

**NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION
506**

RECLASSIFICATION SCHEDULE

Supersedes: AR 506 (10/15/13); and AR 506 (Temporary, 11/04/14)
Effective Date: 05/19/15

AUTHORITY

NRS 209.341
NRS 209.351

RESPONSIBILITY

An Associate Warden/Facility Manager is responsible to ensure inmates are classified in a timely manner and for ensuring all classification reviews are documented.

506.01 REGULAR (PERIODIC) CLASSIFICATION

1. A new classification risk assessment in the Nevada Offender Tracking Information System (NOTIS) is required when the proposed classification is a Periodic classification.
 - A. Regular or periodic reclassification will occur no less frequently than once every six months.
 - B. The schedule of future reclassification hearings is reset each time an inmate receives a periodic reclassification.
2. NOTIS provides a means of identifying inmates who are eligible, overdue or require an interim date for periodic classification.
3. Periodic reclassification includes a review of all case factors relevant to the inmate's custody, housing and assignment.
4. The frequency of classification hearings for inmates who are placed in administrative segregation are governed by AR 507 and 509 respectively.
5. Interim review dates can be set to update classification in response to the following:

A. Violence, time frame release, post-disciplinary, or other changes that could effect a reduction in custody. This may or may not require a new classification risk assessment to be completed.

506.02 INSTITUTIONAL CLASSIFICATION

1. Institutional classification involves a review of selected items of an inmate's classification as opposed to a regular review where all aspects are considered.

2. Institutional classification may occur as often as necessary to adjust those elements of an inmate's status which do not require approval by the Offender Management Division (OMD).

3. Institutional classification does not require a new assessment be completed.

4. Institutional classification does not affect the periodic classification date.

5. Institutional classification may be conducted in-absentia if:

A. The proposed change is minor.

B. Not adverse.

C. Security precludes the inmate's presence.

D. Inmate waives presence.

E. The reason will be noted in the classification entry.

6. Reclassification Committee Composition

A. The reclassification committee should consist of at least two (2) members including the assigned Correctional Caseworker (CCS) as chairperson and either one other CCS or one custody staff. The Associate Warden or CCS III will act as the approval authority.

B. At conservation camps and transition centers, the committee should consist of at least two (2) members including the CCS as chairperson and the Facility Manager or the senior correctional officer on duty.

C. At conservation camps, the Nevada Division of Forestry (NDF) supervisor may attend the meeting as a non-voting member.

D. The committee may also include other representatives as non-voting members, when necessary to meet the treatment, program or due process needs of the inmate.

506.03 CHANGE CLASSIFICATION

1. Specific events or the satisfaction of various statutory requirements for reduced custody may indicate the need for a Change Classification hearing for the inmate. These events or circumstances may include but are not limited to:

- A. The six month anniversary of an inmate's last periodic classification.
- B. Completion of casework which resolved uncertainties and removes obstacles to an inmate's progression through the classification system.
- C. When an inmate has met the criteria for assignment to a reduced custody by satisfying the time frame to release and time frame to violence elements of classification.
- D. When an inmate has been identified as having been arrested for two or more sexual offenses arising from separate incidents, and/or convicted as an adult, or adjudicated guilty as a minor, for a felony offense allegedly involving sexual misconduct a DOC Form 2070 will be completed. If the inmate wishes to appeal, the discretionary decision, a Full Classification Committee is to be conducted with no less than a 3-member panel. This panel should include an Associate Warden or designee; the inmate's caseworker and/or another caseworker or uniformed officer with the rank of Sergeant or higher. The results of the full classification will be distributed to the inmate using DOC Form 2086. All actions noted above are also to be recorded respectively in the inmate's case notes.
- E. Transfer to another institution/facility.

(1) An intra-department transfer will be preceded by a Change Classification with a new assessment by the sending institution/facility and will be approved by OMD. This is necessary to establish the inmate's new classification status.

a. During regular business hours (M-F 8:00 AM – 5:00 PM) approval will be given by designated OMD staff prior to a transfer in an urgent or emergency situation. The sending institution will e-mail OMD the reason for the request and the inmate's name and number after completing the assessment and case note in NOTIS. OMD will review and approve the classification and respond to the sending and receiving institutions by e-mail.

b. After business hours and holidays, the sending institution will contact the receiving institution directly, enter a case note in NOTIS and transact the inmate using an Unscheduled Transfer in NOTIS. A change classification instrument will be completed on the first work day following the unscheduled transfer. The sending institution is to email the appropriate OMD staff(s) the next business day after the change classification has been completed.

506.04 EVENTS OR CIRCUMSTANCES WHICH MAY REQUIRE RECLASSIFICATION

1. Post disciplinary classification

A. Subsequent to a disciplinary hearing, the confinement of an individual in disciplinary segregation or austere housing or institutional transfer may require the completion of a classification hearing.

(1) This is necessary to document exclusions from various custody levels based upon the disciplinary sanctions and to correct computed custodies based upon segregation.

(2) These hearings would also document disciplinary segregation outdates in case notes and the OFFENDER CARE IN PLACEMENT screen of NOTIS. Classification staff should be trained in the regulations (AR 707 and 507) which govern this circumstance.

2. Requests for Protective Segregation

A. An inmate requesting assignment to protective segregation should have their request considered and acted upon by the classification committee.

B. Requests for protective segregation should be treated as a priority matter and not be delayed unnecessarily and exclusions documented in the NOTIS assessment.

(1) If approved for Protective Segregation corresponding Alert and Care in Placement entries will be entered in NOTIS accordingly.

3. Post Parole Board

A. A hearing before the Parole Board usually represents a significant milestone in the inmate's sentence.

B. Custody reductions or custody increases may be appropriate.

4. Post Conviction

A. Changes in the inmate's legal status subsequent to their arrival at the Department may have an immediate and direct bearing on their classification status.

B. This would include but is not limited to sentence reductions, new convictions and the placement or removal of holds and detainers.

**506.05 HEARING REQUIREMENTS FOR ADMINISTRATIVE
SEGREGATION AND PROTECTIVE SEGREGATION**

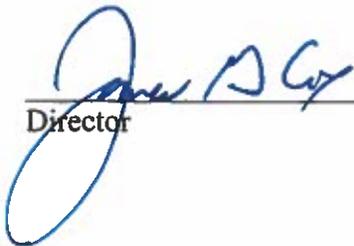
1. The frequency of classification hearings for inmates who are placed in administrative or protective segregation are governed by AR 507 and 509 respectively.
2. Classification staff should consult those regulations for guidance concerning the frequency and conduct of hearings.

APPLICABILITY

1. This Administrative Regulation applies to all inmates within the Department.
2. This Administrative Regulation does not require an Operational Procedure.
3. This Administrative Regulation requires an audit.

REFERENCES

ACA Standards 4-4287



Director

5/20/19

Date