Governor's Office of Planning & Budget and Office of the Legislative Fiscal Analyst

Inmate Placement Efficiency Evaluation

A Report for the Utah Department of Corrections

July 2024

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Executive Summary

The Governor's Office of Planning and Budget (GOPB) and the Office of the Legislative Fiscal Analyst (LFA) collaborated with the Utah Department of Corrections (UDC) to complete an efficiency evaluation of the inmate placement process. The purpose of this evaluation was to identify opportunities to improve timely access to treatment and programming in order to reduce incarcerated bed days, prepare inmates for release, and ensure public safety.

Inmate placement decisions are complex and require balancing many factors. UDC operates a variety of housing units that correspond with inmate security risks and medical needs. UDC houses inmates in its two prisons as well as contracted beds in twenty of Utah's county jail facilities, which have their own restrictions and available resources. Inmate placement is managed by two UDC teams, the Assignments Office and the Inmate Placement Program (IPP), that use a manual, spreadsheet-based

process that relies on the institutional knowledge of staff to function effectively.

The recommendations in this report will help UDC strategically and proactively place inmates where they can enroll in treatment and programming at an optimal time to complete their requirements for release and utilize mandatory time cuts from earned time cut programs. Timely releases will help alleviate UDC's bed capacity challenges while ensuring inmates are provided the best possible opportunity to successfully rehabilitate.

Recommendations

1 Formalize the inmate placement decision-making criteria and process.

2 Identify, collect, report, and communicate key information.

3 Base treatment enrollment timing on an inmate's earliest likely release date.

Background Information

UDC manages the incarceration, rehabilitation, and post-release supervision of offenders in the state of Utah, including more than 15,000 individuals in community supervision and more than 6,300[1] incarcerated individuals. UDC faces resource constraints at its two prison sites–Utah State Correctional Facility (USCF) in Salt Lake City and Central Utah Correctional Facility (CUCF) in Gunnison–and contracted county jails throughout the state. These constraints include space as well as the recruitment and retention of treatment providers. For the first seven quarters of the current and prior fiscal year, commitments into Utah's prison system have exceeded releases, with the number of inmates in state custody increasing by 564 between July 2022 and March 2024. Only in the most recent quarter have inmate releases exceeded admissions.

The two state prisons offer a variety of inmate opportunities like educational programs, substance use (SU) and sex offense (SO) treatment, and vocational training.[2] However, the prisons do not have adequate space, so UDC partners with twenty county jails to house state inmates in contracted beds. County jails that accept state inmates for housing may also provide treatment, educational, and work programs. SU treatment programs are provided at six of the twenty county jails, while SO treatment is provided at three.[3]

The inmate placement process begins with the Classification Office screening each inmate that enters the state correctional system and recording characteristics that will affect their placement like medical needs, gang affiliation,[4] referred offense, safety concerns, programming needs, and more. This information is recorded in O-Track, UDC's inmate tracking system.

A list of inmates needing placement is then sent to the Assignment Office, which is responsible for placements within the two state prison facilities. While most inmates are placed within days, more complex and hard-to-place inmates may take weeks or months due to their medical and safety-related needs.

The Assignments Office also processes subsequent moves for inmates already in the system and refers potential county jail transfers to the Inmate Placement Program (IPP). Factors that could cause the need to move an inmate include changing medical needs; behavior improvement or deterioration; parole or release dates; treatment, education, or work programs; and discretionary or requested moves. Moves are prioritized and completed based on urgency, order received, and bed availability.

IPP is responsible for placing inmates at county jails that contract with UDC. Inmates placed in county jails typically have minimal medical needs, minimal travel requirements, and are generally not inmates who have been in UDC custody less than 90 days.

Placing an inmate in a county jail includes verifying medical eligibility, required treatment, and existing work or educational obligations that would preclude a move to a county jail, as well as compliance with jail-specific requirements. The relationships between county jails and UDC are formalized through customized contracts that give county jails significant discretion over accepting inmates.

Significant challenges addressed in this report are that UDC's inmate placements are determined using a manual spreadsheet-based process and criteria that are not entirely formalized and prioritized. Difficulties in placement include that inmate characteristics, such as medical needs or safety concerns, can change frequently; decision-makers from multiple state agencies determine or influence inmate classifications; and data are not always fully available, including the earliest likely release date. Due to these factors, inmate placement decisions are not always optimal and may interfere with timely completion of recidivism-reducing treatment, education, and work programs. This impairs UDC's ability to take advantage of the benefits provided by mandatory earned time programs, which means they may lose potential reductions in costs and capacity utilization that come from moving an inmate through the system more efficiently.

Suboptimal inmate placements create a vicious cycle of increased complexity and reduced bed capacity leading to increasingly difficult placements (see Figure 1) . The three recommendations within this report outline ways that UDC might start to transition away from this vicious cycle and toward a virtuous cycle where there is the most opportunity for strategic payoff; one where more optimal inmate placement reduces complexity and frees up bed space, which in turn allows increasingly efficient decision making.

Figure 1: The Vicious and Virtuous Cycle for Inmate Placements
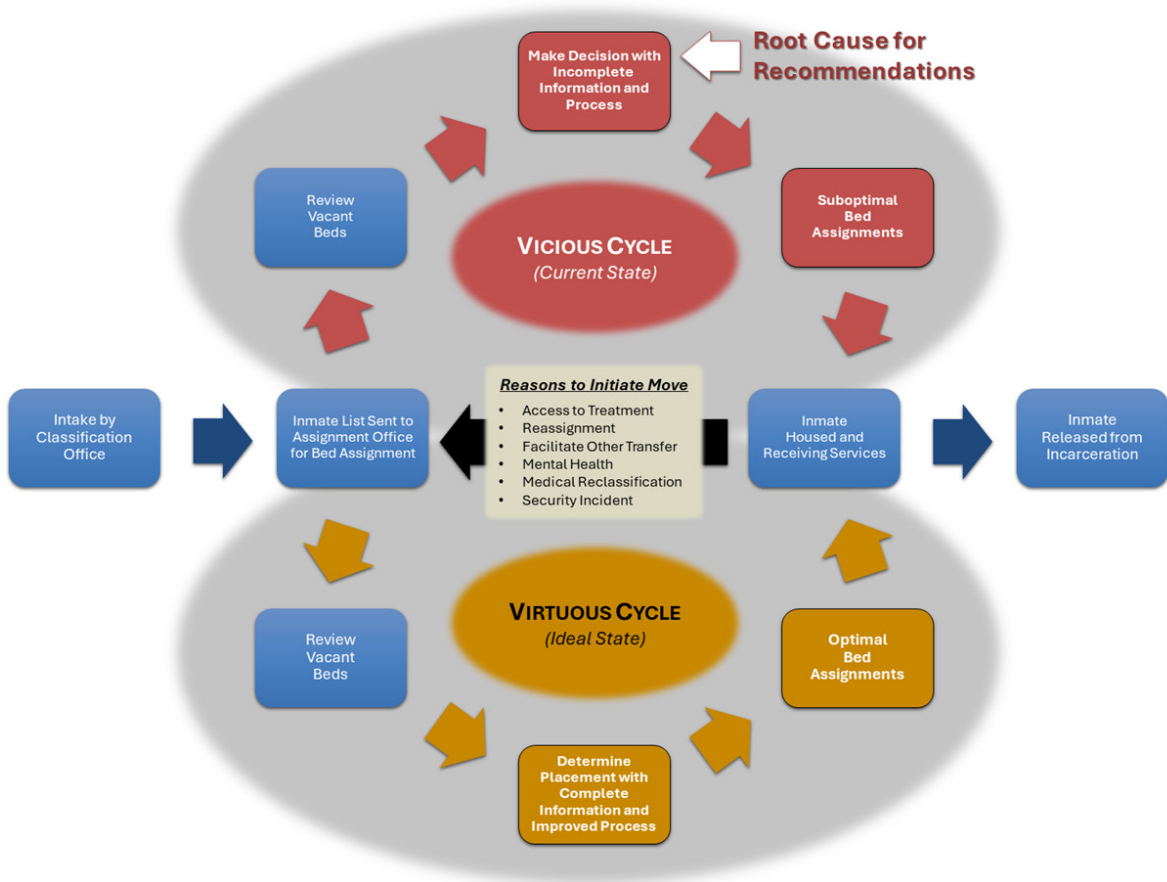
Recommendations

Recommendation 1

Formalize the inmate placement decision-making criteria and process.

Desired Outcome: Define a clear set of hierarchical decision criteria to guide inmate placement, as well as a clear policy for when and how discretion should be exercised to modify these decisions. This will enable long-term strategy considerations to better inform inmate placement decisions.

Optimizing inmate placement requires considering and balancing many different criteria, including the inmate's medical status, required treatment, educational needs, work, likely release date, sex offense conviction, safety concerns, gang affiliation, and others (see Figure 2). Inmate needs and prison facility constraints do not always align.

Factors like an inmate altercation can quickly disrupt an existing balance, and if not adequately addressed, may produce severe negative outcomes. Placement decisions also need to optimize providing treatment to rehabilitate inmates at the right time to be eligible for release. However, a potential conflict can occur if bed options that meet an inmate's safety and medical needs do not have treatment availability.

Capacity constraints further complicate inmate placement as options become limited. During bed shortages, decisions are made when a bed is immediately needed, rather than being strategically assigned.

UDC lacks a clear hierarchy to determine which conflicting criteria should take precedence or how much disruption is acceptable to achieve a desired move. Inmates are not always forthcoming about all relevant criteria or may inform staff of a safety concern or other issue only after they initiate a move. In this difficult environment, inmate placement tends to be reactive rather than proactive, as staff are limited in the number of factors and environmental complexities they can manually optimize. This leads to prioritizing immediate needs over identifying and initiating long-term strategic placements, resulting in less efficient inmate moves and excessive and costly disruption.

UDC should identify, define, and prioritize clear placement criteria, classifying each criteria as a factor to be optimized or as a constraint. Prioritizing placement criteria will enable efficient and effective utilization of treatment beds and other resources. Defined criteria can be used for a proactive inmate placement strategy that meets anticipated needs before they become urgent and are a key prerequisite to obtaining and implementing effective housing optimization software that would assist UDC in moving away from manual placements.

Figure 2: The Housing Optimization Challenge
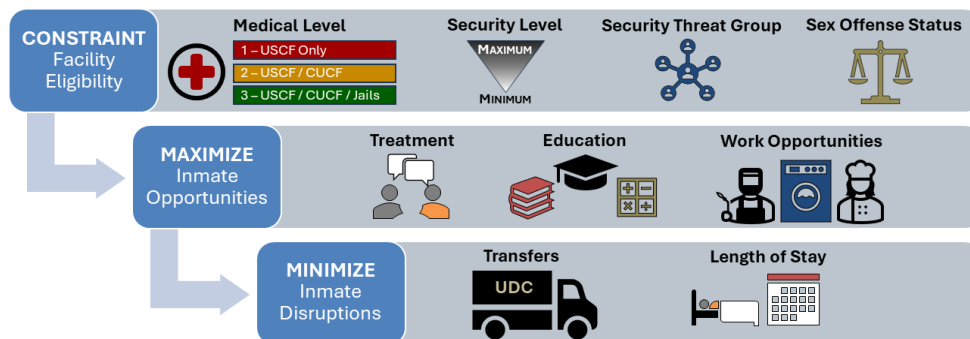
An example of how prioritization can determine placements is seen in addressing medical levels. UDC should prioritize treatment at its prison sites for the 66% of inmates with elevated medical needs (specifically medical levels 1 and 2) who are not eligible to be housed at county jails. To preserve space in prisons for those with elevated medical needs, UDC should proactively place inmates with lower medical levels in county jails that provide their needed treatment in advance of their expected enrollment date to ensure they can be enrolled at the right time with minimal disruption.

An example of how criteria might drive an algorithm for decision making is shown in the table below.[5]

Table 1. Potential Division of Criteria by Optimization and Constraint[6]

Optimize	Constraint
1 - Length of stay	1 - Medical Level
2 - Treatment, education, and work opportunities	2 - Security
3 - Number of moves	3 - Number of beds
	4 - Gang affiliation
	5 - Sex offense conviction
	6 - Number of treatment providers
	7 - Number of treatment beds

In this example, the top priority is to shorten the length of stay while also working to provide the optimal amount of treatment and minimize inmate moves. Optimizing these factors is balanced against system constraints such as treatment availability, where an inmate can realistically be safely housed, and where they can receive required medical services.

This example implies that providing timely placement in treatment is valued above minimizing the number of moves. If minimizing the number of moves was a higher priority, a potential outcome might be that a treatment bed that could be freed up for another inmate stays occupied, reducing capacity in the system. When treatment is prioritized, an assumption of this model is that increasing the number of moves is acceptable when it benefits the whole system by maximizing a higher-priority scarce resource

(constraint) such as more effectively utilizing treatment providers and treatment beds.[6]

Once decision-making criteria have been identified and prioritized, the process for placing inmates should be formalized. This will ensure the process maximizes the criteria that leadership chooses to prioritize and ensures that long-term systemic needs and immediate smaller-scale needs are balanced. Involving staff in determining which policies would be most useful to formalize may be an opportunity to increase buy-in and could lead to better decisions.[7]

Placement difficulties are exacerbated when decisions are made using rules that are not formal policy. One commonly-cited rule is that inmates convicted of sex offenses should not be housed in close proximity to gang members due to safety concerns. While this is described as important for the safety and well being of inmates, it is unwritten. Unwritten norms should be critically examined and included in the decision-making algorithm if they are deemed valuable. This will become increasingly important as UDC relies more on software tools and less on staff discretion and unwritten organizational knowledge in the future.

Staff discretion is a desirable and necessary component of the inmate placement process and should supplement a robust decision making algorithm; however, the circumstances when discretion is appropriate should be formalized based on agreed upon criteria. In some cases discretion is beneficial as correctional officers may be aware of inmate safety concerns that are not available in O-Track. In other cases, discretion may be undesirable as it may solve a short-term or small-scale problem at the cost of exacerbating systemic issues. In interviews with staff, conflicts where officers had promised an inmate a bottom bunk as a reward for good behavior would result in rerouting an inmate who needed a bottom bunk for medical reasons. Providing staff with a more specific and detailed policy explaining when discretion is appropriate and how it should be exercised would achieve the benefits of staff discretion while limiting potential negative effects.

Recommendation 2
Identify, collect, report, and communicate key information.

Desired Outcome: UDC collects and uses the right information at the right time to facilitate inmate placement (recommendation 1), timely treatment (recommendation 3), and continuous improvement activities.

The information required to optimize inmate placement is not always accurately recorded or used effectively. For example, the number of inmates with a release date contingent on completing substance use or sex offense treatment is not readily available to UDC and requires reaching out to the Board of Pardons and Parole (BOPP). As a result, decision makers cannot effectively use this information to make strategic inmate placement and treatment enrollment decisions.

UDC should identify the key information required to make optimal inmate placement decisions. This could include:

Table 2. Information Needed for Inmate Placement Decisions

Inmate Information	Bed Vacancy Information	Capacity Information
Likely/realistic earliest release date	Current vacancies	Available treatment resources
BOPP requirements such as SO and SU treatment	Forecasted vacancies	Expected program duration
Assessed treatment needs	Treatment bed vacancies	Completion rates
High school completion status		Current and projected treatment demand

After identifying the key information needed, the next step is to ensure that data are being adequately collected and aggregated. This will require UDC to coordinate with partners including BOPP, the Department of Health and Human Services, and county jails, to bring together independently collected data. This coordinated use of inmate data will facilitate the work of case managers and other decision makers.

There is also room for improvement in how data are communicated. In our interviews with stakeholders, we were told of inmates not getting their needed medication, being placed on a top bunk when at risk of seizures, or being released too early due to a parole change that was not communicated to a county jail. UDC can reduce risks with improved communication practices.

Once UDC has identified the relevant information and is collecting and aggregating data to aid decision making, the agency can incorporate other continuous improvement activities. For example, inmates may fail to complete required treatment at no fault of their own, or may be unable to use earned time. UDC could analyze each of these instances with the goal of systematically identifying and improving a process gap, communication failure, etc. Key performance indicators or performance measures could guide these continuous improvement activities.

Examples include:

- **No Fault Rescinded Release Dates:** During calendar year 2023, 67 inmates had their release rescinded because they failed to complete treatment on time due to a factor out of their control. UDC could have a target goal of zero.

- **Percent of Mandatory Time Cuts Utilized:** Inmates who earned a four-month mandatory time cut from BOPP only utilized 72 of the 120 days eligible, which is about 60 percent. UDC could have a target close to 120 days.

- **Percent of Inmates Receiving a Mandatory Time Cut:** According to statute, these time cuts can be awarded for treatment as well as education and vocational training. As 353 of 3,136 inmates released from prison (11 percent) earned a mandatory time cut, this should increase over time.

These types of performance measures allow UDC to track progress as well as identify root causes instead of addressing symptoms.

Recommendation 3
Base treatment enrollment timing on an inmate's earliest likely release date.

Desired Outcome: *UDC enrolls inmates in treatment programs early enough that most inmates can fully utilize earned mandatory time cuts and avoid release dates being rescinded for unmet requirements at no fault of the inmate.*

UDC should enroll inmates in treatment based on their earliest likely release date and include a reasonable buffer to account for delays and scarcity of treatment resources. This will ensure each inmate can take full advantage of the mandatory time cuts they have earned and meet the release date that BOPP has made contingent on completing treatment, creating capacity in the system.

BOPP gives some inmates a release date that is contingent on completing SU or SO treatment. An inmate who fails to complete treatment by this date will have their release rescinded whether the failure is caused by disruptive inmate behavior or is no fault of the inmate. As an example, county jails that offer treatment would not accept a particular inmate, who as a result could not complete their treatment on time. For the calendar year 2023, BOPP rescinded the release dates for 559 individuals, including 12 percent (about 67 inmates) who failed to complete treatment because they were not placed in the right housing (see Figure 3). Beginning the process of placing an inmate in treatment housing earlier would

have provided additional time to find a suitable placement–as some are difficult to place or get rejected from county jails–and may have allowed these 67 inmates to complete their program on time for their contingent release date.

Completing treatment or educational programs qualifies an inmate for a four-month mandatory time cut as part of the earned time program established in Utah Code 77-27-5.4. We would expect to see inmates who have completed qualifying treatment and educational programs receiving a sentence that has been reduced by 120 days. However, BOPP has explained that only a portion of these time cuts are awarded:

> *While a mandatory time cut of 4 months equates to approximately 120 days, the average may be below this amount because some individuals may have less than 120 [days] remaining before release at the time of the cut.*

Not all inmates completing these programs are able to use their full earned time cut (see Figure 4). According to data from BOPP's Justice Reinvestment Initiative Quarterly Report (March 31, 2024), the 353 mandatory time cuts awarded over the past year for completing approved programs averaged only 72 days.

To release inmates on time, UDC should enroll inmates according to the expected treatment duration with additional buffer time. That buffer should include the full value of any mandatory earned time cut as well as an allowance for unanticipated delays and disruptions. Calculations for these buffers should be

Figure 3: Rescinded Release Dates for Incomplete Treatment
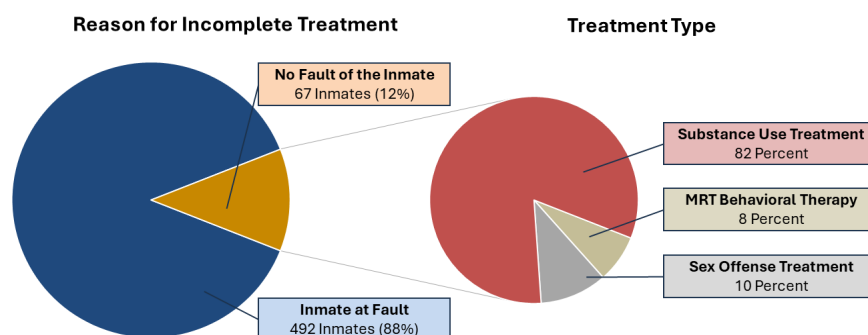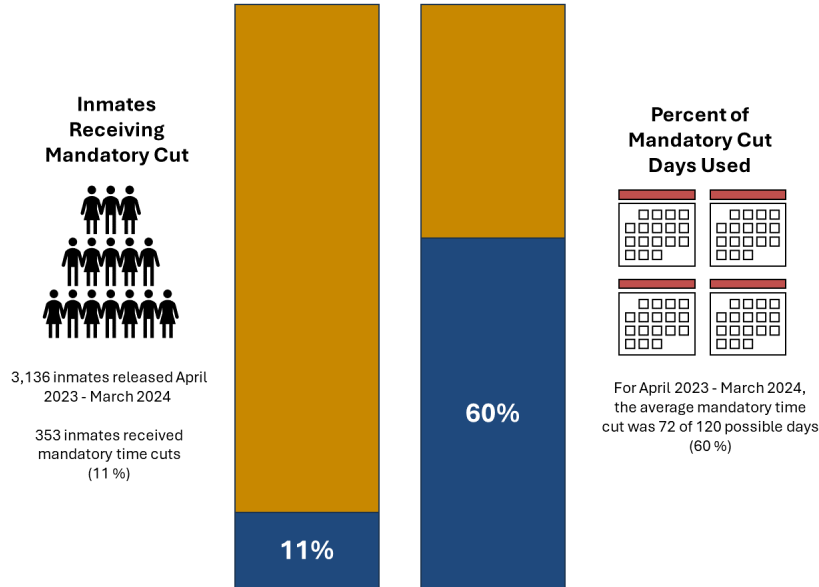

Reason for Incomplete Treatment

No Fault of the Inmate
67 Inmates (12%)

Inmate at Fault
492 Inmates (88%)

Treatment Type

Substance Use Treatment
82 Percent

MRT Behavioral Therapy
8 Percent

Sex Offense Treatment
10 Percent

Figure 4: Utilization of Earned Time Credit Programs

Inmates Receiving Mandatory Cut

3,136 inmates released April 2023 - March 2024

353 inmates received mandatory time cuts (11 %)

11%

60%

Percent of Mandatory Cut Days Used

For April 2023 - March 2024, the average mandatory time cut was 72 of 120 possible days (60 %)

based on observed average treatment time relative to expected treatment duration.[8] This allows UDC to enroll inmates early enough to offset most disruptions that occurred in the past. Identifying an inmate's earliest likely release date will be simplified by the "smart scheduling" project currently being implemented by BOPP that will determine an inmate's earliest realistic release date and required treatment early in their incarceration.

Conclusion

The improvements recommended in this report will complement projects and initiatives currently underway at UDC and its partners like the Board of Pardons and Parole. These treatment efficiencies will complement work like "smart scheduling" for earlier known release dates, reducing the backlog for access to community correctional centers to help parolees without available housing, and reducing prison commitments for parole violators by Adult Probation and Parole. Creating efficiencies in the system not only allows an inmate to receive the reduced sentencing time, it also creates cost savings for UDC as resources are being used at their optimal dose and made available to other inmates. This is particularly important in the prison system, where resources like treatment providers and available bed space are at a premium.

Methodology

Data Analysis

For this project, we utilized prison admission and release data from the Board of Pardons and Parole from July 2021 through June 2024. The data set showed the source of prison admissions–parole violations versus new court commitments–and whether there was a net increase or decrease in the prison population. To assess the timely release of prisoners and the percent utilization of four-month mandatory time cuts for earned time cut programs, BOPP provided supplemental data regarding specific outcomes and causes for rescinded parole dates.

Additionally, we assessed the prison population according to inmate medical and security levels– the two major characteristics that affect where inmates are eligible to be placed. This data helped us understand how effectively inmates with minimal medical needs and low security level classifications are prioritized for treatment at county jails to ensure space is available to enroll harder-to-place inmates in treatment at the prisons.

Operations

The following operations management principles were used to arrive at recommendations.

Background
1. Vicious and Virtuous Cycle Tool: Allows for identification of the root cause of the vicious cycle. Taking action at this step and changing the condition can lead to a virtuous cycle which reduces the negative impacts of the vicious cycle.

Recommendation 1

Formalize the inmate placement decision-making criteria and process

1. Management Science Modeling. See goal programming as an example.

2. Triaging and batching: Both triaging and batching focus on addressing priorities based on balancing demand and resources.

3. Standardizing work: The concept focuses on documenting steps of a process so important functions can operate consistently.

Recommendation 2

Identify, collect, report, and communicate key information

1. Full kit: The concept of "full kit" or "complete kit" refers to having all the information one needs before implementation to make an optimal decision. This helps avoid time spent correcting errors based on incomplete documentation or misunderstanding of requirements.

Recommendation 3

Base treatment enrollment timing on an inmate's earliest likely release date

1. Buffer Management: Planning strategy to build in extra capacity to handle surges in work due to crises, seasonality, or other causes.

2. Triaging and batching: Both triaging and batching focus on addressing priorities based on balancing demand and resources.

3. Front loading: Front loading focuses on planning and allocating resources well upstream to prevent worsening conditions that may be more costly to remediate later.

4. Synchronization of resources: Aligning and pacing work based on system priorities.

Endnotes

1   As of May 15th, 2024 (bop.utah.gov)

2   https://corrections.utah.gov/central-utah-correctional-facility/

3   https://corrections.utah.gov/county-jail-program/

4   Referred to as "STG status"

5   In a recent RFP that UDC released, there were 12 criteria that each had several layers of

       complexity.This example uses fewer for ease of illustration

6   Minimizing versus optimizing the number of moves is a policy decision for UDC. A benefit to minimizing
       moves is inmate stability. However, moving an inmate one additional time to make room for another
       inmate to receive treatment could be considered more beneficial to the system as a whole.

7   Floridi, A., Demena, B. A., & Wagner, N. (2021). The bright side of formalization policies! Meta-analysis
       of the benefits of policy-induced versus self-induced formalization. Applied Economics Letters, 28(20),
       1807–1812. https://doi.org/10.1080/13504851.2020.1870919

8   This will require standardizing treatment duration across state prisons and county jails to be effective;
       currently, treatment can vary from 6 -12 months.

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June 26, 2024

Sam Warrick
Performance Improvement Coordinator
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Re: Inmate Placement Efficiency Evaluation Response

Mr. Sam Warrick and the Efficiency Evaluation Team:

Thank you for the opportunity to respond to the Inmate Placement Efficiency Evaluation. The process used by the efficiency evaluation team was engaging and a valuable experience for our department. We appreciate the approach that was taken and express our gratitude for everyone's willingness to collaborate and communicate with our department throughout the process.

The recommendations in the evaluation are in line with the direction we are moving toward as an agency and support our strategic plan. As an agency, we are working to manage inmate housing challenges in a way that has never been done before. While some of the recommended action items will take time, require extensive collaboration with internal and external stakeholders, and acquiring new technology resources, we believe, with support from and collaboration with our internal and external stakeholders, we can use these recommendations to improve our operations and our inmate placement process.

There is no greater responsibility of our department than to ensure the safety of our correctional professionals and the incarcerated men and women in our care. Additionally, it is our responsibility to identify housing that is a prudent use of taxpayer money and allows inmates to participate in treatment programs, work programs, and other opportunities that will help them successfully transition back into society as law abiding citizens.

Attached is an individual response to each of the recommendations in the evaluation.

Sincerely,

Brian Redd (Jun 27, 2024 17:32 MDT)

Brian Redd
Executive Director

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Recommendation 1: Formalize the inmate placement decision-making criteria and process

Department Response: The department agrees with the importance of understanding all the decision-making placement criteria and formalizing its use.

What:
The clear first steps are reviewing the existing placement criteria for completeness and any potential conflict. This would include identifying and evaluating informal rules and criteria. The next step will be to prioritize criteria in a way that can be formalized and put into use. This updated model can then be tested and improved over time in preparation for implementation of newer technology. Staff discretion is an important part of the placement process and will help in the improvement and formalization of the decision matrix.

Recommendation 2: Identify, collect, report, and communicate key information

Department Response: The department agrees with the value of having the right information available to the right people at the right time.

What: Recent updates to the BOPP process, internal changes within UDC, and more extensive collaboration with internal and external stakeholders, should allow for the collection and aggregation of more key information. UDC continues to evaluate its current technology stack and other industry technology solutions for what will be the right fit to collect, report, and communicate needed information to the appropriate parties. UDC is committed to taking the right amount of time to properly evaluate the many possible options to determine the most responsible solution with a potential acquisition of new technology to assist in helping determine proper housing.

Recommendation 3: Base treatment enrollment timing on an inmate's earliest likely release date

Department Response: The department agrees to working to successfully parole incarcerated individuals as early as possible.

What: A quick start in working towards the earliest likely release date is reviewing the variation in treatment delivery and determining the cause and standardizing where appropriate. As suggested in the evaluation, an understanding of the timing required for a successful completion of a treatment can lead to a more effective scheduling process. Availability in treatment seats and flexibility in housing beds, limit how quickly UDC can move towards an ideal treatment schedule. UDC will continue to explore ways to increase treatment availability and to reduce the number of persons re-entering the system to create some capacity in the system that can be used to improve treatment timing.

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Authors

This report was written as part of a joint collaboration between the Utah Governor's Office of Planning & Budget and the Office of the Legislative Fiscal Analyst.

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