

	MISSISSIPPI DEPARTMENT OF CORRECTIONS	SOP NUMBER 22-01-01
		AGENCY WIDE
CLASSIFICATION PLAN		INITIAL DATE 10-01-1997
ACA STANDARDS: 2-CO-4B-01, 2-CO-4B-03, 4-4295 thru 4-4305		EFFECTIVE DATE 03-01-2011
STATUTES: 47-5-99, 47-5-101, 47-5-103	NON-RESTRICTED	PAGE 1 of 16

APPLICABILITY:

This procedure applies to all offenders committed to the Mississippi Department of Corrections (MDOC) and all employees involved in the classification process.

POLICY STATEMENT:

It is the policy of the Mississippi Department of Corrections to develop a written classification plan for all offenders.

DEFINITIONS:

Institution/Facility Classification Authority – A designee(s) of the MDOC Commissioner who is responsible for the implementation of those classification actions deemed critical to the correctional management of the agency's offender population.

Institutional Classification Hearing Officer (ICHO) – An employee appointed by the Commissioner through Executive Order who systematically reviews the behavior, programming needs, custody and security requirements of offenders at the institutional level and sends recommendations to the Warden/designee for review and approval.

State Classification Authority – The Director of Offender Services or designee as designated by the Commissioner will review and approve or deny all institutional/facility recommendations for inter-facility transfers, custody changes, sensitive placement and trusty status.

Reclassification – An administrative process whereby subsequent changes in an offender's unit assignment, custody, and/or program are made as a result of a classification action.

Immediate Family – A spouse, children, step-children raised prior to age twelve (12), brothers, sisters, parents, grandparents, grandchildren, or person documented as acting in place of parent as surrogate prior to age twelve (12) (i.e., foster parent, step-parent, or relative that raised the individual as a child) and can be documented by law enforcement, school, human services records, or employer statement.

Sensitive Placement Job Assignment – An offender's job assignment or work place, which requires integrity, responsibility or precautions. Each Institutional Superintendent, Private/Regional Warden, and Director of Offender Services will determine these areas.

Residential Stability Codes – These codes are utilized to flag resident status when inmates are being considered for assignment to unfenced institutions and outside assignments. This code is an indicator of potential escape risks and extensive criminal activity. It does not replace a manual review of the institutional record.

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National Crime Information Center (NCIC) – A document that provides and maintains accurate and timely criminal information to include but not limited to prior, current and/or charges without dispositions which must be considered for reclassification actions. An incomplete NCIC is one where the disposition on a *previous* (and *not* the current offense/charge) is questionable in terms of whether the charge is still pending.

PROCEDURES:

Administration of Correctional Agencies (Central Office): **Written agency policy provides that all inmates/juveniles/residents are classified into the most appropriate security and program level. The policy covers the minimum:**

- **classification plans**
- **classification status reviews**
- **pre-parole progress reports**
- **special needs [2-CO-4B-01].**

General

Adult Correctional Institutions: **Written policy, procedure, and practice provide for a written inmate classification plan. The plan specifies the objectives of the classification system and methods for achieving them, and it provides a monitoring and evaluation mechanism to determine whether the objectives are being met. The plan is reviewed at least annually and updated as needed [4-4295].**

Institution/Facility Classification Authority

The Institutional/Facility Authority for each classification action will be governed by the Classification Flow Chart (Form 14).

At state institutions, the Director or Assistant Director of Offender Services (ADOS) will approve all decisions regarding classification actions prior to making the clarification action final for the following:

- inter-facility transfers
- custody changes
- trusty status
- sensitive placement

At private/regional facilities, the Director or Assistant Director of Offender Services (ADOS) will approve all decisions regarding classification actions prior to making the clarification action final for the following:

- inter-facility transfers
- custody changes
- trusty status

Wardens at private/regional facilities who house state offenders will be the approving authority for Sensitive Placement job assignments within their institution pursuant to established MDOC guidelines and criterion.

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Court order return offenders (except civil court orders signed by a chancery court judge) must process through CMCF Offender Services Department prior to transfer or return movement to former housing, state institutions, private, regional or satellite facility.

If a **court order offender** (except civil court orders signed by a chancery court judge) returns to Mississippi State Penitentiary (MSP) or South Mississippi Correctional Institution (SMCI), the respective Offender Services department will arrange movement to Central Mississippi Correctional Facility (CMCF).

Exceptions will be approved by the responsible ADOS with justification entered in the Offender Trak Offender Log Record.

In cases of an emergency, approval must be obtained from the Director of Offender Services or designee for an offender not to transfer to CMCF as a court order return.

Housing of Offenders

Immediate family members may be housed together in Community Work Centers, state institutions, private, and regional facilities ONLY at the discretion of the Commissioner.

If bed space is not available, the offender will be retained until bed-space is available at the designated facility or the Classification Hearing Officer makes reassignment.

An offender with a past or present conviction for felony escape is prohibited from being housed at a Regional Correctional Facility without the authorization of the Commissioner.

Classification Plan Objectives

Adult Correctional Institutions: Written policy, procedure, and practice provide for identification of special needs inmates [4-4305].

Adult Correctional Institutions: The classification system specifies the level of custody required and provides for a regular review of each classification [4-4296].

Adult Correctional Institutions: The classification plan provides for maximum involvement of representation of relevant institutional programs and the inmate concerned in classification reviews [4-4297].

Adult Correctional Institutions: The institution or parent agency solicits and uses pre-institutional assessment information regarding the inmate's progress and adjustment [4-4298].

Adult Correctional Institutions: The classification plan specifies that prior to a parole hearing a progress report is made available to the paroling authority. The report includes a current and complete history of the inmate's activities in the institution and a proposed parole plan [4-4304].

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Classification plan objectives include the following:

- Explain the classification process upon initial entry into the correctional system, through admission and initial transfer process and throughout the incarceration period.
- Identify MDOC custody levels, their respective criteria, privileges and limitations.
- Identify the offender's security, medical, educational, work and housing needs and classify accordingly.
- Identify offenders with special needs.
- Match the offender's specified needs with the appropriate programs available in order to develop an incarceration program.
- Monitor and evaluate annually the offender's incarceration program through case management.
- Specify the level of custody required and provide regular review of each classification.
- Provide maximum involvement of representation of relevant institutional programs and the offender concerned in classification reviews.
- Solicit and use pre-institutional assessment information regarding offender progress and adjustment.
- Provide a progress report to the paroling authority which includes a current and complete history of the inmate's activities in the institution and a proposed parole plan

Factors in Initial and Reclassification of inmates (Classification Hearing Officer)

The Classification Hearing Officer will consider the following factors in Initial and Reclassification of inmates:

A. Nature of Offense

Circumstances of the crime

Type of Crime Committed

- Offenses against persons
- Offenses against property
- Offenses against self
- Offenses against the state

B. Behavior and attitude following arrest, and prior commitments, including confinement(s) and adjustment while on bond or probation.

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C. Sentence Data

- Type of sentence
- Length of sentence
- Recommendations of responsible official(s)

D. Prior Criminal History

- Nature and pattern of past offense(s)
- Adjustment to previous probation, parole, confinement and commitment(s)

E. Personal and Social Factors

- Age
- Family and marital history
- Intelligence and education
- Employment record
- Work skills, interests and potential
- Military record and experiences
- Leisure time activities and interests
- Physical condition
- Emotional health
- Individual Needs

F. Adjustment to Incarceration

- Disciplinary and incident reports
- Escapes and attempted escapes
- Interpersonal relationships with staff and offenders
- Change in motivation and behavior
- Attitude toward self and others
- Underlying reasons for change
- Personal goals
- Responsibility and realistic behavior which does not interfere with the rights of others

G. Evaluation and Recommendations

- Psychological tests
- Psychiatric, psychological and psychosocial evaluations
- Evaluation comments from interviewers, reports and recommendations of staff
- Recommendation and reports from other agencies, law enforcement officials, professional persons, and citizens who have knowledge of the offender

H. Security requirement(s) of the Mississippi Department of Corrections facility

- Protecting the community and its citizens
- Safeguarding the health and welfare of the correctional officers and the offender(s)
- Protecting offender(s) from themselves

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- Protecting correctional personnel and general staff from offender assaults
- Minimizing escapes and escape attempts
- Ensuring that the correctional process of the penitentiary is maintained in an orderly, coordinated and functional manner

I. National Crime Information Center (NCIC)

- A NCIC will be required on all reclassification actions. Once a NCIC is received on an offender it is valid for one year thereafter. Violent criminal information on NCIC must have a disposition. To obtain a disposition for criminal information:
 1. Call the arresting agency (Booking Department), if there is no response or no information available;
 2. Call District Attorney in the county of arrest, if there is no response or no information available;
 3. Call Circuit Clerk in the county of arrest.
- Dispositions must be entered in the Offender's Log to include but not limited to the name of the contacted agency, person contacted, and the office telephone number.
- Detainer and/or notifiers are to be treated in the same manner.

Review of NCIC Rap Sheet for Pending Charges

When pending felony charges are found after reviewing the NCIC rap sheet or other documentation, all pending felony charge(s) identified in the documents are to be entered in the Classification Log of Offendertrak.

1. Click on **Log**
2. Select **Inmate**
3. Go to **Log Type** and Select **CLASSIFICATION**
4. Enter date in the **Log Text Box**

Upgrades

An Institutional Classification Hearing Officer will review and make recommendations for final approval or disapproval to the Director or Assistant Director of Offender Services for upgrades in custody levels.

An offender scoring close custody cannot be upgraded in custody more than one level without approval of the Commissioner or a Deputy Commissioner acting in the capacity of the Commissioner.

Appeal of Classification Decisions

Administration of Correctional Agencies (Central Office): **Written agency policy provides for a classification review and appeal process [2-CO-4B-03].**

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Adult Correctional Institutions: The classification plan specifies criteria and procedures for determining and changing an inmate's program status; the plan includes at least one level of appeal [4-4301].

An offender may appeal the decision of the Classification Hearing Officer through the offender grievance process.

Initial Classification

Adult Correctional Institutions: At initial classification, each inmate is assigned to a staff member to ensure supervision and personal contact; a unit management team may perform this function [4-4299].

All newly committed offenders will be received at the Reception Center at the Central Mississippi Correctional Facility (CMCF) for admission and orientation as set forth by policy and procedure. The offender will be assigned to an Admission & Orientation Case Manager during the reception and orientation process.

While in admission and orientation status, all offenders are automatically unclassified offenders and may be housed in maximum-security units. Unclassified offenders housed in maximum-security units are not permitted outside their assigned unit unless they are in full restraint gear.

These offenders have not been classified by the Mississippi Department of Corrections and cannot participate in work programs outside the secure perimeter of a correctional facility.

Offenders that have insufficient data to build a profile for initial classification will remain unclassified until such time the appropriate information has been collected and evaluated by staff for completion of initial assessment.

Upon completion of initial classification, offenders will be transferred to a designated facility as soon as it is reasonably possible to begin their incarceration program.

Reclassification Actions

Adult Correctional Institutions: The written plan for inmate classification specifies that each inmate's classification status is reviewed at least every 12 months [4-4300].

Adult Correctional Institutions: Written policy, procedure, and practice require that unless precluded for security or other substantial reasons, all inmates appear at their classification hearing and are given notice 48 hours prior to the hearing; such notice may be waived by the inmate in writing [4-4302].

Adult Correctional Institutions: Written policy, procedure, and practice specify the conditions under which an inmate can initiate a review of progress and program status [4-4303].

The classification plan specifies that each offender's classification status will be reviewed at least every 12 months to assess the appropriateness of the individual's classification plan and/or program(s), and his needs as well as the institution's needs.

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Request for reclassification will be initiated through the assigned Case Manager as follows:

- Request from Offenders
- Request from Staff
- Request from Non-Staff Members

Offender Statuses (Not Custody Levels)

Protective Custody

A form of separation from the general offender population where the offender has requested or the administration concludes that the continued presence in general population would pose a threat to life, property, self, staff, other offenders or the security and/or orderly running of the facility.

Administrative Segregation

This is a form of separation from the general population, where the continued presence of an inmate is believed to be a threat to the security and/or orderly running of the facility.

Death Row

An offender committed to the Mississippi Department of Corrections under the sentence of death will be classified as a "Death Row" prisoner and housed in a unit deemed appropriate by the Commissioner of Corrections.

Custody Levels

The Classification Hearing Officer will recommend custody levels based on objective criteria.

The following is a list of three (3) custody levels to which an offender may be assigned:

- Close
- Medium
- Minimum

Close Custody

This custody is the highest risk general population inmate and has one or more of the below risk factors:

- risk of escape
- periodically demonstrated as a threat to staff/inmates
- recent or serious disciplinary record

This custody requires close supervision where the offender must be under positive security control at all times.

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Close Custody Supervision

Offenders assigned to Close custody in the general population will be confined to a security cell or dormitory unit. Close custody offenders housed in the general population will be housed with the same custody offenders.

Close custody offenders may be restricted for security reasons from some or all work/program assignments, as well as from specific parts of the institution as deemed appropriate for security reasons by the Superintendent/Warden/designee of that institution.

For some Close custody offenders, movement inside the perimeter of the housing unit may be unescorted, but it will be continuously observed by correctional staff.

The supervision for a Close custody offender inside the unit perimeter will include constant supervision and observation by correctional staff.

An offender being escorted outside of the unit perimeter will be in full restraints. A minimum of two correctional officers, one of whom will be armed, will escort the offender at all times.

Offenders who are assigned to authorized work details outside of the unit perimeter will not require restraints.

All offenders assigned to Close custody will wear a uniform designated by the Commissioner of Corrections.

Medium Custody

This is a medium security status where the offender has displayed a desire to be considered responsible and presents a moderate risk.

This custody level offender is housed in a medium security correctional facility and must be under direct/constant armed correctional supervision when engaging in activities outside the perimeter of the correctional facility.

Offenders are permitted to move about the housing unit or security work area, but are to be within direct observation of correctional staff.

Minimum Custody

This is a minimum custody, which affords the offenders a more relaxed atmosphere and an extension of privileges.

This custody requires the ability to work satisfactorily with minimum supervision or security control.

Minimum custody offenders will be placed in one of the following statuses:

- Community Minimum Status – This custody has the least security and supervision required of an offender. Usually this type offender works in the community.

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- Non-Community Minimum Status – This custody has the least security and supervision required of an institutionalized offender. Usually this type custody is housed under minimum security circumstances and may participate in activities on institutional grounds without direct staff supervision. Off grounds, the offender must be supervised by trained correctional staff.

Upgrade to Minimum Custody

The Classification Hearing Officer will take into consideration the following factors when recommending upgrade to minimum custody:

Community Minimum Status Eligibility

- Sentences that are within sixteen (16) years of earliest release date may be considered for CWC placement and must be receiving or eligible to receive 30/30 Trusty Earned Time.
- Those offenders who do not qualify for 30/30 trusty status must be within eight (8) years of their earliest release date
- Offenders must be within twelve (12) months of earliest release date for placement consideration in a Community Pre-Release Program (Reference SOP 27-02-01)
- Escapes from county jails or institutions which are over five (5) years old will be considered on a case by case basis.
- Breach of trust and absconding supervision will be considered on a case by case basis

The classification hearing officer will closely investigate the circumstances surrounding escapes, breach of trust, or absconding to determine if the offender is a potential escape risk.

Ineligible for Community Minimum Status

- Past or present sex offenders
- Violent offenders will not be considered for CWC placement, Mobile Work Crew, Joint State/County Work Program or work crews outside the institution. Offenders with violent offenses (No current or prior sex offense) may be considered for Community Pre-Release Programs if otherwise eligible for the previous programs
- Sentence of death, habitual life, life with parole or life without parole
- Requirements for Medium or Close custody
- RVR for assault within the past twelve (12) months
- RVR of any type in the past three (3) months
- Escape from a county jail or institution within the last five (5) years

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- Positive test for the use of alcohol and/or drugs
- Detainer/temporary status for out of state, federal or felony violent offense must be assigned to medium or higher custody.

Non-Community Minimum Status Eligibility

- Offender must be within seventy-two (72) months of earliest release date
- Documented abscond from a community based program (i.e., Earned Release Supervision (ERS) and Intensive Supervision Program (ISP) within the past twelve (12) months may be considered
- Escapes from county jails or institutions which are over five (5) years old will be considered on a case by case basis
- Breach of trust and absconding supervision will be considered on a case by case basis

The classification hearing officer will closely investigate the circumstances surrounding escapes, breach of trust, or absconding to determine if the offender is a potential escape risk.

Ineligible for Non-Community Minimum Status

- Requirements for Medium, Close custody
- RVR for assault within the past twelve (12) months
- RVR of any type in the past three (3) months
- Escape from a county jail or institution within the last five (5) years
- Sexual offenses may be considered on a case by case basis
- Detainer/temporary status for out of state, federal or felony violent offense must be assigned to medium or higher custody

Residential Stability Codes

The following codes are utilized to flag resident status when inmates are being considered for assignment to unfenced institutions and outside assignments. These codes are indicators of potential escape risks and extensive criminal activity. It does not replace a manual review of the institutional record; information interpreted from review of the NCIC, FBI rap sheets, commitment orders and other documents in the master file (Legato).

- Stable Out-of-State (SO) - Inmate who does not have a prior history of arrest but resides in another state
- Unstable Out-of-State (UO) - Inmate who has no address in Mississippi and has one or more prior arrests in other states

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Sensitive Placement Work Assignments

Sensitive Placement is an offender's job assignment or work place which requires integrity, responsibility or security precaution. These job assignments will be reviewed by each institutional MDOC Superintendent or Private/Regional Facility Warden. Approving Authority is determined by the Classification Flow Chart. All applicable MDOC policies, procedures, and Residential Stability Codes will be referenced when making these type job assignments.

Criteria for Sensitive Placement:

- Offenders with prior sex offenses or current sex offenses may not be considered
- No Rule Violation Reports of any type in the past six (6) months
- No out-of-state or federal detainer(s) for violent offense or escape
- No prior escapes within the last five (5) years
- No assaultive Rule Violation Reports within one (1) year
- Offenders must test negative for the use of alcohol and/or drugs

Some offenders may have daily unescorted access to the public in a community work setting when permitted by MDOC.

The work schedule for offenders convicted of sex crimes will be Monday through Friday between the hours of 0800 hours and 1700 hours in **non-sensitive placement job assignments**.

The Classification Institutional Hearing Officer at the facility where the offender is housed can make a recommendation for sensitive placement, subject to the approval of the appropriate approving authority.

The following MSP job assignments are designated as sensitive placements:

- Administration Building Grounds
- Agricultural Enterprises Clerks/Janitors
- Auto Shop
- Central Warehouse/Cost Accounting
- Chaplain's Office/Spiritual Life Center
- Field Operations Horse Handlers
- Fire House
- Gas Station Attendants
- Governor's Mansion Placement
- Guest House
- I.D. Office
- Offender Construction Crew
- Corrections Investigation Division
- K-9 Unit
- Canteen
- MDOC Hospital
- Mobile Work Crew
- New/Old Administration Building/EOC
- Personnel/Payroll Janitors

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- 572 • Property Office
- 573 • Maintenance Satellite Facility Traveling Crew
- 574 • Security Building
- 575 • Sunflower County Road Crew
- 576 • Superintendent's Facility
- 577 • Swine Facility - Night
- 578 • Telecommunications
- 579 • Maintenance
- 580 • Training Building
- 581 • Vehicle Drivers only after approval of license by the Superintendent and only if change
- 582 of job
- 583 • Visiting Center Janitor
- 584 • Community Work Center
- 585 • Joint County State Work Program

586

587 The following SMCI job assignments are designated as sensitive placements:

588

- 589 • Administration Building
- 590 • Canteen
- 591 • K-9
- 592 • Law Library
- 593 • Maintenance
- 594 • Mobile Work Crew
- 595 • Road Crew
- 596 • Warehouse
- 597 • Work assignment outside perimeter fence
- 598 • Community Corrections Placement
- 599 • STU-7 and STU-8
- 600 • Fire Department
- 601 • Laundry
- 602 • Visitation
- 603 • Property
- 604 • Maintenance
- 605 • Community Work Center
- 606 • Joint County State Work Program
- 607 • Chaplain
- 608 • Medical Orderly

609

610 The following CMCF job assignments are designated as sensitive placements:

611

- 612 • Administrative workers as authorized by the Superintendent
- 613 • Maintenance
- 614 • Prison Enterprises
- 615 • Firehouse
- 616 • Chaplain
- 617 • Laundry
- 618 • Vo-Tech Janitor
- 619 • Construction Crew

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- 620 • Warehouse
- 621 • Upholstery/Industrial Sewing Vocational School
- 622 • Life skills
- 623 • Medical Clinic Janitor
- 624 • Community Corrections Placement
- 625 • Canteen
- 626 • K-9
- 627 • Property Office
- 628 • Mobile Work Crew
- 629 • Governor's Mansion Support
- 630 • Highway Patrol Detail
- 631 • Community Work Center
- 632 • Joint County State Work Program

633
634 The following Private/Regional Facilities job assignments are considered sensitive placement:

- 635
- 636 • Administration Building
- 637 • Canteen
- 638 • Law Library
- 639 • Maintenance
- 640 • Warehouse
- 641 • Work assignment outside perimeter fence
- 642 • Segregation Unit
- 643 • Laundry
- 644 • Visitation
- 645 • Property
- 646 • Medical

647 648 Joint State and County Work Program

649
650 This is the only work program where a state offender housed at an approved county jail facility
651 can work off facility property without the supervision of county correctional staff. Supervision is
652 provided by the governmental staff where a work project is located.

653
654 These offenders must have been to the Mississippi Department of Corrections and classified
655 Minimum custody and in Community minimum status.

656
657 The Minimum custody offender who is in Community minimum status is the only offender
658 allowed to participate in weekend passes. The weekend passes must be in accordance with
659 MDOC guidelines.

660 661 Jail Support

662
663 An offender who has entered the Mississippi Department of Corrections and has been classified
664 by Offender Services who is returned to the approved county jail in the county of conviction as a
665 support worker is considered jail support.

666
667 The Sheriff makes a request by letter to the Commissioner or designee for the offender to return
668 to the county jail as jail support.

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669 These offenders are Minimum or Medium custody and must remain on county jail property
670 unless supervised by trained correctional staff.

671
672 Minimum custody supervision off the county jail property can be unarmed by correctional staff.

673
674 Medium custody supervision on the county jail property can be unarmed; however, off the
675 property, supervision must be armed.

676 Sexual offenders may be considered on a case by case basis.

677
678 Supervision of Jail Support offenders by non-correctional staff is prohibited.

679
680 Sheriff Trusty

681
682 An offender who has been convicted of a non-violent offense and remains in the approved
683 county jail without being classified by the Mississippi Department of Corrections is considered a
684 Sheriff Trusty.

685
686 The Sheriff makes a request by letter to the Commissioner or designee for the offender to
687 remain in the county jail as trusty worker.

688
689 Sheriff Trusty offenders are required to remain inside the secure perimeter of the county jail
690 facility at all times unless supervised by armed, trained correctional staff.

691
692 These offenders are prohibited from working outside the secure perimeter of the county jail
693 facility.

694
695 Supervision of these offenders by non-correctional staff is prohibited.

696
697 Newly Sentenced and Unclassified

698
699 An offender who is convicted and is awaiting transfer to the Mississippi Department of
700 Corrections for classification and assignment to a correctional facility.

701
702 This offender must be in full restraints when outside the secure perimeter of the county jail
703 facility.

704
705 Newly sentenced and unclassified offenders are prohibited from participating in programs
706 outside the secure perimeter of the county jail facility.

707
708 Supervision of these offenders by non-correctional staff is prohibited.

709
710 **DOCUMENTS REQUIRED:**

711
712 As required by this procedure and through chain-of-command.

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ENFORCEMENT AUTHORITY		
Reviewed and Approved for Issuance		
	Deputy Commissioner of Institutions	Date