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<b>Section-06 Classification and Case Management</b>	<b>OP-060216</b>	<b>Page: 1</b>	<b>Effective Date: 10/01/2015</b>
<b>Scheduling Offenders for Reception</b>	<b>ACA Standards: None</b>		
<b>Robert Patton, Director</b> <b>Oklahoma Department of Corrections</b>	<b>Signature on File</b>		

## Scheduling Offenders for Reception into Oklahoma Department of Corrections Custody

The Classification and Population Unit will coordinate the scheduling of offenders into state custody from all county jails in accordance with 57 O.S. § 37. Offenders will be scheduled for transfer to the Lexington Assessment and Reception Center (male) or Mabel Bassett Assessment and Reception Center (female) or another location designated by the director. The Oklahoma Department of Corrections (ODOC) will not accept an offender for reception from a county jail unless the reception is scheduled by the Classification and Population Unit.

In addition to newly committed offenders, this procedure addresses reception of offenders received for revoked suspended sentences, violation of parole, violation of the Rapid Repatriation Act or returned from escape status after 90 days or more. (2-CO-4A-01, 4-ACRS-6A-11)

### I. Acceptable Documents to Schedule an Offender into Custody

The receipt of a certified copy of one of the following documents may be used to schedule the transfer of an offender into the ODOC's custody and/or place an offender on the list of offenders in county jails awaiting reception (county jail waiting list).

#### A. Judgment and Sentence

A Judgment and Sentence certifying that the offender is sentenced to the

ODOC. The name appearing on the Judgment and Sentence is considered the offender's commitment name and, as such, will be the offender's recognized name during incarceration. Upon receipt of an amended Judgment and Sentence, the commitment name of an offender will be changed to the name on the amended Judgment and Sentence and considered the offender's commitment name for the remainder of the incarceration. A Judgment and Sentence must include:

1. Name of the defendant;
2. Date of birth;
3. Last four (4) digits of Social Security number;
4. Case number and crime;
5. Date of sentencing and length of sentence;
6. Signature of judge and court clerk seal; and

B. "Notice of Judgment and Sentence" ([Attachment A](#))

"Notice of Judgment and Sentence" ([Attachment A](#), attached) signed by the sentencing judge or court clerk. The "Notice of Judgment and Sentence" must include:

1. Name of the defendant;
2. Date of birth;
3. Case number;
4. County of conviction;
5. Name of the sentencing judge;
6. Crime(s) for which the defendant was convicted;
7. Sentence(s) imposed;
8. If multiple sentences, whether the sentences run concurrently or consecutively; and
9. Whether the defendant is to receive credit for any time served.

C. Additional Documents

The following documents are also acceptable as long as they have all required information:

1. Plea paperwork, including but not limited to; Summary of Facts, Sentence on Plea, and/or Sentencing After Previous Plea.
2. Other court signed documents that contain all required information, including but not limited to; Sentencing after Jury Trial Summary of Facts, Plea of Not Guilty Summary of Facts (revocation/acceleration), Order Revoking Suspended Sentence along with a copy of the Judgment and Sentence revoked.

D. Probation or Post-imprisonment Supervision Violators

For probation or post-imprisonment supervision violators serving an intermediate revocation sanction, the ODOC will schedule a reception upon the Classification and Population Unit's receipt of a certified copy of the court's order imposing confinement in an intermediate revocation facility.

E. Delayed Sentencing Program

For offenders ordered to the delayed sentencing program, the ODOC will schedule the reception upon the Classification and Population Unit's receipt of a certified copy of an Order to Conduct Delayed Sentencing Program.

Incomplete or missing documentation will result in a delay of the offender being scheduled for reception and/or placed on the county jail waiting list. [Attachment B](#) entitled "Request for Additional Sentencing Information" (attached) will be utilized to notify the county within three business days if additional information is required.

II. Processing of Sentencing Documents

Within three business days of the date the court sentences the offender, the county shall transmit the sentencing document(s) to the Classification and Population Unit. Documents may be delivered by facsimile, electronic mail, or actual delivery. The ODOC is authorized to determine the appropriate method of delivery based on each county's electronic capabilities.

Upon receipt of sentencing documents, the records staff will stamp each document with a date of receipt. If sentencing documents are received after normal business hours, documents will be stamped as received the next business day.

III. Scheduling and Receiving Offenders into Custody

Effective November 1, 2015, offenders sentenced to incarceration will be scheduled to be received into custody upon receipt of the appropriate sentencing documents. Available bed space will determine when and how many offenders are scheduled into custody from county jails. Classification and population staff will contact the county sheriff or designee to schedule the transfer and reception of the offender(s) into custody. No less than three alternative reception dates will be offered to the sheriff or designee. The sheriff or designee may select one of the dates as the scheduled date for transport.

In the event of an emergency situation or weather-related occurrence that may prevent or delay the county from transporting the offender(s) on the scheduled date, an alternative date to transport will be provided. The ODOC shall be the final authority for determining whether the delay is an emergency situation or weather-related occurrence. The county must transport offenders on the next date offered by the ODOC following the emergency situation or weather-related occurrence.

IV. County Jails Reaching Maximum Capacity

County jails reaching maximum capacities as provided in 74 O.S. § 192 shall notify the Director of the Department of Corrections or designee by facsimile, electronic mail, or actual delivery, that the jail has reached or exceeded its capacity to hold offenders. Notification will include copies of any Judgment and Sentences not previously delivered. Within 72 hours of notification, the ODOC shall schedule reception and receive the designated excess of offender(s) unless other arrangements can be made.

V. Responsibility for the Cost of Housing Offenders Awaiting Reception

- A. For offenders sentenced on or after November 1, 2015, appropriate and complete sentencing documents, as specified in Section I. of this procedure, should be transmitted to the ODOC within three business days of sentencing. If appropriate sentencing documents are not received within three business days of sentencing or the sentencing documents are incomplete, the ODOC will not be responsible for the cost of housing the offender in the county jail until the ODOC receives the necessary documentation.
- B. For offenders sentenced to incarceration prior to November 1, 2015, the county will have until the close of business on November 4, 2015, to forward the Judgment and Sentence or other acceptable sentencing documents, as specified in Section I. of this procedure, to the ODOC in order to be reimbursed back to the date of sentencing.
- C. If an offender is not transported as scheduled, with the exception of the circumstances described in Section III. of this procedure, the ODOC will not be responsible for any costs incurred beyond the date the offender was scheduled to be received into custody.

- D. In the event an offender has one or more criminal charges pending in the same Oklahoma jurisdiction and the county jail refuses to transfer the offender to the ODOC because of the pending charges, the ODOC shall not be responsible for the housing costs of the offender while the offender remains in the county jail with pending charges.

Once the offender no longer has pending charges in the jurisdiction, the county sheriff or designee has three business days to notify the ODOC that the offender is ready to be transferred to state custody. The ODOC shall be responsible for the housing costs of the offender for the period beginning on the date the Judgment and Sentence or final order was ordered in the pending case and ending on the date the offender is scheduled to be transferred to the ODOC.

- E. In the event an offender has other criminal charges pending in another Oklahoma jurisdiction, the ODOC shall only be responsible for the housing costs while the offender remains in the county jail awaiting transfer to another jurisdiction or until the date the offender is scheduled to be transferred to the ODOC, whichever is earlier.

Once the offender is transferred to another jurisdiction, the ODOC is not responsible for the housing cost of the offender until such time that another Judgment and Sentence is received by the ODOC from another Oklahoma jurisdiction.

- F. In the event an offender has other criminal charges pending in another jurisdiction outside the state of Oklahoma, the ODOC shall only be responsible for the housing costs while the offender remains in the county jail awaiting transfer to the other jurisdiction or until the date the offender is scheduled to be transferred to the ODOC, whichever is earlier.

Once the offender is transferred to a jurisdiction outside the state of Oklahoma, the ODOC is not responsible for the housing cost of the offender until such time the offender is returned to an Oklahoma jurisdiction and the ODOC is notified in writing that the offender is ready to be transferred to the ODOC.

## VI. Billing for Cost of Housing Offenders in County Jails

### A. Reimbursement Invoices

1. Reimbursement invoices for the cost of housing offender's needs to be forwarded by facsimile, electronic mail, or U.S. mail to:

Business Manager  
Division of West Institutions  
Private Prisons and Jails

3400 Martin Luther King Blvd.  
Oklahoma City, OK 73111  
Office: (405) 425-7122 Fax: (405) 425-3654

2. The sheriff may be reimbursed by ODOC for cost of housing the offender one of two ways:
  - a. The sheriff may submit invoices for the cost of housing the offender on a monthly basis; or
  - b. The sheriff may submit one invoice for the total amount due for the offender after the ODOC has received the offender. Final payment for housing an offender will be made only after the official Judgment and Sentence is received by the ODOC.

## VII. References

57 O.S. § 37

## VIII. 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: None. This is a new procedure.

Distribution: Policy and Operations Manual  
Agency Website

<u>Attachments</u>	<u>Title</u>	<u>Location</u>
<a href="#">Attachment A</a>	"Notice of Judgment and Sentence"	Attached
<a href="#">Attachment B</a>	"Request for Additional Sentencing Information"	Attached



