

ENROLLED SENATE
BILL NO. 2259

By: Lamb and Johnson
(Constance) of the Senate

and

Nelson of the House

An Act relating to prisons and reformatories; amending 57 O.S. 2001, Section 521, as last amended by Section 1, Chapter 74, O.S.L. 2003 (57 O.S. Supp. 2009, Section 521), which relates to correctional facilities; requiring certain reports by the Director of Department of Corrections; declaring recipients of report; designating information to be reported; allowing for request of additional information; and providing an effective date.

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

SECTION 1. AMENDATORY 57 O.S. 2001, Section 521, as last amended by Section 1, Chapter 74, O.S.L. 2003 (57 O.S. Supp. 2009, Section 521), is amended to read as follows:

Section 521. A. Whenever a person is convicted of a felony and is sentenced to imprisonment that is not to be served in a county jail, the person shall be committed to the custody of the Department of Corrections and shall be classified and assigned to a correctional facility or program designated by the Department and authorized by law.

B. It is the intent of the Legislature that inmates in the custody of the Department of Corrections, prior to leaving the custody of the Department, be reintegrated into society through the use of work release programs, work centers, community corrections centers, intermediate sanctions facilities, accredited halfway

houses and transitional living centers, subject to the availability of space and funding.

C. All persons who have nonassaultive institutional records and who are convicted of only previous and current nonviolent offenses and have a nonviolent juvenile record and are sentenced to the custody of the Department of Corrections shall be processed for assignment to a work release program, a work center, a community corrections center, an intermediate sanctions facility, an accredited halfway house, a transitional living facility, or any combination of such placements not less than two hundred ten (210) calendar days immediately prior to release from the custody of the Department of Corrections, unless the offender is currently participating in another approved program based upon the offender's needs assessment. Other persons may be processed for assignment according to the offender's needs and security classification not more than one hundred eighty (180) days prior to release from the custody of the Department. This assignment shall be for the purpose of assisting the person in obtaining gainful employment, receiving reintegration skills, and locating a suitable post-release residence. For purposes of this subsection, assistance in obtaining employment, receiving reintegration skills, and a post-release residence shall be part of the function of the placement and shall not be construed to require or authorize any financial assistance or expenditure of state funds to any inmate or to any contract provider for additional program services to an individual inmate.

D. The provisions of subsections B and C of this section shall not be applicable to inmates, as determined on an individual basis by the Department of Corrections, who otherwise constitute a serious or immediate risk to public health and safety.

E. Nothing in this section shall require a county jail to provide any services that are not currently being provided.

F. Not later than February 1st of each year beginning February 1, 2011, the Director of the Department of Corrections shall post on the Department's website and transmit to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the Governor, a report on the progress of the Department in meeting the goals and intent of subsections B and C of this section. Such report shall, at a minimum, include the following information:

1. A listing of all facilities owned, operated, and/or contracted to the Department by security level together with the number of inmates released from each facility during the preceding calendar year;

2. A total of the number of inmates released from physical custody during the preceding calendar year;

3. A total of the number of inmates employed by private employers prior to the inmate's release from physical custody; and

4. A total of the number of inmates exiting the Department's system who have spent less than one hundred eighty (180) calendar days in a halfway house.

The report shall be in such form and contain such other information as may be required or desired by the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the Governor.

SECTION 2. This act shall become effective November 1, 2010.

Passed the Senate the 26th day of May, 2010.

Presiding Officer of the Senate

Passed the House of Representatives the 28th day of May, 2010.

Presiding Officer of the House
of Representatives