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<b>Male Custody Assessment Procedures</b>			
<b>Justin Farris, Interim Director Oklahoma Department of Corrections</b>		<b>Signature on File</b>	

## Male Custody Assessment Procedures

The Oklahoma Department of Corrections (ODOC) utilizes the “Custody Assessment Scale” ([DOC 060103A\(M\)](#)/ICON) to update, review, and re-assess an inmate’s initial or previous custody assessment. The primary function of the Custody Assessment is to monitor the inmate’s custody status, security level, and placement. The first scheduled re-assessment will be completed 120 days from the date the inmate arrives at the initial facility from LARC, and will be completed on an annual basis thereafter or when an inmate’s security status has changed requiring a review for lateral or higher transfer (inmates at medium security are not eligible for minimum security until they have been at the initial facility from LARC 120 days). The instrument allows facility heads to recommend overrides on inmates to remain at the current facility and custody level or transfer the

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inmate to higher or lower security levels based on acceptable risk, as long as the inmate meets the criteria for a discretionary override.

The unit classification committee will conduct all custody assessments. 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. § 138. The staff members will consist of a chairperson (at the institutional level, will be a unit manager), the inmate's case manager, and a correctional officer or correctional counselor. Two additional staff members may be included as deemed appropriate by the facility head. All chairpersons will be approved by the facility head prior to serving as chairperson.

This procedure does not create any inmate right. The decision as to where to place an inmate 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. Inmates will receive a 48-hour notice prior to their scheduled classification assessment; such notice may be waived by the inmate in writing. If security reasons preclude the 48-hour notification, such action will be documented on the classification documents.
2. The inmate will normally be present during the classification assessment review although the committee may ask the inmate to leave during deliberation. If security reasons preclude attendance, such will be documented on the "Custody Assessment Scale" ([DOC 060103A\(M\)/ICON](#)). After the committee's review of the action, the inmate will be informed and will sign via the electronic signature pad in the Inmate and Community Offender Network (ICON). If the inmate refuses to sign, the refusal will be noted by the case manager.

## II. Custody Evaluation

Items 1 through 7 of the "Custody Assessment Scale" ([DOC 060103A\(M\)/ICON](#)) comprise the "Comprehensive Custody Score." All items will be scored. The custody evaluation is intended to identify the level of risk that the inmate poses. Inmates with a comprehensive custody assessment score of 7 or fewer points are classified as minimum. Inmates with a comprehensive score of 8-18 points are classified as medium. Inmates with 19 or more points are classified as maximum.

### A. Number of Institutional Behavior Crimes in the High Category

Institutional behavior crimes assess the individual's threat to institutional safety. This scale does not determine the severity of the crime to public safety, the harm to the victim(s) or the likelihood of recidivism.

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The number of institutional behavior crimes in the high category evaluates all current crimes during this incarceration and prior crimes within the past 10 years to determine the risk that the inmate may pose. Each count is evaluated separately. The “Institutional Behavior Index Based on Crime (Male)” ([OP-060102 \(M\)](#), [Attachment E](#)) can be located in [OP-060102 \(M\)](#) entitled “Male Initial Custody Assessment Procedures.” All crimes except for revocations are calculated from the original conviction date and each count is to be considered not just the number of cases. Revocations are calculated from the revocation date. Regardless of the number of revocations on a particular case or count, revocations are only counted one time on the custody assessment. For example, if there were two different revocations that are in the high institutional behavior crimes category on CF-00-0000, the inmate would only receive 1 point on the custody assessment.

High institutional behavior crimes can be any concurrent, consecutive, delayed incarceration, pending case, active warrant, active parole, pending parole revocation, intermediate revocation, or active detainer.

All suspended sentences will be considered as prior crimes unless there is a revocation (which would make it a current crime) or an active warrant on the case.

The following system is used to score the institutional behavior risk that the inmate poses.

1. No institutional behavior crimes equal 0 points.
2. 1 high risk crime is 2 points
3. 2-3 high risk crimes are 3 points
4. 4-7 high risk crimes are 4 points.
5. 8-15 high risk crimes are 5 points.
6. 16 or more high risk crimes are 6 points.

If a determination cannot be made on how to categorize an institutional behavior crime, the Administrator of Sentence Administration and the Administrator of Classification and Population will be contacted for a disposition. Once a decision has been made, the Administrator of ICON will be notified so that appropriate adjustments can be made.

#### B. Escape History

1. All escapes or attempted escapes that have occurred during the stipulated time period are to be considered. Escapes from lawful

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arrest will not be assessed with escape points but may be used as a discretionary override. The number of points corresponding to the most serious escape or attempted escape is entered.

2. Inmates in DOC custody who are returned to county jail custody for any type of review who then escape from the county custody (jail, courtroom, courthouse, etc.) will be assessed escape points based on the inmate's ODOC housing location prior to going to county custody. Inmates who escape from county custody who have never been received into ODOC custody on their current charges will be assessed with 7 points.
3. Inmates on escape status for more than 90 days will return to the assessment and reception center for medical screenings and reclassification purposes.
4. 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 Online Tracking System (JOLTS)), rap sheet entry, as indicated in the ODOC movement history on the "Consolidated Record Card" (CRC) ([DOC 060211H](#)) in ICON, or any other entry on an official government document.
5. Escape Scoring

After determining the inmate's escape history, the appropriate escape item will be indicated along with the associated number of points. 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:

- a. Enter 0 points if the inmate has no escapes or attempted escapes.
- b. Enter 3 points if the inmate has an escape from GPS, Halfway House, or Community Corrections within the past two years.
- c. Enter 7 points for escapes from minimum security, county jail, Transit Detention Unit (TDU), or juvenile detention center within the past five years.
- d. Enter 10 points if the inmate has an escape from medium security, maximum security, juvenile medium secure institutions (COJC and SWOJC), restricted/special management housing, or escape from any level of security that resulted in a felony conviction for a crime other than the escape within the past ten years.

Escape scoring is calculated from the date of apprehension. The date will be defined as the date on which the inmate was returned to ODOC custody or from the date of conviction, if from another jurisdiction.

If an inmate receives escape points in this section, do not assess points in the disciplinary history section.

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. The designation or level of escape assessed at assessment and reception centers cannot be changed without approval of the Administrator of Classification and Population, unless the change is made due to a new/updated policy signed by the agency Director. If a change is made, the Case Manager IV or equivalent will document the change in ICON.

C. Most Serious Disciplinary Conviction

Most serious disciplinary convictions are not considered “active” misconducts. The most serious disciplinary section shows the type and time frame of a misconduct that may be considered problematic from a behavioral perspective that impacts the custody. “Active” misconducts in terms of how they may impact restoration of credits, program eligibility, lower security/re-entry eligibility, etc. are addressed in the active disciplinary section.

1. When calculating points for the disciplinary history section use the date that the inmate was found guilty of the infraction. The date of guilt is the date that the misconduct is finalized in ICON. Review the inmate’s disciplinary history and assess points as follows:
  - a. None equals 0 points.
  - b. Class B within the past 6 months equals 1 point.
  - c. Class A within the past 12 months equals 2 points.
  - d. Non-Predatory Class X within the past 2 years equals 3 points.
  - e. Non-Predatory Class X within the past year equals 4 points.
  - f. Predatory Class X within the past 10 years equals 5 points.
  - g. Predatory Class X within the past 2 years equals 6 points.

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2. When calculating the disciplinary history only consider infractions with a finding of guilt.
3. Do not count misconducts for escape or attempted escape in this section. Escape points are calculated in Section II of this instrument.
4. Predatory misconducts are any X-1 through X-10 misconduct and any 01-4, 04-1, or 04-8 prior to November 01, 2015.

D. Number of Active Disciplinary Convictions

Count the number of active disciplinary convictions. A Class B misconduct is active for 6 months, Class A misconduct is active for one year, Predatory and Non-Predatory Class X misconducts are active for two years. The scoring is as follows:

1. None receives 0 points.
2. 1 active disciplinary conviction receives 1 point.
3. 2-5 disciplinary convictions receive 2 points.
4. 6-9 disciplinary convictions receive 3 points.
5. 10-23 disciplinary convictions receive 4 points.
6. 24 or more disciplinary convictions receive 5 points.

E. Assigned Program Participation

The inmate's participation in assessed and approved programs as listed in "Approved Achievement Credits/Program Participation Points" ([OP-090101](#), [Attachment C](#)) and "Achievement Credits for Job Skill Programs" ([OP-090101](#), [Attachment D](#)) will be considered at each classification review. Refusal to participate in an assessed program will be addressed by the case manager based on knowledge of the inmate's assessed needs, program content and applicability, in accordance with [OP-060107](#) entitled "Systems of Incarceration."

Programs eligible for the -1 security point can be found in "Approved Achievement Credits/Program Participation Points" ([OP-090101](#), [Attachment C](#)) and "Achievement Credits for Job Skill Programs" ([OP-090101](#), [Attachment D](#)). An inmate will receive -1 for completion of a designated program. An inmate may receive no more than -3 points total for program completions during the current incarceration.

1. The point breakdown for program completions is as follows:

- a. No program completions receive 0 points.
- b. 1 program completion receives –1 point.
- c. 2-3 program completions receive –2 points.
- d. 4 or more program completions receives –3 points.

F. Adjustment

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

- 1. Enter 1 point if the inmate is currently assigned to class level 1.
- 2. Enter 0 points if the inmate is currently assigned to class level 2.
- 3. Enter -1 point if the inmate is currently assigned to class level 3 or level 3 enhanced.
- 4. Enter –2 points if the inmate is currently assigned to class level 4 or level 4 enhanced.

G. Current Age

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

- 1. Enter 4 points if the inmate's age is 29 or younger.
- 2. Enter 3 points if the inmate's age is 30 to 36.
- 3. Enter 2 points if the inmate's age is 37 to 45.
- 4. Enter 1 point if the inmate's age is 46 to 56.
- 5. Enter 0 points if the inmate's age is 57 to 64.
- 6. Enter -1 if the inmate is 65+.

H. Comprehensive Custody Score

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

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### III. Scale Summary and Recommendations

#### A. Custody Level Indicated by Scale

The assessed custody level is designated by the following scale:

1. Minimum: 7 or fewer points on items 1 through 7;
2. Medium: 8-18 points on items 1 through 7; or
3. Maximum: 19 or more points on items 1 through 7.

Community and halfway houses placements will have minimum points and be in accordance with [OP-060104](#) entitled "Community Corrections Assessment."

#### B. Minimum Custody Level Eligibility for Re-entry

All medium assigned inmates, regardless of assessed custody level, meeting the following criteria will have a minimum packet submitted to the Population office. Inmates transferred to minimum security who no longer meet the following criteria will have a transfer packet submitted to the Population office. It will be up to the facility head/facility to determine whether a discretionary override is recommended on the transfer request for the inmate to remain at minimum security.

1. Is eight years to projected release date.
2. Has no felony detainers.
3. Has no "active" class X misconduct(s) points.
4. Is assigned to earned credit level 3 or 4 or enhanced level 3 or 4.
5. Has no sex offender registry crime(s) history.
6. Has no current sentence for any "Crimes Against Children" ([OP-060104](#), [Attachment A](#)).
7. Has no active escape points.

#### C. Mandatory Overrides

Mandatory overrides do not affect the inmate's assessed custody level but are factors which affect the custody level assignment and subsequent transfer to specific facilities. To obtain the list of crimes requiring a mandatory override, refer to "Mandatory Overrides based on Offense Severity Categories" ([OP-060102\(M\)](#), [Attachment A](#)). All mandatory



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overrides that apply will be checked on the “Custody Assessment Scale” ([DOC 060103A\(M\)](#)/ICON). Inmates that receive a stepdown parole stipulation from the parole board or Governor will be excluded.

1. Time Left to Serve

If the inmate has a crime listed on the “Mandatory Overrides based on Offense Severity Categories” ([OP-060102\(M\)](#), [Attachment A](#)), the override will remaining to projected release date.

2. Life/Life Without Parole (LWOP)

Any inmate who has a crime with a sentence of Life or LWOP will be assigned no lower than medium security.

3. Life with a Determinant Time to Serve/Excessive Days

An inmate who receives a life sentence with a determinate amount of time to serve will be a mandatory override until the inmate has less than 10 years remaining to projected release date.

4. Immigration and Customs Enforcement (ICE) Detainer

Any inmate who has an ICE detainer referenced in the “Mandatory Overrides Based on the Offense Severity Categories” ([OP-060102\(M\)](#), [Attachment A](#)) will be assigned no lower than medium security.

5. Restricted Earned Credits

Inmates with restricted earned credits that must serve 85% of their sentence or trafficking prior to November 01, 2018 must have fewer than 10 years remaining to projected release date to remove this override. Inmates with restricted earned credits that must serve 50% of their sentence must have fewer than 15 years remaining to projected release date to remove this override.

6. Escape Points

Any escape receiving 7 or more points will be assigned no lower than medium security.

D. Discretionary Overrides for Higher Custody Level

The following items do not affect the inmate’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 override will be documented on the custody assessment. All

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discretionary overrides that apply will be checked on the “Custody Assessment Scale” ([DOC 060103A\(M\)](#)/ICON).

1. Circumstances of the Offense

If the score undervalues the severity of the crime, an override may be necessary. Staff will 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.

2. History of Violence

An inmate 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.

3. Documented STG Leader and/or perpetrator of STG Violence

- a. An inmate 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.
- b. Gang membership alone is not sufficient to score this category. Such individuals will 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.”

4. Time Left to Serve

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

5. Felony Detainer/Pending Cases

Felony detainers may require placement at a higher security facility. Convictions, untried indictments, or pending cases that are verifiable but where no detainer has been filed may require placement in a higher security facility. Detainers, convictions, untried indictments or pending cases that will not raise an inmate’s security level will not

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require placement at higher security, nor will it necessarily prevent the inmate from being placed at lower security.

6. Program/Education Completion

A discretionary override for program/education completion may be utilized if an inmate is currently enrolled and pending completion of a program/education.

7. Medical Override

A medical override may be used if an inmate requires specialized medical treatment at a specific facility or infirmary.

8. Mental Health Override

a. Mental health overrides are used if the inmate is assigned to the mental health program.

b. Mental health overrides may also be utilized if the inmate is an MH-C1, MH-C2, or MH-D and mental health staff recommend that the inmate remain at a higher security level.

9. Other

Any other attributes associated with the inmate that justify an override to a higher custody level. Complete documentation of this factor must be contained in ICON or other ODOC records.

Justification for use of an override will be documented in the comment section.

E. Discretionary Overrides for Lower Custody Level

The following items do not affect the inmate's assessed custody level but are factors which could affect the custody level assignment and subsequent transfer to specific facilities. All requests for overrides will be documented as to the reason for the override on the custody assessment. All discretionary overrides that apply will be checked on the "Custody Assessment Scale" ([DOC 060103A \(M\)](#)/ICON).

1. Circumstances of the Offense

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

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2. Time Left to Serve

If an inmate has a short amount of time left to serve on a high, moderate, or low category crime, it may be appropriate to transfer the inmate to a lower custody assignment.

3. Program Completion

If the inmate has successfully completed all recommended programs, it may be appropriate to transfer the inmate to a lower security assignment.

4. Medical Override

A medical override may be used if an inmate requires specialized treatment at a specific facility or infirmary.

5. Mental Health Override

Mental health overrides are used if an inmate requires specialized mental health treatment.

6. Delayed Sentence

This override is used for inmates that are delayed sentence.

7. Intermediate Revocation Facility

This override is used for inmates needing an intermediate revocation facility.

8. Parole Board Stipulation

This override is used for inmates that have received a parole stipulation to go to a lower level of security.

9. Other

- a. Any other attributes associated with the inmate that justifies an override to lower custody level. Complete documentation of this factor must be contained in ICON or other ODOC records.
- b. Justification for an override will be provided in the comments section. The justification will be explicit and presented in narrative format.

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Normally, overrides are to be used to move an inmate one custody level only. For example, an inmate with maximum points would not normally be overridden to minimum security even if the inmate were housed at medium security.

A two-level override will be approved by the Administrator of Classification and Population. An exception is made for inmates that qualify for community under 57 O.S. § 521, as referenced in [OP-060104](#) entitled "Community Corrections Assessment."

F. Recommended Custody Level

After reviewing the assessed score and all information which may justify an override, mark the recommended custody level. This will be the same as the custody level indicated by the scale if no override is recommended. Written rationale will be provided if the custody level indicated by the scale is different from the recommended level. Inmates with 7 or fewer points on items 1 through 7 will have 25 years to projected release date or less to be considered for minimum security.

G. Community Placement

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

H. Global Position Satellite Surveillance Program (GPS) Eligibility

Global Position Satellite Surveillance Program will only be indicated for those inmates who meet the minimum eligibility requirements for GPS placement as outlined in [OP-061001](#) entitled "Electronic Monitoring Program/ Global Position Satellite Surveillance (GPS) Program."

I. Custody Level Assignment

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

1. Maximum;
2. Medium; or
3. Minimum.

IV. Comments

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

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## V. Signatures

The instrument will be signed and dated by the case manager, members of the classification committee and the inmate. In cases where the inmate signature is unattainable, a justifiable (e.g. security, medical and mental health) reason will be thoroughly documented.

## VI. Review Authority Approval

Case Manager IV or equivalent 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. For all transfers, the Case Manager IV or equivalent and facility head will sign and date the "Custody Assessment Scale ([DOC 060103A\(M\)](#)/ICON). The inmate's signature is required if the facility head changes the recommended action. The Case Manager IV or equivalent will review the assessments and submit to the facility head for approval. The inmate's signature will be obtained after the review is complete.

### A. Population Office

1. All classification actions that result in a transfer will be submitted to the Population office for final approval and assignment as outlined in [OP-060204](#) entitled "Inmate Transfers."
2. All discretionary overrides that result in a transfer will be reviewed by the Administrator of Classification and Population, Population Coordinator, or designee for approval and action.

### B. Distribution

If the inmate would like a copy of their custody assessment, the case manager will save and print the document utilizing ICON.

## VII. References

Policy Statement P-060100 "Classification and Case Management of Inmates/Offenders"

OP-040119 entitled "Intelligence"

OP-060102 (M) entitled "Male Initial Custody Assessment Procedures"

OP-060104 entitled "Community Corrections Assessment"

OP-060107 entitled "Systems of Incarceration"

OP-060204 entitled "Inmate Transfers"

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OP-060211 entitled "Sentence Administration"

OP-061001 entitled "Global Position Satellite Surveillance (GPS) Program"

OP-090101 entitled "Standards for Inmate Programs"

57 O.S. § 138

57 O.S. § 521

## VIII. Action

The Chief of Population is responsible for compliance with this procedure and for the annual review and revisions.

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

This procedure is effective as indicated.

Replaced: OP-060103(M) entitled "Male Custody Assessment Procedures" dated September 16, 2024

Distribution: Policy and Operations Manual  
Agency Website

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<u>Referenced Forms</u>	<u>Title</u>	<u>Location</u>
<a href="#">DOC 060103A (M)</a>	"Custody Assessment Scale"	Attached
<a href="#">DOC 060211H</a>	"Consolidated Record Card"	<a href="#">OP-060211</a>
<u>Attachments</u>	<u>Title</u>	<u>Location</u>
<a href="#">Attachment A</a>	"Mandatory Overrides Based on the Offense Severity Categories"	<a href="#">OP-060102(M)</a>
<a href="#">Attachment E</a>	"Institutional Behavior Index Based on Crime (Male)"	<a href="#">OP-060102(M)</a>
<a href="#">Attachment A</a>	"Crimes Against Children"	<a href="#">OP-060104</a>
<a href="#">Attachment C</a>	"Approved Achievement Credits/ Program Participation Points"	<a href="#">OP-090101</a>
<a href="#">Attachment D</a>	"Achievement Credits for Job Skill Programs"	<a href="#">OP-090101</a>