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<b>Section-16 Probation and Parole</b>	<b>OP-160201</b>	<b>Page: 1</b>	<b>Effective Date: 11/01/2018</b>
<b>Opening, Closing and Transferring Probation and Parole Cases</b>	<b>ACA Standards: 4-APPFS-2A-04, 4-APPFS-2A-13, 4-APPFS-2A-14, 4-APPFS-2C-03, 4-APPFS-2G-02, 4-APPFS-3D-27, 4-APPFS-3D-28</b>		
<b>Joe M. Allbaugh, Director Oklahoma Department of Corrections</b>		<b>Signature on File</b>	

## Opening, Closing and Transferring Cases Under Supervision

## I. Opening Cases

Supervision begins immediately upon a sentence to probation, release from incarceration to a period of probation, parole, court ordered post imprisonment supervision or knowledge that the offender has failed to initially report as instructed. Upon receiving notification that an offender has received a community-supervised sentence, to be supervised by the Oklahoma Department of Corrections (ODOC), contact with the offender will be initiated within three working days. (4-APPFS-2A-04) Parolees, court ordered post imprisonment supervision offenders and probationers with split sentences will be advised to report for supervision within 24 hours of release from incarceration (excluding weekends and holidays). Offenders may be granted reasonable delays in initially reporting to the assigned office for reasonable cause and/or extenuating circumstances. (4-APPFS-2C-03)

In the case of a current sex offense conviction, as defined in [OP-020307](#) entitled "Sex and Violent Crime Offender Registration," supervision will not be terminated prior to the sentence completion date unless ordered by the court.

### A. General Orientation

General orientation is conducted in a manner and language that ensures understanding by the offender.

#### 1. Intake

- a. The probation and parole staff member who has initial contact with the offender will ensure the offender completes, in its entirety, the "Personal History Sheet" ([Attachment A](#), attached). If the offender does not have a Department of Corrections (ODOC) number, one will be obtained from the Offender Management System (OMS) by the designated staff member.
- b. A visual image of the offender, both frontal and side views, will be obtained and entered into OMS. If the offender has any visible bodily markings (scars and tattoos), an image of each will be obtained and entered into OMS.

## II. Deferred Cases

A deferred sentence is a type of sentencing agreement in which the sentencing date is deferred to a set time in the future, not to exceed seven years from the date the agreement was entered. The offender has been ordered to supervised probation, with a set of rules and conditions issued by the court of jurisdiction. If the offender complies with the rules and conditions and no Application to Accelerate has been filed, the court may dismiss and expunge the charge. A deferred sentence is not considered a felony conviction. If the offender violates the rules and conditions of probation, the sentencing date may be accelerated and the court can take action to render an appropriate sentence.

A. Opening the File

The following information will be placed in the field file for all deferred cases:

1. A court order deferring the sentencing (e.g., a court minute, Judgment and Sentence, Summary of Facts);
2. Rules and conditions;
3. "Personal History Sheet" ([Attachment A](#)), if available; and
4. Pre-Sentence Investigation, if available.

After all documents have been assembled, all pertinent information will be entered in OMS.

Copies of court documents regarding restitution, supervision fees, pre-sentence/delayed sentencing investigation fees, DNA fees, and mental health assessment fees will be forwarded to the Restitution and Accounting Unit. (4-APPFS-3D-27)

If an offender is sentenced to supervision and was born, or is suspected of being born in a country other than the United States of America, the officer who supervises the case will notify the U.S. Department of Justice, Immigration and Customs Enforcement (ICE) in writing immediately upon initiating supervision, utilizing the "Foreign-Born & Suspected Foreign-Born Report" ([Attachment K](#), attached).

B. Closing the File

1. Advance Termination

Advance termination applies to cases that have not met the two year/18 month statutory termination date. If the offender has successfully completed all programmatic module placements prior to the two year/18 month supervision date, supervision will be terminated utilizing the advance termination procedures unless the offender owes an outstanding balance of restitution that is paid through ODOC, or the court has ordered a specific period of supervision. In such instance, the case will be transferred to the administrative caseload as defined in [OP-160801](#) entitled "Administrative Caseload."

- a. Offenders with a LSI-R score of 9 or less or a LSI-R score of 10-18 with no module placement required for substance abuse, and offenders with no identified criminogenic needs with a LSI-R score over 18 due to static elements will normally not be supervised in excess of six months.
- b. Upon successful completion of all assigned programmatic

modules, the supervising officer will request a criminal records check to include at a minimum, the Federal Bureau of Investigation (FBI), the Oklahoma State Bureau of Investigation (OSBI), and Department of Public Safety (DPS) records. A local records check for outstanding warrants or charges will also be completed. Once the criminal records have been received, the officer will complete an exit LSI-R with the offender and enter the results in EZAssess (4-APPFS-2A-13). If no additional criminogenic needs are identified, the supervision will be terminated.

The supervising officer will forward a "Notice of Termination of Active Probation Supervision" ([Attachment I](#)) to the sentencing judge and the district attorney's office advising that the offender has completed all supervision requirements/programming and that supervision has been terminated. The copy to the sentencing judge may be waived by the appropriate deputy director if the sentencing judge has indicated, in writing, that no copy of the notice is required. A copy will also be forwarded to ODOC Restitution and Accounting.

If the sentencing court has requested notice prior to the termination of supervision of offenders with no module placement, the court will be notified by the submission of a special report in accordance with [OP-160301](#) entitled "Reports and Investigations."

Offenders will not be advance terminated if there is an outstanding felony warrant or if there is an Application to Accelerate pending.

If the sentencing court has requested notice prior to the termination of supervision of offenders with no module placement, the court will be notified by the submission of a special report in accordance with [OP-160301](#) entitled "Reports and Investigations" that includes the results of the assessment and the request that the balance of the sentence be ordered unsupervised. The report will notify the court that if no response is received, supervision will be terminated 90 days from the date the report is submitted.

Upon discovery of a new crime or other behavior that presents a risk to public safety, supervision ceased due to advanced termination may be reactivated within the initial two years of supervision. Supervision of the original sentence will not extend beyond the sentence completion date. If a case is reactivated, the offender's legal case will be opened as an intake in OMS and reassigned to the previous officer, if feasible

## 2. Statutory Termination

For offenders sentenced prior to 11-1-2018, in accordance with 22 O.S. § 991c., offenders with deferred sentences will be supervised in the community for a period not to exceed two years, unless an

Application to Accelerate has been filed. If an Application to Accelerate has been filed, supervision will continue until the Application is dismissed or the court ordered discharge date is reached.

For offenders sentenced on or after 11-1-2018, in accordance with 22 O.S. § 991c., offenders with deferred sentences will be supervised in the community for a period not to exceed 18 month, unless an Application to Accelerate has been filed or the court has extended the period of supervision in order for the offender to pay restitution. If an Application to Accelerate has been filed, supervision will continue until the Application is dismissed or the court ordered discharge date is reached. If the court has extended supervision for payment of restitution, supervision will not exceed beyond three years.

Forty-five days prior to the statutory termination date, the supervising officer will complete a current criminal records check to include, at a minimum, the FBI and OSBI records.

Upon reaching the two year/18 month supervision date, the supervising officer will complete the exit LSI-R and enter the results in EZAssess. The "Notice of Termination of Active Probation Supervision" ([Attachment I](#)) will be completed and a copy forwarded to the sentencing judge, the district attorney, ODOC Restitution and Accounting, and the field file. The copy to the sentencing judge may be waived by the appropriate deputy director if the sentencing judge has indicated that no copy of the notice is required. The officer will ensure the case notes are updated.

### 3. Expiration

Forty-five days prior to the expiration of the sentence, the supervising officer will complete a current criminal records check to include, at a minimum, the FBI and the OSBI records.

Thirty days prior to the expiration date, the supervising officer will conduct an exit LSI-R and enter the results in EZAssess. In the event that a Violation Report has been submitted and there is action pending, a supplemental report will be submitted on the "Case Report" ([DOC 160301B](#)) to the court 30 days prior to the expiration date advising the court of the case status and including any information the officer may need if called to testify. The Summary/Recommendation section of the report will state, "Supervision is being terminated." The supervising employee will recommend either dismissal or acceleration of a deferred case.

A deferred case with pending court action will be closed upon reaching the court ordered termination date. The region may retain the file until disposition of the court action, but will not supervise the offender beyond the court ordered termination date unless the case is

accelerated to a suspended sentence.

4. Acceleration

The supervising officer will submit the court documents for closure. If acceleration results in termination of supervision by probation and parole, an exit LSI-R will be conducted and the results will be entered into EZAssess.

If acceleration is to a suspended sentence or a community sentence supervised by ODOC, the region will obtain the sentencing documents in order to open the case. If supervised by other than ODOC, the sentencing document will be forwarded to the supervising authority. If acceleration is to the custody of ODOC, the offender's file and the "Record Transfer/Verification" sheet ([DOC\\_060212E](#)) will be immediately forwarded to the appropriate reception center within two days of notification of reception.

5. Intermediate Revocation Facility (IRF)

Upon receipt of documentation that an offender has been ordered confinement in an IRF, the supervising officer will NOT purge the file and will:

- a. Complete a detailed chronological entry outlining the final disposition; and
- b. Submit the supervision file to the immediate supervisor.

The case will be transferred in OMS and the file will be forwarded to the appropriate assessment and reception center. If there is supervision remaining after the IRF term, the case will not be closed on OMS.

6. Court Release

Upon receipt of a court document releasing the offender from supervision prior to the normal expiration date, the supervising officer will complete the exit LSI-R and enter the results in EZAssess, submit court documents and forward the file to the immediate supervisor.

7. Death of Offender

Supervision will be terminated upon valid notice that the offender has died. A "Special Report" will be submitted to the sentencing court and to ODOC Restitution and Accounting notifying of the death. If the offender was supervised in excess of six months, the supervising officer will review the LSI-R to determine if any significant change had occurred and will update EZAssess, utilizing the LSI-R.

## 8. Conclusion of Supervision

At the conclusion of supervision, a "Probation and Parole Termination Summary" ([Attachment F](#), attached) will be prepared to summarize the performance of the offender during the entire period of supervision. (4-APPFS-2A-13) The "Termination Summary" will be completed on OMS and forwarded to the immediate supervisor.

A "Termination Summary" is not required for each separate case the offender completes, only the entire period of supervision. A "Termination Summary" will be completed on a probation offender who receives a sentence of incarceration but continues to have a probationary sentence which has not been accelerated and has not expired.

For purposes of statutory termination of supervision, multiple cases will be considered as one continuous term of supervision, except that cases that are preceded by a parole case will not be terminated until the parole case has terminated, either by statutory termination or by case expiration. Any such subsequent case will be considered for statutory termination.

A "Six Part Closure" ([Attachment C](#), attached) will be completed, noting all cases closed. The case will be closed in OMS.

The file will be maintained for 60 days past the court ordered discharge of the deferred sentence. Subsequent to the 60 day period at the conclusion of the deferred sentence, the file will be destroyed in accordance with [OP-060212](#) entitled "Maintenance and Access of Offender Records."

## III. Suspended

A suspended sentence is a type of sentence where a term of incarceration is ordered for the defendant, and all or part of the sentence is suspended for a set period of time. The offender has been ordered to supervised probation, with a set of rules and conditions issued by the court of jurisdiction.

If the offender violates the rules and conditions of his probation, all or part of the sentence may be revoked by the sentencing court.

### A. Opening the File

The following information will be placed in the field file for all suspended cases:

1. Judgment and Sentence, or equivalent document;
2. Rules and conditions;

3. "Personal History Sheet", if available and
4. Pre-Sentence Investigation, if available.

After all documents have been assembled, all pertinent information will be entered in OMS.

Copies of court documents regarding restitution, supervision fees, pre-sentence/delayed sentencing investigation fees, DNA fees, and mental health assessment fees will be forwarded to the Restitution and Accounting Unit. (4-APPFS-3D-27)

If an offender is sentenced to supervision and was born, or is suspected of being born in a country other than the United States of America, the officer who supervises the case will notify the U.S. Department of Justice, Immigration and Customs Enforcement (ICE) in writing immediately upon initiating supervision, utilizing the "Foreign-Born & Suspected Foreign-Born Report" ([Attachment K](#), attached).

## B. Closing the File

### 1. Advanced Termination

Advance termination applies to cases that have not met the two year statutory termination date. If the offender has successfully completed all programmatic module placements prior to the two year supervision date, supervision will be terminated utilizing the advance termination procedures, unless the offender owes an outstanding balance of restitution that is paid through the Department of Corrections, or the court has ordered a specific period of supervision. In such instance, the case will be transferred to the administrative caseload as defined in [OP-160801](#) entitled "Administrative Caseload."

- a. Offenders with a LSI-R score of 9 or less; or a LSI-R score of 10-18 with no module placement required for substance abuse, will normally not be supervised in excess of six months.
- b. Upon successful completion of all assigned programmatic modules, the supervising officer will request a criminal records check to include at a minimum, the FBI, OSBI, and DPS records. A local records check for outstanding warrants or charges will also be completed. Once the criminal records have been received, the officer will complete an exit LSI-R with the offender and enter the results in EZAssess. (4-APPFS-2A-13) If no additional criminogenic needs are identified, the supervision will be terminated.

The "Notice of Termination of Active Probation Supervision"



([Attachment I](#)) will be completed and reviewed with the offender. A copy will be forwarded to the sentencing judge, the district attorney, ODOC Restitution and Accounting, and the field file. The copy to the sentencing judge may be waived by the appropriate deputy director if the sentencing judge has indicated, in writing, that no copy of the notice is required

If the sentencing court has requested notice prior to the termination of supervision of offenders with no module placement, the court will be notified by the submission of a special report in accordance with [OP-160301](#) entitled "Reports and Investigations" that includes the results of the assessment and the request that the balance of the sentence be ordered unsupervised. The report will notify the court that if no response is received, supervision will be terminated 90 days from the date the report is submitted.

Upon discovery of a new crime or other behavior that presents a risk to public safety, any supervision ceased due to Advanced Termination may be reactivated within the initial two years of supervision. Supervision of the original sentence will not extend beyond the statutory termination date. If a case is reactivated, the offender's legal case will be opened as an intake in OMS and reassigned to the previous officer, if feasible.

2. Statutory Termination of Active Supervision of Probation Sentences (4-APPFS-2A-14)

In accordance with O.S. 22 § 991a., supervision of a suspended probation case will not exceed two years except as otherwise provided by law. If the court of jurisdiction should enter an order requiring the Department of Corrections to supervise the offender for a term that extends beyond two years, such supervision will be provided but will not extend beyond the original discharge date.

a. Process for Termination of Supervision of Suspended Sentences

Forty-five days prior to the two year statutory termination date, the supervising officer will complete a current criminal records check to include at a minimum, the FBI and OSBI records.

If, 30 days prior to the eligibility date for statutory termination, the offender has not successfully completed all assigned programmatic modules, the officer will complete an exit LSI-R and enter the results in EZAssess. The officer will evaluate the change in re-assessment results to determine whether or not significant decrease in risk and/or increase in protective factors are reflected. The supervising officer will meet with the team supervisor and review the results and their relation to the remaining programmatic module(s).

If it is determined that the offender has made sufficient progress in addressing identified criminogenic needs, supervision will be terminated and the case will be closed in accordance with Section III. C. 2. b. items (1) and (2) of this procedure.

If it is determined that the offender has not made sufficient progress in addressing criminogenic needs, a recommendation for continued supervision will be recorded on the "Statutory Termination Review for Continued Supervision on Suspended/Parole Cases" form ([Attachment H](#), attached) along with the salient factors contributing to the suggested action. Supervision will not be extended for a failure to pay fines, fees and other costs, excluding restitution except upon a finding of willful nonpayment.

A staffing will be conducted to advise the offender that, because of the lack of sufficient progress in completing the requirements of the transition plan, continued supervision will be required. The officer, offender and team supervisor will work to identify any barriers to the offender's continued progress toward completion of the requirements of the transition plan and to assist the offender in developing steps to penetrate those barriers. Any supportive actions or steps that can be offered by the officer will be discussed and included on the "Statutory Termination Review for Continued Supervision on Suspended/Parole Cases" form ([Attachment H](#)).

The "Statutory Termination Review for Continued Supervision on Suspended/Parole Cases" form must be submitted to the assistant regional supervisor for approval to extend supervision beyond the statutory termination date.

- b. Upon approval for termination of supervision, the following steps will occur:
  - (1) The "Notice of Termination of Active Probation Supervision" ([Attachment I](#)) will be completed and a copy forwarded to the sentencing judge, the district attorney, ODOC Restitution and Accounting, and the field file. The copy to the sentencing judge may be waived by the appropriate deputy director if the sentencing judge has indicated that no copy of the notice is required; and
  - (2) The case notes will be updated.

3. Expired

Forty-five days prior to the expiration of the sentence, the supervising officer will complete a current criminal records check to include at a minimum, the FBI and OSBI records.

Thirty days prior to the expiration date, the supervising officer will complete the exit LSI-R and enter the results in EZAssess. Upon the expiration date, the supervising officer will purge the file and submit the supervision file to the immediate supervisor.

4. Revoked

Upon receipt of documentation that a case has been revoked, the supervising officer will:

- a. Complete the exit LSI-R and enter the results in EZAssess;
- b. Complete a detailed chronological entry that outlines the final disposition;
- c. Purge the file; and
- d. Submit the supervision file to the immediate supervisor.

The file will be immediately forwarded to the appropriate reception center in accordance with [OP-060212](#) entitled "Maintenance and Access of Offender Records."

5. Intermediate Revocation Facility (IRF)

Upon receipt of documentation that an offender has been ordered confinement in an IRF, the supervising officer will NOT purge the file and will:

- a. Complete a detailed chronological entry that outlines the final disposition; and
- b. Submit the supervision file to the immediate supervisor.

The case will be transferred in OMS and the file will be forwarded to the appropriate assessment and reception center. If there is supervision remaining after the IRF period, the case will not be closed in OMS.

6. Outstanding Warrant

A suspended sentence case which has an outstanding felony warrant and/or a pending Application to Revoke will not be closed until the warrant has been resolved, ODOC has been released from supervision, or the original expiration date of the case has passed.

## 7. Court Release

Upon receipt of a court document releasing the offender from supervision prior to the normal expiration date, the supervising officer will:

- a. Complete the exit LSI-R and enter the results in EZAsses;
- b. Submit court documents;
- c. Purge the file; and
- d. Forward the file to the immediate supervisor.

## 8. Death of an Offender

Supervision of probationers will be terminated upon valid notice that the offender has died. A "Special Report" will be submitted to the sentencing court and to ODOC Restitution and Accounting with notification of the death. If the offender was supervised in excess of six months, the supervising officer will review the LSI-R to determine if any significant change had occurred and will update EZAsses, utilizing the LSI-R.

## 9. Conclusion of Supervision

At the conclusion of supervision, a "Probation and Parole Termination Summary" ([Attachment F](#)) will be prepared to summarize the performance of the offender during the entire period of supervision. (4-APPFS-2A-13) The "Termination Summary" will be completed in OMS and forwarded to the immediate supervisor.

A "Six Part Closure" ([Attachment C](#)) will be completed, noting all cases closed. The case will be closed in OMS and the file will be forwarded to closed records.

A "Termination Summary" is not required for each separate case the offender completes, only the entire period of supervision. A "Termination Summary" will be completed on a probation offender who receives a sentence of incarceration but continues to have a probationary sentence which has not been revoked and has not expired.

For purposes of statutory termination of supervision, multiple cases will be considered as one continuous term of supervision, except that cases that are preceded by a parole case will not be terminated until the parole case has been terminated, either by advance/statutory termination or by case expiration. Any such subsequent case will be considered for statutory termination.

#### IV. Parole

Parole is a conditional release from a period of incarceration, granted by the Pardon and Parole Board or the Governor, and subject to rules and conditions as established by the Pardon and Parole Board and/or the Governor. Violation of the rules and conditions may result in the parole being revoked by the Governor.

##### A. Opening the File

The following information will be placed in the field file for all parole cases:

1. Parole Certificate, with rules and conditions; signed by the Governor, the offender and the Secretary of State;
2. "Personal History Sheet", if available; and
3. Pre-Sentence Investigation, if available.

After all documents have been assembled, all pertinent information will be entered in OMS.

Copies of court documents regarding restitution, supervision fees, pre-sentence/delayed sentencing investigation fees, and mental health assessment fees will be forwarded to the Restitution and Accounting Unit. (4-APPFS-3D-27)

##### B. Closing the File

###### 1. Advance Termination of Active Supervision

Advance termination applies to cases that have not met the three year statutory termination date. If the offender has successfully completed all programmatic module placements prior to the three year supervision date, supervision will be terminated utilizing the advance termination procedures unless the offender owes an outstanding balance of restitution that is paid through ODOC. In such instance, the case will be transferred to the administrative caseload in accordance with [OP-160801](#) entitled "Administrative Caseload."

- a. Offenders with a LSI-R score of 9 or less or a LSI-R score of 10-18 with no module placement required for substance abuse will normally not be supervised in excess of six months.
- b. Upon successful completion of all assigned programmatic modules, the supervising officer will request a criminal records check to include at a minimum, the FBI, OSBI, and DPS records. A local records check for outstanding warrants or charges will also be completed. Once the criminal records have been received, the officer will complete an exit LSI-R with the offender and enter the results in EZAssess. (4-APPFS-2A-

13) If no additional criminogenic needs are identified, active supervision will be terminated.

An "Inactive Parole Supervision Notice", ([Attachment J](#), attached) will be completed and signed by the parolee. A copy will be forwarded to ODOC Restitution and Accounting. The file will then be transferred to the administrative caseload in accordance with [OP-160801](#) entitled "Administrative Caseload."

## 2. Statutory Review for Inactive Supervision of Parole Sentences

In accordance with title 57 O.S. § 512.1, active supervision of a parole case will not exceed three years unless the best interests of the public and the parolee would be served by an extended period of supervision.

Any extended period of supervision will not exceed the expiration of the maximum term or terms for which the parolee was sentenced. The deputy director or designee will have the final decision in the termination or continued supervision of parolees.

### a. Process for Placement on Inactive Parole

Forty-five days prior to the three year statutory review date, the supervising officer will complete a current criminal records check to include at a minimum, the "FBI and OSBI records.

If 30 days prior to the eligibility date for statutory review, the offender has not successfully completed all assigned programmatic modules, the officer will complete an exit LSI-R and enter the results in EZAssess. The officer will evaluate the change in re-assessment results to determine whether or not a significant decrease in risk and/or increase in protective factors are reflected. The supervising officer and the team supervisor will evaluate the results and their relation to the remaining programmatic module(s).

If it is determined that the offender has made sufficient progress in addressing identified criminogenic needs, supervision will be terminated and the case will be closed in accordance with Section IV. C. 2. b. items (1) and (2) of this procedure.

If it is determined that the offender has not made sufficient progress in addressing criminogenic needs, a recommendation for continued supervision will be recorded on the "Statutory Termination Review for Continued Supervision on Suspended/Parole Cases" form along with the salient factors contributing to the recommendation.

A staffing will be conducted to advise the offender that due to lack of sufficient progress in completing the requirements of the transition plan, continued supervision will be required. The officer, offender and team supervisor will work to identify any barriers to the offender's continued progress toward completion of the requirements of the transition plan and to assist the offender in developing steps to penetrate those barriers. Any supportive actions or steps that can be offered by the officer will be discussed and included on the "Statutory Termination Review for Continued Supervision on Suspended/Parole Cases" form ([Attachment H](#)).

The "Statutory Termination Review for Continued Supervision on Suspended/Parole Cases" form ([Attachment H](#)) must be submitted to the assistant regional supervisor for approval to extend supervision beyond the statutory termination date.

b. Upon Approval for Inactive Parole Supervision

- (1) The case notes will be updated to reflect the final determination.
- (2) The case will be transferred to an administrative caseload in accordance with [OP-160801](#) entitled "Administrative Caseload" with the following completed by the supervising staff member:
  - (a) The supervising staff member will complete the "Inactive Parole Supervision Notice" ([Attachment J](#), attached) and forward the form and the field file to the team supervisor for review.
  - (b) The supervising staff member will notify the parolee of the termination of active supervision, and the consequences of any violations while on inactive status. The parolee will sign and receive a copy of the "Inactive Parole Supervision Notice." A copy will be forwarded to ODOC Restitution and Accounting and to the parolee as notification of inactivation.

3. Reactivation

Reactivation will be in accordance with [OP-160801](#) entitled "Administrative Caseload." The supervising officer will notify the parolee of the reactivation of supervision with reporting instructions.

4. Expiration

Forty-five days prior to the expiration of the sentence, the supervising

officer will complete a current criminal records check to include at a minimum, the FBI and OSBI records.

Thirty days prior to the expiration date, the supervising officer will complete the exit LSI-R and enter the results in EZAssess. Upon the expiration date, the supervising officer will purge the file and submit the supervision file to the immediate supervisor.

5. Revoked

Upon receiving notice that the offender's parole has been revoked, the supervising officer will conduct the exit LSI-R and enter the results in EZAssess. The officer will submit the revocation documents and forward to the immediate supervisor.

If revocation is to the custody of ODOC, the revocation documents and the "Record Transfer/Verification" ([DOC 060212E](#)) will be forwarded to the immediate supervisor to be forwarded to the appropriate assessment and reception center (or confining facility) within two days of notification of reception.

If revocation is made while the offender is incarcerated in another state, the offender's file and the "Record Transfer/Verification" will be forwarded to the immediate supervisor to be forwarded to an administrative caseload in accordance with [OP-160801](#) entitled "Administrative Caseload."

6. Death

Supervision of parolees will be terminated upon valid notice that the offender has died. A "Special Report" will be submitted to the Pardon and Parole Board, the sentencing court and to ODOC Restitution and Accounting notifying of the death. If the offender was supervised in excess of six months, the supervising officer will review the LSI-R to determine if any significant change had occurred and will update in EZAssess.

7. Conclusion of Supervision

At the conclusion of supervision, a "Termination Summary" will be prepared to summarize the performance of the offender during the entire period of supervision. (4-APPFS-2A-13) The "Termination Summary" will be completed in OMS and forwarded to the immediate supervisor.

A "Termination Summary" is not required for each separate case the offender completes, only the entire period of supervision.

A "Six Part Closure" ([Attachment C](#)) will be completed, noting all cases closed. The case will be closed in OMS and the file will be



forwarded to closed records, if no further supervision is ordered.

For purposes of statutory termination of supervision, multiple cases will be considered as one continuous term of supervision, except that cases that are preceded by a parole case will not be terminated until the parole case has been terminated, either by statutory termination or by case expiration. Any such subsequent case will be considered for statutory termination.

Should the court order a period of supervision following the incarceration portion of the sentence, the supervising officer will submit the file to the immediate supervisor for opening. A "Termination Summary" and exit LSI-R are not required at this time.

#### V. Interstate-In

An Interstate-In is an offender received for supervision from another state. The offender is subject to the rules and conditions established by the sending state. Additional rules may be imposed by the receiving state.

##### A. Opening the File

The following information will be placed in the field file for all interstate-in cases:

1. Judgment and Sentence or equivalent sentencing document (i.e., a court minute);
2. Parole certificate (if applicable);
3. Rules and condition
4. Completed investigation, printed from ICOTS; and
5. "Personal History Sheet" If available.

After all documents have been assembled, all pertinent information will be entered in OMS.

Copies of documents regarding supervision fees will be forwarded to the Restitution and Accounting Unit. (4-APPFS-3D-27)

If an offender is sentenced to supervision and was born, or is suspected of being born in a country other than the United States of America, the officer who supervises the case will notify the U.S. Department of Justice, Immigration and Customs Enforcement (ICE) in writing immediately upon initiating supervision, utilizing the "Foreign-Born & Suspected Foreign-Born Report" ([Attachment K](#), attached)

B. Interstate Transfers

1. Transfer to a Third State (4-APPFS-2A-16)

- a. At the request of an offender for transfer to a subsequent receiving state, and with the approval of the sending state, the sending state will prepare and transmit a request for transfer to the subsequent state in the same manner as an initial request for transfer is made.
- b. The current receiving state will assist the sending state in acquiring the offender's signature on the "Application for Interstate Compact Transfer" and any other forms that may be required and will forward these forms to the sending state.
- c. The current receiving state will submit a progress report through Interstate Compact Offender Tracking System (ICOTS) to the sending state summarizing the offender's progress under supervision.
- d. The offender will remain in Oklahoma until instructed otherwise by the original sending state. In case of an emergency, the Interstate Compact administrator may contact the sending state for permission to move. If granted, a "Travel Permit" ([DOC 160103B](#)) will be issued to the offender and the case closed in accordance with Section V. D.4. of this procedure. If denied, the offender will remain in Oklahoma until the formal acceptance is received.
- e. Acceptance by Third State

Upon notice of acceptance by the third state, the following will occur:

- (1) An exit LSI-R will be completed and entered in EZAssess;
- (2) The offender will be issued a "Travel Permit" ([DOC 160103B](#)) and the case closed in accordance with Section V.D.4. of this procedure and OP-160108 entitled "Interstate Compact for Probation/Parole."

2. Return to Sending State

When an offender decides to return to the sending state, a "Request for Reporting Instructions" will be submitted in ICOTS. The offender will remain in Oklahoma until reporting instructions are received. Once the offender has received reporting instructions, the supervising officer will complete the exit LSI-R and enter the results in EZAssess, and the case will be closed in accordance with Section V.D.4. of this

procedure and OP-160108 entitled "Interstate Compact for Probation/Parole."

C. Telephone Reporting

The length of supervision is determined by the sending state; therefore, interstate in cases are not subject to advance termination. In lieu of advance termination, offenders may be placed in telephone reporting supervision once the below criteria are met.

1. Assignment Requirements

- a. The offender has a LSI-R score of 9 or less or an LSI-R score of 10-18 with no module placement required for substance abuse;
- b. The offender has successfully completed all assigned programmatic modules;
- c. The supervising officer has completed all requirements as outlined in the "Telephone Reporting" section of the "Administrative Caseload Checklist" ([OP-160801](#), Attachment A); and
- d. The supervising officer has submitted the checklist and the file to the team supervisor for approval.

D. Closing the Case

1. Expired

Forty-five days prior to the expiration of the sentence, the supervising officer will complete a current criminal records check to include at a minimum, the FBI and OSBI records.

Thirty days prior to the expiration date, the supervising officer will complete the exit LSI-R and enter the results in EZAssess.

2. Absconders and Incarcerated Offenders

An ICAOS "[Violation Report](#)" will be transmitted through ICOTS detailing the violation(s). The report will also state, "Oklahoma is closing interest in this case, effective (Date)." The officer will complete an exit LSI-R with results entered in EZAssess.

3. Death

Supervision of offenders under supervision upon valid notice that the offender has died. If the offender was supervised in excess of six months, the supervising officer will review the LSI-R to determine if

any significant change had occurred and will update EZAssess, utilizing the LSI-R. An ICAOS [“Closure Notice”](#) will be completed and transmitted through ICOTS along with documentation of the death.

#### 4. Conclusion of Supervision

At the conclusion of supervision, a “Termination Summary” will be prepared to summarize the performance of the offender during the entire period of supervision. (4-APPFS-2A-13) The “Termination Summary” will be completed in OMS and forwarded to the immediate supervisor.

A “Termination Summary” is not required for each separate case the offender completes, only the entire period of supervision.

An ICAOS [“Closure Notice”](#) will be completed and transmitted through ICOTS. A “Six Part Closure” ([Attachment C](#)) will be completed, noting all cases to be closed. The case will be closed in OMS and the file will be submitted to closed records.

## VI. Post Imprisonment Supervision

Post Imprisonment Supervision is defined as a term of court ordered supervision for nine (9) to twelve (12) months immediately following release from incarceration. Post Imprisonment Supervision only applies to cases of incarceration with no supervision following release, to include parole supervision. Post Imprisonment Supervision will be applicable upon release in the event of a suspended or parole case being revoked in full.

### A. Opening the File

Post Imprisonment Supervision Rules and Conditions, Attachment L, will be signed immediately upon intake. The following information will be placed in the field file for all Post Imprisonment Supervision cases:

1. Judgment and Sentence, or equivalent document;
2. Rules and Conditions, signed by the offender (Attachment L, attached);
3. “Personal History Sheet”; if available; and
4. Pre-Sentence Investigation, if available.

After all documents have been assembled, all pertinent information will be entered in OMS.

Copies of court documents regarding restitution, supervision fees, pre-sentence/delayed sentencing investigation fees and mental health

assessment fees will be forwarded to the Restitution and Accounting Unit. (4-APPFS-3D-27)

If an offender is released to a period of post imprisonment supervision and was born, or is suspected of being born in a country other than the United States of America, the officer who supervises the case will notify the U.S. Department of Justice, Immigration and Customs Enforcement (ICE) in writing immediately upon initiating supervision, utilizing the "Foreign-Born & Suspected Foreign-Born Report" ([Attachment K](#), attached).

#### B. Telephone Reporting

Post imprisonment offenders are not eligible for advance termination. In lieu of advance termination, offenders may be placed in telephone reporting supervision once the below criteria are met.

##### 1. Assignment Requirements

- a. The offender has a LSI-R score of 9 or less or an LSI-R score of 10-18 with no module placement required for substance abuse;
- b. The offender has successfully completed all assigned programmatic modules;
- c. The supervising officer has completed all requirements as outlined in the "Telephone Reporting" section of the "Administrative Caseload Checklist" ([OP-160801](#), Attachment A); and
- d. The supervising officer has submitted the checklist and the file to the team supervisor for approval.

#### C. Closing the File

The case will be closed upon reaching the expiration of the court ordered supervision period.

##### 1. Expired

Forty-five days prior to the expiration of the sentence, the supervising officer will complete a current criminal records check to include at a minimum, the FBI and OSBI records.

Thirty days prior to the expiration date, the supervising officer will complete the exit LSI-R and enter the results in EZAssess.

At the conclusion of supervision, a "Probation and Parole Termination Summary" ([Attachment F](#), attached) will be prepared to summarize the performance of the offender during the entire period of

supervision. (4-APPFS-2A-13) The "Termination Summary" will be completed in OMS and forwarded to the immediate supervisor.

A "Termination Summary" is not required for each separate case the offender completes, only the entire period of supervision. Upon the expiration date, the supervising officer will purge the file and submit the supervision file to the immediate supervisor.

A "Six Part Closure" ([Attachment C](#), attached) will be completed, noting all cases closed. The case will be closed in OMS and the file will be forwarded to closed records.

## VII. Delayed Sentencing

A delayed sentencing is a trial supervision period ordered by the court prior to the court issuing a final adjudication on of a felony case. The defendant is supervised in accordance with agency policy for a time specified by the court.

### A. Opening the File

The office having geographic jurisdiction will ensure that the following items are placed in the field file within seven working days of receipt of the court order and made available to the supervising region:

1. Court order;
2. District attorney's information sheet;
3. "Personal History Sheet;" if available;
4. Signed "Consent for Release of Confidential Information" ([OP-060210](#), [Attachment C](#)); and
5. LSI-R, if available.

After all documents have been assembled, all pertinent information will be entered into OMS.

Copies of court documents regarding restitution, supervision fees, pre-sentence/delayed sentencing investigation fees, and mental health assessment fees will be forwarded to the Restitution and Accounting Unit. (4-APPFS-3D-27)

If an offender is sentenced to supervision and was born, or is suspected of being born, in a country other than the United States of America, the officer who supervises the case will notify the U.S. Department of Justice, Immigration and Customs Enforcement (ICE) in writing immediately upon initiating supervision, utilizing the "Foreign-Born & Suspected Foreign-Born Report" ([Attachment K](#), attached).

Within 90 days of assignment to the delayed sentencing program, an “Offender Accountability Plan Delayed Sentencing Program for Young Adults” ([OP-060210](#), [Attachment B](#)) will be developed and submitted to the court.

B. Closing the File

If at formal sentencing the court dismisses the delayed sentence or orders the sentence satisfied, the supervising officer will submit the case to the immediate supervisor for closing. The case will be closed on OMS and the file will be forwarded to closed records.

If the offender receives a sentence of supervised probation, the case will be opened in accordance with this procedure. If the offender is sentenced to a term of incarceration, the case will be closed in OMS and the file will be forwarded to the appropriate assessment and reception center.

VIII. Intrastate Transfers (with exception of Electronic Monitoring Supervision Programs offenders, Delayed Prosecution and Registerable Sex Offenders (transferred in accordance with OP-160601 entitled “Supervision of Sex Offenders”))

Prior to transfer to another office, the file will be opened, the field file/computer records will be current and all case reports will be submitted per policy. Offenders will not be denied transfer due to delinquencies or pending court actions. If court actions are pending, the supervising officer of the sending office will testify in any court actions resulting from case reports submitted prior to transfer. Offenders will not be transferred if placed in an inpatient treatment facility.

A. Transfer to Another Office

1. If the offender is transferring outside of the current assistant regional supervisor’s area and the offender has a pending violation (to include a violation addressed with the imposition of an intermediate sanction), the assistant regional supervisor from the sending office will contact the assistant regional supervisor from the receiving office for approval prior to the transfer.
2. The supervising officer will summarize the offender’s supervision in the case notes prior to transferring the file to another officer. The case note should include information outlining module placement, the offender’s readiness for change, information regarding pending charges (if applicable), and any other issues relevant to the offender’s supervision.
3. The supervising officer will complete the “Case Transfer Notice” ([Attachment E](#)). A copy of the “Case Transfer Notice” will be faxed/scanned to the receiving office within 24 hours. One copy will be provided to the offender to serve as reporting instructions and one copy will be attached to the offender field file.

4. The field file will be submitted through the immediate supervisor who will ensure the file is transferred to the receiving office within ten working days of the transfer approval.
5. Within 24 hours of receipt of the "Case Transfer Notice," an electronic move of the offender record will be submitted to the receiving office via OMS.

B. To Receive a Transfer from Another Office

1. OMS will be monitored for all incoming transfers on a daily basis.

Upon receipt of the "Case Transfer Notice" or upon notice that the offender has reported for supervision, OMS will be accessed and the transferred case will be assigned to a supervising officer.

2. A copy of the "Case Transfer Notice" will be provided to the newly assigned supervising officer to advise the officer of the case assignment.

C. Supervision in the receiving office will begin upon assignment to the supervising officer. If the offender fails to report, the receiving officer will have 30 days to complete the following:

1. Locate the offender; or
2. If unable to locate, a detailed chronological entry to document all attempts to locate the offender will be entered in OMS and the file will be submitted to the team supervisor to be forwarded to the originating officer. Locator attempts will be conducted in accordance with OP-160103 entitled "Supervision of Community Offenders."
2. The assistant regional supervisor will approve all files returned to an originating officer. An electronic move will be submitted on OMS transferring the case back to the originating officer. The originating officer will be responsible for preparation of the violation report to the court or supervising authority if necessary.

XI. Electronic Monitoring Supervision Programs Offenders

These programs consist of offenders, previously incarcerated, who have been released to a conditional supervision program. The offenders are subject to the rules and conditions of the program.

A. Opening the File

The following information will be placed in the field file for all cases:

1. Rules and Conditions (pertinent to the program), signed by the offender; and



2. "Personal History Sheet";

After all documents have been assembled and the file is received from the facility, the officer and/or the consolidated records unit will enter all pertinent information into OMS.

Copies of documents regarding supervision fees will be forwarded to the Restitution and Accounting Unit. All required opening materials will be placed in the field file. (4-APPFS-3D-27)

B. Intrastate Transfers

Offenders will be transferred in accordance with [OP-061001](#) entitled "Electronic Monitoring Supervision Programs."

The supervising officer will summarize the offender's supervision in the case notes prior to transferring the file to another officer. The case note should include information outlining module placement, the offender's readiness for change, information regarding pending charges (if applicable), and any other issues relevant to the offender's supervision.

C. Closing the File

1. Expired

Upon receiving notice and a completed discharge certificate from the consolidated records unit, the supervising officer will obtain the offender's signature on the discharge certificate. An exit LSI-R will be completed and entered into EZAssess. The "Termination Summary" will be completed in OMS and forwarded to the immediate supervisor. A "Six Part Closure" will be completed, noting all cases closed. The case will be closed in OMS and the file will be forwarded to closed records if no further supervision is ordered.

Should the court order a period of supervision following the incarceration portion of the sentence, the supervising officer will submit the file for opening. A "Termination Summary" and exit LSI-R are not required at this time.

2. Program Removal/Reclassification

When an offender is returned to higher security for violation of the rules and conditions of supervision, an exit LSI-R will be completed and entered in EZAssess. A "Termination Summary" will be completed in OMS and forwarded to the immediate supervisor. The case will be closed on OMS. A "Record Transfer/Verification" sheet will be completed. The field file will be transferred to the receiving facility with the offender. The consolidated records unit will ensure the legal file is submitted to the receiving facility. Copies of disciplinary

documents will be maintained by the supervising officer for final executive action. Removal of an offender from any of the aforementioned programs will be in accordance with [OP-060125](#) entitled "Inmate/Offender Disciplinary Procedures" and [OP-061001](#) entitled, "Electronic Monitoring Supervision Programs."

3. Paroled

Upon notice of offender's parole, the supervising officer will complete a "Six-Part Closure," and submit with the field file to the immediate supervisor. The case will be closed on OMS and the parole case will be opened in accordance with Section IV. A. of this procedure.

4. Death of an Offender

Supervision of Electronic Monitoring Supervision Programs offenders will be terminated upon valid notice that the offender has died. If the offender was supervised in excess of six months, the supervising officer will review the LSI-R to determine if any significant change had occurred and will update EZAssess. The "Termination Summary" will be completed on the OMS and forwarded to the immediate supervisor. The case will be closed on OMS. A "Six Part Closure" will be completed and the file will then be submitted to the closed records.

X. Deferred Prosecution

A. Opening the File

The following information will be placed in the field file for all deferred prosecution cases:

1. District attorney's deferred prosecution agreement;
2. Rules and conditions; and
3. "Personal History Sheet;" if available.

After all documents have been assembled, all pertinent information will be entered in OMS.

Copies of court documents regarding restitution, supervision fees, pre-sentence/delayed sentencing investigation fees, and mental health assessment fees will be forwarded to the Restitution and Accounting Unit. (4-APPFS-3D-27)

If an offender is sentenced to supervision and was born, or is suspected of being born, in a country other than the United States of America, the officer who supervises the case will notify the U.S. Department of Justice, Immigration and Customs Enforcement (ICE) in writing immediately upon initiating supervision.

B. Transfer

Deferred prosecution cases cannot be transferred.

C. Closing the File

On the closing date, the supervising officer will send a memo to the Restitution Accounting Unit advising that the case has closed. The case will be closed on OMS and the file will be destroyed within five working days after the expiration of the contract unless closed previously by authorization of the district attorney's office. No "Termination Summary" is required.

XI. References

Policy Statement No. P-160100 entitled "Purpose and Function of Probation and Parole"

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

OP-060125 entitled "Inmate/Offender Disciplinary Procedures"

OP-060212 entitled "Maintenance and Access of Offender Records"

OP-061001 entitled "Electronic Monitoring Supervision Programs"

OP-061002 entitled "Electronic Monitoring Program for DUI Offenders"

OP-160103 entitled "Supervision of Community Offenders"

OP-160108 entitled "Interstate Compact for Probation/Parole"

OP-160601 entitled "Supervision of Sex Offenders"

OP-160801 entitled "Administrative Caseload"

22 O.S. § 305.2 through 305.5

22 O.S. § 982

XII. Action

The deputy directors are responsible for compliance with this procedure.

The director of Probation and Parole 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.

Replaced: Operations Memorandum No. OP-160201 entitled "Opening, Closing and Transferring Probation and Parole Cases Under Supervision" dated April 27, 2018

Deleted: Revision-01 dated July 30, 2018

Distribution: Policy and Operations Manual  
Agency Website

<u>Referenced Forms</u>	<u>Title</u>	<u>Location</u>
<a href="#">DOC 060103A (M)</a>	"Male Custody Assessment Scale"	<a href="#">OP-60103(M)</a>
<a href="#">DOC 060103A (F)</a>	"Female Custody Assessment Scale"	<a href="#">OP-060103(F)</a>
<a href="#">DOC 060204A</a>	"Facility Assessment Form"	<a href="#">OP-060204</a>
<a href="#">DOC 060212E</a>	"Record Transfer/Verification"	<a href="#">OP-060212</a>
<a href="#">DOC 090211B</a>	"Oklahoma Department of Corrections Request for Record"	<a href="#">OP-090211</a>
<a href="#">DOC 160103B</a>	"Travel Permit"	<a href="#">OP-160103</a>
<a href="#">DOC 160301B</a>	"Case Report"	<a href="#">OP-160301</a>
<u>Attachments</u>	<u>Title</u>	<u>Location</u>
<a href="#">Attachment B</a>	"Offender Accountability Plan-Delayed Sentencing Program for Young Adults"	<a href="#">OP-060210</a>
<a href="#">Attachment C</a>	"Consent for Release of Confidential Information"	<a href="#">OP-060210</a>
<a href="#">Attachment D</a>	"Rules and Conditions for GPS Surveillance Program"	<a href="#">OP-061001</a>
<a href="#">Attachment K</a>	"GPS Exit Form"	<a href="#">OP-061001</a>
<a href="#">Attachment D</a>	"Orientation to Supervision Verification of General Orientation" (English and Spanish)	<a href="#">OP-160103</a>
<a href="#">Attachment A</a>	"Personal History Sheet"	Attached
<a href="#">Attachment C</a>	"Six-Part Closure"	Attached
<a href="#">Attachment D</a>	"Case Card"	Attached
<a href="#">Attachment E</a>	"Case Transfer Notice"	Attached
<a href="#">Attachment F</a>	"Probation and Parole Termination Summary"	Attached
<a href="#">Attachment H</a>	"Statutory Termination Review for Continued Supervision on Suspended/Parole Cases"	Attached
<a href="#">Attachment I</a>	"Notice of Termination of Active Probation Supervision"	Attached
<a href="#">Attachment J</a>	"Inactive Parole Supervision Notice"	Attached

[Attachment K](#)

“Foreign-Born & Suspected Foreign-Born Report”

Attached

[Attachment L](#)

“Post Imprisonment Supervision Rules and Conditions”

Attached