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Robert Patton, Director Oklahoma Department of Corrections	Signature on File
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Specialized Programs Case Management

In accordance with O.S. 47 § 11-902; O.S. 57 § 365; O.S. 57 § 612; and O.S. 57 § 510.9, persons sentenced to the Oklahoma Department of Corrections may be assigned to alternatives to incarceration by the sentencing court or the Department of Corrections (DOC). This procedure provides the standards for utilization of the outlined alternatives for community offenders. (4-APPFS-2C-04)

I. Definitions

A. Offender

This term when used in this procedure refers to any person supervised by probation and parole.

B. Incarcerated Offender

This term when used in this procedure applies only to incarcerated persons assigned to Pre-Parole Conditional Supervision (PPCS), Global Positioning Satellite (GPS), Electronic Monitoring Program (EMP) or any other program for incarcerated offenders.

1. Incarcerated Offender Responsibility

Once placed under community supervision, incarcerated offenders will be financially responsible for all medical health care. This will include any cost incurred for emergency care.

2. Medical Files

Once placed under community supervision, medical files of incarcerated offenders shall be maintained by the closed records medical unit. If an offender is returned to a facility due to removal from a program, the receiving facility shall request the medical file from the medical closed records unit.

II. Classification of Offenders

A. Earned Credit Levels for Incarcerated Offenders Assigned to Specialized Programs

All incarcerated offenders will be assigned to the highest earned credit class level for which they meet the time criteria in accordance with [OP-060107](#) entitled "Systems of Incarceration." With the team supervisor's approval,

incarcerated offenders may be assigned to a lower earned credit level as a behavior management tool. Such class level changes will be in accordance with [OP-060103 \(M\) \(F\)](#) entitled "Custody Assessment Procedures" and [OP-060203](#) entitled "Adjustment Review."

B. Assessment Risk Classification and Assessment of Needs/Baseline

Risk classification and needs will be in accordance with [OP-160103](#) entitled "Supervision of Community Offenders."

III. Electronic Monitoring Program (4-APPFS-2B-11, 4-APPFS-2E-11)

Offenders may be placed on an electronic monitoring device as a condition of a pre-release program; as a condition of probation; as a form of progressive discipline for PPCS offenders; or as an intermediate sanction for probationers and parolees.

A. Training

District supervisors will ensure DOC staff responsible for supervising offenders monitored by an electronic monitoring device, are trained in the proper use of the device and any associated equipment and software.

B. Orientation

Prior to being placed on an electronic monitoring device, offenders will be provided a complete orientation of the program, and must sign the following forms:

1. "Offender Orientation (Passive)-Guidelines and Procedures" ([OP-061001](#), [Attachment B](#)); and
2. "Offender Orientation (Passive/One Piece)-Guidelines and Procedures" ([OP-061001](#), [Attachment L](#)).

C. Enrollment

Enrollment procedures will be completed as required by the contracted vendor.

D. Restrictions

The offender's curfew restrictions will be set by the supervising officer with the use of the offender's itinerary and monitoring equipment and may be adjusted according to the offender's level of compliance with the program.

E. Monitoring Fees

Offenders monitored utilizing an electronic monitoring device are required to

pay DOC a monitoring fee not to exceed \$300 per month, based on the offender's ability to pay, for the time the offender is on a monitoring device. The monitoring fee satisfies program support/probation/parole fee obligations. Upon removal of the monitoring device, the supervision fee shall be reinstated as per [OP-160701](#) entitled "Collection of Probation/Parole Fees, Restitution and Program Support Fees." The supervising officer will be responsible for informing Restitution and Accounting of the effective dates for monitoring fee collection.

1. Electronic monitoring fees may be reduced by the district supervisor, or designee, any time during the course of supervision if a legitimate hardship can be verified.
2. If the supervising officer has such evidence that a hardship exists, a case conference will be held with the immediate supervisor. The following criteria will be used as a general guideline in determining hardship cases:
 - a. The offender is disabled due to physical or mental problems;
 - b. The offender is a student and is being supported by parent, legal guardian, etc; or
 - c. Any other reason deemed valid and proper.

F. Electronic Monitoring Equipment

The electronic monitoring equipment utilized by DOC shall be global positioning satellite, radio frequency or alcohol monitoring. The Division of Community Corrections shall designate a statewide electronic monitoring coordinator and a statewide inventory coordinator.

1. The district supervisor will appoint a person(s) to ensure all equipment is available, in working order, and is secured when not in use. The district supervisors will ensure the district electronic monitoring coordinator is informed on the status of all units.
2. The district electronic monitoring coordinator will maintain an inventory of all equipment to include initial receipt of equipment, assignment of equipment, and return of equipment to the supplier. All requests for equipment will be made to the statewide electronic monitoring coordinator.
3. The team supervisor will ensure any malfunction of the equipment is reported immediately to the district electronic monitoring coordinator who then notifies the statewide electronic monitoring coordinator of the unit(s)' status.

4. The district electronic monitoring coordinator will ensure that equipment is maintained in accordance with the manufacturer's recommendation.
5. Upon successful or unsuccessful termination from GPS/EMP or upon escape, absconding or death of the offender, the supervising officer will immediately retrieve and return any available equipment to the team supervisor and notify the district electronic monitoring coordinator within 48 hours.
6. When an offender is placed in treatment, halfway house, temporary placement, or jail, the supervising officer will notify the vendor to deactivate the offender's monitoring device within 48 hours. The officer will immediately take possession of all equipment and notify the district electronic monitoring coordinator.
7. If an offender's phone is disconnected, the officer will immediately take action to ensure the offender has access to a base unit for downloading information on a daily basis. If arrangements cannot be made, the offender shall be terminated from the monitoring program and appropriate authorities shall be notified.
8. If there is an equipment loss or equipment is damaged/destroyed, the team supervisor will ensure a "Serious Incident Report" is completed as outlined in [OP-050108](#) entitled "Use of Force Standards and Reportable Incidents" and a copy forwarded to the district electronic monitoring coordinator outlining what happened to the equipment.
 - a. The vendor will be contacted to deactivate the unit as soon as the officer is made aware of the problem.
 - b. The district electronic monitoring coordinator will forward any damaged equipment to the vendor for evaluation. The district electronic monitoring coordinator will ensure that returned equipment to the vendor is noted on the end of month report to the statewide electronic monitoring coordinator.
 - c. If GPS equipment is reported as lost or stolen and the unit was active, all efforts shall be made to locate the unit, utilizing the GPS tracking report.
 - d. All available information regarding the possible location of the lost or stolen unit shall be provided to the local authorities.
9. The district electronic monitoring coordinator will submit a GPS/EMP inventory report monthly to the state electronic monitoring inventory coordinator by the 10th of each month.

G. Duration of Electronic Monitoring

Normally, DUI probationers placed on electronic monitoring by the sentencing courts may be released from the program after 90 days of successful monitoring and with approval of the district supervisor. If not approved for release after 90 days, the officer will conduct a case conference with the team supervisor every 60 days thereafter to determine eligibility for release from the monitoring requirement.

1. Incarcerated offenders placed on electronic monitoring as a requirement for a pre-release program will remain on the equipment until discharge, parole, or termination from the program.
2. PPCS (Pre-Parole Conditional Supervision) offenders and parole or probation offenders assigned to electronic monitoring as an intermediate sanction may be released from this sanction following a case conference with the team supervisor. Electronic monitoring as an intermediate sanction will not exceed 90 days unless approved by the district supervisor or designee.

H. Other Conditions/Programs

Compliance with conditions of probation/parole relating to ignition interlock devices, community service, victims impact panel, restitution, and participation in substance abuse treatment programs will be monitored by the supervising officer. Failure to comply with these conditions/programs may result in discipline and revocation proceedings for probation offenders and parole offenders.

1. Ignition Interlock Devices

a. Requirement of Ignition Interlock Devices

By court order, DUI probationers and parolees who have as a condition, ignition interlock, shall be required to install an ignition interlock device on every motor vehicle operated by the probationer/parolee.

b. Cost

The ignition interlock device will be installed at the offender's expense and must be approved by the Department of Public Safety (DPS).

c. Driver License Restriction

DPS will affix notation of this restriction on the offender's driver license upon reinstatement. The restriction will remain on the

offender's driver license for such period as the court determines. The supervising probation and parole officer will monitor this restriction by periodic inspection of the driver's license.

d. Failure to Comply

The supervising officer will periodically inspect the offender's car to ensure the interlock device is installed on the car that they are driving. Failure to comply with the order of the court to install an ignition interlock device or operating any vehicle without such device during the period of restriction will be a violation of the sentence and may be punished as deemed appropriate by the sentencing court or the releasing authority.

2. Alcohol and Substance Abuse Treatment (4-APPFS-2A-06)

a. Requirement of Alcohol and Substance Abuse Treatment

By court order, parole stipulation or if evaluated by DOC as needing alcohol or substance abuse treatment, probation/parole offenders may be required to participate in an approved Department of Mental Health and Substance Abuse Services substance abuse program.

b. Costs

Costs incurred for participation in a substances abuse treatment program will be the responsibility of the offender.

c. Treatment Information

The supervising officer will provide the treatment provider with an applicable assessment and obtain from the treatment provider periodic progress reports and discharge information after the offender has signed an "Authorization for Release of Protected Health Information" form ([DOC 140108A](#)).

3. Restitution (4-APPFS-2F-02)

a. Probationers or parolees may be sentenced by the court to pay restitution and costs to any of the following entities:

- (1) The victim(s) according to the court's restitution schedule;

- (2) Any state agency for amounts paid by the state agency for hospital and medical expenses incurred by the victims;
 - (3) Trust funds established for crime victims;
 - (4) Cost for court-appointed attorneys; and
 - (5) Rewards for certified local "Crime Stoppers" programs.
 - b. The supervising officer will be responsible for notification of collection of court ordered restitution, unless ordered to be paid through the local court clerk or district attorney's office.
4. Community Service (4-APPFS-2F-01)
 - a. Offenders may be ordered to engage in a term of community service without compensation, according to a schedule consistent with the employment and family responsibilities of the offender.
 - b. The supervising officer will monitor the offender's compliance with this stipulation.
 5. Victim's Impact Panel (VIP) (4-APPFS-2A-06)
 - a. Offenders convicted for DUI may be sentenced by the court to attend a victim's impact panel program. The offender may be required to pay a fee of not less than \$5 or more than \$15 as set by the governing authority of the program and approved by the court, if in the opinion of the court, the offender has the ability to pay such fees.
 - b. The supervising officer will ensure the offender provides documentation of VIP attendance.

IV. Removal from Programs for Incarcerated Offenders

Removal from programs for incarcerated offenders will be done in accordance with [OP-060125](#) entitled "Department Offender Disciplinary Procedures."

V. Escape (4-APPFS-3B-10)

In addition to compliance with [OP-050103](#) entitled "Escape Notification Procedures," the following guidelines will be followed:

A. Failure to Report

If an incarcerated offender fails to report to the supervising officer or office as directed or cannot be contacted within 24 hours, a "Department of Corrections Offense Report" ([DOC 060125A](#)) may be submitted by the supervising officer and the following activities will occur:

1. The supervising officer suspecting an incarcerated offender has escaped will complete the "Oklahoma Department of Corrections Escape Checklist" ([DOC 050103C](#)) as outlined in [OP-050103](#) entitled "Escape Notification Procedures" to include:
 - a. Checking all possible leads (employment, family, friends, local jails, local service agencies the incarcerated offender has contact with, etc.); and
 - b. Contacting the team supervisor, as appropriate, to ensure all potential leads are exhausted.

B. Unable to Contact

Once all attempts to locate the incarcerated offender have been exhausted, the officer will request filing of escape charges to the district attorney for approval. If all attempts to contact the incarcerated offender are unsuccessful, the supervising officer will ensure:

1. The probation and parole team supervisor is notified and pertinent information is provided; and
2. An offense report is prepared and forwarded to the team supervisor for review.

C. Notification Process

The probation and parole team supervisor will ensure:

1. All escape notifications are made and recorded on the notification portion of the "Oklahoma Department of Corrections Escape Checklist," ([DOC 050103C](#)) and a copy placed in the offender's file; and
2. The division manager is to be notified by forwarding all required reports as soon as possible through the appropriate chain of command.

D. Escape Warrant

The district attorney's office in the county where the incarcerated offender was being supervised will be contacted in order to file felony charges. In the event the district attorney declines to file, the district attorney in the city of the

district office will be contacted in an attempt to file escape charges. Information provided to that district attorney's office will meet the requirements for charges to be filed in the county of jurisdiction. Escape charges will be presented to the appropriate district attorney no later than five days after it has been determined that the incarcerated offender has escaped.

E. Escape File

The supervising officer will maintain an escape file which will contain, at a minimum:

1. A copy of the information and warrant;
2. Copies of all documents submitted and warrant;
3. Copies of the wanted poster prepared by the district; and
4. A current photo of the offender.

F. NCIC Reporting

The supervising officer will send to the department's security office a copy of the warrant, a physical description, a wanted poster and a current photograph of the escapee to be entered into NCIC in accordance with [OP-050103](#) entitled "Escape Notification Procedures."

VI. Apprehension Efforts

A. Officer Responsibility

In addition to initial "Oklahoma Department of Corrections Escape Checklist" ([DOC 050103C](#)) procedures, the supervising officer will make contact with telephone numbers listed on the "Escape Checklist" at a minimum of once per month. The results of these contacts will be forwarded to the team supervisor. When an escapee is apprehended, the following notifications will occur:

1. The supervising officer will notify the probation and parole team supervisor and the division office upon receiving notification of the apprehension. If the division office receives notification of the apprehension, the supervising officer will be notified through the appropriate chain of command.
2. The supervising officer will ensure all escape apprehension notifications are made and recorded on the notification portion of the "Escape Checklist." A copy of the completed "Escape Checklist" will be forwarded to the field file.

B. Transportation

Coordination of the transportation of the escapee will be the responsibility of the district supervisor.

C. Reclassification

Required reclassification of the incarcerated offender will be accomplished in accordance with [OP-060103 \(M\)\(F\)](#) entitled "Custody Assessment Procedures" and [OP-060204](#) entitled "Offender Transfers" using the "Facility Assignment Form (FAF)" ([DOC 060204A](#)) and "Custody Assessment Scale" ([DOC 060103A\(M\)\(F\)](#)).

VII. Parole Process

The district supervisor will ensure compliance with the parole procedures outlined in [OP-060205](#) entitled "Parole Process Procedures."

A. Progress Reports

1. Progress reports will be prepared for each incarcerated offender indicated on district parole docket rosters provided by the parole process coordinator.
2. Following receipt of the docket roster, the district will not transfer an incarcerated offender prior to completing the progress report.
3. If an incarcerated offender listed on the docket roster has already transferred, the district will notify the confining facility to prepare the progress report.
4. Upon notification by the Parole Process Unit of possible parole, the supervising officer will immediately contact the incarcerated offender to determine the offender's current status and make a local records check.
5. Prior to the proposed discharge or parole of an incarcerated offender, designated personnel will contact the Restitution Accounting Unit in writing. Upon notification of discharge or parole, the accountant will determine the offender's trust fund balance from the offender ledger, prepare a check, and forward it to the supervising district office.
6. The supervising officer will report if the incarcerated offender was contacted, detailing the current status, and the results of the records check. If parole is granted, the offender will receive reporting instructions in writing.

B. Reporting of Significant Information

1. Significant information as outlined in [OP-060205](#) entitled "Parole Process Procedures" will be reported to the parole process coordinator.
2. All removals from the PPCS/GPS/EMP program must be immediately reported to the parole process coordinator for incarcerated offenders who are within 60 days of a parole docket or a pending parole by the governor.
3. The facility will be responsible for notifying the parole process coordinator should the offense report be overturned.
4. The team supervisor will ensure that the interstate investigation packet for PPCS/GPS/EMP offenders wishing to transfer to parole supervision in another state through the interstate compact will be submitted through the appropriate chain of command to the parole process coordinator once the incarcerated offender has been recommended for parole.

C. Waivers

Incarcerated offenders assigned to PPCS/GPS/EMP may not waive parole consideration.

D. Denial of Parole

PPCS/GPS/EMP offenders who are not granted parole will not be removed from the program unless they have violated the rules of the program.

VIII. Death of Incarcerated Offenders

The supervising officer, upon learning of the death of an incarcerated offender, will follow reporting and notification procedures as outlined in [OP-060212](#) entitled "Maintenance and Access of Offender Records."

A. Supervising Officer Responsibility

The supervising officer, upon learning of the death of an incarcerated offender, will immediately contact the assigned duty officer. The supervising officer will ensure completion of the following:

1. The assigned duty officer will be advised of the incarcerated offender's name, DOC number, date of birth, time and place of death, and the funeral home handling the burial, in order to request death certificate.

2. A narrative summary regarding the death will be prepared and forwarded to the district supervisor, the division manager, and the chief medical officer.

B. Discovery of Death

Should the supervising officer be the person to discover the death, the officer will immediately notify the local law enforcement agencies being careful to preserve the scene.

IX. Discharge

The records officer will keep the supervising officer advised of the current release date. The incarcerated offender will be instructed to report on the date of scheduled release.

X. Expiration (4-APPFS-2A-13)

The officer will complete a termination summary per [OP-160201](#) entitled "Opening, Closing and Transferring Probation and Parole Cases Under Supervision."

XI. References

Policy Statement No. P-160100 entitled "Responsibilities of Probation and Parole"

OP-050103 entitled "Escape Notification Procedures"

OP-050108 entitled "Use of Force Standards and Reportable Incidents"

OP-060103(M) (F) entitled "Custody Assessment Procedures"

OP-060107 entitled "Systems of Incarceration"

OP-060125 entitled "Department Offender Disciplinary Procedures"

OP-060203 entitled "Adjustment Review"

OP-060204 entitled "Offender Transfers"

OP-060205 entitled "Parole Process Procedures"

OP-060212 entitled "Maintenance and Access of Offender Records"

OP-160103 entitled "Supervision of Community Offenders"

OP-160201 entitled "Opening, Closing and Transferring Cases Under Supervision"

OP-160701 entitled "Collection of Probation/Parole Fees, Restitution and Program Support Fees"

O.S. 47 § 11-902

O.S. 57 § 365, 612, 510.9,

XII. Action

The district supervisor is responsible for compliance with this procedure.

The division manager of Community Corrections 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-161001 entitled "Specialized Programs Case Management" dated January 31, 2014

Distribution: Policy and Operations Manual
Departmental Website

<u>Referenced Forms</u>	<u>Title</u>	<u>Location</u>
DOC 050103C	"Oklahoma Department of Corrections Escape Checklist"	OP-050103
DOC 060103A(M)(F)	"Custody Assessment Scale"	OP-060103(M)(F)
DOC 060125A	"DOC Offense Report"	OP-060125
DOC 060204A	"Facility Assignment Form"	OP-060204
DOC 140108A	"Authorization for Release of Protected Health Information"	OP-140108

<u>Referenced Attachments</u>	<u>Title</u>	<u>Location</u>
Attachment B	"Offender Orientation (Passive) Guidelines and Procedures"	OP-061001
Attachment L	"Offender Orientation (Passive/One Piece) Guidelines and Procedures"	OP-061001

