

1 ENGROSSED SENATE  
2 BILL NO. 603

By: Treat, Pittman and Sharp of  
the Senate

3 and

4 O'Donnell of the House  
5  
6

7 An Act relating to risk assessment for offenders;  
8 amending 57 O.S. 2011, Sections 530 and 530.1, which  
9 relate to the receiving center for new prisoners and  
10 the assessment and reception of inmates; requiring  
11 certain risk assessment be given; directing the  
12 Department of Corrections to develop a case plan for  
13 each inmate; prescribing certain time limits;  
14 directing inclusions; directing certain distribution  
15 of reports; providing for codification; and providing  
16 an effective date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 57 O.S. 2011, Section 530, is  
16 amended to read as follows:

17 Section 530. It is the intent of the State Legislature that all  
18 new prisoners sentenced to the custody of the Department of  
19 Corrections will be processed through the Lexington Assessment and  
20 Reception Center or at a place determined by the Director of the  
21 Department of Corrections. The Department of Corrections shall  
22 ~~administer~~ ensure administration of a risk and needs assessment, as  
23 defined in Section 502 of this title, physical and psychological  
24 examinations, mental health and substance abuse screens, inventory

1 vocational skills, and assess educational and training needs. A  
2 risk and needs assessment shall not be required for any inmate who  
3 had a risk and needs assessment administered by personnel certified  
4 by the Department of Mental Health and Substance Abuse Services  
5 within six (6) months of being sentenced to the custody of the  
6 Department of Corrections. The Department of Corrections shall  
7 determine initial security and custody classifications, plan for  
8 immediate or possible future assignment to an institution, community  
9 treatment center or other alternative to incarceration authorized by  
10 law, provide orientation and instruction with respect to rules and  
11 procedures for prisoners, and perform other such activities deemed  
12 necessary by the Department of Corrections.

13 SECTION 2. AMENDATORY 57 O.S. 2011, Section 530.1, is  
14 amended to read as follows:

15 Section 530.1. A. The Department of Corrections, by the rules  
16 of that Department, shall have the following duties which shall be  
17 performed as part of the assessment and reception process of the  
18 Department of Corrections, upon reception of each inmate:

19 1. To administer, or cause to be administered, physical and  
20 psychological examination of all inmates, including any requirement  
21 to collect biological samples for DNA testing pursuant to Section  
22 991a of Title 22 of the Oklahoma Statutes and Section 150.27a of  
23 Title 74 of the Oklahoma Statutes, or other provision of law;

1           2. To identify the vocational-technical skills of all inmates.  
2 The information shall be noted on and made a part of the record for  
3 each inmate;

4           3. To assess the educational and training needs of all inmates  
5 and recommend for placement any inmate with an educational need as  
6 established in Section 510.7 of this title;

7           4. To determine from available records and interviews, the  
8 place of birth of new inmates. The Department of Corrections shall  
9 furnish a list of foreign-born nationals and suspected foreign-born  
10 nationals to the Immigration and Naturalization Service on a weekly  
11 basis;

12           5. To determine initial security and custody classifications;

13           6. To determine and recommend for placement in an alcohol or  
14 substance abuse treatment facility or program, as provided for in  
15 this section, any inmate ~~convicted of alcohol related offenses or~~  
16 ~~otherwise~~ in need of alcohol or substance abuse treatment;

17           7. To determine and recommend for placement in the Department  
18 of Corrections ~~Special Care Unit at the State Penitentiary at~~  
19 ~~McAlester~~ Mental Health Unit any inmate who is in need of acute  
20 psychiatric care;

21           8. To plan for immediate assignments to institutions, community  
22 treatment centers, alcohol or substance abuse treatment centers or  
23 programs, alternatives to incarceration authorized by law, or other  
24 facilities, public or private, designated by the Department;

1 9. To recommend possible future assignments to institutions,  
2 community treatment centers, alcohol or substance abuse treatment  
3 centers or programs, alternatives to incarceration authorized by  
4 law, or other facilities designated by the Department;

5 10. To provide orientation and instruction with respect to  
6 rules and procedures for prisoners; ~~and~~

7 11. To obtain all relevant juvenile court records and relevant  
8 Department of Juvenile Justice agency records, if any, pertaining to  
9 inmates and make ~~said~~ the records a part of the permanent record  
10 maintained by the Department of Corrections regarding the inmate.  
11 The information contained in those records shall be used to  
12 determine security level and placement of inmates; and

13 12. To administer a risk and needs assessment on each inmate  
14 and develop an individualized case plan based on the results of the  
15 assessment to guide an inmate's rehabilitation while in the  
16 Department's custody in order to reduce the likelihood of  
17 recidivism.

18 B. An alcohol or substance abuse treatment center in which an  
19 inmate is placed shall provide services and standards of treatment  
20 as provided by the Department of Mental Health and Substance Abuse  
21 Services under its rules for alcoholism or substance abuse  
22 treatment. Upon placement of a prisoner in a center for alcoholism  
23 or substance abuse treatment, the Department of Corrections shall  
24 enter into a third party contract with such center for the custodial

1 and professional services rendered to any prisoner. Such contract  
2 may include requirements imposed by law on the Department of  
3 Corrections or reimbursement for such services, if necessary. The  
4 Department of Corrections is further authorized to enter into third  
5 party contracts for substance abuse treatment programs which are  
6 certified by the Department of Mental Health and Substance Abuse  
7 Services to provide professional services on an outpatient basis to  
8 prisoners in need of substance abuse treatment and follow-up  
9 treatment while assigned to alternatives to incarceration.

10 C. The Department of Juvenile Justice shall allow reasonable  
11 access to its database for the purpose of obtaining the juvenile  
12 records required by subsection A of this section.

13 D. The Department of Corrections shall adopt rules governing  
14 the implementation of this section.

15 SECTION 3. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 530.5 of Title 57, unless there  
17 is created a duplication in numbering, reads as follows:

18 A. The Department of Corrections shall develop a case plan for  
19 each inmate to guide the inmate's rehabilitation while in the  
20 Department's custody in order to reduce the likelihood of  
21 recidivism.

22 B. Within sixty (60) days of admission, the Department shall  
23 complete a case plan for each inmate which shall include:

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1           1. Programming and treatment requirements based on the results  
2 of a validated risk and needs assessment administered pursuant to  
3 Section 530.1 of this title;

4           2. Programming or treatment requirements mandated by the  
5 sentencing order; and

6           3. Requirements in accordance with the rules and policies of  
7 the Department.

8           C. The Department shall make every effort to ensure that the  
9 case plan is achievable prior to the inmate's parole eligibility  
10 date calculated under subsection A of Section 332.7 of this title,  
11 if applicable.

12           D. The Department shall provide each inmate with a written copy  
13 of the case plan and the inmate's caseworker shall explain the  
14 conditions set forth in the case plan.

15           E. For any parole-eligible inmate, the Department shall  
16 electronically submit a progress report on each parole-eligible  
17 inmate's case plan to the Parole Board.

18           SECTION 4. This act shall become effective November 1, 2017.

