
**NEVADA COUNTY
SHERIFF'S OFFICE**



**CORRECTIONS
DIVISION DIRECTIVE**

36
Effective Date 03/26/02

SUBJECT **INMATE CLASSIFICATION PLAN – 1050**

POLICY The Nevada County Sheriff's Office, Corrections Division shall assign inmates to housing units and activities according to the categories of sex, age, criminal sophistication, seriousness of crime charged, physical or mental health needs, assaultive/non-assaultive behavior, and other criteria which will provide for the safety of inmates and staff. Classification or reclassification of inmates will not be made based on an inmate's race, color, creed, or national origin.

PURPOSE Properly and safely house inmates.

CODE REFERENCE California Penal Code Section 6030
California Penal Code Section 4001 and 4002, 4110
Welfare and Institutions Code, Section 207.1(b) (1), 208, 208.5,
707.1 (b) (1), 707.1 (b)(2), 707.1(b)(3)
California Code of Regulations, Title 15, Section 1050
Nevada County Sheriff's Office Correctional Division Directive #3,
#25, #29, #31
34 USC § 30301
28 CFR 115.14

CASE LAW

DEFINITIONS

PROCEDURE

- A. The intent of classification is to ensure the appropriate housing and programming of inmates for their safety and that of the facility and its staff. Classification is based on objective criteria so as to be defensible in cases of litigation as well as uniformly understood and applied. The requirement for "objective criteria" does not necessarily require a point system; rather it means the information on which classification is based is repeatable, documentable, substantive as opposed to subjective and arbitrary. All this information is gleaned from the receiving screening, intake observations and formal input from probation officers parole officers, medical and mental health staff and any other appropriate sources available for use in classification of an inmate.

B. Classification of Inmates

1. Classification of inmates is an on-going process. Classification begins when the arrestee arrives in the booking area and ends when the inmate is released from custody. During the entire time an inmate is in custody, classification officers, correctional officers and staff members should be alert to changing conditions which may affect the inmate's classification status. Reclassification of inmates is accomplished to maintain the safety of the facility, other inmates, officers and staff.
2. The following information shall be considered when determining the classification of inmates.
 - a. Inappropriate behavior or behavior which may include mental disorders or mental disabilities.
 - b. Deteriorating health conditions.
 - c. Injuries sustained while in the facility.
 - d. Aggressive behavior.
 - e. Assaultive behavior.
 - f. Inmate requested or staff initiated protective custody.
 - g. Threats by other inmates.
 - h. Change of legal status. (New charges, Holds, etc.)
 - i. Inmates exhibiting suicidal tendencies and/or suicide attempts.
 - j. Validated or suspected gang member or gang affiliate.
3. Changes in an inmates housing status may occur when the inmate is:
 - a. Sentenced.
 - b. The criminal history (RAP) sheet indicates a history of violence.
 - c. New charges are initiated.
 - d. Has a medical or mental health problem.
 - e. As a result of disciplinary sanctions.
4. Once classified, all inmates will receive the same privileges afforded to similarly classified inmates as prescribed by Title 15. (See Disciplinary Segregation)

C. Initial Classification of Inmates

1. The on duty classification supervisor or officer has the authority and responsibility for the initial classification of all incoming inmates. If a classification supervisor or officer is not on duty, then responsibility for initial classification defaults to the on duty supervisor. In the event the initial classification includes housing more restrictive than general intake housing, the supervisor determining such housing will document the basis for that housing and forward the document to the Classification Unit. All validated or suspected gang members or inmates suspected of a gang affiliation, will be administratively separated until a Gang Classification Interview is completed by a classification officer.
 - a. When it has been determined that an arrestee will not be released from custody the arrestee will be classified into one of the following housing sections.
 - (1) General housing classifications and intake housing.
 - (2) Medical Section. Housing for inmates in need of special medical care or sheltered housing.
 - (3) N Section. Minimum security housing and general population sentenced/un-sentenced.
 - (4) D Section, Disciplinary Isolation
 - (1) Inmates who are a threat to the safety and security of the facility, other inmates, or staff, may be housed in disciplinary isolation. The on duty supervisor shall ensure a Jail Incident Report is completed and the appropriate rule violation(s) are charged.
 - (5) Civil commits will be housed in accordance with Correctional Division Directive #3.
 - (6) Classification shall use the information received from the risk assessment questionnaire required by PREA standard § 115.41 to make housing, bed, work, education and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.
 - a. The safety of each inmate shall be made by individualized determinations.
 - b. Housing and programming assignments for transgender or intersex inmates shall be on a case-by-case basis.
 - c. Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates.
 - d. Lesbian, gay, bisexual, transgender, or intersex inmates shall not be placed in dedicated housing units solely on the basis of such identification of status.

D. Secondary Classification.

- a. Secondary review will be conducted within 72 hours of the inmate entering the facility or as soon as possible. The classification officer will do this secondary classification. The secondary classification will be based on the various records and information available. The inmate will then be classified and housed in the lowest security-housing unit where he/she can be safely held.

E. Committing of Minors

- a. Generally, minors will not be detained or housed in a Nevada County Type I or Type II Correctional Facility. In the event minors have been committed to this facility under the authority of Section 207.1(b) (1) of the Welfare and Institutions Code, they will be housed pursuant to 207(b)(1) and 208.5 of the Welfare and Institutions Code.
- b. If more than one minor is housed in a Nevada County Correctional Facility, they will be classified according to this policy.
- c. Minors shall not be placed in a housing unit in which the minor will have sight, sound, or physical contact with any adult inmate through the use of a shared dayroom or other common space, shower area, or sleeping quarters.
- d. In areas outside of the housing units, Nevada County shall either:
 1. Maintain sight and sound separation between minors, or
 2. Provide direct staff supervision when minors and adult inmates have sight, sound, or physical contact.
- e. The best effort shall be made to avoid placing minors in isolation to comply with PREA standard 115.14. Absent exigent circumstances, minors shall not be denied daily large-muscle exercise and any legally required special education services to comply with PREA standard 115.14. Minors shall also have access to other programs and work opportunities to the extent possible.

F. Temporary Reclassification of Inmates by Supervisors.

The on duty supervisor may temporarily reclassify inmates when there is not a classification officer on duty. Temporary reclassifications should be made under the following conditions.

1. Request or recommendation of medical staff for medical or mental health reasons.
2. Recommendation of a pod officer based on inmate safety.
3. Inmates who have a disciplinary action pending and they presented a safety or security issue. In this circumstance, a Jail Incident Report shall be accomplished charging the inmate with specific rules violations.

4. Request from an inmate requesting his/her status is reclassified to protective custody.

G. Re-housing of Inmates.

- a. The on duty supervisor may change an inmates housing when a classification officer is not on duty. Housing changes should be made under the following conditions:
 1. Medical conditions.
 2. Information that is received which indicates the housing change is in the best interest of the inmate or facility.
 3. Disciplinary isolation based on a safety or security threat to the facility, other inmates or staff.
 4. At the request of an inmate who is requesting administrative segregation.

H. All reclassification or changes of an inmate's housing assignment by an on duty supervisor shall be documented in a Jail Incident Report and forwarded to the classification officer.

I. Overcrowding.

- a. A Pod, B Pod, N Section.
 1. If a section of the facility becomes overcrowded, a classification officer will be called for specific instructions on how to alleviate the problem.
 2. If a classification officer cannot be reached, the Operations Lieutenant or someone above him in his/her chain of command will be called.
- b. Medical Unit.
 1. There are five (5) beds in the medical unit. If the medical unit becomes overcrowded, the on duty jail supervisor, in consultation with the senior medical person on duty, will determine which inmates need to be housed in the medical unit.

J. Inmates who are sentenced to more than 60 days may request a review of his/her classification plan no more often the 30 days from his/her last review.