

**NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION
516**

LEVEL SYSTEM

Supersedes: AR 516 (Temporary, 10/11/11)
Effective Date: 06/17/12

AUTHORITY

NRS 209.131
NRS 209.352

RESPONSIBILITY

Institutional Wardens and Facility Managers are responsible to develop and maintain an inmate level system.

All classification program staff involved in the classification process are responsible to ensure they make every reasonable attempt to follow the Level System Operational Procedure for their facility.

516.01 LEVEL SYSTEM PROCEDURE

1. An institution may have a departmentally standardized level system which is to be monitored and evaluated annually and updated as needed.

A. Restitution Centers, Camps and Transitional Housing Centers may be excluded from this regulation.

B. Protective Segregation, Disciplinary Segregation, Administrative Segregation and other specialized program units may be excluded from this regulation.

2. Each level should have a performance based criteria which involves inmate performance including but not limited to:

A. Work

B. Disciplinary

C. Program compliance

D. Appearance

E. Environment

3. All institutions should develop a level system which is standardized and comparable throughout the Department depending on institutional/departmental needs which meet the diversity of the institution.

A. Inmates shall progress through the level system when eligible. Documentation within Nevada Offender Tracking Information System (NOTIS) is required.

B. Regressions from levels do not require disciplinary action but documentation within NOTIS is required.

C. A classification committee will be conducted on all level progressions and regressions.

D. Inmates transferred between institutions of like security level, not involving disciplinary actions or job terminations, may retain their level assignment upon transfer. This will be based on the needs of the institution.

(1) Inmates may be required to go through an initial evaluation/orientation period in the most restrictive Level, not to exceed thirty (30) days. Exceptions will be based on the needs of the institution.

4. The following rights or privileges are components of any level system and are not to be abridged by the Regulation:

A. Food

B. Mail

C. Legal access

D. Religious access

E. Access to medical treatment

5. The following privileges may be used as incentives:

A. Property

B. Appliances

C. Program access

- D. Work/pay
- E. Yard/tier time
- F. Phone access
- G. Canteen
- H. Recreation/gym access
- I. Clothing
- J. Packages
- K. Work assignments

6. Each medium security facility and maximum security prison may establish three (3) levels with Level 1 as the level that allows the maximum number of privileges. The institution may also consider factors including but not limited to ethnic balances, Security Threat Group and/or other institutional needs.

7. Newly arriving inmates may qualify for a level contingent upon review of their disciplinary history and other level criteria.

8. There is no set percentage of inmates assigned to each level.

9. This regulation does not create any liberty interest, or right to any classification status, work assignment or placement, on behalf of any inmate, nor is any liberty interest to be implied from the implementation of a level system.

516.02 MEDIUM SECURITY INSTITUTION LEVEL SYSTEMS

1. The following criteria should be followed for Level 1 inmates.

A. Performance based criteria

(1) Work must include an assignment to full-time participation in work, education and/or special program assignment.

(2) Inmates assigned to any Prison Industry Program must be housed in Level 1.

(3) No major disciplinary convictions within the past twelve months; the committee may evaluate the overall disciplinary record.

(4) Program compliance requires active involvement, participation and attendance.

(5) Appearance includes maintaining hygiene and grooming standards.

(6) The inmates must maintain a clean and orderly living area and comply with all housing rules and Operational Procedures.

B. Incentives and authorized activities:

(1) Inmates will have access to open yard activities and the multi-purpose activity centers.

(2) Inmates will have canteen as scheduled and authorized by Operational Procedures.

(3) Inmates shall have access to education, law library, gym, chapel, culinary and other such areas as institutional schedules permit.

2. The following criteria should be followed for Level 2 inmates:

A. Performance based criteria:

(1) Work may include an assignment to full-time participation in work, education and/or special program assignment.

(2) The committee should evaluate the overall disciplinary record.

(3) Program compliance requires active involvement, participation and attendance.

(4) Appearance includes maintaining hygiene and grooming standards.

(5) The inmates must maintain a clean and orderly living area and comply with all housing rules and Operational Procedures.

B. Incentive and authorized activities:

(1) Restrictions and/or limitations regarding access to work assignments and/or recreational activities can be imposed.

3. The following criteria should be followed for Level 3, the most restricted level:

A. Performance and criteria:

(1) Inmates who do not meet the criteria for Levels 1 or 2:

(a) New arrivals.

- (b) Removed from Level 1 or 2.
- (c) Recently classified from segregation housing or close custody.
- (d) Pending disciplinary action which may result in removal from Level 1 or 2.
- (e) Austere Housing.

B. Incentives and authorized activities:

- (1) Limitations and restrictions of activities as stated in 516.01.
- (2) Access to programs and education.

513.03 MAXIMUM SECURITY PRISON LEVEL SYSTEM

1. The following criteria should be followed for Level 1 inmates:

A. Performance based criteria

- (1) Work must include an assignment to full-time participation in work, education and/or special program assignment.
- (2) Inmates assigned to any Prison Industry Program must be housed in Level 1.
- (3) No major disciplinary convictions within the past twelve months; the committee may evaluate the overall disciplinary record.
- (4) Program compliance requires active involvement, participation and attendance.
- (5) Appearance includes maintaining hygiene and grooming standards.
- (6) The inmates must maintain a clean and orderly living area and comply with all housing rules and Operational Procedures.

B. Incentives and authorized activities:

- (1) Outside yard access as scheduled.
- (2) Canteen requests will be delivered to the designated housing unit.
- (3) All meals are served in the designated area of the institution.

- (4) Access to scheduled tier time.
- (5) Escorts and movement will be controlled by Operational Procedure.
- (6) The Warden will determine physical access to the education facilities.
- (7) The Warden will determine the number of participants who will have access to the institutional chapel.
- (8) Unit yard access as scheduled.
- (9) Recreational activities and gym access as scheduled and determined by Operational Procedures.

2. The following criteria should be followed for Level 2 inmates:

A. Performance based criteria:

- (1) Work must be able to be performed on a classified work assignment.
- (2) Having no major or general disciplinary convictions within the past six months.
- (3) Program compliance requires active involvement, participation and attendance.
- (4) Appearance includes maintaining hygiene and grooming standards.
- (5) The inmates must maintain a clean and orderly living area and comply with all housing rules and Operational Procedures.

B. Incentives and authorized activities;

- (1) Outside yard access as scheduled.
- (2) Canteen requests will be delivered to the designated housing unit.
- (3) All meals are served in the designated area of the institution.
- (4) Access to scheduled tier time.
- (5) Escorts and movement will be controlled by Operational Procedure.
- (6) The Warden will determine the number of participants who will have access to the institutional chapel.

(7) Unit yard access as scheduled.

(8) Recreational activities and gym access as scheduled and determined by Operational Procedures.

3. The following criteria should be followed for Level 3 inmates:

A. Performance based criteria:

(1) Compliance with housing rules and Operational Procedures is required to remain in this level.

(2) Inmates who have completed a disciplinary sanction or granted early release from the sanction.

(3) Inmates who have recently been received from the intake centers or who have been transferred as a management problem.

B. Incentives and authorized activities:

(1) Unit interior yard access as scheduled.

(2) Canteen requests will be delivered to the designated housing unit.

(3) All meals are served in the units.

(4) Escorts and movement will be controlled by Operational Procedure.

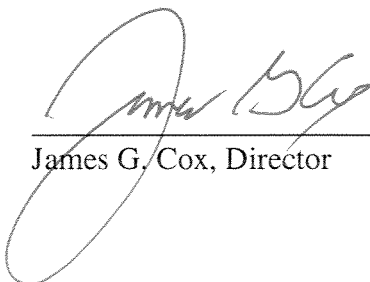
(5) Access to education via correspondence.

APPLICABILITY

1. This regulation applies to the operation of all institutions and facilities except for camps, restitution centers and transitional housing.

2. This regulation requires an Operational Procedure for all institutions with a level system.

3. This AR does not require an audit.



James G. Cox, Director

5/30/12

Date