

ENGROSSED HOUSE
BILL NO. 3037

By: Cargill, Nance, Armes,
Banz, Bingman, Dank,
Dorman, Ellis, Jett, Kern,
Liebmann, Peterson (Pam),
Sullivan, Thompson and
Wesselhoft of the House

and

Fisher of the Senate

An Act relating to prisons and reformatories;
providing short title; creating Reentry Policy
Council; providing for appointment of members;
providing duties; creating the Restorative Justice
Interagency Task Force; providing for membership;
providing for appointment of chair and vice-chair;
providing for travel reimbursement; stating duties;
creating the Reintegration of Inmates Revolving Fund;
stating purpose of fund; creating the Restorative
Justice Revolving Fund; stating purpose of fund;
providing for the development of rules and policies;
providing for codification; providing for
noncodification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law not to be
codified in the Oklahoma Statutes reads as follows:

Sections 1 through 3 of this act shall be known and may be cited
as the "Restorative Justice Act of 2006".

SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 521.1 of Title 57, unless there
is created a duplication in numbering, reads as follows:

A. Upon the effective date of this act, a Reentry Policy
Council shall be created for the purpose of providing oversight of
the reentry policies and programs operated by the Department of
Corrections. The Council shall consist of nine (9) members and
shall be appointed as follows:

1. Three members shall be appointed by the Governor as follows:

- a. one member shall be a law enforcement officer,
- b. one member shall be a corrections official, and
- c. one member shall be a crime victim;

2. Three members shall be appointed by the Speaker of the Oklahoma House of Representatives as follows:

- a. one member shall be a member of the Oklahoma House of Representatives,
- b. one member shall be a representative of a faith-based organization involved with the reintegration of inmates, and
- c. one member shall be a district attorney, or a designee; and

3. Three members shall be appointed by the President Pro Tempore of the State Senate as follows:

- a. one member shall be a member of the Oklahoma State Senate,
- b. one member shall be a person who has been previously convicted of a criminal offense in Oklahoma, and
- c. one member shall be a representative from a nonprofit entity involved with the reintegration of inmates.

B. The Council shall:

1. Review corrections policies, programs and procedures to ensure that the primary purpose of each is public safety during imprisonment and after release;

2. Identify gaps in reentry programs and services as well as overlapping efforts, and recommend changes to address those issues;

3. Review policies to ensure that corrections facilities recruit and welcome volunteers;

4. Review the licensing procedures within this state to eliminate barriers to employment that are unrelated to the conduct underlying the conviction; and

5. Report annually to the Legislature and the Governor on the progress of the reentry initiative including the impact on recidivism, effectiveness of agency coordination and communications, and the implementation of reentry plans and use of funding.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 521.2 of Title 57, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created until July 1, 2009, the Restorative Justice Interagency Task Force. The Restorative Justice Interagency Task Force shall be composed of the following members:

1. The Director of the Department of Corrections, or a designee;

2. The Executive Director of the Office of Juvenile Affairs, or a designee;

3. The Attorney General, or a designee;

4. The Commissioner of the State Department of Health, or a designee;

5. The Director of the Department of Human Services, or a designee;

6. The Commissioner of the Department of Mental Health and Substance Abuse Services, or a designee;

7. The Presiding Judge of the Oklahoma Court of Criminal Appeals, or a designee;

8. The Executive Coordinator of the District Attorneys Council, or a designee;

9. The Executive Director of the Oklahoma Indigent Defense System, or a designee;

10. Two members of the Oklahoma House of Representatives appointed by the Speaker of the Oklahoma House of Representatives; and

11. Two members of the State Senate appointed by the President Pro Tempore of the Senate.

B. The chair shall be appointed by the Speaker of the Oklahoma House of Representatives on or before July 1, 2006. The vice-chair shall be appointed by the President Pro Tempore of the State Senate on or before July 1, 2006. The chair shall convene the first meeting of the Task Force on or before August 1, 2006. The members of the Task Force shall elect any other officers during the first meeting and upon a vacancy in any office. The Task Force shall meet as often as necessary. Task Force members employed by the state shall be reimbursed for travel expenses related to their service on the Task Force by their respective agencies pursuant to the provisions of the State Travel Reimbursement Act. Legislative members of the Task Force shall be reimbursed for their necessary travel expenses incurred in the performance of their duties in accordance with Section 456 of Title 74 of the Oklahoma Statutes. Remaining Task Force members shall be reimbursed travel expenses related to their service on the Task Force by their appointing authorities pursuant to the provisions of the State Travel Reimbursement Act.

C. The Restorative Justice Interagency Task Force shall:

1. Coordinate the reentry programs of the state to help inmates find jobs, housing, substance abuse treatment, medical care, and mental health services;

2. Ensure that those who supervise offenders in prison are linked to those that will supervise them after release;

3. Identify methods to improve collaboration and coordination of reentry programs and services, including cross-training, management information systems that are accessible to partner agencies, screening procedures to assess and refer efficiently across federal, state and local boundaries, and policies and procedures that measure offender reentry management with well-defined performance-based outcomes;

4. Seek partnerships with faith-based and community groups to provide programs and services;

5. Identify effective evidence-based practices in reentry support, treatment and intervention programs;

6. Encourage expansion of family-based treatment centers that offer family-based comprehensive treatment services for parents and their children as a complete family unit;

7. Establish collaboration among corrections and community corrections, technical schools, community colleges, and the workforce development and employment service sectors to:

- a. promote, where appropriate, the employment of people released from prison and jail, through federal efforts such as educating employers about existing financial incentives and facilitate the creation of job opportunities, including transitional jobs, for this population that will benefit communities,
- b. connect inmates to employment, including supportive employment and employment services, before their release to the community, and
- c. address barriers to employment;

8. Include victims in the reentry process and facilitate victim-offender dialogue when the victim is willing; and

9. Communicate regularly with local agencies and faith-based and community groups.

D. There is hereby created in the State Treasury a revolving fund for the Office of Faith-Based Initiatives to be designated the "Reintegration of Inmates Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of monies received from appropriated funds to be used for grants to volunteer organizations including, but not limited to, faith-based organizations which provide health, educational or vocational training and programs that assist the reintegration

efforts of the Reentry Policy Council. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Office of Faith-Based Initiatives. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

E. There is hereby created in the State Treasury a revolving fund for the Department of Corrections to be designated the "Restorative Justice Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of monies received from appropriated funds to be used for bonuses to corrections officials who demonstrate improvement in recidivism rates of inmates that were previously under the custody of the Department of Corrections. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Department of Corrections. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

F. The Department of Corrections shall develop rules and policies which ensure that recidivism rates are included in the performance reviews, promotions and compensation adjustments of correctional officers.

SECTION 4. This act shall become effective November 1, 2006.

Passed the House of Representatives the 28th day of February,
2006.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2006.

Presiding Officer of the Senate