

- I. **POLICY:** The Pardon and Parole Board shall conduct an Executive Parole Revocation Hearing for each parolee when the parolee has been charged with violating the rules and conditions of parole, including any special rules and conditions. The hearing shall be conducted in accordance with the due process requirement of Morrissey v. Brewer, 408 U.S. 471 (1972).
- A. The Hearing Officer shall be appointed by the Pardon and Parole Board to preside and make a fair and impartial disposition based upon findings of fact. The facts shall be presented to and determined by the Hearing Officer at an Executive Parole Revocation Hearing, unless the Executive Parole Revocation Hearing is waived by the parolee. If the Executive Parole Revocation Hearing is waived, the facts shall be determined by the Hearing Officer after a fair and impartial review of the written information submitted to the Hearing Officer by the Department of Corrections and the parolee.
- B. The Hearing Officer shall meet the following requirements:
1. Licensed to practice law in the State of Oklahoma.
 2. Not related within the second degree by affinity or consanguinity to any member of the Pardon and Parole Board or the Governor.
- C. The Hearing Officer shall conduct the Executive Parole Revocation Hearing as follows:
1. Preside at the hearing in an impartial manner.
 2. Advise the participants that the hearing is being recorded and that a written summary will be prepared following the hearing.
 3. Screen witnesses to determine who may be subject to sequestration. All non-party witnesses may be subject to sequestration.
 4. Make an opening statement describing the nature of the proceeding and the manner in which it will be conducted.
 5. Require all participants to state their legal name for the record.
 6. Ask questions of any witness when needed to ensure the testimony is thorough and clear.
 7. Maintain proper decorum at the hearing.
 8. Rule on the admissibility of evidence.

9. In the sole discretion of the Hearing Officer, grant a continuance upon the request of either party for good cause shown.
10. Prior to any Executive Parole Revocation Hearing, the Hearing Officer will not review any documents or evidence and will not speak with any person involved in the hearing, except to discuss scheduling matters.

D. Participants at the Executive Revocation Hearing:

1. Those who must attend:
 - a. the parolee;
 - b. the parole officer or a representative of the Oklahoma Department of Corrections; and
 - c. the Hearing Officer.
2. Those who may attend:
 - a. any witness requested by the parolee subject to the rule of sequestration;
 - b. any witness requested by the Oklahoma Department of Corrections, including representatives of the Oklahoma Department of Corrections not listed in section (C)(1)(b) above subject to the rule of sequestration; and
 - c. any observers.
3. For the Executive Parole Revocation Hearings that are conducted via video conference, the participants may appear at either location at the discretion of the Hearing Officer, provided that the parolee shall appear at the location determined by the Oklahoma Department of Corrections.

E. The Hearing Officer shall screen all evidence for its material value to the issues of the hearing.

1. The Rules of Evidence followed in the Oklahoma Courts shall not be applicable. However, the evidence relied upon must be material and relevant to the issues at hand. Direct and verified evidence shall be given the greatest weight in deciding issues in a particular case.
2. Hearsay evidence is ~~admissible~~ ~~admitted~~ and will be considered in light of its reliability, relevancy, necessity, and probative value.

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3. Evidence is relevant if it has a tendency to prove or disprove any disputed fact at issue.
 4. The Hearing Officer may take official notice of any fact that the courts may judicially notice and of those matters within the Hearing Officer's particular expertise, including the policies and procedures related to parole.
- E. The parolee and ~~his/her~~ ~~their~~ legal counsel, if any, shall be present while evidence is being presented. The parolee and the Oklahoma Department of Corrections shall be allowed to cross-examine all witnesses presented by the other. In no case will harassment or intimidation of witnesses be permitted.
- F. Fact-finding standards to be utilized at the conclusion of the hearing.
1. ~~A finding must be made~~ The Oklahoma Department of Corrections must prove by a preponderance of the evidence that the allegations are true and that revocation is warranted under the circumstances.
 2. A preponderance of the evidence means that the evidence indicates that the facts to be proved are credible and more probable than not.
- G. ~~Upon the conclusion, the~~ The hearing the Hearing Officer shall prepare a written hearing summary including a recommendation as to whether the parolee's parole should be revoked. The written summary shall be distributed to the Governor, the parolee and the Department of Corrections. The summary must include:
1. The allegations of violations of the rules and conditions of parole;
 2. The findings of fact as to each allegation;
 3. Any mitigating circumstances; ~~and~~
 4. The recommendation of the Hearing Officer regarding reinstatement or revocation; and
 5. The Hearing Officer will also make a recommendation regarding whether to grant credit for time the parolee was on parole (i.e. "street time"). Pursuant to 57 O.S. § 350, the parolee is entitled to a deduction from his/her sentence for all time during which he/she was on parole, at the discretion of the Governor.
- H. The Hearing Officer may make the following recommendations regarding reinstatement or revocation:
1. That parole be reinstated;

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2. That the parole be revoked in its entirety; or
 3. That a portion of the parole be revoked.
- I. If the parolee has been convicted of a new offense and the recommendation is to revoke the parole, the Hearing Officer must follow the Judgment & Sentence when recommending whether the revoked portion of the parole is to be served concurrently or consecutively with the new sentence. In cases where the Judgment and Sentence does not specify that the new sentence is to be served concurrently or consecutively, the Hearing Officer may recommend that the sentences be served concurrently in accordance with Williams v. State, 2004 OK CR 8, 87 P.3d 620.
- ~~J. The Hearing Officer will also make a recommendation regarding the time the parolee was on parole (i.e. "street time"). Pursuant to 57 O.S. § 350, the parolee is entitled to a deduction from their sentence for all time during which they were on parole, at the discretion of the Governor when the parole is revoked.~~
- ~~JK.~~ Following the preparation of the hearing summary, the Hearing Officer shall prepare either a proposed Certificate of Parole Reinstatement or a Certificate of Parole Revocation. The proposed Certificate shall be forwarded to the Office of the Governor for further action.
- K. If a parolee ~~chooses to~~ waives the Executive Parole Revocation Hearing, the Hearing Officer shall prepare a proposed Certificate of Parole Reinstatement or a Certificate of Parole Revocation, following a review of the parolee's file and the allegations set forth therein. The proposed Certificate shall be forwarded to the Office of the Governor for further action.
- L. If a parolee makes a request that counsel be appointed pursuant to Gagnon vs. Scarpelli, 411 U.S. 778 (1973), the Hearing Officer will decide whether or not to appoint counsel, based on the offender's ability to understand and present the case. Among the factors to be considered in making this decision are:
- (1) Age, intelligence, criminal experience, ability to communicate, and complexity of the case;
 - (2) Whether the offender denies committing the alleged violation(s);
 - (3) Whether there are mitigating factors, which are complex or otherwise difficult to develop or present; and
 - (4) Whether the offender appears to be capable of speaking effectively.

II. BASIS FOR POLICY:

- A. Morrissey v. Brewer, 408 U.S. 471 (1972); Gagnon vs. Scarpelli, 411 U.S. 778 (1973) and Williams v. State, 2004 OK CR 8, 87 P.3d 620.
- B. 57 O.S. §§ 332 et seq.
- C. To establish other responsibilities not imposed by law.

DATE APPROVED: _____

CLINTON JOHNSON

RICHARD L. DUGGER

JAMES M. BROWN, SR.

LYNNELL HARKINS

SUSAN B. LOVING

- I. **POLICY:** Policies will be established which govern clemency eligibility and the responsibilities of the Board and staff.
- A. Policies may be proposed by a Board member or the Executive Director, and will be considered in accordance with the Open Meeting Act. New policies and modifications will be adopted by majority vote.
 - B. Policies will form the basis for procedures established by the Executive Director. Procedures will implement policies, enforce statutory requirements governing clemency, establish duties of staff, and define agency functions. Each procedure must be based upon a specific policy.
 - C. Policies and procedures will be maintained in the Pardon and Parole Board Manual, which will be distributed to the following:
 - 1. Pardon and Parole Board members;
 - 2. Pardon and Parole Board employees;
 - 3. Department of Corrections Director;
 - 4. Department of Corrections facility libraries;
 - 5. Office of the Governor;
 - 6. Office of the Attorney General;
 - 7. Oklahoma Court of Criminal Appeals;
 - 8. Department of Libraries Publication Clearinghouse;
 - 9. Private Prisons located in Oklahoma;
 - 10. Out of state Private Prisons, upon request; and
 - 11. Other person or agencies approved by the Executive Director
 - D. A copy of any policy or procedure will be provided upon request to members of the public in accordance with the Open Records Act.

PARDON AND PAROLE BOARD
Policy and Procedures Manual
Executive Parole Revocation Hearings
and Waivers

Effective Date December 6, 2007
Policy 100 through Policy 010
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II. BASIS FOR POLICY:

- A. Pardon and Parole Board Policy 001 - Pardon and Parole Board Manual
- B. To ensure compliance with the Oklahoma Constitution, Article 6, Section 10, and all statutory provisions governing the Board, as set forth in 57 O.S. §§ 331 et seq.
- C. To establish other responsibilities not imposed by law.

DATE APPROVED: August 14, 2007

CLINTON JOHNSON

RICHARD L. DUGGER

JAMES M. BROWN, SR.

LYNNELL HARKINS

SUSAN B. LOVING

- I. **POLICY:** Laws governing the duties and conduct of the Board shall be referenced in policies established by the Board and procedures issued by the Executive Director. The Board will adopt policies to implement clemency requirements or other standards approved by majority vote.
- A. Legal duties and responsibilities of the Board include, but are not limited to:
1. Attending meetings upon call of the chairman for the investigation and study of candidates for clemency as allowed under state law.
 2. Submitting names of candidates recommended for clemency to the Governor.
 3. Selecting a chairman and vice-chairman to preside over meetings.
 4. Adopting policies to implement constitutional and statutory provisions governing the Board and state agencies.
 5. Establishing standard and special conditions of parole.
 6. Employing an executive director and establishing the duties of that position.
 7. Adopting guidelines for the conduct of meetings and the release of information, in accordance with state law.
- B. In addition to duties imposed by law, the Board will adopt policies governing the following:
1. Docketing criteria for clemency consideration.
 2. Delegation of duties to the Executive Director and other staff.
 3. Guidelines for interviewing clemency candidates.
 4. Other necessary or desirable policies not imposed by law.
- C. Board Member Training
1. Each member of the Pardon and Parole Board shall receive at least twelve (12) hours of training for the first year and six (6) hours of training per year thereafter on matters relating to the duties of the Board. 57 O.S. § 332.1A.
 2. The training shall be provided according to guidelines adopted by the Board.

3. Training may consist of, but is not limited to the following venues:
 - a. Seminars attended by Board Members;
 - b. Conferences and Regional Meetings attended by Board Members;
 - c. Criminal Justice, Mental Health, and Drug and Alcohol related meetings;
 - d. Staff training performed by the Pardon and Parole Board Agency;
 - e. Program training given at Board Meetings; and
 - f. Any other type of training provided to the Board Members.

II. BASIS FOR POLICY:

- A. Pardon and Parole Board Policy 001 - Pardon and Parole Board Manual
- B. To ensure compliance with the Oklahoma Constitution, Article 6, Section 10, and all statutory provisions governing the Board.
- C. To establish other responsibilities not imposed by law.

DATE APPROVED: September 14, 2010

CLINTON JOHNSON

RICHARD L. DUGGER

JAMES M. BROWN, SR.

LYNNELL HARKINS

SUSAN B. LOVING

- I. **POLICY:** The Executive Director will establish duties and responsibilities of staff. Procedures governing duties and conduct will comply with rules and regulations adopted by the Office of Personnel Management and the Merit Protection Commission. The Pardon and Parole Board Employee Handbook will include procedures governing the following:
- A. Description of each position and its duties;
 - B. Basic rules for work attendance and conduct;
 - C. Chains of command;
 - D. Procedures required by state statute, the Office of Personnel Management and the Merit Protection Commission, including but not limited to:
 - 1. Employee evaluations;
 - 2. Disciplinary procedures;
 - 3. Grievance procedure;
 - 4. Promotional plan;
 - 5. Reduction in force plan; and
 - 6. Affirmative action policy statement;
 - E. Other procedures necessary to ensure effective use of staff and high level of performance; and
 - F. Information regarding these matters will be incorporated into an employee handbook, which will be distributed to all employees.

II. BASIS FOR POLICY:

- A. Pardon and Parole Board Policy 001 - Pardon and Parole Board Manual.
- B. To delegate duties imposed by law or Board policy to the Executive Director.
- C. To ensure compliance with statutes, rules and regulations governing state employees.

DATE APPROVED: August 14, 2007

CLINTON JOHNSON

RICHARD L. DUGGER

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- I. POLICY: Eligibility criteria will be established for clemency. The criteria will be implemented by procedures distributed by the Executive Director and will follow statutory provisions.
- A. Parole and sentence commutation.
1. Offenders incarcerated in Oklahoma or other jurisdictions under a judgment from an Oklahoma district court will be assigned parole docket dates, unless:
 - a. projected to discharge within 180 days of docket calculation;
 - b. committed under the Delayed Sentencing Program and not yet sentenced;
 - c. returned to prison as parole violator as specified in A.6. g. below;
 - d. sentenced to death; or
 - e. sentenced to life without parole;
 2. For a crime committed prior to July 1, 1998, any person in the custody of the Department of Corrections shall be eligible for consideration for parole at the earliest of the following dates:
 - a. Has completed serving 1/3 of the sentence;
 - b. Has reached at least 60 years of age and also has served at least 50% of time of imprisonment that would have been imposed for that offense pursuant to the applicable Truth in Sentencing matrix, provided in Sections 598 through 601, Chapter 133, O.S.L. 1997; provided however no inmate serving the sentence for crimes listed in schedules A, S-1, S-2 or S-3 of Section 6, Chapter 133, O.S.L. 1997, or serving a sentence of life imprisonment without parole shall be eligible to be considered for parole pursuant to this paragraph;
 - c. Has reached 85% of the midpoint of the time of imprisonment that would have been imposed for an offense listed in schedules A, S-1, S-2 or S-3 of Section 6, Chapter 133, O.S.L. 1997, pursuant to the applicable matrix; provided, however, no offender serving a sentence of life imprisonment without parole shall be eligible to be considered for parole pursuant to this paragraph; or

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- d. Has reached 75% of the midpoint of the time of imprisonment that would have been imposed for an offense that is listed in any other schedule, pursuant to the applicable matrix; provided, however, no offender serving a sentence of life imprisonment without parole shall be eligible to be considered for parole pursuant to this paragraph.
3. For a crime committed on or after July 1, 1998, any person in the custody of the

Department of Corrections shall be eligible for consideration for parole who has completed serving 1/3 of the sentence; provided, however, no offender serving a sentence of life imprisonment without parole shall be eligible to be considered for parole pursuant to this subsection.

FOR CRIMES COMMITTED ON OR AFTER MARCH 1, 2000

4. A person committing a felony offense listed below on or after March 1, 2000, and convicted of the offense shall not be eligible for parole consideration prior to serving eighty-five percent (85%) of the sentence imposed:
 - (1) First degree murder as defined in Section 701.9 of title 21 O.S.;
 - (2) Robbery with a dangerous weapon as defined in Section 801 of title 21 O.S.;
 - (3) First degree rape as defined in Section 1115 of title 21 O.S.;
 - (4) First degree arson as defined in Section 1401 of title 21 O.S.;
 - (5) First degree burglary as defined in Section 1436 of title 21 O.S.;
 - (6) Bombing as defined in Section 1767.1 of title 21 O.S.;
 - (7) Any crime against a child provided for in Section 7115 of Title 10 O.S.;
 - (8) Forcible sodomy as defined in Section 888 of title 21 O.S.;
 - (9) Child pornography as defined in Section 1021.2, 1021.3, or 1024.1 of title 21 O.S.;
 - (10) Child prostitution as defined in Section 1030 of title 21 O.S.; and

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- (11) Lewd molestation of a child as defined in Section 1123 of title 21 O.S.;

FOR CRIMES COMMITTED ON OR AFTER JULY 1, 2001

5. In addition to the offenses listed above in paragraph 4 of this section, a person committing a felony offense listed below on or after July 1, 2001, and convicted of the offense shall not be eligible for parole consideration prior to serving eighty-five percent (85%) of the sentence imposed:
- (1) Second degree murder as defined by Section 701.8 of title 21 O.S.;
 - (2) Manslaughter in the first degree as defined by Section 711 of title 21 O.S.;
 - (3) Poisoning with intent to kill as defined by Section 651 of title 21 O.S.;
 - (4) Shooting with intent to kill, using a vehicle to facilitate use of a firearm, crossbow or other weapon, assault, battery, or assault and battery with a deadly weapon or by other means likely to produce death or great bodily harm, as defined by Section 652 of title 21 O.S.;
 - (5) Assault with intent to kill as defined by Section 653 of title 21 O.S.;
 - (6) Conjoint robbery as defined by Section 800 of title 21 O.S.;
 - (7) Robbery with a dangerous weapon as defined in Section 801 of title 21 O.S.;
 - (8) Drug manufacturing and distribution, subject to habitual offender punishments;
 - (9) Aggravated manufacturing;
 - (10) Abuse of vulnerable adult as defined in Section 10-103 of Title 43A O.S. who is a resident of a nursing facility.

FOR CRIMES COMMITTED ON OR AFTER MARCH 1, 2002

6. In addition to the offenses listed above in paragraphs 4 and 5 of this section, a person committing a felony offense listed below on or after March 1, 2002,

and convicted of the offense shall not be eligible for parole consideration prior to serving eighty-five percent (85%) of the sentence imposed:

- (1) First degree robbery as defined by Section 797 of title 21 O.S.

FOR CRIMES COMMITTED ON OR AFTER JULY 1, 2001

7. In addition to the offenses listed above in paragraphs 4, 5 and 6 of this section, a person committing a felony offense listed below on or after July 1, 2001, and convicted of the offense shall not be eligible for parole consideration prior to serving eighty-five percent (85%) of the sentence imposed:

- (1) Manslaughter in the first degree as defined by Section 711 of title 21 O.S.

8. Establishment of parole consideration dates

a. ~~One third dates and 85% dates for life sentences and one third dates for sentences in excess of 45 years are calculated based upon a 45 year sentence. 85% dates for sentences in excess of 45 years are calculated on the sentence imposed. (For those offenders serving a sentence in excess of 45 years an additional date will be calculated, for comparison purposes, using a 45 year sentence.)~~

b. ~~One third dates for indeterminate sentences are calculated based upon the minimum sentence~~

c. Parole docket dates for offenders required to serve mandatory terms prior to parole consideration are established as required by law.

d. Parole docket dates for offenders with concurrent cases with the same effective date as the controlling case are calculated using the longest sentence and the most serious crime. If the effective dates are different, the following criteria apply:

- (1) If parole has not been considered on the controlling case, calculate the docket using the original reception date and the longest sentence length and the most serious crime.
- (2) If parole has been considered on the controlling case, calculate the parole docket on the delayed concurrent case, using the effective date on that case.

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- e. Docket dates on consecutive sentences are calculated after rebill. Truth in Sentencing 1 will be applied in calculating the docket date if the crime was committed during the time that the Truth in Sentencing legislation was in effect or prior to the Truth in Sentencing legislation.
 - f. Initial parole consideration dates are set for two months prior to parole eligibility to allow time for Governor action.
 - g. Parole revocation cases are docketed for parole consideration one year from the month of rebill or reception if the time left to serve equals or exceeds twenty-eight months. Parole dockets are not assigned on shorter cases.
 - h. The Executive Director may establish parole consideration dates in cases that do not conform to standard docket calculation, and establish criteria for special dockets.
 - i. Eligibility for sentence commutation, except special commutation to time served, are the same as for parole.
 - (1) The Board may consider sentence commutation at any parole consideration date.
 - (2) The Executive Director may establish criteria for special commutation dockets consistent with guidelines adopted by the Board. Special commutation consideration may substitute for parole consideration.
 - j. Regardless of the method of calculation or basis for the parole consideration date:
 - (1) Calculations shall be made by rounding the number of days of credit or time on escape status or other time for which credit is not received to the nearest whole month. Dates are rounded to the nearest month and year.
 - (2) Parole consideration dates are tentative. They may be modified due to new information or changes in policy or procedure.
 - (3) Parole or commutation candidates may be passed to a later

1 “Truth in Sentencing” refers to the legislation codified in 57 O.S. 332.7(a)(1), (2), (3) and (4) and applies to crimes committed prior to July 1, 1998.

docket by the Executive Director or designated staff if:

- (a) Out to court, hospitalized, or unable to travel due to illness
 - (b) Facility does not transport the offender for a parole hearing, and personal appearance is scheduled
 - (c) There are documented circumstances at the discretion of the Executive Director
- (4) Offenders convicted of a non-violent offense projected to discharge within 90 days of consideration will be stricken from the docket. Offenders convicted of a violent offense projected to discharge within 120 days of consideration will be stricken from the docket. Offenders with a docket date based upon One Year Prior to Discharge (“PTD”) that will not actually discharge within fourteen months of their PTD docket date will be stricken from the docket. The Deputy Director, or his designee, will re-docket the offender.
 - (5) Offenders with sentences based upon program completion will be stricken from the docket upon notice from the Department of Corrections of program participation.
 - (6) Offenders released pursuant to the Rapid Repatriation Act of 2009 shall be stricken from the docket.
- 9. Docket dates may be modified by majority vote of the Board as set forth in 57 O.S. §§ 332.7(K) and 332.17, unless otherwise prohibited by law.
- B. Re-docketing Criteria
 - 1. Docket dates for offenders convicted of a violent crime that are denied parole or commutation are set as follows:
 - a. If denied by the Board on a regularly scheduled parole docket, three years from the month of denial or when the offender has served at least one-third (1/3) of his or her sentence whichever is later, unless the offender is within one year of discharge.
 - b. Any person in the custody of the Department of Corrections for a crime committed prior to July 1, 1998 who has been considered for parole on a docket created for a type of parole consideration that has been abolished by the Legislature shall not be considered for parole except in accordance with this section.

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- c. If previously considered on a regularly scheduled docket and denied by the Board on Special Review, or recommendation administratively withdrawn, re-docket:
 - (1) three years from the date of last consideration, or
 - (2) one year prior to discharge.
 - d. An offender docketed by Board authorization who is denied parole or commutation at the special docket, at a subsequent special review, or whose recommendation is administratively withdrawn, will be re-docketed:
 - (1) for consideration in three years, or
 - (2) one year prior to discharge.
 - e. ~~Offenders denied clemency by the Governor will be re-docketed for three years from the month of last Board consideration.~~
 - f. ~~The Board may set off reconsideration for a maximum of five years by majority vote.~~
 - 2. Docket dates for offenders convicted of a non-violent crime that are denied parole or commutation are set as follows:
 - a. If denied by the Board on a regularly scheduled parole docket, one year from the month of denial, unless directed otherwise by majority vote.
 - b. If previously considered on a regularly scheduled docket and denied by the Board on Special Review, or recommendation administratively withdrawn, re-docket:
 - (1) one year from the date of last consideration if less than ten months has elapsed since that date, or
 - (2) six months from the date of withdrawal if ten months or more has elapsed from the date of last consideration.
 - c. An offender docketed by Board authorization who is denied parole or commutation at the special docket, at a subsequent special review, or whose recommendation is administratively withdrawn, will be re-

docketed:

- (1) for consideration in one year if the special consideration occurred within 13 months of the regular parole docket, or
- (2) for the original consideration date if more than 13 months after special consideration.
 - d. Offenders denied clemency by the Governor will be re-docketed for one year from the month of last Board consideration. If one year has elapsed since the last Board consideration, the offender will be placed on the next available docket.
3. Offenders waiving consideration on a regularly scheduled docket will be re-docketed following the same procedure for re-docketing from a denial.
4. Parole docket dates for offenders returned to a DOC facility from escape status will be reviewed for modification as follows:
 - a. If parole was considered on the current offense(s) prior to escape, modify the docket date to one year from the month of return. The date of return to a DOC facility should be rounded to the nearest month with the first through the fourteenth rounded down and the fifteenth through the thirty-first rounded up.
 - b. If parole was not considered on the current offense(s) prior to escape, recalculate eligibility dates (1/3, Truth in Sentencing) with adjustments for escape time.
 - (1) If the new docket date would occur less than one year following the month of return, modify the docket date to one year from the month of return.
 - (2) If the new docket date is one year or more after the date of return, the new docket date will apply without further adjustment.
5. Parole docket dates for offenders returned to a DOC facility from release under the Rapid Repatriation Act of 2009 will be processed as follows:
 - a. This provision applies to persons
 - (1.) Released by the Director of the Oklahoma Department of Corrections to the United States Immigration and Customs Enforcement Agency;

- (2.) Released pursuant to an Order of Deportation from the United States Citizenship and Immigration Services;
 - (3.) Who have served at least 1/3 of the court-imposed incarceration (not to include any suspended portion of any sentence), and;
 - (4.) Not convicted of an offense found in Section 13.1 of Title 21 of the Oklahoma Statutes.
 - b. Upon notice of illegal re-entry into the United States and subsequent incarceration within the State of Oklahoma:
 - (1.) The offender shall serve the remainder of the original court-imposed sentence;
 - (2.) The offender shall not be eligible for parole on any sentence affected by the release provided above; and
 - (3.) The offender shall be stricken from the parole docket.
 - c. The Executive Director may authorize an exception if it is determined that the offender should not have been placed on Rapid Repatriation Act release status.
- 5.6. Offenders who participate in a riot or in the taking of hostages, while incarcerated, as evidenced by a felony charge or conviction, misconduct report, institutional investigation, or other documentation, will be reviewed for docket modification in accordance with the following:
 - a. If parole consideration is scheduled within one year of the incident, the docket date will be modified to one year from the month of the incident.
 - b. If consideration is scheduled for one year or more after the date of the incident, the docket date will not be modified.
- 6.7. Offenders returned from PPCS for program failure will be re-docketed for parole consideration one year from the month of return. If the offender is returned through the Lexington Assessment and Reception Center, LARC docketing personnel will re-docket the offender. If the offender is not returned through LARC, the investigator at the assigned facility will re-docket the offender.
- C. The Pardon and Parole Board may modify parole consideration dates including, but

not limited to, the following circumstances:

1. Receipt of new information.
2. Truth in Sentencing Enhancers
3. Correction of errors in docket placement.
4. Modification of policy or procedure, which affects parole consideration.
5. Medical reason at the recommendation of the Director of the Department of Corrections and the Medical Director of the Department of Corrections.

D. Leave of Absence Eligibility

1. Requests for leave of absence must be made through the Executive Director or designee in accordance with the policies of the Department of Corrections.
2. The Executive Director will submit the request to the Board for consideration if the request is for a leave of absence of more than 60 days. (The Governor may grant a leave of absence of 60 days or less without a recommendation from the Board.)
3. Leave of absence consideration does not affect other scheduled clemency consideration.

E. Pardon Eligibility

1. Persons requesting pardon consideration must meet the following criteria.
 - a. Convicted of a violation of Oklahoma law, including felonies and misdemeanors involving moral turpitude.
 - b. No pending charges or unresolved detainers or warrants.
 - c. All fines, court costs and restitution paid on all cases on which pardon is requested. In lieu of proof of payment, the applicant must provide proof that the court has waived all unpaid fines and costs.
 - d. Not considered by the Board for pardon within the previous twelve months.
 - e. Cannot have been the subject of a terminated pre-pardon investigation or have withdrawn an application for pardon consideration within the

previous twelve months.

- f. Must either have discharged all sentences, including supervision, or successfully completed five consecutive years of parole or probation immediately prior to application. Any cases from other jurisdictions must also meet this criterion, even though not included in the consideration.
 2. Investigations will be conducted to determine whether the applicant meets eligibility criteria. Sections b - f may be waived by a concurrence of at least three (3) Board members.
 3. Applicants are subject to pre-pardon investigation by the Department of Corrections. Consideration will be set for the next available docket as of the date the pre-pardon investigation is received.
 4. Candidates for pardon will be stricken from the docket if charged with a new criminal offense, arrested or incarcerated prior to Board review.
- F. Eligibility for Sentence Commutation while on Active Parole
 1. Parolees requesting commutation consideration must meet the following criteria.
 - a. Must have completed five consecutive years on parole immediately prior to making the application. During the five-year period, the parolee may not have been the subject of a parole violation report or have been reactivated from inactive supervision.
 - b. Must have at least ten years remaining on parole on the sentence for which commutation is requested.
 - c. Must not be subject to pending charges or unresolved warrants.
 - d. All fines, court costs and restitution paid on all cases on which commutation is requested. In lieu of proof of payment, the applicant must provide proof that the court has waived all unpaid fines and costs.
 - e. All parole fees must be paid. In lieu of proof of payment, the applicant must provide proof that the Department of Corrections has waived any unpaid parole fees.
 - f. May not have been considered by the Board for commutation within

the previous twelve months.

- g. Cannot have applied within the previous twelve months and been rejected or withdrawn the application.
- 2. Applicants not meeting the eligibility criteria will not be placed on a commutation docket unless three members of the Board grant special permission.
 - 3. Applicants are subject to an investigation by the Department of Corrections; part of the investigation will document compliance with the rules and conditions of parole, including any special conditions of parole. Consideration will be set for the next available docket as of the date the investigation is received.
 - 4. Candidates for commutation will be stricken from the docket if charged with a new criminal offense, arrested or incarcerated prior to Board review.

II. BASIS FOR POLICY:

- A. Pardon and Parole Board Policy 001 - Pardon and Parole Board Manual.
- B. 57 O. S. §§ 332, 332.2, 332.7, 332.17 (2001).
- C. To ensure compliance with state law in assignment of clemency consideration dates to eligible offenders.

DATE APPROVED: _____, 2008

CLINTON JOHNSON

RICHARD L. DUGGER

JAMES M. BROWN, SR.

LYNNELL HARKINS

SUSAN B. LOVING

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- I. POLICY: Standard conditions of parole supervision will apply to all offenders recommended for parole unless specifically waived by the Board. The Board may also establish Special Conditions of parole supervision that will apply only when specifically indicated. Violation of any condition may result in intermediate sanctions, or may be grounds for revocation of parole. The Board may also impose Pre-Parole Stipulations, that will apply only when specifically indicated. Failure to complete Pre-Parole Stipulations may result in withdrawal of the recommendation for parole, unless superseded by other Board action or policy. Pre-Parole Stipulations and Standard or Special Conditions of parole may be modified by the proper authority.
- A. An offender may be granted parole to a consecutive sentence, to a detainer, or may be paroled to the community. All parolees who are paroled to the community are subject to the following Standard Conditions:
1. Parolee must obey all city, state and federal laws and must report to his/her parole officer any new arrests or contact with any law enforcement authority. The report must be made no later than close of business on the third working day following the new arrest or contact with law enforcement.
 2. ~~Parolee must report in person to his/her parole officer and employer upon arrival at the city or town indicated on his/her parole plan. The initial report must be made no later than close of business on the third working day following the parolee's arrival. Subsequently, he/she must report in person and/or in writing, and/or by telephone, as directed by the parole officer, on forms provided by the parole officer.~~
 3. Parolee must allow the parole officer to visit the parolee's home, work and other convenient places.
 4. Parolee shall be subject to search, without a warrant, at any time or place. Searches may be made of the parolee's person, any vehicle in the parolee's possession or under the parolee's control, and other personal or real property in the parolee's possession or under the parolee's control, to the full extent allowed by the law.
 5. Parolee may not leave the State of Oklahoma without prior written permission of the parole officer and may not leave the county in which he/she resides without permission of the parole officer or the District Office.
 6. Parolee must comply with all lawful directives issued by the parole officer or any member of the Department of Corrections.
 7. Parolee must report to the parole officer any changes in residence, employment or marital status. The report must be made in person and/or in

writing, and/or by telephone, as directed by the parole officer, in no case shall the report be made later than close of business on the working day following the change in residence, employment or marital status.

8. Parolee may not use or possess drugs other than those legally prescribed to the parolee by a licensed health care provider. Parolee may not use alcohol or go:
 - a. onto the premises where the consumption of alcoholic beverages is the primary activity, notwithstanding that as an incidental service, meals or short order foods are made available; or
 - b. ~~into the "bar area" of any premises that also has an area whose main purpose is the sale of food, with the sale of alcoholic beverages being incidental.~~
 9. Parolee shall not provide false information of any nature or otherwise misrepresent the truth to any office of the government.
 10. Unless the parole officer give prior permission because of work or for other good reason, parolee may not associate with persons on parole or probation or persons with criminal convictions, or communicate with offenders of any penal institution, except for members of parolee's immediate family.
 11. Parolee may not own, possess, or travel in a vehicle with a firearm or explosives.
 12. Parolee must pay parole fees of \$40 per month, payable in cashier's check or money order to "Department of Corrections Restitution and Accounting."
 13. Parolee must pay, during the term of parole, all court-imposed fines, court costs and restitution.
 14. Parolee must submit to urinalysis or any other substance abuse testing procedures, as required by the parole officer.
- B. In addition to the foregoing, offenders paroled to the community may be subject to one or more Special Conditions of parole, including:
1. Parolees may be required to abide by special rules applicable to persons convicted of sex offenses.
 2. Parolees may be required to abide by special conditions applicable to persons

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- convicted of drug or alcohol offenses or otherwise determined to be in need of special supervision in connection with the use of drugs or alcohol as set forth in Procedure 005-3.
3. Successful completion of a specified substance abuse treatment program, such as a 12 step alcohol or drug program, Treatment Alternatives to Drunk Drivers aftercare, or other drug or alcohol abuse counseling.
 4. Attendance at counseling sessions with a psychiatrist, psychologist, therapist, or other designated person.
 5. Electronic monitoring.
 6. Payment of restitution of a specified amount and according to a payment schedule indicated by the parole officer.
 7. Successful completion for a specified period of time on the Level I Supervision Program established by the Department of Corrections.
 8. Completion of a specified number of hours of community service.
 9. Completion of educational programs including literacy (as further described in C. below), adult basic education, general adult education, or Career Tech.
 10. Other special conditions as directed by the Governor of Department of Corrections.
- C. A literacy assessment will be made on each offender before consideration for parole. This assessment will be listed on the Investigator's Report for the Board's consideration. The fact that an offender has completed or is currently participating in a literacy program will be considered in the parole decision process. Offenders below a sixth-grade reading level should be encouraged to complete a literacy program. If an offender is recommended for parole and has not completed the literacy program, it will be made a condition of parole that the offender complete the program or attain the highest level possible while under supervision.
- D. Special Conditions of parole may be modified during parole supervision by mutual agreement of the parolee, the Pardon and Parole Board, the Department of Corrections and the Office of the Governor. Modification may include substitution of one Special Condition for another, if the new condition is not more restrictive or a Special Condition may be withdrawn.
1. Requests for modification of Special Conditions must be submitted to the Pardon and Parole Board. The request may be made by the parolee, the

Pardon and Parole Board, the Department of Corrections, or the Governor. All requests for modifications of Special Conditions and actions of the parolee, the Executive Director, Department of Corrections, and the Office of the Governor with respect to such requests, will be documented and a copy retained in the offender's file.

2. The Executive Director may act as designee of the Pardon and Parole Board in approving or disapproving requests for modification of Special Conditions. The Executive Director may consult with the Chairman of the Board regarding modifications of Special Conditions.
 - E. The Board may require that Pre-parole Stipulations be completed prior to parole. Pre-parole Stipulations may be modified only by subsequent Board action, administrative review or withdrawal as authorized by Policy 007. Pre-parole Stipulations may include:
 1. Post-dated release date for parole.
 2. Completion of a specified program, such as literacy, ABE, GED, vocational training, substance abuse counseling, and so on.
 3. Completion of a specified period of work release or incarceration at community level.
 4. Such other conditions as the Board or Governor may require.
 - F. Offenders paroled to a consecutive sentence or detainer may be subject to Pre-parole Stipulations imposed by the Board, and/or to any Conditions imposed by the Governor.
 - G. Violations of any Condition of parole may result in the imposition of intermediate sanctions prior to revocation of parole, including but not limited to:

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|---------------|-----------------------|------------|---------------|
| 1. | 2. | 3. | 4. |
| Financial | Reintegration | Electronic | Day Reporting |
| Planning | Training | Monitoring | |
| 5. | 6. | 7. | 8. |
| Mental Health | Intensive Supervision | Community | Attend |
| Counseling | | Service | Alcoholics |
| | | | Anonymous |
| | | | (AA) |
| 9. | 10. | 11. | 12. |

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Attend Narcotics Anonymous (N/A)	Attend meeting of the Victim Impact Panel	Attend Moral Recognition Therapy (MRT)	Curfew
13. Weekend Incarceration	14. General Education Development course(s) (GED)	15. Intensive Parole Supervision (Level 1)	16. Nighttime Incarceration
17. Temporary Placement in a Community Correctional Facility or Jail for up to 30 days			

II. BASIS FOR POLICY:

- A. Pardon and Parole Board Policy 001 - Pardon and Parole Board Manual.
- B. Article VI, Section X of the Oklahoma Constitution
- C. 57 O. S. §§ 332.2, 347, and 355 (2001)
- D. 22 O. S. §991(d)(B) (2001)
- E. To establish standard and special conditions of parole stipulations.

DATE APPROVED: October 11, 2007

 CLINTON JOHNSON

 RICHARD L. DUGGER

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JAMES M. BROWN, SR.

LYNNELL HARKINS

SUSAN B. LOVING

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- I. POLICY: The Pardon and Parole Board by majority vote shall have the power and authority to grant parole for non-violent offenses after conviction, upon such conditions and with such restrictions and limitations as the majority of the Pardon and Parole Board may deem proper or as may be required by law. The Pardon and Parole Board shall have no authority to grant but may recommend for parole to the Governor for persons sentenced pursuant to Section 13.1 of Title 21 of the Oklahoma Statutes or the exceptions to non-violent offenses as defined by Section 571 of Title 57 of the Oklahoma Statutes.
- A. Parole Processing for violent and non-violent offenses.
1. The Executive Director of the Pardon and Parole Board shall establish procedures which govern processing of violent and non-violent paroles and the responsibilities of the Board and staff.
- II. BASIS FOR POLICY:
- A. Oklahoma Constitution, Article VI, Section X.
- B. Policy 006 – Parole Processing.
- C. To establish standard procedures for processing paroles for violent and non-violent offenders.
- D. To ensure compliance with State and Constitutional law.

DATE APPROVED: January 14, 2013

DR. MARC DREYER

DAVID MOORE

LYNNELL HARKINS

CURRIE BALLARD

RICHARD DUGGER

- I. **POLICY:** The Pardon and Parole Board will designate methods by which offenders are considered for clemency. Offenders designated for jacket review will be considered based upon review of the parole file. The Board will interview offenders in person who are designated for personal appearance. After Board consideration, the Executive Director or his designee may return cases to the Board for reconsideration (“special review”), or may administratively modify the Board's recommendation consistent with guidelines established by this policy.
- A. Parole hearings conducted for offenders convicted of a violent crime, as set forth in Appendix A, will be conducted in two stages.
1. Offenders that qualify for the Two Stage Hearing process will be reviewed by Jacket Review at the first stage hearing.
 2. Offenders who are passed to the second stage will make a Personal Appearance before the Board, unless the offender falls within an exception listed in I(B)(2). The Board will hear from delegations in support of the Offender at this hearing. The Board will also hear from any victim or victim's representative contesting parole. (Victims and victims representatives, district attorneys, and delegations of the offender may appear in person before the Board at the meeting at which the offender will be considered, only if the offender is passed to Stage Two.)
- B. Personal appearance criteria for Single Stage hearings.
1. Offenders on regular parole dockets are eligible for personal appearance if either of the following applies:
 - a. The offender is serving his or her first or second adult incarceration and the controlling case or concurrent case is for a drug transaction offense.
 - b. The offender is serving his or her third adult incarceration, regardless of offense.
 2. Offenders who do not meet personal appearance criteria will be considered by jacket review. Offenders eligible for personal appearance will be considered by jacket review if any of the following applies:
 - a. Offender is assigned to alternative release programs such as the Global Positioning System (GPS) program conducted by DOC.
 - b. Offender is classified as maximum security.

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- c. Within 180 days of the scheduled date for Board consideration, the offender is found guilty of a Class X or Class A misconduct, is placed in a disciplinary unit, or is found guilty of three Class B misconducts.
 - d. Offender is confined to a correctional facility in another jurisdiction, mental health facility, nursing home or hospital.
 - e. Offender's mental or physical condition makes personal appearance impractical.
 - f. Corrections officials verify that personal appearance may constitute a security risk, or offender is assigned to administrative segregation. Modification under this section must be approved by the Executive Director or his designee.
 - g. Refusal of offender to attend the meeting, or threat of verbal or physical abuse if permitted to appear.
 - h. Offender makes written request to be considered by jacket review (Form 007-A). Such requests must be approved by the Executive Director or the Deputy Director.
 - i. Refusal of offender to appear for interview with an investigator, or lack of cooperation during interview.
 - j. Majority Board vote to consider by jacket review.
 - k. Offenders who are assigned to community level.
 - l. Other circumstances which warrant jacket review, as determined by the Executive Director or his designee.

C. Pardons

- 1. Pardon applicants will be considered based on a pre-pardon investigative report and other pertinent documents.
- 2. Pardon applicants or delegations on behalf of the applicant may personally appear before the Board.

D. Special reviews

1. (Board votes are final as to any case considered by the Board, at the conclusion of the Board meeting at which the case is considered, except under very limited circumstances, as set forth in this “Special Review” Policy.) Cases considered by the Board at a previous meeting may be reconsidered at any meeting prior to submission of the Board recommendation to the Governor only as authorized herein. All Board votes are final upon submission of the recommendation to the Governor, and no case is eligible for Special Review after such submission.
2. Special Review may be authorized by the Executive Director or the Deputy Director, or by a majority vote of the Board, under the following circumstances:
 - a. Misconduct, escape, new charges, or other factors which may have been the basis for denial or withdrawal of a clemency recommendation is overturned or dismissed.
 - b. Administrative error which may have affected the Board’s consideration or implementation of parole, commutation or other clemency.
 - c. Special conditions or recommendation requires Board review based upon newly obtained information.
 - d. A Class A or X misconduct occurred but was not reported to the Board prior to consideration.
 - e. Where the Board recommendation is subject to automatic withdrawal, and the Executive Director, Deputy Director, or a Board member deems the circumstances sufficient to warrant the Board’s consideration of the circumstances.
 - f. Upon such other extraordinary circumstances as the Executive Director, Deputy Director, or a Board member may find.
3. Special Reviews will be considered by jacket review unless otherwise authorized by the Executive Director, Deputy Director, or by vote of the Board.

E. Administrative reviews

1. The Executive Director and Deputy Director may review Board recommendations and administratively modify stipulations and special

conditions of parole. Administrative modification may include the following:

- a. Waiver of vo-tech or educational program if prior completion of an equivalent program is verified.
- b. Program substitution if the recommended program is unavailable, or if a substitute program is more feasible.
- c. Waiver of stipulated program or special condition due to program unavailability, or if the offender is unable to participate due to illness, medical condition, mental limitation or other hardship. Financial or family problems do not constitute hardship under this section. Post-dated recommendations may be accelerated if the offender is deemed to be near death or dying by the Department of Corrections Medical Director.
- d. Change or removal due to program unavailability for those offenders at medium or lower level. Offenders at maximum level will be referred to the Board for special review.
- e. Waiver of work release if the offender has successfully completed a work release stipulation or a substitute program within the previous year, or if the offender has completed more than 60 days on a substitute program in which he or she is currently participating. If the offender received a misconduct during the 60-day period but was not removed from work release, the Executive Director may waive the requirement, require participation for more than 60 days, or require completion of the entire stipulation.
- f. Addition of restitution as a condition of parole if documented economic loss was not considered by the Board.
- g. Authorization to continue processing of parole if a minor misconduct was not reported prior to consideration.
- h. Addition of special parole conditions if recommended by the district supervisor.
- i. Substitution of an out-of-state parole program for another out-of-state program.
- j. Removal of work release stipulation if denied work release placement by the Department of Corrections. The parole will be postdated by the number of days of work release stipulated.

- k. Modification of recommendation for release to the street or detainer to parole to the consecutive case if the new case is the result of a previous charge or suspended sentence known to the Board at the time of voting or at the discretion of the Executive Director or the Deputy Director if the Board did not know at the time of voting.
- l. Modification of a recommendation for release to parole to the detainer if the detainer is the result of a previous charge or suspended sentence known to the Board at the time of voting or at the discretion of the Executive Director or the Deputy Director if the Board did not know at the time of voting.

F. Withdrawal, reinstatement and modification of recommendations

- 1. The Executive Director or the Deputy Director has the authority to withdraw, reinstate a Board recommendation thereby denying clemency, if, prior to submission of the Board recommendation to the Governor, the offender is:
 - a. placed on escape status, receives a misconduct report for escape, or receives new charges for escape;
 - b. taken into custody by a law enforcement agency or the Department of Corrections with new charges pending or a new conviction (except minor traffic violations);
 - c. receives a misconduct for a law violation (except minor traffic violations);
 - d. fails to complete a pre-parole stipulation due to misconduct or removal from a stipulated program due to behavioral problems or non-participation;
 - e. transferred to a mental hospital or Department of Corrections mental health unit for treatment or evaluation, or is placed under psychiatric care;
 - f. refuses to waive extradition to a jurisdiction with valid detainer;
 - g. receives a Class A or Class X misconduct for battery, group disruption, riot, use or possession of alcohol or drugs, or a misconduct report resulting in placement on a disciplinary unit;
 - h. is recommended to a detainer or void, and the detainer is dropped or dismissed;

- i. another state will not accept supervision on parole under terms of the Interstate Compact and offender is unable to obtain an Oklahoma home offer;
 - j. returned from PPCS for program failure; or
 - k. refuses to sign the parole certificates.
 - 2. Recommendations withdrawn under this policy may be reinstated by the Executive Director or the Deputy Director if the basis for the withdrawal is expunged or dismissed. If other negative information is received, the Executive Director or the Deputy Director may refer the case for Special Review or decline to authorize reinstatement.
- II. BASIS FOR POLICY:
 - A. To establish guidelines for the consideration of parole.
 - B. Op. Atty. Gen. No. 69-208
 - C. To delegate authority for administrative modification of Board action.

DATE APPROVED: March 23, 2010

CLINTON JOHNSON

RICHARD L. DUGGER

JAMES M. BROWN, SR.

LYNNELL HARKINS

SUSAN B. LOVING

I. POLICY: Docket dates for all persons in the custody of the Department of Corrections shall be established using either one-third of the sentence imposed, eighty-five percent of the sentence imposed or a date determined by the Truth-in-Sentencing matrices, except where state law mandates a specific docket date.

A. Calculation of Docket Dates

(Effective July 1, 1998)

1. A one-third date will be calculated for anyone intering the custoday of the Department of Corrections upon conviction of a crime committed after July 1, 1998.

(Effective March 1, 2000)

2. Docket dates will be calculated at eighty-five percent of the sentence imposed for any person committing a felony offense listed here on or after March 1, 2000:
 - a. first degree murder;
 - b. robbery with a dangerous weapon;
 - c. first degree rape;
 - d. first degree arson;
 - e. first degree burglary;
 - f. bombing;
 - g. child abuse;
 - h. forcible sodomy;
 - i. child pornography;
 - j. child prostitution; and
 - k. lewd molestation of a child.

(Effective February 2, 1998 – June 30, 1998)

3.
 - a. The 75 percent date is calculated as 75 percent of the midpoint of the time of imprisonment that would have been imposed for that offense pursuant to the applicable TS matrix. The 85 percent date is calculated as 85 percent of the midpoint of the time of imprisonment that would have been imposed for that offense pursuant to the applicable TS matrix. The 50 percent date is calculated as 50 percent of the time of imprisonment that would have been imposed for that offense pursuant to the applicable TS matrix.
 - b. The one-third date is calculated as one-third of the sentence.

(Effective July 1, 1998)

4. The Executive Director will maintain a list which schedules offenses by severity for the calculation of 75 percent and 85 percent dates.
 - a. The Executive Director may determine whether a crime is violent or non-violent unless otherwise directed by the Board.
 - b. A 75 percent date is assigned for all non-violent offenses and some violent offenses as defined in Procedure 008-1, Attachment A.
 - c. An 85 percent date is assigned for eligible violent offenses as defined in Procedure 008-1, Attachment A.
 - d. A 50 percent date is assigned for all offenses where the inmate is over the age of sixty (60) and is not serving a sentence for crimes listed in Schedules A, S-1, S-2 or S-3 or serving a sentence of life imprisonment without parole.
5. The following rules apply in establishing TS dates:
 - a. Attempts to commit a crime are scheduled as if the crime had been committed, unless otherwise designated.
 - b. Except for Murder, conspiracy to commit a crime, solicitation of a crime and accessory to a crime are scheduled one category below the one which would have applied had the crime been committed, unless otherwise designated. If the offense is exempt, a 75 percent date is assigned. There is no reduction for 75 percent date offenses.
 - c. If an inmate is serving concurrent sentences for different offenses, the highest schedule is used.
 - d. Offenses which are not listed are referred to the Deputy Director for schedule assignment. New schedule assignments should be reported to the General Counsel for inclusion in the next procedural update.
 - e. All 75 percent and 85 percent dates are subject to change if new information is received.

II. BASIS FOR POLICY:

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- A. 57 O.S. § 332.7 (Supp. 2000) and 21 O.S. §§ 12.1 and 13.1 (Supp. 2000)
- B. Pardon and Parole Board Policy 004 - Docketing criteria.
- C. To establish a system of parole guidelines to assist the Board in making decisions.
- D. To delegate authority to the Executive Director for the development and implementation of parole guidelines.

DATE APPROVED: _____

CURRIE BALLARD

STEPHANIE CHAPPELLE

FLINT BRECKINRIDGE

PATRICK MORGAN

SUSAN BUSSEY

- I. POLICY: Records will be maintained as required by law and as needed in the performance of duties. The public has a legitimate interest in the information utilized by the Board, subject to legal restrictions on its release.
 - A. The Executive Director will ensure that records are established and maintained in a uniform manner and preserved as required by law, to include:
 - 1. Issuance of procedures concerning records maintenance and use
 - 2. Designating a publications officer and a records management coordinator
 - B. The Executive Director will ensure that persons who request information are allowed to review or receive copies of information contained in agency records, subject to limitations defined in state and federal law. The Executive Director will:
 - 1. Authorize certain staff to release information in the Executive Director's absence
 - 2. Establish procedures for routine release of information on clemency candidates to the press
 - 3. Establish a fee schedule for copying of records
 - C. The Executive Director will ensure that district attorneys, other officials, victims and victims' representatives receive notice of clemency consideration and parole as required by law.
 - D. Requests for information on specific offenders which is not contained in agency records will be referred to the Department of Corrections.

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II. BASIS FOR POLICY:

- A. To ensure public access to disclosable information.
- B. To establish responsibility for the maintenance and release of records.
- C. To ensure compliance with laws governing the disclosure of information.

DATE APPROVED _____

CURRIE BALLARD

STEPHANIE CHAPPELLE

FLINT BRECKINRIDGE

PATRICK MORGAN

SUSAN BUSSEY

- I. POLICY: Efficiency and professionalism will be promoted in the preparation of investigative reports. The Executive Director will issue procedures to implement the following:
- A. Collection of information, preparation of investigative reports, and documentation of information.
 - B. Collection of verbal information through offender interviews.
 - C. Establishment of field offices and distribution of caseloads.
 - D. Consolidation and distribution of investigative reports to the Board members and other recipients.
 - E. Procedures to ensure accuracy and quality.
 - F. Other procedures necessary to provide accurate, detailed information.
- II. BASIS FOR POLICY:
- A. Pardon and Parole Board Policy 001 - Pardon and Parole Board Manual.
 - B. To facilitate the consideration of clemency candidates.

DATE APPROVED: August 14, 2007

CLINTON JOHNSON

RICHARD L. DUGGER

JAMES M. BROWN, SR.

LYNNELL HARKINS

SUSAN B. LOVING