

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

SENATE BILL 1962

By: Corn

AS INTRODUCED

An Act relating to corrections; amending 57 O.S. 2001, Section 6, which relates to sentence to hard labor; authorizing the District Attorneys Council to select and establish certain pilot program for inmate labor operating from a county jail; establishing certain criteria for inmates; requiring work projects to pay for labor on contract basis and provide all supplies and equipment; directing the sheriff to collect certain payments, transport and supervise certain inmates for certain work projects; authorizing use of volunteers for certain purposes; directing certain percentage of monies be deposited with the State Treasurer in certain fund with the remaining percentage to be used for transportation and supervision; limiting use of certain funds; requiring certain monthly report for the first year by the District Attorneys Council; prohibiting inmate payment for labor; authorizing court to give earned credits to reduce sentence; construing certain provisions; and providing an effective date.

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

SECTION 1. AMENDATORY 57 O.S. 2001, Section 6, is amended to read as follows:

Section 6. Any court, justice of the peace, police court or police magistrate, in cases where such courts have jurisdiction under the laws of this state, or as provided by the ordinances or charter of any incorporated town or city in the state, shall have full power and authority to sentence such convict to hard labor as provided in this ~~article~~ title.

The District Attorneys Council is hereby authorized to select one or two district attorneys to coordinate with a court, county sheriff or chief of police to create and implement a pilot work release program for pay. The pilot program shall operate from a county jail and utilize inmates convicted of a nonviolent felony or misdemeanor offense to provide the labor. The eligible inmates

shall be sentenced to a deferred or suspended sentence, a community sentence, an intermediate sanction, a partial revocation of a suspended sentence, a term of incarceration in the county jail or imprisonment in the custody of the Department of Corrections and assigned by contract to a jail placement after being received by the Department of Corrections. The district attorney or attorneys selected to develop the pilot program shall determine other eligibility criteria for inmates. The pilot program shall seek work projects from local and state public and private entities that shall pay for labor on selected work projects by contract based upon the degree of difficulty and skill required. The sheriff shall be responsible for collection of the payments for labor. All supplies and equipment shall be paid for and supplied by the entity seeking the labor services. The jail shall provide inmate labor appropriate for the work project, transportation and supervision. The pilot project may utilize volunteers for transportation and supervision as deemed appropriate. One-half (1/2) of the money accruing from inmate labor on work projects shall be paid to the State Treasurer for deposit in the Drug Abuse Education and Treatment Revolving Fund created by Section 2-503.2 of Title 63 of the Oklahoma Statutes, and one-half (1/2) shall be used to offset transportation costs and supervision. Such funds shall only be used for substance abuse treatment, transportation and supervision and no other purpose. Each month for the first year, the District Attorneys Council shall report to the Legislature on the implementation of this program and the funds generated by the program. No part of this pilot program shall be considered community service.

SECTION 2. This act shall become effective November 1, 2006.

50-2-3009

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