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- I. **PROCEDURE:** After approval of a policy by the Pardon and Parole Board or issuance of a procedure by the Executive Director, copies of the policy or procedure shall be distributed to persons and agencies designated in Policy 001 or approved by the Executive Director.
- A. The General Counsel will revise and distribute agency policies and procedures.
1. The General Counsel will assist Board members and other recipients in keeping manuals current.
2. Each recipient will receive instructions for placement of the policy or procedure and a receipt to be returned to the General Counsel Form (001-1-A).
3. The General Counsel will distribute copies of policies and procedures in accordance with the Open Records Act.
- B. Maintenance of manuals by employees
1. Upon receipt of a new policy or procedure, each employee will complete Form 001-1-A and return it to the administrative office.
2. Each employee must maintain a current and complete manual.
3. Each employee must comply with policies and procedures. Conflicting actions are unauthorized unless approved by the Executive Director or Deputy Director in writing. Unauthorized variance from policy or procedure must be immediately reported to the Executive Director.
- II. **BASIS FOR PROCEDURE:**
- A. Pardon and Parole Board Policy 001 - Pardon and Parole Board Manual.
- B. To ensure maintenance of current manuals by employees.
- C. To ensure that policies and procedures are accessible to other agencies and the public.

TERRY JENKS, EXECUTIVE DIRECTOR
REV. JUNE 2009

DATE

- I. **PROCEDURE:** The Executive Director will schedule Board meetings in accordance with law and ensure that they are organized and conducted efficiently.

A. Compliance with Open Meeting Act

1. Prior to December 1 of each year, the Executive Director will submit a schedule of Board meetings for the next calendar year to the Secretary of State. If the schedule is modified, the Secretary of State must be notified at least ten days in advance of the rescheduled meeting.
2. At least 24 hours prior to each meeting, an agenda will be posted at the administrative office. The agenda will include any policy modifications, proposals or issues to be discussed by the Board, and will reference the schedule of appearances on the official docket. Copies of the agenda will be available at the meeting.
3. Meetings of the Pardon and Parole Board are open to the public as required by law.
4. Minutes will be recorded for each meeting as required by the Open Meeting Act. Minutes will be available for public inspection at the administrative office during normal working hours.

B. Organization and Conduct of Meetings

1. Prior to each meeting, the Deputy Director will coordinate personal appearances by offenders, via video conferencing, with the Department of Corrections.
2. The chairperson presides over meetings. Staff will administer oaths. If the chairperson is absent, the vice-chairperson will preside. If both the chairperson and the vice-chairperson are absent, the remaining three members of the Board shall elect a member to preside until the chairperson or the vice-chairperson returns.
3. Meetings are open to the public, except when exclusion is allowed by law. Admittance may be limited by security regulations and the capacity of the meeting room.
4. Each offender is allowed a maximum of two delegates, unless otherwise authorized by the Board. Only one delegate is allowed to address the Board for a maximum of two minutes.
5. Delegations for jacket reviews and victims and victim's representatives may address the Board on the designated day. No more than two victims and victim's representatives per offender will be allowed to appear, and one will be allowed to address the Board for a maximum of five minutes in accordance with state law. More victims and victim's representatives may be allowed in cases in which there are multiple victims.

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6. Appropriate printed information will be provided to victims and victim's representatives and delegates who attend Board meetings.
 7. Smoking is not permitted in the meeting room.
- C. Security of Meetings
1. Meetings will be held at Department of Corrections facilities, as arranged by the Executive Director. The Department of Corrections is responsible for the security of offenders and visitors.
 2. Admittance to the facility and the meeting room is determined by the Department of Corrections.
- D. Cancellation of meetings
1. In the event of inclement weather or other unforeseeable circumstances, the Chairperson will determine the appropriate action. The Chairperson may cancel a meeting by notifying the Secretary of State, Pardon and Parole Board members and staff, news media and members of the public expected to attend the meeting as soon as possible after the decision is made.
 2. The Executive Director will assist the Chairperson in notifying all appropriate parties.
- E. Two stage hearing process for Offenders convicted of Violent Offenses
1. At the Parole Board meeting during the month of initial eligibility the Board will only hear from delegates. Then as per current procedure, the Board will either hear from the offenders themselves or review the offenders' files. At this juncture, the Board can either vote no or vote to pass for further consideration.
 2. At the second stage of the hearing the following month, the Board will hear from the victims or their representatives as well as the District Attorneys who are protesting the offenders' release. At this time, the Board can vote no or yes.
 3. If the offender is passed to the second stage for further consideration, delegates may address the Board a second time if they wish. The Board will see qualified offenders at this second stage. Anyone may write to the Board concerning the second stage of the hearing. The Monday following the Board Meeting,

anyone may call the Parole Board office after 8:00 a.m. to obtain results.

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4. For offenders convicted of non-violent offenses their parole consideration hearing will be conducted as a single stage proceeding.

II. BASIS FOR PROCEDURE:

- A. Pardon and Parole Board Policy 002 - Duties and responsibilities of the Pardon and Parole Board.
- B. 57 O. S. 332.2
- C. To provide guidelines for the conduct of meetings.
- D. To ensure compliance with state laws governing Board meetings.

TERRY JENKS, EXECUTIVE DIRECTOR

DATE

REV. June 2009

- I. PROCEDURE: Minutes of each Pardon and Parole Board meeting will be recorded by designated staff. Minutes will be available for public inspection.
 - A. All business conducted at the meeting, including clemency consideration on individual cases, will be recorded on a digital recorder.
 - B. Meeting minutes will include:
 1. Date, time and place of the meeting;
 2. Names of members present or absent, late arrivals and early departures;
 3. Copy of memorandum notifying Secretary of State of changes in time or place (if applicable);

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4. Order in which business was considered;
 5. Content of issues or motions considered, including names of members making and seconding the motion;
 6. Vote of each member on each issue;
 7. Copy of the agenda.
- C. Recording of votes
1. Votes on clemency candidates will be recorded on individual ballots.
 2. Votes of each Board member will be recorded, including any stipulations and special conditions of parole. The ballot should indicate the absence or abstention of any Board member.
 3. The top section of the ballot will include any stipulations, special conditions of parole, postdate or other effective date of the recommendation decided by majority vote. Mandatory term dates will be indicated regardless of stipulations.
 4. The "Other" section of the ballot will include:
 - a. Names of delegates or protesters, and their relationship to the offender, if known;
 - b. Previously unreported misconducts, detainers, or other relevant information;

- c. Majority votes to redocket prior to annual consideration, or to delay reconsideration;
 - d. Passes to later dockets due to misconducts or other circumstances;
 - e. Modification to jacket review, and the reason for modification.
- 5. Abbreviations may be used if the meaning is generally recognized.
- 6. The person recording votes will record recommended stipulations and conditions, and ensure that conditions are appropriate for the area to which the offender intends to parole.
- 7. The name of the person recording the vote, the date and the offender's facility will be indicated on each ballot. Ballots will be reviewed for accuracy and completeness. Discrepancies should be resolved during the Board meeting if possible.
- D. Following each meeting, designated personnel will perform computer entry of Board member votes.
 - 1. The votes will include all stipulations, modifications and passes. Administrative strikes will not be included.
 - 2. After the votes have been entered, designated personnel will print out a listing of votes and review it for accuracy. The printout will be forwarded to the Executive Director, and the ballots will be filed.
- E. Minutes include the computer printout and recorded notes.
- F. Minutes will be available for public inspection during normal working hours until approved for archive by the Department of Libraries.
- G. Offenders and the public may obtain a copy of the audio tape of an individual hearing by sending a blank CD Rom to the administrative office and paying a copying fee of \$5.00. The administrative staff will coordinate the making and distribution of CD Rom.

II. BASIS FOR PROCEDURE:

- A. 25 O. S. 301, et seq.
- B. Pardon and Parole Board Policy 002 - Duties and responsibilities of the Pardon and Parole Board.
- C. To ensure preservation of records.

TERRY JENKS, EXECUTIVE DIRECTOR

DATE

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- I. **PROCEDURE:** The Executive Director will ensure that parole consideration dates are calculated in accordance with Board policies and state law, and that exceptions required by law or policy are correctly applied. A docketing worksheet will be completed on each offender committed to the Department of Corrections.
- A. Offenders subject to mandatory terms
1. Offenders required by statute to serve a mandatory term of incarceration prior to parole consideration are ineligible for regular parole consideration until the mandatory term has been served. The one-third date will be calculated for reference.
- a. A Truth in Sentencing date will not be calculated for offenders committed to the Department of Corrections for crimes committed after July 1, 1998, where there is proper documentation indicating the date the crime was committed.
- b. A Truth in Sentencing date will not be calculated for offenders committed to the Department of Corrections where the controlling case number is CF 99 or later (CF 00, etc.) without documentation submitted by the offender that Truth in Sentencing is applicable.
2. Under 21 O.S. 801, offenders must serve ten calendar years, if:
- a. Convicted of three or more separate felonies in violation of 21 O.S. 801, which includes the following elements. At least one of the cases must have resulted in a prior incarceration:
- (1) Robbery or attempt to rob.
 - (2) Use of a firearm, dangerous weapon or imitation firearm to accomplish the committed or attempted robbery.
 - (3) Robs or attempts to rob any person, place of business, residence, banking institution or place inhabited or attended by any person at any time.
 - (4) The first two convictions must be prior convictions. The three convictions cannot have been committed at the same approximate time. It is only upon the third conviction, after two prior convictions under 21 O. S. 801 that the parole restriction of 21 O.S. 801 applies.
- b. The investigator will determine whether an offender has three convictions

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- under 21 O.S. 801 as defined above. The controlling and/or concurrent cases must have occurred after April 16, 1982 for the parole restriction to apply.
- c. Cases which require further investigation will be referred to the General Counsel.
 - d. The General Counsel will determine whether the charges constitute separate and distinct transactions and whether the first two convictions are prior or former. Crimes are not considered separate and distinct if committed as a continuing offense or a series of acts. The time between the offenses may be a factor in making the determination.
 - e. The length of sentence may determine application of 21 O. S. 801.
 - (1) If an offender with three or more convictions under 21 O.S. 801 is sentenced to less than ten years, it will be presumed that the statute does not apply.
 - (2) The facts and circumstances of each case may alter this presumption. It may also be determined by contacting the sentencing judge or district attorney that 21 O.S. 801 should apply.
 - (3) If application of 21 O.S. 801 is questionable or cannot be determined, the law will not be applied.
 - f. If the crimes are separate and distinct, parole or sentence commutation cannot occur until ten calendar years have been served.
 - g. In order for the parole restriction of 21 O. S. 801 to apply, all convictions used in its application must have occurred in Oklahoma. Robbery convictions in other states or United States District Court are not direct violations of 21 O. S. 801.
3. Under 57 O.S. 332.7G. (Supp. 1999), an offender with three or more felony convictions and three or more incarcerations (including the current one) must serve the lesser of one-third of the sentence or ten years prior to parole consideration. At least one of the current convictions must have occurred on or after October 1, 1980. For the purpose of applying 57 O.S. 332.7G. (Supp. 1999), the following guidelines apply:
- a. Use the date of conviction on the judgment and sentence in determining the applicability of 57 O. S. 332.7G.

b. Felonies must have arisen from separate and distinct transactions, including the instant and any concurrent case.

The statute applies only to the third and subsequent convictions. If an incarceration for a revoked suspended sentence or parole is used as one of the three incarcerations, a new felony conviction must have accompanied the revocation as either a concurrent or consecutive sentence.

c. If application of the law is questionable, refer the case to the General Counsel for investigation. A copy of the FBI and/or OSBI rap sheet should be attached, if available.

4. The Pardon and Parole Board may recommend certain offenders subject to mandatory terms for parole prior to the completion of the mandatory term if prison population exceeds 95 percent of capacity. Such consideration is done at the Board's discretion. Offenders must meet the following criteria:
 - a. Controlling and any concurrent cases must be for nonviolent crimes;
 - b. Crime cannot have involved injury to a person;
 - c. Within six months of parole eligibility.
5. Offenders convicted of racketeering after November 1, 1988 cannot be considered for any type of clemency until one-half of the sentence has been served, in accordance with state law (22 O. S. 1404).
6. Identify offenders subject to mandatory terms by recording the statutory citation on the docketing worksheet. If Board policy supersedes the mandatory term, or if more than one statute applies, cite all criteria utilized for the establishment of the docket date on the docketing worksheet in the following order:
 - a. Truth in Sentencing Date or 1/3 date
 - b. 10 years per 21 O.S. 801
 - c. 1/3 per 57 O.S. 332.7 B
 - d. 10 years per 57 O.S. 332.7 B.

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- e. 1/2 per 22 O.S. 1404

Note any statute which applies but is not used in docket placement in the comments section of the worksheet.

B. Assignment of no docket

1. Offenders excluded from parole consideration by state law or Board policy will not be given parole docket dates. The Reason For Docket on the Docketing worksheet will indicate "No docket" followed by one of the following:
 - a. Projected discharge/rebill within 180 days
 - b. Delayed Sentencing Program
 - c. Parole violation of less than 28 months to serve
 - d. Death sentence
 - e. Life without parole
2. Investigators will determine whether an offender is within 180 days of projected discharge when completing the docketing worksheet.
 - a. Calculate projected release dates using the current earned credit rate.
 - b. Assignment of No Docket does not affect an offender's eligibility for special parole.
3. Docketing worksheets will be completed on Delayed Sentencing Program offenders for future reference. If the offender is later sentenced to a term of incarceration, a docket date will be calculated.
4. Offenders received on or rebilled to parole violation cases will not receive parole dockets if the time remaining is less than 28 calendar months at the time of reception or rebill.
5. Offenders sentenced to death on a controlling or concurrent case do not receive parole dockets.
6. Persons sentenced to life without parole on or after November 1, 1987 do not receive parole dockets.

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- C. Calculation on cases that do not conform to procedures
1. Cases that do not conform to standard procedures will be referred to the Deputy Director for docket calculation.
 2. The Deputy Director will apply standard docketing procedures as nearly as possible. The intent of any applicable law or policy will be considered in the assignment of docket dates.
 - a. Conflicting provisions are generally resolved in the offender's favor.
 - b. Common sense and the general objectives of clemency consideration will be weighed in the assignment of the docket date.
 3. Where an offender has multiple consecutive sentences of any length on such short duration that the offender will never receive consideration for parole under the regular docketing criteria, the following docketing method shall be followed:
 - a. The offender must have discharged at least two sentences without parole consideration and have at least two sentences remaining to serve.
 - b. If an offender meets the criteria as described in subparagraph (a) above and he/she is stricken from the docket by an investigator, the investigator is required to send a memorandum to the Deputy Director bringing the stricken offender to his/her attention.
 - c. The Deputy Director will notify the Board of the offender's circumstances and the Board will request a PDI if they deem it appropriate.

II. BASIS FOR PROCEDURE:

- A. Pardon and Parole Board Policy 004 - Docketing criteria.
- B. To establish guidelines for docket calculation and exemption from docket assignment.

TERRY JENKS, EXECUTIVE DIRECTOR

DATE

I. PROCEDURE: The designated personnel shall perform computer entry of parole docket dates and codes, updating of the docket record system, distribution of docketing worksheets and notification forms, and distribution of parole rosters.

A. Computer entry of parole docket dates

1. Upon receipt of an approved docketing worksheet and notification form, a memorandum authorizing Board placement or telephone authorization from the docketing investigator, docket dates and appropriate codes will be entered into the computer. Priority will be given to offenders scheduled for parole consideration within the next two months. Docket dates will be entered in accordance with deadlines established by the Executive Director. The following steps will be utilized in the entry process:
 - a. Enter the docket date and reason for docket. After entry, mark the upper right corner of the Notification Form with a "C" to indicate that computer entry has been done.
 - b. Enter the transaction into the docket record system. Include the date of entry, type of transaction, reason for docket and docket date. Mark the upper right corner of the Notification Form with an "F" to indicate that a docket record system has been modified. If no record exists, one will be established.
 - c. Complete notification forms for Board placements or other cases as needed.
2. Offenders denied clemency or waiving parole dockets will be re-docketed in accordance with Policy 004, to include the following steps:
 - a. Complete notification forms, indicating the new docket date and reason for docket.
 - b. Enter the appropriate information in the computer terminal and in the docket record system, in accordance with I. A. 1. above.

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3. Upon notice of parole, discharge, ~~or~~ escape, or release pursuant o the Rapid Repatriation Act of 2009, enter the discharge code into the computer docket record and make the appropriate notation in the docket record system.
- a. Delete records of discharged and paroled offenders from the docket record system.
 - b. Note escapes in the docket record system.
 - c. Note Rapid Repatriation Act of 2009 releases in the docket record system.
 - e.d. Notify designated personnel to close the electronic parole files of discharged and paroled offenders.
- B. Distribution of docketing worksheets and notification forms
1. The original docketing worksheet and notification form will be filed in the offender's electronic parole file at the administrative office. One copy will be sent to the records office at the facility.
 2. One copy of the Notification of Parole Consideration Date will be sent to the facility for distribution to the offender.
 3. One copy of the docketing worksheet will be forwarded to the facility records office.
 4. If an offender is placed on a docket ten days or less prior to the report deadline, the investigator will be notified of the placement by telephone.

II. BASIS FOR PROCEDURE:

- A. Pardon and Parole Board Policy 004 Docketing criteria.
- B. To ensure uniformity and consistency in the docketing process.

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- I. PROCEDURE: Parole docket dates may be modified prior to parole consideration in accordance with Board policy and procedure. If an offender has been interviewed for parole consideration and modification is not required by law, the consideration date will not be changed. The Deputy Director will ensure that parole consideration dates are correctly calculated.
- A. Modification of parole consideration date
1. Prior to parole consideration, docket dates will be modified based upon the following. Information must be from an official source:
 - a. Minimum mandatory term is required by law prior to parole consideration
 - b. Delayed concurrent case
 - c. Rebill
 - d. Escape
 - e. **Release pursuant to the Rapid Repatriation Act of 2009**
 - ~~e.f.~~ Modification of jail time
 - ~~f.g.~~ Change in case sequence
 - ~~g.h.~~ Re-sentencing
 - ~~h.i.~~ Court-ordered modification or credit
 - ~~i.j.~~ Calculation error in worksheet
 - ~~j.k.~~ Misconduct report after Board placement
 - ~~k.l.~~ Retroactive modification of policies and procedures
 - ~~l.m.~~ Participation in riot
 - ~~m.n.~~ Other information changing parole eligibility
 2. An offender may be stricken from a parole docket prior to consideration based upon the following:
 - a. Projected release within 90 days of consideration. Information must be referred to the Deputy Director with a recommendation to strike from the

docket. Projected release dates will be based upon the current earned credit rate. Indicate whether the offender will be discharged to the street or rebill to another case.

- b. Significant misconduct or new criminal charge after re-docket by the Board prior to annual review (must be authorized by the Deputy Director).
 - c. Escape.
 - d. Docket modification pursuant to Section A of this procedure.
 - e. Board vote to withdraw Board-authorized placement.
- f. Docket date based on “One year Prior to Discharge” when discharge date is more than one calendar year away.
- 3. The Deputy Director will determine whether an offender is stricken from a docket after receipt of a memorandum from the investigator. The memorandum must include the offender's name and number, the reason for the modification and the name of the requesting investigator.
- B. Monitoring of docket modification
- 1. Designated personnel will monitor docket modifications and status change forms at least once per week. Receipt of status changes will be recorded in the status change data file, including the date the information was received.
 - 2. Status changes will be referred to the appropriate investigator. The date forwarded will be recorded in the status modification data file. Investigators will review each status change and recalculate the parole consideration date if necessary.
 - 3. The date the status change was returned will be recorded, along with any changes in current docket dates. The Deputy Director will review any re-docketing paperwork for accuracy.
 - 4. Status change forms must be returned within 30 days of receipt.
- II. BASIS FOR PROCEDURE:
- A. Pardon and Parole Board Policy 004 - Docketing criteria.
 - B. To ensure modification of parole consideration dates as necessary.

TERRY JENKS, EXECUTIVE DIRECTOR

DATE

REV. JUNE 2009

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- I. PROCEDURE: Investigators and supervisors may modify docket dates of offenders assigned to their caseloads. Designated personnel will review status change forms, and forward the information to investigators. Status changes which do not require docket modification will be placed in the offender's file.
- A. Investigators will review docket dates upon receipt of status change forms, and determine whether the new information affects docket calculation. A docketing worksheet and notification form will be completed if necessary.
1. Assessments of status changes must be completed within 30 days of receipt.
 2. Offenders serving short sentences or whose docket dates are substantially affected are given priority.
 3. After completion, forward documents to the designated personnel for review and processing as required by Procedure 004-3.
 4. Information which does not affect the docket date will be returned to the administrative office for filing.
- B. Processing of status changes
1. Rebill to a consecutive case
 - a. Calculate docket dates in accordance with policies and procedures governing assignment of parole dockets.
 - b. Give priority to offenders serving short sentences.
 2. Jail time credit is calculated by dividing the total number of days by 30, and rounding to the nearest month (1-14 round down, 15-30 round up). If the number of months of credit is the same as on the current worksheet, no modification is required. If the number is different, recalculate the docket dates.
 3. Returned escapees
 - a. Offenders placed on escape status and subsequently returned to the custody of the Department of Corrections will be reviewed for docket modification in accordance with Board policy.
 - (1) Escapees returned through the Lexington Assessment and Reception Center will be reviewed by LARC docketing personnel.

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- (2) Escapees not returned through LARC will be reviewed by the investigator at the assigned facility. Investigators will be notified of returned escapees through either status change forms or agency memoranda.
 - b. In calculating docket dates for returned escapees under Policy 004:
 - (1) Round total days on escape status to the nearest month.
 - (2) List escape time under dead time on the docketing worksheet. Include the date of escape and the date returned to custody.
 - (3) If the offender is to get an annual docket, set the docket date one year from the month of return with no deductions.
 - c. The Executive Director may authorize an exception if it is determined that the offender should not have been placed on escape status.
4. Court-ordered modification
 - a. When a court orders a sentence reduction on the current case, or that additional time be credited to the current case, the parole docket date will be recalculated.
 - b. Base docket dates for re-sentenced offenders on the new sentence, beginning from the date of re-sentencing with credit for time previously served.
 - c. Apply orders granting credit for time served on the current sentence or a prior case toward the current sentence as directed by the court order. Orders granting earned credits do not affect docket calculation.
 - (1) Record time credited to the current sentence in the Other Credit section of the docketing worksheet.
 - (2) Round credit time to the nearest month and apply to the one-third, or the Truth in Sentencing date.
 - d. Attach a copy of the court order or other documentation to the docketing worksheet if it is available. Refer cases requiring interpretation to the General Counsel.
 5. Delayed Sentencing Program

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- a. Docket Delayed Sentencing Program offenders upon receipt of official notice that the offender has been sentenced to a term of incarceration.
 - b. Credit will be given for time served in custody of Department of Corrections on the current offense prior to sentencing.
 6. Specialized Supervision Program (Repealed)
 7. Electronic Monitoring Program returns
 - a. Parole dockets on offenders returned from EMP are not modified due to program failure.
 - b. Parole dockets for offenders returned from EMP with a pending parole recommendation will be set for one year from the month of last favorable consideration. Dockets on these offenders will be set at the Administrative Office following receipt of a notice of withdrawal from DOC personnel.
 8. Participation in riot
 - a. Offenders who have participated in a riot or hostage taking during the current incarceration will be reviewed for possible docket modification in accordance with Policy 004.
 - b. Evidence of participation includes felony charges, convictions, misconduct reports, institutional investigations and other written documentation.
 9. 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;

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- (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.

II. BASIS FOR PROCEDURE:

- A. Pardon and Parole Board Policy 004 - Docketing criteria.
- B. To ensure timely modification of docket dates by investigators.

TERRY JENKS, EXECUTIVE DIRECTOR

DATE

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- I. PROCEDURE: Offenders may be docketed for clemency consideration when authorized by majority vote of the Pardon and Parole Board. Such consideration may include an earlier docket, placement on a docket for commutation of sentence or leave of absence, or pardon consideration through waiver of eligibility criteria.
- A. Modification of parole docket dates
1. A Board member may request a Pre-Docket Investigation Report to determine whether an offender should be considered for docket modification. A pre-docket investigation will not be conducted if the offender's docket date cannot legally be modified.
 2. Investigators requesting docket modification must complete the Pre-Docket Investigation Report.
 3. Pre-Docket Investigation requests
 - a. The Executive Director or Deputy Director will complete a Pre-Docket Investigation Report Request Form (004-5-A) upon written or verbal request from a Board Member. Relevant documents may be attached. If the request is due to medical reasons, documentation of medical condition must be attached.
 - b. Pre-docket investigation requests must be completed within 30 days of receipt, unless otherwise authorized.
 - c. The Pre-Docket Investigation Report will include the information detailed in Form (004-5-B), and will conform to the format outlined on that form.
 - d. The completed report will be sent to the administrative office to the Deputy Director for forwarding to the requesting Board member.
 - e. If the requesting Board member decides to pursue early placement, copies of the report will be sent to the other members for consideration at a subsequent meeting. At least three members must concur for docket modification to occur. The offender is placed on the next available docket after a favorable vote, unless stated otherwise. If the Board denies the offender, reconsideration will not occur for a minimum of six months.
 4. Commutation consideration
 - a. Requests for commutation of sentence will be made according to the requirements for requests for modification of parole docket dates.



- b. Requests must also include a statement explaining the requester's conclusion that the sentence imposed by the court is excessive.
 - 5. Leave of absence
 - a. Requests for leave of absence must be made through the Department of Corrections. Requests will include a statement of the reasons that Department of Corrections procedures do not allow temporary leave.
 - b. If the Director of the Department of Corrections determines that the case is appropriate for review, the Executive Director will be contacted to obtain authorization from Board members.
 - c. Scheduled docket dates are not affected by leave of absence considerations.
- B. The Director of the Department of Corrections may request that an offender be placed on a parole docket for medical reasons. Medical docket requests must be submitted to the Executive Director or designee. The DOC Medical Director must certify the medical condition of the offender. The Board may consider offenders for medical parole at any time.
- C. An offender in the custody of the Department of Corrections that was not convicted of a violation offense and who is not a citizen of the United States and is subject of a final order of deportation issued by the U.S. Department of Justice shall be considered for parole to the custody of the U.S. Immigration and Naturalization Service on the next available docket.

II. BASIS FOR PROCEDURE:

- A. 57 O.S. § 332.18.
- B. 57 O.S. § 332.7
- C. Pardon and Parole Board Policy 004 - Docketing criteria.
- D. To establish a procedure for docket modification by the Pardon and Parole Board.

TERRY JENKS, EXECUTIVE DIRECTOR

DATE

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- I. PROCEDURE: Pardon and Parole Investigators shall obtain Waiver of Parole Docket forms from offenders on their caseloads who have been assigned to a parole docket and want to waive parole consideration.
- A. Waiver of parole docket
1. A Waiver of Parole Form (004-6-A) must be signed by the offender no earlier than 90 days prior to the scheduled docket date, and no later than two weeks prior to the beginning of the meeting. Waivers signed prior to consideration at times other than these will not be accepted. An investigator should witness signatures if possible. If the investigator is not available, the signature may be witnessed by Department of Corrections staff and forwarded to the investigator.
 - a. Waivers of favorable recommendations may be executed after the Board has adjourned. Offenders cannot waive during a meeting.
 - b. Parole cannot be waived after the parole certificate has been signed by the Governor and filed with the Secretary of State.
 - c. If a waiver is executed before approval by the Governor, the investigator should notify the administrative office immediately by telephone.
 - d. Once a waiver is executed, an offender convicted of a non-violent offense will not be eligible for consideration for parole for one year and an offender convicted of a violent offense will not be eligible for consideration for three years.
 - e. A waiver cannot be rescinded unless there is an irregularity in waiver as determined by the Executive Director or his designee.
 2. Prior to obtaining the offender's signature, the following information shall be recorded on the waiver form:
 - a. Offender's name;
 - b. DOC number;
 - c. Facility;
 - d. Month and year of docket being waived;
 - e. Type of docket;

f. Next docket and reason.

3. Ensure that the offender reads the waiver form, that the form is explained to the offender, that the current date is recorded, and that the offender signs the correct name.

Provide two copies to the facility, one copy for the facility and one copy for the offender. Also forward the original to the administrative office.

4. Waivers witnessed by Department of Corrections staff must be reviewed by the investigator, who will indicate approval by signature. In the event of irregularities, the Executive Director or his designee will determine the validity of the waiver.

II. BASIS FOR PROCEDURE:

- A. Pardon and Parole Board Policy 004 - Docketing criteria.
B. To provide guidelines for waiver of parole.
C. 57 O.S. Supp. 1999 § 332.7.

TERRY JENKS, EXECUTIVE DIRECTOR

DATE

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- I. PROCEDURE: Offenders may appeal the computation of docket dates or other dates on the notification form. Appeals may only be used to challenge the accuracy of information or calculation upon which dates are based. Disagreement with Board policy, procedure or action is not grounds for appeal.
- A. Prior to completing an Appeal Form (004-7-A), the offender must review the docketing worksheet. A copy of the worksheet may be obtained by writing to the administrative office.
 - B. The offender must follow all instructions on the appeal form. Failure to comply will result in denial of the appeal. The following information must be provided on the form:
 - 1. Name;
 - 2. DOC number;
 - 3. Assigned facility;
 - 4. Date form was completed;
 - 5. Docket date being appealed.
 - C. The offender will state the reasons for appeal on the reverse side of Form 004-7-A. Additional pages and supporting documents may be attached.
 - D. The offender will explain any information believed to be incorrect or miscalculated.
 - E. The offender will send the completed appeal form to the administrative office of the Pardon and Parole Board. The Deputy Director will review the appeal form and return a copy of it with the response. The original appeal form and a copy of the response will be placed in the offender's parole file.
 - F. Only one appeal per docket calculation will be allowed, unless a subsequent appeal raises different issues. Letters or other documents submitted by the offender may be deemed an appeal under this provision.
 - G. This process is not used to challenge actions or votes of the Pardon and Parole Board, or to indicate disagreement with the denial of parole or other form of clemency.

II. BASIS FOR PROCEDURE:

- A. Pardon and Parole Board Policy 004 - Docketing criteria.
- B. To provide a procedure for the appeal of parole docket dates.

TERRY JENKS, EXECUTIVE DIRECTOR

DATE

The Special Commutation and Parole Dockets have been superseded.

TERRY JENKS, EXECUTIVE DIRECTOR

DATE

I. PROCEDURE: The Executive Director or designee will distribute and process applications for parole in absentia. In absentia parole files will be maintained electronically. The Executive Director or designee will calculate docket dates and compile parole investigations on in absentia parole candidates. The Executive Director or designee will act as the liaison between the agency and other jurisdictions in the in absentia parole process.

A. Applications

1. Upon request, a Request for In Absentia Parole Consideration Form (004-9-A) will be mailed directly to the offender, unless other arrangements have been requested.

a. The following information will be requested from the offender:

- (1) Oklahoma commitment name;
- (2) Oklahoma and other jurisdiction offender numbers;
- (3) Social security number;
- (4) Date of birth;
- (5) Sex;
- (6) Current facility and mailing address;
- (7) Listing of cases on which parole consideration is requested (case number, county, offense and sentence);
- (8) Notarized or certified copy of each judgment and sentence. A copy of the revocation order will also be required for a revoked suspended sentence or parole.

b. The following information will be requested from the facility:

- (1) Date of reception by other jurisdiction;
- (2) Date of scheduled or projected release;
- (3) Listing of felony convictions from other jurisdictions currently being served (offense, effective date, jurisdiction and sentence);
- (4) Listing or copies of Oklahoma detainers;

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- (5) Amount of Oklahoma jail time, if documented;
 - (6) Name, address, e-mail address, telephone number and fax number of a contact person at the facility.

B. Opening of files

- 1. Completed applications will be reviewed for accuracy, completeness and eligibility. If any documentation or information is missing, all application materials will be returned to the offender. In absentia working files will be maintained by the Executive Director or designee.
 - a. Official in absentia files will be maintained electronically.
- 2. If an Oklahoma number was assigned during a previous incarceration or supervision, that number will be used. If the applicant does not have an Oklahoma number, the next available number in the 000001 series will be assigned, preceded by PPB. The Executive Director or designee will assign new numbers as necessary.

C. Assignment of parole docket date

- 1. A docketing worksheet will be prepared in accordance with Policy 008 and Procedure 008-1 from information contained in the application and accompanying documentation.
 - a. The reception date for calculation purposes will be determined as follows:
 - (1) If the offender was received in the other jurisdiction prior to sentencing or revocation, use the date of sentencing or revocation.
 - (2) If the offender was received in the other jurisdiction after sentencing or revocation, use the date of reception in the other system.
 - b. If projected or scheduled release from the other jurisdiction is within less than 120 days of the Oklahoma parole docket, the offender is not eligible for parole in absentia.
 - c. If projected release date on the Oklahoma case is 120 days (violent or non-violent offenses) or less from the last day of the scheduled PPB meeting for which the offender is eligible, the offender is not eligible for in absentia parole.
 - d. If previously considered in absentia on the same case, the offender must

apply for reconsideration in writing. A letter requesting reconsideration may be considered reapplication.

- e. In absentia parole will be considered on concurrent cases only. Offenders must apply for consideration on any consecutive cases following rebill in accordance with (c) above. Consecutive cases must also be concurrent with the case(s) in the other jurisdiction.
- f. If the projected release date of the Oklahoma case is before the federal case the offender does not qualify for in absentia parole.

D. Parole investigations

- 1. Parole investigations on applicants for in absentia parole will be compiled in accordance with Procedure 006-2.
 - a. Request information from the contact person for completion of the report. An updated progress report will be requested on offenders of the Federal Bureau of Prisons. Information from other state systems will be requested on In Absentia Parole Consideration Form (004-9-B). A response will be requested by a date prior to the report deadline.
 - b. If the offender is eligible, mail an Offender Questionnaire Form (004-9-C) to the offender. A response will be requested by a date prior to the report deadline.
 - c. In calculating the current release date, add the sentence length to the reception date, and subtract any applicable jail time. Offenders do not receive time credits while not in Oklahoma custody.
 - d. In calculating the projected release date, subtract the scheduled or projected release date in the other jurisdiction from the Oklahoma current release date. Apply the minimum time credit rate to the difference, and add to the scheduled or projected release date.

E. Processing after consideration

- 1. Notify the offender of the Board's decision by letter. A copy of the notification letter should be sent to the contact person.
 - a. If recommended, include the Certificate of Parole for completion and return

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- b. If denied, state that reapplication is necessary for reconsideration.
 2. Review signed parole certificates for accuracy and forward to the Office of the Governor, along with the file. Enclose the ballot prior to forwarding.
 3. Contact the facility records officer or contact person to inquire about additional disciplinary actions and other occurrences which may affect the approval of parole. Notify the Office of the Governor of any new information as soon as possible.
 4. At the time the file is forwarded to the Office of the Governor, send the following to the Department of Corrections:
 5. After the parole certificates are signed by the Governor, notify the facility contact person as well as Interstate Compact. Follow up with a sealed copy of the signed parole certificate.
 - F. Processing after parole
 1. After the parole certificates are signed by the Governor, forward the following documents and information to the appropriate Department of Corrections probation and parole district:
 - a. Cover letter listing the offender's current location, projected or scheduled release date, parole date, and the name, address and telephone number of a contact person at the facility;
 - b. Signed Certificate of Parole;
 - c. Certified or notarized copies of the judgment and sentence on each case included in the parole;
 - d. Copy of FBI and OSBI rap sheets (if available);
 - e. Copy of parole investigation;
 - f. Address, telephone number and contact person for the offender's home and job offers.
 2. If the offender will be released from the other jurisdiction within 120 days, send the information to the district serving the area of residence. If the release date is more than 120 days away, or if the offender will be supervised in another state, send the information to the district serving the county of conviction. If there are cases from more than one county, use the county of adjudication on the controlling case.

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3. Contact the appropriate D.O.C. probation and parole district office for the appropriate reporting instructions and send copies of the appropriate reporting instructions to the offender.

G. Closure of files

1. Retain the following electronic documents electronically. Confidential documents should be shredded.
 - a. In absentia application form;
 - b. Parole investigation;
 - c. Certificate of parole (if paroled);
 - d. Copies of notification letters sent to offender, facility and supervising district;
 - e. Ballot;
 - f. Docketing worksheet and notification form;
 - g. Progress report from other jurisdiction; and
 - h. Other documents deemed appropriate for retention
2. Procedures for closure are the same as for other parole files.

II. BASIS FOR PROCEDURE:

- A. Pardon and Parole Board Policy 004 - Docketing criteria
- B. 57 O. S. § 332.7 C (Supp. 1999).
- C. To ensure compliance with state law in assignment of clemency consideration dates.
- D. Assisting the Department of Corrections in the opening of in absentia cases for supervision.

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- I. PROCEDURE: The General Counsel or other person designated by the Executive Director will process applications for pardon consideration. The General Counsel will review each application for eligibility of the applicant and accuracy, and distribute in-State applications to the appropriate probation and parole district office for investigation. The General Counsel will perform a Pre-Pardon Investigation on all out-of-State applications. The General Counsel will review pre-pardon investigations for content and accuracy. The General Counsel will create and maintain pardon files, and take appropriate measures for processing following consideration.
- A. Distribution of applications
1. Pardon applications will be distributed from the administrative office or the Pardon and Parole Board web site.
 2. Applications include:
 - a. Application for Pardon Consideration Form (004-10-A)
 - b. Pardon Information Sheet
- B. Processing of completed applications
1. Review completed applications for completeness and accuracy. Assess eligibility of the applicant based upon available information. If the application is incomplete or if required documents are missing, return all application materials to the applicant for correction.
 2. The following documents and information must be submitted with each application:
 - a. Completed Application for Pardon Consideration Form 004-10-A.
 - b. Certified judgment and sentence on each Oklahoma conviction (all unpardoned felony convictions, misdemeanors, and alcohol or drug related municipal court traffic convictions).
 - c. Certified statement for each case that all fines, court costs and restitution have been either paid in full or waived.
 - d. Current credit report.
 - e. Verification of employment or income (copy of check stub, or letter from employer).
 - f. Verification of residence (copy of check or receipt for mortgage or rent

payment, or statement that applicant is not paying for housing).

- g. Three Character Affidavits.
 - h. Copies of documents on any marriages, divorces or child custody actions within the past five years (if applicable).
3. The following information will be maintained in an automated file:
- a. Name of applicant;
 - b. Home address;
 - c. Probation and parole district conducting the investigation or state of applicant residence;
 - d. Date of referral for investigation;
 - e. Date completed investigation is due;
 - f. Date (month) on docket;
 - g. Board result;
 - h. Decision of Governor.
4. Forward applications and documents from Oklahoma residents to the probation and parole district which serves the area of residence for completion of a pre-pardon investigation report.
5. The General Counsel will perform the pre-pardon investigation for out-of-state applicants and prepare the report. Application materials from out-of-state applicants will be kept on file in the Administrative Office.

C. Deadlines

- 1. Pre-pardon investigations on Oklahoma residents are due 70 days from the date of referral for investigation (10 days for mailing and 60 days for completion of the report).
- 2. Extensions of deadlines may be granted when circumstances warrant.
- 3. If an investigation is overdue, contact the appropriate probation and parole district to

determine the status of the investigation.

- D. Review and submission of reports
1. Completed pre-pardon investigations will be reviewed for accuracy and completeness. The investigating officer will be contacted concerning any information which appears to be unclear, questionable or inaccurate.
 2. Any missing documents will be requested from the investigating district. All necessary documents will be attached to the investigation prior to submission to the Pardon and Parole Board.
 3. The General Counsel will assign DOC numbers for applicants who do not have them, or whose numbers cannot be obtained through other means.
- E. Docket placement
1. Oklahoma applicants will be placed on the next available docket upon receipt of the completed investigation report from the investigating district.
 2. Interstate applicants will be placed on the next available docket upon completion of the investigation report.
- F. File creation and maintenance
1. An applicant file will be created prior to the Board meeting during which the application will be considered. The General Counsel will maintain applicant files. The file will contain the following:
 - a. Completed pre-pardon investigation report;
 - b. Documents listed in Section B. 2. above;
 - c. Any other documentation relevant to the consideration of the application.
- G. Action following consideration
1. After the review of the application by the Pardon and Parole Board, the following steps will be taken:
 - a. If the applicant is recommended, forward the file to the Office of the Governor along with the ballot and the appropriate number of copies of the Certificate of Pardon. Check the original copy of the Certificate of Pardon

against the judgments and sentence to ensure that all case information is correct.

2. Notification of applicants

- a. Send a written notice to each applicant informing them of the Board's action. Notification should occur within five working days of the conclusion of the meeting at which the application was reviewed.
 - (1) Inform recommended applicants that the pardon is not effective until approved by the Governor. A subsequent letter informing the applicant of the Governor's action should be sent as soon as that information is received.
 - (2) If a pardon is granted, enclose a copy of the Certificate of Pardon bearing the seal of the Secretary of State with the applicant's letter.
 - (3) Inform denied applicants of the one year waiting period prior to re-application.

H. Distribution of Certificates of Pardon

- 1. Distribute Certificates of Pardon to the following:
 - a. Sentencing counties (one copy each);
 - b. FBI and OSBI (once copy each);
 - c. Department of Corrections closed records (one copy);
 - d. Pardon and Parole Board file (one copy; this copy need not bear the Secretary of State's seal);
 - e. Applicant (one copy);
 - f. Supervising probation and parole district (one copy, if applicant is under supervision at the time of application).

I. Closing of pardon files

- 1. The following documents will be electronically scanned for retention:
 - a. Pre-pardon investigation;

- b. Signed Certificate of Pardon or denied letter (if denied by the Board or the Governor);
 - c. Application for Pardon Consideration (Form PPB 004-10-A);
 - d. Ballot;
 - e. Other documents deemed appropriate for retention.
 2. Items not listed above should be disposed of in the appropriate manner prior to electronic retention. Confidential documents are to be shredded before disposal. These include, but are not limited to:
 - a. FBI and OSBI rap sheets;
 - b. DPS traffic records;
 - c. Credit reports;
 - d. Federal and state income tax returns (if submitted);
 - e. Proof of income;
 - f. Proof of residence;
 - g. Items of unknown confidentiality.
 3. Send files to State Archives as space allows.
- J. Pardons based on actual innocence.
 1. Pursuant to 51 O.S. § 154, an offender may apply for a pardon based on actual innocence. The applicant shall submit a complete application for pardon which shall demonstrate the applicant meets the criteria of § 154, and shall contain:
 - a. a written recommendation of the prosecuting authority of the jurisdiction in which the applicant was prosecuted, in office at the time of the application; or
 - b. a finding by a court of competent jurisdiction by clear and convincing evidence that the offense for which the individual was convicted, sentenced and imprisoned, including any lesser offenses, was not committed by the individual and an order vacating, dismissing or reversing the conviction and sentence and providing that no

further proceedings can be or will be held against the individual on any facts and circumstances alleged in the proceedings which had resulted in the conviction; or

- c. evidence of actual innocence, including the results and analysis of DNA or other forensic tests or other documentary evidence of innocence, a judicial finding of guilt of another for the offense, or other documents or affidavits from independent sources.
2. Upon receipt of a complete application, the General Counsel shall provide a copy to the prosecuting authority of the jurisdiction, in which the applicant was prosecuted, and any victim of the crime who has notified the Board in writing of a wish to receive notification, each of whom shall have sixty (60) days from the date of such notice to notify the Board in writing of his or her response to the evidence submitted.
3. Upon receipt of the response of the prosecuting authority and any victim, or the passage of sixty (60) days if no responses are received, the Board shall place the matter on the next available docket, to determine whether to refer the application to an appointed Administrative Law Judge for a hearing on the matter.
4. The Administrative Law Judge will conduct an evidentiary hearing pursuant to the Administrative Procedures Act. Upon completion of the hearing, the Administrative Law Judge shall make a recommendation to the Board and shall include findings of fact and conclusions of law, as to whether the applicant is denied or recommended for a pardon based upon actual innocence. Either party may request a court reporter, and at that party's expense, provide a transcript of the proceedings to the Board.
5. Upon receipt of the recommendation of the Administrative Law Judge, the Board members shall have 60 days to review the record of the proceeding, including any transcript submitted by a party to the proceeding, and the matter shall be placed for a vote on the next available docket following 60 days from receipt of the recommendation. The applicant, prosecuting authority, and any victim, shall be given notice of the date of the Board's consideration, and shall be entitled to appear at the Board meeting at which the recommendation of the Administrative Law Judge is considered, and make a presentation lasting no more than five minutes each, unless the Chairman of the Board authorizes a longer presentation.

II. BASIS FOR PROCEDURE:

- A. Pardon and Parole Board Policy 004: Docketing criteria.
- B. Oklahoma Constitution, Article 6, Section 10.
- C. To ensure compliance with state law in assignment of clemency consideration dates.

TERRY JENKS, EXECUTIVE DIRECTOR

DATE

REV. MARCH 2010

Pre-Parole Conditional Supervision has been superseded.

TERRY JENKS, EXECUTIVE DIRECTOR
REV. JUNE 2009

DATE

Mandatory Parole Review has been superseded.

TERRY JENKS, EXECUTIVE DIRECTOR
REV. JUNE 2009

DATE

I. Clemency Hearings

1. **Date of Clemency Hearing.** The Pardon and Parole Board may schedule a clemency hearing upon the setting of an execution date by the Oklahoma Court of Criminal Appeals. The clemency hearing may be scheduled for the first business day preceding the twentieth calendar day preceding the scheduled execution date, unless otherwise directed by the Chairperson.
2. **Notice of Clemency Hearing.** The Chairperson may schedule the clemency hearing date upon notification to the General Counsel by the offender's legal representative that the offender wishes to have a clemency hearing. Whereupon the General Counsel for the Pardon and Parole Board will promptly notify in writing the Attorney General and the offender's legal representative of the date and time of the Clemency Hearing.
 - a. The General Counsel will send a Voluntary Waiver and Intent to Appear Form (004-13-A) with the hearing notice to the offender's legal representative. If the General Counsel is unable to determine who the legal representative is for the offender, the notice and the Voluntary Waiver and Intent to Appear form shall be sent to the offender in the care of the Warden of the Department of Corrections facility where the offender is incarcerated.
3. **Offender must affirmatively request Clemency Hearing.** The offender's legal representative or the offender must return the form indicating the offender's affirmative request for a hearing and indicating whether the offender intends to personally appear, within ten days after receiving the notice of hearing. FAILURE TO RETURN THE FORM BY THE DATE SPECIFIED SHALL BE DEEMED AN INTENT TO WAIVE THE HEARING.
4. **Clemency Hearing Packet.** A Clemency Hearing Packet containing any written argument, documents and/or exhibits to be presented to the Pardon and Parole Board members must be submitted to the Board at its administrative offices as directed by the Chairperson. A Clemency Hearing Packet must be submitted for each member of the Board with an additional copy for the office of the Pardon and Parole Board, at the administrative offices of the Pardon and Parole Board [120 N. Robinson Ave., Suite 900W, Oklahoma City, Oklahoma 73102-7436]. The Pardon and Parole Board will be responsible for mailing the Clemency Hearing packets to the members of the Board. Packets for the members of the Board must be submitted to the Pardon and Parole Board office with postage thereon prepaid. Failure, by either party, to deliver the Clemency Hearing packets to the Pardon and Parole Board administrative offices on or before the deadline set by the Chairperson, shall constitute a waiver of the opportunity to submit a Clemency Hearing packet by that party, unless prior approval for the late filing of a packet is obtained from the Chairperson.

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- a. Each party is responsible for providing a copy of the Clemency Hearing packet to the other party, at the same time the packet is delivered to the administrative offices of the Pardon and Parole Board. The Pardon and Parole Board shall not be responsible for the exchange of documents between the parties.
 - b. No documents or exhibits may be submitted to the members of the Board at the Clemency Hearing, without prior approval from the Chairperson of the Board.
5. **Content of Clemency Hearing Packets.** Clemency hearing packets shall consist of no more than fifty pages of argument and an appendix of no more than one hundred and fifty pages of supplemental exhibits (i.e. trial transcripts, photos, letters of support, etc.). All pages in the appendix shall be consecutively numbered. Argument referring to documents in the appendix shall include reference to the appendix page number. Parties may submit audio or visual exhibits in lieu of written exhibits. If a party chooses to submit audio or visual exhibits, one hour running time shall be considered equal to fifty pages (one-half hour running time shall be considered equal to twenty-five pages). If a party chooses to submit audio or visual exhibits the burden is on the party making the submission to ensure that it is submitted in a format that is readily available to the members of the Board as well as the opposing party (i.e. videotape, DVD, audio cassette, etc.). **PACKETS IN EXCESS OF THESE LIMITATIONS WILL BE REJECTED BY THE BOARD UNLESS PRIOR APPROVAL TO EXCEED THE LIMITATIONS HAS BEEN OBTAINED FROM THE CHAIRPERSON.**
6. **Clemency Hearing Procedure.** The procedure for the Clemency Hearing shall be as follows, unless modified prior to the hearing by the Chairperson of the Board:
- a. The legal representatives of the offender will be given sixty (60) minutes to make a presentation to the Pardon and Parole Board. If there is more than one person wishing to speak, the legal representatives must select a primary spokesperson to allocate time among those that wish to speak. The Board staff will only keep time of the sixty (60) minutes, keeping time for individual allotments among speakers will be the responsibility of the spokesperson. The legal representatives may reserve a portion of their sixty (60) minute presentation period to address the Board after the representatives of the State and the victim have addressed the Board. If the legal representatives wish to reserve time for this purpose, the spokesperson must state how much time will be reserved at the beginning of the initial presentation for time keeping purposes. No more than five (5) minutes may be reserved.
 - b. The representatives of the State will be given sixty (60) minutes to address the Pardon and Parole Board. If there is more than one person wishing to speak, a primary spokesperson must be selected to allocate time among those that wish to speak. The Board staff will only keep time of the sixty (60) minutes, keeping time for individual allotments among speakers will be the responsibility of the spokesperson. The representatives of the

State may reserve a portion of their sixty (60) minute presentation period to address the Board after the representatives of the State and the victim have addressed the Board. If the representatives of the State wish to reserve time for this purpose, the spokesperson must state how much time will be reserved at the beginning of the initial presentation for time keeping purposes. No more than five (5) minutes may be reserved.

- c. The crime victim or the crime victim's representative will be given twenty (20) minutes to address the Pardon and Parole Board. If there is more than one person wishing to speak, a primary spokesperson must be selected to allocate time among those that wish to speak. The Board staff will only keep time of the twenty minutes, keeping time for individual allotments among speakers will be the responsibility of the spokesperson.
- d. The representatives of the state may address the Board a second time for summation, if they reserved time for this purpose at the beginning of their initial presentation. The primary spokesperson will be responsible for allocating time among speakers if more than one person is going to speak. The Board staff will keep time for the period that was reserved.
- e. The legal representatives of the offender may address the Board a second time for rebuttal, if they reserved time for this purpose at the beginning of their initial presentation. The primary spokesperson will be responsible for allocating time among speakers if more than one person is going to speak. The Board staff will keep time for the period that was reserved.
- f. The offender will be given twenty (20) minutes to address the Pardon and Parole Board. If the offender chooses not to address the Board, the hearing may be conducted as a jacket review proceeding.
- g. The Pardon and Parole Board may ask questions of the offender, the supporters of the offender, the representatives of the State and the crime victim or crime victim's representative. Normally the Board will not ask questions during the time allotted for presentations. However, if the Board does ask questions during the time allotted for presentations, the time spent asking and addressing questions will not be counted against the time allotments. The Board staff will be responsible for keeping track of time spent asking and addressing questions during the time allotments.
 - h. The Pardon and Parole Board will vote on clemency for the offender before the Clemency Hearing is adjourned. The Board may discuss the matter before voting. The Board is not required to state reasons when they vote; however, the vote shall occur in open meeting.

II. BASIS FOR PROCEDURE:

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- B. 57 O.S. § 213.
 - B. 57 O.S. § 332.2
 - C. Pardon and Parole Board Policy 004 – Clemency criteria.
 - D. To establish a procedure for clemency by the Pardon and Parole Board.

TERRY JENKS, EXECUTIVE DIRECTOR

DATE

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- I. **PROCEDURE:** Special conditions of parole supervision will apply to all offenders granted parole where the offender meets the following criteria:
- A. If the Offender is serving parole for an offense that involved the use or possession of drugs that are not legally prescribed by a physician, as evidence by:
 - 1. The official District Attorneys Narrative; or
 - 2. Admission by the Offender, as documented in the Parole Investigation report.
 - B. If the Offender has been given a misconduct during the term of incarceration for the use of possession of drugs that are not legally obtained.
 - C. If the Offender has documented history of drug or alcohol abuse.
 - D. If the Offender requests to be covered under the Special Drug Offender Rules.
- II. Special conditions of parole:
- A. Submit to a minimum of six random urinalysis or any other substance abuse testing procedures as required by the supervising parole officer during the first six months of parole. If a different number is indicated in the space following Rule 16 – Special Drug Offender Rules, that number shall be controlling.
 - B. Substance Abuse Treatment – in a program approved by the supervising parole officer.
- II. **BASIS FOR PROCEDURE:**
- A. Pardon and Parole Board Policy 005 – Stipulations and Conditions of parole
 - B. Article VI, Section X of the Oklahoma Constitution
 - C. 57 O.S. §§ 332.2, 347, and 355 (2001)
 - D. To establish special conditions of parole for Drug Offenders.

TERRY JENKS, EXECUTIVE DIRECTOR

DATE

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- I. **PROCEDURE:** Special conditions of parole supervision will apply to all offenders granted parole where the offender meets the following criteria:
- A. If the Offender is serving parole for an offense that involved the use or possession of drugs that are not legally prescribed by a physician, as evidence by:
 - 1. The official District Attorneys Narrative; or
 - 2. Admission by the Offender, as documented in the Parole Investigation report.
 - B. If the Offender has been given a misconduct during the term of incarceration for the use of possession of drugs that are not legally obtained.
 - C. If the Offender has documented history of drug or alcohol abuse.
 - D. If the Offender requests to be covered under the Special Drug Offender Rules.
- II. Special conditions of parole:
- A. Submit to a minimum of six random urinalysis or any other substance abuse testing procedures as required by the supervising parole officer during the first six months of parole. If a different number is indicated in the space following Rule 16 – Special Drug Offender Rules, that number shall be controlling.
 - B. Substance Abuse Treatment – in a program approved by the supervising parole officer.
- II. **BASIS FOR PROCEDURE:**
- A. Pardon and Parole Board Policy 005 – Stipulations and Conditions of parole
 - B. Article VI, Section X of the Oklahoma Constitution
 - C. 57 O.S. §§ 332.2, 347, and 355 (2001)
 - D. To establish special conditions of parole for Drug Offenders.

TERRY JENKS, EXECUTIVE DIRECTOR

DATE

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- I. **PROCEDURE:** Offenders who have been convicted of violent offenses may be considered for clemency and recommended to the Governor for parole when authorized by majority vote of the Pardon and Parole Board. Paroles for violent offenses will be processed as outlined below.
- A. This procedure shall apply to all offenders serving a controlling case for a violent offense as defined in Title 21 Oklahoma Statutes Section 13.1 or Title 57 Oklahoma Statutes Section 571.
- B. The following cases will be processed and forwarded to the Governor for parole consideration as violent offenses pursuant to procedures set out in 006-1 and 006-2.
1. An offender who is serving a controlling case listed in Title 21 Oklahoma Statutes Section 13.1 or Title 57 Oklahoma Statutes Section 571.
 2. An offender who is serving a controlling case for a non-violent offense who has a concurrently running case for a violent offense listed in Title 21 Oklahoma Statutes Section 13.1 or Title 57 Oklahoma Statutes Section 571 which has not been discharged.
 3. An offender who has had his/her parole revoked who is serving a controlling case or who has a concurrently running case for a violent offense listed in Title 21 Oklahoma Statutes Section 13.1 or Title 57 Oklahoma Statutes Section 571 which has not been discharged.
- C. The Pardon and Parole Board Investigator shall prepare a parole investigation report for each offender under consideration by the Board.
1. The Investigator will pull a Roster of offenders from the Department of Corrections Offender Management System each month.
 2. The Investigator will pull CRC cards and Department of Corrections files for those offenders on their case load for each month.
 3. The Investigator will eliminate those offenders who should be stricken from the current docket pursuant to Pardon and Parole Board policy and procedure and submit a strike memo to the Administrative Office for processing.
 4. The Investigator will eliminate those offenders who have chosen to waive their parole hearing and submit a signed waiver document to the Administrative Office for processing.

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5. The Investigator will research each offender's history and criminal offense chronology.
 - a. This information may be gathered from (this list is not all inclusive and includes, but is not limited to, the following) the Department of Corrections file; the offender's juvenile history/record; OSCN.net; County Court records; other law enforcement records; and/or offender interview.
 6. The Investigator will schedule an interview with each offender remaining on their current docket.
 7. The Investigator will input the necessary information into the Pardon and Parole Board Investigative Report format for processing, review the report for errors and submit the report to their immediate supervisor for review and submission to the Parole Board Administrative Offices.
 8. The Investigator Supervisor will review the Investigative Report for errors, edit as necessary and submit the completed report to the Administrative Office for preparation of the docket.
 9. A docket is created and disseminated to the public and to the Board Members.
 10. After the monthly Board Meeting the current month's voting results will be entered, verified for accuracy, and posted for public dissemination.
 11. After results are verified, parole certificates will be created for those offenders receiving a positive recommendation.
 12. The Department of Corrections personnel will verify and/or validate the offender's home offer.
 13. Parole certificates will be submitted to the Department of Corrections facility where the offender is housed for offender signature.
 14. The signed parole certificate is returned to the Administrative Office and each parole certificate for violent offenders shall be submitted to the Office of the Governor for approval or denial.
 15. The parole certificates signed by the Governor are then filed with the Oklahoma Secretary of State. The Secretary of State sends the Parole Board administrative staff a link with approved and denied parole certificates. The Parole Board administrative staff forwards the Governor's decisions to the Department of Corrections. The Governor's decisions are entered into the Offender Management System by Parole

Board administrative staff.

II. BASIS FOR PROCEDURE:

- A. Oklahoma Constitution Article VI, Section X.
- B. Title 57 O.S. § 332.8
- C. Pardon and Parole Board Policy 005 – Stipulations and Conditions of parole.
- D. To ensure that parole candidates are informed of the rules and conditions of parole.

TERRY JENKS, EXECUTIVE DIRECTOR

DATE

I. **PROCEDURE:** Offenders who have been convicted of non-violent offenses may be considered for clemency and paroled when authorized by majority vote of the Pardon and Parole Board. Paroles for non-violent offenses will be processed as outlined below.

A. This procedure shall apply to all offenders serving a controlling case for a non-violent offense.

Except in the following cases, which will be processed and forwarded to the Governor for parole consideration as violent offenses pursuant to procedures set out in 006-1 and 006-2.

1. An offender who is serving a controlling case listed in Title 21 Oklahoma Statutes Section 13.1 or Title 57 Oklahoma Statutes Section 571.

2. An offender who is serving a controlling case for a non-violent offense who has a concurrently running case for a violent offense listed in Title 21 Oklahoma Statutes Section 13.1 or Title 57 Oklahoma Statutes Section 571 which has not been discharged.

3. An offender who has had his/her parole revoked who is serving a controlling case or who has a concurrently running case for a violent offense listed in Title 21 Oklahoma Statutes Section 13.1 or Title 57 Oklahoma Statutes Section 571 which has not been discharged.

B. The Pardon and Parole Board Investigator shall prepare a parole investigation report for each offender under consideration by the Board.

16. The Investigator will pull a Roster of offenders from the Department of Corrections Offender Management System each month.

17. The Investigator will pull CRC cards and Department of Corrections files for those offenders on their case load for each month.

18. The Investigator will eliminate those offenders who should be stricken from the current docket pursuant to Pardon and Parole Board policy and procedure and submit a strike memo to the Administrative Office for processing.

19. The Investigator will eliminate those offenders who have chosen to waive their parole hearing and submit a signed waiver document to the Administrative Office for processing.

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20. The Investigator will research each offender's history and criminal offense chronology.
 - b. This information may be gathered from (this list is not all inclusive and includes, but is not limited to, the following) the Department of Corrections file; the offender's juvenile history/record; OSCN.Net; County Court records; other law enforcement records; and/or offender interview.
 21. The Investigator will schedule an interview with each offender remaining on their current docket.
 22. The Investigator will input the necessary information into the Pardon and Parole Board Investigative Report format for processing, review the report for errors and submit the report to their immediate supervisor for review and submission to the Parole Board Administrative Offices.
 23. The Investigator Supervisor will review the Investigative Report for errors, edit as necessary and submit the completed report to the Administrative Office for preparation of the docket.
 24. A docket is created and disseminated to the public and to the Board Members.
 25. After the monthly Board Meeting the current month's voting results will be entered, verified for accuracy, and then posted for public dissemination.
 26. After results are verified, parole certificates will be created for those offenders receiving a positive vote.
 27. The Department of Corrections personnel will verify and/or validate the offender's home offer.
 28. Parole certificates will be submitted to the Department of Corrections facility where the offender is housed for offender signature.
 29. The signed parole certificate is returned to the Administrative Office and each parole certificate for non-violent offenders shall be submitted to the Executive Director of the Pardon and Parole Board for further processing.
 30. The parole certificates signed by the Board Chairperson or his/her designee are then filed with the Oklahoma Secretary of State. The Secretary of State sends the Parole Board administrative staff a link with approved and denied parole certificates. The Parole Board administrative staff forwards the Parole Board's decisions to the Department of Corrections. The Parole Board's decisions are entered into the

Offender Management System by Parole Board administrative staff.

II. BASIS FOR PROCEDURE:

- A. Oklahoma Constitution Article VI, Section X.
- B. Title 57 O.S. § 332.8
- C. Pardon and Parole Board Policy 005 – Stipulations and Conditions of parole.
- D. To ensure that parole candidates are informed of the rules and conditions of parole.

TERRY JENKS, EXECUTIVE DIRECTOR

DATE

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- I. PROCEDURE: Parole certificates for offenders who have been convicted of violent offenses will be prepared by the designated Pardon and Parole Board personnel following each meeting. Certificates for offenders receiving recommendations without stipulations or recommendations to a detainer or consecutive case should be given priority. Certificates must be completed and forwarded to the appropriate Department of Corrections facility one week after the meeting.
- A. Parole certificates
1. Certificates will be prepared. Information may be obtained from the heading and section one of the investigative report, a memorandum supplying the necessary information, a docketing worksheet, or other file documents.
 2. The following information will be entered on the front side of the parole certificate:
 - a. Name and DOC number as shown on the parole investigation report;
 - b. County of conviction on the controlling case;
 - c. Case number (CF number) on the controlling case;
 - d. Complete offense title (as written on the Judgment and Sentence) on the controlling case;
 - e. Sentence length on the controlling case, including any portions suspended or previously served. If the sentence is a revoked parole, indicate only the original sentence length;
 - f. Date of reception or re-bill on the controlling case. Indicate the effective beginning date of any delayed concurrent cases on the line below. If the case is a revoked parole, indicate the original reception date and on the next line, the date of return;
 - g. List concurrent cases including the case number, county of conviction, offense title and sentence length. If a concurrent case is delayed, indicate the effective date. List "CC" preceding the information;
 - h. List consecutive cases including the case number, county of conviction, offense title and sentence length. List "CS" preceding the information;
 - i. The name of the Governor;
 - j. If the recommendation is to a consecutive case or to a detainer, include the following information after the words "proceed to":

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- (1) If the recommendation is to a consecutive case, indicate the case number, county of conviction, offense title and sentence length. Include any portion suspended or previously served. Include cases concurrent to the consecutive case. If the recommendation is to a parole violation, indicate the original length of sentence followed by the words "parole violation."
 - (2) If the recommendation is to a detainer, indicate the jurisdiction which filed the detainer, the offense title and case number.
 3. List special conditions of parole on the back of the parole certificate. If the Board did not require special conditions, indicate "None." Special conditions may include the following or any combination thereof:
 - a. SAT: I agree to participate in and complete a substance abuse program as determined by my parole officer.
 - b. AA/NA: I will attend Alcoholics Anonymous/Narcotics Anonymous meetings at least twice per month unless my parole officer directs me to go more often, until released from this requirement by my parole officer.
 - c. Drug counseling: I will attend drug counseling sessions at least twice per month unless my parole officer directs me to go more often, until released from this requirement by my parole officer.
 - d. Level I supervision: I agree to abide by the conditions of Level I Supervision for (specified number) months.
 - e. Psychological counseling: I will attend counseling sessions with a psychiatrist, psychologist, therapist or other person designated by my parole officer at least twice per month unless my parole officer directs me to go more often, until released from this requirement by my parole officer.
 - f. Out-of-state parole: I will be permitted to have only an out-of-state parole program to the state of (name of state).
 - g. Banishment: I will be banished to the state/country of (name) and can never return to the state of Oklahoma unless pardoned by the Governor.
 - h. Restitution: I will pay restitution to the Department of Corrections Restitution Office in the amount of \$ (amount) and according to the schedule established by my parole officer. If a definite amount cannot be determined,

this condition will be waived.

- i. CS Case: I agree to continue to submit to the supervision of the Oklahoma Department of Corrections in accordance with the rules and conditions listed above even if and when I am released from any obligation on the consecutive case prior to the expiration of my parole referenced on the reverse side of this certificate.
 - j. Detainer: I agree to continue to submit to the supervision of the Oklahoma Department of Corrections in accordance with the rules and conditions listed above even if and when I am released from any obligation on the detainer prior to the expiration of my parole referenced on the reverse side of this certificate.
 - k. Any other special condition imposed by the Board: The Executive Director will be consulted for proper wording.
 - l. Any special condition imposed by the Governor which shall be listed on the back of the parole certificate.
- 4. If the recommendation is to a consecutive case or to a detainer, a statement will be included on the backside of the certificate requiring the offender to continue to submit to supervision upon release of the obligation on the consecutive case or detainer.
 - 5. Typed certificates will be reviewed by Pardon and Parole Board administrative personnel for accuracy and completeness prior to forwarding them to the appropriate Department of Corrections facility.
 - 6. The certificates returned by the Department of Corrections facility with the offender's signature will be forwarded to the Governor's Office for approval or denial.
- B. Amended parole certificates
- 1. Amended certificates will be prepared to correct errors appearing in certificates previously executed by the Governor and filed with the Secretary of State.
 - a. Amended certificates will be prepared in accordance with the parole certificate procedures as outlined in Section (I), Subsection (A) above and the word "Amended" will be typed above the title of the document.
 - b. The following language will be typed in the upper right corner: "This Certificate corrects the Certificate executed on (insert date) and will not

affect the Rules and Conditions of Parole on the original Certificate."

2. Amended certificates will be forwarded to the Governor's Office for signature. After the executed copies are returned, they will be distributed as follows:
 - a. If the parolee is incarcerated in a Department of Corrections facility one copy will go to each of the following: parolee, field file, and supervising district.
 - b. If the parolee is released under parole supervision one copy will go to each of the following: parolee, field file, and supervising district.

C. Revocation certificates

1. Revocation certificates will be prepared by the General Counsel. Information will be provided in accordance with revocation documents provided by the Department of Corrections.
2. Completed revocation certificates for offenders who have been convicted of violent offenses will be forwarded to the Office of the Governor with all revocation documents.
3. Amended revocation certificates will be prepared as directed by the General Counsel.

II. BASIS FOR PROCEDURE:

- A. Oklahoma Constitution Article VI, Section X
- B. Pardon and Parole Board Policy 005 - Conditions of parole.

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- C. To ensure the timely and accurate completion of parole and revocation certificates.

TERRY JENKS, EXECUTIVE DIRECTOR

DATE

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- I. PROCEDURE: The Executive Director will establish supervisory districts and assign institutional caseloads based upon geographic location, offender population and available resources.
- A. The Bill Williams District Supervisor will be located at the Oklahoma State Penitentiary and will be responsible for caseloads including:
1. Davis Correctional Facility;
 2. Howard McLeod Correctional Center;
 3. Jackie Brannon Correctional Center;
 4. John Lilley Correctional Center;
 5. Mack Alford Correctional Center;
 6. Oklahoma State Penitentiary;
 7. Idabel Work Center;
 8. Probation and Parole District III;
 9. Jim E. Hamilton Correctional Center;
 10. Mabel Bassett Correctional Center;
 11. S.E. District GPS;
 12. Earl Davis Community Work Center;
 13. Madill Community Work Center;
 14. Carter County Community Work Center; and
 15. Ardmore Community Work Center.
- B. The Oklahoma City District Supervisor will be located in Oklahoma City and will be responsible for caseloads including:
1. Joseph Harp Correctional Center;
 2. Lexington Correctional Center;
 3. Lexington Assessment and Reception Center;
 4. Lawton Correctional Facility;
 5. Oklahoma State Reformatory;
 6. William Key Correctional Center;
 7. Clara Waters Community Corrections Center;
 8. Kate Barnard Community Corrections Center;
 9. Lawton Community Corrections Center;
 10. Oklahoma City Community Corrections Center;
 11. Altus Community Work Center;
 12. Beaver Community Work Center;
 13. Carver Work Center (Oklahoma City);
 14. Elk City Community Work Center;
 15. Frederick Community Work Center;
 16. Hobart Community Work Center;
 17. Hollis Community Work Center;
 18. Mangum Community Work Center;

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19. Sayre Community Work Center;
 20. Walters Community Work Center;
 21. Waurika Community Work Center;
 22. Probation and Parole District IV;
 23. Probation and Parole District VI;
 24. Probation and Parole District VII; and
 25. Central District GPS.
- C. The Tulsa District Supervisor will be located at the Tulsa Community Corrections Center and will be responsible for caseloads including:
1. Cimarron Correctional Facility;
 2. Dick Conner Correctional Center;
 3. Eddie Warrior Correctional Center;
 4. James Crabtree Correctional Center;
 5. Jess Dunn Correctional Center;
 6. William Key Correctional Center;
 7. Bill Johnson Correctional Center;
 8. Enid Community Corrections Center;
 9. Muskogee Community Corrections Center;
 10. Northeast Oklahoma Correctional Center;
 11. Probation and Parole District I;
 12. Probation and Parole District II;
 13. Probation and Parole District V;
 14. Tulsa County GPS;
 15. N.W. GPS; and
 16. N.E. GPS.
- D. Each investigator supervisor will make specific caseload assignments for district investigators, subject to approval by the Deputy Director and Executive Director. Caseloads will be periodically reviewed for adjustment.
- E. Specialized caseloads include the following:
1. Docketing at Lexington Assessment and Reception Center will be completed by the investigator(s) supervised by the Deputy Director.
 2. Docketing at Mabel Bassett Correctional Center will be completed by the investigator supervised by the McAlester investigator supervisor.
 3. In absentia parole will be handled by the Deputy Director, or his designee in accordance with Procedure 004-9.

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4. The investigator at the Lexington Assessment and Reception Center will complete investigative reports for interstate compact offenders.

II. BASIS FOR PROCEDURE:

- A. Pardon and Parole Board Policy 006 - Investigative reports and documentation.
- B. Distribution of caseloads and district assignments.

TERRY JENKS, EXECUTIVE DIRECTOR

DATE

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- I. PROCEDURE: Each investigator will interview offenders on their assigned caseload according to policy as required prior to completion of investigative reports. The purpose of the interview will be to gather factual information for parole decisions made by the Pardon and Parole Board, and to assist investigators in making recommendations. Investigation worksheets may be utilized to ensure uniformity in report preparation.
- A. Completion of worksheets prior to interview
1. Review each offender's institutional file prior to the interview to become familiar with the contents.
 2. Record information on Investigation Worksheet Form (006-2-A) or by using a lap top computer, which provides the standard report format.
 3. Purge Section 5 of the field file of obsolete or extraneous material. Make a notation in that section stating that the report has been completed, and listing the docket date, type of report and the investigator's initials.
- B. Scheduling interviews
1. Investigators will maintain a professional and cooperative relationship with correctional personnel at their assigned institutions.
 2. Interviews should be scheduled by investigators if possible, or by appropriate institutional personnel. Every effort will be made to contact offenders to arrange interviews.
 3. Investigators will follow institutional rules and regulations at all times during the interviewing process and file research.
 4. Interviews will be conducted every other year when an offender is on an annual review cycle.
 5. When an offender is in restrictive housing no interview will be conducted. When an offender is in medical an interview may be conducted at the discretion of the investigator.
- C. Conducting interviews
1. Parole candidates will be informed of the purpose of the interview and encouraged to contribute pertinent information.

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2. Investigators will not counsel offenders, and may only answer questions related to the parole process. Inquiries concerning Corrections policy or procedure will be directed to correctional personnel. Investigators shall not fraternize with any offenders under any conditions.
 3. Offenders who refuse to cooperate or who are disruptive during an interview will be dismissed and the interview will be terminated. Inappropriate behavior should be reported to the correctional personnel.
- D. General guidelines
1. Each blank or space on the report should be filled with relevant information. If the space or heading is not applicable or if the information is unavailable, indicate by writing "None" or "NA".
 2. Information should be written in tabular form, unless the heading requires a narrative explanation.
 3. Narrative information should be brief, concise and complete.
 4. Information should be based on documented facts and interviews. Where required, list the source of information immediately afterward in parentheses.
 5. After the rough draft is typed, the investigator or supervisor will proofread the rough draft. Investigators that submit rough drafts by computer must utilize the spell check function on the computer before submitting a rough draft.
 6. Special review reports should include information updated from the same type of report as the original consideration. Follow-up interviews are not necessary for special review updates.
- E. Begin each report with preliminary information on Form 006-2-A, completed as follows:
1. **PREPARED BY** - Investigator's Name. When two investigators work on a report, both investigators must be listed. The Investigator that researched the report must be listed first and the investigator that made the recommendation listed second.
 2. **DATE OF INTERVIEW** - Numeric designation. If no interview was conducted, write "None."
 3. **DOCKET** - Month and year of scheduled docket.

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4. FACILITY/SECURITY - Abbreviation for the assigned facility, or location of the field file if the offender is housed at a different location. Facilities in other jurisdictions should be indicated by "Interstate" or "In absentia", whichever is appropriate. List the assigned security level.
 5. NAME - As it appears on the judgment and sentence. If inconsistencies appear in the file, use the commitment name for the controlling case. Do not include aliases or nicknames. Use NMI if no middle name or initial.
 6. NUMBER - Department of Corrections number.
 7. AGE/SEX - Numeric designation of date of birth, followed by age at time of parole consideration in parentheses. 'M' for male or 'F' for female.
 8. RECEPTION/REBILL DATE - Date of original reception and date of rebill to controlling case. If rebill, indicate by placing the word "rebill" in parenthesis.
 9. OFFENSE - Offense title as it appears on the judgment and sentence. Include the count number, if applicable. If the offense title exceeds the space provided, wording such as "to the included offense of" may be omitted. Lengthy offense titles may be abbreviated and degrees may be indicated by Roman numerals. (Example: Count I, Burglary II) If the Offense is a violent offense, as defined by Truth in Sentencing (85%) a # symbol must be placed in front of the offense title.
 10. SENTENCE - Total years to be served on the instant offense, followed in parentheses by the number of years suspended and/or previously served (if any).
 11. COUNTY - County of conviction.
 12. CF # - CF number from the judgment and sentence.
 13. OFFENSE HISTORY - Additional information relating to the controlling case (i.e., sentence modification, revocation, night time incarceration, etc.) in chronological order, including the date and the type of action. Note any credit for time served on a previous sentence which has been applied due to post-conviction relief, prior invalid sentence, or other court action (except earned credits). Indicate time remaining to be served on a parole revocation. Do not include escape time in this section. Indicate time out on appeal bond. The source need not be listed. Only documented information should be included in this section.
 14. JAIL TIME - Days of jail time credited by the Department of Corrections during this incarceration.

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15. CURRENT RELEASE DATE – Calculate 100% of days left to serve.
 16. PROJECTED RELEASE DATE/CREDIT RATE - Indicate by month-day-year the projected release date calculated by the investigator or DOC personnel. If two or more projected release dates exist, give the latest date. If the projected release date is based upon a concurrent case, indicate the corresponding case with an asterisk.
 17. NUMBER PRIOR INCARCERATIONS - Documented prior incarcerations in any state or federal adult penal institution. An incarceration is defined as reception, confinement and release by parole or discharge. This excludes escape from an Oklahoma incarceration, and release on appeal bond until a conviction is upheld. Do not include NIO confinements for cases on which the offender was not re-sentenced, or on which a deferred or delayed sentence, or suspended sentence was later imposed.
 18. PERSONAL APPEARANCE - Indicate “Yes”, “No” or “Y2” pursuant to Policy 007 and/or Procedure 007-1. If offender signs a Jacket Review Request form, indicate “Waived” in this section.
 19. PAROLE DOCKET/REASON - Abbreviation for the reason for the current docket (S1/3, TS 75, TS 85, TS 50, Annual, Annual-Escape, Annual-PV, Board Action, 2 Years, 3 Years, PTD, *1/3, etc.). If the 1/3 date or ten-year date is mandatory, indicate by “*1/3” or “*10 years” followed by the eligibility date in parentheses.
 20. LAST BOARD CONSIDERATION - Month, year and type of prior docket (if any) on the current case. Indicate the Board's recommendation. If the offender was recommended at that time, indicate the action which resulted in the present docket. If the reason is Board denial, the reason need not be restated. The next docket with a reason must be added on violent offenses, the reason should be in parenthesis.
- F. Each report includes the following topics and numbered headings in paragraph form:
1. CC AND/OR CS CASES OR DETAINERS:
 - a. List felony offenses concurrent to the controlling case. Include the length of sentence, county of jurisdiction and CRF number, only if the information is different from the controlling case. Effective dates of delayed concurrent cases should be included in parentheses. Original controlling cases and concurrent cases which have expired should be listed in Section 1, with the expiration date listed in parentheses. Following each case in parentheses, indicate any pertinent offense history. If the offense history is exactly the same as the controlling case, enter the words "same history" in parentheses after the entry.

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- b. List consecutive felony offenses in order of priority. Include offense, sentence length, county or jurisdiction and CRF number, if different from the controlling case. Directly after each case, indicate any offense history in parentheses.
 - c. List all detainees, foreign or domestic, in order of priority, recording as much information as is available, including the offense, sentence and jurisdiction. If no sentence has been rendered, state "Pending" in place of the sentence. Directly after each detainee, indicate any offense history in parentheses. If the offender has an ICE detainee the Investigator will determine whether the offender has been previously deported either through D.O.C. or through interview.

2. DISTRICT ATTORNEY'S VERSION OF INSTANT OFFENSE

- a. Summarize the facts of the instant offense and concurrent cases based upon information supplied by a District Attorney's office, excluding racial references. Include the method of conviction (guilty plea or jury trial). A verbal statement made by a District Attorney's office may be used as an official version if the information is documented by memorandum. The memorandum will include the identity of the official, date of the conversation and the signature of the person preparing it. A lengthy version or attachments may also be summarized. (List source, date, month and year.)
- b. Include a brief summary of the official version of the offense which led to the revocation on revoked suspended sentences and parole violations, and state the source. If the offender has a consecutive case for murder or a sex offense and a DA's Narrative is available, include a version of the consecutive case if significantly different from the controlling case.
- c. If a District Attorney's Narrative Report is not available in the field file, the investigator will call the administrative office to inquire about availability. If the administrative office does not have a version, the investigator will request one through the General Counsel by completing an official version request form.
- d. Include statement of District Attorney's protest, if applicable.

3. OFFENDER'S VERSION OF INSTANT OFFENSE

- a. Offender statement, including admission or denial of guilt, regarding the instant offense and any concurrent cases. Cases should be addressed in chronological order. Include statements concerning consecutive cases if for

murder or a sex offense and no DA's Narrative is available. Include only circumstances and details which directly describe the offense (use of weapon, injury to person or property, type of victim, etc.) the identity of convicted codefendants (except juveniles) and disposition of charges against them. Irrelevant information (town in which crime was committed, who arrested the offender, etc.) should not be included. Include the method of conviction if not available in the official version. Note if the offender's current statement is significantly different from prior statements. Indicate differences and document them by source and date. If the offender was not interviewed, give the reason and any available prior statement made to law enforcement officials. If the offender was not interviewed on Annual Review indicate that the information is from a prior statement. A second-person format will be used in this section. Direct offender statements should be enclosed by quotation marks. Indicate if an interpreter was used during the interview.

- b. If the offender is incarcerated on a revoked suspended sentence or a revoked parole, and the revocation was based upon a new charge or conviction, include the offender's version of the new charge or conviction if relevant.

4. CHRONOLOGY OF OTHER FELONY CONVICTIONS:

- a. List in chronological order all documented adult felony convictions and active suspended sentences not listed in Section 1. Include the offense, length of sentence, date begun, jurisdiction, type and date of action taken. If a substantial period of time has elapsed between the date of conviction and the date the case began, indicate the date of conviction in parentheses. The chronology should include the method and date of the latest disposition and/or the current status. Concurrent cases should be indicated on the following line preceding the information with "CC" and indicating the offense title and any other details which differ from the controlling case. If all data is the same, list only the offense title and number of cases if more than one. When a parole included a consecutive case, the consecutive case(s) should be indicated on the following line by indenting two spaces, preceding the information with "CS" and indicating the offense title and any other details different from the controlling case.
- b. Do not include arrests, dismissed charges, successfully completed deferred sentences, active deferred sentences, juvenile misdemeanor convictions or Non-Violent Intermediate Offender (NIO) cases which were not amended to

determinate sentences. Do not include delayed sentences in which a deferred sentence was later imposed.

- c. Undocumented Felony Convictions - If information concerning undocumented felony convictions or incarcerations is discovered, list the convictions or incarcerations in the format listed on the printed form or computer format and the source. Include the offender's explanation of an AFCF designation on the current offense title if no documentation is available. Any undocumented offense history may be included in this section. List the source.

5. EVALUATION OF PREVIOUS ADULT COMMUNITY SUPERVISION AND DEFERRED SENTENCES

- a. List in chronological order all documented adult felony supervisions (except conditional release, house arrest, electronic monitoring, Pre-Parole Conditional Supervision and Specialized Supervision Program). Include jurisdiction, type of supervision, dates of supervision and method of termination. Do not list partial revocations to be served in a county jail as a separate period of supervision. Address these as part of the evaluation. If the supervision was for a deferred sentence which was not accelerated, indicate the crime(s) in parentheses after the word "deferred". Multiple supervisions on the same offense should be listed separately, but designated by an asterisk followed by "same offense." If the case is active or if termination is unknown, indicate by "active" or "termination unknown". If appropriate, indicate instant offense, CC case or CS case in parentheses following the termination date. State the source for each entry.
- b. Following each item, summarize documented violations which occurred during that supervision period. Law violations will include the offense title and disposition for all felony and misdemeanor arrests and convictions. Technical violations should be described in a brief narrative which references the rule violated and gives the specific behavior which constituted the violation. On successfully completed or active deferred sentences, indicate the offense title. State the source. If available, the "Adjustment" section of the Summary of Supervision can be summarized and included regardless of violations. State the source.
- c. If appropriate, state that the offender was under supervision when convicted of the instant offense, concurrent or consecutive cases.

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- d. If the offender had an unsupervised suspended or deferred sentence, designate "unsupervised" after the method of termination.
 - e. List in chronological order all documented Non-Violent Intermediate Offender sentences for which the offender was not re-sentenced to a determinate sentence. Include the offense, length of sentence, the date the supervision or incarceration began, jurisdiction, date and type of termination and the source. Concurrent sentences should be indicated on the following line by indenting two spaces preceding the information with "CC" and indicating the offense title and any other details which are different from the controlling case. If all data is the same, list only the offense title and number of cases if more than one. If the NIO sentence included a consecutive NIO sentence, neither of which were made determinate, the consecutive case(s) should be indicated on the following line by indenting two spaces, preceding the information with "CS" and indicating the offense title and any other details which are different from the controlling case. Offenders with NIO cases which have been re-sentenced to determinate sentences should be listed pursuant to Section F.4.

6. EVALUATION OF ALTERNATIVE RELEASE PROGRAMS

For this incarceration only including prior to rebill, list the type of program (PPCS, House Arrest, EMP, SSP, GPS, etc.), dates, and required supervision information. List the source.

7. INSTITUTIONAL ASSIGNMENTS AND TRANSFERS

- a. List in chronological order institutional transfers which have occurred since rebill or reception during the two years prior to Board meeting. Transfers to county jails should be listed if applicable, if not otherwise indicated.
- b. Do not include temporary facility changes for medical, library or court.
- c. Include any time on escape, during this sentence only, and list the dates for escape and return.

8. DISCIPLINARY RECORD

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- a. State the date of last misconduct if over one year has elapsed between the date of last misconduct report and the month of scheduled consideration.
 - b. List the six most recent misconduct reports received during the past year while serving the current offense and the total number of misconducts during the sentence. List in chronological order with the most recent misconduct first. State only the date of the report, the title of the violation, facility where the misconduct report was issued and a brief description of the misconduct. If more than six misconducts have been received, indicate the total number received during the past year. Include any misconducts which occurred during the docket month the previous year.
 - c. If the offender rebilled to the instant case within 90 days of the current docket, all misconduct reports received within the 90-day period while serving either sentence should also be included.
 - d. Do not include misconducts if the offender was found not guilty or the misconduct was overturned. If a disciplinary proceeding is pending, it should be included in a separate section and it should be indicated that it is pending.

9. **SUBSTANCE ABUSE AND MENTAL HEALTH HISTORY**

- a. **Substance Abuse History**
 - (1) Give a brief offender statement concerning the type of substance, the time period used, and any admissions or denials of dependency. If the offender was not interviewed, record any prior documented statements and indicate the source. Do not use slang terms for substances.
 - (2) State substance abuse information from documented sources (other than felony convictions) and indicate the source. Include all drug and alcohol related arrests and misconducts, list the dates or time frame. Do not list arrests that resulted in felony convictions.
 - (3) State substance abuse treatment history as documented or provided by the offender listing in chronological order: facility, reason for admission, admission date, length of stay and source of information on each entry. Do not include DOC programs (such as AA or NA).
- b. **Mental Health History**

(1) List any confinements in mental hospitals or outpatient care prior to incarceration, listing in chronological order: facility, reason for admission, admission date, length of stay and source of information on each entry. If available, include any confirmed diagnosis, the date and the source.

(2) If, in the opinion of the investigator, the offender is a

suitable parole candidate but psychological evaluation is advisable prior to consideration, a memorandum should be sent to the Executive Director requesting an evaluation.

10. DOCUMENTED BEHAVIOR

Indicate all documented history of behavior (other than felony convictions) which indicates a propensity toward violence and state the source. Non-assaultive sexual crimes shall be listed. Include assaults on law enforcement officials or participation in riots. Also include documented gang affiliation and state the source. Include separatees, indicate that a separatee is only an allegation.

11. PROGRAM NEEDS AND PARTICIPATION

a. List any programs or needs indicated on the most recent DOC assessment and a general statement of progress toward completion. If available, include a brief evaluation of participation with a time frame. Indicate reasons for variance from needs including program unavailability, or whether application has been made. If the offender entered a program and did not complete it, indicate the reason. Give sources of information included in this section.

b. Include only programs completed during this incarceration, unless the offender gives completion during a prior incarceration as the reason for non-participation in a recommended program.

c. Conclude with a brief summary of general activities (recreation, social groups, etc.) reported by the offender or documented in the file. State the source.

12. WORK PERFORMANCE

a. Indicate present job assignment (date assigned, if available) and briefly summarize work evaluations and/or supervisor statements concerning the current job. Indicate if employed outside the institution.

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- b. Give a brief summary of overall work performance during this incarceration, and explain transfers or changes in security assessment related to work assignments.
 - c. Indicate sources of all information included in this section.

13. PAROLE PLAN

- a. Indicate the offender's current statement concerning:
 - (1) City and state of planned residence and with whom offender will live;
 - (2) Type of employment and anticipated salary;
 - (3) Type of school, location, and plans to finance education;
 - (4) If annual, state prior interview as source.
- b. Indicate if the offender has a CS case or a Detainer.

14. PERSONAL AND FAMILY INFORMATION

- a. State the highest level of educational or vocational achievement, a brief statement of work history, and the source of the information. Work history will be defined as a general statement of continuous or sporadic employment. Also, list any additional occupational skills.
- b. Indicate marital status (single, married, separated, divorced or widowed) and the number of dependents to be supported upon release.
- c. Briefly give the offender's statement concerning personal or family history which is relevant to criminal behavior. Include substance abuse, child abuse, or criminal behavior by family members and the offender's general environment prior to incarceration. Personal history will be defined as the external factors contributing to criminal behavior and not the actual behavior.

Do not include statements which indicate normal aspects of background (i. e., "Raised by both parents in a loving home", or "Father was in the military and they moved frequently"), as such factors do not contribute to criminal behavior. If no factors contributed to criminal behavior, include a statement such as "stable home life" rather than "none". Juvenile confinements for status offenses or as a child in need of supervision may be listed here.

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- d. Briefly summarize any documented information concerning personal or family history relevant to criminal behavior which is not included in other sections of the report. It is not necessary to repeat information which matches the offender's statement. A statement such as "(source) verifies offender statement" should be used in this instance. In the event of significantly different information, include only the information which differs from the offender's statement. Documents in which the offender provided the information will not be considered a documented source.

Information in this section may include substance abuse, child abuse, or criminal behavior by family members and the offender's environment prior to incarceration. State the source.

A brief summary of the offender's juvenile record should be included.

15. Risk Instrument Form ("RIF")
 - a. See instructions and Form for calculating risk. App. A

16. RECOMMENDATION

State whether parole/commutation is recommended and list objective reasons supported by information in the report or other independent information. Do not make subjective judgments (i. e., "The offender has failed to adjust" or "The offender has been an asset to the facility"). Qualified opinions should not be used unless there are proper supporting statements.

- a. If parole is recommended, stipulations or special conditions may also be recommended with adequate justification. If work release is recommended, specify the time period. If substance abuse monitoring and treatment is recommended before release, specify CAT, which includes CAP. If substance abuse monitoring and treatment is recommended during release, specify SAT. If out-of-state parole is recommended, specify AA or drug counseling only. Under this section, a stipulation is defined as a requirement which must be met prior to release. A condition is a requirement which must be met during supervision.
- b. Indicate whether parole is recommended to be effective on a specific date such as postdate.

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- c. Indicate if parole is recommended to a consecutive case or detainer. If to a detainer, indicate whether the person should be paroled to the street if the detainer is invalid, and any recommended stipulations or conditions.
 - d. If commutation is recommended, state at least three commuted sentence lengths and the projected release dates for each.
 - e. If the offender is projected to discharge prior to the next consideration the projected release date should be noted regardless of the recommendation.
 - f. Indicate any related arrests or convictions which reflect a pattern of aggressive behavior culminating in a more serious offense, i.e., non-assaultive sexual crimes prior to an assaultive sexual crime.
 - g. If the offender will personally appear and may have a communication problem, advise the Board of the problem. If the offender will need an interpreter at the Board meeting, include an Interpreter Form (006-2-B).
 - h. If the offender was recommended at the last consideration and the recommendation was later withdrawn, indicate the reason for withdrawal.
 - i. If restitution is appropriate, inform the Board and give any documented details or the offender's statement. State the source of the information. If restitution is required as a condition of a suspended sentence following parole, include restitution as a condition of parole.
 - j. The investigator may recommend reconsideration in one year or that reconsideration be delayed for up to five years.
 - k. Explain any threats or misbehavior occurring during the interview. Also include statements made by the offender that he or she does not want a parole.
 - l. State level as determined by Risk Instrument Form.

II. BASIS FOR PROCEDURE:

- A. Pardon and Parole Board Policy Number 006 - Investigative reports and documentation.
- B. To establish guidelines for the interviewing process and use of worksheets.
- C. To establish uniformity in the preparation of investigative reports

TERRY JENKS, EXECUTIVE DIRECTOR

DATE

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- I. PROCEDURE: Investigative reports will be audited for errors on a regular basis. The auditor will prepare a written report documenting the results of the audit. Offender files will be audited for accuracy and completeness.
- A. Audit of Investigative Reports
1. Audits of each investigator's reports will be conducted at least twice annually using a random sample of a minimum of five reports.
 2. Each investigator supervisor will conduct audits of all investigators within the assigned district. An audit of each supervisor's reports will be completed by the Deputy Director.
 3. Audits will be conducted by comparing the information from the Consolidated Record Card and the institutional file with the information in the investigative report, including:
 - a. Preliminary information;
 - b. All information pertaining to concurrent and consecutive cases and detainers;
 - c. Chronology of other felony convictions;
 - d. Evaluation of prior supervision;
 - e. District Attorney's version of the offense;
 - f. Other documented information which requires that the source be stated.
 4. A written summary of the audit will be prepared by the auditor. The summary will include an explanation of each error and how it was discovered. The summary will be distributed to the audited investigator and the Deputy Director.
 5. If a significant error is discovered, the auditor will report the error to the Executive Director. An error will be considered significant if the auditor believes that it may have affected the Board's decision. In such cases, the audit report may include a recommendation that the case be scheduled for special review. A correction will be distributed to designated personnel and to the offender's facility.
- B. Audit of offender files
1. Offender files may be audited on a routine basis to ensure that all information is accurate and complete. Audits will be conducted by designated personnel.
 2. Offender file audits will include the following steps:
 - a. Docketing worksheets will be reviewed to ensure that calculations are correct and in accordance with Board policies and procedures and state law.

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- b. Notification forms will be audited to ensure that the offender was given the correct docket date and reason.
 - c. Obsolete worksheets and forms will be updated.
 - d. Docket dates will be compared to the docket file system and computer data to ensure that correct dates are recorded. Any errors in the worksheet, notification, card file or computer data will be immediately reported to the Deputy Director for correction.
3. Upon completion of the audit, the designated personnel will initial and date the inside left portion of the file to document the audit.

II. BASIS FOR PROCEDURE:

- A. Pardon and Parole Board Policy 006: Investigative reports and documentation.
- B. To create an audit system which ensures accuracy of information.
- C. To establish guidelines for conducting audits of investigative reports and offender files.

TERRY JENKS, EXECUTIVE DIRECTOR

DATE

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- I. PROCEDURE: Misconduct reports of parole candidates will be reviewed prior to parole consideration in accordance with this procedure. Other circumstances affecting eligibility to attend a Board meeting, or negative behavior not resulting in a misconduct report, will also be reviewed for application of personal appearance criteria.
- A. Misconduct reports and other information will be reviewed by the designated personnel prior to each Board meeting.
 - B. Two information update memorandums will be prepared prior to each Board meeting. The information updates will include:
 - 1. Category X and Category A misconducts not included in the investigation;
 - 2. Administrative changes in appearance status;
 - 3. Offenders stricken due to escape, re-bill, waiver, discharge or modification of docket date;
 - 4. Offenders passed to another docket due to location;
 - 5. Reversal or expungement of misconduct;
 - 6. Other pertinent information not included in the investigation.
 - C. Parole consideration may be modified from personal appearance to jacket review by administrative action pursuant to Policy 007 (007-1-A).
 - D. Convictions for the following misconducts will result in modification to jacket review unless it is determined that modification is not warranted.
 - 1. Battery, law violation, group disruption, extortion, attempting or assisting in an escape.
 - 2. All other Category X and A misconducts.
 - 3. 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.
 - E. Convictions for misconducts other than those listed in Section D may result in modification to jacket review. The designated personnel may determine appropriate action based upon the type of misconduct, the crime for which the offender was convicted, factors surrounding the

misconduct and the crime, and the recommendation of the investigator. Multiple misconduct convictions during the past year may also result in a change to jacket review.

II. BASIS FOR PROCEDURE:

- A. Pardon and Parole Board Policy 007 - Jacket review, personal appearance, special review and administrative review.
- B. To establish uniformity and continuity in the review of misconduct reports and other information.

TERRY JENKS, EXECUTIVE DIRECTOR

DATE

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- I. PROCEDURE: Personnel assigned to the Lexington Assessment and Reception Center (“LARC”) or Mabel Bassett Correctional Center (“MBCC”) will complete docketing worksheets on offenders processed through the Center. Docketing which cannot be completed at LARC or MBCC will be referred to the investigator at the offender's facility. Investigators will re-docket offenders on their caseloads due to rebill or other changes which affect the docket date. Docketing worksheets must be completed on the computer or in black ink.
- A. Completion of Docketing Worksheet Form (008-1-A)
1. NAME - Full name, first name first, including the middle initial if appropriate.
 2. DOC NUMBER - Department of Corrections number.
 3. CRF # - Case number of each case. Designate concurrent and consecutive cases and detainers by preceding the case number with "CC", "CS" or "Det".
 4. OFFENSE - Title of each offense as shown on the judgment and sentence.
 5. COUNTY - County of conviction for each case.
 6. SENTENCE LENGTH - as shown on the judgment and sentence, or as modified by sentence commutation or court decision. If the case is a parole violation, indicate by writing "PV" in parentheses after the original sentence length. Indicate the amount of time left to serve on parole violation cases.
 7. RECEPTION/REBILL DATE - Month, day and year of reception or rebill. List the date of return from escape or parole violation if applicable.
 8. DATE WORKSHEET COMPLETED - Date the worksheet was done.
 9. RECEPTION OR REBILL - Check the appropriate blank, and enter the month and year of reception or rebill, rounded to the nearest month.
 10. MINUS JAIL TIME - Jail time rounded to the nearest month. Record the actual number of days in the parentheses to the right of the blank.
 11. PLUS DEAD TIME - Months of documented non-creditable time due to escape or other circumstance. State the reason in the space provided.
 12. MINUS CREDIT - Months of documented credit time granted due to court order or other circumstance. State the reason in the space provided.
 13. TRUTH IN SENTENCING DATE – Month and year of the Truth in Sentencing

("TIS") date, calculated by determining the schedule of the controlling sentence (see the TIS Matrix) and subtracting the months of jail time.

14. ONE-THIRD - Month and year of completion of one-third of the controlling sentence. Calculate by dividing the number of sentence months by 3 and subtracting months of jail time.
15. PAROLE DOCKET - Docket month and year, two months prior to the TIS date, or one-third, whichever comes first.
16. REASON FOR DOCKET - Reason for the assigned docket date. Must be one of the following:
 - a. 1/3
 - (1) If state law limits parole consideration, Procedure 004-1 will be applied and the proper statutory provision cited on the worksheet.
 - (2) If the offender will not receive a docket date, write "No Docket".
 - b. 85 %
 - c. 1/3 mandatory statutory provision
 - d. Annual - return from escape
 - e. Annual - return from/rebill to parole violation
 - f. Other – state statutory reference (robbery law, racketeering, TIS, PPCS)

If an offense title is not listed in Attachment A of this procedure, refer it to the Deputy Director for assignment of an offense category. The offense and assigned category should then be reported to the General Counsel for inclusion in the next procedural update.
17. COMMENTS - Explanations of information on the worksheet, or any circumstances which are out of the ordinary.
18. PREPARED BY - Employee completing the worksheet.
19. REVIEWED BY - After review, the Deputy Director or other designated

personnel may initial the form, and enter the date. Review is optional for new receptions.

B. Notification Forms

1. Upon completion of a docketing worksheet, complete a Notification of Parole Consideration Date Form (008-1-B) with the following information:
 - a. Offender's name;
 - b. Date form was completed;
 - c. Department of Corrections number;
 - d. Assigned facility;
 - e. Parole docket (spell out the month, i.e. May, June, July);
 - f. Reason for parole docket;
 - g. Other applicable information.
2. Compare the notification form to the worksheet to ensure that information has been accurately recorded.

C. Referral of worksheets to Deputy Director

1. Refer docketing worksheets and notification forms to the Deputy Director for processing at least once per week.
 - a. The Deputy Director or designee will review forms for accuracy and completeness. Review is optional for new receptions.
 - b. Compare worksheets with notification forms to ensure that all information has been correctly recorded.
 - c. The Deputy Director will initial the worksheet to indicate that errors have been corrected. Documents will be forwarded to the appropriate personnel for processing.

II. BASIS FOR PROCEDURE:

- A. Pardon and Parole Board Policy 008 - Calculation of Dates.
- B. To ensure uniform completion of docketing worksheet and notification forms.
- C. To ensure that the docketing process is completed with all available information and in an accurate manner.

TERRY JENKS, EXECUTIVE DIRECTOR

DATE

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- I. PROCEDURE: Permanent agency records will be maintained by administrative office employees. Permanent records include offender files, monthly dockets, minutes of Board meetings and similar records. The Executive Director will designate a records management coordinator to ensure that proper procedures for archiving and destroying records are followed. Unless specified by policy or procedure, information contained in agency records will not be released without prior approval of the Executive Director or the General Counsel.
- A. The Executive Director or designated staff will ensure that the following information is available to the public upon request:
1. Pardon and Parole Board policies and procedures;
 2. Records required under the Open Meeting Act, including the date, time and place of meetings, minutes of meetings and agendas;
 3. Releasable financial and personnel records of the agency;
 4. Documents deposited with the Oklahoma Publications Clearinghouse;
5. Information contained in offender files which is not protected by law from disclosure. As a general rule, the following information is considered confidential:
- a. Victim protest letters (including information about the presence of such correspondence);
 - b. Correspondence from a person exercising rights secured by the Constitution of the State of Oklahoma or the Constitution of the United States;
 - c. Criminal history information not resulting in conviction;
 - d. Juvenile records;
 - e. Medical and mental health information, including substance abuse treatment;
 - f. References to Department of Corrections internal investigations;
 - g. Pre-sentence investigations; and
 - h. Other information deemed confidential by the Executive Director or General Counsel.
 6. Other agency records deemed releasable or not protected by law.

B. Pursuant to the Open Records Act, records may be inspected and copies obtained in accordance with the following regulations:

1. Records may be inspected at the Administrative Office of the Pardon and Parole Board in Oklahoma City during regular office hours.

2. The Executive Director, General Counsel and Deputy Director are authorized to release records for inspection or copying.
3. Records will be inventoried prior to inspection and will be examined upon return. No portion of any record may be removed from the office during inspection.
4. Offender files are not open to public inspection during Board meetings.
5. Requests for specific information must be made to the Executive Director.
6. Reproduction costs of 25 cents per page, or \$5 per computer disc may be charged for reproduction of records. A cost of \$15 may be charged for a copy of this Manual.
 - a. Copies routinely distributed to major newspapers will be billed at a bulk rate of 15 cents per page.
 - b. A courtesy exemption may be granted for copies distributed to governmental agencies, associations, or for educational purposes.

C. Routinely released information will be posted on the Pardon and Parole Board web site (www.ppb.state.ok.us).

1. One copy of each docket at least twenty (20) days before each meeting.
2. One copy of any supplemental or special docket at least ten (10) days before each meeting.
3. A list of recommendations for clemency. The results will be posted no later than twenty (20) days after each meeting.
4. Victims and other persons requesting prior notification of clemency consideration for a specific offender will receive the following information prior to and after the meeting at which the offender is considered:

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- a. Notice of parole hearing twenty (20) days prior to the meeting.
 - b. Notice of the Board recommendation no later than twenty (20) days after the meeting.
5. Upon the granting of clemency by the Governor, that information will be made available on the PPB website, on a monthly basis, to the general public and all law enforcement entities. The following will be notified in writing within ten days after the month of the Governor's action.
 - a. Victim of any crime for which the parolee was convicted who has requested such information.
 6. Upon the granting of a pardon by the Governor, that information will be made available on the PPB website, on a monthly basis, to the general public and all law enforcement entities. The following will be notified in writing within ten days after the month of the Governor's action.
 - a. Victim of any crime for which the applicant was convicted who has requested notification.
- D. Records which are not subject to Policy 009 nor required to be disclosed by law may not be released without prior approval of the Executive Director or General Counsel. Approval must be based upon determination of immediate necessity including, but not limited to, the following:
1. Court-ordered disclosure.
 2. Information which is the subject of litigation or is necessary to defend against legal action.
 3. Emergency situations involving a threat to public safety.

II. BASIS FOR PROCEDURE:

- A. Policy 009 - Records and information.
- B. To ensure public access to releasable information and confidentiality as required by law.

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- I. PROCEDURE: The administrative staff designated by the Executive Director will establish and maintain offender files in an accurate and uniform manner. All employees will be responsible for the security of files and following correct procedure in file use.
- A. Establishment of files
1. Designated personnel will create an electronic offender file for each new reception.
 - a. Permanent electronic files will be created for all offenders.
 - b. The electronic file should contain the offender's name, number and alias name. All electronic file information should be checked for accuracy.
 - c. Closed files will be reviewed to determine prior incarcerations, and prior information will be included in the new file. Closed file information will be saved in a separate electronic file under the offender's name to separate it from the current incarceration.
 - d. Information concerning the current incarceration will be placed in the file, in the following order:
 - (1) Docketing worksheet/assessment of risk.
 - (2) Notification form.
 - (3) Letters, protests, District Attorney reports and other documents in the order in which they were received.
 - e. Upon rebill, documents pertaining to each case will be electronically filed separately. This separate electronic file should be of a different name than the ones used to separate incarcerations. All information which applies to the new case will be saved in the order required in A.1.c. above.
 2. Upon request of the victim or a relative or representative of a victim for notification, a memorandum will be prepared for the file. The memorandum will indicate the name and address of the person requesting notification, and the relationship to the crime. The memorandum will be saved and marked as confidential. Within each offender electronic file there shall be the following electronic documents:
 - a. Protests from law enforcement agencies.
 - b. Protests from victims.

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- c. Requests for restitution.
- B. Maintenance of files
1. Designated personnel will maintain electronic offender files in alphabetical order by last name, divided into the following sections:
 - a. Life without parole offenders.
 - b. Death row offenders.
 - c. All other permanent offender files.
 2. Materials will be maintained in an orderly manner. Documents will be scanned into the electronic system by administrative staff.
 3. Designated personnel will maintain a system for the orderly receipt of information for electronic filing and for the electronic disbursement of files to staff.
- C. Preparation of Files for Board Meetings
1. The Investigators or other designated personnel will prepare investigative reports for parole dockets.
 2. The Reports Technician will import and format reports submitted by Investigators, and create individual electronic report document files, for specific docket types (i.e. Parole, Supplemental Parole, Stage II, etc.).
 3. The Reports Technician will post hearing details and appearances to OMS (Offender Management System) on-line.
 4. The Reports Technician will create individual electronic docket document files, for specific document types, and print the required number of hard copies of each, to be distributed immediately to specified office personnel, and later to the Board Members as described below (see 6 and 7).
 5. The IT Administrator will post all electronic files to the website, according to notification dates required by statute.
 6. The IT Administrator will integrate matching RIF's (Risk Instrument Form) with investigative reports and save the resulting document to disc, which, along with hard

copies of the Parole docket, will be distributed to Board Members during the preceding month's hearings.

7. The IT Administrator will integrate remaining matching RIF's with remaining report files of all types – except Re-Entry and Pardon – and save the resulting report document to file on discs, which will be mailed along with hard copies of all remaining dockets (including Re-Entry and Pardon), to Board Members, during the week preceding the designated docket hearings.
8. The IT Administrator will save all RIF-integrated and Re-Entry reports into a single electronic document on the server.
9. The Reports Technician will sort, compile, and e-mail monthly scheduled offender reports by facility to each facility records department.

D. Closed Files

1. Electronic files of offenders released from custody or deceased will be considered closed files.
2. When an offender discharges to the street or is placed out on parole to the street, our office receives a status change from the Department of Corrections.
3. Staff enters the information on the Offender Management System (OMS) indicating the discharge or parole.
4. Designated personnel will prepare a Closed Record Cover Sheet Form (009-2-A) upon receipt of notice of release and ensure it is saved in the electronic file for that offender.
5. The information regarding each closed file will be entered into an automated data file. This information should include the offender's DOC number, name, number of incarcerations, end of sentence, and date and type of release.
 - a. The status change is then electronically scanned into our electronic filing system. Information regarding discharge date is entered and a date three years from the discharge date is entered as the "inactive date". In the case of a parole or probation, the "inactive date" would be three years after the parole or probation supervision is complete.
6. The electronic files, with the Closed Record Information Sheet included, will be archived electronically.

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- a. The company that provides the storage of the Agency electronic filing system will be notified periodically of which files are inactive and those files will be downloaded onto CD's or other electronic media for storage.
 7. Designated personnel will update and reactivate closed electronic files.
 8. Any new or updated material will be electronically saved in the appropriate file.

II. BASIS FOR PROCEDURE:

- A. To establish guidelines for the organization, maintenance and utilization of offender files.
- B. To ensure the responsibility of staff regarding offender files.

TERRY JENKS, EXECUTIVE DIRECTOR

DATE

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- I. PROCEDURE: The Document Coordinator will serve as publications officer to ensure compliance with the deposit procedures required by the Publications Clearinghouse. The Executive Director will notify the Clearinghouse and all staff members of the designation.
- A. Staff members who prepare or distribute documents will inform the Document Coordinator of distribution, except for documents prepared only for internal use. The following guidelines determine whether a document should be referred to the Document Coordinator for deposit.
1. The document consists of informational material, regardless of format, method of reproduction or source, produced under the authority or at the expense of the Board. The definition includes, but is not limited to:
 - a. Affirmative action reports;
 - b. Annual reports;
 - c. Official opinions;
 - d. Pamphlets and brochures;
 - e. Research reports, unless for internal use only; and
 - f. Statistical compendia, unless for internal use only.
 2. A document which is used solely by the Board and staff is exempt from deposit. Exempt documents include:
 - a. Agenda;
 - b. Budget requests;
 - c. Calendars;
 - d. Contracts;
 - e. Job announcements;
 - f. Minutes of meetings;
 - g. Investigative reports;
 - h. Correspondence; and
 - i. Forms.
- B. The Document Coordinator will ensure that documents which must be deposited are prepared in a uniform matter, including required identifying information and a statement of cost.
1. The Publications Clearinghouse chart will be consulted to ensure that the correct number of copies is provided for each publication.
 2. Documents will be deposited at the time of general distribution. Internal distribution for the purpose of informing employees will not be considered general distribution.

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3. The Semi-annual Publications List Form required by the Clearinghouse must be completed and submitted by the Document Coordinator no later than January 31 and July 31 of each year.

II. BASIS FOR PROCEDURE:

- A. 65 O. S. 3-113.1 through 3-115.
- B. To provide uniformity in the preparation and distribution of documents.

TERRY JENKS, EXECUTIVE DIRECTOR

DATE

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- I. PROCEDURE: The IT Administrator will be responsible for overseeing data processing functions. Recommendations on selection, development and installation of software will be made by the IT Administrator. The IT Administrator will make recommendations on the allocation of computer hardware and software. The IT Administrator will advise the Executive Director in data processing matters. The final decision on all data processing matters will rest with the Executive Director.
- A. Data processing coordination
1. The IT Administrator will oversee data processing needs, and to advise the Executive Director in data processing matters. The IT Administrator should be present during meetings of the data processing committee. The IT Administrator will report directly to the Executive Director.
 2. The IT Administrator will recommend procedures for computer hardware and software, applications development, data backup, development of training programs and evaluation of hardware and software.
 4. The IT Administrator will periodically evaluate agency needs, and report to the Executive Director when needs are identified.
 5. The IT Administrator may consult with employees from disciplines for which specific applications are being developed.
- B. Applications development
1. Requests for development of applications must be submitted in writing to the IT Administrator. No outside development, or requests for such development will occur without prior review and recommendation by the IT Administrator. The Executive Director must approve exceptions in writing.
 2. Written requests must include the name of the person requesting the application, and a general description of the functions of the proposed application.
 3. Requests for assistance from the IT Administrator must be submitted in writing using a Request For Assistance Form (009-4-A). The Executive Director will decide which requests for assistance receive top priority.
 4. Applications development will be performed in-house whenever possible. The Executive Director will decide whether the IT Administrator will develop a particular application.
 5. Applications may also be developed without a written request in response to an immediate need.

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- C. Hardware and software use
1. The IT Administrator will recommend allocation and acquisition of computer hardware and software to the Executive Director as needs and priorities change.
 2. The IT Administrator will help employees in the use of hardware and software. The IT Administrator will troubleshoot hardware and software, and make necessary modifications.
 3. The IT Administrator is not required to provide direct support for applications written by outside developers.

II. BASIS FOR PROCEDURE:

- A. Pardon and Parole Board Policy 009 - Records and information.
- B. To ensure adequate oversight and coordination of data processing functions.
- C. To facilitate informed decisions and adequate evaluation in the development of applications and procurement of computer hardware and software.
- D. To provide adequate support of data processing.

TERRY JENKS, EXECUTIVE DIRECTOR

DATE