

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 CONFERENCE COMMITTEE SUBSTITUTE
4 FOR ENGROSSED

5 SENATE BILL 848

By: Johnson (Constance) of the
Senate

6 and

7 Cargill, Enns, Pittman and
8 Shelton of the House

9
10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to corrections; amending 57 O.S.
12 2001, Sections 512 and 513, which relate to parole
13 and discharge of prisoners; making language gender
14 neutral; requiring prisoner to be issued a state
15 identification card upon release; providing
16 additional location for furnishing certain ticket;
17 modifying name of certain agency; providing for
18 cooperative agreement between the Department of
19 Corrections and the Department of Public Safety for
20 certain purpose; requiring control of identification
21 cards prior to inmate's release; directing provisions
22 for address change and processing of identification
23 cards; requiring certain address change upon release;
24 relieving state agencies from certain
responsibilities upon certain occurrence; prohibiting
maintaining certain identification cards for certain
prisoners; construing certain authority; limiting
authority to charge for fees; amending Section 3,
Chapter 346, O.S.L. 2003 (57 O.S. Supp 2006, Section
614), which relates to faith-based programs;
directing the Department of Corrections to pilot
certain programs; setting date for pilot programs;
directing the Department of Corrections to promulgate
certain rules; requiring certain volunteers to
complete certain training; providing for

1 codification; providing an effective date; and
2 declaring an emergency.

3
4 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

5 SECTION 1. AMENDATORY 57 O.S. 2001, Section 512, is
6 amended to read as follows:

7 Section 512. A. Any inmate in a state penal institution who
8 has been granted a parole shall be released from the institution
9 upon the following conditions:

10 1. ~~That he~~ The person shall comply with specified requirements
11 of the Division of Community Services of the Department of
12 Corrections under the active supervision of a Probation and Parole
13 Officer. Such active supervision shall be for a period not to
14 exceed three (3) years, except as provided in paragraph 2 of this
15 section; and

16 2. ~~That he~~ The person shall be actively supervised by a
17 Probation and Parole Officer for an extended period not to exceed
18 the expiration of the maximum term or terms for which ~~he~~ the person
19 was sentenced if convicted of a sex offense or upon the
20 determination by the Division of Community Services that the best
21 interests of the public and the parolee will be served by such an
22 extended period of supervision.

1 Provided, for the purposes of this section, the term "sex
2 offense" shall not include a violation of paragraph 1 of subsection
3 A of Section 1021 of Title 21 of the Oklahoma Statutes.

4 B. The Probation and Parole Officer, upon sufficient
5 information ~~sufficient~~ to give ~~him~~ reasonable grounds to believe
6 that the parolee has violated the terms ~~of~~ and conditions of his or
7 her parole, shall notify the Deputy Director of the Division of
8 Community Services in accordance with Section 516 of Title 57 of the
9 Oklahoma Statutes.

10 C. Subject to the availability of funds, on and after the
11 effective date of this act, every parolee shall be issued, pursuant
12 to the cooperative policy provided in Section 3 of this act, a valid
13 state identification card to have in the person's possession upon
14 parole release.

15 SECTION 2. AMENDATORY 57 O.S. 2001, Section 513, is
16 amended to read as follows:

17 Section 513. A. When any prisoner ~~shall be~~ is discharged from
18 the institution, the Warden or superintendent shall furnish ~~him with~~
19 the person proper and necessary clothing, a state identification
20 card if such was obtained or maintained by the Department of
21 Corrections according to Section 3 of this act, and a railroad or
22 bus ticket to ~~his~~ the person's home community within the State of
23 Oklahoma, if it is not in the county in which the institution is
24 located; and if ~~his~~ the person's home community is outside the State

1 of Oklahoma, the warden or superintendent may furnish the necessary
2 ~~tickets~~ ticket to ~~his~~ the person's home community ~~or~~, the county in
3 which the sentence was imposed, or the community or county in which
4 the person intends to reside within this state; and if ~~he~~ the person
5 does not have Fifty Dollars (\$50.00) to his or her credit, the
6 Warden or superintendent may furnish such sum as will afford ~~him~~
7 such person Fifty Dollars (\$50.00).

8 B. Funds necessary to provide ~~said~~ clothing, transportation and
9 Fifty Dollars (\$50.00) shall be drawn from a petty cash fund to be
10 established at each institution of the ~~Oklahoma~~ Department of
11 Corrections. ~~Said~~ The Petty Cash Fund shall be governed by the
12 rules ~~and regulations~~ established by the ~~Oklahoma State Budget~~
13 Office of State Finance.

14 SECTION 3. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 512.1 of Title 57, unless there
16 is created a duplication in numbering, reads as follows:

17 A. The Department of Corrections and the Department of Public
18 Safety shall develop a cooperative policy which shall include but
19 not to limited to a provision that on and after the effective date
20 of this act, no inmate shall be paroled or released from
21 incarceration without having a valid state identification card in
22 his or her possession.

23 B. Any valid state identification card obtained by an inmate
24 prior to reception into the Department of Corrections or any state

1 identification card obtained while incarcerated in this state shall
2 be appropriately controlled by the Department or another state
3 agency until the inmate is paroled or released from custody. The
4 Department of Corrections and the Department of Public Safety shall
5 include in the cooperative agreement provisions for holding,
6 changing addresses and processing an inmate's state identification
7 card during a term of incarceration or in preparation for parole or
8 release from custody. Whenever the address on any inmate's
9 identification card has been changed to a state agency for holding
10 purposes during a term of incarceration, such inmate shall be
11 required to process a new address change prior to parole or release
12 from incarceration; and from the date of this address change, the
13 Department and all state agencies shall be relieved from all
14 responsibilities required pursuant to this section.

15 C. The Department of Corrections or any state agency shall not
16 maintain or hold any state identification card for any inmate
17 sentenced to incarceration for any term more than twenty (20) years,
18 sentenced to life or life without parole, or for any inmate
19 sentenced to death.

20 D. Nothing in this section shall be construed to authorize the
21 maintenance, reinstatement or renewal of any state identification
22 card obtained contrary to law, or the application for a state
23 identification card in any manner contrary to law.

24

1 E. The Department of Corrections and the Department of Public
2 Safety shall not charge any fee or cost in addition to the actual
3 state identification fee established for other citizens of this
4 state.

5 SECTION 4. AMENDATORY Section 3, Chapter 346, O.S.L.
6 2003 (57 O.S. Supp. 2006, Section 614), is amended to read as
7 follows:

8 Section 614. A. The Legislature finds and declares that faith-
9 based programs offered in state and private correctional
10 institutions and facilities have the potential to facilitate inmate
11 institutional adjustment, to help inmates assume personal
12 responsibility, and to reduce recidivism. It is the intent of the
13 Legislature that the Department of Corrections and private vendors
14 operating private correctional facilities work towards ensuring the
15 availability and development of such programs at the correctional
16 institutions and facilities of this state and shall continuously:

17 1. Measure recidivism rates for all inmates participating in
18 faith-based or religious programs at the correctional institution or
19 facility;

20 2. Work with volunteers ministering to inmates from various
21 faith-based institutions in this state to improve the quality of
22 faith-based programs at the correctional institution or facility;

23

24

1 3. Continue to develop community linkages with churches,
2 synagogues, mosques, and other faith-based institutions to assist in
3 the release of participants into the community; and

4 4. Monitor faith-based programs operating in the correctional
5 institution or facility.

6 B. Beginning July 1, 2007, the Department of Corrections shall
7 select and implement one or more pilot faith-based programs in the
8 correctional institutions operated by the Department. At least one
9 shall be for female inmates and at least one shall be for male
10 inmates. The Department shall promulgate rules that accommodate the
11 operational needs of the faith-based program, including, but not
12 limited to, access to inmates by volunteers and program personnel
13 and enhanced opportunities for inmates to participate in a pro-
14 social environment where values and responsibilities are
15 appropriately rewarded and where there exists a recognizable change
16 from current prison culture and institutionalization without actual
17 release of any inmate or compromise to the safety or security of any
18 person or property. The rules shall also provide that no
19 organization or entity receiving funds under this section shall
20 discriminate in hiring or provision of services on the account of
21 religion, national origin, age, race or gender. Every person
22 participating in faith-based programs in correctional institutions
23 shall be required to complete the Department's volunteer training

1 program in addition to being trained to develop the faith-based
2 program.

3 SECTION 5. This act shall become effective July 1, 2007.

4 SECTION 6. It being immediately necessary for the preservation
5 of the public peace, health and safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

8
9 51-1-2056 NP 5/21/2008 11:55:32 AM

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24