

Opening, Closing and Transferring Cases Under Supervision	1
I. Opening Cases	1
A. General Orientation	2
II. Deferred Cases	2
A. Opening the File	3
B. Closing the File	3
III. Suspended	7
A. Opening the File	7
B. Closing the File.....	7
IV. Parole	11
A. Opening the File	12
B. Closing the File.....	12
V. Interstate-In.....	15
A. Opening the File	16
B. Interstate Transfers	16
C. Telephone Reporting	17
D. Closing the Case.....	18
VI. Post Imprisonment Supervision	18
B. Opening the File	20
C. Closing the File	21
VII. Delayed Sentencing.....	21
A. Opening the File	22
B. Closing the File.....	22
VIII. Intrastate Transfers (with exception of Electronic Monitoring Supervision Programs Offenders, Delayed Prosecution and Registerable Sex Offenders (transferred in accordance with OP-160601 entitled "Supervision of Sex Offenders"))	22
B. To Receive a Transfer from Another Office.....	23
XI. Electronic Monitoring Supervision Programs Offenders.....	24
A. Opening the File	24
B. Intrastate Transfers	24
C. Closing the File	24
X. Deferred Prosecution	25
A. Opening the File	25
B. Transfer	26
C. Closing the File	26
XI. References	26
XII. Action	26
Referenced Forms.....	28
Attachments.....	28

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Opening, Closing and Transferring Cases Under Supervision

I. Opening Cases

Supervision begins immediately upon a sentence to probation, release from incarceration to a period of probation, parole, court ordered post imprisonment supervision or knowledge that the offender has failed to initially report as instructed. Upon receiving notification that an offender has received a community-supervised sentence, to be supervised by the Oklahoma Department of Corrections (ODOC), contact with the offender will be initiated within two working days. (4-APPFS-2A-04, 4-APPFS-3A-25) Parolees, court ordered post imprisonment supervision offenders and probationers with split sentences will be advised to report for supervision within 24 hours of release from incarceration (excluding weekends and holidays). Offenders may be granted reasonable delays in initially reporting to the assigned office for reasonable cause and/or extenuating circumstances. (4-APPFS-2C-03)

In the case of a current sex offense conviction, as defined in [OP-020307](#) entitled "Sex and Violent Crime Offender Registration," supervision will not be terminated prior to the sentence completion date unless ordered by the court.

A. General Orientation

General orientation is conducted in a manner and language that ensures understanding by the offender.

1. Intake

- a. If the offender does not have an ODOC number, one will be obtained from ICON by the designated staff member.
- b. The probation and parole staff member who has initial contact with the offender will ensure the essential contact information and demographic information is entered into the intake workflow portion of ICON.
- c. A visual image of the offender, both frontal and side views, will be obtained and entered into ICON. If the offender has any visible bodily markings (scars and tattoos), an image of each will be obtained and entered into ICON.

II. Deferred Cases

A deferred sentence is a type of sentencing agreement in which the sentencing date is deferred to a set time in the future, not to exceed seven years from the date the agreement was entered. The offender has been ordered to supervised probation, with a set of rules and conditions issued by the court of jurisdiction. If the offender complies with the rules and conditions and no Application to Accelerate has been filed, the court may dismiss and expunge the charge. A deferred sentence is not considered a felony conviction. If the offender violates the rules and conditions of probation, the sentencing date may be accelerated and the court can take action to render an appropriate sentence.

A. Opening the File

The following information will be obtained and scanned into ICON immediately upon receipt for all deferred cases:

1. A court order deferring the sentencing (e.g., a court minute, Judgment and Sentence, Summary of Facts) and
2. Rules and conditions.

The "Intake-Sentence Details" portion of ICON will be completed upon receipt of the court documents.

If rules and conditions are not received, the sentencing county court clerk and/or district attorney will be contacted to obtain the rules. If rules cannot be located, a "Special Report" will be written to the court in accordance with [OP-160301](#) entitled "Reports and Investigations." The court will be notified that if no response is received within 90 days, the case will be closed.

Copies of court documents regarding restitution, supervision fees, pre-sentence/delayed sentencing investigation fees, DNA fees, and mental health assessment fees will be forwarded to Restitution Accounting unit. (4-APPFS-3D-28)

If an offender is sentenced to supervision and was born, or is suspected of being born in a country other than the United States of America, the officer who supervises the case will notify the U.S. Department of Justice, Immigration and Customs Enforcement (ICE) in writing immediately upon initiating supervision, utilizing the "Foreign-Born and Suspected Foreign-Born Report" ([Attachment K](#), attached/ICON).

B. Closing the File

1. Advance Termination

Advance termination applies to cases that have not met the 18-month statutory termination date. If the offender has successfully completed all programmatic module placements prior to the 18-month supervision date, supervision will be terminated utilizing the advance termination procedures unless the offender owes an outstanding balance of restitution that is paid through ODOC, or the court has ordered a specific period of supervision. In such instance, the case will be transferred to the administrative caseload as defined in [OP-160801](#) entitled "Administrative Caseload."

- a. Offenders with a LSI-R score of nine or less or a LSI-R score of 10-18 with no module placement required for substance abuse, and offenders with no identified criminogenic needs with a LSI-R score over 18 due to static elements will normally not be supervised in excess of six months. (4-APPFS-2A-07)

- b. Upon successful completion of all assigned programmatic modules, the supervising officer will request a criminal records check to include at a minimum, the Federal Bureau of Investigation (FBI), the Oklahoma State Bureau of Investigation (OSBI), and Oklahoma Department of Public Safety (DPS) records. A local records check for outstanding warrants or charges will also be completed. Once the criminal records have been received, the supervision will be terminated. (4-APPFS-2A-07)

The supervising officer will forward a "Notice of Termination of Active Probation Supervision" ([Attachment I](#), attached/ICON) to the sentencing judge and the district attorney's office advising that the offender has completed all supervision requirements/programming and that supervision has been terminated. The copy to the sentencing judge may be waived by the appropriate administrator of Community Corrections if the sentencing judge has indicated, in writing, that no copy of the notice is required. A copy will also be forwarded to the ODOC Restitution Accounting unit. (4-APPFS-2A-07)

If the sentencing court has requested notice prior to the termination of supervision of offenders with no module placement, the court will be notified by the submission of a "Special Report" in accordance with [OP-160301](#) entitled "Reports and Investigations."

Offenders will not be advance terminated if there is an outstanding felony warrant or if there is an Application to Accelerate pending.

If the sentencing court has requested notice prior to the termination of supervision of offenders with no module placement, the court will be notified by the submission of a "Special Report " in accordance with [OP-160301](#) entitled "Reports and Investigations" that includes the results of the assessment and the request that the balance of the sentence be ordered unsupervised. The report will notify the court that if no response is received, supervision will be terminated 90 days from the date the report is submitted.

Upon discovery of a new crime or other behavior that presents a risk to public safety, supervision ceased due to advanced termination may be reactivated within the initial 18 months of supervision. Supervision of the original sentence will not extend beyond the sentence completion date. If a case is reactivated, the offender's legal case will be opened as an intake in ICON and reassigned to the previous officer, if feasible.

2. Statutory Termination

In accordance with 22 O.S. § 991c., offenders with deferred

sentences will be supervised in the community for a period not to exceed 18-months, unless an Application to Accelerate has been filed or the court has extended the period of supervision in order for the offender to pay restitution. If an Application to Accelerate has been filed, supervision will continue until the Application is dismissed or the court ordered discharge date is reached. If the court has extended supervision for payment of restitution, supervision will not exceed beyond three years.

45 days prior to the statutory termination date, the supervising officer will complete a current criminal records check to include, at a minimum, the FBI and OSBI records.

Upon reaching the 18-month supervision date, the "Notice of Termination of Active Probation Supervision" ([Attachment I](#), attached/ICON) will be completed and a copy forwarded to the sentencing judge, the district attorney, and the ODOC Restitution Accounting unit. The copy to the sentencing judge may be waived by the appropriate administrator of Community Corrections if the sentencing judge has indicated that no copy of the notice is required.

3. Expiration

45 days prior to the expiration of the sentence, the supervising officer will complete a current criminal records check to include, at a minimum, the FBI and the OSBI records.

In the event that a "Violation Report" has been submitted and there is action pending, a "Supplemental Report" will be submitted to the court 30 days prior to the expiration date advising the court of the case status and including any information the officer may need if called to testify. The Summary/Recommendation section of the report will state, "supervision is being terminated." The supervising employee will recommend either dismissal or acceleration of a deferred case.

A deferred case with pending court action will be closed upon reaching the court ordered termination date.

4. Acceleration

The supervising officer will submit the court documents for closure. If acceleration is to a suspended sentence or a community sentence supervised by ODOC, the region will obtain the sentencing documents in order to open the case. If supervised by other than ODOC, the sentencing document will be forwarded to the supervising authority. If acceleration is to the custody of ODOC, the offender's information will be e-mailed to the appropriate reception center through ICON within two days of notification of reception.

5. Intermediate Revocation Facility (IRF)

Upon receipt of documentation that an offender has been ordered confinement in an IRF, the supervising officer:

- a. Complete a detailed supervision contact outlining the final disposition and upload any court documents into ICON;
- b. Complete all requirements as outlined in the “Incarcerated Probationer/Parolee/County Jail Placement” section of the “Administrative Caseload Checklist” ([OP-160801](#), [Attachment A](#)); and
- c. The team supervisor will change the “Supervision History” in ICON to the proper administrative caseload to monitor the case while the offender is in IRF.

The offender’s information will be emailed to the appropriate assessment and reception center through ICON. If there is supervision remaining after the IRF term, the case will not be closed in ICON.

6. Court Release

Supervision will be terminated upon receipt of a court document releasing the offender from supervision prior to the normal expiration date.

7. Death of Offender

Supervision will be terminated upon valid notice that the offender has died. A “Special Report” will be submitted to the sentencing court and to the ODOC Restitution Accounting unit notifying of the death.

8. Conclusion of Supervision

At the conclusion of supervision, a detailed supervision contact will be prepared to summarize the performance of the offender during the entire period of supervision. (4-APPFS-2A-13, 4-APPFS-3D-31) The supervising officer will ensure any significant changes in LSI-R have been updated in EZAssess and input into ICON.

For purposes of statutory termination of supervision, multiple cases will be considered as one continuous term of supervision, except that cases that are preceded by a parole case will not be terminated until the parole case has terminated, either by statutory termination or by case expiration. Any such subsequent case will be considered for statutory termination.

III. Suspended

A suspended sentence is a type of sentence where a term of incarceration is ordered for the defendant, and all or part of the sentence is suspended for a set period of time. The offender has been ordered to supervised probation, with a set of rules and conditions issued by the court of jurisdiction.

If the offender violates the rules and conditions of his probation, all or part of the sentence may be revoked by the sentencing court.

A. Opening the File

The following information will be obtained and scanned into ICON immediately upon receipt for all suspended cases:

1. Judgment and Sentence, or equivalent document;
2. Rules and conditions; and
3. The "Intake-Sentence Details Sentence Details" portion in ICON will be completed once the court documents are received.

Copies of court documents regarding restitution, supervision fees, pre-sentence/delayed sentencing investigation fees, DNA fees, and mental health assessment fees will be forwarded to the Restitution Accounting unit. (4-APPFS-3D-28)

If an offender is sentenced to supervision and was born, or is suspected of being born in a country other than the United States of America, the officer who supervises the case will notify ICE in writing immediately upon initiating supervision, utilizing the "Foreign-Born and Suspected Foreign-Born Report" ([Attachment K](#), attached/ICON).

If rules and conditions are not received, the sentencing county court clerk and district attorney will be contacted to obtain the rules. If rules cannot be located, a "Special Report" will be written to the court. The court will be notified that if no response is received within 90 days, the case will be closed.

B. Closing the File

1. Advanced Termination
Advance termination applies to cases that have not met the two-year statutory termination date. If the offender has successfully completed all programmatic module placements prior to the two-year supervision date, supervision will be terminated utilizing the advance termination procedures, unless the offender owes an outstanding balance of restitution that is paid through the ODOC, or the court has ordered a specific period of supervision. In such instance, the case

will be transferred to the administrative caseload as defined in [OP-160801](#) entitled "Administrative Caseload."

- a. Offenders with a LSI-R score of nine or less; or a LSI-R score of 10-18 with no module placement required for substance abuse, will normally not be supervised in excess of six months.
- b. Upon successful completion of all assigned programmatic modules, the supervising officer will request a criminal records check to include at a minimum, the FBI, OSBI, and DPS records. A local records check for outstanding warrants or charges will also be completed. Once the criminal records have been received, the supervision will be terminated.

The "Notice of Termination of Active Probation Supervision" ([Attachment I](#), attached/ICON) will be completed and reviewed with the offender. A copy will be forwarded to the sentencing judge, the district attorney and the ODOC Restitution Accounting unit. The copy to the sentencing judge may be waived by the appropriate administrator of Community Corrections if the sentencing judge has indicated, in writing, that no copy of the notice is required.

If the sentencing court has requested notice prior to the termination of supervision of offenders with no module placement, the court will be notified by the submission of a "Special Report " in accordance with [OP-160301](#) entitled "Reports and Investigations" that includes the results of the assessment and the request that the balance of the sentence be ordered unsupervised. The report will notify the court that if no response is received, supervision will be terminated 90 days from the date the report is submitted.

Upon discovery of a new crime or other behavior that presents a risk to public safety, any supervision ceased due to Advanced Termination may be reactivated within the initial two years of supervision. Supervision of the original sentence will not extend beyond the statutory termination date. If a case is reactivated, the offender's legal case will be opened as an intake in ICON and reassigned to the previous officer, if feasible.

2. Statutory Termination of Active Supervision of Probation Sentences (4-APPFS-2A-14)

In accordance with O.S. 22 § 991a., supervision of a suspended probation case will not exceed two years except as otherwise provided by law. If the court of jurisdiction should enter an order requiring ODOC to supervise the offender for a term that extends beyond two years, such supervision will be provided but will not extend beyond the original discharge date.

a. Process for Termination of Supervision of Suspended Sentences

45 days prior to the two-year statutory termination date, the supervising officer will complete a current criminal records check to include at a minimum, the FBI and OSBI records.

If 30 days prior to the eligibility date for statutory termination, the offender has not successfully completed all assigned programmatic modules, the officer will update the LSI-R and enter the results in EZAssess and then input it into ICON. The officer will evaluate the change in re-assessment results to determine whether a significant decrease in risk and/or increase in protective factors are reflected. The supervising officer will meet with the team supervisor and review the results and their relation to the remaining programmatic module(s).

If it is determined that the offender has made sufficient progress in addressing identified criminogenic needs, supervision will be terminated and the case will be closed.

If it is determined that the offender has not made sufficient progress in addressing criminogenic needs, a recommendation for continued supervision will be recorded on the "Statutory Termination Review for Continued Supervision on Suspended/Parole Cases" form ([Attachment H](#), attached/ICON) along with the salient factors contributing to the suggested action. Supervision will not be extended for a failure to pay fines, fees and other costs, excluding restitution except upon a finding of willful nonpayment.

A staffing will be conducted to advise the offender that, because of the lack of sufficient progress in completing the requirements of the transition plan, continued supervision will be required. The officer, offender and team supervisor will work to identify any barriers to the offender's continued progress toward completion of the requirements of the transition plan and to assist the offender in developing steps to penetrate those barriers. Any supportive actions or steps that can be offered by the officer will be discussed and included on the "Statutory Termination Review for Continued Supervision on Suspended/Parole Cases" form ([Attachment H](#), attached/ICON).

The "Statutory Termination Review for Continued Supervision on Suspended/Parole Cases" form ([Attachment H](#), attached/ICON) must be routed to the assistant regional supervisor for approval to extend supervision beyond the statutory termination date.

b. Upon approval for termination of supervision, the following steps will occur:

(1) The “Notice of Termination of Active Probation Supervision” ([Attachment I](#), attached/ICON) will be completed and a copy forwarded to the sentencing judge, the district attorney and the ODOC Restitution Accounting unit. The copy to the sentencing judge may be waived by the appropriate administrator of Community Corrections if the sentencing judge has indicated that no copy of the notice is required; and

(2) The supervision contacts will be updated.

3. Expired

45 days prior to the expiration of the sentence, the supervising officer will complete a current criminal records check to include at a minimum, the FBI and OSBI records.

Upon the expiration date, the case will be closed in ICON.

4. Revoked

Upon receipt of documentation that a case has been revoked, the supervising officer will:

a. Complete a detailed supervision contact that outlines the final disposition and input any court documents into ICON; and

b. If there is supervision by a different county, a “Supplemental Reports” will be completed in ICON and submitted to the supervising county notifying the courts of the revocation.

The case will be closed in ICON and information will be e-mailed to the appropriate reception center through ICON.

5. Intermediate Revocation Facility (IRF)

Upon receipt of documentation that an offender has been ordered confinement in an IRF, the supervising officer will:

a. Complete a detailed supervision contact that outlines the final disposition and upload any court documents into ICON;

b. Complete all requirements as outlined in the “Incarcerated Probationer/Parolee/County Jail Placement” section of the “Administrative Caseload Checklist” ([OP-160801](#), [Attachment A](#)); and

- c. The team supervisor will change the “supervision history” in ICON to the proper administrative caseload to monitor the case while the offender is in IRF.

The case will be emailed to the appropriate assessment and reception center through ICON. If there is supervision remaining after the IRF period, the case will not be closed in ICON.

6. Outstanding Warrant

A suspended sentence case which has an outstanding felony warrant and/or a pending Application to Revoke will not be closed until the warrant has been resolved, ODOC has been released from supervision, or the original expiration date of the case has passed.

7. Court Release

Upon receipt of a court document releasing the offender from supervision prior to the normal expiration date, the supervising officer will:

- a. Scan the court documents into ICON; and
- b. The case will be closed in ICON.

8. Death of an Offender

Supervision of probationers will be terminated upon valid notice that the offender has died. A “Special Report” will be submitted to the sentencing court and to the ODOC Restitution Accounting unit with notification of the death. The case will then be closed in ICON.

9. Conclusion of Supervision

At the conclusion of supervision, a detailed supervision contact the case will be closed in ICON. The supervising officer will ensure any significant changes in the LSI-R is updated in EZAssess and input into ICON. The case will be closed in ICON.

For purposes of statutory termination of supervision, multiple cases will be considered as one continuous term of supervision, except that cases that are preceded by a parole case will not be terminated until the parole case has been terminated, either by advance/statutory termination or by case expiration. Any such subsequent case will be considered for statutory termination.

IV. Parole

Parole is a conditional release from a period of incarceration, granted by the

Pardon and Parole Board or the Governor, and subject to rules and conditions as established by the Pardon and Parole Board and/or the Governor. Violation of the rules and conditions may result in the parole being revoked by the Governor.

A. Opening the File

The following information will be scanned into ICON immediately upon receipt for all parole cases:

1. Parole certificate, with rules and conditions; signed by the Pardon and Parole Board or Governor, the offender and the Secretary of State.
2. The "Intake-Sentence Details" will be completed in ICON once the file is received. The field file for parole cases will be maintained in the event of revocation.

Copies of court documents regarding restitution, supervision fees, pre-sentence/delayed sentencing investigation fees, and mental health assessment fees will be forwarded to the Restitution Accounting unit. (4-APPFS-3D-28)

B. Closing the File

1. Advance Termination of Active Supervision

Advance termination applies to cases that have not met the three-year statutory termination date. If the offender has successfully completed all programmatic module placements prior to the three-year supervision date, supervision will be terminated utilizing the advance termination procedures unless the offender owes an outstanding balance of restitution that is paid through ODOC. In such instance, the case will be transferred to the administrative caseload in accordance with [OP-160801](#) entitled "Administrative Caseload."

- a. Offenders with a LSI-R score of nine or less or a LSI-R score of 10-18 with no module placement required for substance abuse will normally not be supervised in excess of six months.
- b. Upon successful completion of all assigned programmatic modules, the supervising officer will request a criminal records check to include at a minimum, the FBI, OSBI, and DPS records. A local records check for outstanding warrants or charges will also be completed. Once the criminal records have been received, active supervision will be terminated.

An "Inactive Parole Supervision Notice", ([Attachment J](#), attached/ICON) will be completed and signed by the parolee. A copy will be forwarded to the ODOC Restitution Accounting unit. A "Supervision History" event will be created transferring the case to

the administrative caseload in accordance with [OP-160801](#) entitled "Administrative Caseload."

2. Statutory Review for Inactive Supervision of Parole Sentences

In accordance with title 57 O.S. § 512.1, active supervision of a parole case will not exceed three years unless the best interests of the public and the parolee would be served by an extended period of supervision.

Any extended period of supervision will not exceed the expiration of the maximum term or terms for which the parolee is sentenced. The administrator of Community Corrections or designee will have the final decision in the termination or continued supervision of parolees.

a. Process for Placement on Inactive Parole

45 days prior to the three-year statutory review date, the supervising officer will complete a current criminal records check to include at a minimum, the FBI and OSBI records.

If 30 days prior to the eligibility date for statutory review, the offender has not successfully completed all assigned programmatic modules, the officer will update the LSI-R and enter the results in EZAssess and input it into ICON. The officer will evaluate the change in re-assessment results to determine whether or not a significant decrease in risk and/or increase in protective factors are reflected. The supervising officer and the team supervisor will evaluate the results and their relation to the remaining programmatic module(s).

If it is determined that the offender has made sufficient progress in addressing identified criminogenic needs, supervision will be terminated and the case will be closed in accordance with Section IV. C. 2. b. items (1) and (2) of this procedure.

If it is determined that the offender has not made sufficient progress in addressing criminogenic needs, a recommendation for continued supervision will be recorded on the "Statutory Termination Review for Continued Supervision on Suspended/Parole Cases" form ([Attachment H](#), attached/ICON) along with the salient factors contributing to the recommendation.

A staffing will be conducted to advise the offender that due to lack of sufficient progress in completing the requirements of the transition plan, continued supervision will be required. The officer, offender and team supervisor will work to identify any barriers to the offender's continued progress toward

completion of the requirements of the transition plan and to assist the offender in developing steps to penetrate those barriers. Any supportive actions or steps that can be offered by the officer will be discussed and included on the "Statutory Termination Review for Continued Supervision on Suspended/Parole Cases" form. ([Attachment H](#), attached/ICON).

The "Statutory Termination Review for Continued Supervision on Suspended/Parole Cases" form ([Attachment H](#), attached/ICON) will be routed to the assistant regional supervisor for approval to extend supervision beyond the statutory termination date.

b. Upon Approval for Inactive Parole Supervision

- (1) The supervision contacts will be updated to reflect the final determination.
- (2) The case will be transferred to an administrative caseload in accordance with [OP-160801](#) entitled "Administrative Caseload" with the following completed by the supervising staff member:
 - (a) The supervising staff member will complete the "Inactive Parole Supervision Notice" ([Attachment J](#), attached/ICON) and route the form to the team supervisor for review.
 - (b) The supervising staff member will notify the parolee of the termination of active supervision, and the consequences of any violations while on inactive status. The parolee will sign and receive a copy of the "Inactive Parole Supervision Notice" ([Attachment J](#), attached/ICON). A copy will be forwarded to the ODOC Restitution Accounting unit and to the parolee as notification of inactivation.

3. Reactivation

Reactivation will be in accordance with [OP-160801](#) entitled "Administrative Caseload." The supervising officer will notify the parolee of the reactivation of supervision with reporting instructions.

4. Expiration

45 days prior to the expiration of the sentence, the supervising officer will complete a current criminal records check to include at a minimum, the FBI and OSBI records. Upon the expiration date, the

team supervisor will review and the case will be closed.

5. Revoked

Upon receiving notice that the offender's parole has been revoked, the officer will submit the revocation documents and forward to the immediate supervisor.

If revocation is to the custody of ODOC, the revocation documents will be scanned into ICON and the case will then be emailed to the appropriate assessment and reception center (or confining facility) through ICON within two days of notification of reception. The case will then be closed in ICON.

If revocation is received while the offender is incarcerated in another state, the offender's case will be sent to an administrative caseload in accordance with [OP-160801](#) entitled "Administrative Caseload."

6. Death

Supervision of parolees will be terminated upon valid notice that the offender has died. A "Special Report" will be submitted to the Pardon and Parole Board, the sentencing court and to the ODOC Restitution Accounting unit notifying of the death. The case will be closed in ICON.

7. Conclusion of Supervision

At the conclusion of supervision, detailed supervision contact, the supervising officer will ensure any significant changes LSI-R have been updated EZAssess and input into ICON. The parole case(s) will be closed in ICON.

For purposes of statutory termination of supervision, multiple cases will be considered as one continuous term of supervision, except that cases that are preceded by a parole case will not be terminated until the parole case has been terminated, either by statutory termination or by case expiration. Any such subsequent case will be considered for statutory termination.

Should the court order a period of supervision following the incarceration portion of the sentence, the new case will be opened in ICON.

V. Interstate-In

An Interstate-In is an offender received for supervision from another state. The offender is subject to the rules and conditions established by the sending state. Additional rules may be imposed by the receiving state.

A. Opening the File

The following information will be scanned into ICON immediately upon acceptance for all interstate-in cases:

1. Judgement and Sentence or equivalent sentencing document (i.e., a court minute);
2. Parole Certificate (if applicable); and
3. Rules and Conditions.

The "Intake-Sentence Details Intake-Sentence Details" will be completed in ICON once the case is accepted.

If supervision was ordered on an eligible case and rules and conditions are not received, the sentencing county court clerk and/or district attorney will be contacted to obtain the rules. If rules cannot be located, a "Special Report" will be written to the court in accordance with [OP-160301](#) entitled "Reports and Investigations." The court will be notified that if no response is received within 90 days, the case will be closed.

Copies of documents regarding supervision fees will be forwarded to the Restitution Accounting unit. (4-APPFS-3D-28)

If an offender is sentenced to supervision and was born, or is suspected of being born in a country other than the United States of America, the officer who supervises the case will notify ICE in writing immediately upon initiating supervision, utilizing the "Foreign-Born and Suspected Foreign-Born Report" ([Attachment K](#), attached/ICON)

B. Interstate Transfers

1. Transfer to a Third State (4-APPFS-2A-16)
 - a. At the request of an offender for transfer to a subsequent receiving state, and with the approval of the sending state, the sending state will prepare and transmit a request for transfer to the subsequent state in the same manner as an initial request for transfer is made.
 - b. The current receiving state will assist the sending state in acquiring the offender's signature on the Interstate Commission for Adult Offender Supervision (ICAOS) "Application for Interstate Compact Transfer" and any other forms that may be required and will forward these forms to the sending state.
 - c. The current receiving state will submit a progress report through Interstate Compact Offender Tracking System

(ICOTS) to the sending state summarizing the offender's progress under supervision.

d. The offender will remain in Oklahoma until instructed otherwise by the original sending state. In case of an emergency, the Interstate Compact administrator may contact the sending state for permission to move. If granted, a "Travel Permit" ([DOC 160103B](#)) will be issued to the offender and the case closed in accordance with Section V. D. item 4. of this procedure. If denied, the offender will remain in Oklahoma until the formal acceptance is received.

e. Acceptance by Third State

Upon notice of acceptance by the third state, the offender will be issued a "Travel Permit" ([DOC 160103B](#))(DOC 160103B) and the case closed in accordance with Section V. D. item 4. of this procedure and [OP-160108](#) entitled "Interstate Compact for Probation/Parole."

2. Return to Sending State

When an offender decides to return to the sending state, an ICAOS "Request for Reporting Instructions" will be submitted in ICOTS. The offender will remain in Oklahoma until reporting instructions are received. Once the offender has received reporting instructions, the case will be closed in accordance with Section V. D. item 4. of this procedure and [OP-160108](#) entitled "Interstate Compact for Probation/Parole."

C. Telephone Reporting

The length of supervision is determined by the sending state; therefore, interstate in cases are not subject to advance termination. In lieu of advance termination, offenders may be placed in telephone reporting supervision once the below criteria are met.

1. Assignment Requirements

- a. The offender has a LSI-R score of nine or less or an LSI-R score of 10-18 with no module placement required for substance abuse;
- b. The offender has successfully completed all assigned programmatic modules;
- c. The supervising officer has completed all requirements as outlined in the "Telephone Reporting" section of the "Administrative Caseload Checklist" ([OP-160801](#), [Attachment A](#)); and

- d. The supervising officer has routed the checklist to the team supervisor for approval.

D. Closing the Case

1. Expired

45 days prior to the expiration of the sentence, the supervising officer will complete a current criminal records check to include at a minimum, the FBI and OSBI records. Upon the expiration date, the supervisor will review and close the case in ICON.

2. Absconders and Incarcerated Offenders

An ICAOS [“Violation Report”](#) will be transmitted through ICOTS detailing the violation(s). The report will also state, “Oklahoma is closing interest in this case, effective (Date).” The officer will then open an investigation in ICON under the Offender Investigation (ITSS010B) screen. Once the report is approved and forwarded to the Oklahoma Probation and Parole Compact Office in ICOTS, the team supervisor will close the investigation in ICON.

3. Death

Supervision of offenders under supervision upon valid notice that the offender has died. An ICAOS [“Closure Notice”](#) will be completed and transmitted through ICOTS along with documentation of the death. The team supervisor will review and if approved, the case will be closed in ICON.

4. Conclusion of Supervision

At the conclusion of supervision, a detailed supervision contact the case will be closed in ICON. , 4-APPFS-3D-31The supervising officer will ensure any significant changes in the LSI-R have been updated in EZAssess and input into ICON.

An ICAOS [“Closure Notice”](#) will be completed and transmitted through ICOTS

VI. Post Imprisonment Supervision

- A. Effective November 1, 2021, all post-imprisonment supervision shall be limited to cases wherein the court specifically directs such supervision pursuant to 22 O.S. 991a(A)(1)(f) and issues written terms and conditions. Supervision shall be for not less than three (3) years of the total term allowed by law for imprisonment and applies only to convictions for the following offenses where the Judgement and Sentence lists one of the following crime AND section number:

1. Child abuse (involving sexual abuse or sexual exploitation), 21 O.S. § 843.5
2. Child neglect (involving sexual abuse or sexual exploitation), 21 O.S. § 843.5
3. Child sexual abuse, 21 O.S. § 843.5
4. Child sexual exploitation, 21. O.S. § 843.5
5. Enabling child abuse (involving sexual abuse or sexual exploitation), 21 O.S. § 843.5
6. Enabling child neglect (involving sexual abuse or sexual exploitation), 21 O.S. § 843.5
7. Enabling child sexual abuse, 21 O.S. § 843.5
8. Enabling child sexual exploitation, 21. O.S. § 843.5
9. Permitting child abuse (involving sexual abuse or sexual exploitation), 21 O.S. § 843.5
10. Permitting child neglect (involving sexual abuse or sexual exploitation), 21 O.S. § 843.5
11. Permitting child sexual abuse, 21 O.S. § 843.5
12. Permitting child sexual exploitation, 21. O.S. § 843.5
13. Assault with intent to commit a felony (involving sexual abuse or sexual exploitation), 21 O.S. § 681
14. Kidnapping (involving sexual abuse or sexual exploitation), 21 O.S. § 741
15. Abuse by caretaker (involving sexual abuse or sexual exploitation), 21 O.S. § 843.1
16. Trafficking in children, 21 OI.S. §§ 865-870
17. Incest, 21 O.S. § 885
18. Crime against nature / sodomy, 21 O.S. § 886

19. Forcible sodomy, 21 O.S. § 888
20. Child stealing, 21 O.S. § 891
21. Indecent exposure, 21 O.S. § 1021
22. Procure/counsel/assist lewd exhibition, 21 O.S. § 1021
23. Prepare/distribute/publish obscene material, 21 O.S. § 1021
24. Prepare/distribute/publish child pornography, 21 O.S. § 1021
25. Record/distribute/transmit obscene material, 21 O.S. § 1021
26. Record/distribute/transmit child pornography, 21 O.S. § 1021
27. Solicit minor for indecent exposure etc, 21 O.S. § 1021
28. Showing obscene material to minor, 21 O.S. § 1021
29. Showing child pornography to minor, 21 O.S. § 1021
30. Manufacture child pornography, 21 O.S. § 1021.2
31. Distribute child pornography, 21 O.S. § 1021.2
32. Possess/procure child pornography, 21 O.S. § 1021.2
33. Parental consent to child pornography, 21 O.S. § 1021.3
34. Solicit sexual conduct with minor, 21 O.S. § 1040.13a
35. Child prostitution/lewdness, 21 O.S. §§ 1087, 1088
36. Rape by instrumentation, 21 O.S. § 1111.1
37. Rape in the first degree, 12 O.S. 1115
38. Lewd/indecent acts/proposals to/with child, 21 O.S. § 1123
39. Sexual battery, 21 O.S. § 1123

B. Opening the File

Where court ordered for the above offenses, and where Post Imprisonment Supervision Rules and Conditions, have been issued by the court, the

following information will be scanned into ICON immediately upon receipt for all Post Imprisonment Supervision cases:

1. Judgment and Sentence, or equivalent document; and
2. Rules and Conditions issued by the Court

The intake- sentence details portion of ICON will be completed once the court documents are received.

If supervision was ordered on an eligible case and rules and conditions are not received, the sentencing county court clerk and/or district attorney will be contacted to obtain the rules. If rules cannot be located, a "Special Report" will be written to the court in accordance with [OP-160301](#) entitled "Reports and Investigations." The court will be notified that if no response is received within 90 days, the case will be closed.

Copies of court documents regarding restitution, supervision fees, pre-sentence/delayed sentencing investigation fees and mental health assessment fees will be forwarded to the Restitution Accounting unit. (4-APPFS-3D-28)

If an offender is released to a period of post imprisonment supervision and was born, or is suspected of being born in a country other than the United States of America, the officer who supervises the case will notify ICE in writing immediately upon initiating supervision, utilizing the "Foreign-Born and Suspected Foreign-Born Report" ([Attachment K](#), attached/ICON).

C. Closing the File

The case will be closed upon reaching the expiration of the court ordered supervision period.

1. Expired

45 days prior to the expiration of the sentence, the supervising officer will complete a current criminal records check to include at a minimum, the FBI and OSBI records.

At the conclusion of supervision, a detailed supervision contact will be prepared to summarize the performance of the offender during the entire period of supervision. (4-APPFS-2A-13, 4-APPFS-3D-31) The supervising officer will ensure any significant changes in the LSI-R have been updated in EZAssess and input into ICON. The case will be closed in ICON.

VII. Delayed Sentencing

A delayed sentencing is a trial supervision period ordered by the court prior to the court issuing a final adjudication on of a felony case. The defendant is supervised

in accordance with agency policy for a time specified by the court.

A. Opening the File

The office having geographic jurisdiction will ensure that the following items are received and scanned into ICON within seven working days of receipt of the court order and made available to the supervising region:

1. Court order;
2. District attorney's information sheet; and
3. LSI-R, if available.

The offender will sign the "Consent for Release of Confidential Information" ([OP-060210](#), [Attachment C](#)/ICON). The "Intake- Sentence Details" portion of ICON will be completed once the court documents are received.

Copies of court documents regarding restitution, supervision fees, pre-sentence/delayed sentencing investigation fees, and mental health assessment fees will be forwarded to the Restitution Accounting unit. (4-APPFS-3D-28)

If an offender is sentenced to supervision and was born, or is suspected of being born, in a country other than the United States of America, the officer who supervises the case will notify ICE in writing immediately upon initiating supervision, utilizing the "Foreign-Born and Suspected Foreign-Born Report" ([Attachment K](#), attached/ ICON).

Within 90 days of assignment to the delayed sentencing program, an "Offender Accountability Plan-Delayed Sentencing Program for Young Adults" ([OP-060210](#), [Attachment B](#)) will be developed and submitted to the court.

B. Closing the File

If at formal sentencing, the court dismisses the delayed sentence or orders the sentence satisfied, the case will be closed on ICON.

If the offender receives a sentence of supervised probation, the case will be opened in accordance with this procedure. If the offender is sentenced to a term of incarceration, the case will be closed in ICON and the case information will be forwarded to the appropriate assessment and reception center.

VIII. Intrastate Transfers (with exception of Electronic Monitoring Supervision Programs Offenders, Delayed Prosecution and Registerable Sex Offenders (transferred in accordance with OP-160601 entitled "Supervision of Sex Offenders"))

Prior to transfer to another office, the case will be opened in ICON, the records will be current and all case reports will be submitted per policy. Offenders will not be denied transfer due to delinquencies or pending court actions. If court actions are pending, the supervising officer of the sending office will testify in any court actions resulting from case reports submitted prior to transfer. Offenders will not be transferred if placed in an inpatient treatment facility.

A. Transfer to Another Office

1. If the offender is transferring outside of the current assistant regional supervisor's area and the offender has a pending violation (to include a violation addressed with the imposition of an intermediate sanction), the assistant regional supervisor from the sending office will contact the assistant regional supervisor from the receiving office for approval prior to the transfer.
2. The supervising officer will summarize the offender's supervision in the supervision contacts prior to transferring the file to another officer. The supervision contact should include information outlining module placement, the offender's readiness for change, information regarding pending charges (if applicable), and any other issues relevant to the offender's supervision.
3. The supervising officer will complete the "Case Transfer Notice" ([Attachment E](#), attached/ICON). The "Case Transfer Notice" will be routed to the appropriate contact at the receiving office within 24 hours. A copy will be provided to the offender to serve as reporting instructions.

B. To Receive a Transfer from Another Office

Upon receipt of the "Case Transfer Notice" or upon notice that the offender has reported for supervision, the transferred case will be assigned to a supervising officer.

Supervision in the receiving office will begin upon assignment to the supervising officer. If the offender fails to report, the receiving officer will have 30 days to complete the following: (4-APPFS-3A-25)

1. Locate the offender; or
2. If unable to locate, a supervision contact to document all attempts to locate the offender will be entered in ICON and the case will be routed to the team supervisor to be routed back to the sending office. The case will be assigned to the originating officer, if possible. Locator attempts will be conducted in accordance with [OP-160103](#) entitled "Supervision of Community Offenders."
3. The assistant regional supervisor will approve all cases returned to an originating officer. The originating officer will be responsible for

preparation of the violation report to the court or supervising authority if necessary.

XI. Electronic Monitoring Supervision Programs Offenders

These programs consist of offenders, previously incarcerated, who have been released to a conditional supervision program. The offenders are subject to the rules and conditions of the program.

A. Opening the File

The following information will be scanned into ICON immediately upon receipt for all electronic monitoring cases:

1. Rules and Conditions (pertinent to the program), signed by the offender.

After the file is received from the facility, all all pertinent information will be entered and/or scanned into ICON. The intake-supervision details portion of ICON will be completed upon receipt of the inmate's file. The field file will be maintained in the event that the offender is returned to higher security,

Copies of documents regarding supervision fees will be forwarded to the Restitution Accounting unit. (4-APPFS-3D-28)

B. Intrastate Transfers

Electronic monitoring offenders will be transferred in accordance with [OP-161001](#) entitled "Global Position Satellite Surveillance (GPS) Program."

The supervising officer will summarize the offender's supervision in the supervision contacts prior to transferring the file to another officer. The supervision contact should include information outlining module placement, the offender's readiness for change, information regarding pending charges (if applicable), and any other issues relevant to the offender's supervision.

C. Closing the File

1. Expired

Upon receiving notice and a completed discharge certificate from the records unit, the supervising officer will obtain the offender's signature on the discharge certificate. The case will be closed in ICON.

Should the court order a period of supervision following the incarceration portion of the sentence, the new case will be opened in ICON.

2. Program Removal/Reclassification

When an offender is returned to higher security for violation of the rules and conditions of supervision, the case will be closed in ICON. A "Record Transfer/Verification" sheet ([DOC 060212E](#)) will be completed. The field file and legal file will be transferred to the receiving facility with the offender. Copies of disciplinary documents will be maintained by the supervising officer for final executive action. Removal of an offender from any of the aforementioned programs will be in accordance with [OP-060125](#) entitled "Inmate/Offender Disciplinary Procedures" and [OP-161001](#) entitled, "Specialized Programs Case Management."

3. Paroled

Upon notice of offender's parole, the case will be closed in ICON and the parole case will be opened in accordance with Section IV. item A. of this procedure.

4. Death of an Offender

Supervision of electronic monitoring supervision program offenders will be terminated upon valid notice that the offender has died. The case will be closed in ICON. The file will then be submitted to closed records.

X. Deferred Prosecution

A. Opening the File

The following information will be scanned into ICON immediately upon receipt for all deferred prosecution cases:

1. District attorney's deferred prosecution agreement; and
2. Rules and conditions

The intake-sentence details portion of ICON will be completed once the court documents are received.

Copies of court documents regarding restitution, supervision fees, presentence/delayed sentencing investigation fees, and mental health assessment fees will be forwarded to the Restitution Accounting unit. (4-APPFS-3D-28)

If an offender is sentenced to supervision and was born, or is suspected of being born, in a country other than the United States of America, the officer who supervises the case will notify ICE in writing immediately upon initiating supervision, utilizing the "Foreign-Born and Suspected Foreign-Born Report" ([Attachment K](#), attached/ICON).

B. Transfer

Deferred prosecution cases cannot be transferred.

C. Closing the File

On the closing date, the supervising officer will notify the Restitution Accounting unit that the case has closed. The case will be closed in ICON.

XI. References

Policy Statement P-160100 entitled "Purpose and Function of Probation and Parole"

OP-020307 entitled "Sex and Violent Crime Offender Registration"

OP-060125 entitled "Inmate/Offender Disciplinary Procedures"

OP-060212 entitled "Maintenance and Access of Inmate/Offender Records"

OP-161001 entitled "Specialized Programs Care Management"

OP-160103 entitled "Supervision of Community Offenders"

OP-160108 entitled "Interstate Compact for Probation/Parole"

OP-160301 entitled "Reports and Investigations"

OP-160601 entitled "Supervision of Sex Offenders"

OP-160801 entitled "Administrative Caseload"

22 O.S. § 305.2 through 305.5

22 O.S. § 982

22 O.S. § 991a.

22 O.S. § 991c.

57 O.S. § 512.1

XII. Action

The administrators of Community Corrections are responsible for compliance with this procedure.

The chief administrator of Community Corrections and Contract Services 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: OP-160201 entitled "Opening, Closing and Transferring Probation and Parole Cases Under Supervision" dated July 27, 2020

Distribution: Policy and Operations Manual
Agency Website

<u>Referenced Forms</u>	<u>Title</u>	<u>Location</u>
DOC 160103B	"Travel Permit"	OP-160103
DOC 060212E	"Record Transfer/Verification"	OP-060212
DOC 160301B	"Case Report"	OP-160301
<u>Attachments</u>	<u>Title</u>	<u>Location</u>
Attachment E	"Case Transfer Notice"	Attached
Attachment H	"Statutory Termination Review for Continued Supervision on Suspended/Parole Cases"	Attached
Attachment I	"Notice of Termination of Active Probation Supervision"	Attached
Attachment J	"Inactive Parole Supervision Notice"	Attached
Attachment K	"Foreign-Born and Suspected Foreign-Born Report"	Attached
Attachment B	"Offender Accountability Plan-Delayed Sentencing Program for Young Adults"	OP-060210
Attachment C	"Consent for Release of Confidential Information"	OP-060210
Attachment A	"Administrative Caseload Checklist"	OP-160801