

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 2040

By: Davis

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5
6 AS INTRODUCED

7 An Act relating to prisons and reformatories;
8 amending 57 O.S. 2011, Section 516, which relates to
9 parole violators; providing overnight or weekend
10 incarceration option for parole violators;
11 establishing time limits for overnight and weekend
12 incarceration at county jails; and providing an
13 effective date.

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

15 SECTION 1. AMENDATORY 57 O.S. 2011, Section 516, is
16 amended to read as follows:

17 Section 516. A. Except as provided in subsection B of this
18 section, the probation and parole officer shall, upon information
19 sufficient to give the officer reasonable grounds to believe that
20 the parolee has violated the terms of and conditions of parole,
21 notify the Department of Corrections. If it is determined that the
22 facts justify revocation action, the Department shall issue a
23 warrant for the arrest of the parolee and the warrant shall have the
24 force and effect of any warrant of arrest issued by a district court
in this state. The parolee shall, after arrest, be immediately

1 incarcerated in the nearest county jail, intermediate sanctions
2 facility, or a Department of Corrections facility to await action
3 by the Governor as to whether the parole will be revoked. Parole
4 time shall cease to run after the issuance of a warrant for arrest
5 by the Department of Corrections, and earned credits shall not be
6 accrued during any period of time when the parolee is incarcerated
7 pending revocation action by the Governor.

8 B. Any parolee determined to have violated any terms or
9 conditions of parole by the supervising parole officer may be given
10 the option, at the discretion of the Department of Corrections, to
11 be:

12 1. Be placed in an intermediate sanctions facility for
13 disciplinary sanction and programmatic services in lieu of
14 revocation or when revocation action by the Governor is deemed
15 unnecessary for the nature of the violation; or

16 2. Serve a term of confinement in the county jail at night or
17 during weekends in lieu of revocation or when revocation action by
18 the Governor is deemed unnecessary for the nature of the violation.

19 C. Any parolee for whom a warrant for arrest issues as provided
20 in subsection A of this section may, at the discretion of the
21 Department or the Governor, be placed in an intermediate sanctions
22 facility pending or following any action by the Governor as to
23 revocation of parole or required additional conditions to remain on
24 parole. A parolee may be received and processed into the custody of

1 the Department on an expedited basis through any facility serving
2 such purpose or may be processed directly by the intermediate
3 sanctions facility.

4 D. For the purposes of paragraph 2 of subsection B of this
5 section, weekend incarceration shall commence at 6 p.m. on Friday
6 and continue until 8 a.m. on the following Monday, and incarceration
7 overnight shall commence at 6 p.m. on one day and continue until 8
8 a.m. of the next day. Persons who have been sentenced to
9 incarceration in the county jail under the provisions of paragraph 2
10 of subsection B of this section will not have to be processed
11 through the Lexington Assessment and Reception Center prior to
12 incarceration.

13 SECTION 2. This act shall become effective November 1, 2019.

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15 57-1-6990 GRS 01/08/19
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