

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 603

By: Treat

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6 AS INTRODUCED

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
each inmate; prescribing certain time limits;
directing inclusions; directing certain distribution
of reports; allowing certain consideration by the
Pardon and Parole Board; providing for codification;
and providing an effective date.

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

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

18 Section 530. It is the intent of the State Legislature that all
19 new prisoners sentenced to the custody of the Department of
20 Corrections will be processed through the Lexington Assessment and
21 Reception Center or at a place determined by the Director of the
22 Department of Corrections. The Department of Corrections shall
23 administer a risk and needs assessment, physical and psychological
24 examinations, inventory vocational skills, and assess educational

1 and training needs. The Department of Corrections shall determine
2 initial security and custody classifications, plan for immediate or
3 possible future assignment to an institution, community treatment
4 center or other alternative to incarceration authorized by law,
5 provide orientation and instruction with respect to rules and
6 procedures for prisoners, and perform other such activities deemed
7 necessary by the Department of Corrections.

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

10 Section 530.1. A. The Department of Corrections, by the rules
11 of that Department, shall have the following duties which shall be
12 performed as part of the assessment and reception process of the
13 Department of Corrections, upon reception of each inmate:

14 1. To administer, or cause to be administered, physical and
15 psychological examination of all inmates, including any requirement
16 to collect biological samples for DNA testing pursuant to Section
17 991a of Title 22 of the Oklahoma Statutes and Section 150.27a of
18 Title 74 of the Oklahoma Statutes, or other provision of law;

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

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

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

6 5. To determine initial security and custody classifications;

7 6. To determine and recommend for placement in an alcohol or
8 substance abuse treatment facility or program, as provided for in
9 this section, any inmate convicted of alcohol related offenses or
10 otherwise in need of alcohol or substance abuse treatment;

11 7. To determine and recommend for placement in the Department
12 of Corrections Special Care Unit at the State Penitentiary at
13 McAlester any inmate who is in need of acute psychiatric care;

14 8. To plan for immediate assignments to institutions, community
15 treatment centers, alcohol or substance abuse treatment centers or
16 programs, alternatives to incarceration authorized by law, or other
17 facilities, public or private, designated by the Department;

18 9. To recommend possible future assignments to institutions,
19 community treatment centers, alcohol or substance abuse treatment
20 centers or programs, alternatives to incarceration authorized by
21 law, or other facilities designated by the Department;

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

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

7 12. To administer a risk and needs assessment on each inmate
8 and develop an individualized case plan based on the results of the
9 assessment to guide an inmate's rehabilitation while in the
10 Department's custody in order to reduce the likelihood of
11 recidivism.

12 B. An alcohol or substance abuse treatment center in which an
13 inmate is placed shall provide services and standards of treatment
14 as provided by the Department of Mental Health and Substance Abuse
15 Services under its rules for alcoholism or substance abuse
16 treatment. Upon placement of a prisoner in a center for alcoholism
17 or substance abuse treatment, the Department of Corrections shall
18 enter into a third party contract with such center for the custodial
19 and professional services rendered to any prisoner. Such contract
20 may include requirements imposed by law on the Department of
21 Corrections or reimbursement for such services, if necessary. The
22 Department of Corrections is further authorized to enter into third
23 party contracts for substance abuse treatment programs which are
24 certified by the Department of Mental Health and Substance Abuse

1 Services to provide professional services on an outpatient basis to
2 prisoners in need of substance abuse treatment and follow-up
3 treatment while assigned to alternatives to incarceration.

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

7 D. The Department of Corrections shall adopt rules governing
8 the implementation of this section.

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

12 A. The Department of Corrections shall develop a case plan for
13 each inmate to guide the inmate's rehabilitation while in the
14 Department's custody in order to reduce the likelihood of
15 recidivism.

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

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

21 2. Programming or treatment requirements mandated by the
22 sentencing order; and

23 3. Requirements in accordance with the rules and policies of
24 the Department.

1 C. The Department shall ensure that the case plan is achievable
2 prior to the inmate's parole eligibility date calculated under
3 subsection A of Section 332.7 of this title, if applicable.

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

7 1. Within sixty (60) days of admission, the caseworker shall
8 notify the inmate of the inmate's parole eligibility date;

9 2. At the time a parole-eligible inmate receives the case plan,
10 the Department shall send the case plan to the Pardon and Parole
11 Board for approval.

12 E. For any parole eligible inmate, the Department shall
13 electronically submit a progress report on each parole-eligible
14 inmate's case plan to the Parole Board. The Board may meet to
15 review an inmate's case plan and may provide written input to the
16 caseworker on the inmate's progress toward completion of the case
17 plan.

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

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