Classification of Inmates

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

The University of Tennessee
County Technical Assistance Service
226 Anne Dallas Dudley Boulevard, Suite 400
Nashville, Tennessee 37219
615.532.3555 phone
615.532.3699 fax
www.ctas.tennessee.edu
<table>
<thead>
<tr>
<th>Classification of Inmates</th>
<th>3</th>
</tr>
</thead>
</table>

Table of Contents
Classification of Inmates

Reference Number: CTAS-1362
The jailer is authorized to evaluate inmates for purposes of classification, management, care, control and housing. Pursuant to state regulations each jail must have a written plan for prisoner classification. The plan must specify the criteria and procedures for classifying prisoners in terms of level of custody required, housing assignment and participation in correctional programs. The plan shall include a process for review and appeal of classification. This plan ensures total security, sound or physical contact separation between male and female inmates and between adults and juveniles being tried as adults. Inmates with disabilities, including temporary disabilities, shall be housed and managed in a manner that provides for their safety and security. Housing used by inmates with disabilities, including temporary disabilities, shall be designed for their use and shall provide for integration with other inmates. Program and service areas shall be accessible to inmates with disabilities. Rules of the Tennessee Corrections Institute, Rule 1400-1-.17(2) and (3).

The classification of prisoners is a matter largely within the discretion of prison officials. A prisoner has no right to a particular classification under state law, and prison officials must take into account the inmate’s crime and sentence, their primary purpose is not punishment, but security. A state prison inmate has no right to a particular classification under state law, and prison officials must have broad discretion, free from judicial intervention, in classifying prisoners in terms of their custodial status. Thompson v. County of Medina, 29 F.3d 238 (6th Cir. 1994) (Pretrial detainees challenging county’s failure to properly classify inmates according to seriousness of charged crimes failed to adequately allege that classification system violated their Eighth Amendment right to personal safety, absent any claim that they ever suffered injury as result of jail’s classification system or showing of causal link between alleged fights and assaults among other inmates and classification system.); Burciaga v. County of Lenawee, 123 F.Supp.2d 1076, 1078 (E.D. Mich. 2000) (Althogh neither the court nor the parties have found binding precedent squarely on point, the overwhelming weight of persuasive authority holds that unless the state has an intent to punish, or at least displays an indifference toward potential harm to an inmate, pretrial detainees have no due process right to be housed separately from sentenced inmates. Conversely, neither the state nor its agents may place a pretrial detainee in certain housing conditions if their intent is to punish that detainee or if their decision is made in a manner that is deliberately indifferent to the safety of that detainee.) (citations omitted).

The state, by its own actions, may create liberty interests protected by the due process clause. Beard v. Livesay, 798 F.2d 874, 876 (6th Cir. 1986) citing Hewitt v. Helms, 459 U.S. 460, 469, 103 S.Ct. 864, 870, 74 L.Ed.2d 675 (1983); Bills v. Henderson, 631 F.2d 1287, 1291 (6th Cir.1980). In Olim v. Wakinkeona, 461 U.S. 238, 249, 103 S.Ct. 1741, 1747, 75 L.Ed.2d 813 (1983), the United States Supreme Court described when the state will create such an interest. The state creates a protected liberty interest by placing substantive limitations on official discretion. Olim at 249. Doe v. Sullivan County, 956 F.2d 545, 557 (6th Cir. 1992) (This court has stated that “where substantive limitations have in fact been placed on the discretion of prison officials in classifying inmate’s security status, a protectible liberty interest has been created.”). "If the decisionmaker is not required to base its decisions on objective and defined criteria,’ but instead ‘can deny the requested relief for any constitutionally permissible reason or
for no reason at all, 'ibid., the State has not created a constitutionally protected liberty interest.”
Connecticut Board of Pardons v. Dumschat, 452 U.S. 458, 466-467, 101 S.Ct. 2460, 2465, 69 L.Ed.2d 158
1261-1262, 63 L.Ed.2d 552 (1980) (summarizing cases). "Prison administrators therefore should be
accorded wide-ranging deference in the adoption and execution of policies and practices that in their
judgement are needed to preserve internal order and discipline and to maintain institutional security." Bell

Source URL: https://www.ctas.tennessee.edu/eli/classification-inmates