

ENGROSSED SENATE  
BILL NO. 1486

By: Pruitt of the Senate

and

Morgan (Fred) of the House

[ prisons - re-entry program - Department of  
Corrections - certain prohibitions - effective  
date - codification -  
emergency ]

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 115 of Title 57, unless there is created a duplication in numbering, reads as follows:

A. A re-entry program is hereby authorized to be created within the Department of Corrections for offenders who need structured release prior to completion of the sentence. The re-entry program shall be designed to provide structure and control as offenders near release to the community without supervision. No offender otherwise eligible for any community placement, halfway house, work release program, or minimum security placement shall be eligible for this program. The program shall not receive state appropriations, and shall be fully funded by federal or private funds.

B. The re-entry program shall begin in a county or counties selected by the Department and may expand or change to other locations within the state at the discretion of the Department. The program shall provide a continuum of services to meet the needs of offenders assigned or required to complete the program. The program duration shall not be less than twelve (12) months nor more than twenty-four (24) months.

C. The Department shall initially select a minimum and medium security level facility capable of serving male and female offenders assigned or required to complete the program; provided male and female offenders shall not be housed in the same facility. Nothing in this act shall require all offenders to be assigned to a re-entry program prior to release without supervision.

D. Any offender assigned or required to complete a re-entry program who subsequently fails or refuses or is incapable of completing the re-entry program shall be removed from the program, after notice of a programmatic failure, and returned to and placed in a higher security level facility according to the rules established for the program.

E. All services available in the re-entry program shall be selected after open bid and the Department shall give equal consideration to faith-based and secular providers in all service provider categories. Offenders assigned to the re-entry program shall have the option of selecting whether to follow a faith-based or secular continuum of services upon assignment to the program.

F. All service providers contracting for the re-entry program shall be required to meet specific performance standards and evaluations and are required to measure recidivism for all offenders placed for services with that provider according to the rules of the Department.

G. When an offender is assigned or required to complete a re-entry program pursuant to this act, all earned credits that are credited to the offender at the time of admission to the re-entry program shall be preserved and maintained for the offender during participation in the program. No earned credits accruing prior to admission to the re-entry program shall be removed, suspended, revoked or withdrawn for any programmatic infraction occurring in the re-entry program. Earned credits accruing to the offender during participation in the re-entry program may be suspended if the

offender commits infractions in the re-entry program. The Department of Corrections shall by rule provide for the suspension and restoration of earned credits accruing to the offender while participating in the re-entry program. When an offender is in compliance with the rules and conditions of the re-entry program, earned credits shall accrue regularly to the offender. If an offender is removed from the re-entry program, as provided in subsection D of this section, only those earned credits suspended during participation in the re-entry program may be removed, withdrawn or revoked when an offender is returned to a higher security level for programmatic failure.

H. No offender shall be placed in the re-entry program until the offender is within twelve (12) to twenty-four (24) months of release from the custody of the Department or is granted, by stipulation or otherwise, a parole release upon completion of the re-entry program. Nothing in this act shall operate to reduce the length of a sentence to incarceration, except when the offender is granted parole by stipulation or upon completion of the re-entry program.

I. The Department shall establish rules and procedures to implement the provisions of this act.

SECTION 2. This act shall become effective July 1, 2004.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 11th day of March, 2004.

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Presiding Officer of the Senate

Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
2004.

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Presiding Officer of the House  
of Representatives