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Scott Crow, Director Oklahoma Department of Corrections		Signature on File	

Specialized Programs Case Management

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

I. Definitions

A. Offender

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

B. Inmate

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 inmates.

II. Inmate Supervision

Probation and parole will be responsible for the supervision of inmates assigned to the community supervision programs. With the exception of supervision contact requirements, supervision shall be in accordance with [OP-160103](#) entitled "Supervision of Community Offenders" and this procedure. If an inmate has no identified criminogenic needs after administering the LSI-R, the guidelines for supervision will be negotiated and documented in a transition plan.

The supervising officer shall utilize the GPS/EMP monitoring software as a supervision tool to manage and monitor inmate activities and compliance with the rules and conditions of supervision. GPS tracking points are to be used to determine location, any deviations from the inmate's normal travel pattern of movement and non-compliance with inclusion and exclusion zones.

Supervision contact requirements for inmates assigned to GPS/EMP/PPCS shall be in accordance with standards outlined below.

A. Orientation

Upon reception to the supervising office, the inmate shall receive orientation to the program, which shall include a review of the rule and condition utilizing the "Notice of Rule and Condition Violation," ([Attachment B](#), attached), the "Rules and Conditions for GPS Surveillance Program," ([OP-061001](#), [Attachment D](#)), or the "Rules and Conditions for Electronic Monitoring Program (EMP) for DUI Offenders," ([OP-061002](#), [Attachment D](#)), "Offender Orientation (Passive)-Guidelines and Procedures," ([OP-061002](#), [Attachment B](#)) and other areas as determined by [OP-160103](#) entitled "Supervision of Community Offenders."

The appropriate inmate orientation form shall be reviewed with and signed by the inmate.

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

B. Inmate Contact

The supervising officer shall have face to face contact with each inmate assigned for supervision a minimum of two times per month, with at least one contact at the inmate's residence.

C. Alerts and Violations

1. Monitoring alerts and violations shall warrant timely and appropriate corrective action. All monitoring alerts and violations not caused by equipment failure or weather conditions, as they are identified and assessed, shall be addressed within 24 hours. Zone alerts and equipment status alerts are considered alerts requiring investigation. Alerts and violations are outlined in "GPS Alerts and Violations" ([Attachment E](#), attached) and in "DVR Instructions and Processing Alerts" ([Attachment F](#), attached). The officer's response and outcome to the violation or alert will be documented in the supervision contacts within a time frame not to exceed 48 hours. At a minimum, the officer will enter the following information in the supervision contacts:
 - a. When the officer was notified of the alert or the violation;
 - b. Date and day the alert or violation occurred;
 - c. Description of the alert or violation;
 - d. Details of the contact made with the inmate; and
 - e. When the alert or violation is cleared and the outcome.
2. A response to an alert or violation may include, but is not limited to: a telephone call to the inmate, a home visit or the officer requesting the inmate come to the office to conduct a visual inspection of the equipment.
 - a. The supervising officer shall review the daily violation report (DVR) received from the vendor by noon each business day.
 - b. Officers will utilize the GPS/EMP software to monitor the inmate's activities and compliance with rules and conditions. Not all alerts will result in a violation; however, repeated alerts may indicate a pattern of intentional non-compliance.
 - c. Under no circumstance will a response to an alert or violation exceed 48 hours.

The supervising officer or designee will review the DVR from the previous day(s) no later than noon of each business day. Once the alerts are reviewed, the supervising officer or designee will resolve all alerts in a timely matter or as otherwise noted. The team supervisor will ensure all alerts in the case management section of the monitoring software have been resolved. The team supervisor will have a contingency plan in place for monitoring and responding to the DVR whenever the supervising officer is unavailable to review the report or respond to alerts or violations. If an inmate under the officer's supervision is not listed on the DVR the officer will run the inmate's violation history in the vendor software for the time period of the DVR report utilizing the "DVR Instructions and Processing Alerts" ([Attachment F](#), attached). Alerts will be processed according to "DVR Instructions and Processing Alerts" ([Attachment F](#), attached).

3. Inmates may be placed at a halfway house or community corrections center as an intermediate sanction to address non-compliant behavior.
 - a. Such placement shall be voluntary. The placement shall be negotiated utilizing the "Imposition of Intermediate Sanctions" form ([Attachment J](#), attached).
 - b. During such placement, the assigned officer shall maintain weekly contact with the inmate or the assigned facility case manager to monitor the inmate's progress. All such placements shall be communicated to the population office prior to the placement.
 - c. If the inmate refuses placement, removal proceedings shall be initiated. The duration of placement shall be appropriate for the behavior, but shall not exceed 30 days. During such placement, the inmate may be approved to continue working on the approved job. Upon completion of the placement, if the inmate remains eligible, they may be returned to the program by the administrator of Community Corrections. If the inmate has active misconduct points, they are no longer eligible for GPS/EMP placement.
4. Violations that do not pose a risk to public safety will be addressed informally by the supervising officer. All such actions will be recorded in the supervision contacts. Sanctions may be applied to include increased reporting, treatment participation, increased treatment participation, increased curfew, etc.

D. Employment

All inmates assigned to the community supervised programs must maintain full-time employment. If unemployed, the inmate will comply with the supervising officer regarding job search activities.

No inmate who remains unemployed for a period longer than two weeks shall remain assigned to the program without written approval from the administrator of Community Corrections.

Inmates who, prior to incarceration, received SSI or SSA benefits or who have viable support from a spouse or sponsor should not be excluded from participating in the GPS/EMP program.

E. Curfew

All inmates assigned to the program shall be placed on a curfew approved by the supervising officer.

The supervising office will ensure that inclusion and exclusion zones are set up for all GPS inmates. The curfew shall be logged into the GPS tracking software for monitoring. A print-out of the curfew shall be provided to the inmate. The GPS tracking software shall be utilized by the supervising officer to monitor inmate activities. Inmates assigned to other programs will have random curfew checks by home visits or other means as determined by the officer.

F. Motor Vehicles

No inmate will be allowed to operate a motor vehicle without the supervising officer's approval. Prior to receiving approval, the inmate must submit proof of ownership of the vehicle (or written permission from the owner), verification of insurance and a valid driver's license with no restrictions.

G. Classification

Inmates assigned to the community supervised programs will be assigned to the highest earned credit level for which they are eligible. Modification of the earned credit level shall be in accordance with [OP-060203](#) entitled "Adjustment Review" and [OP-060107](#) entitled "Systems of Incarceration."

Earned credit levels may be reduced to address non-compliant behavior. If the inmate is reduced to Level 2 or lower, consideration should be given to removal of the inmate from the program. Such removal shall be in accordance with this procedure.

The required 120 day "Adjustment Review" is waived for inmates assigned to the GPS program if the inmate is at earned credit Level 4 or Enhanced Level 4.

H. Transfers

Inmates requesting to transfer to another office shall advise the supervising officer of the request to transfer. The transfer request shall normally be approved if the inmate has valid employment and a valid residential offer.

If the supervising officer approves the transfer request, the officer will complete the "Case Transfer Notice" ([OP-160201](#), [Attachment E](#)) and submit the transfer request to the receiving office for verification of residence and employment. Once approved, the receiving office will notify the sending officer of such approval.

Upon receipt of approval, the supervising officer shall complete the "Facility Assignment Form" ([DOC 060204A](#)) and submit to the Population Office for approval. Upon receiving approval for transfer from the Population Office via the statewide move list, the sending region will transfer the case to the receiving office in ICON and the inmate will be given instructions to report within 24 hours.

I. Removal from Program

Inmates assigned to community supervised programs will remain on the program and on the electronic monitoring bracelet, if applicable, until one of the following conditions is met:

1. Inmate discharges the program;
2. Inmate is paroled;
3. Inmate is removed for violation;
4. Inmate escapes;
5. Inmate dies; or
6. Administrative removal.

J. Violations

Inmates may be removed from the programs for non-compliant behavior. The administrator of Community Corrections will be the approving authority for all program removals.

For those inmates assigned to any community supervised inmate program, the procedures outlined in the "Program Removal Hearing Procedures" ([Attachment A](#), attached), will be utilized to document violations of the program and remove the inmate from the program. If the inmate is also

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issued a misconduct, the procedures in [OP-060125](#) entitled “Inmate/Offender Disciplinary Procedures” will be followed.

When an inmate has committed a violation of the rules and conditions of the program and is being considered for removal for such violation, the “Notice of Rule and Condition Violation” ([Attachment B](#), attached) will be served. The inmate will document whether or not they desire to have a hearing.

If the inmate desires a hearing, the hearing officer will utilize the “Rule and Condition Hearing Guide” found in the “Program Removal Hearing Procedures” ([Attachment A](#), attached) during the hearing. After hearing all testimony/evidence from the officer, inmate and witnesses regarding the rule and condition violation, the hearing officer will document their finding in Section 1 of the “Program Rule and Condition Violation Hearing Action” ([Attachment C](#), attached).

After the hearing, if the inmate is found to have violated the rules and conditions of the program, the hearing officer will make a determination as to whether or not the inmate should be removed from the program. This decision will be documented in Section 2 of the “Program Rule and Condition Violation Hearing Action” ([Attachment C](#), attached).

Following the hearing and upon receipt of the “Program Rule and Condition Violation Hearing Action” ([Attachment C](#), attached), the inmate will have 15 days to submit an appeal to the facility head/administrator of Community Corrections.

1. Any inmate submitting an appeal will specifically state the grounds for the appeal. Issues not raised are waived. Inmates will use the “Rule and Condition Violation Appeal Form and Due Process Review” ([Attachment D](#), attached). All instructions contained in the procedure and on the form will be followed by the inmate or the appeal may not be answered.
2. If allowed, the inmate must properly resubmit the appeal within ten days of receipt of notice of improper filing.
3. The administrator of Community Corrections will complete a response within 30 days of receipt on the “Rule and Condition Appeal Form and Due Process Review” ([Attachment D](#), attached), and the inmate will receive a completed copy. The administrator of Community Corrections will respond to each due process issue raised by the inmate.
4. The inmate will have 15 days from receipt of the due process review to appeal the decision to the Administrative Review Authority.

5. The decision to remove the inmate from the program cannot be appealed, as this is a classification issue. The inmate may grieve the issue in accordance with [OP-090124](#) entitled "Inmate/Offender Grievance Process."

Upon the removal of an inmate from the program, in cases where an inmate is deemed ineligible and returned to higher security, required reclassification of the inmate will be accomplished in accordance with [OP-060103 \(M\)\(F\)](#) entitled "Custody Assessment Procedures" and [OP-060204](#) entitled "Inmate Transfers" using the "Facility Assignment Form (FAF)"([DOC 060204A](#)) and the "Custody Assessment Scale" ([DOC 060103A \(M\)\(F\)](#))

Within five working days of removal for violation, the officer will submit a "Violation Report" ([DOC 160301B](#)) with a brief narrative detailing the supervision of the inmate removed from the program, to include information pertaining to inmate violations and the sanctions imposed to address the violations. Supporting documentation such as supervision contacts, transition plans and reports from treatment providers will be included with the report.

K. Discharge/Parole

The records unit will keep supervising officers advised of the current release dates of inmates assigned to the programs. On the date of their scheduled release, the inmate will be instructed to report to the supervising officer who will develop a pre-release plan in accordance with [OP-060901](#) entitled "Pre-Release Planning."

The supervising officer will then complete the "Electronic Monitoring Exit Form" ([Attachment K](#), attached) and will submit the form to the statewide electronic monitoring coordinator within five days of removal. The case will be closed in accordance with [OP-160201](#) entitled "Opening, Closing and Transferring Cases Under Supervision."

L. Monitoring Fees

Inmates assigned to the GPS program are required to pay ODOC a monitoring fee not to exceed \$5.50 per day for passive monitoring, or \$13.50 per day for active monitoring, not to exceed \$300 per month. This fee shall be inclusive of any normally assessed supervision fee.

Any waiver or reduction in the fee shall be in accordance with [OP-160701](#) entitled "Collection of Probation/Parole Fees, Restitution, and Program Support Fees" and approved by the administrator of Community Corrections. All approved fee waivers shall be submitted to the Restitution and Accounting Unit.

Inmates are also responsible for the payment of court costs, fines, restitution and assessments owed, if any.

M. Inventory of Electronic Monitoring Equipment

Each region will maintain an inventory record of all electronic monitoring equipment assigned to the region. The inventory shall include the identifier numbers for all bracelets, MTD's and charging stands, as well as the status of each piece of equipment.

Each supervising officer will submit a monthly inventory to the regional electronic monitoring coordinator on the "Monthly GPS Inventory Reconciliation" form ([Attachment I](#), attached) and the "Monthly EMP Inventory Reconciliation" form ([Attachment H](#), attached) of all equipment assigned to inmates under their supervision as of the last day of the month. The regional electronic monitoring coordinator will forward the region's inventory report to the statewide electronic monitoring coordinator for review and reconciliation. Only the regional electronic monitoring coordinators and the statewide electronic monitoring coordinator are authorized to order additional accessories and chargers from the vendor or to request equipment returns to the vendor. Only the statewide electronic monitoring coordinator is authorized to order additional equipment.

The supervising officer will ensure that all lost, damaged or stolen equipment is reported to the regional electronic monitoring coordinator. The "Electronic Monitoring Exit Form" ([Attachment K](#), attached) and supervision contacts will note any incidents with equipment assigned to the inmate.

N. Escape of Inmates on Community Supervised Programs

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

1. Failure to Report

If an inmate fails to report to the supervising officer or office as directed, or cannot be contacted within a specified time period (not to exceed 24 hours), an "Oklahoma Department of Corrections Offense Report" ([DOC 060125A](#)) may be submitted to the team supervisor for review and the following activities will occur:

The supervising officer will complete the "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 inmate has contact with, etc.); and

- b. Contacting the team supervisor, as appropriate, to ensure all potential leads are exhausted.

2. Unable to Contact

Once all attempts to locate the inmate have been exhausted, the supervising officer will ensure:

- a. The team supervisor and records are notified and pertinent information is provided;
- b. The supervising officer shall make all efforts to retrieve all GPS equipment assigned to the inmate.

3. Notification Process

The team supervisor will ensure:

- a. The chief administrator of Community Corrections and Contract Services is notified by forwarding required reports as soon as possible through the appropriate chain of command; and
- b. All escape notifications are made and recorded on the notification portion of the "Escape Checklist," ([DOC 050103C](#)) and a copy is scanned into the inmate's file.

4. Escape Warrant

The district attorney's office in the county where the inmate 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 inmate has escaped.

5. Escape File

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

- a. A copy of the information sheet and warrant, once charges are filed;

- b. Copies of all documents submitted;
- c. Copies of the wanted poster prepared by the district; and
- d. A current photo of the inmate.

6. NCIC Reporting

The supervising officer will send to the office of Inspector General; 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."

O. Apprehension Efforts

1. Officer Responsibility

In addition to the initial "Escape Checklist" ([DOC 050103C](#)) procedures, the supervising officer, or other designated staff, will make contact with telephone numbers listed on the "Escape Checklist" ([DOC 050103C](#)) 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:

- a. The supervising officer will notify the team supervisor and the office of Community Corrections upon receiving notification of the apprehension. If another office receives notification of the apprehension, the supervising officer will be notified through the appropriate chain of command.
- b. The supervising officer will ensure all escape apprehension notifications are made and recorded on the notification portion of the "Escape Checklist" ([DOC 050103C](#)). A copy of the completed "Escape Checklist" ([DOC 050103C](#)), will be forwarded to the field file.

2. Transportation

Upon apprehension, coordination of the transportation of the escapee will be the responsibility of the supervising region.

3. Reclassification

Upon completion of the disciplinary process and in accordance with this procedure (to include the required removal hearing), required reclassification subsequent to apprehension of the inmate will be

accomplished in accordance with [DOC 060103A \(M\)\(F\)](#) entitled "Custody Assessment Scale" and [OP-060204](#) entitled "Inmate Transfers."

P. Serious Incident Report Information Sheet

1. Required Notification

A written narrative report will be completed by the supervising officer and forwarded to the administrator of Community, through the team supervisor, immediately upon learning of a community supervised inmate involved in an incident requiring notification as outlined in [OP-050108](#) entitled "Use of Force Standards and Reportable Incidents." In addition to the guidelines established in the referenced procedure, the supervising officer will notify the regional duty officer of any of the following incidents that occur after 5:00 p.m. or on weekends:

- a. Any arrest of a community-supervised inmate; and
- b. Any injury of an ODOC employee, inmate, or person that occurs in conjunction with the supervision of a community supervised inmate.

2. Notification to Chief Administrator of Community Corrections and Contract Services

Upon notification of a serious incident as listed above, the regional duty officer will follow the chain of command and notify the chief administrator of Community Corrections and Contract Services.

3. Copy to File

A copy of the completed report will be placed in the field file.

4. Questionable Incident

If a question should arise as to whether the incident should be reported, the supervising officer will immediately notify the team supervisor or duty officer, if after office hours.

Q. Parole Process

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

Inmates assigned to GPS may not waive parole consideration and remain on the GPS program.

Inmates who are not granted parole will not be removed from the program unless they have violated the rules of the program and have been afforded a hearing pursuant to [OP-060125](#) entitled "Inmate/Offender Disciplinary Procedures."

R. Inmate Count

Inmate count shall be maintained in accordance with [OP-060211](#) entitled "Sentence Administration."

III. Probation and Parole Specialized Programs

A. Electronic Monitoring

Offenders may be placed on electronic monitoring as an intermediate sanction, if ordered by the court, or if required by law.

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 administrator of Community Corrections. 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.

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 administrator of Community Corrections or designee.

Administrators of Community Corrections will ensure ODOC staff responsible for supervising inmates monitored by an electronic monitoring device, are trained in the proper use of the device and any associated equipment and software.

B. Other Conditions/Programs

Compliance with conditions of probation/parole relating to ignition interlock devices, community service, victims impact panel, restitution, participation in substance abuse treatment programs or any other program 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. Probationers and parolees who have, as a condition, ignition interlock, shall be required to install an ignition interlock

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device on every motor vehicle operated by the probationer/parolee.

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

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.

The supervising officer will ensure the offender provides documentation of community service hours completed.

3. Victim's Impact Panel (VIP)

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 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.

The supervising officer will ensure the offender provides documentation of VIP attendance.

IV. References

Policy Statement P-160100 entitled "Purpose and Function of Probation and Parole"

OP-050103 entitled "Escape Notification Procedures"

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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 “Inmate/Offender Disciplinary Procedures”

OP-060203 entitled “Adjustment Review”

OP-060204 entitled “Inmate Transfers”

OP-060205 entitled “Parole Process Procedures”

OP-060211 entitled “Sentence Administration”

OP-060901 entitled “Pre-Release Planning”

OP-090124 entitled “Inmate/Offender Grievance Process”

OP-160103 entitled “Supervision of Community Offenders”

OP-160108 entitled “Interstate Compact for Probation/Parole”

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

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

47 O.S. § 11-902.

57 O.S. § 510.9.

57 O.S. § 612.

V. Action

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

The chief administrator of Community Corrections and Contract Services 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>
DOC 050103C	"Escape Checklist"	OP-050103
DOC 060103A (M)(F)	"Custody Assessment Scale"	OP-060103 (M)(F)
DOC 060125A	"Oklahoma Department of Corrections Offense Report"	OP-060125
DOC 060204A	"Facility Assignment Form"	OP-060204
<u>Attachments</u>	<u>Title</u>	<u>Location</u>
Attachment A	"Program Removal Hearing Procedures and Rule and Condition Hearing Guide"	Attached
Attachment B	"Notice of Rule and Condition Violation"	Attached
Attachment C	"Program Rule and Condition Violation Hearing Action"	Attached
Attachment D	"Rule and Condition Violation Appeal Form and Due Process Review"	Attached
Attachment E	"GPS Alerts and Violations"	Attached
Attachment F	"DVR Instructions and Processing Alerts"	Attached
Attachment H	"Monthly EMP Inventory Reconciliation"	Attached
Attachment I	"Monthly GPS Inventory Reconciliation"	Attached
Attachment J	"Imposition of Intermediate Sanctions"	Attached
Attachment K	"Electronic Monitoring Exit Form"	Attached
Attachment D	"Rules and Conditions for GPS Surveillance Program"	OP-061002
Attachment D	"Verification of General Orientation"	OP-160103
Attachment E	"Case Transfer Notice"	OP-160201

