

1 ENGROSSED HOUSE
2 BILL NO. 2954

By: Tibbs of the House

3 and

4 Johnson (Constance) of the
5 Senate

6
7 An Act relating to prisons and reformatories;
8 amending 57 O.S. 2001, Sections 332.8 and 332.18, as
9 amended by Section 18, Chapter 22, O.S.L. 2002 (57
10 O.S. Supp. 2007, Section 332.18), which relate to
11 conditions for parole; deleting certain condition
12 from consideration by the Pardon and Parole Board;
13 expanding scope of medical parole review process to
14 include certain inmates; and providing an effective
15 date.

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

17 SECTION 1. AMENDATORY 57 O.S. 2001, Section 332.8, is
18 amended to read as follows:

19 Section 332.8 No recommendations to the Governor for parole
20 shall be made in relation to any inmate in a penal institution in
21 the State of Oklahoma unless the Pardon and Parole Board considers
22 the victim impact statements if presented to the jury, or the judge
23 in the event a jury was waived, at the time of sentencing and, in
24 every appropriate case, as a condition of parole, monetary
restitution of economic loss as defined by Section 991f of Title 22
of the Oklahoma Statutes, incurred by a victim of the crime for

1 | which the inmate was imprisoned. In every case, the Pardon and
2 | Parole Board shall first consider the number of previous felony
3 | convictions and the type of criminal violations leading to any such
4 | felony convictions, ~~then shall consider either suitable employment~~
5 | ~~or a suitable residence,~~ and finally shall mandate participation in
6 | education programs to achieve the proficiency level established in
7 | Section 510.7 of this title or, at the discretion of the Board
8 | require the attainment of a general education diploma, as a
9 | condition for release on parole. The Board shall consider the
10 | availability of programs and the waiting period for such programs in
11 | setting conditions of parole release. The Board may require any
12 | program to be completed after the inmate is released on parole as a
13 | condition of parole. A facsimile signature of the inmate on parole
14 | papers that is transmitted to the Board shall be an accepted means
15 | of acknowledgement of parole conditions. The probation and parole
16 | officer shall render every reasonable assistance to any person
17 | making application for parole, in helping to obtain suitable
18 | employment or enrollment in an education program or a suitable
19 | residence. Any inmate who fails to satisfactorily attend and make
20 | satisfactory progress in the educational program in which the inmate
21 | has been required to participate as a condition of parole, may have
22 | his or her parole revoked. If ~~an inmate's parole~~ of an inmate is
23 | revoked, such inmate shall be returned to confinement in the custody
24 | of the Department of Corrections.

1 SECTION 2. AMENDATORY 57 O.S. 2001, Section 332.18, as
2 amended by Section 18, Chapter 22, O.S.L. 2002 (57 O.S. Supp. 2007,
3 Section 332.18), is amended to read as follows:

4 Section 332.18 A. The Director of the Department of
5 Corrections shall have the authority to request the Executive
6 Director of the Pardon and Parole Board to place an inmate on the
7 Pardon and Parole Board docket for a medical reason, out of the
8 normal processing procedures. Documentation of the medical
9 condition of such inmate shall be certified by the medical director
10 of the Department of Corrections. The Pardon and Parole Board shall
11 have the authority to bring any such inmate before the Board at any
12 time, except as otherwise provided in subsection B of this section.

13 B. When a request is made for a medical parole review of an
14 inmate who is dying or is near death as certified by the medical
15 director of the Department of Corrections or whose medical condition
16 has rendered the inmate no longer a threat to public safety, the
17 Executive Director shall place such inmate on the first available
18 parole review docket for a compassionate parole consideration.
19 Inmates who meet the criteria set out in this section are not
20 subject to the two-stage hearing process in subsection C of Section
21 332.7 of this title.

22 The provisions of this section shall not apply to inmates
23 serving a sentence of life without possibility of parole. The
24 provisions of this section shall apply to inmates serving minimum

1 sentences under Sections 12.1 and 13.1 of Title 21 of the Oklahoma
2 Statutes and whenever the Pardon and Parole Board makes a
3 determination that a medical issue has rendered the inmate no longer
4 a threat to public safety.

5 SECTION 3. This act shall become effective November 1, 2008.

6 Passed the House of Representatives the 13th day of March, 2008.

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Presiding Officer of the House of
Representatives

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11 Passed the Senate the ____ day of _____, 2008.

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Presiding Officer of the Senate

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