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Scott Crow, Director Oklahoma Department of Corrections	Signature on File		

Non-Associations and Protective Measures

The non-association and protective measures process is established to maintain uniform procedures for managing inmates who require special management due to the risk posed to the public, employees or other inmates. (2-CO-4B-04, 5-ACI-4A-04, 4-ACRS-5A-06)

I. Definitions

A. Non-Association

A method used to track and keep an inmate separated from another inmate, staff member or a specific facility.

B. Protective Measures

The least restrictive action taken when there is evidence that an inmate needs to be separated from other inmates.

C. Protective Custody

A specialized type of care to protect an inmate from harm.

D. Special Management

Inmates who have been identified as: high risk with a history of assaultive behavior; have been determined to be a victim, potential victim or predator; have special medical and/or mental health needs; or for other reasons as determined by the agency director, chief of Operations, director of Institutions, Inspector General or the director of Classification and Population. (2-CO-4B-04, 5-ACI-3D-08M, 5-ACI-3D-12, 5-ACI-3D-13, 5-ACI-5B-11)

II. Procedures for Protective Measures (5-ACI-3D-13)

A protective measures investigation must be completed by designated staff to determine whether separation from other inmates is recommended. An inmate requesting protective measures may do so by notifying facility personnel verbally or by a written request. Facility staff may also request protective measures without an inmate's request with documented cause. (5-ACI-4A-05) A "Protective Measures Investigation" form ([DOC 060106A](#), attached) must be completed by designated staff member(s).

A. Initial Review Procedures

1. Investigating staff will interview the inmate and appropriate facility staff to ascertain dates, places, persons and events related to the inmate's request. Verification of the inmate's claims or the inability to verify the inmate's claims will be documented on the "Protective Measures Investigation" form ([DOC 060106A](#)). The investigation must contain enough information to provide the facility head with an accurate understanding of the situation and, if appropriate, justify the request for protective measures.
2. If the inmate fails to provide specific names or otherwise cooperate in the investigation, he/she will be informed that this failure may result in the assigned staff member(s) being unable to verify that a credible threat exists, that protection may be denied and possible disciplinary action taken.
3. All findings must be supported. Incident reports, disciplinary hearings, and written statements by inmates and/or staff, as appropriate, will be attached to the investigation report.
4. If the investigation reveals any evidence that an offense has

occurred by any inmate, a "Department of Corrections Offense Report" ([DOC 060125A](#)) will be completed by the investigating staff member.

5. The assigned staff member will forward the "Protective Measures Investigation" ([DOC 060106A](#)) forms and all supporting documents to the facility head
6. The assigned staff member will document the above in the inmate's case notes.

B. Protective Measures Actions

If protective measures are warranted, the facility head will initiate the least restrictive and most appropriate protective measure to adequately address the situation. (5-ACI-4B-01, 5-ACI-4B-02)

1. If the investigation reveals the threat to the inmate is minimal or can be mediated, designated staff may conduct mediation.
2. Assignment to other general population housing within the same facility may be an option with approval of the facility head.
3. Recommendation of transfer to general population at another facility.
4. Recommendation of transfer to specialized housing for protective custody.

III. Non-Associations

The non-associations and protective measures process begins at reception. Assessment and reception center case managers review documentation for evidence and/or information, which indicates a need to keep the inmate separated from others to ensure safety and/or the need for special management of the inmate during incarceration. Based on events that occur after reception, subsequent reviews may be necessary.

Non-associations should not normally be filed solely on security threat group affiliations, an inmate's involvement in a group disruption, or due to disciplinary issues. The office of the Inspector General should be consulted to assist in the determination of whether a threat of on-going imminent danger between inmates exists.

A. Inmate Initiated

An inmate can initiate a non-association from other inmates.

1. A facility staff member will document the request by completing the

“Protective Measures Investigation” form ([DOC 060106A](#), attached). If the facility head or designee recommends non-associations or protective custody, facility staff will forward the completed forms to the Population Office. The Population Office will review and enter the information into the Offender Management System (OMS).

2. Approved inmate initiated non-association expire at the end of one year. The initiating inmate will be responsible for ensuring that the non-association is refiled annually. A “Protective Measures Investigation” form ([DOC 060106A](#), attached) is necessary for extensions. If the facility head or designee recommends non-associations or protective custody, facility staff will forward the completed extension forms to the Population Office. The Population Office will review and enter information into the Offender Management System (OMS).
3. Removal will be discussed at the 120-Day Review process prior to the expiration date and noted in a case note on OMS and in the comment section of “Adjustment Review” form ([DOC 060203A](#)) by the assigned case manager.

B. Staff Initiated Separation

1. A staff member may request separation between inmates by completing the “Non-Association Form” ([DOC 060106B](#), attached). Staff initiated separation is not used for verbal reports of threat, undocumented incidents, minor altercations, or historical problems.
2. A staff member shall initiate separation between inmates who are family members, co-defendants, and/or when it is known that one has previously assisted in the prosecution of another by completing the “Non-Association Form” ([DOC 060106B](#), attached).
 - a. Family members include, but are not limited to, grandfather, grandmother, father, mother, brother, sister, children, step/half children, uncle, aunt, first cousins, step-parent, or step/half brother or sister.
 - b. Co-defendants include, but are not limited to, inmates involved in or convicted of the same offense or a combination of offenses whether or not the charges or convictions are in the same case number.
 - c. Assisted in the prosecution includes, but is not limited to, inmates who provided information or evidence to law enforcement to build a case against another inmate(s) and/or an inmate who testified, or offered to testify, against another inmate(s).

3. Non-association inmates will not be transferred to the same facility with the following exceptions:
 - a. Male inmates assigned to maximum security will not be housed in the same cell and if possible, will not be housed in the same area of the facility.
 - b. Male inmates assigned to the agency's assigned protective custody unit. Family members and co-defendants will not be housed in the same cell. (5-ACI-5B-19)
 - c. Non-associations between family members and co-defendants will not prevent placement at BJCC or JHCC for meeting delayed sentence and other programmatic requirements.
 - d. If Health Services has recommended an inmate transfer to a specific facility for a health related need, the director of Classification and Population will coordinate with the facility head. Inmate transfers or facility assignments may be adjusted.
4. Non-association is exempt at all female facilities. However, family members or co-defendants will not be housed in the same cell, dorm or housing unit without approval from the director of Classification and Population.
5. Staff initiated non-associations do not expire during the current incarceration.

C. Facility Separations

A facility head may request that an inmate be separated from a facility to separate a staff member(s) from inmates. In such cases, written justification shall be provided to the Classification and Population Unit through completion of "Non-Association Form" ([DOC 060106B](#)).

1. The facility head must sign the action, with appropriate documentation attached to justify separation.
2. All facility non-associations must be signed by deputy director of Institutions or designee prior to being sent to the Population Office. A copy will be placed in the inmate field file.
3. These will be reviewed annually by the facility head. The facility head may terminate a facility non-association by signing the "Non-Association Form" ([DOC 060106B](#)), noting in the comments section why the threat no longer exists and forwarding the form to the

Classification and Population Unit.

D. Special Management Inmates

Special management inmates are inmates who display behaviors that merit special review and/or housing to ensure safety within a correctional facility. Special management inmates will be identified during the assessment and reception process through completion of a "Special Management Inmate Notice" ([DOC 060106C](#), attached).

1. Inmates who have a history of the following will be identified as special management inmates: (5-ACI-2C-02, 5-ACI-4A-04, 5-ACI-3D-08M, 5-ACI-3D-12, 5-ACI-4B-01, 5-ACI-4B-02)
 - a. Those inmates identified as
 - (1) Having extreme levels of violence toward others;
 - (2) Sexual predators/sexually assaultive behavior; or
 - (3) Highly vulnerable.
 - b. Those inmates with special medical or mental health needs; and
 - c. As determined by the agency director, chief of Operations, director of Institutions or director of Classification and Population.
2. Special management inmates will be identified by the facility head filing the request. A move will not occur without the authorization of those identified in Section III. D. 1. item c. of this procedure.
3. The director of Classification and Population or designee will maintain a file of special management inmates that have been approved. The file will include information that documents the necessity of the inmate requiring special management.

E. Completion of "Non-Association Form"

Circumstances requiring separation of identified inmates for protective measures will require completion of the "Non-Association Form" ([DOC 060106B](#)) and initiation of non-association procedures as indicated below.

1. A "Non-Association Form" ([DOC 060106B](#)) will be completed for each inmate separated from one or more inmate(s) incarcerated by the Oklahoma Department of Corrections (ODOC).
2. In Section I. of the "Non-Association Form" ([DOC 060106B](#)), the

facility requesting the non-association and the date of the request will be provided.

- a. If inmate initiated and if the facility head reviewed and approved recommendations for protective measures, then the remaining sections of the “Non-Association Form” ([DOC 060106B](#)) form will be completed.
 - b. If staff initiated due to special management or facility separation, the “Non-Association Form” ([DOC 060106B](#)) form and supporting documents will be forwarded to the director of Institutions or designee for approval. Upon approval, all information will be forwarded to the Population Office.
 - c. If a staff initiated non-association is recommended due to being co-defendants or family, the completed “Non-Association Form” ([DOC 060106B](#)) form will be forwarded to the Population Office.
3. In Section II., the ODOC number and name of the affected inmate(s) will be listed. One “Non-Association Form” will be utilized for all inmates designated in Section II. of the “Non-Association Form” ([DOC 060106B](#)).
 4. In Section III., the originating staff member must provide a detailed justification with relevant and pertinent evidence for the filing of the non-association.
 5. Signatures and dates are required of the inmate initiating the separation, originating staff member, facility head, and the director of Classification and Population, if applicable.
 6. The copy of the “Non-Association Form” ([DOC 060106B](#)) listing all inmates will be placed in the Section 3. of the inmate’s field file. Additional copies of the “Non-Association Form” ([DOC 060106B](#)) listing all other inmates will be sent by the Population Office and placed in the field files of all other inmate(s) concerned.

IV. Population Office Responsibilities

- A. The Population Office will enter approved non-associations into OMS. When the separation is entered, Population Office staff will initial and date the “Non-Association Form” ([DOC 060106B](#)).
- B. The population coordinator or designee will review and verify the entry has been made in OMS.
- C. Copies of all active “Non-Association Forms” ([DOC 060106B](#)) will be sent

to the receiving facility and maintained in the inmate's field file in accordance with [OP-060212](#) entitled "Maintenance and Access of Inmate/Offender Records."

- D. The OMS non-associations will be reviewed prior to all inmate transfers to ensure continued separation.

V. Removal of Non-Associations

A. Receipt of a Request

Upon receipt of a request from an inmate to remove non-associations, the inmate's assigned case manager will complete a "Non-Association Form" ([DOC 060106B](#)).

1. A detailed account of what circumstances have changed since the initial request for filing the non-association will be provided in Section IV.
2. The inmate who initiated the Non-Association will initial the request to remove the non-association in Section IV. of the "Non-Association Form". The "Non-Association Form" ([DOC 060106B](#)) will be signed by the inmate, the originating staff member and facility head prior to being forwarded to the Population Office.
 - a. A copy of the approved "Non-Association Form" ([DOC 060106B](#)) removal will be placed in the field file.
 - b. Additional copies of the "Non-Association Form" ([DOC 060106B](#)) removal will be included in the field file of all inmates named on the forms.
 - c. Staff initiated separations will not be removed at the inmate's request.

VI. Suspension of Non-Association

All inmate and/or staff initiated non-associations are not considered at community facilities (community corrections centers and halfway houses). Should a new non-association be filed at a community facility, the facility head or designee will review the circumstances and determine appropriate placement for the affected inmate(s).

VII. Protective Custody Placement/Transfer (5-ACI-4B-01, 5-ACI-4B-02)

Protective custody housing/transports will be considered only when an investigation reveals a legitimate reason exists for this measure. (5-ACI-4A-05, 4-ACRS-5A-06)

A. Procedures for Placement for Protective Custody

1. The inmate may be transferred to another facility of equal or higher security. Whenever possible, the aggressor(s) will be transferred, rather than the inmate requesting protection. A priority transfer request will be submitted in accordance with [OP-060204](#) entitled "Inmate Transfers." Original copies of the completed "Protective Measures Investigation" ([DOC 060106A](#)) forms will be submitted with the transfer packet(s).
2. Incomplete non-association forms will be returned to the facility for completion. Normally, inmates involved in the pending non-associations will not be transferred until the non-associations have been completed and entered into the Offender Management System (OMS). Protective measure transfers will be enacted in a timely manner, upon receipt of a completed "Protective Measures Investigation" ([DOC 060106A](#)).
3. The agency provides specialized housing for inmates requiring protective custody. Upon completion of the "Protective Measures Investigation" ([DOC 060106A](#)), the Classification and Population Unit may authorize placement. Those inmates requiring such placement will be transferred in accordance with [OP-060204](#) entitled "Inmate Transfers."

B. Procedures for Continued Placement on Protective Custody

1. Utilizing the "Protective Custody Review" form ([DOC 060106D](#), attached) the classification committee will review inmates assigned to protective custody units according to time frames outlined in [OP-040204](#) entitled "Segregation Measures." Less restrictive measures will be considered during each review in order to have inmates assigned to protective custody units for the least amount of time necessary. (5-ACI-4A-07)
2. Reviews of inmates in protective custody will occur by the classification committee every seven days during the first two months and every 30 days thereafter to determine if the reasons for placement continue to exist. Reviews will be documented utilizing the "Protective Custody Review" form ([DOC 060106D](#), attached) and will be forwarded to the director of Institutions if an inmate remains in protective custody for six months and every six months thereafter.
3. The classification committee may recommend return of the inmate to the general population, transfer to general population while remaining at the same security level, or transfer to general population at another security level.

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4. The classification committee may also recommend the inmate remain in the protective custody unit.
5. Mental health reviews will be conducted in accordance with time frames established in [OP-040204](#) entitled "Segregation Measures." (5-ACI-4A-10)

C. Procedures for Removal from Protective Custody (5-ACI-4A-08)

1. An inmate may request removal from protective custody in writing, through the assigned case manager.
2. Upon receipt of such a request, the inmate's assigned case manager will complete Section II of the "Protective Custody Review" form ([DOC 060106D](#)), Section IV. of the "Non-Association Form" ([DOC 060106B](#)) and a "Facility Assignment Form (FAF)" ([DOC 060204A](#)).
3. The case manager will schedule an appearance before the classification committee within three working days.

VIII. References

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

OP-040204 entitled "Segregation Measures"

OP-060204 entitled "Inmate Transfers"

IX. Action

The chief of Strategic Engagement is responsible for compliance with this procedure.

The director of Classification and Population is responsible for the annual review and revisions.

Any exceptions to this procedure will require prior written approval from the agency director.

This procedure is effective as indicated.

Replaced: Operations Memorandum No. OP-060106 entitled "Non-Associations and Protective Measures" dated October 29, 2019

Distribution: Policy and Operations Manual
Agency Website

<u>Referenced Forms</u>	<u>Title</u>	<u>Location</u>
DOC 060106A	“Protective Measures Investigation”	Attached
DOC 060106B	“Non-Association Form”	Attached
DOC 060106C	“Special Management Inmate Notice”	Attached
DOC 060106D	“Protective Custody Review”	Attached
DOC 060125A	“Department of Corrections Offense Report”	OP-060125
DOC 060203A	“Adjustment Review”	OP-060203
DOC 060204A	“Facility Assignment Form (FAF)”	OP-060204
DOC 060211H	“Consolidated Record Card”	OP-060211