	DEPARTMENT OF CORRECTIONS AND REHABILITATION CORRECTIONS ADMINISTRATION POLICY AND PROCEDURES	EFFECTIVE DATE: January 01, 2024	POLICY NO.: COR.18.04
		SUPERSEDES (Policy No. & Date): COR.18.04 & 05/01/2020	
	SUBJECT: RECLASSIFICATION OF PRISON INMATES		Page 1 of 8

1.0 PURPOSE

To establish a uniformed process for the custody review of sentenced felons.

2.0 SCOPE

This policy shall apply to all correctional and contracted facilities and to the personnel assigned to work there. To the extent any individual facility's policy conflicts with the statewide policy, COR.18.04 shall control.

3.0 REFERENCES, DEFINITIONS AND FORMS

.1 References

- a. Hawaii Revised Statutes (HRS), Chapter 353, Corrections.
- b. HRS, § 353-A, Director of Corrections and Rehabilitation, Powers and Duties.
- c. HRS, Chapter 706, Disposition of Convicted Defendants.
- d. Department of Corrections and Rehabilitation (DCR), Policy and Procedures (P&P), COR.18.01, Inmates Classification System.
- e. DCR, P&P, COR.14.27, Inmates with Disabilities.
- f. DCR, P&P, COR 18.07, Exception Case.
- g. DCR, P&P, COR 18.08, Transfer of Adult Inmates.
- h. DCR, Classification Coding Instructions Manual.

.2 Definitions

- a. Adult Substance Abuse Survey (ASUS) – A 64-item self-report survey designed to assess an individual's perceived alcohol and other drug use.
- b. Community Correctional Center (CCC) – A facility designated as a jail.

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- c. Classification Committee – The authority that determines all institutional classification actions that affect an inmates. The composition of the committee includes anyone deemed appropriate by the Branch Administrator, Warden, or Temporarily Assigned Warden.
- d. Custody Designation – The final determination, based on the classification instrument, designates where an inmate will be housed and the degree of staff supervision that shall be required.
- e. Exception Cases – Administrative action that requests an override of a custody designation to assure appropriate placement, provide for the safety of staff, inmates, the community, and/or to ensure the good management of the facility. DCR form shall be used in accordance with DCR, P&P, COR.18.07, Exception Case.
- f. Furlough – An authorized, unescorted, temporary leave of absence from the institution which is creditable toward service of sentence. It is intended to provide the select inmates with opportunities for in-community experiences with family, in social, educational, or employment settings, vocational training, and/or specialized treatment prior to parole.
- g. Initial Prescriptive Plan (IPP) – A report, generated by the Reception Assessment, Diagnostic (RAD) unit or assigned staff, for all newly-sentenced felons that identifies programs and activities (using the LSI-R, ASUS and Pre-Sentence Investigation (PSI) report) in preparation to satisfy parole eligibility requirements and that which is appropriate to their needs and custody classification.
- h. Interstate Compact or Dual Jurisdiction Cases – A convicted felon is placed in a state/federal facility that differs from the jurisdiction his criminal offense was originally set.
- i. Level of Service Inventory-Revised (LSI-R) – A predictive risk and needs scale that assesses an inmate’s propensity for further unlawful and rule-violating behavior based upon criminal history and dynamic risk factors.
- j. Minimum custody – Minimum custody is for low-risk prison inmates who have 48 months or less to parole/release eligibility and have demonstrated through their institutional conduct and adjustment, a minimal need for control and supervision.

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- k. Inmate – A person incarcerated or detained in a prison, jail, or community correctional center.
- l. Prison Inmate – Any individual who is convicted of a crime and sentenced by the courts for a period of MORE THAN ONE (1) YEAR (this includes anyone that has been SENTENCED to a CONSECUTIVE term TOTALLING more than one (1) year combined) and parole violators returned to custody.
- m. Prison Reclassification Instrument – A tool used to record adjustments toward an inmate’s custody designation that either follows the outcome of a misconduct(s) or involves new information received.
- n. Reception, Assessment, Diagnostic (RAD) – A separate unit that temporarily houses or a process that all newly-admitted, sentenced felons go through for evaluation to determine initial programming and custody designation using tools such as the LSI-R, ASUS, Pre-Sentence Investigation (PSI) Report, and any other relevant sources.
- o. Reclassification – A formal review that is conducted either every six (6) months, or every twelve (12) months (if designated as community custody, maximum custody, or in a contracted facility). It can also be initiated following any changes that may affect the Inmate’s security designation or custody designation, such as, the establishment of the minimum term by the Hawaii Paroling Authority (HPA), adjudicated misconducts by an Adjustment Committee, or to ascertain transfer eligibility to a different facility or housing unit other than the one currently assigned.
- p. Security Designation – Determines where an inmates will be housed, based on a completed classification instrument. It governs a specific housing assignment, programming and degree of staff supervision required.
- q. Security Level – Describes the degree of physical control and staff supervision with regards to operational regulations and physical plant criteria. A single facility may contain more than one (1) level of security within its perimeter walls of which there are five (5): maximum, close, medium, minimum and community. The degree of physical control, direct supervision and types of programs the inmates has access to, shall be based upon these operational and physical criteria.

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- r. Technical Parole Violation – A violation of the terms and conditions of parole, such as failure to report to parole officer or failure to report contact with law enforcement officials. Does not include any violations of the law.
- s. Technical Parole Violator – An Inmates who has violated one or more of the conditions set by the Parole Board and who has NOT incurred a new charge/conviction.

.3 Forms

None

4.0 POLICY

Subsequent to the initial classification designation, each inmate’s classification status and program needs shall be reviewed and assessed on a regularly scheduled basis. Changes in classification designation will be based upon the inmate’s behavior over a period of time.

Inmates shall be classified and placed in the least restrictive environment.

The Wardens are responsible to administer the reclassification of prison inmates policy and procedures.

5.0 PROCEDURES

.1 Inmates shall be scheduled for formal reclassification as follows:

a. Regular Review

A classification review shall be conducted every six(6) months from the date of the initial classification, regardless of the special reviews which may occur. If in a contracted facility or community custody, classifications shall be completed annually.

b. Special Review

A special review shall be conducted after any change that may result in an increase or decrease in the inmate’s security or custody level designation:

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1. A change in the inmate's sentencing, any new sentence(s), setting of minimum term, and reduction of minimum term.
 2. Any adjudicated high or greatest category misconduct(s).
 3. Any expiration of an adjudicated high or greatest category misconduct(s) that decreases custody.
 4. Sentenced male inmates returned to custody on a technical parole violation shall be initially transferred to the Halawa Correctional Facility for reclassification.
 5. Sentenced female inmates returned to custody on a technical parole violation shall be initially transferred to Women's Community Correctional Center.
- c. Parole Violator Review
1. A Prison Classification review shall be completed within fourteen (14) days of receiving parole revocation results.
 2. All parole violators prior to their parole revocation hearing shall be assigned medium custody via the non-discretionary exclusion in Section III of the Prison Reclassification Instrument.
- .2 The Prison Reclassification Instrument shall be completed by the assigned case manager to determine the appropriate custody level.
 - .3 Inmates shall not be eligible for the community service program unless specified as minimum or community custody.
 - .4 Inmates shall not be eligible for furlough unless at "community" custody and within 24 months of their parole eligibility date.
 - .5 When considering an Inmate for community custody, the facility must take into consideration such factors as the reclassification recommendation, degree of compliance with the RAD, IPP, LSI-R, ASUS scores, completion of recommended programs, and overall institutional behavior.
 - .6 For Inmates with a disability, and in accordance with DCR, P&P, COR.14.27, Inmates with Disabilities, all approved reasonable modifications to policies, practices, or procedures, removal of architectural, communication, and

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transportation barriers, and/or auxiliary aids or services shall be made to ensure equal access to all program and services. Documentation of all such services provided shall be written into the Reclassification Instrument under Section 10. Medical/Physical Problem.

- .7 The following categories of Inmates are deemed ineligible for “community” custody:
- a. Those with active detainers, felony holds, or pending felony charges. The case manager completing the instrument is required to and shall be responsible for initiating contact with the interested agency to determine the Inmate’s status at the time of review. All contacts shall be documented in the Inmate’s institutional file.
 - b. Inmates serving life without parole sentences.
 - c. Inmates serving consecutive sentences unless they are actually serving the last sentence and have 24 months or less to serve.
 - d. Inmates with mandatory minimums unless serving in the last year of that minimum.
 - e. Inmates who have an escape conviction or adjudication within the past seven (7) years from DCR using the earliest or original conviction date for the most recent and most severe escape incident.
 - f. Inmates who have been found guilty of a violent misconduct within the last twelve months, are currently committed on a probation/parole violation for violent behavior, or in general, are currently exhibiting violent behavior.
- .8 The following categories of Inmates are deemed ineligible for “minimum” custody:
- a. Inmates with active detainers, felony holds, or pending felony charges. The case manager completing the instrument is required to and shall be responsible for initiating contact with the interested agency to determine the Inmate’s status at the time of review. All contacts shall be documented in the Inmate’s institutional file.
 - b. Inmates serving life without parole sentences.

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- c. Inmates who have an escape conviction/adjudication within the past seven (7) years from DCR using the earliest or original conviction date for the most recent and most severe escape incident.
 - d. Inmates who have been found guilty of a violent misconduct within the last twelve months, are currently committed on a probation/parole violation for violent behavior, or in general, are exhibiting violent behaviors.
- .9 Inmates shall be eligible to transfer to a furlough program at a CCC in which parole plans are contemplated, if the furlough program is operational at the CCC, and bed space is available.
- .10 The Facility Classification Committee shall approve all reclassifications of inmates that do not involve an exception or transfer case.
- .11 If an exception case is recommended, the Facility Classification Committee shall refer to DCR, P&P, COR.18.07, Exception Case, for processing.
- .12 If transfer to another facility is required, refer to DCR, P&P, COR.18.08, Transfer of Adult Inmates.
- .13 The classification recommendations listed below will require review and approval by the Department Inmates Classification Office prior to any action being taken, unless an emergency situation arises. In case of emergency, approval may be given verbally by the Inmates Classification Office or the Deputy Director for Corrections. However, all verbal approvals shall be confirmed by the person granting permission through signed documentation that includes the respective classification instrument within 72 hours of the action taken.
- a. All cases requesting Administrative Overrides (Exception Cases).
 - b. Transfers between institutions.
 - c. Transfer to the Custody of other jurisdictions, local and out-of-state.

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APPROVAL RECOMMENDED:


JAN 0 1 2024

Deputy Director for Corrections Date

APPROVED:


JAN 0 1 2024

DIRECTOR Date

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