

## DRAFT DOC REGULATION

### Juvenile classification

#### General

- A. A “juvenile lifer” is an inmate serving a life sentence for a crime committed under the age of 18.
- B. A “release date” is (a) the date on which a juvenile lifer who has been conditionally approved for parole by the Governor may be released on parole, or (b) the anticipated date on which a juvenile lifer is entitled to release on mandatory supervision.
- C. An “outside detail” is a work assignment at a location other than the facility in which an inmate is housed, and during which the inmate is under the direct supervision of a State employee.
- D. This regulation applies solely to juvenile lifers.
- E. This regulation supersedes any conflicting regulation or policy.
- F. “Commissioner” means the Commissioner of Correction.
- G. “Secretary” means the Secretary of Public Safety and Correctional Services.

#### Classification and Program Eligibility

- A. Upon admission of a juvenile lifer to the Division of Correction, the Division shall use the Initial Security Classification Instrument to conduct an individualized assessment of the inmate to assign the inmate’s security level.
- B. The Division of Correction shall place the inmate at the least restrictive security level consistent with the inmate’s needs, public safety, and the safe and orderly operation of the facility.
- C. An inmate is presumed to be able to progress to lesser security if his or her score on the Division of Correction Security Reclassification Instrument indicates eligibility for lesser security. The mandatory override in the instrument precluding progression below medium security for individuals serving life sentences does not apply to juvenile lifers. Any override of the instrument requires a written explanation of the basis for the decision.
- D. After initial placement, eligibility for lesser security, including outside detail and work release, and access to programs shall be determined by assessing the inmate in accordance with the Case Management Manual and other applicable directives and regulations.

- E. Individuals will not lose any privileges, jobs or housing assignments in order to undergo a risk assessment requested by the Maryland Parole Commission.
  
- F. Case managers and the Commissioner shall give significant weight to requests or recommendations of the Maryland Parole Commission that an individual be permitted to progress to lesser security or complete particular programming to improve parole suitability.
  
- G. A juvenile lifer, regardless whether the juvenile lifer has a release date, shall be eligible for a reduction below medium security status if approved by the Commissioner, or a designee of the Commissioner. If the Commissioner or designee disapproves a juvenile lifer for reduction below medium security status, the Commissioner or designee shall issue a written decision explaining the reasons for the decision. A copy of the decision shall be provided to the juvenile lifer.
  
- H. A juvenile lifer who has a release date shall be eligible for an outside detail or work release, if approved by the Commissioner or a designee of the Commissioner. If the Commissioner or designee disapproves a juvenile lifer for an outside detail or work release, the Commissioner or designee shall issue a written decision explaining the reasons for the decision. A copy of the decision shall be provided to the juvenile lifer.
  
- I. Except as provided in (H), a juvenile lifer who does not have a release date shall not be eligible for work release but, if warranted by exceptional circumstances, shall be eligible for an outside detail if recommended by the Commissioner of Correction or a designee of the Commissioner, and approved by the Secretary. If the Secretary disapproves an outside detail for a juvenile lifer, written notice of the decision shall be provided to the juvenile lifer.