

1 eligible for consideration for parole at the earliest of the
2 following dates:

3 1. Has completed serving one-third (1/3) of the sentence;

4 2. Has reached at least sixty (60) years of age and also has
5 served at least fifty percent (50%) of the time of imprisonment that
6 would have been imposed for that offense pursuant to the applicable
7 matrix, provided in Sections 598 through 601, Chapter 133, O.S.L.
8 1997; provided, however, no inmate serving a sentence for crimes
9 listed in Schedules A, S-1, S-2 or S-3 of Section 6, Chapter 133,
10 O.S.L. 1997, or serving a sentence of life imprisonment without
11 parole shall be eligible to be considered for parole pursuant to
12 this paragraph;

13 3. Has reached eighty-five percent (85%) of the midpoint of the
14 time of imprisonment that would have been imposed for an offense
15 that is listed in Schedule A, B, C, D, D-1, S-1, S-2 or S-3 of
16 Section 6, Chapter 133, O.S.L. 1997, pursuant to the applicable
17 matrix; provided, however, no inmate serving a sentence of life
18 imprisonment without parole shall be eligible to be considered for
19 parole pursuant to this paragraph; or

20 4. Has reached seventy-five percent (75%) of the midpoint of
21 the time of imprisonment that would have been imposed for an offense
22 that is listed in any other schedule, pursuant to the applicable
23 matrix; provided, however, no inmate serving a sentence of life
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1 imprisonment without parole shall be eligible to be considered for
2 parole pursuant to this paragraph.

3 B. For a crime committed on or after July 1, 1998, and before
4 November 1, 2018, any person in the custody of the Department of
5 Corrections shall be eligible for consideration for parole who has
6 completed serving one-third (1/3) of the sentence; provided,
7 however, no inmate serving a sentence of life imprisonment without
8 parole shall be eligible to be considered for parole pursuant to
9 this subsection.

10 C. For a crime committed on or after November 1, 2018, any
11 person in the custody of the Department of Corrections shall be
12 eligible for parole after serving one-fourth (1/4) of the sentence
13 or consecutive sentences imposed, according to the following
14 criteria:

15 1. A person eligible for parole under this subsection shall be
16 eligible for administrative parole under subsection R of this
17 section once the person serves one-fourth (1/4) of the sentence or
18 consecutive sentences imposed; provided, however, no inmate serving
19 a sentence of life imprisonment without parole, a sentence for a
20 violent crime as set forth in Section 571 of this title or any crime
21 enumerated in Section 13.1 of Title 21 of the Oklahoma Statutes
22 shall be eligible for administrative parole~~;~~ or

23 2. A person eligible for parole under this subsection shall be
24 eligible for parole once the person serves one-fourth (1/4) of the

1 sentence or consecutive sentences imposed; provided, however, no
2 inmate serving a sentence of life imprisonment without parole is
3 eligible for parole.

4 D. The parole hearings conducted for persons pursuant to
5 paragraph 3 of subsection A of this section or for any person who
6 was convicted of a violent crime as set forth in Section 571 of this
7 title and who is eligible for parole consideration pursuant to
8 paragraph 1 of subsection A of this section, subsection B of this
9 section or paragraph 2 of subsection C of this section shall be
10 conducted in two stages, as follows:

11 1. At the initial hearing, the Pardon and Parole Board shall
12 review the completed report submitted by the staff of the Board and
13 shall conduct a vote regarding whether, based upon that report, the
14 Board decides to consider the person for parole at a subsequent
15 meeting of the Board; and

16 2. At the subsequent meeting, the Board shall hear from any
17 victim or representatives of the victim that want to contest the
18 granting of parole to that person and shall conduct a vote regarding
19 whether parole should be recommended for that person.

20 E. Any inmate who has parole consideration dates calculated
21 pursuant to subsection A, B or C of this section may be considered
22 up to two (2) months prior to the parole eligibility date. Except
23 as otherwise directed by the Pardon and Parole Board, any person who
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1 has been considered for parole and was denied parole or who has
2 waived consideration shall not be reconsidered for parole:

3 1. Within three (3) years of the denial or waiver, if the
4 person was convicted of a violent crime, as set forth in Section 571
5 of this title, and was eligible for consideration pursuant to
6 paragraph 1 of subsection A of this section, subsection B of this
7 section or paragraph 2 of subsection C of this section, unless the
8 person is within one (1) year of discharge; or

9 2. Until the person has served at least one-third (1/3) of the
10 sentence imposed, if the person was eligible for consideration
11 pursuant to paragraph 3 of subsection A of this section. Thereafter
12 the person shall not be considered more frequently than once every
13 three (3) years, unless the person is within one (1) year of
14 discharge.

15 F. Any person in the custody of the Department of Corrections
16 for a crime committed prior to July 1, 1998, who has been considered
17 for parole on a docket created for a type of parole consideration
18 that has been abolished by the Legislature shall not be considered
19 for parole except in accordance with this section.

20 G. The Pardon and Parole Board shall promulgate rules for the
21 implementation of subsections A, B and C of this section. The rules
22 shall include, but not be limited to, procedures for reconsideration
23 of persons denied parole under this section and procedure for
24 determining what sentence a person eligible for parole consideration

1 pursuant to subsection A of this section would have received under
2 the applicable matrix.

3 H. The Pardon and Parole Board shall not recommend to the
4 Governor any person who has been convicted of three or more felonies
5 arising out of separate and distinct transactions, with three or
6 more incarcerations for such felonies, unless such person shall have
7 served the lesser of at least one-third (1/3) of the sentence
8 imposed, or ten (10) years; provided, that whenever the population
9 of the prison system exceeds ninety-five percent (95%) of the
10 capacity as certified by the State Board of Corrections, the Pardon
11 and Parole Board may, at its discretion, recommend to the Governor
12 for parole any person who is incarcerated for a nonviolent offense
13 not involving injury to a person and who is within six (6) months of
14 his or her statutory parole eligibility date.

15 I. Inmates sentenced to consecutive sentences shall not be
16 eligible for parole consideration on any such consecutive sentence
17 until one-third (1/3) of the consecutive sentence has been served or
18 where parole has been otherwise limited by law, until the minimum
19 term of incarceration has been served as required by law. Unless
20 otherwise ordered by the sentencing court, any credit for jail time
21 served shall be credited to only one offense.

22 J. The Pardon and Parole Board shall consider the prior
23 criminal record of inmates under consideration for parole
24 recommendation or granting of parole.

1 K. In the event the Board grants parole for a nonviolent
2 offender who has previously been convicted of an offense enumerated
3 in Section 13.1 of Title 21 of the Oklahoma Statutes or Section 571
4 of this title, such offender shall be subject to nine (9) ~~months~~
5 months' postimprisonment supervision upon release.

6 L. It shall be the duty of the Pardon and Parole Board to cause
7 an examination to be made at the penal institution where the person
8 is assigned, and to make inquiry into the conduct and the record of
9 the ~~said~~ person during his or her custody in the Department of
10 Corrections, which shall be considered as a basis for consideration
11 of ~~said~~ such person for recommendation to the Governor for parole.
12 However, the Pardon and Parole Board shall not be required to
13 consider for parole any person who has completed the time period
14 provided for in this subsection if the person has participated in a
15 riot or in the taking of hostages, or has been placed on escape
16 status, while in the custody of the Department of Corrections. The
17 Pardon and Parole Board shall adopt policies and procedures
18 governing parole consideration for such persons.

19 M. Any person in the custody of the Department of Corrections
20 who is convicted of an offense not designated as a violent offense
21 by Section 571 of this title, is not a citizen of the United States
22 and is subject to or becomes subject to a final order of deportation
23 issued by the United States Department of Justice shall be
24 considered for parole to the custody of the United States

1 Immigration and Naturalization Service for continuation of
2 deportation proceedings at any time subsequent to reception and
3 processing through the Department of Corrections. No person shall
4 be considered for parole under this subsection without the
5 concurrence of at least three members of the Pardon and Parole
6 Board. The vote on whether or not to consider such person for
7 parole and the names of the concurring Board members shall be set
8 forth in the written minutes of the meeting of the Board at which
9 the issue is considered.

10 N. Upon application of any person convicted and sentenced by a
11 court of this state and relinquished to the custody of another state
12 or federal authorities pursuant to Section 61.2 of Title 21 of the
13 Oklahoma Statutes, the Pardon and Parole Board may determine a
14 parole consideration date consistent with the provisions of this
15 section and criteria established by the Pardon and Parole Board.

16 O. All references in this section to matrices or schedules
17 shall be construed with reference to the provisions of Sections 6,
18 598, 599, 600 and 601, Chapter 133, O.S.L. 1997.

19 P. Any person in the custody of the Department of Corrections
20 who is convicted of a felony sex offense pursuant to Section 582 of
21 this title who is paroled shall immediately be placed on intensive
22 supervision.

23 Q. A person in the custody of the Department of Corrections
24 whose parole consideration date is calculated pursuant to subsection

1 B or C of this section, and is not serving a sentence of life
2 imprisonment without parole or who is not convicted of an offense
3 designated as a violent offense by Section 571 of this title or any
4 crime enumerated in Section 13.1 of Title 21 of the Oklahoma
5 Statutes shall be eligible for administrative parole under
6 subsection R of this section.

7 R. The Pardon and Parole Board shall, by majority vote, grant
8 administrative parole to any person in the custody of the Department
9 of Corrections if:

10 1. The person has substantially complied with the requirements
11 of the case plan established pursuant to Section 512 of this title
12 and:

13 a. a victim, as defined in Section 332.2 of this title,
14 or the district attorney speaking on behalf of a
15 victim, has not submitted an objection,

16 ~~b. the person has not received a primary class X~~
17 ~~infraction within two (2) years of the parole~~
18 ~~eligibility date,~~

19 ~~e.~~ the person has not received a ~~secondary~~ class X
20 infraction within one (1) year of the parole
21 eligibility date, and

22 ~~d.~~ c. the person has not received a class A infraction
23 within six (6) months of the parole eligibility date;
24 or

1 2. The person is within six (6) calendar months of his or her
2 discharge date and a victim, as defined in Section 332.2 of this
3 title, or the district attorney speaking on behalf of the victim,
4 has not submitted an objection.

5 S. Any person granted parole pursuant to subsection R of this
6 section shall be released from the institution at the time of the
7 parole eligibility date of the person as calculated under subsection
8 B or C of this section.

9 T. Any person eligible for parole pursuant to subsection R of
10 this section shall not waive his or her consideration.

11 U. No less than ninety (90) days prior to the parole
12 eligibility date of the person, the Department shall notify the
13 Pardon and Parole Board in writing of the compliance or
14 noncompliance of the person with the case plan and any infractions
15 committed by the person.

16 V. The Pardon and Parole Board shall not be required to conduct
17 a hearing before granting administrative parole pursuant to
18 subsection R of this section.

19 W. Any person who is not granted administrative parole shall be
20 otherwise eligible for parole pursuant to this section.

21 X. Any person who is granted administrative parole under
22 subsection R of this section shall be supervised and managed by the
23 Department of Corrections in the same manner as a parolee who has
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1 | been granted parole pursuant to this section. The person shall be
2 | subject to all of the rules and regulations of parole.

3 | SECTION 2. This act shall become effective November 1, 2023.
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5 | COMMITTEE REPORT BY: COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS,
6 | dated 04/05/2023 - DO PASS.
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