
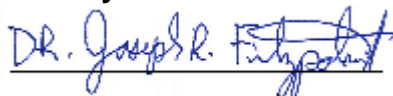


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<b>POLICY NUMBER: 23.7</b>		
<b>CHAPTER 23: CLASSIFICATION AND CASE MANAGEMENT</b>		
	<b>STATE of MAINE</b> <b>DEPARTMENT OF CORRECTIONS</b>  <b>Approved by Commissioner:</b> 	<b>PROFESSIONAL STANDARDS:</b>  <b>See Section VII</b>
	<b>EFFECTIVE DATE:</b> <b>March 28, 2014</b>	<b>LATEST REVISION:</b> <b>June 6, 2014</b>

**I. AUTHORITY**

The Commissioner of Corrections adopts this policy pursuant to the authority contained in 34-A M.R.S.A. Sections 1403 and 4117 and in accordance with the OJJDP Prevention Act of 2002.

**II. APPLICABILITY**

Mountain View Youth Development Center, Young Adult Offender Program

**III. POLICY**

It is the policy of the Department of Corrections to operate a Young Adult Offender Program for selected male prisoners who meet eligibility requirements. Mountain View Youth Development Center is the designated facility for the Young Adult Offender Program. Prisoners participating in this program shall be offered a broad range of services and programs designed to meet the individual needs and risks of young adult male offenders.

Prisoners participating in the program shall reside in housing units that are fully separated from the housing units for the facility's juvenile residents and there shall be full compliance with mandatory sight and sound separation standards established by federal law. Except as otherwise set out in this policy, prisoners participating in this program are subject to all departmental policies governing other adult prisoners.

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**V. ATTACHMENTS**

None

**VI. PROCEDURES**

**Procedure A: Young Adult Offender Program, General**

1. A young adult offender is a male prisoner between the age of eighteen (18) and the age of twenty-five years and three months who has been sentenced to the Department as an adult.
2. A prisoner who is approved for the Young Adult Offender Program shall be transferred to the program at Mountain View Youth Development Center (a medium security facility) when an appropriate bed becomes available.
3. A prisoner who completes the Young Adult Offender Program and who is not released from departmental custody prior to attaining the age of twenty-six (26) years shall be transferred to a minimum security facility or supervised community confinement, as applicable, prior to attaining twenty-six (26) years of age, unless the prisoner requests otherwise and a transfer to another adult facility is approved by the Department's Director of Classification.
4. A prisoner whose participation in the Young Adult Offender Program is not satisfactory may be transferred to an equivalent or higher security adult facility at any time as determined by the Department's Director of Classification, or designee, and shall be transferred prior to attaining twenty-six (26) years of age, unless already released from departmental custody.
5. Any prisoner may be transferred to another adult facility at any time based on medical or mental health reasons, protective custody or "keep separate" reasons, or any other reason as determined by the Department's Director of Classification, or designee.
6. Under no circumstances may a prisoner remain in the program once he has attained twenty-six (26) years of age.
7. The Mountain View Youth Development Center Chief Administrative Officer, or designee, shall ensure that separation between juvenile residents and adult prisoners is maintained to prevent sight and sound contact between the two populations, except for incidental contact.
8. Every effort shall be made to avoid sight contact, i.e., clear visual contact between adult prisoners who are in close proximity to juvenile residents.
9. Every effort shall be to avoid sound contact, i.e., ability for juvenile residents to overhear adult prisoner audible conversation or direct oral communication between adult prisoners and juvenile residents.
10. Incidental contact is brief and inadvertent contact or accidental contact between juvenile residents and adult prisoners in areas of the facility, other than housing units, that are not dedicated to exclusive use by juvenile residents, e.g., dining, recreational, educational, vocational, health care areas, entry areas, and hallways.

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11. Except as otherwise set out in this policy, prisoners participating in this program and the program staff are subject to all departmental policies governing other adult prisoners, staff, and facilities.

**Procedure B: Eligibility Criteria and Initial Classification**

1. The Maine Correctional Center initial classification committee shall consider recommending a male prisoner for placement in the Young Adult Offender Program if the prisoner:
  - a. Is between eighteen (18) years and twenty-five years and three months of age;
  - b. Has been sentenced to the Department as an adult;
  - c. Has not been convicted as an adult of a crime under Title 17-A, Chapters 11 or 12 (sex offense);
  - d. Is classified as medium, minimum, or community custody;
  - e. Has an LSI score indicating moderate, high, or maximum risk/needs;
  - f. Has at least nine months remaining prior to his earliest possible custody release date, i.e., the date at which he would be released if he were to be awarded all sentence deductions (good time) for which he is eligible; and
  - g. Has no more than five years remaining prior to his current custody release date, i.e., the date at which he would be released without considering possible deductions (good time) not yet awarded.
2. Jail safe keepers, jail boarders, federal holds and transfers from other jurisdictions are not eligible for the Young Adult Offender Program.
3. Designated Maine Correctional Center staff shall complete the LSI risk/needs assessment prior to initial classification for a prisoner who meets the other eligibility requirements for the Young Adult Offender Program.
4. A prisoner meeting all the eligibility criteria may be approved for the Young Adult Offender Program upon initial classification at the Maine Correctional Center, in accordance with Department Policy 23.1, Classification System.
5. The Maine Correctional Center Classification Officer, or designee, shall consult with the Mountain View Youth Development Center Chief Administrative Officer, or designee, about the potential placement of an eligible prisoner into the Young Adult Offender Program. If information exists that this would not be a suitable placement, the facility Classification Officer, or designee, shall not request the details but shall inform the Central Office Director of Classification so that the Central Office Director of Classification, or designee, can contact appropriate staff to obtain the details.
6. The initial classification committee shall make a recommendation for a prisoner to be transferred to the Young Adult Offender Program if the prisoner meets the eligibility criteria and is deemed to be a suitable candidate based upon review of the case file and acceptance by the Mountain View Youth Development Center Chief Administrative Officer, or designee.
7. The Maine Correctional Center Classification Officer, or designee, shall inform the

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Central Office Director of Classification of the recommendation for placement in the Young Adult Offender Program and the Central Office Director of Classification, or designee, shall make the final decision.

**Procedure C: Phase and Level System**

1. A phase and level system is used for prisoners in the Young Adult Offender Program and is based upon a prisoner’s progress toward complying with his Individualized Case Plan, including achieving and maintaining positive behavior, meeting specific treatment and program goals, demonstrating an increased capacity for independence, positive role modeling, and mentoring.
2. There is a system of progressive phases, with each phase having specific program and behavioral criteria and requirements that must be met in order to advance to the next phase.
  - a. Phase 1 is a minimum of fourteen (14) days and is considered the orientation phase. A prisoner shall progress from Phase 1 when he has successfully completed the orientation schedule and shown active participation in the development of an Individualized Case Plan.
  - b. Phase 2 is considered the treatment phase and is broken down into three (3) levels. Level advancement shall be determined by the unit treatment team based on the prisoner’s completion of the requirements.
    - (1) **Green level** is for all prisoners newly assigned to Phase 2 and is a minimum of thirty (30) days. During this level, a prisoner is expected to put effort into following all rules and respecting others and exhibit willingness to participate in all programming, as set out in the Individualized Case Plan. At this level it is the expectation that the prisoner will not engage in any behavior that constitutes a Class A or B disciplinary violation or engage in behaviors that adversely affect others.
    - (2) **Blue Level** is for prisoners who have applied and been approved by the unit treatment team to advance to this level based on the successful completion of the green level. Blue level is a minimum of thirty (30) days. During this level, a prisoner is expected to fully participate in therapeutic programming and exhibit success in this regard. At this level it is the expectation that the prisoner will not engage in any behavior that constitutes a disciplinary violation of any class or engage in behaviors that adversely affect others.
    - (3) **Red Level** is for prisoners who have applied and been approved by the unit treatment team to advance to this level based on the successful completion of the blue level. Red level is a minimum of one hundred twenty (120) days. During this level, a prisoner is expected to show an increased capacity for independence, earn the trust of staff, make significant progress in work relating to discharge from the program, and actively develop job readiness skills. It is during this level that the major goals in the Individualized Case Plan shall be accomplished.
  - c. Phase 3 is a minimum of sixty (60) days and is considered the transition phase.

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A prisoner shall progress to Phase 3 when he has successfully completed Phase 2 and has applied and been approved by the unit treatment team. A prisoner in this phase shall reside in the transition pod to focus on independent living skills, finalize his discharge from the program, and prepare for re-entry to the community or transfer to a minimum security facility. During this phase, a prisoner is expected to complete a minimum of forty (40) hours of community service work, provide mentoring to other prisoners, assist staff in the presentation of therapeutic programming, and participate in work assignments off grounds, if available and appropriate.

3. The privileges accorded a prisoner, including, but not limited to, number of allowed visits, number of allowed phone calls, personal property items permitted to be in the prisoner's possession, recreational opportunities, and commissary privileges, depend on his phase and level.
4. Prisoners participating in the program shall be informed of the criteria for advancing in phases and levels.
  - a. When a prisoner believes he has met the criteria to advance to the next phase, he shall document his request for phase advancement to his case manager who shall meet with the unit treatment team to review the request. A determination shall be made by the unit treatment team regarding the prisoner's successful completion of the requirements.
  - b. When a prisoner does not maintain compliance with the criteria of his current phase or level, the unit treatment team shall meet with the prisoner and make a determination on a drop in phase or level. A drop in phase or level is not intended as a punitive measure but rather as an indication that the prisoner no longer meets the criteria for a higher phase or level.
  - c. A prisoner may appeal a denial of his request for phase advancement or a drop in phase or level by sending his reasons for appeal in writing to the Chief Administrative Officer, or designee, within five (5) working days of receiving the unit treatment team's decision. The Chief Administrative Officer, or designee, is the final authority for this appeal.

**Procedure D: Clothing and Personal Property**

1. All prisoners shall be issued facility clothing and hygiene supplies upon admission to the program. Prisoners shall wear facility-issued clothing at all times during waking hours.
2. Prisoners may have footwear as provided in Department Policy 10.1, Prisoner Allowable Property.
3. If applicable, one set of personal clothing shall be stored in the facility personal property room, along with any other personal property items allowed by Department Policy 10.1, Prisoner Allowable Property, but not permitted to be in the prisoner's possession due to his phase and level. Additional items of personal clothing shall be disposed of by the prisoner as set out in the policy.

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## Procedure E: Separation of Adults and Juveniles

1. The facility Chief Administrative Officer, or designee, shall ensure that separation is maintained between juvenile residents and adult prisoners as required by mandatory sight and sound separation standards established by federal law.
2. Separation shall be achieved through architectural barriers, including but not limited to, fully separated housing units, as well as time phasing of common use areas outside of housing units.
3. Staff assigned to the intake area shall coordinate all intakes of adults and juveniles with the transporting agencies to avoid contact between adults and juveniles in the intake area. In the case of an adult and juvenile arriving at the same time, the adult shall be placed in a holding cell to avoid contact with the juvenile. The juvenile shall remain in the intake area only long enough to be photographed, fingerprinted, searched and dressed in a facility uniform. Once the intake process is complete, the juvenile shall be removed immediately from the intake area.
4. When being transported to or from the facility, adult prisoners shall be transported separately from juvenile residents and departures from and returns to the facility shall be coordinated by designated facility staff to avoid contact between adult prisoners and juvenile residents.
5. Designated facility staff shall coordinate departures from and returns to the facility for adult prisoners and juvenile residents participating in community transition programs (work release, education release, and public service release) and furlough programs to avoid contact between adult prisoners and juvenile residents.
6. Central Control and other staff shall ensure that adult prisoners and juvenile residents are not moving in the same area of the facility at the same time.
7. In the case of evacuation from the building, adult prisoners shall be removed from the building to a separate area from juvenile residents using exit routes for adult prisoners that are separate from juvenile residents.
8. In the case of evacuation from the site, both populations shall be evacuated in separate vehicles to the same destination. Once at the destination, facility staff shall ensure that adult prisoners are kept separate from juvenile residents as much as reasonably possible.
9. A door in the main hall of the facility shall separate the adult housing units from the remainder of the facility and shall be locked at all times when not in use. Central Control and other staff shall ensure that the hall is clear of all juvenile residents before allowing adult prisoners to move through the door.
10. A juvenile resident may only be in a shared space if there is no adult prisoner present and only if the resident is escorted by facility staff.
11. An adult prisoner may only be in a shared space if there is no juvenile resident present and only if the prisoner is escorted by facility staff.
12. All windows in common areas of the facility shall be covered by opaque window coverings.

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13. Adult prisoners shall have separate programs, services and activities from juvenile residents, including, but not limited to, educational, library, vocational, religious, health care, treatment, recreational, and food programs, services and activities. Program space and equipment may be shared by the use of time phasing subject to security concerns.
14. Daily schedules shall highlight location areas for adult programs, services and activities and shall accommodate movement times to allow for separate activities for adult prisoners and juvenile residents both inside and outside of the building and to avoid any sight or sound contact between the two populations. Any scheduling change shall be coordinated with Central Control and other appropriate staff to ensure sight and sound separation.
15. An adult prisoner shall not be permitted to provide services to juvenile residents (e.g., serving meals, dispensing reading materials, issuing uniforms).
16. When staffing resources permit, unit managers and security staff for the Young Adult Offender Program adult prisoners should not supervise or otherwise have any responsibilities with respect to juvenile residents, except as necessary in the event of a critical incident.
17. When staffing resources permit, unit managers and security staff for juvenile residents should not supervise or otherwise have any responsibilities with respect to adult prisoners, except as necessary in the event of a critical incident.
18. Staff that may be shared include facility administrators, business and human resources staff, and staff providing food, laundry, maintenance, engineering, health care, treatment, case management, education, and vocational programs and services.
19. In addition to training required by other departmental policies, all facility staff shall complete initial and annual training on the principles and procedures of separation of juvenile residents and adult prisoners.

**Procedure F: Documenting and Reporting Contact Between Adults and Juveniles**

1. In the case of any sight or sound contact, including incidental contact, between an adult prisoner and a juvenile resident, the staff witnessing the contact shall verbally report this contact immediately to his or her supervisor, who shall report the contact to the Chief Administrative Officer or Deputy Chief Administrative Officer of Operations. The staff witnessing the contact shall complete an incident report outlining the details of the contact and the circumstances that led to the contact.
2. All incidents of contact between an adult prisoner and a juvenile resident shall be reviewed by the Deputy Chief Administrative Officer of Operations during debriefing meetings and shall be included in the facility incident mapping for the department.
3. The Chief Administrative Officer, or designee, shall compile and report data annually of contact other than incidental contact to the Department's OJJDP compliance monitor.

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**VII. PROFESSIONAL STANDARDS**

**ACA**

**ACI-4-4311** Adult offenders have no more than incidental sight or sound contact with youthful offenders outside the unit in living, program, dining, or other common areas of the facility.

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