



PC-ID-003-003

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO**

NOEL PUENTE GOMEZ, et al.,	)	
	)	Case No. CV91-0299-S-LMB
Plaintiffs,	)	
	)	
v.	)	PROPOSED REMEDIAL PLA
	)	RELATIVE TO INMATES
JAMES C. SPALDING, et al.	)	WAYNE NELSON OLDS #30
	)	LEE MAZUR HAYS #20226,
Defendants.	)	ROBERT RICHARD JONES
	)	

COME NOW Defendants, by and through their counsel, Stephanie A. /
Attorney General, and hereby submit their Proposed Remedial Plan Relative to
Nelson Olds #30106, Lee Mazur Hays #20226, and Robert Richard Jones #17.
the Court's Order of June 17, 1999.

PROPOSED REMEDIAL PLAN RELATIVE TO INMATES WAYNE NELSON OLDS #30106, LEE MAZUR HAYS #20226, AND ROBERT RICHARD JONES #17.

BACKGROUND

During the months of February and March, 1998, the retaliation claims raised in above-referenced case were tried before the Court. During that trial, Plaintiffs put on evidence in support of approximately fifty claims of retaliation. On March 16, 1999, the Court issued its Findings of Facts, Conclusions of Law, Memorandum Decision and Order (Dkt. 608), in which the Court found that Plaintiffs had met their burden of proof as to eleven incidents. Based on these findings, the Court concluded that retaliation did not pervade the class of Plaintiffs and denied class-wide injunctive relief. The Court did, however, grant Plaintiffs' prayer for declaratory relief relative to the eleven incidents.

Plaintiffs then moved to alter or amend the Court's Order of March 17, 1999, asking the Court to enter individual injunctive relief relative to the inmates whose First Amendment rights were found to have been violated.. On June 17, 1999, the Court entered its Order which granted Plaintiffs' motion relative to six of the inmates, Olds, Hays, Jones, Sanger, Shively and Roman. (Dkt. 680). In the same Order, the Court directed Defendants to submit a proposed remedial plan within thirty days of their receipt of the Order, relative to inmates Olds, Jones and Hays, and within sixty days after the date of the Amended Judgement, relative to inmates Roman, Sanger and Shively.

Defendants hereby submit their proposed remedial plan relative to inmates Olds, Jones and Hays.

**PROPOSED REMEDIAL PLAN RELATIVE TO INMATES WAYNE NELSON OLDS
#30106, LEE MAZUR HAYS #20226, AND ROBERT RICHARD JONES #17432 - 2**

STANDARD FOR PROSPECTIVE INJUNCTIVE RELIEF IN PRISON

Although a federal court's equitable powers to remedy past wrongs is broad, equitable relief must be "limited to the inadequacy that produced the injury-in-fact plaintiff has established. *Lewis v. Casey*, 518 U.S. 343, 357, 116 S.Ct. 2174, 218. As this Court has previously acknowledged, in fashioning any individual prospective prisoner civil rights case, the Court must also follow the requirements of the Prison Reform Act, which provides that the Court

...shall not grant or approve any prospective relief unless the court finds that it is narrowly drawn, extends no further than necessary to correct the violation of a Federal right, and is the least intrusive means necessary to correct the violation of a Federal right.

18 U.S.C. § 3626(a)(1); *Oluwa v. Gomez*, 113 F.3d 1237, 1239 (9th Cir. 1998). It is within these parameters that the Court is to order effective relief to cure only constitutional violations and not enter a general order "to go about doing good." *Toussaint v. McCarthy*, 800 F.2d 1080, 1086-87.

Defendants have kept these requirements in mind in fashioning the remedial plan proposed herein.

PROPOSED REMEDIAL PLAN RE: OLDS, HAYS AND JONES

The Court found that with respect to Olds, Hays and Jones, each of these inmates has been subject to a transfer to another prison (Olds and Hays) or the possibility of transfer to another prison (Jones) and that those transfers were "substantially motivated" by the inmates' exercise of their First Amendment rights. (Dkt. 608). The Court has ordered

PROPOSED REMEDIAL PLAN RELATIVE TO INMATES WAYNE NELSON C #30106, LEE MAZUR HAYS #20226, AND ROBERT RICHARD JONES #17432

Defendants “submit a proposed remedial plan which is designed to ensure that the inmates subjected to retaliatory transfers will not again be subjected to that same retaliatory conduct.” (Dkt. 680).

I. Inmate Classification and Interfacility Placement Criteria and Considerations.

Attached as Exhibit A to this Proposed Remedial Plan is the Idaho Department of Correction’s User Manual for Male Inmate Custody Classification (Fifth Edition). This Manual contains specific instruction to users as well as the current edition of the Idaho Department of Correction Division of Prisons Directive Section 02-303-C, entitled “Inmate Classification” as adopted in 1995 and revised in 1997. The criteria related to inmate classification is that which applies to interfacility transfers. Defendants provide this for the Court’s review by way of the backdrop against which the individual prospective relief should be entered relative to inmates Olds, Hays and Jones.

As the Court will note, interfacility transfer decisions are based on the inmate’s classification, which in turn is based on objective criteria, such as current crime, length of sentence, time served, prior record, escape history, dangerous behavior, disciplinary record, program and/or work participation, detainers or charges pending, retained jurisdiction, record indicating affiliations with organized gangs, whether the inmate is known as an informant and whether he requires personal protection or exceptional supervision. *See*, Exhibit C, Directive Section 02-303-C, pp. 7-8 of 11. Special considerations related to classification, and thus to interfacility transfers, include the inmate’s physical and mental health needs, whether he has

substance abuse issues, his academic level, his vocational needs and his social skills level. *Id.*, p. 9 of 11.

In addition to classification criteria and considerations, and specific to interfacility transfers, an inmate cannot be assigned to a facility with a lower security rating than his classification level unless a modification to the classification is made by the sending facility classification committee and approved by the receiving facility head or designee. An inmate should not be assigned to a facility of higher security rating than his classification unless necessary to due to a lack of lower custody bed space, warranted by an institutional need job, or as the result of an administrative placement decision. In addition to classification criteria and considerations, interfacility transfers may also be considered in relation to programmatic needs of the inmate and when possible, geographical considerations. *Id.*, pp. 9-10 of 11.

Recommended and/or final facility placement is at the discretion of the facility head(s) involved, subject to review and final approval of the director or his designee. *Id.*, pp. 1-2 of 11.

Notably, the User manual instructions and Directive Section 02-303-C provides procedures criteria interfacility transfer decisions without regard for consideration of an inmate's lawsuits against the IDOC or its employees, his assistance to other inmates in such lawsuits, his complaints and criticisms of the operation and administration of the IDOC's access to courts system, or other exercises of First Amendment rights.

The User Manual does, however, specifically recognize that from time to time, unusual circumstances may occur. In those instances, it is the classification committee members who

are “charged with placing inmates within facilities to ensure a secure environment for staff, as well as the inmate population. Placements are to be made using professional judgment.” *See*, Exhibit A, General Information, p. 5. The committee members are “encouraged to consider all significant factors particular to the classification of each inmate, whether documented on the [classification] forms or not.” *Id.* The Manual further recognizes that “the basis for the development of the criteria reflects the best thinking and experience of the management team and the task force on inmate classification,” and warns that the “responsibility for deviating from these [classification] forms should not be taken lightly.” *Id.* Further, “Wardens and superintendents are to be kept informed when modifications are made to the normal classification process. They should carefully review such exercises of discretion by classification committees. Wardens or superintendents must approve modifications made on reclassifications.” *Id.* Only the facilities’ classification committee members, Wardens and superintendents of the facilities involved, and the Director are permitted to make final decisions related to classification and interfacility transfers. *Id.*

II. Individual Prospective Relief for Inmates Olds, Hays and Jones.

A. Idaho Department of Correction Central File and Offender Information System.

1. *Wayne Nelson Olds #30106*

As to Mr. Olds, the Court found and concluded that in 1993, Mr. Olds filed a lawsuit against Mail Room Officer Green at ISCI, and he challenged a decision to close the ISCI law library. He also sent Officer Green numerous concern forms. *See*, Findings of Fact, Conclusions of Law, Memorandum Decision and Order, pp.14-15. On June 23, 1994, while

pursuing federal civil rights litigation, Olds was transferred from ISCI to ICIO. *Id.*, p.16.

Olds' transfer to ICIO was substantially motivated by his actions in pursuing civil rights litigation as well as accessing the institutional grievance procedure without any supporting penological purpose, and in retaliation for exercising rights protected by the First Amendment. *Id.*, p. 17.

Attached to this Proposed Remedial Plan as Exhibit B to are hard copies printed from the IDOC computer data base Offender Information System on inmate Wayne Nelson Olds #30106. These show that "Alerts" have been entered on this computer-based tracking system regarding Mr. Olds and that any interfacility transfer of Mr. Olds must be authorized by the Chief of the IDOC Inmate Placement Bureau, in consultation with the office of the Attorney General per the Order of June 17, 1999 of this Court in the above-captioned case. These alerts are Records alerts (thus the reference to "REC") and were entered by IDOC Central Records Manager, Patricia A. Ogden, effective June 17, 1999, and are to be reviewed on June 17, 2001. No expiration or end date has been entered, pending this Court's final order for individual prospective relief for Mr. Olds. The reference to "REC" alerts is also now incorporated into Mr. Olds' Offender Profile.

In addition to the Offender Information System, the IDOC maintains a Central File or "C-File" on each inmate in its care and custody. Section 1 of each C-File contains copies of court orders related to the inmate's incarceration.

Based on the record keeping systems used by the IDOC, Defendants propose that the Court's prospective relief order related to Mr. Olds contain the following language:

**PROPOSED REMEDIAL PLAN RELATIVE TO INMATES WAYNE NELSON OLDS
#30106, LEE MAZUR HAYS #20226, AND ROBERT RICHARD JONES #17432 - 7**

1. Mr. Olds shall not be subject to interfacility transfer if a substantial motivating factor in said transfer is Mr. Olds' pursuit of civil rights litigation against the IDOC or its employees and/or legitimate use of the institutional grievance procedures;

2. All decisions regarding an interfacility transfer of Mr. Olds shall be made without regard to his complaints, grievances, or civil rights lawsuits against the IDOC or its employees;

3. The IDOC computer data base Offender Information System shall reflect the "Alerts" for Mr. Olds as indicated in Exhibit B, and the instructions those "Alerts" contain;

4. A copy of this Court's Findings of Fact, Conclusions of Law, Memorandum Decision and Order of March 16, 1999, and the Court's Order of June 17, 1999, insofar as they reflect the Court's findings and conclusions related to Mr. Olds, shall be placed in Section 1 of Mr. Olds' Central File, together with additional large font and bold notation on the face of these orders that any decisions to transfer Mr. Olds shall not be made based on Mr. Olds' legitimate use of the inmate grievance system or his pursuit of lawsuits against the IDOC or its employees;

5. Nothing ordered herein shall be construed to relieve Mr. Olds of the requirement that he conform his conduct to Idaho Board of Correction rules, policies, procedures, directives and any lawful orders of institutional personnel; and

6. Nothing ordered herein shall be construed to create new or additional substantive rights for Mr. Olds in addition to those guaranteed to him by the United States Constitution; and

7. Absent filing a motion for contempt by Mr. Olds based on this order for prospective relief, this order shall terminate two years after its entry pursuant to the Prison Litigation Reform Act, 18 U.S.C. § 3626(b)(1) and (3); and

8. Nothing ordered herein shall be construed to preclude the parties from agreeing to terminate or modify relief before the relief is terminated pursuant to the Prison Litigation Reform Act, 18 U.S.C. § 3626(b)(1)(B).

B. Lee Mazur Hays #20226

As to Mr. Hays, the Court found and concluded that Mr. Hays was incarcerated at the Idaho State Correctional Institution-Orofino in 1985. During that time, he began to train a female law clerk. He was instructed not to assist male inmates and not to file lawsuits. In October, 1995, Hays filed a civil rights complaint against the Warden at ICIO, the Director of the IDOC and others. Shortly thereafter, Hays filed a civil rights complaint on behalf of a male inmate and habeas corpus petitions on behalf of two other male inmates. Within one or two weeks after filing that civil rights claim and the habeas corpus actions, Hays was transferred from ICI-O to ISCI. A substantial motivating factor in his transfer was his efforts in gaining access to the courts on behalf of his fellow male inmates. *See, Findings of Fact, Conclusions of Law, Memorandum Decision and Order, March 16, 1999, pp. 12-13.*

Attached as Exhibit C to are hard copies printed from the IDOC computer data base Offender Information System on inmate Lee Mazur Hays #20226. These show that "Alerts" have been entered on this computer-based tracking system regarding Mr. Hays and that any

interfacility transfer of Mr. Hays must be authorized by the Chief of the IDOC Inmate Placement Bureau, in consultation with the office of the Attorney General per the Court's Order of June 17, 1999, in this case. These alerts are Records alerts (thus the reference to "REC") and were entered by IDOC Central Records Manager, Patricia A. Ogden, effective June 17, 1999, and are to be reviewed on June 17, 2001. No expiration or end date has been entered, pending this Court's final order for individual prospective relief for Mr. Hays. The reference to "REC" alerts is also now incorporated into Mr. Hays' Offender Profile.

In addition to the Offender Information System, the IDOC maintains a Central File or "C-File" on each inmate in its care and custody. Section 1 of each C-File contains copies of court orders related to the inmate's incarceration.

Based on the record keeping systems used by the IDOC, Defendants propose that the Court's prospective relief order related to Mr. Hays contain the following language:

1. Mr. Hays shall not be subject to an interfacility transfer if a substantial motivating factor in said transfer is Mr. Hays' filing or pursuit of civil rights litigation in his own behalf or on behalf of fellow male inmates, against the IDOC or its employees;
2. All decisions regarding an interfacility transfer of Mr. Hays shall be made without regard to civil rights lawsuits he has filed or pursued in his own behalf or on behalf of other male inmates against the IDOC or its employees;
3. The IDOC computer data base Offender Information System shall reflect the "Alerts" for Mr. Hays as indicated in Exhibit E, and the instructions those "Alerts" contain;

4. A copy of this Court's Findings of Fact, Conclusions of Law, Memorandum Decision and Order of March 16, 1999, and the Court's Order of June 17, 1999, insofar as they reflect the Court's findings and conclusions related to Mr. Hays, shall be placed in Section 1 of Mr. Hays' Central File, together with additional large font and bold notation on the face of these orders that any decisions to transfer Mr. Hays shall not be made for or based on Mr. Hays' filing or pursuit of civil rights lawsuits, whether in his own behalf or on behalf of fellow inmates, against the IDOC or its employees;

5. Nothing ordered herein shall be construed to relieve Mr. Hays of the requirement that he conform his conduct to Idaho Board of Correction rules, policies, procedures, directives and any lawful orders of institutional personnel; and

6. Nothing ordered herein shall be construed to create new or additional substantive rights for Mr. Hays in addition to those guaranteed to him by the United States Constitution;

7. Absent filing a motion for contempt by Mr. Hays based on this order for prospective relief, this order shall terminate two years after its entry pursuant to the Prison Litigation Reform Act, 18 U.S.C. § 3626(b)(1) and (3); and

8. Nothing ordered herein shall be construed to preclude the parties from agreeing to terminate or modify relief before the relief is terminated pursuant to the Prison Litigation Reform Act, 18 U.S.C. § 3626(b)(1)(B).

C. Robert Richard Jones #17432

As to Mr. Jones, the Court found and concluded that Jones became a law clerk at the ISCI law library in February, 1997. In March or April, 1997, Michelle Nelson became the CLLS, or Correctional Law Library Supervisor, at ISCI. Jones confronted Nelson regarding a number of issues involved in her supervision of the law library. Findings of Fact, Conclusions of Law, Memorandum Decision and Order, pp.17-18. Nelson wanted Jones transferred from ISCI to ICI-O, and attempted to have him transferred there, to no avail. Subsequently, Nelson attempted to have Jones transferred to Louisiana, to no avail. *Id.* Nelsons' attempts to have Jones transferred from ISCI were substantially motivated by the complaints he made against her regarding her supervision of the ISCI law library, and were not substantially justified by any discernable penological purpose. *Id.*, pp.19-20.

Attached as Exhibit D to are hard copies printed from the IDOC computer data base Offender Information System on inmate Robert Richard Jones #17432. These show that "Alerts" have been entered on this computer-based tracking system regarding Mr. Jones and that any interfacility transfer of Mr. Jones must be authorized by the Chief of the IDOC Inmate Placement Bureau, in consultation with the office of the Attorney General per the Court's Order of June 17, 1999, in this case. These alerts are Records alerts (thus the reference to "REC") and were entered by IDOC Central Records Manager, Patricia A. Ogden, effective June 17, 1999, and are to be reviewed on June 17, 2001. No expiration or end date has been entered, pending this Court's final order for individual prospective relief for Mr. Jones. The reference to "REC" alerts is also now incorporated into Mr. Jones' Offender Profile.

PROPOSED REMEDIAL PLAN RELATIVE TO INMATES WAYNE NELSON OLDS #30106, LEE MAZUR HAYS #20226, AND ROBERT RICHARD JONES #17432 - 12

In addition to the Offender Information System, the IDOC maintains a Central File or "C-File" on each inmate in its care and custody. Section 1 of each C-File contains copies of court orders related to the inmate's incarceration.

Based on the record keeping systems used by the IDOC, Defendants propose that the Court's prospective relief order related to Mr. Jones contain the following language:

1. Mr. Jones shall not be subject to an interfacility transfer facility if a substantial motivating factor in said transfer is Mr. Jones' complaints or criticisms about administration and operation of the IDOC's access to courts system;

2. All decisions regarding an interfacility transfer of Mr. Jones shall be made without regard to his complaints or criticisms about administration and operation of the IDOC's access to courts system;

3. The IDOC computer data base Offender Information System shall reflect the "Alerts" for Mr. Jones as indicated in Exhibit G, and the instructions those "Alerts" contain;

4. A copy of this Court's Findings of Fact, Conclusions of Law, Memorandum Decision and Order of March 16, 1999, and the Court's Order of June 17, 1999, insofar as they reflect the Court's findings and conclusions related to Mr. Jones, shall be placed in Section 1 of Mr. Jones' Central File, together with additional large font and bold notation on the face of these orders that any decisions to transfer Mr. Jones shall not be made for or based on Mr. Hays' complaints or criticisms about administration and operation of the IDOC's access to courts system; and

5. Nothing ordered herein shall be construed to relieve Mr. Jones of the requirement that he conform his conduct to Idaho Board of Correction rules, policies, procedures, directives and any lawful orders of institutional personnel;

6. Nothing ordered herein shall be construed to create new or additional substantive rights for Mr. Jones in addition to those guaranteed to him by the United States Constitution;

7. Absent filing a motion for contempt by Mr. Jones based on this order for prospective relief, this order shall terminate two years after its entry pursuant to the Prison Litigation Reform Act, 18 U.S.C. § 3626(b)(1) and (3); and

8. Nothing ordered herein shall be construed to preclude the parties from agreeing to terminate or modify relief before the relief is terminated pursuant to the Prison Litigation Reform Act, 18 U.S.C. § 3626(b)(1)(B).

CONCLUSION

Based on the foregoing, the Court should find that the prospective relief proposed by Defendants is not only effective to cure only the constitutional violations at issue, but is also limited to the inadequacies that produced the injury-in-fact to Olds, Hays and Jones. The Court should also find that in regard to those injuries-in-fact, the proposed prospective relief is narrowly drawn, as it is fashioned with particularity to correct the specific injuries established.

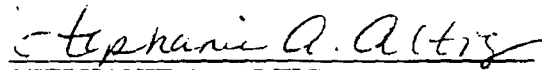
The Court should find further that the proposed prospective relief extends no further than necessary to correct the violations of the Federal rights of these specific inmates, and, as it relates to these inmates and the retaliatory acts which the Court found violated their First

Amendment rights, the Court should find that it is the least intrusive means necessary to correct those violations.

Based on the foregoing, Defendants respectfully ask that the Court enter its order for prospective relief consistent with and tailored to this proposed remedial plan.

DATED this 16th day of July, 1999.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

A handwritten signature in cursive script, reading "Stephanie A. Altig", written over a horizontal line.

STEPHANIE A. ALTIG
Deputy Attorney General
Counsel for Defendants

PROPOSED REMEDIAL PLAN RELATIVE TO INMATES WAYNE NELSON OLDS
#30106, LEE MAZUR HAYS #20226, AND ROBERT RICHARD JONES #17432 - 15

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 16th day of July, 1999, I mailed a true and correct copy of PROPOSED REMEDIAL PLAN RELATIVE TO INMATES WAYNE NELSON OLDS #30106, LEE MAZUR HAYS #20226, AND ROBERT RICHARD JONES #17432 to:

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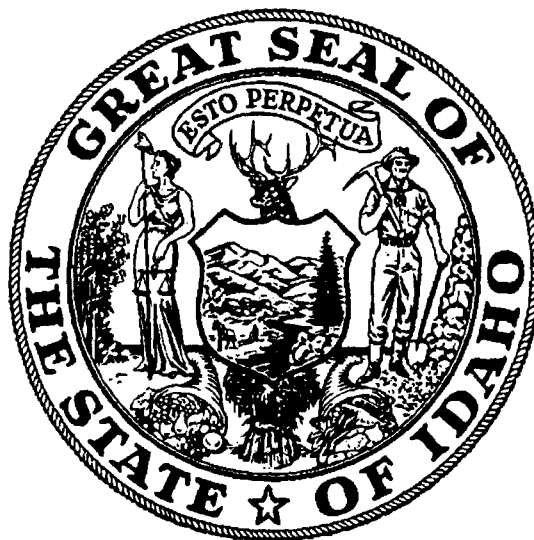
Margaret Winter
Donna H. Lee
Eric Balaban
ACLU National Prison Project
1875 Connecticut Ave., Ste. 410
Washington, D.C. 20009

via the U.S. mail.


TIMOTHY R. McNEESE

PROPOSED REMEDIAL PLAN RELATIVE TO INMATES WAYNE NELSON OLDS
#30106, LEE MAZUR HAYS #20226, AND ROBERT RICHARD JONES #17432 - 16

IDAHO DEPARTMENT OF CORRECTION



USER MANUAL

MALE INMATE CUSTODY CLASSIFICATION

(FIFTH EDITION)

EXHIBIT A

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GENERAL INFORMATION

This user manual is intended to be used in conjunction with the Prisons Division Directive on Inmate Classification and Case Management #02-303C and is designed for the use of Department of Correction (DOC) personnel to assist in the preparation and submittal of the following custody classification scoring sheets used by the department.

- The Initial Classification Score Sheet
- The Reclassification Score Sheet

The purpose of these score sheets is to provide uniform, equitable, and appropriate classification of all Department of Correction male inmates. They are designed to assure that the decisions regarding inmate custody levels are made for all inmates in the same manner, using the same criteria.

These are guidelines only. While all staff must follow these guidelines in order to reach the goals stated above, the director and facility heads retain final discretion over classification decisions.

Custody levels reflect department-wide policy regarding perceived risk. The basis for assignment of custody level is dependent upon the level of security required to supervise an individual under all circumstances both inside and outside the physical control of the correctional system. Department guidelines for security of inmates regarding various custody levels are defined in Policy and Procedure Manual #02-303C.

Modifications

The department recognizes that systems dealing with the classification of inmates must be somewhat flexible in order to meet institutional needs. The criteria reflected in the classification sheet is designed to be flexible and gives consideration to the department's changing inmate population. When the standard is not appropriate for a particular inmate, the committee may recommend a modification referencing that inmate's circumstances. The reasons for the modification must be well documented by the committee on the classification form (Section VI). Documentation includes written and dated statement of the committee's reasons for recommending the modification, the source of the information used, and names and phone numbers if appropriate. All final classification decisions and/or modifications are at the director or facility head's absolute discretion, subject to review and approval/disapproval by the director or designee.

Custody level modifications should only be done by the sending facility after a thorough review of the subject inmate's file. Should a question exist as to whether a receiving/lower custody facility is willing to take said inmate, coordination should be accomplished in advance before the inmate is placed on any inmate move list. Once the decision to modify custody level is approved, the proper notation will be made in Section VII on the classification score sheet and then signed by the facility head or designee.

Correct and timely documentation is crucial to the classification process. It provides written justification and information by committee members explaining and clarifying their decisions and recommendations. It also helps future committees in their efforts.

Proper documentation keeps track of an inmate's progress as the inmate becomes involved in programming. It gives additional information about disciplinary concerns. For example, documenting the dates of disciplinary offenses received in the upper right hand corner of the form shows quickly and easily if an inmate's points have expired or require a more timely consideration. A written statement about time and place of an escape saves the committee member considerable time when explaining the points system to an inmate. Documenting the source of a detainer or notification provides an easy point of reference for additional information.

Documentation should also be made when you have discussed with the inmate the results of receiving detention time or additional write-ups, for inmates who are nearing the point value of a higher custody level. This provides proof that the inmate was aware of the consequences of acting-out behavior.

Inmates convicted of crimes involving children are generally not considered to be institutional management problems. Security issues involve protection of the inmates and staff within an institution. Inmates convicted of sex crimes involving children can work through the system to achieve a less restrictive environment as the length of their sentence(s) decrease.

Careful judgment must be used in scoring the classification sheets. The committee does possess the authority to score a low risk crime as a high risk crime. If the committee feels the inmate is not a threat to security, despite a high risk crime and believes a lower custody level is appropriate, the reasons for this judgment call must be documented and a recommendation for a lower custody level may be requested from the facility head or designee.

Unusual Circumstances

From time to time, situations occur in any institution that are unique. Committee members are charged with placing inmates within facilities to ensure a secure environment for staff, as well as the inmate population. Placements must be made using professional judgement. Users of this system are encouraged to carefully consider all significant factors particular to the classification of each inmate, whether documented on the forms or not. However, it should be noted that the basis for the development of the criteria reflects the best thinking and experience of the management team and the task force on inmate custody classification. The responsibility for deviating from these forms should not be taken lightly. Wardens and superintendents are to be kept informed when modifications are made to the normal classification process. They should carefully review such exercises of discretion by classification committees. Wardens or superintendents must approve modifications made on reclassifications. The facility head or designee must approve all initial classifications.

An example of a unique circumstance is if no presentence investigation (PSI) report has been done. If this occurs, the RDU classification staff will request an NCIC check on the inmate. This should be documented in writing on the initial classification form. Generally, the inmate's custody level will be increased one level so staff can observe the inmate's behavior for the initial six months. If the face sheet and the PSI do not reflect the same information, generally the custody level is increased for the initial six-month period.

Information received from another facility or jail that the inmate has been acting out or where there is a possibility of pending charges must be documented. The committee should note the source, time and day the information is received and base the custody level on this information. The determination by the initial classification committee on whether the crime is high risk or low risk will dictate the length of sentence category (Section I, Category 1) for subsequent reclassification score sheet purposes. Should new information be received that would warrant a change, this should likewise be documented on an unscheduled reclassification score sheet. These examples are given merely to show the importance of documentation.

- ☐ Place an "X" check mark on the applicable line for all items that apply to the particular inmate being classified.
- ☐ Only one score is allowed for each category or part of a category, although more than one item may be checked. That score must be the highest point value assigned in the category. For example, if an inmate is incarcerated for Murder, Robbery and Assault, their score would be 13, the highest in that category, not the total of all three.

Example:

_____	X	(13)	Murder
_____		(13)	Rape
_____	X	(04)	Robbery
_____	X	(04)	Assault
_____		(00)	DUI

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Section I - Sentencing Information

Category 1 - Crimes

There are two parts of this category. Each part is to be scored.

Part A:

Crimes have been divided into three subcategories with point values of 13, 4 and 0. They are broad and are not intended to encompass all felony crimes. However, they should be broad enough to record the crime the inmate is committed for. If the inmate is committed for a crime that is not listed, check one of the "other" items and write in the crime.

Part B:

Should the inmate be incarcerated for two or more high risk crimes, the inmate will receive a score for the particular crime under Part A and another 2 points in Part B. Refer to page 4 for a definition of high risk crimes.

Category 2 - Length of Sentence

Consider the aggregate number of years if there are two or more consecutive sentences (CS). Use the longest sentence if there are two or more concurrent sentences (CC). If the inmate is a parole/probation violator returned on a technical violation, consider the time remaining on the sentence. When the inmate is a parole/probation violator returned on a new crime and the new crime is consecutive to the time remaining on the original sentence, consider the aggregate of the time remaining on the original sentence and the new crime. When the new crime is concurrent, use the longest of the two. When an inmate has been granted a tentative parole date, use this date as a release date. In the event that an inmate's tentative parole date is no longer valid, use the full term release date or a good time release date where applicable.

- a) Actual convictions of escapes found in the PSI or the FBI rap sheet.
- b) Departmental Disciplinary Offense Reports of escapes, with a finding of guilty. These may be from other law enforcement or correctional agencies, as well as our own.

Category 5 - Dangerous Behavior

Mark all that apply based on the following definitions, but score only the highest point value. The behavior does not have to be displayed exclusively within the institution; however, it must be directly related to what would be an internal management problem before it can be scored.

Item #1 - Aggressive / Predatory Behavior

Scoring of this item must be based on documented reports by correctional staff observing such behavior, probation and parole staff, city/county jail reports or the presentence investigation. This item should be marked when it is determined that the rights of staff or other inmates are violated by such behavior or when the maintenance of good order and control within the institution are compromised.

Aggressive: The inmate exhibits behavior that is characterized by the imposition of his own will on others by force.

Predatory: The inmate exhibits behavior that is characterized by exploiting others for the inmate's own gain.

Item #2 - Demonstrated Assaultive / Riotous / Coercive / Battering or Menacing Behavior

Scoring of this item must be based on documented information from CIB, probation and parole staff, city/county jail reports, the PSI or correctional staff observing such behavior. This item should be scored when it is determined that the safety and/or security of staff or other inmates are threatened by such behavior or when the maintenance of good order and control within the institution are compromised.

Assaultive: Participation in an assault

Assault: An assault is:

- a) An unlawful attempt, coupled with apparent ability, to commit a violent injury on the person of another; or

behavior. The instrument is not meant to completely replace the good judgement of staff. If an inmate has displayed this type of behavior, staff must look at the seriousness of the incident for possible extenuating circumstances. For example, use of a deadly weapon would not warrant a modification to a lower custody level whereas one incident of mutual combat with another inmate may. One incident may or may not warrant a recommended custody lower than the scored custody for institutional management purposes. Regardless, if an inmate was involved in a confrontational or assaultive situation with a correctional employee, no custody modification will be made. This type of behavior will not be tolerated, and the inmate will receive 13 points on this item.

An excellent way to determine whether or not to recommend modifying an inmate's custody, if questionable, is to discuss it with the case management team. An informed decision can then be made.

Section II - Total

Add the total points for Categories 3, 4, and 5.

Section III - Combined Total Score

Place the scores for Sections I and II on the appropriate line and enter the total of the two in the box marked TOTAL. This total will determine the inmate's scored custody level which is identified in Section IV.

Section IV - Custody Level Scoring

<u>Custody Level</u>	<u>Score</u>
Close	13 or more
Medium	7 - 12
Minimum	2 - 6
Community	0 - 1

Section V - Scored Custody Level

The scored custody level shall be a function of points assigned to the inmate for current and past behavior and criminal history. Write the scored custody level in the box in Section V, based on the scoring of Sections I and II. The custody level will be Close, Medium, Minimum, or Community.

Section VI - Other Considerations / Custody Level Modification

Inmate has Detainer or Charges Pending - Should this item apply, place a check in the box. This includes both in-state and out-of-state detainers or charges pending. When such detainers

This section must be signed by the person actually preparing the score sheet, the chairman of the classification committee and the inmate. The inmate shall sign indicating either the receipt of 24-hour notice or that the 24-hour notice was waived. If the inmate refuses to attend the meeting or sign the score sheet, such shall be noted on the score sheet on the line reserved for the inmate's signature. The inmate shall be given the pink copy of the completed classification score sheet.

The initial classification committee of the reception and diagnostic unit shall be responsible for custody level assignments which shall be subject to review and modification by the director or designee. Following approval, the original shall be placed in the inmate's record.

The initial classification action becomes effective when signed by the facility head or designee.

Distribution

The distribution of the classification score sheet shall be as follows:

White - Inmate's central file

Pink - Inmate

Section I - Crime Information

Category 1 - Length of Sentence

This category is based on release eligibility of the inmate being reclassified. Length of sentence is computed in the same manner as Category 2 on Initial Classification, page 7.

Category 2 - Escape History

Refer to Initial Classification, Category 4, page 8.

Category 3 - Prior Convictions

When scoring this category, the persistent violator item may be checked only if the inmate has, at any time including instant offense, received a conviction specifically for a persistent violator or habitual violator.

Section I - Total

Add the total points for Categories 1, 2, and 3

Section II - Institutional Adjustment

Category 4 - Disciplinary Record

Should the inmate have been convicted of a (any) disciplinary offense(s) within the last 12 months and have also served time in disciplinary segregation, mark all items that apply. However, score only the highest point value. Time served is actual time in detention. If the sentence was suspended, do not score Item 2. The 12-month period will start on the recorded DOR report date. In the event the inmate is given credit for time served in segregation (e.g., segregation pending investigation) which pre-dates the DOR report date, the date the segregation commenced shall start the 12-month period.

Category 5 - Dangerous Behavior

Mark all that apply - score only the highest point value.

Item #1 - Demonstrated Assaultive / Riotous / Coercive / Battering or Menacing Behavior within the Last 36 Months

Scoring of this item must be based on documented information from correctional staff, probation and parole staff, city/county jail reports or the presentence investigation. This item should be scored when it is determined that the rights of staff or other inmates are violated by such behavior or when

other instrument if it appears that said instrument is capable of being used in a deadly or dangerous manner and it may be fairly inferred from the evidence that its possessor intended on a particular occasion to use it as a weapon.

Item #4 - Conviction of Murder in a Correctional Facility

Scoring this item is based on either current convictions, past convictions in the presentence or FBI rap sheet or departmental incident reports with a finding of guilty, including reports from other correctional facilities, jails, and/or detention centers.

Category 6 - Program Participation / Work Stability

When scoring this category, document source of information. Information may include but is not limited to recommended program participation, work assignments, school attendance, paid and non-paid positions.

Item #1 - Not participating in recommended programs or working at the time of classification.

If the inmate willfully failed to participate in recommended programming or purposely remained idle or was terminated for cause from a job at the time of reclassification, score this item.

Item #2 - Actively and positively participating in recommended programs or job opportunities at the time of reclassification.

If the inmate is actively programming, working, or their job changes have been positive, score minus 1 this item.

DO NOT score this category if the inmate is currently on medical idle status or if the inmate was laid off because of closure of a work area. Where inmates are unable to participate in recommended programs or work opportunities due to lack of availability or medical limitation or other bona fide reason, then the inmate will not be penalized for their lack of participation and this entire section will NOT be scored.

Section II - Total

Add the total points for Categories 4 through 6.

Section III - Combined Score

White - Inmate's central file

Pink - Inmate

« NOTES »

DEPARTMENT OF CORRECTION  DIVISION OF PRISONS DIRECTIVE	SECTION NUMBER: 02-303-C	PAGE NUMBER: 1 of 11
	SUBJECT: Inmate Classification	Adopted: 2/95 Revised: 7/1/97
	Legal Review: 5/6/97	

It is the position of the division of prisons to assign each inmate to the appropriate security level facility and custody status guided by the principles of uniform and equitable placement in the least restrictive setting. Inmate placement should be consistent with maintaining the security and order of the institution, the special needs of the inmate, and the resources available within the Department of Correction.

References

Hewitt v. Helms, 459 U.S. 460 (1983)
Moody v. Daggett, 429 U.S. 78 (1976)
Montanye v. Haymes, 427 U.S. 236 (1976)
Hernandez v. Johnston, 833 F.2nd 1316 (9th Cir., 1987)
Sandin v. Conner, 115 S.Ct. 2293 (1995)
Swain v. State of Idaho, 122 Idaho 918, 841 P.2nd 448 (1992)
Schevers v. State of Idaho, (Id. S.Ct., 1996 Opinion No. 138)

Administrative Policy #318 - Disciplinary Procedures Including Levels of Allowable Punishments and Reporting Procedures
Administrative Policy #319 - Restrictive Housing
Prison Division Directive # 02-318C - Disciplinary Procedures Including Levels of Allowable Punishments and Reporting Procedures
Prison Division Directive # 02-319C - Restrictive Housing
Prison Division Directive #02-613C - Inmate Case Management

Standards for Adult Correctional Institutions, Third Edition. Standards 3-4241, 3-4242, 3-4267, 3-4282 through 3-4285, 3-4287 through 3-4289, 3-4291 through 3-4293, 3-4368 and 3-4369.

Procedures

This divisional directive describes general guidelines and procedures for the department's inmate classification system. Each facility shall develop appropriate procedures to implement this policy.

The classification system of the Idaho Department of Correction is an objective, risk-based, and descriptive assessment system. To the extent possible, only documented information shall be used in classification decision making, and the reasons for those decisions shall be documented on appropriate department forms. Nothing in this directive is intended to create a liberty interest in either the scoring of the inmate's classification and/or their subsequent assigned classification. Recommended and/or final facility placement will be at the discretion of the facility head(s) involved, subject to review and

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When outside the assigned institutional perimeter, the inmate shall be under continuous armed staff supervision and in restraints.

Close custody is generally reserved for inmates who are serving long term sentences, have an escape history, have been a disciplinary problem within a facility and/or displayed dangerous behavior while incarcerated.

2. Medium - The inmate shall be held within the confines of a secure perimeter of an institution. Within this secure perimeter, the inmate shall report for regularly scheduled counts. Movement of medium custody inmates within the institution shall be structured and monitored.

When outside the assigned institutional perimeter, the inmate shall normally be under continuous armed staff supervision and in restraints.

Medium custody is generally reserved for inmates who have demonstrated an ability to follow institutional rules and regulations, may have a considerable amount of time remaining to serve and who may present an escape risk at a lower assigned custody level.

3. Minimum - The inmate may be assigned to an institution or facility that does not have a secure perimeter. Within the designated facility perimeter, the inmate shall report for regularly scheduled counts. Movement of minimum security inmates within the facility may be unrestricted.

When outside the assigned perimeter, the inmate may be unescorted but shall be observed by staff or designated persons at least every two hours. Exceptions to the two-hour observation requirement may be permitted for specific jobs or programs as approved by the appropriate facility head in writing.

Minimum custody is generally reserved for inmates who have continuously demonstrated an ability to follow institutional rules and regulations, who are either committed for a nonviolent crime or are committed on a violent crime, are generally within 12 months of parole eligibility, and who normally do not present an escape risk.

4. Community - The inmate may be assigned to a facility that does not have

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4. The initial classification committee shall be composed of at least three people from the following areas:

- a. Security representation;
- b. Social Services/Psycho-social Rehabilitation Specialist representative;
- c. Education representative;
- d. Medical/Psychological representative;
- e. Drug & Alcohol evaluation representative.

One of the above, with the exception of 4.e., shall be designated as chairperson by the facility head.

5. Each inmate should be given at least 24 hours notice prior to the review unless security reasons preclude such notice. The inmate shall be present at the meeting during discussion of the case, but the committee may require the inmate to leave during deliberation. The inmate shall be called before the committee to be notified of the decision and to sign the forms. If the inmate refuses to attend the meeting or sign the forms, such shall be noted and the meeting shall proceed.

Custody modifications must be approved by the facility head prior to the custody change.

D. Reclassification

1. Each inmate shall be re-evaluated at least every six months (called a "six-month review"). The facility classification committee shall review all available information concerning the inmate and shall interview the inmate. Each inmate should be given at least 24 hours notice prior to the review unless security reasons preclude such notice. Such notice may be waived by the inmate in writing.
2. The purpose of the six-month review shall be to determine whether the inmate's custody level should be changed, the inmate's needs have changed, the inmate's job, housing or programming should be changed, or a facility transfer should be recommended. If appropriate lower custody bed space is not available, the inmate will be placed on an appropriate waiting list, but will be housed in a higher custody level until a bed is available.

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7. At a minimum, the facility classification committee shall consist of at least two people:
 - a. Chairperson (appointed in writing by facility head);
 - b. Representative from security (if not chairperson); or,
 - c. Inmate's caseworker/psycho-social rehabilitation specialist.
8. The inmate shall be present at the meeting during discussion of the case, but the committee may require the inmate to leave during deliberation. The inmate shall be called before the committee to be notified of the decision and to sign the forms. If the inmate refuses to attend the meeting or sign the forms, such shall be noted and the meeting shall proceed.

II. Classification Decisions

A. Custody Level

1. An inmate's recommended custody level shall be determined by the Facility Classification Committee and reviewed and approved by the facility head or designee. This decision shall be based primarily on objective, documented information contained in all central files.
2. Specific informational categories or items shall be used to determine the "assigned custody level." The scored custody level shall be a function of points assigned to the inmate for current and past behavior.
3. Other informational categories shall be considered to determine if there is just cause to override the scored custody level.
4. The informational categories considered in determining the scored custody assignment for the initial classification should include the following:
 - a. Current crime;
 - b. Length of sentence;
 - c. Prior record;
 - d. Escape history;
 - e. Dangerous behavior.

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9. The committee chairperson and the inmate shall sign the classification document on which the custody level is assigned. Reclassification actions also require the signature of the facility head or designee. If the inmate refuses to sign, it shall be so noted.
10. The inmate shall be given a copy of the completed classification scoring sheet.
11. Final custody level assignment is at the discretion of the facility head or designee subject to review and/or modification by the director or designee.

B. Special Considerations

1. An inmate's needs shall be assessed initially during the RDU process and may be subsequently reassessed in conjunction with scheduled reclassification reviews, and unscheduled reviews. The following areas at a minimum shall be evaluated:
 - a. Physical health;
 - b. Mental health;
 - c. Substance abuse issues;
 - d. Academic level;
 - e. Vocational needs;
 - f. Social skills level.

Inmates shall be encouraged to participate and given priority consideration in appropriate facility placement to maximize recommended and available program participation.

2. Program participation status shall also be assessed. The Facility Classification Committee shall determine the inmate's program participation status with respect to any area of identified need. An inmate's failure to satisfactorily participate in a recommended program may increase the score custody levels.

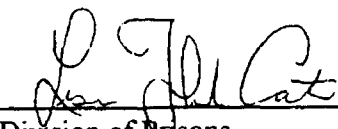
C. Interfacility Transfer Decisions

1. An inmate cannot be assigned to a facility with a lower security rating than his own, unless a custody assignment modification is made on the classification instrument by the sending facility classification committee and approved in

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procedures and directives, cooperate with the parole commission so as to maximize the inmate's potential release status at subsequent parole hearings.

- B. The facility classification committee shall normally recommend a program placement or facility transfer to address the parole stipulation which is in the best interest of the inmate and is consistent with departmental classification procedures.
- IV. This division directive is subject to revision at the discretion of the department director or designee. The director or designee has sole discretion to revise, suspend or delete any procedure statement at any time.
- V. The provisions set forth in this directive will be the responsibility of the facility head.
 - A. Facility compliance will be monitored by an audit program determined by the division of prisons (see Exhibit III).
 - B. Each facility within the division of prisons will be audited no less than annually by the administrator of prisons or designee.
 - C. Trained Division of Prisons staff will conduct audits accompanied by appropriate facility staff.
 - D. The results of the facility audit will be formalized and presented to the facility head upon their completion. The facility head will meet with their staff and prepare a formal response for review by the director or designee.


Division of Prisons 5/23/97
Date

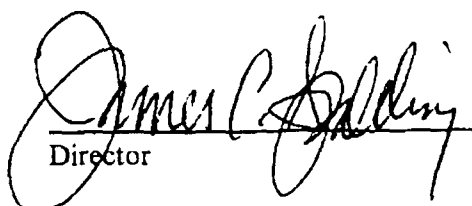

Director 6/4/97
Date

EXHIBIT I

MALE CLASSIFICATION POINT TOTAL RANGE

<u>INITIAL</u>	<u>RECLASSIFICATION</u>	<u>SCORED CUSTODY LEVEL</u>
13 or more	13 or more	Close Custody
7 - 12	7 - 12	Medium Custody
2 - 6	2 - 6	Minimum Custody
0 - 1	0 - 1	Community Custody

FEMALE CLASSIFICATION POINT TOTAL RANGE

<u>INITIAL</u>	<u>RECLASSIFICATION</u>	<u>SCORED CUSTODY LEVEL</u>
11 or more	11 or more	Close Custody
7 - 10	7 - 10	Medium Custody
4 - 6	4 - 6	Minimum Custody
0 - 3	0 - 3	Community Custody

EXHIBIT III

DIVISION OF PRISONS AUDIT CHECKLIST

DIRECTIVE: 02-303C SUBJECT: Inmate Classification
 ADOPTED DATE: 02/95 REVISED DATE: 7/1/97
 FACILITY: _____ AUDITOR(s): _____
 AUDIT DATE: _____

*CODE: C = Compliance PC = Partial Compliance NC = Non-Compliance

Audit Checklist Items		*C	*PC	*NC	Comments
1	The administrative staff member and classification chairperson for this directive are formally indicated.				
2	The directive utilized is the most current revision number.				
3	The RDU classification committee uses preinstitutional information for initial classification.				
4	The facility recognizes special considerations uses needs assessments completed during the RDU initial classification process.				
5	Each inmate is evaluated on an individual basis during the reception and/or diagnostic period.				
6	Inmates are assigned to housing based on their program needs and/or custody level.				
7	The initial classification committee is composed of at least three people from different areas.				
8	The initial and reclassification committees have a knowledge of current jobs and programs available to inmates.				
9	Inmates are allowed to be present at their initial and subsequent reclassification proceedings.				
10	Inmates are normally given 24 hours advance notice of their initial and reclassification hearings.				

= ALERTS ===== ALERTS BY REVIEW DATE ===== 07/08/1999 ===== Page 1
 DATES : 01/01/2001 THRU 01/01/2002 (SELECTED ON REVW DATE) Time : 10:42:45
 FACILITIES : ALL
 SECURITY CLASS : RECORDS
 ALERT CODE(s) : HOLD
 CURRENT FACILITY: ISCI

DOCNO NAME	START DATE	EXPR DATE	REVW DATE	END DATE	ALERT	ALERT NOTES
17432 JONES, ROBERT RICHARD	06/17/1999		06/17/2001		HOLD	CHIEF OF INMATE PLACEMENT BUREAU MUST AUTHORIZE ANY TRANSFERS OF THIS INMATE IN CONSULTATION WITH THE OFFICE OF THE ATTORNEY GENERAL, PER ORDER IN GOMEZ V SPALDING CASE # CIV91-299-S-LMB OF JUNE 17, 1999.
20226 HAYS, LEE MAZUR	06/17/1999		06/17/2001		HOLD	CHIEF OF INMATE PLACEMENT BUREAU MUST AUTHORIZE ANY TRANSFERS OF THIS INMATE IN CONSULTATION WITH THE OFFICE OF THE ATTORNEY GENERAL, PER ORDER IN GOMEZ V SPALDING CASE # CIV91-299-S-LMB OF JUNE 17, 1999.
30106 OLDS, WAYNE NELSON	06/17/1999		06/17/2001		HOLD	CHIEF OF INMATE PLACEMENT BUREAU MUST AUTHORIZE ANY TRANSFERS OF THIS INMATE IN CONSULTATION WITH THE OFFICE OF THE ATTORNEY GENERAL, PER ORDER IN GOMEZ V SPALDING CASE # CIV91-299-S-LMB OF JUNE 17, 1999.

TOTAL FOR FACILITY : 3
 TOTAL ON REPORT : 3

EXHIBIT B

Doc No: 30106 Name: OLDS, WAYNE NELSON

ISCI/UNT13 PRES FACIL

Security Class RECORDS
Alert HOLD
Status ACTIVE
Authorized By OGDEN, PATRICIA A
Orignated By COURT ORDER
Start Date 06/17/1999
Expiration Date
Review Date 06/17/2001
End Date

NOTES: CHIEF OF INMATE PLACEMENT BUREAU MUST AUTHORIZE ANY TRANSFERS OF THIS
INMATE IN CONSULTATION WITH THE OFFICE OF THE ATTORNEY GENERAL, PER
ORDER IN GOMEZ V SPALDING CASE # CIV91-299-S-LMB OF JUNE 17, 1999.

===== CONSIDERATIONS=====

Consideration NO MOVEMENT OUT OF STATE
Status ACTIVE
Start Date 06/17/1999
Expiration Date
Review Date 06/17/2001
End Date

NOTES:

Consideration NO INTERFACILITY MOVEMENT
Status ACTIVE
Start Date 06/17/1999
Expiration Date
Review Date 06/17/2001
End Date

NOTES:

Consideration HOLD
Status ACTIVE
Start Date 06/17/1999
Expiration Date
Review Date 06/17/2001
End Date

NOTES:

Consideration REVIEW REQUIRED
Status ACTIVE

= OFFENDER TRACK ===== OFFENDER PROFILE ===== 07/08/1999 = Page 2

Doc No: 30106 Name: OLDS, WAYNE NELSON

ISCI/UNT13 PRES FACIL

Start Date 06/17/1999
Expiration Date
Review Date 06/17/2001
End Date

NOTES:

= OFFENDER TRACK ===== OFFENDER PROFILE ===== 07/08/1999 = Page 1
 Doc No: 30106 Name: OLDS, WAYNE NELSON ISCI/UNT13 PRES FACIL

=====

FBI No.: 20626FA6	SID No: 000000000	Inmate Class: MINIMUM
Birthdate: 09/19/1960	S.S.N.: [REDACTED] 9	Admit Type: Termer
Sex: MALE	Ethnicity: WHITE	Admit Date: 09/18/1997
Height: 5'9	Complexion: FAIR	Par Elig: 12/18/1993
Weight: 171	Pre ID Incr: 0	Inst Disch: 06/22/2004
Eyes: BLUE	Detain/Warr: NONE	Tent. Par. Date:
Hair: BLONDE	Nxt Par Hrg: 2000-07	Par Disch:
Birthplace: MOUNTAIN HOME ID		Case Mgr/Par Off: SBONFRIS
Alerts: VICTIM, MED, REC, REG		

Crime	# Dis Cnty	Docket Number / Seq	Fac/Lvg	Pd T Cl Bk	Date
ROBBERY GN	S ADA	17650	ISCI/UNT13	00 A 5 A	12/08/1998
FORCE RAPE	I ADA	15711	ISCI/UNT13	00 A 5 B	11/17/1998
			ISCI/UNT13	00 A 20 B	10/01/1998
			ISCI/UNT15	00 A 34 A	09/04/1998
			ISCI/UNT15	00 A 50 A	09/04/1998
			ISCI/UNT16	00 B 55 A	08/19/1998
			ISCI/UNT07	00 B 11 B	08/12/1998
			ICIO/TR		08/12/1998
			ICIO/B2	00 A 1 05	06/27/1998
			ICIO/B2	00 A 1 06	02/03/1998
			IMSI/TR		02/03/1998
			IMSI/J-BLK	00 2 42 A	01/28/1998
			ICIO/TR		01/28/1998
			ICIO/B2	00 A 1 06	11/30/1997
			ICIO/B2	00 A 1 09	11/16/1997
			ICIO/B2	00 C 1 18	10/05/1997
			ICIO/B2	00 A 1 11	09/30/1997
			ISCI/UNT13	00 B 42 B	09/19/1997
			ISCI/UNT07	00 B 18 B	09/17/1997
			ICIO/TR		09/17/1997
			ICIO/B2	00 A 1 11	08/12/1997
			IMSI/TR		08/12/1997
			IMSI/J-BLK	00 1 30 A	07/09/1997
			PARL VIOL	OWYHEE/SH	06/12/1997
			PARL VIOL	ADA/SH	04/27/1997
			ADA/JB	ADA/SH	04/27/1997
			D4 BOISE	FCS SPRVSN	10/22/1996
			ISCI/UNT09	00 B 36 A	10/17/1996
			ISCI/UNT13	00 A 21 A	12/07/1995
			ISCI/UNT13	00 A 21 B	11/02/1995
			ISCI/UNT13	00 C 72 B	08/24/1995
			ISCI/UNT13	00 B 29 B	08/17/1995
			ISCI/UNT09	00 C 76 A	07/13/1995
			ISCI/UNT09	00 C 55 A	02/22/1995
			ISCI/UNT07	00 C 24 A	02/10/1995
			ISCI/UNT07	00 C 24 B	02/08/1995
			ISCI/UNT08	00 B 43 A	01/09/1995
			ISCI/UNT14	00 D 69 A	01/05/1995
			ISCI/UNT14	00 1 89	12/22/1994

ISCI/UNT07	00	D	32	A	12/09/1994
ICIO/UNKWN	00				12/07/1994
ISCI/UNT07	00	D	32	B	12/07/1994
ICIO/B2	00	C		26	10/04/1994
ICIO/B2	00	C		15	06/23/1994
ISCI/UNT07	00	D	35	A	06/22/1994
ISCI/UNT13	00	D	77	A	01/27/1994
ISCI/UNT13	00	D	76	B	12/30/1993
ISCI/UNT10	00	C	49		12/09/1993
ISCI/UNT10	00	C	72	A	10/14/1993
ISCI/UNT10	00	C	64	A	09/09/1993
ISCI/UNT10	00	C	54	B	04/09/1993
ISCI/UNT10	00	A	18	B	04/08/1993
ISCI/UNT11	00	C	70	A	03/09/1993
ISCI/UNT11	00	C	70	B	02/12/1993
ISCI/UNT07	00	A	4	A	01/29/1993
ISCI/SU	00	B	45		01/22/1993
ISCI/UNT10	00	C	71		07/14/1992
ISCI/UNT10	00	C	62	A	08/22/1991
ISCI/UNT10	00	A	20	B	08/13/1991
ISCI/UNT10	00	B	28	B	08/08/1991
ISCI/UNT10	00	B	30	B	08/02/1991
ISCI/UNKWN	00				08/01/1991
IMSI/E-BLK	00	2	13	A	04/24/1991
IMSI/E-BLK	00	2	13	B	03/06/1991
IMSI/E-BLK	00	2	15	B	01/24/1991
IMSI/E-BLK	00	2	13	B	01/11/1991
IMSI/E-BLK	00	1	9	B	01/10/1991
IMSI/G-BLK	00	1	5	B	01/09/1991
IMSI/ADSEG	00	3	83	A	12/27/1990
ISCI/RH	00	C	65	A	12/21/1990
ISCI/UNT07	00	A	2	A	12/07/1990
ISCI/UNT10	00	B	48	A	05/08/1990
ISCI/UNT09	00	C	77		05/01/1990
ISCI/UNT07	00				04/17/1990
IMSI/UNKWN	00				12/08/1989
ISCI/UNT07	00				11/16/1989

Previous Numbers:

= ALERTS ===== ALERTS BY REVIEW DATE ===== 07/08/1999 ===== Page 1
 DATES : 01/01/2001 THRU 01/01/2002 (SELECTED ON REVW DATE) Time : 10:42:45

FACILITIES : ALL
 SECURITY CLASS : RECORDS
 ALERT CODE(s) : HOLD
 CURRENT FACILTIY: ISCI

DOCNO	NAME	START DATE	EXPR DATE	RE VW DATE	END DATE	ALERT	ALERT NOTES
17432	JONES, ROBERT RICHARD	06/17/1999		06/17/2001		HOLD	CHIEF OF INMATE PLACEMENT BUREAU MUST AUTHORIZE ANY TRANSFERS OF THIS INMATE IN CONSULTATION WITH THE OFFICE OF THE ATTORNEY GENERAL, PER ORDER IN GOMEZ V SPALDING CASE # CIV91-299-S-LMB JUNI 17, 1999.
20226	HAYS, LEE MAZUR	06/17/1999		06/17/2001		HOLD	CHIEF OF INMATE PLACEMENT BUREAU MUST AUTHORIZE ANY TRANSFERS OF THIS INMATE IN CONSULTATION WITH THE OFFICE OF THE ATTORNEY GENERAL, PER ORDER IN GOMEZ V SPALDING CASE # CIV91-299-S-LMB OF JUNI 17, 1999.
30106	OLDS, WAYNE NELSON	06/17/1999		06/17/2001		HOLD	CHIEF OF INMATE PLACEMENT BUREAU MUST AUTHORIZE ANY TRANSFERS OF THIS INMATE IN CONSULTATION WITH THE OFFICE OF THE ATTORNEY GENERAL, PER ORDER IN GOMEZ V SPALDING CASE # CIV91-299-S-LMB OF JUNI 17, 1999.

TOTAL FOR FACILITY : 3
 TOTAL ON REPORT : 3

EXHIBIT

C

Doc No: 20226 Name: HAYS, LEE MAZUR

ISCI/UNT13 PRES FACIL

Security Class RECORDS
Alert HOLD
Status ACTIVE
Authorized By OGDEN, PATRICIA A
Originated By COURT ORDER
Start Date 06/17/1999
Expiration Date
Review Date 06/17/2001
End Date

NOTES: CHIEF OF INMATE PLACEMENT BUREAU MUST AUTHORIZE ANY TRANSFERS OF THIS
INMATE IN CONSULTATION WITH THE OFFICE OF THE ATTORNEY GENERAL, PER
ORDER IN GOMEZ V SPALDING CASE # CIV91-299-S-LMB OF JUNE 17, 1999.

===== CONSIDERATIONS=====

Consideration NO MOVEMENT OUT OF STATE
Status ACTIVE
Start Date 06/17/1999
Expiration Date
Review Date 06/17/2001
End Date

NOTES:

Consideration NO INTERFACILITY MOVEMENT
Status ACTIVE
Start Date 06/17/1999
Expiration Date
Review Date 06/17/2001
End Date

NOTES:

Consideration HOLD
Status ACTIVE
Start Date 06/17/1999
Expiration Date
Review Date 06/17/2001
End Date

NOTES:

Consideration REVIEW REQUIRED
Status ACTIVE

= OFFENDER TRACK ===== OFFENDER PROFILE ===== 07/08/1999 = Page 2

Doc No: 20226 Name: HAYS, LEE MAZUR

ISCI/UNT13 PRES FACIL

Start Date 06/17/1999
Expiration Date
Review Date 06/17/2001
End Date

NOTES:

= OFFENDER TRACK ===== OFFENDER PROFILE ===== 07/08/1999 = Page 1
 Doc No: 20226 Name: HAYS, LEE MAZUR ISCI/UNT13 PRES FACIL

=====

FBI No.: 622461C	SID No: 001347442	Inmate Class: MINIMUM
Birthdate: 05/23/1937	S.S.N.: [REDACTED]	Admit Type: Termer
Sex: MALE	Ethnicity: WHITE	Admit Date: 06/01/1984
Height:	Complexion:	Par Elig: 03/31/1994
Weight:	Pre ID Incr: 0	Inst Disch: LIFE
Eyes:	Detain/Warr: NONE	Tent. Par. Date:
Hair:	Nxt Par Hrg:	Par Disch:
Birthplace:		Case Mgr/Par Off: SBONFRIS
Alerts: VICTIM, REC, REG		

Crime	# Dis Cnty	Docket Number / Seq	Fac/Lvg	Pd T Cl Bk	Date
L&L <16	I KOOTE	F-40511	ISCI/UNT13	00 C 69 A	10/15/1998
			ISCI/UNT11	00 B 33 A	12/11/1997
			ISCI/UNT11	00 B 34 A	11/06/1997
			ISCI/UNT14	00 B 14 A	08/28/1997
			ISCI/UNT14	00 C 25 A	06/06/1997
			ISCI/UNT07	00 D 33 B	06/03/1997
			ISCI/UNT08	00 A 26 A	05/29/1997
			ISCI/UNT14	00 D 17 A	05/23/1997
			ISCI/UNT07	00 A 4 A	05/20/1997
			ISCI/UNT08	00 B 28 A	05/13/1997
			ISCI/UNT09	00 A 11	09/28/1993
			ISCI/MED	00 4 01	09/27/1993
			ISCI/UNT09	00 A 11 A	08/03/1993
			ISCI/UNT09	00 A 16 A	02/25/1993
			ISCI/UNT08	00 A 4	02/19/1993
			ISCI/UNT07	00 A 1 A	02/08/1993
			ISCI/SU	00 B 31	02/05/1993
			ISCI/UNT07	00 A 6 A	01/27/1993
			ISCI/SU	00 B 52	01/08/1993
			ISCI/SU	00 B 44	01/07/1993
			ISCI/UNT09	00 C 77	12/24/1992
			ISCI/UNT09	00 C 60 A	09/15/1992
			ISCI/UNT09	00 B 34 B	09/03/1992
			ISCI/UNT09	00 B 37 A	08/26/1992
			ISCI/UNT14	00 0 26	08/21/1992
			ISCI/UNT07	00 B 18 A	08/18/1992
			ISCI/SU	00 B 27	08/10/1992
			ISCI/UNKWN	00	04/26/1988
			ISCI/UNT07	00	11/27/1985
			ICIO/UNKWN	00	09/27/1985
			ISCI/UNT07	00	06/01/1984

Previous Numbers:

= ALERTS ===== ALERTS BY REVIEW DATE ===== 07/08/1999 ===== Page 1
 DATES : 01/01/2001 THRU 01/01/2002 (SELECTED ON REVW DATE) Time : 10:42:45
 FACILITIES : ALL
 SECURITY CLASS : RECORDS
 ALERT CODE(s) : HOLD
 CURRENT FACILITY: ISCI

DC	NAME	START DATE	EXPR DATE	REVW DATE	END DATE	ALERT	ALERT NOTES
17432	JONES, ROBERT RICHARD	06/17/1999		06/17/2001		HOLD	CHIEF OF INMATE PLACEMENT BUREAU MUST AUTHORIZE ANY TRANSFERS OF THIS INMATE IN CONSULTATION WITH THE OFFICE OF THE ATTORNEY GENERAL, PER ORDER IN GOMEZ V SPALDING CASE # CIV91-299-S-LMB OF JUNE 17, 1999.
20226	HAYS, LEE MAZUR	06/17/1999		06/17/2001		HOLD	CHIEF OF INMATE PLACEMENT BUREAU MUST AUTHORIZE ANY TRANSFERS OF THIS INMATE IN CONSULTATION WITH THE OFFICE OF THE ATTORNEY GENERAL, PER ORDER IN GOMEZ V SPALDING CASE # CIV91-299-S-LMB OF JUNE 17, 1999.
30106	OLDS, WAYNE NELSON	06/17/1999		06/17/2001		HOLD	CHIEF OF INMATE PLACEMENT BUREAU MUST AUTHORIZE ANY TRANSFERS OF THIS INMATE IN CONSULTATION WITH THE OFFICE OF THE ATTORNEY GENERAL, PER ORDER IN GOMEZ V SPALDING CASE # CIV91-299-S-LMB OF JUNE 17, 1999.

TOTAL FOR FACILITY : 3
 TOTAL ON REPORT : 3

EXHIBIT

D

Doc No: 17432 Name: JONES, ROBERT RICHARD

ISCI/UNT09 PRES FACIL

Security Class RECORDS
Alert HOLD
Status ACTIVE
Authorized By OGDEN, PATRICIA A
Originated By COURT ORDER
Start Date 06/17/1999
Expiration Date
Review Date 06/17/2001
End Date

NOTES: CHIEF OF INMATE PLACEMENT BUREAU MUST AUTHORIZE ANY TRANSFERS OF THIS
INMATE IN CONSULTATION WITH THE OFFICE OF THE ATTORNEY GENERAL, PER
ORDER IN GOMEZ V SPALDING CASE # CIV91-299-S-LMB OF JUNE 17, 1999.

===== CONSIDERATIONS=====

Consideration NO MOVEMENT OUT OF STATE
Status ACTIVE
Start Date 06/17/1999
Expiration Date
Review Date 06/17/2001
End Date

NOTES:

Consideration NO INTERFACILITY MOVEMENT
Status ACTIVE
Start Date 06/17/1999
Expiration Date
Review Date 06/17/2001
End Date

NOTES:

Consideration HOLD
Status ACTIVE
Start Date 06/17/1999
Expiration Date
Review Date 06/17/2001
End Date

NOTES:

Consideration REVIEW REQUIRED
Status ACTIVE

= OFFENDER TRACK ===== OFFENDER PROFILE ===== 07/08/1999 = Page 2

Doc No: 17432 Name: JONES, ROBERT RICHARD

ISCI/UNT09 PRES FACIL

Start Date 06/17/1999
Expiration Date
Review Date 06/17/2001
End Date

NOTES:

= OFFENDER TRACK ===== OFFENDER PROFILE ===== 07/08/1999 = Page 1
Doc No: 17432 Name: JONES, ROBERT RICHARD ISCI/UNT09 PRES FACIL

=====

FBI No.: 473134E	SID No: 000052535	Inmate Class: MEDIUM
Birthdate: 11/13/1943	S.S.N.: [REDACTED]	Admit Type: Termer
Sex: MALE	Ethnicity: WHITE	Admit Date: 09/05/1991
Height: 6'2	Complexion: FAIR	LIFE NOPAR
Weight: 185	Pre ID Incr: 1	Inst Disch: LIFE NOPAR
Eyes: HAZEL	Detain/Warr: NONE	Tent. Par. Date:
Hair: BROWN	Nxt Par Hrg:	Par Disch:
Birthplace: YAKIMA	WA	Case Mgr/Par Off: MGELALIA
Alerts: REC, REG		

Crime	# Dis Cnty	Docket Number / Seq	Fac/Lvg	Pd T Cl Bk	Date
MURDER 1ST	I CANYO	89-13922	ISCI/UNT09	00 A 6 A	04/08/1998
FAIL APPEA	D ADA	9720	ISCI/UNT16	00 B 56 A	02/11/1998
BURGLARY 1	D ADA	8587	ISCI/UNT09	00 C 68 A	02/05/1998
LARCNY G/L	D ADA	8587	ISCI/UNT09	00 B 42 A	01/14/1998
			ISCI/UNT08	00 C 65 A	12/11/1997
			ISCI/UNT07	00 C 30 A	10/22/1997
			ISCI/UNT08	00 C 63 A	09/25/1997
			ISCI/UNT08	00 C 61 A	09/22/1997
			ISCI/UNT07	00 C 30 A	08/26/1997
			ISCI/UNT08	00 C 67 A	07/08/1997
			ISCI/UNT07	00 B 17 B	07/08/1997
			ISCI/UNT08	00 C 67 A	03/20/1997
			ISCI/UNT08	00 C 71 A	02/13/1997
			ISCI/UNT09	00 C 70 A	05/21/1996
			ISCI/UNT09	00 C 55 B	04/09/1996
			ISCI/UNT07	00 C 27 A	04/02/1996
			ISCI/UNT07	00 C 27 B	03/29/1996
			IMSI/TR		03/29/1996
			ISCI/UNT07	00 C 27 B	03/29/1996
			IMSI/G-BLK	00 1 7 A	01/13/1996
			IMSI/C-1	00 1 23 A	06/04/1992
			IMSI/C-1	00 1 9 B	04/16/1992
			IMSI/C-1	00 1 9 A	12/31/1991
			IMSI/C-1	00 1 9 B	11/26/1991
			IMSI/A-BLK	00 1 22 A	10/31/1991
			IMSI/A-BLK	00 3 75 A	10/16/1991
			IMSI/ADSEG	00 3 75 A	10/16/1991
			IMSI/ADSEG	00 3 87 A	10/09/1991
			IMSI/E-BLK	00 2 13 A	09/16/1991
			ISCI/UNT07	00 B 8 A	09/06/1991
			IMSI/E-BLK	00 2 13 A	09/05/1991
			HISTORY	PAR DISCHR	05/21/1985
			FCS PAROLE	FCS SPRVSN	04/25/1984
			ISCI/UNT07	00	10/19/1980

Previous Numbers: