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Offender Authority Over Other Offenders	ACA Standards: 4-4182		
Justin Jones, Director Oklahoma Department of Corrections	Signature on File		

Offender Authority Over Other Offenders

It is prohibited for any offender or group of offenders to be given authority or control over any other offender or facility security functions. (4-4182) This prohibition will be considered for all offender activities related to, but not necessarily limited to, classification, work details, access to library facilities and services, recreational activities, educational opportunities, preparation of facility reports and correspondence, and medical services. Palliative care offender volunteers may be assigned to assist offenders who are in need of support, companionship, or are no longer able to independently carry out activities of daily living as specified in [OP-140146](#) entitled "Palliative Care Program."

For the purpose of this procedure, the term "offender" will apply to anyone under the authority, custody or care of a prison or a community-based facility operated by or contracted with the Oklahoma Department of Corrections (DOC).

I. General Guidelines

Any employee uncertain of the appropriateness of an offender performing a specific task should receive clarification from the facility head prior to assigning offenders to the task in question. The following are examples of approved and unapproved activities:

A. Approved Tasks

1. Shelving library books, pulling library books and cards, card cataloging and checking books in and out of library.
2. Cleaning (vacuuming, dusting, mopping) and performing janitorial duties.
3. Assisting in setting up furniture and equipment in classrooms, libraries, and office areas.

4. General Typing

General typing of memos, lists, etc. may be approved as long as the work is always reviewed by the supervisor and the typing does not include information of a sensitive or personal nature about staff, volunteers, or another offender (e.g., earned credits, time reports, classification information, staff/volunteers home addresses, social security numbers, driver's license numbers, etc.).

5. General Filing

General filing will be allowed but the same rules apply as those for general typing above (i.e., offenders will not be allowed to file or have access to material of a sensitive nature which concerns staff, volunteers or another offender, to include educational records).

6. Typing and handling legal documents while assisting other offenders in the research of legal issues. Offenders may not, retain the legal documents, in any form, of another offender and may not offer legal advice.

7. Assisting other offenders in finding legal information.

8. Assisting in the inventory of materials but only while under constant supervision.

9. Editing and publishing institutional newspapers under staff supervision.

10. Photocopying in law library only or under direct supervision elsewhere in the facility as long as the supervisor reviews all work and the copying does not include information of a sensitive or personal nature about staff, volunteers, or another offender (e.g., information regarding earned credits, time reports, classification information, staff/volunteers home address, social security numbers, etc.).

11. Serving as referees/umpires in athletic events, or in other supervised and trained functions in the recreational area.

12. Offenders may provide information to other offenders in approved peer facilitated groups; however, this will not be construed to infer any supervisory authority of one offender over another.

13. Offenders may serve as a second-language interpreter for other offenders upon request of staff.

14. Offenders in therapeutic community programs may do inspection reports according to their assigned therapeutic community roles and provide instruction to other offenders concerning work duties and performance.

B. Unapproved Tasks

1. Timing, administering, grading tests/daily school work.
2. Access to any educational records.
3. Typing counts, incident reports, facility emergency phone lists, or items that could be classified as security related.
4. Calculating earned credits, typing earned credit reports, or performing any clerical task which is in any way related to the offender earned credit program.
5. Handling any mail prior to review and approval by recipient.
6. General errand running in maximum security institutions. In medium, minimum and community security facilities, offenders may be allowed to run errands but only in support (non-security) areas and only to the extent of picking up and delivering non-sensitive items (e.g., supplies, order forms, etc.). Such activity will be closely supervised and monitored.
7. Answering telephones, except for community security offenders assigned to answer telephones as their regular work duties.
8. Preparing offender payrolls or assisting in their preparation in any way.
9. Typing tool control or caustic inventory.
10. Reconciling receipts/invoices.
11. Preparing invoices or bills.
12. Participating in sales or record keeping within canteen operations without direct supervision.
13. Supervising the work of other offenders.
14. Handling, in any manner, information about Department of Corrections (DOC) employees or volunteers.
15. Handling, in any manner, information sent to DOC by victims.

16. Having access to any government agency database, which contains information on state employees or offenders.
17. Using a computer with modems, without firewalls or other programs used to prevent access to the internet, as certified by Information Technology.

C. Exceptions to Unapproved Tasks

Oklahoma Correctional Industries (OCI) operations involve several unique circumstances that may warrant an exception to those unapproved tasks listed in Section II. item B. above as these exceptions will not create a security issue when properly supervised and implemented. Therefore, offenders working in OCI operations may be approved to perform the following tasks, if required by their assigned job duties:

1. They are authorized to work with documents received by mail after an OCI staff person has opened the mail and determined that the contents are only applicable to OCI offender authorized clerical duties and do not involve any matter which would be sensitive or security-related.
2. Offenders may be used to run errands within or between OCI operations when the errand is necessary for the proper functioning of the operation.
3. Offenders are permitted to answer the telephone and place calls when it is part of their assigned tasks such as customer service, telemarketing, and clerical functions, and when such duties are not the responsibility of a DOC employee. The customer service and telemarketing functions will be set up with equipment for routine monitoring of phone calls by staff.
4. Offenders are permitted to photocopy work-related documents in OCI operations without constant supervision.
5. Offenders are permitted to perform material inventory counts in OCI operations with constant supervision.
6. Offenders may prepare the payroll forms and evaluation sheets up to the point where offender work hours and evaluations are recorded. Offenders may not record hours worked, evaluations, or assist in the computation of offender pay.
7. Offenders may count raw materials received and record such information on receiving documents for OCI staff review and approval. Offenders may not be used to complete job duties or perform any function that is the duty of a DOC employee.

8. Offenders may prepare "Bills of Lading" for OCI product shipments.
9. Offenders may assist other offenders in the performance of their duties; however, this will not be construed to infer any supervisory authority of one offender over another.
10. Any handling, in any manner, of information about DOC employees such as data entry, etc., by OCI offenders will only occur with the specific written approval of the director.
11. It is permissible that OCI record conversion operations perform work for other state agencies on general records that may contain information on state employees and offenders such as vehicle registration, employment security wage reports, etc.
12. It is permissible for OCI records conversion operations to perform work on closed offender records.
13. Offenders will be allowed, under staff supervision, to use computers when required in the performance of work-related activities such as retrieval of technical data purchase procedure information, etc. At no time will offenders be allowed access to the internet.
14. Offenders working in OCI operations will be allowed, under staff supervision, to type count sheets after staff has completed the count and prepared notes to indicate the proper count. In no case will an offender do the actual recording of the count.

D. Regimented Treatment Programs

The offender mentoring role in the therapeutic community is under strict supervision of staff and will be closely monitored to ensure there is no abuse of that role.

1. Offenders may be assigned as department heads in the therapeutic community hierarchy and will ensure that the task assigned to that department is completed.
2. An offender may do inspection reports and provide instruction to other offenders concerning work duties and performance.

E. Substance Abuse

Offenders that provide clerical assistance, act as mentors, or serve in other similar roles must be under the strict supervision of the program director or staff designee. A program cannot exceed two offender mentors for every staff member conducting a group.

1. Offenders may perform various clerical tasks that do not allow them

access to confidential information. Offender mentors cannot lead programmatic groups without supervision of staff.

2. Certain program participants may remain in the program after successful completion and serve as role models or mentors. Each facility/program must document the specific job duties, eligibility criteria and selection process for retaining offender mentors.
3. Offender program leadership roles will not be interpreted to allow any supervisory influence of one offender over another.

F. Education Programs

Offenders that serve as tutors, orderlies, translators, etc., are under strict supervision of the correctional teacher II or staff designee. The number of these positions will be relative to the capacity of the program. An educational program cannot exceed two offender mentors for every staff member conducting class.

1. Offenders may perform various clerical tasks, but cannot have access to confidential information or student records. Offender mentors or tutors cannot lead educational instruction classes.
2. Offenders may serve as translators and provide tutoring to other offenders concerning class assignments and homework. Each facility/educational program must document the specific job duties, eligibility criteria and selection process for retaining offender mentors.
3. Offenders providing assistance to the education program will not be interpreted as having supervisory authority of one offender over another.
4. Offender tutors may not grade student work and may not have access to tests or offender grades.

II. References

Policy Statement No. P-030100 entitled "Provisions of Services/Offender Rights and Responsibilities"

OP-140146 entitled "Palliative Care Program"

III. Action

The affected deputy director/division head is responsible for compliance with this procedure.

The general counsel is responsible for the annual review and revisions.

Any exceptions to this procedure will require prior written approval from the director.

This procedure is effective as indicated.

Replaced: Operations Memorandum No. OP-030122 entitled "Offender Authority Over Other Offenders" dated April 13, 2011

Distribution: Policy and Operations Manual
Department Website