

Notice of Appearance: Agenda and Procedural Opportunities Afforded a Prisoner at a Classification Hearing (Form 700.01C)

1. Prisoner's Name: _____ 1A. Offender Number _____
2. _____ Sentenced 3. _____ Unsentenced 4. _____ Initial Classification 5. _____ Reclassification
6. You are scheduled to appear before the Classification Committee at _____
(Institution)
- on _____, at _____, A.M. P.M.
(Date) (Time)

The purpose of the hearing is:

- a. _____ Initial Classification (determination of custody level and program involvement);
- b. _____ Possible transfer to an institution outside Alaska;
- c. _____ Possible assignment to administrative segregation;
- d. _____ Possible termination of furlough (Per 22 AAC 05.335. Per 818.02, furlough termination is immediate if escape related charges are filed; no hearing is required);
- e. _____ 30 day review of administrative segregation;
- f. _____ Program;
- g. _____ Reclassification;
- h. _____ Possible transfer to mental health facility; and/or
- i. _____ Other: _____

You have the following Procedural Opportunities:

1. You will receive at least 48 hours advance written notice of the hearing.
2. If the purpose of the hearing is c, d, or e above, you are entitled to request the assistance of a staff advisor provided from the institution's pool. You may select one of the following individuals:

3. If the purpose of the hearing is a, b, f, g, h, or i above, a staff member assigned by the Superintendent will meet with you prior to the hearing to explain the classification process and discuss possible classification action.
4. If the purpose of the hearing is c, e, or h above, you have the right to counsel in any hearing where felony prosecution may result or is in any stage of proceeding, or the purpose of the hearing is transfer to a mental health facility.
5. Prior to the hearing, you may prepare testimony, solicit statements or compile evidence if your actions do not create a substantial risk of reprisal or undermine the security of the institution.
6. Prior to the hearing or at the hearing, you may request additional time to gather information, testimony, or evidence relating to proposed actions. The Chairperson may grant additional time and postpone the hearing.
7. You will have a reasonable opportunity to challenge the factual basis or rationale advanced in support of the proposed classification.
8. You may confront and cross-examine witnesses, and present evidence in your own behalf subject to limitations based on considerations of repetition, relevancy, risk of reprisal, and security of the institution.
9. You may be required by the Chairperson to direct your questions through your staff advisor, probation officer, or the Chairperson.

- 10. If the purpose of the hearing is b, c, d, e, or h, the hearing will be tape recorded and kept in transcribable form for 12 months if the classification action is appealed, or 30 days if the action is not appealed. If the purpose of the hearing is consideration for transfer outside the State or the classification action is appealed to the Superior Court, the hearing will be tape recorded and kept in transcribable form until all court proceedings are complete.
- 11. You will be advised in writing of the committee's factual findings and the evidence relied upon in its decision. A copy of the committee's final decision will be provided to you within four working days of the hearing. A copy of a decision referred to the Superintendent will be provided you within 10 working days of the hearing.
- 12. You may appeal any action taken as a result of this hearing.
- 13. I select as my staff advisor: _____
- 14. I waive personal appearance at the hearing: YES NO
- 15. I have read and understand the contents of this notice.

Prisoner's Signature (Note if the prisoner refuses to sign.)

16. Date: _____ Time: _____, A.M. P.M.

17. _____
Officer's Signature

Instructions:

Classification staff must complete the front page of the Notice of Appearance form through Item 2 under Procedural Opportunities. The completed form must be presented to the prisoner at least 48 hours prior to the hearing.

The prisoner must complete items 13, 14, and 15 of Procedural Opportunities on the back page of the form. A Correctional Officer must enter items 16 and 17 after the prisoner returns the form with items 13, 14, and 15 completed.