

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)

HOUSE BILL NO. 3025

By: Smaligo

AS INTRODUCED

An Act relating to prisons and reformatories;
amending 57 O.S. 1991, Section 332.7, as amended by
Section 1, Chapter 276, O.S.L. 1993 (57 O.S. Supp.
1995, Section 332.7), which relates to parole;
setting time schedule for parole consideration for
persons sentenced to life imprisonment; providing
an exception; and providing an effective date.

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

SECTION 1. AMENDATORY 57 O.S. 1991, Section 332.7, as
amended by Section 1, Chapter 276, O.S.L. 1993 (57 O.S. Supp. 1995,
Section 332.7), is amended to read as follows:

Section 332.7 A. Upon completion of one-third (1/3) of the
sentence of any person in the custody of the Department of
Corrections, such person shall be eligible for consideration for a
parole, and it shall be the duty of the Pardon and Parole Board to
cause an examination to be made at the penal institution where the
person is assigned, and to make inquiry into the conduct and the
record of the said person during his custody in the Department of
Corrections, which shall be considered as a basis for consideration
of said person for recommendation to the Governor for parole.

However, the Pardon and Parole Board shall not be required to consider for parole any person who has completed one-third (1/3) of his sentence if the person has participated in a riot or in the taking of hostages, or has been placed on escape status, while in the custody of the Department of Corrections. The Pardon and Parole Board shall adopt policies and procedures governing parole consideration for such persons.

B. The Pardon and Parole Board shall not recommend to the Governor any person who has been convicted of three or more felonies arising out of separate and distinct transactions, with three or more incarcerations for such felonies, unless such person shall have served the lesser of at least one-third (1/3) of the sentence imposed, or ten (10) years; provided that whenever the population of the prison system exceeds ninety-five percent (95%) of the capacity as certified by the State Board of Corrections, the Pardon and Parole Board may, at its discretion, recommend to the Governor for parole any person who is incarcerated for a nonviolent offense not involving injury to a person and who is within six (6) months of his or her statutory parole eligibility date.

C. A person sentenced to life imprisonment shall be eligible for initial parole consideration after serving fifteen (15) years. Thereafter the person shall be eligible for reconsideration not more often than once every five (5) years. The person shall not be eligible for parole consideration out of the normal processing procedure unless the person is being considered for parole because of a medical condition. If the person is considered for parole out of the normal processing procedure because of a medical condition, the consideration shall be in accordance with Section 332.18 of this title.

D. Upon application of any person convicted and sentenced by a court of this state and relinquished to the custody of another state or federal authorities pursuant to Section 61.2 of Title 21 of the

Oklahoma Statutes, the Pardon and Parole Board may determine a parole consideration date consistent with the provisions of this section and criteria established by the Pardon and Parole Board.

~~D.~~ E. No person who is appearing out of the normal processing procedure shall be eligible for consideration for parole without the concurrence of at least three (3) members of the Pardon and Parole Board.

SECTION 2. This act shall become effective November 1, 1996.

45-2-9027

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