





THE CITY OF NEW YORK
DEPARTMENT OF CORRECTION



DIRECTIVE

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| <input type="checkbox"/> NEW <input type="checkbox"/> INTERIM <input checked="" type="checkbox"/> REVISED | | | SUBJECT | | |
| EFFECTIVE DATE 11/18/19 | | *TERMINATION DATE / / | | DEPARTMENT DEFINITIONS OF INMATE CATEGORIES | |
| CLASSIFICATION # 4020R-B | SUPERSEDES 4020R-A | DATED 01/19/07 | APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | | |
| RECOMMENDED FOR APPROVAL BY REVIEW BOARD MEMBER | | | AUTHORIZED BY THE COMMISSIONER | | |
|  HAZEL JENNINGS, CHIEF OF DEPARTMENT SIGNATURE | | |  CYNTHIA BRANN SIGNATURE | | |

I. PURPOSE



The purpose of this Directive is to identify and define New York City Department of Correction (Department) inmate categories.

II. POLICY

- A. The Department shall use the inmate categories when conducting Departmental business with special emphasis on census reporting.
- B. As necessary, the Department may report an inmate's category in conjunction with other categories or as combined categories.
- C. For census reporting purposes, housing areas shall be counted pursuant to their designations. For example, there may be "Detox" inmates in a "General Population (GP)" housing area; in such a case they should be reported to Custody Management on the "GP" count, but this does not preclude reporting them as "Detox" to other areas such as Health Services.
- D. Department personnel shall house all inmates according to their classification score/custody level as set forth in Directive 4100R-D or Directive 4104R-E, "Classification," first and foremost and subsequently by their assigned category. An inmate's category does not take precedence over his or her classification/custody level within the Department (e.g., General Population Escort (Low), General Population Escort (Medium), etc.).

III. DEFINITIONS OF INMATE CATEGORIES



- A. Male: A designation given to a person whose sex characteristics (Genes, Hormone Levels, Genitalia, Secondary Sex Characteristic) align with the biological sex of male. This designation is typically given at birth.

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III. DEFINITIONS OF INMATE CATEGORIES (Cont.)

- B. **Female: A designation given to a person whose sex characteristics (Genes, Hormone Levels, Genitalia, Secondary Sex Characteristic) align with the biological sex of female. This designation is typically given at birth based.**
- C. **Transgender or Trans: Describes an individual whose gender identity is different from the individual's sex assigned at birth. For example, a person who was assigned male at birth, but currently identifies as a woman. Typically, this person will identify as a "transgender woman" or just as a "woman."**
- D. Adolescent: The designation for inmates who are between sixteen (16) and seventeen (17) years old.
- E. Young Adult: The designation for inmates who are between eighteen (18) and twenty-one (21) years old.
- F. **Adult: The designation for inmates who are over Twenty-one (21) years of age.**
- G. Detention (Detainees): The designation for inmates who are awaiting trial or are on trial but have not been convicted of a crime(s); or, for inmates who have been convicted of a crime but have not yet been sentenced.
- H. City Sentenced: The designation for any inmate who has been convicted of a crime and sentenced to a DEFINITE term of one (1) year or less; or, concurrent DEFINITE terms of one (1) year or less; or, two (2) consecutive DEFINITE terms of one (1) year or less. It should be noted that those individuals who are sentenced to one year DETERMINATE sentences MUST be transferred to the custody of the New York State Department of Correctional Services (NYSDOCS).
- Note: A Department Sentence Commitment Number must be issued for those inmates who are serving one (1) year DEFINITE sentences.
- I. Intermittent Sentence: The designation for an inmate who has been convicted and given a revocable sentence of imprisonment to be served on days, during certain periods of days, or both as specified by the court as part of the sentence.
- J. Civil Case: A Civil Case inmate is one who is not involved in the criminal process as a detainee or sentenced inmate but is confined for other reasons including civil process, civil contempt, or material witness order.
- K. Technical Parole Violator: The designation for an inmate who has been detained by a New York State Parole Warrant only.

Note: This does not include those with open case(s) or additional warrants, In addition to the Parole Warrant.



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III. DEFINITIONS OF INMATE CATEGORIES (Cont.)

- L. **State Ready:** The designation for an inmate convicted of a crime and sentenced to either an indeterminate term exceeding one (1) year or a determinate sentence of one (1) year or more and for whom a probation report, formal sentence commitment, fingerprints, and jail time certification have been prepared.



Note: A newly sentenced inmate shall not be classified as "State Ready" until all of the necessary documents defined above are available.

- M. **State Prisoner:** Inmates who have been sentenced and committed to the custody of the NYSDOCS but have been returned to Department custody pursuant to court order in connection with a pending matter whether criminal, civil, or other. The following definitions are provided for informational purposes only and should not be construed as inmate categories:
1. **Court Order Satisfied:** State prisoner who had been returned to Department custody pursuant to court order, which has been satisfied. Such a prisoner is ready to be returned to NYSDOCS custody.
 2. **Short Adjournment:** An inmate who was previously sentenced and committed to NYSDOCS and who has been returned to Department custody pursuant to a court order and whose next scheduled court appearance is within ten (10) business days.
 3. **Long Adjournment:** An inmate who was previously sentenced and committed to the NYSDOCS who has been returned to NYCDOC custody pursuant to a court order and whose next scheduled court appearance is in more than ten (10) business days. Such an inmate must be declared "State Ready," to be returned to NYSDOCS custody.
- N. **New Admission:** A newly admitted inmate who is awaiting the completion of new admission processing including, but not limited to, a security screening and medical evaluation (usually occurring within seventy-two (72) hours of admission).
- O. **General Population (GP)**
1. **General Population:** An inmate who has undergone new admission processing, including medical and security screening, and has been determined to not require any type of special housing is categorized as a GP inmate and is housed based on his/her classification score.

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III. DEFINITIONS OF INMATE CATEGORIES (Cont.)

2. General Population Centrally Monitored Case: An inmate as described in "General Population" above, but who has been identified as potentially having the ability to subvert the criminal justice system including, but not limited to, an inmate with an escape history or an inmate who has been identified as involved with organized crime or terrorist groups. The level of observation, the staffing levels, and the required restraints for outside transportation of such inmates shall be determined on a case by case basis by the Operations Security and Intelligence Unit (OSIU).
- P. Punitive Segregation: Punitive Segregation Housing is for an inmate who, pursuant to Directive 6500R-D, "Inmate Disciplinary Due Process," was charged with and found guilty of committing a violation of Department rules and subsequently placed in twenty-three (23) hour lock-down to serve a specific sentence of confinement imposed as a result of a disciplinary hearing.
- Q. Pre-Hearing Detention (PHD): The designation for an inmate placed in twenty-three (23) hour lock-down, pursuant to Directive 4501R-D, "Pre-Hearing Detention and Punitive Segregation Status Inmates." Such inmates are under investigation for or are being charged with the commission of a serious violation of Department rules and their behavior poses a significant threat to the safety and security of staff or inmates or to the good order of the facility.
- R. General Population Escort: General Population Escort is for any inmate who requires close observation because he or she has demonstrated disruptive or otherwise troublesome behavior (e.g., pending infraction for violation of departmental rules) but such behavior does not rise to the level that would require other special housing including, but not limited to, Pre-Hearing Detention or Protective Custody housing, as defined in Directives 4501R-D and 6007R respectively. Placement into this category shall be at the discretion of facility commanders.
- S. Enhanced Supervision Housing: is for any inmate who is determined by the Chief of Security to require an enhanced level of supervision based on a screening criteria and findings of OSIU followed by a due process placement hearing by the Adjudication Unit, as defined in Directive 4497, "Enhanced Supervision Housing."
- T. Medical/Mental Health: A Medical/Mental Health inmate is identified and designated by Medical or Mental Health Staff only.
1. Medical/Infirmary: An inmate whose medical condition requires more intensive management than is provided in general population but does not require inpatient hospital care.
 2. Detoxification (Detox): An inmate who requires detoxification services for alcohol and/or substance abuse.

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III. DEFINITIONS OF INMATE CATEGORIES (Cont.)

3. Medical Isolation: An inmate who refuses to comply with routine medical testing and/or examination or who refuses diagnostic testing for communicable disease is placed in Medical Isolation Housing.
4. Clinical Alternatives to Punitive Segregation (CAPS): CAPS housing unit is designated for inmates who have been found guilty of an infraction or are in pre-hearing detention status and who cannot, because they have been diagnosed with a serious mental illness, be housed in a punitive segregation setting. Mental Health staff must clear all inmates for CAPS housing prior to the inmates' transfer to CAPS.
5. Communicable Disease: The designation for an inmate who requires isolation to reduce the spread of communicable diseases that are caused by infectious agents that can be transmitted from person to person.
6. Mental Health Center (MHC): The housing designation for an inmate with severe mental health problems is MHC. The MHC can medicate greater than twice daily as appropriate and has twenty-four (24) hour, seven (7) days per week psychiatric, medical, and nursing coverage.
7. Mental Observation: The designation for an inmate whose mental illness requires a higher level of observation than those in general population and who may be at risk of suicide, as described in Directive 4521, "Suicide Prevention."
8. Nursery: The nursery is designated for an inmate who gave birth while incarcerated or who was nursing a child under one (1) year of age prior to incarceration. Infants may remain in the nursery with their mother until the child reaches one (1) year of age in accordance with NYS Correction Law Article 22 Section 611.
9. Restricted Housing Unit: Restricted Housing Units are designated for inmates who have been found guilty of an infraction and sentenced to a disciplinary penalty imposing a term of punitive segregation or are in pre-hearing detention status and who cannot, because of their mental condition, be housed in a standard Punitive Segregation unit. In these housing units, the New York City Department of Health and Mental Hygiene's contracted health provider and the Department administer a mental health services and treatment program designed to assist inmate participants in assimilating back into general population or non-punitive segregation mental observation housing. Though inmates cannot opt out of assignment to an RHU, they are encouraged to participate in the non-mandatory, three-level incentive program through which they can earn increased lock-out time and a reduction in their punitive segregation term upon successfully fulfilling all the requirements of the program.

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IV. REFERENCES

- A. [Directive 4501R-D, "Pre-hearing Detention and Punitive Segregation Status Inmates," dated 1/23/16 \(as amended\).](#)
- B. [Directive 4518R-B, "Red ID Status and Enhanced Restraint Status Inmates due Process," dated 3/11/13 \(as amended\).](#)
- C. [Directive 4521, "Suicide Prevention," dated 12/10/03 \(as amended\).](#)
- D. [Directive 6007R-A, "Protective Custody," dated 8/27/10.](#)
- E. [Directive 6500R-F, "Inmate Disciplinary Due Process," dated 7/9/19.](#)
- F. New York State Correction Law, Article 22, Section 611.

V. SUPERSEDES

Any other directive, operations order, teletype, memorandum, etc., that may conflict with the policies and procedures outlined herein.

VI. SPECIAL INSTRUCTIONS

Commanding Officers, upon receipt of this Directive, shall immediately distribute copies to appropriate personnel.