

CHAPTER: 800

Inmate Management

DEPARTMENT ORDER:

809 – Earned Incentive Program

**OFFICE OF PRIMARY
RESPONSIBILITY:**

**OPS
AS
IP&R**

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Arizona Department of Corrections

Department Order Manual





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PURPOSE

This Department Order establishes a three-phase system of graduated earned incentives and sanctions to assist inmates in learning and sustaining a responsible, pro-social lifestyle and incorporate ethics and values into their everyday lives. This system communicates the Department's inmate behavioral management philosophy and its intent and expectations to employees, inmates and the public.

The Arizona Department of Corrections strives to reduce relapse, revocation and recidivism by holding inmates responsible and accountable throughout their incarceration. To this end, it offers specific programming to address inmates' risks and needs as well as rewarding positive behavior.

APPLICABILITY

This Department Order applies to all Arizona Department of Corrections inmates, with the exception of those custody levels expressly ineligible under section 1.0 of this Department Order. The Earned Incentive Program for inmates assigned to private prisons shall be in compliance with this Department Order and any applicable Department contract.

RESPONSIBILITY

Division Directors, Bureau Administrators, Wardens, Deputy Wardens, and Associate Deputy Wardens are responsible for the management of the Earned Incentive Program.

PROCEDURES

1.0 EARNED INCENTIVE PROGRAM CRITERIA

- 1.1 The Earned Incentive Program is a system of graduated rewards and sanctions encouraging inmates to practice pro-social, responsible behavior throughout their sentence.
- 1.2 All inmates shall be prioritized to complete specific programming during their incarceration. Programming shall be based on their identified risks and needs, and time to release through the Priority Ranking Report system, as defined in the Glossary of Terms.
 - 1.2.1 Staff facilitating program(s) shall:
 - 1.2.1.1 Utilize the Priority Ranking Report to identify and place inmates into program(s) by their rank.
 - 1.2.1.2 Record programming information in the Adult Information Management System (AIMS) on the Inmate Program Record screen.
 - 1.2.2 Treatment staff shall utilize the Priority Ranking Report as a factor, in addition to clinical considerations, when placing inmates in formal treatment programs.
- 1.3 Each inmate's Corrections Plan shall be tailored to their specific risks, needs and time to serve and includes all facets of their daily life. Inmates will make decisions, solve problems and be held accountable commensurate with their custody level for the duration of their incarceration.

- 1.4 Available programs include:
 - 1.4.1 Academic and Career Technical Education
 - 1.4.2 Substance Abuse and Sex Offender Treatment
 - 1.4.3 Self-Improvement (e.g., Cognitive Restructuring, Re-entry)
- 1.5 At a minimum, inmates shall be prioritized to complete Cognitive Restructuring and Re-Entry coursework. These courses, along with the other programs outlined in this Department Order, shall be identified and prescribed based on the inmate's risk and need priorities.
 - 1.5.1 The facilitating program staff member shall record participation and update the AIMS Inmate Program Record screen. (See the Program Reference Guide.)
 - 1.5.2 The designated Education staff member shall record the successful completion of a GED or verification of a High School Diploma/GED on the appropriate AIMS screens for education to include the AIMS Inmate Program Record screen.
 - 1.5.3 Inmates who are confirmed exempt from education shall have the proper information recorded in the appropriate AIMS screens used by education staff. Inmates who meet this criterion shall not be restricted from moving to additional phases if they meet all other applicable criteria.
 - 1.5.4 Inmates who refuse or are removed from a program(s) shall be returned to Phase I and shall remain in Phase I for one year.
 - 1.5.4.1 The facilitating program staff shall complete the Program Refusal/Removal, Form 809-1. The inmate and the facilitating program staff member shall sign the form.
 - 1.5.4.1.1 If the inmate refuses to sign the Program Refusal/Removal form, a second staff member shall sign as the witness for the inmate's refusal to sign.
 - 1.5.4.2 A copy of the Program Refusal/Removal form shall be provided to the inmate and the original placed in the inmate's institutional file.
 - 1.5.5 Program availability, except Functional Literacy, shall not preclude an inmate from advancing to the next Phase, as long as the inmate meets the other identified criteria outlined in the Earned Incentive Program. An inmate must have met functional literacy standard to advance to Phase II, unless the inmate has a valid exemption, as outlined in Department Order #910, Inmate Education.
- 1.6 The facilitating and/or supervising staff member shall complete Work and Program evaluations for inmates assigned to Work, Functional Literacy, GED, Career Technical Education, Substance Abuse Treatment and the Sex Offender Education and Treatment Program. Evaluations shall be completed, at a minimum, once a month and shall be entered into AIMS by the assigned staff member for Work Incentive Pay Plan (WIPP) or the appropriate program staff, as applicable.

- 1.7 Inmate behavior shall be based on Major and Minor disciplinary violations over a period of six consecutive months.
- 1.8 Complex Disciplinary Hearing Officers and Unit Disciplinary Coordinators shall be responsible for accurately recording the disciplinary violations on the appropriate AIMS screen.
 - 1.8.1 An inmate who receives any Class “A” Major disciplinary violation while in Phase III shall receive a reduction to Phase I. *[Revision – December 30, 2011: Sections 1.8.1 thru 1.8.6]*
 - 1.8.2 An inmate who receives any Class “B” Major disciplinary violation while in Phase III shall receive a reduction to Phase II.
 - 1.8.3 An inmate who receives two Minor disciplinary violations within 90 consecutive days while in Phase III shall receive a reduction to Phase II. An inmate who receives a third Minor violation while in Phase II within the originating 90 consecutive days from Phase III shall receive a reduction to Phase I.
 - 1.8.4 An inmate who receives any Class “A” or “B” Major disciplinary violation while in Phase II shall receive a reduction to Phase I.
 - 1.8.5 An inmate who receives three or more Minor disciplinary violations within 90 consecutive days while in Phase II shall receive a reduction to Phase I.
 - 1.8.6 The inmate shall be free from all disciplinary violations (Major and Minor) for a period of six consecutive months to advance from Phase I to Phase II and Phase III.
- 1.9 Inmates who believe that their Phase level is inaccurate shall initiate an initial review through their assigned Correctional Officer (CO) III.
 - 1.9.1 The CO III shall make every attempt to resolve the discrepancy at their level.
 - 1.9.2 If the CO III is unable to resolve the discrepancy at their level, the inmate shall initiate the informal review process as outlined in Department Order #802, Inmate Grievance Procedure. Only specific issues resulting in the decrease of a Phase level may be grieved, such as a refusal or removal entry in AIMS.

2.0 EARNED INCENTIVE PROGRAM PRIVILEGES

- 2.1 The Phase level privileges as shown on Attachment A do not override sanctions imposed through the disciplinary process such as visitation, property, store and restitution. These imposed disciplinary sanctions will be in addition to Phase level privileges.
- 2.2 The Phase level privileges do not apply to inmates in detention status.
- 2.3 The Earned Incentive Program criteria and privileges may be modified for special populations, such as inmates assigned to licensed Mental Health Units, as authorized by the affected Division Director.

2.4 The Phase privileges that will affect the Earned Incentive Program are as follows:

- 2.4.1 Inmate Visitation – Visitation periods shall be in four-hour blocks each weekend, starting at 8:00 A.M. to 12:00 P.M. and 12:00 P.M. to 4:00 P.M. Frequencies for regular visitation, holiday visitation and food visitation shall be based on the inmate's Phase level as outlined in Department Order #911, Inmate Visitation.
- 2.4.1.1 Food for the food visitation shall be provided by the inmate's visitors, for all inmate custody levels except Maximum Custody, and on the approved holiday food visits according to the inmate's Phase.
- 2.4.1.2 Holiday food visits for eligible inmates shall be held on the weekend before or weekend after the recognized holiday.
- 2.4.1.2.1 Each complex/unit shall establish a schedule for each food visit based on the inmate demographics and space availability for visitation. (For example, a rotating schedule may be developed: Saturday A–L, Sunday M–Z, one time and the next time it would be Saturday M–Z and Sunday A–L or one building/side of unit visits Saturday and the other building/side visits on Sunday and the next food visit would be opposite.)
- 2.4.1.3 Those inmates eligible to receive a food visit may have visitation regardless if family members participate in the food visit. Food visits are in four-hour blocks and shall not exceed eight hours in duration and are dependent upon space availability.
- 2.4.1.4 Visitors are prohibited from visiting more than one inmate during visitation, unless the other inmate is an immediate family member and the visitor is approved to visit the inmate as outlined in Department Order #911, Inmate Visitation. Nor may inmates visit with another inmate's visitors, unless the inmates are immediate family members of the visitor, and the visitors have been approved to visit both inmates.
- 2.4.1.5 Legal visitation is independent of the Earned Incentive Program. All legal visits shall be in accordance with Department Order #911, Inmate Visitation.
- 2.4.2 Inmate Property, Mail and Store – The allowable property and spending limitations for store shall be based on the inmates Phase level as outlined in Department Order #909, Inmate Property and Department Order #914, Inmate Mail. (See Attachment B, Incentive Matrix – Store, Phone and Visitation.)
- 2.4.3 Inmate Arts and Crafts – The allowable Arts and Crafts shall be based on the inmate's Phase level as outlined in Department Order #906, Inmate Recreation/Arts and Crafts. (See Attachment C, Incentive Matrix – Recreation and Hobby-Craft.)
- 2.4.4 Inmate Phone Calls – The allowable amounts for phone calls shall be based on the inmate's Phase level as outlined in Department Order #915, Inmate Phone Calls. (See Attachment B, Incentive Matrix – Store, Phone and Visitation.)

2.4.5 Inmate Work Assignments and Activities – Inmate work assignments, wages and wage increases shall be based on program performance, behavior and Phase level as outlined in Department Order #903, Inmate Work Activities.

3.0 STAFF TRAINING – Provide training curriculum to all staff (Department Personnel, Contractors) regarding policy revision to the Earned Incentive Program on an initial basis, with updated curriculum provided as needed. This training shall be included on an ongoing basis in the training schedule for New Employee Orientation and Pre-Service Training at Correctional Officer Training Academy (COTA).

4.0 INMATE ORIENTATION

4.1 All prison complexes and units shall incorporate written information regarding the Earned Incentive Program for the inmate population during the Unit Orientation program. This information is to be supplied to the inmate.

4.2 All prison complexes shall provide updated Earned Incentive Program information on the established Closed Circuit Television System (CCTV) and played on a continuous loop for viewing.

5.0 FAMILY ORIENTATION – Specific information relating to Earned Incentive Program shall be made available to family members through Friends and Family Liaisons or the institution.

DEFINITIONS/GLOSSARY

Refer to the Glossary of Terms

ATTACHMENTS *[Revision – April 30, 2013][2]*

Attachment A - Phase Eligibility Matrix Criteria

Attachment B - Incentive Matrix – Store, Phone and Visitation

Attachment C - Incentive Matrix – Recreation and Hobby-Craft

FORMS LIST

809-1, Program Refusal/Removal

ATTACHMENT A
[Revision - December 30, 2011]

For procedures, regulations and wages see Department Order #903, Inmate Work Activities.

	Phase I	Phase II	Phase III
Criteria	<ul style="list-style-type: none"> • Initial Admission to ADC • Return to Custody or Parole Violator • Follow rules and regulations • Participate in prescribed activities • Must achieve 8.0 or greater in each section of the TABE – unless exempt 	<p style="text-align: center;"><u>Movement from Phase I to Phase II</u></p> <ul style="list-style-type: none"> • No discipline violations for six (6) consecutive months • No refusal or removal from prescribed program (until 1 year has elapsed from date of refusal/removal) • Completed Functional Lit. if TABE total battery < 8.0 – Unless exempt <p style="text-align: center;"><u>REDUCTION TO PHASE I</u></p> <ul style="list-style-type: none"> • Major discipline violation • Three (3) or more Minor disciplinary violations within 90 days • Refuse or Removed from program 	<p style="text-align: center;"><u>Movement from Phase II to Phase III</u></p> <ul style="list-style-type: none"> • No discipline violations for six (6) consecutive months <p style="text-align: center;"><u>REDUCTION TO PHASE I</u></p> <ul style="list-style-type: none"> • Any Class “A” Major discipline violation • Refuse or Removed from program <p style="text-align: center;"><u>REDUCTION TO PHASE II</u></p> <ul style="list-style-type: none"> • Any Class “B” Major discipline violation • Two (2) Minor disciplinary violations within 90 days

ATTACHMENT B
[Revision - April 30, 2013]

For procedures and regulations see Department Order #903, Inmate Work Activities, Department Order #906, Inmate Recreation/Arts and Crafts, Department Order #909, Inmate Property, Department Order #911, Inmate Visitation, Department Order #914, Inmate Mail, and Department Order #915, Inmate Phone Calls.

Incentive	Custody	1. Phase I		2. Phase II		3. Phase III	
		Freq.	Amount	Freq.	Amount	Freq.	Amount
A. Store	1. Min	1 per week Christmas holiday	\$60 \$80	1 per week Christmas holiday	\$80 \$120	1 per week Christmas holiday	\$100 \$160
	2. Med	1 per week Christmas holiday	\$60 \$80	1 per week Christmas holiday	\$80 \$120	1 per week Christmas holiday	\$100 \$160
	3. Close	1 per week Christmas holiday	\$60 \$80	1 per week Christmas holiday	\$80 \$120	1 per week Christmas holiday	\$100 \$160
	4. Max	1 per week Christmas holiday	\$60 \$80	1 per week Christmas holiday	\$80 \$120	1 per week Christmas holiday	\$100 \$160
	5. Death Row	1 per week Christmas holiday	\$60 \$80	1 per week Christmas holiday	\$80 \$120	1 per week Christmas holiday	\$100 \$160
B. Phone	1. Min	1 per day	15 minutes	2 per day	15 minutes	Unlimited	15 minutes
	2. Med	1 per day	15 minutes	2 per day	15 minutes	5 per day	15 minutes
	3. Close	1 per day	15 minutes	2 per day	15 minutes	4 per day	15 minutes
	4. Max	1 per week	15 minutes	1 per week	15 minutes	1 per week	15 minutes
	5. Death Row	1 per week	15 minutes	2 per week	15 minutes	3 per week	15 minutes
C. Regular Visitation	1. Min	1 per week	4 hours	3 per week	4 hours	4 per week	4 hours
	2. Med	1 per week	4 hours	3 per week	4 hours	4 per week	4 hours
	3. Close	1 per week	4 hours	2 per week	4 hours	3 per week	4 hours
	4. Max	1 per week Non- contact	2 hours	1 per week Non- contact	2 hours	1 per week Non- contact	2 hours
	5. Death Row	1 per week Non- contact	2 hours	2 per week Non- contact	2 hours	3 per week Non- contact	2 hours

For holiday and food visit incentive program procedures see Department Order 911, Inmate Visitation.

Approved Dates	PHASE I	PHASE II	PHASE III
Holiday Visitation All Custody Levels	None	<ul style="list-style-type: none"> • New Year's Day • Mother's Day • Father's Day • Independence Day • Veteran's Day 	<ul style="list-style-type: none"> • New Year's Day • Valentine's Day • Mother's Day • Father's Day • Independence Day • Labor Day • Veteran's Day
Holiday Food Visitation Minimum and Medium	None	<ul style="list-style-type: none"> • Mother's Day • Father's Day 	<ul style="list-style-type: none"> • Valentine's Day • Mother's Day • Father's Day • Veteran's Day
Close Custody Only	None	None	<ul style="list-style-type: none"> • Mother's Day • Labor Day

ATTACHMENT C

MINIMUM:	PHASE I	PHASE II	PHASE III
Recreational Activities	Open Yard	<ul style="list-style-type: none"> Open Yard Individual/Organized Team Sports (Unit Intra-Murals) 	<ul style="list-style-type: none"> Open Yard Individual/Organized Team Sports (Unit Inter-Murals)
Hobby Craft	Choose no more than one <ul style="list-style-type: none"> Drawing Origami 	Choose no more than two <ul style="list-style-type: none"> Drawing Origami Water Colors Greeting Cards Puzzles Acrylic Painting Paint by Numbers 	Choose no more than three <ul style="list-style-type: none"> Drawing Origami Water Colors Greeting Cards Puzzles Acrylic Painting Mural painting Paint by Numbers
MEDIUM:	PHASE I	PHASE II	PHASE III
Recreational Activities	<ul style="list-style-type: none"> 12 to 16 hours per week Outdoor Exercise 	<ul style="list-style-type: none"> 12 to 16 hours per week Outdoor Exercise Individual/Organized Team Sports (Unit Intra-Murals) 	<ul style="list-style-type: none"> 12 to 16 hours per week Outdoor Exercise Individual/Organized Team Sports (Unit Intra-Murals)
Hobby Craft	<ul style="list-style-type: none"> Drawing Origami 	Choose no more than two <ul style="list-style-type: none"> Drawing Greeting Cards Origami Puzzles Paint by Numbers Water Colors 	Choose no more than three <ul style="list-style-type: none"> Drawing Greeting Cards Mural Painting Origami Puzzles Paint by Numbers Water Colors
CLOSE:	PHASE I	PHASE II	PHASE III
Recreational Activities	<ul style="list-style-type: none"> 8 to 10 hours per week Outdoor Exercise 	<ul style="list-style-type: none"> 8 to 10 hours per week Outdoor Exercise Individual/Organized Team Sports (Unit Intra-Murals) 	<ul style="list-style-type: none"> 8 to 10 hours per week Outdoor Exercise Individual/Organized Team Sports (Unit Intra-Murals)
Hobby Craft	<ul style="list-style-type: none"> Drawing Origami 	Choose no more than two <ul style="list-style-type: none"> Greeting Cards Origami Pencil Drawings Puzzles 	Choose no more than three <ul style="list-style-type: none"> Greeting Cards Origami Mural Painting-water base Paint by Numbers Pencil Drawings Puzzles

MAX:	PHASE I	PHASE II	PHASE III
Recreational Activities	<ul style="list-style-type: none"> • 6 hours per week • Outdoor Exercise 	<ul style="list-style-type: none"> • 6 hours per week • Outdoor Exercise 	<ul style="list-style-type: none"> • 6 hours per week • Outdoor Exercise
Hobby Craft	None	<ul style="list-style-type: none"> • Origami • Pencil Drawing 	<ul style="list-style-type: none"> • Origami • Pencil Drawing
DEATH ROW:	PHASE I	PHASE II	PHASE III
Recreational Activities	<ul style="list-style-type: none"> • 6 hours per week • Outdoor Exercise 	<ul style="list-style-type: none"> • 6 hours per week • Outdoor Exercise 	<ul style="list-style-type: none"> • 8 hours per week • Outdoor Exercise
Hobby Craft	None	None	None