

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

HOUSE BILL NO. 2348

By: Culver

AS INTRODUCED

An Act relating to prisons and reformatories;  
amending 57 O.S. 1991, Section 510.1, which relates  
to time away from correctional facilities;  
authorizing certain offenders to be granted passes  
to be absent from correctional facilities;  
providing requirements for eligibility; and  
providing an effective date.

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

SECTION 1. AMENDATORY 57 O.S. 1991, Section 510.1, is amended to read as follows:

Section 510.1 A. The Department of Corrections may extend the limits of the place of confinement of a committed offender at any of the state correctional facilities by authorizing such committed offender under special conditions to be away from such correctional facility but within the state. Such authority may be granted for any of the following purposes:

1. To attend the funeral of a relative;
2. To visit a critically ill relative;

3. To obtain medical, psychiatric, sociological or social services in the community; or

4. To participate in public works projects.

B. Except as provided in subsection C of this section, the Department of Corrections may extend the limits of the place of confinement of a committed offender at any of the state correctional facilities by granting the offender a pass authorizing the committed offender to be away from the correctional facility, but within the state, for any of the following purposes:

1. To contact prospective employers;

2. To secure a suitable residence for use upon release on parole or discharge;

3. To participate in work, educational and training programs in the community; or

4. For any other reasons consistent with the reintegration of a committed offender into the community, if authorized by law.

C. Offenders whose controlling, concurrent, or consecutive sentence is for a sex or incest related offense or a ~~drug distribution or~~ drug trafficking offense or who have a prior conviction for a sex or incest offense or a ~~drug distribution or~~ drug trafficking offense shall not be eligible for passes authorized by subsection B of this section at minimum security facilities. Offenders assigned to a community treatment center or a community security facility whose controlling, concurrent, or consecutive sentence is for a sex or incest related offense or a ~~drug distribution or~~ drug trafficking offense or who have a prior conviction for a sex or incest offense or a ~~drug distribution or~~ drug trafficking offense shall not be eligible for passes authorized by subsection B of this section until they are within eleven (11) months of current release date or on a parole stipulation for work release of one hundred eighty (180) days or less, except that offenders with a conviction for forcible sodomy, rape in the first

degree, rape by instrumentation, or lewd or indecent act with a child shall not be eligible for passes until they are within six (6) months of current release date or in the final ninety (90) days of a parole stipulation. An offender whose controlling, concurrent, or consecutive sentence is for drug distribution shall be eligible for passes authorized by subsection B of this section at the same time as offenders who are not subject to the provisions of this subsection if the offender sentenced for drug distribution has completed a Department substance abuse, education, or vocational-technical education program.

D. For the purpose of this section, "relative" means the committed offender's father, mother, child, brother, sister, spouse, grandparents, uncle, aunt or foster parents acting as his parents.

E. A person away from a correctional facility, pursuant to this section, and who is classified in medium or higher security shall be accompanied by an officer or other employee of the Department.

F. A committed offender is, during his absence, to be considered as in the custody of the correctional facility and the time of such absence is to be considered as part of the term of sentence. Failure to return to the facility shall be deemed an escape and subject to such penalty as provided by law.

G. Except as provided in subsection C of this section and subject to the approval of the Department, the administrator of a county or municipal jail or correctional facility may grant leave authority to a committed offender in such jail or facility for the purposes specified in subsections A or B of this section.

SECTION 2. This act shall become effective September 1, 1994.

44-2-8019

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