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Male Initial Custody Assessment	ACA Standards: 2-CO-4B-01, 2-CO-4B-04, 4-4281-2, 4-4295, 4-4296, 4-4305, 4-4307, 4-4312-1, 4-ACRS-5A-01, 4-ACRS-5A-02, 4-ACRS-5A-03, 4-ACRS-5A-08		
Robert Patton, Director Oklahoma Department of Corrections	Signature on File		

Male Initial Custody Assessment Procedures

The “Initial Custody Assessment Facility Assignment Form” ([DOC 060102A\(M\)](#), attached) is used during initial classification to establish an offender’s recommended custody rating. This custody rating is based upon the case manager’s assessment of the scored items which are assigned a numerical score.

The custody rating recommendation derived from these items is used, in combination with other specified information, when making initial decisions relating to the offender’s housing assignment and supervision requirements. The custody rating recommendation may be changed due to management considerations that warrant special attention or intervention by staff. The “Initial Custody Assessment Facility Assignment Form” is not required on offenders sentenced to death. (2-CO-4B-01, 4-4295, 4-4296, 4-ACRS-5A-03)

Offenders released from Department of Corrections’ (DOC) custody in accordance with the Oklahoma Illegal Alien Rapid Repatriation Act being returned to DOC custody will be scheduled and transported to the assessment and reception center for medical screenings and reclassification.

The case manager IV at the reception center will ensure the initial classification is completed and entered into the computer by the assigned case manager. The initial classification of an offender will remain in effect for 90 days from the date the offender arrives at the initial assigned facility. (4-4296)

This procedure does not create any offender right. The decision where to place an offender is totally discretionary. This procedure has been established for administrative process and guidance to staff.

- I. Completing the Initial Custody Assessment Facility Assignment Form ([DOC 060102A\(M\)](#))

A. Identification

1. Facility: Enter the facility where the offender is currently housed.
2. Date: Enter the date the assessment is completed.
3. Offender Name: Enter the offender's full name (e.g., last name, first, middle initial).
4. Offender DOC #: Enter the offender's DOC number. This number will be used on all subsequent classification forms.
5. Reception Date: Enter the month, day, and year the offender was received at the assessment and reception center.
6. Race/Gender: Enter the race and gender of the offender.
7. Date of Birth: Enter the month, day, and year the offender was born.

B. Custody Evaluation

Items 1 through 3 comprise the "Maximum Custody Score" and are intended to identify the offender who presents a serious risk to the community. Offenders with a score of 8 or higher on these three items are assessed to maximum custody. Items 5-7 are intended to identify those offenders who present a risk to the safety, security, and orderly operation of a facility. The maximum custody score along with items 5-7, comprise the "Comprehensive Custody Score." All items must be scored.

1. Severity of Convictions on Current Incarceration

- a. The most serious conviction on the current incarceration is to be determined, to include all concurrent (CC), consecutive (CS), and active suspended sentences (SS) that have been rebilled, pending parole revocations, Intermediate Revocations, detainers, and warrants for the offender using the "Offense Severity Categories" located in [Attachment A](#) (attached). The most serious offense is indicated, to include case number, and case type (concurrent (CC), consecutive (CS), detainer (DI), warrant (WA), active paroles, pending parole revocation, or Intermediate Revocation offenders, etc.) in the space provided. Suspended and paroled sentences that are still active will score in this item (To figure suspended sentence discharge dates, refer to [OP-060211](#) entitled "Sentence Administration").

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- b. If the conviction is counted in item 1, that conviction is not counted again in the Serious Offense History (item 2).
- c. If a determination cannot be made on how to categorize an offense, the administrator of Sentence Administration and Offender Records will be contacted for a disposition.
- d. The number of points associated with the offender's most serious offense is entered.

2. Serious Offense History

The most serious prior adult felony conviction or juvenile disposition using the "Offense Severity Categories" is determined based on official criminal history data. Any convictions that are scored in item 1 will not be scored in item 2.

An offender that has a prior delayed sentence will be considered to have had a prior conviction only if the judge imposes either a determinate incarceration or suspended sentence at the time of sentencing. Delayed sentence offenders that are deferred and expunged upon successful completion, (i.e., Regimented Treatment Program) are neither a prior incarceration nor conviction in this item.

- a. All periods of adult incarceration, juvenile adjudications, or suspended sentences during the specified time period prior to the date of reception should be counted.
- b. Highest and High severity offenses are to be considered within the past ten years. Moderate and Low severity offenses include those within the past five years.
- c. The offense case number, if known and conviction or incarceration date is indicated in the space provided.
- d. "Date of Conviction" will be used for suspended sentences, juvenile adjudications and on cases where discharge dates on out of state incarcerations cannot be determined. The date released from DOC custody (i.e., released due to completion of sentence or released to probation, parole, GPS, etc.) should be used for adult incarcerations.

3. Escape History

All escapes or attempted escapes that have occurred during the stipulated time period prior to the initial assessment are to be considered. The number of points corresponding to the most

serious escape or attempted escape is entered. Misconduct convictions for rule violations of: 16-4, 16-5, 16-6 and 16-7 will not be considered as escapes for the purpose of assessing points in this section.

Offenders on escape status for more than 90 days will return to the assessment and reception center for medical screenings and reclassification purposes.

Necessary documentation for escape or attempted escape will be a misconduct conviction, a felony or misdemeanor conviction (as evidenced by a Judgment and Sentence, Juvenile On Line Tracking System (JOLTS) or rap sheet entry), the DOC movement history on the "Consolidated Record Card" (CRC) or in the Offender Management System (OMS) or any other entry on an official government document. In cases where no disposition is indicated for an escape charge on a rap sheet, the court of jurisdiction will be contacted and requested to verify in writing the disposition of the case.

a. Escape History Instructions

- (1) If the escape was from a former incarceration, the time is calculated from the day the offender returned to DOC custody or from the date of conviction, if from another jurisdiction.
 - (a) Former incarceration is defined as any incarceration in which the offender was released to the street or another jurisdiction through expiration of sentence, parole, completion of delayed sentence incarceration, or an appeal bond.
 - (b) Escape from a jail will be considered a former incarceration, unless the offender was confined in jail awaiting transport to DOC.
 - (c) Escape after lawful arrest will not be assessed with escape points. Cases where an escape after lawful arrest involves violence or injury (i.e., assault and battery on an officer) may be addressed in the discretionary override for higher security section on the initial custody assessment form.
- (2) If the escape is from the current incarceration, the apprehension date will be defined as the date on

which the offender was returned to DOC custody as documented on the CRC movement history.

- (3) If an offender has an escape record, the level of security from which the escape occurred must be determined. The security level from which an offender escaped will correspond with either the perimeter of the assigned facility or the custody level of the offender at the time of the escape.
 - (a) For example, a minimum custody offender may be assigned to a medium security facility. If the offender escapes from behind the fence, then the escape is from medium security.
 - (b) However, if the offender escaped from a work crew while outside the fence, the escape is from minimum security.
 - (c) If the record does not indicate otherwise, the custody status is presumed to be that of the perimeter of the confining facility.
- (4) Escapes from any level of security that resulted in an injury to another person or a felony conviction for a violent crime while on escape status, will be assessed ten points for the duration of the current incarceration, or for ten years if the escape occurred on a prior incarceration.
- (5) Jails, juvenile institutions, detention centers and SHU's will be considered medium security. If there is documentation that an unshackled offender escaped while assigned to a job or task outside the secure perimeter of the jail, the escape will be considered minimum security. Escapes from courtroom or from areas in which normal and expected security mechanisms and/or procedures were either not used or not functioning are considered medium security.
- (6) If a determination cannot be made regarding the validity of assessment of escape points by the facility, the administrator of Classification and Population will be contacted for a disposition.
- (7) The designation or level of escape assessed at assessment and reception centers cannot be

changed without approval of the administrator of Classification and Population.

b. Escape History Scoring

After determining the offender's appropriate escape history, the appropriate escape item should be indicated along with the associated number of points, according to the following:

- (1) Enter 0 points if there is no history of escapes or attempts.
- (2) Enter 6 points if the offender has escaped from community supervision (PPCS, GPS or EMP) during the past two years.
- (3) Enter 6 points if the offender has escaped or attempted escape from minimum security, community corrections (CCC, work center, halfway house), Transit Detention Unit (TDU) or has a juvenile AWOL per the Juvenile Online Tracking System (JOLTS) within the past five years.
- (4) Enter 6 points if the offender has two or more escapes or attempted escapes from minimum security, community corrections, community supervision (GPS, PPCS or EMP), TDU, or has a juvenile AWOL within the past ten years.
- (5) Enter 10 points for an escape from any level of security that resulted in an injury or a felony conviction for a violent crime while on escape status during this incarceration or for ten years if the escape occurred on a prior incarceration.
- (6) Enter 10 points if the offender has escaped or attempted escape from medium or maximum security, county jail and juvenile institution/detention center or segregated housing unit during this incarceration. Additionally, 10 points will be assessed for ten years if the escape occurred on a prior incarceration.

4. Maximum Custody Score

The points for items 1-3 are to be totaled, and entered on item 4 designated "Maximum Custody Score." If this score is 8 or higher, the offender is assessed maximum custody. Items 5-7 will then be scored.

5. Prior Felony Convictions

Prior felony convictions are to be considered during the past ten years from the date of discharge, excluding charges on the current incarceration.

All prior adult or juvenile felony convictions/dispositions or periods of incarceration for the past ten years are to be included. Offenders who have had a prior incarceration on a delayed sentence will be considered to have had a prior incarceration unless the sentence has been deferred and expunged.

- a. Enter 4 points if the offender has two or more felony convictions in the past ten years.
- b. Enter 2 points if the offender has one felony conviction in the past ten years.

6. Disciplinary History

The offender's entire disciplinary history is to be considered, excluding escapes. Escapes are addressed in the escape section.

- a. Enter 0 points if the offender has received no disciplinary convictions.
- b. Enter 1 point if the offender has received three or more class B disciplinary convictions within the past year.
- c. Enter 2 points if the offender has received one or more class A disciplinary conviction within the past two years.
- d. Enter 3 points if the offender has received one or more class X disciplinary convictions within the past two years.
- e. Enter 3 points if the offender has received one or more class X disciplinary convictions for 01-4, 04-1, 04-3 battery to staff with injury prior to September 14, 1989 or 04-8 battery of staff with physical contact which results in bodily harm during the current incarceration or within the past ten years.

7. Current Age

Enter the appropriate score based on the offender's age at the time of the initial classification review.

- a. Enter 3 points if the offender's age is 25 or less.

- b. Enter 2 points if the offender's age is 26 to 31.
- c. Enter 1 point if the offender's age is 32 to 39.
- d. Enter 0 points if the offender's age is 40 to 49.
- e. Enter negative one (-1) point if the offender's age is 50 or over, unless the offender has points in the escape section.

8. Comprehensive Custody Score

Enter the total score from items 1-7 on the total score line.

C. Scale Summary and Recommendations

1. Custody Level Indicated by Scale

Enter the assessed custody level indicated by the following scale:

- a. Minimum: 6 or fewer points
- b. Medium: 7-12 points on items 1-7
- c. Maximum: 8 or more points on items 1-3
- d. Maximum: 13 or more points on items 1-7

2. Mandatory Overrides

If the offender has been convicted of any of the following crimes, mandatory override criteria must be addressed. Mandatory overrides do not affect the offender's assessed custody level but are factors which affect the custody level assignment and subsequent transfer to specific facilities.

a. Time Left to Serve (Highest Crime Category)

If the offender has any convictions in the highest crime category during this incarceration including current, concurrent, consecutive, and rebilled cases and the total time left to serve is equal to or greater than 5475 days, the offender will be assigned no lower than medium security.

b. Any offender who has a crime with a sentence of Life, Life without Parole or a total sentence length of 100 or more years will be assigned no lower than medium security.

c. Any offender who has an Immigration and Customs Enforcement (ICE) detainer and has any convictions on the

current incarceration in the highest or high crime category will be assigned no lower than minimum security.

d. Restricted Earned Credits-(50%)

Any offender who is serving a sentence for:

- (1) Distribution of a Controlled Dangerous Substance Within 2000 feet of a School, Park, etc.;
- (2) Possession/Purchase of a Controlled Dangerous Substance Within 1000 feet of a School, Park, etc.;
- (3) Possession/Purchase in the Presence of a Child Under 12; or
- (4) Any other conviction where 50% of the sentence must be served prior to earning credit and the total time left to serve on the restricted case is equal to or greater than 5475 days, the offender will be assigned no lower than medium security.

e. Restricted Earned Credits-(85%)

Any offender that has earned credits restricted due to statute (i.e., Trafficking or other 85% crime) and has time left to serve equal to or greater than 3600 days on the restricted case will be assigned no lower than medium security.

3. Discretionary Overrides for Higher Custody Level

The following items do not affect the offender's assessed custody level, but are factors which may affect the custody level assignment and subsequent transfer to specific facilities. All requests must be documented regarding the reason for the override on the initial custody assessment and the chronological record.

a. Circumstances of the Offense

If the current score undervalues the actual severity of the crime, an override may be necessary. Staff must document the aggravating characteristics of the crime being used for the override decision. The District Attorney's Narrative or Information Sheet are examples of documentation that may explain aggravating characteristics.

b. History of Violence

An offender who has a documented history of violent conduct, such as murder, rape, domestic abuse, assault, or arson that is not fully captured in the serious offense history score may require assignment to a higher security facility.

c. Gang Affiliation/Security Threat Group (4-4312-1)

If the offender is known to be a major leader within a gang or security threat group that causes management problems and uses violence to achieve its goals within a correctional setting and/or in the community; this affiliation may be considered to be a management issue in the facility. Gang membership alone is not sufficient to score this category. Such individuals should be identified as major gang or security threat group members validated through reliable documentation and/or disciplinary convictions for gang/security threat group activity.

d. Time Left to Serve

The offender has an excessive amount of time left to serve on high, moderate, or low category crimes. It may be appropriate to maintain the offender at a higher custody level for an adjustment period prior to assignment to a lower custody level.

e. Sentence of Life/Life without Parole

Offenders who are convicted of Murder I and receive a sentence of Life/Life Without Parole will normally be placed at maximum security. Aggravating circumstances of the crime, offender's age and prior criminal history should be considered when making a recommendation for override.

f. Management Problem (4-4312-1)

The offender has a documented history of management problems while confined and/or disruptive behavior while in the community. The offender is known to have incited, provoked, and/or agitated peers and/or disrupted facility operations.

g. Escapes

The offender has made significant threats to escape or has a documented history of escape(s) and/or attempted escape(s). For an override in this category, the escapes may have occurred more than the stipulated number of years in the escape history section, but were of such a

severe nature that they warrant continued consideration by staff in making a final security determination.

h. Pending Cases

Convictions, untried indictments, or pending cases that are verifiable but where no detainer has been filed may require placement in a higher security facility. Normally, such convictions, untried indictments or pending cases for which a conviction would not otherwise raise an offender's security level will not require placement at higher security; nor, will it necessarily prevent the offender from being placed at lower security.

i Other

Any other attributes associated with the offender that justify an override to a higher security level such as self-reported criminal history information volunteered by the offender, crimes older than 10 years, or an extensive number of prior convictions. Complete documentation of this factor must be contained in the offender's file or other DOC records.

j Documentation

Justification for override must be indicated on page 2, Section C. item 3. and in the "comment" section of the "Initial Custody Assessment Facility Assignment Form."

4. Discretionary Overrides for Lower Custody Level

The following items do not affect the offender's assessed custody level, but are factors that could affect the custody level assignment and subsequent transfer to specific facilities. All requests must be documented regarding the reason for the override on the initial custody assessment and the chronological record.

a. Circumstances of the Offense

The score does not reflect the true nature of the crime. Staff must document the mitigating characteristics of the crime being used for the override decision.

b. Time Left to Serve

An offender serving a high or highest category crime with 330 days of projected discharge may be considered for lower custody for the purpose of reintegration. Mandatory overrides will not be considered for this item.

c. Outstanding Prior Institutional Conduct Record

During previous incarcerations, the offender has been assigned to lower security levels and has demonstrated an outstanding conduct record.

d. Other

Any other attributes associated with the offender that justifies an override to lower custody level. Complete documentation of this factor must be contained in the offender's file or other DOC records.

e. Documentation

Justification for override must be indicated on page 2, Section C. item 4. and in the "comment" section of the "Initial Custody Assessment Facility Assignment Form."

5. Two-step overrides (i.e., maximum security to minimum security) require review and approval by the administrator of Classification and Population.
6. Offender Program Needs Assessment (2-CO-4B-04, 4-4305, 4-4377, 4-ACRS-5A-01, 4-ACRS-5A-02)

Offender program needs will be based on the crime, length of sentence, physical health, mental health, and assessment instruments. The Program Service Unit, in conjunction with the Classification and Population Unit, will determine the appropriate screening and assessment instrument(s) used to identify risk level and specific program needs. Community corrections eligibility and any restrictions that would affect initial placement should also be considered. The source of the information is to be included in the case notes. The appropriate box on the "Initial Custody Assessment Facility Assignment Form" ([DOC 060102A \(M\)](#)) will be indicated.

Case managers will complete a "Case Plan" ([Attachment B](#), attached). Case managers will consider scores from assessment instruments, security custody level and sentence length to prioritize program needs. No more than 3 categories of needs will be identified at the initial assessment. Identified programs will be entered on the "Offender Management System" on the "Case Plan" screen.

a. Physical Health

If an offender has a serious disability that interferes with functioning and/or requires frequent medical care, this will be considered regarding facility placement.

b. Mental Health

All offenders will receive an initial mental health screening upon reception to identify serious mental illness and/or other mental health needs. The initial screening will be performed by a qualified mental health professional (QMHP).

- (1) Mental health staff may make placement recommendations based upon the level of an offender's mental health need. For example, an offender might be appropriate for placement in a Mental Health Unit or a program for the developmentally disabled/challenged. Similarly, offender placement may be affected by the need for significant therapeutic interventions (e.g., suicide prevention, psychotropic medications, or specific housing needs).
- (2) If it is determined by a QMHP that special housing is required, mental health staff will provide documentation to the coordinator of Facility Classification. Documentation will be placed in section 3 of the offender file.

c. Cognitive Behavior

- (1) Offenders scoring moderate or higher on the risk assessment will be identified as a case plan need for cognitive behavioral programming.
 - (a) Offenders identified with a SAT need will be assessed a cognitive behavior program need.
- (2) Projected enrollment for purposes of the "Case Plan" ([Attachment B](#)) will be the first available program opening upon transfer from the reception center.

d. Education/Employment

All offenders with the exception of those identified in [OP-060203](#) entitled "Adjustment Review" will complete a Test of Adult Basic Education (TABE) survey at the first facility following reception. Educational program needs will be identified for offenders scoring below a grade 8 level.

Projected enrollment for purposes of the “Case Plan” ([Attachment B](#)) will be upon transfer from the reception center. Enrollment into vocational technical training will be within the required time frames and in accordance with [OP-090133](#) entitled “Career and Technical Training.”

e. Alcohol/Drug (4-ACRS-5A-08)

Offenders scoring moderate or higher on the risk assessment and with an ASUS Disruptive score of 21 or above, will receive a case plan need for substance abuse treatment.

Projected enrollment for purposes of the “Case Plan” ([Attachment B](#)) will be in accordance with [DOC 060203A](#) entitled “Adjustment Review.”

f. Intensive Programmatic Services

Offenders received for an Intermediate Revocation Sanction will receive a case plan need for an Intermediate Revocation Facility (IRF) placement for programming that includes but is not limited to alcohol and substance abuse counseling and treatment, mental health counseling and treatment and domestic violence courses and treatment programs.

7. Recommended Custody Level

After reviewing the scale score and all information which may justify an override, the recommended custody level will be indicated. This will be the same as the custody level indicated by the scale, if no override is recommended. Written rationale must be provided if this level is different from the recommended custody level. Offenders with 6 or fewer points on items 1-7 normally must have 7300 days remaining or less to be minimum security eligible.

8. Community Corrections Eligibility

a. Community Corrections may be indicated for those minimum custody offenders with 1460 days or less remaining and who meet all other eligibility requirements for community corrections placement in accordance with [OP-060104](#) entitled “Community Corrections Assessment.”

b. The Global Positioning Satellite Surveillance Program (GPS) may be indicated for those minimum custody offenders with a sentence of five years or less. Offenders who meet eligibility requirements for community corrections placement in accordance with [OP-060104](#) entitled “Community

Corrections Assessment” and [OP-061001](#) “Global Position Satellite Surveillance Program” will be identified and screened for GPS placement. Intermediate Revocations will not be considered for GPS placement.

9. Comments

- a. In the comment section any pertinent information concerning the assessment that is not indicated in the scored or override items is to be included. For example, if an offender is within the specified days remaining for community corrections placement but is not eligible due to exclusionary criteria, such information should be indicated in this section.
- b. This section will also be used to document offenders who are 17 years old or younger, as well as offenders that are identified as being violent, sexually assaultive or at risk for sexual victimization. (4-4281-2, 4-4307)

10. Signatures

The “Initial Custody Assessment Facility Assignment Form” must be signed and dated by the case manager, offender, and classification chairperson.

11. Review Authority

- a. The coordinator of Facility Classification or designee will approve all discretionary overrides. Mandatory overrides do not require such approval.
- b. The offender’s signature is required if a substantial change is made to the form.
- c. Date of transfer, initial facility assignment, and the review authority will be documented on the “Initial Custody Assessment Facility Assessment Form” ([DOC 060102A \(M\)](#)).

II. References

Policy Statement No. P-060100 entitled “Classification and Case Management of Offenders”

OP-060104 entitled “Community Corrections Assessment”

OP-060203 entitled “Adjustment Review”

OP-060211 entitled “Sentence Administration”

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OP-061001 entitled "Global Position Satellite Surveillance Program"

OP-090133 entitled "Career and Technical Training"

O.S. 57-521

III. Action

The administrator of Classification and Population is responsible for compliance with this procedure.

The associate director of Field Operations is responsible for the annual review and revisions.

Any exceptions to this procedure will require prior written approval from the director.

This procedure is effective as indicated.

Replaced: Operations Memorandum No. OP-060102 (M) entitled "Male Initial Custody Assessment Procedures" dated November 20, 2013

Deleted: Operations Memorandum No. OP-060102(M) Revisions dated June 3, 2014

Distribution: Policy and Operations Manual
Agency Website

<u>Referenced Forms</u>	<u>Title</u>	<u>Location</u>
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DOC 060102A (M)	"Initial Custody Assessment Facility Assignment Form"	Attached
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DOC 060203A	"Adjustment Review"	OP-060203
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<u>Attachments</u>	<u>Title</u>	<u>Location</u>
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Attachment A	"Offense Severity Categories"	Attached
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Attachment B	"Case Plan"	Attached
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