

OKLAHOMA STATE SENATE
CONFERENCE
COMMITTEE REPORT

May 11, 2017

Mr. President:

Mr. Speaker:

The Conference Committee, to which was referred

SB 603

By: Treat, Pittman and Sharp of the Senate and O'Donnell and Cleveland of the House

Title: Risk assessment for offenders; requiring certain assessment be given; development of case plan. Effective date.

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the House recede from all Amendments.

Respectfully submitted,

SENATE CONFEREES:

Treat

Jech

Fry

Floyd

Shaw

Matthews

Thompson

HOUSE CONFEREES:

Conference Committee on Judiciary – Criminal Justice and Corrections

Senate Action _____ Date _____ House Action _____ Date _____

epc
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1 ENGROSSED HOUSE AMENDMENTS
TO
2 ENGROSSED SENATE BILL NO. 603 By: Treat, Pittman and Sharp of
the Senate
3
4 and
5 O'Donnell of the House
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8 An Act relating to risk assessment for offenders;
amending 57 O.S. 2011, Sections 530 and 530.1, which
9 relate to the receiving center for new prisoners and
the assessment and reception of inmates; requiring
10 certain risk assessment be given; directing the
Department of Corrections to develop a case plan for
11 each inmate; prescribing certain time limits;
directing inclusions; directing certain distribution
12 of reports; providing for codification; and providing
an effective date.
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15 AUTHOR: Add the following House Coauthor: Cleveland

16 AMENDMENT NO. 1. Page 1, lines 7 through 11 1/2, strike the title
to read
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18 "[risk assessment for offenders - requiring certain
19 assessment be given - directing the Department of
20 Corrections to develop a case plan for each inmate
- effective date]"
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22 AMENDMENT NO. 2. Page 1, line 14, strike the enacting clause
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1 Passed the House of Representatives the 20th day of April, 2017.

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4 Presiding Officer of the House of
Representatives
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6 Passed the Senate the ____ day of _____, 2017.

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9 Presiding Officer of the Senate
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1 ENGROSSED SENATE
2 BILL NO. 603

By: Treat, Pittman and Sharp of
the Senate

3 and

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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;
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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.
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1 Passed the Senate the 21st day of March, 2017.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2017.

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8 _____
9 Presiding Officer of the House
10 of Representatives