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| Section-06 Classification and Case Management | OP-060104 | Page: 1 | Effective Date: 09/16/2024 |
| Community Corrections Assessment | ACA Standards: 2-CO-4B-01, 4-ACRS-2A-07, 4-ACRS-5A-06, 4-ACRS-6A-11, 4-ACRS-6A-12, 4-ACRS-6B-02 | | |
| Steven Harpe, Director Oklahoma Department of Corrections | | Signature on File | |

Community Corrections Assessment

The goal of community corrections is to balance the interests and safety of the community while addressing the inmate’s need for reintegration services by providing equitable opportunities and appropriate sanctions for the inmates. (2-CO-4B-01)

For this procedure, the term “community corrections” includes community contract facilities and community corrections centers (CCCs). The term “facilities” refers to community corrections facilities collectively.

I. Assessing Inmates for Community Corrections Placement or Global Positioning Satellite Surveillance Program Eligibility/Electronic Monitoring Program (EMP) (4-ACRS-6A-11, 4-ACRS-6A-12)

Staff will review all new reception inmates and inmates assigned minimum custody and meeting the following eligibility requirements for community corrections placement/Global Positioning Satellite Surveillance Program (GPS)/Electronic Monitoring Program (EMP).

A. Eligibility Criteria — New Reception (Initial Custody) Inmates

1. Upon initial reception, male inmates with seven years remaining to projected release date and females with eight years remaining to projected release date or less remaining to serve and no

disqualifying criteria as indicated in Section II. A of this procedure may be considered for initial placement at a community facility. If a community eligible inmate is placed initially at a minimum facility, staff will complete a community transfer packet upon eligibility.

2. During the initial assessment process, staff will document the reasons if the inmate is determined to be inappropriate for initial community placement. Documentation will be entered in the custody classification section of ICON. Inmates who do not meet the criteria for community corrections at the assessment and reception center must spend 60 days at a minimum facility prior to going to community.
3. DUI inmates may be placed directly in a community-based re-entry treatment program regardless of the days remaining contingent upon the following criteria:
 - a. Has a current conviction(s) for violating 47 O.S. § 11-902; driving, operating, or being in the actual physical control of a motor vehicle while under the influence of alcohol or other intoxicating substance. Current misdemeanor convictions for driving-related offenses such as driving under suspension and reckless driving will not exclude the inmate from placement. Staff will still consider misdemeanor convictions in evaluating the inmate's risk to the public. Inmates cannot have concurrent or consecutive cases with a sentence of incarceration for any other offense;
 - b. No convictions under 21 O.S. § 13.1. within the past ten years.
 - c. Have not been previously removed from PPCS, EMP, or GPS due to violation of the established rules and conditions; or
 - d. Have not been deemed by the agency to be a security risk. (4-ACRS-2A-07)
4. Probation or post-imprisonment supervision violators serving an intermediate revocation sanction will not typically be placed directly in a community facility.

B. Eligibility Criteria

1. To be considered for community placement, inmates will be assessed and assigned minimum security, and meet the following requirements:
 - a. Inmates at minimum security will be assigned to earned credit level 2 or above to initially be considered for community placement.

- b. Be at a minimum facility at least 60 days.
 - c. Have no more than 11 years to projected release date.
 - d. Have no active Class X misconduct points.
 - e. Have no active escape points.
 - f. Must be medically cleared for community corrections placement as indicated on the "Individual Health Activity Profile (IHAP)" ([DOC 140113C](#));
 - g. Have no felony detainers including Immigration and Customs Enforcement (ICE) detainers.
 - h. Have no prior or current sex offense in accordance with [OP-020307](#) entitled "Sex and Violent Crime Offender Registration" and/or a current conviction for any disqualifying "Crimes Against Children" ([Attachment A](#)).
 - i. Inmates with active felony warrants, Applications to Revoke (misdemeanor or felony), Motions to Accelerate (misdemeanor or felony), or any pending charges (misdemeanor or felony) will not be eligible for community corrections placement until these cases have been resolved and are no longer pending.
 - j. Conviction for Racketeering unless the first 50 percent of the sentence is completed.
 - k. Community placement/Global Position Satellite Surveillance Program/Electronic Monitoring is precluded by other agency policy.
2. Staff will screen inmates considered for community placement for GPS/EMP eligibility prior to community placement. Inmates who meet the criteria for GPS/EMP will have a transfer request submitted in accordance with [OP-060204](#) "Inmate Transfers" and [OP-061001](#) "Global Position Satellite Surveillance Program Electronic Monitoring Supervision Programs."
3. Inmates with a crime listed as ineligible until they have no more than two years remaining to projected release date on "Lower Security Eligibility by Crime and Years to PRD" ([OP-060204](#), [Attachment C](#)) will be reviewed by the Administrator of Classification and Population. The Administrator of Classification and Population will approve or deny inmates in these categories. Active suspended, rebilled, and paroled sentences are not considered.

C. Placement Criteria for Re-entry

All inmates assigned to minimum security facilities that meet the below criteria will have a community packet submitted to the Population Office for re-entry purposes. Custody assessment points will not disqualify an inmate from consideration or placement.

1. Two years to projected release date.
2. At minimum security for 120 days.
3. No consecutive sentences for incarceration.
4. No felony detainers.
5. No ICE detainer.
6. No active class X misconduct(s).
7. Assigned to earned credit level 3 or 4 or enhanced level 3 or 4.
8. No sex inmate registry crime(s).
9. No current sentence for any disqualifying listed on "Crimes Against Children" ([Attachment A](#)).
10. No active escape points.

The Administrator of Classification and Population will approve or deny inmates in these categories.

D. Parole/Commutation Stipulations

When a parole/commutation stipulation for community placement is approved or imposed by the Governor/Pardon and Parole Board, the inmate will be community eligible. The Administrator of Classification and Population will make appropriate movement decisions to comply with the Governor's/Pardon and Parole Board's directive.

1. The inmate's case manager will prepare the necessary transfer request for placement and indicate there is a parole stipulation approved by the Governor/Pardon and Parole Board. The transfer request will be forwarded to the Population Office.
2. Approvals

Any inmate approved for transfer will spend time at each progressive security level for a minimum of 30 days before beginning the community parole stipulation (i.e., a maximum-security inmate will

spend 30 days each at a medium and minimum security facility before community placement).

- a. Upon successful completion at each security level, the facility will notify the parole process coordinator and submit a transfer request to the Population Office indicating the inmate has completed that level successfully and recommending the inmate move to the next lower security level. As the inmate successfully progresses from one security level to the next lower level, each facility will continue this process until the inmate begins the parole/commutation stipulation.
- b. An inmate who receives a misconduct will not be transferred without notification to the Administrator of Classification and Population or designee. In addition, the facility will notify the parole process coordinator and the Population Office that the inmate has unsuccessfully completed this step-down process.
- c. If an inmate elects to waive parole after they have begun the step-down process or have reached community level, the case manager/facility will determine if the inmate is eligible for that level. If the inmate is eligible per policy, the inmate may remain at that level. If not eligible, the case manager will take the appropriate measures to return the inmate to the proper security level. Per 57 O.S. 332, inmates eligible for administrative parole will not waive parole.

E. Additional Placement Criteria for Re-Entry (57 O.S. § 521)

1. In accordance with 57 O.S. § 521, non-violent inmates (to include all current and prior misdemeanor and felony adult and juvenile criminal history), who are not considered a risk to public safety, will be considered for transfer to community corrections when they are not less than 210 calendar (seven months to PRD) days before release, regardless of security level. Other persons may be processed for assignment according to the offender's needs and security classification not more than 180 calendar days (six months to PRD) prior to release from the custody of the Oklahoma Department of Corrections.
 - a. Inmates may not have any violent disciplinary history to include the following misconducts: 01-4, 04-1, 04-2, 04-3A (prior to 9-14-89), 04-4, 04-5, 04-6, 04-7, 04-8, 04-9, 05-2, 05-4, 05-5, 06-1, or X1 through X10.
 - b. Inmates who have failed at community in the past 12 months due to Class A or Class X misconducts will not normally be considered again.
2. Placement will be subject to availability of bed space.

F. Eligibility Criteria for Work Release

1. Inmates who are assigned to a community corrections center will be placed on work release in accordance with [OP-090110](#) entitled "Work Release/Halfway House."
2. Probation or post-imprisonment supervision violators serving an intermediate revocation sanction will not normally be placed on work release.

G. Eligibility for Community Corrections

Inmates under the supervision of probation and parole, who are terminated for chronic technical violations such as curfew violations, itinerary violations, etc. or low category crimes, traffic, or misdemeanor law violations, may be placed in community corrections if such placement provides the appropriate structure without compromising the security of the facility.

H. Domestic Abuse/Victim Protective Orders

Inmates with domestic abuse convictions and/or who have active Victim Protective Orders (VPO) will not be placed in the community where the offense occurred or where the VPO is active.

I. Previous Community Corrections Failures

Inmates determined to have community corrections failures, defined as a transfer from a community corrections facility to a minimum or higher security facility for disciplinary reasons or failure in assigned programs, will be considered as follows:

1. Inmates who have two or more failures from a community corrections center or halfway house (not to include temporary placements from EMP, PPCS, GPS or probation) during this incarceration will not be considered for community placement for three years from the date of the second failure.
2. Inmates who have one failure from community corrections, excluding probation or temporary placement during this incarceration, will not return to community corrections for a period of six months.
3. Inmates with seven or more escape points will not be considered for community placement.

II. Transfer Request (4-ACRS-2A-07)

Transfer requests will be completed in accordance with [OP-060204](#) "Inmate Transfers" and forwarded to the Population Office 20 days prior to eligibility for

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review. The Population Office will review the transfer requests and document the approval or denial in ICON.

III. Considerations

A. Discrimination

Discrimination regarding assignment to community security on the basis of gender, disability, race, creed, political views or national origin is prohibited. (4-ACRS-6B-02)

B. Community Custody

All inmates assigned to community custody on the effective date of this policy will remain at their current custody level until an event occurs that indicates the inmate is no longer determined to be an acceptable risk for community custody, such as a misconduct conviction, newly issued detainer, warrant, new charges, etc. (4-ACRS-5A-06). If an inmate at community is dropped to level 1 but still has minimum security points, the inmate may remain at community.

IV. References

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

OP-020307 entitled "Sex and Violent Crime Offender Registration"

OP-060204 "Inmate Transfers"

OP-061001 entitled "Electronic Monitoring Supervision Programs/ Global Position Satellite Surveillance Program"

OP-090110 entitled "Work Release/Halfway House"

OP-140113 entitled "Health Assessments for Inmate Transfers"

21 O.S. § 13

47 O.S. § 11-902

57 O.S. § 332

57 O.S. § 510.

57 O.S. § 521

63 O.S. § 2-401

63 O.S. § 2-415

Young v. Harper, 520 U.S. 143 (1997)

V. Action

The appropriate division administrator and the Administrator of Classification and Population are responsible for compliance with this procedure.

The Chief Administrator of Operations is responsible 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-060104 entitled "Community Corrections Assessment" dated April 21, 2022

Distribution: Policy and Operations Manual
Agency Website

| <u>Referenced Forms</u> | <u>Title</u> | <u>Location</u> |
|------------------------------|--|---------------------------|
| DOC 140113C | "Individual Health Activity Profile (IHAP)" | OP-140113 |
| <u>Attachments</u> | <u>Title</u> | <u>Location</u> |
| Attachment A | "Crimes Against Children" | Attached |
| Attachment C | "Lower Security Eligibility by Crime and Years to PRD" | OP-060204 |