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Male Custody Assessment Procedures	ACA Standards: 2-CO-4B-01, 4-4295, 4-4296, 4-4297, 4-4298, 4-4300, 4-4302, 4-4441, 4-4444, 4-ACRS-2A-07, 4-ACRS-5A-01, 4-ACRS-5A-04, 4-ACRS-5A-06, 4-ACRS-6A-11		
Joe M. Allbaugh, Director Oklahoma Department of Corrections	Signature on File		

Male Custody Assessment Procedures

The “Custody Assessment Scale” ([DOC 060103A \(M\)](#), attached) is used to update, review, and reassess an inmate’s initial or previous custody assessment. Its primary function is to monitor the inmate’s adjustment and identify problems that may arise. The first scheduled reassessment may be completed 120 days from the date the inmate arrives at the initial facility, and must be completed on an annual basis thereafter or when an inmate’s status has changed requiring a review to increase or decrease in security level. The instrument allows facility heads to recommend overrides on inmates to remain at the current facility/custody level or transfer the inmate to higher or lower security levels based on acceptable risk. (4-4295, 4-4296, 4-4300, 4-4444, 4-ACRS-5A-06, 4-ACRS-6A-11)

The facility classification committee will conduct all custody assessments. (4-4297) 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. § 4-138: a chairperson (at the institutional level, must be a unit manager); the inmate’s case manager; and a correctional officer or unit assistant. Two additional staff members may be included as deemed appropriate by the facility. All chairpersons must 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 48 hours' 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. (4-4302)
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 classification documents. After the committee's review of the action, the inmate will be informed and will sign all classification documents to acknowledge receipt of the committee's decision unless security reasons preclude such signing. If the inmate refuses to sign, the refusal will be noted by the chairperson on the classification document. (4-4302, 4-ACRS-5A-04)

II. Completing the Custody Assessment Scale Form

A. Identification

1. Facility
Enter the name of the facility where the inmate is currently housed.
2. Date
Enter the date the assessment is completed.
3. Inmate Name
Enter the inmate's full name (i.e., last, first and middle initial).
4. Inmate DOC #
Enter the inmate's DOC number.
5. Reception Date
Enter the month, day, and year the inmate was received at the assessment and reception center.
6. Race/Gender
Enter the inmate's race and gender.
7. Date of Birth

Enter the month, day, and year the inmate was born.

B. Custody Evaluation (4-4298)

Items 1-7 of the "Custody Assessment Scale" comprise the "Comprehensive Custody Score." All items must be scored.

1. Severity of Convictions on Current Incarceration

The most serious conviction on the current incarceration is determined using the "Offense Severity Categories," ([OP-060102, Attachment A](#)), including all concurrent (CC), consecutive (CS), active suspended sentence (SS), cases that have rebilled, detainers, and warrants for the inmate.

- a. The most serious offense is indicated, to include case number, discharge/conviction date, and case type (current, CC, CS, DI, WA, active paroles, Intermediate Revocations, etc.) in the space provided. Suspended and paroled sentences that are still active will score in this item for the duration of the current incarceration to determine suspended sentence discharge dates, refer to [OP-060211](#) entitled "Sentence Administration."
- b. If a determination cannot be made on how to categorize an offense, the manager of Sentence Administration, Offender Records and Registries will be contacted for a disposition.

The number of points associated with the inmate's most serious offense is entered.

2. Escape History

All escapes or attempted escapes that have occurred during the stipulated time period prior to the custody assessment are to be considered. The number of points corresponding to the most serious escape or attempted escape is entered.

Escapes will be addressed in the escape section, with the following exceptions:

- a. Escape from community corrections, halfway house PPCS, GPS, EMP will be assessed misconduct points if within the applicable time frames.
- b. If an inmate has any escape or attempted escape from maximum or medium, county jail juvenile institution, restricted/segregated housing unit or escape from any level

of security that resulted in an injury to another or a felony conviction for a violent crime while on escape status and is not assessed points in the escape history of the custody assessment due to his age, will be assessed misconduct points if within applicable time frames.

Inmates who are on escape status will be returned to the assessment and reception center if gone over 90 days.

Necessary documentation for escape or attempted escape will be a misconduct conviction, 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(s)" ([DOC 060211H](#)) or the offender computer system, or any other entry on an official government document. In cases where no disposition is indicated for an escape charge on a rap sheet, the court of jurisdiction will be contacted and requested to verify the disposition of the case in writing. Every effort will be made to verify the disposition of escape charges.

c. Escape History Instructions

- (1) If the escape was from a former incarceration, the time is calculated from the day the inmate returned to ODOC custody or from the date of conviction if from another jurisdiction.
 - (a) Former incarceration is defined as any incarceration in which the inmate was released to the street or another jurisdiction through expiration of sentence, parole, completion of delayed sentence incarceration, or an appeal bond.
 - (b) Escape from a jail will be considered a former incarceration, unless the inmate was confined in jail awaiting transport to ODOC custody.
 - (c) Escape after lawful arrest will not be assessed with escape points. If such cases involve violence or injury (i.e., assault and battery on an officer) they may be addressed in the discretionary override for higher security section on the "Custody Assessment Scale" ([DOC 060103A \(M\)](#)).

- (2) If the escape is from the current incarceration, the apprehension date will be defined as the date on which the inmate was returned to ODOC custody as documented on the CRC movement history.
- (3) If an inmate has an escape record, the level of security from which the escape occurred will be determined. The security level from which an inmate escaped will correspond with either the perimeter of the assigned facility or the custody level of the inmate at the time of the escape.
 - (a) For example, a minimum custody inmate may be assigned to a medium security facility. If the inmate escapes from behind the fence, then the escape is from medium security.
 - (b) However, if the inmate escaped from a work crew while outside the fence, the escape would be from minimum security.
 - (c) If the record does not indicate otherwise, the custody status is presumed to be that of the perimeter of the confining facility.
- (4) Escapes from any level of security that results in an injury to another or a felony conviction for a violent crime while on escape status will be assessed ten points, unless the inmate receives zero points for age (51 or over).
- (5) Jails, juvenile institutions, detention centers, and segregation housing units (SHU's) will be considered medium security.
 - (a) If there is documentation that an unshackled inmate escaped while assigned to a job or task outside the secure perimeter of the jail, the escape will be considered from minimum security.
 - (b) Escapes from courtroom or from areas in which normal and expected security mechanisms and/or procedures were either not used or not functioning are considered medium security.
- (6) If a determination cannot be made as to the validity of assessment of escape points by the facility, the

manager of Classification and Population will be contacted for a disposition.

- (7) The designation or level of escape assessed at assessment and reception centers cannot be changed without approval of the manager of Classification and Population.

d. Escape History Scoring

After determining the inmate's appropriate escape history based upon the above instructions, a mark will be indicated in the blank space next to the appropriate escape item and the associated number of points is to be entered in the space provided. 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:

- (1) Enter 0 points if there is no history of escapes or attempts. Enter 0 points for absconding from probation or parole.
- (2) Enter 0 points if the inmate has escaped from community corrections, halfway house or community supervision (PPCS, GPS or EMP).
- (3) Enter 6 points if the inmate has two or more escapes or attempted escapes from minimum security, TDU, or juvenile detention within the past ten years.
- (4) Enter 7 points if the inmate has escaped or attempted escape from minimum security, Transit Detention Unit (TDU) or juvenile detention as stated in JOLTS within the past five years.
- (5) Enter 10 points if the inmate has ever escaped or attempted escape from medium or maximum security, county jails, juvenile institutions, restricted/segregated housing unit, or an escape from any level of security that resulted in an injury to another or a felony conviction for a violent crime while on escape status, unless the inmate receives zero points for age (age 51 or over). For example, if an inmate receives points in this section and he is under the age of 51, they would remain in effect until such a time he receives zero points for age. If he is received into custody and is over the age of 51 and has an

escape/attempted escape that falls within these guidelines, no escape points will be assessed.

3. Number of Active Disciplinary Convictions (4-4298)

All class B convictions within the past six months, Class A within the last year and all class X convictions within the past two years are to be considered. Escapes are addressed in section 2 of this procedure.

The inmate's disciplinary convictions are scored as follows:

- a. Enter 0 points if the inmate has received no disciplinary convictions;
- b. Enter 1 point if the inmate has one disciplinary conviction;
- c. Enter 2 points if the inmate has two disciplinary convictions;
or
- d. Enter 3 points if the inmate has three or more disciplinary convictions.

4. Most Serious Disciplinary Conviction from the date of the Assessment (4-4298)

Determine the he most serious disciplinary conviction. All class B convictions within the last 6 months, all Class A convictions within the past year, non-predatory Class X within the past year, predatory class X (X-2 through X-10) within the past two years. There is no expiration on the current incarceration for the following: X-2, X-3, X-4, 01-4, 04-1, 04-8 (prior to 11-1-2015), 04-3 battery to staff with injury (prior to 9-14-1989.).

The number of points associated with the misconduct class category for the inmate's most serious conviction as shown on the consolidated record card during the specified time period is entered. Escapes are to be addressed in the escape section of the instrument.

The inmate's most serious disciplinary conviction is scored as follows:

- a. Enter 0 points if the inmate has no disciplinary convictions;
- b. Enter 0 points if the most serious disciplinary conviction is a class B;

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- c. Enter 2 points if the most serious disciplinary conviction is a class A; or
- d. Enter 3 points if the most serious disciplinary conviction is a non-predatory class X within the past year; or
- e. Enter 4 points if the most serious is a predatory class X (X2 through X-10) past two years.

5. Assigned Program Participation (4-4441, 4-ACRS-5A-01)

Based upon the inmate's participation in an assessed and approved education, career tech, cognitive behavior, re-entry (CIMC Life Skills) or substance abuse program, the inmate's level of participation in such programs since the last classification review will be considered. Refusal to participate in a program must 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."

- a. Enter 0 points if the inmate has no program needs, has participated in, is on a waiting list for, is enrolled and actively participating in an assessed and approved education, career tech, cognitive behavior, re-entry (CIMC Life Skills) or substance abuse program.
 - (1) In addition, enter 0 points if the inmate has refused to participate in, or failed an assessed and approved education, career tech, cognitive behavior, re-entry (CIMC Life Skills) or substance abuse program recommended by the case manager as listed in [OP-090101](#), [Attachment C](#) entitled "Approved Achievements Credits/Program Participation Points."
 - (2) Zero points will remain in effect until the inmate completes the original recommended education, career tech, cognitive behavior, re-entry (CIMC Life Skills) or substance abuse program or a comparable, assessed and approved education, career tech or substance abuse program.
- b. Enter minus 1 point if the inmate has completed an assessed and approved education, career tech, cognitive behavior, re-entry (CIMC Life Skills) or substance abuse treatment as listed in [OP-090101](#), [Attachment C](#), during this incarceration.

6. 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."

- a. Enter 1 point if the inmate is currently assigned to class level 1;
- b. Enter 0 points if the inmate is currently assigned to class level 2; or
- c. Enter minus 1 point if the inmate has been assigned to class level 3 or 4.

7. Current Age

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

- a. Enter 4 points if the inmate's age is 28 or younger;
- b. Enter 3 points if the inmate's age is 29 to 36;
- c. Enter 2 points if the inmate's age is 37 to 42;
- d. Enter 1 point if the inmate's age is 43 to 50; or
- e. Enter 0 points if the inmate's age is 51 or over.

8. Comprehensive Custody Score

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

C. Scale Summary and Recommendations

1. Custody Level Indicated by Scale

The assessed custody level is designated by the following scale:

- a. Minimum = 8 or fewer points on items 1-7; or
- b. Medium = 9-16 points on items 1 through 7; or
- c. Maximum = 17 or more points on items 1 through 7.

Indicate minimum, medium, or maximum as the assessed custody level in the space provided.

2. All medium assigned inmates, regardless of assessed custody level meeting the following criteria will have a minimum packet submitted to the Population Office.
 - a. Has a total of 2,920 days or less remaining.
 - b. Has no felony detainers.
 - c. Has no active class X misconduct(s).
 - d. Is assigned to earned credit level 3 or 4 or enhanced level 3 or 4.
 - e. Has no current sex inmate registry crime(s).
 - f. Has no current sentence for any "Crimes Against Children" listed in [OP- 060104](#), [Attachment A](#).
 - g. No active escape points.
3. Mandatory Overrides

If an inmate has been convicted of any of the following crimes, then mandatory override criteria must be addressed. 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.

- a. Any inmate who has a sentence of life or a sentence of 45 years or greater should be placed at minimum security upon receiving a favorable parole recommendation to the street with stipulations that time should be spent at minimum security and community security prior to release.
- b. Time Left to Serve (Highest Crime Category)

If the inmate has any convictions in the highest crime category during this incarceration including current, concurrent, consecutive, and rebilled cases and the total time left to serve is greater than or equal to 5,475 days (15 years), the inmate will be assigned no lower than medium security.
- c. Any inmate who has a sentence of Life, Life Without Parole, or a total sentence length of 100 years or more will be placed no lower than medium security.

d. Any inmate who has an Immigration and Customs Enforcement (ICE) detainer and has any convictions on the current incarceration in the high or highest crime category will be assigned no lower than medium security.

e. Restricted Earned Credits (85%) and Trafficking

If the inmate has restricted earned credits due to crime (i.e., Trafficking or inmates who must serve 85% of their sentence prior to receiving earned credits) and the time left to serve on the restricted case is greater than or equal to 3,600 days, the inmate will be assigned no lower than medium security.

f. Inmates with non-violent crimes who have a total sentence length of Life, with a determinant amount to serve (i.e., Endeavoring to Manufacture Controlled Dangerous Substance, Life with all but the first 20 years suspended) and the time left to serve is greater than or equal to 3,600 days, the inmate will be assigned no lower than medium security.

g. Restricted Earned Credits (50%)

Any inmate who is serving a sentence for:

(1) Distribution of a Controlled Dangerous Substance Within 2,000 feet of a School, Park, etc.;

(2) Possession/Purchase of a Controlled dangerous Substance Within 1,000 feet of a School, Park, etc.;

(3) Possession/Purchase in the Presence of a Child Under 12; or

(4) Any other conviction where 50% of the sentence must be served prior to earning credit and total time left to serve on the restricted case is equal to or greater than 5475 days, the inmate will be assigned no lower than medium security.

h. Escape Points

Any inmate with escape points greater than 6 will be assigned no lower than medium security.

4. 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 must be documented on the custody assessment.

a. Circumstances of the Offense

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

b. 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.

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

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.

Gang membership alone is not sufficient to score this category. Such individuals should 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."

d. Time Left to Serve

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.

e. Felony Detainer/Pending Cases

Felony detainees may require placement in a higher security facility. Additionally, convictions, untried indictments or

pending cases that are verifiable but where no detainer has been filed may require placement in a higher security facility. Normally convictions, untried indictments or pending cases for which would not otherwise raise an inmate's security level will not require placement at higher security, nor, will it necessarily prevent the inmate from being placed at lower security.

f. Other

Any other attributes associated with the inmate that justify an override to a higher custody level such as self-reported criminal history information, crimes older than ten years, an extensive number of prior convictions or escape threats/history Complete documentation of this factor must be contained in the inmate's file or other ODOC records.

g. Documentation

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

5. 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 must be documented as to the reason for the override on the custody assessment.

a. Circumstances of the Offense

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

b. 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.

c. Program Completion

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

d. Other

Any other attributes associated with the inmate that justifies an override to a lower custody level. Complete documentation of this factor must be contained in the inmate's file or other ODOC records.

e. Documentation

Justification for an override will be provided in the comments section. The justification must be explicit and presented in narrative format.

f. 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. Additionally, inmates with medium points would not normally be overridden to community placement, even if the inmate were housed at minimum security.

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

6. Recommended Custody Level

After reviewing the scale 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 must be provided if the custody level indicated by the scale is different from the recommended level. Inmates with 8 or fewer points on items 1 through 7 normally must have 9,000 days remaining or less to be minimum eligible.

7. Community Corrections Eligibility (4-4444, 4-ACRS-6A-11)

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

a. If the inmate meets all eligibility requirements, a recommendation will be made for or against community corrections placement based upon acceptable risk.

- b. If the inmate is not eligible due to exclusionary criteria, or is eligible but not recommended, the reason will be provided in the comments section.

8. Global Position Satellite Surveillance Program (GPS) Eligibility

Global Position Satellite Surveillance Program (GPS) eligibility will be identified and indicated for those minimum custody inmates serving a sentence of 5 years or less who have 11 months or less remaining and who meet eligibility requirements for community corrections placement as outlined in [OP-060104](#) entitled "Community Corrections Assessment" and [OP-061001](#) entitled "Global Position Satellite Surveillance Program." Intermediate Revocations will not be considered for GPS placement.

9. Custody Level Assignment

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

- a. Maximum;
- b. Medium; or
- c. Minimum.

10. Comments

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

11. Signatures

The instrument must be signed and dated by the case manager, members of the classification committee and the inmate.

D. Review Authority Approval

Case manager IV 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. Mandatory overrides do not require such approval. The inmate's signature is required if the facility head changes the recommended action.

E. Population Office

1. All classification actions that result in a transfer will be submitted to the Population Office for final approval and assignment to a facility or waiting list as outlined in [OP-060204](#) entitled "Inmate Transfers."

2. All discretionary overrides that result in a transfer will be reviewed by the manager of Classification and Population or the population coordinator/designee for approval and action.

F. Distribution

Copies of the "Custody Assessment Scale" will normally be distributed as follows:

1. To the Population Office, if requesting a transfer or a two level override. The Population Office will send a copy to the facility for the field file after action;
2. A copy to the field file; and
3. A copy to the inmate.

III. References

Policy Statement No. P-060100 "Classification and Case Management of Inmates/Offenders"

OP-040119 entitled "Intelligence"

OP-060104 entitled "Community Corrections Assessment"

OP-060107 entitled "Systems of Incarceration"

OP-060204 entitled "Inmate Transfers"

OP-060211 entitled "Sentence Administration"

OP-061001 entitled "Global Position Satellite Surveillance Program"

57 O.S. § 521

IV. Action

The appropriate regional director and the manager of Classification and Population are responsible for compliance with this procedure.

The director of Population, Programs, and Strategic Planning 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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Replaced: Operations Memorandum No. OP-060103 (M) entitled "Male Custody Assessment Procedures" dated March 31, 2017

Distribution: Policy and Operations Manual (4-ACRS-6A-12)
Agency Website

<u>Referenced Forms</u>	<u>Title</u>	<u>Location</u>
DOC 060103A (M)	"Custody Assessment Scale"	Attached
DOC 060211H	"Consolidated Record Card"	OP-060211

<u>Referenced Attachments</u>	<u>Title</u>	<u>Location</u>
Attachment A	"Offense Severity Categories"	OP-060102(M)
Attachment A	"Crimes Against Children"	OP-060104
Attachment C	"Approved Achievement Credits/Program Participation Points"	OP-090101