

PART 524—CLASSIFICATION OF INMATES

Subpart B—Classification and Program Review of Inmates

Subpart A [Reserved]

Subpart B—Classification and Program Review of Inmates

- Sec.
- 524.10 Purpose and scope.
- 524.11 Classification team.
- 524.12 Initial classification and program reviews.
- 524.13 Effect of a detainer on an inmate's program.
- 524.14 Unscheduled reviews.
- 524.15 Appeals procedure.
- 524.16 Study and observation cases.
- 524.17 Pretrial inmates.

Subpart C—Youth Corrections Act (YCA) Programs

- 524.20 Purpose and scope.
- 524.21 Definitions.
- 524.22 YCA program.
- 524.23 Program reviews.
- 524.24 Parole hearings.
- 524.25 U.S. Parole Commission.

Subpart D—Intensive Confinement Center Program

- 524.30 Purpose and scope.
- 524.31 Eligibility and placement.
- 524.32 Institution-based component procedures.
- 524.33 Program failure.

Subpart E—Progress Reports

- 524.40 Purpose and scope.
- 524.41 Types of progress reports.
- 524.42 Content of progress reports.
- 524.43 Inmate's access to progress reports.

Subpart F—Central Inmate Monitoring (CIM) System

- 524.70 Purpose and scope.
- 524.71 Responsibility.
- 524.72 CIM assignment categories.
- 524.73 Classification procedures.
- 524.74 Activities clearance.
- 524.75 Periodic review.
- 524.76 Appeals of CIM classification.

AUTHORITY: 5 U.S.C. 301; 18 U.S.C. 3521–3528, 3621, 3622, 3624, 4001, 4042, 4046, 4081, 4082 (Repealed in part as to offenses committed on or after November 1, 1987), 5006–5024 (Repealed October 12, 1984 as to offenses committed after that date), 5039; 21 U.S.C. 848; 28 U.S.C. 509, 510; Title V, Pub. L. 91–452, 84 Stat. 933 (18 U.S.C. Chapter 223); 28 CFR 0.95–0.99.

Subpart A [Reserved]

SOURCE: 56 FR 30676, July 3, 1991, unless otherwise noted.

§ 524.10 Purpose and scope.

It is the policy of the Bureau of Prisons to classify each newly committed inmate within four weeks of the inmate's arrival at the institution designated for service of sentence and to conduct subsequent program reviews for each inmate at regular intervals. The Warden shall establish procedures to ensure that a newly committed inmate is promptly assigned to a classification team.

§ 524.11 Classification team.

The Warden shall ensure that each department within the institution has the opportunity to contribute to the classification process.

(a) At a minimum, each classification (unit) team shall include the unit manager, a case manager, and a counselor. An education advisor and a psychology services representative are also ordinarily members of the team. Where the institution does not have unit management, the team shall include a case manager, counselor, and one other staff member.

(b) Each member of the classification team shall individually interview the newly arrived inmate within five working days of the inmate's assignment to that team.

[56 FR 30676, July 3, 1991, as amended at 57 FR 34662, Aug. 5, 1992]

§ 524.12 Initial classification and program reviews.

(a) The Warden or designee shall ensure that each newly committed inmate is scheduled for initial classification within four weeks of the inmate's arrival at the designated institution.

(b) Staff shall conduct a program review for each inmate at least once every 180 days. When an inmate is within twelve months of the projected release date, a program review shall be conducted at least once every 90 days.

(c) Staff shall notify an inmate at least 48 hours prior to that inmate's

§ 524.13

scheduled appearance before the classification team (whether for the initial classification or subsequent program review). An inmate may waive in writing the 48-hour notice requirement. The inmate is expected to attend the initial classification and all subsequent program reviews. If the inmate refuses to appear at a scheduled meeting, staff shall document on the Program Review Report the inmate's refusal and, if known, the reasons for refusal. A copy of this report is to be forwarded to the inmate. The inmate is responsible for becoming aware of, and will be held accountable for, the classification team's actions.

(d) Staff shall complete a Program Review Report at the inmate's initial classification. This report ordinarily includes information on the apparent needs of the inmate and shall offer a correctional program designed to meet those needs. The Program Review Report is to be signed by the unit manager and the inmate, and a copy is to be provided to the inmate. The correctional programs will be stated in measurable terms, establishing time limits, performance levels, and specific, expected program accomplishments. Staff will document progress and any program changes at subsequent reviews in the same manner in a new Program Review Report. Each sentenced inmate who is physically and mentally able is assigned to a work program at the time of initial classification. The inmate may choose not to participate in the offered program, unless the program is a work assignment, or mandated by Bureau policy, by court order, or by statute.

(e) The inmate is to be provided with, and must sign for, a copy of the Program Review Report. If the inmate refuses to sign for a copy of this report, staff witnessing the refusal shall place a signed statement to this effect on the report. Staff shall place a copy of the Program Review Report in the inmate's central file.

[56 FR 30676, July 3, 1991, as amended at 60 FR 33320, June 27, 1995; 61 FR 47795, Sept. 10, 1996; 64 FR 9429, Feb. 25, 1999]

28 CFR Ch. V (7-1-05 Edition)

§ 524.13 Effect of a detainer on an inmate's program.

The existence of a detainer, by itself, ordinarily does not affect the inmate's program. An exception may occur where the program is contingent on a specific issue (for example, custody) which is affected by the detainer.

§ 524.14 Unscheduled reviews.

Staff shall establish a procedure to ensure that inmates are provided program reviews as required by this rule. Upon request of either the inmate or staff, and with the concurrence of the team chairperson, an advanced program review may occur.

[56 FR 30676, July 3, 1991, as amended at 60 FR 33321, June 27, 1995]

§ 524.15 Appeals procedure.

An inmate may appeal, through the Administrative Remedy Program, a decision made at initial classification or at a program review.

[56 FR 30676, July 3, 1991, as amended at 61 FR 47795, Sept. 10, 1996]

§ 524.16 Study and observation cases.

Inmates committed to the custody of the U.S. Attorney General for purposes of study and observation are excluded from the provisions of this rule.

[61 FR 47795, Sept. 10, 1996]

§ 524.17 Pretrial inmates.

Additional provisions pertinent to pretrial inmates are contained in § 551.107 of this chapter.

[61 FR 47795, Sept. 10, 1996]

Subpart C—Youth Corrections Act (YCA) Programs

SOURCE: 58 FR 50808, Sept. 28, 1993, unless otherwise noted.

§ 524.20 Purpose and scope.

This subpart establishes procedures for designation, classification, parole, and release of Youth Corrections Act (YCA) inmates. In keeping with court findings, and in accord with the repeal of 18 U.S.C. chapter 402, sections 5011 and 5015(b), all offenders sentenced