



NEW MEXICO

CORRECTIONS DEPARTMENT

Secretary
Alisha Tafoya Lucero

| | | |
|---|-------------------------------------|---|
| CD-081200 Institutional Scoring and Risk Assessment | Issued: 2/1/01 Effective: 2/1/01 | Reviewed: 06/03/24 Revised: 06/03/24 |
| Alisha Tafoya Lucero, Cabinet Secretary | | <i>Original Signed and Kept on File</i> |

AUTHORITY:

NMSA 1978, Sections 33-1-6, 31-5-17, 31-5-4 and 31-5-10 as amended.

REFERENCE:

- A. ACA Standard 2-CO-4A-01, 2-CO-4B-01, 2-CO-4B-03, *Standards for the Administration of Correctional Agencies*, 1993.
- B. ACA Expected Practices 5-ACI-5B-02, 5-ACI-5B-06 and 5-ACI-5B-11, *Performance Based Standards and Expected Practices for Adult Correctional Institutions*, 5th Edition.
- C. New Mexico Corrections Department (NMCD) External Classification Validation Study, UNM Center for Applied Research & Analysis, October 2023; Alex Severson, Ph.D.; Paul Guerin, Ph.D.; Reanna Sanchez, M.A.; Cris Moore, Ph.D.

PURPOSE:

- A. To provide guidelines for institutional security levels and inmate custody level assignments.
- B. To provide criteria to assigned classification staff for objective risk management and assessment. **[2-CO-4A-01]**
- C. To set standards and consistency in the methods by which the NMCD identifies inmates' custody, programming, and special needs. **[5-ACI-5B-11]**
- D. To provide a system for: **[2-CO-4B-01]**
 - 1. Continued monitoring and tracking of each inmate's program accomplishments during confinement.
 - 2. Information to assist classification staff so they can properly assess the custody level and needs assessment of each inmate to determine the appropriate facility and program assignment.
 - 3. Inmate participation in the classification system through assigned classification staff at the facility level.
 - 4. A classification review and appeal process. **[2-CO-4B-03]**

APPLICABILITY:

New Mexico Corrections Department (NMCD) employees and inmates.

FORMS:

- A. **Initial Custody Scoring** form (CD-081200.1)
- B. **Reclassification Scoring** form (CD-081200.2)
- C. **Custody Level Scale for Initial/Reclassification Scoring** form (CD-081200.3)
- D. **Contact Chrono** form (CD-081200.4)

ATTACHMENTS:

- A. **Current Offense Risk Factor Scale** Attachment (CD-081200.A)
- B. **Disciplinary Offense Scale** Attachment (CD-081200.B)

DEFINITIONS:

- A. *Absconder*: Any probationer or parolee who, while under the supervision of the Probation and Parole Division, changes residence or leaves the jurisdiction without permission or ceases reporting or is otherwise not available for supervision.
- B. *Active Felony Warrant-No Detainer*: A written legal writ authorizing the arrest of a specific individual for felony charges, but the detaining agency is not requesting to place a hold on the individual.
- C. *Active Misdemeanor Warrant-No Detainer*: A written legal writ authorizing the arrest of a specific individual for misdemeanor charges, but the detaining agency is not requesting to place a hold on the individual.
- D. *Admission Summary*: The summary prepared by RDC classification officers to provide an overall profile of all newly committed and returning inmates.
- E. *Central Office Classification Bureau*: Classification specialists assigned to the central office Adult Prisons Division who possess advanced understanding of NMCD classification.
- F. *Classification*: The process by which inmates are regularly reviewed to determine their level of housing, custody, level, facility assignment, programs, and treatment needs.
- G. *Classification Committee*:
 - 1. The classification committee shall be comprised of the unit manager or classification supervisor, as well as a security representative, sergeant or above. For special management, a representative from behavioral health shall serve on the classification committee as required by policy.

If a unit manager or classification supervisor is not available; a classification officer with over one year experience in classification may serve as acting classification supervisor. If a sergeant or above is not available, a correctional officer may serve as acting sergeant.
 - 2. Inmates are afforded 48-hour notice of these committees such as custody reviews, good time actions, etc.

- H. Classification Officer: A correctional employee assigned to a facility responsible for management of inmate classification, inmate sentence(s) in relation to application of statutory good time, program assignment, release planning, acting as a liaison between the public, administration and other agencies. The classification officer is also responsible for the assigned duties and functions detailed in this NMCD policy.
- I. Classification Supervisor: A correctional employee assigned to oversee the classification system within an assigned facility. At facilities without a classification supervisor, the unit manager shall be responsible for the duties of the classification supervisor.
- J. Custody Levels: An objective assessment of each inmate's risk of violence and escape. These include level I, II, III and IV. The custody level will be utilized to determine each inmate's housing status. **[5-ACI-5B-02]**
- K. Detaining Agency: An agency issuing a detainer, indictment, warrant or criminal complaint such as a District Attorney's Office, Federal law enforcement agency (e.g. FBI, U.S. Marshals, ICE, Bureau of Alcohol, Tobacco and Firearms), U.S. or State Attorney General's Office, police departments, probation/parole officers and sheriff's departments.
- L. Discretionary Reviews: Classification reviews conducted for an inmate at the discretion of the classification supervisor or classification officer.
- M. Felony Detainer: A written request from a detaining agency to place a hold on a person who has been formally charged or convicted of a crime, probation violation or parole violation. This request must be accompanied by a formal written charging document (e.g. grand jury indictment, criminal information, warrant, judgment and sentence, etc.).
- N. Inconclusive NCIC: Information obtained from the National Crime Information Center (NCIC) that indicates an inmate has an incomplete NCIC Triple I. An incomplete NCIC Triple I is one where the disposition on *previous* (and *not* the current) offense(s)/charge(s) is questionable in terms of whether the charge has been adjudicated.
- O. Intake Classification Review: Classification review conducted on inmates received at the Reception and Diagnostic Center (RDC).
- P. Facility Inmate File: The compilation of information as it relates to the inmate's criminal history, internal status, facility adjustment and classification documents. Additionally, used as a means of tracking an inmate's sentence and goodtime application.
- Q. Interstate Corrections Compact Inmates: New Mexico inmates placed in other states with whom the NMCD has specific contracts or inmates who are housed in New Mexico but serving a sentence from another state.
- R. Mandatory Reclassification Reviews: Classification reviews that are conducted on a six- month or annual basis for all NMCD inmates. **[5-ACI-5B-02] [5-ACI-5B-06]**

- S. Misdemeanor Detainer: A written request from a detaining agency to place a hold on a person who has been formally charged or convicted with a misdemeanor. This request must be accompanied by a formal written charging document.
- T. Offender Management Information System: An automated computer system utilized by the Corrections Department for the purpose of tracking the status of offenders.
- U. Protective Custody Inmate: Inmate that requires separation from the general population based on the inmate's request or an in-depth review of the facts and documentation indicating that, if placed in general population, the inmate would be in jeopardy of serious bodily harm. Refer to policy CD-141100 Protective Custody...
- V. Reception and Diagnostic Center (RDC): The designated facility within the NMCD that conducts the intake classification process of court-ordered inmates remanded to the department, including 60-day diagnostic evaluations.
- W. Special Needs Inmates: Inmates who's mental or physical condition requires special accommodation by staff. Special needs inmates may include, but are not limited to, drug or alcohol addicts or abusers, the emotionally disturbed, developmentally disabled, suspected mentally ill, physically handicapped, chronically ill, the disabled or infirm, those with documented custody issues and those with academic or learning disabilities. [5-ACI-5B-11]
- X. Security Threat Intelligence Unit (STIU) Memorandum: A memorandum developed by the STIU coordinator which is provided to the classification supervisor containing background information on an inmates' potential threat to security.
- Y. Supervisory Review: A classification review conducted by the classification supervisor or unit manager that does not involve a classification committee hearing. These reviews do not require a 48-hour notice be provided to the inmate. If the supervisor is not available, a classification officer with over one year experience in classification may conduct the supervisory review as acting classification supervisor. These reviews are for programming and lump sum awards.
- Z. Unit Manager: The supervisor of a housing unit who is responsible for overseeing the daily operation of the unit and the unit team. The unit manager must have the capability to make operational decisions, supervise all levels of staff up to, and including, captain, and acts in the capacity of a department head in the facility.
- AA. Warden: Corrections administrator designated to oversee the operations and program implementation at a facility or a facility complex.



NEW MEXICO

CORRECTIONS DEPARTMENT

Secretary
Alisha Tafoya Lucero

CD-081201 Institutional Scoring and Risk
Assessment

Issued: 2/1/01
Effective: 2/1/01

Reviewed: 06/03/24
Revised: 06/03/24

Alisha Tafoya Lucero, Cabinet Secretary

Original Signed and Kept on File

AUTHORITY:

Policy *CD-081200*

PROCEDURES:

A. Mandatory and Discretionary Initial Classification Reviews:

1. New Commitments: A mandatory initial classification review shall be conducted all newly committed inmates received at RDC using the **Initial Classification Scoring** form (*CD-081200.1*).

If the inmate's first six-month or annual review date for reclassification has not yet been reached and new or additional information has been received by NMCD that would alter any of the factor scores, prior to the inmate's reclassification review date, the initial custody scoring form will be used.

NOTE: The exception is if an inmate receives a disciplinary report before the reclassification is due. In this case, the **Reclassification Scoring** form (*CD-081200.2*) will be used. See below.

2. Parole Violators and Recently Discharged Inmates: An assessment of any RDC inmate who has paroled or discharged from an NMCD facility within the past two years or has been transferred to NMCD under the interstate compact shall be done using the **Reclassification Scoring** form (*CD-081200.2*).
3. Discretionary Initial Classification Reviews: Shall be conducted using the **Initial Classification Scoring** form (*CD-081200.1*). This will occur if the inmate's first review date for reclassification has not been reached. Reasons for initial discretionary reviews include the following:
 - a. Medical or behavioral health needs;
 - b. Custody needs;
 - c. Security needs;
 - d. Changes in program/services needs.

These reviews may also be conducted for any other reason deemed necessary by the classification officer or unit manager that is documented in the record.

When an inmate receives a finding of guilt on a misconduct report that will affect their custody level, a mandatory classification review will be completed using **Reclassification Scoring** form (*CD-081200.2*) even if the inmate's current classification level was scored using the **Initial Classification Scoring** form and the inmate's first six-month review date for reclassification has

not been reached.

4. Inmates will be provided with copies of the scoring form use for his review.
5. The above information must be entered and updated in the offender management system.

B. Mandatory and Discretionary Reclassification Reviews:

The NMCD shall provide for a regular review of each classification and specify the level of custody [5-ACI-5B-02] During the reclassification review the classification officer is responsible for updating any keep separate information and emergency contact information. This information must be maintained in the offender management information system.

1. Mandatory Reclassification Reviews:

- a. **Six-month reclassification reviews:** The classification officer shall ensure that each inmate is reviewed at least once every six months for those inmates classified to custody levels II, III and IV including inmates on temporary restrictive housing (TRH) and pending transfer hold (PTH) statuses. The first reclassification review is due six months from the RDC initial classification date.
- b. **Annual reclassification reviews:** Inmates whose custody level is I, or special management status, will be reviewed on an annual basis. The first reclassification review is due one year from the RDC initial classification date. [5-ACI-5B-06]
- c. **Reclassification scoring form:** At each six-month or annual reclassification review, the classification officer shall complete the **Reclassification Scoring** form (CD-081200.2). Once the form has been approved, a copy will be provided to the inmate. The inmate's custody score will indicate the inmate's custody level unless an override has been recommended and approved per policy.
- d. **Referrals to unit manager or programs manager:** The classification officer shall make recommendations regarding the inmate's custody level, as well as work or program assignments based on the information obtained from the custody and COMPAS assessments forms.

2. Discretionary Reclassification Reviews:

- a. Change in the inmate's custody level based on factors such as new disciplinary conviction, reversal of conviction or new warrants or detainers being issued;
- b. Decisions regarding work, program assignments or good time reviews;
- c. Medical or behavioral health needs;
- d. Any other reason deemed sufficient by the classification officer and approved by the classification supervisor or unit manager;
- e. The classification officer shall make recommendations to the classification supervisor or unit manager on all discretionary reviews. These referrals may or may not require completion of

custody scoring forms. It will be at the discretion of the classification officer and classification supervisor or unit manager.

- f. If a discretionary review includes the completion of custody scoring form, then the next mandatory review will be either six months or one year following the date.
3. Inmates will be provided with copies of the **Reclassification Scoring** form.

C. Required Documentation for Scoring All Factors:

In scoring all factors on the initial classification and reclassification scoring forms, there must be documentation to correspond to any weight given to a factor. No subjective feelings can be used to score any factor. There are three levels of documentation that may be used to score a factor on the instrument. They are as follows:

1. Official Criminal Justice Documents: All official documents found in the file that originate from criminal justice agencies can be used as documentation for scoring the instrument. Examples of this level of documentation are judgment and sentence, NMCD disciplinary findings of guilt, FBI rap sheet, pre-sentence reports, probation/parole reports, and county jail reports, policy reports, etc.
2. Written and Verbal Verification: If there is suspicion that something in an inmate's criminal history could be scored on any factor of the instrument and there is no official documentation or the inmate does not admit guilt to that incident, then it is the responsibility of the classification officer to solicit that information from an appropriate criminal justice agency.

This solicitation of information may be done through written, telephone communication or e-mail. In each case the solicitor must document the offense, offense date, finding of guilt, criminal justice agency, informant name, and the solicitor's name on a **Contact Chrono** form (CD-081200.4) and place that chrono in the facility inmate file.

3. Inmate Admissions of Guilt: Inmate admissions of guilt may be used to score particular factors on the scoring form when the classification officer has documented the inmate's confession of guilt on the admission summary, or a significant contact chrono. The classification officer must indicate the date of the crime as well as the conviction and sentence. Once the inmate admissions of guilt are noted in the inmate file, an inmate may not refute information during his or her period of incarceration. This specific phrase, "inmate claimed", will be the language future classification officers will use for documentation to score any factors from inmate self-admission.

D. Instructions for Initial Custody Scoring Form/Data Source:

The following instructions are given to complete the initial classification custody score.

Enter the appropriate score on the line at the right in each factor.

1. History of Institutional Adjustment/Violence: (Factor One – Rate only the most severe incident).

- a. Consider inmate's entire history of institutional adjustment and violence for five years prior to their review date. This five-year period includes adjustment and violence within the Department, other correctional jurisdictions, juvenile facilities, mental institutions or jails. Consider only incidents in which there was a finding of guilt by an institutional/jail disciplinary hearing, court conviction or inmate admissions of guilt. Use the date that the incident occurred.
- b. Documentation must include written statement of the offense, date of offense, name of agency, name of informant officer, and inmate. Any court convictions or other findings of guilt for violent offenses which are not entered into the disciplinary section of the current offender management information system should be entered under "other agency discipline".
- c. A pattern of 10 or more non-violent disciplinary reports, as defined in the disciplinary offense scale attachment (*CD-081200.B*), will be assessed two points under this item.
- d. Non-violent serious Class "A" level incidents for which the inmate received a disciplinary conviction, as defined in the disciplinary offense scale attachment (*CD-081200.B*), will be assessed two points.
- e. Violent incidents, without a weapon, resulting in serious injury or death, will be assessed six points.
- f. Violent incidents, involving a weapon, resulting in serious injury or death, will be assessed eight points.

Data Source: the data source to be used for incidents that occurred within the NMCD is the disciplinary report. The data sources to be used for incidents occurring in other jurisdictions are prior admission summaries, diagnostic and evaluations reports, pre-sentence reports (PSR), probation/parole reports, police reports, jail reports and inmate admissions of guilt. It may be necessary to contact other jurisdictions to corroborate a disposition.

2. Severity of Current Conviction: (Factor Two)

Rate the most severe active offense of this incarceration to include consecutive sentences.

- a. Low severity convictions will be assessed zero points.
- b. Moderate severity convictions will be assessed one point.
- c. High severity convictions will be assessed two points.
- d. The highest severity convictions will be assessed three points.

If multiple offenses occur in this conviction, note the most serious offense. The classification officer will list the date of the most severe offense and the scored offense will remain throughout the inmate's current incarceration period.

Example: An individual was sentenced for 2nd degree murder with a consecutive sentence for burglary. The inmate completes the 2nd degree murder sentence and paroled to the burglary. The 2nd degree murder will remain the current offense. It will not become a prior felony conviction during this current incarceration period.

Data Source: Use the judgment and sentence and good time figuring sheet. The offenses listed on the good time figuring sheet should reflect the judgment and sentence. Use the **Current Offense Risk Factor Scale Attachment (CD-081200.A)** to rate the most serious offense.

3. Escape History: (Factor Three)

Consider any escape, attempted escape or walk away within the last three years, including the inmate's current conviction. Rate the most severe escape that resulted in administrative action or court conviction. Administrative action is defined as a finding of guilt by a criminal justice agency or mental institutional agency or a disciplinary report for escape, attempted escape or walk away. Use the date of escape. Check for detainers for escape and, if there was administrative action or court conviction, you may use that information to score this factor. If information has been received regarding an escape or attempted escape while the individual is being held in custody, but he or she has not been formally tried or charged with this escape, the escape cannot be used to score this factor. Escapes older than three years prior to the review date cannot be considered in this section.

- a. Inmates with an escape or attempted escape from level I or II, county jail, juvenile facility, or peace officer with no violence will be assessed three points.
- b. Inmates with an escape or attempted escape from level III facility or above without violence will be assessed five points.
- c. Inmates with an escape or attempted escape with violence will be assessed 10 points.

Data Source: For NMCD administrative actions use the disciplinary reports. Use the judgment and sentence for New Mexico court convictions. For escape history outside New Mexico jurisdiction, use the admissions summaries and pre-sentence reports as the primary sources. Use the FBI rap sheet and probation reports as secondary sources. Inmate admissions of guilt may be used in scoring this factor.

4. Prior Felony Convictions: (Factor Four)

Consider the inmate's prior felony convictions; do not include the conviction(s) that resulted in this incarceration unless the inmate is returned to RDC as a parole violator with a new crime. For an inmate returned to incarceration for a technical parole violation without a new conviction, the conviction(s) for which they were serving parole should not be considered as a prior conviction(s). Do not include juvenile convictions. Count each conviction that results in deferred sentence, probation or prison. Do not consider misdemeanor convictions.

Note: In considering prior felony convictions, a two-level approach should be followed. First, convictions should be related to episodes of criminal activity separated by parole, deferred sentence, probation or incarceration. The convictions involved in these episodes should then

be considered individually if they are convictions from different jurisdictions or have different cause numbers.

- a. If the inmate has one or more prior felony convictions, they will be assessed one point.

Example: If an inmate had served a prior incarceration for burglary and robbery and these two convictions originated from different judicial districts and/or different judgment and sentences, you would consider that as two prior convictions.

Data Source: Use prior admission summaries, diagnostic evaluation reports and pre-sentence reports as the primary source. Use FBI rap sheets as secondary source. Inmate admissions of guilt may be used in scoring this factor. The good time figuring sheet will be useful in cases where there has been a parole revocation.

5. Severity of Prior Felony Convictions: (Factor Five)

This score is obtained by a review of the inmate's total prior adult criminal history. Select the most severe prior conviction, apply this conviction to the **Offense Risk Factor Scale** to obtain a rating, and enter the score based upon this rating. Only offenses for which the individual has been convicted should be used to determine a score for this item. Do not include any offense for which you consider scoring the severity of the current conviction in factor two of the initial custody scoring form. Do not include juvenile offenses or misdemeanor convictions. Consider convictions that resulted in prison, probation, or deferred sentences.

- a. For no prior convictions or low severity convictions will be assessed zero points.
- b. Moderate severity convictions will be assessed two points.
- c. High severity convictions will be assessed four points.
- d. The highest severity convictions will be assessed six points.

Data Source: Use prior admission summaries, diagnostic evaluation reports and pre-sentence reports as the primary source. Alternate sources are the FBI rap sheet and inmate admissions of guilt. Use the **Current Offense Risk Factor Scale Attachment (CD-081200.A)** to rate the most serious prior felony conviction.

6. Current Age: (Factor Six)

Consider the offender's age.

- a. If the inmate is age 21 or under, they will be assessed eight points.
- b. If the inmate is age 22 to 25 years old, they will be assessed five points.
- c. If the inmate is age 26 to 34 years old, they will be assessed four points.

- d. If the inmate is age 35 to 44 years old, they will be assessed two points.
- e. If the inmate is 45 and above, they will be assessed zero points.

7. Gang Membership or Activities Past Three Years: (Factor Seven)

Assess three points to any inmate whose file shows that the inmate is currently a member or suspected member with a street gang, disruptive group or security threat group or has participated in gang-related activity at any time during the past three years.

Data Source: Use admission summaries, diagnostic evaluation reports, pre-sentence reports, police reports, security threat group chronos or self-admission by the inmate.

TOTAL SCORE: to arrive at the total score, add the scores of factors one through seven.

E. Instructions for Reclassification Scoring form:

The following are instructions for the completion of the **Reclassification Custody Scoring** form.

1. History of Institutional Adjustment/Violence: (Factor One) (Rate only the most severe incident)
 - a. Consider the inmate's entire history of institutional violence for five years prior to their review date. This five-year period includes violence with the department, other correctional jurisdictions, juvenile facilities, mental institutions or jails. Consider only incidents in which there was a finding of guilt of an institutional/jail disciplinary hearing, court conviction or inmate admissions of guilt. Use the date of the incident. Documentation must include written statement of the offense, date of offense, name of agency, name of informant officer and DOC recipient. Any court convictions or other findings of guilt for violent offenses which are not entered into the current offender management information system should be entered under "other agency discipline". In addition, include serious non-violent Class "A" level incidents for which the inmate received a disciplinary conviction within the past five years (Refer to the **Disciplinary Offense Scale** Attachment (CD-081200.B)).
 - b. Non-violent serious Class "A" level incidents for which the inmate received a disciplinary conviction within the past five years, as defined in the **Disciplinary Offense Scale** Attachment (CD-081200.B), will be assessed three points.
 - c. Violent incidents, without a weapon, resulting in serious injury or death, will be assessed eight points.
 - d. Violent incidents, involving a weapon, resulting in serious injury or death, will be assessed 10 points.

Data Source: The data source to be used for incidents which occurred within the New Mexico Corrections Department is the disciplinary reports. The data source(s) to be used

for incidents occurring in other jurisdictions are prior admission summaries, diagnostic and evaluation reports, pre-sentence reports (PSR), probation/parole reports, police reports, jail reports and inmate admissions of guilt. It may be necessary to contact other jurisdictions to corroborate a disposition.

2. Severity of Current Conviction: (Factor Two)

Rate the most severe active offense of this incarceration to include consecutive sentences. If multiple offenses occur in this conviction, rate the most serious offense. Classification officers will list the most severe active offense and the scored offense will remain throughout the inmate's current incarceration period.

- a. Low severity convictions will be assessed zero points.
- b. Moderate severity convictions will be assessed one point.
- c. High severity convictions will be assessed two points.
- d. The highest severity convictions will be assessed three points.

Example: An individual was sentenced for 2nd degree murder with a consecutive sentence for burglary. When the inmate completes the 2nd degree murder sentence and paroled to the burglary, the 2nd degree murder charge will remain the current offense. It will not become a prior felony conviction during this current incarceration period.

Data Source: Use the judgment and sentence and good time figuring sheet. The offenses listed on the good time figuring sheet should reflect the judgment and sentence. Use the **Current Offense Risk Factor Scale** Attachment (*CD-081200.A*) to rate the most serious offense.

3. Escape History (Factor Three):

Consider any escape, attempted escape or walk away in the last three years, including the inmate's current conviction. Rate the most severe escape that resulted in administrative action or court conviction. Administrative action is defined as a finding of guilt by a criminal justice agency or mental institution agency or a disciplinary for escape, attempted escape or walk away. Use the date of escape. Check for detainers for escape and if there was administrative action or court conviction you may use that information to score this factor. If information has been received regarding an escape or attempted escape while the individual is being held in custody but has not been formally tried or charged with this escape, this escape cannot be used to score this factor. Escapes older than three years prior to the review date cannot be considered in this section.

- a. Inmates with an escape or attempted escape from level I or II, county jail, juvenile facility, or peace officer with no violence will be assessed three points.
- b. Inmates with an escape or attempted escape from level III facility or above without violence will be assessed six points.
- c. Inmates with an escape or attempted escape with violence will be assessed 10 points.

Data Source: For NMCD administrative actions use the disciplinary reports. Use the judgment and sentence for New Mexico court convictions. For escape/abscond history outside New Mexico jurisdiction, use the NCIC, FBI rap sheet and pre-sentence reports as the primary sources. Inmate admissions of guilt may be used in scoring this factor.

4. Prior Felony Convictions (Factor Four): Consider the inmate's prior felony convictions, not to include the conviction(s) that resulted in this incarceration unless the inmate is returned to RDC as a parole violator with a new crime. For an inmate returned to incarceration for a technical parole violation without a new conviction, the convictions(s) for which they were serving parole should not be considered as a prior conviction(s). Do not include juvenile convictions. Count each conviction that results in deferred sentence, probation or prison. Do not consider misdemeanor convictions.

- a. If the inmate has one or more prior felony convictions, they will be assessed one point.

NOTE: In considering prior felony convictions, a two-level approach should be followed. First, convictions should be related to episodes of criminal activity separated by parole, deferred sentence, probation or incarceration. The convictions involved in these episodes should then be considered individually if they are convictions from different jurisdictions and/or have different cause numbers.

Example: If an inmate had served a prior period of incarceration for a burglary and robbery and these two convictions originated from different judicial districts or different cause numbers, consider that as two prior convictions.

Data Source: Use prior admission summaries, diagnostic evaluation reports and pre-sentence reports as the primary source. Use FBI rap sheets as secondary source. Inmate admissions of guilt may be used in scoring this factor. The good time figuring sheet will be useful in some case.

5. Disciplinary Convictions Received (Factor Five):

Consider the number of disciplinary convictions for the time periods designated on the scoring sheet. Each charge on a misconduct report is to be counted separately. Use the date of incident. Include Class "A", "B" and "C" convictions.

For scoring purposes, rate one disciplinary conviction per class during the last 24 months from date of rating.

- a. Any Class "A" disciplinary conviction will be assessed five points.
- b. Any Class "B" disciplinary conviction will be assessed three points.
- c. Any Class "C" disciplinary conviction will be assessed one point.

Only NMCD disciplinary reports apply under this section. Disciplinary reports received from other jurisdictions within the past 24 months should be considered under the override section of this policy.

Data Source: Use **Disciplinary Offense Scale** Attachment (CD-081200.B)

6. Current Age (Factor Six):

Consider the offender's age.

- a. If the inmate is age 21 or under, they will be assessed eight points.
- b. If the inmate is age 22 to 25 years old, they will be assessed seven points.
- c. If the inmate is age 26 to 34 years old, they will be assessed three points.
- d. If the inmate is age 35 to 44 years old, they will be assessed two points.
- e. If the inmate is age 45 and above, they will be assessed zero points.

7. Gang Membership or Activities Past Three Years (Factor Seven):

Assess two points to any inmate whose file shows that he is currently a member or suspected member with a street gang, disruptive group or security threat group or who has participated in gang-related activity at any time during the past three years.

Data Source: Use prior admissions summaries, diagnostic evaluation reports, pre-sentence reports, police reports, security threat group chronos, current offender management information system, or self-admission by the inmate.

TOTAL SCORE: To arrive at the total score, add the scores from factor one through factor seven.

Note: The classification officer will ensure that all required sections of the initial and reclassification scoring forms are completed and that the appropriate information is updated into the current offender management information system.

F. Custody Overrides:

1. Both the **Initial Custody Scoring** form, as well as the **Reclassification Scoring** form, allow for the override of an inmate's custody to a higher or lower level based on a determination that the inmate's custody score does not reflect the appropriate security level in which the inmate should be assigned.
2. There are both mandatory and discretionary override factors indicated on the custody scoring forms, each of which have specific criteria listed regarding the reasons that should be used to override an inmate's custody to a different level.
3. The classification supervisor or unit manager has the authority to approve mandatory overrides; however, the classification committee must review the discretionary overrides. Note: Classification supervisors or unit managers may continue discretionary overrides that were previously approved by a classification committee. Any discretionary override factor used by the classification committee must be based on information that is contained in the inmate's file.

4. All overrides must be properly justified. Prior to approving a discretionary override, the classification committee is responsible for ensuring that not only should the override factor be indicated, but also under reasons for override, the specific reason which justifies the use of the override factor is clearly stated.

5. Override Definitions:

a. **Mandatory Override Factors – Level I Facility Restrictions** (May be approved by conducting a supervisory review).

- 1) Current Charge or Previous Conviction Involving Sex Crime: Any inmate who has been convicted of a crime involving assaultive sexual conduct, is not eligible for placement at a level I facility. This includes juvenile convictions.
- 2) More Than Three Years to Projected Release Date: Inmate's projected release date shall be determined according to the amount of good time for which the inmate is eligible.
- 3) ICE Detainer: Any inmate who is wanted by the U.S. Immigration and Customs Enforcement (ICE) shall not be eligible for placement at a level I facility.
- 4) Current Charge or Previous Conviction Involving Violence to a Child: Any inmate who has been convicted of a crime involving violence to child, is not eligible for placement at a level I facility.
- 5) Inconclusive NCIC: An inmate whose file lacks an FBI rap sheet and whose NCIC is not conclusive in terms of the inmate's identity or criminal history is not eligible for placement at a level I facility.
 - a) If the NCIC or FBI rap sheet shows the dispositions of previous offenses as well as the inmate's current offense, this is considered to be conclusive information regarding the inmate's criminal history. However, it is not required that the inmate's current offense be stated on these documents to be considered conclusive.
 - b) An inconclusive NCIC is information obtained from the National Crime Information Center that indicates an inmate has an incomplete NCIC Triple I.
 - c) An incomplete Triple I 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.
 - d) The inconclusive NCIC override may only be used for the current offense if the NCIC indicates no criminal history at all on the inmate and there's no pre-sentence report on file for the inmate's current offense. In those cases, the override may be lifted following receipt of the FBI rap sheet or Triple I showing the current offense.
 - e) If the NCIC does show the inmate's criminal history and it is established that the

criminal history of the inmate matches the identity of the inmate being classified, there is no need for a pre-sentence report to be on file for the NCIC to be considered conclusive. The inmate's judgment and sentence on the current offense will suffice.

- f) To use the NCIC inconclusive over-rides, the classification officer must have it reviewed and approved by their immediate supervisor.
 - g) It is the responsibility of the classification officer to follow up on any questionable NCIC information to determine the validity of the information. Following confirmation of the disposition, the classification officer will document the results on a **Contact Chrono** as well as on the current NMCD offender database.
- 6) Current Offense for First or Second Degree Murder: Any inmate who is serving a sentence for 1st or 2nd degree murder shall not be eligible for placement in a level I facility.
- b. **Mandatory Override Factors – Level I and Level II Facility Restrictions:** (May be approved by conducting a supervisory review.)
- 1) More Than Five Years to Projected Release Date: Inmate's projected release date shall be determined according to the amount of good time for which the inmate is eligible.
 - 2) Current Offense for First Murder: Any inmate who is serving a sentence for 1st degree murder shall not be eligible for placement in a level I or level II facility.
 - 3) Escape From a Level II Facility: Any inmate, who has escaped from a level II facility, or comparable security facility from another jurisdiction, shall not be eligible for placement at a level I or level II facility.
 - 4) Interstate Compact Inmate: Any inmate who is serving a sentence from another state while housed in the NMCD shall not be eligible for placement at a level I or level II facility unless the NMCD has received written permission from the sending state. The decision to request written permission will be determined by the classification committee and the request shall be forwarded to the OMS staff member.
 - 5) Less than 12 months Since Release From the PBMP: Any inmate who was released from PBMP within the past 12 months shall not be eligible for placement at a level I or level II facility.
- c. **Mandatory Override Factors - Level I, II, and III Facility Restrictions:** (May be approved by conducting a supervisory review) (For male inmates only)
- 1) Escape From a Level III Facility: Inmates who have escaped from a level III facility or above, or comparable security facility from another jurisdiction, regardless of time frame, shall not be eligible for placement at a level I, II or III facility.
 - 2) Validated or Suspected Active Security Threat Group Member: Any inmate who has been validated or is suspected as an active member of a security threat group by the

Department's STIU, shall not be eligible for placement at a level I, level II, or level III facility.

d. **Discretionary Overrides to Increase Custody Level:** (Requires classification committee approval.)

- 1) Known Management Behavior Problems: Any inmate whose file shows a history of management/behavior problems that has not been fully addressed under the custody scoring section, may be overridden to a higher custody level.
- 2) Suspected Escape Threat: Any inmate whose criminal history, institutional history or current behavior indicates that the inmate poses a threat of escape may be overridden to a higher custody level. **Note**: Information to be considered will be the inmate's current age, number of years since escape occurred and overall cumulative institutional record.
- 3) Escape From a Level I Facility: Any inmate who has escaped from a level I facility or comparable security facility from another jurisdiction may be overridden to a higher custody level.
- 4) Known Gang Affiliation: Any inmate whose file shows that he or she is a suspected member with a street gang or disruptive group may be overridden to a higher custody level.
- 5) Former Law Enforcement Officers: Former New Mexico law enforcement officers, correctional officers and public officials in high profile positions, may be overridden to a higher custody level.
- 6) Short Time Remaining to Serve: Any inmate who has a short time remaining to serve may be considered for override to a higher custody level if the inmate is within 45 days of release.

di. **Discretionary Overrides to a Lower Custody Level:** (Requires classification committee approval.)

- 1) Inmate Does Not Require Level IV Supervision: Any inmate who scores level IV points but does not require level IV supervision.
- 2) Good Institutional Conduct: Any inmate who has a good conduct record may be considered for override to a lower custody level if the inmate does not otherwise pose a security risk if placed at the lower custody level.
- 3) Within Six Months Projected Remaining to Serve: Any inmate who has a short time remaining to serve may be considered for override to a lower custody level if the inmate does not otherwise pose a security risk if placed at a lower security level.

G. Custody Determination: [5-ACI-5B-02]

1. Approval Procedure for Custody Scoring Forms not Involving Discretionary Custody

Overrides.

- a. If the inmate's scored custody level without an override is within the security level of the facility in which the inmate is currently housed, or if there is a mandatory override indicated, the scoring form will be routed by the classification officer to the classification supervisor or unit manager for review.
- b. The classification officer is responsible for noting both the recommended custody level and the housing status of the inmate in the current offender management information system.
- c. Upon review of the custody scoring form, the classification supervisor or unit manager may approve the classification officer's recommended custody level or require that the inmate be reviewed by the classification committee for possible override.
- d. If the classification officer's recommended custody level is approved by the classification supervisor or unit manager, the custody level indicated on the scoring form or the custody level with the mandatory override becomes the official custody level of the inmate. In cases involving the transfer of inmates, the inmate's custody level is subject to review and approval by the classification bureau.
- e. After the inmate's custody level has been determined at the institution, the classification officer will obtain the inmate's signature on the form. If the inmate refuses to sign, the classification officer and the security representative will sign the bottom, as witnesses to the inmate's refusal.

2. Approval Procedure for Custody Scoring forms Involving Discretionary Overrides:

- a. Only one discretionary override may be used at a time. If more than one discretionary override applies to an inmate, classification staff should select the one that is the most applicable.
- b. All discretionary custody overrides, whether recommended by the classification officer or by the classification supervisor or unit manager, must be reviewed and approved by the classification committee override recommendation.
- e. If the discretionary custody override recommendation is approved, the classification committee will ensure that the specific reason that justifies the decision is clearly stated on the custody scoring form.
- f. The classification supervisor or unit manager may approve the continuation of a discretionary override provided that the decision to override had previously been made by a classification committee.
- g. Only the classification committee may remove a discretionary override that was previously approved by an earlier classification committee.
- h. In cases involving the transfer of inmates, the inmate's custody level, including discretionary overrides to higher or lower levels, are subject to approval by the

classification bureau.

- i. In cases involving the transfer of inmates that require a discretionary override to a lower custody level, the discretionary override is subject to approval by the director of adult prisons or designee.
- j. In cases that involve the classification committee's decision to approve a discretionary override to a lower custody level to retain an inmate in the same custody level at a facility rather than recommending transfer, the classification committee must refer the inmate to the deputy warden for approval and final approval must be made by the warden. This will be documented on the classification committee action form located in the current offender management information system.

NEW MEXICO CORRECTIONS DEPARTMENT INITIAL CUSTODY SCORING FORM

Inmate's Name: _____ NMCD# _____
Last First MI

Classification Officer: _____ Classification Date: _____

1. **HISTORY OF INSTITUTIONAL ADJUSTMENT/VIOLENCE.** (Review individual's entire background for 5 years prior to classification date to include juvenile incidents) (Include date of incident; rate most severe)

| | | |
|--|---|----------------------|
| None | 0 | <input type="text"/> |
| Ten or more non-violent disciplinary reports | 2 | |
| Non-Violent /Serious Class A level incidents | 2 | |
| Violent incident with no weapon, serious injury or death | 6 | |
| Violent incident involving a weapon, serious injury or death | 8 | |

2. **CURRENT CONVICTION SEVERITY** (score the most serious conviction, list offense and date)

| | | |
|----------|---|----------------------|
| Low | 0 | <input type="text"/> |
| Moderate | 1 | |
| High | 2 | |
| Highest | 3 | |

3. **ESCAPE HISTORY** (Last 3 years from this rating date. List date of escape)

| | | |
|--|----|----------------------|
| None | 0 | <input type="text"/> |
| Escape/Attempted escape from level I or II, county jail, juvenile facility, or peace officer (no violence) | 3 | |
| Escape/Attempted escape from level III facility or above (no violence) | 5 | |
| Escape/Attempted escape (with violence) | 10 | |

4. **PRIOR # OF FELONY CONVICTIONS** (Do not include current conviction; list offenses and dates.) None _ 0 One or more _____ 1

5. **PRIOR CONVICTION SEVERITY** (Score the most serious offence; list offense and dates)

| | | | | | | | | |
|----------|---|----------|---|------|---|---------|---|----------------------|
| None/Low | 0 | Moderate | 2 | High | 4 | Highest | 6 | <input type="text"/> |
| | | | | | | | | |

6. **CURRENT AGE**

| | | | | | | | | | | |
|--------------|---|----------|---|----------|---|----------|---|--------------|---|----------------------|
| 21 and under | 8 | 22 to 25 | 5 | 26 to 34 | 4 | 35 to 44 | 2 | 45 and above | 0 | <input type="text"/> |
| | | | | | | | | | | |

7. **GANG MEMBERSHIP or ACTIVITIES IN THE PAST 3 YEARS**

| | | | | |
|-----|---|----|---|----------------------|
| Yes | 3 | No | 0 | <input type="text"/> |
| | | | | |

TOTAL SCORE (Add 1 through 7)

NEW MEXICO CORRECTIONS DEPARTMENT RECLASSIFICATION SCORING FORM

Inmate's Name: _____ NMCD# _____
Last First MI

Classification Officer: _____ Reclassification Date: _____

1. **HISTORY OF INSTITUTIONAL ADJUSTMENT/VIOLENCE.** (Review individual's entire background for 5 years prior to classification date to include juvenile incidents) (Include date of incident; rate most severe)

None _____ 0
Non-Violent /Serious Class A level incidents _____ 3
Violent incident with no weapon, serious injury or death _____ 8
Violent incident involving a weapon, serious injury or death _____ 10

2. **CURRENT CONVICTION SEVERITY**(score the most serious conviction, list offense and date)

Low _____ 0
Moderate _____ 1
High _____ 2
Highest _____ 3

3. **ESCAPE HISTORY** (Last 3 years from this rating date. List date of escape)

None _____ 0
Escape/Attempted escape from level I or II, county jail, juvenile facility, or peace officer (no violence) _____ 3
Escape/Attempted escape from level III facility or above (no violence) _____ 6
Escape/Attempted escape (with violence) _____ 10

4. **PRIOR FELONY CONVICTIONS** (Do not include current conviction; list offenses and dates.)

None _____ 0 One or more _____ 1

5. **DISCIPLINARY CONVICTIONS RECEIVED** (only one per class)

Last 24 months: One or more class A = 5 _____
Last 24 months: One or more class B = 3 _____
Last 24 months: One or more class C = 1 _____

6. **CURRENT AGE**

21 and under _____ 8 22 to 25 _____ 7 26 to 34 _____ 3 35 to 44 _____ 2 45 and above _____ 0

7. **GANG MEMBERSHIP or ACTIVITIES IN THE PAST 3 YEARS**

Yes _____ 2 No _____ 0

TOTAL SCORE (Add 1 through 7)

NEW MEXICO CORRECTIONS DEPARTMENT
Custody Level Scale for Initial/Reclassification Scoring Form

Male and Female Inmates

- ☐ LEVEL IV 21 and over points
☐ LEVEL III 15-20 points
☐ LEVEL II 9-14 points
☐ LEVEL I 0-8 points

CUSTODY OVERRIDE FACTORS

MANDATORY OVERRIDE FACTORS: *Override factors are to be documented whether override is necessary or not, by checking the appropriate section*

Level I Facility Restrictions

- ____ Has been convicted of a crime involving assaultive sexual conduct
____ More than three years to projected release date
____ ICE detainer
____ Has been convicted of a crime involving violence to a child
____ Inconclusive NCIC
____ 1st or 2nd degree murder

Level I and II Facility Restrictions

- ____ More than five years to projected release date
____ Current offense for murder 1st degree
____ Escape from level II facility
____ Interstate compact inmate w/o custody reduction approval from sending state
____ Less than 12 months since PBMP release

Level I, II, and III Facility Restrictions (males only)

- ____ Escape from a level III or above
____ Validated or suspected STG affiliation

DISCRETIONARY OVERRIDE TO INCREASE CUSTODY LEVEL: *Discretionary override factors are to be marked only if activated. (select most applicable)*

- ____ Known behavior/management problems
____ Suspected escape threat
____ Escape from level I
____ Known gang affiliation/suspect
____ Former law enforcement officer
____ Short time remaining to serve

DISCRETIONARY OVERRIDE TO LOWER CUSTODY LEVEL: *(select most applicable)*

- ____ Inmate does not require level IV supervision
____ Good institutional conduct
____ Within six months projected remaining to serve

RECOMMENDED CUSTODY LEVEL

- ____ Level I
____ Level II
____ Level III
____ Level IV

Inmate's signature: _____ Date: _____

Classification officer's signature: _____ Date: _____

Supervisor's signature: _____ Date: _____

Security representative signature: _____ Date: _____

FINAL CUSTODY LEVEL

- ____ Level I
____ Level II
____ Level III
____ Level IV

Reason for Override: _____

NEW MEXICO CORRECTIONS DEPARTMENT
Contact Chrono

Inmate Name: _____ NMCD#: _____ Location: _____

Custody: _____ Nature of Contact: _____

Contact Person: _____ Date: _____

Agency: _____ Phone: _____

Staff Member: _____ / _____
(print) (sign)

Form CD-081200.4
Reviewed/Revised 12/12/23

NEW MEXICO CORRECTIONS DEPARTMENT
Contact Chrono

Inmate Name: _____ NMCD#: _____ Location: _____

Custody: _____ Nature of Contact: _____

Contact Person: _____ Date: _____

Agency: _____ Phone: _____

Staff Member: _____ / _____
(print) (sign)

Form CD-081200.4
Reviewed/Revised 12/12/23

NEW MEXICO CORRECTIONS DEPARTMENT
Contact Chrono

Inmate Name: _____ NMCD#: _____ Location: _____

Custody: _____ Nature of Contact: _____

Contact Person: _____ Date: _____

Agency: _____ Phone: _____

Staff Member: _____ / _____

NEW MEXICO CORRECTIONS DEPARTMENT
Current Offense Risk Factor Scale

| <u>NMSA</u> | <u>Description of Offense</u> | <u>Code</u> |
|-------------|---|-------------|
| 30-22-25B | AGGRAV BATTERY UPON A PEACE OFFCR | GR |
| 30-22-25C1 | AGGRAV BATTERY UPON PEACE OFFCR W/DEADLY WEAPN | GR |
| 30-22-25C | AGGRAV BATTERY UPON PEACE OFFCR W/DEADLY WEAPN/RESULT GBH | GR |
| 30-3-5C | AGGRAV BATTERY W/DEADLY WEAPN OR RESULT GBH/DEATH | GR |
| 30-2-1A | MURDER 1 ST DEGREE | GR |
| 30-22-22 | AGGRAV ASSAULT UPON PEACE OFFCR | HI |
| 30-3-5 | AGGRAV BATTERY | HI |
| 30-3-16 | AGGRAV BATTERY AGAINST HOUSEHOLD MEMBR | HI |
| 30-3-16B | AGGRAV BATTERY AGAINST HOUSEHOLD MEMBR RESULT BODILY HARM | HI |
| 30-3-16C | AGGRAV BATTERY AGAINST HOUSEHOLD MEMBR RESULT GBH/DEATH OR W/DEADLY WEAPN | HI |
| 30-3-5B | AGGRAV BATTERY RESULT BODILY HARM | HI |
| 30-3-9.2F | AGGRAV BATTERY UPON A HEALTH CARE WORKER | HI |
| 30-22-25C2 | AGGRAV BATTERY UPON PEACE OFFCR RESULT GBH/DEATH | HI |
| 30-3-9F | AGGRAV BATTERY UPON SCHOOL EMPLOYEE | HI |
| 30-3-9F2 | AGGRAV BATTERY UPON SCHOOL EMPLOYEE RESULT GBH | HI |
| 30-3-9.1J | AGGRAV BATTERY UPON SPORTS OFFICIAL D/WPN GBH/DEATH 3 RD D | HI |
| 30-3-9.1I | AGGRAV BATTERY UPON SPORTS OFFICIAL NOT GBH/DEATH 4 TH D | HI |
| 30-22-11.2 | AGGRAV ESCAPE FROM CUSTODY OF CYFD | HI |
| 30-22-24 | BATTERY UPON A PEACE OFFCR | HI |
| 30-7-5 | DANGEROUS USE OF EXPLOSIVES | HI |
| 30-2-3 | MANSLAUGHTER | HI |
| 30-2-1B | MURDER 2 ND DEGREE | HI |
| 30-22-16 | POSSESSION OF DEADLY WEAPN/EXPLOSIVE BY PRISONER | HI |
| 30-20A-3 | VIOLATION OF ANTITERRORISM ACT – UNLAWFL ACTS, CIVIL DISORDER | HI |
| 30-2-3A | VOLUNTARY MANSLAUGHTER | HI |
| 30-47-4D | ABUSE OF A RESIDENT RESULT DEATH | MD |
| 30-17-6 | AGGRAV ARSON | MD |
| 30-3-2 | AGGRAV ASSAULT | MD |
| 30-3-13 | AGGRAV ASSAULT AGAINST HOUSEHOLD MEMBR | MD |
| 30-3-9.2C | AGGRAV ASSAULT UPON A HEALTH CARE WORKER | MD |
| 30-3-9C | AGGRAV ASSAULT UPON A SCHOOL EMPLOYEE | MD |
| 30-3-9.1E | AGGRAV ASSAULT UPON SPORTS OFFICIAL 3 RD DEGREE | MD |
| 30-3-2A | AGGRAV ASSAULT W/DEADLY WEAPN | MD |
| 30-16-4 | AGGRAV BURGLARY | MD |
| 30-16-4A | AGGRAV BURGLARY W/DEADLY WEAPN | MD |
| 30-22-1.1 | AGGRAVATED FLEEING A LAW ENFORCEMENT OFFICER | MD |
| 30-16-2B1 | ARMED ROBBERY W/DEADLY WEAPN 1ST OFF | MD |
| 30-16-2B2 | ARMED ROBBERY W/DEADLY WEAPN 2ND OFF | MD |
| 30-22-17 | ASSAULT BY PRISONER | MD |
| 30-22-21 | ASSAULT ON A PEACE OFFICER | MD |
| 30-22-23 | ASSAULT W/INT COMMIT VIOLENT FELONY UPON PEACE OFFCR | MD |
| 30-22-26 | ASSIST IN ASSAULT UPON PEACE OFFCR | MD |
| 30-3-4 | BATTERY | MD |
| 30-3-9.2E | BATTERY UPON A HEALTH CARE WORKER | MD |
| 30-3-15 | BATTERY UPON A HOUSEHOLD MEMBR | MD |
| 30-3-9E | BATTERY UPON SCHOOL EMPLOYEE | MD |
| 30-6-1B2 | CHILD ABANDONMENT RESULT GBH/DEATH | MD |

| | | |
|---|--|----|
| 30-6-1 | CHILD ABANDONMENT/ABUSE RESULT GBH/DEATH | MD |
| 30-6-1C3 | CHILD ABUSE RESULT GBH/DEATH | MD |
| 30-6-1D3 | CHILD ABUSE RESULT GBH/DEATH | MD |
| 30-22-27 | DISARMING A PEACE OFFICER | MD |
| 30-22-8.1C | ESCAPE FROM COMMUNITY CUSTODY RELEASE PROGRAM WHEN UNDER FELONY CHG | MD |
| 30-22-10 | ESCAPE FROM CUSTODY OF PEACE OFFICER | MD |
| 30-22-8 | ESCAPE FROM JAIL | MD |
| 30-22-9 | ESCAPE FROM PENITENTIARY | MD |
| 66-8-101B | GBH BY VEHICLE | MD |
| 66-8-101A | HOMICIDE BY VEHICLE | MD |
| 66-8-101 | HOMICIDE/GBH BY VEHICLE WHILE UNDER INFLUENCE OF ALCOHOL/DRUG | MD |
| 30-17-5A | INTENTIONAL ARSON | MD |
| 30-17-5A3 | INTENTIONAL ARSON WHEN PROPERTY VALUE >1000 | MD |
| 30-7-12B | INTIMIDATE/THREATEN/ASSAULT BUS W/INT TO SEIZE/EXERCISE CONTRL | MD |
| 30-2-3B1 | INVOLUNTARY MANSLAUGHTER | MD |
| 30-44-7F | MEDICAID FRAUD RESULT DEATH | MD |
| 30-7-19.1 | POSSESSION OF EXPLOSIVE/INCENDIARY DEVICE | MD |
| 30-7-19 | POSSESSION OF EXPLOSIVES | MD |
| 30-24-3B | RETALIATION AGAINST WITNESS RESULT BODILY HARM | MD |
| 30-21-1 | SABOTAGE | MD |
| 30-7-12A | SEIZE/EXERCISE CONTRL BUS BY FORCE/VIOLENCE/THREAT OF FORCE/VIOLENCE | MD |
| 30-3-8A3 | SHOOTING AT DWELLING/OCCUPIED BUILDING RESULT GBH | MD |
| 30-3-8B3 | SHOOTING AT/FROM MOTOR VEHICLE RESULT GBH | MD |
| | | |
| ATT, CON OR SOL OF ANY CRIME ABOVE WOULD BE ONE STEP LOWER IN RISK EXCEPT LOW | | |
| ANYTHING NOT LISTED SHOULD HAVE A RISK FACTOR OF LOW | | |

**NEW MEXICO CORRECTIONS DEPARTMENT
DISCIPLINARY OFFENSE SCALE**

| | |
|--|--|
| <u>CLASS "A" OFFENSES</u> MURDER MANSLAUGHTER TAKING OF HOSTAGES OR KIDNAPPING ASSAULT OR BATTERY WITH A WEAPON ON ANOTHER PERSON ASSAULT OR BATTERY WITHOUT A WEAPON ON AN INMATE ASSAULT OR BATTERY WITHOUT A WEAPON ON A STAFF MEMBER OR VISITOR BATTERY INCITING TO RIOT ENGAGING IN RIOT PARTICIPATING IN, CONTRIBUTING TO OR IMPEDING CONTROL OF A DISTURBANCE IN ANY AREA EITHER PHYSICALLY OR VERBALLY DEALING IN DANGEROUS DRUGS ARSON ENGAGING IN SECURITY THREAT GROUP/STREET GANG ACTIVITY ESCAPE WITH OR WITHOUT FORCE POSSESSION OF ESCAPE PARAPHERNALIA TAMPERING WITH LOCKS OR SECURITY ITEMS POSSESSION OF A KEY OR KEY PATTERN RAPE SEXUAL MISCONDUCT SEXUAL HARASSMENT ATTEMPT TO OR ENGAGING IN ANY UNAUTHORIZED RELATIONSHIP POSSESSION OF DANGEROUS CONTRABAND REFUSAL TO MOVE OR TO BE RESTRAINED ATTEMPT OR COMPLICITY TO ANY CLASS "A" OFFENSE | <u>CLASS "B" OFFENSES</u> ROBBERY OR EXTORTION THREATS FIGHTING ANY UNAUTHORIZED USE OF ANY INSTITUTIONAL EQUIPMENT COUNT INTERFERENCE INTERFERENCE WITH SEARCH DAMAGE TO PROPERTY ANY ACT CONSTITUTING A FELONY SELF MUTILATION VIOLATING A CONDITION OF FURLOUH, SCHOOL OR WORK RELEASE OR OTHER COMMUNITY ACTIVITIES DISOBEYING A LAWFUL ORDER <u>CLASS "C" OFFENSES</u> ANY OFFENSE NOT LISTED UNDER CLASS "A" OR "B" |
|--|--|