

ENGROSSED HOUSE
BILL NO. 1004

BY: HUTCHCROFT, APPLE,
COLEMAN, GREENWOOD,
HILLIARD, MONKS, POPE,
STANLEY, VAUGHN (Ray)
and WORTHEN of the HOUSE

and

HERBERT and SNYDER of
the SENATE

AN ACT RELATING TO PRISONS AND REFORMATORIES;
AMENDING 57 O.S. 1981, SECTION 332.2, AS AMENDED BY
SECTION 3, CHAPTER 117, O.S.L. 1987 (57 O.S. SUPP.
1990, SECTION 332.2), WHICH RELATES TO THE PARDON
AND PAROLE BOARD; MODIFYING NOTIFICATION
REQUIREMENTS; DEFINING TERM; AND PROVIDING AN
EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 57 O.S. 1981, Section 332.2, as
amended by Section 3, Chapter 117, O.S.L. 1987 (57 O.S. Supp. 1990,
Section 332.2), is amended to read as follows:

Section 332.2 The Pardon and Parole Board, which shall meet
only on the call of the Chairman, is authorized, if and when an
application made to the Governor for a reprieve, commutation,
parole, pardon, or other act of clemency is certified thereto by the
Governor, to examine into the merits of said application and make
recommendations to the Governor in relation thereto, said
recommendation being advisory to the Governor and not binding
thereon.

The Pardon and Parole Board shall provide a copy of their regular docket to each district attorney in this state at least twenty (20) days before such docket is considered by the board, or in the case of a supplemental, addendum or special docket, at least ten (10) days before such docket is considered by the board, and shall notify the district attorney of any recommendations for commutations or paroles no later than twenty (20) days after the docket is considered by the board.

The Pardon and Parole Board shall notify the victim or victim's representative in writing at least twenty (20) days before an inmate is considered by the board provided the board has received a request from the victim or victim's representative for notice. The board shall provide the victim or victim's representative with the date, time and place of the scheduled meeting and rules for attendance and providing information or input to the board regarding the inmate or the crime.

The Pardon and Parole Board shall notify the victim or victim's representative in writing of the board's decision no later than twenty (20) days after the inmate is considered by the board.

Any notice required to be provided to the victim or the victim's representative shall be mailed to the last-known address of the victim or victim's representative. It is the responsibility of the victim or victim's representative to provide the Pardon and Parole Board a current mailing address. The district attorney's victim-witness coordinator shall assist the victim or victim's representative with supplying their address to the board if they wish to be notified.

For purposes of this section, "victim" shall mean a person who has suffered direct or threatened physical, emotional, or financial harm as the result of the commission or attempted commission of criminally injurious conduct, and "victim's representative" shall mean a person who is a member of the victim's immediate family.

All meetings of the Pardon and Parole Board shall comply with Section 301 et seq. of Title 25 of the Oklahoma Statutes; provided that the board shall have the authority to limit the number of persons attending in support of, or in opposition to, any inmate being considered for parole and shall have the authority to exclude persons from attendance in accordance with prison security regulations and the capacity of the meeting room. Persons excluded from attending the meeting under this provision shall be informed of their right to be informed of the board's vote in accordance with Section 312 of Title 25 of the Oklahoma Statutes. Provided further, nothing in this section shall be construed to prevent any member of the press or any public official from attending any meeting of the Pardon and Parole Board, except as provided by the Oklahoma Open Meeting Act, Section 301 et seq. of Title 25 of the Oklahoma Statutes.

SECTION 2. This act shall become effective September 1, 1991.

Passed the House of Representatives the 5th day of March, 1991.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1991.

President of the Senate