

EMBARGOED UNTIL July 17, 2018 at 10 am

**Delaware Department of Correction Final Public Report
July 17, 2018
Implementation of Independent Review Team Recommendations**

Claire M. DeMatteis, Esq., Special Assistant to the Governor
Assigned to the Department of Correction

Over the last 12 months, Delaware Department of Correction (DDOC) officers, counselors, medical and treatment staffs, supervisors and senior leaders have worked diligently to address and implement the 41 recommendations in the Final Report of the Independent Review of Security Issues at the James T. Vaughn Correctional Center (JTVCC).¹

Of the 41 recommendations, the DDOC has implemented and measurably addressed 40 of them, which is documented in the chart below. Some of the recommendations could be implemented with a single directive or action; others, such as efforts to improve communication and culture and issues involving inmate classifications, have been implemented and entail ongoing efforts. The one recommendation that requires continued focus and substantive action is the recommendation to reduce mandatory overtime. While enhanced recruiting efforts could take another 18 to 24 months to yield substantial reductions in officer vacancies, DDOC leaders are actively seeking interim solutions, particularly at JTVCC, to reduce the number of overtime shifts required to operate the facility safely. These solutions are expected to be carried out beginning this fall.

The DDOC has demonstrated it is determined to do more than merely implement these recommendations. The Independent Review Team (IRT) Report served as a framework to bolster the Department's commitment following the February 1-2, 2017 prison siege and death of Lt. Steven Floyd to strengthen officer safety and training; recruit and retain more officers; improve officer interactions with inmates; restore the pride of serving as an officer in Delaware's largest law enforcement agency; and, enhance services, job training skills and programs for inmates. In conjunction with Commissioner Perry Phelps' "Reset and Rebuild" initiative launched in March 2017, the overarching objective of implementing the IRT recommendations has been to strengthen the DDOC, to serve its dual mission of public safety and rehabilitation of offenders.

¹ On February 14, 2017, Governor Carney appointed the Independent Review Team (IRT) and requested an assessment of security issues at the JTVCC. From February to August 2017, the IRT led by the Honorable William L. Chapman, Jr., former Delaware Family Court Judge, and the Honorable Charles M. Oberly, III, former U.S. Attorney for the District of Delaware and former Delaware Attorney General, with support from the Police Chiefs Foundation, conducted a thorough review of DDOC operations. The IRT interviewed dozens of officers, reviewed thousands of pages of documents and electronic communications and spent time visiting the JTVCC.

It is a record of steady and continuous improvement. The DDOC is stronger than it was 18 months ago, one year ago, one month ago.

That does not mean all problems have been solved.

Officers continue to express concerns regarding: understaffing and the resulting need for mandatory overtime; improving communication up and down the chain of command; and, the need to rebuild trust. These concerns are real, and the DDOC must continue to address them.

From February 2017 through fiscal year 2019, the Carney Administration and General Assembly have committed \$62 million to the DDOC to invest in the following four areas, which the IRT Report and Commissioner Phelps identified as priorities:

1. Strengthen Officer Safety and Training
2. Recruitment and Retention of Officers
3. Modernize Operations, Intelligence Gathering and Intelligence Sharing
4. Improve Programs and Services for Inmates

Strengthen Officer Safety and Training

After years of budget constraints when funding for officer trainings was reduced, the DDOC partnered with Wilmington University to conduct a 6-hour training course for all correctional officers in the areas of risk management, de-escalation skills, communication skills and cultural competency. More than 1200 officers completed the mandatory training from January – July 2018 from experienced, skilled law enforcement officers who are Wilmington University professors. Wilmington University law enforcement professionals also conducted an 8-hour training course for 400 correctional leaders in supervisory management and leadership skills.

DDOC also has partnered with the Criminal Justice Council and Capitol Police to offer several dozen correctional officers specialized FBI-LEEDA trainings for Law Enforcement Executive Development. Correctional officers also have been offered online supervisory management and leadership training provided by OMB and DHR. Dozens of JTVCC staff have completed these training courses over the past year.

These trainings will continue over the next year.

Correctional officers, Probation and Parole officers and DDOC senior leadership attended a training by Dr. Edward Latessa from the University of Cincinnati. The training focused on “What Works” in corrections and the use of evidence-based practices in corrections.

About 100 sworn DDOC officers from the Bureau of Prisons and the Bureau of Community Corrections, as well as civilian staff, participated in the first-ever Prison SMART trainings for Delaware correctional officers and employees. Prison SMART is a

globally-recognized mindfulness program administered by the International Association of Human Values. Prison SMART is a 3-day training that addresses focus, clarity, stress, and mental wellness. Ten trainings were held last year and twenty more are scheduled for the current fiscal year.

The following measures focused on officer safety, training and recognition also have been implemented:

- Added less-than-lethal weapons and defensive gear for officers' safety;
- Created JTVCC staff recognition program;
- Created mandatory mentorship by experienced correctional officers for new correctional officers;
- Conducting performance reviews and feedback sessions for correctional officers;
- More strictly tracking correctional officers weapon certification and training requirements;
- Reinvigorated K9 program by putting teams back inside the facility and working with correctional officers on various shifts;
- Increasing correctional officers' accountability for all equipment at JTVCC.

Recruitment and Retention of Officers

Governor John Carney, members of the General Assembly, the Office of Management and Budget, and leaders of the Correctional Officers Association of Delaware (COAD) continue to support the DDOC's efforts to recruit and retain more correctional officers. Over the past 18 months, these efforts include:

- Increasing officers' starting salary to \$40,000 in FY18 and \$43,000 in FY19.
- Increasing the salary for members of AFSCME, Local 247, Unit 11, which includes Lieutenants, Staff Lieutenants and Captains, in FY18 and FY19.
- Implementing a new career ladder and revised promotional standards, which had not been updated since 1987.
- Offering an incentive signing bonus of \$3,000 for new officers who graduate from the Academy and stay with the Department for at least 2 years.
- Offering a referral bonus of \$1,000 to existing officers who refer a recruit who graduates from the Academy and stays with the Department for at least 2 years.
- Hired two full-time recruiters.
- Additional resources for marketing and job fairs.
- Implementing standard physical fitness requirements for recruits and officer promotions.
- Holding the first-ever Youth Cadet Academy for high school students to create a future pipeline of correctional officers.

The DDOC's recruiting efforts are showing positive results. Over the last 12 months, the Department has hired 183 new officers, with an additional 53 recruits currently enrolled in the basic training class that will graduate in August. Over the past year, the DDOC has had its highest recruiting period than any time in the last 5 years. With about 232 officers who retired, were terminated or resigned voluntarily over the past two years, statewide there are 227 current officer vacancies as of the release of this report, including 98 officer vacancies at JTVCC. In addition, the Delaware Staffing Analysis Team (DSAT) has completed its review to update recommended staffing levels at JTVCC, with the recommendation to add 137 more officers based on the current inmate population of approximately 2,210 offenders.

Keeping shifts at Level V and IV facilities staffed 24 hours a day, 7 days a week requires tremendous commitment and sacrifice by correctional officers and their families. While officer overtime from July 1, 2017 – June 30, 2018 cost the state nearly \$31 million, that cost is an essential public safety expense. Extensive overtime can take a toll on officers' mental and physical health, decrease job satisfaction and increase officer attrition. DDOC leaders are actively engaged in developing interim corrections solutions, modeled after those employed in neighboring states, to decrease the number of overtime shifts that officers are working, either by volunteering to fill shifts or during "shift freezes," when overtime hours are mandated so that prisons are adequately staffed.

Modernize Operations, Intelligence Gathering and Intelligence Sharing

The DDOC has made strides modernizing operations with smarter, technology-assisted correctional practices, including the installation of hundreds of cameras at JTVCC over the past 10 months. The cameras, which have been installed 6-months ahead of schedule, will provide real-time, actionable intelligence for the first time since JTVCC was constructed in 1971.

Plans for a new Corrections Intelligence Operations Center, which is expected to be operational within the next six months, will allow trained intelligence analysts to proactively monitor cameras and communicate intelligence across all Level V and Level IV facilities. The Commissioner's senior leadership team, correctional supervisors and officers have made intelligence-gathering and intelligence-sharing a priority to improve communication and minimize the risk of concerted inmate action against officers or other inmates.

Investments to modernize operations include additional cameras not only at JTVCC, but also at Howard R. Young Correctional Institution (HRYCI), Sussex Correctional Institution (SCI) and Baylor Women's Correctional Institution (BWCI). As recommended by the Independent Review Team Report, the DDOC has created a Contraband Interdiction Unit, called STOP, which stands for "Security Threat & Organized Crime Prevention Team." STOP teams, staffed by officers and K-9 units, will gather and share intelligence across Level V facilities to prevent unlawful items from entering prisons and

interdict/confiscate contraband that does make its way inside prison walls, such as drugs, weapons and cell phones.

Recognizing that more technology-driven corrections tools require dedicated officers who are proficient in technology, the Department has reclassified six open officer positions to the title of Correctional Officer / Electronic Technician, as the Independent Review Team report recommended. All six new Correctional Officer / Electronic Technician positions have been hired as of June 24, 2018.

Improve Programs and Services for Inmates

Programs and services offered to inmates at the JTVCC have improved over the past year. There are new culinary, horticulture and automotive technician programs available to inmates to give them critical job-skills. In addition, the Prison Arts Program and several non-profit groups have resumed operating programs at JTVCC, including: Victims Voices Heard, Alternatives to Violence Program, Gamblers Anonymous, Alcoholics Anonymous and Narcotics, Echoes of Joy Choir; and the Kings Garden Project. The Inmate Advisory Council, which was initiated by Warden Dana Metzger in the fall of 2017, holds formal monthly meetings with the Warden and his senior staff, medical providers, counselor and treatment staff. The goal is to foster discussion and problem-solving between inmates and corrections officials. Ten inmates on the Council meet monthly on their own, then meet with JTVCC senior leadership to discuss their recommendations and requests.

To implement IRT recommendations, the DDOC has partnered with independent professionals to review and assess the delivery of health care services to inmates at JTVCC, and, separately, to evaluate the inmate grievance process. The health care assessment was performed by NCCHC Resources, Inc. (NRI). The grievance process assessment is underway, through a three-year contract with The Moss Group.

Over the past year, the DDOC has partnered with the Delaware Department of Technology Information (DTI), Aerohive Networks and Global Tel Link (GTL) to significantly increase the Wi-Fi access points within JTVCC's concrete buildings to expand a hand-held tablet computer project for inmates, which was piloted at Baylor Women's Correctional Institution (BWCI). The tablets, which will be provided by GTL at no cost to the DDOC, give inmates access to more educational programming, an electronic law library, filing grievances online, the sick call process, video visitation, books and movies. The privilege of being granted access to tablets will help incentivize positive behavior by inmates. In turn, the educational and recreational opportunities the tablets provide for inmates are expected to assist officers in keeping the facility safe and secure.

The DDOC also has implemented the following measures to improve programs and services for inmates at JTVCC:

- Increased educational opportunities for inmates, such as additional high school equivalency GED classes;
- Updated JTVCC webpage to educate the population and the public on how a prison works, from classification to processing, visitation and lockdowns;
- DDOC's contracted behavioral health provider, Connections Community Support Programs, Inc., is implementing the University of Cincinnati's Cognitive Behavioral Interventions - Comprehensive Curriculum (CBI-CC) – for inmates within all Level V prisons and some Level IV community corrections facilities. The behavioral health program helps offenders work through the issues that led to their criminal behavior to help prevent repeated criminal activity and integrate back into society;
- Increased inmate visitation privileges;
- Expanded Law Library visits;
- Opened a second gym for inmates in Building 24;
- Created an incentive program and policy for maximum security inmates to help step down to lower classification levels;
- Implemented new alternative therapy modalities for inmates in the Residential Treatment Unit that include art therapy, aroma therapy and music;
- Striving to exceed recreation-time requirements for inmates in restrictive housing as set forth in *CLASI v. Coupe*;
- Expanded commissary product offerings to ensure items are relevant for a culturally-diverse inmate population.

Further improvements include expanding the use of "Channel 19," which is a project initiated in 2006 designed to broadcast selected content to the inmate population of JTVCC. Channel 19's goals include broadcasting informational, instructional and/or entertaining content to the inmate population of JTVCC, for example: updated housing rules and policy changes, library and commissary listings, medical and recreational scheduling, educational courses, high quality public broadcast content, religious services, and appropriate, commercially accessible movies.

The "Isthmus," JTVCC's in-house news publication written and produced by inmates, has been revitalized and is formatted and produced for the benefit of inmates and institutional staff alike. The name of the paper metaphorically describes the nature and purpose of this publication. Just as an "isthmus" is a narrow strip of land having water at each side and connecting two larger bodies of land, so too this paper attempts to bridge the gap that exists between men and women living in a free society and those living in restraint of their liberty.

Beyond JTVCC, the DDOC continues work in partnership with the National Governor's Association Center for Best Practices (NGA) and the National Criminal Justice Association for Justice Planning (NCJP) to develop and implement a system-wide blueprint for Reentry Reform. Called the Delaware's Correctional Reentry Continuum

(CRC), the strategic plan applies data-driven, evidence based practices starting at an offender's intake into a correctional facility through participation in community supervision thereby enhancing the likelihood of offenders' successful transition from "inmate" to "citizen". The CRC intends to reduce recidivism, applies fairer, more cost effective reentry strategies culminating in increased public safety in Delaware's communities.

Warden Metzger's motivational leadership style, visibility walking the tiers interacting with inmates, policy changes, and new directives to engage the inmate population in constructive ways are leading to prosocial institutional adjustment and correctional rehabilitation. The public often hears only of negative comments from inmates and their families. A review of several, unsolicited letters from inmates to Warden Metzger paint a much more positive picture. One inmate wrote:

"Among the more positive initiatives you have made since coming into office none has I believe been more beneficial than your promotion of contact between yourself (and senior staff) directly with inmates. This is a culture change of such significance that no one among the inmate population can fail to be aware of it and be persuaded of the genuine desire to foster communication throughout the community. Men who feel they have a voice and are heard are much less prone to frustration and resentment which may manifest itself in antisocial and destructive behaviors..."

...This new informality from senior staff is noticeable by all and so much different from the 'bad old days' that it creates an altogether different and less stressful/confrontational environment than that which formerly prevailed. I appreciate that all senior staff (not least yourself) must have a plethora of duties and tasks (and meetings!) to undertake. But making time to be seen and available direct to the inmate population is one of the best investments of your precious time that can be made and I commend you for the wisdom shown in making this not only a priority of your own but clearly one you are actively encouraging with the rest of your staff..."

...The introduction and commitment to regular meetings of the Inmate Advisory Council is proving an evident success as another means of communication which has been welcomed throughout the inmate population. Of course, 'Rome was not built in a day' and the task of structural institutional culture change you are embarked upon will inevitably be a slow process but I believe most inmates are now persuaded that it is a sure one and that what has begun so well will eventually see fruition in a far different and improved experience – not only for inmates but hopefully for officers too. So, many are greatly encouraged – and I hope you and your staff are as well."

To track the progress made on each recommendation from the Independent Review Team's September 1, 2017 Report, here is a summary.

IRT Recommendation	Implementation Status
<p>Recommendation 3.1: Prioritize programs and strategies that facilitate a more positive culture amongst JTVCC staff and between JTVCC staff and inmates.</p>	<p>Prioritization of such programs and strategies has been implemented through initiatives including the Inmate Advisory Council, the Correctional Officer Advisory Council, Word of the Week and monthly JTVCC in-house newsletter for officers, called "The Fenceline" (see Appendix A). In addition DDOC is implementing Prison Dialogue at JTVCC, expanding statewide in future years.</p> <p>Prison Dialogue, which engages officers, supervisors, counselors and staff, is based on more than 20 years of practice and research in prisons and correctional systems throughout the U.S. and U.K. Participants work through 4 skills: engagement; helping others to participate; how to talk productively; and, better quality decisions. To diffuse contentious situations, officers follow 4 Dialogue Practices: voice, listening, respect and suspension. Participants engage in 4 Dialogue Actions: move, follow, oppose and by-stand. . All JTVCC staff and contractors will receive a 1 day Dialogue Skills Training in the next 18 months, and Dialogue Practitioners will be identified and trained to facilitate the newly-acquired dialogue skills among their colleagues at the correctional facility.</p>
<p>Recommendation 3.2: Review and rewrite job descriptions and promotional standards to reflect the skills and knowledge required to enhance staff behavior and facility culture.</p>	<p>Implemented through the first revision and update of job descriptions and promotional standards since 1987.</p>
<p>Recommendation 3.3: JTVCC administrators should discontinue the practice of policy revision/implementation by e-mail or verbal communication.</p>	<p>Implemented on September 8, 2017 by Directive issued by Bureau of Prisons.</p>
<p>Recommendation 3.4: The DOC Commissioner should review the practices of masked mass shakedowns by CERT.</p>	<p>Implemented through discontinuation of masked mass shakedowns by CERT as of October 2017.</p>
<p>Recommendation 3.5: The DOC Commissioner should assert the primacy of central office over the facilities.</p>	<p>Implemented, ongoing. While Wardens of JTVCC, HRYCI, SCI and BWCI are in command of their respective facilities, there has been a concerted effort over the past year to continue to assert the primacy of the Commissioner over all DDOC operations. Commissioner Phelps trained and implemented his Interactive Leadership initiative,</p>

IRT Recommendation	Implementation Status
	<p>which involves correctional supervisors and wardens to walk the tiers and compound and engage with officers and inmates. The Bureau of Prisons Chief and Deputy Chief holds monthly meetings with Level V Wardens to continue to strengthen operations, focus on areas of concern and help increase operational effectiveness.</p>
<p>Recommendation 3.6: Evidence-based programs and trainings should be prioritized for all levels of leadership at the JTVCC.</p>	<p>Implemented through specially-designed trainings for all correctional officers and supervisors led by law enforcement professionals at Wilmington University and FBI-LEEDA trainings (Law Enforcement Executive Development)</p>
<p>Recommendation 4.1: To the extent possible, reduce reliance on mandatory overtime and limit the number of overtime hours per week for employees at the JTVCC.</p>	<p>Mandatory overtime remains necessary to operate safe facilities due to a 16% officer vacancy rate. To implement this recommendation to the extent possible, the Bureau of Prisons has issued the first-ever mandatory overtime policy that establishes uniform guidelines, practices and procedures for officers required to work mandatory overtime. The policy gives Wardens the ability and options for collapsing posts, or shutting them down all together to reassign officers, rather than having to freeze officers to cover certain areas. DDOC senior leaders and wardens are considering alternatives for managing populations within each facility, with the goal of reducing reliance on overtime. These measures, which are expected to be carried out starting this fall, will be in place until the officer vacancy rate is below 10%.</p>
<p>Recommendation 4.2: JTVCC administrators should identify evidence-based programs and practices that address officer safety and wellness in correctional facilities.</p>	<p>Implemented through Prison SMART, a globally-recognized mindfulness program geared toward DOC staff.</p>
<p>Recommendation 4.3: The JTVCC must evaluate its timekeeping practices to ensure they adhere to state and federal labor laws.</p>	<p>Evaluation of and revisions to timekeeping practices are being implemented, including the installation of additional timekeeping stations to more accurately record actual time worked.</p>
<p>Recommendation 4.4: JTVCC administrators should compel participation in critical incident debriefings or post-incident counseling not only for those directly involved but also for those not involved.</p>	<p>Implemented, critical incident debriefing held in January 2018.</p>
<p>Recommendation 4.5: DOC and JTVCC administrators should mandate officer safety</p>	<p>Implemented through Prison SMART, a globally-recognized mindfulness program geared toward</p>

IRT Recommendation	Implementation Status
and wellness training for all correctional officers on a regular basis.	DOC staff.
Recommendation 5.1: All JTVCC employees should be required to sign a document indicating that they have read the DOC and the JTVCC Policies and Procedures identified by their superiors, as soon as possible, and should also be required to sign a copy of each policy or procedure update.	Implemented through software update. Officers receive emails to review policies and procedures and electronically sign an acknowledgement that they have read and understand each policy and procedure update. Officers who have questions have an opportunity to submit or ask such questions.
Recommendation 5.2: Officers assigned to a specific post should be required to sign off on the post orders upon assuming the post.	Implemented through practical procedures at shift changes through muster and post assignments.
Recommendation 5.3: Policies, procedures, and post orders should continue to be reviewed, revised, and updated annually.	Implemented through comprehensive revisions and updates of policies and procedures issued by the Bureau of Prisons and at each Level V facility.
Recommendation 5.4: Identify, and implement, security level and program classification systems that are effective and evidence-based.	Implemented, ongoing. DDOC's Risks Needs Responsivity (RNR) Tool was integrated into the prison program classification system in April 2017. The tool is based on evidence-based principles that consider the inmate's criminogenic needs and provides recommendations for available programming that is responsive to those needs. To further address classification and re-classification issues raised by officers, a Classification Work Group was established by the Commissioner and Bureau of Prisons Chief in May 2018.
Recommendation 5.5: JTVCC administrators and leadership should provide documentation with specific explanations for overriding security level classifications and other security-based decisions made by staff.	Implemented, ongoing. See Bureau of Prisons Policy 3.3, Appendix B
Recommendation 5.6: Establish a Contraband Interdiction Unit (CIU) at the JTVCC.	Implemented. Two CIU teams, consisting of officers and K-9 teams, will pursue actionable intelligence of inmate contraband at all Level V facilities.
Recommendation 6.1: The Delaware DOC should expedite the implementation of the 16 hours of "in the seat" training and reduce the number of online training hours.	Implemented, ongoing. The DDOC has made the 16 hours of in-seat training a priority. The 16 - hour in-seat requirement is documented in DDOC training standards. Reducing the current 24 hours of annual online training must be balanced with staffing shortages and funding constraints. The in-person trainings detailed in Recommendations 3.6, 6.3 and 7.3 are a positive example of the DDOC's implementation of "in-seat training" for all officers.

IRT Recommendation	Implementation Status
Recommendation 6.2: Individual DOC facilities should be able to tailor aspects of the annual in-service training to their specific needs.	Implemented. Level V facilities now have an "Institutional Training Administrator" to coordinate scheduling officer trainings. DDOC's annual training plan is established through the coordinated efforts of the Employee Development Center in conjunction with input from individual facilities. Annual trainings are established based upon DDOC policies, identified needs and accreditation standards.
Recommendation 6.3: Ensure that training courses prioritize topics and courses that are essential to operating a 21st Century correctional facility that focuses on rehabilitation.	Implemented. DDOC has partnered with Wilmington University to conduct a 6-hour training course of all correctional officers in the areas of risk management, de-escalation skills, communication skills and cultural competency. This training is mandatory. From January – July 2018, 1200 correctional officers received this training from experienced, skilled law enforcement officers who are Wilmington University professors.
Recommendation 6.4: Prohibit training from being conducted while on post.	Implemented through Bureau of Prisons Directive issued on September 22, 2017.
Recommendation 6.5: The JTVCC should expedite the creation of a field training officer (FTO) program, link it to other leadership development and upward mobility opportunities, and ensure that qualified applicants are selected.	Implemented with field training officers at each Level V facility. See Policy 16.4, See Appendix C.
Recommendation 6.6: Require that all DOC training instructors complete train-the-trainer courses from an accredited agency such as the National Institute of Corrections (NIC) or the American Correctional Association (ACA).	Implemented. It is an established DDOC procedure that training instructors complete a train-the-trainer course as a minimum requirement to be an instructor.
Recommendation 7.1: The JTVCC should continue to test communication channels and immediately address identified issues	Implemented through Operations Briefings with security, operations and treatment senior staff (daily); New Intelligence Fusion Cell meetings (weekly); Warden Advisory Committee Meetings (monthly); Senior Leadership Walkthroughs (weekly); Town Halls (quarterly)
Recommendation 7.2: JTVCC administrators and all levels supervisors should build relationships and regularly communicate with one another to share promising practices.	Implemented through Operations Briefings with security, operations and treatment senior staff (daily); New Intelligence Fusion Cell meetings (weekly); Warden Advisory Committee Meetings (monthly); Senior Leadership Walkthroughs (weekly); Town Halls (quarterly)
Recommendation 7.3: JTVCC administrators and all levels of supervisors should receive training	Implemented. DDOC has partnered with Wilmington University to conduct a 6-hour

IRT Recommendation	Implementation Status
in communication skills.	training course of all correctional officers in the areas of risk management, de-escalation skills, communication skills and cultural competency.
Recommendation 7.4: Require employees to enter in, and read, information into DACS at the beginning and end of each shift.	Implemented, similar to Recommendation 5.1, DDOC has worked with the DACS vendor on the Integrated Policy and Procedure System, which generates email alerts to staff as they log into DACS.
Recommendation 8.1: The DOC should prioritize the replacement/upgrade of the hardware/server infrastructure used to operate DACS, including accounting for addition Access Points and Active Port costs.	Implemented and funded as part of FY19 Capital Improvements Budget (Bond Bill)
Recommendation 8.2: DOC should authorize additional Correctional Officer Technician positions for IT support throughout their facilities.	Implemented. The Delaware Department of Human Resources approved the CO/ Electronic Technician positions. The openings were posted and interviews properly conducted. Six Correctional Officer / Electronic Technicians were hired in June.
Recommendation 8.3: The State of Delaware should consider the unique technology and equipment needs of the DOC and specific facilities.	Implemented, ongoing partnership with the Delaware Department of Technology Information.
Recommendation 8.4: The JTVCC should purchase equipment, such as cameras, that contribute to overall inmate, staff, and facility safety and security.	Implemented. For the first time in JTVCC history, hundreds of interior and exterior cameras have been installed. The project is on budget and six months ahead of schedule, 20 of the 25 buildings at JTVCC have cameras installed, remaining buildings to be completed this fall.
Recommendation 8.5: JTVCC civilian staff should be provided with radios or other devices to communicate with sworn correctional staff.	Implemented. Radios have been provided at JTVCC, HRYCI, SCI and BWCI to civilian staff and are accessible for medical personnel, counselors and food service personnel in the event of an emergency, so staff can communicate with officers in an emergency and can monitor any emergency communications throughout the day.
Recommendation 9.1: The DOC should conduct an independent assessment of the health care and mental health care provided at the JTVCC.	Implemented with assessment and recommendations issued by independent consultants from the National Commission on Correctional Health Care. A new internal work group is charged with addressing recommendations and continuing health care improvements.
Recommendation 9.2: Develop a strategic plan to prioritize the restoration and expansion of evidence-based programs and job opportunities	Implemented through the expansion of evidence-based programs for inmates through cognitive-behavioral therapy and job opportunities for

IRT Recommendation	Implementation Status
at the JTVCC.	inmates at JTVCC, including culinary, automotive, construction and other trades.
<p>Recommendation 9.3: Identify creative solutions, including working with JTVCC staff and counselors, to deliver inmate programming and opportunities.</p>	<p>Implemented, ongoing. DDOC has completed an analysis of evidence-based programs at all of its Level V facilities, including the JTVCC. Planning & Research Chief Joanna Champney, Bureau of Correctional Healthcare Services Chief Marc Richman and Bureau of Community Corrections Chief James Elder are working with Bureau of Prisons Chief Wesley and JTVCC leaders to expand evidence-based CBT programming. DDOC's contracted behavioral healthcare provider, Connections, has trained more than 15 additional counselors on a highly-regarded national Cognitive Behavioral Therapy curriculum (Cognitive Behavioral Interventions – Comprehensive Curriculum [CBI-CC]) effective in prisons in other states.</p> <p>In addition, DDOC leaders are working with Delaware Correctional Industries (DCI) Director Mark Pariseau to increase funding to expand prison job opportunities of inmates. DCI utilizes offender labor, along with supervisors and administrative staff, to provide products and services to state agencies schools, universities, non-profit organizations and citizens of Delaware. Inmates receive critical job skills in trades, including construction, furniture making and repair, painting, web-design and automotive repair. These skills and workplace training play an important part in reducing offender recidivism by giving inmates job skills to employ once released from prison. Joanna Champney and Bureau of Community Corrections Chief James Elder are working to implement recommendations from the National Criminal Justice Reform Project (NCJRP) aimed at introducing evidence based reentry reforms across the DDOC correctional continuum beginning at intake and assessment and carrying through to community based supervision.</p>
<p>Recommendation 9.4: Review contracts for behavioral health and substance abuse treatment programs to identify opportunities for cognitive behavioral interventions to be</p>	<p>Implemented through Bureau of Correctional Health Care Services and ongoing DDOC's legacy Key-Crest drug treatment programs are currently in process of clinical</p>

IRT Recommendation	Implementation Status
included in the delivery of services.	redesign. Provider staff at Level IV Crest programs have been trained and have adopted the use of an evidence based curriculum from the Texas Christian University's Institute of Behavior Research called "Mapping Enhanced Counseling".
Recommendation 9.5: The JTVCC must develop a system of privileges and incentives to encourage positive behaviors on the part of inmates.	Implemented through additional GED classes for inmates to obtain a high school diploma; increased library and religious privileges; new horticultural and automotive job-training skills trainings. DDOC is working with an outside vendor to provide electronic tablets for inmates, which has required a significant financial commitment to installing Wi-Fi Access Points at JTVCC. Inmates granted the privilege of the tablets will have increased educational opportunities and programming. The tablets will help incentivize positive behavior by inmates by providing additional music and movie opportunities. In turn, opportunities the tablets provide for inmates are expected to assist officers in keeping the facility safe and secure.
Recommendation 10.1: JTVCC administrators and leadership should adopt procedural justice as the guiding principle in their interactions with correctional staff in order to develop internal legitimacy.	Implemented, ongoing. DDOC issued Policy 9.24 in 2017 revising policies across all Level V facilities that promote procedural justice as the guiding principle in interactions among staff.
Recommendation 10.2: JTVCC correctional staff should similarly adopt procedural justice as the guiding principle in their day-to-day interactions with inmates.	Implemented, ongoing through Commissioner Phelps' Interactive Leadership principles; Warden Metzger's Inmate Advisory Council Meetings; and reinforced in officers' trainings.
Recommendation 10.3: The JTVCC should establish a culture of transparency and accountability in order to rebuild trust and legitimacy with inmates.	Implemented, ongoing. Commissioner Phelps established a Civilian Community Council to serve as a liaison to help resolve welfare and safety issues raised by inmates. Members of this group include religious and respected community leaders. This initiative started at JTVCC, with the council members going to the facility to meet with inmates and DDOC leaders. Warden Metzger has established a weekly "Leadership by Walking Around" schedule that assigns senior staff members (Warden, Deputy Wardens and Majors) to visit various buildings on a rotating, weekly basis to talk informally with officers and inmates. The Inmate Advisory Council, Correctional Officers' Advisory Council, enhanced officer trainings and improved communication

IRT Recommendation	Implementation Status
	techniques are designed to improve the culture of transparency at the JTVCC to rebuild trust and legitimacy with inmates.
Recommendation 10.4: The JTVCC grievance processes and procedures should be reviewed and revised to be more efficient and fairer.	Implemented, ongoing. DDOC has hired The Moss Group with a three-year contract to conduct a thorough review and assessment of the inmate grievance process, offer recommendations for increasing efficiency, transparency and fairness, and assist with implementation of changes.

CONCLUSION

In July 2017, Governor Carney appointed a temporary special assistant to the Department of Correction to work with Commissioner Phelps and his senior leadership team to implement the recommendations in the Final Report of the Independent Review of Security Issues at the James T. Vaughn Correctional Center (JTVCC). He asked that two public reports be issued to document progress implementing these recommendations. The first public report was issued on January 11, 2018. This report marks the second and final public report. This report does not, however, mark the end of the DDOC's efforts to continue to strengthen its operations.

The dedicated men and women of the DDOC will continue to build upon the progress and positive changes of the past year. They will need the continued support and cooperation from state officials and funding from the General Assembly to maintain their momentum. Similarly, DDOC leaders must remain focused on the priorities that have guided progress to date and guard against practices and conditions that may have contributed to the tragedy that occurred at JTVCC in February 2017.

The author wishes to express a note of sincere thanks for the steadfast dedication of Commissioner Phelps, senior DOC leaders and wardens, correctional supervisors and officers, counselors, treatment and medical staffs and support staffs, who perform difficult, stressful jobs skillfully and professionally, day in and day out. Although DOC was the focus of the Independent Review Team Report Recommendations, the service and commitment of the Probation and Parole and Community Corrections teams also deserve the highest recognition.

In conclusion, the public can be confident that the DDOC is focused every hour of every day on public safety, offender rehabilitation, law enforcement training, commitment to safe operations, intelligence-sharing and communication required to prevent another inmate uprising like the one that led to the hostage crisis and tragic death of Lt. Steven

Floyd in February 2017. Dedicated to his memory, ultimate sacrifice and service over self, correctional officers are committed to performing an extraordinary public service for the people of Delaware.

###



The Fenceline

APPENDIX A

VOLUME 1, ISSUE 5

JUNE 15, 2018

SPECIAL POINTS OF INTEREST:

- "The Big Picture" Article
- Canine Corner
- Employee Spotlight

INSIDE THIS ISSUE:

The Big Picture by Lt. Heishman	2-4
In the News	5
Kudos & Shoutouts	6
Odds & Ends	7
BOLO	7
Canine Corner	8
Employee Spotlight	9

A Message From Warden Metzger...

Situational awareness is defined in one aspect as being aware of what is happening in the vicinity, to understand how information, events, and one's own actions will impact goals and objectives, both immediately and in the near future. For the safety and security of all persons at JTVCC we have an obligation to be situationally aware. Recently, a story was told to me about an employee who felt that all of our safety and security measures are a waste of time. They felt that the inmate population would protect them and that really nothing is going to happen to them or people they are around anyways. This level of complacency is intolerable. No one should feel that comfortable while in a State Prison. Part of the awareness is realizing where we work, what hazards exist, and having a sense of reality for prison environments, which we all know is unlike any other place of employment. Survey your surroundings, watch out for each other and yourself and be situationally aware as a team.

16 Staff Graduate from Field Training Officer Training on Friday, June 15, 2018

Their dedication to serve for the good of the facility and their fellow officers is commendable. One of the most important functions in any law enforcement agency is the FTO.

As was published in an article for Police One....A reasonable argument can be made that the quality of a police department is directly correlated to the quality of its FTO program. Being a Field Training Officer — teaching young officers the right way to do the job — can be one of the most rewarding assignments in all of law enforcement. Lifelong friendships are often made, and the sense of accomplishment at the sight of a young officer's "lightbulb moment" is extraordinary.

Congratulations to all of our selectees and graduates and **thank you** for your selfless dedication to duty.

The Big Picture

By Lt. Heishman

At some point in our career, we ask ourselves “What are we here for?”. Surely there has to be more to this than just locking and unlocking doors, giving orders, and writing up inmates. Many of us need to see the “big picture” in order to appreciate the role we have in our criminal justice system and the impact we can have on other people’s lives.

In order to understand the big picture and the why we are here, we must understand a few things. First, we must know the components of what makes up the criminal justice system. Then we must learn the four primary functions of the correctional system and the four primary roles of the correctional officer. So let us begin by first learning the three main components of what makes up our criminal justice system.

The three components are:

- ◆ Police—investigation, charge, arrest
- ◆ Courts—adjudication, sanctions
- ◆ Corrections—rehabilitation, reform, punishment, reentry



The offender is first introduced into the criminal justice system through the police. Once they have committed the crime, they are arrested, charged with a crime, then they are then processed to the next component; the court system. There they will be arraigned and proceed to the trial, and eventually the penalty phase. Which brings us to the third component if that person is found guilty? And that is where we are, in the correctional system. Once in the correctional system they are placed accordingly. That could be a simple probationary period all the way up to incarceration. The next thing we must now understand is the four primary functions of the correctional system.

The four primary functions of the correctional system are:

- ◆ Incarceration
- ◆ Retribution
- ◆ Deterrence
- ◆ Rehabilitation

Let’s examine each one just a little...

Remember those three components that make up the criminal justice system? First the offender is introduced into the system through our policy agencies, next the courts. And from there, the judge makes a decision to incarcerate. Meaning that individual did something that necessitates his

Continued on next page...

Next, we are team members. Not just with ourselves, but with everyone else within the department. This includes support staff, educators, counselors, medical, and anyone else who works within our facility. It's important for us to try and understand each person's role inside our facilities. This is a valuable tool for any correctional officer, when he or she better understands each department within the facility and how they function. For example: Classification. Inmates ask questions constantly about classification. Take the time, when you can, to speak with a counselor or a classification officer to understand how offenders are classified, the points, and other considerations. It makes you look more professional and you will be trusted when you have better answers to an inmates question than just saying, "I don't know, write your counselor".

Next is managing the offender. You manage almost every aspect of the inmate's life, while he or she is confined in our facility. You manage when they can move, how, and where. The inmate sees you more than almost anyone else inside this facility and they rely on you to manage properly.

The final role is Role Model, and once you understand this you begin to see the "Big Picture" and how this all ties in together. This is by far one of the most under rated roles of every correctional officer.

You are the role model. You may be that person who shows an inmate how to make better decisions, how to conduct themselves, how to learn right from wrong. You might be that person who makes a difference in someone else's life. Someone who never learned growing up, how to follow the rules, or to have self-respect. If you conduct yourself professionally, you can make a difference in someone's life. You might be that person who sends a better product back into society. Think about it, how you appear in uniform, how you speak, and even how you carry yourself. If you come in, with a wrinkled uniform, speaking unprofessionally, and just acting like you don't care about your duties: what message are you sending the inmate? You will not be respected, you will not be trusted, and you will more than likely be an easy target for an inmate who wants to manipulate you – or even worse. But when you come in, with a clean and well pressed uniform, you walk tall and straight, and you speak with authority, confidence, and professionally – you're going to be looked at different, you will be respected, and you will be that role model.



Remember our mission statement, and again this helps put it all into perspective.

Protect the public by supervising adult offenders through safe and humane services, programs and facilities.

Think about each word and how this all ties in together.

Once you understand the components that make up our criminal justice system, the four roles of our correctional system, the four roles of the correctional officer, and our mission statement – you should see that big picture. Now you should know why you are here and what a vital and necessary role you play in our criminal justice system. You are not here to punish, that was done in the second part of the criminal justice system. You're here to help put back out into society a better product than was sent to us. Be **proud** of what you do, why you're here, and making that difference. You should be! You are just that important.

In the **NEWS**

(By clicking on each article title, you will be linked to the actual web article)

“How a correctional garden is cultivating inmate rehabilitation”

As many of you know, some inmates were interviewed this week to take part in the Go Green project here at JTVCC. In this article, you can read about garden projects at other facilities and the success they’ve had in the rehabilitation process.

“Inmate stabs Correctional Officer with homemade knife”

Some of you may not have access to view this video, but it is suggested that you look it up while at home if need be. This video shows an officer in a Santa Fe prison conducting a pat down on an offender. After the officer walks away, the offender then stabs the officer multiple times with a homemade knife that was missed during the pat down. While this video may be hard to watch, it is imperative that we take our time conducting pat downs and looking for contraband instead of rushing through just to get them done.

“Maryland jails reverse policy restricting inmate book access”

Maryland recently changed its policy as to how inmates could receive books from outside sources, but due to a threatened lawsuit from the ACLU reversed the new policy.

“How VADOC achieved the lowest recidivism rate in the nation”

By empowering their POs to have more meaningful interactions with offenders, Virginia has not only seen a huge drop in their recidivism rate, but has also allowed offenders to successfully reintegrate back into society.

“6 Florida inmates ill after smoking smuggled marijuana”

In light of the recent incident at JTVCC where a visitor was caught with marijuana, this same situation occurred in a Florida prison. The difference being that the woman was able to smuggle the drugs into a county prison after she was arrested. This resulted in six inmates becoming extremely ill with symptoms associated with K2.

Kudos and Shout-outs

- ◆ June 2nd—**Sgt. Matthew Scott** identified 9 windows in SHU19 that had holes or had been tampered with.
- ◆ June 3rd—**Officer Morgan Webster** and **Officer Amber Biddle** discovered marijuana on a visitor. They detected the odor and used K9 Sgt Pearson and his canine for a positive affirmation of the presence of marijuana. The visitor was searched by Lt Tilghman and Officer Corbett when subsequently marijuana was discovered. Thank you to Officers Biddle and Webster for being so observant and diligent in their duties.
- ◆ June 3rd—**Officer William Estrada** and **Officer Rodney Young** for finding alleged drug paraphernalia in W building
- ◆ June 4th—**CDS Work Crew** discovered a 5” steak knife blade by the entrance road while installing road signs
- ◆ June 5th—**Officer John Snowden** for alerting a fellow employee that he had a flat tire when he was about to drive home after his shift. Officer Snowden then retrieved his portable air pump and helped the employee while maintaining a positive attitude. He believes we should all be one team and work together! The other employee was able to make it home and sends a huge thank you to Officer Snowden!
- ◆ June 5th—**Officer Delano Smith** while part of the shakedown team was able to identify a fresh “DMI” tattoo on an inmate in SHU19. Due to his previous training on gangs, Officer Delano was able to “speak the language” and the inmate confirmed that he was indeed a member of DMI.
- ◆ June 7th—**Lt. John Goldman** exemplified the values and professionalism of the department. On his way to work he witnesses an auto accident and takes control of the scene. JTVCC was represented here again in a positive light due to the dedication and professionalism of our staff. Thank You Lt Goldman for going the extra mile and doing the right thing because it was the right thing to do.
- ◆ June 13th—**Sgt. Casey Phelps** for finding a 4.5” shank in the V building yard during a routine area check.
- ◆ **Administrative Specialist Wanda Torres** for her hard in making the treatment memos easier to find for the buildings. She has taken them all out of monthly folders and organized them by date so there is no more searching through document after document. All of the staff thanks you Wanda!
- ◆ As mentioned in the last issue, **Officer Morgan Webster** and **Officer Rodney Young** responded to the scene of a head-on collision on their way back from Christiana Hospital. On Friday, June 8th, Warden Metzger and Deputy Warden Parker had the distinct pleasure of presenting these two officers with Warden’s Awards at the morning muster. Both of these officers exemplified the values and principles of true correctional professionals and represented JTVCC well in responding to the accident scene after working a double. When you see them out an about congratulate them for a job well done.
- ◆ **Counselors Brittney Abreu** and **Marshall Hobbs**. While working in the SHU, these two individuals have exemplified outstanding team work and leadership in their short time within the Department of Correction. Both of these counselors have worked to implement the new Quality of Life system, and have volunteered to complete assignments outside of their typical counselor duties. Their diligent hard work and willingness to assist in striving towards the mission of JTVCC has not gone unnoticed. The Department of Correction is lucky to have such determined employees in these treatment positions.



(l to r) DW Parker, Officer Webster, Officer Young, and Warden Metzger



Counselors Marshall Hobbs and Brittney Abreu

Odds and Ends

◆ From the radio control administrator...

Radios and associated equipment are not be placed in pockets. Each and every radio has clip of some sort. Ensure we are only using approved retention methods as this will help reduce the number of antennas and radio buttons being broken off.

- ◆ Bureau Policy 8.27 that was signed into effect on January 1, 2013 states the following as it relates to facial hair. (Until JTVCCs policy and procedure is signed, ensure we are following the Bureau's directives as follows)

Facial Hair:

- a. Beards and goatees will be cut along the jaw line, neatly trimmed, and not exceed one fourth (1/4) inch in length.
- b. Mustaches will be neatly trimmed, may not extend over the top of the lip or beyond the corner of the mouth, unless with a goatee.
- c. Handlebar mustaches are prohibited.
- d. Beards, goatees, and mustaches will not interfere with the wearing of department issued safety equipment.
- e. Bizarre, exaggerated, excessive, and etched facial hair is not permitted.

- ◆ Many of us have a social media presence. When using any of the various platforms, be sure to avoid the following faux pas...

- 1) Racist, sexist, or other offensive comments
- 2) Complaining about the job
- 3) Sharing confidential information
- 4) Posting on behalf of the agency
- 5) Sharing while working
- 6) Embarrassing photos of coworkers maybe from parties.

Legal + Ethical + Moral = Make the Call

-Warden Metzger



From the Central Florida Intelligence Exchange...

In early April, an anarchist/anti-fascist news and social media website advertised and circulated a series of letters and publications that called for international organized solidarity on or around June 19th. The purpose of this is to recognize "Juneteenth" as an end to what some consider modern day slavery in the U.S. prison system. This group has recognized the "Blue Lives Matter" flags and emblems as symbols of a slave master. Their campaign encourages those to "capture the flag" and "set fire to the prison society". Be on the lookout for any suspicious behavior where "Blue Lives Matter" flags and other emblems are showing, such as mass gatherings and flag burning. Many of us as Law Enforcement officers and our families display this image on our homes and vehicles and we display it proudly. Take extra precaution on or around June 19th and report anything suspicious immediately.

Canine Corner "Kane"



Meet Canine Kane and his handler SSGT Nicole Sroka. Kane is a male German Shepard and he is often seen roaming the grounds of JTVCC ready at a moments notice to serve and protect. When you see them out an about be sure to offer a friendly greeting, but remember to respect the canine and maintain distance.

Employee Spotlight

Qin “Kate” Xu



Qin Xu (Kate), Operations Support Specialist with the Treatment Services Records Department received her United States Citizenship on Monday, June 11, 2018 in Philadelphia. Kate came to the United States from China in 2012 and has worked hard towards becoming a United States Citizen. Kate joined the James T. Vaughn Correctional Center in December 2016 as a Switchboard Operator. Kate has plans to further her education in the future.

If you see her in passing, please give her a warm congratulations!

Any comments, suggestions, ideas, or anything that you think should make it into the next issue...



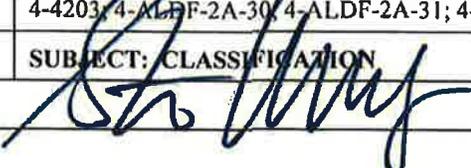
S/Lt. Trader, Lt. Goldman, or Lt. Parsons

Proud to be
Team JTVCC



#OneDreamOneTeam

APPENDIX B

POLICY FOR DEPARTMENT OF CORRECTION BUREAU OF PRISONS	POLICY NUMBER 3.3	PAGE NUMBER 1 of 23
RELATED ACA STANDARDS: 4-4295; 4-4296; 4-4297; 4-4298; 4-4299; 4-4300; 4-4301; 4-4302; 4-4203; 4-ALDF-2A-30; 4-ALDF-2A-31; 4-ALDF-2A-33		
CHAPTER: 3 PROGRAMS & SERVICES	SUBJECT: CLASSIFICATION	
APPROVED BY THE BUREAU CHIEF: 		
EFFECTIVE DATE: 2/19/18		
APPROVED FOR PUBLIC RELEASE yes		

I. AUTHORITY: 11 *Del. C.* §6527, §6529 - §6533; Department of Correction Policy 4.6; Department of Correction Policy 8.60; Bureau of Prisons Procedure 8.60; Prison Rape Elimination Act § 115.42

II. PURPOSE: To establish the methodology for offender classification and placement that provides uniformity in application. A “continuum of services” and techniques will be utilized to control and reduce the risk of individuals to re-offend through supervision, incentives and opportunities, as well as disciplined preparation to accept their responsibilities as law-abiding citizens.

III. APPLICABILITY: All Bureau of Prisons (BOP) employees, volunteers, individuals and organizations conducting business with the BOP and all offenders under supervision/custody.

IV. DEFINITIONS:

Administrative Status: A form of separation from the general population administered by the classification committee or other authorized group when the continued presence of the inmate in the general population would pose a serious threat to life, property, self, staff, or other inmates or to the security or orderly running of the institution. Inmates pending investigation from trial on a criminal act or pending transfer can also be included.

Classification: The systematized assessment of offender risks and needs based on specific criteria; a process by which offenders are subdivided into groups based on a variety of factors that may include:

1. Security and custody level requirements;
2. Treatment and/or program needs;
3. Work assignment;
4. Any special condition; and
5. The requirement for routine review to reassess needs and note progress.

Continuum of Service: A range of security, custody and program options to meet the purpose of the sentence and offender needs.

Criminogenic Factors: Social, psychological and behavioral conditions in offenders’ personal profiles that may indicate skill, education, social and/or psychological deficits that contribute to their risk to re-offend.

Custody Level: The degree of staff supervision that is appropriate to safely and effectively monitor and control offender behavior.

Jail Population: Offenders committed for a term of less than one year. Un-sentenced offenders are included in this population.

POLICY FOR DEPARTMENT OF CORRECTION BUREAU OF PRISONS	POLICY NUMBER 3.3	PAGE NUMBER 2 of 23
SUBJECT: CLASSIFICATION		

Life Skills Plan (LSP): A course of action/needs assessment designed to ensure that security/custody levels, programming, treatment and discharge strategies are appropriately focused and directed. The LSP is stated in measurable terms, establishing time frames, performance levels and specific work or treatment expectations.

New Admission: An offender entering BOP under court commitment, parole/probation revocation or transfer from another jurisdiction.

Prison Population: Offenders committed to BOP for a term of one year or more, including transfers from other jurisdictions.

Procedural justice: The theory that the rules and expectations that govern an organization allow for all individuals to be treated fairly and by the same set of guidelines. Procedural justice is based on appropriate and equal interaction, creating a consistent culture. Procedural justice (sometimes referred to as procedural fairness) describes the idea that how individuals regard the justice system is tied more to the perceived fairness of the process and how they were treated rather than to the perceived fairness of the outcome. Key points to procedural justice are as follows:

- *Voice* (the perception that your side of the story has been heard);
- *Respect* (perception that system players treat you with dignity and respect);
- *Neutrality* (perception that the decision-making process is unbiased and trustworthy);
- *Understanding* (comprehension of the process and how decisions are made); and,
- *Helpfulness* (perception that system players are interested in your personal situation to the extent that the law allows).

Security Level: The type of architectural and environmental physical restraints appropriate for the control and management of the offender, and protection of staff and other offenders.

Security Threat Group (STG): A group of individuals that meet the definition of a criminal street gang according to Delaware Code [Title 11 Chapter 5 Sub 616 & 617] or any group of individuals whose actions pose a threat or potential threat to the safety and security of BOP institutions. Those actions include any of the following: (1) Challenging the orderly, safe and secure operation of facilities; (2) Threatening the safety of staff, visitors or inmates; and/or (3) Acting in concert with others to accomplish criminal acts.

Special Management Offenders: Offenders who demonstrate, through documented behavior, that they cannot function in a general population setting. This category includes individuals who are management or behavioral problems.

V. POLICY: It is the BOP's policy to classify offenders to the least restrictive levels of security and custody needed to ensure the safety of the public, employees and offenders. This process is also intended to meet individual/treatment needs to assist with rehabilitation and community re-entry. The classification system shall be routinely monitored and

POLICY FOR DEPARTMENT OF CORRECTION BUREAU OF PRISONS	POLICY NUMBER 3.3	PAGE NUMBER 3 of 23
SUBJECT: CLASSIFICATION		

evaluated to ensure effectiveness and to maintain procedural justice within the offender classification process.

VI. PROCEDURES: The procedures have been developed to create a system of "checks and balances". They are designed to ensure uniformity in decision-making, equality in application and compliance with established standards for housing, movement of offenders, as well as planning and implementation of treatment services.

TABLE OF CONTENTS

Section I: A. Fundamental Goals of the Department of Correction (DOC) Classification System
B. Guidelines for Implementation of Classification System Goals

Section II: A. Guidelines for Making Security/Custody Level Classification Decisions:
1. Introduction
2. Security/Custody Levels
3. Types of Supervision and Guidelines for Placement
4. Bureau of Prisons Security Levels by Institution
5. Typical Levels of Supervision

Section III: A. Classification System Structure:
1. Classification Types and Process:
a. Initial Classification
b. Reclassification
c. Prioritized Classification
d. Temporary Security Classification
e. Advisory Classification
2. Committee/Board Organization and Responsibilities:
a. Initial Classification Board (ICB)
b. Multidisciplinary Team (MDT)
c. Institution Based Classification Committee (IBCC)
d. Central Institutional Classification Board (CICB)
e. Institutional Release Classification Board (IRCB)
3. Managerial Participation and Veto Authority
4. Classification Review Schedules
5. Classification Appeal Process

Section IV: A. Guidelines for Processing Offenders Certified for Parole
B. Guidelines for Processing Protective Custody Offenders
C. Use of the Prison Rape Elimination Act (PREA) Assessment Screenings

POLICY FOR DEPARTMENT OF CORRECTION BUREAU OF PRISONS	POLICY NUMBER 3.3	PAGE NUMBER 4 of 23
SUBJECT: CLASSIFICATION		

- Section V:**
- A. Record Keeping
 - B. Staff Instruction and Training
 - C. Review/Audit Process

Section VI: Appendix A - Protective Custody Investigation Form (BOP-003-A)

Section I

A. Fundamental Goals of the DOC Classification System:

- Support the agency's overall mission to provide protection for the public and safe, humane treatment of offenders.
- Objective use of available diagnostic techniques. These include social/criminal histories, physical/psychological examinations, education and drug evaluations, pre-sentence reports, pretrial, community supervision and institution histories. This data supports efforts to analyze security/custody needs, identify and assign offenders to appropriate security/custody, program and treatment needs.
- Ensure a coordinated continuum of services and supervision through the development of an individualized LSP. This affords a method by which an offender's needs may be met from court commitment through discharge from DOC supervision.
- Identify/evaluate program and service needs for operational purposes and budget forecasts.
- Ensure the use of accurate, complete information at all levels for better population planning, management and control.
- Monitor/evaluate the overall success of classification, with special emphasis on the identification of problem areas, i.e., particular facility, within specific unit(s) and/or personnel issues.
- Monitor/evaluate and respond proactively to special needs populations, dangerous offenders and/or other difficult to manage individuals and groups through early detection and identification.
- Monitor/evaluate compliance with classification policies and procedures, implementation of decisions and corrective action as required.
- Facilitate equitable, consistent decision-making, thereby ensuring firm, fair offender treatment.
- Ensure compliance with statutory and constitutional guarantees.
- Monitor offender initiated actions, e.g., appeals and/or litigation of classification decisions.

B. Guidelines for Implementation of the Classification System Goals:

- Goals are to be pursued and implemented to the extent possible, given the existence of any budgetary or other constraints.

POLICY FOR DEPARTMENT OF CORRECTION BUREAU OF PRISONS	POLICY NUMBER 3.3	PAGE NUMBER 5 of 23
SUBJECT: CLASSIFICATION		

- Nothing in this document is to be interpreted as an entitlement on the part of an offender to any procedure, placement or benefit.

Section II

A. Guidelines For Making Security/Custody Level Classification Decisions:

1. Introduction:

There are three (3) authorized BOP security level designations. The guidelines for security level classification decision-making are comprehensive and uniform in design. They have been formulated to allow for offender placements in the least restrictive security level at which they can be safely supervised. Placements are also intended to meet individual treatment/program needs.

Determination of the offender's security and housing assignment is based upon all collected data, i.e., facts, information, records, as well as consideration of the recommended treatment plan. Information gathered from other criminal justice agencies or from other bureaus from within the Department of Correction shall also be incorporated into the classification decision.

It is recognized that the decision for placement of any individual may be outside the specifications outlined in this document. In such instances, documentation shall be provided and/or notation in the classification module with specific explanations for overriding security level classifications and other security-based decisions as determined necessary or appropriate to maintain continuity of the classification system.

2. Security/Custody Levels:

Several factors are considered and evaluated to determine security levels within an institution including:

- External patrols
- Internal security
- Towers
- Housing design (single cell as opposed to group living)
- Perimeter barriers
- Ratio of staff to offender
- Detection devices

Maximum Security is generally designated for offenders who present an escape risk and/or are more severe internal management problems.

Medium Security is generally designated for offenders who present escape and/or internal management risks less severe than those classified to maximum security.

Minimum Security is generally designated for offenders who do not present an escape risk, are not management problems or have established trust. Additionally, this level is designated for offenders who require or can benefit from a period of transition through placement in a Community Corrections program (i.e. Work Release, CREST) in order to facilitate their return to the community.

POLICY FOR DEPARTMENT OF CORRECTION BUREAU OF PRISONS	POLICY NUMBER 3.3	PAGE NUMBER 6 of 23
SUBJECT: CLASSIFICATION		

Special Note: Differentiations within a designated security level shall be determined by established housing rules, program availability and established incentives intended to promote positive offender behavior.

3. Types of Supervision and Guidelines for Placement:

These guidelines are just one tool of the decision-making process. They are intended to augment, not replace, professional judgment, the point-based system and/or other relevant and compelling factors.

Maximum Security: An offender shall be considered for maximum security if any factor listed below is present.

- The risk assessment score falls within the parameters that indicate appropriate classification to maximum security. All relevant information and reports are used in conjunction with the risk assessment to determine the appropriate placement.
- The offender has a history of escape or attempted escape from a secure institution.
- The offender has a short sentence, but has charges pending for a capital offense or is a fugitive from a capital offense. (ICB or MDT may elect to delay/defer the initial classification under such circumstances.)
- The offender has displayed dangerously assaultive/violent/aggressive/predatory behaviors in the community and/or institutions; or other behaviors that are believed to make the offender dangerous to self, staff and/or other offenders.
- There is documentation that the offender is an aggressive sexual predator.
- The offender is sentenced to death.

Medium Security: An offender shall be considered for medium security if any factor listed below is present:

- The risk assessment score falls within the parameters that indicate appropriate classification to medium security. All relevant information and reports are used in conjunction with the risk assessment to determine the appropriate placement.
- No major problem areas are revealed indicating that significant adjustment problems and/or emotional instability would result with placement in a medium security setting.

Minimum Security: An offender shall be considered for minimum security if:

- The risk assessment score falls within the parameters that indicate appropriate classification to minimum security. All relevant information and reports are used in conjunction with the risk assessment to determine the appropriate placement.
- No major problem areas are revealed indicating that significant adjustment problems and/or emotional instability would result with placement in a minimum-security setting.
- It is believed the offender can function and/or benefit from placement under reduced supervision and increased responsibility.

POLICY FOR DEPARTMENT OF CORRECTION BUREAU OF PRISONS	POLICY NUMBER 3.3	PAGE NUMBER 7 of 23
SUBJECT: CLASSIFICATION		

- It is believed the offender requires or can benefit from a period of transition through placement in a Community Corrections program (i.e. Work Release, CREST) in order to facilitate their return to the community.

4. Bureau of Prisons Security Levels:

<u>Institution</u>	<u>Security Level</u>
Sussex Correctional Institution (SCI)	Maximum Medium Minimum
James T. Vaughn Correctional Center (JTVCC)	Maximum Medium Minimum
Howard R. Young Correctional Institution (HRYCI)	Maximum Medium Minimum
Baylor Women's Correctional Institution (BWCI)	Maximum Medium Minimum

Special Note:

- Male offenders classified to maximum security will be primarily housed at JTVCC. As needed, for safety and security reasoning, maximum security offenders may be housed at HRYCI and/or SCI.
- Exceptions to the designated custody based upon classification score shall include the following:

5. Override Factors:

- Overrides identify issues or factors that support an increase or decrease in the security level assignment indicated by the risk score. Mandatory overrides must be applied in all cases that meet the stated override criteria. Discretionary overrides may be used when the factors cited indicate that the assigned Risk Assessment Score and resulting security level does not adequately assess the offender.

Once the preliminary security score has been computed, a mandatory policy or discretionary override shall be initiated, if warranted. All overrides require specific, written justification for their use and justification is to be documented in the space provided.

POLICY FOR DEPARTMENT OF CORRECTION BUREAU OF PRISONS	POLICY NUMBER 3.3	PAGE NUMBER 8 of 23
SUBJECT: CLASSIFICATION		

- Mandatory Policy Overrides (MPO)
- Mandatory overrides must be applied in all cases that meet the stated override criteria.
- Prior Escapes- Documented information reveals serious escapes and/or attempted escapes from within the secured confines of a correctional institution, or from DOC staff and/or vehicle while in secured transit, within a five (5) year period preceding the current classification. Criminal charges would likely be associated with these escapes, but criminal charges and/or conviction are not required to verify the escape activity and apply this override. Escape behaviors addressed through the disciplinary process do not normally fall into this category, unless reports clearly indicate some degree of freedom did occur, or serious and significant planning and activity had taken place to gain freedom. This override also does not apply to walk offs from community placements or outside job assignments.

Note: Use of this override mandates a Maximum security placement.

- Prior staff assault(s): Documented information reveals offender has previously assaulted institutional staff through intentional, serious physical contact within a two (2) year period preceding the current classification. Assault may include use of a weapon, intentional use of body parts or bodily fluids. Injury need not have occurred but intent to inflict bodily harm must be evident.

Note: Use of this override mandates a Maximum security placement. An adjudication of guilt (court or BOP 4.2) is necessary for the use of this override.

- 240 or more months remaining to serve: Offender has served less than ten (10) years and offender release date is equal to or greater than 240 months. This includes Life and Death sentences.

Note: Use of this override mandates a placement no lower than Medium

- Offense is rated Highest Severity: Offender has served less than ten (10) years and offender is incarcerated for an offense identified as Highest Severity in the Offense Severity Index (appendix A of Inmate Classification Manual)

Note: Use of this override mandates a placement no lower than Medium.

- Bail of \$50,000 or more: Offender has additional pending criminal charge(s) and is held in default of \$50,000 or more. This includes offenders held without bail for non-bail offenses (e.g. Murder 1st) and offenders held without bail after conviction, while pending sentencing. Do not include offenders held without bail for Violation of Parole and/or Violation of Probation.

Note: Use of this override mandates a placement no lower than Medium.

POLICY FOR DEPARTMENT OF CORRECTION BUREAU OF PRISONS	POLICY NUMBER 3.3	PAGE NUMBER 9 of 23
SUBJECT: CLASSIFICATION		

Discretionary Overrides (increase level): The following criteria shall be used in considering an offender for a security placement above his/her objective risk score.

- Pattern of assaultive/predatory behavior in institutions and/or the community. Evidence in criminal and/or institutional record reveals consistent and repetitive violent/aggressive/assaultive behavior carried out over an extended period of time. This override should be considered when the identified pattern is not adequately captured in the scored categories of the objective tool
- Documented membership in Security Threat Group. Offender is identified as an active member of a gang, political, or religious group that poses a security threat to the institution
- Protective custody/Need for separation. Offender requires protective custody or separation to ensure her or his safety and well-being. The offender may, for example, be a current or former witness against another offender, known informant, high profile or notorious offender, have known enemies in the facility, have a thin/frail appearance, or an unresolved language barrier.
- Detainers; Open Charges: Consider the nature and number of pending charges/detainers and/or the realistic potential for additional time.

6. Discretionary Overrides (decrease level)

- Time remaining to serve: Offender has a brief time remaining to serve (i.e. 6 months or less) and a reduced security level is adequate to maintain offender for the limited time. A review of offender disciplinary history should support this override.
- Need for transition: Offender is nearing the end of sentence and could benefit from programming and phasing that a reduced security level may offer
- Active in multiple programs: Utilize this override to recognize exemplary involvement in multiple programs and reduced risk associated with program activity
- Other: Utilize for extraordinary issues/concerns not adequately covered in other override areas or scored factors.

NOTE: A Discretionary Override can never be used to reduce security level placement required by a Mandatory Policy Override

NOTE: Double Overrides Down (i.e. Maximum to Minimum) are not permitted.

POLICY FOR DEPARTMENT OF CORRECTION BUREAU OF PRISONS	POLICY NUMBER 3.3	PAGE NUMBER 10 of 23
SUBJECT: CLASSIFICATION		

7. Override Approvals.

- All overrides are subject to approval by the appropriate classification committee.
- Security Level Overrides for initial classifications are approved by the Central Institutional Classification Committee.
- Security Level Overrides for Reclassifications are approved by the Institutional Based Classification Committee.
- The Classification Administrator holds appeal authority over the Override Decisions of the CICB
- The facility Warden holds appeal authority over the decisions of the IBCC.
- The Warden has veto authority over all override approvals.

POLICY FOR DEPARTMENT OF CORRECTION BUREAU OF PRISONS	POLICY NUMBER 3.3	PAGE NUMBER 11 of 23
SUBJECT: CLASSIFICATION		

8. Typical Levels of Supervision:

<u>ACTIVITY</u>	<u>MINIMUM</u> (Comm.facility)	<u>MINIMUM</u> (Institution)	<u>MEDIUM</u>	<u>MAXIMUM</u>
Observation	Occasional; appropriate to need	Checked hourly	Frequent and direct	Direct, constant supervision
Day Movement	Approved, Unrestricted	Approved, Unrestricted	Approved, Restricted, on a check-out/check- in basis	Always escorted when outside cell, leg irons, handcuffed
Night Movement	Approved, Unrestricted	Approved, under staff observation	Approved, restricted, on a check-out/check- in basis	Out of cells only in emergencies, with approval of watch commander
Meal Movement	Approved, Unrestricted	Under staff observation	Supervised	In cell
Access to Jobs	All, both inside and outside perimeter	Inside perimeter, supervised jobs outside perimeter	Inside and out- side the perimeter under CO supervision	In cell and/or within unit under direct supervision
Access to Programs	Unrestricted, including community based activities	All inside perimeter and selected outside activities	All inside perimeter, none outside	Restricted to Programs within unit
Visits	Contact, periodic supervision indoors and outdoors	Contact, supervised indoors and outdoors	Contact, supervised indoors and outdoors	Non-contact
Leave the Institution	Unescorted and escorted	Escorted	*Escorted, hand- cuffed, additional restraints may be used	Armed escort; full restraints, strip search
Furlough	Eligible for day pass and unescorted furlough	Eligible for unescorted	Eligible for unescorted	Not eligible

*Except for approved work details whereby correctional officer supervision must be maintained.

POLICY FOR DEPARTMENT OF CORRECTION BUREAU OF PRISONS	POLICY NUMBER 3.3	PAGE NUMBER 12 of 23
SUBJECT: CLASSIFICATION		

Section III

A. Classification System Structure:

Classification is an integral component of the offender management system. There are differing types of classification assessments that assign offenders within the Delaware DOC, as well as classification actions that are advisory in nature.

The DOC/BOP uses a point-based, objective classification system to assist in the placement of offenders (refer to the *'Institution Classification System Instructional Handbook'* for details). The decision-making process includes a committee/board structure with varying levels of authority.

1. Classification Types and Process:

In accordance with defined duties and responsibilities, employees participating in the classification process have general responsibility for interviewing offenders, gathering required and relevant information, completing necessary documents and reports, scheduling classification meetings/hearings, attending classification meetings/hearings and developing recommendations in accordance with this procedure.

To the extent possible and practical, the offender should be present for classification and reclassification meetings at the ICB and MDT levels, or otherwise encouraged to participate in the discussion and planning process. After a thorough discussion of all relevant information, a vote will be conducted (the offender need not be present for the vote). All recommendations made by the MDT, ICB and IBCC are carefully documented and submitted to the next committee or board, in accordance with established procedure. The offender must be advised of the decision in person or in writing.

a. Initial Classification:

Initial classifications are conducted upon admission or receipt of a newly sentenced offender. Action should be initiated within 15 working days of admission or calculation of the sentence.

Initial classifications function to provide a starting point for movement of offenders through incarceration. A process of information gathering and assessment culminates in recommendations for appropriate security level/housing, work and/or program assignments.

b. Reclassification:

Reclassification is conducted at previously scheduled review times or as directed by administrative authority. It is a systematic review and update of an offender's classification status, considering the areas of security, institutional behavior and programming since the last regular classification. It primarily functions to monitor the offender's adjustment and to highlight problem areas that may have arisen since the last classification. Justified changes are determined, documented and submitted to the appropriate committee.

POLICY FOR DEPARTMENT OF CORRECTION BUREAU OF PRISONS	POLICY NUMBER 3.3	PAGE NUMBER 13 of 23
SUBJECT: CLASSIFICATION		

c. **Prioritized Classification:**

Prioritized classifications are generally initiated by institutional administrative or classification staff. This type of classification review is primarily used on short term offenders whose cases are processed directly to the IRCB for a community placement. In addition, it may be used for prioritized consideration of Boot Camp placement and Parole Board certification decisions. Form BOP-004 is used in conjunction with this type of classification.

Note: The Prioritized Classification will also be used to for Administrative Status reviews as established in BOP Policy 4.3: Restrictive Housing and herein this policy. The IRCB will make a recommendation to the Bureau Chief regarding the administrative status of the offender.

d. **Temporary Security Classification:**

This process is designed for and usually limited to the pre-sentence population. It is an informal assessment procedure to address offender's more immediate needs, primarily the type of environment and level of staff supervision required. The Temporary Security Classification Form (TSCF) or other institution-specific forms are used for this purpose. These documents serve as a tool to augment staff experience and professional judgment in making decisions.

e. **Advisory Classification:**

The DOC/BOP classification structure is often utilized in an advisory capacity to make recommendations not solely within the jurisdiction of the DOC. These classification actions do not determine internal security level assignments and utilize different forms or formats depending upon the type of action being recommended. Types of actions that fall under this category would include, but not be limited to:

- TIS Sentence Modification recommendations
- Interstate Corrections Compact transfer referrals
- International Prisoner Transfer Program referrals

2. **Committee/Board Organization and Responsibilities:**

Reception and Diagnostic Unit (RDU), where operational, is the first point of contact for offenders in the classification process.

The overall intent of the reception and diagnostic process is to offer a comprehensive, uniform assessment that produces recommendations for adequate security, balance in offender population, limited movement and a reduction in adjustment and disciplinary problems. Consideration is given to security risks and safety factors, program and service needs, environmental issues and special needs of the offender. These guidelines serve as the basis for decisions, with the option to incorporate specific overriding security restrictions.

POLICY FOR DEPARTMENT OF CORRECTION BUREAU OF PRISONS	POLICY NUMBER 3.3	PAGE NUMBER 14 of 23
SUBJECT: CLASSIFICATION		

The Initial Classification Board (ICB)

Introduction:

The ICB operates at the unit level within an institution. The ICB is in a pivotal position to gather, review, research, evaluate and verify information. This process assists with developing a more informed recommendation, thereby improving the overall decision-making process.

Composition:

At a minimum, the ICB consists of a classification officer, a correctional counselor and a representative from security staff. Membership is limited to DOC staff only.

Responsibilities:

The ICB has the responsibility for the initial classification of newly admitted and/or sentenced offenders. A primary consideration of the ICB is to balance potential risks to the institution against program and treatment needs of the offender. It is responsible for making initial classification recommendations after interview with an offender and a review and evaluation of all necessary and available records and documents.

The ICB recommends an offender's initial security level assignment. The security level recommendation is used in combination with the offender's needs to also make decisions relating to the offender's housing assignment, program needs and supervision requirements. Initial classification recommendations of the MDT are forwarded directly to the CICB.

Special Note: The offender shall have access to a staff member prior to the initial classification for advice and assistance. The staff member is expected to maintain continuing personal contact with the offender.

The Multidisciplinary Team (MDT)

Introduction:

The MDT operates at the unit level within an institution. Like the ICB, this committee is a critical component in the BOP classification system. It often serves as the initial point of contact, as well as a link to higher authority committees and boards.

Composition:

At a minimum, the MDT shall consist of a unit counselor and one representative from security staff. Membership is limited to DOC staff only.

Responsibilities:

Where no ICB is active, the MDT has the responsibility for the initial classification of newly admitted and/or sentenced offenders as identified in the ICB section. It is also responsible for initiating the reclassification of offenders in accordance with established review dates(s) and/or administrative directives. The MDT will make recommendations after interview with an offender and a review and evaluation of all available records and documents. Maintenance changes also come under the responsibility of the MDT.

POLICY FOR DEPARTMENT OF CORRECTION BUREAU OF PRISONS	POLICY NUMBER 3.3	PAGE NUMBER 15 of 23
SUBJECT: CLASSIFICATION		

Initial classification recommendations of the MDT are forwarded directly to the CICB. Reclassification and Maintenance recommendations are forwarded to the IBCC.

Special Note: The offender shall have access to a staff member prior to the reclassification for advice and assistance. The staff member is expected to maintain continuing personal contact with the offender.

Institution Based Classification Committee (IBCC)

Introduction:

The IBCC allows for the optimum exercise of authority and decision-making at the institution level. This committee functions within the jurisdiction of a facility/institution to ensure uniform and expedient assignment of offenders to various programs and security levels at that site. This is accomplished through review and action on specified MDT recommendations.

The IBCC operates at those facilities with an offender population of 250 or greater. At other facilities, the IBCC functions at the discretion of the Warden. If an IBCC is not established, the Warden/designee will approve and sign off on MDT recommendations. Where the IBCC operates, the Warden is responsible for establishing the committee in compliance with the BOP policy and the procedural manual.

Each institution will establish its own policies, procedures and criteria to govern the movement of offenders in to and out of treatment programs, work assignments and movement within security/custody levels inside its perimeter. Please refer to "Guidelines for Making Security/Custody Level Classification Decisions."

Composition:

Regardless of the organizational structure, the IBCC should have a minimum of three facility staff consisting of membership of security, classification and/or treatment staff appointed by the Warden. Membership is limited to DOC staff only.

Responsibilities:

Decide security level placements within the facility/institution in which it operates.

Decide changes in custody level assignments within the designated security levels (as previously indicated, use of custody levels is at the discretion of individual Wardens).

Make decisions concerning movement in and out of the facility work assignments, including inside and outside/on grounds.

Make decisions concerning movement into and out of treatment program(s) within the facility/institution.

Make recommendations to the CICB regarding security level changes or placements that require transfer to another facility/institution.

Make recommendations to the CICB and IRCB regarding off grounds and/or community work assignments.

POLICY FOR DEPARTMENT OF CORRECTION BUREAU OF PRISONS	POLICY NUMBER 3.3	PAGE NUMBER 16 of 23
SUBJECT: CLASSIFICATION		

Make recommendations to the CICB regarding early parole hearings.

Make recommendations to the IRCB regarding §4217 Sentence Modifications and Interstate Corrections Compact transfer requests.

Note: Offenders will be notified, in writing, of all decisions made by the IBCC.

Note: Each facility is responsible for establishing procedures to facilitate input from each facility's STG coordinator at the IBCC level. The facility STG coordinator and/or designee (as determined by the Warden or Section Administrator) shall be a voting member of the IBCC.

Scheduling:

Each institution will establish its own schedule, based on the needs of the facility.

The offender shall be given at least 48 hours' notice prior to the classification hearing unless precluded by security or other substantial reason. This requirement may be waived by the offender in writing.

Central Institutional Classification Board (CICB)

Introduction:

The Central Institutional Classification Board (CICB) is established in accordance with Title 11 of the Delaware Code, §6529. The stated purpose is to classify offenders residing and remaining in the institutions/facilities within the DOC.

The CICB functions to make decisions concerning recommendations forwarded by the ICB, MDT and IBCC as indicated. This Board makes final decisions for initial placement of the offender, in cases of a tie, subsequent changes in security level and any other decisions that are beyond the scope of the authority of the IBCC. The CICB also makes recommendations to the IRCB concerning an offender's community and/or off-ground security and program status.

Composition:

CICB is comprised of various staff members that represent a cross section of BOP personnel. The board will have a total of six voting members. The CICB should have the required number of members to conduct each meeting. Membership is limited to DOC staff only.

Wardens will appoint a representative(s) for their facility as indicated in this procedure (see Representation). The Warden must also ensure an alternate is appointed to fill the position they are assigned should the need arise. The alternate must be from the same discipline as the original member (i.e., security replace security and treatment replace treatment.)

The chairperson position will be held by staff appointed by the Inmate Classification Administrator.

POLICY FOR DEPARTMENT OF CORRECTION BUREAU OF PRISONS	POLICY NUMBER 3.3	PAGE NUMBER 17 of 23
SUBJECT: CLASSIFICATION		

Responsibilities:

Make final decisions regarding initial classification assignments within the BOP.

Make final decisions regarding inter-institutional transfers within the BOP.

Make recommendations to the IRCB for community-related placements including:

- * Work Release
- * Supervised Custody
- * Furlough
- * Community and/or off grounds work status

Provide directions to ICB, MDT and IBCC members concerning CICB policies and procedures.

Make recommendations to the Classification Administrator concerning possible revisions/additions to BOP central classification procedures.

CICB members may be asked to serve on sub-committees established for a specific purpose or to perform particular tasks. Duties and term limits for such committees are determined by the needs of the BOP. The Classification Administrator appoints members, with the concurrence of the Chief of the BOP.

Term of Assignment:

Each committee member serves at the pleasure of the facility Warden. The Warden will also determine the tenure of that employee.

Representation:

<u>Facility</u>	<u>Authorized Representation</u>	<u>Security</u>	<u>Treatment</u>
BWCI	One (1)		X
JTVCC	Two (2)	X	X
HRYCI	One (1)	X	
SCI	One (1)		X
SOG	One (1)	X	

Institutional Release Classification Board (IRCB)

Introduction:

The composition and authority of the IRCB are established under Title 11 of the Delaware Code, §6529A. Its purpose is the classification of all offenders that are recommended for release from any institution for any reason.

Composition:

The IRCB is composed of seven members, in accordance with §6529A. The chairperson is appointed by the Chief of the BOP.

POLICY FOR DEPARTMENT OF CORRECTION BUREAU OF PRISONS	POLICY NUMBER 3.3	PAGE NUMBER 18 of 23
SUBJECT: CLASSIFICATION		

Responsibilities:

Make decisions concerning recommendations made by the IBCC and/or CICB pertaining to the release of offenders. The IRCB may reject recommendations made by lower committees and make alternative decisions. The offender shall be informed of decisions in writing.

Make decisions regarding community-related placements including:

- * Work Release
- * Supervised Custody
- * Furlough
- * Community and/or off grounds work status
- * Administrative Status Reviews

Make recommendations to the Bureau of Prisons Chief regarding Interstate Corrections Compact transfer requests and International Prisoner Transfer Program referrals.

Make recommendations to the Courts regarding §4217 Sentence Modifications.

3. Managerial Participation and Veto Authority:

The Commissioner, Bureau Chief or their designees may affirm or veto, in whole or in part any decision, or hold in abeyance any action and require a classification review at any level of the process when deemed appropriate.

In addition, in accordance with Title 11 of the Delaware Code, §6529 (d) and §6529A (d), the Wardens have veto power over decisions rendered by any classification committee and board. The Warden may refer the decision for further review, or may approve the placement of an offender at a higher or lower security level or alternate programs and/or jobs. Wardens must submit written justification(s) for their veto decisions.

Wardens or their designees are authorized to administratively transfer (reference BOP Policy "Administrative Segregation") offenders from their classified placements or assignments under certain conditions, including but not limited to:

- * Offender's documented attitude or conduct indicates that continued placement may pose a threat to life, property, self, staff and/or other offenders.
- * There is the threat of escape.
- * There is a pending investigation or trial for a criminal act.
- * There is a transfer pending or the offender is in holdover status during transfer.

Note: These administrative transfers *do not* require a reclassification.

Wardens are authorized to place an offender on a community/governmental agency work project who is classified and awaiting transfer to any Community Corrections placement (Supervised Custody/Work Release/CREST).

POLICY FOR DEPARTMENT OF CORRECTION BUREAU OF PRISONS	POLICY NUMBER 3.3	PAGE NUMBER 19 of 23
SUBJECT: CLASSIFICATION		

Exception: Those offenders specifically prohibited by statute or BOP policy are excluded from participation.

Offenders may be considered for placements outside the stated criteria under very specific conditions. The recommendation must be supported by documented evidence that this placement would not present a threat to the offender, institution and/or community. There can be no exception to statutory prohibitions, unless authorized by the sentencing judge.

4. Classification Review Schedules:

A classification review may be held at any point when there is sufficient justification. Exceptions to the established schedule may be made based on supporting factors, e.g., a significant change in the offender's status, any threat or potential threat to the order and security of the facility, new charges and/or detainer, modification to sentence, Board of Pardon hearing, etc. Otherwise, the schedule outlined below shall be followed:

- Zero to 4.99 years Six months after Initial and every six months*
- Five through Life Six months after Initial and annually thereafter*
- Death Sentence Handled through Classification or administratively as determined by the warden

*Offenders classified to Maximum security will be reviewed every 12 months.

Note: Offenders may request an early classification review for the purposes of reviewing progress and program status. This request can be made in writing to the institutional Warden or to the Inmate Classification Administrator.

Offenders on administrative status for more than seven continuous days shall be reviewed through the use of the Prioritized Classification as set forth in this policy.

Note: Placement of an offender in administrative status *does not* require a reclassification.

Offenders shall be reassessed as soon as possible, but not later than two weeks from the receipt of information that potentially affects the offender's security level, e.g., conviction on a new charge, detainer, sentence reduction, etc.

Offenders transferred from another institution outside the DOC system are defined as "newly admitted." As such, there will be handled through the RDU or MDT process in accordance with established timelines.

The files of offenders transferred from another institution within the system shall be inspected within two weeks to determine last and next reclassification review dates. That information is then entered into the appropriate database to ensure the proper schedule is maintained.

POLICY FOR DEPARTMENT OF CORRECTION BUREAU OF PRISONS	POLICY NUMBER 3.3	PAGE NUMBER 20 of 23
SUBJECT: CLASSIFICATION		

5. Classification Appeal Process:

An offender may only appeal decisions affecting increases in security level, e.g., movement from medium to maximum. Appeals must be submitted within 10 workdays after receipt of the decision of the committee or board. The steps for processing these actions are:

- Appeal of IBCC Decisions:

Appeals of these decisions are directed to the facility Warden/designee. The offender is solely responsible for initiating the action and providing all required documentation to support the appeal.

- Appeal of CICB Decisions:

Appeals of these decisions are directed to the Classification Administrator. The offender is responsible for instituting this action and providing all of documentation to support the appeal.

- Appeal of IRCB Decision:

Decisions at this level are not subject to appeal.

Section IV

A. Guidelines for Processing Offenders Certified For Parole:

At times, the Delaware Board of Parole will “certify” an offender for release on parole after meeting certain requirements. Normally, these certifications involve completion of various institutional program requirements, or community placements.

The procedure outlined is designed to ensure that prompt consideration is given to conditional parole decisions made by the Board of Parole. It is also designed to ensure a prompt resolution of any possible conflict or prohibition related to the Board’s decision.

1. When an offender is certified for parole after successfully completing certain stipulations, a classification action is required. The institution to which the offender is assigned is responsible for preparing and submitting the appropriate classification documents to the IBCC, CICB or IRCB depending upon the assignment or placement required by the Parole Board action. **Note:** Parole Board certifications that require a community placement may be forwarded directly to the IRCB (see Prioritized Classification).
2. The IRCB may, upon review of the offender's record and Board of Parole's recommendations, exercise one of these options:
 - a. Concur with Board's recommendation and authorize transfer of the offender as soon as possible.
 - b. Determine that the recommendation is not feasible based on security and/or statutory consideration(s). All such cases will contain a written justification for the denial. The IRCB may then request that the Board of Parole reconsider its recommendation/decision for parole.

POLICY FOR DEPARTMENT OF CORRECTION BUREAU OF PRISONS	POLICY NUMBER 3.3	PAGE NUMBER 21 of 23
SUBJECT: CLASSIFICATION		

B. Guidelines for Processing Protective Custody Offenders:

Protective Custody (PC) is a form of separation of an offender from the general population. It is designed for offenders requiring protection from other offenders as determined by the institution. A request for PC may be initiated by an offender or staff. It is not intended to be a long term, restrictive placement. Rather, it is designed to allow an intensive, short-term bridge facilitating transition from isolation to population and regular housing. The procedure outlined will be utilized for placement and/or classification of offenders to PC status.

Note: Although PC offenders are usually housed in a Maximum Security building, classification to PC does not mandate or require a Maximum Security classification.

1. Offender Initiated:

- a. The offender may contact any Correctional Officer in the immediate area to request protective custody. Upon receipt of such a request, the offender will be instructed to complete Section I of the Protective Custody Investigation Form (BOP-003A). The form must be completed in its entirety and returned to staff.
See Appendix A
- b. Upon receipt of the form, the investigating officer will complete Section II and forward via institution standard operating procedures (SOPs).
- c. The shift commander or approving authority, if other than the shift commander, must complete Section III and forward to staff (see distribution on form) for appropriate action.

2. Staff Initiated:

- a. Sections I and II of BOP-003A form will be completed by investigating officers during their interview of the offender and forward via institution standard operating procedures (SOPs).
- b. The shift commander or approving authority must complete Section III and forward to staff (see distribution on form) for appropriate action.

C. Use of the Prison Rape Elimination Act (PREA) Assessment Screenings

In accordance with DOC Policy 8.60, BOP Procedure 8.60 and PREA standard 115.42, the Sexual Aggressor and Sexual Victimization assessment information shall be considered to inform housing, bed, work, education, and program assignments.

POLICY FOR DEPARTMENT OF CORRECTION BUREAU OF PRISONS	POLICY NUMBER 3.3	PAGE NUMBER 22 of 23
SUBJECT: CLASSIFICATION		

Section V

A. Record Keeping:

1. Classification Minutes

Each chairperson of a committee or board will ensure minutes of each meeting are recorded, published and distributed. These minutes shall include offender's name, classification request, decision and reason for decision override or denial as applicable.

2. Distribution of Classification Minutes

- a. IBCC: Shall include the CICB chairperson and institution staff as determined by Wardens/Directors.
- b. CICB: Shall include institution staff as determined by Wardens/Directors, chairperson and members of the CICB.
- c. IRCB: Shall include the Bureau Chief of Prisons, institution Wardens/Directors, institutional and support personnel as determined by the Classification Administrator

3. Dissemination of Classification Information

The institution classification officer or other designated personnel is responsible to ensure classification decisions and related information is placed in the offender's primary institution file.

4. Classification Files

Each institution may maintain classification files on assigned offenders. These files will contain changes in security levels, movement into and out of job assignments, programs and other actions impacted by classification committee and/or board.

B. Staff Instruction and Training:

The BOP Inmate Classification System maintains a detailed instructional handbook. It is the responsibility of each institution to ensure that all staff involved in the inmate classification process receive and review a current copy of the handbook. Staff should also have access to this policy for review. Any questions that may arise as a result of reviewing the material in the handbook or policy should be directed to the respective Treatment Administrator for response. The Treatment Administrator may choose to consult with the Classification Administrator in this process.

POLICY FOR DEPARTMENT OF CORRECTION BUREAU OF PRISONS	POLICY NUMBER 3.3	PAGE NUMBER 23 of 23
SUBJECT: CLASSIFICATION		

The BOP Classification Administrator will develop and conduct formal training for institutional staff involved in the classification process. This training will include information pertaining to the policies relevant to the Inmate Classification System, as well as information regarding the technical aspects of the process (i.e. completion of classification documents, the conduct of classification committees/boards, record keeping, etc.).

C. Review/Audit Procedures:

The Classification Administrator shall audit or designate staff to randomly audit offender classification files each quarter. This process ensures institution staff and the various classification committees are reviewing cases and properly implementing decisions in accordance with established procedures. The Classification Administrator should schedule the classification tool to be revalidated every five to seven years as funding permits.

Institutional Treatment Administrators will conduct periodic observations of MDT activities and deliberations. These observations shall be documented in a report to the respective Warden, along with a copy to the Classification Administrator. The report shall contain the name and rank/title of the MDT members, the number of cases reviewed and the Treatment Administrators' comments and assessments of the MDT activities.

Addendum A
Delaware Department of Correction
BUREAU OF PRISONS
Protective Custody Request and Investigation Form

SECTION I: (To be completed by offender. Failure to complete in full may result in denial of protective custody.)

Offender's Statement: I, _____ request protective custody because (must be specific):

(Name and SBI number)

Name(s) of those who are threatening or causing harm: _____

Signature of Offender: _____ Date: _____

SECTION II: (To be completed by investigating officer. All questions must be answered.)

Offender's Name: _____ SBI Number: _____ Inst/Housing Unit: _____
(Please Print)

A. Did your investigation find the incident described above to be based on fact? Yes No
Please provide information to support your response, including names of predator(s) and witnesses: _____

B. If the incident described above is factual, is it of a continuous nature? Yes No If yes, briefly describe other incidents:

C. Please check all that apply:

- | | |
|---------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| <input type="checkbox"/> Sexual Abuse/Harassment | <input type="checkbox"/> Offender is a predator |
| <input type="checkbox"/> Offender is subject to threat of or physical harm | <input type="checkbox"/> Offender is a victim |
| <input type="checkbox"/> Offender is subject to verbal threats | <input type="checkbox"/> Offender is both, a victim and predator |
| <input type="checkbox"/> Informant | <input type="checkbox"/> Physically challenged/ill/emotionally unstable |
| <input type="checkbox"/> Offender has not been threatened or subjected to harm, | <input type="checkbox"/> Other (Specify) |

_____ but has a high profile due to crime or relationship to prison

_____ staff, other criminal justice personnel or political figure.

Investigating Staff Signature and Title: _____ Date: _____

Form must be forwarded to the Shift Commander before the end of the shift for determination of need for administrative action and signature to indicate review, agreement or follow-up.

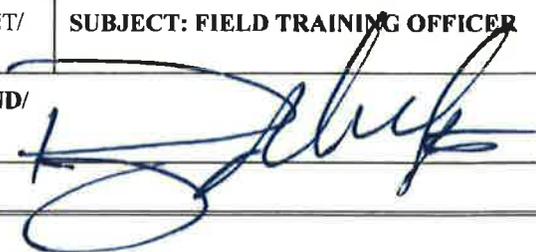
SECTION III: (To be completed by Shift Commander)

ACTION TAKEN:

- Administratively Transferred Pending Classification Review Referral Made For Classification Review

Shift Commander's Signature and Title: _____ Date: _____

APPENDIX C

POLICY OF STATE OF DELAWARE DEPARTMENT OF CORRECTION	POLICY NUMBER 16.4	TOTAL PAGES 3
	RELATED ACA STANDARDS: 1-CTA-3A-01, 1-CTA-3A-21, 1-CTA-3A-21-3	
CHAPTER: 16 EMPLOYEE DEVELOPMENT/ STAFF TRAINING	SUBJECT: FIELD TRAINING OFFICER	
APPROVED BY THE COMMISSIONER AND/ EFFECTIVE THIS DATE:		
APPROVED FOR PUBLIC RELEASE	5/17/18	

I. AUTHORITY: 11 *Del. C.* § 6565; 6517; 29 *Del. C.* § 8903

II. PURPOSE: To establish guidelines and procedures for the creation, operation, and management of the Field Training Program within the Delaware Department of Correction (DOC).

III. APPLICABILITY: Newly sworn Correctional Officers, Probation and Parole Officers, Institutional Training Administrators, Administrators of the Employee Development Center, all other sworn officers within the Delaware Department of Correction, and Correctional series staff that have been selected to be Field Training Officers

IV. DEFINITIONS:

- A. Field Training Program: Security Program, designed to prepare Recruit Officers after graduating from CEIT or BOTC to meet their site-specific daily activities/responsibilities.
- B. Field Training Officer: Sworn Officer meeting specific criteria with the responsibility of training and evaluating Recruit Officers after graduation from CEIT or BOTC.
- C. Warden: The person with overall authority and responsibility for management of a Correctional Facility or the Special Operations Group.
- D. Regional Manager: The person who is responsible for the operation of the region of Probation and Parole offices.
- E. Institutional Training Administrator: The person designated who shall be responsible for the administration of training at each facility or unit.
- F. Training Coordinator: The persons designated by Probation and Parole as responsible for the coordination of training at each regional office.
- G. Recruit Officer: The sworn officer who has graduated from CEIT or BOTC and is still in the FTO phase of their career and under the purview of the EDC.
- H. Candidate: The employee who has applied to be a Field Training Officer.

POLICY FOR THE DELAWARE DEPARTMENT OF CORRECTION	POLICY NUMBER 16.4	PAGE NUMBER Page 2 of 3
SUBJECT: FIELD TRAINING OFFICER		

- I. Weekly Observation Report (WOR): A report used to document the Recruit Officer's progress and knowledge at the end of the training week while they are assigned to the FTO program.
- J. DLC: Delaware Learning Center software used to manage and track training progress and records.
- K. EDC: The Employee Development Center administers all aspects of training including approval of all training curricula, managing physical resources required to conduct training, development and certification of full time and adjunct instructors, and administration of Department approved training initiatives.

V. ACCOUNTABILITY: Field Training Officers are directly responsible and accountable to the Institutional Training Administrators /Training Coordinators for the training and mentoring of the Recruit Officer in the program. The Institutional Training Administrators and Coordinators are accountable and responsible for administering the FTO program at the facility or region level and are accountable to the Warden or Regional Managers for ensuring the Recruit Officer is receiving training as outlined in this policy.

VI. POLICY: It is the policy of the DOC to have well trained employees who can support and enhance the mission of the Department and the facilities to which they are assigned. The DOC through this policy will establish, implement, and manage a formal field training officer program that will ensure that those newly sworn and assigned officers within the DOC, will be trained and oriented to their new positions. This field training will be relevant to each position and specific in nature to the Recruit Officer's new position. The Bureau Chiefs of Prisons and Community Corrections will develop policy and procedure from this policy.

VII. Procedures

A. Selection:

Selection of Field Training Officers will be based on a set of criteria that is both performance and merit based. Chiefs of the Bureau of Prisons and Community Corrections will develop policy and procedure that delineates the selection criteria for their respective bureaus.

B. Training:

Initial training and certification as an FTO will be the responsibility of the Employee Development Center.

C. Authority and Responsibility of FTO's:

The FTO will identify the knowledge/ability level of the Recruit Officer and set the tone for the delivery of material for the Recruit Officer.

POLICY FOR THE DELAWARE DEPARTMENT OF CORRECTION	POLICY NUMBER 16.4	PAGE NUMBER Page 3 of 3
SUBJECT: FIELD TRAINING OFFICER		

The Field Training Officer is responsible to ensure the Recruit Officer training is carried out as prescribed and in accordance with guidelines and approved lesson plans of the Employee Development Center.

D. FTO Program Duration:

Field training will be conducted in phases after graduation from the academy. The phases will include a mandatory orientation component at each region or facility in accordance with approved Department training plans.

The Bureau Chiefs of Prisons and Community Corrections will develop policy and procedure outlining the phases, timing, and sequencing of training to occur at each region and or facility.

E. Remedial Training:

The Bureau Chiefs of Prisons and Community Corrections will develop policy and procedure that outlines remedial training plans and responsibilities.

Recruit Officers who have not satisfactorily completed any phase of the FTO modules may be referred for remedial training. Failure to complete remedial training will result in a rating of unsatisfactory for the program and will be considered grounds for termination.

F. Documentation:

1. Weekly and end of program evaluation reports of the Recruit Officer's progress will be filed with the ITA's and/or Training Coordinators at each region and/or facility. Signed weekly evaluations will be uploaded in the DLC to the FTO session assigned to each Recruit Officer.