

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE BILL 2329

By: Johnson (Constance)

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5  
6 AS INTRODUCED

7 An Act relating to prisons; declaring certain  
8 offender inmates eligible for certain program;  
9 stating limitations of eligibility; stating duty of  
10 Pardon and Parole Board; providing for certain  
11 notice; authorizing penalties for certain violations;  
12 providing for codification; and declaring an  
13 emergency.

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

15 SECTION 1. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 366 of Title 57, unless there is  
17 created a duplication in numbering, reads as follows:

18 A. Persons in the custody of the Department of Corrections  
19 sentenced pursuant to drug-related criminal penalties, excluding  
20 drug trafficking as defined by law, and other nonviolent crimes as  
21 defined by Section 571 of Title 57 of the Oklahoma Statutes, shall  
22 be eligible for the Prison Population Relief Program as specified in  
23 this act.  
24

1 B. Only inmates who are otherwise eligible for parole, pursuant  
2 to Sections 332.7 and 332.8 of Title 57 of the Oklahoma Statutes,  
3 shall be eligible to participate in this program.

4 An inmate shall serve at least fifteen percent (15%) of his or  
5 her sentence of incarceration and be within six (6) months of his or  
6 her regularly scheduled parole consideration date or be within  
7 eighteen (18) months of his or her projected release date and have  
8 had no record of misconduct within the prior six (6) months, prior  
9 to being eligible for this program.

10 C. Upon an inmate becoming eligible for this program it shall  
11 be the duty of the Pardon and Parole Board, with or without  
12 application being made, to cause an examination to be made of the  
13 criminal record of the inmate and to make inquiry into the conduct  
14 and the record of the inmate during his or her confinement in the  
15 custody of the Department of Corrections.

16 D. Upon favorable recommendation by the Pardon and Parole  
17 Board, notification shall be made to the Department of Corrections  
18 that the inmate has been recommended to be placed in this program of  
19 community supervision.

20 Prior to the placement of an inmate in this program of community  
21 supervision, the Department shall provide written notification to  
22 the sheriff and district attorney of the county in which any person  
23 on the program is to be placed and to the chief law enforcement  
24 officer of any incorporated municipality in which the person is to be

1 placed, of the placement of the person in the program within the  
2 county or incorporated municipality. The Department also shall  
3 provide written notification of the placement of the person in the  
4 program within the county or incorporated municipality, to any  
5 victim of the crime for which the inmate was convicted, by mailing  
6 the notification to the last-known address of the victim, if such  
7 information is requested by the victim. The Department of  
8 Corrections shall not give the address of the inmate to any victim  
9 of the crime for which the inmate was convicted.

10 E. Should an inmate violate any rule or condition during the  
11 period of community supervision, the inmate shall be subject to  
12 disciplinary proceedings as established by the Department of  
13 Corrections.

14 SECTION 2. It being immediately necessary for the preservation  
15 of the public peace, health and safety, an emergency is hereby  
16 declared to exist, by reason whereof this act shall take effect and  
17 be in full force from and after its passage and approval.

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