



UTAH DEPARTMENT
UDC
OF CORRECTIONS

Death Sentenced
Inmate Housing

September 18, 2023



Inmate Classification Levels

Classification Criteria:

- Current offense
- Violent convictions
- History of Institutional violence
- Prior prison commitments
- Disciplinary history in prison
- Age
- Gang affiliation
- Attitude and orientation

Inmates are housed primarily based on their behavior, not solely their crime

Classification overrides are possible for various reasons

Level
1

- All death row inmates upon intake
- Placed in Restrictive Housing

Level
2

- Placed in Restrictive House

Level
3

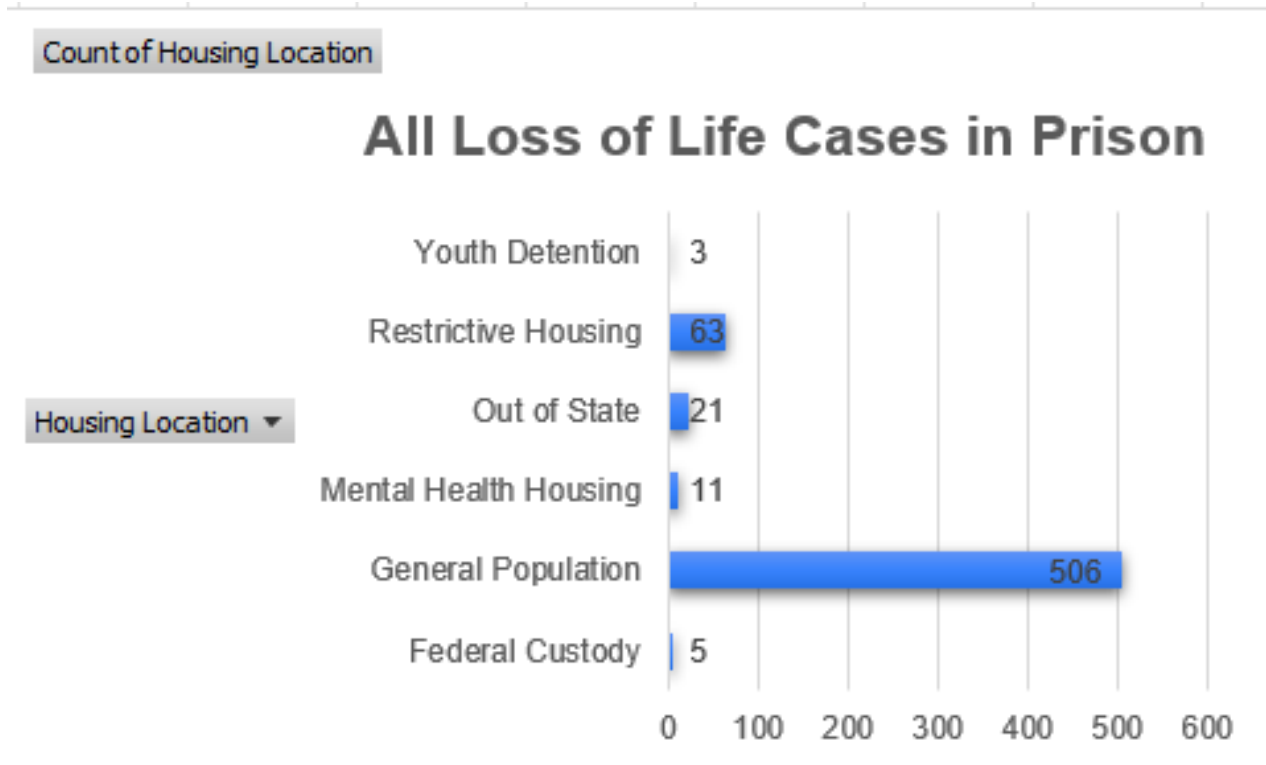
- General Population

Level
4

- General Population
- Gate Pass Eligibility



All Loss of Life Cases

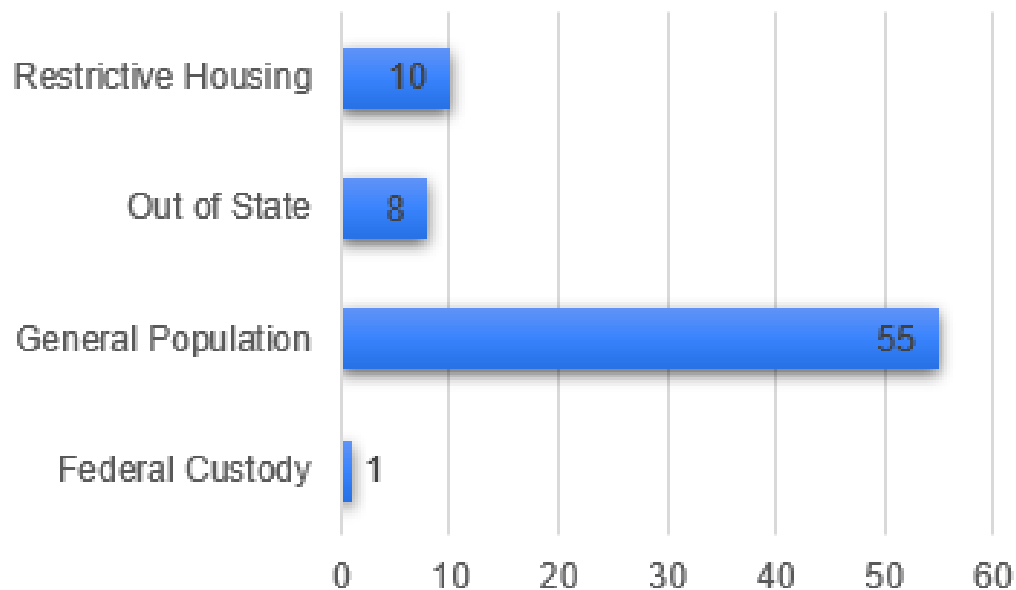


LWOP Inmates

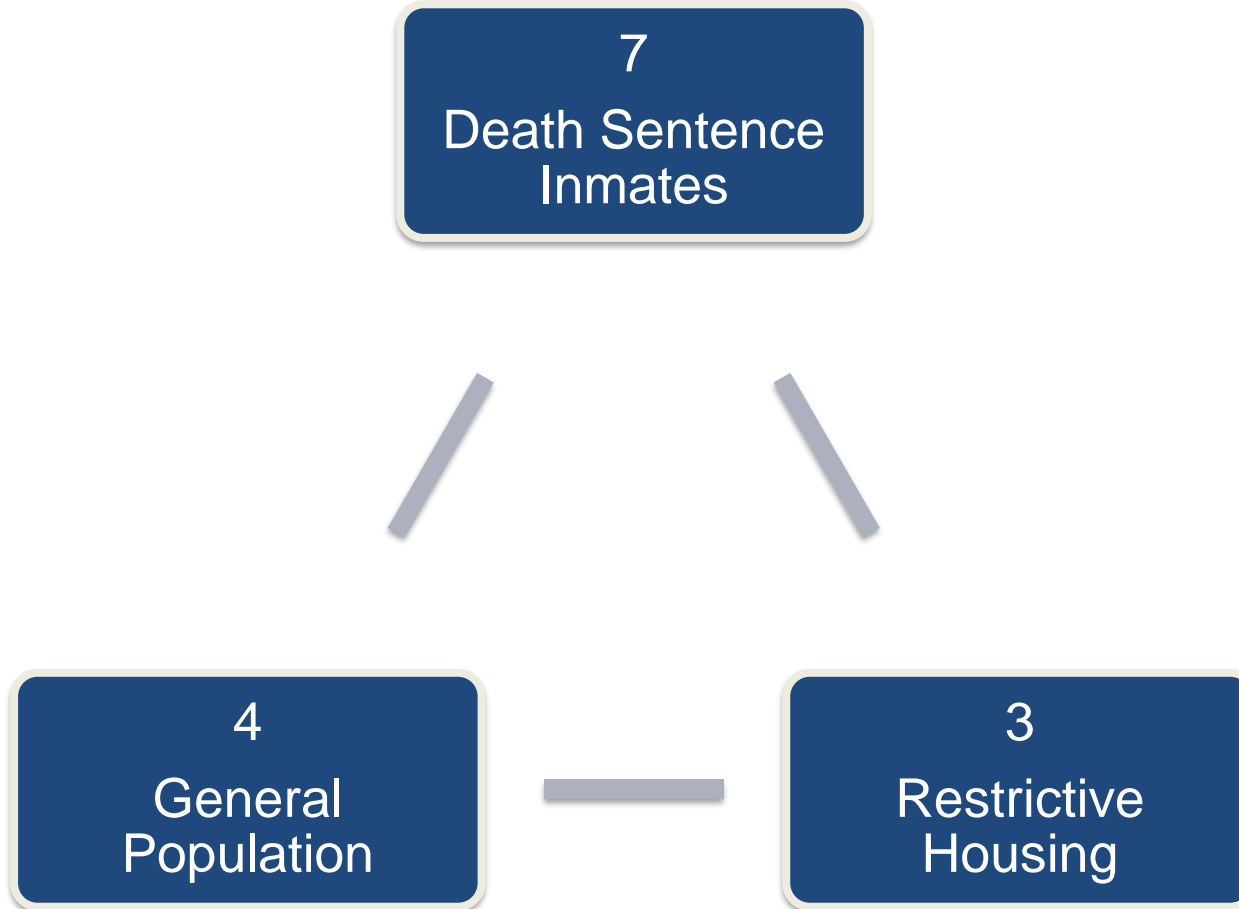
Count of Housing Location

Life Without Parole Inmate Housing

Housing Location ▼



Current Housing Status



Timeline for the Change

Historically

- All death row housed in restrictive housing

December 2019

- Some death sentence inmates moved to general population

Current

- Death row inmates are housed based on UDC internal policy and procedure

2017

- Vera Institute of Justice begins study of segregated housing practices

January 2020

- Vera report released with recommendations for death sentence inmates



Current Classification Policy for Death Row

- During Initial classification, all death row inmates shall be designated as Level 1
- “The program (Last Chance) shall allow inmates sentenced to death to progress within the prison housing and classification system based on established criteria.”
- “Death sentence inmates who are eligible for this program are eligible under the guidelines of this procedure to advance beyond a Level 1 classification. If a death sentence inmate is not participating in this program, their classification level shall remain a Level 1.”
- The Last Chance program is a privilege, not a right and may be revoked at any time
- No defined time frame for eligibility to participate in the program
- Each inmate evaluated on a case-by-case basis



Eligibility Criteria

Baseline criteria

- Committed to prison under sentence of death
- Willing to participate in work, programming, and other opportunities in prison
- Demonstrated behavior that does not pose a threat to staff or other inmates
- Warden approves initial participation in the program

Reasons for program denial

- Not enough time lapsed for evaluation
- Convicted of a crime while incarcerated
- Disciplinary infractions that demonstrate behavior putting others at risk
- Overall written, verbal, or other communication that indicates a risk
- Recommendation from medical and mental health providers
- Non-compliance with Case Action Plan or other expectations
- No indication the inmate wants to meaningfully participate in the program

Once in the program, there are 3 evaluation Phases over 360-day period before considered for a move to general population



Prior to Moving to General Population

Offender Management Review Committee makes recommendation to warden

Inmates' entire institutional history is considered

Written statement from the inmate

Consideration of pending appeals and upcoming court hearings

Clinical / Mental Health therapist recommendation

Case manager recommendation

Deputy warden and warden review the recommendation

Prison operations director and deputy director approval

If denied at any stage, inmate shall remain in restrictive housing until the warden approves another review



Program Privileges

- Participation in Life Skills and other programming classes - If a program has a waiting list, non-death sentence inmates always have priority
- Participate in correspondence courses
- Ability to work or volunteer within the prison
- Initial interaction with other last chance program participants with the potential for living in general population
- Provide counsel to groups or sharing other information that may benefit a particular group
- If an execution countdown begins, the inmate is automatically moved back to restrictive housing



Program Monitoring and Removal

- Inmates may be removed from the program for non-compliance with policies, regulations, unit rules, written and verbal instructions, or any other behavior that threatens security, safety, or orderly operation of the facility
- If an inmate removed from the general population, they forfeit their chance to be in the program and shall return to their Level 1 classification
- Inmates removed from the Last Chance Death Row program may request reinstatement into the program after one year. If readmission to the program is allowed, the entire process starts over





Questions?

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