

5-02/060.00 Inmates with Charges of Sex Crimes Against Children

Inmates with charges of sex crimes against children shall generally be housed in protective custody, although exceptions may apply as indicated below. The Population Management Bureau (PMB) is responsible for identifying these inmates and referring them to the appropriate protective custody housing location at designated facilities. In all cases discussed below, discretion shall be used to determine the appropriate housing location for the inmate, with the inmate's safety being the primary concern. The following shall apply:

- Inmates coming into custody that have only a prior charge/conviction, over three years old, of any sex crime against children, can be housed in general population if the relevant charge/conviction is not displayed on the inmate's AJIS computer fields
- The following inmates may, upon request, be housed in general population if: (1) the relevant charge/conviction is not displayed on the inmate's AJIS computer fields, (2) the inmate signs the appropriate waiver; and (3) the request is approved by the classification sergeant (see restriction below regarding habitual violators):
 - Newly booked inmates coming into custody on a current charge of any sex crime against children
 - State prison returnees housed in protective housing in prison
 - Inmates currently housed in protective housing for a sex crime against children
- Once the inmate signs the "Threat Advisory-Waiver of Protective Custody" (form SH-J-477), all approved waivers shall be maintained in the inmate's IRC jacket. PMB will make the following entry in the inmate's AJIS/IC-10 screen remarks field: "WAIVER SIGNED REQ-G/P," and include the date
- Inmates removed from protective housing will have a transfer restriction entered into the AJIS computer by PMB, restricting their return to the custody facility from which they were previously housed in protective housing
- Inmates shall not be removed from a protective housing assignment based solely upon behavior and/or compatibility issues. A problem inmate should be dealt with at the facility level, whenever possible, through use of available resources (e.g., discipline, additional keep-away status, administrative segregation, etc.)
- Inmates with habitual charges/convictions of sex crimes against children (inmates currently charged/convicted of a sex crime against children that have two previous charges/convictions of any sex crime against children) shall be housed in protective housing regardless of the date of their last charge/conviction
- Sexually Violent Predators (SVPs) shall always be housed separately from all other inmates

All administratively segregated inmates are classified as such at the discretion of the Chief of Custody Services Division, General Population, or the Chief of Custody Services Division, Specialized Programs. Should a conflict arise wherein an inmate's reclassification is questioned by the initial requestor, the final classification decision shall be the responsibility of either chief or their designee.
