

## Classification System – Status of Contract and Updating System

Included in the Department of Corrections' (SCDC) May 24, 2019 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's May 16, 2019 letter to the Department of Corrections: "1. Please provide the following information related to the agency contracting for assistance with its classification system: (a) When a request for proposal was issued; (b) Why Dr. Austin was chosen to receive the contract; (c) Copy of the contract with Dr. Austin; (d) List of activities related to the creation and entering of the contract performed by SCDC and those performed by State Procurement Office; (e) Timeline detailing services provided by Dr. Austin, dates Dr. Austin was paid, and payment amount; (f) Work product received from Dr. Austin; (g) Work product or services still owed by Dr. Austin; (h) Current status of contract with Dr. Austin; and (i) Agency's plan for finalizing an updated classification system, including the maximum length of time needed to finalize and implement an updated system."

**1. Please provide the following information related to the agency contracting for assistance with its classification system:**

**(a) When a request for proposal was issued;**

There was no request for proposal issued to update SCDC's classification system.

**(b) Why Dr. Austin was chosen to receive the contract;**

Dr. James Austin was named a sole source provider as an inmate classification subject matter expert in an amendment to SCDC's Mental Health Settlement Agreement. The following link provides a listing of publications that are attributed to Dr. Austin: <http://www.jfa-associates.com/publications/>.

**(c) Copy of the contract with Dr. Austin;**

See attached

**(d) List of activities related to the creation and entering of the contract performed by SCDC and those performed by State Procurement Office;**

A contract was developed by the parties and agreed upon on 9/22/17. Subsequently, SCDC and Dr James Austin entered into the contract after routing through SCDC's internal approval process. The State Procurement Office was not involved in this contract.

**(e) Timeline detailing services provided by Dr. Austin, dates Dr. Austin was paid, and payment amount;**

See attached

**(f) Work product received from Dr. Austin;**

See attached

**(g) Work product or services still owed by Dr. Austin;**

When the contract was discontinued, Dr Austin did not owe the agency any work product (s) or services. However, the new Deputy Director for Operations has reinstated the request for services after a meeting with Dr. Austin on 05/1/19. Dr. Austin provided his final work products on 5/8/19.

**(h) Current status of contract with Dr. Austin; and**

When the contract was discontinued, Dr Austin did not owe the agency any work product (s) or services. However, the new Deputy Director for Operations has reinstated the request for services after a meeting with Dr. Austin on 05/1/19. Dr. Austin provided his final work products on 5/8/19.

**(i) Agency's plan for finalizing an updated classification system, including the maximum length of time needed to finalize and implement an updated system.**

See attached

**(c) Copy of the contract with Dr. Austin;**

**CONSULTING AGREEMENT**  
**By and Between James Austin and**  
**South Carolina Department of Corrections**

*THIS AGREEMENT* is made on this 22<sup>nd</sup> day of Sept by and between James Austin (hereinafter called "Contractor") and the South Carolina Department of Corrections. (Hereinafter "SCDC").

*WHEREAS*, SCDC is a party to the Settlement Agreement with T.R., P.R., K.W. and A.M., on behalf of themselves and others similarly situated; and Protection and Advocacy for People with Disabilities, Inc. The Second Amendment to the Settlement Agreement gives SCDC the authority to hire the Contractor as an independent expert.

*WHEREAS*, Contractor is an independent contractor engaged in the business of providing subject matter consulting services and is willing and able to assist SCDC in the performance of the security staff study by providing the services listed herein; and

*WHEREAS*, SCDC and Contractor wish to set forth in greater detail further conditions governing their relationship:

*NOW THEREFORE*, in consideration of the mutual covenants hereinafter set forth, the parties hereto agree as follows:

**1. Description of Services**

Contractor shall, as an independent expert in corrections classification, provide the services as outlined below. Contractor shall assure uniformity, integrity and consistency in all aspects of the Contractor's work product and do all things necessary and appropriate for the purpose of enabling SCDC to perform with maximum efficiency. Contractor represents that he is qualified to perform the duties set forth herein.

1.1 Scope of Services: To conduct reliability and validation tests for inmate classification and provide recommendations to include training, if necessary.

**2. Consideration**

In consideration for the services performed by Contractor, SCDC agrees to pay as follows:

**2.1 Invoicing**

SCDC agrees to pay the first invoice within sixty (60) days of receipt and all subsequent invoices within thirty (30) days of receipt. Additionally, a monthly time sheet is required to accompany each invoice and be approved by Dennis Patterson, the project director, before payment is rendered.

Contractor will be paid One Hundred Seventy-Five (175) Dollars per hour plus reasonable

expenses. Contractor should submit monthly invoices to SCDC.

In addition, Contractor shall be paid its reasonable expenses for travel necessarily incurred in performing the services, provided, however, that all reimbursable travel must be approved in advance by SCDC. Contractor's reimbursement for travel expenses will not exceed those allowable under the 2017 State of South Carolina travel reimbursement guidelines. Contractor warrants that it is familiar with any such limitations on expense reimbursement.

Each invoice will be accompanied by the work product listed above. In the event that SCDC disagrees with or questions any amount due under an invoice, they agree to communicate such disagreement to Contractor in writing within five (5) days of the invoice date.

Invoices and other identified information shall be submitted so as to arrive at SCDC's primary place of business no later than the due dates indicated. Invoices shall be submitted to:

Jonathan Eckstrom  
Office of General Counsel  
South Carolina Department of Corrections  
4444 Broad River Road  
Columbia, SC 29210  
Email: Eckstrom.Jonathan@doc.sc.gov  
Fax: (803) 896-1766

Invoices and all relevant documentation and supporting materials may be submitted by facsimile to SCDC at the number shown above or by email to the above cited email address.

A penalty of 1.5% of contract amount may be assessed per day to Contractor for failure to meet the agreed upon deadlines set forth in this Contract. This penalty may be waived at the discretion of the project director upon written request from Contractor submitted prior to the assigned task deadline.

### 3. Satisfactory Performance

It is expressly understood and agreed by the parties that SCDC reserves the right to determine whether the services called for in this agreement have been satisfactorily performed. SCDC shall, in its sole discretion, make its determination in good faith. Contractor shall be contractually required to exert its best efforts to perform the services within the constraints of the time frame and funding proposed. An essential element for the development of the project is the support and active participation of the staff of SCDC, therefore, SCDC agrees to answer any request for information within five (5) working days.

#### 4. Term

This Agreement shall be effective as of the final date of signature below. It shall be effective for six (6) months. This Agreement can be terminated sooner if Contractor's work is completed prior to six (6) months.

4.1. Extension of Contract: If necessary, this agreement may be extended at the mutual agreement of both parties by the execution of a written Amendment, to be attached and incorporated herein.

4.2 Termination: This agreement may be terminated by either party without cause upon no less than thirty (30) calendar days' notice in writing to the other party unless a sooner time is mutually agreed upon in writing. With reasonable cause, either party may terminate this agreement effective immediately upon the giving of written notice for cause. Reasonable cause shall include: (a) material violation of this agreement and (b) any act exposing the other party to liability to others for personal injury, professional negligence or property damage.

#### 5. Independent Contractor Status

The relationship of Contractor to SCDC is that of any independent contractor and nothing herein shall be construed as creating any other relationship. As such Contractor shall comply with all laws and assume all risks incident to his status as an independent contractor. This includes, but is not limited to, responsibility for all applicable federal and state income taxes, associated payroll and business taxes, licenses and fees, and such insurance as it is necessary for Contractor's protection in connection with work performed under this agreement. Neither Contractor nor anyone employed or subcontracted by them shall be, represent, act, purport to act, or be deemed to be an agent, representative, employee or servant to SCDC.

5.1 Equipment, Tools, Materials, or Supplies: Contractor shall supply at Contractor's sole expense, all equipment, tools, materials and/or supplies to accomplish the work to be performed.

5.2 Federal, State and Local Payroll Taxes: Neither federal nor state nor local income tax nor payroll tax shall be withheld or paid by SCDC on behalf of Contractor or Contractor's employees. Contractor shall not be treated as an employee with respect to the services performed hereunder for federal or state tax purposes.

5.3 Fringe Benefits: Because Contractor is engaged as an independent contractor, Contractor is not eligible for and shall not participate in any company health, life, dental, pension or other fringe benefit plan of SCDC.

#### 6. Insurance

All insurance requirements are waived by Contractor. As an independent contractor,

Contractor is not covered by SCDC's state insurance policy(ies).

7. Restrictive Covenant

Contractor understands and agrees that as a result of his association with SCDC, Contractor may develop, obtain, learn about and use restricted and confidential information (whether or not subject to copyright protections) of SCDC. The Term "Restrictive Services" shall mean "good will" "marketing" "policies" "strategies" and "confidential information" and shall encompass, without limiting the generality of those terms, any SCDC policies, procedures, post orders, and personal identifiable information of inmates or employees.

Contractor further covenants that he will not, directly or indirectly, commit any of the following acts during the Term of this Agreement for the two year period following termination of this agreement:

7.1 solicit or hire any employee of SCDC;

7.2 develop, sell, license or otherwise divulge SCDC's confidential information or restricted policies.

The foregoing shall apply in all instances except in each such case where the Contractor has received in advance the express written permission of SCDC.

8. Injunctive Relief

The Contractor agrees that the remedy at law for any breach by Contractor of any of the foregoing restrictions may be inadequate and that SCDC shall be entitled to injunctive relief.

9. Confidential Information

Contractor agrees that through direct or indirect contact with SCDC he may learn about information which is confidential or restricted. In recognition of the foregoing, Contractor agrees that during the term of the relationship, he will use his best efforts and diligence to guard and protect SCDC's confidential information and restricted policies.

9.1 The Contractor agrees that subsequent to the termination of the relationship governed herein, he will not directly or indirectly as manager, operator, Contractor, partner or stockholder, use for himself or others any of SCDC's confidential information which Contractor may develop, obtain or learn during or as a result of the relationship governed herein.

9.2 The term "confidential information" encompasses, without limiting the generality of the terms: restricted policy(ies), security procedures, post orders, personal identifiable information, institution and building plans, manuals developed by or on behalf of SCDC, and other intellectual property.

9.3 All information provided to Contractor under this Agreement will be considered confidential unless expressly stated otherwise by SCDC.

9.4 Contractor agrees that unauthorized disclosure of confidential information may result in SCDC seeking an injunction to restrain the disclosures in whole or in part of the confidential information. SCDC shall not be prohibited by this provision from pursuing other remedies, including a claim for losses and damages and the forfeiture of any amount described in Paragraph 2, which is then unpaid.

## 10. SCDC Property

Upon termination, Contractor agrees to turn over to SCDC all of SCDC 's properties of every kind, nature or type, real or personal, including but not limited to, SCDC's systems, restricted policy(ies), security procedures, post orders, institution and building plans, manuals developed by or on behalf of SCDC, confidential information and good will, together with pertinent correspondence. Contractor further agrees that on termination, he will not retain any copies of any or all of the above. Notwithstanding any other provisions of this agreement, no deferred compensation shall be paid to Contractor if SCDC determines that Contractor is in breach of the restrictions contained in this paragraph. The Contractor's obligation under this paragraph shall survive Contractor's termination.

## 11. General Provisions

11.1 Any and all requests for information made to Contractor that are covered under this Agreement will be forwarded SCDC.

11.2 Waiver of Breach: The failure by either SCDC or Contractor to act upon a breach of any provision of this contract shall not operate or be construed as a waiver of any subsequent breach by either SDCC or Contractor.

11.3 Binding Effect: This contract shall be binding upon and inure to the benefit of both SCDC and Contractor and their respective successors and assigns and legal representatives.

11.4 Amendments: No amendment or variation of the terms and conditions of this contract shall be valid unless the same is in writing and signed by all of the parties hereto.

11.5 Subcontracting and Assignment: Contractor will not subcontract, assign, transfer or otherwise employ anyone to do any part of the services called for under this agreement, nor assign any part of its rights or interest in this agreement, or any claim arising out of this assignment, without prior written approval of SCDC.

11.6 Equal Employment Opportunity: Each party agrees in the performance of this Agreement not to discriminate on the basis of race, ethnicity, national origin, gender, age, religion, disability, sexual orientation, or any other basis prohibited by law in the jurisdiction in which the Agreement is to be performed.



*IN WITNESS WHEREOF*, this agreement has been executed by SCDC and Contractor on the date shown above,

South Carolina Department of Corrections

Contractor

BY: Bryan P. Stines

TITLE: Director

DATE: 9/21/17

WITNESS: Manu D. deppa

BY: Jamie Quind

TITLE: Consultant

DATE: 9/22/17

WITNESS: De Patten

**(e) Timeline detailing services provided by Dr. Austin, dates Dr. Austin was paid, and payment amount;**

# Dr. Austin Timeline

## Timeline of Dr. Austin’s work with SCDC.

Prior to June 2017 Director Stirling initiated communications with Mental Health Panel regarding assessment of Classification System because it had not been reviewed in 25 years. It was then assigned to the Deputy Director for Operations.

June 5, 2017

Assistant DDO wrote a letter to Dr. Austin requesting an estimate for cost for services to conduct assessment of Inmate Classification System.

June 21, 2017

Dr. James Austin was named a sole source provider as an inmate classification subject matter expert in an amendment to SCDC’s Mental Health Settlement Agreement.

September 22, 2017

Contract was developed and parties agreed to terms and contract was signed

December 11, 2017

#1 invoice received from Dr. Austin  
Billing invoice includes  
A. Professional Fees:  
- Review Documents provided by client and conference calls  
- Reformat data files and conduct statistical analysis of data files provided by scdc  
- Conduct on site visit at SCDC Dec. 4-7, 2017. (Central office, Lakeview and Lieber CI)  
Total Professional Fees: \$7,350.00  
Total Expenses: \$1,159.44  
Total of all: \$8,509.44

January 15, 2018

#2 invoice received from Dr. Austin  
Billing invoice includes  
A. Professional Fees  
- Reformat updated stock data file and conduct statistical analysis of date file provided by SCDC  
- Conduct onsite visit at SCDC headquarters 1/2/18  
- Reformat release file and conduct statistical analysis on risk assessment instrument  
Total Professional fees: \$3,500.00  
Total Expenses: \$525.85  
Total of all: \$4,025.85

February 12, 2018

#3 invoice received from Dr. Austin  
Billing invoice includes  
A. Professional Fees  
- Develop tables for presentation to the SCDC administrative staff on the proposed inmate classification system and prison population  
- Conduct onsite visit at SCDC HQ 1/29/18  
Total Professional fees: \$2,450.00  
Total Expenses: \$19.60  
Total of all: \$2,469.60

July 11, 2018

#4 invoice received from Dr. Austin  
Billing invoice includes  
A. Professional Fees  
- Review documents provided by client and meeting with Central Classification at SCDOC on 4/26/18  
- Review documents provided by client and meeting with SCDC on 5/9/18  
- Develop sample for classification staff to complete simulation of new classification system. Receive data files from RIM and conduct statistical analysis of same data files.  
- Meet with Central Classification staff at SCDC to finalize plans for staff to conduct simulation on 6/19/18. Create spreadsheet for staff to enter said data.  
Total Professional fees: \$6,300.00

August 20, 2018

#5 invoice received from Dr. Austin  
Billing invoice includes  
A. Professional Fees  
- Revise current classification custody and security forms  
- Meet with Mr. Patterson and Central Classification staff at SCDC to review revised classification matrix on 7/23/18  
Total Professional fees: \$2,100.00

October 2018

- Chief Legal & Compliance Officer was provided a copy of Dr. Austin’s initial findings.  
  
- DDO began exploring other options.

November 2018

Due to the Director’s inquisition on the time it was taking to get a final decision on the Classification System, he requested that a Request For Productions be written outlining expectations of SCDC so this project could move forward. The task was assigned to the Division of Classification which falls under the purview of the DDO.

March 2019

Upon naming an Interim DDO Director provided a list of items requesting status and Classification System was on this list. Interim DDO contacted Dr. Austin to determine status for classification system and scheduled meeting to discuss.

May 1, 2019

The new Deputy Director for Operations has reinstated the request for services after the meeting with Dr. Austin. General Counsel’s Office is working on updated contract. Purchase Order is still active.

May 8, 2019

Dr. Austin provided final work products.

★ - 1st purchase Order Issued. Total \$15,005.00 on April 5, 2018

★ - 2nd purchase Order Issued. Total \$43,000.00 on July 18, 2018. Total ending cost was \$23,404.54.

**(f) Work product received from Dr. Austin;**

## Findings

### Prison Population

1. Severe staff shortages have created a dangerous situation to staff and inmates alike
2. Unlikely that funds will ever be provided to meet staff shortages
3. Best solution is to introduce a) new classification, b) risk assessment, and c) needs assessment systems that can be used by the DOC and Parole Board to *safely* lower the prison population by reducing current length of stay (LOS).

### Inmate Classification

4. Current classification system is a modified version of the old and antiquated Texas prison classification system implemented in 1997.
5. Uses security level and custody level in a redundant and confusing manner.
6. Need to clarify population status versus classification. For example, minimum custody inmate who require placement in a Level 3 medical facility).
7. Current system is unique compared to all other prison inmate classification systems because it does not use a point system which produces a lack of reliability and validity.
8. Does not distinguish between males and females in terms of risk.
9. Changes can be made that will quickly (over a 6 month period) and easily improve the current system by making it simpler to use and understand

### Risk and Needs Assessment

10. DOC does not have a validated risk and needs assessment system which would produce a practical and effective inmate case plan.
11. Lack of coordination between the Parole Board which is not paying adequate attention to risk and needs assessment in granting parole.
12. This is essential for developing an effective inmate case plan at admission.

## Recommendations

### Classification

1. Remove the use of the security matrix as it is largely redundant with the custody matrix.
2. Refine the custody matrix so that it uses a more traditional point scoring system.
3. Change custody levels as follows:
  - a. Close Custody
  - b. Medium Custody
  - c. Minimum Restricted
  - d. Minimum Out

### **Risk and Needs Assessment**

4. Develop case plan at the time of intake which is based on risk and needs assessment to be developed by JFA and DOC staff.
5. The case plan is essential and needs to be continually communicated to the inmate.
6. Need to work the Parole Board so that their grant rates are linked to risk levels and compliance with case plans.
7. The above recommendations would result in increased numbers of lower risk inmates being released at their initial parole eligibility.

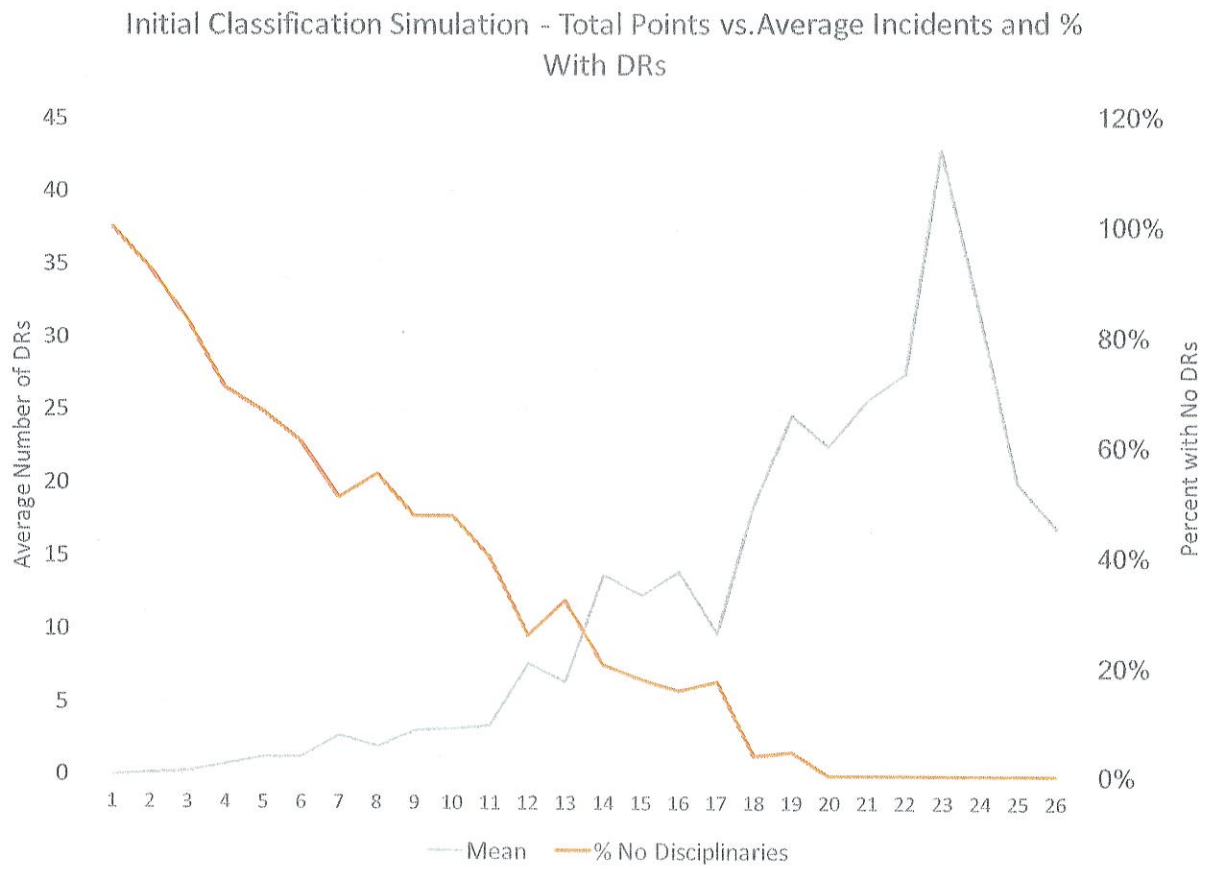
## **New Classification System Changes**

1. Uses a point system rather than a matrix.
2. Conforms to the NIC Prison Objective Classification System Standards and Formats
3. This system has been implemented in the vast majority of state and local jail systems.
4. Consists of an Initial and Reclassification Instrument.
5. Initial instrument is based on criminal record, prior institutional violence and stability factors.
6. Reclassification is done every year and is based more on inmate conduct than prior criminal record or current offense.
7. Inmates will not be reclassified every time they are transferred.
8. Allows for mandatory and discretionary over-rides.
9. Changes in security and custody definitions as follows;
  - a. Security is assigned to facilities and housing units
  - b. Custody is assigned to inmates
  - c. Labels for both are as follows:
    - i. Level 3 = Close
    - ii. Level 2 = Medium
    - iii. Level 1b = Minimum
    - iv. Level 1a –Minimum-out
10. Mandatory over-rides block prisoners for going to Minimum Custody for the following reasons:
  - a. More than 5 years to max-out
  - b. Life with or without parole
  - c. Validated gang member
  - d. No out of state/ ICE/ Level 4 or Higher Offense detainees
  - e. No sex offenses unless within 12 months of maximum release date
  - f. Convicted of Murder or Kidnapping.
  - g. No staff or inmate assaults in the past 12 months

**Initial Classification**  
**N=5,075 with LOS One Year or Less**

<b>ITEM #1 Current Offense</b>	<b>Score</b>	<b>Number</b>	<b>Percent</b>
Level 1 or 2	1	1,555	30.6%
Level 3	3	1,387	27.3%
Level 4	5	1,891	37.3%
Level 5	7	242	4.8%
<b>ITEM #2 Prior Commitments</b>			
None	0	3,114	61.4%
Any Prior Commitment GT 90 days	3	1,523	30.0%
Any Prior Commitment – Violent Crime – GT 90 days	7	438	8.6%
<b>ITEM #3 Escape History</b>			
None Listed	0	4,872	96.0%
Class 1 or more	3	145	2.9%
Class 2 or more	7	58	1.1%
<b>ITEM #4 Past Institutional Violence</b>			
None	0	4,458	87.8%
Any Assault past 24 or GT 25 months	3	549	10.8%
Any Assault past 24 or GT 25 Months involving weapon	7	68	1.3%
<b>ITEM #5 Current Age</b>			
32 years and younger	3	2,547	50.2%
33 – 41 years	2	1,304	25.7%
42 -52 years	1	850	16.7%
53 years and older	0	374	7.4%
<b>ITEM #6 Gender</b>			
Male	0	4,518	86.7%
Female	-1	557	13.3%
<b>ITEM #7 Long Term Offender</b>			
Yes	1	675	13.3%
No	0	4,400	86.7%
<b>ITEM #8 Gang Affiliation</b>			
Yes	2	335	6.6%
No	0	4,740	93.4%
<b>ITEM # 9 Education</b>			
13 yrs. or higher	-1	468	9.2%
12 yrs. or lower	0	4,607	90.8%
<b>ITEM #10 Marital Status</b>			
Single	0	2,767	54.5%
Else	-1	2,308	45.5%



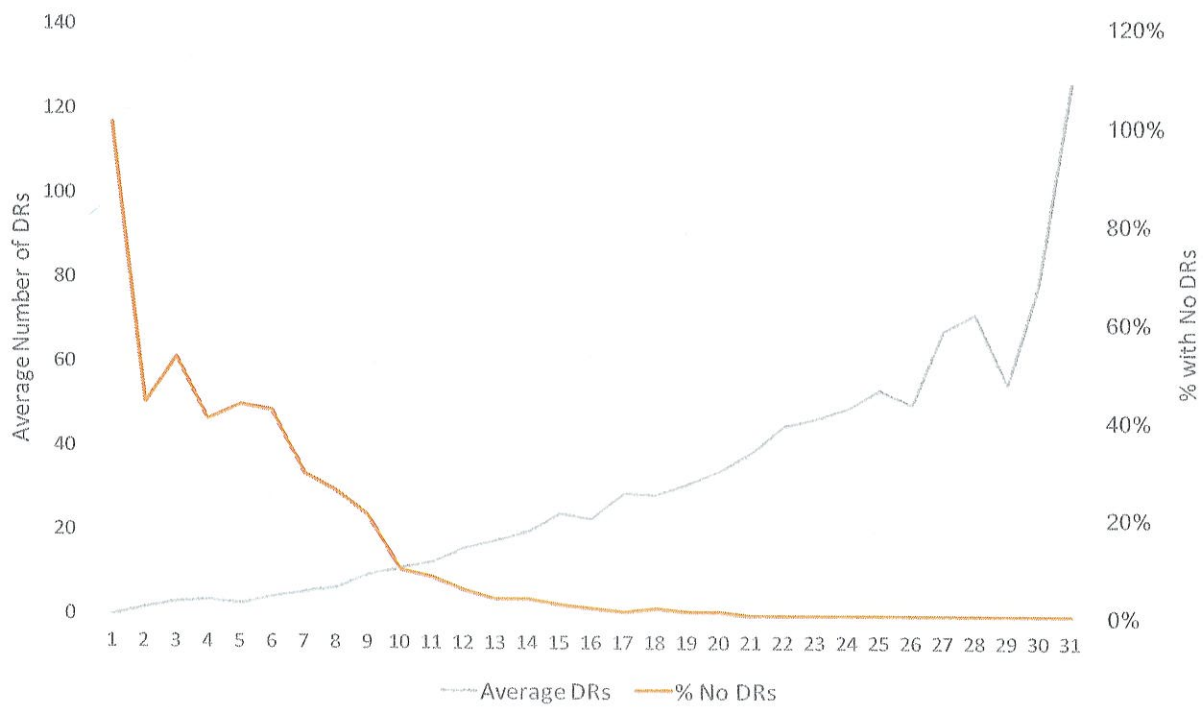


**Reclassification**  
**N=14,612 with LOS GT One Year**

<b>ITEM #1 Current Offense</b>	<b>Score</b>	<b>Inmates</b>	<b>%</b>
Level 1 or 2	1	560	3.8%
Level 3	2	1,562	10.7%
Level 4	4	8,061	55.2%
Level 5	6	4,429	30.3%
<b>ITEM #2 Prior Commitments</b>			
None	0	8,380	57.4%
Any Prior Commitment GT 90 days	2	4,558	31.2%
Any Prior Commitment – Violent Crime – GT 90 days	6	1,674	11.5%
<b>ITEM #3 Escape History</b>			
None Listed	0	13,464	92.1%
Class 1 or more	3	877	6.0%
Class 2 or more	7	271	1.9%
<b>ITEM #4 Past Institutional Violence</b>			
None	0	12,292	84.1%
Any Assault past 24 months or GT 25 months	3	1,923	13.2%
Any Assault past 24 months or GT 25 Months involving weapon	7	397	2.7%
<b>ITEM #5 Current Age</b>			
32 years and younger	3	4,817	33.0%
33 – 41 years	2	3,992	27.3%
42 -52 years	1	3,262	22.3%
53 years and older	0	2,541	17.4%
<b>ITEM #6 Gender</b>			
Male	0	13,832	94.7%
Female	-1	780	5.3%
<b>ITEM #7 Long Term Offender</b>			
Yes	1	9,557	65.4%
No	0	5,055	34.6%
<b>ITEM #8 Gang Affiliation</b>			
Yes	2	1,649	88.7%
No	0	12,963	11.3%
<b>ITEM #9 # of Disciplinary with Conviction</b>			
None past 24 mos.	-2	1,780	12.2%
None past 12 mos.	-1	6,891	47.2%
1 – 3 past 12 mos.	0	4,456	30.5%
4-5 past 12 mos.	1	824	5.6%
6+ past 12 mos.	2	661	4.5%
<b>Item #10 Compliance with Case Plan – Past 12 Mos.</b>			

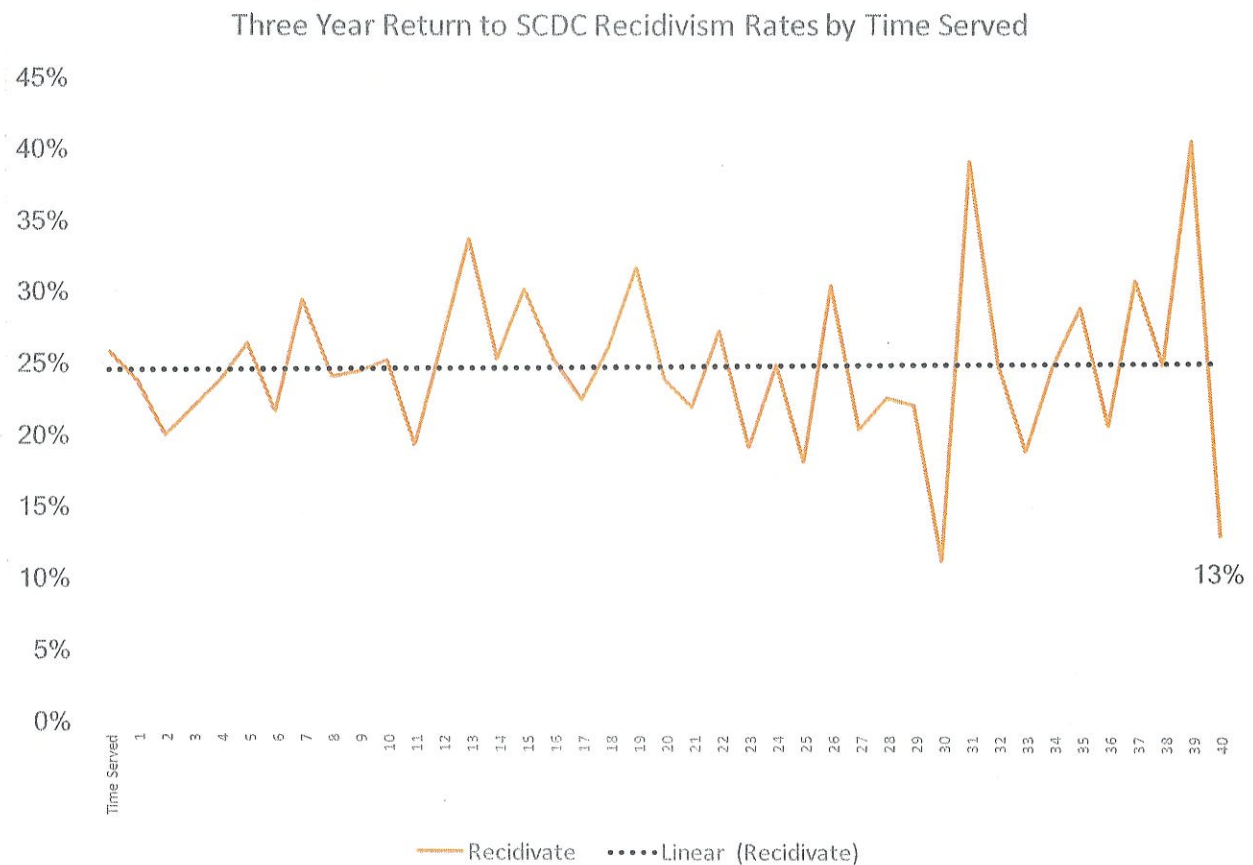
Non-Compliance	2		
Partial Compliance	0		
Full Compliance	-2		

Re-Classiification Simulation - Total Points vs.Average Incidents and %  
with No DR Incidents  
Current Inmate Population



## **Developing Risk, Needs and Case Plan Instruments**

1. Average time served in SCDOC for FY 2014 Releases (9,485) was 784 days (about 2.2 years)
2. Median time (midpoint) served in SCDOC for FY 2014 was 309 days (less than a year)
3. For every 30 days reduction in the LOS, the prison populations declines by 800 inmates.
4. There is no relationship between LOS and Recidivism Rates
5. Significant reductions in prison populations in several states were associated with significant reductions in crime rates.
6. Key reform is associating reductions in LOS with compliance with cases plans designed to reduce risk.
7. In order for this to occur there must be meaningful incentives for the inmate to comply with case plan requirements.



**Prison and Crime Rate Reductions  
New York, California, New Jersey, and Maryland**

	<b>NY</b>	<b>CA</b>	<b>NJ</b>	<b>MD</b>
<b>Reform Year</b>	1999	2006	1999	2008
<b>Prison Population Before Reform</b>	72,899	175,512	31,493	23,239
<b>Current Prison Population</b>	51,727	129,593	20,489	20,274
<b>Prison Reduction</b>	-21,172	-45,919	-11,004	-2,965
<b>% Reduction</b>	-29%	-26%	-35%	-13%
<b>Crime Rate Before Reform</b>	3,279	3,743	3,400	4,126
<b>Current Crime Rate</b>	1,984	3,045	1,882	2,772
<b>Crime Rate Reduction</b>	-1,296	-698	-1,518	1,354
<b>% Reduction</b>	-40%	-19%	-45%	-33%



**Table 3. Maryland Dynamic Risk Scoring Factors  
Assessed Prior to Parole Consideration**

Program Completed	3 Year Return to Prison Rate
Yes	31%
No	38%
Security Level	
Pre-Release	33%
Minimum	36%
Medium/Higher	50%
Case Plan	
Full Compliance	31%
Partial Compliance	37%
Non-Compliance	46%

**Table 4. Changes in Risk Level  
Prison Admission versus Release**

Risk Level	At Admission	At Release	Difference
Low	1,310	1,696	+386
Low Moderate	1,123	1,273	+150
Moderate	1,358	1,847	+489
High	2,446	1,421	-1,025

**Table 5. Recidivism Rates by Static Risk Level at  
Admission vs. Dynamic Risk Level at Release**

Risk Level	Risk at Admission	Risk at Release
Low	21%	27%
Low Moderate	18%	20%
Moderate	22%	30%
Higher	39%	23%

### Suggested South Carolina Initial Risk Assessment Factors

Item	Points	Rate
Total		22.3%
1. Arrested prior to age 17		
Yes	2	31.4%
No	0	18.7%
2. Gender		
Male	1	23.2%
Female	0	14.6%
3. Age at Release		
21 and younger	2	33.2%
22 – 33	1	23.8%
34 – 51	0	20.6%
52 plus	-1	12.8%
4. Gang Affiliation		
Yes	2	32.0%
No	0	21.7%
5. Drug Ind		
Yes	2	30.0%
No	0	22.4%
6. Previous Violence Code		
1 B	0	21.8%
2	1	29.0%
3	2	37.7%
7. Any Prior Commitments GT 90 days		
None to One	0	20.5%
Two	1	25.0%
Three to Four	2	30.4 %
Five or more	3	39.3%

### Next Steps

1. Develop prototype classification system forms and pilot test on random sample of the current prison population
2. Work with Classification and Research to Develop Reliable and Valid Risk, Needs and Case Plan Instruments.

## **SOUTH CAROLINA DEPARTMENT OF CORRECTIONS**

### **INSTRUCTIONS FOR COMPLETING INITIAL AND RECLASSIFICATION SECURITY INSTRUMENTS**

This document contains instructions for completing the initial classification and reclassification instruments for all inmates held in the South Carolina Department of Corrections (SCDOC) and its various facilities. All sections must be filled out completely using a combination of information provided by the inmate, the inmate's file, prior criminal history, pre-sentence investigations, and other institutional files where available.

Using information in the inmate's file, staff should complete all scoring items on the first page of the initial custody classification form. This will produce a total custody score that will indicate an initial custody designation. Once the initial custody designation has been completed, the inmate should be interviewed to verify the accuracy of objective classification data, determine the need for special housing, explain the classification process to the inmate, and indicate the recommended custody level (Minimum, Medium, Close).

Once the interview has been completed, designated staff must complete the portion of the form that requires staff to consider the need for a custody level over-ride and make a final custody designation. If an over-ride is used to modify the inmate's scored custody level, staff must have the recommended over-ride and modified custody designation approved by the Classification Supervisor /Designee. Any over-rides that would result in either scored close custody prisoner being recommended for minimum custody or a score minimum custody prisoner being recommended for close custody must be approved by the SCDOC Classification Office.

Once this step has been completed, the classification data should be entered into the data system. A housing recommendation will then be made based upon the facility's housing plan, program needs, and bed availability.

Note that there is a different custody scale for the female inmates. The actual scoring items and weights remain the same for both the male and female forms that are listed in attachments.

#### ***CUSTODY/SECURITY INITIAL CLASSIFICATION***

##### **A. IDENTIFYING INFORMATION**

**Inmate's Name:**

Last: Enter the inmate's last name.

First: Enter the inmate's first name.

M.I.: Enter the inmate's middle initial.

**SCDOC Number:**

Enter the inmate's state number as it appears on the file.

**Institution:**

Enter the facility to which the inmate is assigned and the initial classification is conducted.

**Initial Classification Date:** Enter date of actual initial classification.



## B. CUSTODY EVALUATION

Items 1 through 7 are intended to identify an inmate who presents a serious risk to the safety, security, and orderly operation of the facility. In the space provided for the SCORE in the right hand column of each item, enter the number of points indicated for the category that applies to the inmate.

### 1. Severity of Current Offense:

To determine the Severity of Current Offense, consider the primary crime for which the inmate is committed to the SCDOC. (If the inmate is held pursuant to a detainer or warrant, consider the detainer or warrant charge.) For multiple charges, the charge with the highest severity level will be used in scoring this item. Next, using the Severity of Current Offense table below, enter the appropriate number of points corresponding to the severity level of the most severe current offense.

SEVERITY OF CURRENT OFFENSE	
POINTS	SEVERITY
7	Category 5
5	Category 4
3	Category 3
1	Category 1 or 2

### 2. Severity of Prior Felony Sentences History (past 7 years):

Score the inmate's prior felony sentences, not including the current offense, that have occurred in the past 7 years. Use the same severity point system used for the Current Offense item listed above.

### 3. History of Escape or Attempts to Escape (past 7 years):

Score the inmate's prior record of escape or attempted escape from a correctional facility by the class level of the escape. . Scoring should be based on the date of return to custody.

*Enter 0*, if the inmate has not escaped or attempted escape.

*Enter 3*, if the inmate has been convicted of a Class 2 escape in the past 7 years.

*Enter 7*, if the inmate has been convicted of a Class 1 escape in the past 7 years.

### 4. Institutional Violence History (Past 7 years):

Score the inmate's documented institutional violence in the past 7 years to determine the most serious incident of institutional violence. Any incidence of institutional violence documented in the SCDOC disciplinary process requires a finding of guilt through the court system or through the institutional disciplinary process. Include the incarceration period for the current charge. History of violence must be documented and present in the inmate's file in order to assign points.

*Enter 0*, if the inmate has no history of institutional violence.

*Enter 5, if most severe incident was an assault or behavior NOT involving the use of a weapon BUT resulting in serious injury*

*Enter 7, if most severe incident was an assault or behavior involving the use of a weapon AND/OR resulting in serious injury.*

**5. Current Age:** Score the inmate's age at the time of the interview.

*Enter 2, if the inmate is 25 years or younger.*

*Enter 1, if the inmate is 26-32 years old.*

*Enter 0, if the inmate is 33 to 50 years old.*

*Enter -1, if the inmate is 51 years or older*

**6. Gang Affiliation:** Score the inmate's validated gang member.

*Enter 0, if the inmate is not a validated or suspected gang member.*

*Enter 1, if the inmate is a suspected gang member as defined by the SCDOC*

*Enter 2, if the inmate has been validated by either the SCDOC or the NCIC data systems.*

**7. Mitigating Factors:** Score the inmate's educational attainment and whether the inmate was previously assigned to minimum custody during the most recent incarceration. An inmate can get a maximum of -2 points on this item.

*Enter 0, if the inmate does NOT have a verified high school diploma or GED or was not released from minimum custody on the most recent SCDOC incarceration.*

*Enter -1, if the inmate has a verified high school degree or GED.*

*Enter -1, if the inmate was previously released from minimum custody on the most recent SCDOC incarceration.*

**C. CUSTODY SCALE AND RECOMMENDATIONS**

**Assign Custody Level Indicated by Scale:** Using the Custody Level Scale, determine the custody level indicated by the inmate's Total Custody Score (or the inmate's Max Custody Score where the subtotal of items 1-4 is 10 or more). Enter the Scored Custody Level Code in the right-hand column.

*Enter Close if inmate scored 10 points or more on items 1-7.*

*Enter Medium if inmate scored 5 to 9 points on items 1-7.*

*Enter Minimum if inmate scored 4 or fewer points on items 1-7.*

**For females use the following scale:**

*Enter Close* if inmate scored 12 points or more on items 1-7.

*Enter Medium* if inmate scored 6 to 11 points on items 1-7.

*Enter Minimum* if inmate scored 5 or fewer points on items 1-7.

**Over-Riding Scored Custody Level:**

Check all special management concerns that apply to the inmate for the purpose of over-riding the scored custody level. Over-rides can be discretionary or non-discretionary.

Non-discretionary over-rides are based on SCDOC policies specifying that certain types of inmates cannot be placed in minimum security facilities and cannot be assigned a minimum custody status. For example, non-discretionary over-ride policies apply to the sex offenders, prisoners with more than 5 years to serve, those with felony detainers, and those with an INS detainer are not eligible for minimum custody placement.

Discretionary over-rides are based on the inmate's behavior or status; these over-rides may result in recommendations that the inmate receive a higher or a lower custody than the scored custody level. For example, a case manager may over-ride an inmate from medium custody to close custody because the inmate is a serious, violent threat to other inmates and/or staff and therefore requires more supervision.

NOTE: Even if an over-ride is not being recommended, all discretionary statuses or behaviors applicable to the inmate should be checked to ensure the close amount of information is being included on the form.

Non-Discretionary – Minimum Custody Restrictions

- ☐ GT 5 yrs. To serve.
- ☐ Convicted Sex Offender
- ☐ Felony Detainer (Category 3-5)
- ☐ HOLD or Wanted (Category 3-5)
- ☐ INS Detainer
- ☐ Non US Citizen
- ☐ Prior Escape – Class 1
- ☐ Validated gang leader
- ☐ Violent with prior violent conviction

Discretionary Over-Ride – Higher Custody

- ☐ Recent Assaultive Behavior (w/in past 12 months)
- ☐ Gang affiliation/recent activities
- ☐ Crime More Severe Than Scored
- ☐ Prior Record More Severe Than Scored
- ☐ Recent Disruptive Behavior
- ☐ Notoriety of Offense

\_\_\_Security Concerns  
\_\_\_Arrest History

Discretionary Over-Ride – Lower Custody

\_\_\_Positive Adjustment  
\_\_\_Crime Less Severe Than Scored  
\_\_\_Pre-Release/ Re-Entry Programming Needs  
\_\_\_Prior Record Less Severe Than Scored  
\_\_\_Behavior Warrants less restrictive  
\_\_\_Prior minimum custody placement  
\_\_\_Physically disabled Inmate

**Is Over-Ride of Scaled Custody Level Recommended?**

Check the appropriate box (yes or no) indicating whether the case manager is recommending an over-ride from the scored custody level. If yes, give the rationale for the over-ride recommendation in the space provided.

**Recommended Population Assignment and Custody Level:** Indicate both the recommended Population Assignment and Custody Level.

*Population Assignment:* Enter the two-letter code for the recommended population assignment in the space provided.

*Enter GP*, if population assignment is General Population.

*Enter PC*, if population assignment is Protective Custody.

*Enter MD*, if population assignment is Medical.

*Enter MH*, if population assignment is Mental Health.

*Enter AD*, if population assignment is Administrative Segregation.

*Custody Level:* Enter the recommended custody level code in the space provided. If an over-ride was recommended, enter the custody level determined by the over-ride.

*Enter MIN*, if custody level is Minimum

*Enter MED*, if custody level is Medium

*Enter CLO* if custody level is Close

**Case manager Signature:**

The staff person who completed the form must sign and date the form.

**D. REVIEW OF RECOMMENDED OVER-RIDE**

**Approval of Recommended Population Assignment and Custody Level**

Check whether the population assignment and custody level is approved. If not, provide a reason or rationale for your decision.

**Population Assignment:**

Enter the two-letter code for the final population assignment in the space provided.

*Enter GP*, if population assignment is General Population.

*Enter PC*, if population assignment is Protective Custody.

*Enter MD*, if population assignment is Medical.

*Enter MH*, if population assignment is Mental Health.

*Enter AD*, if population assignment is Administrative Detention

**Custody Level:** Enter the recommended custody level code in the space provided. If an over-ride was recommended, enter the custody level determined by the over-ride.

*Enter MIN*, if custody level is minimum

*Enter MED*, if custody level is medium.

*Enter CLO*, if custody level is close.

**Classification Supervisor/Designee Signature**

Sign and date the form.

***CUSTODY RECLASSIFICATION***

This section of the manual contains the detailed instructions for completing the reclassification custody instrument. Proper case management requires periodic review of each inmate's classification and custody status. Unlike the initial classification instrument, the reclassification instrument places greater emphasis on the inmate's institutional conduct. Inmates are to be reclassified every year.

As indicated above, the reclassification form evaluates and places more emphasis on the inmate's in-custody and institutional behavior (i.e. the number of disciplinary reports and severity of infractions). Based upon the data in the inmate's file, the Case Manager should complete all scoring items on the first page of the reclassification form. This will allow staff to make a custody designation using the reclassification criteria. Once the custody designation has been completed, the inmate should be interviewed to verify the accuracy of objective classification data, determine the need for special housing, explain the classification process to the inmate, and indicate the recommended custody level (minimum, medium or close).

Once the interview has been completed, the Case Manager must complete the portion of the form that requires he/she to consider the use of an over-ride and make a final custody designation. If an over-ride is used to

modify the inmate's scored custody level, the Officer must recommend the rationale for the over-ride and modified custody designation. The over-ride must be approved by the Case Management Supervisor. Any over-rides that would result in either scored close custody prisoner being recommended for minimum custody or a score minimum custody prisoner being recommended for close custody must be approved by the SCDOC Transfer Coordinator's Office.

Once this step has been completed, the classification data should be entered into the data system. After the data have been entered, the Classification Examiner must print out a hard copy of the classification form, obtain any required signatures and place the form in the inmate's file. A housing recommendation will then be made based upon the facility's housing plan, program needs and bed availability.

#### **A. IDENTIFYING INFORMATION**

##### **Inmate's Name:**

Last: Enter the inmate's last name.

First: Enter the inmate's first name.

M.I.: Enter the inmate's middle initial.

##### **SCDOC ID:**

Enter the inmate's state number as it appears on the file.

##### **Institution:**

Enter the facility to which the inmate is assigned and the re-classification is conducted.

**Today's Date:** Enter date of reclassification.

##### **Current Custody Level:**

Enter the prisoner's current custody level.

##### **Last Review Date:**

Enter the date the prisoner was last reviewed for custody.

#### **B. CUSTODY RE-EVALUATION**

Items 1 through 8 are intended to identify an inmate who presents a serious risk to the safety, security, and orderly operation of the facility. In the space provided for the SCORE in the right hand column of each item, enter the number of points indicated for the category that applies to the inmate.

##### **1. Severity of Current Offense:**

To determine the Severity of Current Offense, consider the primary crime for which the inmate is committed to the SCDOC. (If the inmate is held pursuant to a detainer or warrant, consider the detainer or warrant charge.) For multiple charges, the charge with the highest severity level will be used in scoring this item. Next, using the Severity of Current Offense table below, enter the appropriate number of points corresponding to the severity level of the most severe current offense.

SEVERITY OF CURRENT OFFENSE	
POINTS	SEVERITY
6	Category 5
4	Category 4
2	Category 3
1	Category 1 or 2

**2. Severity of Prior Felony Sentences History (past 7 years):**

Score the inmate's prior felony sentences, not including the current offense, that have occurred in the past 7 years. Use the same severity point system used for the Current Offense item listed above.

**3. History of Escape or Attempts to Escape (past 7 years):**

Score the inmate's prior record of escape or attempted escape from a correctional facility by the class level of the escape. . Scoring should be based on the date of return to custody.

*Enter 0*, if the inmate has not escaped or attempted escape.

*Enter 3*, if the inmate has been convicted of a Class 2 escape in the past 7 years.

*Enter 7*, if the inmate has been convicted of a Class 1 escape in the past 7 years.

**4. Institutional Violence History (Past 7 years):**

Score the inmate's documented institutional violence in the past 7 years to determine the most serious incident of institutional violence. Any incidence of institutional violence documented in the SCDOC disciplinary process requires a finding of guilt through the court system or through the institutional disciplinary process. Include the incarceration period for the current charge. History of violence must be documented and present in the inmate's file in order to assign points.

*Enter 0*, if the inmate has no history of institutional violence.

*Enter 5*, if most severe incident was an assault or behavior NOT involving the use of a weapon BUT resulting in serious injury

*Enter 7*, if most severe incident was an assault or behavior involving the use of a weapon AND/OR resulting in serious injury.

**5. Current Age:** Score the inmate's age at the time of the interview.

*Enter 2*, if the inmate is 25 years or younger.

*Enter 1*, if the inmate is 26-32 years old.

*Enter 0*, if the inmate is 33 to 50 years old.

*Enter -1*, if the inmate is 51 years or older

**6. Gang Affiliation:** Score the inmate's validated gang member.

*Enter 0*, if the inmate is not a validated or suspected gang member.

*Enter 1*, if the inmate is a suspected gang member as defined by the SCDOC

*Enter 2*, if the inmate has been validated by either the SCDOC or the NCIC data systems.

**7. Frequency of Disciplinary Reports**

Enter the number of points associated with the number of disciplinary reports against the inmate during the last 12 – 24 months. Note: Count only those disciplinary reports in which there has been a finding of guilt.

*Enter -2* if there have been no DR convictions the past 24 months

*Enter -1* if there have been no DR convictions in the past 12 months

*Enter 1* if there have been 1-3 DR convictions in the past 12 months

*Enter 3* if there have been 4-5 DR convictions in the past 12 months

*Enter 5* if there have been 6 or more DR convictions in the past 12 months.

**8. Programs Completed on Current Incarceration – Past 12 months**

During the inmate's current incarceration, score the program and work activity that has been occurring during the past 12 months.

*Enter 2* if the inmate has been refusing to work or participate in programs

*Enter -1* if the inmate has received any work or program credits.

*Enter -2* if the inmate has continuously been receiving earned work or program credits.

**C. CUSTODY SCALE AND RECOMMENDATIONS**

**Assign Custody Level Indicated by Scale:** Using the Custody Level Scale, determine the custody level indicated by the inmate's Total Custody Score (or the inmate's High Custody Score where the subtotal of items A-D is 10 or more). Enter the Scored Custody Level Code in the right-hand column.

*Enter Close*, if inmate scored 10 points or more on items 1-9.

*Enter Med*, if inmate scored 5-9 points on items 1-8.

*Enter Min*, if inmate scored 4 or fewer points on items 1-8.

**For females use the following scale:**

*Enter Close*, if inmate scored 12 points or more on items 1-8.

*Enter Med*, if inmate scored 6 to 11 points on items 1-8.

*Enter Min*, if inmate scored 5 or fewer points on items 1-8.



**Over-Riding Scored Custody Level:**

Use the same over-ride factors as described for the initial classification instrument.

**Case manager Signature:**

The staff person who completed the form must sign and date the form.

**Date of Next Review**

List the date for the next scheduled classification review.

**D. APPROVAL OF RECOMMENDED OVER-RIDE**

**Approval of Recommended Population Assignment and Custody Level**

Check whether the population assignment and custody level is approved. If not, provide a reason or rationale for your decision.

**Population Assignment:**

Enter the two-letter code for the final population assignment in the space provided.

*Enter GP, if population assignment is General Population.*

*Enter PC, if population assignment is Protective Custody.*

*Enter MD, if population assignment is Medical.*

*Enter MH, if population assignment is Mental Health.*

*Enter AD, if population assignment is Administrative Detention.*

**Custody Level:** Enter the recommended custody level code in the space provided. If an over-ride was recommended, enter the custody level determined by the over-ride.

*Enter MIN, if custody level is minimum*

*Enter MED, if custody level is medium.*

*Enter CLO if custody level is close.*

**Classification Supervisor Signature**

Sign and date the form.

## South Carolina Department of Corrections

### Initial Classification - Males

Inmate's Name: \_\_\_\_\_ SCDC#: \_\_\_\_\_

Institution: \_\_\_\_\_ Review Date: \_\_\_\_\_

ITEM #1 Current Offense with Highest Category	Pts	Score
Category 1 or 2	1	
Category 3	3	
Category 4	5	
Category 5	7	
<b>ITEM #2 Prior Convictions – Highest Category in past 7 years</b>		
None	0	
Category 1 or 2	1	
Category 3	3	
Category 4	5	
Category 5	7	
<b>ITEM #3 Escape History – in Past 7 years</b>		
None	0	
Class 2 or more	3	
Class 1 or more	7	
<b>ITEM #4 Institutional Assaultive History – in Past 7 years</b>		
None	0	
Any Assault - no weapon	3	
Any Assault - weapon used	7	
<b>ITEM #5 Current Age</b>		
25 years and younger	2	
26 – 32 years	1	
33 -50 years	0	
51 years and older	-1	
<b>ITEM #6 Validated/Suspected Gang Membership</b>		
Validated Gang Member by SCDOC or NCIC	2	
Suspected Gang Membership by SCDOC	1	
No	0	
<b>ITEM # 7 Mitigating Factors</b>		
Verified Education (HS/GED or higher)	-1	
Prior SCDOC Minimum Custody at Release	-1	
<b>Total Score</b>		

**TOTAL CUSTODY SCORE (items 1 – 7) – Circle One**

10 or more points = Close

4 to 9 points = Medium

3 points or less = Minimum

**Check (✓) All Factors that Apply to this Inmate for Purpose of Over-Riding Scored Custody Level**

<u>Non-Discretionary – Minimum Custody Restrictions</u> <input type="checkbox"/> GT 5 yrs. To serve. <input type="checkbox"/> Convicted Sex Offender <input type="checkbox"/> Felony Detainer (Category 3-5) <input type="checkbox"/> HOLD or Wanted (Category 3-5) <input type="checkbox"/> INS Detainer <input type="checkbox"/> Non US Citizen <input type="checkbox"/> Prior Escape – Class 1 <input type="checkbox"/> Validated gang leader <input type="checkbox"/> Violent with prior violent conviction	<u>Discretionary Over-Ride – Higher Custody</u> <input type="checkbox"/> Recent Assaultive Behavior (w/in past 12 months) <input type="checkbox"/> Gang affiliation/recent activities <input type="checkbox"/> Crime More Severe Than Scored <input type="checkbox"/> Prior Record More Severe Than Scored <input type="checkbox"/> Recent Disruptive Behavior <input type="checkbox"/> Notoriety of Offense <input type="checkbox"/> Security Concerns <input type="checkbox"/> Arrest History	<u>Discretionary Over-Ride – Lower Custody</u> <input type="checkbox"/> Positive Adjustment <input type="checkbox"/> Crime Less Severe Than Scored <input type="checkbox"/> Pre-Release/ Re-Entry Programming Needs <input type="checkbox"/> Prior Record Less Severe Than Scored <input type="checkbox"/> Behavior Warrants less restrictive <input type="checkbox"/> Prior minimum custody placement <input type="checkbox"/> Physically disabled Inmate
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**Is Over-Ride of Scored Custody Level Recommended?**    ☐ Yes ☐ No  
 (must be approved by supervisor)

If yes, give rationale (required):

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**Recommend Population Assignment and Custody Level****Population Assignment:** \_\_\_\_\_**Custody Level:** \_\_\_\_\_

General Population	GP
Protective Custody	PC
Medical	MD
Mental Health	MH
Administrative Segregation	AS

Minimum	MIN
Medium	MED
Close	CLO

**Classification Caseworker:** \_\_\_\_\_ **Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_**Next Review Date** \_\_\_\_/\_\_\_\_/\_\_\_\_

## South Carolina Department of Corrections Re-Classification – Males

**Inmate's Name:** \_\_\_\_\_ **SCDOC#:** \_\_\_\_\_  
**Institution:** \_\_\_\_\_ **Date of Review:** \_\_\_\_\_ **Review Reason** \_\_\_\_\_

<b>ITEM #1 Current Offense with Highest Category</b>	<b>Pts</b>	<b>Score</b>
Category 1 or 2	1	
Category 3	2	
Category 4	4	
Category 5	6	
<b>ITEM #2 Prior Convictions – in Past 7 Years</b>		
None	0	
Category 1 or 2	1	
Category 3	2	
Category 4	4	
Category 5	6	
<b>ITEM #3 Escape History - in Past 7 Years</b>		
None Listed	0	
Class 2 or more	3	
Class 1 or more	7	
<b>ITEM #4 Past Assaultive Disciplinary History – in Past 7 Years</b>		
None	0	
Any Prison or Jail Assault – no weapon	3	
Any Assault involving weapon – weapon used	7	
<b>ITEM #5 Current Age</b>		
25 years and younger	2	
26 – 32 years	1	
33 -50 years	0	
51 years and older	-1	
<b>ITEM #6 Validated/Suspected Gang Membership</b>		
Validated Gang Member by SCDOC or NCIC	2	
Suspected Gang Membership by SCDOC	1	
No	0	
<b>ITEM #7 Number of Major Disciplinary Convictions</b>		
None past 24 mos.	-2	
None past 12 mos.	-1	
1 – 3 past 12 mos.	1	
4-5 past 12 mos.	3	
6+ past 12 mos.	5	
<b>Item #8 Work/Program Participation – in Past 12 Mos.</b>		
Refusing to Work or Program	2	
Partially Received Earned Work or Program Credits past 12 months	-1	
Continually Received Earned Work /Program Credits– Or Not Required	-2	
<b>Total Score</b>		

**TOTAL CUSTODY SCORE** (items 1 –8) - Circle One

10 or more points = Close

4 to 9 points = Medium

3 points or less = Minimum

Check (✓) All Factors that Apply to this Inmate for Purpose of Over-Riding Scored Custody Level

<u>Non-Discretionary – Minimum Custody Restrictions</u> <input type="checkbox"/> GT 5 yrs. To serve. <input type="checkbox"/> Convicted Sex Offender <input type="checkbox"/> Felony Detainer (Category 3-5) <input type="checkbox"/> HOLD or Wanted (Category 3-5) <input type="checkbox"/> INS Detainer <input type="checkbox"/> Non US Citizen <input type="checkbox"/> Prior Escape – Class 1 <input type="checkbox"/> Validated gang leader <input type="checkbox"/> Violent with prior violent conviction	<u>Discretionary Over-Ride – Higher Custody</u> <input type="checkbox"/> Recent Assaultive Behavior (w/in past 12 months) <input type="checkbox"/> Gang affiliation/recent activities <input type="checkbox"/> Crime More Severe Than Scored <input type="checkbox"/> Prior Record More Severe Than Scored <input type="checkbox"/> Recent Disruptive Behavior <input type="checkbox"/> Notoriety of Offense <input type="checkbox"/> Security Concerns <input type="checkbox"/> Arrest History	<u>Discretionary Over-Ride – Lower Custody</u> <input type="checkbox"/> Positive Adjustment <input type="checkbox"/> Crime Less Severe Than Scored <input type="checkbox"/> Pre-Release/ Re-Entry Programming Needs <input type="checkbox"/> Prior Record Less Severe Than Scored <input type="checkbox"/> Behavior Warrants less restrictive <input type="checkbox"/> Prior minimum custody placement <input type="checkbox"/> Physically disabled Inmate
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**Is Over-Ride of Scored Custody Level Recommended?** ☐ Yes ☐ No

(must be approved by supervisor)

If yes, give rationale (required):

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**Recommend Population Assignment and Custody Level****Population Assignment** \_\_\_\_\_ **Custody Level:** \_\_\_\_\_

General Population	GP	Minimum	MIN
Protective Custody	PC	Medium	MED
Medical	MD	Close	CLO
Mental Health	MH		
Administrative Segregation	AS		

**Classification Caseworker:** \_\_\_\_\_ **Date of Review** \_\_\_\_/\_\_\_\_/\_\_\_\_**Next Review Date** \_\_\_\_/\_\_\_\_/\_\_\_\_

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## South Carolina Department of Corrections Initial Classification - Females

**Inmate's Name:** \_\_\_\_\_ **SCDC#:** \_\_\_\_\_  
**Institution:** \_\_\_\_\_ **Review Date:** \_\_\_\_\_

<b>ITEM #1 Current Offense with Highest Category</b>	<b>Pts</b>	<b>Score</b>
Category 1 or 2	1	
Category 3	3	
Category 4	5	
Category 5	7	
<b>ITEM #2 Prior Convictions – in past 7 years</b>		
None	0	
Category 1 or 2	1	
Category 3	3	
Category 4	5	
Category 5	7	
<b>ITEM #3 Escape History - in past 7 years</b>		
None	0	
Class 2 or more	3	
Class 1 or more	7	
<b>ITEM #4 Assaultive Disciplinary Convictions- in Past 7 years</b>		
None	0	
Any Assault - no weapon	3	
Any Assault - weapon used	7	
<b>ITEM #5 Current Age</b>		
25 years and younger	2	
26 – 32 years	1	
33 -50 years	0	
51 years and older	-1	
<b>ITEM #6 Validated/Suspected Gang Membership</b>		
Validated Gang Member by SCDOC or NCIC	2	
Suspected Gang Membership by SCDOC	1	
No	0	
<b>ITEM # 7 Mitigating Factors</b>		
Verified Education (HS/GED or higher)	-1	
Prior SCDOC Minimum Custody at Release	-1	
<b>Total Score</b>		

**TOTAL CUSTODY SCORE (items 1 – 8) – Circle One**

12 or more points = Close

6 to 11 points = Medium

5 points or less = Minimum

**Check (✓) All Factors that Apply to this Inmate for Purpose of Over-Riding Scored Custody Level**

<u>Non-Discretionary – Minimum Custody Restrictions</u> <input type="checkbox"/> GT 5 yrs. To serve. <input type="checkbox"/> Convicted Sex Offender <input type="checkbox"/> Felony Detainer (Category 3-5) <input type="checkbox"/> HOLD or Wanted (Category 3-5) <input type="checkbox"/> INS Detainer <input type="checkbox"/> Non US Citizen <input type="checkbox"/> Prior Escape – Class 1 <input type="checkbox"/> Validated gang leader <input type="checkbox"/> Violent with prior violent conviction	<u>Discretionary Over-Ride – Higher Custody</u> <input type="checkbox"/> Recent Assaultive Behavior (w/in past 12 months) <input type="checkbox"/> Gang affiliation/recent activities <input type="checkbox"/> Crime More Severe Than Scored <input type="checkbox"/> Prior Record More Severe Than Scored <input type="checkbox"/> Recent Disruptive Behavior <input type="checkbox"/> Notoriety of Offense <input type="checkbox"/> Security Concerns <input type="checkbox"/> Arrest History	<u>Discretionary Over-Ride – Lower Custody</u> <input type="checkbox"/> Positive Adjustment <input type="checkbox"/> Crime Less Severe Than Scored <input type="checkbox"/> Pre-Release/ Re-Entry Programming Needs <input type="checkbox"/> Prior Record Less Severe Than Scored <input type="checkbox"/> Behavior Warrants less restrictive <input type="checkbox"/> Prior minimum custody placement <input type="checkbox"/> Physically disabled Inmate
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**Is Over-Ride of Scored Custody Level Recommended?**    ☐ Yes ☐ No  
 (must be approved by supervisor)

If yes, give rationale (required):

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**Recommend Population Assignment and Custody Level****Population Assignment:** \_\_\_\_\_**Custody Level:** \_\_\_\_\_

General Population	GP
Protective Custody	PC
Medical	MD
Mental Health	MH
Administrative Segregation	AS

Minimum	MIN
Medium	MED
Close	CLO

**Classification Caseworker:** \_\_\_\_\_ **Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_**Next Review Date** \_\_\_\_/\_\_\_\_/\_\_\_\_

## South Carolina Department of Corrections Re-Classification – Females

**Inmate's Name:** \_\_\_\_\_ **SCDC#:** \_\_\_\_\_  
**Institution:** \_\_\_\_\_ **Date of Review:** \_\_\_\_\_ **Review Reason** \_\_\_\_\_

<b>ITEM #1 Current Offense with Highest Category</b>	<b>Pts</b>	<b>Score</b>
Category 1 or 2	1	
Category 3	2	
Category 4	4	
Category 5	6	
<b>ITEM #2 Prior Convictions – in Past 7 Years</b>		
None	0	
Category 1 or 2	1	
Category 3	2	
Category 4	4	
Category 5	6	
<b>ITEM #3 Escape History - in Past 7 Years</b>		
None Listed	0	
Class 2 or more	3	
Class 1 or more	7	
<b>ITEM #4 Past Assaultive Disciplinary History – in Past 7 Years</b>		
None	0	
Any Prison or Jail Assault – no weapon	3	
Any Assault involving weapon – weapon used	7	
<b>ITEM #5 Current Age</b>		
25 years and younger	2	
26 – 32 years	1	
33 -50 years	0	
51 years and older	-1	
<b>ITEM #6 Validated/Suspected Gang Membership</b>		
Validated Gang Member by SCDOC or NCIC	2	
Suspected Gang Membership by SCDOC	1	
No	0	
<b>ITEM #7 Number of Major Disciplinary Convictions</b>		
None past 24 mos.	-2	
None past 12 mos.	-1	
1 – 3 past 12 mos.	1	
4-5 past 12 mos.	3	
6+ past 12 mos.	5	
<b>Item #8 Work/Program Participation – in Past 12 Mos.</b>		
Refusing to Work or Program	2	
Partially Received Earned Work or Program Credits past 12 months	-1	
Continually Received Earned Work /Program Credits– Or Not Required	-2	
<b>Total Score</b>		



**TOTAL CUSTODY SCORE** (items 1 –8) - Circle One

12 or more points = Close

6 to 11 points = Medium

5 points or less = Minimum

Check (✓) All Factors that Apply to this Inmate for Purpose of Over-Riding Scored Custody Level

<u>Non-Discretionary – Minimum Custody Restrictions</u> <input type="checkbox"/> GT 5 yrs. To serve. <input type="checkbox"/> Convicted Sex Offender <input type="checkbox"/> Felony Detainer (Category 3-5) <input type="checkbox"/> HOLD or Wanted (Category 3-5) <input type="checkbox"/> INS Detainer <input type="checkbox"/> Non US Citizen <input type="checkbox"/> Prior Escape – Class 1 <input type="checkbox"/> Validated gang leader <input type="checkbox"/> Violent with prior violent conviction	<u>Discretionary Over-Ride – Higher Custody</u> <input type="checkbox"/> Recent Assaultive Behavior (w/in past 12 months) <input type="checkbox"/> Gang affiliation/recent activities <input type="checkbox"/> Crime More Severe Than Scored <input type="checkbox"/> Prior Record More Severe Than Scored <input type="checkbox"/> Recent Disruptive Behavior <input type="checkbox"/> Notoriety of Offense <input type="checkbox"/> Security Concerns <input type="checkbox"/> Arrest History	<u>Discretionary Over-Ride – Lower Custody</u> <input type="checkbox"/> Positive Adjustment <input type="checkbox"/> Crime Less Severe Than Scored <input type="checkbox"/> Pre-Release/ Re-Entry Programming Needs <input type="checkbox"/> Prior Record Less Severe Than Scored <input type="checkbox"/> Behavior Warrants less restrictive <input type="checkbox"/> Prior minimum custody placement <input type="checkbox"/> Physically disabled Inmate
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**Is Over-Ride of Scored Custody Level Recommended?** ☐ Yes ☐ No

(must be approved by supervisor)

If yes, give rationale (required):

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**Recommend Population Assignment and Custody Level****Population Assignment** \_\_\_\_\_ **Custody Level:** \_\_\_\_\_

General Population	GP	Minimum	MIN
Protective Custody	PC	Medium	MED
Medical	MD	Close	CLO
Mental Health	MH		
Administrative Segregation	AS		

**Classification Caseworker:** \_\_\_\_\_ **Date of Review** \_\_\_\_/\_\_\_\_/\_\_\_\_**Next Review Date** \_\_\_\_/\_\_\_\_/\_\_\_\_

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## South Carolina Initial Risk Assessment Factors

Item	Risk Points	Return to Prison Recidivism Rate
Total		22.3%
1. Arrested prior to age 17		
Yes	2	31.4%
No	0	18.7%
2. Gender		
Male	1	23.2%
Female	0	14.6%
3. Age at Release		
21 and younger	2	33.2%
22 – 33	1	23.8%
34 – 51	0	20.6%
52 plus	-1	12.8%
4. Gang Affiliation		
Yes	2	32.0%
No	0	21.7%
5. Drug Indicated		
Yes	2	30.0%
No	0	22.4%
6. Previous Violence Code		
None	0	14.6%
1 B	1	21.8%
2	2	29.0%
3	3	37.7%
7. Any Prior Commitments GT 90 days		
None to One	0	20.5%
Two	1	25.0%
Three to Four	2	30.4 %
Five or more	3	39.3%
Risk Level		
Low	0-3	9.9%
Moderate	4-7	20.6%
High	8 plus	37.1%

**South Carolina Department of Corrections**  
**Initial Needs Assessment And Case Management Plan**

**Prisoner Name:** \_\_\_\_\_ **DOC#:** \_\_\_\_\_ **Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_

Need Area	Score	Recommended Program
<b>Education</b>		
High School Degree, GED, Vocational Degree	0	None
Less than GED or high school degree but not illiterate	1	
Functionally Illiterate/Severe Reading Skills	2	
<b>Substance Abuse</b>		
No history of substance- not factor in current/prior crimes	0	None
Occasional abuse/factor in current or prior offenses	1	
Chronic abuse/Failed Treatment	2	
<b>Alcohol Abuse</b>		
No history of alcohol abuse -not factor in offense	0	None
Occasional abuse/factor in current or prior offenses	1	
Chronic alcoholism/Failed Treatment	2	
<b>Employment</b>		
Stable and Legitimate Employment or currently employed	0	None
Disabled/Retired/FT Student/FT Parent	0	
Irregular/illegitimate employment past 12 months	1	
Unemployed past 12 months/has job skills	2	
Unemployed- no marketable job skills	3	
<b>Sex Offense Against Minor (under 18 years)</b>		
No history of child molestation/sexual abuse	0	None
Prior arrest/conviction for child molestation/abuse	1	
Current conviction child molestation/abuse	2	
Both current supervision or within past 5 years	3	
<b>Mental Health</b>		
No prior mental health treatment	0	None
History of prior MH Treatment	1	
Current MH treatment Required	2	
Both current and prior history	3	
<b>Violent or Sexual Crimes Against a Person</b>		
None Noted	0	None
Factor in prior crimes	1	
Factor in current offense	2	
Both current and prior history or Pattern of Violence	3	
<b>Total Needs Assessment Points</b>		

**Overall Needs Level:**

0-2 points (**Low**); 3-6 points (**Moderate**); 7 points and above (**High**)

## Case Management Plan Summary

### Priority Programs, Start Dates, Completion Dates and Parole Eligibility Dates

Priority	Recommended Program	Program Start Date	Expected Completion Date	Parole Eligibility Date
1				
2				
3				

**Current Risk Level:**     ☐ Low    ☐ Moderate    ☐ High

**Projected Risk Level:**    ☐ Low    ☐ Moderate    ☐ High

**Assessment Completed By:** \_\_\_\_\_ **Date:** \_\_\_\_ / \_\_\_\_ / \_\_\_\_

☐ I have had my needs and risk assessments explained to me by my case manager.

☐ I understand that completion of at least one of the recommended programs (if so recommended) plus a satisfactory conduct record (no major DRs) and satisfactory performance on my work assignment will lower my risk level and thus significantly improve my chances of being paroled.

☐ I understand that failure to remain in compliance with my case management plan will have an adverse impact on my chances of being paroled.

☐ I agree to make a good faith effort to remain in compliance with my case management plan as listed here.

**Prisoner's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_ / \_\_\_\_ / \_\_\_\_

## Instructions and Guidelines for Dynamic Prison Risk Instruments

Factors	Points	Instructions
<b>1. Current Age</b>		Score the person based on the current age at the time of the assessment.
45 and above	0	
35-44	1	
25-34	2	
24 and younger	3	
<b>2. Completed Education/Treatment /Voc Program?</b>		Score a zero if the person has completed an approved education, treatment, substance abuse, counseling or vocational training program on this current sentence, or, has an existing GED or HS or higher degree.
Yes or Has GED/High School Degree (or not required)	0	
No	2	
<b>3. Current Custody Level</b>		Score the person based on their current prison custody level.
Minimum Custody	0	
Medium Custody	1	
Maximum Custody	3	
Restricted Housing	4	
<b>4. Compliance With Case Management Plan</b>		Score the person based on their current compliance with the existing case management plan. Full compliance means the person is meeting all of the plan's requirements. Partial compliance means the person is meeting one or more of the plan's requirements. Non-compliance means the person is not meeting any of the plan's requirements.
Full Compliance	0	
Partial Compliance	1	
Non-Compliance	3	
<b>5. Current Security Threat Group Membership</b>		Score the person one whether the DOC has designated him/her as an active member of a STG.
Active Member	3	
Non-Member	0	
<b>6. Total Dynamic Score</b>		Add all of the points for dynamic factors 1- 6
<b>7. Risk Level Adjustment</b>		Based on the total dynamic scores apply them to determine whether the current static risk level should be adjusted using the risk adjustment matrix guidelines.
Reduce One Level	0-3	
Retain at Current Risk Level	4-7	
Increase One Level	8 and above	
<i>Mitigating Over-Rides: If the assessor believes the risk level is too high, the following over-rides can be used to lower the risk level by one level only. Only use these over-rides if the assessor disagrees with the static risk level adjustment (Item 8).</i>		

1. Previous success on probation or parole:: The person has been on probation and parole and has successfully completed them without violations		
2. Current Age: The person is above the age of 40 and has demonstrated increased maturation		
3. Medical impairment/disabled: The person's current medical care is sufficiently poor so as to reduce the risk to public safety		
4. Age of prior convictions and arrests: The dates of the prior convictions are beyond 10 years and should be discounted		
<i>Aggravating Over-Rides: If the assessor believes the risk level is too low, the following over-rides can be used to lower the risk level by one level only. Only use these over-rides if the assessor disagrees with the static risk level adjustment (Item 8).</i>		
1. Gang member: The person is involved in a street gang which is substantially increasing the risk to public safety		
2. Criminal record more serious than the risk score reflects: The person's criminal record consists of numerous arrests with no convictions		
3. Significant untreated mental health problem(s): The person has a significant mental health problem that is not treated and poses a risk to public safety		
4. Recent drug and alcohol use in prison past 12 months The person has a recent (last two years) history of drug and/or alcohol abuse that remains untreated		

## Review of Initial Risk Level At Parole Hearing

Factors	Points
<b>1. Current Age</b>	
52 and above	0
34-51	1
22-33	2
21 and younger	3
<b>2. Completed Education/Treatment /Voc Program?</b>	
Yes or Has GED/High School Degree (or not required)	0
No	2
<b>3. Current Custody Level</b>	
Minimum Custody	0
Medium Custody	1
Maximum Custody	3
Restricted Housing	4
<b>4. Compliance With Case Management Plan</b>	
Full Compliance	0
Partial Compliance	1
Non-Compliance	3
<b>5. Current Security Threat Group Membership</b>	
Active Member	3
Non-Member	0
<b>6. Total Dynamic Score</b>	
<b>7. Risk Level Adjustment</b>	
Reduce One Level	0-3
Retain at Current Risk Level	4-7
Increase One Level	8 and above

**(i) Agency's plan for finalizing an updated classification system, including the maximum length of time needed to finalize and implement an updated system.**



## **Implementation of the South Carolina Department of Corrections Modified Prison Classification System**

The SCDC, in coordination with Dr. James Austin, has developed a modified objective prison classification system that will enhance the reliability and validity of the current classification system. The new system is based on national standards and best practices in prison classification is recommended by the National Institute of Corrections, U.S. Department of Justice. Computer simulations of the new system show it will better identify prisoners for close, medium and minimum custody.

Prior to the new system being implemented, there are three major tasks that need to be completed over the next 8-9 months. These tasks and time frames for completion are summarized and listed on the next page and are summarized next. There should also be a brief period of monitoring the new system (Task 4).

### *Task 1. Pilot Test the New System with SCDC Classification Staff, approximately two months.*

Prior to implementation of the new system, it is critical to allow the classification staff to apply the instruments to a small but random sample of the current prison population. While computer simulations have already been done, it will be necessary to further test certain functions of the system with those staff who will be using it. Approximately 300 prisoners will be sampled and SCDC staff will apply the new forms (initial and reclassification) to each case. Dr. Austin will analyze the results of the pilot test data and help the SCDC make any final adjustments to the system.

### *Task 2. Develop IT Application for the New Classification System, approximately six months.*

While the pilot test work is being completed, SCDC IT staff will begin developing the application that will automate the system. In addition to data entry screens the system will have certain auto scoring algorithms that enhance the usability and accuracy of the new system. A final IT application should be completed within six months.

### *Task 3. Implement the New Prison Classification System, approximately one month.*

At this point, the design and automation of the new system are completed. Staff assigned to classification functions will then need to be formally trained on 1) new classification procedures and policies and 2) the use of the new IT application. The SCDC and Dr. Austin will conduct one-day training sessions to ensure a smooth implementation effort. Once completed, all newly admitted inmates will be classified under the system. Those inmates currently incarcerated will have the new reclassification instrument applied at their next scheduled annual classification review. Under this process, the entire prison population will be classified under the new system within one year.

### *Task 4. Monitor the New Classification System, approximately, three months,*

As the new system is being applied, Dr. Austin and the SCDC will assess how inmates are being classified and housed under the new system. This work will consist of statistical analysis and meetings with classification staff to identify any problem areas.

**TIME TASK CHART FOR IMPLEMENTING SCDC INMATE CLASSIFICATION SYSTEM**

TASK	RESPONSIBILITY	COMPLETION DATE	AUSTIN COSTS
<b>1. Conduct Pilot Test of Prototype Forms</b>	<b>Austin/ SCDOC</b>	<b>8/1/2019</b>	<b>\$5,000</b>
a. Draw pilot test sample of 300 cases	Austin	6/3/2019	
b. Conduct one day training	Austin	6/10/2019	
c. Complete forms on 300 sampled cases	SCDC	7/1/2019	
d. Key, enter and analyze completed cases	Austin	7/15/2019	
e. Make modification of screens and policies as needed and submit to SCDC for final approval	Austin	8/1/2019	
<b>2. Develop IT Application of New System</b>	<b>SCDC/Austin</b>	<b>2/1/2020</b>	<b>\$2,000</b>
a. Develop new screens	SCDC/Austin	TBD	
b. Modify data base	SCDC	TBD	
c. Test new application with class staff	SCDC/Austin	TBD	
<b>3. Implement New Classification System</b>	<b>Austin/SCDC</b>	<b>2/15/2020</b>	<b>\$2,000</b>
a. Write new classification policies	SCDC/Austin	9/1/2019	
b. Reclass facilities	SCDC/Austin	TBD	
c. Train staff in new policies and IT application	SCDC/Austin	10/1/2019	
d. Implement new system	SCDC/Austin	2/15/2020	
4. Assessment and Final Report			\$5,000
Total Consultant Costs			\$14,000