

1 3. Poses minimal public safety risks warranting continued
2 imprisonment;

3 4. Is not imprisoned for a crime pursuant to Section 13.1 of
4 Title 21 of the Oklahoma Statutes or Section 571 of Title 57 of the
5 Oklahoma Statutes; and

6 5. Has not been convicted of a crime that would require the
7 person to be subject to the registration requirements of the Sex
8 Offenders Registration Act.

9 SECTION 2. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 332.22 of Title 57, unless there
11 is created a duplication in numbering, reads as follows:

12 For the purposes of the Parole of Aging Prisoners Act:

13 1. "Aging prisoner" means any person imprisoned by the
14 Department of Corrections who is seventy (70) years of age or older;
15 and

16 2. "Evidence-based" means programs or practices that have been
17 scientifically tested in controlled studies and proven to be
18 effective.

19 SECTION 3. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 332.23 of Title 57, unless there
21 is created a duplication in numbering, reads as follows:

22 A. The authority to grant parole under Section 4 of this act
23 shall rest with the Pardon and Parole Board.

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1 B. The Pardon and Parole Board shall use an evidence-based risk
2 assessment instrument to assess the public safety risk posed by
3 aging prisoners upon release.

4 SECTION 4. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 332.24 of Title 57, unless there
6 is created a duplication in numbering, reads as follows:

7 A. Unless eligible for release at an earlier date, an aging
8 prisoner who has been committed to the Department of Corrections for
9 a term or terms of imprisonment shall have the ability to request a
10 parole hearing before the Pardon and Parole Board if the prisoner
11 has served, in actual custody, the shorter of:

- 12 1. Ten (10) years of the term or terms of imprisonment; or
- 13 2. One-third (1/3) of the total term or terms of imprisonment.

14 B. Once a prisoner requests a parole hearing under subsection A
15 of this section, the Pardon and Parole Board may place the prisoner
16 on the next available docket.

17 1. The Pardon and Parole Board may grant parole to a prisoner
18 if the Board finds by a preponderance of the evidence that the
19 prisoner, if released, can live and remain at liberty without posing
20 a substantial risk to public safety.

21 2. The Pardon and Parole Board may use the selected evidence-
22 based risk assessment instrument to make the determination provided
23 for in paragraph 1 of this subsection.

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1 3. The Pardon and Parole Board may provide the prisoner the
2 opportunity to speak on his or her own behalf and the option of
3 having counsel present at the parole hearing.

4 SECTION 5. This act shall become effective November 1, 2017.

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6 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CRIMINAL JUSTICE AND
7 CORRECTIONS, dated 04/05/2017 - DO PASS, As Amended and Coauthored.
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