely be forwarded to the inmates' counselors for inclusion in their base files.

Division of Correction Regulation 100-1 should be rewritten to eliminate the Managing Officer's authority to override or change a Team's recommendation. A Managing Officer, if he disapproves of a Team's recommendation, should note his disagreement on the classification form, state his recommendation, and briefly justify his decision in writing. This document should be returned to the Team for consideration. Upon unanimous agreement, the Team may override the Managing Officer's veto and forward the case to Headquarters for review and final approval. Or, the Team may decide the Managing Officer's recommendation has merit and amend their recommendation to comply.

Further, the Division should reconsider the use of the Pink Form 2, given its limited success. CSG staff feel existing classification forms are sufficient to accomplish the same purpose. What appears to be needed is a formal change in Division policy, i.e., DCR 100-1, that specifies the need for the policy change, the counselor's responsibility in implementing the change and much more specific DOC criteria for staff to use in identifying "cases that merit special consideration." This description is much too ambiguous and permits staff to exercise almost unlimited discretion in identifying such cases. The one exception is in the case of inmates who have been assigned a high or very high escape rating.

4. Treatment program planning

a. Findings: Treatment program planning, per se, does not exist within the Division outside of MAP programming. MAP serves less than 15% of DOC inmates and some inmates are ineligible for participation in this "contract parole" program. A few individual counselors within the institutions attempt to provide treatment program planning on a limited basis. however their efforts are restricted by the lack of Division support for this function, lack of time due to other classification and non-classification functions, an inadequate monitoring system with which to ensure that the program plan is being implemented, and inadequate institutional programs and resources to which to refer inmates. Continuity of treatment program planning between institutions is non-existent as the inmate's counselor at his newly assigned institution may not subscribe to the treatment plan philosophy, may not have the time or understand how to develop a treatment program plan. Further, the institution may not have the institutional resources or programs necessary to continue the treatment planning process.

b. Recommendation: To further maximize an inmate's involvement in classification actions that affect him, each inmate should participate, with his counselor, in developing a treatment program plan that plots, in general terms, an inmate's objectives for a specified period of time. The counselor will have responsibility for developing the program plan and presenting it to the classification team for review and approval. The program plan will be updated regularly, by the inmate and his counselor based upon a progress report written by the counselor. The following review schedule for program plan approval should apply:

| Period of Incarceration | Review Schedule |
|---|---|
| . First 3 years | . Every 6 months |
| . Intermediate period[2] | . Every year |
| . Last 2 years | . Every 6 months |
| . Pre-Release | . Every 3 months |

Figure 7, the "Specific Objective Plan" utilized by the Virginia Department of Corrections is included for the DOC's information.

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2 This period covers the interim between the time an inmate has served at least three years of his sentence, until he has two years or less to serve or until he is transfered to the Pre-Release System.

APPENDIX B

**DEPARTMENT OF CORRECTIONS**

**Division of Adult Services**

**Specific Program Objective Plan**

NOTE: The Specific Program Objecitve plan is to be developed by the Institutional Classification Committee in conjunction with the inmate and designated institutional staff representing their respective concerns for the inmate's correctional program. The plan is intended to reflect short range (six months) program objectives which are determined by the Institutional Classification Committee. The plan should be concise and written in specific terms.

I. Inmate Name: _____ Number: _____

Assigned Institution: _____

II. This plan covers the time period beginning on _____ and ending on _____

III. Program Objectives

1. Institutional Work Assignment:

2. Education:

   a. Academic:

   b. Vocational:

3. Medical Services:

4. Counseling/Psychological Services:

5. Special Program Involvement (Furlough, Work/Study Release, Community Activities):

6. Other:

Comments:

Prepared by: _____
Signature Title

ICC/Recommend Approval: _____ _____ _____
Chairman Member Member

Approved by: _____
Signature Title

cc: Central Criminal Record - White
Institutional Criminal Record - Green

Figure 7.

5. Information needs

a. Findings: Insufficient information for classification decision-making was probably the most frequently cited problem with Maryland's current classification system. This problem was specifically cited by headquarters staff, initial and institutional staff, members of the Parole Commission and by the Governor. Most classification staff would feel much more comfortable with the decisions they are making if they had sufficient information on the inmate to justify their decisions. The following factors contribute to this major deficiency:

. There is no manual for classification personnel to provide guidance in the operation of the classification system. Classification supervisors and counselors use the DCR's (particularly Sections 100-1 through 100-19) and DCIB's (Division Information Bulletins) when seeking information relative to classification decision-making.

. The inmate base files are often unorganized and unavailable for review by classification staff. Important data is often missing, while extraneous material is included for no apparent reason. Further, inmates may be transferred from one DOC facility to another without their files accompanying them. Transfer of the file may take several weeks.

. The Division's progress notation system, dependent on individual counselor's initiative and recorded in handwritten form, is an ineffective method for maintaining an adequate summary of an inmate's progress through the system.

. There is no individual and/or aggregate information with which to assess the success/failure of the classification system. The DOC computerized information system was ended in 1979 and the development of OBSCIS to the extent that it will be useful for classification purposes has been delayed until late 1981 or early 1982. This situation, in combination with a recordkeeping system which varies in adequacy from institution to institution, has resulted in ineffective management of offender information. (Please refer to Chapter IX.)

b. Recommendations:

Classification Manual: The Division should develop a classification manual that includes, at a minimum:

(1) Detailed policies regarding initial inmate classification and reclassification;

(2) Instructions regarding the makeup of the unit, team or classification committees, as well as the duties and responsibilities of each;

(3) Definition of the various committees' responsibilities for custody, employment and vocational/program assignments;

(4) Instructions as to what phases of an inmate program may be changed by the various committee levels;

(5) Specific procedures relating to inmate transfer from one program to another and from one institution to another; and

(6) Content of the classification interview.

This recommendation is supported by CAC Standard Number 4373.

Inmate Base Files: DCR 100-7 should be revised. Its current form and content do not provide the necessary guidelines for the organization, maintenance, transfer, or institutional handling of inmate base files. The following are samples of procedures the Division should use to develop a revised DCR.

. Reception Center Record Process

-- The RDCC should compile a central criminal record for maintenance at Division headquarters and an institutional record that shall be transferred with the inmate in his movement throughout the system;

-- The central criminal record and the institutional record shall be exact in terms of content;

-- A negative of the admission photograph of each offender committed to the Division will be on file at Division headquarters;

-- A medical record will be developed utilizing Division forms. The Division should develop a standard format for compiling this medical record;

-- At the time of the initial classification and assignment, the institutional record shall be transported to the inmate's assigned housing institution in the custody of the transportation officer, and shall be immediately submitted to the offical records supervisor or Managing Officer's designee. After official business hours, institutional records shall be submitted to the ranking officer-in-charge, as designated by the Managing Officer.

. Transfer Process

-- Upon notification that an offender is to be transferred to another institution, the Records Supervisor or Managing Officer's designee for records matters, shall cause the institutional record and the medical record to be prepared for transfer;

-- No offenders may be transferred without the complete institutional record, no matter what the nature of the transfer or how long the duration.

-- Managing Officer's and/or correctional officers at housing institutions are ordered not to receive an offender without an institutional record.

-- Due to the fact that some institutions must operate without current resident medical support personnel, the offender medical record should be handled for transfer by the Records Supervisor, or the Managing Officer's designee for records, as applicable.

-- The Records Supervisor or Managing Officer's designee for records matters, shall coordinate the transfer of applicable medical records with assigned medical support personnel, if medical support personnel are assigned to the facility.

-- If an offender has been transferred, and file material for the institutional record arrives after transfer, the Records Supervisor or Managing Officer's designee for records, shall forward such material to the housing institution on a "same day" basis.

The Division's current record procedures for the following records additions or changes should be documented and included in the revised DCR:

. Institutional Records Procedures for Discharge/Parole;

. Institutional Records Procedures for Escapes and Attempted Escapes

. Detainers;

. Indictments or information on offenses committed during confinement;

. Court dispostions

. Misconduct Reports

All documented Adjustment Committee actions whether major or minor must be forwarded to the central criminal records after having been processed through channels in accordance with Division regulations.

. Correspondence for Record

To assure continuity of records, avoid needless duplication of effort, and possible conflicts of interest within agencies and between institutions, institution personnel who have correspondence responsibilities must:

-- Cite the offender's full name and number on all correspondence;

-- Provide the institutional record and the central criminal record with copies of all correspondence;

-- Dispatch daily all material for file in the central criminal record: and

-- Forward the original of all correspondence from other parties to the central criminal record with a carbon of the institution's reply.

. Records Personnel

Staff should be designated at each institution who have the responsibility for ensuring the base files are kept organized correctly. are updated regularly, are checked out by authorized personnel under a system designed to "keep track" of who has which folder, etc.

. File Storage and Security

-- File storage shall be accomplished with the best possible means available at the institution or pre-release unit.

-- Storage order of institutional records may be accomplished with available means, either alphabetically, numerically, in cabinets or "lektriever" facility, if available. In-file record organization shall be monitored regularly by the Chairman of the Classification Team and the Records Supervisor.

-- Institutional records should not be removed from the institution except for transfer, escape or turn-in to File Maintenance and Storage at Headquarters. All records should be returned to the institutional file storage area at the end of the work period.

The Division should also develop a new inmate numbering system to improve access to file material obtained for an inmate during previous incarcerations within the MDOC and to minimize confusion over the identification of inmates. The DOC should assign an inmate the same number each time he enters the Division. A method for developing such a system is described in Chapter IV.

The Division should develop a new progress notation system modeled on those utilized by medical hospitals to maintain progress notes on patients. This system should be incorporated into the development of OBSCIS. (See Appendix B for a description of a computerized progress notation system utilized by social service agencies.)

OBSCIS

Information essential to initial and reclassification decisions should become an integral part of OBSCIS. The Admission, Assessment, Institutions, Parole. Movement Status, Legal Status, Management and Research Modules should be thoroughly examined to determine which elements of the classification system should be incorporated in this correctional information system. (See Chapter IX for a full discussion of how OBSCIS should be used to support current Division classification decision-making.)

c. Rationale: Prudent classification decision-making whether at the initial or institutional level, depends upon the availability of comprehensive, verified information In the Maryland system this information is often difficult to obtain. Even when it is secured, faulty base file organization, remiss filing practices and the lack of accurate, complete proper reports and proper notes combine to erode the confidence classification staff place in their own decisions as well as those of other staff.

D. Pre-Release System

Most of the Division classification procedures utilized by the maintaining institutions are also amenable to the pre-release units. However, CSG's analysis identified four classification components that are unique to the Pre-Release System. These four components include: composition of the Pre-Release Classification Team; transfers to the Pre-Release System; unit assignments within the Pre-Release System; and inmate progress reviews.

1. Composition of the Pre-Release Classification Team

a. Findings: The Classification Team core group consists of:

- The Assistant Managing Officer, a Classification Supervisor or a Senior Counselor who acts as Chairman;
- A supervisory Correctional Officer (lieutenant or above), a Correctional Specialist or any member of the Pre-Release Unit Treatment Staff as designated by the Unit Supervisor. A sergeant may substitute for the second member of the team when more than one hearing is being conducted simultaneously; and
- Any other treatment members of the Pre-Release Unit as designated by the Unit Supervisor.

As with the Institutional Classification Team, the following should be encouraged to participate in the classification deliberations:

- Institutional psychologist;
- Vocational/academic staff;
- Institutional State Use Industries Manager or his/her designee;
- A work release representative; and
- Any other member of the treatment staff as designated by the Managing Officer or by the appropriate DCR.

Each member has one vote.

b. Recommendation: The composition of the Pre-Release Classification Team "core group" is adequate with a few exceptions. A sergeant should be allowed to participate in Team hearings regardless of whether a simultaneous hearing is taking place. Further, as recommended earlier, each Pre-Release Unit should have a permanent Classification Team to conduct all hearings. Also, DCR 100-1 should be rewritten so as not to imply that the staff listed as possible members are available to use to conduct Pre-Release Classification Team hearings. If there are additional staff members in Pre-Release Units who could benefit the conduct of the Team hearings, these persons should be identified by title and tied directly to the section of the DCR that speaks to the composition of the Pre-Release Team.

Further, each classification team member should receive one vote with the exception of the Chairman, who only votes to break a tie. A quorum should consist of at least three staff.

Because of the small numbers of classification counselors/specialists employed in Pre-Release Units, it will probably be necessary to permit an inmate's counselor to sit as a member of the Team that is considering his case, although this is not the preferred practice.

c. Rationale: Since most of the Pre-Release Units are small, it is unreasonable to expect their Teams to represent the diversity of disciplines and institutional interests found in the Team composition of larger maintaining institutions. However, it is important to represent both treatment and custody interests on each Team. The Maryland classification system follows this practice very well.

It is the language contained in DCR 100-1 that mentions other staff that should be encouraged to participate in Team actions, that makes little sense. First of all, who is to encourage these staff to participate? Second, most of these staff are not employed by any of the Pre-Release Units and therefore are not available to sit on Teams. Last, those that are employed by Pre-Release, i.e., academic/vocational staff, reportedly do not feel participating in Team hearings is a valuable use of their time, or due to their small numbers within the Pre-Release System, do not have the time to contribute to Team hearings.

2. Transfers to the Pre-Release System

a. Findings: A new DCR is under consideration by the Maryland Division of Correction. It establishes policy for the transfer of inmates to the Pre-Release System. The proposed DCR establishes eleven priorities for rating each inmate based upon his present and past offense and proximity to release. Classification counselors would then be responsible for assigning each inmate on their case loads a priority rating from one to eleven. Transfer to the Pre-Release System would then be made by applying pre-release eligibility criteria to inmates by ascending priority rank and chronologically within each priority based upon the date each inmate entered the DOC. This procedure is expected to speed up the process of identifying good candidates for pre-release by providing a listing of inmates in each priority for further screening on an as needed basis. The proposed priority system and the related eligibility criteria are discussed in detail in Chapter X.

b. Recommendation: This proposed DCR is a reasonable response to the Division's continuing need to identify good candidates for transfer to pre-release. However, under the present system, so little background information is available during reception for so few inmates, one must question the wisdom of screening RDCC inmates serving other than a first incarceration for a non serious offense (Priorities 3 and 4) before non-RDCC inmates who are serving a first incarceration of over three months for a non-serious present offense (Priority 6) or a non-RDCC inmate with a non-serious offense and no history of prior serious offenses (Priority 7). Based upon this concern, CSG recommends the DOC reconsider the priority ordering associated with each type of offender identified.

c. Rationale: Non-RDCC inmates have been in the Division long enough for most, if not all, of the relevant criminal justice information to have come in and been filed in their base files: further, non-RDCC inmates have probably been in the system long enough for any serious behavioral problems to surface. Primarily based upon the quality and quantity or lack of information collected during reception and diagnosis, the order of these priorities should possibly be reconsidered.

3. Unit assignments within the Pre-Release System

a. Findings: DCR 100-1 specifies that once an inmate has been transferred to the Pre-Release system, an Assignment Coordinator determines the inmate's initial unit assignment in accordance with the Pre-Release System placement policies. Assignments to specific Pre-Release System Units are supposed to be made based upon the location of the inmate's home and his documented medical condition. This initial assignment does not require a classification hearing or the presence of the inmate. DCR 100-1 does specify that all subsequent transfers within the Pre-Release System be the result of Classification Team actions. Pre-Release Directive Number 199-1 is in direct conflict with this DCR. It permits the Assignment Coordinator to make assignments directly to the Baltimore City Pre-Release Unit based upon prioritized criteria.

b. Recommendation: DCR 100-1 should be revised to eliminate the requirement that all transfers within the Pre-Release System, subsequent to the initial unit assignment, are subject to Classification Team review. All nonpunitive transfers of inmates within the Pre-Release System should be made by the Assignment Coordinator with the approval of the Pre-Release System Superintendent.

c. Rationale: Once an inmate has been assigned to the Pre-Release System, his transfers among the units are generally based upon inmate-oriented considerations. That is, the inmate may require specific medical care that is unavailable within the geographic area served by the pre-release unit; he may be transferred to a unit closer to his home; he may be transferred to another unit where he has a better chance to obtain employment or he may be transferred to another unit due to minor problems adjusting to the old unit. These are not sensitive transfers for either the Pre-Release System or the inmate. Therefore, these types of transfers could be made by the Assignment Coordinator in lieu of a Team hearing based upon the inmate's request and the receiving unit's concurrence.

4. Pre-Release inmate progress reviews

a. Findings: Pre-Release Directive Number 20-4 requires that the progress of every inmate be reviewed at least every two weeks through Unit staff meetings, if possible, or direct contact between the inmate and his case supervisor.

b. Recommendation and Rationale: While it is important for treatment staff to maintain contact with pre-release inmates, requiring case supervisors to meet with inmates on their caseloads for progress reviews every two weeks is perhaps a little unrealistic. Informal classification counselor contacts with each inmate on a bi-weekly basis would ensure that counselors remain cognizant of any needed changes in an inmate's program. Any progress or lack thereof observed during this informal contact should be noted in the inmate's progress files. Otherwise, a formal progress review should be completed every 3 months. Biweekly contacts and other pertinent entries should form the basis for this report which should be developed by the case supervisor and the individual inmate. The progress report and any recommended changes in the inmate's program should be reviewed by the Unit Classification Team.

E. Inmate Programming

Evaluating the programs provided by the Division to its inmates was not a focus of this study. However. the quality of the classification system is impacted by a lack of programs and constructive activity for inmates.

Carl Clements, a previous consultant to the Maryland Division of Correction found that classification contributes to inmate idleness by failing to match offenders with the programs most suited to their needs. Idleness increases inmates' apathy, boredom, tension, and frustration, which in turn results in increased violence within the correctional system. Ineffective classification also fails to provide correctional policy-makers with the data they need to project and plan for their system's overall program needs. Unfortunately. it also means that inmate assignments to the few programs and jobs that do exist will be made without any rational basis.[3]

Conversations with DOC staff indicate no disagreement with the finding that the Division has too few program offerings for its inmate population. (The Assistant Commissioner, Programs, stated there are waiting lists at each institution for every program.) Staff do have differing opinions concerning which inmate programs/ services are the most critical and thus, should receive priority funding. The most frequently mentioned deficient program areas were: addictions programs; psychological/ psychiatric services and counseling services. Mutual Agreement Programming was also frequently mentioned by DOC staff. both in a positive and negative sense.

A further factor that impedes the classification counselor's ability to program an inmate is the overall lack of knowledge among classification counselors system-wide as to what programs/services are available at the other institutions and a concomitant lack of knowledge about the programs/service needs of the inmate population they now serve. As mentioned previously, the Division does have a "Program Resource Manual," but apparently it does not meet the needs of the majority of counselors.

Each of the programs/services outlined above are discussed in more detail below with applicable CSG recommendations

1. General Recommendation: There are no simple answers to this problem. Without adequate financial backing the Division will continue to operate with a shortage of program offerings. However, an efficient, objective classification system can do much to maximize the scant resources the Division currently provides. Accurate, consistent classification can identify the most appropriate candidates for Division programs and ensure that the inmates in the limited number of program slots are the most qualified. Appropriate classification also helps to gather accurate data about the program and service needs of the inmates, with which Division policy-makers can plan needed programs for which to request future allocations.

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3 Carl B. Clements, Ph.D. "Offender Classification: Problems and Prospects for Correctional Management," Prison Law Monitor, Volume 2, Number 99 (March 1980).

As discussed in Chapter VI of this report, a revised program manual should be developed for institutional classification staff referral during treatment program planning and hearing deliberations.

2. Psychological/psychiatric services: Most classification counselors felt the most acute inmate service need at the present time is additional psychological/psychiatric services. Detailed findings and recommendations concerning special management inmates is included in Chapter VII of this report.

3. Addictions programs: Based upon data collected by the RDCC, the DOC inmate population has a high incidence of substance abusers. At most there is only one addictions counselor per institution. The Maryland House of Correction (MHC) does not presently have an addictions counselor. To remedy this deficiency, MHC has set up a program run by trained inmates who themselves were substance abusers. Many of the institutions utilize community resources but there is no operational plan for providing Division addictions services on a coordinated Division-wide basis.

Given the estimated incidence of substance abuse within the DOC inmate population, it is obvious that the number of addictions counselors within each institution needs to be increased. (See Chapter XI.) Furthermore, more direction from the Division office is needed to create an addictions program Division-wide. Most communities have mental health, alcohol and drug treatment resources. A concentrated effort should be made to secure as many of these resources as possible to supplement the services provided by institutional staff.

4. Counseling services: Much of the formal and informal counseling performed within the DOC facilities is provided by classification counselors. Not surprisingly most classification staff see counseling inmates as a major job responsibility. The emphasis, in recent years, on the administrative aspects, i.e., paperwork, team duty, etc., of the classification component of their job responsibilities has relegated the counseling function to a minor role for most staff. Classification staff, who work with inmates on a daily basis, are acutely aware of the need for providing both formal and informal counseling services to inmates. Thus, they are frustrated by the lack of time they have to devote to what they consider to be one of the most important functions of their jobs. Another factor that has contributed to a decrease in the amount of time a counselor may devote to counseling is the increase in nonclassification duties, e.g., participating in shakedowns: escorting inmates to make telephone calls, performing clerical functions, etc.

The counseling capability of the RDCC is augmented by the Department of Social Work. These counselors service special caseloads, e.g., the first offender, the hospitalized or segregated inmate, and protective custody inmates.

Limited psychological counseling services are available to DOC inmates, if the institution is lucky enough to have a psychologist on staff. At the time of the study, the Hagerstown complex (total inmate population 2,800) was sharing the staff time of one psychologist.

There are two obvious solutions to this problem. One is to decrease the services currently provided to inmates in the area of classification and counseling: the other is to increase staff. Realistically, the Division is currently providing minimal counseling services to its inmates, therefore the first solution is not a viable one. The only alternative is to increase the number of staff, to include counselors, social workers, psychologists, correctional officers and clerical support staff. The number of staff needed and the expense involved is dependent upon an analysis of the job functions currently performed by classification counselors and an identification of the functions that may be performed by lower paid staff. Additional psychologists and social workers are needed regardless of the functions performed by classification staff as they perform nonoverlapping services. These findings are discussed in more detail in Chapter XI, "Classification Manpower Issues."

5. Mutual Agreement Programming (MAP)

Most classification staff feel MAP is of value to DOC inmates. The chief criticisms are conflicting. That is, one group of counselors indicated MAP activities increase their overall job services. The other group said that MAP eliminates the need for most classification activities and thus limits the counselor's contact with the "mapped" inmate. MAP is a viable program in every institution within the Division with the exception of the RDCC. The reason for this is that it takes approximately two months to develop and negotiate a MAP contract.

At the present time, there is not as much demand for MAP as previously anticipated. For example, many of the men in the Pre-Release System feel that their release date will be delayed if they agree to enter into a MAP contract. Another staff criticism of MAP is that it has been "watered down," that is, the eligibility criteria are too lax. CSG staff were unable to verify this criticism within the scope of this evaluation.

At the end of Fiscal Year 1980 there were 1,193 active MAP contracts. Over half of these contracts (695) were negotiated during FY 80. During that same time period, less than 15% of the active contracts were revoked due to the failure of the inmate to fulfill his contractual obligations. Further, in FY 80, 340 inmates met the conditions of their MAP contracts and were paroled from the Division.

Conversations with MAP staff indicate that the Division almost always meets its contractual obligations to a MAP inmate. In those cases where it cannot, the Division renegotiates the inmate's contract based upon the existing limitations. MAP staff feel the problem resides not with the Division but with the individual classification counselors, particularly within the Pre-Release System, who do not feel they are responsible for job development, community resource referral, etc. In their defense, part of the problem may be the ubiquitous "lack of time."

Correctional Services Group's limited analysis of the MAP program indicates it is a valuable and useful tool both for the Division and for MAP clients. Therefore, CSG recommends that the MDOC make every effort to expand this program consistent with the program's objectives and eligibility criteria. The MDOC should investigate the charges that MAP criteria have been "watered down" and the reputed lack of support for MAP inmates within the Pre-Release System.

One of the most important benefits of MAP is that it serves as an allocation device for utilizing the Division's limited program resources. MAP identifies those inmates who will best make use of the resources and gives them first choice for participating in these programs. As mentioned previously. this function is a critical component of an effective classification system and as such, deserves the Division's full support.

E. Classification for Parole Decision-Making

1. Findings: The Parole Commission, much as all other units in the Maryland Correctional System, depends on information on which to base its decisions. This information is provided by DOC classification staff via preparole reports (DCR 100-11). The Commission can be viewed as an end to the continuum in the classification process which begins with the offender's reception and initial classification, progresses to institutional classification and then results in the eventual release of most offenders on parole (in the past few years, a significant number of inmates have also been commuted).

Criticisms of the pre-parole information submitted to the Parole Commission include:

- There are frequently conflicts between information provided on the DOC pre-parole summary and that provided by the State's Version of the Offense.
- It appears that some counselor's rely on their personal knowledge of the inmate's adjustment to complete the form.

There are several reasons why the Parole Commission often finds the pre-parole summaries inadequate. Many counselors use the Admission Summary in preparing the pre-parole summary, updating it only with a listing of the inmate's infractions.

Further, the Parole Commission may receive a copy of the State's Version of the Offense for an inmate they are reviewing but the DOC may not have received the State's Version. Therefore, the counselor uses the inmate's version of the offense because that may be all he has to refer to. Too some counselors are negligent in preparing the pre-parole summary by using the Admission Summary, but failing to verify the information it contains via a thorough review of subsequent informational entries in the base file.

Finally if the base file does not include adequate progress notations or other documentation related to an inmate's adjustment, the counselor has little recourse other than to rely upon his personal knowledge of the inmate's adjustment in his current and former institutional placements.

In 1979, the Parole Commission developed a parole decision matrix or guideline using a format similar to that employed by the Federal Parole Commission. The objective of this effort was to minimize discretion in parole decision-making while providing for the most consistent responses. It was also designed to minimize the impact of disparate sentencing. Preliminary findings indicate it is achieving, to a significant extent, both objectives.

2. Recommendation: If the Division chooses to adopt treatment program planning, the 6 months progress report may be a viable substitute for the Pre-parole Summary--particularly, if it is updated just prior to submission to the Parole Commission.

If the Division does not implement treatment program planning, the current form is sufficient if emphasis is placed upon verifying the information summarized on the form and if an adequate summary of the inmate's progress within the system is presented. It is the classification counselor's responsibility to complete this form in a conscientious manner: however, it is up to the Classification Supervisors to monitor staff performance and take corrective action as necessary.

Both of these options, however, depend, to a large extent, on the quality of information provided to the DOC by outside agencies. Recommendations have been made elsewhere in this report concerning ways to improve this deficiency.

3. Rationale: Pressure is being brought to bear on the Parole Commission to increase the percentage of inmates who are paroled from the cases submitted for parole consideration. Because the Parole Commission must rely on the Pre-parole Summary and the inmate's base file to make its decision, it is imperative that the information included be comprehensive and accurate. If the system is functioning properly, the Parole Commission should need the inmate's base file only to review aspects of the Pre-parole Summary in depth.

G. Physical Plant/Facilities

1. Findings Many of the maintaining institutions, most notably MHC, MCI and the Maryland Penitentiary, have inadequate space for classification and treatment staff. Furthermore, the equipment utilized by these staff is not adequate to support their paperwork functions.

2. Recommendations: In any proposed renovations of any one of these structures, it is imperative that consideration be given to expanding the space allocated to classification and treatment staff and that this space be partitioned to facilitate the diverse needs of treatment staff; e.g., space for individual or group counseling, space for testing, etc. Moreover, the Division should endeavor to make communications equipment such as dictaphones, typewriters and copying machines available to staff to help expedite their paperwork functions.

3. Rationale: Good working conditions and adequate communications equipment will increase the individual productivity of classifications staff and improve the quality of services they provide as well.

# Chapter Six: Central Classification Authority

## CHAPTER VI: CENTRAL CLASSIFICATION AUTHORITY

### A. Central Classification

1. Findings: At the present time, Maryland does not employ team classification at the headquarters level. Instead, the Division has assigned individual headquarters staff to review, for the Commissioner's approval or disapproval, select institutional classification team recommendations. Figure 8 shows the current headquarters structure where the Assistant Commissioner of Programs and Director of Classification have limited responsibility (as depicted by the dotted lines) for institutional classification decision-making. These actions are mainly concerned with exerting control over decisions that are made in sensitive areas: e.g., family and special leaves, selected MAP cases, etc., and to ensure that inmates are afforded due process safeguards in the case of transfers to greater security and restoration of good time credits previously taken by the Commissioner.

Headquarters staff also review inmates' appeals to the Commissioner concerning what they view as unfavorable classification decisions.

Further, although the overwhelming majority of Division classification staff indicated they would like to see less headquarters control over important classification decisions, they inadvertently supported this concept in citing problems with the present system. For instance, many staff felt the lack of central office leadership was detrimental to the present system, as was the inconsistent decision-making by line classification staff. A strong central authority is capable of resolving both of these deficiencies.

2. Recommendation: The Maryland Division of Correction should establish a central classification authority with responsibility for:

- Ensuring that classification actions which involve potential risk to the community and/or the security of an institution receive the maximum possible review prior to implementation;
- Identifying and analyzing classification actions recommended by Institutional Classification Teams and reviewing their possible impact:
- Providing a systematic review and approval process for the following classification functions:
  - -- Initial classification, as performed by the RDCC:
  - -- Custody changes:
  - -- Institutional transfer;
  - -- Community leaves, including special leaves and family leaves;
  - -- Work release;
  - -- Restoration of good time credits taken by the Commissioner:
  - -- Selected MAP proposals;
  - -- Racial distribution:

PRESENT CLASSIFICATION SYSTEM TABLE OF ORGANIZATION

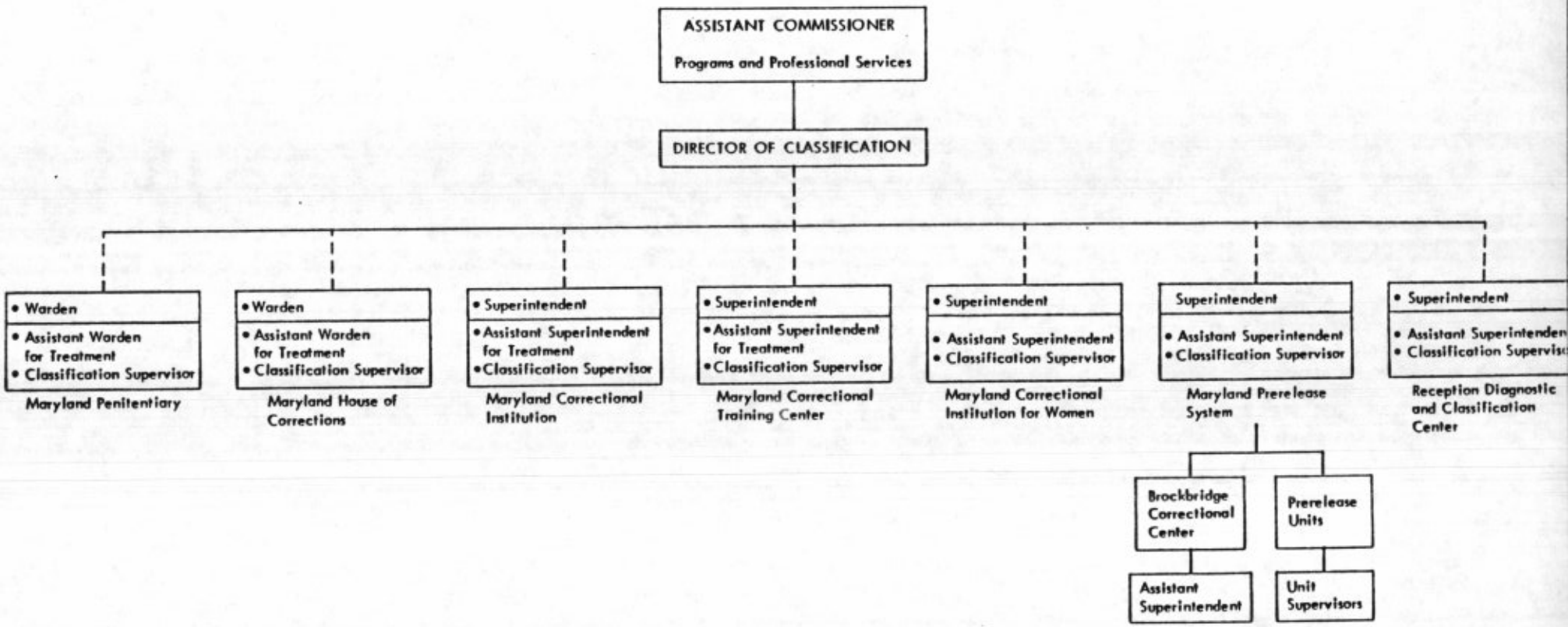



Figure 8. Present Classification System Table of Organization

-- Overcrowding:

-- Medical distribution;

-- Custody distribution· and

-- Institutional maintenance needs.

. Evaluating, on a regular basis, the classification system operated by the Division and making recommendations for improving the process;

. Serving as a liaison between the Commissioner and the institutions and providing direction to Managing Officers and Unit Supervisors through semi-annual meetings:

. Keeping institutional staff informed of Division classification policies and procedures to ensure that new or updated procedures are being performed in a timely and efficient manner: and to secure their input into development of these policies and procedures;

. Ensuring Division conformity to Constitutional safeguards for inmates: and

. Considering, at all times, the overall needs of the Division, including those of the institution and staff, the needs of the individual inmates, and the needs of the public.

Figure 9 represents a hypothetical table of organization for this authority.

3. Rationale: This recommendation will be viewed as a radical departure from current practice by most Division staff. CSG's experience in other states has shown that the implementation of centralized control over a Division's classification system has been used successfully in other states to ameliorate the problems associated with overcrowding, particularly in the area of escapes from minimum or pre-release custody. For example, the Virginia correctional system was able, with the adoption of a centralized classification system, to reduce its escapes from 10 percent of the inmate population in 1974 to less than one percent in 1978. During this same time period the Department's inmate population increased from approximately 5,000 inmates to over 7,600.

The administration of the Maryland Division of Correction would profit from the creation of a central office classification board. At the Central Board level, the management needs of the Division and the public may be given the necessary consideration. The needs of the inmate and the institution are addressed through the operation of the Institutional Classification Team. No one institution is in a position to monitor the changing needs of the Division. The concept of the Central Classification Board is to provide a mechanism for balancing the needs of the Division and the public with those of the institution and the inmate.

Further, setting up a classification "team" structure at the headquarters level would further the Division's commitment to the principles of team classification. A previous criticism, leveled at Maryland's current practice of permitting a Managing Officer to change a team's recommendation and, thus, effectively make a decision single-handedly, holds also for the current headquarters' practice of having one person review specified recommendations and make a final decision. The

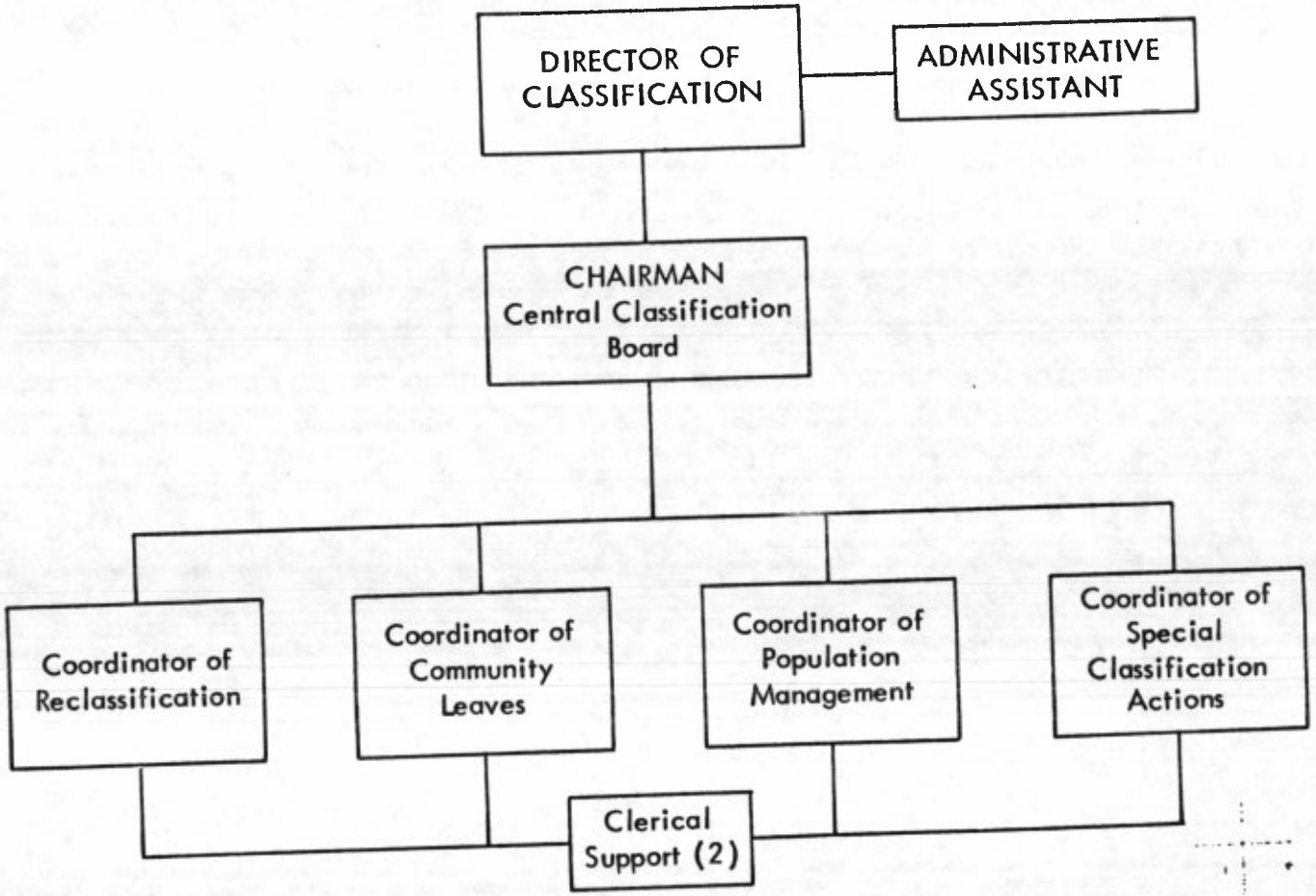



Figure 9. Proposed Organization of Central Classification Authority

Division's commitment to team classification should be evidenced at all levels of classification, including headquarters' review

Another important function of a central authority over classification is in the area of population management. In an overcrowded system such as Maryland's, this function has critical implications. Not only does the central authority have responsibility for performing the following population management functions: racial distribution, medical distribution, custody distribution, institutional maintenance needs: it also monitors intake, release and inmate movement within the system to anticipate and plan strategies to cope with the fluctuations in daily inmate population and to minimize the adverse impacts of these fluctuations on the entire Division.

Further for any classification action that may be considered a public risk; i.e.. community release or placement in minimum security housing, the Central Classification Board should review the action recommended by the Institutional Classification Team and the justification it provides for its decision. While t is true that institutional staff interact with the inmate on a daily basis and are thus in the best position to assess his or her needs and capabilities, it is also true that institutional staff, and particularly counselors, use institutional transfers and custody reductions as rewards for good inmate behavior. This is an understandable practice because within a correctional system counselors frequently have few rewards to offer inmates. However, custody reductions and transfers should have a definite relationship to an inmate's treatment plan. The action should facilitate a logical progression in the inmate's program plan. The Central Classification Board would monitor each inmate's progression in the system through its review of transfer and custody change recommendations. If the Institutional Classification Team is recommending an action that is a departure from the inmate's program plan, adequate justification for the action must be supplied.

Also. transfers and changes in custody affect the Division's overall management of the inmate population, particularly as it relates to overcrowding. It cannot be overstressed that a Division grappling with an overcrowding problem should have the capability for exerting control over inmate movement within the system.

B. Composition of the Central Classification Board

1. Recommendation: The Central Classification Board should be composed of the following staff positions (staff to fill the majority of these positions should be recruited from within the Division):

- Chairman of the Central Classification Board. (Staff currently employed in a central review authority should be strongly considered for this position, especially if they have had several years of institutional classification team experience.) The Chairman schedules all Board meetings, chairs all hearings and prepares weekly progress reports for the Commissioner's review;

- Community Leave Coordinator. This person will be responsible for conducting an in-depth review of all requests for special and family leaves, and work release and preparing each case for presentation to the Central Board for consideration:

- Reclassification Coordinator. This person will be responsible for reviewing all requests for transfer and/or custody change; for ranking

them for presentation before the Central Board based upon the relative priority of the request, and preparing each case for presentation to the Board:

- Population Management Coordinator. This person will be responsible for monitoring the distribution of inmates throughout the system, for preparing regular impact statements concerning population management issues for the Commissioner's review and participating in Board hearings. As needed, the Population Management Coordinator will screen the inmate population to identify candidates for custody reduction, transfer and institutional cadre. These candidates will be reviewed by the applicable Institutional Classification Team prior to their consideration by the Central Board:

- Central Board Member. This person would be responsible for reviewing restoration of good time requests and selected MAP proposal recommendations and preparing these cases for presentation to the Board. If these responsibilities, plus those of participating in Board hearings, are not sufficient for a full-time position, this person should assist other members of the Board in case preparation.

2. Rationale: The obvious benefits to employing a team review function at the headquarters level have been discussed in previous sections. Not so obvious benefits include a central monitoring function that can be used to provide feedback to institutional classification staff concerning not only the quality of their recommendations, but their documentation regarding classification recommendations, their judgement concerning certain factors in an inmate's record, the quality of their classification reports, particularly progress reports, etc. This type of feedback information should be provided to classification supervisors, who should use the information to develop pertinent in-service training programs and to individually help classification counselors with their casework functions and thus, improve their service to inmates.

Further, as discussed previously, the Maryland Division of Correction has significant population management concerns that should be handled at a central level where the needs of the Division and the individual institutions are given impartial consideration. The Population Management Coordinator will screen inmate records to identify candidates for custody reduction, transfer and institutional cadre. Because decisions of this type may involve both public and institutional risk, it is advisable to request institutional feedback from the Institutional Classification Team.

## C. Central Classification Board Procedures

1. Recommendations: A DCR should be developed to specify Board procedures. The following policy/procedures should be included in the regulation:

The Chairman of the Central Classification Board will chair all Board hearings. At least two other regular voting members must be present to conduct a hearing. In the case of a tie, the Chairman's vote will decide the issue. The following general procedures will guide the conduct of the hearing:

- The Chairman of the Central Classification Board or his/her designee will prepare and distribute the hearing docket at least two working days in advance of the hearing:

- The Central Board will have each inmate's criminal/institutional record available for reference during the individual review of cases;

- The Chairman or his/her designee will maintain the hearing minutes on Division forms·

- Prior to hearing a case, the Chairman will identify the case, the recommendations submitted by the Institutional Classification Team and the rationale given for its decision, and will review the issues involved:

- The Chairman or his/her designee reviews, aloud, the inmate's record;

- The Chairman moderates the Board's discussion:

- The Board will vote on the recommended classification action:

- The Hearing Recorder will note the Board's decision and provide written justification in the hearing minutes;

- The disposition of the Central Classification Board will be communicated to the institution via a classification form;

- The Managing Officer or Unit Supervisor will be responsible for notifying the inmate of the Central Board's decision. This requirement is met once the inmate receives his/her personal copy of the completed classification form; and

- The Chairman maintains daily progress reports which are compiled at the end of each week into a status report. The status reports are submitted, upon completion to the Commissioner.

2. Rationale: Although the preceding Board procedures are provided only as general guidelines, the DOC should use this recommendation to formulate a consistent set of hearing procedures to guide the conduct of a Central Board Hearing.

D. Appeal of Central Classification Board Decisions

1. Recommendation: The decisions of the Central Classification Board should be subject to appeal by both institutional administrators and inmates. A Managing Officer may appeal a decision of the Central Classification Board to the Director of Classification. All appeals of Central Classification Board decisions should be submitted in writing and include a specific, detailed justification concerning why the Central Board's decision should be amended or reversed. The Director of Classification may deny the appeal, stating the reasons for his action. If the Director feels the appeal merits further consideration, then he forwards it to the Commissioner for final disposition.

Inmates may appeal Central Board decisions to the Commissioner by submitting an appeal through the Division's established appeal procedures.

2. Rationale: Within all organizations there is frequently disagreement concerning decisions that are made by staff of that organization. Corrections is no exception. While usage of the custody scale will minimize the number of arbitrary or capricious classification decisions, the allowances within the instrument made for

individual discretion, will continue to be a source of possible disagreement. Further. because straight-forward, honest communication between administrative staff throughout the Division is a necessary goal, providing a structured mechanism for resolving disagreements that arise is a judicious action.

Furthermore, affording an appeals mechanism to institutional administrators provides a needed "checks and balances" system of monitoring decisions made at the Central Board level. The institutional administrator knows that should a decision be made, without apparent justification, that is unfavorable to his institution or to an inmate, he does have recourse through an appeals process.

E. Director of Classification

1. Findings: At the present time, the Director of Classification functions primarily in an advisory capacity. He reviews Family Leave Requests for the Commissioner, rewrites classification DCR's and reviews all classification actions when there has been a recommendation to take away or restore good time taken by the Commissioner.

2. Recommendation: Correctional Services Group recommends that the MDOC expand both the authority and responsibilities of the Director of Classification to make this a position of leadership within the classification system. Under the proposed system, the Director of Classification would be responsible for the overall administration of classification Division-wide. Particularly, he would oversee the operation of the Central Classification Board. In the absence of the Central Classification Board Chairman, the Director of Classification would substitute as Chairman. Specific duties should include:

- Liaison with institutional classification staff, and Managing Officers:
- Development and implementation of classification policy and procedures;
- Monitoring of classification decisions and development of a feedback mechanism to improve classification decision-making Division-wide;
- Development of pre-service and in-service training programs for both classification staff and correctional officers; and
- Ensuring that the classification information needs of the RDCC and institutional classification staff are met.

3. Rationale: The current MDOC classification system is fragmented and fraught with problems that largely appear to be the result of nonexistent or ineffective lines of communication between line classification staff and headquarters staff. The result has been that two opposing camps have evolved--headquarters and administrative staff on the one hand and line classification staff on the other. Interviews with Division staff demonstrate a "them against us" mentality that impacts the Division's ability to respond to its internal management needs, the needs of its staff, and the needs of DOC inmates.

Both groups must take the blame for this pervasive attitude, but because of the position of leadership and authority accorded to headquarters' staff it is the responsibility of the Division management to develop and institute strategies to lessen the antagonism that currently exists. Otherwise, the Division will continue to meet with limited success in effectively managing its classification system. CSG believes

the creation of a strong central classification position will help the Division establish the lines of communication necessary to the development and implementation of effective classification policies and procedures. To effectively perform a liaison function, the Director of Classification must become familiar with all aspects of classification which means frequent trips to the field and active participation in decisions that impact classification. He must take the lead in identifying needed changes in the classification system and developing new or revised policy and procedures to meet these needs based upon input from line classification staff and headquarters staff alike. A system for monitoring classification decisions and DOC population management needs will facilitate the identification of needed changes immensely.

F. Visitations

1. Findings: At present, the DOC relies primarily on Division memoranda or revised DCR's to communicate policy/procedure changes to the field.

2. Recommendation: At least semi-annually, the Director of Classification should meet formally with the classification and treatment staff of each institution. During these meetings, the Director of Classification should review Division policy concerning program eligibility requirements, transfers, custody changes, etc. The Director will also answer staff questions concerning Division policy and the Central Classification Board rationale for denying specific recommendations of the Institutional Classification Team.

3. Rationale: As discussed previously. there is an apparent lack of communication between institutional and headquarters staff that is detrimental to the Division's classification system. Formal visitations are another method for establishing lines of communication and for promoting cooperation between institutional and headquarters staff.

G. Classification Decision Monitoring System

1. Findings: The Division does not have in place at the present time a monitoring system to follow-up on classification decision-making. In a limited sense, monitoring is performed by the headquarters staff who review "special" classification recommendations for the approval of the Commissioner. When a classification recommendation is disapproved, headquarters staff sometimes contact the counselor who prepared the paperwork, or the counselor's supervisor to give specific reasons why a particular case was denied and what can be done to prevent this situation from occurring in the future. This type of feedback system, however, is obviously not well coordinated. The current lack of a monitoring and feedback system for classification decisions does little to promote classification staff accountability.

2. Recommendation: Monitoring and feedback functions must be incorporated into the responsibilities of the Central Classification Board. Further, OBSCIS should be used by these same staff to track inmates through the system to collect information on outcomes associated with certain sensitive classification decisions. This information can be used to improve the quality of classification decision-making Division-wide through special training seminars and current and proposed Division channels of communication

3. Rationale: In interviews with DOC personnel, they frequently cited the lack of a monitoring and feedback system for improving decision-making and the lack of

classification staff accountability--two interrelated problems within the present system. While Classification Supervisors should be responsible for monitoring the quality of work performed by their staff, particularly paperwork functions such as report writing and progress notations, and obviously faulty decision-making, there is no mechanism for retrieving information concerning decision outcomes. Even if such a mechanism was available to classification supervisors, it is not within their purview to collect and analyze such information. They simply do not have the time or training to perform this type of research and evaluation. Therefore, this function should be delegated to the central classification authority who is charged with developing responsive classification training programs and disseminating information that will improve the quality of classification decision-making on a system-wide basis.

# Chapter Seven: Classification of Female Offenders

## CHAPTER VII: CLASSIFICATION OF FEMALE OFFENDERS

### A. Reception and Initial Classification

All women sentenced to a period of confinement within the MDOC are received at the Maryland Correctional Institution for Women (MCIW) in Jessup. If a woman is received during working hours, she receives a 15 to 20 minute oral orientation to MCIW plus a booklet that explains institutional rules and regulations. She is interviewed, undergoes identification procedures, completes a "next of kin" form and a card file is started on her. Following these intake procedures she is escorted to Harrigan Cottage where she is quarantined for one week during which time she is given a complete physical examination by the institutional physician and is transported to the Maryland House of Correction for a chest x-ray, pap smear, and tuberculosis patch test.

If the woman is received during the evening hours, she is given a briefing by the officer on duty concerning the activities of the next few days and MCIW's rules and regulations. She is also given a feminine hygiene kit and a booklet of rules and regulations. She fills out a "next of kin" form and is photographed and fingerprinted. The inmate is then taken to Harrigan Cottage for the one week quarantine period.

Within a week the medical test results are available and if no serious medical problem exists, she is removed from quarantine and placed in "Admissions Status." While in admissions status, the female inmate undergoes several days of testing. The MCIW education education department administers the following tests: the Test of Adult Basic Education (TABE), reading, math, mechanical adaptability and vocational preference.

At least once a week an orientation session, lasting from one and one half to two hours, is conducted for the inmates who have been released from quarantine. This session usually occurs on Thursday mornings with 10 to 12 inmates present. The orientation session is a formal one which covers:

- Campus layout
- Conduct rules
- MCIW Grade Statuses--criteria for assignment
- Time computation
- Parole procedures
- Visiting procedures
- Mail/package procedures
- Medical services
- Treatment services
- How to access services
- Commissary procedure
- Dining room procedure

After an inmate completes the quarantine and admissions procedures, she is referred to the Initial Classification Team for a housing and job assignment. Unless there is documented reason to believe the inmate poses an immediate danger to herself and/or others, including the surrounding community, she is assigned to Grade Level 2. She then has the opportunity to earn placement in Grade 1 or Grades 3 and 4 (punitive grades).

The inmate's Admission Summary is not prepared prior to the initial classification as it is at the RDCC. Instead, the Admission Summary is prepared once

adequate data is obtained through MCIW's admissions process and from outside sources. Because all female inmates are housed within the same institution and because the vast majority are assigned to Grade 2, a completed Admission Summary is not critical to the deliberations of the MCIW Initial Classification Team.

B. Institutional Classification

The classification counselor who is assigned to an inmate usually remains her counselor throughout the period of incarceration. This promotes a continuity and opportunity to work closely with an inmate that is not possible at most male institutions.

The makeup of the Institutional Classification Team is the same as for the male institutions. Furthermore, the counselors rotate team duty as do counselors in the male institutions. In the case of adjustment hearings, MCIW follows the procedures specified in DCR 100-15.

One of the unique features of classifying females within the DOC is the lack of security designations, per se, i.e., maximum, medium, minimum. Instead MCIW employs a Grade System.

The four Grade levels utilized by MCIW and the criteria for assignment to each is summarized below:

Grades 3 and 4: If the inmate commits an institutional infraction she will be "put on report" by MCIW correctional personnel and scheduled for an Adjustment Hearing. The Adjustment Team will hear the case, determine the inmate's guilt or innocence, and, if the inmate is found guilty, assign her to Grade 3 or 4 for a specified period of time. If the inmate is placed in Grade 3, she loses her recreational privileges, but continues in her job assignment. If the severity of the infraction warrants, the inmate is placed in Grade 4, which means she is on 24-hour lock up, can receive no telephone calls and is permitted one 30-minute visit each week while in this grade.

Grade 2: If the inmate's sentence is 4 years or less she must remain in Grade 2 for 60 days before the classification team will automatically consider her for placement in Grade 1. If her sentence is in excess of 4 years, the period is 90 days. Inmates in Grade 2 are eligible for one telephone call and one visit per week.

Grade 1: An inmate must be in Grade 1 for 30 days before she can request (in writing) the classification team to consider her for Honor or Minimum Status. Privileges for an inmate in Grade 1 include three telephone calls per week and two visits per week. Inmates assigned to Grade 1 live in C cottage. To earn Grade 1 status an inmate must have good evaluation reports from MCIW custody and treatment staff.

Honor and Minimum Security Status: An inmate who has earned a reduction in grade from 1 will be placed in Honor Status until such time as she meets the guidelines for minimum security assignment. Inmates in these statuses live in B cottage. Honor status inmates enjoy the same privileges as minimum security inmates but are not permitted access to outside programming. Privileges include unlimited telephone calls during

the hours telephone calls are permitted, a daily visit and the opportunity to purchase two shopping bags of groceries once a week.

Minimum security inmates enjoy outside programming, eligibility for assignment to the Pre-release Unit for Women, and possible weekend furloughs. (Weekend furloughs are reserved for minimum security inmates who have had a parole hearing.) If an inmate in minimum security status is within 10 months of a parole hearing or mandatory release, and has been in minimum security status for at least 30 days, she is eligible to be considered for participation in a work release program.

The following are the criteria MCIW uses to assign inmates to minimum security status:

CRITERIA

1. Sentences to and inclusive of 6 years are eligible anytime (100-14).

2. Sentences over 6 years to and inclusive of 10 years are eligible 18 months prior to parole hearing.

3. Sentences over 10 years are eligible after first parole or service of 10 years. (Signed MAP contract is considered as the first parole hearing, 240-1).

4. Criminal Record Verification (No outstanding charges).

5. Eligibility for Escapees

a. Must be back from escape for 1 year if no new offense was committed.

b. Must be back from escape for 18 months if new offense was committed while out on escape.

6. Risk Assessment as required by DOC must be complied with in accordance with DCR 100-19.

7. Psychological on identified offenses (murder, manslaughter, etc.).

8. No "Serious" infractions for 60 days with consideration possible only after completion of disciplinary action and achievement or eligibility for Grade 2.

9. Medical clearance (as needed).

10. Criteria 1 through 3 may be waived for the special classification of Minimum Security for Pre-program or program purposes.

C. Classification in Women's Institutions

Several major characteristics of female institutions make it difficult, or at least inconvenient, to fit them neatly into a state-wide classification plan. These same characteristics are also probably responsible for female institutions being ignored in litigation and the literature.

First, established policy and procedure manuals apply to classification of the 96 percent male majority. Most women's institutions must develop their own systems in order for classification to be accomplished at all. Some of these systems are quite informal. Most are formal, but highly subjective. Classification instruments that attach weights to certain characteristics based on relevant criteria are all but unknown in female institutions.

Secondly, most states have one facility which houses most, if not all, women given state prison sentences. It usually includes women in all custody levels, all ages, all offense types, all degrees of mental stability and all sentence lengths. One can recognize these categories as bases for separate housing in male institutions/systems. Placement in the proper facility--a major function of classification--is, therefore, not within the domain of a classification system for women. Separate placement within the facility is usually the only option--a practice not nearly as widely used in men's prisons, therefore, not dealt with in DOC policy or literature as thoroughly.

Third is program and treatment availiability: two important outcomes of classification. As a rule, women have far fewer, and different, program/treatment options than male inmates. Classification procedures designed to determine the proper program placement are of little or no use for a population that does not have access to those programs. In addition, many tests which determine treatment and program needs are not necessarily valid for women offenders. This trend is changing, but it is doubtful that opportunities for women will be equal to those for men in the near future.

The final characteristic to be discussed is the development and implementation of classification instruments. In recent years, there has been a trend toward developing an instrument or set of instruments that weigh certain criteria and issue scores to determine an inmate's proper security/custody level. From the custody/security level, a program and job placement for the individual can be determined. There is often a treatment component as some of these have been implemented because of the lack of an objective classification procedure central to court findings of system-wide unconstitutionality (e.g., Alabama, Colorado). The assumption would be that if the entire prison system was held unconstitutional and classification was part of the remedy, then the women's prison would be unconstitutional as well, and classification would still be part of the remedy. However, system-wide classification designs in response to court order have yet to apply to women.

The few research studies that have attempted to study classification in women's institutions have concluded that the classification systems that work best and appear most valid are the ones designed specifically for the institution. Systems that appear to work less well follow the general state-wide classification procedures, but tailor them to their specific needs. While this is a reasonable solution it is not always the best one.

## D. DOC Policy Considerations

In developing classification policy correctional policy-makers often make certain assumptions about the population that are not applicable to women. Custody and security requirements, the influence of prior record on prison behavior, program needs, etc., all are underlying bases for classification procedures and instruments. Yet, they reflect the requirements, behavior influences and needs relative to men. If such assumptions, or even valid characteristics, are forced on women then problems

will inevitably arise. The simple fact is that women behave differently from men when incarcerated. The major problems associated with classification in women's prisons center on correctional policy makers ignoring this one plain fact--a fact easy to ignore because women account for such a small percentage of most prison populations.

## E. Recommendations

The results of preliminary work of CSG project staff in formulating an objective classification system for Maryland based upon criteria for making custody and institutional assignments are not applicable to the classification of female offenders. As discussed above, little is known about the characteristics of female offenders that correlate with good (or bad) institutional adjustment, potential for escape, or potential for committing future violent acts. The development of an objective instrument for classifying female offenders is handicapped by the lack of research in this area.

Further CSG project staff recommend that the MDOC identify an existing facility or construct a new facility capable of meeting the mental health care needs, including the special management needs, of the significant number of female offenders who have been diagnosed as mentally ill.

# Chapter Eight: Classification of Special Management Inmates

## CHAPTER VIII: CLASSIFICATION OF SPECIAL MANAGEMENT INMATES

Prisoners who are management problems and require special considerations in programming and placement fall into several categories:

- Those who require protection and separation because they may be in danger from other inmates;
- Those who by reason of their offense, criminal record, or institutional behavior, require particularly close supervision;
- Those who are mentally ill or mentally retarded; and
- Those who are physically disabled or medically handicapped in a way that creates a special need.

### A. Classification of Protective Custody Inmates

According to a recent article in Corrections Magazine,[1] there has been an ever increasing number of inmates in the nation's prisons who are demanding protection from their fellow inmates and in prison officials who are willing to grant it, which reflect the increasing violence and declining control in many of the nation's largest prisons. To quote the article, "The rising level of fear is forcing aggravating management problems upon prison administrators as protective custody units--once havens for only a handful of the most notorious child molestors or convicts who turned state's evidence--begin to overflow."

The protective custody problem has also generated new litigation as inmates in protective custody challenge the conditions of their confinement, which in some places differs little from disciplinary segregation. This dilemma has brought about new debate on some basic issues of corrections philosophy, as prison administrators turn from concerns with rehabilitation or humane punishment and focus on the more immediate problem of how to guarantee an inmate his life without totally dehumanizing him.

No national statistics exist on protective custody, but conversations with prison administrators and observers in several states amply document the trend. In California, where gang activity among inmates has contributed to tension and violence in the prisons, the protective custody count recently was 912 inmates, or four percent of the 23,000 population. That represents an increase of two percent over the 1975 level of 266. In Illinois, with a total of 11,438 on a recent day, 782 inmates were housed in protective custody units and another 1,130 occupied two facilities reserved exclusively for protective custody cases. That adds up to 1,912 or 17 percent of the Illinois prison population.

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1 "I want to Lock Up," Corrections Magazine, August 1980

1. Findings

The protective custody situation in Maryland is not quite as serious as that experienced by California or Illinois primarily due to the absence of major gang activity in the state. However, there is a significant protective custody problem in the Maryland correctional system which must be addressed. (See Figure 10.)

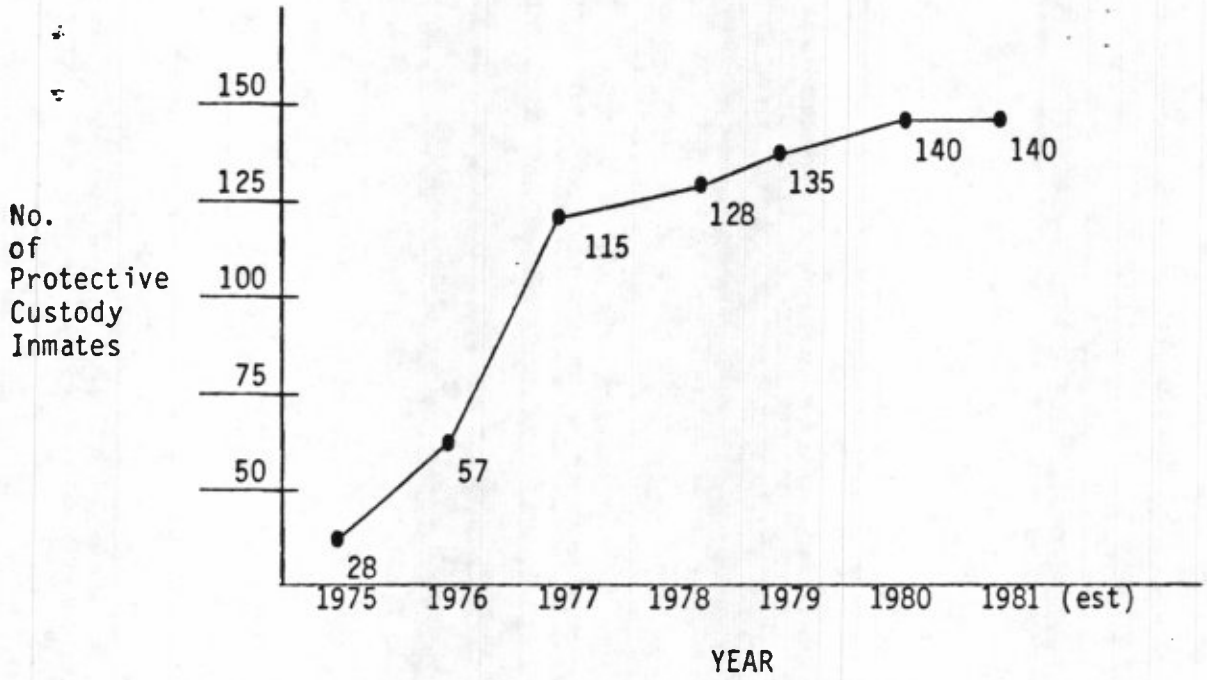



Figure 10

The protective custody population rose dramatically from 1975 when such statistics were first kept. It has stabilized at around 140 the past three years only as a direct result of lack of bedspace for protective custody inmates. Administrators from several maintaining institutions stated that they have a backlog of protective custody candidates waiting for cell space and that in a few occasions, some inmate have been convinced to leave their protective confines to make room for other protective custody cases. According to available records, protective custody unitsd are maintaine at the Maryland Penitentiary, Maryland House of Correction, Maryland Correctional Institution, Maryland Correctional Training Center and Brockbridge.

Number of Protective Custody Inmates per institution as of November 21, 1980:

| Institution | Protective Custody Inmates |
|---|---|
| . Maryland Penitentiary | 23 |
| . Maryland House of Correction | 39 |
| . Maryland Correctional Training Center | 59 |
| . Maryland Correctional Institution | 21 |
| . Brockbridge Correctional Facility | 2 |
| Total | 144 |

Based upon an analysis of each institution's protective custody population it appears that an estimated 160 beds are needed. It is difficult however, to

accurately determine the actual number of protective custody individuals since a number of variables influence this figure. For example, one inmate or small group of inmates may regularly prey on other inmates in a facility forcing one or more to seek the protection of Administrative Segregation.

Newly received offenders at the RDCC are screened for protective custody needs shortly after they arrive. RDCC counselors employ an interview schedule which identifies areas in which the inmate may be vulnerable. As a result of this screening, those inmates who staff believe should not be assigned to the general RDCC population are placed in protective custody.

The institutional procedures for assigning an inmate to protective custody (when there is reason to believe that an inmate is in danger from another inmate or inmates) are relatively the same from institution to institution as they are described in DCR 110-19, Administrative Segregation.

Placement in Administrative Segregation for protective custody reasons is a function of the institution's Classification Team, although immediate placement in this status may be made pending Classification Team action.

Interviews with institutional managing officers and classification staff determined that when an inmate wants to "lock up" invariably all he has to do is request same and sign the request for Administrative Segregation (DC Form 100-24R).

Division of Correction officials expressed a reluctance to deny protective custody to inmates even when they are positive the individual was "taking a vacation" from general population. This reluctance is based on the increasing willingness and ability of inmates to sue for damages and the likelihood that prison officials may be held personally liable for injuries suffered by inmates in their care. Procedures in most states permit officials to force an inmate out of protective custody against his will if they decide the inmate's fears are groundless. However, this authority is rarely used since the legal consequences might be dire if he should be hurt or killed by other inmates after his release into general population.

Inmates may be placed by the Classification Team either via self request (voluntary) or when officials believe the inmate is in danger from other inmates but refuses protective custody. Inmates placed in this status at their own request may return to the general population at any time while those remaining in protective custody are reviewed every 30 days by the Classification Team. Those placed involuntarily are reviewed every seven days for the first two months and every thirty days thereafter.

Inmates in protective custody have access to few programs enjoyed by inmates in the general population. All institutions provide for recreation outside the cell, generally one hour per day, visiting arrangements and mail services. However, due to a shortage of correctional officer staff in several institutions, it is difficult to provide recreation and exercise on a daily basis. Administrators in every institution reported that they cannot provide protective custody inmates with educational and vocational training opportunities (except in-cell) or access to the institutional library (except legal library).

Staff were also asked which institution provided the best location to maintain protective custody inmates. Most respondents stated there does not now exist a DOC institution which can simultaneously provide for the adequate protection of vulnerable inmates while providing reasonable access to programs and services. However, given that such a facility is not available, the majority of respondents

indicated that the Maryland Correctional Institution would be the most appropriate site given its internal design, staff supervisory capabilities and prior experience with such inmates. The second choice was the Maryland Penitentiary followed by the House of Correction.

Staff were also queried as to which factors were important in identifying protective custody candidates. The following list represents, in order of selection, these criteria:

- Evidence of victimization:
- Age of the inmate:
- Physical stature of the inmate;
- Nature of the inmate's request:
- History of mental problems/anxiety;
- Sexual appearance of inmate:
- Adjustment by inmate to confinement;
- Offense committed by inmate:
- Staff knowledge of the inmate:
- Evidence of mental retardation:
- History of inmate serving as an informer: and
- Debts owed by inmate.

As can readily be seen by a cursory review of the above list there are numerous factors associated with an inmate seeking protective custody, although many are inter-related. For example, a small, young inmate confined for child molestation may have a feminine appearance. All of the factors together will probably warrant the offender seeking protection although one alone may be sufficient to create a need for placement in Administrative Segregation.

. The current practice of maintaining a protective custody unit in each maintaining institutions isunworkable for both staff and inmates. As has been stated. it is nearly an impossible task to provide even remotely the same level of programs and services for protective custody inmates as those in the general population. The eventual product is an institution within an institution.

2. Recommendations

Correctional Services Group recommends that the DOC either convert a section of an existing institution or construct a new facility to serve the needs of protective custody inmates. Discussion has already taken place pertaining to the utilization of one of the 144 bed units in the new medium unit at Jessup to open in mid-1981. A problem with this alternative is that this facility is not designed for maximum security inmates--there were approximately 35 at the Maryland Penitentiary at the time this report was prepared. Should this alternative be selected, provisions would have to be made for this maximum security group.

Another alternative is to design and build an institution specifically for this group. Such a facility would need to be secure and staff intensive to protect inmates from themselves and to insure the protection of society. A recent survey showed that many of the inmates now in protective custody are themselves very violent.

The DOC may also consider a tactic other states with large protective custody populations have attempted and apparently succeeded with. This has involved the establishment of a separate and distinct protective custody institution for

inmates who have either been assaulted or who are prone to attack. The State of Illinois in 1974 converted the Sheridan Correctional Center, a medium custody institution for youthful offenders, into a full- scale protective custody institution for 380 inmates. The criteria for transfer of inmates to this facility include:

- Inmates who are small, frail, unsophisticated, young and/or effeminate in appearance:
- Inmates who have testified as a witness for the state;
- Inmates who have been physically assaulted (generally more than once) or who have been threatened with assaults which have been documented:
- Inmates who are former correctional or law enforcement officers; and
- Inmates who have been labelled as "snitches" and who may be prone to assault.

Generally, inmates who cannot identify their enemies or who themselves have been assaultive are not eligible for transfer to Sheridan. Further, since it can be assumed that inmates who were victims in one of Illinois' other institutions may become predators at Sheridan, there was a strict rule established which placed such individuals in segregation as soon as they acted out. A serious violation could result in the inmate being transferred back to his "parent" institution where he would be placed in disciplinary segregation.

A distinct advantage created by having such an institution is the ability to provide a wide-range of programs and services for inmates who previously were confined 23 hours a day in another facility. Illinois, like many other states, was (and continues to be) under a court order which mandated almost the same level of programming for protective custody inmates as general population inmates.

The development of Sheridan also reduced the management problems created by trying to maintain protective custody offenders in a maximum or medium security institution where the general population was justifiably of a greater priority. Attempting to provide a separate unit for protective custody inmates within a correctional institution requires a considerable increase in custody personnel as this type of inmate should not leave his cell unescorted and in most instances should only participate in outside cell activities either by himself or in small groups.

The above example shows what another state has done in an attempt to resolve its protective custody dilemma.

- Short of setting aside a separate facility for protective custody inmates, other, albeit less dramatic, alternatives exist:

The first alternative is now in effect at the Washington State Prison in Shelton. The Shelton "R-3 Program" benefits from the availability of secure space for program activities--previously unused rooms in a basement beneath the cellblock and a yard that covers three acres. The unit houses 80 people. (The total population of the prison is 774.) Three guards are on duty in the unit at all times, instead of the normal complement of two, and counselors who serve the unit have a reduced caseload. A Ph.D. psychologist works full-time with the unit's inmates.

The unit offers education and motivation programs, assertiveness training, drug and alcohol information classes, "relaxation" sessions, crafts and weight lifting providing for a relatively normal day out of the cells. Inmates who feel confident enough to do so may also go out of the unit to attend education classes in the main prison. At times as many as 60 of the 80 inmates in the unit have chosen to do so. Inmates taken into the unit are encouraged to participate in programs through a six-step system. When they are admitted to the unit privileges are limited; as they accumulate program credits, they move up a series of "steps." When they reach the final step they may wear their own clothes, have their own TV sets and tape decks and enjoy other amenities.

The administrators of Shelton unit assume that many protective custody inmates are in the unit not because they are in real danger, but because they are weak and easily intimidated. Thus, one goal of the program is to get as many inmates as possible to rejoin the general population. At Shelton, 230 inmates have left the unit since it began in the summer of 1976; of these, 55 have gone back into the main population, while most of the others were paroled or transferred to other institutions.

The second alternative program for protective custody inmates is now being operated at the Minnesota State Prison in Stillwater. At the protective custody unit at Stillwater, inmates are confined to a 56-bed cellblock, and make use of the corridor in front of the cells and a small fenced yard off the block for recreation and rudimentary programs. Since most of the violence in the 1,111 inmate prison occurs during the dinner and evening hours, rules permit some inmates in the unit to go out to the main population during the day for breakfast and lunch, school and work. They return to the unit for dinner and evening activities. Those who remain all day may take jobs cleaning up the unit, folding the prison newspaper or assembling little plastic dolls as part of an industry program. They also play dominoes, lift weights and do other exercises in their small recreation yards.

While inmates have complained that confinement to the unit is frustrating and claustrophobic compared with life in the general population, they state that it is clearly superior to being locked up in a small cell for 23 hours a day in a traditional protective custody unit The unit was set up in 1975 in order to gain control of a deteriorating protective custody situation in the prison, but the original concept has not been fully implemented.

In addition to the involvement of inmates in work and programs in the general population and within the unit itself, the plan is for unit staff members to engage in an aggressive program to build up inmate's confidence and encourage them to return to the general population.

Both of these protective custody programs are now operative and as stated, have demonstrated some success with a minimal amount of cost both in terms of additional funding and staffing. It appears that, based upon many of the similarities that exist between these states and Maryland, overcrowding, shortage of staff and funds, etc., that they could be readily adapted into an existing wing or unit of a DOC institution.

B. Classification of Mental Health Problem Inmates

It is estimated that between 10 and 35 percent of state and federal inmates have mental problems. In a recent article in Corrections Magazine[2] the identification, classification and treatment of the mentally ill is said to be the largest single health care problem in our nation's prisons and jails. The same article goes on to state that this problem receives the least attention and resources.

1. Findings:

The identification, care and management of emotionally disturbed offenders in Maryland is, in many respects, much improved over programs found in many other states.

The identification of emotionally and psychologically disturbed offenders begins on the arrival of the individual at the RDCC where new inmates are screened by classification staff to determine obvious emotional problems. These persons are then referred to the RDCC Social Work Unit for assessment and counseling.

The formal assessment of mental illness and mental retardation is performed by RDCC psychologists who employ a variety of tests in an attempt to evaluate the present psychological status of the inmate. When available, prior psychiatric/psychological history information is used. However, similar to other informational and data problems experienced by the RDCC, such information is rarely available other than in those instances where the person has been in the Division previously and the records are on file.

There appears to be considerable redundancy in the psychological evaluations performed by state agencies. Prior to repeating time consuming assessment procedures, efforts should be made to obtain information from other agencies on procedures which have been used previously to test offenders.

A recent report issued by the Special Committee on Mental Health Services, an ad hoc group of treatment clinicians created by the Division to identify existing mental health services and provide recommendations for improvement of future services, enumerated a number of deficiencies in the evaluation and treatment of emotionally disturbed inmates in the Maryland Correctional System.

This Committee issued a series of recommendations pertaining to the evaluation and classification of mentally ill inmates. These included the following, several of which directly pertain to both the identification of these individuals at the RDCC and, subsequent evaluations as these persons progress through the correctional system.

- The utilization of psychological evaluation needs to be more closely integrated with the goals of the Division and integrated with the other service needs of the institutions.

  It is hoped that the priority assigned to psychological evaluations would be decreased in favor of treatment needs.

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2 "Who Will Care for the Mad and Bad," Corrections Magazine: Vol. No. 6. (February 1980).

- The performance of psychological evaluations must be accompanied by allocation of staff time for research on test validity and continuing education training.

- The provision of test outcome information to the individual inmate by a trained psychologist is seen as potentially quite beneficial.

- A Standing Committee, composed of Division of Correction psychologists, should be created to monitor usage of psychological evaluations and to ensure compliance with professional standards.

- Psychological evaluations should focus more on the inmate's program needs and place less emphasis on security change issues.

- The prediction of violence within the psychological evaluation reports should be approached with considerable caution.

- The Divisional psychologists should formulate a set of criteria for making security change recommendations.

- There were numerous ways identified which could assist in upgrading the efficiency of the psychological evaluation process. These included:

  1. Making the effort to obtain copies of recent psychological evaluations performed by other State and Baltimore City agencies.

  2. Replacing routine system intake evaluations with briefer screening evaluations to help identify special needs inmates.

  3. Purchasing an optical scanner and linkage with the State computer so as to allow efficient machine scoring of psychological and vocational evaluation forms.

  4. Utilizing group evaluations instead of time consuming individual evaluations for personality and intellectual assessment.

- Greater caution should be exercised in the interpretation of personality test data in the absence of information denoting the inmate's reading and intelligence levels.

- Increased emphasis should be placed upon the delineation of an inmate's strengths and assets, not just the delineation of his/her deficits and weaknesses.

- Therapists should not serve as the psychological test evaluators of their clients for security change purposes.

Correctional Services Group was provided information by the principal author of these recommendations which indicates that only a few have as yet been realized. These include:

- The early identification, at the RDCC, of inmates with potential psychological problems has improved somewhat, however according to Division treatment staff, there is still much to be done relative to the identification of inmates with histories of psychiatric hospitalization and/or suicide gestures at system entry.

- Correctional officer staff have recently begun pre- and in-service training in the Jessup region in the identification and understanding of emotionally disturbed inmates. This training has met some initial resistance from security staff who believe that offenders with psychiatric difficulties should still be transferred to a psychiatric hospital.

- Problems with the wholesale administration of psychological evaluations have been significantly reduced with concentration on special needs offenders. However, staff point out that there is a continuing problem with insufficient research devoted throughout the Division on the accuracy of psychological predictions and similar follow-up studies.

- It also appears, according to Division treatment staff, that there is a continuing overemphasis on the utilization of psychological evaluations in determining when inmates should have their security reduced. They believe there should be more attention devoted to the use of psychological evaluations in determining an inmate's program needs.

- There has been considerable improvement in the distribution, throughout the Division, of psychologists needed to conduct evaluations although there is still a severe shortage in the Hagerstown area.

As has been stated, inmates with mental health problems present a serious dilemma to the Division, particularly for those identified as in need of intensive treatment.

The Patuxent Institution in Jessup provides treatment programming for offenders who volunteer for the program and who are considered treatable by Patuxent staff after a 90-day individual diagnostic evaluation.

Patuxent, however does not meet all of the mental health needs of corrections. First, staff stated that there is a backlog of approximately 250-300 offenders in DOC facilities awaiting evaluation; second, only 50 percent of all applicants are accepted into the program as being treatable; third, not all inmates who are in need of mental health programming agree with this diagnosis and as such do not apply to Patuxent; and finally, inmates with such problems who are institutional management problems are not generally accepted by the Institution

Another resource with a different mission is the Clifton T. Perkins Mental Hospital. This facility is operated by the Maryland Department of Mental Health and is used for short term evaluation and treatment of DOC inmates. Essentially, this resource serves as a stop-gap solution for inmates with serious mental deficiencies as they are diagnosed, medicated and returned to the Division, where minimal resources are available to provide for continuity of care. At the time of this review an extensive backlog at Perkins prohibited the Division from referring inmates for treatment.

Quoting from an interim report from the Special Review Committee to Commissioner Edwin Goodlander, dated June 4, 1979:

> State laws governing the operation of Patuxent and/or C.T. Perkins Hospital either exclude inmates with significant emotional disturbance, or make it necessary that they commit a documented act of violence toward self, others or property. before the inmate obtains psychiatric admission.
>
> Resultantly throughout the Division, the emotionally disturbed inmates are either housed in population with minimal segregation from other inmates, or they are segregated as a group (i.e., M.O.), or singly (i.e., isolation) from other inmates. In either case, the environment is therapeutically deficient and the treatment staffs are grossly inadequate.

A new resource available to the Division is the recent development of limited treatment units at the Maryland Penitentiary and in the Jessup area. These units provide over 40 beds for inmates on medication and/or subject to seizure. However, these units are only designed to provide short-term treatment for inmates who can be treated and stabilized at the home institution and are not capable of providing care for offenders subject to chronic emotional disturbance.

2. Recommendations:

The Maryland correctional system, much like most other state correctional systems, has a substantial segment of its inmate population (estimated at 10 to 15 percent) which is subject to one or more types of emotional or psychological disturbance and for which acceptable programming is not now available. Further, this population is extremely disruptive to the operation of each institution where they are inappropriately treated as management problems.

Procedures should be developed to identify these offenders and the type of mental problem they are experiencing. This would involve a comprehensive analysis of the present psychological evaluation process now being used at the RDCC including a review of all assessment instruments by a team of psychologists and professional psychometricians. This review should include a review of the present psychological and psychiatric interview processes. Many of the recommendations of the Special Review Committee support this recommendation; however, the Division has not acted on all as yet. Individuals who are diagnosed as in need of treatment yet do meet the eligibility criteria for Patuxent or more commonly, do not wish to undergo any form of voluntary therapy should be segregated from the general population. Once segregated, either through the development of a new facility designed and staffed to deal with mentally ill offenders or a wing of an existing structure. programming should be made available to treat both acute and chronic psychological problems manifested by this group. It is anticipated that many, if not the majority of this population, will vigorously reject any psychological treatment. However this should be expected given the composition of the group. In any event, custodial and treatment staff should react to the individual as someone who was mentally disturbed and not as an inmate who is a chronic and intentional disciplinary problem. In this vein, CSG supports the recommendation of the Special Review Committee. Again, to quote from the Interim Report:

> In addition to the short term unit at each institution, there is a need for a centralized multi-purpose unit to service the Division. This unit would be utilized in a twin capacity.

First, this unit would receive those inmates who could not be stabilized at the home institution. Once stabilized these inmates would be returned to the home institution. Second, this unit would serve as a long term housing unit for those inmates with chronic emotional disturbance...

These chronic inmates require a consistent, supportive, well-structured, long term environment. While efforts would be made to ultimately return the chronic inmate to general population within the Division, the inmate could conceivably re-enter society (perhaps via parole to a psychiatric inpatient or out-patient facility) from this unit.

It is proposed that this 150 bed unit would provide an active work/treatment program within a therapeutic milieu. The staff of this unit could serve as a resource to the Division for those chronic inmates who were eventually placed back in the general population. Additionally, the staff would participate in the phased, structured societal re-entry of those inmates too debilitated to return to general population. Community follow-up by the staff secondary to the re-entry process could also help improve societal readjustment. This unit would provide what are currently almost non-existent mental health services for inmates, comparable to those presently received by Maryland citizens.

Correctional Services Group would like to emphasize that the aboveeffort should not totally fall upon the Division of Correction. The Department ofHealth and Mental Hygiene should be expected to share in a cooperative venture aimed at developing an institution, programming and staffing similar to that just described.

## C. Classification of Behavioral Problem Inmates

### 1. Findings

Another group of inmates for which special classification procedures are necessary are those who manifest serious behavior problems.

The incidence of violent behavior in Maryland prisons appears to have increased significantly since 1975 (Figure 11). Since records maintained by the Division are incomplete for some years relative to this subject, these findingsmay be open to question. However, it is apparent that the number of assaults against staff and inmates is on the rise. This increase is possibly the result of the following:

- The overcrowding situation which many correctional experts cite as creating tension leading to violent acting-out behavior;
- An increase in the number and proportion of violent offenders admitted to the DOC;
- Improved disciplinary procedures which document incidents on a regular basis; and

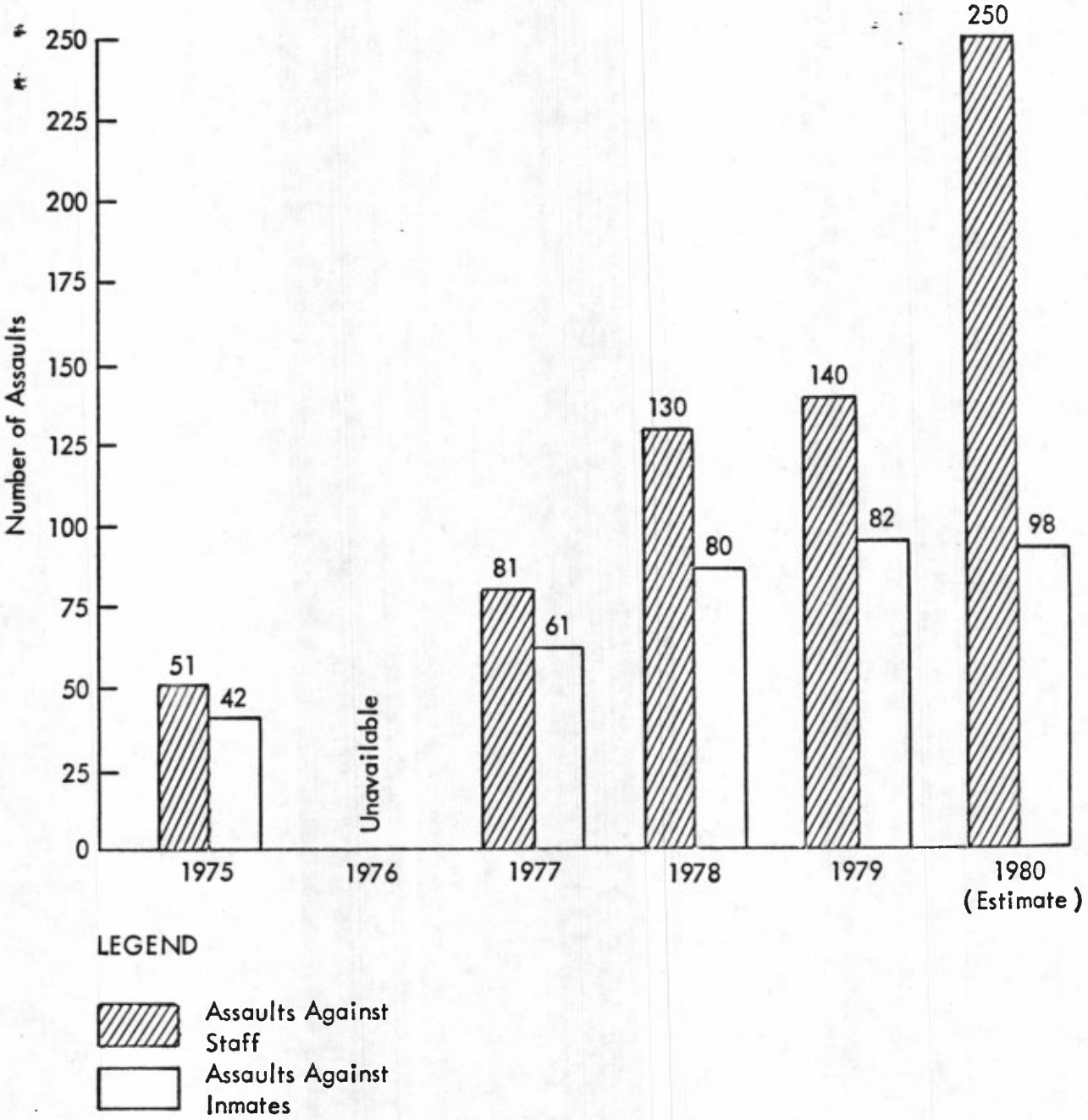



Figure 11. Assaults Against Staff and Inmates

- Improved reporting procedures and recordkeeping.

There is a general consensus among prison administrators throughout the nation that violence in correctional institutions has increased significantly in the past decade with a definite lag in the capacity of classification techniques to keep up with this trend.

Violence in prisons is not the only problem facing correctional administrators relative to inmate behavioral problems. Similar increases in incidence have occurred in other areas such as drug trafficking, extortion, homosexual assaults and general victimizing of vulnerable inmates.

In Maryland over the past six years, the number of inmates confined to Administrative Segregation for disciplinary reasons has averaged almost 360 or approximately 5 percent of the DOC inmate population. This number, according to many Division personnel, could have been much higher but was, and continues to be, limited by the number of cells available in Administrative Segregation or what is also termed Special Confinement.

The procedures for assigning inmates to Administrative Segregation are elaborated in DCR 110-19. They were the direct result of Bundy versus Cannon requirements and appear to be in line generally with contemporary standards relative to the legal safeguards for inmates assigned to disciplinary segregation.

Administrative segregation, according to this DCR is reserved for the following Special Management Inmates:

1. To prevent escapes (reasons exist to believe the inmate to be an escape risk);

2. To prevent an inmate from doing harm to himself/herself;

3. Inmate is under sentence of death;

4. Reasons exist to believe an inmate is dangerous to the security of the institution, and/or inmates, and/or personnel of the institution;

5. Prior to the adjustment hearing, when the inmate has been charged with an infraction or violation, and one of the above conditions exists or inmate is involved in a drug-related incident when custody and control is an obvious factor.

Other than protective custody inmates it can be seen that most inmates in the above group would not voluntarily place themselves in Administrative Segregation. The DCR states that such inmates "may be confined in administrative segregation for as long as there is a need in the particular case." This in essence means that an inmate could spend his entire sentence in this status if so determined by the Classification Team.

## 2. Recommendations

Correctional Services Group is well aware of the Division's need to manage disruptive inmates. The effective operation of any correctional institution can be

directly thwarted by a group of recalcitrant offenders, no matter how small, if adequate procedures for their control are unavailable.

The current procedures, as delineated in DCR 110-19, for the most part meet both the needs of the agency and inmate in that they provide a systematic approach to identifying and segregating individuals from the general population, for other than punitive reasons. who warrant additional supervision in more secure housing.

It is recommended, however, that the proposed Central Classification Board monitor review and when necessary, act on cases of inmates who remain in administrative segregation for more than 60 days.

The Division may also wish to consider the use of a formalized guideline such as included in Appendix C to provide direction as to who should be placed in segregation. Inmates who score a certain number of points in one category or a combination of points across several categories would be considered candidates for administrative segregation. It must be emphasized that this guideline, if employed, would be used only as a classification tool to provide direction to the Classification Team in identifying special management inmates.

## D. Classification of Other Special Management Inmates

Commission on Accreditation for Corrections Standard Number 4375 provides for written policy and procedure for special needs inmates:

> Special needs inmates include, but are not limited to drug addicts, drug abusers, alcoholics, alcohol abusers, inmates who are emotionally disturbed, mentally retarded, suspected mentally ill, or who pose high risk or require protective custody. Procedures should exist to identify the number, type and frequency of commitment of these groups of inmates. Where numbers or frequency of commitment warrant, special programs should be instituted for the appropriate management and effective handling of these inmates

### 1. Findings

The classification of protective custody mentally ill and high risk inmates by the Division has just been reviewed. However there are a number of other special needs offenders whose classification has not yet been addressed. These include drug and alcohol abusers. the mentally retarded and physically handicapped.

These inmates are first screened and identified during the initial reception process at the RDCC. The assessment techniques include IQ tests to screen for mental retardation, personality tests to screen for mental illness or emotional disturbances, administration of the Mortimer-Filkins Test to identify drug/alcohol problems, and medical exams to screen for inmates with chronic ailments or other handicaps Of special note is the Special Needs Assessment Group (SNAG), which is designed to identify and refer for service offenders with extremely low IQ's. The goal of this program is to identify and remove from the correctional system those individuals who

are extremely mentally retarded and in need of attention the Division is incapable of providing.

As has been stated elsewhere in this report, information, particularly in the reception process, is extemely lacking for such special needs offenders as identified above.

2. Recommendations:

The classification process for special needs offenders, such as discussed above, cannot be effective without proper and sufficient information to begin to identify and plan programs and services. It is recommended that the Division develop improved policy and procedures at the reception process similar to the SNAG Program, to provide a thorough assessment of all new admissions and to identify any special needs or management problems. The present procedures are essentially sound, but are diluted by insufficent staff. and inadequate data. As such, this assessment process will require the gathering of data to assist in both the screening of this group as well as any proposed treatment programs. No special needs offender should ever be assigned to a maintaining institution until all known information has been evaluated and a specific program plan has been developed. All such plans should be monitored by headquarters staff at least semi-annually.

# Chapter Nine: Management of Offender Information

## CHAPTER IX: MANAGEMENT OF OFFENDER INFORMATION

The management of data relating to an inmate's criminal history and institutional adjustment is an integral part of an effective classification program. Historically, Maryland, much as many other states administered adult correctional facilities with relatively small prisoner populations. It was not uncommon for superintendents and line personnel to know inmates not only by name and number. but also their crime, sentence and other data important for classification purposes.

Such institutional administrative functions as classification, detail location assignments and parole eligibility reviews were done with a comfortable feeling that the committee or individual administrator had a competent assessment of the resident based on personal contact.

At the present time, even in the smaller states, the number of individuals coming into penal institutions and the rapidity with which they pass through the system has made it impossible to provide adequate case management without relying on inmate files and collapsed data such as job rosters, cell assignment sheets, etc.

The gap has widened between what administrators need to know to make a sound decision and what information is actually available to make that decision. An important tool has been developed which can help narrow this gap. This new tool is called OBSCIS--The Offender-Based State Corrections Information System.

OBSCIS is the product of a national effort by corrections professionals funded by LEAA. It is a realistic approach to some of the most critical problems facing corrections administrators today. OBSCIS is a tool which provides a state corrections agency with a practical method for organizing and managing essential information, particularly data needed by classification personnel.

### 1. Findings

The Maryland Correctional System has recently implemented OBSCIS I which when fully in place, will provide the means to store the bulk of information which must be maintained for offenders placed in the custody of the Division of Correction. The system is not designed to maintain all the information which is collected for each offender, and as such will not replace the present inmate base file. Various legal documents, narrative reports, correspondence and non-test data (such as photographs) will remain in "hard copy". The information which OBSCIS I removes from the base files is the type found on Division forms--the kind which is collected routinely and retained on a common form for all inmates. To use OBSCIS I, DOC personnel will be supplied on-line computer terminals at key locations throughout the Division. Data will be entered by calling for special input "screens". Screens have been completed for the following classification informational sources: Classification Data, Infractions, Program Enrollment and Termination, and Program Evaluations.

OBSCIS I is organized into four subsystems:

- The Offender Subsystem provides functions to enter and retrieve on-line offender related information including identification, background, status, and event history data. The subsystem will also provide a scheduling function to assist in managing the types of non-routine activities which can be planned in advance.

- The Program Subsystem provides for the identification of programs offered by the Division. For each program the system will allow the recording of reservations, maintenance of a waiting list, and entry of attendance and evaluation data.

- The Reporting Subsystem provides on-line inquiries and printed batch reports which reorganize and display the information maintained through the Offender and Program Subsystems.

- The Housekeeping Subsystem makes provision for special data processing functions required to operate the system. It will also include table maintenance functions which can be used to look up code values and to change code descriptions. The subsystem will include in addition, functions to merge data mistakenly on file under two different DOC numbers and to reload data purged from on-line files two years after an offender's release.

Overall, OBSCIS I will provide, when completed, a simple and efficient means for storing and retrieving large amounts of information. The system will be a basic but powerful tool. and it will provide a necessary first step for the Division of Correction. Through use of OBSCIS I, the Division will also gain valuable experience and important insight into the specific needs which could be satisfied through enhancement of the system as currently designed.

There are eight applications modules which cover all activities commonly associated with accounting for offenders within a corrections agency. These include: Admissions. Assessment, Institutions, Movement Status, Parole, Management. Research and Legal Status.

Of particular importance to classification operations are the admission, assessment, institutions and movement status modules.

The Admission Module has the following objectives:

. Establish Offender Record. At the time an offender is admitted to a correctional system, it is necessary to create an offender's master record. This is the first logical application of a corrections information system.

. Admission Reporting. Administratively and operationally, it is desirable to have periodic reports on admissions activity.

- Cross-Index Retrieval. Offenders who move through corrections systems, unavoidably, acquire a growing number of identification codes. With each admission, there will be a number assigned. In many states, each institution may assign a separate number. There will also be separate numbers assigned upon entry into the OBTS and FBI records. In addition, each offender, of course, retains his primary identification, his legal name. He also may have acquired an assortment of aliases which can also be used for identification. Thus, a cross-indexing application is necessary to permit location of an offender's master record through use of whatever information may be available.

Relative to establishing the offender's record, the most important activity is the assignment of inmate numbers as the OBSCIS system must reflect the current identification number for every offender. Maryland now assigns a new number to an offender each time he or she enters the correctional system creating problems in that sometimes records of the incarceration of the same inmate did not contain the same set of unique identifiers.

The Assessment Module has four applications pertinent to classification. These include:

- Offender Profile. This is basic information that combines admitting and assessment data to give correctional officials a picture of each offender at any point in time.

- Diagnostic Problem Reporting. This provides exception reports to administrators and the clinical staff of a corrections authority. They note significant items which affect assignment of individual offenders.

- Test Scoring. The application used within the OBSCIS model is sufficiently flexible to provide for automated scoring of a wide variety of clinical tests.

- Test Scheduling. This application provides data for clinical personnel. Based on admitting and existing test scoring data, additional testing can be scheduled as necessary.

The Institutions Module contains two applications useful to classification. These include:

- Program Reporting. This refers to data related to any directed activity such as training, education, work assignment, athletics or any other activity in which an offender participates.

- Disciplinary Incident Reporting. These include any reported conduct violations by an offender and resultant dispositions.

The Movement Status Module is an essential information system area as every corrections agency must monitor the statuses of its inmate population. This module contains two applications:

- Offender Tracking. This is one of three applications considered essential within OBSCIS as it captures data at the time of each status change and creates an updated status record for each offender.

- Population Movement Reporting. This uses the Offender Tracking Data to produce a series of management reports which show movement of offenders between various status and location categories.

A review of the Division's position relative to the above modules determined the following:

1. The Movement Status Module or what the Division terms Traffic Information, is in place and fully implemented so that the Division knows the location and status of each offender in the correctional system.

2. The Admissions Module or what the Division terms Commitment Information has also been implemented with data being obtained for all new commitments to the Division. Information for inmates already in the system is entered into the computer only when offenders are transferred to a new institution as the work load is too great to attempt to enter the entire standing Division population at this time.

Detainee information is also being entered in the same fashion.

3. Regarding the Institutions Module, the Division is working with the maintaining institutions on a one-at-a-time basis in entering program data. It is using a special program for inmates involved in MAP. Adjustment hearing results are being entered on a rather irregular basis although there has been a recent attempt to provide for more consistency in this area.

4. Finally, the Division has not implemented its Assessment Module, which is due to initially come on-line in late 1981.

OBSCIS was first funded by LEAA in 1974 for development in Maryland. In 1977, the Phase I Detailed Plan was completed but due to a variety of delays and problems, such as lack of staff, insufficient funding bureaucratic differences of opinion as to the importance of a computerized management information system, and a constant turnover of experienced personnel, the plan was only implemented in the Summer of 1980. It is anticipated that these problems will continue, particularly lack of funding and personnel given the Division's current fiscal situation, which will further impede the implementation of the system.

## 2. Recommendations

As indicated throughout this study one of the major problems with the present classification system is the lack of data, both at admission and during confinement, to make valid and reliable decisions.

OBSCIS I, just as with any computerized inmate information management system, is only as good as the availability of valid and timely data. Many of the problems pertinent to the maintenance of offender information cannot be alleviated through OBSCIS or any other such system if the information is never there to begin with.

Assuming that the State will, within the near future, initiate procedures to obtain offender information from the committing jurisdictions, it is recommended that the further expansion and implementation of OBSCIS be afforded increased priority in terms of personnel, hardware and training for system users. This would include, for example, the reclassification of data processing personnel positions at an appropriate salary level competitive with the private sector. If this is done, many of the informational problems now impeding effective classification will either be eliminated or reduced to the point where classification personnel will not be hampered in their decision-making by the time consuming task of collecting and verifying offender data.

The objectives of the system, relative to improving classification should be:

- To increase the availability of information by:

  1. Reducing information retrieval time:
  2. Reducing the offender data input time.

- To increase the accuracy of offender data by:

  1. Maintaining one central file rather than many files;
  2. Instituting standard input forms and procedures;
  3. Implementing validity check routines.

- To provide an information system that will be of more benefit to management than the present manual system by:

  1. Providing management with more data than is currently available such as offender movements, waiting lists for program entries, and age composition of offenders:
  2. Developing a computerized reporting system to satisfy management requirements.

- To provide an information system that will be of more operational benefit by:

  1. Providing inmate parole eligibility dates faster and with less difficulty by eliminating the initial calculation. A more accurate management tool would be the result;
  2. Increasing the control regarding the location of offenders;
  3. Increasing follow-up reporting between institutions;
  4. Providing counselor caseload data 50 percent faster than is currently possible.
  5. Developing a computerized reporting system to satisfy operational requirements.

- To implement a more efficient system by:

  1. Reducing the errors on input source documents;
  2. Eliminating redundancy of data gathered on each offender.
  3. Standardizing guidelines utilized by staff for inquiry/response.

# Chapter Ten: Classification for Decision-Making

## CHAPTER X: CLASSIFICATION FOR DECISION-MAKING PURPOSES

### A. Definition of Custody Levels

Correctional Services Group's experience in classification has been that very few correctional systems are able to clearly define either the custody capabilities of their institutions or their custody levels. For example, a recent study by CSG of the classification system at the Georgia State Prison in Reidsville found that while Reidsville is considered to be a maximum security facility by most Georgia Department of Offender Rehabilitation personnel, it is in reality, according to most security analysts, a much less secure institution. This confusion appears to be the result of the historical mission of Reidsville as Georgia's maximum security prison, a mission which has carried over to the present day even though this facility lacks many of the necessary requirements. e.g., secure perimeter, single cells, etc., normally associated with a maximum security institution.

This same problem is also found nationally in attempting to distinguish inmates of various custody levels. An inmate who may be defined as a maximum security inmate in one facility may very well be, even within the same system, a medium security prisoner in another. This appears to be the result of the many and varied perceptions of correctional staff as to just which factors are important, as discussed elsewhere in this report, in determining an offender's custody level.

1. Findings: Correctional Services Group found that the Maryland correctional system is subject to the same problems in defining custody as just identified. This finding was determined through a series of questionnaires administered to Division personnel representing administration, custody and classification. In these questionnaires, staff were asked to define what constitutes a maximum, medium, and minimum security facility and also to define what type of inmate is normally associated with these three custody levels. The terms maximum, medium and minimum were selected for two reasons: one, they are commonly employed in most correctional systems; and two, they are used by the Division and should have some meaning to staff.

As has been characteristic of findings in other states, CSG found that these terms have different connotations depending on a variety of factors including functional category of the respondent, e.g., security, treatment, as well as experience, personal correctional philosophy, education and overall knowledge of custody. Wide variances were also found between staff from different Division institutions relative to their perceptions of custody meanings.

The effect of diverse custody definitions is most dramatically observed in the classification process when an inmate is given a custody status and institutional assignment. For example, if an RDCC counselor believes an inmate is in need of constant supervision due to his current offense, the counselor may assign him to the Maryland Penitentiary since it is defined as maximum security and should afford the security deemed necessary. However, a security analysis of the Maryland Penitentiary by CSG determined that it does not provide the internal security that most correctional security experts would define as necessary for a maximum security prison.

2. Recommendations: Based upon the misconceptions and confusion among Division personnel pertaining to custody definitions, CSG recommends that every inmate in the Maryland correctional system should be assigned new custody statuses based on a numerical scale. These statuses or C-levels would range from C-4 to C-1.

The new custody levels are based on a survey of custody definitions used in other states and the Federal Prison System. These definitions are described here in detail.

C-4 Custody Level: This custody grade most closely approximates the current "maximum" security level now employed by the DOC. However, this new level would be reserved for inmates who:

- Are rated as C-4 by the proposed Custody Determination Instrument:
- Pose extreme risk of violence to others:
- Are a very probable escape risk: (rated Very High or High) or
- Have a history of serious institutional violations.

As can be seen from the above descriptions, C-4 is to be used only for inmates who are either both a public and institutional risk or score so highly in either category as to warrant constant control and supervision. An inmate assigned to C-4 shall be supervised as follows:

1. Except under the direct supervision of a correctional officer. the inmate shall be housed in a single occupancy cell.

2. When the inmate is permitted to move about within the institution, he or she shall be within the view of a correctional officer.

3. The inmate shall not be permitted to leave the institution unless he or she is accompanied by a correctional officer.

4. An inmate in this status shall be confined in a facility with a secure perimeter.

Assignment to a C-4 facility shall be appropriate if reliable evidence shows:

1. Episodes of violence toward others;

2. Recent or numerous violent criminal offenses or serious rule infractions, committed in a pattern over the preceding three years, accompanied by reliable evidence sufficient to justify a reasonable belief that if the inmate were permitted to leave the institution without supervision, he or she would promptly commit additional offenses or infractions;

3. Recent and numerous escapes or attempts to escape:

fv71 4. Recent but not necessarily numerous escapes or attempts to escape, if the circumstances from which such escapes or attempts and the manner of the inmate's return to custody (if effected) indicate that the inmate misused a less restrictive custody level to accomplish an extended escape from correctional supervision.

C-3 Custody Level: This custody grade most closely approximates the present "medium" security level employed by the Division. This custody level is to be reserved for inmates who pose a somewhat lesser risk. as determined by the proposed instrument. than C-4 inmates. This assessment is measured in terms of recency, frequency and severity of behavior.

Specifically. this level will be applied to inmates who:

. Are rated as C-3 by the proposed Custody Determination Instrument;

. Pose some risk of violence to others·

. Are a possible escape risk (rated High):

. Have a limited history of serious institutional violations.

An inmate assigned to C-3 shall be supervised as follows:

1. Except when under the direct supervision of a correctional officer, the C-3 inmate shall be housed in a single-occupancy unit in a penal institution.

2. When the inmate is permitted to move about within the institution, he or she shall be under the periodic supervision of a correctional officer.

3. The inmate shall be permitted to move about within the institution during daylight hours. but shall not be permitted to leave the institution unaccompanied by a correctional officer.

C-2 Custody Level: This custody grade most closely resembles the Division's present "minimum" security level. This level is to be reserved for inmates who pose a substantially lower public or institutional risk than C-4 and C-3 inmates.

. Are rated as C-2 by the proposed Custody Determination Instrument;

. Pose limited risk of violence to others;

. Are a marginal escape risk (rated Medium or Low): or

. Have no history of serious institutional violations.

An inmate assigned to C-2 shall be supervised as follows:

1. The inmate will be periodically supervised by a correctional officer and shall be housed in either a single or multiple occupancy room to which he or she should have self access;

2. When the inmate is permitted to move about the institution, he or she need not be under direct correctional officer supervision:

3. The inmate will not be permitted to leave the institution without an escort although the escort does not necessarily have to be a correctional officer: and

4. The C-2 inmate shall be confined in a facility that has a secure perimeter.

C-1 Custody Level: This custody grade most closely approximates the Division's Pre-Release status. Inmates assigned to this status would either be those that are within one year of the end of their prison stay and have a limited history of violence, escape institutional adjustment problems or emotional disturbance. Inmates with non-serious offenses could be assigned directly to this status but must also be within one year of release.

Specifically this level is to be applied to inmates who:

- Are rated as C-1 by the proposed Custody Determination Instrument;
- Pose limited risk of violence to others;
- Are a limited escape risk (rated Medium or Low); and
- Have no history of serious institutional violations.

An inmate assigned to C-1 shall be supervised as follows:

1. No direct supervision shall be required either in the unit or in the community;
2. Inmates shall be housed in single rooms with their own keys; and
3. Personal clothing and most articles normally used in the community may by retained by C-1 inmates.

B. Present Custody Decision Process

1. Findings: In the existing DOC classification system, all classification custody actions are made either during the initial classification at the RDCC or during institutional reclassification hearings conducted after an inmate is permanently assigned to a facility.

A review of this process at the RDCC determined that the inmate's current offense and length of sentence are the two principal factors employed in determining an offender's custody status. Since these two factors are generally highly correlated, it can then be assumed that the offense(s) for which an inmate is presently confined is the principal criterion for assigning custody and hence institutional assignment. This appears to be the result of a variety of situations:

a. The unavailability and/or inaccuracies of criminal history, psychological and social information pertaining to the individual. When faced with unavailable or unverified information, RDCC classification staff are forced to utilize what criminal data sources are available. Since the offender's current offense is always stated on the court commitment papers, this information is readily available;

b. The belief commonly held by many correctional personnel that an offender's past crime or crimes are most predictive of his/her future behaviors, particularly violent and assaultive behaviors. Research has demonstrated that individuals who are incarcerated for a sexual offense are more likely than not to resort to similar criminal actions in the future while other studies have demonstrated that, apart from offenses related to a psychological aberration, e.g., rape, most repeat offenders are those who have committed non-dangerous, property-oriented crimes such as burglary and forgery;

c. The concern that an offender with a history of violence will commit additional violent acts if placed in reduced security which in turn could result in extreme public reaction. The public historically has not over-reacted to property offenses committed by inmates confined in minimum custody, even a lengthy series of such offenses. But the public has reacted quite strongly to the commission of one violent

offense. An excellent example of this was an incident which occurred in the fall of 1980 when a DOC inmate whose sentence was commuted (he was sentenced to six months for burglary) allegedly raped a young woman one day after his release. This one incident provoked considerable public and media reaction even though the offender's release could be reasonably justified.

d. Individual classification staff reaction to the offense. Correctional staff, like most noncorrectional citizenry, are socialized to believe that certain acts by their fellow man are not to be easily excused and should be punished. To many Division staff a security classification system that rewards desirable behavior and punishes undesirable behavior is as important for staff as a system which predicts behavior.

The efforts conducted to identify additional factors currently used by classification staff in the Maryland DOC led to the identification of several problems with the existing custody determination system:

- The current factors are generally quite subjective, except for those concerned with offense characteristics;

- Maryland classification staff as in all correctional systems, develop their own set of classification factors and assign a relative importance to each of these factors according to their own value scale, and apply these standards in making classification decisions;

- The validity of classification decisions is now quite dependent on a number of variables including: training and experience of staff; amount of feedback and reinforcement the staff member receives; the quality and quantity of offender data; the pressure to move inmates into available beds, etc.;

- Offender classification information is generally quite lacking at initial classification. Not only is it often incomplete, but much of it is of questionable value as it has not been verified. Other data are subject to a broad interpretation;

- There have been minimal specific guidelines given to Division of Parole and Probation staff regarding the collection of offender data to support the inmate classification process. As stated elsewhere in this report, comprehensive Presentence Investigation Reports (PSI's) are not prepared for the majority of inmates entering the Division since they are not requested by judges and much of the information in the PSI is not useful for initial classification purposes;

- The needs of the agency, e.g., to fill available bedspace, etc., often supercede established classification procedures. There appear to be instances where custody grades have been reduced to facilitate movement of inmates into facilities where lower custody bedspace is available. This is discussed in detail elsewhere in this report;

- Custody designations are not consistently applied throughout Maryland's institutions. For example, a custody grade of "maximum" in the Maryland Correctional Institution may be roughly equivalent to the "medium" at the Maryland Penitentiary. Other correctional systems, e.g., Florida, have moved the "least worst" of the maximum security population into lower custody facilities in response to overcrowding. This has created a situ-

ation wherein inmates normally assigned to maximum custody facilities are now maximum custody offenders in a medium security setting. This appears to be also true in Maryland

2. Assumptions: Several assumptions have been made which appear to be basic to the course of action recommended via the development of a custody determination process:

- The present Maryland classification system, though overworked and non-uniform, does somewhat effectively work to meet the needs of the Division, particularly as it relates to filling available bedspace.

- The existing classification system is not very flexible in that it is not designed to take into consideration state-of-the-art correctional practices. There appears to be no mechanism to modify current practices based upon changes in inmates or inmate behavior.

- The emphasis on filling available beds is understood and necessary, although priority should be given to the needs of the individual inmate and the protection of the general public in a new classification system.

- The Escape Screening Worksheet, DCR-100-9 (Risk Assessment Instrument) should be expanded to include other factors in an attempt to screen for other behaviors in addition to escape;

- The development of standardized factors and associated custody scores should not preclude the judgement and experience of Division classification staff from decision-making.

- The existing number and types of physical plants limit the options for assignment of offenders. This must be taken into consideration in the development of a custody determination instrument. It appears there is presently a lack of secure beds in the DOC which creates severe problems in the assignment of inmates to maximum and medium security institutions.

- Currently, information for classification is minimal due to the failure of committing jurisdictions to provide necessary data and materials. The success of any new classification instrument will require the availability of uniform and relevant data which has been supplied in a timely manner.

- Staffing for classification, particularly reclassification in the institutions, is inadequate and must be increased to carry out professional assessments of inmates.

Given the above findings and assumptions of the project staff, a custody determination system should be designed as follows:

- The system should reflect those classification factors that Maryland DOC officials consider important.

- It should be in compliance with standards issued by the Commission on Accreditation for Corrections[1] and consistent with recent court decisions pertaining to custody determination and offender assignment.

- It should provide a structure based upon empirical offender data that can be supported through measurable and observable actions.

- It should meet the classification needs of the Division while reducing the amount of narrative and subjective reporting that staff now engage in.

- It must provide for the deficiencies now existent relative to to current problems in securing reliable, complete and timely offender data yet be comprehensive enough to adequately assess custody and assign custody levels based on relevant information. It should also be amenable to analysis and evaluation to permit a determination of validity of data being employed so that factors can be identified that should be deleted or added to improve the custody determination ability of the overall instrument.

- Finally and as indicated previously, it must be capable of responding to changes in inmate populations, court orders, changes in correctional policy and most importantly, of meeting the mandates of the general public in protecting them from offenders who have demonstrated or possibly could demonstrate violent behavior.

3. Recommendations: Based upon CSG's classification experience and recent efforts undertaken by other states, particularly the New York Department of Correctional Services, it is recommended that a new classification decision-making process be developed that employs a custody determination instrument which should distinguish between Public Security Risk and Institutional Security Risk. For further clarification, institutional risk refers to the likelihood that an inmate will be dangerous to other inmates or staff or disruptive of order in a facility: public risk refers to a combination of the likelihood that an inmate will escape and the likelihood that he will be dangerous to the public if he does escape. The idea of public risk can be illustrated by the following diagram:

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1 The Commission on Accreditation for Corrections, Standards for Adult Correctional Institutions states in Standard 4372:

> The classification system should help insure that inmates participate in appropriate integrated programs that will assist them during their incarceration and subsequent release to the community. The classification system should consider an assessment of risk and the efficient management of the inmate population. It should provide that no inmate receives more surveillance or assistance than required and that no inmate is kept in a more secure status than potential risk requires.

| | Likely to Escape | Unlikely to Escape |
|---|---|---|
| Likely to be Dangerous to the Public | Very High Public Risk | High Public Risk |
| Unlikely to be Dangerous to the Public | Medium Public Risk | Low Public Risk |

The diagram below, illustrates that an inmate may be a low risk in one area while being a high risk in the other.

| | Low Public Risk | High Public Risk |
|---|---|---|
| Low Institutional Risk | Low Public and Low Institutional Risk | High Public but Low Institutional Risk |
| High Institutional Risk | Low Public but High Institutional Risk | High Public and High Institutional Risk |

In determining public risk, the major factors normally considered by correctional classification analysts include seriousness of the current offense, history of violence, record of escape length of time to release, and community stability.

The principal factors used by classification staff to assess institutional risk are the inmate's behavior while under confinement. both current and prior, and the adjustment stability or instability of the individual as determined through a review of his adjustment in the community.

Public risk and institutional risk can also be illustrated by the following guidelines:

Institutional Risk = (Prior Institutional Adjustment + Maturity) + Street Stability (Post Confinement Factors); while

Public Risk = Degree of Violence in Current Offense + History of Violence + Time to Expected Release + Escape History + Street Stability (Pre-Confinement Factors).

The first task for CSG in completing these guidelines was to specify the factors and their degree of importance. It is necessary to define the factors if the instrument is to be useful to the Division in making objective and consistent custody determination decisions. It should be stressed that the final instrument is to serve only as a classification tool. Staff will not always be able to classify all inmates

correctly based solely on the use of the instrument because some inmates will present unique difficulties, an allowance in the instrument must be made for the classification counselor's subjective evaluation of an inmate.

The method for determining the factors important to custody determination involved a series of field interviews with both staff and inmates. We also distributed three questionnaires to assess factors considered important in making initial and reclassification decisions as well as to rank severity of offenses for which individuals may be confined in the DOC.

The factors included on the three questionnaires were derived from an extensive review of factors considered important in other states and the Federal Prison System. The approach to determining the importance of each factor relative to custody determination is similar to that utilized by the Federal Bureau of Prisons in 1977 in the development of its new classification system.

Unlike the Bureau, however, which originally employed forty seven factors to determine an inmate's custody status during initial and reclassification hearings, thirty three factors were used in the Maryland survey to establish initial classification levels. (See Figure 12, Security Determination Checklist.) In addition, twenty-six factors were selected to determine an inmate's reclassification level. (See Figure 13, Reclassification Checklist.) In addition, an Offense Severity Scale was used to determine the perceptions of staff relative to the seriousness of crimes for which offenders could be confined in the DOC, since it was assumed a priori that the nature of the current offense would be one of the key factors considered as important by staff in determining an inmate's custody level. (See Figure 14, Offense Severity Scale and Figure 15, Offense Severity Findings.)

A sample of administrative custody and classification staff were given the questionnaires so as to provide representation among the various correctional staff categories. The actual breakdown of personnel completing questionnaires in each category is as follows:

17 Classification Supervisors
63 Classification Counselors
32 Custody Personnel
21 Administrative Personnel

The rationale for surveying more classification staff than personnel from other categories was twofold: first, the focus of the study is on the classification system and the staff who conduct the various classification functions from initial reception and orientation to the offender's release. Second, the Federal Bureau of Prisons classification project found that there was no appreciable difference between the rankings of classification (treatment) and those of custody staff as evidenced by a correlation of .90.

Correctional Services Group's findings were almost identical. The correlation between the rankings of treatment and custody staff relative to the importance of those factors that should be used to determine an inmate's initial custody was very high. (The average correlation was 0.88 ) Staff were asked to identify the top ten factors that should be used as a basis upon which to assign custody designations using a custody determination instrument. Figure 16 represents the scores given each factor by personnel category as well as the overall ranking. These include:

- History of violence:
- History of escapes/escape attempts·

# Maryland Division of Corrections

# Custody Decision Checklist

The following criteria have been determined to be important by correctional officials in determining the appropriate custody level for confined offenders. Please rank the factors on a scale of 1 to 10 by placing the corresponding number next to the factor being considered. Ten is the highest score (most important) and one is the lowest score (least important). For example, should you believe that age is an important factor in determining an inmates custody status, you would place a 9 or 10 next to that criteria.

_____ Age at first arrest

_____ Prior institutional adjustment

_____ Education history

_____ Cooperativeness of inmate

_____ History of violence

_____ Psychological test data

_____ Military record

_____ Disciplinary reports

_____ FBI Rap Sheet

_____ Marital history

_____ Employment History

_____ Nature of current offense

_____ Physical stature or handicaps

_____ Length of time since last confinement

_____ Adjustment on parole/probation

_____ First felony conviction

_____ Inmate's version of current offense

_____ History of escapes/attempted escapes

_____ Length of time at home residence

_____ Peer group associates

_____ Notoriety (inmate/offense)

_____ Detainers (number/type)

_____ Age

_____ Judicial recommendations

_____ Health of inmate

_____ Involvement in alcohol/drug use

_____ Member of subversive organization

_____ Length of sentence

_____ Prior arrests/commitments

_____ Respect toward staff/others

_____ Community attitudes

_____ Age at first commitment

_____ Family background

_____ Mental illness/retardation

_____ State's version of current offense

Figure 12.

# Definitions

Age at First Felony Arrest--Age at first arrest for commitment of a felony, regardless of disposition, except acquital.

Age at First Felony Conviction--Age at first felony conviction where individual was remanded to the custody of the Division of Corrections or the local county jail.

Prior Institutional Adjustment--Behavior exhibited by individual during previous periods of incarceration. Negative behavior includes the number and nature of disciplinary violations--special emphasis on violations involving assault, contraband, participating in or inciting a a disturbance, extortion, etc; and time spent in segregation or isolation. Positive behavior includes successful program completion; satisfactory job performance; absence of disciplinary violations for serious misconduct, etc.

Education History--Last grade completed, school adjustment, attitude toward education.

Cooperativeness of Inmate--Willingness of inmate to participate in classification interviews, programs, job assignments, etc.

History of Violence--Number and nature of previous violent acts committed by an inmate with emphasis on offenses where a weapon or injuries to the victim were involved.

Psychological Test Data--The emphasis here is on psychological test data that indicate the emotional maturity of the individual, i.e., his willingness to accept responsibility for his/her actions, his/her acceptance of criticism, etc.

Military Record--Type of discharge, adjustment history, conduct infraction, etc.

Disciplinary Reports--Number and type of disciplinary reports. Particular emphasis is given to disciplinary reports that result in adjustment hearings and imposition of a penalty or a loss of privileges, segregation or loss of good conduct time.

FBI Rap Sheet--Summary of past criminal activity, especially crimes of violence.

Marital History--Number of times married; length of marriage; circumstances surrounding marriage(s); stability of present marriage, etc.

Employment History--Nature of present job, if any; number and nature of previous jobs; duration of each job; progression in job responsibilities, etc.

Nature of Current Offense--Seriousness of current offense; use of weapon, injury to victim; was crime premeditated, a crime of opportunity or crime of passion, etc.

Physical Stature or Handicaps--Physically weak, small and/or physically handicapped inmates that are vulnerable to physical abuse or domination by larger, stronger inmates or large, strong individuals that may dominate smaller weaker inmates.

History of Escapes/Attempted Escapes--Number and type of escapes from custody or confinement with emphasis on planned escapes where force was used. Escapes, as used here, refer also to "walk aways" from minimum security.

Length of Time Since Last Confinement--Number of months/years since last incarceration, emphasis on pattern of criminal activity.

Adjustment on Parole/Probation--Successful completion of term of probation or parole; nature and type of parole/probation violations with special emphasis on acts of violence; length of time on parole/probation prior to revocation; new sentence imposed, etc.

Length of Time at Home Residence--Patterns of stability or instability evidenced by infrequent or frequent changes in adult residence.

Peer Group Associates--Emphasis on individuals that inmate socialized with prior to incarceration.

Notoriety (Inmate/Offense)--Heinous or sensational crime; degree of public reaction to type of crime or particular inmate.

Detainers (Number/Type)--Number and type of holds placed on inmate that will result in an additional prison level commitment or actual deportation.

Age of Inmate--Current age of inmate; emphasis on legally-mandated institutional placement.

Judicial Recommendations--Refers to recommendations made by sentencing judge relative to institutional placement and/or custody level.

Health of Inmate--Medical problems experienced by inmate that necessitate placement in certain institutions where needed medical programs/services are available.

Involvement in Alcohol/Drug Use--Extent of chronic history of chemical dependency; with emphasis on addiction related lifestyle.

Member of Subversive Organization--Member of organization noted for being engaged in criminal activity.

Length of Sentence--Refers to total length of sentence, including, where applicable, the totaling of consecutive sentences.

Prior Arrests/Commitments--Number and type of prior arrests; number of prior commitments--length of sentences.



Respect Toward Staff/Others--General attitude toward authority figures as evidenced during classification hearings, counseling sessions, etc., and as documented by disciplinary reports.

Community Attitudes--Community sentiment regarding current offense, the individual who committed the crime, etc.

Family Background--Presence of parents in home, evidence of family stability/instability, history of drug/alcohol abuse, criminal background of siblings, etc.

Mental Illness/Retardation--Evidence of emotional instability, history of treatment, psychological test results, current medication, etc. Test scores that indicate mental retardation, e.g., intelligence, manual dexterity, learning disability, etc.

State's Version of Current Offense--Prosecuting Attorney's version of the inmate's offense.

# Offense Severity Determination

Please rank the following offenses on a scale of 1 to 10 with 1 being the most serious and 10 being the least serious relative to determining an inmate's custody status. These offenses represent crimes for which an offender may be confined in the Maryland Division of Corrections:

_____ Malicious Destruction
_____ Shoplifting (misd.)
_____ Arson
_____ Grand Larceny/Theft ($300+)/ RSG ($100+)
_____ Telephone Misuse
_____ Armed Robbery
_____ Sodomy
_____ Possession of Marijuana/ Marijuana Paraphernalia
_____ CDS Simple Possession/ Paraphernalia (Narcotic)
_____ Sex Offense 1st Degree
_____ Assault with Intent to Murder
_____ Robbery (general)
_____ Assault & Battery & Resisting Arrest
_____ Fraud (public & medical assistance)
_____ Criminal Non-Support
_____ Child Abuse
_____ Embezzle/Forgery/Uttering
_____ Murder[1]/Arson/Rape/Sodomy
_____ Burglary (NTHB)
_____ CDS Unlawful Manuf/Dist/Poss. with Intent to Dist. (Not Schedule I & II)
_____ Handgun Violation (Deadly Weapon)
_____ Manslaughter
_____ Trespass
_____ Sex Offense 4th Degree
_____ Rape[2] (forcefully without consent or incapable of consent) & Sex Offense 2nd Degree
_____ Unauthorized Use
_____ Sex Offense, 3rd Degree
_____ CDS Unlawful Manuf/dist.; Possession with Intent to Distribute (Sched. I & II)
_____ Petty Larceny/Theft ($100-)
_____ Larceny after Trust (felony)
_____ Soliciting for Prostitution and/or Perverted Practice (consentual)
_____ Auto Theft
_____ Rape[1] (with weapon with which to intimidate her life or any person who knows)
_____ Kidnapping
_____ Perverted Practice (without consent)
_____ False Alarm
_____ Perjury
_____ Disorderly Conduct
_____ Assault (felony)
_____ False Pretense
_____ Rogue & Vagabond
_____ Manslaughter (Motor Vehicle)
_____ Shoplifting (felony)
_____ RSG ($100-)
_____ Forged Prescription
_____ Arson Dwelling
_____ Murder[2]

CORRECTIONAL SERVICES GROUP



Figure 14.

# Reclassification Factors

The following factors have been identified by correctional experts as being important in the reclassification of inmates. These factors generally differ from those used in the initial classification process which are usually pre-incarceration variables. The most significant items employed in reclassification are those which relate to post-admission behavior. Please rate these factors on a scale of 1 to 10 with "1" being a most important factor and "10" being of no significance.

_____ Program Involvement

_____ Minor Disciplinary Violations (less than 3)

_____ Major Disciplinary Violations (3 or more)

_____ Time Spent in Disciplinary Segregation (3 months or more)

_____ Involvement in MAP

_____ Revocation of MAP

_____ Minor Disciplinary Violations (3 or more)

_____ Major Disciplinary Violations (3 or less)

_____ Previous Transfer(s) to Increased Custody

_____ Removal of Good Time

_____ Meritorious Conduct

_____ Successful Adjustment While Under Minimum Security

_____ Successful Participation in Community Release Activities

_____ Unsuccessful Participation in Community Release Activities

_____ Protective Custody Needs

_____ Possession of a Deadly Weapon

_____ Membership in a Subversive Organization

_____ Threats Against Staff

_____ Assault(s) Against Staff

_____ Assault(s) Against Inmates

_____ Possession of Contraband

_____ Escape or Attempted Escape

_____ Trafficking of Contraband

_____ Psychological Instability

_____ Overt Homosexual

_____ Suicidal Tendencies

_____ Other(s): _____

_____ _____

_____ _____

CORRECTIONAL SERVICES GROUP

Figure 13

## OFFENSE SEVERITY DETERMINATION

| | Security (N = 32) | Classification (N = 80) | Administration (N = 21) | Mean* |
|---|---|---|---|---|
| Malicious destruction | 4.30 | 4.30 | 4.00 | 4.20 |
| Shoplifting (misdemeanor) | 2.95 | 2.60 | 1.50 | 2.35 |
| Arson | 8.30 | 8.50 | 8.75 | 8.52 |
| Grand larceny/theft ($300+)/RSG ($100+) | 6.45 | 5.80 | 3.75 | 5.33 |
| Telephone misuse | 2.05 | 2.79 | 2.25 | 2.36 |
| Armed robbery | 8.47 | 8.90 | 8.50 | 8.62 |
| Sodomy | 8.05 | 6.75 | 6.75 | 7.18 |
| Possession of marijuana/marijuana paraphernalia | 3.95 | 2.37 | 3.00 | 3.11 |
| CDS simple possession/paraphernalia (narcotic) | 5.70 | 4.50 | 4.25 | 4.82 |
| Sex offense (1st degree) | 9.35 | 9.20 | 9.50 | 9.35 |
| Assault with intent to murder | 9.55 | 9.35 | 9.50 | 9.47 |
| Robbery (general) | 8.00 | 7.95 | 7.75 | 7.90 |
| Assault & battery & resisting arrest | 7.75 | 7.65 | 8.50 | 7.97 |
| Fraud (public & medical assistance) | 4.30 | 4.95 | 3.75 | 4.33 |
| Criminal non-support | 3.55 | 3.42 | 2.25 | 3.07 |
| Child abuse | 8.80 | 8.70 | 9.00 | 8.83 |
| Embezzlement/forgery/uttering | 5.05 | 5.95 | 4.25 | 5.08 |
| Murder [1]/arson/rape/sodomy | 9.85 | 10.00 | 10.00 | 9.95 |
| Burglary (NTHB) | 7.45 | 6.58 | 6.75 | 6.93 |
| CDS unlawful manufacture/distribution/ possession with intent to distribute (not Schedule I & II) | 7.53 | 6.16 | 6.75 | 6.81 |
| Handgun violation (deadly weapon) | 7.80 | 7.20 | 8.00 | 7.67 |
| Manslaughter | 8.15 | 8.37 | 8.00 | 8.17 |
| Trespass | 1.60 | 2.45 | 2.75 | 2.27 |
| Sex offense (4th degree) | 7.75 | 6.70 | 7.25 | 7.23 |
| Rape [2] (forcefully without consent or incapable of consent) & sex offense (2nd degree) | 9.15 | 9.55 | 9.50 | 9.40 |
| Unauthorized use | 4.10 | 4.00 | 2.75 | 3.62 |
| Sex offense (3rd degree) | 8.40 | 7.50 | 7.75 | 7.88 |
| CDS unlawful manufacture/distribution/ possession with intent to distribute (Schedule I & II) | 7.65 | 6.68 | 7.00 | 7.11 |
| Petty larceny/theft ($100-) | 2.75 | 3.70 | 3.00 | 3.15 |
| Larceny after trust (felony) | 4.20 | 5.11 | 3.00 | 4.10 |
| Soliciting for prostitution and/or perverted practice (consentual) | 3.80 | 3.05 | 2.00 | 2.95 |
| Auto theft | 5.35 | 5.30 | 3.50 | 4.72 |
| Rape [1] (with weapon with which to intimidate her life or any person who knows) | 9.85 | 9.90 | 9.95 | 9.75 |
| Kidnapping | 9.80 | 9.50 | 9.50 | 9.60 |
| Perverted practice (without consent) | 9.05 | 8.45 | 9.00 | 8.83 |
| False alarm | 4.10 | 5.25 | 4.75 | 4.70 |
| Perjury | 4.65 | 5.65 | 3.75 | 4.68 |
| Disorderly conduct | 2.65 | 2.63 | 3.00 | 2.76 |
| Assault (felony) | 8.00 | 7.65 | 7.75 | 7.80 |
| False pretense | 4.40 | 4.40 | 3.75 | 4.18 |
| Rogue & vagabond | 2.85 | 2.90 | 1.75 | 2.50 |
| Manslaughter (motor vehicle) | 5.85 | 6.95 | 5.25 | 6.02 |
| Shoplifting (felony) | 3.75 | 4.10 | 2.50 | 3.45 |
| RSG ($100-) | 3.75 | 4.00 | 3.00 | 5.25 |
| Forged prescription | 5.15 | 4.15 | 4.50 | 4.60 |
| Arson dwelling | 8.85 | 8.55 | 9.25 | 8.88 |
| Murder [2] | 9.70 | 9.70 | 9.75 | 9.72 |

* The means have been adjusted to reflect the size of each category of respondent.

Figure 15.

INITIAL CUSTODY DETERMINATION FACTORS

| | Security (N = 32) | Classification (N = 80) | Administration (N = 21) | Mean* |
|---|---|---|---|---|
| History of violence | 9.65 | 9.89 | 8.60 | 9.38 |
| History of escapes/attempted escapes | 9.70 | 8.85 | 8.60 | 9.05 |
| Mental illness/retardation | 8.55 | 7.95 | 9.20 | 8.57 |
| Length of sentence | 9.20 | 8.47 | 8.00 | 8.56 |
| Nature of current offense | 9.15 | 8.30 | 8.00 | 8.48 |
| Prior arrests/commitments | 8.90 | 8.53 | 7.40 | 8.28 |
| Detainers (number/type) | 8.40 | 8.40 | 8.00 | 8.27 |
| State's version of current offense | 7.90 | 8.32 | 7.80 | 8.01 |
| Psychological test data | 7.65 | 7.67 | 8.00 | 7.77 |
| FBI Rap Sheet | 8.45 | 8.28 | 6.40 | 7.71 |
| Prior institutional adjustment | 7.70 | 7.40 | 7.60 | 7.57 |
| Disciplinary reports | 8.00 | 7.95 | 6.20 | 7.38 |
| Respect toward staff/others | 8.00 | 7.33 | 6.60 | 7.31 |
| First felony conviction | 7.05 | 6.00 | 8.00 | 7.02 |
| Adjustment on parole/probation | 7.05 | 6.83 | 7.00 | 6.96 |
| Involvement in alcohol/drug use | 7.00 | 6.00 | 7.00 | 6.67 |
| Age | 7.05 | 6.37 | 6.40 | 6.61 |
| Notoriety (inmate/offense) | 7.40 | 5.42 | 6.80 | 6.54 |
| Judicial recommendations | 6.90 | 6.00 | 6.60 | 6.50 |
| Length of time since last confinement | 6.80 | 5.84 | 6.80 | 6.48 |
| Health of inmate | 6.35 | 5.83 | 7.00 | 6.39 |
| Member of subversive organization | 6.60 | 5.33 | 7.25 | 6.39 |
| Physical stature or handicaps | 7.20 | 5.61 | 6.20 | 6.34 |
| Cooperativeness of inmate | 6.95 | 6.33 | 5.40 | 6.23 |
| Age at first arrest | 5.65 | 4.67 | 7.60 | 5.97 |
| Community attitudes | 6.05 | 5.17 | 5.40 | 5.54 |
| Age at first commitment | 4.70 | 4.55 | 7.00 | 5.42 |
| Peer group associates | 5.65 | 4.50 | 4.60 | 4.92 |
| Employment history | 4.75 | 5.21 | 4.60 | 4.85 |
| Educational history | 3.90 | 5.44 | 5.00 | 4.78 |
| Family background | 4.50 | 3.83 | 5.00 | 4.44 |
| Military record | 3.15 | 4.17 | 4.80 | 4.04 |
| Marital history | 3.25 | 3.50 | 4.40 | 3.72 |
| Inmate's version of current offense | 2.40 | 3.16 | 5.20 | 3.59 |
| Length of time at home residence | 3.30 | 3.11 | 4.00 | 3.47 |

* The means have been adjusted to reflect the size of each category of respondent.

Figure 16.

- Psychological stability of the offender;
- Length of sentence
- Nature of current offense
- Number of prior arrests/commitments
- Number and type of detainers;
- Prior institutional adjustment;
- Adjustment on parole/probation and:
- Street stability factors.[2]

As can be seen history of violence was ranked as the most important factor in determining an offender's initial custody assignment receiving an overall score of 9.38 on a 10 point maximum scale Looking on down the list, the fourth ranked factor is Mental Illness/Retardation (psychological stability of the offender) which was afforded high scores by security and administrative personnel but a relatively lower score by classification staff. This would seem to say that the emotional stability of a new offender is considered at the time of initial classification but not with the emphasis that nonclassification staff believe is necessary. In any event the ten factors listed above will form the basis for the Initial Custody Determination Instrument which, as stated previously, will employ the dual concepts of Institutional and Public Risk.

Concerning the Severity of the Offense questionnaire, CSG considered it important for DOC staff to rank the seriousness of crimes for which offenders are sentenced to the Division of Correction. This was done to provide "up front" information relative to the weighting of offenses for the proposed Custody Determination Instrument. These scores are shown in Figure 15.

In determining Institutional Risk, attention is focused on prior Institutional Adjustment, and Street Stability factors while Public Risk is measured by using History of Violence. Escape, Length of Sentence, Nature of Current Offense, Adjustment on Parole and Probation and Number of Prior Arrests/Commitments. The factors are weighted according to the relative importance attached to them by staff with those relating to criminal behavior counting the most and those associated with street stability the least.[3] Each factor is given point scores and these scores are added to provide Institutional and Public Risk scores. These scores in turn are combined to provide a total custody score which is computed as follows:

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2 This factor is a combination of several other factors which will be included on the Custody Determination Instrument.

3 The actual weightings were not computed by CSG and should be done using regression analysis.

| | P-1 | P-2 | P-3 | P-4 |
|---|---|---|---|---|
| I-1 | C-1 | C-2 | C-2 | C-3 |
| I-2 | C-2 | C-2 | C-3 | C-4 |
| I-3 | C-2 | C-2 | C-3 | C-4 |
| I-4 | C-3 | C-3 | C-4 | C-4 |

For example, an inmate scored as a P-4, I-1 would have an overall initial custody score of C-3. This would indicate the inmate has an extensive criminal history which is probably violent but who has effected an excellent institutional adjustment during a prior incarceration and is probably other than his violent episodes. quite stable on the street.

As already stated, CSG collected information from DOC personnel relating to factors considered important during reclassification. Survey results indicated reclassification factors differed significantly from considerations used in the initial classification process as post-incarceration factors were the most significant items. This correlation is built into the Custody Determination Instrument. The following factors were considered the most important by DOC personnel relative to reclassification:

- Escape or attempted escape;
- Major disciplinary violations (other than assaults);
- Psychological stability of offender
- Assaults or threats against staff;
- Assaults against inmates;
- Successful adjustment while assigned to minimum security
- Involvement in programs;
- Unsuccessful participation in community release activities;
- Trafficking/contraband possession;
- Possession of a weapon.

Figure 17 represents the scores given each reclassification factor by personnel category with the overall score computed by CSG for each factor.

4. Rationale: the system of classification proposed by CSG is not revolutionary in that it structures or formalizes time-tested practices that are currently, at least in part, in use by Division classification personnel. However, with the adoption of the proposed system, it is anticipated that there will not only be significant improvements in the operation and management of the classification process, but that it will be legally defensible in court and accepted as an impartial system by both staff and inmates. The advantages to the proposed system include:

RECLASSIFICATION CUSTODY DETERMINATION FACTORS

| | Security (N = 32) | Classification (N = 80) | Administration (N = 21) | Mean* |
|---|---|---|---|---|
| Escape or attempted escape | 9.84 | 8.75 | 9.20 | 9.26 |
| Assault(s) against staff | 9.89 | 9.05 | 8.80 | 9.25 |
| Psychological instability | 9.26 | 8.80 | 9.20 | 9.09 |
| Assault(s) against inmates | 9.63 | 8.60 | 8.80 | 9.01 |
| Major disciplinary violations (3 or more) | 9.32 | 7.95 | 9.40 | 8.55 |
| Successful adjustment while under minimum security | 9.05 | 7.95 | 9.40 | 8.80 |
| Successful participation in community release activities | 9.00 | 8.25 | 9.00 | 8.75 |
| Suicidal tendencies | 9.53 | 7.85 | 8.80 | 8.73 |
| Time spent in disciplinary segregation (3 months or more) | 9.05 | 7.21 | 9.40 | 8.55 |
| Possession of a deadly weapon | 9.32 | 7.90 | 8.40 | 8.54 |
| Threats against staff | 9.42 | 8.10 | 8.00 | 8.51 |
| Protective custody needs | 9.42 | 7.30 | 8.60 | 8.44 |
| Unsuccessful participation in community release activities | 8.84 | 7.50 | 8.60 | 8.31 |
| Trafficking of contraband | 8.95 | 7.95 | 7.80 | 8.23 |
| Previous transfer(s) to increased custody | 8.42 | 7.30 | 8.8 | 8.17 |
| Program involvement | 7.84 | 7.40 | 8.80 | 8.01 |
| Meritorious conduct | 8.26 | 7.30 | 8.40 | 7.99 |
| Major disciplinary violations (less than 3) | 7.74 | 7.40 | 8.00 | 7.71 |
| Revocation of MAP | 8.05 | 6.05 | 8.20 | 7.43 |
| Involvement in MAP | 7.32 | 5..95 | 8.40 | 7.22 |
| Possession of contraband | 7.84 | 6.90 | 6.20 | 6.98 |
| Minor disciplinary violations (3 or more) | 7.16 | 5.65 | 6.00 | 6.27 |
| Membership in subversive organization | 7.16 | 4.60 | 6.80 | 6.19 |
| Removal of good time | 6.16 | 4.75 | 7.60 | 6.17 |
| Overt homosexual | 6.84 | 5.00 | 5.40 | 5.75 |
| Minor disciplinary violations (less than 3) | 5.37 | 4.40 | 5.40 | 5.06 |

* The means have been adjusted to reflect the size of each category of respondent.

Figure 17.

- Increase in efficiency and reliability of the classification process:

  Correctional Services Group anticipates that should all the relevant data be available. the custody decision instrument can be completed in less than 20 minutes per case. Tests conducted in other states have demonstrated not only is this type of system more efficient, but the decisions reached through its use were highly correlated with decisions made by current methods in all but extremely unusual cases.

- Improvement in uniformity and consistency of offender classification decisions:

  As can be seen in a review of the instrument, the proposed system is intended to enable classification decisions to be made according to valid factors, weighted according to the significance assigned to them by DOC staff. For example, the types of prior escapes are weighted according to their importance in determining future custody. Escape from behind a closed perimeter is more important than walking away from a work release center and is weighted accordingly.

  It is believed that this practice will increase the objectivity of classification decisions and allow staff to devote more effort to evaluating offender behavior, leaving the results of unacceptable adjustment as the rightful responsibility of the inmate.

- Improvement in the documentation of the classification decision:

  The proposed system requires that certain types of offender and offense data are available at the time of initial classifiation. Such documentation will improve assessment and enhance the support of management decisions. It will also eliminate much of the unnecessary narrative that is employed in the current classification reports.

- Increase in the ability to determine the validity (predictive) and significance of factors used in classification:

  The proposed system will enable staff to uniformly collect relevant information and establish correlations among classification factors. This system can also be used to provide feedback to classification personnel, both positive and negative, relative to the results of decisions made.

- Ability to include new factors and input:

  The proposed system is capable of changing with the changing needs of the Division, inmate population and general public. It will also permit the incorporation of new knowledge in the field of classification.

- Maintenance of a system of classification that is responsive to individual inmate characteristics and needs:

  In developing the proposed system, CSG staff employed a large number of factors that take into consideration the unique characteristics of offenders requiring classification.

This new custody determination system should also realize the following advantages specific to Maryland's correctional needs:

Maintain the Maryland DOC inmate population in appropriate custody levels: provide for more appropriate assignments to the Division's various institutions reduce the number of transfers for custody purposes: reduce the number of escapes, assaults and other serious disciplinary actions committed by DOC inmates and reduce the number of inmates requesting placement in protective custody.

- Eliminate or at least significantly reduce preferential transfer of inmates between institutions. This often results in inmates being placed in facilities that are inappropriate in terms of custody and security.

- Assist the Division in making better use of available resources by facilitating its ability to plan for future inmate populations; to plan for new facilities; and to develop inmate programs and services, etc.

- Assist in the development of a formal, documented review process whereby each inmate's custody level is assessed to determine if he or she is assigned to the proper institution based upon the inmate's institutional adjustment during the preceding period.

A mock-up of each proposed Custody Determination Instrument is included in Figures 18 and 19. The first figure represents the instrument to be employed in initial custody assessment and the second represents the instrument to be employed in reclassification procedures. The scoring instructions are to be found in Appendix D.

C. Analysis of Division Inmate Custody Levels

1. Approach: A custody analysis was conducted of a sample of DOC inmates stratified to equally represent the percentage of inmates assigned to present custody levels to determine whether inmates in the Maryland correctional system are overclassified or underclassified relative to risk and custody considerations.

The overall methodology for gathering data for this section of the study is based upon the methods employed in a recent comprehensive classification study conducted for the California Department of Corrections in 1979. The methodology for this sample study served as a guide for selecting sample size within the MDOC. Consequently, sample size for this report is always equal to or greater than that used in the California study With the number in the sample equal to or greater than California's. and the population of Maryland's correctional system much smaller than that in California, the overall percentage for the current study is much higher in all categories than for the California study. It should further be noted that the number in the sample size as well as the percentage proportion of the entire population is within the standards for statistical sampling proposed by the Law Enforcement Assistance Administration.

There were several reasons for performing this aspect of the study. The overall goal as stated previously, was to gather pertinent custody determination and risk screening information for a representative sample of inmates in Maryland's correctional institutions. The data was gathered for comparisons with custody classification scoring by other systems and standards, in order to provide the system with information about possible discrepancies in the present custody decision-making process relative to other approaches. The results were expected to identify the extent of overclassification or underclassification in the Maryland system, as well as provide additional information concerning appropriate custody and facility needs.

MARYLAND DIVISION OF CORRECTION

# CUSTODY DETERMINATION INSTRUMENT

# INITIAL CLASSIFICATION SCORE SHEET

Inmate Name: _____
Inmate Number: _____
Committing Status: _____
Current Offense: _____
Sentence Length: _____
Date Received: _____
Date of Birth: _____
Race/Ethnic Status: _____

## PUBLIC RISK FACTORS

1. Degree of Violence in Current Offense _____
2. Weapon Used in Current Offense _____

   Type _____
3. Time to Earliest Release _____
4. Prior Escapes/Attempted Escapes

   a. Number of Walkoffs _____ x 4 = _____

   b. Number of Escapes from Secure Perimeter _____ x 8 = _____

   c. Number of Escapes with Force* _____ x 16 = _____
5. Holds and Detainers

   a. Number of Holds where long new prison term is likely _____ x 6 = _____

   b. Number of holds where moderate prison term is likely _____ x 3 = _____

   c. Number of holds where parole or probation hold is likely _____ x 1 = _____
6. Previous Confinements

   a. For offense(s) where violence or threat of violence was involved _____ x 3 = _____

   b. For offense(s) where violence was not involved _____ x 1 = _____
7. Incidents while on probation/parole _____ x 2 = _____
8. Stability in Community

   a. Under 25 years old at Reception + 2 = _____

   b. Never married or marriage not intact + 2 = _____

   c. Not high school graduate or GED + 2 = _____

   d. Not more than 4 months with one employer + 2 = _____

   e. Not honorable discharge from military + 2 = _____

TOTAL PUBLIC RISK (P) SCORE _____

INMATES CUSTODY LEVEL [ ]

Classification Counselor _____

Classification Supervisor _____

## INSTITUTIONAL RISK FACTORS

### UNFAVORABLE PRIOR BEHAVIOR

1. Escape during last confinement _____ x 8 = _____
2. Number of assaults on staff _____ x 6 = _____
3. Number of assaults on inmates _____ x 3 = _____
4. Number of instances smuggling/trafficking in drugs _____ x 2 = _____
5. Number of possessions of a deadly weapon _____ x 4 = _____
6. Number of incidents inciting a disturbance _____ x 4 = _____
7. Number of other major disciplinary violations during last year of confinement _____ x 3 = _____

TOTAL UNFAVORABLE BEHAVIOR SCORE (_____)

### FAVORABLE PRIOR BEHAVIOR

8. No major disciplinary violations during last year of confinement - 4 = _____
9. Successful adjustment to at least 3 months of C-1 custody level or 6 months of C-2 custody level during last year of confinement - 4 = _____
10. Above average program (work/school) progress during last year of confinement - 3 = _____
11. Successful adjustment on unsuspended community leaves during last year of confimenet - 4 = _____

TOTAL FAVORABLE BEHAVIOR SCORE (_____)

TOTAL UNFAVORABLE BEHAVIOR SCORE _____

MINUS TOTAL FAVORABLE BEHAVIOR SCORE _____

= INSTITUTIONAL RISK (I) SCORE _____

### OTHER CHARACTERISTICS

___ Notoriety of crime(s) or criminal
___ Sophistication of crime(s) or criminal
___ Pattern of impulsive or callous violence
___ Gang affiliation
___ Agressive/overt homosexual
___ Family requests protection
___ Vulnerability
___ Suicidal
___ Enemies
___ Psychological instability
___ Medical and health concern
___ Riot leader

Comments: _____

# MARYLAND DIVISION OF CORRECTION

# INSTITUTIONAL CLASSIFICATION SCORE SHEET

Inmate Name: _____
Inmate Number: _____
DOC Institution: _____
Present Institutional Assignment: _____

Present Custody Level: _____
Present I Score: _____ Present P Score: _____
Last Previous Institution: _____
Date of Last Review: _____

INCARCERATION BEHAVIOR FOR PRESENT OFFENSE
(Institutional Risk*)

Unfavorable Behavior During Current Sentence

FOR LAST SIX MONTHS OF CONFINEMENT

1. Number of escapes during current DOC term
   a. Number of walkoffs _____ x 4 = _____
   b. Number of escapes from a secure perimeter _____ x 8 = _____
   c. Number of escapes with force _____ x 16 = _____
2. Number of physical assaults on staff _____ x 6 = _____
3. Number of physical assaults on inmates _____ x 3 = _____
4. Number of instances smuggling/trafficking drugs _____ x 2 = _____
5. Number of possessions of a deadly weapon _____ x 4 = _____
6. Number of instances inciting a disturbance _____ x 4 = _____
7. Psychological stability of the inmate _____
8. Number of other major disciplinary violations _____ x 3 = _____

Total Unfavorable Score _____

Favorable Behavior During Current Sentence

10. No Major disciplinary violations +4 = _____
11. Successful adjustment to at least 3 months continuous C-1 Custody Level or 6 months of C-2 Custody Level +4 = _____
12. Above average program (work/school/vocational training) programs +3 = _____
13. Successful adjustment on unsupervised community leaves +4 - _____

Total Favorable Score _____

Computation of Institutional Risk Classification Score

1. Net Change - Unfavorable Score less Favorable Score _____
2. Prior Institutional Risk (I) Score _____

   Adjusted I Score _____
3. Change in "I" Risk (Yes/No); New Score _____
4. Change in "C" Score (Yes/No); New Score _____

* This score sheet depicts the method that institutional classification personnel would employ to determine an inmate's revised Institutional Risk Score during semi-annual reclassification reviews. A similar scoring format would be used to determine an inmate's revsed Public Risk Score.

Correctional Services Group gathered data from a representative sample of 250 inmate base files from several institutions representing the different custody levels in Maryland's classification system. The Maryland Penitentiary represented the maximum security population. The Maryland House of Correction and the Maryland Correctional Institution, the largest section of the medium sample. In addition, the Maryland Correctional Training Center represented another portion of the medium population. The Pre-Release System at Brockbridge the Jessup Pre-Release Unit and the Greenmount Avenue Pre-Relese Unit, represented a portion of the pre-release population. Data collected from these sites was supplemented by taking a sample work release centers in order to represent another aspect of the minimum custody inmates.

The number of inmate base files selected from each custody level are included here for the reader's information:*

* Based on th Division populations as of December 29, 1980.

| Custody Level | Total Number of Division Inmates in this Custody | Number in Sample | % of Division Population |
|---|---|---|---|
| Maximum[1] (C-4) | 768 | 30 | 12 |
| Medium[2] (C-3) | 3,735 | 137 | 55 |
| Minimum[3] (C-2) | 386 | 18 | 7 |
| Pre-Release[4] (C-1) | 1,793 | 65 | 26 |
| Totals | 6,672 | 250 | 100 |

1 Includes inmates assigned to the Maryland Penitentiary.

2 Includes inmates assigned to the Maryland Correctional Institution, Maryland House of Correction and the Maryland Correctional Training Center.

3 Includes inmates assigned to Work Release or other minimum security locations.

4 Includes inmates assigned to the Maryland Pre-Release System.

Concerning CSG's choice of data to be gathered and the instrument to be used for gathering this data, the following factors are pertinent. First, the overall intent was to gather the most critical areas of data for risk screening, while at the same time employing a form that could be scored to obtain an independent analysis of custody. Towards this goal, CSG considered the most widely used models across the country, including models based on decision trees, "additive" models, and other models based on psychological data, or with a computer analysis basis. In the end, the decision was made to utilize an additive model, since this was the most widely-used classification form (e.g., this is the form used by the Federal system), and further, this additive model was based on many of those same factors which would be the foundation of the data necessary for this report. This model is included along with instructions for scoring, in Appendix E in this report. The following comments relate to those factors considered in this format:

Initial Classification Factors

1. Detainer Information: In this category, information relating to types of detainer that may relate to custody determination were included, including date and severity of detainers that are outstanding for a given inmate;

2. Severity of Current Offense: In this category, the offense resulting in incarceration was noted and scored according to a specific delineation from low to high severity listed under the attached scoring instructions;

3. Expected Length of Incarceration: In this category, the length of incarceration was calculated according to the criteria in the instructions and including the length of time the inmate had already spent in incarceration. In addition, data was noted concerning the length of sentence as well as the beginning date of the sentence;

4. Type of Prior Commitments: In this category, all previous crimes as well as dates when those crimes were listed and scored according to the instructions in categories, ranging from no prior commitments to serious prior commitments:

5. History of Escapes/Attempted Escapes: In this category, instructions are included for rating previous escapes in terms of their severity on a scale of 0 to 7. In addition, these escapes were recorded in terms of the date, where they took place, etc.;

6. History of Violence: Again. specific instructions are included for scoring this on a 0 to 7 scale, from no previous violence to recent and serious violence. This history of violence does not include the current crime resulting in incarceration, but finds it basis in previous crimes or in disciplinary reports:

7. List of Disciplinaries: This category is not used per se in scoring in the additive format, however it was critical in obtaining the data necessary for the current report. Consequently, disciplinaries over the last five years were recorded as well as the dates of their occurrence and the disposition (amount of segregation time or cell restriction);

8. Other Considerations: In this category, special considerations were noted in a few cases where there were special medical, psychiatric, aggressive sexual tendencies, or threats to government officials;

Reclassification Factors

9. The Percentage of Time Served: In this category, scoring instructions are specific to determine the percent of time the inmate has served;

10. Involvement with Drugs or Alcohol: In this category, determination is made as to whether an inmate currently has a drug or alcohol problem (as determined by disciplinary etc) or has had one in the past, or has never had one;

11. Mental/Psychological Stability: This category involves a scoring of "unfavorable" for inmates who are currently under psychotropic medication or, who have a combination of disciplinaries, or other reports relating to psychological instability;

12. Type of Most Serious Disciplinary Report: This category was scored only for serious disciplinaries reported within the last 12 months and includes in the scoring instructions a rating from 1 to 5 for the severity of these disciplinaries.

13. Frequency of Disciplinary Reports: Again, this is scored only within the last 12 months and relates to the number of total disciplinaries an inmate has:

14. Responsibilities the Inmate has Demonstrated: This relates to reports from correctional officers and information in the overall progress report of the inmate, as well as the disciplinaries relating to the overall level of responsibility demonstrated by the inmate;

15. Family and Community Ties: This relates to the level of contacts with family and family stability outside the institution as determined from information available in the base file.

It is also important to note that the third page of this form is utilized in scoring those factors related to reclassification to determine whether there should be a custody increase or decrease for a given inmate. In this sense, an inmate may initially be scored maximum. but may be listed as appropriate for a lower custody because of institutional behavior, length of time in the institution without disciplinaries. and related information.

It is important to point out that the attempt of this effort was to report and gather data in order to make custody determinations of inmates in the Maryland correctional system. It is important to realize that the format utilized permits scoring of custody according to the most widely used system (the Federal format). In this sense, the data can be used for scoring to provide a separate determination of custody apart from Maryland's own custody determination. Consequently, it has been possible to determine whether all those inmates in a given custody, e.g., maximum, medium, pre-release, etc., would be placed, according to the format, in the same custody.

The overall procedure employed by CSG was to go to the various institutions, obtain a random sample of inmate's files then score them according to the areas described above. A stratified sample was obtained to reflect the actual number of inmates in each custody level assigned by the DOC. For example, approximately 11% of the DOC offender population was classified as maximum security on the dates of the surveys. As a result a like percent of the inmate population at the Maryland Penitentiary was sampled or a total of 30 inmates.

Scoring of each inmate's folder took approximately 20 minutes, and in this sense correlates with both the procedure and time taken as reported in the California study. Several factors are worth noting that related to the data presented.

First, it is important to note that the files provided at the Maryland House of Correction seemed to be relatively new admissions (all the numbers starting with 15). In this sense there may be a skew to this area of data becuase of the smaller number of disciplinaries for this group because of their recent incarceration. At this particular institution CSG staff were not permitted to go to the files, but instead were given a sample of the data. As a result for the purposes of the current study, it should be noted that this particular sub-sample may not be totally randomized.

2. Findings: While not an empirical statement, the following comments concerning the overall data should be noted. First, in a nationwide survey of classification systems by Fisher and Associates Research Center for the National Institute of Corrections, the most common situation was that inmates were excluded from minimum and community release settings who had almost any form of disciplinary. The general data gathered for this report clearly show that many of the inmates on minimum status did have disciplinaries, and in some cases, had serious multiple disciplinaries. Second, in most states, there were rather complex rules of eligibility criteria for minimum and community settings. For example, inmates who had a sex crime, who were not within a year of end of sentence, or who had a history of violent crimes or any capital cases might be excluded. An analysis of the data, apart from an examination of the Division's eligibility criteria for placement in work release and pre-release suggests that these rules are not as stringently adhered to, or in some instances, do not exist, in Maryland's correctional system.

The following table represents the reclassification of the offenders in the sample group based on the utilization of the Bureau of Prisons' custody guideline:

| DOC Custody Level | Proposed Custody Level C-1 | C-2 | C-3 | C-4 |
|---|---|---|---|---|
| Maximum N=30 (100%) | 0 (0%) | 1 (3.3%) | 17 (56.7%) | 12 (40.0%) |
| Medium N=137 (100% | 7 (5.1%) | 10 (7.3%) | 93 (67.9%) | 27 (19 7%) |
| Minimum (Work Release) N=18 (100%) | 3 (16.6%) | 6 (33.3%) | 8 (44.4%) | 1 (5.6%) |
| Pre-Release N=65 (100%) | 43 (66.2%) | 9 (13.8%) | 11 (16.9%) | 2 (3.1%) |
| 250 (100%) | 53 (21.2%) | 26 (10.4%) | 129 (51.6%) | 42 (16.8%) |

Note: Due to rounding off, percentages added across will not always equal 100%.

For example, of the 137 Division inmates sampled in medium security, only 93 or 67.9% were placed in that same level as a result of the analysis by CSG. Seventeen were assigned to a lower level and 27 to a higher.

An analysis of the above results determined the following:

- Twenty one percent of the total sample should be in C-1 (Pre-Release); 10% in C-2 (Minimum Security); 52% in C-3 (Medium Security); and 17% in C-4 (Maximum Security);

- Relative to the Pre-Release System, only 43 inmates or 66% should be in the System, based on time, offense and institutional adjustment factors. Of the other 34%, nine or 14% should be in C-2 (minimum security): eleven or 17% in C-3 (medium security), and two or 3% in C-4 (maximum security).

- Only nine or 50% of the inmates currently assigned to work release/minimum security should be either in that level or Pre-Release. Over 44% should be in C-3 while one of the inmates sampled should be in C-4.

- Of the 137 inmates sampled in medium security (C-3), 93 or 68% should be in that level while seven or 5% could be in C-1; 10 or 7% C-2, and 27 or 20% in C-4.

- Finally from the sample of inmates in maximum security, one could be in C-2; 17 or 57% in C-3, and 12 or 40% should remain in C-4.

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5 Correctional Services Group took the position that there are certain offenders who due to a history of violence, escape, serious institutional management problems and/or emotional disturbance should not be assigned to a custody level (C-1) where they have unsupervised access to the community. Referring to the instrument, this included offenders who received high scores in combinations of the following categories:

- Type of Detainer
- Severity of Current Offense
- Expected Length of Incarceration
- Type of Prior Commitments
- History of Escapes or Attempts (Individuals scoring a 7 in this category were automatically exluded from C-1, Pre-Release)
- Mental/Psychological Stability
- Type of Most Serious Disciplinary Report
- Frequency of Disciplinary Reports
- Responsibility Inmate has Demonstrated
- Family/Community Ties

Other than a recent serious escape and time to release, no one factor, no matter how high the inmate scored, precluded placement in C-1.

Correctional Services Group's findings suggest that, based upon an analysis of 250 inmate base files, that the following should be the custody breakdown of the current inmate population in Maryland:*

| | |
|---|---|
| C-4 (Maximum Security) | 14% |
| C-3 (Medium Security)--includes Patuxent Institution | 50% |
| C-2 (Minimum Security) | 9% |
| C-1 (Pre-Release | 18% |
| RDCC | 5% |
| Female Offenders (MCIW) | 4% |
| Total | 100% |

Based on this analysis, there are a substantial number of offenders that have been inappropriately assigned relative to the extent of risk they present both to the public and institution. A significant number of inmates have been over classified placing them in a more secure environment than they warrant relative to custody concerns. However an even larger number of inmates appear to be under classifed, that is, assigned to less secure settings than required given a factor or combination of factors which would indicate they present continued risk to the community.

Specifically. CSG's analysis found that a total of 58 inmates in the sample or 23.2% were underclassified or placed in a custody level not commensurate with their current risk. On the other side, thirty eight or 15.2% of the inmate sample have been overclassified. This then means that 61.6% of the sample was appropriately classified.

Whereas overclassification generally effects only the inmate, and in some instances, the institution to which he or she is assigned, underclassification can also affect the general public. Inappropriate placement of an inmate in the Pre-Release System can result, and often has, as indicated by recent statistics, in a large number of escapes and resultant criminal activity by inmates. This analysis as well as other assessments conducted by the Anne Arundel County Grand Jury and a study by the Division of Correction itself discussed below indicate that underclassification has occurred, resulting in the assignment of inmates to Pre-Release who should be subject to more security than the Units in the system are able to provide either through staff supervision or physical confinement capabilities of the facility.

Approximately one month prior to this project, a study of the Pre-Release Units located in Anne Arundel County was conducted by the County's Grand Jury. The findings, according to the Grand Jury, generally indicated that the offender sample was characterized by a significant number of inmates having violent offenses and a large number of prior convictions and commitments. CSG has some problems with the methodological approach and statistical presentations of the findings obtained by the County's consultant. However, the overall conclusion of the report that there are some individuals now in pre-release whose past criminal behaviors should preclude assignment to such a minimum custody status is supportive of CSG's findings that approximately one-third of the pre-release population is inappropriately assigned there apparently as a result of ineffective and inadequate selection criteria. These findings are further supported by two separate Division studies of the inmate populations and procedures

* This breakdown was computed based on the entire Maryland correctional population (exclusive of DOC jail inmates) as the sample only covered approximately 86% of the standing DOC population since it did not involve inmates in the RDCC, Patuxent or MCIW.

at state correctional institutions, and by a third study carried out at the direction of CSG by Division classification staff.

a Study One: Pre-Release Staff Analysis of System, Inmates and Procedures

Correctional Services Group's conclusion about underclassification is first supported by staff findings obtained through a survey conducted by Pre-Release administrative staff in early 1980. One hundred forty six staff from the Brockbridge Correctional Facility, the System's administrative offices and nine Units were asked a series of questions pertaining to operations of the system. Several of these questions pertained to the classification of offenders assigned to Pre-Release.

Those questions which relate to classification are included here with a summary of the responses provided by staff.

- "What percentage of inmates now in your program do you feel should be there?"

  In response to this query, over 80% of the respondents (125 answered this question) stated that only 70% of the inmates in their program (unit) were properly classified for Pre-Release. Only 8 staff or 6% believed that all of the offenders were properly assigned.

- "Do you feel that we should change the screening criteria for Pre-Release? If so, what changes would you suggest?"

  Ninety three percent of the staff stated that screening criteria should be changed with the vast majority favoring a more stringent selection process. In response to the second part of the question, a number of staff mentioned that offenders should serve more of their sentence in medium or maximum security, and/or should be excluded from Pre-Release if they have a violent offense, a past escape or have committed a sexual offense.

- "How do you feel about the policies and use of the various leave programs?"

  Although this question was not directly associated with the screening of Pre-Release candidates, it is related to the overall focus of the program which enables inmates to enter the community on a periodic basis. Most respondents, 62%, believe that the present policies are too lenient and should be made more restrictive while 31% stated they are satisfactory; 4% believed they are too harsh and 3% were indifferent.

- "How can we reduce the number of walkoffs and escapes?

  Over 71% of the staff stated that more intensive screening of offenders would be a significant step in reducing escapes of inmates from the Pre-Release System. This recommendation far surpassed all other recommendations, including the tightening of security.

In summary, as can readily be seen from staff responses to the above questions, most Pre-Release System personnel believe that many of the inmates now assigned to the program should not be there and that the use of more stringent

selection criteria would be the best method for screening out inappropriate candidates.

b. Study Two: Division of Correction's Survey of Institutional Inmate Populations

The second Division study which supports CSG's findings was conducted approximately one year ago when the Division undertook an analysis of the inmate populations at the following institutions:

- Maryland Penitentiary
- Maryland Correctional Institution
- Maryland House of Correction
- Maryland Correctional Training Center
- Brockbridge Correctional Facility

The purpose of this analysis was to determine the inmate composition of each institution relative to sentence length and seriousness of the offense. Each institution selected a 200 inmate sample from the institution's active population (excluding escapes). Base files on each of the 200 inmates were reviewed in order to determine sentence, offense and category of seriousness.

The categories of seriousness in which a sampled inmate may fall were defined as follows:

| Category | Definition |
|---|---|
| 1 | MAP - Within thirty days of required transfer to Community Corrections or any inmate with a delayed parole release date within six months |
| 2 | Non-Serious Offense - 1st incarceration of greater than three months |
| 3 | Non-Serious Offense - No prior serious offense. |
| 4 | Non-Serious Offense - Prior serious offense. |
| 5 | Serious Offense except Homicide and Sexual Offense - No prior serious offenses. |
| 6 | Serious Offense except Homicide and Sexual Offense - Prior serious offenses.<br>Homicide except 1st Degree Murder - No prior serious offense.<br>Sexual Offense except Rape 1st or 2nd Degree Sexual Offenses - No prior serious offenses |
| 7 | All other Homicide and Sexual Offenders past and present. |

For this study, a serious offense was defined as:

| Rank | Offense |
|---|---|
| 1 | Homicide/Murder |
| 2 | Sexual Offenses |
| 3 | Kidnapping |
| 4 | Maiming |

5 Robbery (including Robbery with a Deadly Weapon)
6 Assault
7 Arson
8 Possession of Deadly Weapons
9 Narcotics (except simple possession)

An analysis of the survey results indicated the following for the Brockbridge Correctional Facility: 53.5% of the sample from Brockbridge were in Offense Categories 5 through 7: and over one-half of this group, or 27.6% of the overall sample, were in categories 6 and 7. These latter two categories represent, and in particular, category 6, the group that CSG believes should be precluded from participation in Pre-Release. Category 6 was reserved for inmates who are presently either incarcerated for a serious offense or who have been confined for either homicide or a sexual offense. An analysis of the inmates in this category showed that most, over 80%, have a prior history of serious offenses. This is the offender group that CSG believes should, in most instances, be prevented from assignment to Pre-Release.

c. Study Three: Staff Analysis of DOC Inmates:

In addition to the custody inmate analysis conducted by staff from Correctional Services Group, comprehensive inmate profiles were completed, at the direction of CSG, by classification personnel from the following institutions.

- Maryland Penitentiary:
- Maryland House of Correction:
- Maryland Correctional Institution
- Maryland Correctional Training Center:
- Brockbridge Correctional Facility;
- Maryland Pre-Release System (Five Units);
- Maryland Correctional Institution for Women.

Inmates were selected at random from counselor's caseloads with an attempt to equally represent the various DOC security levels in the sample. This latter issue was not deemed to be that significant, as the principal objective was to assess inmates within a security or custody level and not between institutions or custody levels.

A total of 175 inmates were profiled for the survey from the eleven facilities (See Figure 20). The following findings appear to be worthy of further discussion:

Maryland Penitentiary (Maximum Security)

- It appears that inmates assigned to the Maryland Penitentiary have been properly classified except for approximately 20% of the sample who staff believe could satisfactorily adjust in a lower custody status;

- All inmates except one were confined for serious offenses:

- The average length of sentence was extremely long with only 3 inmates having a sentence of less than 10 years. A number have multiple life sentences;

DOC INMATE PROFILE

| DOC Institutiton | Number of Inmates | Current Custody Level | | | Mean Age | Race | | Current Offense* | | Mean Sentence Length | Mean* Number of Commitments | Number of Prior Escapes |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Maximum | Medium | Minimum | | Black | White | Serious | Non-Serious | | | |
| Maryland Penitentiary | 27 | 27 | - | - | 25.1 | 17 | 8 | 26 | 1 | Life | 2.7 | 6(18%) |
| Maryland House of Corrections | 18 | 1 | 12 | 5 | 29.1 | 11 | 7 | 16 | 2 | 12.2 Yrs | 2.1 | 7(39%) |
| Maryland Correctional Institutiton | 19 | - | 16 | 3 | 25.9 | 10 | 9 | 16 | 3 | 15 Yrs | 1.4 | 5(26%) |
| Maryland Correctional Training Center | 25 | - | 25 | - | 22.9 | 18 | 7 | 16 | 9 | 6.1 Yrs | 2.3 | 5(20%) |
| Brockbridge Correctional Center | 24 | - | 6 | 18 | 25.8 | 15 | 9 | 19 | 5 | 10.1 Yrs | 2.3 | 3(13%) |
| Pre-Release Units | 51 | - | - | 51 | 24.9 | 29 | 22 | 36 | 15 | 11.8 Yrs | 2.5 | 12(24%) |
| Maryland Correctional Institution for Women | 11 N=175 | - | 5 | 6 | 26.1 | 4 | 7 | 9 | 2 | 6.4 Yrs | 0.6 | 2[a](18%) |

| DOC Institution | No. of Inmates with Alcohol/Drug Abuse | Infractions | | Detainers |
|---|---|---|---|---|
| | | Serious | Minor | |
| Maryland Penitentiary | 14 (52%) | 1.8 | 3.4 | 2 Serious |
| Maryland House of Correction | 11 (61%) | 1.6 | 3.6 | 1 Serious |
| Maryland Correctional Institution | 5 (26%) | 1.5 | 4.1[b] | 1 Minor<br>3 Serious |
| Brockbridge Correctional Center | 7 (29%) | 1.6 | 3.6 | 1 Serious<br>2 Minor |
| Pre-Release Units | 26 (51%) | 1.2 | 2.8 | 5 Minor |
| Maryland Correctional Institution for Women | | | | |

a/ Both escapes were by the same woman

b/ This number is somewhat skewed due to one inmate have accumulated 37 infractions in less than 3 years

* Serious offenses are those where violence or threat of violence was employed



Figure 20.

Figure 20. (concluded)

| | Involvement In Programs | Special Needs | Not Assigned to Proper Institution | Not Assigned to Proper Custody Level | Inmate an Escape Risk |
|---|---|---|---|---|---|
| Maryland Penitentiary | 11 (41%) | 8 (30%) | 4 (15%) | 5 (19%) All lower | 12 (44%) |
| Maryland House of Corrections | 8 (44%) | 9 (50%) | 5 (28%) | 5 (28%) All higher | 6 (33%) |
| Maryland Correctional Institutiton | 6 (31%) | 8 (42%) | 4 (21%) | 4 (21%) All higher | 14 (74%) |
| Maryland Correctional Training Center | 21 (84%) | 6 (64%) | 2 (8%) | 7 (28%) All higher | 6 (24%) |
| Brockbridge Correctional Center | N/A | 9 (38%) | 9 (38%) | 11 (46%) All higher | 6 (25%) |
| Pre-Release Units | 26 (63%) | 18 (44%) | 16 (31%) | 20 (39%) All higher | 9 (18%) |
| Maryland Correctional Institution for Women | 11 (100%) | 5 (45%) | N/A | 2 (18%) All higher | 1 (9%) |

| | Previously Assigned to Pre-Release/WR | If Yes, Why Was Inmate Released/Removed? |
|---|---|---|
| Maryland Penitentiary | 1 (4%) | • Paroled |
| Maryland House of Corrections | 5 (28%) | • 3 Escape<br>• 1 Assault<br>• 2 Failure to Adjust |
| Maryland Correctional Institution | 7 (37%) | • 3 Escape<br>• 2 Failure to Adjust<br>• 2 Paroled |
| Maryland Correctional Training Center | 1 (4%) | • Escape |
| Brockbridge Correctional Center | 4 (17%) | • 2 Escape<br>• 2 Failure to Adjust |
| Pre-Release Units | 7 (14%) | • 4 Escape<br>• 2 Failure to Adjust<br>• Paroled |
| Maryland Correctional Institution for Women | 2 (18%) | • Escape<br>• New Offense |

- Several inmates had more than five previous commitments--one had eight and is working on his ninth;

- Less than one-half of the sample is involved in a program which, according to staff, is a combination of the lack of programs and apathy on the part of the many members of the inmate population at the Penitentiary.

Maryland House of Correction

- The sample from MHC represented all custody levels although only one maximum security inmate was included;

- The average age of the MHC sample was much higher than other institutions which was somewhat surprising given the selection criteria for assignment to the facility;

- The majority of the inmates profiled (93%) were confined for serious offenses;

- Almost two-thirds of the sample had a history of alcohol and/or drug abuse;

- Almost one-third of the group was believed by staff to be under classified and in need of a more secure setting;

- One-third of the inmates were considered to be escape risks;

- Over 20% of the sample had been previously assigned to Pre-Release but had violated rules and been returned to medium security

Maryland Correctional Institution - Hagerstown

- Paralleling the findings at the Penitentiary and MHC, the number of serious offenders (85%) assigned to MCI far exceeded the non-serious group:

- The average length of sentence exceeded 15 years which approached that of the Penitentiary;

- Although the number of prior commitments was relatively low, the offenses associated with these confinements were quite serious;

- Four of the inmates in the sample had outstanding detainers with three being quite serious:

- Very few (23%) of the inmates were involved in MCI programs;

- Almost 25% of the inmates profiled were adjudged to need more security than MCI could provide;

- A significant number (14) of inmates were considered to be escape risks. This is particularly surprising given the limited perimeter security of MCI;

- More than 25% of the sample group had previously been assigned to Pre-Release but had been returned for escape or failure to adjust.

Maryland Correctional Training Center

- This sample had the lowest average age which was expected given the mission of MCTC to provide training for young offenders:

- The number of inmates confined at MCTC who have committed non-serious offenses is much closer to those who have been sentenced for serious crimes than at any other DOC institutions in the survey:

- Along the same line, the average length of sentence (6.1 years) for MCTC was much less than any other male institution and even less than for the female offender sample selected from MCIW;

- A significant number of infractions, both serious and minor, were committed by the inmate sample. This number exceeded, by almost two times the number of violations committed by inmates from the other institutional samples. In addition, a review of these infractions showed that many were for extremely serious actions ranging from escape to assault on staff with severe injury resulting;

- An interesting finding was observed at MCTC relative to the questions pertaining to "assignment to proper institution?"; and "assignment to proper security level?" Whereas, only two of the inmates were believed to be assigned to the wrong facility, seven, or 28% were deemed to be in need of placement in higher security. A review of counselor comments on the questionnaire indicates that this discrepancy is justified as most of the inmates in question warrant more custody while also needing the types of training programs available at MCTC. This could be interpreted to mean that there are a substantial number of young. untrained offenders who should be retained in higher security; e.g., Maryland Penitentiary, but who should receive adequate educational and vocational training.

Brockbridge Correctional Facility

Almost 75% of the Brockbridge sample have committed serious offenses with over one-half of this group having one or more previous violent criminal convictions;

- Only 3 inmates had a previous escape, although a review of the records determined that two of these three had previously escaped from Brockbridge:

- Over one-third of the group (38%) were seen by staff to be in the wrong custody level with all inmates recommended to be in need of a more secure environment:

- Twenty percent of the sample were believed to be an escape risk either due to a past escape history or personal characteristics which staff adjudged to be correlated with "walk-off" behavior

The sample from Pre-Release included inmates from the following Units:

- Central Laundry Pre-Release Unit
- Greenmount Avenue Pre-Release Unit;
- Eastern Pre-Release Unit;
- Community Vocational Rehabilitation and Release Unit and
- Jessup Pre-Release Unit

It was important to sample inmates assigned both to Baltimore City Pre-Release Units and Units in rural areas as the eligibility criteria for Baltimore City are more restrictive. Findings of Pre-Release Classification Staff include:

- More than twice the number of inmates profiled had serious offenses over non-serious;

- The average length of sentence was quite high given the mission of Pre-Release, although most of the sample could be expected to be released in the next year. Sentence lengths of Pre-Release inmates far exceeded those of MCTC and MCIW and were almost as long as MHC;

- The number of prior commitments was second only to the Penitentiary:

- Almost 25% of the group had been involved in a previous escape or escape attempt;

- Approximately two-thirds of the group were involved in a Pre- Release Program such as work or study release;

- Thirty one percent of the inmates sampled were believed to be inappropriately assigned to Pre-Release, thus warranting more security. In fact, a review of the Inmate Profile questionnaires showed that three inmates, according to the counselor's views, should be in maximum custody and

- Corresponding to the above, more than 18% of the inmates were assessed as escape risks. Further, six inmates in the sample had been previously assigned to Pre-Release but had violated DOC rules and had been returned to a medium custody facility and were later reclassified for reassignment to Pre-Release.

Maryland Correctional Institution for Women

- All women who were in the sample were classified as either medium or minimum security although it is understood that women assigned to segregation or who have a history of escape may be classified as maximum. Of note is one woman who escaped twice but who had her minimum security status continued;

- Interestingly enough, females in this sample had a high number of serious offenses (81%). These included convictions for murder, manslaughter, and armed robbery.

- The average length of sentence for this sample was considerably less than a similar group of males. In fact, the sentence length was approximately 55% that of males for the same crime although it must be acknowledged that other varibles differed dramatically, e.g., number of prior commitments, history of violence;

- Very few of the women reviewed had been incarcerated previously. Eight of these inmates had no prior commitments.

- Only two of the sample had committed a serious disciplinary infraction and only a few more had been involved in minor adjustment problems; and

- The questions pertaining to "assignment to proper institution" was superfluous as only one Maryland facility, other than the Women's Pre-Release Unit, is designed to confine females. However, relative to the question on "assignment to proper security level" two inmates were believed to warrant more secure custody.

In summary, it appears, based upon this evaluation conducted by Division classification staff that there are a substantial number of inmates assigned to either an inappropriate custody status and/or institution. Specifically. 54 inmates or 31% of the sample were believed to be in the wrong custody level with 46 of these or 26% found to be underclassified and warranting additional security while only 8 inmates or 5% were seen as being overclassified and in need of less supervision.

3. Recommendations: The findings here parallel those stated in Section C, Analysis of Division Inmate Custody Levels. In this section, CSG's analysis of the Pre-Release inmate population found that over 33% of the 65 inmates sampled should be in a more secure setting when classified with an objective custody determination instrument. As can be observed in the findings, more tan 38% of the inmates in Pre-Release Units were adjudged by DOC classification staff as not suitable candidates for Pre-Release.

It is recommended that all inmates in the Division be reclassified employing an objective custody determination instrument such as that developed by the Federal Bureau of Prisons to determine their level of risk and corresponding custody level. CSG's past work in classification has generally determined that classification staff in many other states see many of their clientele as being overclassified. However, such was not the case in Maryland where staff pointed out both in written form through an analysis of their case load and verbally in the classification workshops that there is a substantial number of offenders who, as a result of overcrowding and the need to fill lesser security beds, are placed in less secure settings than warranted by the threat they pose to the public and to the institution.

D. Decision-Making for Minimum Security

1. Analysis of the Pre-Release Population

a. Findings: CSG analyzed the complete 250 inmate sample to determine what percentage of this group, which represents the DOC general inmate population, should be excluded from participation in community corrections programs such as Pre-release/Work Release. The same criteria were used that were employed to reclassify the inmate sample using an objective instrument. Again, these criteria or factors include: history of escape, violence, poor institutional adjustment or emotional disturbance. "History" here is generally defined as two or more serious offenses although an inmate may have committed an offense which in itself is so heinous as to preclude his or her assignment to pre-release. Further a serious recent escape would generally also prohibit him from participation.

Based on these factors alone (not considering time to release) 39.6% of the sample should not be assigned to a minimum security program where they would have unsupervised access to the public via work or educational release, community activities, etc. This does not mean that eventually many of these inmates could not be assigned to a minimum custody setting (C-2) where they would have additional internal freedoms. This finding runs counter to the current screening process used by the Division which permits the majority of inmates to participate in pre-release programs.

Specifically, DCR 100-14, Classification to Minimum Security/Pre-Release Assignment prohibits only offenders who have outstanding detainers where an additional consecutive sentence may be imposed from being eligible for pre-release. All other inmates are eligible provided they meet time to release criteria, have maintained a disciplinary free infraction record for at least 60 days prior to consideration, and have a favorable psychological evaluation if they fall into a specific serious offense category. Inmates may also be precluded from assignment to minimum security if they receive a High or Very High rating from the Escape Screening Worksheet, DC Form 100-33R (See Figure 21).

DCR 100-3, Classification to Institutional Minimum Security Assignments provides for the general exclusion of inmates in the High and Very High escape categories unless the Classification Team recommends unanimously that they be considered for minimum custody. In the case of inmates who have received Very High ratings, the Commissioner must also concur with this recommendation.

b. Recommendation: Based upon the above findings and observations, CSG recommends that more stringent selection criteria be developed for Division programs i.e., pre-release, work release, where inmates have access to the community on a regular basis. In general, it is recommended that inmates with a history of escape, violence, psychological disturbance and/or serious institutional adjustment problems be excluded from participation in programs where the offender has the opportunity to enter the community for work, educational, special or other such activities. Inmates who are considered as serious public risks (P-4 or P-3 on the proposed Custody Determination Instrument) should not be able to participate in the present Pre-Release program nor should high institutional risks (I-4 or I-3, again using the proposed risk assessment method).

2. Risk screening

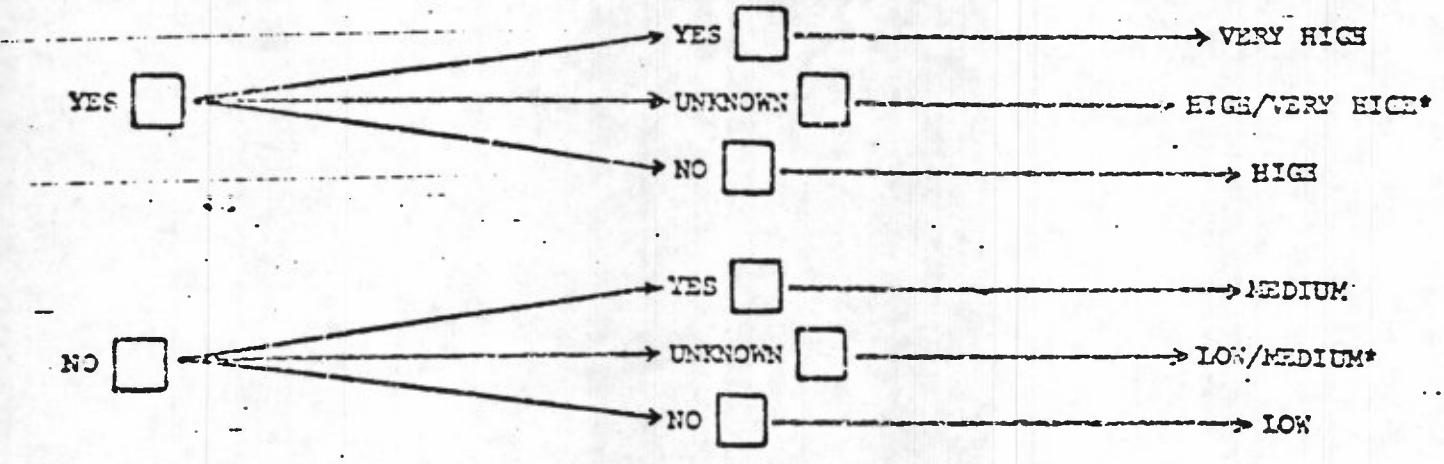
a. Findings: A specific criticism of the Escape Screening Worksheet is that it makes no distinction between different types of escape; i.e., level of security penetrated, circumstances surrounding the escape, the inmate's behavior while on es-

MARYLAND DIVISION OF CORRECTION

Escape Screening Worksheet

Inmate Name _____ DOC Number _____

Institution _____ Completed by _____ Date _____




* Temporary rating pending receipt of verified criminal history information.

1 "Current commitment includes escape conviction" means that at least one of the convictions for which the inmate is presently incarcerated is escape, even if there are additional, more serious charges also included in the current commitment.

2 "Prior escapes or attempts" includes any documented escape or attempted escape on any incarceration including the present one, except if the inmate is currently serving on an escape conviction (criterion #1 above) do not consider the escape which resulted in that conviction, i.e., do not consider an escape which was already considered for criterion #1.

NOTE: An inmate with multiple escape convictions on his/her current commitment should be coded as "YES" on both criteria, and thus rated as a VERY HIGH risk.

Inmate notice of risk rating sent ___/___/___ by _____.

DC Form 100-33R (Rev. 7/80)

Figure 21.

cape, etc. An escape is an escape. The DCR (100-3) does permit staff to take exception to the escape rating when making pre-release assignment recommendations, probably to take into consideration the individual escape circumstances. However, no guidelines are given for documenting an exception. Again, this determination is left up to the individual discretion of the classification counselor. Further it appears that the pressure to move inmates into lower custody has resulted in pressure to disregard some of these criteria in order to identify eligible inmates for transfer to the Pre-Release System.

Pertaining to this issue, there has been considerable comment and concern by the legislature, public and media over the increasing number of escapes from the Maryland DOC and how a more effective classification system could reduce this number.

According to records provided by the Division, the following figures represent the number of escapes for the entire Division for the period from 1970 through 1981:

| | | |
|---|---|---|
| FY 1970 | 309 | (2.8%) |
| 1971 | 388 | (3.7%) |
| 1972 | 528 | (5.1%) |
| 1973 | 423 | (4.0%) |
| 1974 | 396 | (3.6%) |
| 1975 | 431 | (3.8%) |
| 1976 | 525 | (4.5%) |
| 1977 | 334 | (2.7%) |
| 1978 | 349 | (2.8%) |
| 1979 | 509 | (4.0%) |
| 1980 | 614 | (4.7%) |
| 1981 | 724 est. | (5.9%) |

The number of escapes, as can be seen from a review of these figures, has increased appreciably since 1977. This is the apparent impact of the increase in number of inmates processed through the Pre-release System beginning in the mid-1970's. See Figure 22. This graph depicts the number of inmates processed through Prerelease, the number of escapes or more appropriately "walkoffs" from the system each year and the walkoff rate (number of walkoffs divided by the number of inmates processed) for each year.

As can be seen, inmates assigned to Pre-release (and Work Release) have been involved in a substantial number of escapes (and have committed a number of crimes) as an apparent result of the accessibility they have to the community and minimal security precautions associated with Pre-Release. This has, as stated previously, created a considerable amount of public and media reaction much of which has called for either the termination or reduction of Division community correction programs.

The large number of Division escapes, 614 for 1980, ranks in the top five for states reporting escape rates for that year. Given this figure for escapes, it would appear that Maryland operates its prisons with minimal concern for the safety and welfare of the public. However, this assumption is not valid for two reasons--one, some states reporting low rates do not include "walkoffs" as escapes, which Maryland does; and, two, more importantly the large number of minimum security beds that the Maryland correctional system has in its total bedspace complement invites walkoffs. Other high escape states (e.g , North Carolina, Michigan) also have a substantial number of low security beds which contribute to increased escape rates.

DIVISION OF CORRECTION

Pre - Release System Escape History

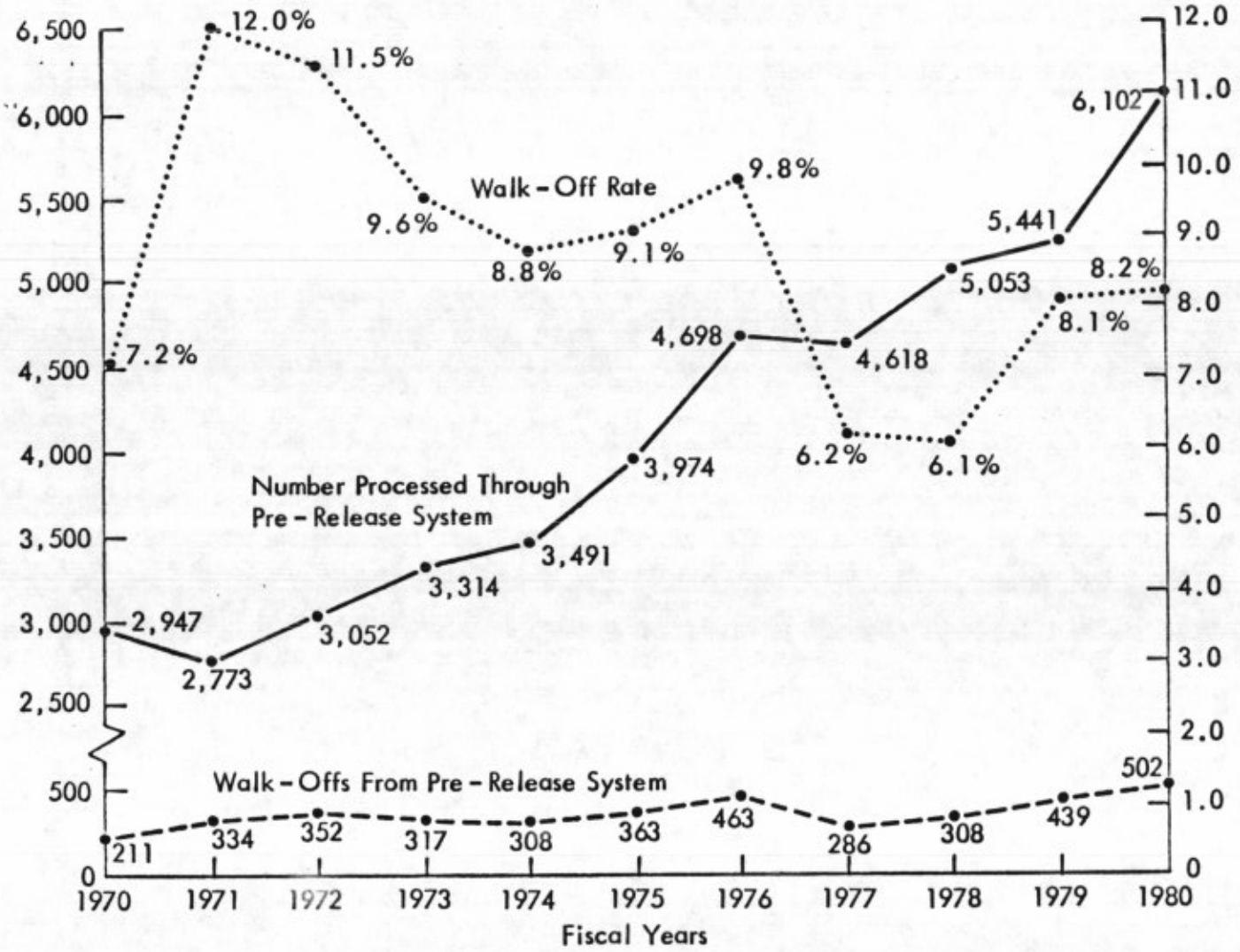



Figure 22.

It would appear that some inmates will always continue to escape if given the opportunity which minimum security provides To quote from the Joint Legislative Chairmen's Report on the Maryland DOC Classification System. "One must assume that a certain small percentage of inmates placed in minimum security will abscond, given the best of classification systems."

Several states (e.g., California and Illinois) which have developed very stringent screening criteria for placement in minimum security have experienced a reduction in high escape rates. The assumption here is that an effective classification system can aid in reducing escapes.

This strategy is effective, however, only for systems that do not have a significant number of minimum security beds. The application of unduly restrictive minimum security criteria to the MDOC inmate population would reduce escapes significantly by placing the majority of offenders in secure settings (C-4 or C-3). Implementation of restrictive minimum security would be extremely difficult for the MDOC given the short fall of secure beds in Maryland and the administration's position that most offender's should be assigned to a nonsecure environment in the time period immediately prior to their release.

Correctional Services Group also examined a sample of 162 files of escapees in an attempt to identify if there are any common traits which distinguish escapees from non-escapees and to see if there are any characteristics related to the escapes that could serve to assist not only the classification process but also pre-release operations. It must be emphasized that this was only a limited effort which is not to be considered an in-depth analysis such as conducted by the Division in the development of the Risk Assessment Instrument. However, this review demonstrated that there are several common characteristics that appeared quite often. These included:

- Over 28 percent of the sample had a prior escape from a correctional institution of some type. This percentage increased to over 46 percent when AWOL's, bail-jumping, and other such behaviors were included;

- Most of this sample, 62 percent escaped after spending at least five months in the Pre-release System. Only 16 percent escaped within the first 60 days after assignment to the system; and

- Finally, over 39 percent of the sample had what could be considered to have been a poor institutional adjustment record, e.g., at least one serious institutional disciplinary violation.

b. Recommendations: The Risk Assessment Instrument, Escape Screening Worksheet, is an excellent first step by the Division, even with the criticisms noted previously, in objectively identifying individuals who would not be appropriate candidates for pre-release. The Custody Determination Instrument proposed by CSG adheres to the same assumption upon which the Risk Assessment Instrument is based--that past criminal behavior is the best predictor of future criminal behavior and thus best determines custody needs.

The Division observed in a proposal to the National Institute of Corrections, that the curent Risk Assessment Instrument is of limited utility but that it did identify several areas which require further investigation, particularly a number of variables which were found to be associated with infractions behavior.

These variables include:

1. Major infractions
2. Minor infractions
3. Age at first adult incarceration
4. Program performance
5. Substance abuse history

    a. drugs
    b. alcohol

6. Number of escape attempts since reception
7. Number of months to next parole hearing or release

All of the above variables or factors are included in the proposed Custody Determination Instrument recommended by CSG.

CSG is not advocating that only those inmates who do not present a significant risk to the public or institution should be provided the opportunity to participate in pre-release programming. On the contrary, our position would be that all offenders experience extensive orientation prior to release.

However, it is strongly recommended that those types of inmates identified earlier; e.g.. history of escape, violence, etc., not be permitted to participate in a pre-release program where they would be able to leave the institution without supervision. It is recommended that this group of offenders be afforded pre-release programming in the respective institution beginning 60 to 90 days prior to release. Those idividuals presenting a marginal risk to the public, yet who are ineligible for C-1 (pre-release) should be able to participate in an unescorted community leave in the last 45 days of their sentence for the purposes of securing employment and reestablishing family relationships. Those inmates adjudged to be serious public risks, e.g , P-4, should also be able to leave the institution for the same reasons: however, only with supervision.

Other pre-release programming for this group should include the following:

- Counseling on what to expect after release;
- Orientation to community social service agencies:
- Training relative to parole supervision:
- Referral regulations to employment and educational agencies

It is also recommended that those inmates placed in pre-release generally not be assigned to this status for any longer than six months. As was documented in CSG's analysis of offender escape files most individuals who "walked off" from a pre-release unit did so after having been assigned to the system for an appreciable period of time. Previous research has shown repeatedly that placing offenders in a "half-free status" such as pre-release for extended periods often only invites misbehavior. The studies found that inmates tend to "forget" their prisoner status after several months, particularly when they have the daily opportunity of working and/or attending educational classes in the community.

3. Transfer criteria

a. Findings: CSG also examined a DCR now being proposed for Pre-release System Transfers. This DCR, as yet unapproved by the Division, assigns inmates, based on past and present offenses and proximity to release to the priority categories from which inmates are to be selected in ascending priority. These priorities include:

Priority 1. MAP - within thirty days of required transfer to the Pre-Release System.

Priority 2. RDCC inmates with non-serious offense who are serving their first incarceration.

Priority 3. RDCC inmates with non-serious offense who have no prior serious offenses.

Priority 4. RDCC inmates with non-serious present offense of 3 years or less who have prior serious convictions.

Priority 5. Inmate with a delayed parole release date or mandatory release date within six months.

Priority 6. Non-RDCC inmates with non-serious present offense - first incarceration of greater than three months.

Priority 7. Non-RDCC inmates with non-serious Present Offense - No prior serious offenses.

Priority 8. Non-RDCC inmates with non-serious Present Offense - Prior serious offense.

Pr ority 9. Inmate with Serious Present Offense except Homicide and Sexual Offenses - No prior serious offenses.

Priority 10. Inmate with Serious Present Offense except Homicide and Sexual Offenses - Prior serious offense.

Homicide except 1st Degree Murder - No prior serious offenses.

Sexual Offenses except Rape, 1st or 2nd Degree Sexual Offenses - No prior serious offenses.

Priority 11. All other Homicide and Sexual Offenders past and present.

For classification purposes, a serious offense includes Abduction, Arson, Assault, Kidnapping, Maiming, Homicide, Sexual Offense, Robbery including Robbery with a Deadly Weapon, or intent to commit any of the preceeding crimes, and CDS except simple possession offenses.

The proposed DCR also includes the other eligibility criteria included in DCR 100-14 plus the following:

Eligibility for transfer to the Pre-Release System shall include those criteria required in other pertinent Division regulations and shall include:

1. Inmate must not have been serving a segregation sentence during the past sixty days.

2. Inmate cannot have been removed from the Pre-Release System due to adjustment in the last six months.

3. If an inmate has escaped from Division of Correction or other Corrections/Law Enforcement Custody, the inmate must complete at least one year in medium or maximum security custody prior to transfer to the Pre-Release System. If an escaped inmate is charged with and subsequently convicted for an offense committed while on escape, the inmate must complete at least two years in medium or maximum security custody prior to transfer to the Pre-Release System.

4. If sentenced to a life sentence, an inmate must have been approved for parole by the Parole Commission and/or the Governor.

b. Recommendations: Referring to the proposed DCR, the recommendations concerning risk screening cited previously would eliminate offenders in Priority Numbers 10 and 11 for consideration for pre-release. Again, referring to the same DCR, it is recommended that Priority Numbers 4 and 5 be placed lower on the list as they both give priority to offenders with a history of serious convictions.

Correctional Services Group also questions the Division's proposed intention to give priority to RDCC inmates over non-RDCC inmates for transfer to pre-release, although we recognize the need move offenders directly from the RDCC to pre-release without them taking up a bed in a secure institution.

For some offenders, particularly those in Priority Levels 2 and 3, this appears to be a realistic proposal, although it discriminates against offenders already in the system who, unless they are mapped or have a delayed parole or mandatory release within six months, are not considered until Priority Level 6. Again, the selection of RDCC inmates who have a non-serious offense (Priority Number 4) with a history of serious offenses, creates a situation where public risk offenders are "very" eligible for pre-release. CSG also recommends that offenders removed from the pre-release system due to an adjustment problem spend at least 12 months in a higher custody level prior to reconsideration for C-1 (pre-release). This should help in curbing the "revolving door" syndrome that is now being experienced.

4. Community Corrections in Maryland

a. Findings: Escapes and new criminal offenses create problems for the MDOC in supporting its current community corrections programs and in the expansion of community programs for reasons other than the obvious threat to the public. These types of incidences significantly impact the criminal justice system in terms of costs and efforts associated with the apprehension, adjudication and increased confinement of escapees/offenders. These criminal justice system costs are extremely high in counties where minimum security facilities are located. These costs may well outweigh the savings in confinement expenditures normally associated with minimum custody operations since one of the justifications for minimum security historically has been the financial savings it has over maximum and medium security settings.

Another justification, in addition to cost savings, for the use of community corrections is the positive impact that such an assignment will have on an offender. Many correctional practitioners have long held that it is both a disservice to the public and the offender to release an inmate directly from a secure confinement into the community without any prior preparation for this adjustment. They assert that offenders should have the opportunity to make a gradual transition in returning to the

community through the opportunity to obtain a job, take community leave and participate in related programs and services prior to release.

However, recent research has provided information which tends to question the success of such programs as work release, pre-release and community leaves particularly for offenders with a history of serious offenses. Studies conducted in California, Minnesota and Illinois have provided some evidence that community correctional programs have failed to attain many of their stated objectives, particularly those associated with the reduction of future recidivism by program participants. Pertaining to Maryland Community Corrections, a study of inmates released from the Greenmount Avenue Pre-Release Unit found a successful release rate of only 56.2%. However, with limited data available, the post-release success rate was much better at 88% for 121 offenders released within a six-month period.

It may appear, based upon the previous findings and observations, that community corrections programs are not in the best interests of the State of Maryland. On the contrary, CSG believes that community corrections particularly as represented by the Pre-release System and CARC should be supported by the Division as viable programs which have a major role both now and in the future of Maryland corrections. CSG takes this position for the following reasons:

(1) the majority of inmates in the Maryland correctional system do not require the supervision and physical restraints normally associated with maximum and medium security institutions;

(2) For many inmates, confinement in a prison results in hardships; e.g. sexual attacks, which far outweigh the rationale for ever confining the person;

(3) Community corrections programs provide inmates with numerous educational and vocational opportunities which are unavailable in usual prison settings:

(4) It is generally much less expensive to maintain an offender in a community program ($12.10 in 1978) than in a prison ($20.05 for the same year);[7]

(5) Community programs provide the victim with the opportunity to obtain restitution from the offender; and

(6) The offender is able to remain near family and friends, thus, reducing much of the trauma normally associated with confinement in prison.

## E. Staff Perceptions of Institutional Capabilities

A sample of staff representing classification, custody and administration were interviewed to determine, based upon their individual experience and knowledge of inmates and their respective institution, for which type of inmate their facility could best provide security and program services. These individuals were not selected randomly, as a group was wanted which was very much involved in the operation of the institution and quite knowledgeable about the issues under consideration. A sample of the interview schedule employed with these staff is included in Appendix A. The first

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[7] Cost figures were provided by Maryland DOC.

two questions attempted to elicit respondent's perceptions of the types of inmates best suit d for the facility. The interview opened with questions "What types of inmates can this institution best deal with?" For example: "Which inmates is your institution best suited for?" and "What types of inmates can your institution handle?" These questions aroused a number of responses from staff ranging from concise descriptions to lengthy explanations on offender philosophy and the operations of corrections.

1. Findings: As was anticipated, staff from more secure facilities, e.g., Maryland Penitentiary stated that the "Pen" could deal with violent individuals who are escape risks and have a history of violence, while staff from the Pre-Release System related that a much less serious and compulsive offender was best suited for assignment to their facilities. See Figure 23.

It should be noted that staff from the Reception, Diagnostic and Classification Center and the Maryland Correctional Institution for Women were also asked this question. However, given the law requiring all male offenders to be initially housed at the RDCC and all female offenders be assigned to MCIW, it soon became apparent that all answers would be "yes" except for first-time offenders with short sentences who some RDCC staff stated should be assigned directly to a minimum security unit.

. Staff from the Maryland Penitentiary (maximum security) were in general agreement that almost every type of inmate in the Division could be assigned to the Penitentiary although many voiced the opinion that special management inmates such as the mentally ill or retarded offender, or the individual who has a history of self-mutilation or suicide attempts would be better served in a facility designed to treat such special needs inmates. They also observed that inmates with short sentences, first offenders and youthful offenders who generally do not warrant the security that the Penitentiary provides should be placed in less secure settings. When questioned as to what types of inmates the Penitentiary "could handle" staff responded that every inmate in the Division could feasibly be confined at this facility although again services for most special management inmates may be marginal at best.

. Staff from the Maryland House of Correction (medium security) were somewhat more reserved as to the types of inmates that MHC was best prepared to incarcerate and serve.

Most respondents indicated that inmates with a history of violence should not be housed there. They also stated that individuals who have demonstrated an inability to adjust to confinement as evidenced by one or more serious violations or a lengthy list of minor infractions should be incarcerated in a more secure environment. Further, according to respondents, inmates who are mentally ill or retarded, are suicidal or who are older should not be incarcerated at this facility.

Maryland House of Correction respondents were also hesitant to acknowledge that escape risks could be successfully confined there, pointing out that there have been a number of successful escapes in the past few years and that inmates who are escape-prone should never be transferred to this institution.

Respondents from MHC when queried as to what inmates they could maintain, given that classification cannot create the perfect inmate, stated that with addi-

TYPE OF INMATE INSTITUTION SHOULD (COULD) HANDLE

| DOC Institutions | Violence Potential | Escape Risk | History of Prior Commitments | Long Sentence 10 Yrs + | Medium Sentence 5-10 Yrs | Short Sentence Less than 5 Yrs | Institutional Management Problem | Mentally Ill/ Mentally Retarded | Protective Custody |
|---|---|---|---|---|---|---|---|---|---|
| Maryland Penitentiary | Y(Y) | Y(Y) | Y(Y) | Y(Y) | Y(Y) | D(Y) | Y(Y) | D(Y) | D(Y) |
| Maryland House of Corrections | N(D) | N(D) | Y(Y) | D(D) | Y(Y) | Y(Y) | N(D) | N(D) | D(Y) |
| Maryland Correctional Institutiton | D(Y) | N(D) | Y(Y) | N(D) | Y(Y) | Y(Y) | D(Y) | N(D) | Y(Y) |
| Maryland Correctional Training Center | N(N) | D(N) | N(Y) | N(D) | Y(Y) | Y(Y) | N(D) | N(N) | N(N) |
| Brock Bridge Correctional Center Pre-Release Unit | N(N) | N(N) | D(Y) | N(N) | N(D) | Y(Y) | N(D) | N(D) | N(N) |

| DOC Institution | Suicide Potential | First Offender | Any Age Offender | Youthful Offender (17--24) | Alcohol/Drug Abuse | Parole/Probation Violations | Warrants and Detainers |
|---|---|---|---|---|---|---|---|
| Maryland Penitentiary | D(Y) | D(Y) | Y(Y) | D(Y) | Y(Y) | Y(Y) | Y(Y) |
| Maryland House of Corrections | N(Y) | D(Y) | N(Y) | Y(Y) | Y(Y) | D(Y) | D(Y) |
| Maryland Correctional Institution | D(D) | Y(Y) | D(Y) | Y(Y) | Y(Y) | Y(Y) | Y(Y) |
| Maryland Correctional Training Center | N(N) | Y(Y) | N(D) | Y(Y) | D(Y) | Y(Y) | D(D) |
| Brock Bridge Correctional Center Pre-Release Unit | N(N) | Y(Y) | Y(Y) | Y(Y) | D(D) | D(D) | N(D) |

Y - Yes, the institution should (could) handle an inmate with this characteristic
D - Depends, under some circumstances the institutiton should (could) handle an inmate with this characteristic
N - No, the institution should (could) not handle an inmate with this characteristic



Figure 23.

tional staff and physical plant modifications most offenders could be maintained there. However, there was continued concern about the institution's capacity to confine inmates prone to assaultive behavior or who posed a serious threat of escape. They also continued to express concern relative to providing services for special needs offenders, e.g., mentally retarded: although plans are now being completed to provide a 30-bed unit in Jessup for inmates on psychotropic drugs and/or subject to seizure.

. The Maryland Correctional Institution (medium security) in Hagerstown is seen by the majority of staff interviewed as a maximum secuirty facility due to its internal design and supervisory capability.

Staff indicated that escape risks should not be housed at MCI primarily due to the limited perimeter security capacity. They also stated, quite emphatically, that individuals with long sentences and special needs should not be placed there, as they were more appropriate candidates for the Penitentiary. These same personnel expressed a reluctance to confine inmates at MCI who are assaultive or violence prone: who are institutional management problems; suicidal; or older, sophisticated offenders. As to the inmates that MHC could confine, if pressed respondents mentioned that they were still concerned about inmates who were escape risks or who have excessively long sentences. Like its sister Division institutions, MCI is also reluctant to maintain special needs inmates, even under the best of circumstances.

. Staff from the Maryland Correctional Training Center (medium security) in Hagerstown generally view that institution as an educational and vocational facility for younger inmates in need of programming. They do not believe that offenders who display violent tendencies are escape risks, have long sentences, have a significant number of previous confinements, are adjustment problems who have special needs or are older (30+) should be housed at MCTC The principal reasons given for these observations include the lack of physical restraints the openness of the institution and the mission of MCTC as a program-oriented facility. Staff asserted that it would be difficult to maintain this orientation without the maintenance of somewhat conservative eligibility guidelines.

Relative to the types of inmates MCTC could confine, respondents stated that they would continue to be very hesitant to accept inmates with a history of violence or escape. Several staff were adamant that the training focus of MCTC had deteriorated in the past few years with the introduction of more "hard core" offenders which they see as a direct result of the effort to eliminate double celling at the Penitentiary. They stated further that should this trend continue that it would be difficult to maintain even the current level of programming.

Again. the MCTC respondents, like their counterparts, were quite open with their comments relative to the maintenance of special needs inmates. They pointed out that these offenders are disruptive to programming, which is more of an issue at MCTC than other institutions. They. unlike the other respondents from the Penitentiary. MHC or MCI did not believe, under any conditions, that MCTC would be an appropriate facility for vulnerable, protective custody inmates.

. The final institution surveyed was not in reality an institution but the Maryland Correctional Pre-Release System where staff from the central office, the Brockbridge Correctional Facility and several Pre-Release Units were interviewed.

As expected, staff from the pre-release system were much more conservative relative to their criteria for assignment to pre-release. Respondents almost to a person, stated that no inmate with a violence or escape history,[8] who has more than one year to an expected release, who is an institutional management problem, who has special needs or who has an outstanding detainer or warrants should be selected for particiaption in the program.

When questioned as to what type of inmates the Pre-Release could handle, many respondents stated quite openly that this question more accurately addresses the existing situation. That is, numerous staff mentioned that the Pre-Release program was currently, and had been for the past several years, maintaining individuals who were not suited for pre-release or furthermore, minimum security.

The majority of respondents stated that Pre-Release could handle inmates with previous confinements and some individuals with more than a year to expected release, although the latter group should not be permitted to enter the community unescorted. They also mentioned that the system could accept some inmates who have been institutional management problems although only those whose adjustment difficulties were not directed toward staff. This group, again according to respondents, would best be supervised in a rural unit or where there was sufficient internal structure to monitor and control their behavior. Most staff believed that marginal inmates (those whose assignment to Pre-Release is questionable) should not be placed in urban settings and should not have the same community and family leave programs as those pre-release inmates who meet the DOC criteria for eligibility as defined in DCR 100- 14.

2. Recommendations: This analysis, based upon the perceptions of DOC personnel who operate the institutions, provides support for the following recommendations, most of which are discussed elsewhere in this report:

- Inmates who are psychologically disturbed or severely mentally retarded cannot be adequately served in existing Division maintaining institutions and should be located in a unit or units where they can be treated while not being disruptive to the general population;

- Inmates who have a documented history of violence or escape or who have an extensive period of time until their expected release date should not be assigned to the Pre-Release System, while offenders with an extensive violent or escape background should similarly not be assigned to MCTC;

- Suicidal offenders cannot be accommodated at any existing institution and should be placed in a unit where they can be treated and constantly observed; and

- Inmates who are institutional management problems can best be dealt with at either the Maryland Penitentiary or Maryland Correctional Institution and inmates who have a history of serious disciplinary violations should be housed in either of these institutions.

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8 Respondents generally agreed that inmates with one violent offense, unless it was quite heinous, are acceptable but that two or more such offenses should preclude participation.

## F Classification for Decision-Making--A Final Comment

As has been seen. the Maryland classification system employs sets of eligibility criteria for most procedures where decisions must be made to determine whether a prisoner qualifies for a particular status or program. Although there does not now exist a definition for the concept of eligibility, the following statement appears to describe the Division's use of this term:

> Eligibility: Eligibility is defined, for purpose of classification, as the utilization of objective, measurable factors or criteria which are employed to determine the inmate program status (transfer security program placement etc.). An inmate must meet the eligibility criteria prior to assessing suitability. Examples of eligibility criteria for pre-release, for example might include: the inmate must be within 12 months of parole eligibility date, the inmate must be eligible for "C-1" custody status, the inmate must have had no escape or escape attempts for the previous 24 months, etc.

CSG does not believe that using eligibility criteria alone is sufficient to determine whether or not an offender should be placed in a certain status; e.g., pre-release. Some offenders who have been determined to be eligible for a reduced custody level may not be in fact suitable for that status. Suitability is here defined as:

> Suitability: Suitability is defined as the utilization of objective, measurable variables, usually employed in combination, to determine inmate program status An inmate must meet the suitability variables prior to determining acceptability. Examples of suitability criteria for pre-release, for example, might include: the number of prior felony convictions, the number of adjustment reports (major institutional offenses), the number of months to release date, etc.

Finally the classification concept of acceptability should be considered not so much to determine an inmate's program status, but his location or position in the status. The following definition sheds more light on this concept:

> Acceptability: Acceptability is defined as the utilization of quasi--objective, nonmeasurable variables to determine inmate program status. Many inmates who have been adjudged to be both eligible and suitable, for a certain program, would not be approved if not found to be also acceptable. The issue of acceptability is much more subjective and is generally based on sensitive/nonsensitive considerations. For example, an inmate convicted for a sexual offense is determined to be both eligible and suitable for pre-release assignment, but wants to be placed in a pre-release center where the local citizenry are actively opposed to the presence of individuals who have a history of sexual offenses. In this case, the inmate would not be acceptable and would either be placed in another nonsensitive unit or be eliminated from consideration.

# Chapter Eleven: Classification Manpower Issues

## CHAPTER XI: CLASSIFICATION MANPOWER REQUIREMENTS

### A. Introduction

Another finding of this study that will not come as a surprise to the Division is that there are currently too few classification counselors to adequately perform the responsibilities assigned to them.

The extent of the need for increased classification manpower was thoroughly analyzed by the Division through the use of a staffing exercise conducted by each facility under the auspices of the Assistant Commissioner for Programs. (A copy of the instrument used to complete the staffing exercise is included in Appendix F.)

After reviewing the form, instructions for its completion and results of the exercise, CSG project staff did not feel a duplication of the Division's efforts was necessary or cost-effective. The Division should be applauded for identifying and documenting its need for additional classification staff in such a systematic fashion.

Correctional Services Group supports the Division's findings concerning the numbers of additional classification staff needed to support its classification system. The number of new classification counselors needed to meet current workload demands was set forth in the Program Design for the Program and Professional Services Department report published by the Division in October 1980. Within this same document, the Program and Professional Services Department unveiled its preliminary plans for the development of a formal "Clinical Counseling and Community Services" program. Addictions programming and social work services are the primary components of this program. The plan outlines the number of staff that will be needed to perform clinical counseling, addictions counseling, community resource development and referral, and coordination of volunteer services. The numbers of counselors needed were basically computed as follows one clinical counselor for every 300 inmates: and one addictions counselor for every 200 inmates. CSG did not analyze the inmate population to determine the extent and nature of its need for social work services. It is not known whether or not the Division conducted such a needs assessment prior to developing the clinical counselor to inmate ratio of one clinical counselor to 300 inmates.

The Division's rationale for requesting sufficient addictions counselors to provide one addictions counselor for every 200 inmates is not known. It is obvious from interviews with DOC staff and from the incidence of substance abuse problems among the DOC population that one addictions counselor per DOC facility is grossly insufficient to provide the necessary screening and testing, let alone adequate counseling services or treatment program planning.

The optimal method for determining the number of addictions counselors needed, and one the Division should consider to adequately support its request for additional counselors, is to develop individualized addictions programs for each of its maintaining institutions. Using this method, each program would be tailored to each institution's unique resources, i.e., psychological or medical services to support addictions treatment, access to community resources, etc., and the unique treatment needs of the institution's inmate population. The nature and extent of the addictions services to be provided should be determined after performing a needs and interest assessment of the inmate population.

The number of addictions staff needed to provide the necessary services should be based upon considerations and standards promulgated by the appropriate private professional associations in the field. Factors that should be considered in determining the optimal caseloads for addictions counselors include, but are not limited to: needs of resident population to be served: the institutional characteristics that may facilitate or impede the provision of addictions services; legal requirements: goals to be accomplished: and the administrative tasks necessary to support the provision of addictions services. A further consideration, studies have shown that about 50% of a counselor's time may be realistically spent in providing direct case service. This leaves the counselor time for classification team work, emergency referrals, treatment program planning progress reporting, administrative details and other tasks which inevitably attach to the job.

Factors other than the number of staff impact the ability of classification staff to maximize their job effectiveness These factors, as well as classification manpower issues other than the need for additional staff are discussed below.

B. Staffing Levels

1. Findings: There is a shortage of staff for classification purposes across the Division. The only exception to this finding was at the RDCC where an initial review indicated there are sufficient numbers of classification staff if all the counselors were performing classification duties. Instead four of the counselors have been assigned specialized duties. One counselor functions as a permanent member of the Adjustment Team. This removes him from the pool of counselors used to staff initial team hearings. A second counselor has been appointed "Transition Coordinator," his duties include planning for the move to the new RDCC facility. A third counselor performs administrative functions for the Parole Commission. The fourth counselor, the "County Coordinator," performs diagnostic and assessment duties at the Prince George's and Montgomery County Jails.

The RDCC also has a shortage of staff to perform functions other than diagnostic interviews including psychological and psychiatric evaluations, social work functions, testing and assessment and addiction screening and treatment.

Caseloads for almost all institutional classification counselors are too large and unevenly distributed. This has resulted in a lack of continuity of inmate classification and general inability to learn their clientele. Further, over the past few years the work load of classification counselors has increased significantly. The increased work load results from larger institutional populations, the extra duties associated with the implementation of the MAP program, the proliferation of special Division projects that utilize classification counselors in a noncaseload, administrative assistance position, and the use of classification staff in nonclassification functions such as recording contraband confiscated during institutional shakedowns. Contributory factors that have increased counselor's responsibilities include recent procedures, i.e., use of the "Pink Form 2" and the "Escape Screening Worksheet," to mitigate the effects of overcrowding. To compound this problem, these additional functions have gradually increased over the past few years without any substantial increase in staff. The following table summarizes the number of counselors needed to meet current workload demands.[1]

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1 Source: Maryland Division of Corrections, Program Design for the Program and Professional Service Department (October 1980).

Proposed Increase in Classification Counselor Positions

| | Current Number of Classification Staff* | Number of New Positions Needed | Total Number of Positions Needed |
|---|---|---|---|
| Maryland Penitentiary | 7 | 7 | 14 |
| Maryland Correctional Institution--Hagerstown | 7 | 7 | 14 |
| Maryland Correctional Training Center | 13 | 6 | 19 |
| Maryland House of Correction | 13 | 4 | 18 |
| Community Vocational - Rehabilitation Pre-Release Unit | 4 | 2 | 6 |
| | | Total 26 | |

* This number includes only those classification staff who carry a caseload. It does not include addictions counselors or counselors who function in an administrative capacity.

Source: DOC Institutional Tables of Organization.

- There appear to be a few classification counselor vacancies within the various institutions that have not been filled.
- Staff report that classification counselor positions are sometimes not filled, instead the money allocated for the counseling position is used to hire one or more correctional officers. Yet the budgeted position continues to be included in DOC records--under the category of classification counselor.
- Some classification counselors are assigned to special projects. One of these counselors, for instance, has been on special assignment to the Training Academy for over one year.

Correctional Services Group has also found that there is an apparent deficiency in the number of support personnel to assist classification staff with their classification responsibilities. Clerical help is in short supply in most institutions preventing paperwork from being prepared in a timely fashion. This situation has required some classification staff to assist in typing which further reduces the time they can devote to classification functions.

Finally, there is a severe shortage of addictions counselors throughout the system. It has been estimated by some staff that as much as 70% of the inmate population have drug and/or alcohol abuse problems. This deficiency reduces the capability of the Division to identify develop treatment programs for, and monitor substance abusers.

2. Recommendations: CSG recommends that the MDOC be provided with the fiscal resources to hire 26 additional staff to perform Classification Counselor I duties.

In the preliminary report, CSG recommended that the minimum standard for caseload size be one classification counselor for every 85 inmates.[2] The following table demonstrates that an increase in classification staff in line with the Division's findings meets or exceeds this standard with two exceptions--the Maryland Correctional Training Center and the Maryland House of Correction.

Current versus Proposed Classification Caseloads

| | Current Caseload* | Proposed Caseload |
|---|---|---|
| Reception and Diagnostic Classification Center | 1:33 | 1:33 |
| Maryland Penitentiary | 1:109 | 1:55 |
| Maryland House of Correction | 1:118 | 1:86 |
| Maryland Correctional Institution--Hagerstown | 1:153 | 1:76 |
| Maryland Correctional Training Center | 1:133 | 1:91 |
| Maryland Correctional Institution for Women | 1:38 | 1:38 |
| Brockbridge Correctional Facility | 1:25 | 1:25 |
| Pre-Release System | 1:24 | 1:23 |

* As discussed throughout this report, classification counselors are often reassigned to special Divisional institutional projects. In the interim, the reassigned counselors case load is redistributed among the existing counselors. Therefore, the caseload ratios cited are fairly accurate only when all institutional classification counselors are carrying full caseloads.

To further maximize the effects of classification staff four measures should be taken by the MDOC:

- A thorough assessment of all paperwork functions, forms and reports should be conducted to determine what forms can be eliminated, reduced or assimilated into other documents.

- Nonclassification functions should for the most part, be assigned to other personnel. It is realized that all institutional staff have more responsibilities than they can effectively handle. However, use of classification personnel in other unrelated activities has severely hampered the classification process which in turn has created problems systemwide.

2 Source: Maryland Division of Correction, "Executive Plan - 1981 through 1986."

- Sufficient clerical support should be provided to institutional classification departments. One clerk typist for every three classification staff, including volunteer coordinators and addictions counselors is recommended. A clerk typist should be assigned to each classification supervisor.

  Shortages of good clerical assistance is a chronic problem not only in corrections but in all government agencies. However, it would appear more appropriate both in terms of effort and cost that clerical assistance be available to reduce the problems associated with an ineffective word processing system.

  A related problem, discussed elsewhere, is the lack of communications equipment. Transcription equipment, especially, would help both counselors and clerical staff perform their jobs more effectively.

- It is incumbent upon Division policy-makers to analyze the manpower requirements of new policies and procedures before they are implemented and to request the number of staff positions that will be necessary to perform these new functions.

As outlined in Section A of this Chapter, the MDOC should design a substance abuse program for each maintaining institution that is based upon a needs and interest assessment of the inmate population housed at that institution. The emphasis in the Pre-Release System should be placed upon in-house counseling services supplemented by community resources and the provision of treatment continuity once the inmate is released from the DOC. When the nature and extent of the addictions services to be provided are determined, the MDOC may calculate definitive caseload ratios for program personnel, including addictions counselors.

Although addictions counselors do not ordinarily perform classification duties, recommendations concerning the number of counselors employed by the Division are discussed here for two reasons: (1) the shortage of addictions counselors was mentioned by DOC staff time and time again and (2) the lack of counselors hampers the Division's efforts to provide viable addictions programming for inmates identified as in need of these services. Matching offender needs with Division resources is a primary objective of an effective and efficient classification system.

## C. Classification Staff Needs

### 1. Training Needs

a. Findings: The present lack of training (both preservice and inservice) for classification staff was identified as a serious deficiency in the present system by classification counselors and supervisors alike. The current program offered by the Training Academy is perceived as too general and not meeting the needs of classification staff.

Inservice training is primarily provided through Division-sponsored workshops. The most recent workshop was most disappointing to staff who felt the true agenda of the workshop was to garner staff support for proposed changes in the administration of Division programs. Although staff welcome the opportunity to review

and comment on proposed Division changes prior to their implementation, they felt their inservice training workshop was a poorly chosen vehicle for accomplishing this objective.

Further, interviews with classification staff at all facilities indicated on-the-job training is given a very low priority if it is employed at all. Most staff learned classification principles and procedures from questioning other, experienced classification staff. This method is hardly the best training for ensuring consistent, objective classification decision-making.

Questionnaires administered to classification staff asked them to list the training areas they would like to see included in a formal classification training program. The following page lists these areas according to the frequency with which they were mentioned. Prior to the development of a formal program, a comprehensive training needs assessment should be conducted which focuses on such factors as supervisor's perceptions of staff training needs and the training needs of counselors with specialized caseloads.

b. Recommendations: The development and implementation of a formal preservice and inservice training program for classification staff should be a priority objective in coming years. As discussed in previous sections, development of these programs should be the responsibility of the Director of Classification.

A 3 to 5 day formal inservice training program should be developed for presentation by the Academy to all classification staff currently employed by the Division. Once all staff have participated in this inservice or preservice classification training program, the Division may discontinue the Academy's inservice program and concentrate on providing regular one-day workshops on specialized topics suggested by staff or identified through a more formalized needs assessment.

On-the-job training is a responsibility of Classification Supervisors. The Assistant Managing Officers for Treatment at each facility should require their Classification Supervisors to develop a general plan for providing on-the-job training and a yearly plan for providing regular in-house training sessions on special topics or problem areas.

2. Classification staff specialization

a. Findings: At the present time, classification counselors are too often expected to have the required knowledge and wherewithall, to resolve diverse and often difficult inmate problems. Community referral resources have not been cultivated by most institutions to the extent they could be.

b. Recommendation: The concept of requiring persons holding certain staff positions to specialize in particular services needed by inmates, e.g., crisis counseling, job development, family intervention, etc., should be considered by the Division. Such specialization would result in improved services to inmates and possibly a more effective method for distributing "problem cases." The Division's practice of providing an addictions counselor at each institution is an example of a specialized counseling position.

## Training Areas

| | Subject | N |
|---|---|---|
| 1. | Counseling techniques | 46 |
| 2. | Legal issues | 27 |
| 3. | Psychological theory | 21 |
| 4. | Human relations | 14 |
| 5. | Interview techniques | 11 |
| 6. | Motivation theory | 11 |
| 7. | Case management | 10 |
| 8. | Addictions counseling techniques | 10 |
| 9. | Security/riot procedures | 9 |
| 10. | Communications theory | 8 |
| 11. | DCR's/DCIB's | 8 |
| 12. | Treatment theories/modalities | 8 |
| 13. | Parole process | 7 |
| 14. | Other state correctional systems | 7 |
| 15. | Overview of Maryland system | 7 |
| 16. | Report writing | 7 |
| 17. | Law enforcement | 6 |
| 18. | Criminal behavior | 6 |
| 19. | Criminal justice systems | 5 |
| 20. | Stress management | 4 |
| 21. | Middle management supervision | 3 |
| 22. | Time management | 3 |
| 23. | Medical/psychological terminology | 3 |
| 24. | Time computation | 3 |
| 25. | Investigative techniques | 2 |
| 26. | Records management | 2 |
| 27. | MAP | 2 |
| 28. | Problem solving | 2 |
| 29. | Classification decision-making | 2 |
| 30. | Self defense | 2 |
| 31. | Security procedures | 2 |
| 32. | Race relations | 2 |
| 33. | Classification procedures | 1 |
| 34. | OBSCIS | 1 |
| 35. | Community resources | 1 |
| 36. | Transfer procedures | 1 |
| 37. | Paper handling | 1 |
| 38. | Resource training | 1 |
| 39. | Sensitivity and awareness | 1 |

3. Advocacy for classification counselors

a. Findings: There is no one group or administrative position within the DOC that understands and represents the interests of Division classification staff.

b. Recommendation: Although it may not be a final or complete solution to this problem, charging the Director of Classification with advocating the interests and needs of the classification staff is a beginning. This action would improve the lines of communication and help to facilitate cooperation between the Division administration and line classification staff.

4. Team hearing requirements

a. Findings: It is the consensus of Division staff that classification counselors spend too much of their time sitting on hearings for one purpose or another. Team hearing duties are rotated but frequently instead of freeing the counselor to perform nonhearing-related duties, he merely takes his place as a member of a different team.

Further, classification staff feel their participation in adjustment team hearings undermines their credibility in the inmate's eyes, in the performance of classification and counseling duties. Many times the same classification counselor sits on an Adjustment Team that decides an inmate's guilt: sits on the classification team that metes out his punishment: and then sits on the Segregation Review Team that decides when the inmate is "ready" to be released from segregation. In effect, he plays the role of judge, jury and warden.

A final hearing responsibility that is questionable is the requirement that a counselor sit in on parole hearings. The classification counselor's role in the parole hearing is usually restricted to performing clerical duties, such as copying forms, and custodial duties, such as escorting inmates to and from the hearing room. Counselors report they are rarely asked to expand upon an inmate's record because during an average parole hearing only a few of the counselor's assigned inmates are being reviewed.

b. Recommendation: The Division should direct the Mangaing Officer to designate a permanent classification hearing team. Elimination of hearing requirements for housing assignments and changes, job assignments and changes, and initial classification, per se, should reduce the amount of time devoted to hearings. Further, once procedures to expedite the classification hearing process have been implemented, e.g., the priority ranking system developed for screening pre-release candidates, formulation of objective facility assignment criteria, etc., the total number of hearings as well as the time devoted to hearings, overall, should be significantly reduced.

One solution to the role conflict described by classification counselors who are assigned to Adjustment Team duty was proposed by the classification counselors themselves. They recommended that the Division employ a sufficient number of hearing officers and headquarters classification counselors to staff the adjustment hearings held at the institutions throughout the state. Staff feel headquarters staff could render more impartial judgments in such cases and could eliminate the role conflict they now experience.

Assigning counselors to "participate" in parole hearings just to perform clerical and custodial duties is a nonproductive use of their professional time. Such participation is only justified if the counselor provides testimony before the parole board concerning a man on his caseload.

D. Classification Staff Concerns

1. Classification staff liability

a. Findings: Interviews and meetings held with classification staff indicated they are concerned with the issue of personal liability for classification decisions they make which may be challenged in court. Staff are concerned that they subsequently do not have ready access to Division supported legal counsel. Much of this concern is due to the current pressure to disregard certain eligibility criteria in order to move inmates into lower security instituitons.

b. Recommendation: The Division's legal counsel should be available to all Division staff who have need of these services. However, the important point here is that staff feel they are being pressured to disregard eligibility criteria to expedite inmate movement. In reality the practice of waiving eligibility criteria should not be permitted unless significant extenuating circumstances can be documented for recommending the waiver.

2. Role confusion

a. Findings: A frequent comment expressed by classification staff was that the Division provided no direction in terms of what job responsibilities were to be given priority. In their daily contact with inmates, staff saw the need for providing counseling services, problem resolution and opportunities for helping or guiding the inmate in making needed behavioral changes. In short, most classification staff see their primary responsibility as counseling. The multitude and diversity of job responsibilities expected of counselors, however, leaves little time for actual counseling activities. Thus, classification counselors feel their jobs have evolved into that of case management as opposed to case counseling.

b. Recommendation: The addition of classification staff to the Division's institutions will permit the counselors more time to counsel inmates. Further, the development and dissemination of classification policy will give the counselors more direction. Explicit Division objectives will set the necessary priorities. (See Chapter III.)

3. Personnel problems

a. Findings: Classification staff have numerous complaints relating to personnel issues. These include:

- Lack of career ladder/job mobility;
- Low pay;
- Slow department response in filling vacant classification positions;
- Inadequate selection procedures for hiring counselors;

- Inconsistent personnel policies, i.e., changing job qualifications for upper level classification positions with no "grandfather clause"; and

- Inadequate personnel evaluations.

b. Recommendations: The following recommendations correspond to the complaints listed above:

- The Division of Correction should make every effort to identify competent DOC staff for appointments to administrative positions instead of hiring from outside the system.

- More emphasis should be placed on "weeding out" less than competent classification staff at the lower staff positions. As a result, fewer staff would be promoted to senior classification positions based primarily on "longevity."

- Every effort should be made by the Division to attract and retain quality staff. One method is to provide counselor salaries commensurate with those provided to counselors who must work with clientele who are oftentimes difficult and dangerous. A salary differential should be considered due to the potential hazard associated with the job. In addition, provision should be made to provide incentive pay for staff whose performance is exceptional.

- The State Department of Personnel should give priority to filling sensitive job positions, such as classification counselors. The unfortunate results of delays in filling vacant counselor positions has been to redistribute the caseload and, according to some DOC personnel, hire correctional officers instead. A possible solution may be the development of a separate budget for DOC treatment personnel.

- To provide competent counseling services to its inmate population, the procedures for selecting classification counselors and the requisite qualifications need to be changed. Classification counselors presently employed by the Division should, however, be given the opportunity and financial support to upgrade their qualifications commensurate with the revised hiring and promotional guidelines. Interested staff should be given a reasonable period of time to accomplish this.

- Personnel policies that affect job mobility should not be changed without allowances being made to permit current staff to conform to the revised specifications.

- The current evaluation procedures are inadequate. The forms utilized by supervisors to evaluate job performance are too general and do not incorporate specific job performance objectives. Evaluation forms should be designed which are tailored to the job responsibilities of staff.

E. Supervisory Functions

1. Findings: For the most part, it appears that Classification Supervisors within the Maryland DOC do not spend a significant portion of their time supervising the work of classification staff. For example, one classification supervisor spends much of his time coordinating transfers while another functions primarily as an administrative assistant to the Assistant Superintendent in charge of treatment Staff are singularly dissatisifed with the on-the-job training they received and the absence of opportunities to participate in case staffing. Most supervisors probably spend less than one fourth of their time providing supervision, counseling and guidance to their staff.

Further, Classification Supervisors, for the most part, do not regularly chair Institutional Team Hearings. This responsibility is frequently delegated to a Senior Classification Counselor.

2. Recommendation: Responsive and responsible supervision are essential components of an efficient and effective classification system. It appears the Maryland system has lost sight of the importance of providing quality classification supervision. Since there are at least two classification supervisors assigned to each maintaining institution, it should be possible to provide more meaningful supervision and to provide a Classification Supervisor to chair the permanent team hearing. Again, the Division leadership must give priority to the classification function, if the classification system is to meet the Division's needs. Further, the Assistant Superintendent for Treatment must recognize the value of classification supervision and support the Supervisor's efforts to upgrade the quality of classification decision-making within his institution.

# Chapter Twelve: Costs of Recommendations

## CHAPTER XII: COSTS OF RECOMMENDATIONS

The following tables summarize the costs for the implementation of the classification study recommendations. These summaries of gross costs have been shown over a three year period to depict the costs incurred by the Division if all recommendations are implemented. Increases in costs relative to some recommendations over the three year period can be attributed to the time-phased implementation as the planning period progresses.

It should be noted that certain recommendations for institutional programming related to classification could not be accurately translated into costs because they entail expansions of existing programs for which cost information was unavailable. It should also be noted that all cost figures are general estimates; these figures are not developed to the level of specificity required for Division of Correction budget requests.

In order to make the analysis of economic impacts possible for each recommendation, the costing has been determined on a mutually exclusive basis. Cost estimates for any given recommendation are generally independent of other recommendations. For instance, costs to upgrade the personnel benefits package are based on current staff levels not including additional staff recommended elsewhere in the study.

As a result, cost figures represented are estimated only for the purpose of demonstrating economic impact. The interdependency of recommendations makes it impossible to attempt to establish specific budget estimates until detailed assumptions regarding the combination of recommendations to be adopted have been defined.

### Chapter IV: Initial Classification

| | Year 1 | Year 2 | Year 3 |
|---|---|---|---|
| 1. Development of priority system for intake of offenders into DOC from community jurisdictions. | No cost | | |
| 2. Establishment of track system for segregation of RDCC inmates. | Not available--although estimated to be minimal | | |
| 3. Improvement in obtaining offender data for initial classification to include the following for each new inmate: | | | |
| a. State's Version of the Offense | Minimal | | |
| b. Presentence Investigation Report* | Substantial | | |
| c. Jail Classification Reports | Not Available | | |
| d. Development of new numbering system** | $45,800 | | |

* CSG realizes that the provision of PSI for each new offender may be fiscally prohibitive as it would require the Division of Parole and Probation to employ approximately 30 new agent investigators at a cost of over $625,000. This does not include costs for clerical assistance, etc.

** Costs would primarily be incurred in first year when transition would be effected.

Chapter IV: Initial Classification (concluded)

| | Year 1 | Year 2 | Year 3 |
|---|---|---|---|
| 4. Development of new inmate orientation program | $22,300 | $16,000 | $17,800 |
| 5. Creation of Orientation Manager position | $17,950 | $19,050 | $21,000 |
| 6. Improvement in physical plant, equipment and offices* | Not available | | |
| 7. Provision of additional clerical assistance | $33,900 | $37,800 | $42,000 |
| 8. Development of present assessment and testing program | $8,000-$10,000 | | |
| 9. Reevaluation of present assessment and testing program | Not available | | |
| 10. Provision of counseling services during initial classification | See Chapter XI costs | | |
| 11. Development of Basic Treatment Programs | Not available | | |
| 12. Restructuring of Initial Classification Team composition | No cost | | |
| 13. Development of new DCR governing conduct of Initial Classification Team hearings | Minimal | | |
| 14. Revision of existing Division Program Manual | $5,000-$10,000 | | |
| 15. Establishment of Community Classification Teams | Not available | | |

Chapter V: Institutional Classification

| | |
|---|---|
| 1. Replacement of initial institutional hearing | Not available |
| 2. Establishment of permanent classification team | No cost |
| 3. Development of new DCR detailing hearing procedures | No cost |

* This recommendation will be substantially addressed with the opening of the new RDCC in mid-1981.

| | Year 1 | Year 2 | Year 3 |
|---|---|---|---|
| Chapter V: Institutional Classification (concluded) | | | |
| 4. Regular team reviews of inmates involved in treatment programming | $36,000 | $42,000 | $49,500 |
| 5. Development of classification manual | $26,500 | | |
| 6. Revision of inmate base files | $18,000 | $ 7,200 | $ 6,000 |
| 7. Improvement of base file storage and security | $27,200 | | |
| 8. Development of a computerized progress notation system | $21,900 | $ 5,000 | |
| 9. Revision of composition of pre-release classifiation teams | No cost | | |
| 10. Modification of DCR which establishes procedures for transfers to pre-release | No cost | | |
| 11. Elimination of requirement that classification team review nonpunitive transfers | No cost (savings) | | |
| 12. Change pre-release progress reviews from once every 2 weeks to once every three months | No cost (savings) | | |
| 13. Provision of increased offender programs and services* | (See Below) | | |
| 14. Expansion of MAP | Not available | | |
| 15. Provision of valid and reliable data for Parole Commission | Negligible | | |
| 16. Improvement of physical plant, offices and equipment | Not available | | |

* The overall costs would be considerable--well over $7,000,000 additional per year in 1980 dollars to provide only basic programs and services. The determination of the specific programs and services required as well as their costs warrants an additional study.

| | Year 1 | Year 2 | Year 3 |
|---|---|---|---|
| **Chapter VI: Central Classification Authority** | | | |
| 1. Establishment of Central Classification Authority | $162,000 | $192,000 | $227,000 |
| 2. Determination of Central Classification Board composition | No cost | | |
| 3. Development of Central Classification Board procedures | No cost | | |
| 4. Expansion of Director of Classification's responsibilities | No cost | | |
| 5. Conduct of regular site visits by Central Classification Board at MDOC institutions | Negligible cost | | |
| 6. Establishment of monitoring system | $ 24,500* | Minimal | Minimal |
| **Chapter VIII: Classification of Special Management Inmates** | | | |
| 1. Establishment of a separate protective custody institution (conversion of existing or planned facility) | No cost** | | |
| 2. Construction of a separate protective custody institution | $16-$18 million | | |
| 3. Improvement of existing protective custody units | $320,000 | $360,000 | $400,000 |
| 4 Development of improved procedures to identify mentally ill offenders | $ 14,000 | Negligible | Negligible |
| 5. Provision of additional psychologists | $ 84,000 | $ 93,000 | $103,000 |
| 6. Establishment of a separate treatment unit for "hardcore" mentally ill offenders | Not available*** | | |

* Includes development and start-up costs. Actual operational costs would be minimal once monitoring system was in place.

** The implementation of this recommendation would result in significant savings to the Division as the practice of operating "institutions within institutions" would be substantially reduced. This recommendation would be particularly important if the courts require the Division to provide comparable programs and services for protective custody inmates as are available to the general inmate population.

*** The costs would be substantial yet such an action would greatly improve the managability of the DOC maintaining institutions.

| | Year 1 | Year 2 | Year 3 |
|---|---|---|---|
| **Chapter VIII: Classification of Special Management Inmates (concluded)** | | | |
| 7. Development of additional short-term treatment units | Not available | | |
| 8 Review by Central Classification Board of all inmates assigned to Administrative Segregation for more than 60 days | Negligible | | |
| 9 Development of a objective instrument to determine which inmates should be assigned to Administrative Segregation and for what period of time | No cost | | |
| 10. Expansion of screening programs to identify special needs offenders, e.g., mentally retarded, drug and alcohol abusers, etc. | $26,000 | $39,500 | $42,000 |
| **Chapter IX: Management of Offender Information** | | | |
| 1. Increase implementation of OBSCIS | Not available | | |
| **Chapter X: Classification for Decision-Making Purposes** | | | |
| 1. Development of new custody definitions | No cost | | |
| 2. Development of an objective custody determination instrument | $75,000-$100,000* | | |
| 3. Reclassification of DOC inmate population** | Not available | | |
| 4. Development of more stringent eligibility criteria for selection of minimum security candidates | No cost | | |
| 5. Establishment of pre-release programs in C-4 and C-3 correctional institutions | $145,000 | $171,000 | $196,000 |
| 6. Utilization of the concepts of eligibility, suitability, and acceptability in determining and inmate's program status | No costs | | |

* This is based on similar costs of development in other states.

** The reclassification of inmates would warrant, if this effort determines CSG's findings to be valid, the reassignment of inmates throughout the Division. The primary cost impact would be the need for additional, secure beds.

| Chapter XI: Classification Manpower Issues | Year 1 | Year 2 | Year 3 |
|---|---|---|---|
| 1. Employment of additional 26 Classification Counselor I's* | $350,500 | $388,000 | $427,000 |
| 2 Employment of additional clerical staff | Not available | | |
| 3. Purchase of additional word processing equipment | $65,000 | | |
| 4. Employment of eight additional Addictions Counselors** | $160,000 | $186,000 | $204,600 |
| 5. Development of a formal preservice and in-service training program for classification personnel | $26,000 | | |
| 6. Delivery of classification training program | $39,200 | $36,000 | $30,300 |
| 7. Provision for increase in specialization of staff service functions | No cost | | |
| 8. Elimination of classification staff participating in parole hearings | No cost (savings) | | |
| 9. Provision of legal support for classification personnel | Negligible | | |
| 10. Provision of pay differentials for classification staff depending on caseload size, type of inmate, additional duties, etc. | Not available | | |
| 11. Change personnel education and experience requirements for positions requiring counseling skills | No costs | | |
| 12. Development of new personnel evaluation format tailored to job responsibilities of classification personnel | Negligible | | |
| 13. Development of improved screening and selection process or hiring of classification personnel | Negligible | | |

* At an entry level salary $11,000 + 25% fringe. Years 2 and 3 include a 10% cost of living increase.

** At an entry level salary of $16,000 + 25% fringe. Years 2 and 3 would include a 10% cost of living increase.

# CHAPTER THIRTEEN:
# REFERENCES AND PROJECT CONTACTS

## CHAPTER XII: REFERENCES AND PROJECT CONTACTS


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## CONTACTS:

THE OFFICE OF THE GOVERNOR

The Honorable Harry Hughes, Governor
Michael Canning, Staff Assistant to the Governor

CLASSIFICATION STUDY AND FACILITIES PLAN STEERING COMMITTEE

Greg Leyko, Director, Planning and Research, Division of Correction
Peter DeVance, Assistant Director, Bureau of Administrative Services, Division of Parole and Probation
Greer Bosworth, Administrative Specialist, Paroie Commission
Nancy Levinson, Chief, Program Planning and Evaluation, Department of Public Safety and Correctional Services
Kim Marchesi, Criminal Justice Planner, Department of State Planning
Pat Quann, Superintendent, Reception, Diagnostic and Classification Center
Mary Lou Bartram, Assistant Commissioner, Programs and Professional Services, Division of Correction

GOVERNOR'S COMMISSION ON LAW ENFORCEMENT AND THE ADMINISTRATION OF JUSTICE

Richard Friedman, Executive Director
Richard Tamberrino, Chief of Information and Statistics
Sally Familton, Director of Planning
Donald Wilson, Contract Monitor
Toni Trunda, Secretary to Project Monitor
Jannine Rodgers, Secretary to Director of Administration

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

**Central Office**

Gordon Kamka, Secretary
J. Brown Hardy, Deputy Secretary for Correctional Services
Steven Minnich, Coordinator of Special Programs
Merle Goldman, Legislative Liaison

DIVISION OF CORRECTION

**Central Office**

Edwin Goodlander, Commissioner
Trish Shuppie, Executive Assistant to the Commissioner
Elmanus Herndon, Deputy Commissioner
Howard Lyles, Assistant Commissioner, Operations
Bernard Smith, Chief of Operations
Paul Showell, Director, CARC Development and Pre-Release
George Hardinger, Assistant Director, CARC Development and Pre-Release
James Panopoulous, Director of Personnel
John Kidwell, Director, Social Work Services
Richard Freeman, Director, Health Services
Lynada Johnson, Assistant to the Director of Health Services
Ed Tausendschoen, Data Processing Systems Analyst
Everett Miller, Assistant to the Assistant Commissioner, Programs
Fred Terrinoni, Director of Classification
Joe Perry, Assistant Director, Planning and Research
Marsha Maloff, MAP Director
John Wiit, Staff Assistant to Deputy Commissioner, Inmate Matters
Richard Pardo, Director, State Use Industries
H. David Jenkins, Department of Education Liaison

MARYLAND DIVISION OF PAROLE AND PROBATION

Arnold Hopkins, Director
Leo M. Allman, Grants Administrator
Larry Weaver, Planning and Research

MARYLAND PAROLE COMMISSION

Henry Turner, Chairman
Bard Stebbins, Administrative Specialist

MARYLAND STATE PLANNING AGENCY

Constance Leider, Secretary
Barnie Ladd, Assistant to the Secretary

MARYLAND PENITENTIARY

George Collins, Warden
Charlotte Nesbitt, Assistant Warden, Treatment
McLindsey Hawkins, Assistant Warden, Custody

RECEPTION, DIAGNOSTIC AND CLASSIFICATION CENTER

Sebastain "Bud" Valenti, Assistant Superintendent
Major Eric Swinn, Custody Chief

MARYLAND HOUSE OF CORRECTION

Paul Davis, Warden
Cornelius Royster, Assistant Warden, Treatment
Harold Kane, Assistant Warden, Security and Custody
Major Richard Vernon, Custody Chief

MARYLAND CORRECTIONAL TRAINING CENTER

John Lally, Superintendent
Terri Chavis, Assistant Superintendent, Treatment
Marvin Temphower, Assistant Superintendent, Operations
Lt. Nelson Baker, Reception Center Supervisor

MARYLAND CORRECTIONAL INSTITUTION

James Tinney, Superintendent
Wayne Winebrinner, Assistant Superintendent, Custody
Joseph Davis, Assistant Superintendent, Treatment
Major Arley Crist, Custody Chief

MARYLAND PRE-RELEASE SYSTEM

William Lamb, Superintendent
Kenneth Watts, Assistant Superintendent
Michael Menefee, Assistant Superintendent, Brockbridge
John Stevens, Classification Supervisor

## CONTACTS: (concluded)

**PATUXENT INSTITUTION**

Norma Gluckstern, Ed.D, Director
Elizabeth Ritter, Assistant to the Director
John J. Murray, Associate Director, Behavioral Sciences
Wayne Garris, Director, Community Services

**MARYLAND CORRECTIONAL INSTITUTION FOR WOMEN**

Merry Coplin, Superintendent
Marcellus Moore, Assistant Superintendent
Lt. Helen Nuaimy, Housing Unit Coordinator
Major Leslie Dorsey, Custody Chief

**CLASSIFICATION STUDY LIAISON COMMITTEE**

David "Skip" Gardei, Maryland Correctional Training Center
Bruce Stout, Maryland Correctional Institution
Catherine Johnson, Maryland Correctional institution
Lucille Bagley, Maryland Penitentiary
George Kaloramakis, Brockbridge Correctional Facility
Patricia Briggs, Maryland House of Correction
Kenneth Diehl, Ph.D., Maryland House of Correction
Ms. Aretha Lewis, Pre-Release Center--Women
James Todd, Reception, Diagnostic and Classification Center
Margaret Worthy, Maryland Correctional institution for Women

**GENERAL**

Robert Pascal, County Executive, Anne Arundel County
Dale Mumford, Criminal Justice Director, Anne Arundel County
The Honorable Marshall A. Levin, Chairman, Sentencing and Corrections Committee of the Maryland Judicial Conference
Steve Gottfredson, Ph.D., Professor, Johns Hopkins University
Howard P. Rawlings, Delegate, Maryland House of Delegates
Emory Plitt, Assistant Attorney General
Pat Gaston, Director, Prince George's County Department of Corrections
Frank Robey, Chairman, Subcommittee on Law Enforcement and Corrections, Maryland House of Delegates

## SITES VISITED:

Maryland Penitentiary
Maryland House of Correction
Maryland Correctional Institution
Maryland Correctional Training Center
Maryland Correctional Institution for Women
Maryland Pre-Release System
- Brockbridge Correctional Facility
- Jessup Pre-Release Unit
- Eastern Pre-Release Unit
- Poplar Hill Pre-Release Unit
- Central Launary Pre-Release Unit
- Greemount Avenue Pre-Release Unit
- Southern Maryland Pre-Release Unit
- Community Vocational Rehabilitation and Release Unit
- Pre-Release Unit for Women

Patuxent Institution
Maryland Criminal Justice Training Academy

## MEETINGS ATTENDED:

Senate Subcommittee on Transporation and Corrections
Maryland Association of Counties
Maryland Association of Blacks in Criminal Justice
Governor's Commission Task Force on Overcrowding
Division of Correction Classification Task Force

# Appendices

# APPENDIX A

# CLASSIFICATION STUDY QUESTIONNAIRES

# AND SURVEY INSTRUMENTS

# Maryland Classification Study Questionnaire

## Classification Personnel

The Maryland Legislature has requested the Governor's Commission on Law Enforcement and the Administration of Justice to oversee a comprehensive assessment of the Division of Corrections' classification system. To accomplish this task, it is important for Correctional Services Group to obtain the input of staff who perform classification functions.

Please complete this questionnaire as fully and honestly as you can and return it to the appropriate classification representative at your institution. Thank you for your assistance.

If you have any questions, please address them to:

Robert A. Buchanan, President
Correctional Services Group, Inc.
Suite 3-South; 4149 Pennsylvania
Kansas City, Missouri 64111

CORRECTIONAL SERVICES GROUP

Name: _____

Institution: _____

Present Position Title: _____

## Section I - Classification Manpower

*Classification Staff Only*

1. How long have you been in your present position?

   ( ) Less than one year
   ( ) At least one year, but less than 3 years
   ( ) At least 3 years, but less than 5 years
   ( ) Between 5 and 10 years
   ( ) Over ten years _____ (Specify number of years)

2. If you held a position with the Maryland Division of Corrections prior to your present position, what was it? _____

3. How long have you been employed by the Division?

   ( ) Less than 1 year
   ( ) At least one year, but less than 5 years
   ( ) At least 5 years, but less than 10 years
   ( ) Over 10 years _____ (Specify number of years)

4. If you are a classification counselor/social worker, what is your present caseload? _____

5. If you are a classification/social work supervisor, how many staff do you currently supervise? _____

6. Please list your major job responsibilities as outlined by the Division job description governing your present position.

   _____ _____

   _____ _____

   _____ _____

7. Please list the major duties you feel you should perform in your present position.

_____ _____

_____ _____

_____ _____

8. What do the inmates on your caseload think are your major responsibilities?

_____ _____

_____ _____

_____ _____

9. What do custody staff think are your major responsibilities?

_____ _____

_____ _____

_____ _____

10. Please check the amount of time you actually spend, during a normal workweek, counseling inmates.

( ) 0%
( ) Less than 5%
( ) Greater than 5% but less than 10%
( ) Greater than 10% but less than 25%
( ) Greater than 25% but less than 50%
( ) 50% or more

11. Please check the amount of time you spend, during a normal work week, participating in team hearings or performing work specifically associated with team hearings, e.g., progress reports.

( ) 0%
( ) Less than 5%
( ) Greater than 5% but less than 10%
( ) Greater than 10% but less than 25%
( ) Greater than 25% but less than 50%
( ) 50% or more

12. Please check the amount of time you spend, during a normal work week, writing classification related reports, e.g., disciplinary or parole hearing reports.

( ) 0%
( ) Less than 5%
( ) Greater than 5% but less than 10%
( ) Greater than 10% but less than 25%
( ) Greater than 25% but less than 50%
( ) 50% or more

13. Please check the amount of time you spend, during a normal work week, attending staff meetings.

( ) 0%
( ) Less than 5%
( ) Greater than 5% but less than 10%
( ) Greater than 10% but less than 25%
( ) Greater than 25% but less than 50%
( ) 50% or more

14. In addition to counseling inmates, participating in team hearings, writing classification reports and attending staff meetings, what classification functions do you perform and what percentage of your time is devoted to each?

| Classification Function | % of Time |
|---|---|
| | |
| | |
| | |

15. Please list the non-classification tasks you currently perform and estimate the percentage of time you spend on each task during during a normal work week.

| Non-Classification Tasks | % of Time |
|---|---|
| | |
| | |
| | |

16. Please summarize, briefly, your personal career objectives. _____

17. Please list any obstacle you feel may prevent you from reaching these objectives. _____

18. Do you think there are adequate advancement opportunities for a person in your position?

( ) Yes
( ) No; why not? _____

19. Do you feel there is a high turnover in classification staff at your institution?

( ) No
( ) Yes

If yes. . .

a. What conditions contribute to this situation? _____

b. How does this high staff turnover impact classification, in particular? _____

c. What do you think can be done to reduce staff turnover? _____

20. What are the present procedures for resolving personnel problems? _____

21. Do you feel these procedures are adequate?

( ) Yes
( ) No; why not? _____

22. Please list the areas you would like to see included in a comprehensive classification training program.

## Section II - Initial Classification Issues

*Reception and Diagnostic Staff Only*

1. Please choose five objectives of initial classification from the following list. Then rank them on a scale from 1 to 5 with one being the most important objective and 5 being the least important.

( ) Provide inmate orientation
( ) Provide information to Division classification staff
( ) Make institutional assignment
( ) Determine custody status
( ) Protect the public
( ) Develop treatment program plans
( ) Classify inmates based upon objective criteria
( ) Monitor implementation of treatment plans developed by RDCC staff
( ) Analyze inmate needs, match with available resources
( ) Provide counseling to inmates
( ) Involve inmate in classification process
( ) Identify special needs inmates
( ) Balance the needs of the inmate with the needs of the agency and those of the public
( ) Facilitate rehabilitation/reintegration of the inmate
( ) Other _____

2. The following classification-related problems were identified by RDCC staff during meetings held at the Training Academy in October. Please rank these problems on a scale from 1 to 10, with one being the greatest problem and 10 being the smallest problem. If you add additional problems, please line through those you do not rank.

( ) Unsafe and nonconducive atmosphere to work in
( ) Inadequate number of staff
( ) Lack of bonafide treatment programs
( ) Restrictions on classification created by overcrowding
( ) Inadequate background information information on inmates
( ) Inadequate access to inmates
( ) Lack of time to perform treatment functions
( ) Inconsistencies in DOC/MRDCC policy and procedures
( ) Lack of facilities/resources for inmates (includes special needs inmates)
( ) Lack of respect for classification professionals, e.g., low pay, stressful work conditions, recommendations, etc.
( ) Other _____
( ) Other _____

3. Please check which of the following types of information are usually available to you when making custody determinations and institutional assignments.

( ) Sentencing orders
( ) State's version of crime
( ) Arresting officers version of crime
( ) Educational test results
( ) Vocational test results
( ) Psychological test results
( ) Military records
( ) Interview data
( ) FBI Rap Sheet
( ) Medical reports
( ) Psychiatric evaluation
( ) Educational records
( ) PSI
( ) Criminal history
( ) Prior institutional record (if applicable)
( ) Relative questionnaires
( ) Other questionnaires _____(Please specify)
( ) Diagnostic Center report
( ) Jail classification report
( ) Other (Please specify) _____
( ) _____
( ) _____

4. Please rank the following sources on a scale from 1 to 5, with 1 being the most important and 5 the least.

( ) Sentencing orders
( ) State's version of crime
( ) Arresting officer's version of crime
( ) Educational test results
( ) Interview data
( ) FBI Rap Sheet
( ) Medical reports
( ) Psychiatric evaluation
( ) Educational records
( ) Vocational test results
( ) Psychological test results
( ) Military records
( ) Relative questionnaires
( ) Diagnostic Center report
( ) PSI
( ) Criminal history
( ) Prior institutional record (if applicable)
( ) Other questionnaires _____(Please specify)
( ) Jail classification report
( ) Other (Please specify) _____
( ) _____
( ) _____

5. Do you believe the information you currently use to make classification decisions is accurate?

( ) Yes
( ) No; why not? _____

_____

_____

6. Please list the assessment methods, e.g., interviews, and test instruments administered by RDCC staff to initially classify an inmate. For what purpose is each used?

| Type of Assessment | Purpose |
|---|---|
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

7. Would you recommend that inmates be given additional tests during reception?

( ) No
( ) Yes

If yes, identify the tests and explain why you recommend their administration.

| Test Name | Why Recommended |
|---|---|
| | |
| | |
| | |
| | |
| | |

8. Of the tests currently given by RDCC staff, which ones would you recommend be deleted, and why

| Test Name/Type | Why |
|---|---|
| | |
| | |
| | |

9. How much time, on the average, do you spend interviewing an inmate for purposes of classification?

( ) Less than 15 minutes
( ) 15 mintues to 30 minutes
( ) 30 minutes to 45 minutes
( ) 45 minutes to 1 hour
( ) Over 1 hour
( ) Not applicable

10. On a daily basis, for how many inmates do you conduct a formal classification interview?

( ) 2 or less
( ) 3
( ) 4
( ) 5
( ) More than 5

11. On a daily basis, what is the optimal number of inmates you feel you could interview?

( ) 2 or less
( ) 3
( ) 4
( ) 5
( ) More than 5

12. Briefly summarize your <u>personal</u> definitions of the following inmate security designations.

Minimum Custody: _____

_____

_____

Medium Custody: _____

_____

_____

Maximum Custody: _____

_____

_____

13. In your opinion (not the Division's) what level(s) of security is afforded inmates housed at each of the following institutions. Please check all that apply.

| | Maximum | Medium | Minimum |
|---|---|---|---|
| (1) Maryland Penitentiary | ___ | ___ | ___ |
| (2) Maryland House of Corrections | ___ | ___ | ___ |
| (3) Maryland Correctional Institution | ___ | ___ | ___ |
| (4) Maryland Correctional Training Center | ___ | ___ | ___ |
| (5) Brockbridge Pre-Release Unit | ___ | ___ | ___ |
| (6) Maryland Correctional Institution for Women | ___ | ___ | ___ |
| (7) Patuxent Institution | ___ | ___ | ___ |
| (8) Eastern Pre-Release Unit | ___ | ___ | ___ |
| (9) Poplar Hill Pre-Release Unit | ___ | ___ | ___ |
| (10) Southern Maryland Pre-Release Unit | ___ | ___ | ___ |
| (11) Central Laundry Pre-Release Unit | ___ | ___ | ___ |
| (12) Community Vocational Rehabilitation Pre-Release Unit | ___ | ___ | ___ |
| (13) Eager Street Pre-Release Unit | ___ | ___ | ___ |
| (14) Pre-Release Unit for Women | ___ | ___ | ___ |
| (15) Greemount Avenue Pre-Release Unit | ___ | ___ | ___ |

14. Do you believe the present initial classification process is adequate?

( ) Yes
( ) No; what would you recommend to improve the process? _____

_____

_____

## Section III - Institutional Classification Issues

*Institutional Classification Staff Only*

1. The following objectives of classification were identified by MDOC classification staff during workshops held in October. Please rank each objective on a scale of from 1 to 5, with one being very important and 5 being least important.

( ) Monitor inmates' adjustment to incarceration
( ) Provide classification information to other classification staff or other agencies, e.g., Parole Commission
( ) Provide orientation to inmates
( ) Protect the public
( ) Make inmate program/job assignments
( ) Recommend inter-institutional transfers
( ) Counsel inmates, help them with their problems
( ) Make housing assignments
( ) Recommend custody changes
( ) Develop inmate treatment program plan, e.g., MAP
( ) Balance agency needs, inmate needs and public needs
( ) Facilitate rehabilitation/reintegration of inmate
( ) Evaluate institutional programs
( ) Analyze inmates' needs, match with available resources
( ) Classify inmates based on objective criteria

2. The following classification-related problems were identified by institutional classification staff during the workshops held in October. Please rank them on a scale of from 1 to 10, with 1 being the greatest problem and 10 being the smallest problem. If you add additional problems, please line through those you do not rank.

( ) Inconsistent, unreasonable and everchanging Division policy/procedures, e.g., DCR's
( ) Subjective classification decision-making
( ) Too few staff, case loads are too high
( ) Lack of inter- and intra-agency communication
( ) Role definition confusion--case load management versus counseling functions
( ) Pressure to fill beds, i.e., pressure to move inmates who are not qualified into lesser security institutions
( ) Lack of resources/appropriate facilities for inmates, includes special management inmates
( ) Inadequate/inconsistent inmate files
( ) Lack of training opportunities for classification staff
( ) Facility limitations for staff
( ) Other (Please Specify) _____
( ) _____
( ) _____

3. After an inmates arrival at the institution, is he/she seen by classification staff on a regular basis?

( ) No
( ) Yes; at what time intervals?_____

4. Which of the following persons may refer an inmate to the classification team for a hearing?

( ) Superintendent
( ) Assistant Superintendent
( ) Inmate (Self-referral)
( ) Institutional supervisory personnel
_____
(Please specify titles)
( ) Director of Classification
( ) Commissioner, Assistant Commissioner, Division of Corrections
( ) Other _____
(Please specify)

5. Describe the procedure for referring an inmate to the classification team. _____

6. Do you hold classification hearings on a regular schedule? _____ What is the schedule? _____

7. During the classification team hearing is input solicited from the inmate?

( ) Yes
( ) No

8. Which of the following types of information do you use to classifiy an inmate?

( ) Sentencing orders
( ) State's version of crime
( ) Arresting officer's version of crime
( ) Educational test results
( ) Interview data
( ) FBI Rap Sheet
( ) Medical reports
( ) Psychiatric evaluation
( ) Educational records
( ) Vocational test results
( ) Psychological test results
( ) Military records
( ) Relative questionnaires
( ) Diagnostic Center report
( ) PSI

( ) Criminal history
( ) Prior institutional record (if applicable)
( ) Other questionnaires _____ (Please specify)
( ) Jail classification report
( ) Other (Please specify) _____
( ) _____
( ) _____

9. How accurate is the information you receive from RDCC?

( ) Accurate
( ) Some inaccuracies _____ (Please specify)
( ) Inaccurate
( ) Unknown

10. Approximately how long does a regularly scheduled classification hearing last?

( ) Less than 15 minutes
( ) Between 15 mintues and 30 minutes
( ) Between 30 minutes and 1 hour
( ) One hour or more

11. Approximately how many inmates are seen during a regularly scheduled meeting of the classification team?

( ) Less than 3
( ) 4
( ) 5
( ) 6
( ) 7
( ) 8
( ) 9
( ) 10
( ) More than 10

12. When and why are inmate progress reports completed? _____

_____

_____

13. How do you use the inmates' medical history in classification decision-making?

_____

_____

14. Please check the types of classification actions that you feel would benefit from the input of custody staff.

( ) Custody increase
( ) Custody decrease

( ) Institutional transfer
( ) Assignment to Administrative Segregation
( ) Release from Administrative Segregation
( ) Prescriptive Plan development, e.g., MAP
( ) Work/study release
( ) Job assignment
( ) Assignment to institutional programs, e.g., self help groups, addiction counseling, etc.
( ) Determination of disciplinary actions
( ) Family leave release
( ) Assignment to pre-release system
( ) Other _____ (Please specify)

15. Do you think MAP is a viable alternative to traditional classification processing for those inmates who are currently participating in the program?

( ) Yes; why? _____

( ) No; why not? _____

16. Do you feel that inmates ineligible to participate in the MAP program should have treatment program plans developed for them?

( ) No; why not? _____

( ) Yes; why? _____

If yes. . .

A. Who should be responsible for developing such a plan? _____

B. How would its implementation by monitored and by whom? _____

17. In your best estimate, please check the percentages of inmates at your institution that fall into the following categories:

| | Less than 10% | 11% to 25% | 26% to 50% | Over 50% |
|---|---|---|---|---|
| Overclassified | ____ | ____ | ____ | ____ |
| Underclassified | ____ | ____ | ____ | ____ |
| Properly Classified | ____ | ____ | ____ | ____ |

18. In your best estimate, what percentage of the inmates on your caseload have a history of drug/alcohol abuse?

( ) 0 to 10%
( ) 11 to 25%

( ) 26 to 50%
( ) 51 to 75%
( ) Over 75%

19. Does your institution have resources/programs for inmates with a history of substance abuse?

( ) No
( ) Yes; what are these capabilities? _____

_____

_____

20. Briefly summarize your personal definitions of the following inmate security designations.

Maximum custody - _____

_____

Medium custody - _____

_____

Minimum custody - _____

_____

21. What recommendations do you suggest to improve the process of institutional classification?

# Staff Interview Format

Name: _____

Position: _____

Institution: _____

1. What type or types of inmates are most suitable for this facility? _____

2. What type or types of inmates can this facility handle? _____

3. Do you believe inmates should be initially classified as maximum and then gradually have their security reduced to medium and minimum or should inmates be directly classified to medium or minimum facilities? _____

4. How much time to release should an inmate have before he/she is placed in medium security? _____

   In minimum security? _____

5. What types of offenses should preclude an inmate from assignment to this institution? _____

6. What kinds of inmates present the greatest problems for you? _____

7. What circumstances do you consider important relative to considering the seriousness of an escape? _____

8. In evaluating an inmate's prior institutional records, what factors should be considered? _____

9. What preincarceration factors should be considered important relative to an inmates security status, e.g., employment, education? _____

10. What facility or facilities can best provide for the protection of vulnerable inmates and why? _____

11. What factors should be considered in identifying protective custody inmates? _____

12. Where should mentally retarded inmates be placed? _____

13. Where should inmates with a history of suicide attempts be placed? _____

14. Can this institution provide for inmates in the following psychological categories? If not, which institution can? _____

- Situational Anxiety
- Functional, but in need of psychological support
- Previously institutionalized or diagnosed for mental illness
- On medication
- Bizarre or withdrawn behavior

15. What ages (ranges) of inmates should be housed in this institution? _____

16. Do you believe that a security determination guideline would be beneficial in improving the classification process? Please list the possible advantages or disadvantages. _____

17. Do you believe that there should be more or less central office control over major classification decisions? E.g., custody increase or decrease, transfers, etc. _____

18. What changes would you make in classification if you were responsible for its overall operation? _____

19. What classification policies or procedures do you believed should be changed? ___

20. Which staff in your facility should have the most input into making classification decisions for inmates? ___

21. Do you perceive a conflict between classification and custody staff relative to classification actions? ___

22. Do you believe inmates should be classified on two levels (Institutional versus Public Risk) rather than the one level that is now being employed? ___

23. What overall recommendations do you have to improve the correctional system in Maryland? ___

24. What role does health services and social services play in the present classification system? What role should they play? ___

# Maryland Classification Study Questionnaire

# Security Personnel

The Maryland Legislature has requested the Governor's Commission on Law Enforcement and the Administration of Justice to oversee a comprehensive assessment of the Division of Corrections classification system. To accomplish this task it is important to obtain the viewpoints of staff who are impacted by classification such as security personnel as yourself.

Please complete the following questionnaire and return it to the appropriate classification representative at your institution. Thank you for your assistance.

If you have any questions, please address them to:

Robert A. Buchanan, President
Correctional Services Group, Inc.
Suite 3-South; 4149 Pennsylvania
Kansas City, Missouri 64111

CORRECTIONAL SERVICES GROUP

# Maryland DOC
# SECURITY LEVEL CRITERIA

| Level of Security | 1 | 2 | 3 | 4 | 5 | 6 |
|---|---|---|---|---|---|---|
| Perimeter | None | One fence or bldg. | Double fence | Double fence or single & other | Double fence or wall | Double fence or wall |
| Towers* | None or not manned | May have towers but manned less than 24 hrs. | May have towers but manned less than 24 hrs. | Yes -- manned full & part-time | Manned 24 hrs. | Manned 24 hrs. |
| and/or | | | | | | |
| External Patrol | No | No | Yes -- part-time | Yes | Yes | Yes |
| Detection Devices** | No | No | Yes | Yes | Yes | Yes |
| Housing | Open | Open to medium | Medium | Secure | Secure | Secure |
| Cells | Single & multiple + dorms | Single & multiple + dorms | Single & multiple + dorms | Single & multiple + dorms | Single & multiple + dorms | All single rooms -- some double bunking |
| Level of staffing per population size*** | Low | Low | Low to medium | Low to medium | Medium to high | High |
| Type of Custody | Community | Minimum | Medium, Minimum | Maximum, Medium | Maximum, Medium | Maximum |

* List number of towers.
** Please list on the back of this form, the types of devices and their general locations.
*** Ratio is estimated based on recognized standards

Person Completing Analysis

Facility

DEFINITIONS

## Security Level Criteria

Perimeter - This refers to the type of physical restraints that surround the institution. Important elements to note are:

- Distance of wall/fence from building;
- Height of wall/fence;
- Composition of wall/fence; and
- Type of security devices located on wall/fence, e.g., razor-ribbon wire.

Towers - This refers to the types and numbers of towers which are specifically designed to provide for surveillance of the inmate population. Important elements are:

- Location in relation to inmate housing units and activity areas;
- Location in relation to external barriers;
- Surveillance area covered by towers, including blind spots; and
- Armament contained in towers;

External Patrol - This refers to staff who are assigned to patrol the perimeter of the facility, generally on the outside of a wall/fence. Important elements to note are:

- Number of staff assigned;
- Coverage or how often staff monitor security points;
- Whehter patrol is on foot, horseback, motorized vehicle; and
- Armanent of staff.

Detection Devices - This refers to the use of automated equipment to detect inmates in nonsecure locations, monitor movement of inmates, to provide general coverage of inmates in cell units, activity areas, etc. Important elements to note are:

- Types of detection devices, e.g., audio/visual scanners (CCTV), microwave relays, etc.;
- Number and location of devices;
- Workability of devices; and
- Importance afforded by custody personnel

Housing - This refers to the type of living accomodations were inmates spend the majority of their time when not confined to their cells. Important elements to consider are:

- Size of the housing area;
- Blind spots in the housing area; and
- Number of inmates in the housing area per shift.

Cells - This refers to the actual living units where inmates sleep, etc. Important elements to note are:

- Number of inmates assigned to dormitories;

- Number of inmates assigned to multiple cells;
- Number of inmates double-celled;
- Types of security equipment used, e.g., electrically-operated doors, security sinks, etc.;
- Composition of cell walls, doors, etc.;
- Location of cells in relation to security posts.

Level of Staffing Per Population Size - This refers to ratio of staff, primarily custody personnel to the number of inmates in the institutions population. Important elements to note are:

- Total number of custody staff assigned to each shift; and
- Number of staff assigned to each area of the facility as well as the number of inmates assigned to each area.

INSTITUTIONAL CLASSIFICATION STAFF INTERVIEW
FORMAT

- Does the Division have a classification manual?

- Is it available to all classification staff?

- Is it reviewed at least annually and updated as necessary?

- Does the manual include:

  -- Detailed policies and procedures regarding initial classification and reclassification

  -- Classification team makeup, duties and responsibilities

  -- Team responsibilities regarding custody changes; job, vocational and program assignments

  -- Phases of an inmate's program that are subject to change through team action

  -- Procedures regarding inmate transfer and program changes

-- Content of classification reviews

- Do the policies/procedures governing inmate classification specify the criteria and procedures for determining and changing the status of an inmate?

- When inmates are received at this institution who (titles) conducts the initial classification meeting?

- Which of the following activities take place during the initial classification meeting?

( ) Job Assignments
( ) Education Assignments
( ) Institutional Program Plan Development
( ) Regular Reviews Scheduled
( ) Inmate Orientation
( ) Inmate Questions Answered
( ) Housing Assignments
( ) Visiting Lists Developed
( ) Other _____
(Please specify)

- Are the decisions made during this initial classification meeting subject to approval? Whose?

- What criteria are used to make institutional program assignments?

- During the initial classification meeting at the institution are inmates provided an explanation as to <u>why</u> they are being assigned to a particular housing unit, program, etc.?



- What roles do counselors/social workers play in the classification process?

- Is there a written plan that provides for the maximum involvement of inmates in their classification reviews?

- Is the inmate present during all classification hearings?

  -- If no, why not?

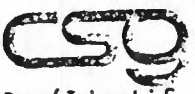
- Overall, what role does the inmate play in classification reviews?

- Is pre-institutional information used in reclassification activities? How is it used?

- Are the reclassification procedures the same for custody reduction as they are for custody increase? If no, how do they differ?

- How is an inmate's right to "due process" protected during reclassification hearings?

- How is the initial classification report prepared by RDCC staff used by institutional classification staff?



- How many separate classification teams operate at your institution? (Identify, by name)

- How many of these teams do you sit on, on a regular basis?

- Are there Division policies/procedures governing the assignment to a removal from administrative segregation?

  -- Please describe the procedures:

  Assignment

  Removal

- How often are inmates in administrative segregation reviewed? _____
  How is this done?

- Is a pre-parole report prepared prior to an inmates parole hearing each time he/she is heard by the Parole Commission?

  What does it include?

- Are inmates penalized in anyway for refusing to work? _____ If yes, what is done?

CLASSIFICATION MANPOWER

Interview Questions:

- What outside influences do you feel impact your ability to perform classification functions?

- What do you think can be done to reduce the impact of these outside influences?

- The following questions concern the quality of supervision provided by staff at your institution. Please indicate which you feel are adequate/inadequate and how you feel each could be improved:

  - Administrative direction

  - Interpretation of Division policies and procedures

  - In-service training

  - Performance of personnel functions, e.g., performance evaluations, handling of employee grievances, etc.

  - Distribution of case loads

  - Other

RDCC STAFF INTERVIEW

- What Division forms are completed by RDCC staff during diagnostic assessment and initial classification?

| Name of Form | Type of Information Collected |
|---|---|
| | |
| | |

- Identify the staff, by title, that usually make up the initial classification team?

- How many staff usually sit on an initial classification team hearing?

- How many staff must be present for a hearing to be held?

- Who (title) chairs the initial classification hearing?

- Which of the following classification team decisions are final?

| Decisions | Who Approves |
|---|---|
| ( ) Treatment Program Plan | |
| ( ) Institutional Assignment | |
| ( ) Custody Designation | |
| ( ) None of the Above | |
| ( ) Other _____ (Please specify) | |

- May an inmate appeal a decision of the initial classification team?

( ) No
( ) Yes; by what authority



- Describe the appeal procedure.

- How are special needs inmates identified?

- What provisions are made by the Division for such individuals?

- Is there a Division policy/procedure that addresses the identification of special needs inmates and their needs?

- Does the RDCC make an effort to obtain and use pre-institutional information, e.g., contact with the criminal system, participation in community activities, etc., in making initial classification decisions?

- How is this type of pre-institutional information used?

- Do the present bed space demands affect your ability to properly classify an inmate?

- (If Yes) In what way?

# Inmate Interview Format

Name: _____

Custody Level: _____

Institution: _____

1. What type or types of inmates are most suitable for this facility? _____

2. What type or types of inmates can this facility handle? _____

3. Do you believe inmates should be initially classified as maximum and then gradually have their security reduced to medium and minimum or should inmates be directly classified to medium or minimum facilities? _____

4. How much time to release should an inmate have before he/she is placed in medium security? _____

   In minimum security? _____

5. What types of offenses should preclude an inmate from assignment to this institution? _____

6. What kinds of inmates present the greatest problems for you? _____

7. What facility or facilities can best provide for the protection of vulnerable inmates and why? _____

8. What factors should be considered in identifying protective custody inmates? _____

CORRECTIONAL SERVICES GROUP

9. Where should mentally retarded inmates be placed? _____

10. Where should inmates with a history of suicide attempts be placed? _____

11. What ages (ranges) of inmates should be housed in this institution? _____

12. What classification policies or procedures do you believe should be changed? _____

13. Which staff do you believe should have the most input in making classification decisions about yourself and other inmates? _____

14. Do you believe inmates should be classified on two levels (Institutional versus Public Risk) rather than the one level that is now employed? _____

15. What overall recommendations do you have to improve the correctional system in Maryland? _____

16. What do you think is the role of classification staff at your facility? _____

# Inmate Survey

# Maryland Classification Study

This study is about the Maryland Division of Corrections classification system. The questionnaire asks for beliefs and opinions regarding this system. It is entirely voluntary and all answers will be kept confidential.

It is important that you answer all questions as honestly as possible. If you have questions, please address them at your earliest convenience to:

Robert A. Buchanan, President
Correctional Services Group, Inc.
Suite 3-South; 4149 Pennsylvania
Kansas City, Missouri 64111

CORRECTIONAL SERVICES GROUP

SECTION I - BACKGROUND QUESTIONS

1. Sex _____
   (0) Male
   (1) Female

2. Race _____
   (0) Black
   (1) Hispanic Origin
   (2) Native American
   (3) White
   (9) Other

3. Age _____

4. Offense(s) _____

5. Sentence Length _____

6. Education/Grades Completed _____

7. Date Entering Division _____

8. Current Custody Level _____

9. Number of Previous Times in Maryland Correctional System _____

10. Number of Times Incarcerated Elsewhere _____

11. Total Time (in months) Incarcerated _____

## SECTION II - PROCESS QUESTIONS

A. Initial Classification Process

1. Where were you initially assigned (institution) from the Reception, Diagnostic and Classification Center? _____

2. What custody level were you then? _____

3. Were you assigned to any special unit, e.g., protective custody, medical care, etc., at initial classification? _____

4. Did anyone explain the classification process to you at the Diagnostic Center? _____

5. Were you told why you were being assigned to your initial institution and custody level? _____

6. Do you believe you were given adequate opportunity to explain your needs during initial classification? _____

7. Did you provide classification staff with accurate information? _____

8. Did you attempt to answer all questions accurately on the various tests administered during initial classification? _____

9. Do you know what factors classification staff use to determine custody level and institutional assignment? _____

10. Were you satisfied with your initial assignment? _____ If not, where would you have preferred placement? _____

B. Institutional Classification

11. Were you reviewed by classification staff upon reception at this institution? _____

12. Do you know the procedure for changing your assignment, e.g., cell, program, job, etc.? _____ If yes, what is it? _____

13. Have you made any requests to change your assignment? _____ If yes, for what reasons? _____

14. For those requests not approved, did you receive explanations as to why they were denied? _____

15. How often do you see your counselor? _____ For what reasons? _____

16. What types of programs have you been involved in, e.g., educational, vocational training, counseling, etc.? _____

17. What types of programs do you want to be in? _____

18. Are you satisfied with your current custody level and institutional placement? _____ If not, what do you believe they should be? _____

19. Do you know the procedures for transfer to another institution? _____ To have your custody level reduced? _____

20. Do you know the factors/criteria that are considered for institutional transfer and custody change? _____

21. What factors do you believe should be considered in determining an inmate's custody level? _____

22. How many times have you been transferred? _____ For what reasons? _____

23. What would you recommend to improve the existing classification process? _____

# Inmate Profile Questionnaire

# General Instructions

In evaluating the existing classification system now employed by the Maryland Division of Corrections, it is important for Correctional Services Group to obtain information on the current inmate population. To do this, we are asking that you randomly identify ten (10) inmates on your caseload and then complete one form for each of the inmates. Should information not be available, please mark the corresponding item NA (not applicable).

Name: _____

Position: _____

Institution: _____

# Instruction Sheet

# Maryland DOC Inmate Profile

Please refer to the following definitions when completing the Inmate Profile Form:

1. Current Offense - Refers to the most severe of the offenses for which the individual was convicted and sentenced for this period of incarceration.

2. Current Sentence - This is the longest sentence specified by the court for which the inmate is now incarcerated.

3. Expected Length of Stay - This is computed by using length of sentence for the most serious current offense in months and multiplying by the average percent of the sentence generally served for that offense as determined by the Parole Commission Matrix.

4. Number and Type of Prior Commitments - This refers to any instance when the offender has been previously sentenced to a period of imprisonment, including suspended sentences, and a brief listing of the offenses for which such confinement was employed.

   E.g., 1974, Maryland Division of Corrections, Armed Robbery, 20 years.

5. History of Escapes or Attempts - History is defined as the individual's entire background of criminal convictions for escape or attempted escape. Emphasis should be on the number of offenses and type.

   E.g., 1976, Escaped from Eastern Pre-Release Center by failing to return from approved work assignment.

6. Alcohol/Drug Abuse - This refers to a chemical dependency, particularly as it may have precipitated the inmate's involvement in criminal activity. Special attention should be afforded this subject should substance abuse be a part of the inmate's lifestyle.

7. Confinement Behavior - This refers to the inmate's institutional adjustment since confined with emphasis on major and minor disciplinary violations; time spent in segregation and number of times custody has been increased.

8. Presence of Detainers - This includes a description of any holds by other jurisdictions which may or may not increase the inmate's custody time.

9. Involvement in Institutional Programs - This includes a list of all programs in which the inmate has participated and whether he/she has successfully completed them. This would include participation in MAP.

10. Special Needs - This refers to any special areas or problems this inmate may present or have such as the need for protective custody, special education programs, etc.

CORRECTIONAL SERVICES GROUP

# Maryland DOC Inmate Profile

Inmate Number: _____ Current Custody Level: _____

Institution: _____ Community Jurisdiction: _____

Age: _____ Sex: _____

Race: _____

1. Current Offense: _____
2. Current Sentence: _____
3. Expected Length of Sentence: _____
4. Number and Type of Prior Commitments: _____

(Use back of form if necessary)

5. History of Escape of Attempted Escape: _____

(Use back of form if necessary)

6. Alcohol/Drug Abuse: _____
7. Confinement Behavior: _____
8. Presence of Detainer(s): _____
9. Involvement in Institutional Programs: _____
10. Special Needs: _____

CORRECTIONAL SERVICES GROUP

11. In your opinion is this inmate assigned to the proper institution? _____ Yes _____ No

If no, to which institution do you believe he/she should be assigned and why? ___

_____

_____

12. In your opinion is this inmate in the proper security level? _____ Yes _____ No

If not, to which level do you believe he/she should be assigned and why? _____

_____

_____

13. In your opinion is this inmate an escape risk? _____ Yes _____ No

If yes, briefly state why and also state if he/she would be a risk to the public if the escape was successful. _____

_____

14. (For Non-Prerelease Facilities Only)
Was this inmate assigned to a prerelease previously? _____ Yes _____ No If yes,

why was he/she removed from the prerelease system? _____

_____

_____

15. Please include any other information on this inmate which you believe pertinent to this project: _____

_____

_____

# APPENDIX B

# SAMPLE PROGRESS NOTATION SYSTEM

## 1.2 CONCEPTUAL FRAMEWORK OF THE ISS SERVICE COORDINATION FUNCTION

The four concepts discussed below are central to an understanding of the ISS Service Coordination Function. These are:

- The role of the Service Coordinator
- The problem list
- The goal model
- The service plan

### SERVICE COORDINATOR

Service Coordination is the integrating principle of the ISS Service Coordination Function. It involves a concept which for many years has been associated with the practice of social case work and which in the ISS context is now broadened in scope and purpose. The broadened ISS concept holds that regardless of the number of services or service providers specified in the client's service plan, one individual, the Service Coordinator is responsible for ensuring that the services planned are delivered and, as a consequence, that the client's goal is achieved.

Service Coordination involves mutual agreement with the client with regard to the following elements: (1) the identification of problems for which the client is seeking help; (2) the determination with the client of his goal; (3) the selection of services required to resolve problems; and (4) the arrangement for the delivery of the required services.

The Service Coordinator has a continuing responsibility to make confirmation of services planned, to ensure that the client has begun the services on schedule, to monitor the progress being made toward resolution of each of the client's problems and his movement toward goal attainment, and to review the status of completed services. In addition, the Service Coordinator must continually assess the client's request or need for additional services. Ideally, he also has responsibility for assessing the outcome of a client's services after discharge (through the follow-through procedure) and to readmit the client for reprogramming or supportive services if indicated.

It is essential that the service plan thoughtfully reflect the needs indicated by the client's problem list and that the client's goal be attainable and realistic both in terms of content and time frame. This implies a trusting client/Service Coordinator interaction which enhances communication and increases client involvement in the service or treatment process.

The present status of human services in Kansas City and the very nature of the structure of the ISS Service Coordination Function indicates that many elements (steps) of the client's service plan will be provided outside of the specialized service field of the Service Coordination agency through many arrangements. It is even possible that a Service Coordinator will prepare a number of service plans in which all of the services are outside of the Service Coordination agency.

No matter who is to provide the service, however, the Service Coordinator maintains the primary responsibility to ensure that the services necessary to resolve problems and achieve goals are planned and delivered.

In addition to the above responsibilities, the Service Coordinator is the primary interface between client activity and the ISS information system. As such, he is responsible for recording activity related to the client and reporting it through the procedures specified in the ISS information system.

The final three concepts discussed form the basic content of the Service Coordinator's work.

THE PROBLEM LIST

The client's record should contain a thoroughly documented problem list. It is an "index" to the client's record and it must be formulated with care so that all significant client problems may be considered in the service plan.

The problem list is essentially an approach to data organization and a method of service coordination often over shadowed by the service plan. But the service plan and service provision records simply reveal the extent to which each problem is being addressed and resolved.

The effectiveness of even the best service plan is related directly to the precision and integrity with which the client's problems are defined.

Problems should be defined in as elementary terms as necessary. The client should be involved deeply in his problem identification since this serves to enhance communication and maximizes service efforts. The problem list should, therefore, include terms agreed on and understood by the client in the narrative to each problem, even though the Service Coordinator may later classify this narrative into less obvious terminology for computer entry. (The basic narrative will always be available at the Service Coordinator's agency for discussion with the client).

The list is composed of active and inactive problems. Active problems are those for which the client is seeking service and which, therefore, will be managed. Inactive problems are significant client problems which have been resolved in the past (and for which the client is not now seeking services). Such problems are noted so the Service Coordinator will be alert to their possible recurrence or influence during the current service period.

Active client problems fall into two categories: the first includes problems which simply must be resolved if the client is to achieve or maintain his desired goal; i.e., problems which are obstacles to achieving or maintaining the desired goal state. In the Goal Oriented Social Services model used by the State Division of Family Services (which will be discussed below in the section on "The Goal Model") problems included in this first category are referred to as barriers.

The second category includes problems which the client wishes resolved but are not obstacles to achieving or maintaining the desired goal state, i.e., the goal may be achieved even if the problem remains unresolved. The distinction is made to identify problems which should receive priority in the delivery of service, and for subsequent evaluation of service effectiveness.

As the problem is clarified, altered, dropped or resolved, the original problem list should be updated and dated accordingly. Problems may also be grouped together and expressed as a new problem. New problems which appear may also be added to the list.

Three subsequently prepared documents which conceptually are related directly to the problem list are (1) the service plan, (2) the progress note and (3) the attainment note (See Figure 3 for an illustration).

(1) SERVICE PLAN. An initial plan for the management (and possible further diagnosis) of each problem, keyed by number to the problem list, should be prepared after the problem list has been formulated and the client's goal established. Each active problem on the list should have its own service steps, numbered correspondingly, so an experienced reviewer can see at a glance whether the problem has a complete and reasonable plan. (The Service Plan will be discussed in further detail below).

(2) PROGRESS NOTES. Notes on the progress being made in the resolution of a client's problem are written from time-to-time during the client's service provision phase, either by the service provider or by the Service Coordinator. This practice has been formalized for record keeping purposes and is known as the "progress note."

The progress notes should be written in a form which relates directly to a specific problem on the client's list. Each note is preceded by the number of the problem to which it is addressed. This is an important aid in the management of the problem and guides the Service Coordinator in implementing and mofifying the service plan.

Progress Notes consist of (a) subjective data on progress supplied by the client or his representative (e.g., parent); (b) objective data which includes factual data about the client's problem: diagnostic results, test scores, and any behavior patterns which are being monitored in regard to the problem; (c) impressions which include Service Coordinator's service provider's impressions of progress being made in resolution of the problem, the comments of consultants used on the case, etc.; and (d) plans which are notes regarding future plans for managing the problem which may include new services to be added to the service plan, new strategies to be used, etc.

The use of progress notes by Service Coordinators is optional.

(3) ATTAINMENT NOTES. In addition to the overall responsibility for the management of the client's problem list and the coordination of the provision of services, the Service Coordinator is required to make an entry in the client's record every 60 days on the status of how near each problem is to resolution. (An entry is also made when the client is discharged.) This progress is estimated for each problem on a scale of 1 to 6 according to the following degrees of resolution:

6 = Problem solved
5 = Problem nearly solved
4 = Great deal of progress
3 = Some progress
2 = Very little progress
1 = No progress

Attainment Notes then are a summary, in numerical form, of the progress made in the resolution of a client's problem at the time of preparation.

THE GOAL MODEL

The intent of the ISS Service Coordination Function is to enable residents of Kansas City to attain or maintain the degree of personal self sufficiency to which they aspire, given their capabilities and responsibilities at a given time.

Therefore, the concept of a goal to be achieved or maintained by the client has been employed as (1) a general measure of whether an individual client has had a good service outcome and (2) as a mechanism for evaluating the impact of services on the overall client population.

The relationship between the client's goal and the client's problem list is a simple one and may be viewed from two opposite perspectives. As viewed from the Goal perspectives, the problem list contains a list of problems which must be overcome in order for the client to achieve or maintain his goal. From the goal perspective, these problems are regarded as "barriers" or obstacles which prevent a client from achieving or maintaining a desired goal state. Removal or control of these barriers is the reason for the utilization of human services. The concept of barrier is employed to make a distinction from a client's problems which do not impede progress toward his goal. For example, the fact that a handicapped client may not be able to get a job may be due to the problem that he lacks appropriate skill rather than the problem of being handicapped. Thus, lack of appropriate skill would be designated as the problem (barrier) against which services would be directed.

Likewise, the client's handicap might indicate that a problem or barrier of descrimination also exists and that services should also be planned for the removal of this barrier.

From the problem-list perspective, the goal may be viewed as the degree of personal sufficiency or state of the client after all of his problems are solved. As each problem is solved it can be viewed as having achieved one of the objectives (sub goals) which lead to full goal attainment.

GOAL CLASSIFICATION

To understand the overall nature of the goals to which the community's human service resources are being applied it is necessary to group goals into major classifications.

Federal regulations regarding social services contain a provision that federally supported services in state Family Services and Adult Services programs be related to goals. All states have complied with these regulations including the state of Missouri which has established a Goal Classification System for all social services they provide or purchase.

Because the state program impacts on a great percentage of the potential clients of The ISS Service Coordination Function and because it is anticipated there will be a substantial integration of state, city and private programs in the years to come (which will require a common language for planning and relating client services), the ISS Service Coordination Function will employ the state's goal system to classify clients' goals. Provision for reporting goal classification will be provided for in the information system.

The full state system is presented in the exhibit at the end of this section but generally it is divided into four goal categories:

Self-Support. To achieve and maintain for all individuals for whom it is feasible, the maximum level of employment and economic self-sufficiency.

Self-Care. To achieve and maintain for all individuals for whom it is appropriate maximum personal independence, self-determination and security in the home, including for children and youth the achievement of maximum potential for independent living.

Community Based Care. To secure and maintain for all individuals for whom it is appropriate, community-based care which approximates a home environment when living at home is not feasible, and institiutional care is not approporate.

Institutional Care. To secure appropriate institutional care for individuals for whom other forms of care are not feasible.*

The goal classification and problem-list are, therefore, related to clients in the following manner.

As each individual enters the Service Coordination agency the following steps occur: (1) using intake data and a personal interview the client's problems are identified and a problem-list is formulated; (2) the appropriate goal is determined; (3) problems on the list which are barriers to this goal are identified and other barriers identified during the process are added to the problem-list; and (4) service steps to resolve each of the problems are developed.

SERVICE PLAN

The service plan is the service delivery strategy through which the client's desired goal level will be achieved. It consists of the service steps required for the resolution of each problem on the problem-list. These steps contain the detailed information necessary to deliver the services; e.g., the type of service, the provider agency, dates, etc.

Perhaps the most important feature of the Service Plan is that its development requires client participation and concurrence in problem identification and service planning to achieve the mutually defined goal.

All services are to be arranged, and problems identified and recorded with client consent. This policy stems from the voluntary nature of the ISS Service Coordination Function and the concept of services as activities to resolve problems. If the client refuses to accept services, no service activity may occur.

A further client role in service planning is that of specifying which provider agencies involved in his service plan will have access to the information collected by his Service Coordination agency.

---

*The design of the information system will provide for the addition of other goal categories to the state system in the event they are established. For example, Title XX of the Social Security Act which will become effective October 1, 1975 established five goal categories for state service programs, one of which is not currently used in the Missouri system. The one not included is generally described as follows:

> Strengthening Family Life. To strengthen family life by providing (1) family planning services and (2) such defined family services as are necessary to prevent neglect, abuse, or exploitation of children or adults.

This category may be added to the ISS information system without any modification of the system by simply adding it to the goal codes.

## 4.43 PROGRESS NOTE FORM

PURPOSE

This form is used to record notes by Service Coordinators, service providers and case consultants relating to the progress being made toward the resolution of a specific problem appearing on the client's Problem List.

The Progress Note Form functions an an input document for the video terminal operator in agencies where Service Coordinators do not directly operate the terminals or from provider agencies without terminals. It will also function as a computer backup document for worker reference when video terminals are not available.

A particular Progress Note may also be updated using this form.

The information on this form is entered via the video terminal through the format of the Progress Note Display.

This is a two part form, with the original copy sent to the terminal operator and the second copy being retained by the worker. In the case of a copy being sent to the terminal operator from a service provider, the operator duplicates a hard copy of the display of the note after it is entered in the computer files and sends it to the Service Coordinator (worker) in charge of the case. The worker may review the hard copy and discard it.

FORM NUMBER

None Assigned

# PROGRESS NOTE FORM

1. CLIENT ID NO. _____

2. PROBLEM NO. ____ 3. IF UPDATE, GIVE PROGRESS NOTE # ____

4. DATE OF NOTE ____

5. NO. OF AGENCY FILING NOTE ____ 6. WORKER OR CONSULTANT _____

## COMMENTS

7. SUBJECTIVE-

8. OBJECTIVE-

9. IMPRESSION-

10. PLANS-

## Progress Note Form

The data on this report will be entered into the client's computerized records. After the name of each input item, therefore, a number (e.g., 15) appears in parentheses indicating the maximum number of characters that can be included on the report and subsequently entered in the computer. Specific instructions regarding the content of each item on the form are as follows. Items with * are required to be collected, others are optional.

ITEM NO. ITEM IDENTIFICATION

1 Client ID No. (9)

Enter the client's 9 digit ID Number.

2 Problem No. (3)

Enter the number of the problem (as it appears on the Problem List) which this progress note is addressing.

3 Progress Note No. (3)

If this is a new progress note being added to the client's records, the computer will assign this 3 digit number. If this is an action to update an existing progress note, the number will be displayed in this field.

4 Date of Note (6)

Enter the date the progress note is being entered. Use the standard format: MM/DD/YY.

5 No. of Agency Filing Note. (6)

Enter the 6 digit identification number of the agency filing this progress note.

6 Worker or Consultant (25)

Enter the name of the worker or case consultant who is the author of this progress note.

7 Subjective (67)

Enter in this field the subjective (including symptomatic data) presented by the client or his representative (e.g., a parent); i.e., enter the client's story.

8 Objective (68)

Enter in this field factual data about the client: diagnostic results, test scores, acting out behavior, other behavior (e.g., "client still unable to prepare own meals.").

ITEM NO. ITEM IDENTIFICATION

9 Impressions (66)

Enter in this field the author's impressions of the client's progress or response to service, the opinions of expert consultants or other informed observers. Such comments should be made in light of the treatment or services for the subject problem which are underway.

10 Plans (72)

Enter in this field notes regarding future plans for the management of this problem and even plans regarding other members of the family as they relate to the client's problem. For example: "Client needs support of Homemaker for two days per week. Needs child care help. See ABC Center." Generally, services mentioned in "plans" should become service steps at a later point, as appropriate.

# APPENDIX C

# ADMINISTRATIVE SEGREGATION

# INSTRUMENT

I. PHYSICAL ASSAULT(S) ON STAFF

Report only instances in which a documented assault occurred or was averted by physical restraint.

Number of physical assaults on staff _____ x 5 points for each assault = _____ _____

Weapon used in assault _____ x 3 points for each such instance = _____ _____

Number of victims _____ (add 3 points if more than one victim was involved). Total points _____ _____

Seriousness of assault(s):
_____ Death (add 5 points for each occurrence) _____ _____
_____ Hospitalization [admitted as a patient] (3 points for each occurrence _____ _____
_____ Medical attention required (add 1 point for each occurrence) _____ _____

Total Points for Section I

II. PHYSICAL ASSAULTS ON INMATES

Report only instances in which a documented assault occurred or was averted by physical restraint.

Number of physical assaults (including sexual assaults) on inmates _____ x 3 points for each assault = _____ _____

Weapon used in assault _____ x 1 point for each such instance = _____ _____

Number of victims _____ (add 2 points if more than one victim was involved). Total points _____ _____

Seriousness of assault(s):
_____ Death (add 3 points for each occurrence) _____ _____
_____ Hospitalization [admitted as a patient] (2 points for each occurrence _____ _____
_____ Medical attention required (add 1 point for each occurrence) _____ _____

Total Points for Section II

III. ESCAPES/ATTEMPTED ESCAPES

Report only documented instances.

Escapes from a minimum security setting _____ x 1 point for each occurrence _____ _____

Escapes from a medium security setting _____ x 2 points for each occurrence _____ _____

Escapes from a maximum security setting _____ x 3 points for each occurrence _____ _____

Violence involved in escape _____ x 3 points for each occurrence _____ _____

Total Points for Section III

IV. POSSESSION/TRAFFICKING OF CONTRABAND

Report only documented instances

Number of incidents involving contraband _____ x 1 point for each occurrence = _____ _____

_____ Drugs (add 1 point for each occurrence) _____ _____
_____ Weapons (add 2 points for each occurrence) _____ _____
_____ Trafficking (add 1 point for each occurrence) _____ _____
_____ Death/Serious Injury (add 2 points for each instance where contraband resulted in death or serious injury) _____ _____

Total Points for Section IV

V. INITIATING DISTURBANCE/UNREST

Report only documented instances

Number of incidents _____ x 3 points for each occurrence = _____ _____

_____ Riot (add 3 points for each occurrence) _____ _____
_____ Strike/sit in (add 1 point for each occurrence) _____ _____

Seriousness of Actions
_____ Staff injuries (add 4 points for each occurrence) _____ _____
_____ Inmate injuries (add 2 points for each occurrence) _____ _____
_____ Damage to buildings, equipment (add 1 point for each occurrence) _____ _____

Total Points for Section V

VI. SERIOUS RULE VIOLATIONS

Report only documented instances

Number of major disciplinary violations not included in Sections 1 through V above _____x 1 point for each violation = _____ _____

Total Points for Section VI

Total Points

# APPENDIX D

# CUSTODY DETERMINATION INSTRUMENT

# SCORING INSTRUCTIONS

# MARYLAND DIVISION OF CORRECTION
# CUSTODY DETERMINATION INSTRUMENT
# INITIAL CLASSIFICATION SCORE SHEET

Inmate Name: _____
Inmate Number: _____
Committing Status: _____
Current Offense: _____
Sentence Length: _____
Date Received: _____
Date of Birth: _____
Race/Ethnic Status: _____

## PUBLIC RISK FACTORS

1. Degree of Violence in Current Offense ____
2. Weapon Used in Current Offense ____
   Type ____
3. Time to Earliest Release ____
4. Prior Escapes/Attempted Escapes
   a. Number of Walkoffs _____ x 4 = ____
   b. Number of Escapes from Secure Perimeter _____ x 8 = ____
   c. Number of Escapes with Force* _____ x 16 = ____
5. Holds and Detainers
   a. Number of Holds where long new prison term is likely _____ x 6 = ____
   b. Number of holds where moderate prison term is likely _____ x 3 = ____
   c. Number of holds where parole or probation hold is likely _____ x 1 = ____
6. Previous Confinements
   a. For offense(s) where violence or threat of violence was involved _____ x 3 = ____
   b. For offense(s) where violence was not involved _____ x 1 = ____
7. Incidents while on probation/parole _____ x 2 = ____
8. Stability in Community
   a. Under 25 years old at Reception + 2 = ____
   b. Never married or marriage not intact + 2 = ____
   c. Not high school graduate or GED + 2 = ____
   d. Not more than 4 months with one employer + 2 = ____
   e. Not honorable discharge from military + 2 = ____

TOTAL PUBLIC RISK (P) SCORE ____

INMATES CUSTODY LEVEL [ ]

Classification Counselor _____

Classification Supervisor _____

## INSTITUTIONAL RISK FACTORS

### UNFAVORABLE PRIOR BEHAVIOR

1. Escape during last confinement _____ x 8 = ____
2. Number of assaults on staff _____ x 6 = ____
3. Number of assaults on inmates _____ x 3 = ____
4. Number of instances smuggling/trafficking in drugs _____ x 2 = ____
5. Number of possessions of a deadly weapon _____ x 4 = ____
6. Number of incidents inciting a disturbance _____ x 4 = ____
7. Number of other major disciplinary violations during last year of confinement _____ x 3 = ____

TOTAL UNFAVORABLE BEHAVIOR SCORE (____)

### FAVORABLE PRIOR BEHAVIOR

8. No major disciplinary violations during last year of confinement - 4 = ____
9. Successful adjustment to at least 3 months of C-1 custody level or 6 months of C-2 custody level during last year of confinement - 4 = ____
10. Above average program (work/school) progress during last year of confinement - 3 = ____
11. Successful adjustment on unsuspended community leaves during last year of confimenet - 4 = ____

TOTAL FAVORABLE BEHAVIOR SCORE (____)

TOTAL UNFAVORABLE BEHAVIOR SCORE ____

MINUS TOTAL FAVORABLE BEHAVIOR SCORE ____

= INSTITUTIONAL RISK (I) SCORE ____

### OTHER CHARACTERISTICS

___ Notoriety of crime(s) or criminal
___ Sophistication of crime(s) or criminal
___ Pattern of impulsive or callous violence
___ Gang affiliation
___ Agressive/overt homosexual
___ Family requests protection
___ Vulnerability
___ Suicidal
___ Enemies
___ Psychological Instability
___ Medical and health concern
___ Riot leader

Comments: _____

MARYLAND DIVISION OF CORRECTION
INITIAL CLASSIFICATION SCORE SHEET

INSTRUCTIONS

This form is to be completed to reflect the status of each new offender at the time of arrival at the RDCC for the current commitment or parole violation. Information necessary to complete the form is to be derived from relevant documents, including the Commitment Order, Presentence Investigation Report, State's Version of the Offense, Prior DOC records, etc.

Inmate Name: Enter the last name first, followed by first name and middle initial

Inmate Number: Enter the inmate's new DOC number

Committing Status: Enter whether inmate's commitment status is as a new commitment, parole violator or parole violator with a new commitment

Current Offense: Enter, in the case of multiple offenses or counts, the most serious offense as listed on the Commitment Order

Sentence Length: Enter total sentence length from Commitment order

Date Received: Enter date inmate was formally received at the RDCC

Date of Birth: Enter day, month, and year of birth

Race/Ethnic Status: Enter appropriate response based on the offender's self-report and Admission Summary verification

PUBLIC RISK FACTORS

1. Degree of violence in current offense: Enter one of the following:

   0 = None
   1 = Threat
   3 = Injury (requires treatment on outpatient basis)
   5 = Serious injury (requires treatment on an inpatient basis)
   8 = Death

2. Weapon used in current offense: Enter one of the following scores:

   0 = None
   2 = Weapon involved

   Definitions

   Weapon: Operable firearm with ammunition or with ammunition in inmate's possession; knife or bladed instrument; dangerous instrument (an instrument that under the circumstances in which it was used or threatened to be used is readily capable of causing dealth of physical injury); explosives, incendiaries, etc.

   Involved: In possession of the weapon at time of crime.

3. Time to Earliest Release: Enter one of the following scores:

| Time | Score |
|---|---|
| 0 - 12 months | 1 |
| 13 - 24 months | 2 |
| 25 - 36 months | 3 |
| 37 - 48 months | 4 |
| 49 - 60 months | 5 |
| 61+ months | 6 |

4. Prior Escapes/Attempted Escapes: Count only escapes that occurred in last ten years:

a. Refers to the failure to return from a community leave, work release, medical furlough, walking away from a Pre-Release Unit, escapes from custody where there was no active supervision, etc.

b. Refers to escape from a facility with secure or armed perimeter

c. Includes threat of force or taking a hostage

5. Holds and Detainers:

a. Evaluate and score if likely to result in new prison sentence greater than 5 years or actual deportation

b. Evaluate and score if likely to result in new prison of less than 5 years

c. Evaluate and score if likely to result in simple parole or probation violation

6. Previous Confinements:

a. Enter score for each prior incarceration for an offense(s) where violence or threat of violence was employed

b. Enter score for each prior confinement for an offense where no violence was employed

7. Incidents while on probation/parole:

| Incident | Score |
|---|---|
| None | 0 |
| Technical violation of probation/parole Rules | 1 |
| Misdemeanant conviction while on probation/parole | 2 |
| Felony Conviction while on proation/parole | 4 |

8. Stability: (Enter 2 points for each verified statement)

a. Enter age listed on Admission Summary

b. Legal or common-law marriage prior to current confinement of at least one year

c. Include diploma or GED during a prior incarceration

d. Include self-employment and seasonal work such as construction

e. Generally restricted to dishonorable discharge. Do not code if there is a good probability that the dishonorable discharge could be upgraded to honorable.

TOTAL PUBLIC RISK (P) SCORE

Add the points for items 1 through 8 and enter.

- Refer to Scale below to determine inmate's P level:

| P Level | Point Range |
|---|---|
| $P_1$ | 0 - 5 points |
| $P_2$ | 6 - 10 points |
| $P_3$ | 11 - 15 points |
| $P_4$ | 15+ points |

INSTITUTIONAL RISK FACTORS

Unfavorable Prior Behavior

1. Escape(s) during last confinement: Disregard escapes where there has been one intervening successful year in minimum custody up to release or the escape is more than 10 years old or when the inmate has spend more than 5 continuous years without incarceration

2. Number of assaults on staff: Include physical assaults were criminal prosecution did or should nave taken place

3. Number of assaults on inmates: Include assaults other than mutual fights. Would typically involve use of a weapon or group attack

4. Number of Instances smuggling/trafficking in drugs: Include instances where inmate is part of an operation smuggling drugs or other such contraband into institution for distribution and sale. This does not include possession of small quantitites for personal use

5. Number of Possessions of a deadly weapon: Include manufacturing or possessing a deadly weapon with use or apparent intent to use

6. Number of incidents of inciting a disturbance: Include incidents where inmate assumed an active role or served as a leader in a disturbance, riot or group racial incident.

7. Number of other major disciplinary violations: Include here all other major infractions which occurred during last year of confinement which were not included in items 1 through 6.

Total Unfavorable Behavior Score

Add up the numbers entered for items 1 through 7 and enter here

Favorable Prior Behavior

8. No major disciplinary violations: Includes confinement within other correctional agencies. Exclude minor infractions

9. Successful adjustment to nonsecure environment: Score -4 points for either successful adjustment to C-1 for last 3 months or C-2 for last 6 months. Subtract an additional point for each respective successive 3 or 6 months period

10. Above average program progress: Include any combination of activities equal to a steady full time program

11. Successful adjustment on community leaves: Score -4 points for successful adjustment to unsupervised community leaves.

Total Favorable Prior Behavior: Add items 8 through 11 and enter total

Total Unfavorable Prior Behavior: Enter total from above

Minus Total Favorable Behavior: Subtract Favorable Behavior Score from Unfavorable to determine Public Risk Score - Refer to Scale below to determine "I" level.

| I Level | Point Range |
|---|---|
| $I_1$ | 0 - 2 points |
| $I_2$ | 3 - 5 points |
| $I_3$ | 6 - 8 points |
| $I_4$ | 9+ points |

## Total Custody Level (C) Score

An inmate's overall custody or "C" score is determined by observing where his or her I and P scores intersect on the following matrix.

| | $P_1$ | $P_2$ | $P_3$ | $P_4$ |
|---|---|---|---|---|
| $I_1$ | $C_1$ | $C_2$ | $C_2$ | $C_3$ |
| $I_2$ | $C_2$ | $C_2$ | $C_3$ | $C_4$ |
| $I_3$ | $C_2$ | $C_2$ | $C_3$ | $C_4$ |
| $I_4$ | $C_3$ | $C_3$ | $C_4$ | $C_4$ |

# MARYLAND DIVISION OF CORRECTION
# INSTITUTIONAL CLASSIFICATION SCORE SHEET

Inmate Name: _____
Inmate Number: _____
DOC Institution: _____
Present Institutional Assignment: _____

Present Custody Level: _____
Present I Score: _____ Present P Score: _____
Last Previous Institution: _____
Date of Last Review: _____

INCARCERATION BEHAVIOR FOR PRESENT OFFENSE
(Institutional Risk*)

FOR LAST SIX MONTHS OF CONFINEMENT

Unfavorable Behavior During Current Sentence

1. Number of escapes during current DOC term
   a. Number of walkoffs _____ x 4 = ____
   b. Number of escapes from a secure perimeter _____ x 8 = ____
   c. Number of escapes with force _____ x 16 = ____
2. Number of physical assaults on staff _____ x 6 = ____
3. Number of physical assaults on inmates _____ x 3 = ____
4. Number of instances smuggling/trafficking drugs _____ x 2 = ____
5. Number of possessions of a deadly weapon _____ x 4 = ____
6. Number of instances inciting a disturbance _____ x 4 = ____
7. Psychological stability of the inmate ____
8. Number of other major disciplinary violations _____ x 3 = ____

Total Unfavorable Score ____

Favorable Behavior During Current Sentence

10. No Major disciplinary violations +4 = ____
11. Successful adjustment to at least 3 months continuous C-1 Custody Level or 6 months of C-2 Custody Level +4 = ____
12. Above average program (work/school/vocational training) programs +3 = ____
13. Successful adjustment on unsupervised community leaves +4 = ____

Total Favorable Score ____

Computation of Institutional Risk Classification Score

1. Net Change - Unfavorable Score less Favorable Score ____
2. Prior Institutional Risk (I) Score ____

   Adjusted I Score ____
3. Change in "I" Risk (Yes/No); New Score ____
4. Change in "C" Score (Yes/No); New Score ____

* This score sheet depicts the method that institutional classification personnel would employ to determine an inmate's revised Institutional Risk Score during semi-annual reclassification reviews. A similar scoring format would be used to determine an inmate's revsed Public Risk Score.

MARYLAND DIVISION OF CORRECTION
INSTITUTIONAL CLASSIFICATION SCORE SHEET

INSTRUCTIONS

This form is to be completed to provide information about the inmate's behavior during the current sentence from the date of admission to the present.

Inmate Name: Enter last name first, followed by first name and middle initial

Inmate Number: Enter inmate's DOC number

DOC Institution: Enter the correctional center or Pre-Release Unit to which the inmate has been assigned

Present Institutional Assignment: Enter the inmate's assignment (work/educational-vocational) within the facility

Present Custody Level: Enter the inmate's current custody status

Present "I" Score: Enter the inmate's current Institutional Risk Score

Present "P" Score: Enter the inmate's current Public Risk Score

Last Previous Institution: Enter inmate's last DOC institution prior to present assignment

Date of Last Review: Enter day, month and year of last reclassifcaiton hearing

SCORING OF UNFAVORABLE BEHAVIOR DURING CURRENT SENTENCE

(Only those behaviors occurring during the 6 month period since the most recent Instituional Review should be included)

1. Number of escapes during current DOC term:

   a. Refers to the failure to return from a community leave, work release, medical furlough, walking away from a Pre-Release Unit, escapes from custody where there was no active supervision, etc.

   b. Refers to escape from a facility with secure or armed perimeter.

   c. Includes threat of force or taking a hostage

2. Number of assaults on staff: Include physical assaults where criminal prosecution did or should have taken place.

3. Number of assaults on inmates: Include assaults other than mutual fights. Would typically involve use of a weapon or group attack.

4. Number of instances smuggling/trafficking in drugs: Include instances where inmate is part of an operation smuggling drugs or other such contraband into institution for distribution and sale. This does not include possession of small quantitites for personal use.

5. Number of possessions of a deadly weapon: Include manufacturing or possessing a deadly weapon with use or apparent intent to use

6. Number of includents inciting a disturbance: Include incidents where inmate assumed an active role or served as a leader in a disturbance, riot or group racial incident.

7. Psychological stability of inmate: Enter 0 for no problems; 1 for some emotional problems; and 2 for serious emotional problems.

8. Number of other major disciplinary violations: Include here all other major infractions which occurred during last year of confinement which were not included in items 1 through 6

9. Number of minor disciplinary violations: Count only those incidents which have resulted in a disciplinary action

Total Unfavorable Score: Add items 1 through 9 and enter total

FAVORABLE PRIOR BEHAVIOR

10. No major disciplinary violations: Includes confinement within other correctional agencies. Exclude minor infractions.

11. Successful adjustment to nonsecure environment: Score -4 points for either successful adjustment to C-1 for last 3 months or C-2 for last 6 months. Subtract an additional point for each respective 3 or 6 month period.

12. Above average program progress: Include any combination of activities equal to a steady full-time program

13. Successful adjustment on community leaves: Score +4 points for successful adjustment on unsupervised community leave.

Total Favorable Score: Add items 10 through 13 and enter total

# APPENDIX E

# REVISED CUSTODY FORMAT

# DATA GATHERING

# SURVEY

I. CUSTODY DESIGNATION

A. NAME AND INSTITUTION (NUMBER) Age B / W Other(list)

_____

B. CUSTODY SCORING

Type of Detainer

0 = None
1 = Lowest/low moderate
3 = Moderate
5 = High
7 = Greatest

Detail

Severity of Current Offense

0 = Lowest
1 = Low Moderate
3 = Moderate
5 = High
7 = Greatest

Crime

Sentence Begins

Expected Length of Incarceration

0 = 0 - 12 months
1 = 13 - 59 months
3 = 60 - 83 months
5 = 84 plus months

List of Crimes + Dates

Type of Prior Commitments

0 = None
1 = Minor
3 = Serious

History of Escapes or Attempts

0 = None
1 = Past, Minor
3 = Recent Minor
5 = Past , Serious
7 = Recent, Serious

(Detail)

History of Violence

0 = None
1 = Past Minor
3 = Recent Minor
5 = Past Serious
7 = Recent Serious

SECURITY TOTAL _____

Security Level C-1 = 0 - 10 points
C-2 = 11 - 15 points
C-3 = 16 - 22 points
C-4 = 23+ points

List of Disciplinaries and Dates of Infraction with Segregation Time

OTHER CONSIDERATIONS

a. = Medical b = Psychiatric c. Aggressive Sexual d. Gov. Threat

---

Percentage of Time Served

3 = 0 thru 25%

4 = 26 thru 75%

5 = 76 thru 90%

6 = 91 plus %

Involvement with Drugs and Alcohol

2 = Current

3 = Past

4 = Never

Mental/Psychological Stability

2 = Unfavorable

4 = No referral or favorable

Type of Most Serious Disciplinary Report (Last 12 months)

1 = Greatest

2 = High

3 = Moderate

4 = Low Moderate

5 = None

Frequency of Disciplinary Reports (Last 12 months)

0 = 10 plus

1 = 6 thru 9

2 = 2 thru 5

3 = 0 thru 1

Responsibility Inmate has Demonstrated

2 = Poor

3 = Average

4 = Good

Family/Community Ties

3 = None or Minimal

4 = Average or Good

If Eligible for Security Level 1, are Medical and Dental Records Clear?

Y = Yes

N = No

| PRESENT SECURITY LEVEL | CONSIDER INCREASE | CONSIDER DECREASE | CONTINUE PRESENT CUSTODY |
|---|---|---|---|
| C-1 | 13 - 19 | 23 - 30 | 20 - 22 |
| C-2 | 13 - 19 | 24 - 30 | 20 - 23 |
| C-3 | 13 - 19 | 25 - 30 | 20 - 24 |
| C-4 | 13 - 19 | 27 - 30 | 20 - 26 |

1. Type of Detainer

Enter the appropriate number of points in the box in the right-hand column to reflect detainer status. Refer to the Severity of Offense Scale section. Assign and enter the highest number of points appropriate. Determination is based on the nature of the charge of the most serious lodged detainer. Frequency, sentence length, and whether charge is open or adjudicated are not considered. If law enforcement officials indicate an intent to lodge, treat as lodged. Treat state sentences as detainers only if it is expected that the sentence will exceed the federal sentence. Serving consecutive sentences is not to be considered as detainer status.

| Points | Detainer |
|---|---|
| 0 | None |
| 1 | Lowest and Low Moderate Severity |
| 3 | Moderate Severity |
| 5 | High Severity |
| 7 | Greatest Severity |

Note: When an individual has two or more detainers, score highest rated detainer only.

2. Severity of Current Offense

Enter the appropriate number of points in the box in the right-hand column to reflect the severity of the offense. The severity is determined by the Scale in Severity of Offense section. "Current" refers to the most severe of the offenses for which the individual was convicted and sentenced for this period of incarceration.

| Points | Severity |
|---|---|
| 0 | Lowest |
| 1 | Low Moderate |
| 3 | Moderate |
| 5 | High |
| 7 | Greatest |

Example: Individual convicted of two counts of Breaking and Entering (Moderate), and one count of arson (High), use High = 5 points; write 5 points in the right-hand column.

3. Expected Length of Incarceration

Enter the appropriate code reflecting the expected length of incarceration in the right-hand column. This is completed by using length of sentence for current offense (if sentence expressed as a range, use highest number--e.g., 2-5 years would be considered as 5 years) and multiplying by the average percent (%) of the sentence generally served for that particular severity category of offense as determined by the Severity of Offense Scale. The Expected Length of Incarceration Scale in Appendix E reflects percentage of time served in the Federal system, yet this percentage may vary from state to state.

| Points | Expected Length |
|---|---|
| 0 | 0-12 months |
| 1 | 13-59 months |
| 3 | 60-83 months |
| 5 | 84-plus months |

Example: Utilizing the Federal system percentages, an individual convicted of Breaking and Entry (Moderate = 56%) and sentenced to 8 years; 8 x 12 months = 96 months x 56% = 53.76 = 1 point. Write "1" in the box in the right-hand column.

Note: Life sentence equals 45 years or 540 months = 5 points, aggregate consecutive sentences.

4. Type of Prior Commitments

In the right-hand column, enter the appropriate number of points reflecting cateogry of prior commitment history. This is determined by the kind of prior institution experience during criminal career and is based on the nature of the most severe offense which resulted in commitment. Commitment is defined as any time for which individual has been sentenced to confinement. Minor = Lowest and Low Moderate offenses which resulted in confinement. Serious = all offenses in the Moderate, High, and Greatest categories which result in incarceration. See Severity of Offense Scale.

| Scale | Type |
|---|---|
| 0 | None |
| 1 | Minor |
| 3 | Serious |

Example: If an individual has a previous incarceration for a crime which falls in the High category on the Severity of Offense Scale, such a prior incarceration would be considered Serious = 3 points. Write "3" in the box in the right-hand column.

5. History of Escape or Attempts (See also section, Criteria for Minimum Security Placement)

Enter the appropriate number of points in the right-hand column to reflect the escape history of the individual. History is defined as the individual's entire background of criminal convictions, excluding current offense. Escapes from institutions are to be recognized if the inmate was found guilty of the escape or attempt by an institutional discipline committee, regardless of the Prosecution and Conviction status of the case. Additionally, consideration is to be given to behavior relating to the current offense (such as flight to avoid prosecution) if reported in the Pre-Sentence Investigation Report. If more than one escape attempt, use most severe.

| Points | History | Definitions |
|---|---|---|
| 0 | None | No escapes. |
| 1 | Past Minor | An escape more than five years agoe from an open institution or program (e.g., camp, work release, furlough) not involving any actual or threat of violence. Also includes flight to avoid pending charges, if documented. |
| 3 | Recent Minor | An escape within the last five years from an open institution or program (e.g., camp, work release, furlough) not involving any actual or threat of violence. Also includes flight to avoid pending charges, if documented. |
| 5 | Past Serious | An escape more than five years ago from closed confinement, with or without threat of violence. Also includes escape from open facility or program <u>with</u> actual or threat of violence. |
| 7 | Recent Serious | An escape within the last five years from closed confinement, with or without threat of violence. Also includes escape from open facility or program <u>with</u> actual or threat of violence. |

<u>Example</u>: Individual who jumped bail on current offense (Recent Minor) and who six years ago escaped a county jail by sawing through the bars (Past Serious). Use Past Serious = 5 points. Write "5" in the box in the right-hand column.

6. <u>History of Violence</u>

Enter the number of points reflecting the appropriate category in the right-hand column. History of violence is defined as the individual's entire background of criminal conviction, <u>excluding</u> current offense. However, institution discipline committee findings of guilt are to be recognized regardless of prosecution and conviction status, if known. Additionally,

consideration should be given to behavior relating to the current offense. Severity of violence is defined according to the degree of seriousness of the act which resulted in a fine or conviction. If more than one incident of violence, use most severe.

| Points | History | Definitions |
|---|---|---|
| 0 | None | No violence. |
| 1 | Past Minor | Acts occurring more than five years ago involving persons or property which resulted in fines or misdemeanant convictions (e.g., simple fights, domestic squabbles). |
| 3 | Recent Minor | Acts within the last five years involving persons or property which resulted in fines or misdemeanant convictions (e.g., simple fights, domestic squabbles). |
| 5 | Past Serious | Acts occurring more than five years ago involving persons or property which resulted in felony conviction (e.g., assaults, intimidation involving a weapon, incidents involving arson or explosives, etc.) |
| 7 | Recent Serious | Acts within the last five years involving persons or property which resulted in felony conviction (e.g., assaults, intimidation involving a weapon, incidents involving arson or explosives, etc.) |

Example: If an individual has a history of being fined for drunken fights while an adolescent--12 years ago--this would rate as Past Minor, and "1" would be entered in the right-hand column.

7. Special Considerations

Medical: An individual may need special consideration if s/he has medical problems that cannot be treated at an institution that normally would have been designated for confinement.

Psychiatric: Information relating that the individual needs special psychiatric assistance must be evaluated, and, in those cases, where appropriate, a designation to an appropriate security level facility with a psychologist/psychiatrist must be affected.

Aggressive Sexual Behavior: If an individual has a history of or was committed for a crime involving aggressive sexual behavior, s/he may not be appropriate for certain community custody placements.

Threats to Government Officials: Offenders convicted of threats of violence to government officials cannot be assigned to camps or military bases. (These cases will be referred for CMC inclusion.)

8. Security Level

Enter the number representing the total score for the appropriate security level. The Security Point Total is used to determine the inmate's appropriate security level according to the following:

| Points | Security Level |
|---|---|
| 0 - 10 | C-1 |
| 11 - 15 | C-2 |
| 16 - 22 | C-3 |
| 23+ | C-4 |

Example: If the security total is 20 points, the security level would be "C-3" since security level "C-3" has a point range from 16 to 22 points

# CUSTODY SCORING

## 1. Percentage of Time Served

Enter in the right-hand column one number of points that reflecs the percentage of sentence the inmate has already served on present sentence (at time of review) by the number of months of incarceration projected (Number 3 of Section A); if appropriate, give credit for jail time.

| Points | Percent of Time Served |
|---|---|
| 3 | 0 through 25% |
| 4 | 26 through 75% |
| 5 | 76 through 90% |
| 6 | 91% plus |

## 2. Involvement with Drugs and Alcohol

Enter in the right-hand column one appropriate number of points reflecting drug and alcohol abuse. This concerns any past or present documented abuse, including trafficking; "Past" refers to any documented history, including current offense during the past five years. "Current" refers to any documented use during this period of incarceration.

| Points | Involvement |
|---|---|
| 2 | Current |
| 3 | Past |
| 4 | Never (or more than five years ago) |

## 3. Mental/Psychological Stability

Enter one appropriate number of points in the right-hand column reflecting the inmate's status in this category. This is based on most current (within past year) psychological/ psychiatric report regarding inmate's degree of mental stability.

The conclusion should be clearly stated in the report and is to be interpreted in light of whether or not inmate can handle less custody/security status. If Unfavorable, report must be recent (within last year) and documented by specific behavior occurrences. Unfavorable report means most current report does contain a finding that the individual shows evidence of serious mental instability. A Favorable report means no finding of serious mental instability in most current report. No Referral means the case was not referred.

| Points | Stability |
|---|---|
| 2 | Unfavorable |
| 4 | No Referral or Favorable |

4. Type Disciplinary Report(s)

Enter the points which reflect the type of most serious disciplinary report. This is determined by using the Disciplinary Severity Scale. Points are assigned based on the one most severe disciplinary report for which inmate has been found "guilty" by either the UDC or IDC during the past 12 months.

| Points | Type of Disciplinary Report |
|---|---|
| 1 | Greatest Severity |
| 2 | High Severity |
| 3 | Moderate Severity |
| 4 | Low Moderate Severity |
| 5 | None |

Example: In addition to being found guilty of "Being Intoxicated" (moderate), this individual was also found guilty of "Tampering with a Lock" (High). Use High as the one most serious and record "2" in the box in the right-hand column.

5. Frequency of Disciplinary Reports

Enter one appropriate number of points in the right-hand column that reflects the frequency of disciplinary reports. This is determined by assigning points based on the number of disciplinary reports for which the inmate has been found "guilty" during the last 12 months.

| Points | Frequency (Last 12 Months) |
|---|---|
| 0 | 10 plus |
| 1 | 6 through 9 |
| 2 | 2 through 5 |
| 3 | 0 through 1 |

Example: Inmate had two "guilty" findings; enter "2" in right-hand column.

6. Responsibility Inmate Has Demonstrated

Enter one appropriate number of points reflecting the inmate's demonstrated level of responsibility during the past 12 months. This is based on the inmate's general demeanor as reflected in peer group associates, attitude, degree of program involvement, level of dependability, and nature of interactions with staff and other inmates. Poor, Average, and Good reflect the team's judgment based on available program reports.

| Points | Responsibility (Last 12 Months) |
|---|---|
| 2 | Poor |
| 3 | Average |
| 4 | Good |

Example: If the team judged the inmate to have demonstrated a poor level of responsibility, "2" would be entered in the box in the right-hand column.

7. Family/Community Ties

Enter one number of points in the right-hand column that reflect the level of family/community ties. This is determined by assigning points based on established and continuing family/community ties, which includes consideration of: Current marital status or nature of common-law relationship; nature of fammily support; regularity of visits/mail; degree of family stability in the community; and, inmate having a stable community-relationship with nonfamily persons.

| Points | Type Ties |
|---|---|
| 3 | None or Minimal |
| 4 | Average or Good |

Example: If the inmate's family/community ties are nonexistent, enter a "3" in the box in the right-hand column.

Custody Total: Add the points in Items 1 through 7 and enter the sum in this block.

Custody Change Scale: To determine eligibility for a custody change, the following scale is used:

| Inmate's Present Security Level | Current Custody Total: Consider for Custody Increase If Point Range: | Continue Present Custody If Point Range: | Consider for Custody Decrease If Point Range: |
|---|---|---|---|
| C-1 | 13-19 | 20-22 | 23-30 |
| C-2 | 13-19 | 20-23 | 24-30 |
| C-3 | 13-19 | 20-24 | 25-30 |
| C-4 | 13-19 | 20-26 | 27-30 |

EXAMPLE: An inmate with a security total of 18 points qualifies for a C-3 institution and would require a custody (reclassification total) of at least 25 to qualify for a possible custody decrease. Likewise, the same inmate would require a custody total of 19 or less for an increase in custody.

## Severity of Offense Scale
(Also used for Detainers)

Greatest:

Murder[1]/arson/rape/sodomy
Rape[1] (with weapon with which to intimidate life or any person who knows)
Kidnapping
Murder[2]
Rape[2] (forcefully without consent or incapble of consent) and sex offense (2nd degree)
Sex Offense (1st degree)
Assault with Intent to Murder

High:

Arson
Armed Robbery
Child Abuse
Manslaughter
Perverted Practice (without consent)
Arson Dwelling
Assault with Intent to Murder
Robbery (General)
Sex Offense (3rd degree)

Moderate:

Assault (felony)
CDS unlawful manufacture/distribution/possession with intent to distribute
Sex Offense (4th degree)
Handgun violation (deadly weapon)
Burglary (NTHB)
Sodomy
Manslaughter (motor vehicle)
Grand Larceny/Theft

Low Moderate:

RSG ($100-)
Embezzlement/Forgery/Uttering
Malicious Destruction
CDS Simple Possession/paraphernalia (narcotic)
Fraud (public and medical assistance)
Larceny after trust (felony)
Auto theft
False Alarm
Perjury
Forged Perscription
False Pretense
Shoplifting

Low:

Rogue & Vagabong (Felony)
Disorderly conduct
Soliciting for prostitution
Petty Larceny/Theft ($100+)
Unauthorized use
Trespass
Criminal non-support
Possession of marijuana
Telephone misuse
Shoplifting (misdemeanor)

# Disciplinary Severity Scale

## GREATEST CATEGORY*

Killing
Assaulting any person (includes sexual assault)
Escape from escort and/or escape from a secure institution (Security Level 2 through 6), or from S-1 with violence
Setting a fire
Possession or introduction of a gun, firearm, weapon, sharpened instrument, knife, dangerous chemical, explosive, or any ammunition
Rioting
Encouraging others to riot
Taking hostage(s)
Conduct which disrupts or interferes with the security or orderly running of the institution (conduct must be of the Greatest Severity nature)

## HIGH CATEGORY

Escape from unescorted Community Programs and activities and Open Institutions (Security Level 1) and from outside secure institutions---without violence
Fighting with another person
Possession or introduction of an unauthorized tool
Threatening another with bodily harm or any other offense
Extortion, blackmail, protection: Demanding or receiving money or anything of value in return for protection against others, to avoid bodily harm, or under threat of informing
Engaging in sexual acts
Making sexual proposals or threats to another
Wearing a disguise or a mask
Tampering with or blocking any locking device
Adulteration of any food or drink
Possession, introduction, or use of any narcotics, narcotic paraphernalia, or drugs not prescribed for the individual by the medical staff
Possessing any officer's or staff clothing
Engaging in, or encouraging, a group demonstration
Encouraging others to refuse to work, or to participate in a work stoppage

---

*All Greatest Severity Prohibited Acts must be referred to IDC by UDC or other lower committee.

**Should be charged with this act only when found to pose a threat to life or a threat of serious bodily harm or in furtherance of a prohibited act of Greatest Severity; e.g., in furtherance of a riot or escape, otherwise, Code 218 or 329

Disciplinary Severity Scale (cont'd.)

HIGH CATEGORY (cont'd.)

Refusing to provide a urine sample or to take part in other drug-abuse testing procedures
Introduction of alcohol in BOP facility
Giving or offering an official or staff member a bribe, or anything of value
Giving money to, or receiving money from, any person for purposes of introducing contraband or for any other illegal or prohibited purposes
Destroying, altering, or damaging government property, or the property of another person, having a value in excess of $100,00
Conduct which disrupts or interferes with the security or orderly running of the institution (conduct must be of the High Severity nature)

MODERATE CATEGORY

Indecent exposure
Stealing (theft)
Misuse of authorized medication
Possession of money or currency, unless specifically authorized
Loaning of property or anything of value for profit or increased return
Possession of anything not authorized for retention or receipt by the inmate, and not issued to him through regular channels
Refusing to work, or to accept a program assignment
Refusing to obey an order of any staff member
Violating a condition of a furlough
Violating a condition of a community program
Unexcused absence from work or any assignment
Failing to perform work as instructed by the supervisor
Insolence towards a staff member
Lying or providing false statement to a staff member
Counterfeiting, forging, or unauthorized reproduction of any document, article of identification, moeny, security, or official paper
Participating in an unauthorized meeting or gathering
Being in an unauthorized area
Failure to follow safety or sanitation regulations
Using any equipment or machinery which is not specifically authorized
Using any equipment or machinery contrary to instructions or posted safety standards

Disciplinary Severity Scale (cont'd.)

MODERATE CATEGORY (cont'd.)

Failing to stand count
Interfering with the taking of count
Making, possessing, or using intoxicants
Refusing to breathe into a breathalyzer or take part in other alcohol abuse testing
Gambling
Preparing or conducting a gambling pool
Possession of gambling paraphernalia
Unauthorized contacts with the public
Giving money or anything of value to, or accepting money or anything of value from: another inmate, a member of his family, or his friend
Destroying, altering, or damaging government property, or the property of another person, having a value of $100.00 or less
Being unsanitary or untidy; failing to keep one's person and one's quarters in accordance with posted standards
Conduct which disrupts or interferes with the security or orderly running of the institution (conduct must be of the Moderate Severity nature)

LOW MODERATE CATEGORY

Possession of property belonging to another person
Possessing unauthorized clothing
Malingering, feigning illness
Smoking where prohibited
Using abusive or abscene language
Tatooing or self-mutilation
Unauthorized use of mail or telephone
Conduct with a visitor in violation of institution regulations
Conducting a business

## Expected Length of Incarceration Scale

(Based on Federal System and will differ by state)

Note: Point values based on sentence length (in months)

GREATEST CATEGORY: Percent average sentence served, 41%.

| Points | Length of time (months) |
|---|---|
| 0 | 0-31.5 |
| 1 | 31.6-146.1 |
| 3 | 146.2-204.6 |
| 5 | 204.7+ |

HIGH CATEGORY: Percent average sentence served, 52%.

| Points | Length of time (months) |
|---|---|
| 0 | 0-24.8 |
| 1 | 24.9-115.2 |
| 3 | 115.3-161.3 |
| 5 | 161.4+ |

MODERATE CATEGORY: Percent average sentence served, 56%.

| Points | Length of time (months) |
|---|---|
| 0 | 0-23.0 |
| 1 | 23.1-107.0 |
| 3 | 107.1-149.8 |
| 5 | 149.9+ |

LOW MODERATE CATEGORY: Percent average sentence served, 56%.

| Points | Length of time (months) |
|---|---|
| 0 | 0-23.0 |
| 1 | 23.1-107.0 |
| 3 | 107.1-149.8 |
| 5 | 149.9+ |

LOWEST CATEGORY: Percent average sentence served, 78%.

| Points | Length of time (months) |
|---|---|
| 0 | 0-16.5 |
| 1 | 16.6-76.8 |
| 3 | 76.9-107.6 |
| 5 | 107.7+ |

Expected Length of Incarceration Scale (cont'd.)

NOTE: The chart should help the user make point assignments directly from the prisoner's length of sentence without having to do a lot of arithmetic. By converting the appropriate number of points can be readily identified.

For example: A newly committed prisoner sentenced to 15 years for armed bank robbery. Bank Robbery = GREATEST category; 15 times 12 months = 180 months; this falls between 146.2 and 204.6 months in the GREATEST category; therefore, individual will be given 3 points on the S/D form.

# APPENDIX F

# DIVISION OF CORRECTION

# STAFFING EXERCISE

# STAFFING EXERCISE FOR CLASSIFICATION COUNSELORS

I. INTRODUCTION

II. STAFFING EXERCISE

III. PROOF

IV. RELIEF FACTOR

V. SUMMATION SHEET

VI. APPENDIX

Definitions
Table of Population Turnover Rates
Sample Using Division-wide Data

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## I. INTRODUCTION

The Program Department of the Maryland Division of Correction is improving the process for justifying staff in all program areas. This staffing exercise is part of that effort and is designed to demonstrate the actual number of classification counselors required to perform specific tasks during one year.

The staffing exercise (SectionII) assigns a time factor to every task based on the length of time it takes to perform the task for one inmate. A series of variables are multiplied to account for percentages of inmates involved, institutional turnover and repetition. The result is an amount of time required to perform the task for a period of one year. When all task times are added together and divided by 1,754 hours, the answer represents the number of classification counselors required to accomplish the tasks for one year.

Section III is a proof of the Staffing Exercise. This procedure uses a subjective evaluation of the classification counselor environment as a measure of how accurately the Staffing Exercise was completed. The disparity between present staff size and recommended staff size based on the exercise is compared with how many tasks are accomplished with the present staff. These completed tasks, as a percentage of the total time for all tasks, should equal the disparity in staff requirements.

Section IV is a standard relief factor exercise which takes into account vacations, sick leave and other off-time benefits.

Section V is a summation sheet which brings together the data from the Staffing Exercise and the Relief Factor Exercise to produce the actual number of classification counselors required for one year.

Section VI has three documents. The "Definitions" document defines terms, arithmetic processes and data sources; the "Table of Population Turnover Rates" provides a number for each institution which takes into account the actual number of inmates which flow through an institution during one year (this number is used in The Staffing Exercise); the third document is a completed Staffing Exercise, comments regarding the proof, relief factor and summation. The completed sample uses division-wide variables which have not been refined. The sample may be of assistance, however, in performing the actual exercises.

## II. STAFFING EXERCISE

Following these comments is a chart with columns marked (A) through (H):

(A) FUNCTION - Tasks are divided into groups of tasks which are similar in type. For example, the chart groups together all tasks which involve sitting on a decision committee (Boards). When the budget dictates that tasks be removed or modified, it often is important to know which function is affected. It also is helpful to compare time spent on various functions when evaluating the purpose or direction of classification.

(B) TASK - A task is a procedure which achieves a single, pre-determined and repeated objective. A complete list of tasks represents every procedural responsibility of the classification counselor.

(C) MINUTES PER INMATE - The inmate (one inmate) is the common variable by which tasks are mutually quantified. Consequently, every task must be broken down into the time it takes to perform that task only for one inmate. Sometimes this is awkward to do (staff meetings, for example) but some method must be devised to rationally divide task time in such a way as to assign a certain amount of that time to one inmate.

(D) PERCENT OF INMATES INVOLVED - Each task does not necessarily apply to the total inmate population; some tasks, like Interstate Compacts, affect only a few inmates. This variation must be incorporated into the exercise since performing one task for every inmate will take more total time than performing the same task only for a few inmates.

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The number represents the number of inmates per 100 who would invoke the task. The number is posted as a decimal (.33, .02, 1.00 equals 100%).

(E) NUMBER OF TIMES PER INMATE - Some tasks, like adjustments, may be invoked more than once by the same inmate. This would increase the amount of time spent performing a given task. When posting this number, be aware that it represents the frequency of the task only for that percent of inmates described in column (D).

(F) NUMBER OF INMATES - Each institution has an established average daily population (ADP). The ADP does not reflect the total number of inmates which pass through the institution in the course of a year. A constant, known as the "turnover rate" more accurately identifies the total inmate population for one year. To get this number, use the TABLE OF POPULATION TURNOVER RATES.

(G) MINUTES PER TASK PER YEAR - If columns (C) through (F) for each task are multiplied in series, the answer will be the total number of minutes spent performing that task for one year.

(H) HOURS PER TASK PER YEAR - It is more convenient to deal in hours since staff time is expressed in hours (35.5 hours per week). If column (G) is divided by 60, the minutes will be converted to hours.

Following the chart is an exercise which identifies the number of staff needed to perform all the tasks for one year. It also is possible to use function subtotals to identify the number of staff needed for each function.

| A FUNCTION | B TASK | C MINUTES PER INMATE | D PERCENT OF INMATES INVOLVED | E NUMBER OF TIMES PER INMATE | F NUMBER OF INMATES * | MINUTES PER TASK PER YEAR | HOURS PER TASK PER YEAR |
|---|---|---|---|---|---|---|---|
| BOARDS | BOARDS | | | | | | |
| | A. Adjustment Hearings | 30 | .50 | 3.18 | 937 | 89389.8 • | 1489.83 • |
| | B. Classification Hearings | 30 | 1.00 | 3 | 937 | 84330 | 1405.5 |
| | C. Parole Hearings | 30 | 1.00 | .42 | 937 | 11806.2 | 196.77 |
| | D. Segregation Review (including Administrative Segregation) | 20 | .15 | 12 | 937 | 33732 | 562.2 |
| | E. Initial Classification | 30 | 1.00 | .55 | 937 | 15460.5 | 257.68 |
| | F. Family Leave/Special Leave | 30 | .01 | 1.00 | 937 | 281.1 | 4.69 |
| | G. Grievances | 120 | .15 | 1.00 | 937 | 16866 | 281.1 |
| | H. MAP Institutional Parameters | 20 | .26 | 1.00 | 937 | 4872.4 | 81.21 |
| | I. MAP Multi | 20 | .26 | 1.00 | 937 | 4872.4 | 81.21 |
| | J. MAP Negotiations | 30 | .20 | 1.00 | 937 | 5622 | 93.7 |
| | TOTAL | | | | | 267232.4 | 4453.89 |

•In view of the fact that 2 Staff Members are required, the figure was doubled.

*See Table of Population Turnover Rates

| A FUNCTION | B TASK | C MINUTES PER INMATE | D PERCENT OF INMATES INVOLVED | E NUMBER OF TIMES PER INMATE | F NUMBER OF INMATES * | G MINUTES PER TASK PER YEAR | H HOURS PER TASK PER YEAR |
|---|---|---|---|---|---|---|---|
| INTERVIEW AND REPORT | INTERVIEW AND REPORT | | | | | | |
| | A. Pre-Parole Summary | 60 | 1.00 | .42 | 937 | 23612.4 | 393.54 |
| | B. Hearing Preparation | 35 | 1.00 | 5.08 | 937 | 166598.6 | 2776.64 |
| | C. Intra/Inter State Detainers | 300 | .19 | 1.0 | 937 | 53409 | 890.15 |
| | D. Interstate Compact | --- | --- | --- | --- | --------- | -------- |
| | E. Compassionate Leave | 30 | .07 | 1.00 | 937 | 1967.7 | 32.8 |
| | F. Work Release Job Development | --- | --- | --- | --- | ---------- | -------- |
| | G. Special Information Request | 60 | .50 | 1.0 | 937 | 28110 | 468.5 |
| | H. Inmate Complaints | 45 | .90 | 6.0 | 937 | 227691 | 3794.85 |
| | I. Management Reports | 30 | 1.00 | 2.0 | 937 | 56220 | 937 |
| | J. MAP Proposals | 90 | .18 | 1.0 | 937 | 15179.4 | 252.99 |
| | TOTAL | | | | | 572788.1 | 9546.47 |

*See Table of Population Turnover Rates

| A | B | C | D | E | F | G |
|---|---|---|---|---|---|---|
| FUNCTION | TASK | MINUTES PER INMATE | PERCENT OF INMATES INVOLVED | NUMBER OF TIMES PER INMATE | NUMBER OF INMATES * | MINUTES PER TASK PER YEAR | HOURS PER TASK PER YEAR |
| | INTERVIEW | | | | | | |
| INTERVIEW | A. Counseling | 30 | 1.00 | 12 | 937 | 337320 | 5622 |
| | B. Inmate Communications Business | 30 | .90 | 2 | 937 | 50598 | 843.3 |
| | TOTAL | | | | | 387918 | 6465.3 |

*See Table of Population Turnover Rates

| FUNCTION | TASK<br>SPECIAL DUTIES | MINUTES PER INMATE | PERCENT OF INMATES INVOLVED | NUMBER OF TIMES PER INMATE | NUMBER OF INMATES * | MINUTES PER TASK PER YEAR | HOURS PER TASK PER YEAR |
|---|---|---|---|---|---|---|---|
| SPECIAL DUTY | A. Testify in Court | 480 | .01 | 1 | 937 | 4497.6 | 74.96 |
| | B. Orientation | 5.71 | 1.17 | 1 | 937 | 6259.82 | 104.33 |
| | C. Notorization | 30 | .11 | 1 | 937 | 3092.1 | 51.54 |
| | D. Affidavits | 480 | .01 | 1 | 937 | 4497.6 | 74.96 |
| | E. Staff Meetings | 60 | .33 | 1 | 937 | 18552.6 | 309.21 |
| | TOTAL | | | | | 36899.72 | 615 |

*See Table of Population Turnover Rates

| FUNCTION | TASK | MINUTES PER INMATE | PERCENT OF INMATES INVOLVED | NUMBER OF TIMES PER INMATE | NUMBER OF INMATES * | MINUTES PER TASK PER YEAR | HOURS PER TASK PER YEAR |
|---|---|---|---|---|---|---|---|
| | TOTALS | | | | | | |
| BOARDS | Boards | | | | | 267232.4 | 4453.89 |
| INTERVIEW AND REPORT | Interview and Report | | | | | 572788.1 | 9546.47 |
| INTERVIEW | Special Duties | | | | | 36899.72 | 615 |
| SPECIAL DUTY | Interviews | | | | | 387918 | 6465.3 |
| | TOTALS | | | | | 1264838.2 | 21080.66 |

*See Table of Population Turnover Rates

## HOW TO IDENTIFY NUMBER OF STAFF REQUIRED

1. Add all items in column (H): 21081

2. Divide #1 by 1,754 (work hours per year) and round to a whole number: 12

   a. this number represents the number of classification counselors required to perform the listed tasks.

   b. do not advocate this number until the proof exercise in Section III has been completed.

3. What is the present number of classification Counselors? 7

   a. if this number is greater than the number in #2, there are too many classification counselors on staff.

   b. if this number is less than the number in #2, post the difference in the box. This is the number of classification counselors needed in addition to the present number of staff. 5

III. PROOF

Unless extreme care is taken in compiling the tasks and numbers for the Staffing Exercise, there likely will be an inaccurate representation of what really happens and how long it takes. A quick check against inaccuracy is necessary.

From the page "HOW TO IDENTIFY NUMBER OF STAFF REQUIRED", fill in the following:

1. Number of present staff. 7
2. Number of staff required. 12
3. Divide #1 above by #2. .58

The answer, rounded to two decimal places, represents the percent of work which can be done by the present number of staff.

Assume the number is .72; if the Staffing Exercise is properly completed, the present staff actually will be performing 72% of the listed tasks. In your case, does the number in #3 represent reality? Perform the following to make sure:

4. List the tasks which presently are not performed. Do these tasks equal the missing counselor positions? That is, if the missing staff is 28%, does the following list equal 28% of the time in column (H)?

   A. The quality and quantity of Classification Hearings has been reduced by the following methods:

      1. Reduction in the length of hearings from a needed 30 minutes to an average of 15 minutes. The following reflects the time saved:

| | Hours Saved | |
|---|---|---|
| a. Classification Hearings | 313.9 | hours |
| b. Initial Classification | 128.84 | " |
| c. Family Leave/Special Leave | 2.33 | " |

      2. Reduction in the number of Classification Hearings.

| | | |
|---|---|---|
| a. Reduction in number of hearings 3 to 1.34 = | 777.71 | " |
| b. Hearing preparation reduction | 907.33 | " |

   B. A reduction in the number of Counselor/Inmate contacts: 12 to 3.43 = 4015.05 "

| | | |
|---|---|---|
| TOTAL | 6415.16 | " |

6145 ÷ 21080 = 29%

5. In reality, are some tasks "short changed" or done improperly -- perhaps not according to DCR's? List these tasks with the real time/inmate numbers. If #4 and #5 are added together, do they equal the missing counselors as a percentage?

Utilization of non-Classification Staff out of their job classification to perform Classification Tasks:

A. Tier Officers to resolve inmate complaints and business matters.
B. Chaplains or Classification Teams to allow Classification Supervisors to perform Counselor Tasks.
C. Athletic Director on Adjustments once a week to relieve a Counselor.

A, B, & C TOTAL = 2657.8 hours

2657.8 ÷ 21080 = 13%

29% + 13% = 42%

Are all tasks represented? Are there too many tasks? Are some tasks performed simultaneously? Are some of the numbers too large to too small? It may be necessary to do some time studies or discuss the validity of tasks.

Eventually the Staffing Exercise and the proof will coincide. Make sure all tasks and numbers are correct on the Staffing Exercise.

Recalculate HOW TO IDENTIFY NUMBER OF STAFF REQUIRED.

## IV. RELIEF FACTOR

A Relief Factor is a number which represents the extra number of people necessary per position to cover the vacation, sick time, extra shifts, etc. This exercise assumes that all positions are five days per week, one shift per day; it assumes that all positions have 13 paid holidays. Subtracting weekends and 13 holidays from 365 days leaves 248 days.

| | |
|---|---|
| (A) Total work days per year = | 248 |
| (B) Personal leave days per year = | 3 |
| (C) Average vacation time per year for entire staff (days) = | 16 |
| (D) Add (B) and (C); then subtract from (A) = | 229 |
| (E) Average sick time per year for entire staff (days) = | 3 |
| (F) Subtract (E) from (D) = | 226 |
| (G) Average REQUIRED training days per year for entire staff (days) = | 6 |
| (H) Subtract (G) from (F)= | 220 |
| (I) Divide 248 by (H) = | 1.13 |

The answer in the box is known as a "relief factor". This number is used to multiply required staff positions in order to get a more realistic picture of the number of persons necessary to operate the required positions.

V. SUMMATION SHEET

The total number of classification counselors determined in Section II (Staffing Exercise) is multiplied by the relief factor determined in Section IV:

Go to the page entitled "How to Identify Number of Staff Required".. Put the number from the top box (#2) in the first box below.

Go to the page entitled "Relief Factor". Put the number in that box in the second box below.

Multiply the numbers in the two boxes. Place the answer in the last box.

| 12 | x | 1.13 | = | 13.56 |
|---|---|---|---|---|

Subtract the present staff count _____ from the third box. Put the answer in the double box below:

| 6.56 |
|---|

This last number represents the shortfall in classification counselors for this institution. The Staffing Exercise, proof, Relief Factor and Summation can be used to support a request for additional personnel (other documentation may be necessary).

# DEFINITIONS

**STAFFING EXERCISE:** An instrument which breaks each task into the number of minutes (hours) per year necessary to perform each task.

**1,754 HOURS:** Represents the number of hours one Classification Counselor works during a period of one year (35.5 x 52 = 1,846; minus thirteen holidays = 1,754 rounded).

**PROOF:** A subjective instrument which evaluates the Staffing Exercise. If the Staffing Exercise indicates a disparity in staff, this disparity is proven by showing which tasks are not done or are not done properly.

**RELIEF FACTOR:** Develops a number which represents the impact of vacations, sick time and training. The Relief Factor number is multiplied by the total number of staff required by the Staffing Exercise.

DEFINITION OF TASKS

| DCR | TASK | FUNCTION | BRIEF DESCRIPTION |
|---|---|---|---|
| 100-11 | Pre-Parole Summary | Int. & Rep. | The pre-parole summary which is completed via interview and review of the base file prior to the inmate's hearing by the Maryland Parole Commission. |
| 100-1 | Hearing Preparation | Int. & Rep. | The inmate is interviewed and a review of the base file is done. Information pertaining to the classification hearing is entered on the classification sheet, i.e. Classification review for administrative segregation-change in Security Status i.e. Medium to Minimum Institutional Job changes. |
| | Affidavits | Int. & Rep. | N/A |
| 285-3<br>285-4 | Intra-Inter State Detainers | Int. & Rep. | As outlined by DCR and taking into account state law governing same, the forms are processed and parties involved are notified. Also investigation of open charges found on F.B.I. |
| 240-4 | Compassionate Leave | Int. & Rep. | Upon receipt of information which requires the completion of compassionate leave forms, the proper authorities are notified and the inmate is interviewed and permitted to contact his family pertaining to same. |
| 155-6 | Work Release Job Development. | Int. & Rep. | As outlined in the respective DCR the inmates are interviewed and forms are completed pertaining to Work Release. Inmates are given orientation to the Work Release Program, and they are placed on the job. |

DEFINITION OF TASKS

| DCR | TASK | FUNCTION | BRIEF DESCRIPTION |
|---|---|---|---|
| N/A | Special Information Request | Int. & Rep. | Details are requested regarding facotrs pertaining to an inmate's case. Specifically i.e. Family Questions, Social Security information, mailing/visiting regulatio |
| N/A | Inmate's Complaints | Int. & Rep. | Information is needed regarding problems faced by inmate's during the course of their incarceration/stay at the particular facili i.e. medical attention, problems with correctional officers, lack of programming. |
| N/A | Management Reports | Int. & Rep. | Reports are submitted to the Administrative Offices, i.e. Managing Office, Assistant's of Treatment and Custody, and Commissioner, as requested. i.e. Annual Report (DCR 60-4), Staff Analysis |
| 280-8 | MAP Proposal | Int. & Rep. | Inmates are interviewed following M.A.P. Orientation and a proposed contract is established. The Pre-Negotiating Summary and the Work Sheets are prepared. Reservations are made with the M.A.P. Office to facilitate future programming. |
| 105-2 | Adjustment Hearings | Boards | As outlined in the DCR, ccounselors are a partof the daily disciplinary hearings conducted at the facility. |
| 100-1 | Classification Hearing | Boards | |
| 100-11 | Parole Hearing | Boards | |
| 110-19 | Segregation Review | Boards | Residents are reviewed as establish thru DCR's. |
| 100-1 | Initial Classification | Boards | |

DEFINITION OF TASKS

| DCR | TASK | FUNCTION | BRIEF DESCRIPTION |
|---|---|---|---|
| 240-1 | Family Leave | Boards | |
| 240-2<br>240-3 | Special Leave | Boards | Requests are made by inmates and outside organizations which necessitates review and approval for inmate to attend these specific functions. |
| 180-1 | Grievance | Boards | |
| 280-10 | MAP Parameters | Boards | |
| 280-10 | MAP Multi - Institutional Review | Boards | Primary function is establishing programming through the correction system - Specific therapy is a moot point. |
| N/A | Counseling | Interviews | |
| N/A | Inmate Communication/ Business | Interviews | Information pertaining to financial affairs, legal matters, and status of detainers, probations. |
| N/A | Orientation | Sp. Duties | As men are received at the Maryland Corr. Training Center, they are processed and receive a programming orientation. Each counselor is desi ted a specific Friday when he/she is responsible for the presentation. |
| N/A | Testify in Court | Sp. Duties | Counselors may be subpoenaed to testify and interpret the basefile for the Court. |
| N/A | Notarization | Sp. Duties | Certain Court petitions and various other legal work requires notarizatic and it is the counselor's responsibi to provide these services procedures. |
| N/A | Staff Meeting | Sp. Duties | Weekly staff meetings occur to discu procedures and inform the staff of recent directives issued from Centra Office. |

TABLE OF POPULATION TURNOVER RATES

| INSTITUTION | AVERAGE DAILY POP. | TURNOVER CONSTANT | NUMBER OF INMATES |
|---|---|---|---|
| | | | |
| RDCC | 439 | 7.5 | 3,292 |
| MP | 980 | 1.14 | 1,117 |
| MHC | 1,649 | 1.48 | 2,441 |
| MCI-H | 932 | 1.02 | 951 |
| MCTC | 1,664 | 1.19 | 1,980 |
| MCPRS (MALES) | 1,543 | 2.45 | 3,780 |
| MCPRS (CONTRACT) | 109 | 1.87 | 204 |
| MCPRS (FEMALES) | 28 | 2.22 | 62 |
| PATUXENT ANNEX | 119 | 7.5 | 892 |
| LOCAL JAIL BACKUP | 387 | 3.75 | 1,451 |
| MCI-W/RDCC (FEMALES) | 223 | 1.33 | 297 |
| | | | |
| DIVISION-WIDE | 8,073 | 1.62 | 13,078 |
| | | | |

1979 DATA

The data in the far right column, "NUMBER OF INMATES", is used in Column (F) of the Staffing Exercise.

MARYLAND CORRECTIONAL INSTITUTION-HAGERSTOWN

I. Boards

A. Adjustment Hearings:

During the past fiscal year, 233 Adjustment Team meetings were held during which they heard 2,984 cases.

$$\frac{\text{2,984 cases}}{\text{937 (average daily population}} = 3.18 \text{ per inmate per year}$$

Random sample (N=100) shows 50% of population involved in adjustment hearings.

B. Classification Hearings:

Total reclassification hearings for fiscal 79-80 was 1,262.

$$\frac{\text{1,262 total cases reviewed}}{\text{937 (average daily population)}} = 1.34 \text{ hearings per inmate per year}$$

C. Parole Hearings:

During the past fiscal year, MCIH prepared 389 Pre-Parole Summaries.

$$\frac{\text{389 cases}}{\text{937 (average daily population)}} = .42 \text{ inmates involved per year}$$

D. Segregation Review:
(Includes Administrative Segregation)

During the past fiscal year, MCI-H reviewed 1,433 cases in this area.

$$\frac{\text{1,433 cases}}{\text{937 (average daily population)}} = 1.53 \text{ inmates involved per year}$$

E. Initial Classification:

Total - 514 cases

$\frac{514 \text{ cases}}{937 \text{ (average daily population)}}$ = .55 - 1.0 inmates involved per year

Note: Some cases were not considered as initial hearing because the inmate was at MCIH, was transferred and returned.

F. Family Leave:

No Family Leaves at MCIH during fiscal year 1979 - 1980.

$\frac{0 \text{ cases}}{937 \text{ (average daily population)}}$ = 0 inmates involved per year

G. Special Leave:

Total of 2 cases.

$\frac{2 \text{ cases}}{937 \text{ (average daily population)}}$ = .00 inmates involved per year

H. Grievances:

Total of 138 cases

$\frac{138 \text{ cases}}{937 \text{ (average daily population)}}$ = .15 inmates involved per year

| Date of Hearings | Total Inmate Grievances |
|---|---|
| July 17 & 17, 1979 | 14 |
| August 28 & 29, 1979 | 26 |
| September 18 & 19, 1979 | 13 |
| October 23 & 24, 1979 | 11 |
| November 11 & 12, 1979 | 12 |
| November 20 & 21, 1979 | 4 |
| January 15 & 16, 1980 | 6 |
| January 29 & 30, 1980 | 6 |
| February 19 & 20, 1980 | 7 |
| March 18 & 19, 1980 | 11 |
| April 15 & 16, 1980 | 6 |
| May 20 & 21, 1980 | 12 |
| June 17 & 18, 1980 | 10 |

I. MAP Parameters:
(Includes Initial Parameters, Reconsiderations, Renegotiations, and Violations)

Total for Fiscal 1979-1980 - 248

$$\frac{248 \text{ cases}}{937 \text{ (average daily population)}} = .26 \text{ inmates involved per year}$$

J. MAP Multi-Institutional Review:
(Includes Initial Parameters, Reconsiderations, Renegotiations, and Violations)

Total for Fiscal 1979-1980 - 248

$$\frac{248 \text{ cases}}{937 \text{ (average daily population)}} = .26 \text{ inmates involved per year}$$

K. MAP Negotiations and Renegotiations:

Total for Fiscal 1979-1980 - 185

$$\frac{185 \text{ cases}}{937 \text{ (average daily population)}} = .20 \text{ inmates involved per year}$$

II. Interview and Reports:

A. Pre-Parole Summary

389 Pre-Parole Summary interviews were conducted during the fiscal year 1979-1980.

$$\frac{389 \text{ cases}}{937 \text{ (average daily population)}} = .42 \text{ inmates involved per year}$$

B. Classification Hearing Preparation:

| | |
|---|---|
| Regular Classification: | 1262 |
| Administrative Segregation: | 428 |
| Segregation Review: | 1005 |
| Initial Classification: | 514 |
| | 3209 |

$$\frac{3209 \text{ cases}}{937 \text{ (average daily population)}} = 3.42 \text{ times per year}$$

C. Affidavits:

Per State's Attorney's Order, 11 affidavits were prepared in fiscal 1979-1980 that on an average concerned 480 inmates.

$$\frac{\text{11 cases}}{\text{937 (average daily population)}} = .01 \text{ inmates involved per year}$$

D. Intra/Inter State Detainers:

This facility processes approximately 175 detainers in one year.

$$\frac{\text{175 cases}}{\text{937 (average daily population)}} = .19 \text{ inmates involved per year}$$

E. Interstate Compact:

This area is considered negligible for classification since Interstate Compacts are seldom processed.

F. Compassionate Leave:

This facility approved 71 compassionate leaves in the last fiscal year.

$$\frac{\text{71 cases}}{\text{937 (average daily population)}} = .07 \text{ inmates involved per year}$$

G. Work Release Job Development:

None

H. Special Information Requests:

Statistics pertaining to the inmate involvement is based upon a random sample of the requests for interviews, telephonic requests, letters pertaining to same, and the opinion of the classification staff involved.

I. Inmate Complaints:

In a random sample of the progress entries, the percentage of inmate's complaints constituted the percentage of inmate involvement. The staff involved was also consulted and the percentage appeared representative.

J. Management Reports:

The Classification Department presently had one counselor assigned to Administrative duties dealing with Management Information -- One position at 1754 hours. *

*We need a counselor for this position.

K. MAP Proposals:

Counselors developed 177 initial proposals during fiscal year 1979-1980.

$$\frac{177 \text{ cases}}{937 \text{ (average daily population)}} = .18 \text{ inmates per year}$$

III. Interviews:

A. Counseling:

Interview Statistics

| Quarter | Regular Interviews | | MAP Interviews | Total |
|---|---|---|---|---|
| 1 | 548 | + | 224 | 772 |
| 2 | 609 | + | 182 | 791 |
| 3 | 630 | + | 230 | 860 |
| 4 | 653 | + | 140 | 793 |
| | | | | 3216 |

$$\frac{3216 \text{ interviews}}{937 \text{ (average daily population)}} = 3.42^{*} \text{ per man per year}$$

*Note: The desired level of counseling interviews would be 12 per man per year.

B. Inmate Communications/Business:

Inmates establishing savings accounts, requesting financial information, ascertaining transfer monies from one institution to another, and determining the job classification, which also constitutes the rate of daily institutional pay, are the primary functions of this task.

IV. Special Duties:

A. Testifying in Court:

Counselors are involved approximately 10 court cases per year or 1% of the population. Cases usually involve trips to Baltimore, etc., and involve a complete day or 480 minutes as indicated.

B. Orientation:

MCIH received 1093 inmates during fiscal 1979-1980. Orientation is held each week during the year for approximately 21 men at each session. Two hours is presently devoted to orientation or 5.71 minutes per inmate.

$$\frac{\text{1093 cases}}{\text{937 (average daily population)}} = 1.17 \text{ inmates involved per year}$$

C. Notarization:

This facility processes approximately 105 notarizations per year. This procedure takes approximately one-half hour per inmate.

$$\frac{\text{105 cases}}{\text{937 (average daily population)}} = .11 \text{ inmates involved per year}$$

D. Staff Meetings:

The Classification Department holds weekly staff meetings for an one-hour session. Attendance for staff usually averages 44 out of 52 meetings per year.

44 meetings (one hour) x 7 staff = 308 hours approximately