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<b>Section-06 Classification and Case Management</b>	<b>OP-060107</b>	<b>Page: 1</b>	<b>Effective Date: 07/07/2021</b>
<b>Systems of Incarceration</b>	<b>ACA Standards: 2-CO-4B-01, 5-ACI-7A-01, 5-ACI-7A-02, 5-ACI-7A-13, 4-ACRS-6B-01, 4-ACRS-7D-31</b>		
<b>Scott Crow Director Oklahoma Department of Corrections</b>	<b>Signature on File</b>		

## Systems of Incarceration

Discrimination in providing program access, job assignments, custody, or level assignments based on an inmate’s race, religion, national origin, sex, disability, or political views is prohibited. (5-ACI-7A-01, 4-ACRS-6B-01)

### I. Level System (5-ACI-7A-13)

An inmate’s incarceration will be based on a level system that determines custody level, job status, program status, and privileges earned. (5-ACI-7A-01, 5-ACI-7A-13) Inmates who are assigned to community corrections may have designated privileges available that are not specifically linked to their assigned earned credit level.

#### A. Level Criteria

##### 1. Transfers/New Arrivals

Inmates transferring will normally remain at their current level unless they have been assigned to Level 1 due to a situation defined in this procedure.

##### 2. At least once every 120 days, an inmate shall be reviewed by the unit classification committee, with no less than three staff members

in attendance. Staff members will include a member of the unit team (secretary, unit counselor/assistant, correctional officer) as defined in [OP-030101](#) entitled "Unit Management Overview and Major Objectives," the inmate's case manager and will be chaired by the unit manager or designated staff. In addition to the required 120-day reviews, a review will be done at the time the inmate becomes eligible for promotion in level.

In order for an inmate to promote, they will meet the minimum following requirements:

a. Level 1

Inmates may be assigned to Level 1 by the facility/unit classification committee and under the following circumstances:

- (1) Poor behavior;
- (2) When placed on escape status; or
- (3) When an inmate is not eligible to be placed on Level 2 or higher.

b. Level 2

- (1) Earned credits will be calculated at Level 2 beginning the date of Judgment and Sentence through the day prior to reception (inmates sentenced to imprisonment in ODOC, but detained in the sentencing county jail as result of the agency's reception scheduling procedure, will be awarded earned credits at the rate of Class Level 2 ([OP-060211](#), II, B, 4) (57 O.S. 138(G)) (excluding those inmates returned from escape); unless they meet the criteria listed below to be placed at a higher earned credit level.
- (2) Eligibility while in ODOC custody includes inmates who have been given a work, education, or program assignment; have received good evaluations in the work, education, or program assignment; good evaluations for personal hygiene and maintenance of living area; and maintains a good attitude and relationship with staff and other inmates. (5-ACI-7A-02)

c. Level 3/3E

Inmates are eligible for a promotion to Level 3/3E:

- (1) After being incarcerated for at least three months;
    - (a) All post-sentencing jail time will be included in the calculation;
    - (b) Any time spent incarcerated in an intermediate revocation facility or delayed sentencing program will be included in the calculation;
  - (2) Receiving excellent work, education and program evaluations;
  - (3) Excellent evaluations for personal hygiene and maintenance of living area; and
  - (4) Maintaining an excellent attitude and relationship with staff and other inmates.
- d. Level 4/4E

Inmates are eligible for a promotion to Level 4:

- (1) After being incarcerated for at least eight months;
  - (a) All post-sentencing jail time will be included in the calculation;
  - (b) Any time spent incarcerated in an intermediate revocation facility or delayed sentencing program will be included in the calculation;
- (2) Receiving outstanding work, education and program evaluations;
- (3) Outstanding evaluations for personal hygiene and maintenance of living area; and
- (4) Maintaining an outstanding attitude and relationship with staff and other inmates.

The prior service of an inmate returning to ODOC custody from escape or as a parole violator will not count toward the time-frame criteria for promotion to Level 3/3E or 4/4E. The prior service of an inmate returning to ODOC custody from appeal bond, reverse or remand order will count toward the time-frame for Level 3/3E or 4/4E.

### 3. Promotions in Earned Credit Level

- a. Assignment to a higher level will be effective on the first day of the month in which the adjustment occurs. Exceptions are:
  - (1) Inmates who are being restored to a previous level after a misconduct expungement, misconduct dismissal or a release from segregation due to no disciplinary action being taken; in these situations, the inmate will be returned to the previous level in effect on the date of the demotion.
  - (2) Discretionary action by the facility head taken to remedy or correct a circumstance not clearly defined in policy.
4. Demotions in Earned Credit Level
  - a. Assignment to a lower level will be effective on the first day of the following month after the adjustment occurs. Exceptions are:
    - (1) Discretionary action by the facility head taken to remedy or correct a circumstance not clearly defined in policy.
5. Any demotion in level is effective for a minimum of 30 days. The inmate will be promoted after the 30-day time period if the inmate is eligible to be promoted to the next class level. The action by the committee cannot be prior to the end date of the 30 days.
6. It is intended for the inmate to progress through the levels to the highest level for which they qualify.

**B. Areas of Consideration for Promotion and Demotion**

Promotions and demotions will be based on the desired behavior of the inmate from all aspects of institutional life. In addition to the previously stated criteria, the adjustment review committee/unit team will consider the following areas:

**1. Job/Program Performance and Attendance (5-ACI-7A-02)**

This aspect will be documented by the "Monthly Inmate Evaluation Time Credit Report" ([DOC 060211M](#)), "Oklahoma Correctional Industries Pay Report" ([DOC 080501F](#)), and/or case notes. In order to determine if the inmate meets the work evaluation criteria (e.g., excellent, outstanding), evaluation scores will be averaged for the past 120 days. A poor score in one area does not mean the inmate scores poor in all patterns of behavior. Inmates who are not employed due to the lack of facility job availability or not in assessed

programs due to unavailability may promote in levels, to include receiving the appropriate pay, if all other level criteria is met. Such exceptions would include:

- a. Inmates who have promoted in levels while participating in a program will not be dropped in level upon completion of the program due to the lack of job availability.
- b. Inmates assigned to death row who are not employable due to lockdown status or other justifiable reasons may promote to Level 3/3E if all other level criteria is met.
- c. Inmates assigned to the Mabel Bassett Correctional Center or Joseph Harp Correctional Center mental health units may promote through the level system without benefit of a job if all other level criteria is met.
- d. Inmates who have assessed needs and are assigned to an available program will be required to participate. Inmates refusing assigned job or programming will be demoted to Level 2 for 90 days or until they accept the assignment.

2. Attitude/Relationship to Staff and Other Inmates

The inmate will consistently demonstrate cooperative behavior toward staff, other inmates, and facility visitors.

3. Personal and Living Area Appearance

The inmate will maintain appropriate hygiene and grooming habits and maintain a clean and orderly living area at the standards required for their assigned level.

4. Performance during present Level

The inmate must be satisfactorily participating in the requirements of the present level before a promotion will be considered. Advancement in level must be done incrementally and levels cannot be skipped. Consistent unsatisfactory participation in any one area may be cause for a demotion in level(s).

The scale of standards of assessing performance will be as follows:

a. Outstanding

For inmates who display outstanding initiative and motivation with few or no errors, and performs at expectations or above.

b. Excellent

For inmates who display excellent/above average habits with only minor errors and rarely perform below expectations.

c. Good

For inmates who perform in a satisfactory manner and complete tasks as required; doing what is expected, with only occasional performance above or below expectations.

d. Fair

For inmates who may perform satisfactorily for some periods of time, but whose performance is marked by deficient and weak areas that could be improved.

e. Poor

For inmates whose performance is unsatisfactory and falls below expected and acceptable standards.

C. Special Earned Credit Consideration

Oklahoma statutes and circumstances for certain crimes and situations may deny or limit the application of credits. Exceptions to the general rules regarding application of credits will be in accordance with [OP-060211](#) entitled "Sentence Administration."

D. Requirements When Level Promotions Are Not Approved

In the event that an inmate is not approved for level promotion by the adjustment review committee/unit team, the following shall occur:

1. The inmate will be notified of the specific reason(s) approval was not granted before signing their "Adjustment Review" form ([DOC 060203A](#)).
2. The inmate shall be given specific actions to be completed prior to the next review date (e.g. enrollment in classes required to fulfill case plan needs, maintaining an orderly living area, maintaining appropriate personal hygiene) that will enable them to meet level promotion requirements.
3. The case manager shall document the required actions on the "Adjustment Review" form and enter them in an OMS case note.
4. The case manager shall follow-up with the inmate during the monthly review of inmate progress as outlined in [OP-060101](#) "Overview of Case Management." Regarding the inmate's progress

toward completion of actions needed to obtain a level promotion. This follow-up shall be documented in an OMS case note.

II. Identification and Level Guidelines (5-ACI-7A-13)

- A. Inmate identification badges (I.D.'s) will be color coded to identify the inmate's assigned level. Color coding will be as follows:
  - 1. Level 1 – red;
  - 2. Level 2 – green;
  - 3. Level 3/3E – yellow; and
  - 4. Level 4/4E – blue.
  
- B. Private prison facilities, which do not issue color coded ID's must mark or have similar identification available to designate the assigned level of each inmate.
  
- C. Inmates will be required to keep their ID's in their possession at all times, except while showering or sleeping. Inmate ID's will be transferred with inmate and placed in inmate's field file.
  
- D. Inmates assigned to community corrections must retain their previously issued ID upon reception at the community corrections facility. Inmate ID's will not be re-issued due to a change in the level while assigned to community corrections facilities.
  
- E. Level assignment will determine accessibility and degree of privileges as follows:
  - 1. Level 1
    - a. Earned Credits                      0 Credits
    - b.    Pay Grade None - Will be evaluated after 30 days for a possible level change.
    - c. Clothing                                In accordance with [OP-030120](#) entitled "Inmate Property."
    - d. Planned Recreation                None - If on a segregation housing unit for disciplinary segregation. If in general population or administrative segregation, individual activities are permitted.

- e. Visits One hour non-contact per week and legal/clergy visits, unless on disciplinary detention status. If on disciplinary detention status, visits will be in accordance with [OP-030118](#) entitled "Visitation." Community corrections inmates will be afforded visitation in accordance with [OP-030118](#) entitled "Visitation."
  - f. Telephone Legal (Attorney of Record)/clergy only. If in segregation housing, telephone privileges will be in accordance with [OP-040204](#) entitled "Segregation Measures." Community corrections inmates will receive telephone privileges in accordance with [OP-030119](#) entitled "Inmate Telephone Privileges."
  - g. Exercise General population inmates may exercise according to the institutional schedule. Inmates in segregation housing may exercise one hour a day a minimum of five days per week as outlined in [OP-040204](#) entitled "Segregation Measures." Community corrections inmates in transit detention housing may exercise one hour a day a minimum of five days per week as outlined in [OP-040206](#) entitled "Transit Detention Units."
  - h. Television (Personal) None.
  - i. Television (Dayroom) None.
  - j. Radios with earphones None.
2. Level 2
- a. Earned Credits 22 credits per month - unless statutorily prohibited.





H. Delayed Sentence

Although no credits are to be granted during the delayed sentence period of incarceration, upon receiving a determinate sentence of incarceration, the inmate will begin earning credits according to the assigned earned credit level.

I. Exceptions to Level Pay Grades (5-ACI-7A-13, 4-ACRS-7D-31)

Inmates may be paid at a higher rate of pay under the following circumstances:

1. Inmates who are journeymen or licensed in their field and are assigned jobs at the facility to perform in that capacity, or those assigned to the agency's construction/maintenance (C&M) crew, may be paid at the same rate as a special project pay grade. Pay at this level must be approved by the facility head.
2. The facility head may identify jobs that require a higher skill level (e.g., mechanics, inmate research assistants/law clerks, etc.) that may be paid at the rate of \$27.09 per month. The ability to receive a higher pay rate will be reflected in the job description. All requests for pay at this rate must be approved by the facility head and chief administrator of Institutions/chief administrator of Community Corrections and Contract Services.
3. Special project pay grades may be established as needed to accomplish difficult or extraordinary construction projects or other important projects that require special measures to accomplish.
  - a. Pay for a special project will not exceed \$.54 per hour.
  - b. These special pay grades can only be established after the recommendation of the chief administrator of Institutions/chief administrator of Community Corrections and Contract Services, with sufficient justification, and a specific time period established.
  - c. Each request will be reviewed by senior staff and approved by the agency director.
4. With exception of Oklahoma Correctional Industries and construction and maintenance programs, inmate pay will not be pro-rated.
5. Inmates assigned as facility cooks/bakers and licensed cosmetologists shall be paid at a rate of \$27.09 per month. This pay rate will be reflected in the job description.

### III. Community Corrections Privileges

#### A. Possession of Currency or Reloadable Debit Cards

1. Inmates at a facility where reloadable debit cards have not been issued may have in their possession no more than a total of \$75 cash, in denominations of \$20 bills, \$10 bills, \$5 bills, \$1 bills and coins.
  - a. The facility head at a community level facility where reloadable debit cards have been issued will designate the date all inmates must have their cash turned in by. This date will not exceed 30 days from the first date funds are loaded to the cards at that facility.
2. Inmates at community facilities where the debit card is in use may have an amount equal to their weekly canteen draw on their debit card.
3. Inmates who are assigned to PPWP crews may have no more than \$5 on their person when they are signed out to their assigned work crew.

#### B. Property/Packages

1. Inmates are authorized personal property as defined in [OP-030120](#) entitled "Inmate Property."
2. Once per month, inmates at community corrections may receive food/hygiene/property packages.
  - a. Packages may be mailed into the facility or delivered during visitation.
  - b. The total amount of items cannot exceed the amount allowed on the property matrix.
  - c. Food products are limited to single serving size or re-sealable, non-perishable items.

#### C. Visitation

Inmates shall have visitation privileges as defined in [OP-030118](#) entitled "Visitation."

#### D. Telephone Privileges

Inmates shall have access to telephone privileges as defined in [OP-030119](#) entitled "Inmate Telephone Privileges."

E. Escorted Leave/Activities

Inmates shall have access to escorted activities and leave as defined in [OP-031001](#) entitled "Inmate Escorted Leave/Activities."

IV. References

Policy Statement No. P-030200 entitled, "Inmate Housing, Job and Program Integration"

OP-030101 entitled "Unit Management Overview and Major Objectives"

OP-030118 entitled "Visitation"

OP-030119 entitled "Inmate Telephone Privileges"

OP-030120 entitled "Inmate Property"

OP-031001 entitled "Inmate Escorted Leave/Activities"

OP-040204 entitled "Segregation Measures"

OP-040206 entitled "Transit Detention Units"

OP-060101 entitled "Overview of Case Management"

OP-060211 entitled "Sentence Administration"

Oklahoma State Statute Titles 21, 57, and 63

V. Action

The chief administrator of Institutions/chief administrator of Community Corrections and Contract Services are responsible for compliance with this procedure.

The chief of Operations 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-060107 entitled "Systems of Incarceration" dated May 28, 2020

Distribution: Policy and Operations Manual  
Agency Website

<u>Referenced Forms</u>	<u>Title</u>	<u>Location</u>
<a href="#">DOC 060211M</a>	“Monthly Inmate Evaluation Time Credit Report”	<a href="#">OP-060211</a>
<a href="#">DOC 080501F</a>	“Oklahoma Correctional Industries Pay Report”	<a href="#">OP-080501</a>