

NEW YORK STATE DEPARTMENT CORRECTIONAL SERVICES UPSTATE CORRECTIONAL FACILITY	DISTRIBUTION AREA 3	DATE 5/01/01
	SUPERSEDES:	PAGE 1 OF 3 PAGES
	SUBJECT: PROGRESSIVE INMATE MOVEMENT SYSTEM	
APPROVING AUTHORITY: <hr style="border-top: 1px dashed black;"/> SUPERINTENDENT	CORRESPONDING DIRECTIVE(S): ACA STANDARDS:	

- I. Purpose:** To establish a procedure for the standardization of a system of progressive advancements for SHU inmates based on their behavioral adjustment. The Progressive Inmate Movement System (PIMS) is designed to afford inmates the opportunity to achieve designated privileges according to improvements/continuation of acceptable custodial adjustment. Failure to maintain acceptable behavior may result in loss of those privileges by virtue of inmate's removal from a designated PIMS Level.
- II. Applicability:** This applies to all staff assigned to the SHU and all inmates confined therein.
- III. Procedure:** All inmates will be subject to the following procedures for each designated level of the Progressive Inmate Movement System.

Level I - as Designated

Inmates confined to the (designated area) will be subject to the following restrictions:

- A. No earphones.
- B. No commissary privileges. Exception: the purchase of stamps is authorized if money is available.
- C. Only initial issue of property and clothing items is allowed as outlined in Directive 4933 Special Housing Unit - Part 302.
- D. Will remain in restraints (cuffed in front with belt/chain) when out of the cell.
- E. Will remain in restraints (cuffed in front with belt/chain) during visits (legal and family).
- F. All Level I inmates under a Restraint Order will be in full restraints including leg irons during movement.
- G. Level I cases are reviewed by the Disciplinary Review Committee upon completion of one half of their confinement time owed upon transfer or admittance to this unit. The Disciplinary Review Committee may recommend to the Superintendent the inmate receive up to 1/3 of the remaining time off his confinement release date.

The minimum criteria for movement from Level I to Level II includes a minimum of 30 days in Level I status, with no disciplinary reports. Movement will not occur until space becomes available. Other factors to consider are the review of most recent acts of misbehavior and a review of overall disciplinary records.

Note: An inmate on restraint order is not eligible for movement to the next level until he has been off restraint order for a minimum of 30 days with positive adjustment. Once a determination has been made that an inmate is eligible for movement to Level II, the physical move will be made as space permits.

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Level II - as Designated

All inmates assigned to this level will be entitled to the following:

- A. All post-adjustment in-cell items as described in Directive #4933 Special Housing Units - Part 303.
- B. When outside of the cell, inmate will move cuffed in front with waist chain. However, inmate will not be required to remain in restraints in the visiting room.
- C. Can enroll in Cell Study Program if approved.

The minimum criteria for movement from Level II to Level III includes 30 days in Level II status with no disciplinary reports. Other factors to consider are the of most recent acts of misbehavior and a review of overall disciplinary records. Eligible inmates will be placed on a waiting list to be moved as space permits.

Level II cases are reviewed by the Disciplinary Review Committee upon completion of one half of their confinement time owed upon transfer or admittance to this unit. The Disciplinary Review Committee may recommend to the Superintendent that the inmate receive up to one third of the remaining time off his SHU release date.

Level III - as Designated

Inmates designated as Level III will be entitled to all privileges of a Level II inmate as described above. Additional privileges will include:

- A. One pair of personal sneakers.
- B. Allowed to wear personal shorts. If the inmate does not have either personal sneakers or shorts, he will be allowed to receive one package for items he does not have. An area Sergeant will handle this matter when it becomes necessary.
- C. While being escorted out of the cell, the inmate will be handcuffed only, hands in front of the body. The inmate will move to and from visiting room cuffed in front with waist chain. Inmate will not be required to remain in restraints in the visiting room.
- D. Four showers per week.
- E. Facility Disciplinary Review Committee will review Level III inmates upon completion of one half of their time owed upon admission to the unit and may recommend to the Superintendent the inmate receive one half or any portion of the remaining time off confinement release date.
- F. An additional one half hour of exercise

Note: Actions resulting in disciplinary sanctions during the post-adjustment period may result in a loss of privileges and the imposition of a new 30-day adjustment period. The reviewing authority (Captain) will make the determination for implementation of this policy.

Other than previously explained, for visits, all inmate movement within the facility will be in restraints with or without the waist belt or chain, depending on destination (such as interviews and visits). Full restraints, when necessary, will be used with issuance of a restraint order in accordance with Directive #4933.

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Assignment to Minimum Privilege

Inmates who fail to maintain positive adjustment on either Level II or III or become involved in acts of misbehavior may be moved to a Level I cell. The Captain or his/her designee is to review all Tier II and Tier III misbehavior reports and will determine if movement is appropriate. Immediate movement may be made if the nature of the misconduct warrants (i.e.; assaults on staff/inmate, unhygienic acts, arson, etc.). The Watch Commander must approve these immediate moves.

Note: If moved to Level I from either Level II or III, calculation of the 30-day adjustment period for movement to a higher level begins from the day of the move to Level I. If a new misbehavior report is issued and affirmed at Level I, the 30-day eligibility period for movement to a higher level begins from the day of the report.

Floor Designations:

The Upstate Correctional Facility Special Housing Unit Manual Area 3 establishes that movement from PIMS I to PIMS II or PIMS II to PIMS III will be accomplished when space becomes available. If possible, inmates assigned to different PIMS levels are not placed in the same cell due to the additional in cell items, exercise and showers provided to inmates assigned to PIMS Level III.

PIMS Level III inmates are to be assigned to cells on the Upper Level galleries as well as the lower level B galleries. Inmates are not to be advanced to PIMS Level III unless space is available on those identified galleries.