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AS AMENDED

By: Kendrix of the House

Coleman of the Senate

3. "Continuum of sanctions" means a variety of coercive measures ranked by degrees of public safety, punitive effect, and

1 cost benefit which are available to the sentencing judge as
2 punishment for criminal conduct;

3 4. "Community sentencing system planning council" or "planning
4 council" means a group of citizens and elected officials specified
5 by law or appointed by the Chief Judge of the Judicial District
6 which plans the local community sentencing system and with the
7 assistance of the Community Sentencing Division of the Department of
8 Corrections locates treatment providers and resources to support the
9 local community sentencing system;

10 5. "Incentive" means a court-ordered reduction in the terms or
11 conditions of a community sentence which is given for exceptional
12 performance or progress by the offender;

13 6. "Disciplinary sanction" means a court-ordered punishment in
14 response to a technical or noncompliance violation of a community
15 sentence which increases in intensity or duration with each
16 successive violation;

17 7. "Division" means the Community Sentencing Division within
18 the Department of Corrections which is the state administration
19 agency for the Oklahoma Community Sentencing Act, the statewide
20 community sentencing system, and all local community sentencing
21 systems;

22 8. "Eligible offender" means ~~a felony~~ an offender who has been
23 convicted of or who has entered a plea other than not guilty to a
24 ~~felony offense~~ crime and who upon completion of a risk and needs

1 assessment has been found to be in a range other than the low range
2 and who is not otherwise prohibited by law, or is a person who has
3 had an assessment authorized by Section 3-704 of Title 43A of the
4 Oklahoma Statutes and the assessment recommends community
5 sentencing. Provided, however, that no person who has been
6 convicted of or who has entered a plea other than not guilty to an
7 offense enumerated in paragraph 2 of Section 571 of Title 57 of the
8 Oklahoma Statutes, as an exception to the definition of "nonviolent
9 offense", shall be eligible for a community sentence or community
10 punishment unless the district attorney or an assistant district
11 attorney for the district in which the offender's conviction was
12 obtained consents thereto. The district attorney may consent to
13 eligibility for an offender who has a mental illness or a
14 developmental disability or a co-occurring mental illness and
15 substance abuse disorder and who scores in the low range on the risk
16 and needs assessment authorized by Section 3-704 of Title 43A of the
17 Oklahoma Statutes or another assessment instrument if the offender
18 is not otherwise prohibited by law. Any consent by a district
19 attorney shall be made a part of the record of the case; and

20 9. "Statewide community sentencing system" means a network of
21 all counties through their respective local community sentencing
22 systems serving the state judicial system and offering support
23 services to each other through reciprocal and interlocal agreements
24 and interagency cooperation.

1 B. For the purposes of the Oklahoma Community Sentencing Act,
2 if a judicial district does not have a Chief Judge or if a judicial
3 district has more than one Chief Judge, the duties of the Chief
4 Judge provided for in the Oklahoma Community Sentencing Act shall be
5 performed by the Presiding Judge of the Judicial Administrative
6 District.

7 SECTION 2. This act shall become effective November 1, 2022.

8 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
9 March 29, 2022 - DO PASS AS AMENDED
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