

**OKLAHOMA DEPARTMENT OF CORRECTIONS**  
**OFFENDER ORIENTATION MANUAL**  
**LEXINGTON ASSESSMENT & RECEPTION CENTER**

**Oklahoma Department of Corrections**  
**Offender Orientation**

PART I      Lexington Assessment and Reception Center (Specific) .....2

PART II      Oklahoma Department of Corrections (To Include All Facilities)

        I.      Staff for the Oklahoma Department of Corrections ..... 6

        II.     Department of Corrections Facilities ..... 6

        III.    Offender Rights, Privileges, and Responsibilities ..... 7

        IV.    Disciplinary Process ..... 12

                Acts constituting rule violation ..... 28

        V.     Health Services ..... 14

        VI.    Classification ..... 15

        VII.   Offender Transfers ..... 16

        VIII.  Needs Assessment ..... 17

        IX.    Case Management and Programs ..... 17

        X.     Work Programs ..... 20

        XI.    Financial Requirements ..... 20

        XII.   Prisoner Public Works ..... 21

        XIII. Sentence Administration, Credits, Parole, and Discharge ..... 22

        XIV.  Over Familiarization With Staff/Offenders ..... 24

**SPECIFICALLY FOR: LEXINGTON ASSESSMENT & RECEPTION CENTER****OFFENDER ORIENTATION****Contact Information:**

**Administration:**      **Lexington Assessment and Reception Center**  
**Box 260**  
**Lexington, Oklahoma 73051-0260**  
**(405)-527-5676/FAX (405)-527-3699**  
**6.5 miles east of Lexington on Highway 39**

This material is given to you to serve as a guide to be followed during your stay at LARC. It sets forth the main rules for your conduct while you are here. Not knowing the rules will not be accepted as an excuse for breaking the rules. If you are in doubt about what you may or may not do, ask an officer before you commit a questionable act. All rules contained in OP-060125 entitled, "Disciplinary Procedures," including levels of allowable punishment and reporting procedures will apply.

You will probably be at LARC between two and four weeks for processing by Medical, Dental, Case Management and Classification Committee. You are subject to be transferred anytime after your processing is completed. Your total cooperation during processing will be appreciated. Any uncooperative behavior during processing could result in your stay at LARC being extended.

**A. Movement within the Institution**

When walking in a group or single, you will walk in a single file on the right side of the hall or corridor with your left hand behind your back. There will be no talking.

**B. Conduct in the Cell**

1. Shoes may not be placed on the bed in any manner.
2. You may not remove blankets or sheets from any bed unless an officer tells you to do so.
3. You may not peck on the walls, or paste any pictures on the walls or fixtures; also, no writing or drawing on doors, walls, or fixtures. No tampering with electrical or locking devices.
4. Nothing will be placed over any of the cell windows or placed on any of the ledges. There will be NO exceptions.
5. Your bed must be made and cell cleaned daily. NO exceptions. This needs to be done during free time only.
6. Sleeping nude will not be allowed.
7. No smoking or possession of tobacco products. No tobacco or tobacco like products such as lighter, matches, cigarettes, papers or imitation tobacco are allowed on ODOC property. **NO EXCEPTIONS!!!**

**C. You are forbidden to:**

1. Tamper with any locking devices.
2. Tamper with any electrical devices.
3. Damage or destroy any institutional property.
4. Possess any contraband. That is, you may not have anything that is not issued to you by the institution, or that is not listed below.

**D. Allowable Property**

1. Prescription eye-glasses or contact lenses
2. 2 T-shirts (no pockets on t-shirts,)
3. 2 pairs socks (white)
4. 2 pairs boxer shorts
5. 1 pair shoes or boots (no steel toes)

6. 1 pair shower shoes
7. 1 watch
8. 1 ring (wedding band only) / no stones
9. 2 wooden pencils (no ink pens)
10. 1 cubic foot of religious material, letters, addresses and writing paper, no other books besides religious
11. 1 toothbrush
12. 1 toothpaste
13. 1 deodorant (roll-on or stick, no spray)
14. 1 shampoo (no conditioner)
15. 1 towel
16. 2 sheets
17. 1 blanket (Spring/Summer) / 2 blankets (Fall/Winter)

All offenders will be provided with necessary hygiene items (deodorant, soap, toothpaste, and toothbrush), in accordance with OP 030501 "Personal Hygiene and Appearance Code. An electric razor is available for use.

Official offender documents (e.g., driver's license, birth certificates, and social security cards) will be confiscated upon offender's arrival at LARC to be retained in the offender's field file and returned upon release from Department of Corrections.

**E. Orders will be carried out promptly**

1. If you are given an order by an officer or staff member and you think it is unjust or wrong, obey the order immediately and then state your objection to your case manager or the lieutenant in writing.
2. Any officer or staff member may search your person or personal property or assigned cell at any time.
3. In no situation will any offender or group of offenders be given authority or control over any other offender or facility security functions.

**F. Housing Unit Rules**

1. If you are found with tobacco, matches, or lighters at any time, you will be subject to a misconduct.
2. You must stay off the rails.
3. You must remain fully dressed between the hours of 8:00 a.m. and 5:00 p.m. except on holidays and weekends.
4. Do not yell through the doors or into the other quads.
5. Do not pass notes or letters to other offenders.
6. Address all employees by their last names, using Mr., Mrs., Ms., or Officer.
7. You must be fully dressed, including shoes on before coming out of your cell.
8. Your jumpsuit, must be fully buttoned up, legs unrolled and collars out.
9. When a case manager or officer enters your housing unit, stay downstairs or in your cell if you live upstairs, and wait until you are called by name.
10. Remember all exercise time over five hours a week is a privilege and not a right.
11. No type of necklace or earrings will be worn at any time.
12. Any time you are out of your cell your door will be locked. All doors are locked at meal times.
13. No sitting on stairs at any time.
14. No visiting in another offender's cell at any time.
15. When you are in your cell, the door will be closed and locked.
16. When called up from your cell, come to the quad door and stand against the wall until called by the staff member.
17. No type of headgear will be worn at any time.
18. During pill line only those called by the officer will be seen. You must present your offender ID in order to get your medicine.
19. Excessive noise in the quad could result in termination of the exercise period.
20. Tapping on the glass will not be permitted. Speakers are available for communication with the officers and staff.
21. Laundry will be picked up according to the units schedule. You must have your laundry outside the cell when you go to breakfast. Required items to be placed in laundry bag are: t-shirts, boxers, and socks.
  - a. Monday A&R Units 1, 2 & 9 – underclothing (bags)/jumpsuits
  - b. Tuesday Unit 1 – sheets/blankets
  - c. Wednesday Unit 1 & 2 – underclothing (bags)/jumpsuits

- |             |                                     |
|-------------|-------------------------------------|
|             | Unit 9 – sheets/blankets            |
| d. Thursday | Unit 2 – sheets/blankets            |
| 3. Friday   | Units 1, 2 and 9 – (bags)/jumpsuits |

**Laundry schedule is subject to change.**

22. Bed must be made during free time. Windows must be kept clear and clean.
23. The only time you may be on the upstairs run is when you are going to or from your cell.

**G. Mail**

1. You will be able to send two free post cards per week (legal mail not included). You can send or receive mail as long as it has a Unit #, Quad #, Cell # DOC number on it.
2. You may write to attorneys or the courts using a form obtained from the law clerk to send legal mail. Legal mail is to attorneys or courts and will not leave the facility without stamps or the law library form for postage.
3. Sending or receiving mail is a privilege, which may be withdrawn if you abuse it or if a person you are writing to request that you not be allowed to write to him/her.
4. You may not correspond with offenders in other prisons or jails without written permission from the warden of the facility that you will be assigned after you leave A&R and the warden of the other facility. If you are at this facility in excess of (30) thirty days, you may request in writing through your case manager, for permission from the warden of this facility to correspond.
5. Any mail you receive will be opened, except legal and privileged mail from attorneys, courts or public officials. Legal and privileged mail may not be read without your permission and will be opened in your presence, after you sign for the letter.
6. ALL MAIL that you send must have your return address that includes your full name, your DOC number, your housing assignment, and your institutional address. (Failure to put your address on the envelope will result in the letter being opened to determine the owner and return to you for proper format.)

**Incoming Mail**

Name-DOC #  
LARC-Unit, Quad, Cell  
Box 260  
Lexington, OK 73051-0876

**Outgoing Mail**

Name-DOC#  
LARC-Unit, Quad, Cell  
Box 260  
Lexington, OK 73051-0876

**H. Phone Calls and Visits**

1. Time limited phone calls are permitted. There will be an eight (8) minute limit on phone calls. One (1) call per exercise period.
2. You may receive visits by your attorney. No other visitors are allowed, except emergency visits, which must be approved by the warden. You may request, through a Request to Staff to your assigned case manager, a visit after 30 days from immediate family. Visits must be approved by the warden or designee.

**I. Personal Hygiene**

1. You may not have sideburns, mustache, or any facial hair. Electric razor available for use.
2. Showering is scheduled daily. You must shower regularly during free time.
3. The white ends of your fingernails must not extend past the ends of your fingers.
4. 2 rolls per cell issued one time per week.

**J. Meals**

1. Loud talking or disturbances are not permitted at any time.
2. You will eat in your cells with the doors locked.
3. You are allowed twenty (20) minutes to eat. Orderlies have ten (10) minutes to clean up the trays after meals have been served and finished.

**K. Canteen and Trust Fund**

1. Any cash you had when you were received will go into your trust fund account on the following working day.
2. Additional money for your trust fund account may be received only by means of a postal money order or cashier's check sent through the mail. YOUR NUMBER MUST BE on the money order or cashier's check.

The money order may be for any amount. Personal checks will be returned to the sender at offender expense. Funds received in excess of \$500.00 will be subject to review by the warden or designee.

3. You will NOT be able to order canteen while you are in the Assessment and Reception Unit.

L. **Medical**

1. Medication will be given to you at your unit at designated times. You are required to take it when it is given to you. You may be allowed certain medications in your cell. This medication packet must contain your name, birth date or DOC number, and contain no more than one (1) week supply of medication. You must present your offender ID to receive your medications.
  - a. A complete medical history, physical examination (chest x-ray if warranted), dental examination, vision testing, a PPD skin test for tuberculosis, immunization for tetanus, and a series of blood and urine tests will be done. When in the medical area for processing, loud or obscene language, and visiting with general population offenders will not be allowed.
  - b. If you arrive Monday through Thursday, you will be awakened early the following morning for blood and urine tests. If you arrive on Friday, this will be done early the following Monday morning. Failure to comply with testing will delay processing and lengthen your stay in A&R.
  - c. Containers for urine specimens will be given to you immediately before your blood is drawn. After you are awakened, do not urinate until urine containers are received.
  - d. Any condition found at your examination, or any existing condition (high blood pressure, diabetes, seizures, or other chronic diseases) needing further attention, will be seen and evaluated by the institutional physician before you leave LARC.
  - e. All medications brought to A&R will be taken from you. They will be evaluated and continued or discontinued by the institutional physician.
  - f. New medical problems that start while you are at LARC should be written on a sick call request form. You must put your name, DOC number and birth date, cell location, and what your problem is on the form and turn it into the correctional officer. The forms are available on each quad. Sick call is held Monday through Friday, except holidays. There will be a \$2.00 charge for any sick call and a \$2.00 charge for prescriptions issued to you while in A&R. You will not be charged for your dental or medical examination.

M. **Personal Problems and Emergencies**

Your case manager here is not primarily a counselor. They cannot tell you when you will leave or approve an over-ride of your security level. If you have a special problem or an emergency, send a request to staff member or to your case manager and an appointment will be made with the chaplain, a psychologist, the unit manager, or the law clerk. Whenever you put out a note, make sure that your name, DOC # and the number of your quad and cell and a description of the issue is on the note.

N. **Programs**

No programs are available to you while you are at LARC. Your needs are assessed here and you will be recommended for programs that may be available when you are transferred to another facility.

O. **Personal Property**

You are asked to make a choice on unauthorized property when you arrive. If you have money when you arrive, you may pay to send your property home. If you do not have the money to do this, you must destroy or donate your unauthorized property. You may not change the decision later. Please do not ask.

P. **Issues Addressed by Case Managers**

You will be interviewed. You will be asked to provide information verbally, and in writing. You must complete the forms given to you when you arrive so that you may be interviewed properly the following day. Failure to do so may result in a delay in your processing.

## **PART II    OFFENDER ORIENTATION MANUAL TO INCLUDE ALL FACILITIES**

### **OKLAHOMA DEPARTMENT OF CORRECTIONS OFFENDER ORIENTATION LEXINGTON ASSESSMENT AND RECEPTION CENTER**

#### **I.    STAFF FOR THE OKLAHOMA DEPARTMENT OF CORRECTIONS**

The Department of Corrections institutions, not including community corrections centers and community work centers, for the most part operate a unit management system consisting of a unit manager, case managers, correctional counselors, unit secretary, correctional officers, and other administrative and support staff.

- A.    The unit manager is in charge of the unit and oversees all unit programs and activities, is a member of the senior staff and maintains a close working relationships with other departments, chairs the unit team and reviews all team decisions, and oversees sanitation and other on-unit programs.
- B.    The correctional officer is primarily responsible for security issues. Housing unit officers have direct responsibility for the day-to-day supervision of offenders in the enforcement of rules and regulations; they have safety, security, and sanitation responsibilities in the unit.
- C.    The case manager is responsible for the representation and development of individualized plans for offenders on their assigned caseloads, responding to all inquiries about offenders, participating in the facility and unit orientations of newly assigned offenders and assist in offender awareness of available programs, encouraging active participation in programmatic activities and ensuring appropriate referrals, and classifying offenders on their caseload.
- D.    The administrative and support staff includes psychological, property, canteen, laundry, food service, clerical, business office, procedures, industries, farm personnel, etc.
- F.    The unit secretary performs clerical and administrative duties.

#### **II.   DEPARTMENT OF CORRECTIONS FACILITIES**

##### **A.    Maximum Security Facilities**

- 1.    Lexington Assessment and Reception Center - Lexington, Oklahoma
- 2.    Oklahoma State Penitentiary – Males - McAlester, Oklahoma

##### **B.    Medium Security**

- 1.    Lexington Correctional Center - Lexington, Oklahoma
- 2.    Dick Conner Correctional Center - Hominy, Oklahoma
- 3.    Mack Alford Correctional Center - Stringtown, Oklahoma
- 4.    Joseph Harp Correctional Center - Lexington, Oklahoma
- 5.    Oklahoma State Reformatory - Granite, Oklahoma
- 6.    James Crabtree Correctional Center - Helena, Oklahoma

##### **C.    Minimum Security Facilities**

- 1.    Howard C. McLeod Correctional Center - Farris, Oklahoma
- 2.    John Lilley Correctional Center - Boley, Oklahoma
- 3.    Jess Dunn Correctional Center - Taft, Oklahoma
- 4.    Jim E. Hamilton Correctional Center - Hodgen, Oklahoma
- 5.    Jackie Brannon Correctional Center - McAlester, Oklahoma
- 6.    Northeast Oklahoma Correctional Center - Vinita, Oklahoma
- 7.    William S. Key Correctional Center - Fort Supply, Oklahoma
- 8.    Bill Johnson Correctional Center - Alva, Oklahoma
- 9.    Oklahoma State Reformatory Minimum Security Unit - Granite, Oklahoma
- 10.   Lexington Correctional Center Minimum Security Unit - Lexington, Oklahoma
- 11.   James Crabtree Correctional Center, Minimum Security Unit -Helena, Oklahoma
- 12.   Mack Alford Correctional Center Minimum Security Unit, Stringtown, Oklahoma
- 13.   R. B. "Dick" Conner Correctional Center, John Dahl Minimum Security Unit, Hominy, Oklahoma

D. **Community Residential Facilities** (males unless otherwise noted)

1. Oklahoma City Community Corrections Center - Oklahoma City, Oklahoma
2. Lawton Community Correctional Center - Lawton, Oklahoma
3. Enid Community Correctional Center - Enid, Oklahoma
4. Union City Community Corrections Center - Union City, Oklahoma
5. Offender work centers
  - a. Frederick Work Center
  - b. Hollis Work Center
  - c. Altus Work Center
  - d. Hobart Work Center
  - e. Mangum Work Center
  - f. Elk City Work Center
  - g. Beaver Work Center
  - h. Sayre Work Center
  - i. Earl Davis Work Center
  - j. Idabel Work Center
  - k. Madill Work Center
  - l. Ardmore Work Center
  - m. Haldton Work Center
  - n. Walters Work Center
  - o. Waurika Work Center
  - p. Mangum Work Center

E. **Contract Prison Facilities**

1. Cimarron Correctional Facility - Cushing, Oklahoma
2. Davis Correctional Facility - Holdenville, Oklahoma
3. Lawton Correctional Facility - Lawton, Oklahoma

III. **OFFENDER RIGHTS, PRIVILEGES, AND RESPONSIBILITIES**

All rights of offenders will be equally available to all offenders. All offender responsibilities will be equally enforced. No offender will be subject to discrimination based on race, religion, nationality, gender, political belief, or handicap.

Each offender will be informed of specific unit privileges and responsibilities upon reception into the unit. The rights and responsibilities of offenders will be posted on bulletin boards accessible to all offenders. The specific Offender Rights and Responsibilities may be found in OP-030123, entitled, "Offender Rights and Responsibilities."

A. **Access to Courts and Attorneys**

1. Law libraries will be located at all minimum, medium, and maximum-security facilities. Community correctional center and work center offenders may have access to public libraries and other community resources.
2. Institution Law Libraries will be open a minimum of 30 hours per week. Every offender not in segregation housing, community correctional centers, or work centers will have access to the law library at least two hours a week. Offenders with court imposed deadlines may request additional time.
3. Offenders will be charged twenty-five cents per photocopy page of legal documents and will be made available within 48 hours, excluding weekends and holidays.
4. Postage/envelopes to the courts and the offender's attorney of record will be provided by the facility at cost to the offender. For those offenders without funds available at the time of the request, the costs will be collected from the offender as soon as funds become available in his or her trust fund. All legal mail must have a stamp or use the law library form for postage.
5. Certified mail will be available to offenders at cost to the offender to show delivery of the initial complaint/petition/petition in error to the court clerk, at both district and appellate level. Forms are available by written request to the Law Library.
6. Offenders may write to attorneys or organizations that handle legal problems in an effort to obtain additional legal assistance.
7. Correspondence and communication between an offender and their attorney of record is privileged communication and will not be impeded. More information regarding access to courts/attorneys is listed in OP-030115, entitled, "Access to Courts/Law Library."

B. **Mail**

1. **All outgoing mail** will include the following: The offender's return address will be on the post card in the upper left corner and include the offender's name under which sentenced, offender number, address including the facility name, address, town, state, and zip code of the facility.
2. Correspondence will not include anything of a threatening nature, contraband, or anything that suggests plans for escape or illegal activity.
3. Correspondence related to business operations will be prohibited except that necessary to protect property interests and will be approved by the facility head.
4. Solicitation or receipt of any publications not paid for in advance will be prohibited. All orders for publications will be made directly to the publisher of the material or to a legitimate bookstore. Publications and Newspapers should not be ordered for delivery to LARC due to the short stay in this facility.
5. Publications will be prohibited that contain instructions for the manufacture of drugs, explosives, or other unlawful substances, advocate the overthrow of the U.S. or Oklahoma government, advocate terrorism, racial, religious, or national hatred, obscene and indecent materials. Visual representations that contain actual or simulated sexual activity to include intercourse, sodomy (oral or anal), homosexuality, bestiality, sadomasochism, and child pornography will be prohibited.
6. Correspondence containing gang-related material, information, or photographs of symbols is prohibited.
7. There will be no correspondence between offenders except as approved in writing by the appropriate facility heads.
8. Photographs will not be included in outgoing correspondence unless approved by the facility head or designee.
9. An indigent offender will be provided postage for no more than a total of two post cards per week. Postage will be provided at cost for indigent offenders for legal mail to the courts or an attorney of record and will be paid by use of the co-pay system. A form is available from the Law Library and should be attached to the envelope.
10. All correspondence and publications retained as personal property will be subject to search or reading for contraband or security violations. An offender may be placed on restricted correspondence status by the facility head or designee for violation or abuse of the guidelines contained herein for up to 90 days.
11. All incoming and outgoing non-privileged mail will be subject to inspection and reading for enforcement of correspondence guidelines and institutional security.
12. Cash or personal checks found in the mail will be returned to the sender at the cost of the offender.

Other information regarding mail may be found in OP-030117 entitled, "Correspondence, Publications, and Audio/Video Media Guidelines."

C. **Visits**

1. Visitation is a privilege, not a right. Each facility may set its own limit regarding the number of visitors approved to be placed on an offender's visiting list.
2. Facilities will not restrict the number of approved visitors to less than six members of the immediate family, one friend, and one member of the clergy, except the Oklahoma State Penitentiary may set a limit of three visitors plus one member of the clergy.
3. Under no circumstance will incarcerated offenders be allowed inter-facility visits.
4. Immediate family members are defined as spouse, natural or surrogate parents, grandparents, father and mother in-law, children (to include stepchildren and adopted children), grandchildren, siblings, aunt, or uncle. Persons under the age of 18 may visit when accompanied by a parent, legal guardian, or responsible adult who is also authorized to visit the offender.
5. Family members who are under supervision may be allowed to visit with the approval of both the district supervisor and facility head.
6. Offenders who are not family members will not be allowed to visit for three years following the completion of all active sentences, whether incarcerated or supervised.
7. Visitors may be permanently removed from the approved visitor's lists for documented cause.
8. Each facility will develop procedures, which address conditions, frequency and length of visits and provisions for logging each visit.

Other information regarding visits can be found in OP-030118 entitled, "Offender Visitation."



D. **Property Control**

1. During intake processing, every offender will complete "Designation for Disposition of Property" designating the name and address of the person who is to receive the offender's personal property that is held by any state correctional facility in the event of the offender's death or escape. The offender may change the designation if desired at the 120 adjustment review.
2. When an offender must dispose of personal property, such disposition will be completed within 30 calendar days. Except that personal items in the offender's possession at the time of reception at Lexington Assessment and Reception Center must be disposed of within 15 days. Offenders will be allowed to dispose of their own excess of unauthorized personal property by:
  - a. Shipped at the offender's expense to a designated individual who is not incarcerated
  - b. Picked up by a designee
  - c. Donated with any proceeds to benefit the Offender Welfare and Recreation Fund
  - d. Donated to any legitimate organization the offender chooses at the offender's expense, if cost is involved.
  - e. destroyed
3. Failure by the offender to select one of the dispositions cited above will cause the property to be destroyed or sold.
4. Offenders will not be allowed to trade, sell, barter, loan, or give away any personal property to another offender.
5. Any property that the offender retains is brought into the facility at the offender's own risk. The department is not responsible for unsecured personal property.
6. Offenders who are transferred from one prison to another assume the risk for alleged damage to property the offender packs and/or carries to a transportation vehicle. The department assumes no liability for the welfare of any offender's property packed by any person and placed in a transportation vehicle.
7. If the offender chooses to file a grievance because of loss of personal property, the facility head will not dispose of the property as long as the grievance is in progress.
8. Upon reception to LARC, offenders will be issued one pair of state issue footwear, two pair of state issue briefs/boxer shorts, two pair of state issue socks, and two state issue t-shirts. Upon transfer, offenders will retain the footwear and underwear, and will be issued one pair of state issue pants and one state issue shirt. Upon initial assignment to a facility, all offenders, will be issued an additional two pair of state issue pants and two state issue shirts. Offenders will be issued one pair of state issue footwear if necessary, one belt, one state issue coat, and six sets of underwear. Offenders will be issued allowed towels, washcloth, and sheet sets. Upon transfer, state issue clothing will remain with the offender. All underwear will be retained by the offender.
9. Each facility head will abide by the personal property matrix. Each facility head will not allow more personal property or substitute items unless they receive prior written approval from the director. The matrix will be posted in central locations accessible to each offender.
10. Upon transfer, the amount of allowable offender personal property will not exceed the volume that can be transported in a military-style duffel bag issued by the sending facility. An offender's television will be transported in a 16"x16"x16" cardboard box. Other electrical appliances, allowed legal, religious, and arts/crafts material will be transported in a 24"x18"x16" or smaller cardboard box or in the duffel bag. Consumable items such as food may be transferred only if the packages are unopened and do not require refrigeration.
11. Prior to transfer, all property will be itemized and recorded on the "Offender Property Inventory Form." The offender will be permitted to review the completed property form and the understanding statements before signing and dating the form.
12. Disposable canteen items cannot be accumulated in the cell/living area in excess of the amount designated by assigned level (OP060107). This amount varies from \$60.00 to \$80.00. Canteen slips should be maintained for purchases.
13. Legal material will be limited to a maximum of up to one cubic foot in the living area. Other paper materials (including but not limited to, religious materials, books, periodicals, and correspondence) will be restricted to the amount that can be stored in a maximum of one cubic foot.
14. Any item(s) found in the offender's possession that is not listed on their property form is considered contraband. Any items found listed on the property form which have distorted or altered markings or that have been substantially modified from the manufacturer's original

configurations will be considered contraband. The offender should retain canteen and property slips to verify purchase or ownership.

Other information of Offender Personal Property can be found in OP-030120, entitled, "Offender Property."

#### **E. Grievance Process**

The grievance process is available to the offender to provide a standard method by which the offender may seek informal and formal administrative decisions or answers to issues or complaints raised by the offender.

1. **Grievance Issues**

A grievance may be used to address issues regarding any policy, procedure, condition of confinement, actions of staff, action of other offenders, and incidents occurring within or under the authority and control of the Department of Corrections, which personally affect the offender making the complaint, and for which there is a remedy.

2. **Non-Grievable Issues**

a. Misconduct reports received through department disciplinary procedures cannot be appealed through the grievance process. Misconduct reports may only be appealed through the appeal procedures established in OP-060125 entitled, "Disciplinary Procedures."

b. Grievances may not be filed about matters, which are in the course of litigation.

c. Grievances that are not brought in a timely manner may not be filed.

3. **Availability of Materials/Forms**

Materials and forms will be available through the law libraries, general circulation libraries, district offices, facility staff, or district staff. Assistance provided by staff as to the proper method of filing a grievance.

4. **Reprisals**

An offender will not suffer a reprisal if the offender has filed a grievance in good faith.

Reprisal means any action or threat of action against anyone for using the grievance process.

Action taken in accordance with the abuse of process procedure by law is not a reprisal.

5. **Direct Involvement**

An employee directly involved in the offender's complaint may not determine the final resolution of a formal complaint.

a. If the complaint directly involves the review authority, administrative review authority, or medical services administrator, a designee will be appointed to resolve the complaint.

b. Direct involvement, means direct personal involvement by the employee in the alleged conduct/incident at issue in a formal complaint, but does not include any final review action taken by a unit head in the classification process.

6. **Offender Assistance**

An offender may assist another offender at the same facility in preparing his/her grievance, but the complaining offender must sign the grievance and submit it to the staff.

7. **Filing on Behalf of Another Person**

No person may file a grievance on behalf of another person or about an issue/complaint not directly affecting the complaining offender.

8. **Legible**

Offender grievances submitted to staff for resolution must be legibly written in blue or black ink. No pencil is allowed.

9. **Informal Resolution**

Before filing a formal grievance on written "Request to Staff (DOC Form 090124-D)," the offender must try to resolve the complaint by talking with the case manager/ probation and parole officer/supervising employee.

10. **Request to Staff**

a. If not resolved, the offender must submit a "Request to Staff" to their unit manager or supervising officer's team supervisor. The supervisor will attempt to settle the issue and will document any action taken on the "Request to Staff" form and return it to the offender.

b. Attempts at informal resolution must be initiated by the offender within seven (7) calendar days of the incident. Staff will respond in writing to all "Request to Staff" forms being used to attempt informal resolution within ten (10) working days of receipt.

- c. A "Request to Staff" may not be submitted about matters, which are in the course of litigation.
11. **Sensitive/Emergency Grievances**  
Grievances may be forwarded directly to the reviewing authority level without informal resolution when the complaint is of a sensitive nature or when substantial risk of personal injury or other irreparable harm exists. The offender must use the "Offender Grievance Report Form."
- a. The offender will describe the reason why he/she believes the grievance to be sensitive/emergency nature that justifies not submitting the grievance through normal procedures and attempting informal resolution. The grievance must include a statement specifying the personal injury or irreparable harm that is at risk.
  - b. The offender will forward the grievance directly to the reviewing authority who can provide immediate resolution. If the complaint is about the unit head and of a sensitive nature, the grievance may be brought directly to the administrative review authority.
12. **Filing and Review of Formal Grievances**  
If a complaint is not resolved informally or the complaint is not of a sensitive/emergency nature, the offender may obtain and complete the "Offender Grievance Report Form," and submit the grievance form, along with a copy of the completed "Request to Staff Form," used in the informal resolution process to the reviewing authority.
- a. The offender grievance must be submitted by the complaining offender within 15 calendar days of the incident or the date of the response to the "Request to Staff Form," whichever is later.
  - b. The reviewing authority may choose to extend the filing period up to 60 days for good cause.
  - c. Under no circumstances will the grievance be accepted after 60 days of the incident or the date of the response to the "Request to Staff," unless ordered by a court, a deputy director, the director, or their designee.
  - d. All medical grievances will be sent to the facility health services administrator for resolution.

Other information regarding the grievance process can be found in OP-090124, entitled, "Offender/Offender Grievance Process."

**F. Searches**

- 1. The Oklahoma Constitution and the Fourth Amendment of the U.S. Constitution govern searches. All searches will be conducted in a manner so as not to damage property. Offenders are subject to pat down, strip, visual body cavity, intrusive body cavity, and property searches. Every visitor entering the grounds of a facility may be subject to pat down, strip, and personal property searches. Prior to the search, the visitor will be informed of the type of search to be performed, of the option to refuse to be searched, and they must consent in writing to be strip searched without a search warrant. Any visitor not giving permission will be required to leave the facility grounds. The visitor's refusal may be the basis for further denial of future entry.
- 2. All personal property being carried through the perimeter of a facility is subject to being searched. If a visitor refuses to allow a personal property search, he or she will be directed to leave facility grounds.
- 3. Offender cell searches may be conducted on periodic and random basis, as well as based on individual reasonable grounds.

**G. Counts**

- 1. Each facility has specific procedures for conducting accurate counts of offenders assigned to the facility and will be responsible for implementing the procedures consistent with the facility's security level
- 2. Offenders will be counted on a regular basis.
- 3. It is a violation of policy to interfere with the count in any way.

**H. Telephone**

- 1. Use of telephones is a privilege, not a right.
- 2. All telephone calls will be "collect" to the party legally responsible for the telephone charges incurred.
- 3. Credit card and "third number billing" calls are prohibited.

4. Community corrections centers and work centers that allow offenders possession of currency may permit the use of pay telephones.
  5. Phone calls to an offender's attorney of record will be collect or made at the offender's expense.
  6. Except for phone calls to the attorney of record, collect phone calls will not be made to a business phone.
  7. Offenders will not be permitted to receive phone calls. Except for calls about a verifiable death or life threatening illness of an immediate family member, messages will not be taken by staff for an offender.
  8. Calls other than deemed legal, (calls to attorneys of record), may be monitored by facility officials. Your call is not private.
  9. Loud, threatening, or profane language will not be tolerated.
  10. Making or participating in conference calls, transferred calls, 3-way calling, or call forwarding except in cases where the facility administration initiated such calls is prohibited.
- Additional information may be found in OP-030119, entitled "Offender Telephone Privileges."

#### IV. **DISCIPLINARY PROCESS**

##### A. The disciplinary process addresses

1. Rules and Regulations
2. Misconduct reports
3. Disciplinary hearings
4. Appeals process
5. Segregation housing

##### B. Disciplinary Procedures

Each offender is expected to know the rules and regulations of the Department of Corrections and strictly abide by each and every rule and regulations. Each facility head/district supervisor will ensure offenders receive equitable treatment and due process protection, when alleged to have violated rules of conduct. When it is necessary to extend the time limits set forth in these procedures, the offender will receive documented notification of the extension.

1. Definition of Terms
  - a. Direct Involvement: The following activities constitute direct involvement in the disciplinary process:
    - b. Witnessed the offense or prepared the "Offense Report"
    - c. Involved in or witnessed the events leading to and immediately following the offense
    - d. Engaged in any activity, which may compromise the ability to function objectively, e.g., family relationship between staff member writing "Offense Report," and investigator
    - e. Staff person with direct involvement in a disciplinary case will be prohibited from serving as disciplinary officer or staff representative. Neither serving the "Offense Report," nor awareness of the offense constitutes direct involvement.
    - f. Staff person who accepts the offense report cannot serve as the disciplinary officer or staff representative.
  2. Disciplinary Hearing: Review of evidence and disposition of misconduct.
  3. Time Frames: Will not include weekends and holidays, except as indicated. The disciplinary process from the acceptance by the appropriate supervisor of the offense report to the conclusion of the disciplinary hearing will normally not exceed seven (7) days excluding weekends and holidays. Extensions for reasonable cause/s will be documented in writing and the justification will be attached to the offense report. When it is necessary to extend the time limits set forth in these procedures, the offender will receive documented notification of the extension.

##### C. The Disciplinary Process

###### 1. Filing of the "Offense Report"

Upon the reasonable belief of any staff member that a violation of rules has been committed which cannot be handled informally, such person will complete the "Misconduct Report/Offense Report."

The "Offense Report," will be filed with the shift supervisor/unit manager/team supervisor in a timely manner. If more than one (1) infraction occurs as a result of a single behavior, the offender will only be charged on the most serious offense. Sequential infractions may be the basis for additional charges and sanctions. Sequential is defined as "the following of one thing after another."

The "Offense Report" will be specific enough for the offender to be aware of the offending behavior, as well as the date and appropriate time of the behavior, to allow for preparation of a proper defense. The shift supervisor/unit manager/team supervisor may dispose of an "Offense Report" informally through a verbal warning or dismissal due to lack of evidence. In such cases, the offender and appropriate staff will be notified.

2. Service of "Offense Report"

The "Offense Report" will be served to the offender within 24 hours after approval and acceptance by the shift supervisor/unit manager. If the offender is unable or unavailable to receive a copy of the "Offense Report" within the 24-hour time limit, it will be documented in writing and attached to the completed "Offense Report." The "Offense Report" will be presented to the offender within 24 hours after availability occurs. The offender may waive the right to a disciplinary hearing. The presenting officer will ensure the offender understands that waiving the right to a hearing will constitute a plea of guilty, and the offender will be unable to attend the hearing for the disposition of the misconduct. The offender will also forfeit the right to the appeal the decision given in the disciplinary process. If the hearing is not waived, the offender is entitled to a 24-hour preparation period beginning at the time the offender is served with a copy of the "Offense Report."

3. Physical Evidence

Physical evidence constituting a portion of the alleged violation will be confiscated, labeled, and secured in the facility's designated area, if such evidence is too voluminous to be readily confiscated and secured, it may be photographed and described in its' original state.

4. Use of Pre-hearing Detention

The offender will not be placed in pre-hearing detention unless the offender's continued presence in the general population or the community poses an actual threat to facility or community security.

5. Investigation

If the offender waives the right to a hearing by pleading guilty, the "Offense Report," will be forwarded to the disciplinary officer, who will determine disposition and imposition of sanctions. Bargaining for a guilty plea or dismissal of charges is prohibited. When an alleged rule violation is reported, an appropriate investigation will be started within 24 hours of the time the violation is reported and is completed without unreasonable delay, unless there are exceptional circumstances for delaying the investigation.

6. Witnesses Requested by Offender

The offender will be given the opportunity to make a statement and present documentary evidence and may request witnesses on the offender's behalf. If written statements are taken, each will be reviewed, dated, and signed by the disciplinary investigator.

7. Requesting a Staff Representative

Any offender may request and receive the services of a trained staff representative to assist prior to and during hearings.

8. Responsibilities of the Staff Representative

The staff representative will consult with the offender at least 24 hours before the hearing. The staff representative will explain the charge against the offender and the potential consequences. The staff representative will explain the ramifications of a guilty plea. They may assist the offender in investigating and presenting evidence in the offender's behalf. They may represent the offender at the hearing if the offender is incapable of understanding the charge and presenting a defense. They may also question all witnesses, except confidential witnesses.

9. Finding of Guilt

Upon a finding of guilt, the offender will be informed of the evidence for such finding, the basis for punishment imposed, and the right to appeal. The punishment imposed will be no more than three (3) punishments within the allowable range of punishments. The allowable punishment may be suspended for a specified period, not to exceed 90 days. If the offender is convicted of another offense during the period of the suspended punishment, the punishment will be invoked by the disciplinary officer to run consecutive to the new punishment. An invoked suspended punishment will not be viewed as one of the possible three (3) punishments for the new offense.

10. Finding of Not Guilty  
Should there be a finding of not guilty, all related material will be expunged and will not be used in the decision-making process concerning the offender.
11. Appeal Process  
An offender found guilty of an offense may appeal the results of the disciplinary hearing to the facility head/district supervisor or designee within 15 calendar days of receipt of the, "Disciplinary Hearing Actions." Any offender filing an appeal will specifically state the reasons for believing the findings of guilt and any punishment imposed, even if suspended, should be overturned. Issues not raised will be waived.
12. Appeal to the Director  
For all offenses, the offender may appeal the decision of the facility head/district supervisor directly to the director within 15 calendar days of receipt of a response from the facility head/district supervisor or designee. The director or designee will review the appeal within 15 days of receipt by affirming, dismissing, modifying the decision, ordering a rehearing, or remanding with instructions. The decision of the director or designee is final.

Other information regarding the disciplinary process can be found in OP-060125, entitled, "Disciplinary Process." See "Acts Constituting Rule Violation"

## V. HEALTH SERVICES

All health care providers will be licensed, certified, or registered in compliance with state requirements.

### A. Health Services Staff may include the following

1. Physicians
2. Nurses (licensed practical and registered)
3. Physician's assistants
4. Health administrators
5. Support (medical records, clerical)
6. Emergency Medical Technicians
7. Dentists/Dental Hygiene personnel
8. Optometrists
9. Psychological Staff

### B. Sick Call: Routine Health Care

Health care is defined as outpatient and inpatient medical, dental, and psychiatric services.

1. Sick call, routine health care will be available on an equitable basis, Monday through Friday, except holidays, at all correctional facilities for all offenders requesting such service. Each community corrections center will provide health services normally on center or at nearby Department of Corrections facilities.
2. Emergency services will be available 24 hours per day, seven days per week.
3. Prescribed pharmaceutical services will be available to offenders.
4. Offenders will not be refused health care because of their financial status. Offenders will be charged a sum of \$2.00 for each visit for medical, dental, or optometric services. Offenders will not be refused medications because of their financial status. However, offenders will be charged a sum of \$2 for each prescription item written and dispensed (to include over-the-counter medications) with the exception of psychotropic and neuroleptic medications. Aspirin, Tylenol, and Maalox are available by submitting a sick call request. Over the counter medications are dispensed at sick call and subject to the \$2.00 medical co-pay.
5. Offenders will not be charged for the following:
  - a. Annual/Biannual physicals and health assessments for transfers
  - b. Lab work ordered by the physician
  - c. X-rays
  - d. Immunizations, Tuberculosis testing, Hepatitis B vaccine, and other treatments instituted by the Department of Corrections for public health reasons.
  - e. Psychiatric and psychological services
  - f. Initial assessments at Lexington Assessment and Reception Center
  - g. EKGs, dressing changes and other treatments ordered by a physician or physician's assistant. If a physician or physician's assistant prescribes treatment over the course of several days or weeks, the offender will not be charged \$2 for each visit.
  - h. Prenatal care

1. The Department of Corrections referred visits to outside facilities such as Lindsey Hospital or University Hospital, and resulting treatments.
  6. A health assessment will be completed on each offender upon entry into the system, periodically as required by the offender's health status and age, and as appropriate upon transfer between facilities.
- C. **Referrals to Outside Agencies**  
Referrals to outside agencies will be done on an as needed basis approved by the appropriate medical personnel.
- D. **HIV Education**
  1. Screening for HIV will be conducted during the initial reception process at the Lexington Assessment and Reception Center.
  2. All offenders will receive pretest counseling before serological testing and post-test counseling as indicated. Pretest counseling may be provided through videotapes, pamphlets, brochures, and fact sheets. Post-test counseling will be conducted on an individual one-to-one basis with a qualified health care provider.
  3. A qualified health care provider or a trained HIV counselor will be available to answer the offender's questions concerning HIV during each counseling session.

## VI. CLASSIFICATION

The Classification and Population Unit will be responsible for the reception process this shall include initial classification, appropriate placement of newly committed offenders, as well as those with revocation of suspended sentences, violation of parole, or return from escape status.

Classification for placement will be from the Initial or Custody Assessment procedures. These procedures do not create any offenders' rights. The decision as to where to place an offender is totally discretionary. On Initial Custody, points will be assessed from a scale of seven (7) areas, to include the following:

1. Severity of convictions on current incarceration
2. Serious Offense History
3. Escape History
4. Prior Felony Convictions
5. Disciplinary History
6. Current Age

The Initial Custody Level by scale shall be six (6) or fewer points on items 1-7 will be minimum security.

7 - 12 points on items 1-7 will be medium security.

8 or more points on items 1-3 will be maximum security.

13 or more points on items 1-7 will be maximum security.

On returned escapees, the points will be assessed by the Custody Assessment instrument. The Custody Assessment will update and review an offender's previous assessment. There are eight- (8) areas where points will be assessed:

1. Severity of conviction on current incarceration
2. Serious Offense History
3. Escape History
4. Number of Disciplinary Convictions
5. Most Serious Disciplinary Conviction
6. Assigned Program Participation
7. Adjustment
8. Current Age

On both the Initial Custody and the Custody Assessment instruments, Mandatory and Discretionary overrides may be used to determine the recommended custody level.

## VII. OFFENDER TRANSFERS

All offender transfers will be coordinated by the Population Office.

### A. **Types of Transfers**

1. Routine
  - a. Change in security level
  - b. Change in programmatic status
2. Frequency of Routine Classification Transfers

- a. An offender's transfer recommendation will be made upon scheduled custody review to an assessed lower security level.
  - b. The initial custody conducted at Lexington Assessment & Reception Center will remain in effect for 180 days.
  - c. An offender's lateral transfer recommendation, which is the result of programmatic needs, will not normally be made more frequently than once a year.
3. **Priority Transfers**  
Priority transfers are usually the result of an unscheduled reclassification in which the classification committee assigns the offender to a higher level of security. Included in this category are transfers for:
- a. Law library usage-Community Corrections only
  - b. Segregation housing
  - c. Protective Measures placements
  - d. Parole stipulations
  - e. Misconduct Expungement
  - f. Completion of Career-Tech, RID, RTP and CARE will also result in priority transfer
  - g. Facility security needs
  - h. Those identified as HIV positive who have been counseled by medical staff, and continue sexual activity or intravenous drug abuse, will be assigned and transferred to Oklahoma State Penitentiary or Mabel Bassett Correctional Center.
4. **Emergency Transfers**  
Emergency transfers are requested when there is a threat to the security of the facility or district or a situation that is life-threatening to staff or offenders and cannot be controlled through the use of segregation housing.
5. **Special Medical Transfers**  
The local health administrator of a medical services unit may arrange a special transfer from a hospital or clinic for any offender needing specialized care at a particular corrections facility.
6. **Protective Measures**  
Protective measures will be taken when there is a reasonable belief an offender is in imminent danger of physical harm. An offender may request protective measures by informing facility personnel verbally, followed up by written request. Facility staff may request protective measures without an offender's request if there is documented just cause. Separatees will be filed between co-defendants, incarcerated family members and family members employed by the Oklahoma Department of Corrections.  
The assigned case manager or a staff person will be notified of the request and will initiate an individual contact with the offender on or before the next working day. The assigned case manager/staff person or designee will inform the offender of the protective measures options and explain the separatee availability as defined below:
- a. The offender is asked to provide names of the offenders requested to be kept separate from and to provide details of the situation necessitating separation.
  - b. An in-depth investigation is conducted and staff will review and discuss with the offender all aspects of the "Request for Protective Measures, and Assessment of Protective Measures Need," forms.  
The classification committee will initiate the least restrictive and most appropriate protective measure to address the situation. The measure may be conflict resolution to reach a negotiated settlement of differences, assignment to other general population quarters within the same facility, transferred to another facility of equal or higher security, or placement in a protective custody housing unit. If an offender cannot succeed at several facilities, staff may recommend placement on a protective housing unit.

Other information can be found in OP-060106, entitled, "Special Offender Management System."

## VIII. **NEEDS ASSESSMENT**

### A. **New Arrival Review**

A new arrival review will be conducted on each offender permanently assigned to a facility. Offenders transferred to a facility for disciplinary unit time, law library use, mediation hearings, medical



appointments, or other temporary assignments will not receive a new arrival review. The review will be conducted within ten (10) working days of reception. The "Adjustment Review Form," will be completed.

B. **Adjustment Review**

The adjustment review will be conducted on each offender every four (4) months. An offender may request a progress or program status review through the case manager. The purpose of the adjustment review is to formally review and evaluate the offender's adjustment since the new arrival or last adjustment review. The offender will be provided information and allowed input on progress toward program/work goals. Based upon the offender's performance and the availability of programs and work assignments, priorities may be changed. The offender's list of persons to contact in case of emergency will also be verified or updated. Review/change offender's level. The "Adjustment Review" will be completed if new programs or job changes are recommended for the offender. An offender may be recommended for a lateral transfer at the time of the adjustment review meeting if eligible and such a transfer would better meet the offender's programmatic needs.

An initial assessment of needs will be completed during each offender's assessment and reception process at the Lexington Assessment & Reception Center and indicated on the "Facility Assignment Form." The initial assessment will be based upon all available assessment data and will not be subject to change. The original will be placed in the field file and a copy provided to the offender.

C. **Reassessment of Needs and Programs**

The reassessment of needs and programs will be reviewed at each new arrival review and adjustment review and noted in the "Chronological Record." All entries on the reassessment of needs and programs will be accompanied by an "Adjustment Review Form" as documentation in the offender's field file. The offender will receive a copy of the review forms.

D. **Documentation of New Arrival Review and Adjustment Review Results**

The classification committee will conduct a thorough review of each need area and will fill out, in its entirety, the reassessment of needs and progress sections of the "Adjustment Review Form." These procedures will result in a continuing summary of respective facility efforts to address the offender's identified need areas. The offender will receive copies of the completed "Adjustment Review Forms," thus being provided periodic notification of need areas, severity, priority, and progress. The classification committee will conduct a thorough review of each need area.

## IX. CASE MANAGEMENT AND PROGRAMS

A. **Case Management**

1. Facilities will have scheduled case management coverage a minimum of five days per week. Case Managers will be assigned work hours as determined by facility heads to allow for offender accessibility compatible with the role of case management and facility need.
2. Case Managers will be responsible for the representation and development of individualized plans for offenders on their assigned caseloads.
3. Case managers will be responsible for responding to all inquiries about offenders on their caseloads.
4. Case Managers will participate in the facility and unit orientations of newly assigned offenders and assist in offender awareness of available programs.
5. Case Managers will encourage participation in programmatic activities and ensure appropriate referrals.
6. Case Managers are responsible for appropriately classifying offenders on their caseloads.

B. **Education and Vocational Training**

1. The LARC Education Staff shall ensure that the following diagnostic test is given to each offender upon arrival at LARC.
  - a. Test of Adult Basic Education (TABE)  
(I.) Offenders with GED, High School Diploma, or College are exempt from this test.
2. Enrollment Criteria - Statewide
  - a. Literacy Program - Any offender who tests 0 to 6th grade reading level on the TABE test shall be enrolled in the literacy program.
  - b. Adult Basic Education - Placement tests indicate that the offender is functioning above 6.0 to 9th grade level.

- c. Chapter I. - Offender is under 21 years of age, and placement tests indicate an educational need as identified by enrollment criteria for Adult Basic Education or General Educational Development.
  - d. GED - Offender lacks a high school diploma and functions at 9.0 to 12<sup>th</sup> grade level.
  - e. Special Education - Offender has an identified special education need.
  - f. Post Secondary Education - Enrollment criteria shall be established by the facility site administrator.
  - g. College Courses - Enrollment criteria shall be established by the cooperating college offering college credit courses.
  - h. Daily Living Skills - Offender must be within 6 months of discharge or release, community security eligible and must obtain site administrator or Education Staff exception.
3. Vocational Programs
- During initial classification, offenders are screened to determine if they are eligible for a career-tech program. If they are, a career-tech student coordinator or your case manager will contact you to determine your need and further evaluation. Vocational programs vary from facility to facility and the efficiency level for each program may differ. Please contact a Career Tech student coordinator if you are interested in a career-tech program and to determine if you are eligible. The following vocational programs are available at the designated locations:

<b>Community Corrections</b>	<b>Program</b>
Lawton Community Corrections Center	Auto Service Technology
Ardmore Work Center	Construction Technology
Elk City Work Center	Construction Technology
<b>Minimum Security</b>	<b>Program</b>
Howard McLeod Correctional Center	Heavy Equipment Operator (Youthful Offender)
	Welding Technology (Youthful Offender)
	Machine Tools Trade
Jess Dunn Correctional Center	Electrical Trades
	Plumbing
	Construction Technology
Jim E. Hamilton Correctional Center	Auto Service Technology
	Construction Technology
	Industrial Maintenance
	Masonry
	Welding Technology
Jackie Brannon	Meat Processing (Apprenticeship Program)
William S. Key Correctional Center	Commercial Construction Academy
	Welding Technology
<b>Medium Security</b>	<b>Program</b>
Lexington Correctional Center	Cabinet Making (Apprenticeship Program)
	Licensed Trades (Apprenticeship Program)
<b>Private Prisons</b>	<b>Program</b>
Cimarron Correctional Facility	Computerized Information Processing
	Commercial Cleaning
	Horticulture

<b>Private Prisons cont'd</b>	<b>Program</b>
Davis Correctional Facility	Horticulture/Grounds Maintenance
	Computerized Information Processing
	Commercial Cleaning
	Electrical
Lawton Correctional Facility	Culinary Art Vocational Education
	Cabinet Making/Woodworking Vocational Education
	Business and Basic Computer Technology

**C. Psychological Services**

The psychologists or psychological assistant will provide information regarding programs and services available at the particular assigned facility to all new arrivals. The psychologist/assistant will administer tests and interview offenders to evaluate their mental status as needed. Clinical assessments will be performed for purposes of referral, program placement, security assessment, or problem identification and resolution. Offenders may be referred to the psychological staff or the offender may initiate the contact. Individual and group counseling is available to include crisis intervention.

**D. Standardized Programs**

Standard programs that are normally offered at each facility include but not limited to:

1. Literacy
2. Adult Basic Education
3. G.E.D.
4. Thinking for a Change
5. Life Skills

**E. Religious Activities (OP 030112)**

1. Religious programs will be available to offenders confined in facilities. Offenders will not be required to become involved in any religious program or activity. All offenders retain the right to choose their religious beliefs and to practice religious acts which do not conflict with security needs, burden the resources of the prison system, and conform to safety and health requirements.
2. Religious activities will be coordinated to ensure use of designated space for all religious programs and activities. The facility head will ensure the scheduling of event to fulfill the objectives of religious programming of the facility.  
Offenders may receive and retain possession of personal religious objects; symbols essential to their religious beliefs in accordance with OP-030112, entitled, "Religious Programs," and OP-030120, entitled, "Offender Property."

**F. Service Organizations**

Most facilities, if not all, have service organizations available at facilities to enhance the need of the individual i.e.; communication, public speaking, fund raising for charity events etc. Each facility is responsible in developing local policies to address the various organizations.

**G. Recreation Activities**

The department will provide recreational programs and activities to all confined offenders, under conditions of security and supervision that ensure, to the greatest extent possible, their safety and welfare. Programs schedules may be found in each housing unit. Various recreational programs may differ contingent upon security level and available resources.

**H. Delayed Sentencing and Judicial Review**

All offenders ordered by the court to the Delayed Sentencing Program for Young Adults will have an accountability plan developed for submission to the court. The court specifies an initial period of confinement for no less than 180 days and no more than 1 year. Delayed sentence offenders ordered by a court will normally be placed in Offender Regimented Treatment Program. The accountability plan will be filed with the clerk of the sentencing county 90 days prior to sentencing date set by the court.

Offenders with an imposed sentence or probation revocation who have not been in confinement in any state prison system for any previous felony conviction during the ten year period preceding the date of current Judgment and Sentence or order revoking suspended sentence are eligible for judicial review within 12 months of imposed sentence. Post-conviction mediation program staff will assess the eligibility of all offenders.

## **X. WORK PROGRAMS**

### **A. Jobs**

Offenders are expected to work as required and assigned by the facility. Refusal to do so may result in the offender's classification status and a security point awarded for such refusal.

1. The facility head will be authorized, when funds are available, to compensate offenders performed at the following rate if the offender is employed full time (minimum of six hours per day) on a job assignment.

Level 1 - 0

Level 2 - \$7.23

Level 3 - \$10.84

Level 4 - \$14.45

2. Work assignments will be in conjunction with the offender's program and training needs. Offenders will be assigned a goal of a 40-hour workweek.
3. The facility head will establish procedures, which ensure uniformity in the assignment of offender jobs.
4. Assignment of offenders to jobs approved for compensation will be made by the adjustment review committee/unit team/facility job coordinator with consideration given to the conduct, past work performance, supervisory requirements and special skills of the offender.
5. The offender's work performance will be reviewed with the offender by the work supervisor and a written evaluation will be conducted monthly.
6. Additional information may be found in OP-060107, entitled, "Systems of Incarceration".

An offender assigned to Oklahoma Correctional Industries Industrial Production will be compensated in accordance with OP-080501, entitled, "Oklahoma Correctional Industries Pay Plan." An offender assigned to Agri-Services will be compensated in accordance with OP-080502 entitled, "Agri-Services Pay Plan."

### **B. Oklahoma Correctional Industries (OCI)**

Oklahoma Correctional Industries is composed of two units: (1) Agricultural Services which is responsible for agricultural related operations and (2) Industries, which is responsible for manufacturing and service enterprises.

1. To initiate a job request, an offender must submit a "Job or Job Transfer Application" to the Institutional Classification Committee. The job application will state reasons the offender should be chosen for the job, i.e., past experience, job skills.
2. The offender will submit the application form through appropriate supervisor.
3. The supervisor must circle the word "approve" or disapprove," comment, and sign the form to document whether the supervisor would consider the offender working on the crew.
4. All new offenders will be considered for job assignments based on the experience, skill, need, and requirements of the production unit.
5. Offenders will be assigned to a job for 90 days or until the 120 day adjustment review, whichever is longest, before requesting a job change unless initial assignment is changed due to the needs of the hiring operation.
6. Pay grade assignments is based on demonstrated ability to perform and availability of positions.

## **XI. FINANCIAL REQUIREMENTS**

### **A. Court Costs/Fines**

1. Ten percent of the amount earned after the savings deductions will be withheld for any reported court costs due. The amount will be automatically deducted from the offender's account.
2. Fines, attorney fees and costs ordered as a sanction on an offender for filing a frivolous or malicious lawsuit will be paid out of any funds received to be deposited in an offender's trust account until the debt is paid. The court will specify the amount to be deducted from the draw account to be forwarded to the proper recipient.

3. Funds in the mandatory savings account may only be used to pay court costs payable to the court clerk. These funds will be drawn on after depletion of the "draw" account or with a court order directing funds to be removed from the "mandatory" account.

**B. Restitution**

1. Restitution and supervision payments will be made payable only to the Oklahoma Department of Corrections and submitted to the supervising officer.
2. When restitution is required as a condition of parole as indicated on the parole certificate, the supervising officer will contact the district attorney's office to determine the amount of restitution owed, name of victim, current address of victim and forward this information in a special report to Restitution/Accounting along with a copy of the Judgment and Sentence and parole certificate. Monthly payment schedules will be established so that the offender may complete all restitution payments by the expiration of parole supervision.
3. When an offender is 90 days delinquent in the payment of fees or 60 days delinquent in the payment of restitution and or court costs, a violation report will be written. If the offender refuses to pay financial obligations and has documented means to pay, a violation report may be submitted prior to the 90 or 60 day delinquencies. The officer will include in the summary/recommendation section of the report all pertinent information known regarding the offender's nonpayment and the officer's recommendation.

**C. Savings**

1. A minimum of 20 percent of any amount earned will be placed in mandatory savings.
2. Offenders may open and maintain interest-bearing external accounts in the form of savings deposits as long as they maintain at least \$50 in the trust fund account. With the exception of offenders assigned to community supervision, statutory savings will not be used to open and maintain interest bearing external accounts.

Further information can be found in OP-120230, entitled, "Offender Trust Funds."

**D. Pay Program/Trust Fund**

1. Offender pay must be earned. It will not be automatic because of assignment to a job. Allowance of pay may be disapproved by the work supervisor for any portion of the month in which the offender's work is unsatisfactory.
2. Trust fund accounts will be established for each offender and the account maintained at the respective facility at which the offender is assigned. This account will include draw and statutory savings. Funds received through the mail from outside sources must be received in the form of certified check or money order. Personal checks or cash sent via the mail will be returned to the sender at offender expense. If the offender DOC number or name is incorrect document will be returned to sender.

**E. Medical Co-Pay**

Medical payments owed will be automatically deducted from the offender's draw account each time a deposit to the draw account is processed. If the offender does not have a draw balance large enough to pay the entire amount owed, the amount still due will be maintained in the offender's trust fund. The offender's receipt of the service will be considered as their authorization for the disbursement.

Other information may be found in OP-120230, entitled, "Offender Trust Funds." And OP 140117 "Access to Health Care".

**XII. PRISONER PUBLIC WORKS**

Offenders under the custody of the Department of Corrections may be assigned to towns, cities, counties, or other state agencies for the purpose of working on projects in the public interest. Offenders will not normally be assigned projects on other than public property.

- A. Offenders must be classified minimum and placed in a community facility for participation in a residential public works program.
- B. Offenders who meet one or more of the following criteria will be excluded from any public works program:
  1. Deemed to be a threat to public safety
  2. Escaped or attempted to escape from a correctional institution within the last ten years. This includes escapes from custody, county jail, or the Department of Corrections.
  3. Ever convicted of any sex crime, Murder I, Murder II, or any crime against a child or any attempt/solicitation conspiracy of these crimes. Additional Restriction may be found in OP 090106.

Other information may be found in OP-090106, entitled, "Prisoner Public Works Contracts and Assignment of Offenders to Public Works Programs."

XIII. **SENTENCE ADMINISTRATION, CREDITS, PAROLE, DISCHARGE**

All offenders remanded to the custody or supervision of the Oklahoma Department of Corrections will be confined or supervised in accordance with the order of the sentencing court and statutory authority.

A. **Credits**

1. **Jail Time Credits**

57 O.S. 138 provides that all offenders sentenced to the Oklahoma Department of Corrections to a term of incarceration are entitled to a deduction from the length of confinement equal to the number of days spent in the county jail or state mental institution, if court-ordered, under the same case number. A judge may specifically order that an offender not receive jail time credits up to the date of sentencing.

2. **Credit Levels**

Effective November 1, 1998, 57 O.S. Section 138, provides that every offender of a state correctional institution will have his/her term of imprisonment reduced monthly based upon the level to which he/she is assigned. Each offender will be assigned to one (1) of four (4) levels. Level assignments are determined by the adjustment review committee/unit team based upon the desired behavior of the offender in all areas of institutional life: work attendance and productivity, conduct record, program participation, cooperative general behavior, and appearance of self and living area. The levels and their corresponding credits are as follows:

- Level 1 - 0 credits per month
- Level 2 - 22 credits per month
- Level 3 - 33 credits per month
- Level 4 - 44 credits per month

3. **Achievement Credits**

Additional credits for successful completion of departmentally approved programs for attaining goals or standards set by the department will be awarded.

4. **Meritorious Earn Credits**

Offenders confined in state correctional facilities or those under contract may be entitled to a deduction up to 100 credits for each meritorious act performed. This includes rendering aid to another to prevent loss of life or injury or actions which alert or prevent a breach of security which could threaten the safety of the public, employees, or the offender or actions which prevent or minimize property loss which would pose a risk to the public, employees, or offenders.

Further information on credits can be found in OP-060211, entitled, "Offender Sentence Administration." And OP-060107 "Systems of Incarceration".

B. **Time Calculations**

1. The "Monthly Offender Evaluation and Time Credit Report," will be completed on a monthly basis. The supervisor will total the credit for the month covered and enter this figure as the total credit. The supervisor will review the total credit with the offender and have the offender sign where indicated.

2. Personnel will transfer the total days worked from the monthly Offender Evaluation to the consolidated record card. Facility heads will ensure offenders receive a copy of their monthly offender evaluation and time credit report.

C. **Split Sentences**

Time spent under parole supervision (street time); upon the re-commitment of a parolee to complete the service of a sentence pursuant to a parole revocation, the time spent under parole supervision may be credited toward completion of such sentence at the discretion of the paroling authority. However, if this period is not approved by the paroling authority, it will not be included as service time and will be considered non-creditable time. This will include time periods spent incarcerated on consecutive cases after having rebilled by parole.

D. **Parole**

1. **Dockets**

The Pardon and Parole Board personnel will issue parole docket dates on offenders received into the Department of Corrections based upon statute. The offender will be provided a copy of their docket date. In preparation of parole consideration, a parole board investigator may conduct an interview/written report to go to board members.

2. Parole Board  
The Parole Board consist of five members and meets on a monthly basis to consider offenders for commutation, parole, pardon, or other act of clemency.
  3. Role of Governor  
The Governor has the authority to grant or deny commutations, paroles, pardons or any other act of clemency as provided by state statue.
- E. **Rules and Conditions of Parole**  
Upon the favorable recommendation of the Pardon and Parole Board, the offender will be required to read and sign the "Rules and Conditions of Parole." Any violation of these rules may cause the parole to be revoked.

**XIV. OVER FAMILIARIZATION WITH STAFF/OFFENDERS**

- A. Over familiarization with staff and offenders is strictly prohibited.
- B. The Oklahoma Department of Corrections requires that offenders be treated by staff, contract personnel, and volunteers in an ethical and professional fashion. Staff is expected to be strict and consistent about rules, and to supervise offenders in a fair, firm, and impartial manner.
- C. Personal relationships are prohibited by DOC policy. Further, it is a violation of state law for employees, contract personnel, and volunteers to engage in sexual activity with offenders. Oklahoma law and DOC policy provides that offenders cannot legally consent to sexual relations because staff, contract personnel, and volunteers occupy positions of authority, power, and control over them.
- D. Offenders, probationers, and parolees can expect that DOC staff, contract personnel, and volunteers will not invite or allow personal favors or sexual contact to occur.
- E. Sexual misconduct includes any sexual behavior that is directed towards an offender. Sexual misconduct includes, but is not limited to, any acts or attempts to commit acts which involve sexual contact or intimate relationships, sexual abuse or assault, sexual harassment or an invasion of privacy.
- F. Sexual abuse includes, but is not limited to, sexual intercourse, oral or anal sodomy, and sex with instruments.
- G. Sexual contact/intimacy includes the intentional touching, either directly or through clothing, of the genitalia, anus, groin, breast, inner thighs, or buttocks of any offender. Conversation or correspondence, which demonstrates or suggests a romantic or intimate relationship, is prohibited.
- H. Sexually offensive comments or gestures or any physical conduct which is of a sexual nature or sexually suggestive. Influencing, promising or threatening an offender's safety, custody or security level including recommendations for court actions, privacy, housing, privileges, work detail or program status in exchange for sexual favors.
- I. Any offender who alleges sexual misconduct by a staff member, contract provider, or volunteer should make a written report, using a request to staff form, to the facility head, district supervisor, or contract monitor. If the allegation is against a facility head or district supervisor, the deputy director may be contacted. In case of a private prison facility head, the agency's private prison administrator may be contacted.
- J. The offender victim has the option to report the incident to any staff member other than an immediate point-of-contact line officer.
- K. All reports alleging sexual misconduct will be professionally investigated in a prompt and confidential manner. Offenders who file reports will be protected against staff retaliation. Evidence to support the claim of staff, contract provider, or volunteer sexual misconduct will be required. Polygraph evaluations and physical examinations can be expected as a part of the investigative process. Allegations that are not substantiated with evidence may result in no action being taken. False allegations, which can be substantiated, will result in the offender receiving appropriate discipline and/or administrative action.
- L. Offenders convicted of assault on staff may result in a custody rating of maximum and transferred to a maximum security facility. Assaults on staff or offenders will not be tolerated.

**XV. Sexual Assault/Misconduct/Allegation Investigations**

- A. Reported matters involving allegations of sexual assault, sexual impropriety, or misconduct between offenders, offenders and visitors, employees, volunteers, contractors, or other members of the public will be investigated. Investigations will be conducted regardless of consensual status.

**XVI. Offender Escorted Leave/Activities**

- A. An escorted leave is a privilege given to offenders to leave the grounds of the facility while escorted by correctional security personnel. Escorted emergency leaves may be granted to offenders who are not

deemed a threat to the public or the employee. The may be given offender an opportunity to visit the bedside of a critically ill family member or to attend the funeral of a family member.

- B. For funerals, a family member is defined as the offender's spouse, natural or surrogate parents, grandparents, children (to include step and adopted children), siblings, and any person who served in a parental capacity (with acceptable documentation).
- C. For home hospice visits, a family member is defined as spouse, natural or surrogate parents and children (to include step and adopted children) only.
- D. The facility head will make the final decision regarding the emergency leave.

Additional information may be found in OP 031001 "Offender Escorted Leave/Activities".



## Offenders' Guide to Sexual Misconduct

### How to Identify And Address Sexual Misconduct



## Offenders' Guide to Sexual Misconduct

1

The Oklahoma Department of Corrections is committed to ensuring a safe and humane environment for all offenders. An important part of a safe and humane environment is freedom from sexual misconduct by staff. For the purpose of this guide, staff includes Department of Corrections employees, contract employees, contract employers, and volunteers. Offenders include those incarcerated as well as those under the supervision of the Community Corrections Division. This guide explains offenders' rights and the safeguards that are in place for protection from sexual misconduct.

"Sexual misconduct" is the term used in this guide to describe certain kinds of prohibited staff behavior. Sexual misconduct includes sexual harassment, over-familiarity and retaliation. These terms are defined in the next section of the guide and there are also examples of each.

The Oklahoma Department of Corrections cannot and will not tolerate any form of sexual misconduct. The Department recognizes the worth of each offender and strives to treat offenders humanely. State statute prohibits offender abuse, which includes sexual contact by a staff member and accordingly, the Department of Corrections maintains a zero tolerance policy with regard to sexual misconduct. Due to the offender's custody or supervision status, in accordance with law (21 O.S. § 1111) and Department of Corrections' procedures, no prohibited act of sexual misconduct can have as an affirmative defense, a claim of consent. (from OP-110701, "Sexual Misconduct with Offenders")

1. Consensual sexual intercourse with an offender is by its nature an assault and defined by law as rape in the second degree, a felony.
2. Sexual misconduct includes any sexual behavior that is directed towards an offender.

To fully understand the scope of this crime, it is very important to note the definition of "Sexual Misconduct" which is: "any act or attempted act involving the genitals of one person and the hand, mouth, tongue, or anus of another person or a sexual act involving the penetration, however slight, of the male or female sex organ or the anus by a finger, instrument, or object done for the purpose of arousing or gratifying the sexual desire of any person."

The Department of Corrections, in an effort to continually promote the professionalism of our staff, will pursue prosecution on any staff member who is involved in this type of activity. In other words, any physical contact with an offender of a sexual nature could result in prosecution for a felony. Any alleged abuse (including sexual contact) of an offender shall be immediately reported to the Deputy Director of the Security and Investigations Division or local law enforcement and will be investigated. Most Oklahoma Department of Corrections employees do not engage in this kind of conduct and do not support staff members who do. They recognize that improper behavior tarnishes their reputation and jeopardizes the safety and security of the institution and the Probation and Parole district office. It is important that everyone, staff and offenders, do their part to reduce the harm that results from sexual misconduct. The purpose of this guide is to ensure offenders are aware of the safeguards that exist.

### What is sexual misconduct? Sexual misconduct is:

- any sexual advance by staff members,
- requests for sexual favors by staff members,
- threats by staff for refusing sexual advances,
- verbal or physical conduct of a sexual nature toward an offender by staff members, contract staff or volunteers of the Department of Corrections, and
- invasion of privacy beyond that reasonably necessary for safety and security.

Examples of sexual misconduct may include but are not limited to:

- Any sexual act,
- Intentional touching of genitals, anus, groin, breast or inner thigh area to gratify sexual desire.
- Indecent exposure by a staff member in front of an offender, and
- Fondling or kissing.

**Sexual acts or sexual contacts between any staff person and an offender, even if the offender consents, initiates or pursues, are always prohibited and always illegal.**

**What is sexual harassment?** Sexual harassment is staff engaging in sexual advances, requests for sexual favors or other offensive conduct of a sexual nature. Examples of sexual harassment include but are not limited to:

- demeaning references to an offender's gender,
- derogatory comments about an offender's gender
- jokes about sex or gender specific traits,
- abusive, threatening, profane or degrading sexual comments, and
- touching, attention, or conduct of a sexual nature.

**What is over-familiarity?** Over-familiarity is staff engaging in or attempting to engage in conduct likely to result in intimacy or a close personal relationship with an offender. Examples of behavior by staff and offenders that is prohibited include, but is not limited to:

- flirting with each other,
- exchanging personal letters or gifts,
- requests or granting of special favors, and
- discussing personal matters unless it is an expectation of the staff member's job responsibilities.

**What is retaliation?** Retaliation is intimidation to prevent an offender from filing a complaint or participating in an investigation of sexual misconduct. Our department prohibits any individual from interfering with an investigation, including intimidation or retaliation against witnesses. If an offender believes that she/he is being denied privileges, or is being unfairly transferred or punished in some way because she/he filed a complaint or assisted in the investigation of a complaint, she/he should report this to the Warden, District Supervisor, or the investigator.

**Reporting Sexual Misconduct** Sexual misconduct by staff is prohibited, but it must be reported before action can be taken. Do not rely on anyone else to report misconduct—when it is experienced or seen, report it immediately. To make sure that sexual misconduct is reported, the Oklahoma Department of Corrections has several ways for offenders to report confidentially. Offenders may use the reporting method with which they are most comfortable.

Reporting from a Correctional Center:

- Tell any staff member at the facility. It is part of their job to report any allegation, ensure the offender's safety, and maintain confidentiality.
- Send a "kite" or letter to the Warden or District Supervisor at the institution or community corrections center.
- Send a "kite" or letter to the Security and Investigations Division at the Department of Corrections Central Office-

Reporting while on Community Supervision:

- Tell any staff member at the Probation and Parole district office. It is part of their job to report any allegation, to ensure the offender's safety, and to maintain confidentiality.
- Send a letter to the District Supervisor or the Deputy Director of the Community Corrections Division.
- Send a letter to the Security and Investigations Division at the Department of Corrections Central Office:

Security and Investigations Division  
P.O. Box 11400  
Oklahoma City, OK 73136-0400

- In the event of a nonconsensual sexual act, the offender should file a report with local law enforcement.

**What happens to reports of sexual misconduct?** The Oklahoma Department of Corrections will investigate all allegations of sexual misconduct. Members of the Security and Investigations Division, who have special training, will investigate allegations of:

- Sexual harassment,
- Sexual misconduct,
- Over-familiarity, and
- Retaliation.

During an investigation of sexual misconduct, a number of actions may occur if it is determined to be in the best interest of the offender, the staff, the institution, or the Probation and Parole district office:

- Staff could be placed on restricted duty, barred from entering the institution, the Probation and Parole district office, relocated, or suspended.
- Incarcerated offenders could be relocated for their safety. Offenders under the supervision of Probation and Parole could be assigned to a new supervising officer. However, offenders will never be punished for reporting sexual misconduct or any other type of sexual misconduct. In fact, every effort will be made to assure offenders' protection.

Keep in mind a thorough investigation takes time. The investigation must clearly support or refute any allegation with evidence, information gathered from witnesses, and documentation.

**Possible Outcomes of an Investigation** After the investigation is finished, one of the following decisions will be reached:

- There is sufficient evidence to conclude the allegation is true. Results of the investigation will be sent to the District Attorney's Office, who will determine the filing of charges.

- There is insufficient evidence to conclude the allegation is or is not true. If the investigation proves the offender made a false allegation, she/he could receive a conduct violation while incarcerated or, if on supervision, the court or the Board of Probation and Parole may be notified.
- There is not enough evidence to prove that the allegation is true, but there is evidence to prove that another law, policy or rule was violated.

Any staff member who sexually abuses or assaults an offender will be disciplined up to and including discharge. Discipline and criminal prosecution are more likely to be successful if the abuse is reported immediately.

**Just as important:** Offender on Offender Sexual Assault and Abuse:

**Definition:** One or more offenders engaging in, or attempting to engage in a sexual act with another offender or the use of threats, intimidation, inappropriate touching, or other actions and/or communications by one or more offenders aimed at coercing and/or pressuring another offender to engage in a sexual act.

While incarcerated, no one has the right to pressure offenders to engage in sexual acts. Offenders do not have to tolerate sexual assault or pressure to engage in unwanted sexual behavior. To avoid sexual assault by offenders:

- Choose associates carefully. Look for people who are involved in positive activities.
- Avoid being alone.
- Do not accept gifts or favors from others. Most gifts come with a string attached.
- Do not accept an offer from another offender to be a protector.
- Avoid borrowing and becoming indebted to someone. Be confident and do not permit emotions to be obvious to others.
- Find a staff person with whom you feel comfortable discussing fears and concerns.

**Help Is Available** If an offender is a victim of sexual harassment or sexual assault she/he has a right to the services described in this guide. (The medical service fee will be waived in cases of sexual misconduct.) If incarcerated, mental health staff are willing and able to help. To take advantage of these services offenders may:

- Complete a Request for Medical Services form to see Mental Health or Medical Staff, or
- Ask any staff person for help with a referral.

If under community supervision, a referral to an appropriate community treatment provider will be made by a staff member of Probation and Parole.

**NOTE:** If a sexual assault has occurred, seek medical attention as soon as possible. Do not shower, brush teeth or wash clothes or underclothing. This could wash away hair or other bodily fluids which are critical evidence. Also, save anything that touched the perpetrator (e.g., a condom, tissue or a towel) or anything that she/he left behind. **Immediately** report the incident to a staff person in the institution or to local law enforcement in the community.

**Remember:**

- **Sex between offenders and staff is never okay.**
- **If you are a victim, report it immediately.**
- **All reported incidents will be investigated.**
- **False allegations can hurt the victim and the accused.**
- **Help is available.**

**AN ATTEMPT TO COMMIT AN OFFENSE IS THE SAME AS COMMITTING THE OFFENSE ACTS CONSTITUTING RULE VIOLATION.**

<b>GROUP DISRUPTIVE BEHAVIOR</b>	<b>Class of Offense</b>	
01-1	Banding together for purposes of demonstration, work stoppage, hunger strike, etc.	X
01-2	Taking over a part of the physical plant	X
01-3	Participation with others or an attempt to incite others in a course of disorderly conduct: (a) with purpose to commit or facilitate commission of a felony or misdemeanor; or (b) with purpose to prevent or coerce official action; or (c) when the actor or any other participant to the knowledge of the actor uses or plans to use a firearm or other deadly weapon.	X
01-4	Riot. May be used only when the director declares an emergency status in writing.	X
01-5	Involvement in writing, circulating, or signing a petition that poses a threat to the security of the facility.	X
<b>INDIVIDUAL DISRUPTIVE BEHAVIOR</b>		
02-1	Aiding or abetting in the commission of any rule violation.	B
02-2	Under the influence of and/or any use of illegal drugs, alcohol, intoxicating chemicals or any medication in an unauthorized manner, including "cheeking" or "palming" the medication. "Cheeking or palming" medication is defined as any attempt to fail to promptly take medication as ordered by staff by hiding the medication while representing to the staff in any manner that the medication was taken as ordered.	A
02-3	Monetary misconduct-Entering into contractual agreements requiring time payments; receiving salary/ wage advances; entering into other contractual agreements; failure to turn in all pay checks or money received. House arrest/pre-parole conditional supervision/electronic monitoring/specialized supervision program offenders will receive prior written authorization to enter into contractual agreements that require time payments. Also, they will turn in monies in a timely manner for program support fees, restitution, court costs, or other required financial obligations.	B
02-4	Employment misconduct-Quitting job without prior approval; getting fired for misconduct on job, tardiness, or shirking of duties; failure to notify staff/employer when too ill to work.	B
02-5	Unauthorized use of mail or telephone, to include passing unauthorized messages or conducting unauthorized activities.	B
02-6	Use of mail, telephone or computer to conduct illegal business.	A
02-7	Unauthorized contacts with public.	B
02-8	Correspondence/conduct with visitor in violation of posted regulations, excluding sexual activity.	B
02-9	Running from or resisting apprehension within facility, to include hiding within the facility to avoid detection or with the intent to escape.	X
02-10	Interfering with taking of count.	B
02-11	Tattooing/self-mutilation, including body piercing except earrings authorized for females/any attempts to inflict self-injury or ingestion of any harmful or poisonous substance.	A
02-13	Carrying out any action designed to coerce administration, and/or fraternizing with any staff member, with the exception of sexual activity.	A
02-14	Bucking an offender line.	B
02-15	Not having proper ID or displaying ID improperly.	B
02-16	Tampering with or blocking any lock, locking device, or other security equipment.	A
02-17	Refusal to submit to substance abuse testing for determination of violation of rule 02-2. Testing is not mandatory when it is evident that the offender has used a chemical substance. If the offender alleges inability to produce a specimen, a two hour delay period under observation will be allowed.	A
02-18	Attempt to contaminate, pollute, alter, substitute, or destroy any urine sample or report.	A
02-19	Failure to cooperate in any investigation. Does not include disciplinary procedures investigations.	A
02-20	To alter or mutilate any official document, offender ID, or evidence or to destroy or attempt to destroy any evidence, including but not limited to, eating it or flushing it down a toilet.	A

02-21	Violation of OP-030117 entitled "Correspondence, Publication, and Audio/Video Media Guidelines."	A
02-22	Program Misconduct-Refusing to participate in an agency sanctioned program, quitting prior to successful completion, or being removed from the program for any reason. Education misconduct to include cheating on tests, or possession/passing of stolen tests or answer keys.	A
02-23	Selling, trading, bartering, or giving prescribed medication/drugs to another person.	X
02-24	Communicating a threat to staff either in person or in writing.	X
02-25	Possessing, preparing or writing in any manner, a document in any form, which poses a threat to the security of the facility to include: possessing or preparing maps or any documentation indicating an attempt to introduce contraband into the facility.	X
02-28	Interfering with the canine or handler in the performance of their duties.	A
02-29	Refusal of medical care/appointment after transportation to an outside medical facility.	A
02-30	Possession/use/introduction of tobacco for an amount of less than 20 cigarettes and/or less than one ounce of tobacco-like products; lighter and/or one book/box of matches (medium and maximum only).	B
02-31	Possession/use/introduction of tobacco for an amount of twenty or more cigarettes and/or one ounce or more of tobacco-like products; more than one lighter and/or more than one book/box of matches (medium and maximum only).	A
02-32	Charging another offender for services rendered.	B
02-33	Possession of a cell phone or cell phone paraphernalia in minimum, medium and maximum security facilities and county jails.	X
02-34	Possession of a cell phone or cell phone paraphernalia in community corrections.	A
02-35	Use of tobacco or tobacco like products in a state owned building.	A
02-36	Use of tobacco or tobacco like products in an unauthorized outside area.	B
<b>PRESENT IN UNAUTHORIZED AREA</b>		
03-1	Outside defined boundaries within facility as defined by facility or present in a restricted area.	A
03-3	Failure to follow sign-in/sign-out procedures.	B
03-4	Unexcused absence from work/school assignment or other program activity.	B
03-5	Unauthorized presence in another's cell/living quarters.	B
<b>BATTERY</b>		
04-1	Killing another person(s) to include any attempt to cause grave injury to another person rendering that person brain dead or left with the loss of a limb or organ.	X
04-2	Participating in activity that directly results in the intentional death of another person.	X
04-3	Battery of another person.	A
04-4	Participating in an activity that directly results in the intentional injury of another person(s).	X
04-5	Rape or forced sexual act.	X
04-6	Kidnapping another person.	X
04-7	Seizing another person as a hostage.	X
04-8	Battery of staff member with physical contact which results in bodily harm.	X
04-9	Battery of a staff member with physical contact which does not result in bodily harm.	X
<b>MENACING</b>		
05-2	Assault; any willful attempt or threat to inflict injury upon the person of another.	A
05-3	Making sexual threats to another person.	B
05-4	Making sexual threats, innuendo, or inferences to, or stalking a staff member or citizen.	X
05-5	Threats of bodily harm or death to a staff member or citizen.	X
<b>EXTORTION</b>		
06-1	Demanding/receiving money or favors or anything of value in return for protection against others, to avoid bodily harm, or under threat of informing.	A
<b>THEFT</b>		
07-1	Unauthorized use of state/private/public property/supplies.	B
07-2	Breaking into another person's room/locker.	A
07-3	Forgery of any type to obtain goods/materials (Attach document where possible).	B
07-4	Taking of property.	B
<b>DESTRUCTION OF PROPERTY</b>		
08-1	Destruction/mutilation/malicious alteration of state/private/public property to include the intentional blocking of any drain in any manner which causes flooding.	A
08-2	Destruction of property of another person.	A

08-3	Setting a fire.	X
08-4	Adulteration of any foods or drinks.	X
<b>POSSESSION/MANUFACTURE OF CONTRABAND</b>		
09-1	Possession/introduction of any explosive, combustible substance, fireworks, and/or unauthorized matches/lighters being used in conjunction with any item listed in this rule violation as an incendiary device.	X
09-2	Possession/introduction of any gun, firearm, weapon, ammunition, knife, sharpened instrument, or Class A tool, to include keys and security equipment.	X
09-3	Possession/introduction of any drug, narcotic, intoxicant, chemical, to include paperwork or documentation containing information for the manufacture of intoxicants/drugs/illegal substances, drug paraphernalia, not prescribed by medical staff, or failure to take medication as prescribed.	X
09-4	Possession of money or currency, unless specifically authorized.	B
09-5	Possession of property belonging to another person or offender; unauthorized state/private/public property, or official documents/materials, or legal material of another offender.	B
09-6	Possession of clothing or property not authorized by the facility, to include possession of excess personal property.	B
09-7	Possession of staff uniforms.	X
09-8	Manufacture of intoxicants.	A
09-9	Counterfeiting, forging, or unauthorized reproductions of any document, article of identification, money, security, or official paper.	A
09-10	Possession of gambling paraphernalia that is not specifically authorized property as specified by OP-030120.	B
09-11	Possession of unauthorized identification.	A
09-12	Possession/introduction of unauthorized tool.	A
09-13	Possession of any other item not authorized by the facility.	A
<b>SEXUAL ACTIVITY</b>		
10-1	Engaging in sexual activity with another consenting person excluding time on passes.	A
10-2	Making sexual proposals, innuendos, inferences, or threats to another offender.	A
10-3	Indecent exposure, to include urinating or defecating in any location other than a toilet, or masturbating in view of staff, visitor, or vendor.	A
10-4	Bestiality	A
<b>DISRESPECT TO STAFF OR CITIZENS</b>		
11-1	Insolence to staff member or citizens	B
11-2	Using abusive/obscene language.	A
11-3	Making profane/obscene gestures to a staff member or citizen.	A
<b>DISOBEDIENCE TO ORDERS</b>		
12-1	Failure to obey verbal and/or written order of staff member in a prompt manner.	A
12-2	Failure to comply with rules and conditions of supervision, contents of any community based supervision program, accountability plan, itinerary, or other contracted agreement.	B
12-3	Failure to obey a group order (e.g., "move", "lockdown").	A
<b>FALSE STATEMENT</b>		
13-1	Lying to staff member.	B
13-2	Malingering; feigning an illness.	B
13-3	Making a false allegation against any person, with the exception of other offenders.	A
<b>GAMBLING</b>		
14-1	Preparing or conducting a gambling operation.	A
14-2	Participating in games of chance for gain/profit.	B
<b>BARTERING</b>		
15-1	The receiving, trading, selling, giving, or loaning of property.	B

- |      |   |   |
|------|---|---|
| 15-2 | Attempting to give, giving, or receiving money or anything of value as a bribe or inducement.   | B |
| 15-3 | Any attempt to receive or receipt of money or property in any form, from another offender or another offender's family member, as well as sending money or property to another offender or offender's family member; this includes attempting to conceal the transfer of money or property through another person who is not a family member. | A |

**ESCAPE**

- |      |   |   |
|------|---|---|
| 16-1 | Escape for any period of time from the custody of the Department of Corrections.  | X |
| 16-2 | Participating in any activity that aids or abets an escape.   | X |
| 16-3 | Any attempt to escape from the custody of the Department of Corrections.  | X |
| 16-4 | Failure to comply with the limits placed on extended limits of confinement.   | A |
| 16-5 | Failure to return from any approved activity or pass at the designated time.  | A |
| 16-6 | Failure to successfully complete telephone contact while participating in an off-center activity or pass.                                   | A |
| 16-7 | Outside defined boundaries of facility without permission (Community Correctional Centers, Community Work Centers, and Halfway Houses only) | A |

**LAW VIOLATIONS**

- |      |   |   |
|------|---|---|
| 17-1 | Violation of City, State or Federal law. (Does not require conviction in a city, state, or federal court) | X |
|------|---|---|

Regarding the disciplinary process, staff member refers to any employee, student intern, volunteer, employee associated with any contract facility, CareerTe employee, canine, and anyone else who works with offenders in an official capacity.

**RANGE OF ALLOWABLE SANCTIONS Class X**

- |     |   |
|-----|---|
| 1X. | Disciplinary segregation for 30 days  |
| 2X. | Revocation of earned credits/achievement credits 365 days*  |
| 3X. | Restricted to level 1 for 90 days, effective the date of the offense report   |
| 4X. | Restitution***  |
| 5X. | Visitation Restriction**  |
| 6X. | For Riot (when declared by the director) and Escape, minimum/medium/maximum security offenders will lose all earned credits; minimum security with community placement, will lose 365 to all earned credits |
| 7X. | Canteen restrictions for 180 days**   |

**Class A**

- |     |   |
|-----|---|
| 1A. | Discretionary disciplinary segregation for 0-20 days                        |
| 2A. | Discretionary revocation of earned credits/achievement credits 0-120 days*  |
| 3A. | Restricted to level 1 for 60 days, effective the date of the offense report |
| 4A. | Restitution***  |
| 5A. | Fine of \$10.00   |
| 6A. | Extra duty not to exceed 60 hours   |
| 7A. | Visitation Restriction not to exceed 180 days**                             |
| 8A. | Telephone Restriction not to exceed 180 days**                              |
| 9A. | Canteen restrictions for 180 days**   |

**Class B**

- |     |   |
|-----|---|
| 1B. | Discretionary Revocation of earned credits/achievement credits 0-60 days* |
| 3B. | Restitution***  |
| 4B. | Fine of \$5.00  |
| 5B. | Extra duty not to exceed 40 hours   |
| 6B. | Visitation Restriction not to exceed 90 days.**                           |
| 7B. | Telephone Restriction not to exceed 90 days**                             |
| 8B. | Canteen restrictions for 90 days**  |

The second infraction of the same rule violation within six months is justification for increasing the imposed sanction to a sanction classified in the next higher class of offense.

For class X offenses, there is no discretion by hearing officer and no suspension of sanctions. Placement in disciplinary segregation, revocation of earned credits and level one are mandatory sanctions for all class X offenses, including guilty findings and guilty pleas.

\* Not to exceed amount already accrued by the offender.

\*\* For class X offenses, visitation may be restricted for one hour or less, non-contact for up to 180 days. For class A and B offenses, condition and duration of visitation may be restricted for up to 180 days for class A and 90 days for class B. For 02-6 offense only, loss of telephone privileges (other than client/attorney) may be for 180 days to remainder of sentence. For class A, A, B only allowed hygiene items during restriction.

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Restitution may be imposed when monetary loss was incurred as a result of the infraction, but will not exceed the actual amount of the replacement value of the item/s destroyed, damaged, or missing. Restitution may also be imposed for the cost of providing a service such as ambulance or doctor's fees. If restitution is imposed as a sanction, the funds may be collected from the offender's draw account at a rate not to exceed 50% of the deposits made to the account. Documentation will be provided to the offender verifying how the amount of restitution was determined. Restitution for personnel services will not be assessed. (R 12/10)