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Non-Associations and Protective Measures	ACA Standards: 2-CO-4B-04, 4-4251, 4-4253, 4-4254, 4-4256, 4-4281M, 4-4281-4, 4-4281-5, 4-4305, 4-ACRS-5A-06		
Robert Patton, Director Oklahoma Department of Corrections		Signature on File	

Non-Associations and Protective Measures

The non-association and protective measures process is established to maintain uniform procedures for managing offenders who require special management due to the risk posed to the public, employees or other offenders. (2-CO-4B-04, 4-4249, 4-ACRS-5A-06)

For the purpose of this procedure, the term “non-association” and “separatee” are interchangeable and have the same meaning. The term “offender” will apply to anyone under the authority, custody or care of a prison or a community-based facility operated by or contracted with the Oklahoma Department of Corrections (DOC).

I. Definitions

A. Non-Association/Separatee

A method used to track and keep an offender separated from another offender or a specific facility.

B. Protective Measures

The least restrictive action taken when there is a reasonable belief an offender is in imminent danger.

C. Protective Custody

Long term separation of an offender from general population to ensure personal safety.

D. Special Management

Offenders who have been identified as: high risk with a history of assaultive behavior; have been determined to be a victim, potential victim or predator; have special medical and/or mental health needs; or for other reasons as determined by the director, associate director of Field Operations, appropriate division manager, Inspector General or the administrator of Classification and Population. (2-CO-4B-04, 4-4281M, 4-4305)

II. Non-Associations/Separatees

The non-associations and protective measures process begins at reception. Assessment and reception case managers review documentation for relevant information which indicates a need to keep the offender separated from others to ensure safety and/or the need for special management of the offender during incarceration. Based on events that occur after reception, subsequent reviews may be necessary.

Non-associations should not normally be filed solely on security threat group affiliations or an offender's involvement in a group disruption due to security threat group conflicts. A threat of on-going imminent danger between offenders should be verified prior to filing non-associations.

A. Offender Initiated

An offender can initiate a separatee from other offenders if he/she is fearful and needs to be separated for personal safety, as outlined in Section III of this procedure.

1. Facility staff will document the request by completing the "Request for Protective Measures" form ([DOC 060106C](#), attached). Facility staff will forward the completed forms to the Population Office. The Population Office will enter information into the Offender Management System (OMS).
2. Offender initiated separatees expire at the end of one year. The

initiating offender is responsible to ensure that an extension is filed annually.

3. Removal will be discussed in the 120-Day Review process prior to the expiration date and noted in a case note on OMS and in the comment section of "Adjustment Review" form ([DOC 060203A](#)) by the assigned case manager.

B. Staff Initiated Separation

1. (Revision-01 07/29/2015) Staff shall request separation between offenders due to a verified injury/life-threatening situation by completing the "Non-Association Form" ([DOC 060106C](#)). Staff initiated separation is not used for verbal reports of threat, undocumented incidents, minor altercations, or historical problems.
2. Staff shall initiate separation between offenders who are family members and/or co-defendants.
 - a. Non-associations will be filed between offender family members and/or co-defendants of the same gender.
 - b. Family members include, but are not limited to, grandfather, grandmother, father, mother, brother, sister, uncle, aunt, first cousins or step-parent, step/half brother or sister.
 - c. Non-association offenders will not be transferred to the same facility with the following exceptions:
 - (1) Male offenders assigned to maximum security will not be housed in the same cell and if possible, will not be housed in the same area of the facility.
 - (2) Male offenders assigned to the protective custody unit at Lawton Correctional Facility. Family members and co-defendants will not be housed in the same cell. (4-4312-1)
 - (3) Non-associations between family members and co-defendants will not prevent placement at BJCC or JHCC for meeting delayed sentence and other programmatic requirements.
3. Non-association is exempt at EWCC and MBCC. However, family members or co-defendants will not be housed in the same cell, dorm or housing unit without prior division manager approval.
4. Staff initiated separatees do not expire during the current incarceration.

C. Facility Separations

A facility head may request that an offender be separated from a facility to protect a staff member or to separate staff from incarcerated family members. In such cases, written justification is provided to the Classification and Population Unit through completion of "Non-Association Form" ([DOC 060106C](#)).

1. The facility head must sign the action, with appropriate documentation attached to justify separation.
2. All facility non-associations must be signed by the appropriate division manager/ administrator of Classification and Population prior to being sent to the Population Office at Lexington Assessment and Reception Center (LARC). A copy will be placed in the offender field file.
3. Facility-initiated separation expires at the end of one year. If continued separation is required, it shall be the responsibility of the facility head to re-file annually. Extensions will not require division manager approval.
4. A copy of the extension will be placed in the offender field file.
5. The facility head may terminate a facility non-association by signing the "Non-Association Form" ([DOC 060106C](#)), noting in the comments section why the threat no longer exists and forwarding the form to the Classification and Population Unit.

D. Special Management Offenders

1. Identification

Special Management Offenders are offenders who display behaviors that merit special review and/or housing to ensure safety within a correctional facility. Special Management Offenders will be identified during the assessment and reception process through completion of a "Special Management Offender Notice" ([DOC 060106E](#), attached).

Offenders who have a history of the following will be identified as special management offenders: (4-4281M, 4-4281-4)

- a. Those offenders identified as:
 - (1) Having extreme levels of violence toward others;
 - (2) Sexual predators/sexually assaultive behavior; or

- (3) Highly vulnerable.
 - b. Those offenders with special medical or mental health needs; and
 - c. As determined by the director, associate director of Field Operations, appropriate division manager, or administrator of Classification and Population.
2. In such cases the “Special Management Offender Notice” ([DOC 060106E](#)) will be completed.
3. Special management offenders will be identified for the administrative position filing the request. A move will not occur without the authorization of the person currently holding the administrative position or their designee.
4. The administrator of Classification and Population or designee will maintain a file of special management offenders that has been approved; the file will include the information that documents the necessity to identify the offender as requiring special management.

III. Procedures for Protective Measures

Protective measures will be taken when there is a reasonable belief an offender is in imminent danger of physical harm. An offender requesting protective measures must do so by informing facility personnel verbally and then follow with a written request. Facility staff may also request protective measures without an offender’s request with documented cause. (4-4251)

A. Initial Review Procedures

1. Staff will determine if the offender appears to be in danger and whether immediate temporary placement in restrictive housing is necessary. If immediate placement is necessary, secure housing will be provided in accordance with [OP-040204](#) entitled “Segregation Measures.”
2. A “Protective Measures Investigation” form ([DOC 060106B](#), attached) must be completed by designated staff, to include the unit manager (Monday thru Friday), shift supervisor (evenings, midnights or weekends) or investigator (as assigned) prior to initiating formal protective measures.
 - a. Investigating staff will interview the offender and appropriate facility staff to ascertain dates, places, persons and events related to the offender’s request. Verification of the offender’s claims or the inability to verify the offender’s claims will be documented on the “Protective Measures Investigation” form. The investigation must contain enough

information to provide decision makers with an accurate understanding of the situation.

- b. If the offender fails to provide the names or cooperate in the investigation, he/she will be informed that this failure may result in staff being unable to verify that a credible threat exists and protection may be denied.
 - c. All findings must be supported. Incident reports, disciplinary hearings, and written statements by offenders and/or staff will be attached to the investigation report.
 - d. A recommendation will be made regarding whether assignment to other general population housing may resolve the problem or if a facility transfer is indicated. (4-4251)
 - e. Any request for protection involving an alleged sexual assault or Inspector General's Office investigations will be granted even if the offender is uncooperative.
 - (1) If the investigation reveals any evidence that an offense has occurred by any offender, a "Department of Corrections Offense Report" ([DOC 060125A](#)) will be completed by the investigating staff member.
 - (2) All "Offense Report" actions (investigations, hearings and sanctions imposed) will normally be completed before the offender is transferred to another location.
3. If the investigation reveals the need for protection the assigned case manager or designee will inform the offender of protective measure options.
- a. The unit manager will ensure unit staff review and discuss with the offender all aspects of the "Request for Protective Measures" form ([DOC 060106A](#), attached) and the "Protective Measures Investigation" form ([DOC 060106B](#)).
 - b. Staff will forward the "Request for Protective Measures" and "Protective Measures Investigation" forms with recommendation to their unit manager or other designated staff.
 - c. Staff will document the above in the offender's case notes.

B. Protective Measures Actions

If protective measures are warranted, the classification committee will initiate the least restrictive and most appropriate protective measure to adequately address the situation.

1. If the investigation reveals the threat to the offender is minimal or can be mediated, the unit manager, shift supervisor or deputy warden/designated staff may conduct mediation with approval of the facility head.
2. Assignment to other general population housing within the same facility may be an option with approval of the facility head.
3. Recommendation of transfer to general population at another facility.
4. Recommendation of transfer to specialized housing for protective custody.

IV. Completion of "Non-Association Form"(DOC 060106C)

Circumstances requiring separation of identified offenders for protective measures will require completion of the "Non-Association Form" ([DOC 060106C](#)) and initiation of non-association procedures as indicated below.

- A. A "Non-Association Form" ([DOC 060106C](#)) will be completed for each offender separated from one or more offender(s) incarcerated by the Oklahoma Department of Corrections (DOC).
- B. In Section I of the "Non-Association Form" ([DOC 060106C](#)), the facility requesting the non-association and the date of the request will be provided.
- C. The type of separation requested will be marked in the appropriate place.
- D. Indication of whether the protective measure is initiated by staff or offender will be noted.
- E. In Section II, the DOC number and name of the affected offender(s) will be listed.
- F. An additional "Non-Association Form" ([DOC 060106C](#)) will be completed for each offender designated in Section II "Non-Association Designated Name and DOC Number" of the "Non-Association Form" ([DOC 060106C](#)). The forms will be completed as if the offender had initiated the request; however, offender signatures are not required.
- G. The originating staff member must provide a detailed explanation for the filing of the non-association in Section III of the "Non-Association Form" ([DOC 060106C](#)).
- H. Signatures and dates are required by the offender initiating the separation and the originating staff member in Section V of the "Non-Association Form" ([DOC 060106C](#)). The case manager IV will review, sign and date

the “Non-Association Form” ensuring information is accurate and complete.

- I. A copy of the “Non-Association Form” ([DOC 060106C](#)) listing all offenders will be placed in the Section 3 of the offender’s field file.
- J. Additional copies will be included in the field files of all other offender(s) concerned.

V. Population Office Responsibilities

- A. The population staff will enter non-associations into OMS. When the separation is entered, population staff will initial and date the “Non-Association Form” ([DOC 060106C](#)).
- B. The population coordinator or designee will review and verify the entry has been made on OMS.
- C. Copies of all active “Non-Association Forms” ([DOC 060106C](#)) will be maintained by the Population Office.
- D. The OMS files will be reviewed prior to all offender transfers to ensure continued separation.

VI. Removal of Non-Associations

A non-association may be removed at the request of the initiating offender upon receiving documentation of a change in circumstances.

A. Receipt of a Request

- 1. Upon receipt of a request from an offender to remove non-associations, the offender’s assigned case manager will complete a “Non-Association Form” ([DOC 060106C](#)).
 - a. A detailed account of what circumstances have changed since the initial request for filing the non-association will be provided in Section IV.
 - b. The request will be denied if specifics are not provided or verifiable.
- 2. The offender will initial the request to remove the non-association. The “Non-Association Form” ([DOC 060106C](#)) must be signed by the offender, the originating staff member, if available, and a staff witness prior to being forwarded to the Population Office.
 - a. A copy of the “Non-Association Form” ([DOC 060106C](#)) removal will be placed in the field file.

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- b. Additional copies of the "Non-Association Form" ([DOC 060106C](#)) removal will be included in the field file of all offenders named on the forms.
- c. Staff initiated separations will not be removed at the offender's request.

VII. Suspension of Non-Association

(Revision-02 07/06/16) All offender and/or staff initiated non-associations are considered to be suspended for offenders assigned to a community facility (community corrections centers, community work centers, halfway houses). Should a new non-association be filed at a community facility, the facility head or designee will review the circumstances and determine appropriate placement for the affected offender(s).

VIII. Separation Requests That Do Not Require Transfer Action

A. Separation Requests

Separation requests that do not require transfer action (e.g., offenders currently confined in separate housing areas) may be completed by the assigned case manager and forwarded to the case manager IV to ensure continued separation. The case manager IV will verify all information and forward to the population office.

1. A copy of the "Non-Association Form" ([DOC 060106C](#)) listing all offenders will be placed in the Section 3 of the offender's field file.
2. Additional copies will be included in the field files of all other offender(s) concerned.

IX. Protective Custody Placement/Transfer

Protective custody housing/transports will be considered only when an investigation reveals a legitimate reason exists for this measure. (4-4251, 4-ACRS-5A-06)

- A. The offender may be transferred to another facility of equal or higher security. Whenever possible, the aggressor(s) will be transferred, rather than the offender requesting protection. A priority transfer request will be submitted in accordance with [OP-060204](#) entitled "Offender Transfers." Originals of the completed "Non-Association Form" ([DOC 060106C](#)), "Request for Protective Measures" ([DOC 060106A](#)) and "Protective Measures Investigation" ([DOC 060106B](#)) forms will be submitted with the transfer packet(s).
 1. Incomplete non-association forms will be returned to the facility for completion. Offenders involved in the pending non-associations will not be transferred until the non-associations have been

completed and entered on the Offender Management System (OMS). Protective measure transfers will be enacted in a timely manner, upon receipt of a completed "Non-Association Form" ([DOC 060106C](#)),

2. Lawton Correctional Facility (LCF) provides specialized housing for offenders requiring protective custody. Upon completion of the "Non-Association Form" ([DOC 060106C](#)), the Classification and Population Unit may authorize placement. Those offenders requiring such placement will be transferred in accordance with [OP-060204](#) entitled "Offender Transfers." Reasons for placement may include, but are not limited to:
 - a. Nature of crime;
 - b. Debts due to bartering, gambling or drugs;
 - c. Offenders with multiple non-associations;
 - d. Fear of retaliation from gang(s); and/or
 - e. Offenders who are at risk for being victimized (e.g., preyed upon due to age, physical characteristics). (4-4281-5)

B. Procedures for Continued Placement on Protective Custody

1. Utilizing the "Protective Custody Review" form ([DOC 060106D](#), attached) the classification committee will review offenders assigned to protective custody units according to time frames outlined in [OP-040204](#) entitled "Segregation Measures." Less restrictive measures will be considered during each review in order to have offenders assigned to protective custody units for the least amount of time necessary. (4-4253)
2. The classification committee may recommend return of the offender to the general population, transfer to general population while remaining at the same security level, or transfer to general population at another security level.
3. The classification committee may also recommend the offender remain in the protective custody unit.
4. Mental health reviews will be conducted in accordance with time frames established in [OP-040204](#) entitled "Segregation Measures." (4-4256)

C. Procedures for Removal from Protective Custody (4-4254)

1. An offender may request removal from protective custody in writing, through the assigned case manager.

2. Upon receipt of such a request, the offender's assigned case manager will complete Section II of the "Protective Custody Review" form ([DOC 060106D](#), attached) and Section IV of the "Non-Association Form" ([DOC 060106C](#)) and a "Facility Assignment Form (FAF)" ([DOC 060204A](#)).
3. The case manager will schedule an appearance before the classification committee within three working days.

X. References

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

OP-040204 entitled "Segregation Measures"

OP-060204 entitled "Offender Transfers"

XI. 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-060106 entitled "Special Offender Management System" dated April 16, 2014

Distribution: Policy and Operations Manual
Department Website

<u>Referenced Forms</u>	<u>Title</u>	<u>Location</u>
DOC 060106A	"Request for Protective Measures"	Attached
DOC 060106B	"Protective Measures Investigation"	Attached
DOC 060106C	"Non-Association Form"	Attached
DOC 060106D	"Protective Custody Review"	Attached
DOC 060106E	"Special Management Offender Notice"	Attached
DOC 060125A	"Offense Report"	OP-060125
DOC 060203A	"Adjustment Review"	OP-060203
DOC 060204A	"Facility Assignment Form (FAF)"	OP-060204
DOC 060211H	"Consolidated Record Card"	OP-060211

