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Non-Associations and Protective Measures			
Justin Farris, Director Oklahoma Department of Corrections		Signature on File	

Non-Associations and Protective Measures

The non-association and protective measures process is established to maintain uniform procedures for managing inmates who require special management due to the risk posed to the public, employees or inmates.

I. Definitions

A. Non-Association

A method used to track and keep an inmate separated from another inmate, staff member or specific facility.

B. Protective Measures

The least restrictive action taken when there is evidence that an inmate

requires separation from other inmates.

C. Reassessment

Inmate request to remove an active inmate-initiated inmate separation.

D. Protective Custody

A specialized type of care to protect an inmate from harm.

E. Special Management

1. Inmates who have been identified as high risk with a history of assaultive behavior;
2. have been determined to be a victim, potential victim or predator;
3. Have special medical and/or mental health needs; and/or
4. Other reasons as determined by the agency Director, Chief of Operations, Deputy Chief of Operations, Inspector General or Population Coordinator.

II. Procedures for Protective Measures

Staff shall be designated to investigate requests for protective measures. An inmate requesting protective measures may do so by notifying facility personnel verbally or by a written request. Facility staff may also request protective measures without an inmate's request with valid justification and detailed documentation. A "Protective Measures Investigation" ([DOC 060106A](#)) shall be completed by designated staff member(s).

A. Initial Review Procedures

1. Investigating staff shall interview the inmate and appropriate facility staff to ascertain dates, places, persons and events related to the inmate's request. Verification of the inmate's claims or the inability to verify the inmate's claims shall be documented on the "Protective Measures Investigation" ([DOC 060106A](#)) form. The investigation shall contain valid justification and detailed documentation to provide the facility head with an accurate understanding of the situation and, if appropriate, justify the request for protective measures.
2. If the inmate fails to provide specific names or otherwise cooperate in the investigation, they shall be informed this failure may result in the assigned staff member(s) being unable to verify a credible threat exists, protection may be denied and possible disciplinary action may be taken.

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3. All findings shall be supported by valid justification and detailed documentation. Incident reports, offense reports, disciplinary hearings, written statements by inmates and/or staff, as appropriate, etc. shall be attached to the investigation report and scanned into the Scanned Documents section of the Inmate and Community Offender Network (ICON).
4. If the investigation reveals any evidence that an offense has occurred by any inmate, an "Oklahoma Department of Corrections Offense Report" ([DOC 060125A](#)) shall be completed in ICON.
5. The assigned staff member shall forward the "Protective Measures Investigation" ([DOC 060106A](#)) forms and all supporting documents to the facility head. Once the facility head signs the "Protective Measures Investigation" ([DOC 060106A](#)), the form and supporting documentation shall be uploaded into the Scanned Documents section of ICON.
6. The assigned staff member shall document the above in the inmate's case notes in ICON.

B. Protective Measures Actions

If protective measures are warranted, the facility head shall initiate the least restrictive protective measure to adequately address the situation.

1. If the investigation reveals the threat to the inmate is minimal or can be mediated, designated staff may conduct mediation.
2. Assignment to other general population housing within the same facility may be an option with approval of the facility head.
3. Recommendation of transfer to general population at another facility may be required if valid justification and detailed documentation prove a need.
4. Recommendation of transfer to specialized housing for protective custody, if necessary.

III. Non-Associations

The non-associations and protective measures process begins at reception. Assessment and reception center case managers shall review documentation for evidence and/or information which indicates a need to separate an inmate from others to ensure safety and/or the need for special management of the inmate during incarceration. Based on events that occur after reception, subsequent reviews may be necessary.

Non-associations will not normally be filed solely on Security Threat Group (STG)

affiliations, an inmate's involvement in a group disruption or disciplinary issues. The Office of the Inspector General (OIG) shall be consulted to assist in the determination of whether a threat of on-going imminent danger between inmates exists.

A. Inmate-Initiated

1. Inmate Separation

An inmate-initiated inmate separation is requested when an inmate requires separation from other inmate(s).

- a. To file an inmate-initiated inmate separation, the inmate shall notify their case manager/facility staff verbally or in writing. Facility staff shall document the request by completing a "Protective Measures Investigation" ([DOC 060106A](#)). If the facility head or designee upholds the request for an inmate-initiated inmate separation, the inmate-initiated inmate separation shall be forwarded in ICON to the Population Coordinator and the "Protective Measures Investigation" ([DOC 060106A](#)) shall be scanned into the Scanned Documents section of ICON. The Population Coordinator shall approve or deny the request.
- b. Approved inmate-initiated inmate separations expire at the end of one year. The initiating inmate shall be responsible for ensuring that the non-association is refiled annually. A "Protective Measures Investigation" ([DOC 060106A](#)) form is necessary for a renewal. A new non-association in ICON shall be completed. If the facility head or designee recommends non-associations or protective custody, facility staff shall forward the completed extension forms to the Population Coordinator. The Population Coordinator shall review and provide the disposition in ICON.
- c. Removal shall be discussed at the 120-Day Review process prior to the expiration date and noted in a case note on ICON by the assigned case manager.

2. Reassessment

The inmate-initiated reassessment option in ICON is used when an inmate is requesting an active inmate separation be removed.

Upon receipt of a request from an inmate to remove non-associations, the inmate's assigned case manager shall document the information in a case note. A detailed account of circumstances that have changed since the initial request for filing the non-association shall be provided.

B. Staff-Initiated

1. Inmate Separation

- a. A staff member may request that inmates be separated from other inmate(s) by completing the staff-initiated inmate separation utilizing the Offender Standard Form in ICON. Staff-initiated inmate separation is not used for verbal reports of threat, undocumented incidents, minor altercations or historical problems.
- b. A staff member shall initiate separation between inmates who are family members, co-defendants, when it is known that one has previously assisted in the prosecution of another and/or any serious incidents requiring inmates to be separated by completing the non-association process in ICON.
 - (1) Family members include, but are not limited to: grandfather, grandmother, father, mother, brother, sister, children, step/half children, uncle, aunt, step-parent, or step/half brother or sister.
 - (2) Co-defendants include, but are not limited to: inmates involved in or convicted of the same offense or a combination of offenses whether or not the charges or convictions are in the same case number.
 - (3) Assisted in the prosecution of other inmate(s) includes, but is not limited to: inmates who provided information or evidence to law enforcement to build a case against other inmate(s) and/or an inmate who testified, or offered to testify against another inmate(s).
 - (4) Serious incidents include, but are not limited to: inmates involved in assaults requiring outside medical care, substantiated PREA allegations or other documented incidents justifying the use of non-associations.
- c. Once the facility head or designee recommends staff-initiated inmate separation or protective custody, facility staff shall forward the completed forms to the Population Coordinator. The Population Coordinator shall review and enter the disposition into ICON.
- d. Approved staff-initiated inmate separation non-associations shall remain active for the current incarceration.

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2. Staff Separations

A facility head may request in ICON that a staff-initiated staff separation be completed for an inmate requiring separation from a staff member due to being related to the inmate, being the victim or related to the victim of the inmate's crime, etc.

- a. The facility head shall review the staff separation. Once the facility head has signed the staff separation, the non-association shall be submitted in ICON to the Deputy Chief of Operations or designee for concurrence.
- b. If the Deputy Chief of Operations or designee concurs, the non-association shall be routed to the Population office. If the Deputy Chief of Operations or designee does not concur, the non-association shall be returned to the originating staff member.
- c. If the non-association is routed to the Population office, the Population Coordinator shall determine whether to uphold the non-association.

Staff initiated staff separations shall remain active for the current incarceration. If the staff member transfers to a different facility, ICON shall automatically update the staff separation.

3. Facility Separations

A facility head may request in ICON a staff-initiated facility separation be completed for an inmate that requires separation from a specific facility due to serious incidents impacting the facility's operations, as the result of an OIG investigation, due to the staff member being related to the inmate, a staff member being the victim or related to the victim of the inmate's crime, etc.

- a. The facility head shall review the staff-initiated facility separation. Once the facility head has signed the staff initiated facility separation, the non-association shall be submitted in ICON to the Deputy Chief of Operations or designee for concurrence.
- b. If the Deputy Chief of Operations or designee concurs, the non-association shall be routed to the Population office. If the Deputy Chief of Operations or designee does not concur, the non-association shall be returned to the originating staff member.
- c. If the non-association is routed to the Population office, the Population Coordinator shall determine whether to concur

with the non-association.

Staff-initiated facility separations shall remain active for the current incarceration.

C. Special Management Inmates

Special management inmates are inmates who display behaviors that merit special review and/or housing to ensure safety within a correctional facility. Special management inmates shall be identified during the assessment and reception process and documented through Inmate Precautions and Transfer Holds in ICON.

1. Inmates who have a history of the following will be identified as special management inmates:
 - a. Having extreme levels of violence toward others;
 - b. Sexual predator/sexually assaultive behavior;
 - c. High vulnerability;
 - d. Special medical or mental health needs; and/or
 - e. As determined by the agency Director, Chief of Operations, Deputy Chief of Operations, or Population Coordinator.
2. Special management inmates shall be identified by the facility head filing the request. A move shall not occur without the authorization of those identified in Section III.C.1.e of this procedure.
3. Information/documentation concerning special management inmates shall be maintained by facility staff through Inmate Precautions and Transfer Holds in ICON.

D. Non-Association Exceptions

Inmates with non-associations shall not be transferred to the same facility with the following exceptions:

1. Male inmates assigned to maximum security shall not be housed in the same cell and if possible, shall not be housed in the same area of the facility.
2. Male inmates assigned to the agency's assigned protective custody unit. Family members and co-defendants shall not be housed in the same cell or housing pod/unit.
3. Non-associations between family members and co-defendants shall

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not prevent placement at Bill Johnson Correctional Center (BJCC) or Joseph Harp Correctional Center (JHCC) for meeting delayed sentence and other specialized programmatic requirements.

4. If medical or mental health services recommends an inmate transfer to a specific facility for a health-related need, the Population Coordinator shall coordinate with the facility head. Inmate transfers or facility assignments may be adjusted.
5. Female inmates shall be separated as best as possible. Female inmates with non-associations shall not be housed in the same cell, dorm or housing unit whenever possible.

E. Separation Levels

Inmate-initiated for inmate separations and staff-initiated for staff separations have the capability for different separation levels. The separations levels are complex separation, facility separation and living unit.

1. Complex separation occurs when an inmate cannot be housed at the same complex with another inmate. For example, if an inmate at Mack Alford Correctional Center complex, medium security has an active separation, the other inmate cannot be housed at Mack Alford Correctional Center minimum unit.
2. Facility separation occurs when an inmate cannot be housed at a certain facility.
3. Living unit separation occurs when an inmate with an active separation against another inmate cannot be placed on the same housing unit at the facility.

F. Completion of Non-Association

The non-association shall be completed using the Offender Standard Forms screen in ICON.

IV. Population Office Responsibilities

A. Population Coordinator

The Population Coordinator or designee shall:

1. Approve or deny non-associations in ICON; and
2. Ensure ICON non-associations shall be reviewed prior to all inmate transfers to support continued separation. Active non-associations can be viewed in ICON.

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V. Overridden Non-Associations

Non-associations are not considered at community facilities (community corrections centers and halfway houses). Should a new non-association be filed at a community facility, the facility head or designee shall review the circumstances and determine appropriate placement for the affected inmate(s).

VI. Non-Association Removals

If a facility is requesting that a staff-initiated non-association be removed, the facility head shall need to provide justification to the Population Coordinator. If the Population Coordinator concurs with the removal of the non-association, the Population Coordinator shall contact the Administrator of Systems Quality Management to remove the non-association.

VII. Protective Custody Placement/Transfer

Protective custody housing/transports shall be considered only when an investigation reveals a legitimate reason exists for this measure.

A. Procedures for Placement for Protective Custody

1. The inmate may be transferred to another facility of equal or higher security. Whenever possible, the aggressor(s) shall be transferred rather than the inmate requesting protection. A priority transfer request shall be submitted in accordance with [OP-060204](#) entitled "Inmate Transfers." Original copies of the completed "Protective Measures Investigation" ([DOC 060106A](#)) forms shall be scanned into ICON prior to submitting the transfer request to the Population office. The "Protective Measures Investigation" ([DOC 060106A](#)) must contain valid justification and detailed documentation to justify a transfer.
2. Non-associations need to be completed in ICON prior to transfer requests for protective measures being sent to the Population office.
3. The agency provides specialized housing for inmates requiring protective custody. Upon completion of the "Protective Measures Investigation" ([DOC 060106A](#)), the Population office may authorize placement. Those inmates requiring such placement shall be transferred in accordance with [OP-060204](#) entitled "Inmate Transfers."

B. Procedures for Continued Placement on Protective Custody

1. Utilizing the "Protective Custody Review" ([DOC 060106D](#)) form, the classification committee shall review inmates assigned to protective custody units according to time frames outlined in [OP-040204](#)

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entitled “Special Management Units” and [OP-040203](#) entitled “Restrictive/Extended Restrictive Housing.” Less restrictive measures shall be considered during each review in order to have inmates assigned to protective custody units for the least amount of time necessary.

2. Reviews of inmates in protective custody shall occur by the classification committee every seven days during the first two months and every 30 days thereafter to determine if the reasons for placement continue to exist. Reviews shall be documented utilizing the “Protective Custody Review” ([DOC 060106D](#)) form and shall be forwarded to the Administrator of Institutional Operations if an inmate remains in protective custody for six months, and every six months thereafter.
3. The classification committee may recommend return of the inmate to general population, transfer to general population while remaining at the same security level or transfer to general population at another security level.
4. The classification committee may also recommend the inmate remain in the protective custody unit.
5. Mental health reviews shall be conducted in accordance with time frames established in [OP-040204](#) entitled “Special Management Units” and [OP-040203](#) entitled “Restrictive/Extended Restrictive Housing.”

C. Procedures for Removal from Protective Custody

1. An inmate may request removal from protective custody in writing, through the assigned case manager.
2. Upon receipt of such a request, the inmate’s assigned case manager shall complete the “Protective Custody Review” ([DOC 060106D](#)) form and a “Transfer Request” ([DOC 060204A](#)/ICON).
3. The case manager shall schedule an appearance before the classification committee within three working days.

VIII. References

Policy Statement P-060100 entitled “Classification and Case Management of Inmates/Offenders”

OP-040203 entitled Restrictive/Extended Restrictive Housing”

OP-040204 entitled “Special Management Units”

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OP-060125 entitled "Inmate/Offender Disciplinary Procedures"

OP-060204 entitled "Inmate Transfers"

IX. Action

The Population Coordinator is responsible for compliance with this procedure.

The Deputy Chief of Operations is responsible for the annual review and revisions.

Any exceptions to this procedure shall require prior written approval from the agency Director.

This procedure is effective as indicated.

Replaced: OP-060106 entitled "Non-Associations and Protective Measures"
dated March 30, 2022

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<u>Referenced Forms</u>	<u>Title</u>	<u>Location</u>
DOC 060106A	"Protective Measures Investigation"	Attached
DOC 060106D	"Protective Custody Review"	Attached
DOC 060125A	"Department of Corrections Offense Report"	OP-060125/ ICON/ISSS003
DOC 060204A	"Transfer Request"	OP-060204/ ICON/IMTS010