

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 HOUSE BILL 4369

By: Hill

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6 AS INTRODUCED

7 An Act relating to prisons and reformatories;
8 allowing felony probationers and parolees the ability
9 to earn discharge credits under certain
10 circumstances; directing supervising bodies to award
11 earned discharge credits; defining term; prohibiting
12 persons convicted of certain offenses from
13 eligibility; directing supervising bodies to develop
14 certain written policies and procedures; requiring
15 maintenance of records and notification; directing
16 the discharge of offender probationers once discharge
17 credits satisfy sentences; directing the Department
18 of Corrections to provide certain notification;
19 confirming early parole termination requests;
20 directing the Department to order final termination
21 of parole supervision under certain circumstances;
22 providing for codification; and providing an
23 effective date.

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

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 512.1 of Title 57, unless there
21 is created a duplication in numbering, reads as follows:

22 A. Every offender on felony probation supervision under Section
23 515a of Title 57 of the Oklahoma Statutes, supervised by the
24 Department of Corrections or by a private supervision provider,

1 shall be eligible to earn discharge credits for compliance with the
2 terms and conditions of probation supervision to reduce the term of
3 supervision and the overall term of imprisonment. For every
4 calendar month of compliance with the terms and conditions of
5 probation supervision, the supervising body, defined for the
6 purposes of this section as the Department of Corrections or private
7 supervision provider responsible for the supervision of felony
8 probationers, shall award the offender earned discharge credits
9 equal to thirty (30) calendar days to be applied toward a reduction
10 of the probation supervision term ordered pursuant to Section 991a
11 of Title 22 of the Oklahoma Statutes. For the purposes of this
12 section, "compliance" shall be defined as the absence of a violation
13 report submitted by the supervising body during a calendar month.

14 B. No person convicted of an offense under Section 13.1 of
15 Title 21 of the Oklahoma Statutes or subsection C, D, E, F, G or J
16 of Section 644 of Title 21 of the Oklahoma Statutes shall be
17 eligible for earned discharge credits pursuant to this section.

18 C. Every supervising body shall develop written policies and
19 procedures necessary for the implementation of earned discharge
20 credits for offenders on felony probation supervision as authorized
21 pursuant to this section. The policies and procedures developed by
22 the supervising bodies shall include, but not be limited to, written
23 guidelines regarding the process to earn discharge credits and the
24 application of the credits toward the reduction of the term of

1 supervision or term of imprisonment, the collection of data related
2 to who earns credit, how much is applied and how much of the
3 supervision period or sentence term is reduced at the point of
4 discharge.

5 D. Every supervising body shall maintain a record of credits
6 earned by an offender under this section. At least every six (6)
7 months from the date the offender is placed on probation, the
8 supervising body shall notify the offender of the current discharge
9 date for the term of supervision and the overall term of
10 imprisonment of the offender.

11 E. Every supervising body shall notify the court not less than
12 thirty (30) days prior to the expected discharge date. However,
13 nothing in this section shall prohibit the supervising body from
14 requesting termination of the term of imprisonment earlier than the
15 termination date of the term of imprisonment authorized in
16 subsection F of this section.

17 F. Once a combination of either time served in custody, if
18 applicable, time served on any form of probation, parole or post-
19 release supervision and earned discharge credits satisfy the total
20 sentence, the supervising body shall order the discharge of the term
21 of imprisonment of the offender.

22 SECTION 2. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 512.2 of Title 57, unless there
24 is created a duplication in numbering, reads as follows:

1 A. Every offender released to parole supervision pursuant to
2 Section 512 of Title 57 of the Oklahoma Statutes shall be eligible
3 to earn discharge credits for compliance with the terms and
4 conditions of parole supervision that reduce the term of
5 supervision. For every calendar month of compliance with the terms
6 and conditions of parole supervision, the Department of Corrections
7 shall award the offender earned discharge credits equal to thirty
8 (30) calendar days to be applied toward a reduction of the parole
9 supervision period. For the purposes of this section, "compliance"
10 shall be defined as the absence of a violation report submitted by a
11 probation and parole officer during a calendar month. No person
12 convicted of an offense under Section 13.1 or subsection C, D, E, F,
13 G or J of Section 644 of Title 21 of the Oklahoma Statutes shall be
14 eligible for earned discharge credits pursuant to this section.

15 B. The Department of Corrections shall develop written policies
16 and procedures necessary for the implementation of earned discharge
17 credits as authorized pursuant to this section. The policies and
18 procedures developed by the Department of Corrections shall include,
19 but not be limited to, written guidelines regarding the process to
20 earn discharge credits and the application of the credits toward the
21 reduction of the term of supervision or term of imprisonment, the
22 collection of data related to who earns credit, how much is applied
23 and how much of the supervision period or term of imprisonment is
24 reduced at the point of discharge.

1 C. The Department shall maintain a record of credits earned by
2 an offender under this section. At least every six (6) months from
3 the date the offender is placed on parole supervision, the
4 Department shall notify the offender of the current parole
5 supervision termination date.

6 D. The Department shall notify the Pardon and Parole Board of
7 the impending parole supervision termination date not less than
8 thirty (30) days prior to the expected date. However, nothing in
9 this section shall prohibit the Department from requesting parole
10 supervision termination earlier than the termination date authorized
11 in subsection E of this section.

12 E. Once a combination of either time served in custody, if
13 applicable, time served on any form of probation, parole or post-
14 release supervision and earned discharge credits satisfy the total
15 sentence, the Department shall order the final termination of the
16 parole supervision of the offender.

17 SECTION 3. This act shall become effective November 1, 2022.

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