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|  | <p style="text-align: center;">ORANGE COUNTY CORRECTIONS DEPARTMENT ADMINISTRATIVE ORDER</p> <p style="text-align: center;">O.C.C.D. NO. IS.100</p> |  |
| SUBJECT: | CLASSIFICATION PLAN | Page 1 of 16 |

I. AUTHORITY:

Florida State Statutes 951.01, 951.05, 951.08, 985.265, and 943.0439
Florida Model Jail Standards 4.10, 4.11, 4.12, 4.14, 4.15, 5.02, and 5.07

II. REFERENCE:

American Correctional Association Standards 4-ALDF-2A-25, 4-ALDF-2A-30, 4-ALDF-2A-31, 4-ALDF-2A-32, 4-ALDF-2A-33, 4-ALDF-2A-34, 4-ALDF-2A-36, 4-ALDF-2A-39, and 4-ALDF-2A-40, 4-ALDF-7D-20

Florida Corrections Accreditation Commission Standards 9.12, 9.13, 16.01
OCCD Administrative Order [IS. 500, "Juvenile Offenders"](#), [IO.403, "Inmate Grievances."](#) [IS.600, Admission/Intake and Orientation Process,"](#) and [IS. 601, "Inmate Participation in Work Release Programs"](#)

Classification Services Section SOP [CLASS-IS.100-07, "Custody and ID Card Changes"](#)



OCCD Forms "Inmate Grievance Form," [\(OP-12\)](#) and "Custody Change Form"

III. POLICY: [4-ALDF-2A-30, 4-ALDF-2A-31, 4-ALDF-2A-32, 4-ALDF-2A-33, 4-ALDF-2A-34, 4-ALDF-2A-36, 4-ALDF-7D-20, FCAC 9.13 \(c\), FMJS, FMJS 4.14 \(c\), 4.15, FMJS 5.02, FMJS 5.07](#)

The Orange County Corrections Department will separate inmates according to existing laws/regulations and/or according to the facility's classification plan. Single occupancy cells will be available in accordance with this policy, as necessary. Male and female inmates will be housed separately and separated by sight and normal sound. Juvenile inmates (male or female) will be housed separately, out of sight and sound from adult inmates.

Inmates will be classified in a fair and consistent manner using a formal process (Objective Jail Classification System) to manage and separate inmates, and administer the facility. Classification of inmates will be based

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upon the agency mission, measurable goals, and a process of assessment for risk and need that directs the efficient allocation of agency resources. The Objective Jail Classification process relies on trained Classification Services Section staff, the use of reliable and valid data, validated assessment instruments, and a process assessment and outcome evaluation. The validated assessment instruments include the National Institute of Corrections (NIC) approved "Primary and Reclassification Decision Trees." An inmate's classification will not be based on race, religion, or national origin. At a minimum, the Classification Services Section will determine inmates' classification levels based on history of assaultive behavior; criminal history; institutional behavior; medical/mental health status; age; keep separate and escape history. The inmate classification process ensures a periodic review and revision as needed of inmates' status in response to changes in inmate behavior or circumstances. A process for appeal of classification decisions will be available. Classification information and progress reports shall be maintained as a part of the inmate's record.



Inmates with autism or an autism spectrum will be interviewed in accordance with OCCD Administrative Order [IS.600, Admission/Intake and Orientation Process](#). FSS.943.0439

Inmates participating in work or educational programs at the Work Release Center will be separated from general population inmates in accordance with OCCD Administrative Order, [IS.601, "Inmate Participation in Work Release Programs."](#)

IV. DEFINITIONS:



- A. Assaultive Felony: Intentional act that results in or is intended to injure another person.

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- B. Capital Felon: Inmates sentenced to death or life in prison. These inmates require maximum-security housing and supervision and will have a RED background on their identification (ID) card.
- C. Discretionary Overrides: Reflect the professional judgement of the classification staff and are generally based on information regarding the inmate's crime, prior record, or institutional adjustment.
- D. Federal High Medium (FHM): Federal inmates with non-assaultive felony charge and/or criminal history will be considered as high medium custody. These inmates will have an ORANGE background on their identification (ID) card.
- E. Federal Max (FMX): Federal inmates with special handling codes that are considered a security risk, such as, use caution, violent tendencies house maximum security, etc., will be considered as maximum security. These inmates will have a RED background on their identification (ID) card.
- F. Federal Max II (FMXII): Federal inmates designated as Custody level two (2) have been charged with an assaultive felony crime or are charged with a non-assaultive crime with a prior history of assaultive felony, charges of escape, and/or negative past or present institutional behavior. These inmates will have a BLUE background on their ID card.
- G. Florida Crime Information Center (FCIC): A central system (database) maintained by the Florida Department of Law Enforcement's Criminal Justice Information Program that tracks crime related information and provides criminal justice information to criminal justice agencies and certain other entities.
- H. High Medium Custody (HMD): Inmates designated as a "Custody level three (3)" will include those charged with designated



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assaultive felony charges with no prior assaultive convictions, no escape history, and no past or present serious institutional behavior. It will also include inmates charged with non-assaultive charges that have prior assaultive felony convictions or escape history and no serious institutional past or present behavior. These inmates require close supervision and will have an ORANGE background on their ID cards.

- I. Juvenile Offender (JO): A person under the age of majority in the jurisdiction in which he/she is confined or under community supervision. The age of majority in Florida is eighteen (18) years of age.
- J. Keep Separate: An alert designation in the Inmate Management System (IMS) indicating that an inmate must be housed separately from a particular inmate(s) for the safety and security of inmates and staff.
- K. MAX I: Inmates designated as "Custody level one (1)" have been charged with an assaultive felony and/or have holds or other pending court action regarding an assaultive felony. These inmates also have a prior history of assaultive felony charges and negative past or present institutional behavior. These inmates require maximum-security housing and supervision and will have a RED background on their ID cards.
- L. MAX II: Inmates designated as "Custody level two (2)" have been charged with an assaultive felony crime and/or have holds or other pending court action regarding an assaultive felony or are charged with a non-assaultive crime with a prior history of assaultive felony, charges of escape, and/or negative past or present institutional behavior. These inmates require close security housing and supervision and will have a BLUE background on their ID cards.

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- M. Medium Custody: Inmates designated as a “Custody level four (4) or five (5)” will include those sentenced misdemeanants and felons who do not qualify for minimum security nor require a high level of security. Medium security pre-sentenced inmates “Custody level five (5)” have no other factors, which warrants a medium-security level other than they are awaiting conviction and sentence. These inmates are assigned a medium security status and may be reclassified to minimum when sentenced. These inmates require a normal amount of supervision and will have a YELLOW background on their ID cards.

- N. Minimum Custody: Inmates designated “Custody levels of six (6), seven (7), or eight (8)” may be sentenced or pre-sentenced misdemeanants or some sentenced felons. Inmates must have no holds or other pending court action against them. Minimum-security inmates must display a cooperative attitude toward the staff and must obey the rules and regulations of the facility. These inmates require a minimum amount of staff supervision and will have a GREEN background on their ID cards.

- O. National Crime Information Center (NCIC): A central system (database) maintained by the FBI’s Criminal Justice Information Services Division that tracks criminal related information and provides criminal justice information to criminal justice agencies.

- P. Primary Classification: A formal method conducted by the CLASSIFICATION SERVICES SECTION in which objective, consistent, and valid decisions are made about the separation of inmates for the purposes of safety and security. Primary classification utilizes an NIC validated tool to assess an inmate and determine the least restrictive security level necessary to protect the staff, other inmates, and the public.

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V. PROCEDURES:

A. Primary Classification and Housing Assignments:



1. *Inmate management and housing assignment will be based on age, gender, legal status, custody needs, special problems and needs, and behavior. Male and female inmates will be housed in separate rooms/cells. 4-ALDF-2A-32, FMJS 4.10 and 5.02*
2. *Primary classification assessment will be completed on all inmates housed within the Orange County Correctional Facilities prior to their movement to permanent housing. The only exception will be with those inmates "in transit" overnight and Marchman Acts. 4-ALDF-2A-25, FCAC 9.12, FMJS 4.10*
3. *The process will use verifiable and documented data about inmates and information obtained during an inmate interview. The classification system will be used to separate inmates into groups that reduce the probability of assault and disruptive behavior. FMJS 5.06*
4. *The primary classification will be based on information obtained from the following: 4-ALDF-2A-30*
 - a. *Arrest affidavit*
 - b. *FCIC/NCIC (criminal history)*
 - c. *Past incarceration behavior*
 - d. *Escape history*
 - e. *Mental and emotional stability*

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- f. *History of assaultive behavior*
 - g. *Medical status*
 - h. *Age*
 - i. *Need to keep separate from other inmates*
 - j. *OCSO records management systems*
 - k. *Information obtained from other agencies*
5. Once all the above information has been obtained, Classification Services Section will use the following information and the "Decision Tree" to determine the appropriate custody level assignment:
- a. Current charges
 - b. Assaultive felony convictions
 - c. Past/present institutional behavior
 - d. Felony convictions
 - e. Detainers
 - f. Sentence status
 - g. High risk factors
 - h. Any special conditions or override considerations.
6. *Single occupancy cells/rooms will be available, when indicated, for the following: 4-ALDF-2A-34, FMJS 4.11*

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- a. Maximum and close custody
 - b. Inmates with severe medical disabilities
 - c. Inmates suffering from serious mental illness
 - d. Inmates with a known history of committing sexual acts upon other inmates or inmates who pose a credible sexual threat to other inmates
 - e. Inmates likely to be exploited or victimized by others
 - f. Inmates who have other special needs for single-occupancy housing
7. Inmate housing assignments will be based upon, but not limited to:
- a. Custody assignment
 - b. Medical/Mental health issues
 - c. Disciplinary issues
 - d. Worker eligibility
 - e. Program assessment and eligibility
 - f. Predatory behavior
 - g. Potential victimization
8. *Housing assignments and work/program participation will be assigned by the Classification Services Section in accordance with the following: [FCAC 9.12](#), [FMJS 4.12](#)*

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- a. Capital Life and Max I supervision inmates will be housed in the same designated housing area and will not be permitted access to any Departmental programs outside their housing areas. These inmates will be issued a RED background ID card.
- b. MAX II supervision inmates will be housed in the same designated housing area and will not be permitted access to any Departmental programs outside their housing areas until reclassified to HMD custody. These inmates will be issued a BLUE background ID card.
- c. High medium supervision (HMD) inmates will be housed in the same designated housing area and may participate in facility or departmental programs at the discretion of Management.
 - 1) High medium inmates participating in programs may be supervised by certified and/or non-certified staff.
 - 2) These inmates will be issued an ORANGE background ID card.
- d. Medium supervision inmates will be issued a YELLOW background ID card and may participate in facility or departmental programs and activities at the discretion of Management.
- e. Minimum-security inmates will be issued a GREEN background ID card and may function in all areas of the Department with minimum supervision. Medium

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and minimum-security inmates will be housed together and in the same designated housing area.

- f. Inmates will only be housed within one (1) custody level below, within one (1) custody level above, or at the same level as their designated classification. Medical housing allows inmates with custody levels of Minimum, Medium, and High Medium to be housed together.
- g. Inmate workers will be assigned in accordance with OCCD Administrative Order [IS.601 "Inmate Participation in Work Programs."](#)
- h. Unclassified inmates that are moved from BRC to any other facility will be issued a white background ID card.
- i. Inmates who are awaiting disciplinary hearings or serving disciplinary sanctions are to be housed in a two (2) man lock-down unit, whenever possible, with same custody level inmates as noted above in a-e.
- j. Medical/Mental health inmates may be housed in accordance with their treatment plan taking into account current custody levels.

B. Federal Inmates:



- 1. Federal inmates will be queried by Classification Services Section through FCIC/NCIC to obtain their criminal history background. Any active warrants or writs found **will not** be added on to Federal inmates.

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2. Classification Services Section will review “Federal Form 129” for pertinent information relating to the individual inmate. Such information may include,:
 - a. Charges
 - b. Keep separates
 - c. Violent tendencies
 - d. Escape risk
 - e. Detainers
3. Federal inmates with special handling codes that are considered a security risk, such as, use caution, violent tendencies, house maximum security, etc. will be considered as maximum security inmates.
4. Federal inmates will be classified using the Objective Jail Classification System. Any active warrants or writs found will not be added. Federal inmates will not be classified any lower than HMD-3.
5. Federal inmates will be classified as:
 - a. FHM – Federal high medium custody
 - b. FMX - Federal maximum custody
 - c. FMXII – Federal maximum II custody
6. Federal inmates classified, as FHM will be housed in designated high medium units and inmates classified as

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FMX will be housed in the designated maximum-security unit.

7. Inmates with a United States Marshal Service (USMS) hold and pending local charges will be handled as follows:
 - a. Inmates with a USMS hold and local charges will be considered an Orange County inmate and housed according to classification and program eligibility.
 - b. If the inmate is sentenced to Orange County on his/her local charges, the Classification Officer will notify Inmate Records Management (IRM) once the inmate is time served in order to commence contract billing.
 - c. Inmates who have completed their local charges and have a USMS hold will be reclassified to FHM, FMX, FMXII and moved into the appropriate housing units.

C. Reclassification of Inmates: [FCAC 9.12](#)



1. *The inmate classification process ensures periodic review and revision of the inmate's status as needed in response to changes in the inmate's behavior or circumstances.*
2. *Inmates will be reviewed by the Classification Services Section at a minimum of every forty-five (45) to sixty (60) days and reclassified as needed: [4-ALDF-2A-31](#)*
 - a. *Information from the Inmate Management System (IMS), including current charges, legal status, criminal history, and behavior notes will be reviewed to determine if reclassification is warranted.*

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- b. *Additional information may be obtained through an inmate interview to determine if reclassification is warranted.*
 - c. *Inmates who are reclassified will be moved to the appropriate housing by the Classification Services Section.*
3. *Inmates who demonstrate positive behavior will be reviewed for a reduction in custody level and placement into less restrictive housing as appropriate. [FCAC 9.12](#)*
4. *When an inmate receives additional charges or has been sentenced, Classification Services Section staff will:*
 - a. *Review the current court disposition or additional add-on charges*
 - b. *Ensure appropriate custody level and housing*
 - c. *Review for program eligibility*
 - d. *Reclassify the inmate, if necessary and enter the move into IMS.*
 - e. *Document review or reclassification into IMS*
 - f. *Meet with/interview the inmate to discuss status changes as needed.*
5. *If the inmate is reclassified, Classification Services Section will print a new inmate ID card, in accordance with Classification Services Section SOP [IS.100-07, "Inmate Identification Cards."](#)*

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6. Non- Discretionary Overrides are set by formal policy.
 - a. Inmates with current charges of Sexual Battery on a Child under the age of 12 and or First Degree Murder will be classified no lower than Max II custody unless the charges are reduced/modified or satisfied through the courts.
 - b. Inmates housed in Mental Health Housing areas will be classified no lower than Medium custody. Overrides will be conducted for these inmates who score at **Minimum Custody (6, 7 or 8)**
7. When Classification Staff determine that a discretionary override is necessary, the reason and justification for the override will be clearly documented and forwarded to a supervisor for review.

D. *Inmate Movement:*

1. *Classification Services Section staff will be responsible for the facility transfer of inmates based on custody level, program recommendations, inmate behavior, population management, security needs and other special needs of the inmates as determined by Health Services.*
2. *Inmates will be placed in Direct Supervision facilities and the Work Release Center only by Classification Services Section. FCAC 16.01*
3. Security staff will contact Classification at ClassificationMoves@ocfl.net, for all inmate housing assignments. Outside of Classification's operational hours, Security staff will complete informational reports in IMS

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detailing the reason for the change in housing assignment, unless the move is for medical or disciplinary reasons.

E. Juveniles Offenders:

1. *Juveniles will be separated by sight and sound from the adult population and housed separately in a specialized unit until they turn age eighteen (18) in accordance with OCCD Administrative Order [IS.500, "Juvenile Offender."](#) 4-ALDF-2A-39*
2. The Main Facility will be the designated housing facility for male juveniles and the Female Detention Center will house all female juveniles.
3. JOs will be confined within sight and normal sound of staff and out of sight and sound of adult inmates.
4. When placed in a cell, separated from adults in the Booking or Releasing areas, a ten (10) minute watch will be conducted and documented by staff.
5. Classification Services Section must be notified immediately by the Booking and Release Center (BRC) upon receiving JOs.
6. *A classification plan developmentally appropriate for adolescents will be completed for all JOs, determining the level of risk and program needs. Classification plans include consideration of physical, mental, social, and educational maturity of the youthful offender. Classification, Programs, Security and Mental Health staff, if appropriate, will be involved in the case management plan. 4-ALDF-2A-40*

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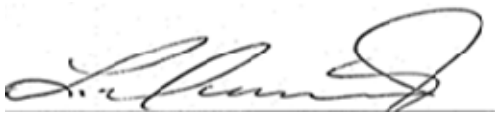
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7. All inmates under the age of eighteen (18) will be classified as a JO even if he/she is sentenced as an adult.
8. Once a juvenile turns eighteen (18), he/she will be reviewed and reclassified, if applicable, and moved to the appropriate adult housing based on his/her classification and needs.

F. Appeals:

1. *Inmates may appeal a classification decision by submitting a completed "Inmate Grievance Form," [\(OP-12\)](#) in accordance with OCCD Administrative Order [IO.403](#), "[Inmate Grievances](#)."*
2. *The Classification Services Section Supervisor or designee will review IMS and conduct an interview, if necessary, and respond to the grievance.*

APPROVED:



Louis A. Quiñones, Jr
Chief

Orange County Corrections Department

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Review Date: 07/01/19-07/30/19

Revision Date: 08/22/19

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ASSAULTIVE FELONY CHARGES

| FLORIDA STATE STATUTES | DEGREE | OFFENSE/CHARGE |
|---------------------------|------------|--|
| 782.04(1)(a)(1) | Capital | 1 ST Degree Murder/ premeditated |
| 782.04(1)(a)(2) | Capital | Murder while engaged in certain Felony Offense |
| 782.04(1)(a)(3) | Capital | Murder resulting from Distribution Cntrl Substance |
| 782.04 | L, 1,2,3 | All other Murder Offenses listed in Statute |
| 782.051 | 1 | Felony Murder or Attempted |
| 782.07(1) | 2 | Manslaughter (other than by motor veh) |
| 782.07(2) | 1 | Manslaughter/Agg. Neglect elderly/Disabled adult |
| 782.07(3) | 1 | Manslaughter/Aggravated of Child. |
| 782.07(4) | 1 | Manslaughter/Agg. On LEO, EMT, Firefighter, Paramedic |
| 784.045 | 2 | Aggravated Battery (Felony) Offenses listed in statute. |
| 784.07 | 1, 2 | (Felony) Assault or Battery on LEO, C/O, Firefighter or Emergency care provider. |
| 784.08 | 1, 2 | Assault or Battery on Persons 65 years of age or older. |
| 784.082(1),(2) | 1, 2 | Assault or Battery by a person who is being detained in a prison, jail, or other Detention facility upon visitor or other detainee. |
| 787.01 | Life , 1 | Kidnapping (Felony) Offenses listed in Statute. |
| 787.02(3)(a)(1) | 1 | False Imprisonment Child & Agg. Abuse |
| 787.02(3)(a)(2) | 1 | False Imprisonment Child & Sexual Battery |
| 787.02(3)(a)(3) | 1 | False Imprisonment Child/Lewd & Lascivious assault or act. |
| 790.16(1) | 1 | Discharge Machine Gun w/ harm or damage to property |
| 790.161(2) | 2 | Make, Poss, Throw, Place or Project Destructive Device w/ intent to do bodily harm |
| 790.161(3) | 1 | Make, Poss, Throw, Place or Project Destructive Device causes bodily Harm or property damage. |
| 790.161(4) | Capital | Make ,Poss, Throw, Place or Project Destructive Device resulting in Death. |
| 790.1615 | 1 | Discharge Destructive Device Bomb resulting in bodily injury |
| 790.166 | Capital | Poss, Manufacture, sell deliver, use, att. or threaten use of a wpn of Mass destruction |
| 790.19 | 2 | Shoot/Throw Deadly Missile into dwelling, vehicle, building, or aircraft |
| 794.11 | Life, 1, 2 | Sexual Battery (Felony) Offenses listed in statute. |
| 794.11(2)(a) | Capital | Sexual Battery on Child under 12 |

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ASSAULTIVE FELONY CHARGES

| FLORIDA STATE STATUTES | DEGREE | OFFENSE/CHARGE |
|---------------------------|------------|---|
| 794.11(8)(c) | Capital | Sexual Battery on Child under 12 by custodial authority |
| 800.04(5)(b) | 1 | Molestation on victim under 12 |
| 806.01(1) | 1 | Arson of Dwelling |
| 806.01(1)(b) | 1 | Arson Structure/Persons Normally Occupied |
| 806.01(1)(c) | 1 | Arson Structure known or believed to be Occupied |
| 806.01(1)(c) –1 | 2 | Att. Arson Structure known or believed to be occupied. |
| 806.031(1) | 2 | Arson /causing great bodily harm/disability |
| 810.02 | 1, 2 | Burglary (Armed or with Assault or battery/wearing mask) |
| 812.13 | Life, 1, 2 | Robbery Offenses as listed in statute |
| 812.133 | 1 | Carjacking with or w/o a firearm or weapon |
| 812.135 | 1 | Home Invasion Offenses |
| 827.03(2)(a) | 1 | Aggravated Child Abuse |
| 827.03(2)(b) | 1 | Aggravated Child Abuse willfully tortures |
| 827.03(3)(b) | 1 | Aggravated Child Abuse/Malicious Punishment or willfully cages |
| 827.03(2)(b) | 1 | Aggravated Child Abuse w/ permanent disfigurement |

DOC CRITERIA

****Life Sentence or Death Row (Capital/Life)**

*****A violation of Probation, Parole or Community Control of the above charges does not constitute a current violent charge by itself. Other charges may require over-ride consideration on a case-by-case basis.**

ALL OVER-RIDES MUST BE APPROVED BY THE CLASSIFICATION SUPERVISOR OR DESIGNEE.

EFFECTIVE DATE: 09/30/19

FELONY OVER-RIDE CONSIDERATION LIST

| FLORIDA STATE STATUTES | DEGREE | OFFENSE/CHARGE |
|---------------------------|--------|---|
| 782.071 | 1 | Vehicular Homicide |
| 782.08 | 2 | Assist self-murder |
| 782.09 | 2 | Killing unborn child by injury to mother/Manslaughter |
| 784.021(1)(a) | 3 | Agg. Assault w/deadly weapon |
| 784.021(1)(b) | 3 | Agg. Assault w/intent to commit felony |
| 784.048(3) | 3 | Agg. Stalking/harass threaten w/ death or injury |
| 784.075 | 3 | Battery on Detention/ Commitment staff or Juvenile Probation Officer |
| 784.076 | 3 | Battery on Health Service Personnel. |
| 784.078 | 3 | Battery on facility employee by throwing or expelling certain fluids or materials |
| 784.07 | 3 | Assault or Battery on LEO, C/O, Firefighter or Emergency Care provider |
| 784.08 | 3 | Assault or Battery on Persons 65 years of age or older. |
| 787.02(1)(a) | 3 | False Imprisonment |
| 787.02(1)(b) | 3 | False Imprison child under 13 |
| 790.163 | 2 | False Report of bomb or weapon of mass destruction |
| 800.04(5)(c)(2) | 2 | Lewd Lascv asslt victim 12-16 year by offender 18 year or older |
| 827.03(3)(b) | 2 | Child Neglect causing great harm |
| 843.01 | 3 | Resisting Arrest w/Violence |
| 893.135 | 1 | Armed Trafficking or trafficking w/a weapon |
| 914.22 | 3 | Tampering with witness or victim |
| 914.23 | 3 | Retaliating against witness or victim. |

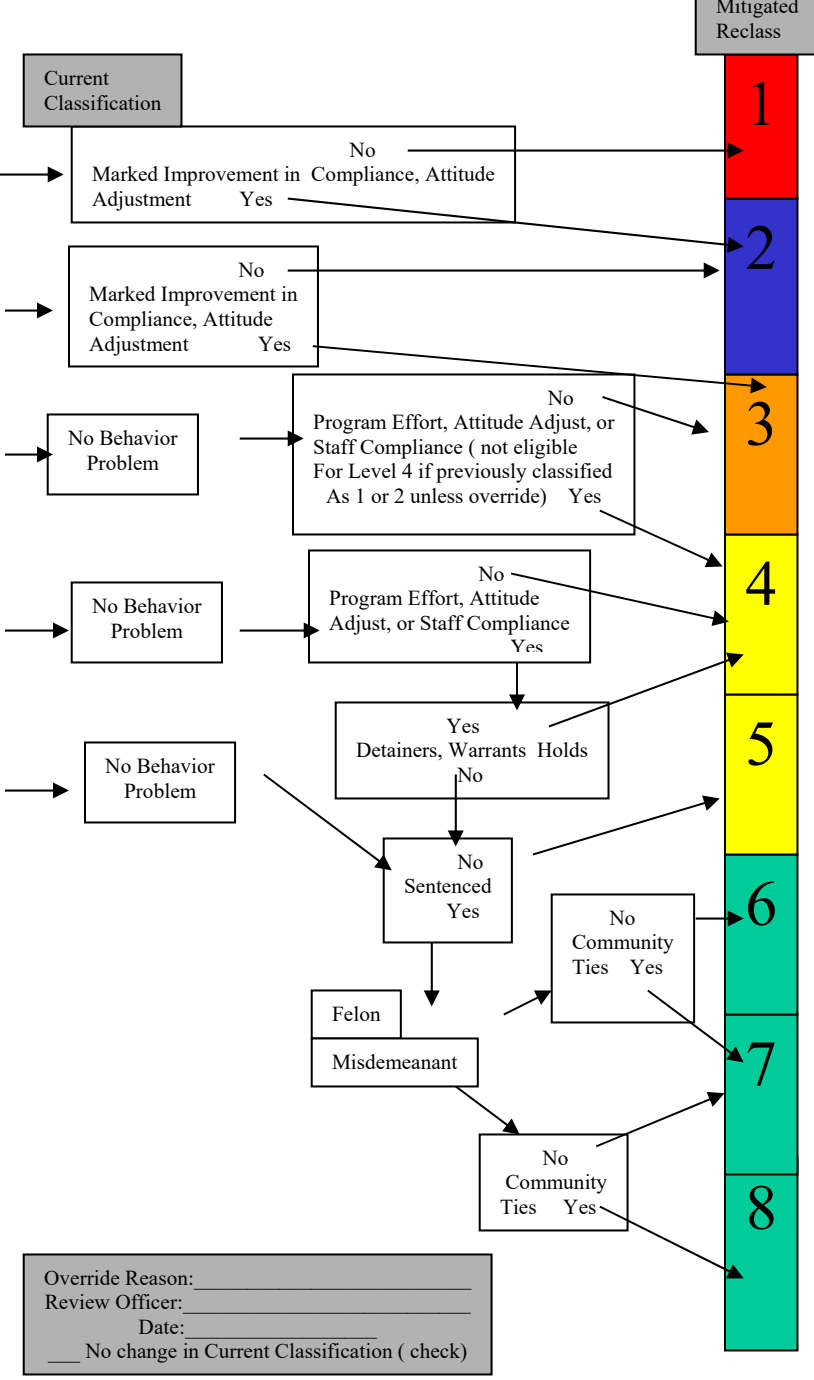
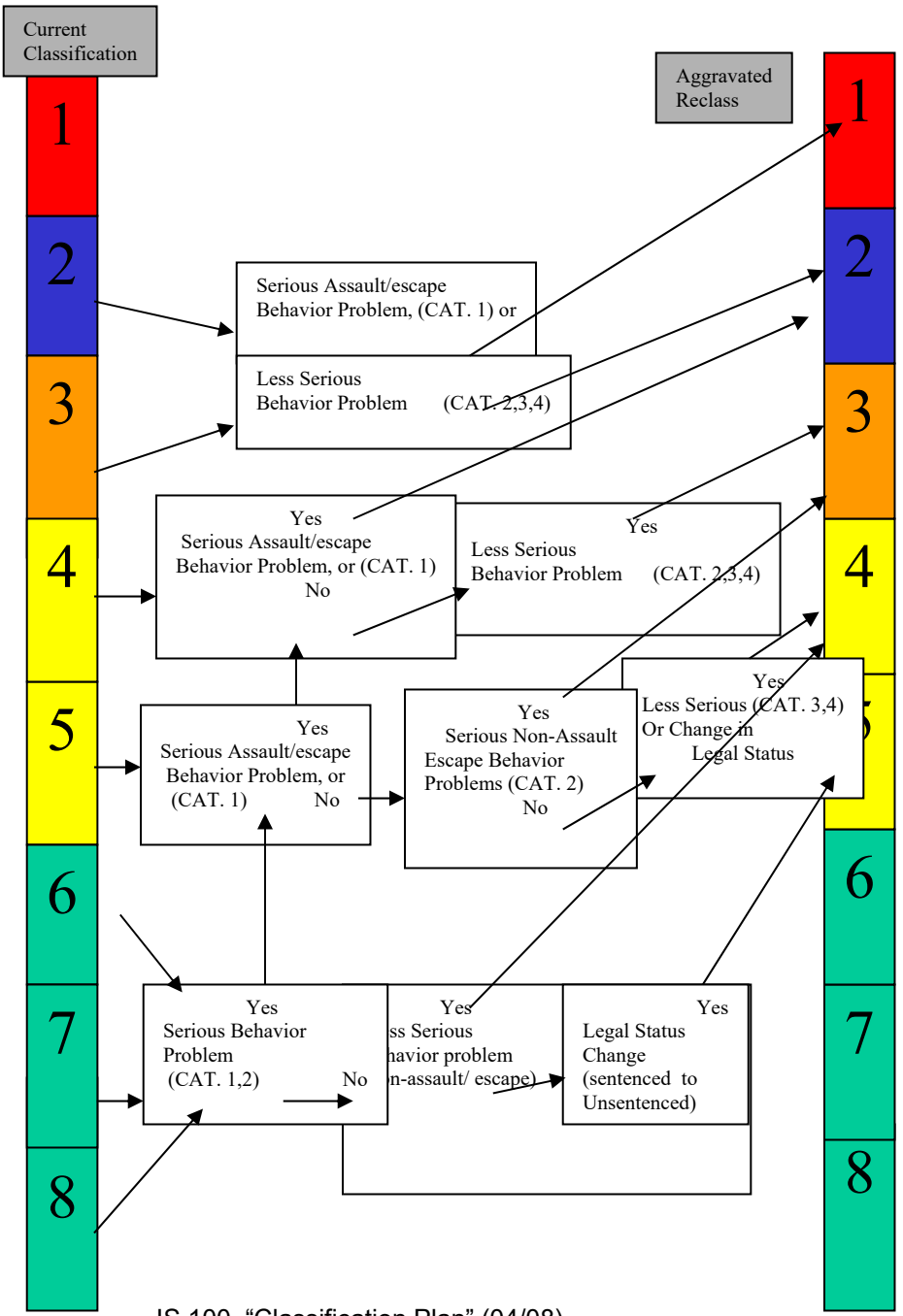
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EFFECTIVE DATE: 09/30/19

Name _____
Jail # _____

Reclassification Tree
Aggravating Or Mitigating



Primary Classification Decision Tree

