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<b>Corrections Compact Transfers</b>	<b>ACA Standards: 2-CO-4B-02</b>		
<b>Scott Crow, Director Oklahoma Department of Corrections</b>		<b>Signature on File</b>	

## **Corrections Compact Transfers**

The corrections compact allows the Oklahoma Department of Corrections (ODOC) to exchange incarcerated inmates with other states and the Federal Bureau of Prisons when a corrections compact contract exists between Oklahoma and the respective jurisdiction. The contract is based on the department's cooperation with the federal government and other compact party states in order to serve the best interests of society and affected inmates. (2-CO-4B-02) The interstate compact coordinator serves as the agency coordinator of the corrections compact process and will be referred to hereafter as compact coordinator.

For the purpose of this procedure, the term "out-of-state jurisdiction" will apply to inmates transferring from ODOC to an out-of-state prison facility; the term "home-state jurisdiction" will apply to the state where inmates come from or where they live.

### **I. Requirements for Transferring Oklahoma Inmates to Other Jurisdictions**

#### **A. Criteria**

An inmate may be considered for corrections compact transfer if one or more of the following conditions exist:

1. The inmate is more than one year from projected release date, unless this requirement is waived by the agency director.
2. By the inmate's institutional behavior, the inmate is determined to be a threat to the orderly operation of the institution.

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3. There is reason to believe the inmate's personal safety would be in jeopardy if they were to remain in an institution within the state. This will be verified through investigative and intelligence reports.
4. There exists extenuating compassionate circumstances that demonstrate the transfer to be in the best interest of the inmate. At a minimum, there is a verified support system in the out-of-state jurisdiction and the inmate has demonstrated the ability to finance all transportation costs associated with the transfer.

**B. Request Initiation**

There are two types of corrections compact transfers: compassionate and security transfers. An inmate's request for transfer will be initiated through the inmate's assigned case manager.

**1. Compassionate Transfer**

Compassionate transfer requests may be initiated by the inmate where appropriate criteria is met as established in Section I. A. item 4. of this procedure. The inmate will complete and sign an "Oklahoma Department of Corrections Interstate Corrections Compact/Contract Transfer Application" ([Attachment A](#), attached). The assigned case manager will sign the completed inmate transfer application and will submit a recommendation with the application to the unit team/classification committee on an "Oklahoma Department of Corrections Compact Transfer Request Cover Sheet" ([Attachment B](#), attached).

- a. An inmate must have a minimum of 12 months clear conduct before a compassionate transfer will be considered.
- b. After review by the unit team/classification committee, the requests will be forwarded to the facility head for review. After appropriate review by the facility head, the request will be forwarded to the facility deputy warden for review.
  - (1) Documentation will include the inmate's ability to pay for all travel expenses incurred for the transfer.
    - (a) The inmate will have deposited in his or her draw trust fund account the estimated amount of travel costs prior to transportation to an out-of-state jurisdiction.
    - (b) After completion of travel, the inmate's trust fund account will be billed for the actual travel costs. Any remaining balance will be forwarded to the inmate's out-of-state facility.

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- c. The approved transfer packet consisting of “Oklahoma Department of Corrections Compact/Contract Transfer Application” ([Attachment A](#), attached), “Oklahoma Department of Corrections Compact Transfer Request Cover Sheet” ([Attachment B](#), attached), and “Oklahoma Department of Corrections Interstate Compact Request” ([Attachment C](#), attached) will be mailed to the compact coordinator for processing.
- d. It will be the responsibility of the facility to notify the inmate if the transfer has been denied. If denied, the inmate may follow the grievance process as outlined in [OP-090124](#) entitled “Inmate/Offender Grievance Process.”

## 2. Security Transfer

If transfer requests are made due to security or personal safety issues as established in Section I. A. items 2. and 3. of this procedure, the case manager will submit a recommendation with the inmate transfer application to the unit team/classification committee on an “Oklahoma Department of Corrections Compact Transfer Request Cover Sheet” ([Attachment B](#), attached).

## 3. Corrections compact packets will include the following:

- a. “Oklahoma Department of Corrections Compact Transfer Request Cover Sheet” ([Attachment B](#), attached) signed by the facility head and the administrator of Institutions/Community Corrections;
- b. “Oklahoma Department of Corrections Compact/Contract Transfer Application” ([Attachment A](#), attached) signed by the inmate and witnessed by the assigned case manager, if the transfer request is for inmate-initiated, compassionate reasons;
- c. Copies of all “Consolidated Record Cards” (CRCs) ([DOC 060211H](#)) for each of the inmate’s incarcerations;
- d. Copies of commitment documents (judgment and sentences) for each of the offenses for which the inmate is currently incarcerated;
- e. Copy of FBI criminal history abstract (NCIC report);
- f. Copy of fingerprint card;
- g. Copy of inmate photo from Offender Management System (OMS);
- h. Written evaluation completed by the inmate’s case manager;

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- i. Copy of inmate's disciplinary history from OMS (Inmate Profile Screening—Misconduct);
  - j. Current "Medical Transfer Summary," ([DOC 140113A](#)) completed within the last 60 days, to include description of chronic medical issues and prescription medications. Summary must be in narrative form;
  - k. Current psychological summary, completed within the last 60 days. Summary must be in narrative form; and
  - l. Copies of Pre-Sentence Investigation(s), District Attorney's Narrative(s), Affidavits; any available documentation concerning the inmate's criminal history.
4. The compact coordinator will review all transfer requests and submit to the chief administrator of Institutions for review.

**C. Disposition Procedures**

- 1. Upon receipt of a corrections compact packet, the compact coordinator will review for completeness and if additional information is necessary, will request documentation from the sending facility.
- 2. The chief administrator of Institutions will recommend the transfer packet be approved or denied. Packets and recommendations will be forwarded to the chief of Operations and the agency director for final disposition.
- 3. Denied transfer packets will be returned to the appropriate facility head by the compact coordinator. "Oklahoma Department of Corrections Compact/Contract Transfer Application" ([Attachment A](#), attached), "Oklahoma Department of Corrections Compact Transfer Request Cover Sheet" ([Attachment B](#), attached), and "Oklahoma Department of Corrections Interstate Compact Request" ([Attachment C](#), attached) will be placed in the inmate's field file and the inmate will be notified by the facility designee of the denial.
- 4. Transfer packets approved by the agency director will be forwarded to the compact coordinator for submission to prospective out-of-state jurisdictions.
- 5. Final approval of corrections compact transfers will be determined by the out-of-state jurisdiction.
- 6. The compact coordinator will notify the office of Inspector General (OIG) of all inmates approved for corrections compact placement.

**D. Tracking and Notification Procedures**

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Upon receiving approved transfer packets for corrections compact placement, the compact coordinator will ensure the following:

1. Transfer packets are logged and forwarded to the affected jurisdiction's corrections compact administrator;
2. The appropriate facility head and all parties to the recommendation and review process are informed of the decision of the out- of-state jurisdiction; and
3. An estimated cost of transportation is requested from OIG and the facility is notified of the estimated travel costs.

**E. Transfer Implementation Procedures**

1. When the referred inmate has been approved for a corrections compact transfer to another jurisdiction, the compact coordinator will:
  - a. Notify OIG to determine if the inmate will be transported via ODOC security or by a contract transportation company.
  - b. Coordinate transportation arrangements with ODOC security and the out-of-state jurisdiction.
2. The compact coordinator will ensure preparation and packaging of the following material for delivery to the out-of-state jurisdiction's institution by the transportation officer:
  - a. Copy of the inmate's CRC ([DOC 060211H](#));
  - b. A photo of the inmate;
  - c. A letter of acceptance and instructions for delivery of the inmate to the receiving jurisdiction; and
  - d. Notify the receiving jurisdiction 72 hours in advance of the estimated time of arrival of the inmate.
3. Inmates transferred to another jurisdiction will be carried on the corrections compact count at LARC. Transfers will be entered on the OMS as a transfer to LARC. Inmates transferred to another jurisdiction will be listed as "No Public Web Display" in OMS and have all registrations and notifications from the electronic victim notification system suspended.
4. The Offender Banking System (OBS) will ensure the inmate account is reviewed and updated in accordance with the [Inmate Banking System User's Guide](#). The sending facility will provide a check for the draw account balance to the Interstate Corrections Compact Office for mailing to the out-of-state jurisdiction. Statutory savings will be forwarded to and maintained by the OBS office. The inmate is

entitled to all monies earned or saved in their accounts.

5. The transferring facility will be responsible for forwarding the legal file, CRC, and the field file to the Interstate Corrections Compact office at Population office, and the electronic health record to Health Services at LARC.
6. Normally property will be restricted to one cubic foot for the purpose of transportation. The transferring facility will be responsible for maintaining all other property until the out-of-state jurisdiction can provide an address. Authorized property may be mailed at the inmate's expense.

F. Procedures for Administering Corrections Compact Cases for Oklahoma Inmates

1. The compact coordinator will:
  - a. Establish a routine reporting procedure for monitoring the inmate's earned credit status. Time calculation records will be maintained and each inmate will be provided with a monthly time credit report;
  - b. Ensure all out-of-state facilities are aware they must report, by copy, any disciplinary action taken against the Oklahoma inmate;
  - c. Ensure that the Oklahoma compact inmates are released on the appropriate date;
  - d. Respond to correspondence initiated by inmates housed in other jurisdictions;
  - e. Once annually, contact other jurisdictions for housing information and mailing addresses for Oklahoma inmates;
  - f. Once annually, contact each inmate housed in other jurisdictions for information concerning the inmate's desired designation for disposition of property in accordance with [OP-030120](#) entitled "Inmate Property"; and
  - g. Monitor parole dates and Pardon and Parole Board decisions and ensure inmates housed in other jurisdictions are informed of results in writing, utilizing "Notice of Pardon and Parole Board Hearing Results" ([DOC 060205D](#)).
2. A roster of corrections compact inmates will be distributed quarterly to the chief administrator of Institutions and other interested parties as requested or needed.

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3. Corrections compact inmates will be returned to Oklahoma prior to release unless the compact coordinator and the out-of-state jurisdiction agree to release in some other location. If an inmate is to be released to a suspended sentence, parole, or detainer in the other jurisdiction, the compact coordinator will ensure release paperwork is prepared and forwarded to the out-of-state jurisdiction's corrections compact coordinator. The compact coordinator will ensure that the out-of-state jurisdiction is forwarded funds to pay for items listed below which the receiving jurisdiction is responsible for delivering to the inmate upon release:
  - a. A bus ticket to the city/town of inmate's intended place of residence;
  - b. If the inmate does not have at least \$50 in the total (draw and statutory saving) account, an Express check for the difference will be drawn through OBS made payable to the inmate; and
  - c. Discharge clothing for the inmate.
4. Should an inmate escape, the out-of-state jurisdiction will initiate escape procedures in accordance with the out-of-state's jurisdiction escape procedures and notify the compact coordinator of the escape. The compact coordinator will notify the ODOC Hotline per [OP-050103](#) entitled "Escape Notification Procedures" and complete the "Incident Notification Report" ([Attachment H](#)) in accordance with [OP-050108](#) "Use of Force Standards and Reportable Incidents." The compact coordinator will notify OIG and the victim services coordinator. The compact coordinator will reinstate notifications from the electronic victim notification system. Notifications and registrations will be suspended once the inmate is apprehended. If the inmate is apprehended in a state other than the assigned state or Oklahoma, the coordinator has the responsibility for initiating extradition procedures through OIG.
5. Should an inmate, for security or protection reasons, request to return to Oklahoma custody, the compact coordinator will submit a packet to the chief administrator of Institutions. The chief administrator of Institutions will recommend approval or denial of the request and forward to the chief of Operations and the agency director for final approval or denial; the compact coordinator will inform the inmate in writing of the decision.
6. Should the out-of-state jurisdiction request that a compassionate transferee be returned to Oklahoma for cause, the inmate will be required to reimburse the department for all travel expenses upon return. If the inmate has no funds in his or her draw account, all incoming monies will serve as payment on the unpaid balance until such debt is paid in full.

7. Should an inmate in an out-of-state jurisdiction desire to return to Oklahoma or transfer to another jurisdiction for extenuating compassionate circumstances, the inmate will submit their request in writing to the compact coordinator stating their desire and circumstances. The compact coordinator will submit a packet to the chief administrator of Institutions. The chief administrator of Institutions will recommend approval or denial of the request and forward to the chief of Operations and the agency director for final approval or denial; the compact coordinator will inform the inmate in writing of the decision. If approved, the inmate will be required to deposit, in a special Oklahoma inmate draw account, the estimated amount of travel costs prior to further travel arrangements.
  - a. After completion of travel, the inmate's draw account will be billed for the actual travel costs. Any remaining balance will be forwarded to the inmate's draw account.
8. The chief medical officer, will be notified by the compact coordinator if an inmate becomes deceased in an out-of-state jurisdiction.
  - a. Disposition of Remains
    - (1) If the family or emergency contact does not claim the deceased, the compact coordinator will make contact with the central administration business office and the receiving jurisdiction to coordinate payment for the decedent's cremation and shipping of the cremains to Jackie Brannon Correctional Center (JBCC) for disposition of the cremains per [OP-140111](#) entitled "Inmate Deaths, Injury and Illness Notification and Procedures."
    - (2) Once notified by the out-of-state jurisdiction that the family or emergency contact will claim the deceased, the compact coordinator will assist the receiving state as necessary regarding the deceased.
  - b. Disposition of Personal Property and Money

The compact coordinator will ensure that the deceased inmate's personal property and money is dispersed in accordance with [OP-030120](#) entitled "Inmate Property."

## II. Procedures for Receiving Inmates from Other Jurisdictions

### A. Eligibility Criteria for Receiving a Corrections Compact Inmate

1. The inmate must be more than one year from the projected release date, unless this requirement is waived by the agency director.



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2. The inmate must not have filed any litigation against a corrections department or agency that is determined to be frivolous, malicious, without merit, or that fails to state a claim upon which relief can be granted by a court of record.

B. Application Process

1. The application process will be similar to the ODOC transfer process specified previously in this procedure.
2. The compact coordinator will review the application and packet information and forward such to the chief administrator of Institutions.
3. The chief administrator of Institutions will recommend approval or denial of the request and forward to chief of Operations and agency director for final approval. The chief administrator of Institutions will inform the compact coordinator in writing of the decision, who will then notify the requesting jurisdiction of the decision.

C. Reception Procedures

The compact coordinator will inform the out-of-state jurisdiction when the transfer is to take place, notify the assessment and reception center's security office of the impending transfer and coordinate with the out-of-state jurisdiction's compact administrator regarding the inmate's transportation to the assessment and reception center. Inmates transferred to another jurisdiction will be listed as "No Public Web Display" in OMS and have registrations and notifications suspended in the electronic victim notification system.

D. Procedures for Administering Corrections Compact Cases from Other States

1. Progress reports will be submitted by all facilities housing interstate compact inmates by utilizing [Attachment D](#) entitled "Oklahoma Department of Corrections Progress Report for Interstate Compact Inmates" (attached) on a biannual basis. The reports will indicate the progress of the inmate from January through June and July through December of a given year, and are due to the compact coordinator by January 31 and July 31.
2. The "Oklahoma Department of Corrections Progress Report for Interstate Compact Inmates" ([Attachment D](#), attached) will include the following information:
  - a. A narrative, completed by the inmate's case manager, including overall adjustment, disciplinary history, attitude, behavior, etc.;
  - b. Work status (job type, number of days worked per week, performance rating);

- c. School/program participation (type of program, frequency of attendance, dates attended, performance rating, certificates, completions); and
  - d. Summary/additional comments.
- 3. Copies of misconducts and disciplinary hearing actions received by inmates from other jurisdictions will be forwarded to the compact coordinator within ten working days of completion of the disciplinary process. The compact coordinator will forward the information to the sending jurisdiction.
- 4. The compact coordinator will be advised by the home state jurisdiction of impending release by parole or discharge. The compact coordinator will provide this and related information to the facility where the inmate is housed.
- 5. The out-of-state jurisdiction inmate is to be returned to the home state jurisdiction for release under arrangements made by the compact coordinator unless the compact coordinator and the home state jurisdiction agree to release from the assigned facility. The home state jurisdiction is responsible to forward funds to pay for the items listed below:
  - a. A bus ticket to the city/town of inmate's intended place of residence;
  - b. If the inmate does not have at least \$50 in the total (draw and statutory saving) account, a check for the difference will be drawn on the facility petty cash fund made payable to the inmate; and
  - c. Discharge clothing for the inmate in accordance with [OP-030120](#) entitled "Inmate Property."

6. Provision of Medical Services

Inmates from home state jurisdictions will receive medical, mental health and dental services per the general health care policies and programs of the out-of-state jurisdiction. Inmates from the home state jurisdictions will be subject to the co-payment provisions for health care of the out-of-state jurisdiction. The cost of medical, psychiatric, and dental services will be considered normal costs associated with the operation of the out-of-state agency, except for extraordinary medical expenses or special services, as defined below.

- a. Extraordinary medical expenses:
  - (1) Health care services provided off-site require prior authorization from the home state jurisdiction.

Conditions requiring surgery, specialty consultation, or hospitalization will require prior written authorization, unless it is an emergency. Extraordinary medical expenses that do not require prior authorization include on-site dialysis and chemotherapy.

- (2) The facility correctional health service administrator (CHSA) will notify the chief medical officer (CMO) or designee of an interstate compact inmate who has a condition that meets the definition of an extraordinary medical expense. The CMO or designee will provide the health services business administrator and the agency interstate compact coordinator with relevant documentation for the home state jurisdiction facility to review for potential authorization of the extraordinary medical expense. In situations where an out-of-state jurisdiction is requesting authorization for an extraordinary expense, the interstate compact coordinator will relay and/or coordinate the necessary exchange of information from the out-of-state jurisdiction to the health services business administrator and the CMO for review.

b. Special services:

- (1) Non-formulary medications, or special medication treatment programs (hepatitis C, HIV/AIDS), equipment, surgeries, or specialty nursing care will require prior written authorization, unless emergency care is required.
- (2) The facility CHSA will notify the CMO or designee of an interstate compact inmate who has a condition that meets the definition of special services. The CMO or designee will provide the health services business administrator and the agency interstate compact coordinator with relevant documentation for the sending facility to review for potential authorization of the special services. In situations where an out-of-state jurisdiction is requesting authorization for special services, the interstate compact coordinator will relay and/or coordinate the necessary exchange of information from the out-of-state jurisdiction to the health services business administrator and the CMO for review.

c. Emergency care:

- (1) In the event an emergency does not permit prior written authorization from the home state jurisdiction, the out-of-state jurisdiction will notify the sending state of the

emergency situation within 24 hours, or by the next business day. The CMO or designee will notify the health services business administrator and the interstate compact coordinator when an emergency involving an interstate compact inmate occurs, so the home state jurisdiction can be notified.

- (2) In the event the home state jurisdiction and the out-of-state jurisdiction cannot agree on the need for incurring such expenses, the home state jurisdiction shall be required to retake the inmate as soon as possible.
7. Should the inmate be injured, require emergency medical attention, or become deceased, the compact coordinator will be notified by the facility CHSA or designee within 24 hours so the home state jurisdiction can be notified of the incident in accordance with [OP-140111](#) entitled "Inmate Deaths, Injury and Illness Notification Procedures."

Unclaimed Remains:

a. Disposition of Remains

- (1) If the family or emergency contact does not claim the deceased, the compact coordinator will make contact with the central administration business office and the home state jurisdiction to coordinate payment for the decedent's cremation and shipping of the cremains to JBCC for disposition of the cremains in accordance with [OP-140111](#) "Inmate Deaths, Injury and Illness Notification Procedures."
- b. If the family or emergency contact chooses to claim the remains, the compact coordinator will make contact with the compact coordinator of the home state jurisdiction to coordinate payment for the deceased cremation and the shipping of the cremains to the inmate's family or emergency contact. If applicable, the OBS office will be contacted to coordinate payment from the inmate's trust account if funds are available.

8. Disposition of Personal Property and Money

- a. Unclaimed property/money will be handled in accordance with the procedure of the home state jurisdiction. The compact coordinator will be responsible for making arrangements with the compact coordinator of the home state jurisdiction and the local facility where the property/funds are located.
- b. Claimed property/money will be handled in accordance with the procedure of the home state jurisdiction. The compact

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coordinator will be responsible for making arrangements with the compact coordinator of the home state jurisdiction and the local facility where the property/funds are located.

9. Should the interstate inmate escape, the assigned facility will initiate escape procedures in accordance with [OP-050103](#) entitled "Escape Notification Procedures." Escapes are to be reported as soon as possible to the compact coordinator, who will inform the home state jurisdiction no later than the following working day. The home state jurisdiction will be notified by the compact coordinator that they are responsible for extradition procedures if the escapee is captured out of state.

### III. References

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

OP-030120 entitled "Inmate Property"

OP-050103 entitled "Escape Notification Procedures"

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

OP-090124 entitled "Inmate/Offender Grievance Process"

OP-140111 entitled "Inmate Deaths, Injury and Illness Notification and Procedures"

22 O.S. § 1141 et. seq.

18 U.S.C. § 3182

57 O.S. § 601 et. seq.

18 U.S.C. § 5003

57 O.S. § 347

### IV. Action

The affected administrators of Institutions/Community Corrections are responsible for compliance with this procedure.

The chief administrator of Institutions 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.

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<u>Referenced Forms</u>	<u>Title</u>	<u>Location</u>
<a href="#">DOC 060205D</a>	"Notice of Pardon and Parole Board Hearing Results"	<a href="#">OP-060205</a>
<a href="#">DOC 060211H</a>	"Consolidated Record Card"	<a href="#">OP-060211</a>
<a href="#">DOC 140113A</a>	"Medical Transfer Summary"	<a href="#">OP-140113</a>
<u>Attachments</u>	<u>Title</u>	<u>Location</u>
<a href="#">Attachment A</a>	"Oklahoma Department of Corrections Attached Compact/Contract Transfer Application"	
<a href="#">Attachment B</a>	"Oklahoma Department of Corrections Compact Attached Transfer Request Cover Sheet"	
<a href="#">Attachment C</a>	"Oklahoma Department of Corrections Interstate Compact Request"	Attached
<a href="#">Attachment D</a>	"Oklahoma Department of Corrections Progress Report for Interstate Compact Inmates"	Attached
<a href="#">Attachment H</a>	"Incident Notification Report"	<a href="#">OP-050108</a>