

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 ENGROSSED SENATE
5 BILL NO. 603

By: Treat, Pittman and Sharp of
the Senate

6 and

7 O'Donnell of the House

8
9
10 **[risk assessment for offenders - requiring certain**
11 **assessment be given - directing the Department of**
12 **Corrections to develop a case plan for each inmate**
13 **- effective date]**

14
15
16 ~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~

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

19 Section 530. It is the intent of the State Legislature that all
20 new prisoners sentenced to the custody of the Department of
21 Corrections will be processed through the Lexington Assessment and
22 Reception Center or at a place determined by the Director of the
23 Department of Corrections. The Department of Corrections shall
24 ~~administer~~ ensure administration of a risk and needs assessment, as

1 defined in Section 502 of this title, physical and psychological
2 examinations, mental health and substance abuse screens, inventory
3 vocational skills, and assess educational and training needs. A
4 risk and needs assessment shall not be required for any inmate who
5 had a risk and needs assessment administered by personnel certified
6 by the Department of Mental Health and Substance Abuse Services
7 within six (6) months of being sentenced to the custody of the
8 Department of Corrections. The Department of Corrections shall
9 determine initial security and custody classifications, plan for
10 immediate or possible future assignment to an institution, community
11 treatment center or other alternative to incarceration authorized by
12 law, provide orientation and instruction with respect to rules and
13 procedures for prisoners, and perform other such activities deemed
14 necessary by the Department of Corrections.

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

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

21 1. To administer, or cause to be administered, physical and
22 psychological examination of all inmates, including any requirement
23 to collect biological samples for DNA testing pursuant to Section
24

1 991a of Title 22 of the Oklahoma Statutes and Section 150.27a of
2 Title 74 of the Oklahoma Statutes, or other provision of law;

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

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

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

14 5. To determine initial security and custody classifications;

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

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

23 8. To plan for immediate assignments to institutions, community
24 treatment centers, alcohol or substance abuse treatment centers or

1 programs, alternatives to incarceration authorized by law, or other
2 facilities, public or private, designated by the Department;

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

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

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

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

20 B. An alcohol or substance abuse treatment center in which an
21 inmate is placed shall provide services and standards of treatment
22 as provided by the Department of Mental Health and Substance Abuse
23 Services under its rules for alcoholism or substance abuse
24 treatment. Upon placement of a prisoner in a center for alcoholism

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

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

15 D. The Department of Corrections shall adopt rules governing
16 the implementation of this section.

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

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

24

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

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

6 2. Programming or treatment requirements mandated by the
7 sentencing order; and

8 3. Requirements in accordance with the rules and policies of
9 the Department.

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

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

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

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

21
22 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CRIMINAL JUSTICE AND
23 CORRECTIONS, dated 04/12/2017 - DO PASS, As Amended.
24