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Female Custody Assessment Procedures	ACA Standards: 2-CO-4B-01, 4-4295, 4-4296, 4-4297, 4-4298, 4-4300, 4-4302, 4-4441, 4-4444, 4-ACRS-5A-01, 4-ACRS-5A-06, 4-ACRS-6A-11		
Robert Patton, Director Oklahoma Department of Corrections		Signature on File	

Female Custody Assessment Procedures

The “Custody Assessment Scale” ([DOC 060103A \(F\)](#), attached) is used to update, review, and reassess an offender’s initial or previous custody assessment. The primary function is to monitor the offender’s adjustment and identify problems that may arise. The first scheduled reassessment may be completed 90 days from the date the offender arrives at the initial facility, and must be completed on an annual basis thereafter or when an offender’s status has changed requiring a review to increase or decrease the security level. The instrument allows facility heads/district supervisors to recommend overrides on offenders to remain at the current facility/custody level or transfer the offender to higher or lower security levels based on acceptable risk. (4-4295, 4-4296, 4-4300, 4-4444, 4-ACRS-5A-06, 4-ACRS-6A-11)

The facility/district classification committee will conduct all custody assessments. (4-4297) The staff composition at facility and community levels will be determined locally but will have, at a minimum, three staff members as defined in 57 O.S. § 4-138: a chairperson (at the institutional level, must be a unit manager); the offender’s case manager; and a correctional officer or unit assistant. Two additional staff members may be included as deemed appropriate by the facility/district head. All chairpersons must be approved by the facility head/district supervisor prior to serving as chairperson.

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

- I. Classification Assessment Procedures
 - A. Classification Committee Requirements

1. Offenders will receive 48 hours notice prior to their scheduled classification assessment; such notice may be waived by the offender in writing. If security reasons preclude the 48 hour notification, such action will be documented on the classification documents. (4-4302)
2. The offender will normally be present during the classification assessment review although the committee may ask the offender to leave during deliberation. If security reasons preclude attendance, such will be documented on the classification documents. After the committee's review of the action, the offender will be informed and will sign all classification documents to acknowledge receipt of the committee's decision unless security reason preclude such signing. If the offender refuses to sign, the refusal will be noted by the chairperson on the classification document. (4-4302)

II. Completing the "Custody Assessment Scale" Form

A. Identification

1. Facility

Enter the name of the facility/district where the offender is currently housed.
2. Date

Enter the date the assessment is completed.
3. Offender Name

Enter the offender's full name (i.e., last, first and middle initial).
4. Offender DOC #

Enter the offender's DOC number.
5. Reception Date

Enter the month, day, and year the offender was received at the assessment and reception center.
6. Race/Gender

Enter the offender's race and gender.
7. Date of Birth

Enter the month, day, and year the offender was born.

B. Custody Evaluation (4-4298)

Items 1 through 8 comprise the “Comprehensive Custody Score.”

1. Severity of Convictions on Current Incarceration

The most serious conviction on the current incarceration is determined using the “Offense Severity Categories,” ([OP-060102, Attachment A](#)), including all concurrent (CC), consecutive (CS), active suspended sentence (SS) cases that have rebilled, detainers, and warrants for the offender. Indicate the most serious offense, case number, and case type (current, CC, CS, DI, WA, active paroles, Intermediate Revocations, etc.) in the space provided. Suspended and paroled sentences that are still active or were active during this incarceration will score in this item. (To determine suspended sentence discharge dates, refer to [OP-060211](#) entitled “Sentence Administration”). 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. Enter the number of points associated with the offender’s most serious offense.

2. Escape History

All escapes or attempted escapes that have occurred during the stipulated time period prior to the custody assessment are to be considered. Enter the number of points corresponding to the most serious escape or attempted escape. Misconduct convictions for rule violations of 16-4, 16-5, 16-6 and 16-7 will not be considered in assessment of points in this section.

Offenders who are on escape status and remain out of DOC custody over 90 days will be returned to the assessment and reception center for reclassification.

Necessary documentation for escape or attempted escape will be a misconduct conviction, felony or misdemeanor conviction as evidenced by a judgment and sentence, Juvenile Online Tracking System (JOLTS), rap sheet entry, DOC movement history on the “Consolidated Record Card” ([DOC 060211H](#)) or the offender computer system, 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 the disposition of the case in writing. Every effort will be made to verify disposition of escape charges.

a. Escape History Instructions

- (1) If the escape was from a former incarceration, the time is calculated from the day the offender returned to the Oklahoma Department of Corrections (DOC) custody or from the date of conviction if from another jurisdiction.

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.

- (a) Escape from a jail will be considered a former incarceration, unless the offender was confined in jail awaiting transport to DOC custody.
 - (b) 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 "Custody Assessment Scale" ([DOC 060103A \(F\)](#)).
- (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 will 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 escapes from a work crew while outside the fence, the escape would be from minimum security.

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- (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 results in an injury to another, or a felony conviction for a violent crime while on escape status, will be assessed seven 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 segregation housing units (SHU's) will be considered medium security and seven points will be assessed.
 - (a) If there is documentation that an unshackled offender escaped while assigned to a job or task outside the secured perimeter of the jail, the escape will be considered minimum security.
 - (b) 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 as to the validity of assessment of escape points by the facility, the administrator of Classification and Population will be contacted for a disposition.

b. Escape History Scoring

After determining the offender's appropriate escape history based upon the above instructions, the appropriate escape item will be indicated and the associated number of points will be entered in the space provided. The facility and security level from which the escape occurred will be indicated along with the dates of escape and apprehension. The assessment is scored according to the following:

- (1) Enter 0 points if there is no history of escapes or attempts. Enter 0 points for absconding from probation or parole.
- (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, Transit Detention Unit (TDU) or has a juvenile AWOL as stated in 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, TDU, community supervision (PPCS, GPS or EMP), or has a juvenile AWOL within the past ten years.
- (5) Enter 7 points for an escape from any level of security that results 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 within ten years on a prior incarceration.
- (6) Enter 7 points if the offender has escaped from medium security, jails, juvenile institutions, detention centers, SHU or maximum security during this incarceration. Additionally, seven points will be assessed for ten years if the offender is released and returns to custody.
- (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.

3. Medical, Mental Health and Substance Abuse Needs

Score the offender per the extent of medical, mental health and substance abuse for the past five years. In scoring this item use any documentation supporting a history of these issues and a need for treatment. Notation of the reason for any points given in this item should be made in the comments section.

- a. Enter minus 1 point if there is no severe need;
- b. Enter 0 points if there is one severe need;
- c. Enter 1 point if there are two severe needs; or
- d. Enter 2 points if there are three severe needs.

4. Number of Active Disciplinary Convictions (4-4298)

All class A and B convictions within the past six months, and all class X convictions (excluding escapes) within the past two years are to be considered. Escapes are to be addressed in the escape section of the instrument.

Score the offender's disciplinary convictions as follows:

- a. Enter 0 points if the offender has received no disciplinary convictions;
- b. Enter 1 point if the offender has one disciplinary conviction;
- c. Enter 2 points if the offender has two disciplinary convictions; or
- d. Enter 3 points if the offender has three or more disciplinary convictions.

5. Most Serious Disciplinary Conviction (within past 12 months) from the Date of the Assessment (4-4298)

Determine the most serious disciplinary conviction that has occurred within the past 12 months. There is no expiration on the current incarceration or within the past ten years using the date of the current assessment for the following class X offenses: 01-4, 04-1, 04-8 (04-3 battery to staff with injury prior to September 14, 1989). Enter the number of points associated with the misconduct class category for the offender's most serious conviction as shown on the consolidated record card during the specified time period. Escapes are addressed in the escape section of the instrument.

Score the offender's most serious disciplinary conviction as follows:

- a. Enter 0 points if the offender has no disciplinary convictions;
- b. Enter 0 points if the most serious disciplinary conviction is a class B;
- c. Enter 2 points if the most serious disciplinary conviction is a class A; or
- d. Enter 4 points if the most serious disciplinary conviction is a class X.

6. Assigned Program Participation (4-4441, 4-ACRS-5A-01)

Based upon the offender's participation in an assessed and approved program, the offender's level of participation in such programs since the last classification review will be considered. Refusal to participate in a program must be addressed by the case manager based on knowledge of the offender's assessed needs, program content and applicability, in accordance with [OP-060107](#) entitled "Systems of Incarceration."

- a. Enter 0 points if the offender has no program needs, has participated in, is on a waiting list for, is enrolled and actively participating in an assessed and approved program or has points in the escape section of the custody assessment scale.
 - (1) In addition, enter 0 points if the offender has refused to participate in, or failed an assessed and approved program recommended by the case manager as listed in [OP-090101](#), [Attachment C](#) entitled "Approved Achievement Credits/Program Participation Points."
 - (2) Zero points will remain in effect until the offender completes the original assessed and approved program or a comparable assessed and approved program.
- b. Enter minus 1 point if the offender has completed an assessed and approved program as listed in [OP-090101](#), [Attachment C](#) during the past two years of incarceration, unless the offender has points in the escape section of the custody assessment scale, or has refused or failed an assessed and approved program in the past two years.

7. Adjustment

The offender's current earned credit class level is used to score this item. Offenders assigned to the following earned credit class levels will be assigned points as indicated. Offenders with restricted earned credits are scored according to their assigned System of Incarceration level in accordance with [OP-060107](#) entitled "Systems of Incarceration."

- a. Enter 1 point if the offender is currently assigned to class level 1;
- b. Enter 0 points if the offender is currently assigned to class level 2 or has points in the escape section; or

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- c. Enter minus 1 point if the offender has been assigned to class level 3 or 4, unless the offender has points in the escape section.

8. Current Age

Enter the appropriate score based upon the offender's age at the time of the custody assessment.

- a. Enter 2 points if the offender's age is 20 or younger;
- b. Enter 0 points if the offender's age is 21 to 38 years old or if the offender has points in the escape section; or
- c. Enter minus 1 point if the offender is 39 years or older.

9. Comprehensive Custody Score

Enter total score from items 1 through 8 on the total score line.

C. Scale Summary and Recommendations

1. Custody Level Indicated by Scale

Mark the assessed custody level designated by the following scale:

- a. Minimum = 6 or fewer points (normally must have 7300 days or less).
- b. Medium = 7 or more points

Indicate minimum or medium as the assessed custody level in the space provided.

2. All medium assigned offenders regardless of assessed custody level meeting the following criteria will have a minimum packet submitted to the Population Office.

- a. Has a total of 2,920 days or less remaining.
- b. Has no felony detainers.
- c. Has no active class X misconduct(s).
- d. Is assigned to earned credit level 3 or 4 or enhanced level 3 or 4.
- e. Has no current sex offender registry crime(s).

- f. Has no current sentence for any disqualifying “Crimes Against Children” as listed in [OP-060104](#), [Attachment A](#).
- g. Has no active escape points.

3. Mandatory Overrides

If an offender has been convicted of any of the following crimes, then 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. Any offender who has a sentence of life or a sentence of 45 years or greater should be placed at minimum security upon receiving a favorable parole recommendation to the street with stipulations that time should be spent at minimum security and community security prior to release.

- b. 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 greater than or equal to 5475 days (15 years), the offender will be assigned no lower than medium security.

- c. Any offender who has a sentence of Life Without Parole will be placed no lower than medium security.
- d. Any offender who has an Immigration and Customs Enforcement (ICE) detainer and has any convictions on the current incarceration in the high or highest crime category will be assigned no lower than minimum security.

- e. Restricted Earned Credits-85% and Trafficking

If the offender has restricted credits due to crime, (i.e. Trafficking or offenders who must serve 85% of their sentence prior to receiving earned credits), and the time left to serve on the restricted case is greater than or equal to 3600 days, the offender will be assigned no lower than medium security.

- f. Offenders with non-violent crimes who have a total sentence length of Life, with a determinant amount to serve (i.e.,

Endeavoring to Manufacture Controlled Dangerous Substance, Life with all but the first 20 years suspended) and the time left to serve is greater than or equal to 3600 days, the offender will be assigned no lower than medium security.

g. 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 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.

4. Discretionary Overrides for Higher 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 classification decisions that result in a request for an override must be documented on the custody assessment.

a. Circumstances of the Offense

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

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 history of violence score may require assignment in a higher security facility.

c. Gang Affiliation/Security Threat Group

An offender who 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, and this affiliation is considered to be a management issue in the facility may require assignment to a higher security 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, as described in [OP-040119](#) entitled "Intelligence."

d. Time Left to Serve

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

e. Management Problem

An offender who has a documented history of management problems while confined may require assignment to a higher security facility. Such offenders are known to have incited, provoked and/or agitated peers, disrupted facility operation, and/or to have demonstrated a substantial lack of cooperation with authority figures in the past.

f. Escape Threat

The offender has made significant threats to escape or has a documented history of escape(s) and/or attempted escape(s) that make assignment to a higher security facility necessary. For assessment 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 custody level determination.

g. 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 convictions, untried indictments or pending cases for which such a conviction would not raise an offender's security level would not require placement at higher security, nor, will it necessarily prevent the offender from being placed at lower security.

h. Other

Any other attributes associated with the offender that justify an override to a higher custody level, such as self-reported criminal history information, crimes older than ten 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.

i. Documentation

Justification for use of an override will be indicated in the comments section.

5. Discretionary Overrides for Lower Custody Level

The following items do not affect the offender's assessed custody level but are factors which could affect the custody level assignment and subsequent transfer to specific facilities. All requests for overrides must be documented as to the reason for the override on the custody assessment.

a. Circumstances of the Offense

If the assessed scale does not reflect the true nature of the crime, staff must document the mitigating characteristics of the crime being used for the override.

b. Outstanding Conduct

During this incarceration, the offender has demonstrated an outstanding conduct record that justifies assignment to a lower custody level.

c. Other

Any other attributes associated with the offender that justifies an override to a lower custody level. For example: An offender has successfully completed all recommended programs but is not eligible for a negative one point in the program participation section because the programs were

completed more than two years ago. In some instances the negative one point could lower the offender's custody level. Even though the negative point cannot be awarded, the offender's successful completion of all program needs may be considered when deciding the offender's appropriate custody level. Complete documentation of this factor must be contained in the offender's file or other DOC records.

d. Documentation

Justification for an override will be indicated in the comments section. The documentation must be explicit and in narrative format.

Normally, overrides are to be used to move an offender's one custody level only. For example, offenders with medium points would not normally be overridden to community placement even if the offender were housed at minimum security. A two level override must be approved by the administrator of Classification and Population. An exception is made for offenders that qualify for community security under 57 O.S. § 521, as referenced in [OP-060104](#) entitled "Community Corrections Assessment."

6. Recommended Custody Level

After reviewing the assessed score and all information which may justify an override, indicate the recommended custody. This will be the same as the custody level indicated by the scale if no override is recommended. Written rationale must be provided if the custody level indicated by the scale is different from the recommended level. Normally, offenders will have 7300 days remaining or less for minimum placement. Offenders who receive no earned credits due to crime (i.e., drug trafficking) and offenders who must serve 85% of their sentence prior to receiving earned credits, will be below 3600 days for minimum placement.

7. Community Corrections Eligibility (4-4444, 4-ACRS-6A-11)

Community corrections will only be indicated for those offenders that meet all other eligibility requirements for community corrections placement as outlined in [OP-060104](#) entitled "Community Corrections Assessment."

- a. If the offender meets all eligibility requirements, a recommendation for or against community corrections placement will be made based upon acceptable risk.

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b. If the offender is not eligible due to exclusionary criteria, or is eligible but not recommended, the reason will be stated in the comments section.

8. Global Position Satellite Surveillance Program Eligibility

Global Position Satellite Surveillance Program (GPS) eligibility will be identified and indicated for those minimum custody offenders serving a sentence of 5 years or less who have 11 months or less remaining. Offenders must meet eligibility requirements for community corrections placement as outlined in [OP-060104](#) entitled "Community Corrections Assessment" and [OP-061001](#) entitled "Global Position Satellite Surveillance Program." Intermediate Revocations will not be considered for GPS placement.

9. Custody Level Assignment

The classification committee will assign the offender's custody level in the space provided:

a. Medium; or

b. Minimum.

10. Comments

Any pertinent information concerning the offender's classification that is not already included in the assessment will be provided.

11. Signatures

The instrument must be signed and dated by the case manager, members of the classification committee and the offender.

D. Review Authority Approval

Case manager IV approval is required for all routine assessments. Facility head approval is required if the staff person recommends any non-routine action such as a discretionary override. Mandatory overrides do not require such approval. The offender's signature is required if the facility head changes the recommended action.

E. Population Office

1. All classification actions that result in a transfer will be submitted to the Population Office for final approval and assignment to a facility or waiting list as outlined [OP-060204](#) entitled "Offender Transfers."

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2. All discretionary overrides that result in a transfer will be reviewed by the administrator of Classification and Population or the population coordinator/designee for approval and action.

F. Distribution

Copies of the "Custody Assessment" will be distributed as follows:

1. To the Population Office, if requesting transfer or for a two level override; the Population Office will send a copy to the facility for the field file after action;
2. A copy to the field file; and
3. A copy to the offender.

III. References

Policy Statement No. P-060100 "Classification and Case Management of Offenders"

OP-040119 entitled "Intelligence"

OP-060104 entitled "Community Corrections Assessment"

OP-060107 entitled "Systems of Incarceration"

OP-060204 entitled "Offender Transfers"

OP-060211 entitled "Sentence Administration"

OP-061001 entitled "Global Position Satellite Surveillance Program"

57 O.S. § 521

IV. Action

The appropriate division manager and the administrator of Classification and Population are 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.

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Replaced: Operations Memorandum No. OP-060103(F) entitled "Female Custody Assessment Procedures" dated January 3, 2013

Deleted: OP-060103(F) Revisions-01 dated June 3, 2014

Distribution: Policy and Operations Manual (4-ACRS-6A-12)
Agency Website

<u>Referenced Forms</u>	<u>Title</u>	<u>Location</u>
DOC 060103A (F)	"Custody Assessment Scale"	Attached
DOC 060204A	"Facility Assignment Form (FAF)"	OP-060204
DOC 060211H	"Consolidated Record Card"	OP-060211
<u>Referenced Attachments</u>	<u>Title</u>	<u>Location</u>
Attachment A	"Offense Severity Categories"	OP-060102(F)
Attachment A	"Crimes Against Children"	OP-060104
Attachment C	"Approved Achievement Credits/ Program Participation Points"	OP-090101