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OBJECTIVE PRISON CLASSIFICATION

A Guide for Correctional Agencies

Second Edition

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National Institute of Corrections

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Objective Prison Classification: A Guide for Correctional Agencies

Second Edition

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Executive Summary

Classification systems help minimize the potential for prison violence, escape, and institutional misconduct. During the past three decades, correctional system administrators and researchers worked assiduously to improve their approaches to classifying and housing incarcerated individuals according to their custody, work, and programming needs. These efforts have refined and validated the criteria for custody decisions, increased the reliability of custody decisions, reduced over-classification, enhanced assessment of institutional program needs, and reduced institutional violence. Since the 1980s, objective prison classification systems have been widely adopted in the United States, Canada, Europe, New Zealand, and Australia.

Objective Prison Classification: A Brief History

During the nineteenth and early part of the twentieth centuries in the United States, incarcerated individuals were separated by age (adult versus juvenile), gender (male versus female), number of offenses (first versus repeat), and special needs (mentally ill). Humane treatment was the basis for these early and most basic classification systems. The Reformatory Movement and the Progressive Era gave rise to the goals of treatment and rehabilitation. The so-called medical model, which included identifying the problems of individuals and prescribing appropriate treatments to address their individual needs, was the essence of this diagnostic approach to classification. Moreover, treatment and rehabilitation became the foundation of corrections.

Gradually, an emphasis on the types of treatment programs available replaced the focus on diagnosing the causes of antisocial behaviors of individuals convicted of crimes. Unfortunately, early classification systems were primarily grounded in subjective criteria or clinical assessments that produced arbitrary and unreliable results. The lack of standardization in the assessment processes used in making custody-level decisions led to well-founded claims that the classification systems were inherently flawed in their ability to produce reliable and valid results. Several pivotal U.S. court cases found that prison classification systems must demonstrate that they are not arbitrary and capricious.

The use of reliable and valid criteria to assess an individual's custody level is one of the core distinguishing features of an objective classification system. Beginning in the 1970s, prison classification systems began to experiment with objective criteria. In the United States, the California Department of Corrections

and the Federal Bureau of Prisons developed the first objective classification systems. These systems used numerical scoring that sought, among other things, to improve the consistency and objectivity of the assessment process.

Several developments drove this shift in classification. In the 1970s, policymakers began a 30-year effort to "get tough on crime" that dramatically increased the prison population. The burgeoning prison population gave rise to a series of volatile and violent prison riots in many of the nation's largest prisons, placing new burdens on government spending. Policymakers demanded new and better methods for identifying and controlling individuals at high-risk to offend and a more scientific process for forecasting future prison bed-space requirements. Allegations of abuse and mistreatment of incarcerated individuals stemming from overcrowding triggered a wave of lawsuits that challenged traditional prison operations in general and classification procedures in particular. Finally, all these changes increased pressures on correctional staff to deliver an intensive analysis, diagnosis, and prognosis for each incarcerated individual.

During the 1980s and the 1990s, public safety concerns led to the development of a variety of prison risk assessment and treatment programs. Competing demands and restraints within correctional agencies have resulted in a variety of prison classification systems that promised to deliver reliable and valid assessments to manage, treat, and ultimately return individuals to the community. However, many of these risk assessments placed greater emphasis on measuring a person's likelihood of reoffending than on how he/she should spend the time while incarcerated.

What Is Objective Prison Classification?

Understanding objective prison classification requires a grasp of several key terms and concepts and an understanding of the essential components of a classification system.

Key Terms and Concepts

Three pairs of terms appear regularly in any discussion of objective prison classification systems: "reliability" and "validity," "external" versus "internal" classification systems, and "general" versus "special" prison populations.

- **Reliability and validity.** Two core distinguishing features of an objective classification system are its accuracy, or *validity,* and its consistency, or *reliability.* Validity refers to the accuracy of the classification system in predicting a person's behavior and assigning him or her to an appropriate

risk level. Reliability considers whether the same decision will be rendered if the assessment is repeated by the same or a different staff member.

- **External versus internal classification systems.** *External classification* determines an individual's custody classification and facility assignment. *Internal classification* governs facility-level decisions such as where and with whom someone will be housed, the types of programs and services to which someone is assigned, and the most appropriate prison industry or work assignment for that individual. The intent of most internal classification systems is to ensure that individuals who are at risk for placement in a special management population are supervised accordingly. Minimizing classification errors requires both external and internal classification systems.

- **General population versus special prison populations.** It is essential to differentiate between individuals housed in the *general population* versus those who require placement or management in a *special prison unit* — administrative or disciplinary segregation, protective custody, a mental health unit, or a medical unit. Approximately 80 percent of people in prison have no specific security-related restriction(s) for accessing basic programs and services; individuals in the general population are classified as minimum, medium, close, or maximum custody.

Essential Components of an Objective Prison Classification System

The following components are essential to the success of an objective classification system: a mission statement, goals and objectives, a dedicated unit and staff, centralized control over all prison transfers and housing decisions, tested reliable and valid classification instruments, appropriate use of overrides, timely and accurate classification, a formal housing plan with a security/custody designation for each housing unit, adherence to the housing plan, accurate data about the prison populations, an automated data system, continuous monitoring and process evaluation, and an impact evaluation.

- **Mission statement.** As the foundation of the classification system, the mission statement should be consistent with the agency's mission, goals, and resources. It should reflect both the formal process for classifying and managing individuals within the prison system and their risks and service needs. The mission statement should also include a clear and comprehensive statement of the core values and philosophy of the agency in accordance with national and local correctional standards.

- **Classification goals and objectives.** These must directly support the core values outlined in the mission statement and specify measurable

outcomes for evaluating the classification system. At a minimum, recommended is an annual review of the classification objectives to verify resolution of old challenges and identify new ones to be addressed.

- **Dedicated classification unit and classification staff.** An established classification unit is necessary for a prison classification system to function properly. The unit must have a sufficient number of dedicated, well-trained, and experienced staff to ensure the appropriate and timely classification of all individuals in the custody of the agency.

- **Centralized control over all prison transfers and housing decisions.** Classification staff must have the sole authority to assign individuals to housing units according to the classification system. This does not mean that other staff cannot recommend emergency transfers. However, classification staff must review and approve all emergency transfers. The most effective way to ensure that all staff comply with this requirement is for the prison to institute and enforce a written policy that clearly delineates the authority and powers of the classification unit.

- **Reliable and valid classification instruments.** Objective classification systems use well-structured instruments (i.e., forms) designed to produce reliable and valid assessments of the individual's risks and service needs. Three basic forms guide the classification process:

  - The *initial screening* form identifies an individual's emergency needs upon entry to the prison system.

  - The *initial classification* form determines an individual's scored custody level on admission to the prison system.

  - The *reclassification* form reevaluates an individual's scored custody level throughout his or her incarceration based on his or her institutional conduct.

- **Classification instruments that have been tested**. A prison system must pilot test the classification system's forms and procedures on the agency's prison population before implementing the system. The pilot test measures two things: how well the proposed classification instruments will perform on a given prison population and the likely effect of the classification policy and procedures on prison operations.

- **Appropriate use of overrides.** The general standard is that the initial classification or reclassification scores require a discretionary override for 5 to 15 percent of a prison population's custody levels. In general,

In general, approximately 50 percent of discretionary overrides should assign individuals to custody levels lower than that derived from their original scores, and 50 percent should assign individuals to higher custody levels.

- **Timely and accurate classification.** Immediate screening on admission to the prison system is critical for determining if an individual requires separation from others to ensure his or her protection or the safety of others. The initial custody level should be assigned within 30 days of admission. The agency should also set standards for when and under what circumstances reclassifications must occur. The standard is usually after six months of incarceration and at least annually thereafter.

- **Formal housing plan with security and custody designations for each housing unit.** The rating of the security parameters, design, and services of a prison facility is essential to ensure that all individuals are housed according to their classification status. Rating the prison facility determines the number and types of bed-spaces available and establishes the basis for the facility's housing plan. The housing plan delineates each unit's purpose for intake and assessment, general population, or special management as well as the custody level(s) of individuals to be housed in the unit.

- **Adherence to the housing plan.** Ideally, individuals with different custody levels are not housed together. For example, individuals classified as minimum-custody should not be housed with individuals classified as medium- or maximum-custody. A facility's housing plan should specify the custody level(s) and type(s) of individuals housed in each unit, such as general population, minimum-custody individuals. If necessary, the housing plan may provide for mixing individuals of different custody within the same unit, for example, general population minimum- and medium-custody individuals. Violation of the housing plan should always be strictly forbidden. A housing unit's structure and its supervision, programming, and privilege levels should be well suited to the custody levels and special needs of the individuals housed within the unit.

- **Accurate data.** Essential is a comprehensive, electronic recordkeeping system to ensure that data about the incarcerated individuals are readily available to the classification staff. This system should provide access to electronic criminal records and court data as well as the individuals' institutional records regarding demographics, prior and current charges, institutional disciplinary records, institutional programming, and work history.

- **Automated data systems.** Storage in the prison's management information system (MIS) database all information obtained from the prisoners' initial screening, initial classification, and reclassification forms reduces the likelihood of scoring errors and allows for systematic, ongoing monitoring of the classification system. An electronic database increases the accuracy and efficiency of the classification process by reducing the need to reenter static data at each stage of the classification process.

- **Continuous monitoring and process evaluation.** Continuous monitoring of a classification system is essential to ensure that it was implemented as designed and continues to be accurate for the prison's current population. In some state prison systems, a process evaluation is equivalent to a continuous audit of the classification system. As such, these audits must answer two fundamental questions: (1) Have all newly incarcerated individuals been classified according to existing agency policies and procedures? and (2) Has everyone been housed according to their custody and housing assessments and the facility's housing plans?

- **Impact evaluation.** An impact evaluation assesses the positive and negative effects of the classification system on the prison system as a whole and on its various components (e.g., individuals in custody, staff, risk assessments, administration, and prison operations). An objective evaluation of the system requires a rigorous experimental or time-series research design conducted by experts in research methods and statistical analysis.

Effective Strategies: Guidelines for Implementing Classification Systems

Key components of the National Institute of Corrections' classification-related work during the last 20 years were to develop a model and then workbook to guide correctional administrators through the processes of designing a new classification system or modifying an existing one. The model includes four phases—mobilization, assessment, planning, and implementation—each of which involves several steps. To effectively address specific local questions such as budget cuts, new laws and legislation, or trends among the incarcerated population, a correctional agency may need to modify the classification process. However, the following four phases and the steps and tasks within each phase are critical for designing or updating classification systems.

Phase I: Mobilization—Determining the Need for Change

Step 1. Identify the classification issues. It is recommended that an agency revalidate its classification system every three to five years. Revalidation ensures that the classification system is operating as intended and that the risk factors and custody scales are appropriate for the current prison population. A revalidation entails detailed statistical analyses of the classification policies, procedures, risk factors, relative weight of the risk factors, custody scale, and mandatory and discretionary override factors. Past issues that have strongly influenced agencies to reassess and modify their classification systems include:

- Changes in the characteristics and behavior of the incarcerated population.
- "Get-tough-on-crime" legislation.
- Budget cuts, overcrowding, and reductions in programming and services.
- Questions about the validity of the classification system for women in prison.
- Identification and management of individuals who pose high risks to institutional safety or security.
- Planning for construction of new a facility or remodeling current housing unit(s).
- High rates of overrides.

Before undertaking any initiative to change its classification system, an assessment of the agency's commitment and readiness to change is essential. All levels and divisions within the agency—the commissioner, the wardens and superintendents, the supervisors, correctional officers, case managers, and, in particular, the research and information system staff—should be committed to the classification initiative.

Step 2. Designate a steering committee. A crucial step is to identify a project leader responsible for overseeing the completion of all tasks associated with the initiative. The project leader's first task is to organize a steering committee to direct the change process. The steering committee should include representatives from all of the agency's operational areas, such as security, medical and mental health services, programming, classification, research and planning, information systems, budget, training, and legal counsel.

Step 3. Review the current written classification policies and procedures. On the establishment of the steering committee, it should undertake a comprehensive

review of the agency's current classification procedures and practices to identify problems and issues in the classification process and examine the links between the external, internal, and needs assessment processes. This review should consider the following questions:

- *What current policies, practices, and issues are potentially affecting the classification system?*
- *What trends are associated with these policies and practices?*
- *What outcomes would the steering committee like to achieve with the revised classification system?*

Phase II: Comprehensive Assessment of the Current Classification System

Step 1. Conduct an onsite assessment of the classification system. The assessment should include site visits to correctional facilities and the research and information system units. The tasks of this phase of the initiative will vary according to organizational structure and classification issues. However, a team composed of members of the classification steering committee should complete the following onsite activities:

- **Interview the central office and facility-level classification staff.** The site visit team should conduct face-to-face interviews with critical supervisory and line classification staff regarding their specific classification tasks and identify any concerns about the current classification process. The purposes of these interviews are to ascertain the practical issues of concern to line staff and review current classification policies, procedures, and instruments.
- **Observe the classification process.** The site visit team should have access to case files, observe the classification process, and identify the criteria for making custody decisions. These data, combined with the staff interviews, should provide insight into both the availability and quality of the data required to score the current initial and reclassification instruments, new risk factors suggested by the steering committee, the degree of discretion associated with the classification process, and the reliability of the classification scores and custody designations.
- **Review the results of the site assessment.** The site visit team should present its findings to the steering committee. During this meeting, it is essential to address any unresolved issues, achieve consensus reached on the project tasks, identify the specific responsibilities of the steering

committee members, and review the feasibility of the project's time-task line.

Step 2. Compile baseline data. Baseline data should be collected for each of the outcomes identified by the steering committee and stakeholders. These may include rate of institutional violence, number of housing transfers, number of discretionary overrides at initial classification and reclassification, rate of institutional misconduct by custody level, and the custody distribution at initial classification and reclassification. Each statistic should be compiled separately by gender, facility, and custody level.

Step 3. Prepare the classification assessment report. Within two weeks of completing the assessment, the team should prepare a draft report documenting its activities and findings, and the baseline data. The report should describe the agency's current practices, identify the classification issues to be addressed by the initiative, and document the agreed-upon project time-task line. Circulate the draft report to the agency commissioner, steering committee, director of classification, and any staff who participated in the assessment.

Phase III: Planning

Step 1. Learn about promising systems, models, strategies, and best practices. Information gleaned from a literature review or a classification expert will help avoid some of the unanticipated pitfalls in trying to reinvent a system that has already been developed or refined by another jurisdiction. An essential strategy for learning about models and promising approaches is to contact comparable state agencies that have implemented the model and agencies that may have considered the model but rejected it.

Step 2. Design or modify the classification system. The specific tasks at this stage will vary according to the findings of the assessment. However, regardless of whether developing a new system or modifying the existing system, complete the following sub-steps:

- **Sub-step 2.1: Develop a preliminary classification system.** At this stage, the committee must consider how to proceed to achieve its goals and objectives. The committee must reach a consensus regarding the preliminary classification process. This includes the types of instruments, schedule, staff responsibilities, quality control procedures, and automation. Further, the committee must define the content and format of the new/revised classification forms (i.e., the operational definitions risk factors, the offense and institutional disciplinary scales, risk factor weights, scale cut points, and overrides).

- **Sub-step 2.2: Design prototype instruments and a manual.** Based on the decisions reached in sub-step 2.1, the steering committee must develop prototype instruments and a training manual to document the new or revised system. The operational definitions and instructions for each classification factor should be specified.

- **Sub-step 2.3: Pilot test the prototype instruments and manual.** This crucial task requires drawing representative samples of the incarcerated populations, developing a supplemental data collection instrument and coding instructions, and then collecting and analyzing the data.

Step 3. Develop an action plan. Developing a comprehensive plan for implementing the new system is critical to the success of the classification initiative. The steering committee should consider the implementation process at each stage of the design and testing processes. The action plan must consider questions regarding staffing, training, timing, stakeholders, materials, the MIS, evaluation, budget, and automation of the system. It should also include goals, objectives, and specific timelines for implementing the system.

Phase IV: Implementation

Step 1. Reengage, reorient, and reeducate stakeholders. The steering committee should present an overview of the new or modified system to the commissioner and all stakeholders. This presentation should review the issues and trends precipitating the initiative, the initiative's goals and objectives, the design and pilot test activities, the baseline and pilot test data, and the committee's recommendations.

Step 2. Train staff. All correctional staff should receive training in using the new system. However, the classification staff should receive specialized training covering topics such as instrument scoring, information management, resource allocation, and program development decisions. All training sessions should include an overview of the new system's development to acquaint staff who were not members of the classification committee with the background of the system. Ongoing in-service training should supplement the initial orientation and implementation training.

Step 3. Implement the new/revised system. Develop a detailed time-task line that accounts for the complexity of implementation across facilities and staffing patterns to serve as a guide for all implementation-related activities. Explain the timeline to all stakeholders.

Evaluations of Prison Classification Systems

All agencies should undertake a comprehensive and rigorous evaluation of their classification systems to establish that their classification systems are working as intended, reconfirm validity, and assess its effect on the respective aspects of the prison system. The main goal of the impact evaluation is to examine whether the new system (the independent variable) is a cause of selected desired outcomes (dependent variables). Process evaluations determine whether a system is functioning as planned. A process evaluation of a classification system should assess the system's reliability and validity. It should be an ongoing feature of any classification system analogous to an audit procedure.

If the classification system is fully automated, much of the work of a process evaluation is accomplished efficiently. An automated classification system facilitates drawing periodic statistical "snapshots" of the incarcerated population required to produce management reports and answer questions about the proper use of overrides and whether individuals are classified promptly and housed according to the classification system.

Classification of Women in Prison

Because U.S. correctional systems—both facilities and policies—were originally designed to accommodate incarcerated men, the classification systems relied on risk factors that have a tenuous relationship, at best, to the behaviors of women in prison. In short, the constellation of characteristics and needs among incarcerated women manifests itself differently than observed for men. Whereas women generally pose a minor threat of institutional violence or escape, their significant histories of trauma, substance abuse, and mental health needs can produce behaviors that are difficult to predict. These differences are particularly crucial to institutional classification systems but remain under-researched.

In 1994, the National Institute of Justice (NIJ) sponsored a study to assess programming needs and promising approaches for incarcerated women[1] The identified management issues included shortcomings in classification procedures. Administrators reported that their systems did not collect and compile adequate information on the risk factors and needs of women in prison. Therefore, the systems were not useful in matching the women to appropriate custody levels or programming. Furthermore, the classification and screening instruments were often unrelated to women's housing, program, or work assignments. Lack of bed-space and constant movement of large numbers of women were frequently cited as specific operational barriers.

Dissatisfied with current classification systems, correctional administrators have been faced with three basic options: 1) use the same instruments, custody scales, and override criteria for men and women, but rely on discretionary overrides to adjust the custody level for women; 2) create gender-specific custody and housing assessment instruments for women; or 3) discontinue use of the non-gender-specific instruments and classify incarcerated women based on a subjective, intuitive process. NIC and agency-specific initiatives have provided some insight into the viability of these three options:

- **Use of the same instruments, custody scales, and override criteria for men and women.** Up through the 1990s, this was the most common strategy for state and local correctional systems. It was as an interim solution for many agencies until they could undertake a validation study and incorporate the changes necessary to make their classification systems gender-specific. Although useful as a short-term means for addressing an agency's concerns about over-classification, this strategy is problematic because the classification decisions are based on subjective overrides rather than statistically validated risk factors.

- **Create gender-specific custody and housing assessment instruments for women.** This is the most common strategy employed by agencies that have undertaken gender-specific validation studies. Most studies have found statistically significant differences in the risk factors power to predict the behaviors of incarcerated men and women. Across jurisdictions, the research findings have been inconsistent. However, the most common factors modified to assess women's risks were age, violent criminal history, and stability factors such as institutional adjustment, education, cognitive-behavioral factors, relationships, and mental health.

- **Discontinue use of the current instruments and classify incarcerated women based on a subjective, intuitive process.** This option is rarely chosen. Women are assessed via the agency's standard classification instruments and process. However, the ratings only determine a woman's eligibility for work assignments outside the security perimeter and the level of supervision required for transport off facility grounds for court hearings or medical appointments. That is, the woman's custody level has little effect on the facility, housing unit, program(s), or institutional work assignments. Subjective factors such as the bed or program availability, the relationships between the women and staff members, or convenience dictate these decisions. Regardless of their custody levels, all incarcerated women should have access to the same housing units, programs, institutional work assignments, recreation activities, visitation privileges, and so forth.

NIC has long advocated the validation of any classification system for the agency's population. Although more research is needed, the second option -- creating gender-specific custody and housing assessment instruments for women -- is the best policy. This option ensures the risk factors and custody scales are refined and tested according to women's risk and needs. This strategy also provides the opportunity to identify new factors to assess the risks that women may pose. The other two options do not rely on objective, reliable assessments and are at best short-term strategies for managing women in prison during the development and pilot testing of a gender-responsive system.

Other Special Topics and Issues in Classification

Three issues have been identified as of special concern with regard to the management of prison populations: the effect of environmental factors and prison management on the behaviors of staff and the individuals they supervise, the need to link prison classification and risk assessment with release decisions, and the linkage of external and internal classification – creating a housing matrix.

The Effect of Environmental Factors and Prison Management on Staff and Incarcerated Individuals' Behaviors

Very little is understood about how the physical environment of the prison and style of prison management influence the behavior of staff and the individuals they supervise. It would be difficult to find a correctional official, warden, superintendent, or line officer who does not agree that a facility's architectural design influences human behavior. Most correctional staff agree that similarly designed facilities with comparable prison populations can produce very different rates of institutional misconduct, both within and across state prison systems. Unfortunately, few if any studies have assessed the effect of architecture on suppressing or controlling the behavior of incarcerated individuals. Except for a few recent evaluations of internal classification systems, research has not explored the role of a prison administrator's management style on the behaviors of supervised populations controlling for prison designs and prison populations.

Also needed are formal assessments of the highly controversial super maximum-security facilities. A review of the literature by Frost and Monterio (2016) concluded there was only minimal evidence to show that such facilities were necessary, were implemented in a consistent, principled manner, or achieved their intended goals. No evidence indicated that they were designed on a sound theoretical base or were cost-effective. Further, although correctional administrators widely believe that administrative segregation and supermax units effectively curtail systemwide violence (Mears & Castro, 2006), there is little

evidence that administrative segregation has affected overall levels of violence within individual institutions or across correctional systems.

Basic research is still needed to determine how best to identify individuals who require this level of segregation, how long they should remain segregated from the general population, appropriate interventions to control their high-risk behavior, how to safely reintegrate them into the general population, and how they behave after release from these units. Without such fundamental research, it will be difficult to propose new methods for identifying individuals at high-risk for institutional violence and to apply appropriate interventions to supervise and manage them.

The Need to Link Prison Classification and Risk Assessment With Release Decisions

Witnessed during the last three decades of the 1900s was an unparalleled increase in the nation's prison population. Between 1974 and 2001, for example, the number of persons incarcerated in a state or federal prison increased from 216,000 to 1,319,000. The incarceration rate jumped from 149 to 628 per 100,000 adult U.S. residents.[2] However, in 2006, the prison populations in some states, as well as the federal system began to decline.[3] Across the decade – 2008 to 2018 – the U.S. imprisonment rate fell 15%.[4] Several states took administrative and legislative actions to create diversion programs or reduce mandatory periods of incarceration.

Interest in reentry — the transition from incarceration to the community — also increased during this decade. On the other hand, accompanying this growing commitment to reduce the number of people who are rearrested and/or reincarcerated was a trend toward releasing individuals from prison with no form of parole or community supervision. These trends raised concerns about the lack of programming and services for incarcerated individuals as well as for those released to the community. Correctional agencies facing increasing pressures to control or reduce prison populations will need to use classification and risk assessment instruments to inform the following critical decisions regarding individuals in their custody:

- *What custody level and type of programs are appropriate during their incarceration?*
- *When should they be released and under what forms of supervision and services?*

Answering these two basic questions requires well-coordinated and virtually seamless classification and risk assessment processes from the time someone is admitted to the prison system through to his or her eventual release from parole or other form of post-incarceration supervision. Improving the ability to assess and manage the level of risk posed by the millions of individuals who pass through the nation's probation, prison, and parole systems each year is a goal that correctional agencies can no longer afford to ignore or neglect.

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CHAPTER one

Introduction

Since the 1980s, corrections professionals worked assiduously to improve their approaches to classifying incarcerated individuals according to their custody, work, and programming needs. Fueled by litigation, overcrowding, growing expenditures, and public safety concerns, classification systems were the principal management tool for efficiently allocating scarce prison resources.

Classification systems help minimize the potential for prison violence, escape, and institutional misconduct.

Classification systems help minimize the potential for prison violence, escape, and institutional misconduct. These systems provide greater accountability, help forecast future bed-space requirements, and identify the security and programming needs of the populations. Considered the "brain" of correctional system management, classification systems are essential for projecting a correctional agency's future resource needs. A properly functioning classification system governs many important decisions, including those that heavily influence fiscal matters such as construction, staffing levels, bed-space, and programming expansion.

Since the 1980s, objective prison classification systems have been widely adopted in the United States, Canada, Europe, New Zealand, and Australia. These systems for managing a rapidly expanding prison population have produced significant results. Over-classification has been reduced, institutional violence has declined, criteria for custody decisions have been validated, custody decisions have been more consistent, and programmatic needs have been assessed more systematically.

This document summarizes for correctional administrators the current state of the art in prison classification. Our principal focus is the use of prison classification instruments for custody or security rating purposes. Chapters 2 and 3 provide a brief history of the evolution of classification systems and define the elements of objective prison classification, including key terms, concepts, and essential components. Chapter 4 lays out detailed guidelines for implementing a classification system, and Chapter 5 reviews methods of evaluating a system's effectiveness, once implemented. The final two chapters of this document address the classification of women in prison and special topics in classification.

CHAPTER two

Objective Prison Classification: A Brief History

Rudimentary forms of segregation have been used as long as incarceration has been used as a form of criminal punishment. During the nineteenth and early part of the twentieth centuries, people in prison in the United States were separated by age (adult versus juvenile), gender (male versus female), number of offenses (first versus repeat), and special needs (mentally ill). Humane treatment was the basis for these early and most basic classification systems. The Reformatory Movement and the Progressive Era gave rise to the notions of treatment and rehabilitation of individuals convicted of criminal behavior(s). The so-called medical model, which included identifying the problems of individuals and prescribing appropriate treatments to address their individual needs, was the essence of this diagnostic approach to classification. Treatment and rehabilitation of incarcerated individuals became the early foundations of corrections.

Early classification systems were largely ground in subjective criteria or clinical assessments that produced arbitrary and unreliable results.

Gradually, the emphasis on diagnosing the causes of an individual's antisocial behaviors was replaced by an emphasis on the types of treatment programs available. Unfortunately, early classification systems were largely grounded in subjective criteria or clinical assessments that produced arbitrary and unreliable results. The lack of standardization in the assessment processes used in making custody-level decisions led to well-founded claims that the classification systems were inherently flawed in their ability to produce reliable and valid results. Courts issued consent decrees and other orders because of the capricious and discriminatory nature of subjective classification systems.

Claims regarding humanity and equitable prison procedures have been common themes in litigation cases on behalf of people in prison. Several pivotal court cases in the United States found that prison classification systems must demonstrate that they are not arbitrary and capricious.[5] That is, classification systems must demonstrate that they are reliable and valid by using factors known to be associated with institutional misconduct, escape, and risk to public safety.

The use of reliable and valid criteria to assess an individual's custody level is a core distinguishing feature of an objective classification system. Beginning

in the 1970s, prison classification systems began to experiment with objective criteria. In the United States, the California Department of Corrections and the Federal Bureau of Prisons developed the first objective classification systems. These systems used numerical scoring that sought, among other things, to improve the consistency and objectivity of the assessment process.

A number of developments drove this necessary shift in classification. In the 1970s, policymakers began a 30-year effort to "get tough on crime." Various legislations were passed (e.g., truth-in-sentencing and "three-strikes-and-you're-out" laws and changes in sentencing practices) that dramatically increased the prison population. As the nation's prison population grew, prison disruptions became more frequent. The early 1970s witnessed the most volatile and violent era of prison riots in many of the United States' largest prisons. Consequently, the need to gain better control of a rising and increasingly disruptive population accelerated.

During the 1980s and the 1990s, public safety concerns led to the development of a variety of institutional risk assessments and treatment systems that relied on evidence-based practices.

The rapid surge in the prison population placed an added burden on government spending. Policymakers demanded new and better methods for identifying and controlling individuals at high risk for institutional violence and a more scientific process for forecasting future prison bed-space requirements. As crowding began to characterize most of the states' prison systems, allegations of abuse and mistreatment of incarcerated populations triggered a wave of lawsuits. These lawsuits challenged traditional prison operations in general and classification procedures in particular. All these changes increased pressures on correctional staff, who were already working under time and resource constraints, to deliver an intensive analysis, diagnosis, and prognosis for each individual in their custody.

During the 1980s and the 1990s, public safety concerns led to the development of a variety of institutional risk assessments and treatment systems that relied on evidenced-based practices. However, these risk-need assessments often placed greater emphasis on measuring the individuals' likelihood of reoffending than on how they should spend time while incarcerated. Competing demands and restraints within correctional agencies have resulted in a variety of prison classification systems, all of which promised to deliver reliable and valid assessments to manage, treat, and ultimately return the individual to the community. Objective evaluation of each individual's threat to institutional safety and security is essential for the proper housing and supervision of all incarcerated men and women -- particularly those at high risk for violence who require special management. Custody assessments require sound professional judgment as adherence to legal requirements of reliability and validity. Despite a shift toward actuarial instruments, prison populations cannot simply be scored. Rather, data and input from a diverse

array of correctional professionals representing fields such as security, medicine, mental health, education, and the prison industry are required to make the right classification designation. Equally important decisions concerning proper housing and treatment follow the classification decision. Providing proper housing and treatment affords individuals the opportunity to live in a less restrictive correctional environment and, ultimately, return to the community. This decision course requires timely and appropriate reviews of an individual's classification status from admission to the prison system to release back to the community.

Finally, prison classification instruments should measure the risk an individual poses both inside and outside of prison walls. Security risk assessments measure the likelihood of an individual engaging in high-risk behavior or attempting to escape while incarcerated. Conversely, public risk assessments measure the likelihood of a person engaging in criminal activities in the community. To protect both institutional and the public safety for all, both security and public risk measurements must use appropriate factors and variables. Unfortunately, if rehabilitative programs, treatments, and services are not available to assist individuals on their reenter the community, they are more likely to recidivate, placing communities at risk.

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[5] These cases include *Austin et al.* v. *Wilkinson et al.* (Ohio); *Cain* v. *Michigan; Calvin R.* v. *Illinois; Busey et al.* v. *Corrections Corporation of America* (District of Columbia/Ohio); *Gartrell et al.* v. *Ashcroft et al.* (DC/Virginia); *Holloway et al.* v. *King County* (Washington); *Montoya* v. *Gunter et al.* (California); *Ruben Henriquez* v. *Camden County et al.* (New Jersey); *Ruiz* v. *Lynaugh* (Texas); *United States* v. *The Parish of Orleans Criminal Sheriff's Office* (Louisiana); *United States* v. *State of Florida and DOC;* and *USA* v. *Michigan*.

CHAPTER three

What Is Objective Prison Classification?

Classification systems serve a wide range of correctional purposes, including preserving order in an institution; sustaining discipline; assessing the needs of the incarcerated population; assigning individuals to appropriate programs; providing equitable treatment; protecting the staff, incarcerated population, and public; allocating prison resources; and planning for prison management. Many correctional agencies think they have an objective classification system but cannot identify the essential elements of such a system.

This chapter defines key terms and concepts necessary for understanding classification systems and outlines the essential components of an objective classification system. This information will help agencies conduct a self-assessment to determine whether their classification systems meet the requirements for an objective system.

The subjective nature of early classification systems led to several influential cases in which the courts ruled that classification systems must use valid criteria, i.e., factors known to be associated with the misconduct of incarcerated individuals.

Key Terms and Concepts

Three pairs of terms appear regularly in any discussion of objective prison classification systems: "reliability" and "validity," "external" versus "internal" classification systems, and "general" versus "special" prison populations. The following sections define these key terms and explore the concepts they embody.

Reliability and Validity

Two core distinguishing features of an objective classification system are that it must use accurate, or *valid,* criteria to assess an individual's custody level and that it must ensure that these criteria produce consistent, or *reliable* decisions.[6] The subjective nature of the early classification systems led to several pivotal legal cases in which the courts ruled that classification systems must use factors known to be associated with the misconduct of incarcerated individuals. That is, the systems used to classify incarcerated individuals must produce valid results.

Validity. Validity refers to the accuracy of the classification system in predicting behaviors and assigning individuals to appropriate risk levels. Risk can be defined and measured in several ways. Custody and public risk instruments are designed to predict a person's risk to self, other incarcerated individuals, and staff; risk of

escape; and risk to the public. They classify individuals according to their propensity to comply with institutional rules and regulations, commit violent acts, and attempt to escape while incarcerated. Because prison escapes and violence are quite rare, it is challenging to develop an instrument that accurately predicts these events.

The term "validity" generally pertains to face and predictive validity. Face validity refers to whether the information used for the custody assessments makes sense to the stakeholders -- Do the factors appear to be, or are they logically associated with, the predicted behavior? Predictive validity refers to whether the classification factors demonstrate a capacity to predict risk based on a statistical test of association.

Reliability refers to consistency in making classification decisions, both among classification staff (inter-rater reliability) and by a single staff person (intra-rater reliability).

A form of face validity relates to the general policies of the prison. Administrators often do not want certain individuals—for example, individuals convicted of sex offenses, individuals with high-profile cases, or celebrities—placed in low-security settings, regardless of their risk of escaping or committing violent crimes. In these situations, the classification system helps maintain prison security by minimizing the potential for a well-publicized negative incident.

Reliability. Reliability refers to consistency in making classification decisions, both among classification staff (inter-rater reliability) and by a single staff person (intra-rater reliability). Reliability considers whether the same decision will be rendered if the assessment is repeated by the same or a different staff member. In general, the more complicated the classification process, the less reliable it will be. Agencies must evaluate the reliability of their classification systems because, by definition, a classification process or risk instrument that is unreliable is not a valid system. Chapter 5 of this document guides the evaluation of classification systems.

Overrides. There are two types of overrides: non-discretionary and discretionary. Non-discretionary overrides are static in that they reflect an agency's policy, which typically restricts the placement of certain individuals from minimum- or low-security facilities. Agency policy decisions usually apply in all cases. For example, a correctional agency may prohibit someone convicted of a sex offense from residing in a minimum-security unit until within six months of his or her projected release date and that individual has completed sexual offense-related treatment. Likewise, an agency's policy may prohibit all individuals, regardless of their classification status, who have more than two years to serve from residing at a minimum-security level unit. In these examples, the classification staff would have no discretion over the person's designated custody level.

Discretionary overrides are dynamic as they reflect the professional judgment of trained classification staff to account for other factors not explicitly used in the scoring process. The classification staff has the discretion to recommend a higher or lower custody level based on specific pertinent factor(s) associated with that particular individual. For example, the classification staff may recommend a lower custody level because of the individual's exceptional behavior during a prior incarceration. Alternatively, at initial classification, the staff may override the custody level of a person classified as medium custody due to the nature or severity of the person's current offense. In this case, staff would override the individual's medium-custody classification and place him or her in a maximum-custody unit.

External Versus Internal Classification Systems

Both external and internal classification systems are essential for minimizing classification errors, housing, managing the housing units, and safeguarding the prison staff, population, and public.

External classification determines an individual's custody classification and facility assignment. Internal classification governs facility-level decisions such as where and with whom the individual will be housed, and the types of programs, services, and prison industry or work most appropriate for that individual. Internal classification systems are generally intended to ensure the placement and supervision of individuals at high risk for institutional violence or victimization within special population units. Minimizing classification errors requires both external and internal classification systems.

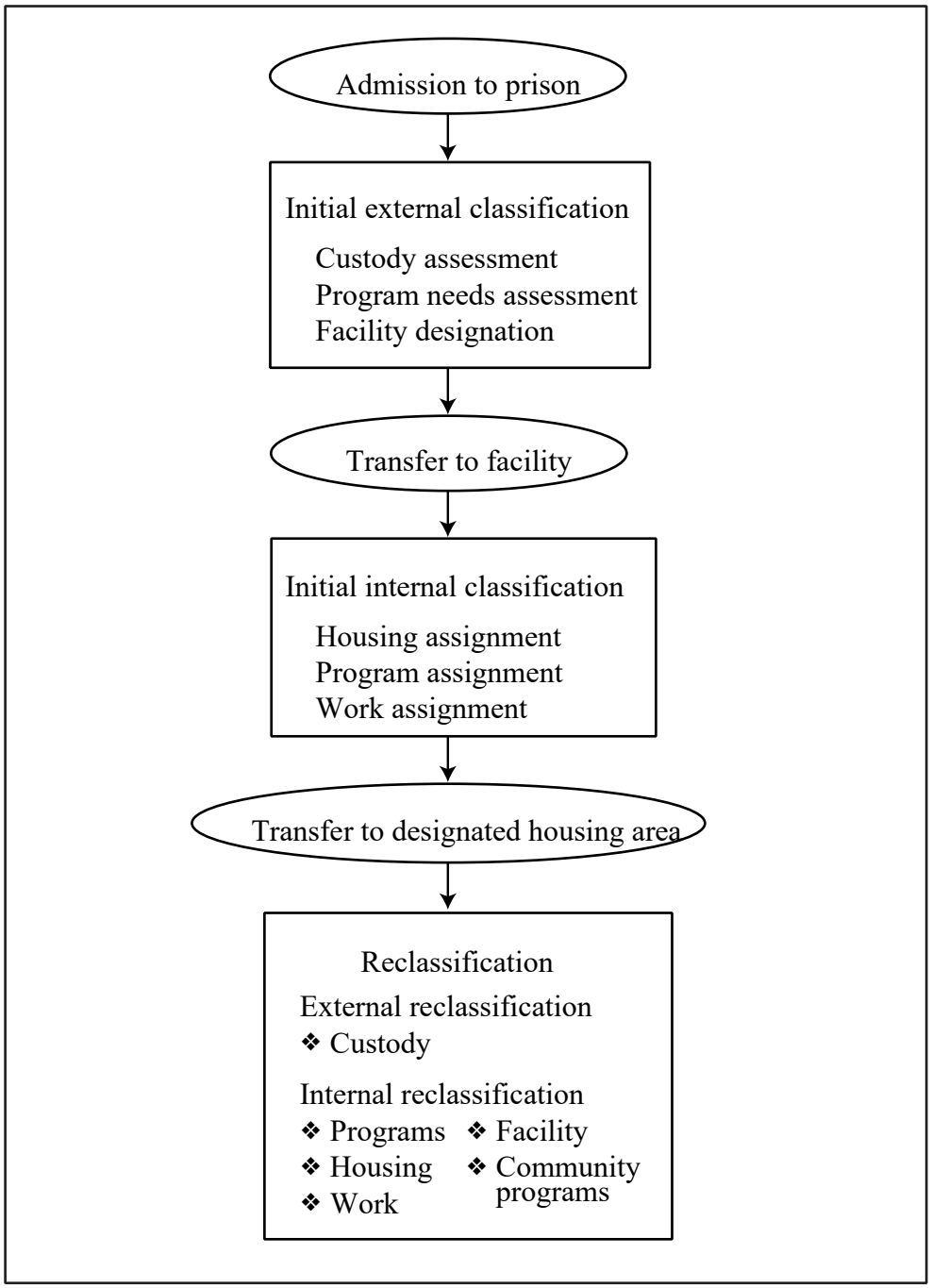
External classification systems, which focus on inter-institutional placement, are well established within most state prison systems. Conversely, well-structured internal classification systems, which address intra-institutional decisions, are in their beginning stages. Nonetheless, both external and internal classification systems are essential for minimizing classification errors, making housing assignments, managing the housing units, and safeguarding the prison staff, population, and the public. Exhibit 1 illustrates how external and internal classification systems function within a prison system.

External classification. Shortly after an individual's admission to the prison system, the external classification system identifies the individual's custody level. This decision directly affects the type of facility to which he or she will be assigned and, once there, the level of supervision he or she will receive. Custody levels are defined in different manners; however, they generally conform to the broad categories of minimum, medium, close, and maximum security. Some classification systems designate these custody levels numerically (e.g., from I through IV).

An external prison classification system consists of both an initial and a reclassification instrument. Based on an individual's attributes at the time of

admission, the initial instrument uses a predictive model to estimate his or her threats to institutional safety and security.

Exhibit 1. Overview of External and Internal Classification Systems



Source: Internal Classification Systems: Case Studies in Their Development and Implementation (Hardyman et al. 2002).

As the individual may have no or limited history of incarceration, the initial instrument places greater emphasis on his or her current offense, criminal history, and socioeconomic factors associated with institutional conduct. Professional staff use the initial screening process and initial classification form to determine the most appropriate level of custody for each individual.

After a custody level has been defined, the individual is transferred to a correctional facility that best meets his or her security and program needs. Critical to the facility's efficient operation and safety are the external classification decisions for placement of the individual in a general vs. special population unit and the appropriate level of supervision.

Through a reclassification process, an individual's external custody level may be modified. This process places greater emphasis on the individual's behavior and conduct while incarcerated than does the initial classification instrument. No later than 12 months after the initial classification process, a reclassification instrument is used to score the individual on factors such as the type and number of misconduct reports, and participation in any institutional programs and work assignments. Some of the initial classification factors may be deleted or reduced in their scoring importance.

By emphasizing an individual's conduct while incarcerated, the reclassification process represents a "just desserts" model in which the classification system rewards individuals for good behavior by allowing them to work their way to lower custody levels over time. A reclassification process that does not allow individuals to work their way to lower custody levels results in significant over-classification of individuals assigned higher custody levels due to the severity of their crimes or length of sentence. These individuals may demonstrate good institutional conduct records, but absent a reclassification process, they will remain in the initial custody level—that is, a higher custody level than required to ensure the safety and security of the institution.

Internal classification. Some prison systems use a second layer of classification to improve institutional security, i.e., an internal classification system. When an individual arrives at the facility, the internal classification staff determine his or her housing unit and cell, facility program needs, and work assignment. Like external classification systems, formal internal classification systems may include structured scoring instruments, formally trained classification specialists, and a reclassification process to update previous classification designations.

Approaches to internal classification systems vary as to their purpose, process, instruments, and level of automation. The internal classification system identifies individuals according to personality or behavioral typologies. Psychologists

It is important to differentiate between individuals housed in the general population and those who require special placement in administrative or disciplinary segregation, protective custody, a specialized mental unit, or medical units.

designed some of the early prison typology systems using reasonably well-researched criteria for internal classification. Other typology systems use specific criteria applied by individual institutions to augment the external classification system. The use of formal objective internal classification systems expanded as correctional agencies sought to comply with the requirements of the Prison Rape Elimination Act (PREA)[7] for systematic assessment and documentation an individual's potential for sexual predation and victimization while in prison.

Internal classification systems strive to improve the management of incarcerated individuals at the facility level by addressing housing, programming, and compatibility issues. Most often, the intent of internal classification systems is to ensure enhanced supervision of individuals who are at risk of being placed in a special management population. By design, the internal classification system complements the objective custody classification or external classification systems. An internal system's vital task is to devise appropriate housing plans and program interventions within a particular facility for individuals who share common custody levels, whether minimum, medium, close, or maximum.

General Population Versus Special Prison Populations

It is important to differentiate between individuals housed in the general population and those who require special placement in administrative or disciplinary segregation, protective custody, a specialized mental health unit, or medical units. National estimates of the average daily population (ADP) show that approximately 80 percent of all incarcerated individuals are initially assigned to the general prison population (Austin and McGinnis, 2004). As of Fall 2014, a survey of state and federal correctional administrators indicated that 6.91% of incarcerated individuals were in restrictive housing; 2.57% were housed in administrative segregation.[8] Most are assigned to a special prison population after they are initially classified, when, because of disruptive behavior or other problems, it becomes obvious that they need to be removed from the general population for their safety as well as that of staff and others.

Although the rate of violence in most prisons is low, approximately 10 – 15 percent of the nation's prison population was classified as special management, based on the typology shown in exhibit 2 (Austin and McGinnis, 2004).

Exhibit 2. Typology of High-Risk and Special Management Prisoners

Category and Assessment Method	Placement
Security threat group Subjective assessment based on at least three sources of independent objective data as applied to well-defined agency criteria.	Administrative segregation or general population—high custody.
Likely victim Subjective assessment based on at least three sources of independent objective data as applied to well-defined agency criteria.	Protective custody or restricted general population facilities.
Mentally ill Standardized psychometric tests and clinical judgment by mental health staff.	Mental health unit and/or administrative segregation.
Chronic misbehavior—assaultive Objective external classification.	General population—high custody, administrative segregation, or mental health unit.
Chronic misbehavior—non-assaultive Objective external classification.	General population—high custody, administrative segregation, or mental health unit.
Nonsexual predator Subjective assessment based on at least three sources of independent objective data as applied to well-defined agency criteria.	General population—high custody, administrative segregation, or mental health unit.
Sexual predator Subjective assessment based on at least three sources of independent objective data as applied to well-defined agency criteria.	General population—high custody, administrative segregation, or mental health unit.
Developmentally disabled Standardized psychometric tests and clinical judgment by mental health staff.	General population (all custody levels) or mental health unit.

Source: *Classification of High-Risk and Special Management Prisoners: A National Assessment of Current Practices* (Austin and McGinnis, 2004).

The vast majority of incarcerated individuals never become disruptive or difficult to manage. The most serious forms of disruptive behaviors within a prison, such as homicide, escape, aggravated assault on others or staff, and rioting, are rare events. Prison staff and those in custody seldom become victims of prison violence. Moreover, it is difficult, if not impossible, to predict when an act of prison violence will occur. Few correctional agencies publicly report the rate of violent incidents within their systems. Analyses of institutional misconduct conducted for the design or revalidation of agencies' external classification systems have indicated that the rates of predatory and aggressive infractions vary

according to the agency's institutional disciplinary processes. Also, intra-agency rates vary by the institution as well as by gender. Predatory violations include homicide, assault and battery, possession of a weapon, escape with violence, hostage-taking, extortion, and rioting. On the other hand, aggressive infractions include fighting/mutual combat, assault/battery with no or minor injury, organized disobedience, sexual misconduct, inappropriate contact, and the like. Across the agencies, the average rate of predatory infractions was 8.39 per 100 incarcerated males per year; the average rate of aggressive violations was 12.28 per 100 incarcerated males per year. For most systems, the rates of institutional violence were lower among the women – predatory, 5.54 percent, and aggressive, 9.39 percent.[9]

As of October 1, 2015, based on a survey of state and federal correctional agencies, 4.9% of the prison populations were housed in restrictive housing, defined as the population held in-cell 15+ consecutive days for 22+ hours per day. Expansion of the criterion for restrictive housing to include the population held in-cell for 16+ hours per day for 15+ consecutive days increases the percentage of the population in restrictive housing to 6.37%.[10] These data suggest that the percentage of the nation's prison population classified as special management has changed little within the last 15 years.

In the 2015 survey by the Arthur Liman Program at Yale Law School and the Association of State Correctional Administrators (ASCA), 40 jurisdictions reported that between 2011 and 2014, they reviewed their administrative segregation policies and procedures. Policy changes included narrowing the criteria for entry, creating different forms of restrictive housing, developing alternative housing options for disruptive individuals, increasing oversight for the placement and release processes, creating pathways for release, and limiting the time spent in restrictive housing.[11] Several jurisdictions reported that, for those remaining in segregation, they sought to diminish the degrees of isolation by increasing out-of-cell time; improving access to programs, education, work, and exercise; and creating opportunities for social interaction with people in and outside of prison.

Improving treatment programs and services for some individuals and ensuring that individuals are not overclassified may help to further reduce the administrative segregation, medical, mental health, and special management populations, which, in turn, could free funds for additional services and programs for the general prison population.

Correctional officials have often relied on reactive rather than proactive management strategies to identify and control individuals at high risk for violence and/or who require special management. This reactive management

approach for special management populations has produced large, high-security, and heavily staffed administrative segregation/maximum-security housing units in many states' prison systems. While some agencies have aggression assessment and/or restrictive housing tools to identify and prevent dangerous incidents and thwart prison violence, most agencies still rely on their disciplinary and subjective administrative processes to direct entry and release from these special housing units.

As shown in exhibit 3, the overall custody distributions, as well as the percentage of the population assigned to administrative/disciplinary segregation, differ for men and women in prison. Liman/ASCA reported that while 5% of incarcerated males were assigned to administrative/disciplinary segregation, only 1.7% of women were in administrative/ disciplinary segregation. Overall, less than 10% of women are assigned to maximum/close custody compared to 17.5% of men. Most women (53.4%) are classified as minimum/community custody; only about a third (36.5%) of incarcerated males are classified as minimum/community.

Nevertheless, one cannot and should not rely on classification and risk assessment instruments as the sole means for identifying individuals at high risk for institutional misconduct.

Exhibit 3: Nationwide Estimated Prison Classification Levels for the Average Daily Population

Custody Level	**Men**	**Women**
Overall population*	**Percent**	**Percent**
Minimum/Community	36.5%	53.4%
Medium	42.4%	33.7%
Maximum/Close	17.5%	9.9%
Special populations	15%	
Administrative/disciplinary segregation**	5–6%*	1.7%
Protective custody***	1–2%	
Severe mental health***	1–2%	
Severe medical***	1–2%	
Unclassified* **	5%	

Sources: **Meta-analyses of validation studies conducted 2004–2020; **Liman Program & Association of State Correctional Administrators. (2015). Time-In-Cell: Liman Program & Association of State Correctional Administrators. ***Classification of High-Risk and Special Management Prisoners: A National Assessment of Current Practices (Austin and McGinnis, 2004).*

Nevertheless, one cannot and should not rely on classification and risk assessment instruments as the sole means for identifying individuals at high-risk for institutional misconduct. All classification systems are subject to two critical types of errors: false positives and false negatives. A false positive error, or over-classification, occurs when someone is classified as positive for high-risk behavior but does not exhibit such behavior. Someone placed in administrative segregation for alleged drug distribution activities who has not been involved in such activities is an example of a false positive classification error.

A false negative error, or under-classification, occurs when a potentially disruptive individual is classified as low risk (i.e., negative for high-risk behavior) but exhibits high-risk behavior. An example of a false negative error occurs when a prison's custody assessment instrument identifies someone for minimum

custody, but he commits a serious violent assault. Classification errors can lead to serious incidents, including assaults on staff, suicides or suicide attempts, and escapes. Such episodes are extremely disruptive and costly to a facility's operation and expose the agency to expensive litigation. Reducing classification errors by using valid and reliable risk assessment procedures allows for proactive interventions and more appropriate supervision strategies and programs.

Essential Components of an Objective Prison Classification System

A prison classification system is a formal process used to categorize and manage individuals in a correctional facility. Classification systems rely on specially trained staff, reliable and valid criteria, objective and accurate data, and a means for monitoring and evaluating their effect on the correctional system. Discussed in the following sections are the various aspects of these essential components of a classification system.

Classification systems rely on specially trained staff, the use of reliable and valid criteria, objective and accurate data, and a means for monitoring and evaluating their effect on the correctional system.

Mission Statement

A mission statement is the foundation of an objective classification system. However, a classification system does not stand alone but rather is an integral part of the much larger prison system. As such, its mission statement must be consistent with the agency's mission, goals, and resource allocations, and it should reflect concern for the individual's risks and service needs.

The classification system's mission statement should also reflect the formal process for classifying and managing the individuals within the prison system. Finally, the mission statement should include a clear and comprehensive statement of the core values and philosophy of national and local correctional standards. These values should include a commitment to:

- Adhere to all federal, state, and local laws and regulations regarding the prison's operations.
- Ensure public safety.
- Ensure the safety of both correctional staff and incarcerated individuals.
- Provide essential medical, mental health, educational, and program services.
- Manage agency resources effectively.

Classification Goals and Objectives

After an agency has formulated its mission statement, it is ready to articulate its classification goals and objectives. These must directly support the core values set forth in the mission statement and be formulated so that their outcomes can be measured and evaluated.

Evaluating and measuring the outcomes of classification objectives at regular intervals enables agencies to better gauge their success over time. At a minimum, classification objectives should be reviewed annually to verify that old challenges have been met and to identify new ones to be addressed. Exhibit 4 provides examples for stating the goals and objectives to support the mission statement.

Exhibit 4. Examples of Agency Mission Goals and Classification Objectives

Mission Goal	Classification Objective
Comply with all federal, state, and local laws and regulations regarding the prison's operations.	Reduce the amount of litigation pertaining to conditions of confinement. Reduce the number of grievances and amount of litigation regarding staff working conditions and harassment.
Ensure public safety. Protect staff and ensure the safety of all incarcerated individuals.	Reduce incidents of escapes and walkaways. Reduce the number of crimes committed by individuals released from prison to community-based programs. Reduce the number of assaults on staff. Reduce the number of assaults among incarcerated individuals.
Provide essential medical, mental health, educational, and program services.	Ensure that qualified medical, mental health, and classification staff properly screen all new admissions to the prison system. Based on the initial assessments, ensure that all individual needing medical, mental health, education, and other program services receive timely required services.
Manage agency resources effectively.	Reduce the amount of overtime. Ensure that security staff are properly deployed in the prison's housing unit.

Classification staff must have sole authority to assign individuals to housing units according to their custody and housing classifications.

Dedicated Classification Unit and Classification Staff

Prisons are labor-intensive operations. An estimated 60 to 70 percent of a prison's operational budget is allocated to salaries, benefits, and other labor-related costs. An established classification unit is necessary for a prison classification system to function properly. The classification unit must have a sufficient number of

dedicated, well-trained, and experienced staff to ensure that the population are properly classified in a timely manner. Even in small agencies, this is a strict requirement. Understandably, classification staff may have other duties that prohibit them from dedicating 100 percent of their time to classification. However, as part of their primary responsibilities, designated staff must be held accountable for administering classification policies and procedures. For example, the initial screening of an individual's medical and mental health needs is one of the most critical classification functions exercised by intake center staff. Although not always assigned to the classification unit, intake center staff must be able to conduct initial screenings in a professional, reliable, and accurate manner.

Centralized Control Over All Prison Transfers and Housing Decisions

Classification staff must have the sole authority to assign individuals to housing units according to the classification system. This does not mean that other staff cannot recommend emergency transfers. However, classification staff must review and approve all emergency transfers. The most effective way to ensure full compliance with this requirement is for the prison to institute and enforce a written policy that delineates the authority and powers of the classification unit.

Three basic forms guide the classification process: the initial screening form, the initial classification form, and the reclassification form.

Reliable and Valid Classification Instruments

Objective classification systems use well-structured instruments (i.e., forms) designed to produce reliable and valid assessments of the risks that the individuals may pose. Three basic forms guide the classification process:

- The *initial screening* form identifies the individual's emergency needs upon entry to the prison system.
- The *initial classification* form determines the individual's scored custody level on admission to the prison system.
- The *reclassification* form reevaluates the individual's custody level throughout his or her incarceration based on his or her institutional conduct.

Initial screening form. Completed immediately upon admission to the prison system, the initial screening form helps the intake center staff identify the individual's immediate needs. Unlike the initial classification and reclassification forms, the initial screening form is not a scored instrument. Instead, it is often a standardized checklist of questions regarding a person's medical needs, mental health needs, drug use, substance abuse, suicide risk,

and other information to assign the individual, as needed, to a specialized housing unit. Once separated from the general prison population, the individual is further observed and receives initial treatment by qualified medical or mental health professionals.

Initial classification form. Professional classification staff use the initial classification form to determine the most appropriate custody level for an individual. This process occurs after the initial screening process but within 30 days of admission to the prison system.

The initial classification form consists of a set of scored items weighted according to their reliability and ability to predict institutional adjustment. Most initial classification forms consider the individual's current convictions, prior criminal record, escape history, severity or prevalence of institutional misconduct, and other stability factors such as the individual's age, education level, and employment history.

Reclassification form. The reclassification form is used to reevaluate the individual's custody classification throughout his or her incarceration. The reclassification process focuses on the individual's institutional behavior during the past 6 to 12 months. By placing less emphasis on the current offense and criminal history, the reclassification process represents a "just desserts" management philosophy that modifies the individual's custody level based on his or her institutional behaviors. Many individuals are not incarcerated for a full 12 months. Thus, their custody levels may not be reclassified. However, some prison systems reclassify individuals with short sentences at six months to ensure they have an opportunity to progress to a lower custody level. Nevertheless, the most significant portion of the prison population -- individuals classified as medium and close custody, who remain in custody for 12 months or longer -- are the most likely to be reclassified. The reclassification process allows some to be placed in lower custody levels, thereby freeing precious high-security bedspace.

A pilot test must be completed before a classification system is implemented.

Classification Instruments That Have Been Tested

Before implementing any classification system, a prison system should test the classification system's instruments and procedures on the prison population to which they will be applied. A pilot test of a classification system measures two things:

- How well the proposed classification instruments will perform on a given prison population.

- The likely effect of the classification policy and procedures on prison operations.

A pilot test must be completed before a classification system is implemented. There are no exceptions to this general rule. Agencies that implement classification instruments prematurely are likely to endanger staff and the individuals in their custody. The following paragraphs discuss some of the primary tasks in conducting a pilot test. Chapter 4 of this document, which presents guidelines for implementing classification systems, includes additional information on pilot tests.

The first task associated with a pilot test is to draw a representative sample of individuals from the average daily population to test the reliability and validity of the classification instruments. Using representative gender-specific samples of the current incarcerated males and females helps determine the effect that the new classification instruments will have on the prison system. The overall sample should be divided into two sub-samples: 1) individuals who have been in custody for less than six months (or whatever the period is for the reclassification process set by the agency) and 2) individuals who have been in custody for six months or more. The two sub-samples should be stratified by gender to allow for separate testing of the instruments for incarcerated males and females.

No classification instrument is capable of producing the most accurate or appropriate custody level decision for everyone.

Dividing the overall sample by the length of incarceration allows for testing the reliability of both the initial and reclassification instruments. The classification system's ability to produce reliable results is directly related to the classification staff's ability to use the classification instruments consistently. Having multiple staff recompute the initial classification or reclassification scores for a random sample of 25–50 custody assessments will test the staff's overall ability to use the instruments effectively.

If the classification instruments have been well-designed and the classification procedures are written clearly, then different staff should be able to complete the forms and derive similar custody assessments. If the staff agree on the risk factor scores for at least 80 percent of the sample and the overall custody level for at least 90 percent of the sample, the system can be deemed reliable. Percentages below these levels are unacceptable and indicate that immediate additional training and clarification of the classification policy and procedures are needed to improve the system's reliability.

Appropriate Use of Overrides

As noted earlier, both initial classification and reclassification instruments should allow discretionary overrides to the scored custody level. No

classification instrument is capable of producing the most accurate or appropriate custody level decision for everyone. Consequently, classification staff must retain the discretionary authority to deviate from the scored custody level at both initial classification and reclassification.

One danger inherent with discretionary overrides is that, if not used properly, they can undermine the consistency of the decision-making process. Conversely, classification staff who rarely use overrides may not be exercising their professional judgment to supplement the custody decision-making process. As a result, a percentage of the individuals may be misclassified.

The general standard is that 5 to 15 percent of a prison population's custody levels are based on discretionary overrides rather than the original initial classification or reclassification scores. In general, approximately 50 percent of discretionary overrides should assign the individual to a custody level lower than that derived from his or her original score and 50 percent should assign the individual to a higher custody level.

Timely and Accurate Classification

Classifications must be timely and accurate. Agencies can ensure the accuracy and timeliness of their classification systems or process by establishing specific standards and requiring classification staff to adhere to them.

Everyone entering the prison system must be screened immediately to determine if they need to be housed apart from others, either for their protection or others and staff. An initial custody level should be assigned within 30 days of admission. This facilitates a timely subsequent decision of whether to place the individual in the general population or one of the special management populations—administrative segregation, protective custody, mental health, or medical/infirmary.

The housing plan is the blueprint for housing individuals within the prison.

Similarly, the agency should set standards for when and under what circumstances for reclassifications. A custody reassessment is similar to the initial custody assessment but places greater emphasis on an individual's actual institutional behaviors. Everyone should be reassessed after six months of incarceration and at least annually thereafter. Individuals with long sentences who comply with the institution's requirements should have the opportunity to progress to a less restrictive custody level. Conversely, if someone is found guilty of a major disciplinary infraction or staff receive information that potentially affects his or her custody level (e.g., a conviction of a new charge, detainer, or sentence reduction), staff should reassess the custody level within 48 hours.

Formal Housing Plan and Security/Custody Designation for Each Housing Unit

For a classification process to function as designed, the facility must be classified as well. From a security standpoint, classifying the prison facility determines the number and types of bed-spaces available, which, in turn, establishes the basis for the facility's housing plan. The housing plan is the blueprint for housing assignments within the prison. It must also include units for intake and assessment, special management populations (e.g., a protective custody unit, administrative and disciplinary segregation units), and medical and mental health units. The agency's management information system (MIS) should track the custody level and type of classification (e.g., general population, special management, medical, or mental health) designated for each housing unit, cell, and bed to ensure appropriate housing of the population according to their custody designations. Everyone in custody must be housed according to their classification status. For example, someone classified as maximum custody, general population, should be assigned to a maximum-security, general population housing unit.

Adherence to the Housing Plan

A housing unit's physical structure, as well as its supervision, programming, and privilege levels, should be well-suited to the custody levels of the individuals living in the unit.

Ideally, individuals assigned to different custody levels are not housed together. Further, minimum-custody individuals should never be housed with maximum-custody individuals. A housing unit's physical structure and its supervision, programming, and privilege levels should be well suited to the custody levels of the individuals housed within the unit.

Only individuals who exhibit a willingness and ability to obey the facility's rules should be allowed to remain in the general prison population. Someone in the general population whose presence disrupts the orderly operation of the facility should be removed and placed in disciplinary segregation, administrative segregation, protective custody, or the mental health unit.

Everyone housed in the general population, regardless of their custody levels, should be afforded privileges and living conditions sufficient to convince them that it is in their best interest to remain in the general population. All should know what privileges are associated with each custody level. Thus, they will know the privileges lost or earned upon reclassification. Finally, the documentation of the individual's behavior is essential the documented behaviors should determine his or her housing placement, program eligibility, future prison classification, and release conditions.

Accurate Data

Most classification systems rely on the following data to determine an individual's custody level. These data should be readily available to the classification staff within the agency's MIS:

- Current charges or offenses, including a description of the crimes.
- Adult criminal records, both within-state and out-of-state convictions.
- Prior prison classification records if the individual was previously incarcerated.
- Any active warrants.
- Escape history.
- Stability factors such as age, education level, employment history, and residency.
- Medical and mental health needs.
- Special management factors such as gang affiliation and orders for separation from other individuals.
- Disciplinary records.

To ensure these data are available to the classification staff, the prison must have a comprehensive and orderly recordkeeping system. The prison must also have access to electronic criminal records and criminal court data systems to facilitate retrieval of the most current and complete information about an individual's prior and current charges. Court data on incarcerated populations are incredibly critical because often charges are modified or dropped by a court. Unless the prison staff is aware of these changes, the individaul will be improperly classified.

Aside from using an individual's criminal record as a basis for classification, a face-to-face interview can provide critical classification data. Studies have shown that a well-conducted interview offers more significant, high-quality data than the information stored by law enforcement and correctional agencies. Thus, verification of the data included in official documents via an interview with the individual is crucial.

Electronic storage of classification data reduces the likelihood of scoring errors and allows for systematic, ongoing monitoring of the classification system.

Automated Data System

Related to the requirement for accurate data is the need to automate the classification system. All information obtained from the initial screening, initial

classification, and all subsequent reclassification forms must be stored in the prison's MIS database. Electronic storage of classification data reduces the likelihood of scoring errors and allows for systematic, ongoing monitoring of the classification system. An automated database increases the accuracy and efficiency of the classification process by reducing the need to reenter the same basic data at each stage of the classification process.

One of the most perplexing and frustrating problems for correctional staff is how to maximize the use of the data stored in their computer systems. A common complaint is that it is onerous to retrieve the information stored in a prison's computer system and use it to monitor the classification system and other aspects of prison operations.

Continuous Monitoring and Process Evaluation

Continuous monitoring of a classification system ensures that it was implemented as designed and continues to work as intended for the prison's current population. In some state prison systems, a process evaluation is equivalent to a continuous audit of the classification system. As such, the process evaluation should answer two fundamental questions:

- Was everyone classified according to existing agency policies and procedures?
- Are all individuals housed according to the classification system?

The answers to these two questions require both quantitative and qualitative data. Quantitative data analyses verify the use of the classification system and housing assignment plan to house individuals according to their custody level and any special population status. A primary concern for the housing assignment is the separation of individuals classified as low versus high custody. Anticipated is some degree of interaction between low and medium custody individuals. However, the housing plan should prevent the intermingling of low and high custody individuals.

Observations of the classification system, such as the intake or admission process and classification interviews conducted by staff, provide essential qualitative data. A written report to document the number of performance standards observed and describe the findings is critical for tracking the system's integrity.

A second vital resource used to measure system integrity and effectiveness are the quantitative data maintained in the MIS database. The data analysis

software and reporting generators within the agency's MIS can analyze and transform raw data into management reports, graphics, and security alerts. Analysis of statistical trends and patterns is critical at all management levels. This need is likely to escalate as prison administrators, policy teams, and line staff require relevant, realistic, and timely analyses of the classification system's performance to inform policy problems, planning, and management decisions.

Some prison MIS systems have only basic data analysis capacities, thus generating ongoing useful management reports is often limited by the software. However, most prison information systems have at least minimal graphics capabilities and programs to create simple reports on the counts and characteristics of the current prison population. As agencies update and expand their management information systems, their abilities to analyze and transform data for periodic monitoring, security alerts, classification evaluations, and system evaluations have expanded.

Ideally, the agency's management information system provides reports for routine monitoring of the performance criteria outlined in the classification system's goals and objectives. The reports should document trends for each performance indicator and show if it has fallen below a minimum standard. If a performance indicator falls below the minimum standard, the MIS software should alert the appropriate manager. However, few current prison management software systems have the capability to alert staff or detect an emerging trend within the classification system.

Ideally, the agency's management information system provides reports for routine monitoring of the performance criteria outlined in the classification system's goals and objectives.

Impact Evaluation

A classification system is expected to affect the prison system in various ways. An impact evaluation assesses the positive and negative effects of the classification system on the prison system as a whole and on its various components (e.g., incarcerated populations, staff, risk assessment, administration, and prison operations).

To ensure an objective assessment of the system, the impact evaluation should have a rigorous experimental or time-series research design and should be conducted by persons trained in research methods and statistical analysis. Furthermore, high-quality data are required to assess the validity, reliability, and objectivity of the system. Finally, because the impact evaluation almost inevitably will not conform to strict experimental design requirements (e.g., randomized treatment and control groups), the findings and conclusions regarding effectiveness of the classification system will be limited. In general, a classification system always has aspects that require change and reform. The

purpose of an impact evaluation is to identify such weaknesses and correct them in a timely manner.

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[6] Chapter 5 offers a more detailed discussion of the concepts of reliability and validity.

[7] U.S. Department of Justice. (May 16, 2012) "National Standards to Prevent, Detect, and Respond to Prison Rape." Washington, D.C.: Department of Justice, Office of Legal Policy. pp. 88.

[8] Liman Program & Association of State Correctional Administrators. (2015). Time-In-Cell: Liman Program & Association of State Correctional Administrators.

[9] Rates of institutional violence within large jail systems also vary by system as well as by facility and gender. On average, 7.21% of adult male detainees were involved in predatory behaviors, 6.22% were involved in aggressive infractions. Comparable rates of institutional violence were noted for adult female detainees – predatory, 6.69% and aggressive, 6.78%.

[10] Liman Program & Association of State Correctional Administrators. (2015). Time-In-Cell: Liman Program & Association of State Correctional Administrators. pp. 55-56.

[11] Liman Program & Association of State Correctional Administrators. (2015). Time-In-Cell: Liman Program & Association of State Correctional Administrators. pp. 55-56.

CHAPTER four

Guidelines for Implementing Classification Systems

The National Institute of Corrections (NIC) has provided technical assistance to numerous state and local correctional agencies to develop and improve their classification systems. One key component of NIC's technical assistance efforts was to develop a model that would guide correctional administrators in either designing a new classification system or modifying an existing one.[12] The overall objectives in developing this model were as follows:

- To identify the basic steps in designing a classification system.
- To determine when an existing classification system should be modified.
- To identify the steps necessary to implement the new or modified system.

As "the brain" of the correctional system, the classification system must respond to the many-sided issues that challenge the correctional system.

The basic implementation process includes four phases: mobilization, assessment, planning, and implementation. To effectively address specific local questions such as budget cuts, new laws or legislation, institutional population, crime trends, or available prison data systems, a correctional agency may need to modify the classification process. However, the four phases and the steps and tasks within each phase are critical for designing and updating classification systems. Exhibit 5 summarizes these steps and the estimated time required to complete each one.

Phase I: Mobilization—Determining the Need for Change

Step 1. Identify the Classification Issues

Classification systems are well established in virtually every state correctional system. However, not all prison classification systems work as well as expected. Quite often, changes in the overall sociopolitical environment affect the classification process. As "the brain" of the correctional system, the classification system must respond to the many-sided issues that challenge the correctional system.

Exhibit 5. Time-Task Line for Effective Classification Implementation

Phase and Steps	Month of Project												Who Is Responsible?
	1	2	3	4	5	6	7	8	9	10	11	12	
Phase I: Mobilization													Stakeholders
1. Identify classification issue(s)													Project leader
2. Designate a steering committee													Project leader
3. Review current classification policies													Steering committee
Phase II: Assessment													
1. Conduct onsite assessment													Steering committee
2. Compile baseline data													Research/MIS
3. Prepare assessment report													Project leader
Phase III: Planning													
1. Learn about promising systems													Project leader
2. Design and pilot test the system													Steering committee
3. Develop action plan													Steering committee
Phase IV: Implementation													
1. Reengage stakeholders													Project leader
2. Train staff													Project leader & Steering committee
3. Implement the system													Steering committee

Issues that have prompted agencies to reassess and modify their classification policies, procedures, risk factors, relative weight of the risk factors, custody scale, and/or mandatory and discretionary override factors include:

- **Changes in the characteristics and behavior of the prison population.** Changes in the characteristics of the prison population, i.e., increases in the numbers of geriatric, mentally ill, young, impulsive, disruptive, or security threat group members, may prompt agencies to re-evaluate their custody classification systems. These changes are evident in key classification factors such as the individual's current age, the severity of the current offenses, the extensiveness of the criminal record, and the

length of the sentence. In response, correctional administrators have questioned whether the demographic and criminal history risk factors were valid and reliable predictors of their current threat to institutional safety and security.

- **"Get-tough-on-crime" legislation.** Beginning in the 1990s, numerous states passed legislation to abolish parole and good-time credits and require mandatory sentencing, truth-in-sentencing, and "three-strikes-and-you're-out" laws. The average daily population of the states' prison systems has grown dramatically as these laws increased the diversity of crimes and the sentence lengths among the prison population. Given the longer sentences, mandatory minimums, and conservative parole decision-making processes, many jurisdictions questioned the validity of risk factors that consider an individual's sentence(s) or time to serve. Further, because of the increased sentence lengths, the traditional intervals for reclassifications and needs assessments were reconsidered.

- **Budget cuts, overcrowding, and reductions in programming and services.** In recent years, many correctional agencies have seen their budgets cut dramatically. At the same time, public pressures to take away or substantially lower the availability of programming and work assignments have reduced access to institutional jobs, education, and treatment programs. A reduction in programs and services for the incarcerated people undermines the foundation of the classification system because the reclassification process should encourage and reward individuals for their participation in work and treatment programs. These programs provide active and productive ways for individuals to serve their sentences. When access to jobs or programs is limited, the power of the risk factors used to assess an individual's threat to the institution's safety and security is diminished. Recent state and federal reentry initiatives emphasized the importance of institutional programming and planning to a person's return to the community. As a result, classification systems may need to be modified to more accurately assess a person's criminogenic tendencies and identify the risk he or she poses to the community.

- **Questions about the validity of the classification system for women in prison.** Several jurisdictions have questioned the validity of their classification system for women in prison.[13] The primary concern among correctional agencies is the over-classification of women.

Traditional risk factors were based on the criminal history of the male prison population. These traditional risk factors do not adequately assess the risks and needs posed by women in prison. This finding indicates the need to identify another set of risk factors, modify the operational definitions of the traditional risk factors, and adjust the custody scale cut points to better account for the risks posed by women.

- **Identification and management of individuals at a high risk for institutional violence.** Jurisdictions also have struggled with how to differentiate among individuals appropriate for close-custody general population units versus maximum-custody and administrative segregation units.

These struggles have prompted changes in agencies' external and internal classification systems. For the external system, agencies either developed or refined their risk factors. By adjusting the external classification risk factors, agencies were better able to differentiate between predatory institutional behavior (e.g., aggravated assault) and behaviors that disrupt the facility's smooth and orderly management (e.g., disobeying a direct order or interfering with count). These struggles prompted other states to develop formal internal classification systems to identify and place individuals demonstrating aggressive and vulnerable behaviors in appropriate housing units.

In addition to addressing any immediate pressures or concerns, formal revalidation of the classification system is recommended every 3 to 5 years.

In addition to addressing any immediate pressures or concerns, formal revalidation of the classification system is recommended every 3 to 5 years.

Whatever the salient issues driving the modification of the classification system, before undertaking any initiative to change its classification system, the agency should assess its commitment and readiness to change. Regardless of the extent of the anticipated modifications, commitment, and willingness to change are essential.

Classification design and implementation tasks are time-consuming and are likely to require substantial agency resources. These tasks include, but are not limited to, collecting the data, designing the classification instruments, revising the information system, rewriting the procedures manual, and implementing the revisions. Even if the agency has sufficient resources for the revalidation and updates to the system, but the commissioner or facility administrators are not committed to changing the classification system, the initiative should not proceed. Initiatives that are started and then shelved for

lack of commitment waste limited agency resources, negatively affect staff morale, and diminish the staff's willingness to participate in future classification projects. Developing the agency's commitment is the first task, but it is important to nurture this commitment throughout the initiative.

All levels and divisions within the agency—the commissioner, the warden and superintendents, supervisors, correctional officers, case managers, and research and management information system (MIS) staff—should be committed to change. The research and MIS staff are of particular importance to the success of the process. Revisions to the classification system, for example, frequently entail modifications to the automated information system screens and monitoring reports. Including the research and information system staff in the change process increases their understanding of the initiative and the importance of implementing the changes.

Step 2. Designate a Steering Committee

The second step in the process of changing a classification system is to identify a project leader. The project leader is responsible for overseeing and completing all the tasks associated with the initiative. The project leader must have the full support of the agency's commissioner and access to all resources necessary for the design, pilot test, and implementation activities.

The project leader's first task is to organize a steering committee to manage or direct the initiative throughout the change process. The steering committee should include representatives from all of the agency's operational areas, such as security, medical and mental health services, programming, classification, research and planning, information systems, budget, training, and legal counsel. The project leader must identify the appropriate steering committee members, solicit their commitment, and outline their respective roles. The steering committee's roles are to:

- Analyze current classification practices to identify issues, trends, and questions.
- Develop practical solutions that address the current issues, questions, and trends.
- Develop preliminary classification instruments.
- Draft new policies.

- Pilot test the preliminary instruments and policies.
- Develop and execute implementation and evaluation plans.
- Develop a time-task chart to reflect the goals of the initiative, the required activities, and the responsibilities of each member.

Step 3. Review the Current Written Classification Policies and Procedures

The steering committee's first task is a comprehensive review of the agency's current classification procedures and practices to identify problems and issues in the classification process and examine the links between the internal, external, and needs assessment processes. Carefully planning the assessment is imperative, as it will lay the foundation for the classification reform. The plan should address the following questions:

- What current policies, practices, and issues are potentially affecting the classification system?
- What trends are associated with these policies and practices?
- What outcomes would the steering committee like to achieve with the revised classification system?

The most critical, and perhaps the most difficult, roles required of the steering committee are to define the specific problems to be addressed, set realistic goals, and establish measurable objectives. The steering committee should agree on the questions or issues prompting the revalidation of the classification system, desired outcomes, and the plan for achieving and measuring the outcomes. Although each committee member may assign a different priority to one or more of the current issues, goals, and objectives, all members should understand the importance of their contributions and what is to be accomplished by the classification initiative overall.

The most critical, and perhaps the most difficult, roles required of the steering committee are to define the specific problems to be addressed, set realistic goals, and define measurable objectives.

To ensure that the assessment generates sufficient high-quality information, the steering committee should develop a structured assessment plan with specific assignments for each member of the site visit team. However, before visiting the site, members should review the classification and needs assessment data in the agency’s information system to determine relevant data and resources. Time should be spent at the central intake facility to assess initial institutional processes and data requirements.

During the early stages of the assessment, before any site visits, the team should compile and review the following information:

- All relevant written classification policies and procedures.
- Agency annual reports.
- Current classification instruments.
- Relevant classification-related and institutional population statistics.
- Agency staffing and budget.
- Any recently enacted or pending legislation or administrative policies that may affect the classification system.

Phase II: Comprehensive Assessment of Current Classification System

Step 1. Conduct an Onsite Assessment of the Classification System

Assessment of the current classification system should include site visits to correctional facilities and the research and information system units. A multi-disciplinary assessment team composed of the project manager and steering committee members representative of security, case management, facility administration, and research should carefully examine the agency's current classification policies, procedures, practices, issues, data, resources, and limitations. Site visits to the research and information system unit provide opportunities to identify potential data sources and initiate data collection. Visits to the agency's intake centers are critical to identify and assess current initial classification practices.

Likewise, observation of the reclassification processes used for both the general and special populations is critical for assessing the current reclassification practices. Tailor the purpose and itinerary for any site visit to the facility's classification process. Because of the myriad organizational structures and possible classification issues, it is impossible to fully delineate the specific tasks associated with an assessment of the classification system. However, any assessment of a classification system should include the following activities:

- **Interview the central office and facility-level classification staff.** As needed, the team should conduct face-to-face interviews with key supervisory

and line classification staff concerning their specific classification tasks and any concerns about the current classification process. Because interviewing all or even a majority of the staff may not be feasible, the team should carefully select a cross-section of the staff to interview to capture the broadest possible range of perspectives. The purposes of the interviews are to clarify the agency's current approach to classification, ascertain the issues of concern to line staff, and review current classification policies, procedures, and instruments.

- **Observe the classification process.** As necessary, the team may augment the interviews by reviewing a random sample of recently completed classification instruments. The site visit team should have access to case files, observe the classification process, and identify the criteria for making custody decisions. These data, combined with the staff interviews, should provide insight into both the availability and quality of the data required to score the current initial and reclassification instruments, new risk factors suggested by the steering committee, the degree of discretion associated scores and custody designations.

- **Review the results of the site assessment.** The site visit team should present its findings to the steering committee. During this meeting, the committee should address any unresolved issues and reach consensus on project tasks, the specific responsibilities of the steering committee members, and the feasibility of the project's time-task line.

Baseline data provide for a more complete understanding of the scope of the anticipated changes to the system. Baseline data should be collected for each of the outcome.

Step 2. Compile Baseline Data

Compiling baseline data that describe the classification system at the beginning of the initiative is a foundation for sound planning. These data provide a more complete understanding of the scope of the anticipated changes to the system. Baseline data should be collected for each of the outcomes identified by the steering committee and stakeholders. These may include the rate of institutional violence, number of housing transfers, number of discretionary overrides at initial classification and reclassification, rate of institutional misconduct by custody level, and the custody distribution at initial classification and reclassification. Each statistic should be compiled separately by gender, facility, and custody level. If the initiative includes developing an internal classification system, "maps" of the various cellblocks, housing units, programs, and work assignments will illuminate any questionable patterns to be addressed by the new system.

Step 3. Prepare the Classification Assessment Report

Within two weeks of completing the assessment, the assessment team should prepare a draft report documenting its activities, the baseline data, and findings. The draft report should be circulated to the commissioner, the steering committee, the classification director, and key staff who participated in the assessment. The report should describe the agency's current practices, identify the classification issues to be addressed by the initiative, and document the agreed-upon project time-task line. The project leader, or author of the report, should poll the commissioner, steering committee, director of classification, and key stakeholders to identify questions, errors, and/or omissions from the draft report. Based on these discussions, the report should be finalized.

Phase III: Planning

Step 1. Learn About Promising Systems, Models, Strategies, and Best Practices

Information gleaned from a literature review or a classification expert will help avoid some of the unanticipated pitfalls in trying to reinvent a system that has already been developed or refined by another jurisdiction. A useful strategy for learning about models and promising approaches is to contact comparable state agencies that have implemented a favored model as well as agencies that considered the model but rejected it. A review of promising models and best practices might also include visits to the facilities or agencies that have implemented the models under consideration.

Step 2. Design or Modify the Classification System

The specific tasks at this stage will vary according to the findings of the assessment. However, the following sub-steps are required whether developing a new system or modifying an existing system.

Sub-step 2.1: Develop a preliminary classification system. Upon completing the assessment of the current system and the literature review, the committee must consider how to proceed to achieve its goals and objectives. To develop a preliminary classification system, the committee must reach a consensus regarding the desired classification process and the content and format of the preliminary new or revised classification forms.

- **Classification process:**
  - **Instruments:** What instruments are required (e.g., initial, reclassification, and/or needs assessment)?

- **Schedule: When will the instruments be completed?**
- **Staffing: Who completes the respective instruments?**
- **Quality control:** Who reviews overrides, conducts reliability checks, and so forth?
- **MIS:** When and how are classification data entered into the MIS database?
- **Strengths:** Do the preliminary changes maintain the strengths of the current classification system?
- **Weaknesses:** Do the preliminary changes address the weaknesses of the current classification system?

♦ **Content and format of the preliminary classification instrument(s):**

- **Risk factors:** What risk factors need to be created, redefined, added, or deleted?
- **Risk criteria:** Do the categories within the risk factors need to be defined or redefined?
- **Offense severity:** Is a new offense severity scale required or does the current scale need to be updated?
- **Institutional disciplinary code:** Does the institutional disciplinary code meet classification misconduct standards? Does the steering committee need to differentiate predatory from aggressive, disruptive or management problem infractions? Are the disciplinary codes mutually exclusive and exhaustive?
- **Factor weights:** Are the appropriate scores assigned to the respective risk factors and criteria?
- **Scale cut points:** Are the cut points of the close/maximum-custody scales (if applicable) and overall custody scales appropriate?
- **Overrides:** Are the appropriate non-discretionary and discretionary factors for modifying the scored custody level identified and defined?

A consensus-based decision-making process in which all committee members participate equally in the design of the preliminary classification system is recommended. If the committee encounters an impasse, pilot testing of alternative risk factors and operational definitions or processes offers an opportunity to retain a rational decision-making process while maintaining a cohesive workgroup. A consensus-based process is critical for generating ownership and buy-in to the new system.

Sub-step 2.2: Create prototype instruments and manual. Based on the decisions reached in sub-step 2.1, the steering committee must create prototype instruments and a training manual to document the new or revised system. The operational definitions and instructions for each classification risk and override factor should be specified. As necessary, scales for ranking the severity of convictions and institutional misconduct should be developed and included in the manual. The project leader or a designee should develop the prototype instruments and manual and distribute them to the entire steering committee to ensure their comments and suggestions were captured accurately. Based on the committee members' comments, the prototype instruments and manual should be finalized.

Sub-step 2.3: Pilot test the prototype instruments and manual. A crucial task of any classification system design or modification is a scientific pilot test. A pilot test includes several steps:

- **Draw representative samples of the incarcerated populations.** Sampling procedures must be tailored to the agency's institutional populations and the capabilities of its MIS. To allow for gender-specific analyses of the incarcerated populations, draw separate samples of males and females that reflect their respective average daily population (ADP), number of admissions per year, and average length of stay. Also, according to the specific issues to be addressed by the initiative, stratification or over-sampling of special populations may be necessary. For example, if the validity of the current instruments for individuals with mental health problems is questioned, over-sample this population to ensure an adequate number of cases for statistical analyses.

  There are three basic sampling strategies for generating the cohorts for the revalidation data analyses:[14]

  1. **Stock population** – For agency incarcerated population as of a specific date, e.g., January 1, 2020, compile:

- Initial Classification Sample: Individuals incarcerated less than or equal to 12 months for whom an initial classification instrument was completed. (If the current or preliminary classification process requires completion of the reclassification instrument for individuals re-incarcerated for a parole or community supervision violation or who were re-incarcerated within less than 12 months of their release to the community, include these individuals in the reclassification sample.)

- **Reclassification Sample:** Individuals incarcerated more than 12 months for whom a reclassification instrument was completed.

2. **Prison Releases –** For individuals released by the agency during a 12-month period, compile:

   - **Initial Classification Sample**: Individuals released who had served 12 months or less as of the date of their release. (If the initial classification instrument had not been completed for an individual because the classification process required completion of the reclassification instrument for individuals re-incarcerated for a parole or community supervision violation or who were re-incarcerated within less than 12 months of their release to the community, include these individuals in the reclassification sample.)

   - **Reclassification Sample:** Individuals released who had served more than 12 months as of the date of their release.

3. **Classification Cohorts -** For the custody assessments completed by the agency during a 12-month period, compile:

   - **Initial Classification Sample:** The custody assessments completed during a 12-month period, i.e., between January 1, 2020 and December 31, 2020.

   - **Reclassification Sample:** The custody re-assessments completed during a 12-month period, i.e., between January 1, 2020 and December 31, 2020.

If classification cohorts cannot be drawn from the agency's MIS or manual data collection is required for specific population sub-groups or risk factors, set the size of the sample(s) according to the jurisdiction's ADP. For example, for the statistical analyses, a random sample of 1,200 cases should be taken

that includes data from a minimum of 600 initial classification forms (300 incarcerated males and 300 incarcerated females) and 600 reclassification forms (300 incarcerated males and 300 incarcerated females). If the jurisdiction has fewer than 300 incarcerated males or females under its supervision, complete the preliminary initial and reclassification forms for 100 percent of the supervised population. For example, jurisdictions holding 200 women in prison should complete classification and reclassification forms for 100 percent of their female population.

- **Develop a supplemental data collection instrument and coding instructions**. Depending on the sophistication, reliability, and accuracy of the data stored in the agency's MIS, the information system or research staff will need to generate electronic data files with the criminal history, demographics, and institutional disciplinary records for the respective samples. A detailed data request that delineates the specific data to be included in the electronic files is critical to avoiding misunderstandings and spurious conclusions.

- **Collect data.** If any manual data collection is required, members of the steering committee should serve on the data collection team because they are familiar with the prototype instruments and manual. Participation in the data collection effort also facilitates their understanding of the analysis findings and ensuing recommendations. To minimize the time required to collect the data and ensure accuracy, an independent reviewer should check the validity and integrity of the data collection instruments while the case file is still available to resolve inconsistencies and missing data.

- **Analyze data.** Assess the preliminary risk factors, scale cut points, and override factors to determine if they are valid and reliable for identifying individuals who pose a threat to the institution's safety and security. Separate analyses by gender are essential to determine if the system is valid for both males and females and whether specific populations (e.g., geriatric or individuals with severe medical or mental health conditions) require different instruments, scales, or risk factors.

Step 3: Develop an Action Plan

Developing a comprehensive implementation plan for the new system is critical to the success of the classification initiative. The steering committee should consider the implementation process at each point in designing and testing the system. The action plan must resolve the following questions:

- **Staffing:** What new hires and reallocation of positions are essential to complete the required tasks within the schedule outlined by the policy and procedures?

- **Training:** What schedule, location(s), agenda, materials, and cases will be required to prepare classification staff to complete their new instruments and tasks? Who will conduct this training? Who and how will the new/modified system be introduced to non-classification staff?

- **Timing:** Will the implementation be systemic, by institution, or by type of classification?

- **Stakeholders:** Who are the stakeholders for the classification system? Will the new system affect entities outside the department of corrections and, if so, what changes or training are required to ensure linkages?

- **Materials:** Who will be responsible for updating and printing the new/revised instruments, manuals, and policies?

- **MIS:** Who will be responsible for revising/creating the information system screens, writing the automated scoring programs, and updating the tickler systems that track the classification process? When will these modifications be completed? Are adequate resources available to cover the programming costs?

- **Evaluation:** What data are required for the process and impact evaluations to determine whether the system was implemented as designed and accomplished the identified goals and objectives?

- **Cost estimate:** What are the estimated fiscal and staffing costs associated with each element of the implementation plan?

The time and costs associated with the automation of the system are often overlooked or under-estimated. Regardless of the simplicity of the classification instruments or processes, ultimately, automation is essential. The action plan should also include goals, objectives, and specific timelines for automation the system.

Phase IV: Implementation

Step 1: Reengage, Reorient, and Reeducate Stakeholders

The steering committee should present an overview of the new or modified system to the commissioner and all stakeholders. This presentation should review the issues and trends precipitating the initiative, the initiative's goals and objectives, the design and pilot test activities, the baseline and pilot test data, and the committee's recommendations. This meeting provides an opportunity for feedback and clarification of findings and may highlight the need for additional analyses to resolve questions.

If "document, document, document" are the three most important commands when scoring an objective classification instrument, this message is even more critical when completing a classification design or modification initiative. At the close of the project, a written report that documents the tasks completed, methodology, statistical reports, recommendations, and implementation process is essential.

Exhibit 6. Suggested Outline for a Classification Initiative Summary Report

1. History of the Classification System.
2. Development of the Classification System.
3. Assessment of the Current System.
   - 3.1 Classification Issues, Trends, and Questions.
   - 3.2 Revisions to the Classification System: Issues and Resolutions.
4. Methodology for the Design/Modification of the Classification System.
5. Profile of the Prison Population by Gender.
6. Refinement of the Instruments and Manual.
   - 6.1 Predictive Power of the Individual Risk Factors.
   - 6.2 Predictive Power of the System.
7. Recommendations for Modifying the Classification System.
8. Conclusion.

Appendix A. Prototype Instruments.

Appendix B. Results of Detailed Statistical Analyses.

Appendix C. Prison Code of Conduct and Offense Severity Indexes.

The report should be written in nontechnical language and distributed to administrative officials at facilities, classification supervisory staff, and line staff. The report should give the history of the development and evolution of the classification system and provide baseline data for tracking and assessing the system modifications. Exhibit 6 provides suggested sections for the summary report.

Training is key to achieving reliability, especially as newly hired or transferred staff are required to use the system.

Step 2: Train Staff

Successful implementation of a new or modified classification system is impossible without adequate staff training. Training for all correctional staff is important for building confidence in the new system. Classification staff should receive specialized training covering topics such as instrument use, information management, resource allocation, and program development decisions. All training sessions should include an overview of the new system's development to acquaint staff who were not members of the classification committee with the background of the system.

Ongoing in-service training should supplement the initial orientation and implementation training. Ongoing training will assist in problem-solving, evaluating the system, facilitating staff feedback, reinforcing the system's objectives, and integrating it into facility management and agency planning instructors may be drawn from within the agency—for example, from the classification staff or administrative personnel—and professional fields outside the agency. Each has advantages and disadvantages. An instructor from the agency's staff will be familiar with the participants; however, filling the role of both co-learner and the instructor can be difficult.

The system planners of the classification system run the risk of being unable to break out of their role of system developers and may be seen by other staff as having a vested interest in the successful implementation of the new system. On the other hand, outside instructors are more likely to be viewed as experts. However, they may not be thoroughly familiar with the classification system or the agency's MIS or aware of the workplace's realities. Clear lesson plans, personal contacts with staff, and last-minute briefings can help minimize these potential problems.

Design and implementation of any classification system requires strong commitment, considerable time, and very careful planning.

Step 3: Implement the New/Revised System

The final step in the process is implementing the action plan. A detailed time-task line that accounts for the complexity of implementation across facilities and staffing patterns must be developed and fully explained to all stakeholders. It should serve as the guide for all implementation-related activities. It is impossible to over-emphasize the importance of staff training and automation. Training is fundamental for achieving reliability, especially as newly hired or transferred staff are required to use the system. As previously noted, regardless of how simple the system, automation is ultimately essential.

Full implementation will bring additional challenges and obstacles that may require modifications to the instruments. Such challenges should be expected.

Build time and resources into the action plan to address the obstacles appropriately. The biggest hurdle is rarely the design or validation of the system, but rather organizational resistance to change. New systems for classifying, making housing assignments, organizing the delivery of services, and holding individuals accountable for their behavior generally threaten power structures throughout the prison system. Even when an agency designs and implements its objective classification system with integrity and appropriate methodologies, it must be prepared to monitor and update the system.

Lessons Learned: Common Problems, Issues, and Solutions

The complex and varied experiences of the jurisdictions with which we have worked to design, modify, and then implement internal and external classification systems provide substantial insight into the process, core elements, and critical barriers to implementing classification systems. Many have contributed to the growth and complexity of the field of prison classification. New experiences and challenges continue to add depth and dimension to the understanding of the fundamental issues. Previous reports by the National Institute of Corrections have documented some of our lessons learned (Hardyman et al., 2002; Hardyman, Austin, and Tulloch, 2002; Hardyman and Van Voorhis, 2004). This section summarizes the most significant lessons.

Plan to Plan, Then Double Your Resources

The design and implementation of any classification system require a strong commitment, considerable time, and meticulous planning. This lesson was learned early in our work with state correctional agencies and then reinforced throughout subsequent initiatives. Although states embarked on their respective efforts with what appeared to be ample commitment, time, staff, and resources and then carefully selected pilot sites based on their resources, goals, and objectives, some initiatives met significant challenges.

For example, at the outset of the Oregon Department of Corrections' initiative to develop and test an internal classification system within its primary women's correctional facility, overcrowding limited bed-space flexibility and staff had insufficient time to develop the model (Hardyman et al., 2002). The project did not move forward until the agency allocated additional bed-space at another facility and the initiative was designated as the primary responsibility of a member on the steering committee. With adequate resources—staff time and bed-space—the initiative met all timelines for the development, testing, and implementation of the internal classification system.

Florida experienced a very different situation in the design and implementation of its internal classification system. From the outset, the project was a top priority not only for the Central Office Classification Bureau but also for the entire

Most states have found that high levels of reliability and validity are relatively easy to achieve with behavior-based systems that are quantitative, objective, and automated.

agency. Extensive computer, staff, and travel resources were tapped to design, automate, and implement the system. Only with this significant and enduring commitment was Florida able to carry out its very ambitious initiative to design, pilot test, and implement the system statewide.

Keep It Simple

A second lesson learned was that simplicity is paramount. Regardless of the type of classification initiative—internal, external, or needs assessment—simplicity is critical for ensuring reliability and validity within a correctional system's complex environment. Most states have found that high levels of reliability and validity are relatively easy to achieve with quantitative and objective behavior-based systems. Over time, the automation of classification systems has proven to enhance both reliability and validity. With proper planning, agencies have implemented automated behavior-based systems to meet their classification related goals. The strength of these systems is in their simplicity and objectivity.

In contrast, for example, Missouri and South Dakota set out jointly to develop a personality-based internal classification system. Although both states expended extensive time and resources developing the model, they encountered significant reliability problems with the instruments that relied on multiple checklists composed of numerous subjective assessments of an individual's personality. The experiences of Missouri and South Dakota suggest that states may struggle to meet the staff training, monitoring, and fiscal resources demanded by personality-based systems. Other agencies have had similar experiences with attempts to implement interview-based needs assessment processes. A lengthy interview process requires extensive staff training, increases staff workload, and decreases the assessment's reliability.

MIS and customized computer programs are central to the design and testing of a classification system, even for minor modifications within a single facility.

Automation Is Critical to Managing the Classification Process

MIS and customized computer programs are central to the design and testing of a classification system, even for minor modifications within a single facility. Automation is critical to implement the system fully and ensure its reliability and validity. Some states have local resources to automate their classification systems; however, others require additional technical assistance and outside funding to automate the entire system.

Classification Is Unique to Each System

The diversity of the classification systems considered and tested by the jurisdictions with which we have worked suggests that no distinct set of classification factors are appropriate for all systems. The specific goals,

resources, and prison population of an agency's system will determine the critical factors, operational definitions, processes, timing, and other elements of its classification system. Even behavior-based systems, while clearly the most objective, vary from state to state. There is no best model, nor should there be. This observation holds particularly true in designing and implementing internal classification systems. As described in previous chapters of this document, the external classification instruments and the process must be tailored to the population for which they will be used and then validated by pilot testing or simulating with this population.

In sum, the classification systems must be responsive to the individual correctional system. Because the department's expectations and needs (central office), facility administrators, and line staff determine the specific "make and model" of the classification system, much of the system's success depends on how clearly its purpose, goals, and desired effect are defined. As stressed in the guidelines presented in the preceding sections of this chapter, designing and refining a classification system requires each agency—and in some circumstances, specific facilities—to be responsive to its unique problems, issues, goals, and resources. Furthermore, each agency must implement its new system fully before it can reach definitive conclusions about the model's effectiveness.

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[12] Hardyman, Patricia L. (2020). *Revalidating and Updating Your Classification System: A Workbook to Guide your Revalidation Process.* NIC #033115. Washington, D.C.: National Institute of Corrections.

[13] This issue is discussed in more detail in chapter 5.

[14] For a more detailed description of sampling strategies, see Hardyman (2020), pp. 39–43.

Chapter five

Evaluations of Prison Classification Systems

As noted earlier in this document, agencies that have implemented a new or modified prison classification system must submit the system to comprehensive and rigorous evaluation. Evaluation is essential for three reasons:

- To establish that the classification system is working as intended.
- To reconfirm the validity of the classification system.
- To assess the effect of the classification system on the intended aspects of the prison system.

This chapter reviews the evaluation methods for addressing each of these objectives. Although correctional administrators, classification staff, and many readers are not trained in research methods or statistics, all must have a conceptual understanding of the methodologies and their value for sustaining a well-functioning classification system. Exhibit 7 lists the major standards for completing an evaluation and should help agencies and researchers understand the evaluation process. It should serve as a checklist when conducting any process, validation, or impact study. Definitions of statistical and evaluation terms are included in the glossary.

Is the Classification System Working as Intended?

Process evaluations determine whether a system is functioning as planned. A process evaluation can be viewed as an audit procedure and should be an ongoing feature of any classification system. Much of the work of a process evaluation is accomplished easily if the system is fully automated. Automation of the classification system facilitates the generation of periodic statistical "snapshots" or management reports of the prison population and custody distributions, tracks whether individuals are classified in a timely manner and housed according to the classification system, and records the use and reason for overrides. A process evaluation of a classification system should assess the system's reliability and validity. The following two sections describe the components of a process evaluation.

Exhibit 7. Summary of Evaluation Standards

General Standards for the Evaluation of Objective Classification Systems

- An objective classification system should be evaluated to determine if it:
  - Is implemented properly.
  - Meets its goals.
  - Can be improved.
- An evaluation should be:
  - Based on accurate and comprehensive data.
  - Fair, timely, and useful.
- An evaluation report should be clearly written and understandable to users.

Standards for Evaluation Goals

- A comprehensive evaluation of a classification system should include process, validation, and impact evaluation goals.
- An impact evaluation should examine the intended effects of a system but should also explore unintended, unanticipated, and latent effects.
- With rare exceptions, an impact evaluation should not be conducted until a process evaluation has demonstrated that the classification system is functioning as designed.
- If a process evaluation demonstrates that a classification system is functioning as intended and an impact evaluation demonstrates that the intended effect has not been achieved, then a validation study should be conducted.
- Evaluation goals should be achievable with available resources and should be likely to have a practical effect.

Standards for Evaluation Questions

- Evaluation questions should be framed to be answered by analysis of observations and objective data.
- Evaluation questions should relate to the stated evaluation goals.
- Process questions should address how the classification system is operating.
- Impact evaluation questions should consist of independent and dependent variables and seek to determine the effect(s) the classification system is having on the incarcerated population, staff, and the prison system in general.
- Validation questions should specify the type of validity under consideration and the outcomes to be validated.

Standards for Evaluation Designs and Methods

- A process design should identify the major components of the objective classification system and compare the plan to actual performance.
- An impact evaluation's design should be experimental, with random assignment of subjects into experimental and control classification systems. If such a design is not feasible, a quasi-experimental design using matched control groups should be used.
- A time-series design should be used to measure the system's impact on aggregate levels of institutional misconduct, escapes, employee attitudes, and costs.

Exhibit 7 ***continued***

- An impact evaluation's design should identify possible confounding factors and design effects and show how the evaluation will account for them.
- Both qualitative and quantitative methods should be used in conducting process and impact evaluations.

Standards for Measures

- Evaluations should use multiple measures of concepts.
- Measures should be reliable, valid, sensitive, comparable, convincing, timely, and efficient.
- Evaluations should identify obstacles to collecting reliable and valid measurements and should specify strategies for overcoming these obstacles.

Standards for Sampling

- Every time general conclusions are drawn from partial observations, the universe and population should be specified, and the sample selection method should be specified.
- If probability samples are used, evaluations should also report sample selection bias, sampling frame, the confidence limit, and tolerated error.
- The rationale for the sample strategy must state limits on generalizations from the sample to the population and the universe.

Standards for Data Collection

- Data collection instruments and raw data collected for an evaluation should be maintained permanently and should be accessible to other professionals (within the limits of confidentiality).
- Data collection procedures should be pilot tested.
- Data should be cleaned: Missing, inconsistent, and implausible data should be reviewed and rectified as appropriate and possible.
- Data collection methods should be assessed for accordance with the operational definitions of the measures.
- The evaluation should report precisely what data were collected and how issues of reliability and validity were addressed.
- Evaluations of prison classification systems should collect both qualitative and quantitative data on multiple measures.

Standards for Statistics

- In general, the evaluation team should include staff or advisors with specialized training in applied statistics to guide decisions on the proper use and interpretation of statistics.
- Evaluation reports should include a frequency distribution table that shows the mean, standard deviation, and number of valid cases for each variable used in the analysis.
- Variables with 10 percent or more of the information missing should be excluded from statistical analysis and classification scoring criteria.
- In conducting tests of association or correlation, researchers must ensure that the statistics being applied are appropriate for the type of data collected.
- In presenting findings, researchers should distinguish between substantive and statistical levels of significance.

Reliability Assessment

Assessment of the reliability of the classification system—that is, the degree of consistency in the decision-making process—is a key component of a process evaluation. There are two types of reliability: inter-rater and intra-rater. Inter-rater reliability refers to consistency among raters in reaching similar classification decisions when using the same criteria. Having different classification officers classify the same person can test inter-rater reliability. Intra-rater reliability refers to an individual rater's consistency in using classification criteria over time. Having the same classification officer reclassify the same person on several dates can test intra-rater reliability. Both inter- and intra-rater reliability are important to ensure that the system is functioning as designed. If the level of reliability in the classification decision-making process is low (i.e., less than 80 percent), then the classification system will have little or no validity and will be unlikely to affect prison operations and safety as intended.

The system is reliable if the scoring of each custody rating item agrees in 80 percent of the cases tested and the assignment of the custody level agrees in 90 percent of the cases.

Some of the complicated classification and risk assessment instruments have been the subject of several evaluation studies. Notably, reliability studies of the Level of Service Inventory-Revised (LSI–R), Level of Service Inventory-Revised: Screening Version (LSI–R: SV), Adult Internal Management System (AIMS), and Adult Internal Classification System (AICS) have all shown that without an intense staff training and monitoring component, these instruments will fail to perform as designed (Andrews and Bonta, 1995; Andrews and Bonta, 1998; Quay, 1984; Hardyman, Alexander, and Davies, 2002; Austin et al., 2003). Correctional agencies need to ensure that the staff responsible for conducting these primarily psychometric tests are certified to perform them. A simple test of inter-rater reliability is to draw random samples of people who have been classified and ask another staff person to recompute each person's score. If the scoring of each item used for a custody rating agrees in at least 80 percent of the cases tested and the assignment of custody level agrees in at least 90 percent of the cases, the system is reliable. Percentages below these levels are unacceptable. Moreover, if a classification or risk instrument is unreliable, by definition, it cannot be a valid instrument.

In general, the more complicated the classification process, the less reliable it will be. In a study that applied five different classification systems, including AIMS, to a sample population at a Federal Bureau of Prisons penitentiary and camp, Van Voorhis (1994) found that AIMS had an unacceptably low level of reliability. Van Voorhis also tracked the classified population for six months to determine how well their classification status related to their disciplinary

and psychological adjustments to prison. In contradiction to the AIMS prediction, she found that Kappas, especially at the beginning of their terms, were more likely to be prey than Sigmas (Van Voorhis, 1994.)[15]

Austin and colleagues found that the LSI–R risk assessment system was not reliable in its application to people who appeared before the Pennsylvania Parole Board (Austin, Dedel-Johnson, and Coleman, 2003). Of the 54 items used to predict future criminal behavior on the LSI–R, only a handful met the 80 percent threshold criteria. Inter-rater reliability tended to be highest for LSI–R items that measured a person's criminal history and other factual items. Furthermore, the two LSI–R raters disagreed markedly regarding a person's risk level (high, medium, or low). The inter-rater agreement rate in this study was only 71 percent.

More positive results have been found for classification and risk instruments with fewer than ten factors and are scored from official documents, as opposed to the use of self-administered questionnaires or surveys. Further, these results assumed that the classification staff and those involved in the scoring process were professionally trained and tested on their scoring skills (Hardyman, Austin, and Tulloch, 2002). The bottom lines are that reliability is an essential feature of an objective prison classification system and that training is a requisite for reliability.

By definition, a classification or risk instrument that is unreliable is not a valid instrument. Therefore, the validity of the system can be evaluated only after it has passed the reliability tests.

Validity Studies

By definition, a classification or risk instrument that is unreliable is not a valid instrument. Therefore, evaluate the validity of the system only after it has passed the reliability tests. As explained in chapter 2, the concept of validity encompasses face validity—whether the items used for classification make sense to those who are using them, i.e., have face value—and predictive validity—whether the items demonstrate the capacity to predict risk based on a statistical test of association. Validation studies track the misconduct of a sample of people in the housing unit (e.g., an admission, release, or current population cohort) over a given period to determine whether the risk factors scored by the classification system are associated with people's misconduct. Statistical tests are used in completing the analysis of the risk factors. Note that a risk factor may pass the face validity test but not the predictive test and vice versa.

The majority of people never become disruptive or difficult to manage. The most serious forms of disruptive behavior within a prison (homicide, escape, aggravated assault on other incarcerated individuals or staff, resulting in serious injuries, and riots) are rare. Most staff and those they supervise never become victims of such incidents. Moreover, because such events are rare, it is difficult, if not impossible, to predict which

people are likely to become involved in them and under what circumstances. Despite these limitations, over the past three decades, considerable research has been conducted to identify factors predictive of the behavior and institutional misconduct of incarcerated people. Regardless of some of the difficulties associated with prediction, objective prison classification systems that use reliable and valid scoring criteria have repeatedly been shown to classify people successfully according to their level of risk of becoming involved in prison misconduct. Currently, the most predictive factors of a person's behavior include:

- **Current age:** Older people are less involved in all forms of misconduct.
- **Gender:** Women are less involved in violent incidents.
- **History of violence:** People with a recent history of institutional violence are more likely to continue that behavior.
- **History of mental illness:** People with a history of mental health problems are more likely to be involved in all forms of misconduct.
- **Gang membership:** Gang members are more likely to be involved in all forms of misconduct.
- **Program participation:** People who are not involved in programs and have never completed a program are more likely to be involved in all forms of misconduct.
- **Recent disciplinary actions:** People involved in misconduct within the past 12 months are more likely to continue to be involved in future disruptive behaviors.

Perhaps more interesting is that many factors used for classification have little if any predictive capability but exert a strong influence on the custody designation process. Common nonpredictive factors include:

- **Severity and number of the current or prior convictions.**
- **Sentence length.**
- **History of escape.**
- **Time left to serve.**
- **Detainers.**

- **Alcohol and drug use**.

This is not to say that these factors should not be used. In many ways, they reflect a non-realistic correctional policy of a zero-tolerance for escape and violence. Very few persons serving long prison terms for murder or a sex offense become management problems or escape. However, if and when one does, the outcry by the media and politicians on the correctional agency is simply too unbearable to assume these people present a low-risk to institutional safety and security. Nonetheless, agencies need to review their classification policies regularly to ensure they are not overly restrictive.[16]

Incarcerated women, who are far less likely to become involved in serious or potentially violent behavior while incarcerated than men, are as a class more likely than men to be over-classified under a system that has been normed on a male population.

For this reason, a classification system for incarcerated women should be adjusted based on a separate study of the female population's misconduct rates to ensure that over-classification does not occur.

What Is the Effect of the Classification System?

In the terminology of conventional experimental design, the outcome variables selected for impact evaluation are the dependent variables *(y),* and the new classification system is the independent variable *(x).* The main goal of the impact study is to examine whether there is any cause-effect relationship between the new system and the dependent variables. The new classification system or policy may be regarded as the cause (i.e., the intervention or treatment), and the selected outcome variable as the effect.

Conventional experimental designs deal with cause-effect analysis by applying the treatment to the experimental group while a matched control group receives an alternative or conventional treatment (e.g., the old classification system). Cases are randomly assigned to each of these groups to achieve statistically comparable groups and rule out other causal factors. This experimental setup allows a clear inference regarding the effect of the intervention and its link to the outcome.

Quasi-experimental designs offer another possibility but are vulnerable to confounding factors. A useful approach in prisons is the interrupted time-series design. However, this approach requires 30+months of data before and after introducing the classification system to the prison. Depending on the number of confounding factors (e.g., new staff, new policies), some tentative inferences may be made regarding the effect of the newly implemented classification system.

Various confounding factors prevent a direct cause-effect inference in the context of single case studies. These might include, for example, the hiring of new classification staff, other training programs, the opening of a direct supervision wing, or new policies. The presence of these additional changes would confound any simple inference regarding the effect of the classification system.

Longitudinal data are amenable to a variety of statistical analyses that usually involve analyzing time series or trends and differences in performance levels before and after the change. When examining such time series in graphical form, the analyst compares the "slope" or level of the trend line after the change occurred with the slope of the line before implementing the classification system. However, merely establishing a statistically significant difference in the trend line does not mean that the observed change is related to the new classification procedures. Other rival hypotheses or explanations must be identified and ruled out. Other explanations may include changes in reporting standards, changes in attributes among the supervised population, or changes in supervisory management.

[15] Kappas and Sigmas are two of the five types of incarcerated groups identified by AIMS. A third type, Alphas, are characterized as likely to be assaultive and manipulative predators. In contrast, Kappas are likely to be neither predators nor prey, whereas Sigmas are sluggish, inept, tense, anxious, and possible prey. An underlying assumption of AIMS is that the five types it identifies are unchanging personality types (Quay, 1984).

[16] An example of an overly restrictive policy would be one that requires all people convicted of homicide or a violent sex offense to be housed in maximum security for an extended period, even when it is clear that many such people can safely be housed in a medium-security setting.

Chapter six

Classification of Women in Prison

Since the 1980s, the number of women incarcerated in U.S. prisons increased by more than 730 percent compared to a 410 percent increase for men.[17] As of year-end 2018, approximately 110,845 women were incarcerated in state and federal prisons.[18] While the U.S. male prison population fell by 9.93% between 2008 and 2018, the percentage of incarcerated females fell by only 3.3 percent. Women constitute only 7.6 percent of the overall prison population.[19] Although these statistics do not surprise correctional administrators, the nation's penal systems remain ill-equipped to address the security, programming, and special needs presented by women in prison. As summarized by the U.S. Commission On Civil Rights in February of 2020, " . . . *many incarcerated women continue to experience physical and psychological safety harms while incarcerated and insufficient satisfaction of their constitutional right."*[20] Because most U.S. prison classification systems—both tools and policies—were originally designed to accommodate incarcerated males, the risk factors and procedures have tenuous relationships, at best, to the behavior and management of incarcerated women.

Whereas women generally pose little threat of institutional violence or escape, their significant substance abuse and mental health needs can produce behaviors that are difficult to predict.

The U.S. Commission on Civil Rights in its briefing 2020 report to Congress reported a lack of gender-responsive prison policies, programming, medical, and mental health services tailored to incarcerated women's risks and needs. Specially cited were the failures to address the women's unique needs associated with historical trauma, substance abuse, vocational training, and parenting.[21] These findings were not new; there is widespread agreement that incarcerated women differ from their male counterparts in terms of their offenses, institutional behavior, and medical, substance abuse, mental health, and family issues (Greenfield and Snell, 1999).

The women's constellation of characteristics and risks manifests itself differently than that for the men. Whereas women generally pose a minor threat of institutional violence or escape, their significant substance abuse and mental health needs can produce behaviors that are difficult to predict. These differences are particularly crucial to institutional classification systems. As of 2001, 86 percent of state correctional agencies used the same classification criteria for incarcerated males and females (Hardyman, et al, 2004).[22] However, classification design and updates completed during the last 20 years included

gender-specific analyses resulting in gender-specific custody risk factors and scales across numerous states and the federal prison system. While these efforts were significant steps forward for the custody classification of women in prison, the full implementation of these systems has been hampered by inadequate facilities, bed-space, and programming to address the women's risks and accommodate their needs. For example, many states have only one or two facilities where women of all custody, medical, mental health, and programming needs are housed together. Even in larger states with a broader range of programming and housing options, the lack of appropriate bed-space and constant movement of large numbers of women are cited as operational barriers. Further, these often crowded facilities serve as intake, general population, treatment, and release facilities with long wait lists for services and programming. Thus, neither the gender-specific custody-classification nor criminogenic needs assessment systems fulfill their intended goals.

Although objective prison classification systems for incarcerated males are well established in virtually every state, objective classification for incarcerated women remains a challenge.

Over the years, when dissatisfied with their classification systems, correctional administrators were faced with three basic options:

1. Use the same instruments, custody scales, and override criteria for the men and women, but rely on discretionary overrides to adjust the women's custody levels.

2. Create gender-specific custody and housing assessment instruments for the women.

3. Discontinue use of the non-gender-specific instruments and classify women in prison based on a subjective, intuitive process.

Only option two creates the opportunity for women to be classified according to risk factors relevant to their custody, housing, and programming needs. Thus, although objective prison classification systems for incarcerated males are well established in virtually every state, objective classification for incarcerated women remains a challenge.

Common Themes

Several states have undertaken initiatives to explore how to assess better the risks posed by women in custody.[23] These initiatives aimed to place women in the least restrictive environment and assign them to appropriate housing and programming according to their risk factors and needs. These initiatives began with the assumption that the institutional behavior of women in prison differs from that of incarcerated male. Thus, a different set of risk factors and gender-

specific classification processes were required to manage this population efficiently and effectively.

As noted above, correctional administrators have employed three basic strategies to make classification systems more responsive to the risk factors and needs of women. Our work with various jurisdictions has provided some insight into the viability of these three options.

Using Current Instruments and Overriding the Scored Custody Levels

In the early 2000s, using the agency's existing classification instruments and overriding the scored custody levels, was the most popular strategy for making classification systems more responsive to women. This strategy serves as an interim solution for many states until they can undertake a validation study and incorporate the necessary changes into their information systems to make their classification systems gender-specific. Although useful as a short-term means for addressing over or misclassifying women, this strategy is problematic because subjective overrides rather than statistically validated risk factors determine the women's custody and housing assignments.

One state that employed this strategy was Wisconsin (Hardyman, 2001). As of July 2020, the Wisconsin Department of Corrections (WI DOC) uses the same instruments and basic assessment process for both its incarcerated males and females. However, recently the Department undertook an initiative to revalidate its classification system and develop gender-specific tools for men and women (Carr, letter dated March 2020). Although the actual rates of discretionary decisions and overrides for the system are not available, it is apparent that the risk level indicated by the risk assessment instruments was not given much weight in decisions on custody, programming, and housing. Because the WI DOC had not formally assessed the reliability or validity of its classification system, the predictive validity (i.e., its ability to identify statistically distinct custody levels that were correlated with institutional adjustment) is unknown. However, the system’s face validity (i.e., the perception among experienced staff that the system’s risk factors identified accurate custody levels) is poor. During the reclassification process, for example, staff routinely modify or override the risk rating. This disregard of the risk assessment instrument, particularly at reclassification, diminishes its role and value to the custodial and administrative staff.

Modifying the Current Risk Factors and/or Scale Cut Points

Modifying current risk factors and scale cut points is the most common strategy employed by systems to create gender-specific classification systems.

Modifying current risk factors and scale cut points is the most common strategy employed by systems to create gender-specific classification systems. Validation studies have repeatedly found statistically significant differences in the predictive power of the risk factors for incarcerated males versus females. Delaware, Idaho, New York, Utah, North Dakota, Oklahoma, Wyoming, and the Federal Bureau of Prisons are some jurisdictions that have used this strategy. Across jurisdictions, the research findings have been somewhat inconsistent. However, the most common risk factors modified to assess the risks posed by women in prison are age, severity and frequency of prior institutional misconduct, violent criminal history, and stability factors such as involvement in gangs/security threat groups and cognitive behavior.[24] The following is a summary of the highlights from these gender-specific analyses.

Age as a risk factor for women. Most validation studies have found that age is a statistically significant predictor of institutional adjustment for both incarcerated men and incarcerated women. However, behavior patterns vary by gender. The validation studies conducted for several states (e.g., Delaware, Florida, Kansas, Idaho, North Dakota, Tennessee, West Virginia, and Wyoming) found that the relationship between age and institutional adjustment differed between incarcerated men and women. The most common pattern observed was that the rate of institutional infractions decreased at an earlier age for men than women. Specifically, incarcerated men committed fewer infractions as they reached their mid to upper thirties, whereas incarcerated women continued to receive institutional disciplinary reports into their mid to late forties). Thus, modifying the risk factor by creating different age categories for incarcerated men and women enhanced the predictive power of classification instruments.

The most common risk factors modified to assess the risks posed by women in prison are age, severity and frequency of prior institutional misconduct, violent criminal history, and stability factors.

Criminal history as a risk factor for women. Several researchers have observed differences in the pathways that men and women take to involvement in the criminal justice system. For example, researchers have noted differences in the number and types of crimes for which women and men are convicted and incarcerated (Owens, Bloom, and Covington, 2003). As of year-end 2017, over 50 percent of women incarcerated in state prisons were convicted of a drug (25.5%) or property (25.0%) offense. In contrast, only 13.6 percent of the men were incarcerated for a drug offense; 16.2 percent were incarcerated for property crimes. On the federal level, 57.9 percent of the women were incarcerated for a drug offense compared to 46.3 percent of the men.[25]

The primary questions considered in the design and validation of a gender-specific classification system are the implications of these patterns, if any, for

determining the appropriate custody level for women in prison. The data have been somewhat mixed. Most studies have shown that criminal history risk factors have little predictive power for either incarcerated men or women. Other studies have suggested that overall criminal history -- number and severity -- is a slightly more reliable predictor for men than women. However, although a relatively rare event, women with a current or prior conviction for an aggressive/violent street crime (i.e., robbery, aggravated assault, possession of a weapon, or kidnapping, but not murder) are aggressive and disruptive within a prison setting. As a whole, criminal history factors are poor predictors of institutional adjustment, particularly at reclassification. Therefore, most states have excluded criminal history risk factors, reduced their weight on the classification instruments, and/or created gender-specific offense severity scales for incarcerated women.

Generalizations across validation studies comparing the predictive power of criminal history for men and women are difficult as the predictive power of the factor varies according to its operational definition. However, most studies have found that the predictive power of risk factors that consider the numbers of prior convictions or incarcerations are weak for both men and women. Further, only counting felony, rather than felony and misdemeanor convictions, often excludes much of the women's criminal record. Another consideration when scoring women's criminal histories is that their rap-sheets are primarily nonviolent crimes, motivated by substance abuse or economic factors. Attempts to differentiate the women according to their criminal histories often fail because of a lack of variance in the severity or length of the women's records. Thus, the criminal history risk factors do not assess the women's risks to the institution's safety and security.

On the other hand, in some states, the severity of criminal convictions was statistically correlated with institutional adjustment. Pilot testing of alternative operational definitions for criminal history has been the most useful strategy for developing a valid and reliable criminal history risk factor for women. Based on analyses of their incarcerated female population's history and institutional adjustment, Idaho and Wyoming, for example, completely revised the criminal history risk factors on their initial classification instruments and then deleted the risk factor from the reclassification instruments.

Modifications of current offense as a risk factor were among the first gender-specific changes to classification systems.

Current offense as a risk factor for women. Modifying the risk factor for scoring the women's current offense(s) was among the first gender-specific changes to classification systems. For example, New York has scored the severity of the current offense differently for incarcerated males and females since the 1980s.

As part of the design of its gender-specific custody and housing assessment instruments in 2009, Wyoming created separated offense severity scales and risk

factors for the women. A common argument for assigning different weights to the current offense for women in prison is that violent crimes committed by women are often against family members or within the context of personal relationships. This rationale asserts that incarcerated women are less predatory and thus pose less risk to institutional security than incarcerated men. However, detailed analyses of the women's criminal history and institutional behaviors suggest that this assumption does not apply to all violent crimes. As previously noted, women incarcerated for a violent street crime (i.e., robbery, aggravated assault, weapon possession, or kidnapping, but not murder) are aggressive and disruptive within a prison setting.

Unfortunately, often neither the data required to score convictions according to the woman's relationship to the victim nor the context of the crime are readily available, or the number of cases is insufficient for accurate statistical analysis. One exception was data compiled in Oklahoma. Collected were data on the relationship between the victim and person charged with the crime, the role of substance abuse in the offense, and the relationship between the defendant and her codefendant (Hardyman and Tulloch, 2000). In contrast to the hypothesis, the type of victim (child, familiar adult, acquaintance, or stranger) was not statistically related to institutional misconduct. The women whose crimes involved a spouse, partner, or a child as a victim had slightly higher rates of institutional infractions than women incarcerated for crimes against strangers, but these differences were not statistically significant. As expected, women incarcerated for victimless crimes (e.g., drug-related or property crimes) had statistically fewer infractions. Overall, women convicted of violent crimes tend to have higher rates of disciplinary infractions than those convicted of nonviolent crimes, although the differences do not always achieve statistical significance.

In a second analysis of the circumstances of the crime, Oklahoma examined the woman's role in the commission of the offense. Crimes were differentiated according to whether the woman had an accomplice and, if so, his or her identity. We found the highest rates of institutional infractions among women involved with a male codefendant or family member. These findings suggested that women with negative peers in the community were more aggressive and disruptive within the institution than those who did not have a codefendant. This observation is also supported by the high rates of institutional misconduct among women who are members or affiliates of a security threat group or street gang.

Unfortunately, details about the women's relationships with her victims and co-defendants were available within only a few studies. The findings are, therefore, inconclusive. The data did not support the modification of the risk factor to rate the severity of the current offense of women according to the victim or the presence/identity of her codefendant(s). The only consistent observation across multiple states is that women incarcerated for violent offenses tend to have higher rates of disciplinary infractions than women incarcerated for nonviolent crimes. Differentiation among types of violent crimes has been somewhat useful as people incarcerated for some street crimes (e.g., robbery, aggravated assault, and weapons offenses) have been found to have higher rates of institutional infractions than those incarcerated for other violent crimes (e.g., murder or sexual assault).

Institutional Adjustment. As observed for men, the frequency and type(s) of prior institutional misconduct are reliable indicators of the women's future institutional adjustment for both the initial and reclassification assessments. When developing these risk factors for gender-specific custody assessments, a key consideration is to differentiate the agency's institutional inmate disciplinary code by type (predatory, aggressive, disruptive, management, and nuisance rather than major vs. minor). Disruptive and management problems are more common among women than predatory or aggressive violations. Thus, adjusting the weight and the length of time for scoring these violations will facilitate placement of the women in the least restrictive custody level according to their potential threats to institutional safety.

A second consideration for gender-specific instruments, particularly for the reclassification instrument, is to adjust the risk factor categories for the number of disciplinary reports among women versus the men. As noted in several classification design/revalidation studies, the women had higher overall rates of institutional disciplinary reports than the men. Regardless of the agency's explanations for any differences in the disciplinary rates for the men vs. women – higher standards of conduct for women vs. men, small facilities/caseloads allow for easier detection of the women's misconduct, or women are disruptive and argumentative with staff and thus draw attention to their behaviors – the risk factor must be normed on the behaviors observed for the agency's incarcerated females vs. males. Again, the challenge is to avoid the over-classification of women by their placement in the least restrictive custody level according to their threats to institutional safety.

Stability as a risk factor for women in prison. Many state prison classification systems include various dynamic indicators of a person's stability on their initial

classification instruments and reclassification instruments. The most common stability factors considered at initial classification are employment at the time of arrest, education, and substance abuse. Stability factors used as dynamic reclassification risk factors often include institutional behavior, participation in institutional programming and treatment, and institutional substance abuse. Age is a stability factor frequently on both the initial and reclassification instruments. The following sections outline the research findings related to some of the more common stability factors.

Analyses of the relationships between dynamic stability factors and institutional adjustment among women in prison have been instructive. The data provide some insight into accounting differences between men and women concerning their institutional behavior, substance abuse, and medical, mental health, and family issues. Although the results have been inconsistent across states, these factors require special consideration when creating gender-specific classification systems.

Relationships and mental health are two of the most common institutional risk factors identified by correctional system staff working with incarcerated women.

Employment. Data from Colorado, Kentucky, West Virginia, and Wyoming indicated no differences in the rates of institutional infractions according to the women's employment status prior to arrest. Women whose primary role was homemaker, caretaker of a child, or full-time employment at the time of arrest had comparable institutional disciplinary records (Hardyman and Davies, 2001a, 2001c; Van Voorhis et al., 2001; Hardyman, 2009). These findings suggested the need to expand the operational definition of employment to include childcare/homemaker roles as indicators of community stability. The reliability and validity of employment as a risk factor vary according to the local economy and the quality of the presentence data stored within the agency's information system. Often the employment data are self-reported or outdated depending on how long the woman spent in jail prior to conviction and admission to the prison system.

Education. Kentucky, North Dakota, West Virginia, and Wyoming considered educational achievement as a stability factor. The findings from these states were unexpected; education level appeared to be an indicator of stability among males but not among females. More specifically, rates of institutional misconduct were lower for males who had at least a high school or general equivalency diploma than those who did not have a diploma. In contrast, rates of institutional misconduct were higher for women with a high school, general equivalency diploma, or post-high school training/education than those who did not.

An assessment of Florida's internal classification system suggested that academic achievement was not statistically correlated with institutional

institutional adjustment among women, however the relationship between academic achievement and institutional adjustment differed for males and females (Hardyman, 2000). Although the Florida DOC data do not statistically replicate the findings from West Virginia and Kentucky, the Florida data do support the hypothesis that academic achievement is a gender-specific risk factor. Thus, if the classification instrument includes academic achievement, the risk factor should be tailored to reflect the behaviors and achievements of males versus females.

History of substance abuse. Although once a common initial classification risk factor, a person's history of substance abuse has always been a problematic stability factor. The reliability of this factor is often questionable because the scoring allows for subjective bias and interpretation as to what constitutes abuse. Some staff consider any illicit substance use an indication of substance abuse because it is a criminal offense. In contrast, others define substance abuse either as an arrest/conviction for a drug or alcohol-related crime or as daily use of these substances. Further, data to score the factor are dependent on the biases of the presentence report writer and the person's self-report.

The demographic and need data compiled as part of the NIC classification validation initiatives suggest that 75–80 percent of the women in prison had substance abuse problems. Therefore, even if the data are reliable, the pervasiveness of the problem among incarcerated women often renders the factor useless for classification purposes. Under these conditions, it is not surprising that the various validation studies have yielded mixed results. Thus, while substance abuse remains a crucial factor for community risk/needs assessments, institutional programs, and reentry planning, history of substance abuse has not proven to be a reliable or valid custody risk factor.

Relationships and mental health. Relationships (both institutional and community) and mental health are two of the most common institutional considerations identified by correctional system staff when working with women. Unfortunately, little data are available to guide the development of reliable, objective risk factors to assess relationships among incarcerated men and women. Further, these factors raise ethical questions about the potential for elevating custody levels based on women's past traumas rather than their behaviors. Because the relationships and trauma are often self-reported and evolve throughout the term of incarceration, the reliability of the item is a concern. For example, Florida developed internal classification scales for rating the relationships as positive or negative. Preliminary reliability and validity analyses

of the risk factors—child welfare, intimate relationships, and family relationships—indicated these factors were unreliable and were not correlated consistently with institutional adjustment (Hardyman, 2000; Hardyman and Davies, 2001b).

On the other hand, data from West Virginia indicated that institutional relationships were a valid predictor. Specifically, women for whom institutional relationships were a stress factor had higher rates of institutional infractions. Neither having minor children nor pending legal issues correlated with institutional adjustment. However, the presence of multiple stress factors was highly correlated with institutional adjustment. These data suggest that a woman's experiences both inside and outside prison affect her institutional adjustment.

The Oklahoma DOC tested an institutional stability classification item based on the woman's need for medical, mental health, emotional stability, and substance abuse services as the correctional staff cited these factors critical to the women's adjustment to institutional life. The data suggested that stability was an essential factor for a woman's initial adjustment to prison but was not statistically correlated with long-term institutional adjustment. This finding contradicted the observations of correctional staff. The low correlation at the custody reclassification review has several possible explanations. For example, after a woman's stability needs are identified and addressed by institutional services and programs, stability either is obtained or the woman's needs continue to change throughout the reassessment period, making the item unreliable and, therefore, invalid.

Wyoming DOC explored the importance of relationships measured by the women's community-based social isolation and institutional relationships. For the initial classification, community-based relationships were assessed via the Northpointe Compas Core "Social Isolation" questions related to the woman's involvement and integration in a supportive social network. At reclassification, relationships were assessed via the prevalence of institutional conflicts. Multiple analyses indicated the factors were strong correlates of institutional adjustment (Hardyman, 2009; Hardyman, 2012; Hardyman, 2014).

Cognitive Behaviors. Given the unreliability of the stability factors associated with substance abuse, education, employment, and mental health, Utah, Washington, and Wyoming developed stability factors related to the women's "cognitive behaviors." These factors incorporated items from criminogenic assessments of criminal associates, criminal opportunity, criminal thinking,

socialization failure, social adjustment problems, and criminal personality scales. (Hardyman, 2016, Hardyman, 2017; Hardyman, 2018). These analyses suggested that only specific questions or sets of questions were useful. The Utah initial classification factor, for example, considered the LSI-R/WRNA scores for "Attitude and Orientation." Likewise, analyses of the Washington Offender Needs Assessment (ONA) suggested criminogenic risk and need data were useful for assessing a person's threats to institutional safety, but the factors were gender-specific. For example, the data indicated that risk factors based on the individual's motivation to address education-related needs and friends in the community were predictive of the women's institutional adjustment, but not the men's behaviors. On the other hand, anti-social attitudes and aggressive characteristics were predictive of both men's and women's institutional behaviors. A cognitive behavior risk factor based on select Northpointe Compas Core assessment questions was a significant factor for assessing the Wyoming women's (and men's) overall and aggressive institutional behaviors.

Overall, the inconsistencies in the strength of the stability factors associated with employment, education, and substance abuse to predict the women's institutional adjustment throughout incarceration were contrary to observations by correctional staff. At best, these factors are more useful for the initial than for the reclassification assessments. An alternative explanation is that as women in prison become more institutionalized, their behaviors are more affected by the day-to-day activities in the facility than by non-institutional influences, relationships, and concerns. Consideration of the women's mental health and historical trauma is best left to institutional programming and services rather than as factors of their custody or housing assessments. On the other hand, the data suggested that the women's age, prior institutional adjustment, and cognitive behavior were reliable indicators of the women's institutional behaviors. However, these factors are very dynamic and must be normed according to the agency's population and institutional disciplinary, supervision, and assessment processes. Event-driven custody/housing assessments may better serve the process than a standardized 6- to 12-month assessment period.

Discontinuing Current Instruments and Classifying Women Based on a Subjective, Intuitive Process

This third option is rarely chosen. The most common variant of this option is to classify women in prison using the agency's standard instruments and process. However, the woman's custody level has little effect on her facility, housing unit, program(s), or institutional job assignments. Regardless of their custody levels, all women have access to the same housing units, programs, institutional work

assignments, recreation activities, visitation privileges, etc. In effect, the classification system only determines a woman's eligibility for work assignments outside the security perimeter and the supervision requirements if she leaves the facility grounds for court hearings or medical appointments.

Failure to use the objective classification system when making decisions for managing women in prison is often a function of the correctional facility's physical structure, bed-space, and limited programming options. Thus, the classification instrument becomes just another seemingly meaningless form. The form is completed and then filed in the person's case file. Subjective factors such as bed-space, program availability, relationships between the women and/or staff members, and efficiency dictate the housing, working, and programming decisions.

Given the relatively low level of violence within correctional facilities for women, the short sentences served by most women, and the homogeneity of the population with respect to criminal history, the option of disregarding the formal classification system has offered some correctional systems a short-term solution for managing women. However, this benefit does not eliminate concerns voiced by correctional staff that the classification system is not responsive to the risk and needs posed by women. Disregarding the formal classification system is often counterproductive because the information required for managing the prison population, determining appropriate staffing levels for the facility/unit, projecting bed-space needs, or planning programming and services is no longer available. Development of gender-specific community risk instruments, internal classification systems, and minimum community-security screening processes is required to bring correctional agencies up to the industry standard of objective, reliable systems that place people within the least restrictive environment.

Implications and Future Steps

NIC has long advocated for the validation of any classification system for the population to which it is to be applied. The analyses highlighted in this chapter should be replicated in other jurisdictions before final conclusions are drawn. Nevertheless, modifying current risk factors and/or scale cut points is the best option for making classification systems more responsive to the women's risk and needs. Further, it affords the opportunity to develop and test new factors for assessing the risks posed by this unique population. The other two strategies, which do not rely on objective, reliable assessments, are at best short-term options for managing women during the development and pilot testing of a more gender-responsive system.

State and local correctional systems' struggle to assess and fine-tune their classification systems for women speaks to the need to continue research on this topic. The inconsistencies observed thus far in the risk factors for this population suggest that much remains to be learned about the classification of incarcerated women. The problem is urgent because the number of women in prison under correctional supervision continues to grow while resources decline. Each year the need to develop reliable and valid classification systems that enable correctional agencies to manage and provide services efficiently for women becomes more critical. Future research and validation efforts should focus on developing systems that are both practical and feasible. Scarce resources should be used to provide maximum returns, and future initiatives should therefore concentrate on models that require reasonable efforts in terms of staff training, validation, and implementation.

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[18] Carson, E. Ann (April 2020) *Prisoners in 2018.* Washington, .D.C.: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. p. 3.

[19] Carson, E. Ann (April 2020) *Prisoners in 2018.* Washington, .D.C.: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. p. 3.

[20] United States Commission on Civil Rights (February 2020). *Women in Prison: Seeking Justice Behind Bars. Briefing Report.* Washington, D.C.: United States Commission on Civil Rights. pp 5.

[21] Ibid, "*CHAPTER 8: FINDINGS AND RECOMMENDATIONS*" pp. 223 – 233.

[22] Hardyman, Patricia, James Austin, and Johnette Peyton (2004) "*Prisoner Intake Systems: Assessing Needs and Classifying Prisoners.*" Washington, D.C.: National Institute of Corrections, pp. 11.

[23] Analyses of large jail system populations (e.g., Cook County, IL, Orleans Parish, LA, Philadelphia, PA; Miami-Dade, FL) did not indicate significant differences in the predictive value of the risk factors or overall custody scales for the female vs. male detainees. Therefore, these systems did not adopt gender-specific custody tools. An exception to this pattern was the New York City Department of Corrections; age and gender-specific instruments were recommended.

[24] Cognitive behavior factors incorporate items from criminogenic assessments of ,criminal associates, criminal opportunity, criminal thinking, socialization failure, social adjustment problems, and criminal personality scales. Hardyman, Patricia (2016). "*Revalidation and Update of the Classification System for the Wyoming Women's Center."* Middletown, CT: Criminal Justice Institute, Inc., pp. 37.

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Chapter seven

Other Special Topics and Issues in Classification

Two issues of particular concern for the management of prison populations are the effects of environmental factors and prison management on and the behavior of staff and those they supervise and the need to link prison classification and risk assessment with release decisions. These two topics are discussed in more detail below.

Effects of Environmental Factors and Prison Management on Institutional Behaviors

Very little is understood or appreciated about how the physical environment of the prison and style of prison management influence the behavior of staff and the people they supervise. It would be difficult to find a correctional official, warden, superintendent, or line officer who does not agree that a facility's architectural design influences the behavior of people being supervised. Facilities that rely on open views of housing, dining, and recreation areas tend to produce fewer episodes of disruptive and potentially dangerous behavior than those with numerous "blind" spots. Unfortunately, few if any studies have assessed the effect of architecture on suppressing or controlling the behavior of supervised populations. While some of the antiquated prison facilities have been shuttered, many remain in use.[26] Nonetheless, there are potentially many lessons to be learned about the effect of architectural design on suppressing or controlling people's behavior.

Very little is understood or appreciated about how the physical environment of the prison and style of prison management influence the behavior of staff and the people they supervise.

Correctional directors also have long known that similarly designed facilities with similarly situated prison populations can produce very different rates of misconduct in a facility, both within and across state prison systems. Each system with multiple facilities has wardens who are able to handle people who pose the greatest problems and cannot be handled elsewhere. The field is also filled with stories of problematic people who when transferred to another state correctional system suddenly started behaving differently.

Variations in misconduct rates across prisons equivalent in design and prison population are likely related to differences in the management style adopted by each prison administrator. Again, no studies have substantiated this observation, except for a few recent evaluations of the use of internal classification systems. (Although, there are books about great wardens of the last century who ruled with an iron fist and a velvet glove). However, correctional administrators have reported that a "back-to-basics" management style that includes new methods in risk assessment offers the best promise to reduce and control prison violence.

Also needed are formal assessments of the often advocated, but still highly controversial, super maximum-security facilities. Specifically, basic research is needed to determine how best to identify who requires this level of segregation, how long they should remain segregated from the general population, appropriate interventions to control their high-risk behaviors, how to safely reintegrate them into the general population, and their behavior after release from these units. Without such basic research, it will be difficult to propose new methods for identifying people at highest risk for problematic behaviors and to apply interventions that will help control and manage them.

The Need to Link Prison Classification and Risk Assessment with Release Decisions

Recent developments in prison classification and risk assessment systems offer an interesting opportunity to use well-established correctional management and risk assessment tools to assist state correctional agencies facing budgetary and other emerging issues. As previously noted, witnessed during the last three decades of the 1900s was an unparalleled increase in the nation's prison population. Between 1974 and 2001, for example, the number of persons incarcerated in a state or federal prison increased from 216,000 to 1,319,000. The incarceration rate jumped from 149 to 628 per 100,000 adult U.S. residents.[27] However, in 2006, the prison populations in some states, as well as the federal correctional system began to decline.[28] Across the decade – 2008 to 2018 – the U.S. imprisonment rate fell 15%. The number of people in prison under state or federal jurisdiction decreased by an estimated 24,000 (down 1.6%) from 2017 to 2018, and by 143,100 (down 9%) from 2008 to 2018.[29]

Several states and the federal government have taken administrative and legislative actions to either divert people from being incarcerated or reduce their period of incarceration. By 2018, 26 states reported prison population decreases, led by Connecticut (–33.8%), followed by Rhode Island, (–31.6%), California (–25.9%), and New Jersey (–25.4%). Overall, ten states reported a greater than 20% decrease in their prison populations; another nine states reported a 10–19% decrease. On the other hand, nine states reported a +10% increase in their populations.[30]

Anticipated are further reductions in several states as a result of declining crime rates and administrative and legislative actions supporting either diversion or sentence reduction. Some states with indeterminate sentencing structures and discretionary release policies are implementing new parole guidelines that increase the rate of parole.[31] Other states are restricting the readmission of people on parole who have violated their terms of parole for technical reasons or misdemeanor-level arrests.[32] Further, in response to the COVID-19 pandemic, many states implemented population reduction efforts to control or reduce the spread of the virus among incarcerated individuals and staff.[33] It is too early to project the long-term effects of these release and diversion mechanisms on the prison populations.

In 2018, 618,844 people were released from a state or federal correctional facility. Further, although the total number of people under community supervision has declined each year since 2008, the total number of people under community supervision in the United States was 1,810 per 100,000 adult residents as of December 31, 2016.[34] At this same time, growing is the commitment to reduce the number of people with convictions who are rearrested and reincarcerated and to facilitate their reentry to the community. The National Reentry Resource Center (NRRC), for example, was established under the Second Chance Act (Public Law 110-199) in 2008 and then reauthorized in 2018. NRRC provides grants for reentry services (including employment assistance, substance use treatment, housing, family programming, mentoring, victims support, and other services) to support the corrections and supervision practices of public and nonprofit organizations that aim to reduce recidivism.[35] The trend toward releasing people with no form of parole or community supervision has further fueled reentry initiatives. Moreover, concerns are voiced about the lack of programming and services for incarcerated men and women and those who are released to the community.[36]

As pressures to control or reduce prison populations continue to increase, use of validated classification and risk assessment instruments to inform the following strategic decisions regarding people in prison will be critical:

- What custody level and type of programs are appropriate for a person during his or her incarceration?
- When should someone be released and under what forms of supervision and services?

Answering these two fundamental questions will require well-coordinated and virtually seamless classification and risk assessment processes from when

someone is admitted to the prison system through to his or her eventual release from parole or other forms of post-incarceration supervision and reentry services. Improving the ability to assess and manage the level of risk posed by the millions of people who pass through the nation's probation, prison, and parole systems each year is a goal that correctional agencies can no longer afford to ignore or neglect.

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[26] The 2005 and 2012 Census of State and Federal Adult Correctional Facilities (CSFCF) indicated little change (+3.5%) in the number of correctional facilities that housed people in state or federal prisons. This rate is somewhat misleading as most agencies both opened and closed facilities during this 7-year interim. The most significant change occurred among the minimum-/low-/community-based facilities. Among the 354 facilities added, most (53.1%) were minimum-/low-security units; only 5.6 percent were maximum-, close-, or high-security facilities. On the other hand, 72.5 percent of the 287 facilities closed were minimum-/low-security units; 11.5 percent were super-maximum, maximum-, close-, or high-security facilities. The construction dates for the closed facilities ranged from 1812 to 2005; 64.5 percent of the closed facilities were constructed before 1992. These data suggested that many of the antiqued facilities were shuttered between 2005 and 2012. Unfortunately, the 2019 CSFCF survey data were unavailable for comparison with the 2005 and 2012 data. (CSFCF 2005: United States Department of Justice. Office of Justice Programs. Bureau of Justice Statistics. Census of State and Federal Adult Correctional Facilities, 2005. Ann Arbor, MI: Inter-university Consortium for Political and Social Research [distributor], 2017-05-12. https://doi.org/10.3886/ICPSR24642.v3) (2012 CSFCF: United States. Bureau of Justice Statistics. Census Of State and Federal Adult Correctional Facilities, 2012. Inter-university Consortium for Political and Social Research [distributor], 2020-02-06. https://doi.org/10.3886/ICPSR37294.v1).

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[29] E. Ann Carson. (April 2020) *Prisoners in 2018.* NCJ 253516. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs Bureau of Justice Statistics.

[30] Ibid, Carson, 2020 and Sabol, et al. 2009.

[31] Personal communication from Kentucky, Pennsylvania, and Texas state correctional administrators.

[32] Personal communication from Arkansas, Connecticut, Louisiana, Michigan, and Ohio state correctional administrators.

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Glossary of Key Terms

Classification

Administrative segregation: A portion of the prison population segregated from the general population for security reasons. Assignment to administrative segregation is for an indefinite period, but the agency must have explicit criteria that define the circumstances under which a person in prison will be allowed to return to the general population promptly. Usually, no more than 5 percent of the entire prison population is to be in administrative segregation.

Custody level: The level of risk that someone poses to the safety and security of the institution, other incarcerated people, and the state determined by the external classification system. The traditional custody levels are minimum, medium, and maximum. (See "Security level.")

Disciplinary segregation: A portion of the prison population that segregated from the general population for violation of the agency's rules and regulations. Unlike with administrative segregation, people in this population are placed in disciplinary segregation for a specific period and must be released at the end of that period unless they have committed additional violations. Usually, no more than 2 percent of the entire prison population is to be in disciplinary segregation.

Discretionary override: An override of a scored custody level based on the professional judgment of trained classification staff. Discretionary overrides should account for 5–15 percent of all custody level decisions and should be equally balanced between increases and decreases in custody levels.

External classification: A classification system designed to determine a a person’s custody level assignment and the facility that best suits his or her risks to institutional safety and security.

General population: That portion of the prison population with no special security-related restrictions on access to basic programs and services. In general, approximately 80 percent of incarcerated people are in the general population; they are housed by custody security level, such as minimum, medium, close, or maximum custody.

Housing plan: The plan that specifies a facility's security level and the custody features of each housing unit. The housing plan is an essential part of the internal classification system.

Internal classification: A classification system designed to determine a person’s housing, program, and work assignments within a correctional facility.

Nondiscretionary override: An override of a scored custody level, based on the agency's policy for restricting the custody level of people with specific criteria. Classification staff have no discretionary power to disregard such overrides.

Objective classification system: A classification system that determines a person's custody level and program needs using a set of criteria that have been tested to demonstrate acceptable reliability and validity. Objective classification systems typically consist of initial classification and reclassification forms that use quantifiable scoring items and scales to determine the custody level.

Override: A feature of an objective classification system that allows classification staff to depart from the scored custody level. (See "discretionary override" and "nondiscretionary override.")

Protective custody: A portion of the prison population segregated from the general population for their protection from others. Assignment to protective custody is for an indefinite period. However, the agency must have explicit criteria that define the circumstances that allow for a person's timely return to the general population. In general, no more than 2 percent of the entire prison population is to be in protective custody.

Security level: The degree of security afforded by the architectural and staffing attributes of the prison facility and housing units within the prison. Security levels are related to custody levels, and the traditional security levels are minimum, medium, and maximum. (See "Custody level.")

Subjective classification: A classification system that relies on the staff's intuitive and individualized judgment to determine a person's custody level and program need.

Reliability

Internal reliability: Consistency among answers to multiple instrument items that measure the same concept. For example, objective risk classification instruments often have redundant items that measure the same characteristic. If the answers to these items are consistent, the instrument has good internal reliability.

Inter-rater reliability: Consistency among raters, i.e., whether different classification staff use the classification criteria in a similar manner. Evaluated by having different staff members assess the same person.

Intra-rater reliability: The same rater's consistency over time, i.e., whether a classification officer uses the classification criteria consistently over time. Evaluated by having an officer rescore the same person on several dates.

Sampling

Probability sampling: Procedure in which each case in the population has a known probability (other than zero) of being selected for the sample.

Sample: One or more cases selected from the population.

Simple random sampling: Procedure in which cases in the sample frame are numbered sequentially and then numbers are selected randomly.

Stratified sampling: Procedure in which the population is broken into subgroups and then each subgroup is randomly sampled.

Systematic sampling: Procedure in which a first case is randomly selected in the sample frame and then every "nth" subsequent case is selected.

Statistical Terms

Analysis of variance: Method for determining the significance of the difference between any number of sample means simultaneously. Referred to as "ANOVA."

Chi-square: A nonparametric statistic (χ^2) used to determine whether observed differences between two nominal-level variables are statistically significant.

Correlation: A measure (r) of the degree to which two or more variables are associated. It ranges from –1.00 to +1.00.

Dependent variable: A variable (y) the analysis wants to predict. Its value is directly related to, or depends on, the value of the independent variable.

Independent variable: A variable (x) believed to be associated or correlated with the dependent variable, i.e., to produce an effect on the variable the analysis wants to predict.

Linear regression: A statistic used to determine how changes in one factor (y) affect another factor (x). Linear regression is closely related to correlation. It uses the coefficient of correlation (r) and percent of variance explained (r^2).

Logistic regression: A type of regression analysis often used to determine the independent effect of each of several explanatory variables by controlling for several factors simultaneously.

Mean: The average number in a distribution.

Median: The midpoint or middle number of a distribution.

Mode: The number that occurs more frequently than any other in a distribution.

Range: The distance between the highest and lowest values in a distribution.

Standard deviation: The square root of the variance. (See "Variance.")

Statistical significance: The chance of incorrectly rejecting the null hypothesis (i.e., of finding no difference between the tested variables).

Variance: The mean sum of all squared deviations from the mean of any distribution of values. It summarizes the amount of dispersion, or variation, of the scores around the mean.

Validity

Content validity: Whether an instrument covers the variety of topics encompassed by the subject being assessed. For example, a risk assessment instrument that addresses discipline but ignores escape has weak content validity.

External validity: An instrument's effectiveness when used for other prison populations. For example, if an instrument is designed for a particular sample of incarcerated people but that sample does not represent the composition of the entire prison population (which may have changed over time), then the instrument has external validity problems.

Face validity: The plausibility of an instrument, i.e., whether it appears to be valid. For example, face validity might be determined by asking staff whether they think the instrument has the right factors and whether the factors are weighted properly. Face validity is the weakest sort of validity because what is plausible is not necessarily valid.

Internal validity: The adequacy of an instrument's design and testing. For example, an instrument has internal validity problems if its designers based it on carelessly collected data or a biased sample.

Predictive validity: The ability of an instrument to predict human behavior. For example, predictive validity might be determined by relating scores on a risk assessment at classification to actual disciplinary adjustment in general confinement.

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