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Oklahoma Department of Corrections

Signature on File

Parole Process Procedures

The following procedures outline the process for facilities/regions in providing required information regarding the Pardon and Parole Board meetings. The facility head/deputy director ensures compliance with this procedure.

For the purpose of this procedure, the term “inmate” applies to anyone under the custody or care of a prison or community-based facility operated by or contracted with the Oklahoma Department of Corrections (ODOC) as well as an inmate participating in Global Positioning Satellite (GPS), Electronic Monitoring Program (EMP), Pre-Parole Conditional Supervision (PPCS) or any other inmate program.

I. ODOC Reporting Responsibilities to Establish Dockets

The Pardon and Parole Board establishes criteria to determine the eligibility of inmates for clemency consideration. These criteria are found in the Pardon and Parole Board Manual. ODOC will assist the Pardon and Parole Board in the clemency process by providing adequate office space at all facilities/regions for use by Pardon and Parole Board investigators and providing access to inmate records.

A. Initial Classification

The director of Classification and Population will provide the Pardon and Parole Board investigator with reasonable and timely access to inmates' files during the assessment and reception process. Information regarding the parole process will be provided to each inmate processed at the applicable assessment and reception center.

B. Weekly Reporting Responsibilities (2-CO-4B-01)

In accordance with [OP-060211](#), Section XVI, entitled “Sentence Administration,” the records officer at each facility/region will provide the Pardon and Parole Board executive director with required information on a weekly basis using the “Notice of Inmate Status Change” form ([DOC 060211O](#)).

Each facility will be responsible for ensuring the Pardon and Parole Board and the ODOC Parole Processing Unit is notified of any staffing changes that would affect the notifications sent by the Pardon and Parole Board regarding the parole process.

C. Medical Parole

(Revision-02 dated 10/15/2021) Pursuant to 57 O.S. § 332.18.A. and 57 O.S. § 332.18.B., an inmate who is dying, near death, is medically frail or is medically vulnerable, or whose medical condition has rendered the inmate

no longer an unreasonable threat to public safety may be considered for medical parole. The "Oklahoma Department of Corrections Medical Services Medical Parole Evaluation" form ([Attachment E](#), attached) is used to document the medical parole request. Inmates with sentences of Life Without Parole (57 O.S. § 332.18.D.) are not eligible for medical parole.

1. Medical Parole Definitions (Revision-02 dated 10/15/2021)
 - a. "Medically frail" means an individual with a medical condition which precludes the individual from performing two or more activities of daily living on their own.
 - b. "Medically vulnerable" means an individual with one or more medical conditions which makes the individual more likely to contract an illness or disease while incarcerated that could lead to death or cause an individual to become medically frail. The provisions of this subsection shall only apply during a catastrophic health emergency as declared by the Governor of this state pursuant to the provisions of Section 6403 of Title 63 of the Oklahoma Statutes.
 - c. "Medical condition" includes, but is not limited to, debilitating health conditions occurring as a result of the following:
 - (1) Disabling mental disorders including dementia, Alzheimer's disease or similar degenerative brain disorders;
 - (2) Human Immunodeficiency Virus (HIV) or Acquired Immune Deficiency Syndrome (AIDS);
 - (3) Cancer;
 - (4) Cardiovascular disease;
 - (5) Chronic lung disease or asthma;
 - (6) Diabetes;
 - (7) Hepatitis C;
 - (8) Seizure disorders;
 - (9) Inmates receiving life sustaining care such as feeding tubes or colostomy bags;
 - (10) Disabling neurological disorders such as multiple sclerosis (MS) or amyotrophic lateral sclerosis (ALS); or
 - (11) Any other condition related to a weakened immune

system or condition that requires or is expected to require specialty care or recurrent hospitalizations.

- d. “Activities of daily living” means basic personal care and everyday activities including tasks such as eating, toileting, grooming, dressing, bathing and transferring from one physical position to another including moving from a reclining position to a sitting or standing position, that a person cannot perform on his or her own.
- e. “Dying” or “near death” means an individual with a medical condition and who has an estimated life expectancy of six months or less.

2. Submission of Medical Parole Request

- a. The facility medical unit will document the following: diagnosis, prognosis, functional ability, treatment regimen, plan for continuity of care, and resources available (e.g., home offer, community/family support, benefits such as Veteran’s Administration, Indian Health Services, Social Security Insurance) if a medical parole was to be granted. This information will be documented in the “Medical Parole Clinical Recommendation” and the “Medical Parole/Discharge Residence and Medical Resources” in the electronic health record (EHR).
- b. The inmate must sign an authorization for release of their health information ([DOC 140108A](#)) entitled “Authorization for Release of Protected Health Information.”

The form should indicate the following person(s) who will be receiving the requested disclosure:

- (1) ODOC staff involved in the Medical Parole Process;
- (2) Oklahoma Pardon and Parole Board staff and Pardon and Parole Board members;
- (3) (Revision-01 dated 03/24/2021) Verify through the Offender Management System (OMS) that the Pardon and Parole Board has not made any notations regarding the granting of an administrative parole for the inmate;
- (4) Governor and governor’s staff involved in the Medical Parole Process; and
- (5) Acknowledgement that the inmate understands that their medical record may be discussed in an open

Pardon and Parole Board meeting.

- c. The chief medical officer will be notified of the facility medical provider's recommendation. Upon receipt of the recommendation, the chief medical officer will review the documentation. This will normally occur within three (3) working days of receipt of the recommendation. A denial will be supported by documentation stating the reason. If the chief medical officer supports the recommendation for parole, they will forward the partially completed Medical Parole Evaluation form ([Attachment E](#)) to the manager of Sentence Administration.
- d. The manager of Sentence Administration will:
- (1) (Revision-02 dated 10/15/2021) Determine if the inmate is ineligible for medical parole due to serving a sentence of life without parole;
 - (2) Run a current National Crime Information Center (NCIC) report;
 - (3) Review the "Consolidated Record Card(s)"; and
 - (4) (Revision-01 dated 03/24/2021) Complete the sections involving criminal history, disciplinary information, risk assessment, case plan needs, parole hearing date, and any additional relevant information on the Medical Parole Evaluation form ([Attachment E](#)) and attach the current NCIC report and a copy of the inmate's "Consolidated Record Card(s)" ([DOC 060211H](#)).
 - (5) (Revision-01 dated 03/24/2021) Enter a case note in the Offender Management System showing the next parole hearing date and the date the medical parole packet was submitted.

Review by the manager of Sentence Administration will normally be completed within five (5) working days of receipt of the "Medical Parole Evaluation" form ([Attachment E](#)) from the chief medical officer. If the inmate is eligible for medical parole, the form will be forwarded to the facility head, the Parole Process Unit and the chief medical officer. If the inmate is not eligible for medical parole, the form will be returned to the chief medical officer.

- e. (Revision-01 dated 03/24/2021) The facility head will determine whether the inmate presents an unreasonable threat to public safety should the inmate be medically paroled. If the facility head does not believe the inmate poses an

unreasonable threat to public safety, he/she will indicate "Yes" on the Medical Parole Evaluation form ([Attachment E](#)). If the facility head believes the inmate poses an unreasonable threat to public safety they will indicate "No" and the reason(s) they believe the inmate poses an unreasonable threat to public safety on the Medical Parole Evaluation form. The facility head will normally complete their review within three (3) working days of receipt of the "Medical Parole Evaluation" form ([Attachment E](#)) from the manager of Sentence Administration.

Once these sections are complete, the form will be forwarded to the appropriate director of Institutions/Community Corrections and Contract Services

- f. (Revision-01 dated 03/24/2021) The affected division director will review the recommendation made by the facility head. If the division director agrees with the recommendation of the facility head, they will indicate "Yes" on the Medical Parole Evaluation form ([Attachment E](#)). If the division director does not agree with the recommendation of the facility head, they will indicate "No" and state the reason(s) for disagreement on the Medical Parole Evaluation form ([Attachment E](#)). The division director will normally complete their review within three (3) working days of receipt of the "Medical Parole Evaluation" form ([Attachment E](#)) from the facility head. Once this section is complete, the form will be submitted to the chief of Operations who, upon completion of the review process, will forward to the chief of Staff. Upon completion, the form will be returned to the chief medical officer.
- g. The Parole Process Unit will forward the information regarding the proposed home offer to the appropriate probation and parole regional office for verification. The probation/parole regional office will normally verify the home offer within three (3) working days of receipt.
 - (1) If the home offer is denied, the Parole Process Unit will contact the health service administrator who will work with relevant facility staff to obtain a new home offer that is suitable based upon the inmate's medical needs. This information will be provided to the facility case manager for submission to the Parole Process Unit and the appropriate probation/parole regional office.
 - (2) If the proposed home offer is out of state, the Parole Process Unit will forward the information to the facility case manager who will submit a transfer request on the Interstate Compact Offender Tracking System (ICOTS). This will normally occur within three (3) working days. Once the request has been submitted, the case manager will notify the Parole Process Unit.

Once the home offer has been approved, the Parole Process Unit will forward the information to the chief medical officer.

- h. The chief medical officer will review the documentation and will forward the approved request to the agency director. This will normally occur within three (3) working days.
- i. The agency director will consider the deputy director, facility head, and the chief medical officer recommendations and either approve or deny the request for medical parole. Denied requests will be returned to the chief medical officer.
- j. Approved requests will be submitted by the agency director's office to the Pardon and Parole Board.
- k. The "Oklahoma Department of Corrections Medical Parole/Algorithm" ([Attachment B](#), attached) provides an outline of this process. Medical Services will maintain a database of the requests for medical paroles and the outcome of all requests. Medical Services will be responsible for notification of the outcomes and notifying the case manager/designated staff and the inmate that the request has or has not been forwarded to the Pardon and Parole Board.

D. Administrative Parole

Per O.S. 57 § 332.7 inmates who are in the custody of the department and who are serving time for a crime committed on or after July 1, 1998 and before November 1, 2018, who are within 90 days of serving 1/3 of their sentence; and

Inmates who are in the custody of the department and who are serving time for a crime committed on or after November 1, 2018, who are within 90 days of serving ¼ of their sentence are eligible for consideration for administrative parole if the following criteria are met:

- 1. Criteria
 - a. Not serving sentence of life imprisonment without parole;
 - b. Not serving time for one or more violent conviction(s) during this incarceration. A listing of crimes is located in [OP-060102](#) (F) and (M), [Attachment A](#) entitled "Offense Security Categories". The Pardon and Parole Board may determine additional crimes are violent pursuant to Oklahoma Attorney General Opinion No 2013-11.
 - c. Not serving time for one or more convictions which require serving a minimum portion of the sentence(s) before being

eligible for release, per [OP-060211](#), entitled, "Sentence Administration" Section II.D.

- d. Is substantially compliant with the requirements of their case plan. Substantial compliance is defined as, the inmate: (a) has completed the programs recommended in their case plan, and/or (b) is currently enrolled in one or more programs recommended in their case plan, and/or (c) is on a waiting list for admission to the recommended program(s), and the inmate has not received a misconduct for a program failure in the six months prior to their parole eligibility date;
- e. Has not received a Class X-1 through X-11 misconduct in the two years prior to their parole eligibility date;
- f. Has not received a Class X-12 through X-24 misconduct in the year prior to their parole eligibility date;
- g. Has not received a Class A misconduct in the six months prior to their parole eligibility date.

3. Notification to the Pardon and Parole Board of eligible candidates

The director of Health and Offender Services or designee will provide the Pardon and Parole Board, the facility heads and the Parole Process Unit a list of inmates who meet the above criteria monthly. The list will be submitted no less than 90 days prior to the inmates' parole eligibility date.

4. Victim Objection

If the victim or a district attorney on behalf of a victim object to the administrative parole of the candidate the Pardon and Parole Board will remove the inmate from the administrative parole docket and place the candidate on the next available regular parole docket.

5. An Inmate granted administrative parole by the Pardon and Parole Board shall be supervised by the ODOC and subject to the rules and conditions of parole.

5. Once the Pardon and Parole Board schedules a docket date, sections II. through V. of this policy will be followed.

E. Aging Prisoner Parole

Per O.S. 57 § 332.21, aging inmates who are in the custody of the department and have served the shorter of 10 years of their total sentence or 1/3 of the total sentence (i.e., total term including consecutive sentences) shall have the ability to request a parole hearing before the Pardon and Parole Board if the following eligibility criteria are met:

1. Criteria
 - a. Aged 60 years or older;
 - b. Not serving time for a violent conviction during this incarceration. A listing of crimes is located in OP-060102 (F) and (M), [Attachment A](#) entitled "Offense Security Categories". The Pardon and Parole Board may determine additional crimes are violent pursuant to Oklahoma Attorney General Opinion No. 2013-11. Also, not serving time for one or more convictions for an offense listed in Section 13.1 of Title 21;
 - c. Has not been convicted of a crime that would require the offender to be subject to the registration requirements of the Sex Offenders Registration Act as defined in [OP-020307](#) entitled "Sex and Violent Crime Offender Registration."
2. Applying for Aging Prisoner Parole
 - a. Inmates may request applications through the law library at their facility or their attorney/family member may send an application to them through the mail. Applications are available on the Pardon and Parole Board website.
 - b. The offender will complete the "general information" section of the application and then submit the application to the facility records officer. The records officer will forward the application to the manager of sentence administration, offender records and registries who will complete the "[DOC Determination of Eligibility for Aging Prisoners Parole Consideration](#)" section A on page 5 of the application.
 - c. Once this section is completed, the application will be scanned to the Pardon and Parole Board to ensure authenticity. The original application will be returned to the facility for the inmate to complete. If the application was received from the inmate's attorney, the application will be returned to the attorney.
 - d. Applications must be completed and submitted by the inmate or an attorney/family member on behalf of the inmate to the Pardon and Parole Board for consideration.
 - e. Once the Pardon and Parole Board schedules a docket date, sections II. through V. of this policy will be followed.

II. ODOC Responsibilities Prior to an Inmate's Parole Docket Date

The Pardon and Parole Board staff will enter parole docket dates into the computer system through the Offender Management System (OMS). The case manager

IV/unit manager/team supervisor will ensure the following is completed prior to each inmate's docket date.

A. Global Satellite Position Surveillance Program (GPS)/Electronic Monitoring Program for DUI Offenders (EMP)

Inmates on GPS/EMP will be processed for parole in their normally scheduled parole docket month or the month of their mandatory date. GPS inmates may not waive parole consideration. If an inmate on GPS/EMP is denied parole, the inmate will remain in the program and their file will be resubmitted at their next scheduled parole docket month.

B. Waivers

1. If an inmate elects to waive parole consideration, the case manager/supervising officer will notify the parole investigator by completion of the "Pardon and Parole Board Waiver of Parole Form" ([Form 004-4-6A](#), attached). If the investigator is unable to obtain a waiver due to the inmate's location, the investigator may request the case manager/supervising officer to obtain and witness the inmate's signature and then forward the waiver by email to Waivers@ppb.ok.gov

A copy of the waiver will also be forwarded to the ODOC Parole Process Unit.

2. Per Pardon and Parole Board procedure 004-6, waivers must be executed at least two (2) weeks prior to the beginning of the Pardon and Parole Board meeting or after the meeting has been adjourned.
 - a. Waivers executed during the Pardon and Parole Board meeting are void.
 - b. Waivers may not be executed after the parole certificate has been signed by the governor and filed with the Secretary of State.

C. Reporting of Significant Information (2-CO-4B-01, 5-ACI-5B-10)

The following information for inmates on any docket including medical parole, administrative parole and aging prisoner parole will be reported to the Parole Process Unit beginning on the date listed on facility docket rosters and continuing until the Pardon and Parole Board meeting. This is to be recorded on "Parole Status Report" ([DOC 060205B](#), attached) unless otherwise indicated.

1. Misconduct information, to include GPS violations, will be sent on the "Parole Status Report." The information listed below will be attached:
 - a. Date of misconduct;

- b. Title of misconduct;
 - c. Class of misconduct; and
 - d. Copy of the misconduct and hearing action form.
2. Escapes;
 3. Law violations;
 4. New or changed medical/psychological treatment or commitment that affects parole consideration;
 5. Program completion, failure, or removal date will be recorded on "Parole Stipulation Report" ([DOC 060205C](#), attached);
 6. Misconduct expungements;
 7. Movements to and from court and expected date of return; and
 8. Any pertinent information that the case manager/ supervising officer needs to bring to the attention of the Pardon and Parole Board and any circumstances that may change the Pardon and Parole Board's recommendation.

Any of the above actions that occur during the week immediately prior to the meeting will be reported by phone or e-mail to the Parole Process Unit. This includes any misconducts that are pending and may not be completed before the Pardon and Parole Board meeting. Upon receipt of any status changes, the Parole Process Unit will forward that information to the Pardon and Parole Board for appropriate action utilizing the "Notice of Inmate Status Change" form ([DOC 060211Q](#)).

D. Official Dockets

Approximately twenty (20) calendar days prior to each Pardon and Parole Board meeting, the dockets will be available on the Pardon and Parole Board's website (<https://www.ok.gov/ppb/>). The official dockets list the inmates to be considered by jacket review or personal appearance. The personal appearance list will also be available on the OMS system. The Pardon and Parole Board will provide facilities with a meeting schedule. The meeting schedules are also located on the Pardon and Parole Board website.

Ten (10) days prior to the Pardon and Parole Board meeting, the case manager IV/team supervisor will ensure the following is completed:

1. Facility personnel and inmates on all dockets will be notified of the dates and locations of the meeting and the time for their consideration by the Pardon and Parole Board.
 - a. The inmate will sign the “Notification of Parole Hearing Date” form ([Attachment F](#), attached).
 - b. A copy will be placed in the inmate’s field file and a copy given to the inmate.
2. Per Pardon and Parole Board OAC Title 515:1-9-1, delegations consisting of no more than two persons for inmates on any docket may appear before the Pardon and Parole Board in accordance with instructions on the meeting schedule.
 - a. Only one (1) person will be allowed to address the Pardon and Parole Board.
 - b. The delegates must call the Pardon and Parole Board to obtain a confirmation number to appear as a delegate for any inmate.
3. The case manager will notify affected inmates whether they are to be considered by jacket review (indicated on the parole docket by “No”) or personal appearance (indicated on the parole docket by “Yes”). The final personal appearance list is not available until 10:00 a.m. on the last working day preceding the Pardon and Parole Board meeting.
4. The case manager will notify the inmate of any changes to their scheduled docket by providing the inmate an updated “Notification of Parole Hearing Date”, [Attachment F](#), attached.
5. The case manager supervisor will make arrangements for an interpreter to assist any inmate appearing before the Pardon and Parole Board who is not fluent in speaking or understanding English or who is hearing impaired. The ODOC Human Resource Unit maintains a list of employees who have interpreting abilities, and they may be contacted for assistance. The Pardon and Parole Board and the affected facility will be notified about the use of an interpreter in advance.

If an ODOC employee is unavailable to interpret, or the interpreting abilities are insufficient for the needs of an inmate, the case manager supervisor will inform the Pardon and Parole Board of the need for the specific type of interpreter as soon as possible to provide the Pardon and Parole Board time to make proper accommodations.
6. The case manager IV/team supervisor will flag the file and notify the receiving facility and the Parole Process Unit by telephone of any inmate scheduled for personal appearance who happens to transfer during the week immediately prior to the Pardon and Parole Board

meeting. The Parole Process Unit will then notify the Pardon and Parole Board.

III. Pardon and Parole Board Meeting

A. Facility Representation

Each facility/region with an inmate/inmates scheduled for personal appearances will attend the Pardon and Parole Board meeting in person, or through video conferencing, according to the meeting schedule located on the Pardon and Parole Board website.

A minimum of two (2) staff members will be present; one (1) member will stay with the inmate(s) at all times and one (1) will act as a representative of the agency during the Pardon and Parole Board meeting. At least one (1) staff member will be familiar with each inmate in order to answer board inquiries or present facts concerning the inmate's incarceration.

B. Preparation of Inmate

Prior to the Pardon and Parole Board meeting, each facility/region will prepare the inmate for their personal appearance to include, but not be limited to, appropriate dress and a briefing of what to expect.

C. Disciplinary Problems

1. An inmate who is placed in segregated housing because of misconduct or for security reasons immediately prior to the meeting will not appear or be transported to the meeting; instead, a copy of the misconduct, pending charges, or other appropriate documentation will be provided to the Pardon and Parole Board staff at the meeting.
2. An inmate who refuses to appear or be transported on the scheduled day of their Board appearance will complete and sign a "Request for Jacket Review" (PPB Form 007) form. This form will be witnessed by staff and provided to the Pardon and Parole Board. If the inmate declines to complete such, a signed statement, witnessed by the transporting officer or other facility/region personnel, will be obtained and provided to Pardon and Parole Board staff during the meeting.
3. Inmates placed in segregated housing for protective custody will be reported to the Parole Process Unit prior to the meeting date. A determination concerning personal appearance will be made on a case-by-case basis by the Pardon and Parole Board executive director.

D. Waivers

Inmates who waive parole will not appear/be brought to the meeting. The Pardon and Parole Board will be notified of the waiver.

E. Global Position Satellite Surveillance (GPS)/Electronic Monitoring Program for DUI Offender (EMP)

The supervising officer will inform GPS/EMP inmates, both in person and in writing, of the date, time, and location of the meeting. If the inmate is scheduled for personal appearance, the officer will attend the meeting along with the inmate at the closest facility. Prior notice will be given to the facility warden's office.

F. Host Facility

The facility hosting the meeting will provide sufficient personnel to coordinate movement of inmates to and from the meeting room and will provide additional security as needed.

IV. ODOC Responsibilities Following the Pardon and Parole Board Meeting

Within seven calendar days following each monthly Pardon and Parole Board meeting, the official docket results reflecting the Pardon and Parole Board's recommendation on each inmate will be posted to the Pardon and Parole Board website and OMS. Within seven calendar days of the official docket results, the case manager IV/team supervisor will ensure that the following procedures are completed:

A. Inmate Notification

Each inmate will be notified in writing of the Pardon and Parole Board's recommendation including all stipulations given and any special conditions of parole. The inmate will acknowledge receipt of this notification through their signature on the "Notice of Pardon and Parole Board Hearing Results" ([DOC 060205D](#), attached). The original will be placed in the inmate's field file, section 5 and a copy given to the inmate.

B. Parole Programs (Home and Employment Offers) (4-APPFS-2C-02)

1. Within seven (7) calendar days of an inmate being recommended for parole the case manager will complete a "Home/Employment Offer" for the inmate and submit it on OMS.

If a parole stipulation is recommended, the home offer will be submitted sixty (60) days prior to the projected completion date of all stipulations.

- a. Prior to submitting the home offer on OMS, the case manager will make every effort to contact the home offer by telephone to ensure the responsible party is willing to accept the inmate in their home. However, this verification should not delay entering the home offer into OMS for investigation.

- b. (Revision-01 dated 03/24/2021) The probation and parole office will return the request within fourteen (14) calendar days to the Parole Process Unit.
2. If the inmate wishes to parole out of state, a transfer request will be entered on Interstate Compact Offender Tracking System (ICOTS) in accordance with [OP-160108](#) entitled "Interstate Compact for Probation/Parole." The Parole Process Unit will be notified of the pending out of state home offer and will also be notified once the transfer request is approved.
3. If a proposed residence is denied by probation and parole, the host facility will be notified of the denial by the Parole Process Unit. Within twenty-four (24) hours, the case manager will meet with the inmate to obtain a new home offer. If an out of state transfer is denied, the case manager will meet with the inmate within twenty-four (24) hours to obtain a new home offer.
4. If the inmate is unable to provide a valid home offer, the case manager will provide the inmate with a list of available transitional housing and will assist the inmate in obtaining such housing.
5. Once an approved home offer is received and any stipulations are completed, the Parole Process Unit will forward the inmate's parole file, normally within seven (7) calendar days, to the Pardon and Parole Board for processing.
6. Case managers will monitor proposed parole plans in reference to the following guidelines:
 - a. The job offer will be employment that the inmate is physically able to perform. Attempts will be made to verify disability income if the inmate is handicapped and cannot work. Failure to have an employment offer will not delay sending in the employment and residence verification request.
 - b. If no other home offer is available, financial resources of \$2,000.00 or more may be used as a substitute only if the inmate has a valid employment offer. The amount must be available to the inmate at the time of parole, and if so, the prospective city of residence will be provided.
 - c. Complete information will be obtained for each offer of residency or employment including name of person, address, and phone number. The name of apartment complex and apartment number, if applicable, is to be included, as well as directions to the residence if the address is a rural route or box number.
 - d. Parole program development is not required for inmates on

PPCS/GPS/EMP. Supervising officers will forward the current approved address to the Parole Process Unit within five calendar days of a parole recommendation.

- e. The Pardon and Parole Board will be notified any time the inmate is unable to secure a valid home offer within six months.

C. Parole Certificates

Parole certificates for each inmate receiving a favorable parole recommendation are to be prepared and forwarded to each facility by the Pardon and Parole Board. The facility records officer will check the parole certificate for accuracy. Parole certificates will be signed by the inmate, witnessed, and dated.

- a. The signed certificate will be emailed to the Pardon and Parole Board at certificates@ppb.ok.gov. within five (5) calendar days.
 - b. For medical paroles, the signed certificate will be emailed to the Pardon and Parole Board the same business day.
2. If the inmate has been recommended for parole to a detainer, prior to signing of the parole certificate, the records officer will ensure the inmate is taken before a district court judge to execute a waiver of extradition if the detainer is from a foreign jurisdiction.
 - a. A copy of the waiver of extradition will be sent with the parole certificate to the Pardon and Parole Board.
 - b. If the inmate refuses to waive extradition, the records officer will submit a "Parole Status Report" (DOC 060205B, Attached) within five (5) calendar days.
 3. Prior to signing the parole certificate, the case manager/supervising officer will ensure the inmate reads and understands all standard rules of parole and any special conditions.

D. Commutations and Leaves of Absence

Immediately following the meeting, the Pardon and Parole Board will prepare and forward Executive Orders to the governor for those inmates recommended for commutation of sentence (reducing the sentence length either totally or partially).

E. Authority to Parole

Non-violent inmates, as determined by the Pardon and Parole Board, may be granted parole by the Pardon and Parole Board. Inmates determined to be

violent by the Pardon and Parole Board will be forwarded to the Governor's office for final decision.

F. Parole Stipulations

1. Inmates who are recommended for parole with a stipulation must complete the stipulation before the inmate's parole file is sent to the Pardon and Parole Board for processing.
2. Within seven (7) calendar days following facility notification of the official parole docket results, transfer/classification packets will be completed for inmates recommended with parole stipulations of community level and/or work release.
3. If the inmate is stipulated to a security level for which the inmate is not eligible and the inmate is deemed violent by the Pardon and Parole Board; the transfer packet will not be submitted until the facility is notified that the inmate is tentatively approved for parole by the governor. Prior to the parole being sent for tentative approval, a home offer must be verified in accordance with section IV.B. of this procedure.
4. If an inmate is not eligible for a program, does not have time to complete a stipulated program, or the program is not available, the case manager will submit a "Parole Stipulation Report" ([DOC 060205C](#)) within seven calendar days. The Parole Process Unit will then notify the Pardon and Parole Board.

G. Reporting of Significant Information

The facility head or designee will submit a monthly report as to the status of all inmates with parole recommendations. Facilities will submit the report to the parole process coordinator by the fifth day of each month. Information will be recorded on the "Pending Parole Tracking Report" ([DOC 060205E](#), attached).

The following significant information will be reported to the Pardon and Parole Board on an ongoing basis from the time of the inmate's recommendation until the time of final action concerning parole:

1. Once a stipulation has been completed, the "Parole Stipulation Report" ([DOC 060205C](#)) is sent to the Parole Process Unit by the facility within two working days.
2. Information that may result in the withdrawal of the parole recommendation will be reported on the "Parole Status Report" ([DOC 060205B](#)) and will include:
 - a. Escapes;

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- b. Law violations;
- c. Misconducts for escape or law violation. A copy of the misconduct and hearing action form will be included with status report;
- d. Misconducts that result in time to serve in disciplinary segregation;
- e. If the inmate is transferred to a mental health facility, or to a ODOC mental health unit for treatment or evaluation or is placed under psychiatric care due to a deteriorating mental condition, utilizing the "Oklahoma Department of Corrections Mental Health Services Treatment Recommendations Upon Parole" ([Attachment G](#), attached); or
- f. If the Pardon and Parole Board's recommendation is "To the Detainer or Void," and the inmate refuses to waive extradition to the detaining jurisdiction. In such case, the inmate's signature will be witnessed and dated.

If a parole recommendation is withdrawn due to one of the above criteria and the basis for the withdrawal is later expunged or dismissed, the confining facility/regional office will report this information to the Parole Process Unit immediately.

- 3. Information that will result in the special review of a parole recommendation will be recorded on the "Parole Status Report" ([DOC 060205B](#)) and will include the following circumstances:
 - a. An inmate requests through their case manager, a waiver of a parole stipulation or special parole condition due to unavailability of the program or a substitute.
 - b. An inmate is removed from stipulated programs. The reason for removal will be immediately reported upon occurrence, along with copies of any applicable misconducts.
 - c. Misconducts or other negative information that were not properly reported prior to the meeting.
 - d. If an inmate was recommended "To the Detainer or Void," and the detainer is later determined to be invalid.
 - (1) All inmates with detainers who are to be considered at the meeting will be checked by the records officer for validity prior to the meeting to avoid this situation.

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- (2) If the detainer is dismissed, documentation of the dismissal will be forwarded to the Pardon and Parole Board.
 - e. If an inmate was recommended to a consecutive case, and the case is modified to run concurrently with existing cases.
4. Information that the Pardon and Parole Board's executive director will utilize to determine if special review is appropriate is reported on the "Parole Status Report" ([DOC 060205B](#)) and will include:
 - a. The basis of a withdrawal is overturned or dismissed. The executive director may decide on reinstatement, to special review the case, or based on other negative information, to take no action.
 - b. An inmate is denied parole by the Pardon and Parole Board and misconduct(s) or new charges are later expunged or dismissed. The Pardon and Parole Board executive director may decide to special review the inmate, or based on other negative information, to take no action.
 - c. An administrative error affects clemency consideration or implementation of parole, commutation, or other clemency.
 - d. A special condition or recommendation requires review by the Pardon and Parole Board based on newly obtained information.
5. Information that the Board's executive director may utilize to modify parole stipulations will be recorded on the "Parole Stipulation Report" ([DOC 060205C](#)) unless otherwise indicated:
 - a. An inmate requests through their case manager a waiver of vocational training or other educational program based on verification of prior completion or an acquired skill. Supporting documentation must be attached.
 - b. A request for substitution of a program required by parole stipulation when the original program is unavailable.
 - c. An inmate is unable to complete a parole stipulation due to illness, mental limitation, or other hardship (does not include financial or family problems). Supporting documentation will be attached.
6. Information that will modify the parole recommendation will be recorded on the "Parole Status Report" ([DOC 060205B](#)) and will include:

- a. An inmate receives a consecutive case based on a previous charge or a suspended sentence known to the Pardon and Parole Board (e.g., indicated on the "Investigator's Report"). Upon receipt of the report, the parole will be modified to the consecutive case.
- b. An inmate receives a detainer based on a previous charge or conviction known to the Pardon and Parole Board (e.g., indicated on "Investigator's Report"). Upon receipt of the report, the parole will be modified to the detainer.

H. Conditional Parole

The governor has the authority to grant a conditional parole. Once the inmate has completed the required conditions, the case manager will notify the parole process coordinator, by submitting DOC 060205C, "Parole Stipulation Report", checking "other" and documenting the completion. The parole process coordinator will verify all "conditions" have been met and subsequently notify the records officer, via email, that the inmate is to be released.

V. ODOC Responsibilities Concerning Paroles Granted by the Pardon and Parole Board or the Governor

A. Parole Authorization

1. Upon notice from the Pardon and Parole Board of those inmates tentatively approved for parole by either the Pardon and Parole Board or the governor's office, commutation of sentence, or leave of absence, the Pardon and Parole Board will contact the affected records officer for information regarding misconducts or other relevant events that have occurred since the Pardon and Parole Board's recommendation but have not yet been reported.
2. GPS inmates will be located immediately upon a notification of parole. If the inmate cannot be located, the team supervisor will contact the Pardon and Parole Board before the end of the day.
3. Typically on the following day, official authorization to release/rebill those inmates granted clemency will be given by the Pardon and Parole Board to the affected records officer. The authorization will be provided by computer message to the records officer.

B. Paroles to Detainers

1. Prior to authorization for parole, the following procedures must be completed:

- a. The detaining authority will be notified that the inmate is ready to be released to their custody and arrangements will be made for pickup.
- b. The Pardon and Parole Board will be notified in advance of the pickup arrangements.
- c. Upon official authorization from the Pardon and Parole Board, the inmate will be released to the detaining authority.

VI. In Absentia Parole

Any person convicted and sentenced by a court of the State of Oklahoma who is subsequently relinquished to the custody of another state or federal authority is eligible for parole consideration under the provisions of O.S. 57 § 332.7. The inmate must make a request for in absentia parole consideration by submitting an "Application for Consideration for In Absentia Parole" (Pardon and Parole Board form [004-9-A](#)). The Oklahoma sentence must be concurrent to the sentence being served in the other jurisdiction.

A. Staff Responsibility

Upon notification that an inmate is recommended for in absentia parole by the Pardon and Parole Board:

1. Pardon and Parole Board will contact the ODOC parole process coordinator in order to obtain a permanent ODOC number, in accordance with [OP-060212](#) entitled "Maintenance and Access to Inmate/Offender Records" if an ODOC number has not been previously assigned.
2. If the inmate has no detainers or consecutive cases, and has fewer than ninety (90) days of incarceration remaining after the Oklahoma parole docket date, the Pardon and Parole Board will notify the ODOC parole process coordinator of the proposed home offer, as documented on the "Parole Interview Questionnaire" ([Pardon and Parole Board form](#)). The ODOC parole process coordinator will forward the proposed home offer to the appropriate probation and parole regional office for verification of the home offer or submission of an interstate compact transfer request. The ODOC parole process coordinator will notify the Pardon and Parole Board once the offer has been verified.

B. Notification

1. Upon notification that an inmate has been granted in absentia parole, the Pardon and Parole Board will forward the following documents to the ODOC parole process coordinator:

- a. Copies of all relevant judgment and sentence (J&S) documents;
 - b. A copy of the signed certificate of parole;
 - c. A copy of the FBI rap sheet (if available);
 - d. A copy of the parole investigation; and
 - e. A memorandum listing the inmate's current location, projected release date, and the name and telephone number of a contact person at the inmate's facility.
2. The ODOC parole process coordinator will forward the above documentation to consolidated records for creation of a consolidated record card (CRC) and calculation of the parole release date. Upon completion, records staff will forward the CRC to the ODOC parole process coordinator. The CRC and above documents will then be forwarded by the ODOC parole process coordinator to the supervising probation and parole regional office.
 - a. If the inmate plans to reside in Oklahoma, the above information will be sent to the probation and parole office governing the county of residence.
 - b. If the inmate plans to reside out-of-state, will proceed to a detainer or consecutive case, or will remain incarcerated in the foreign jurisdiction for more than ninety (90) days, the information will be sent to the probation and parole office governing the county of conviction.
 3. The county of conviction will be contacted by the parole process coordinator to advise of the in absentia parole, so the county can release the detainer.

VII. ODOC Responsibilities Concerning Commutations and Leaves of Absence Granted by the Governor

A. Commutations (Time Cuts)

The Pardon and Parole Board will forward the "Executive Order of Commutation of Sentence" to the facility. Distribution is as follows: one (1) copy for the inmate, one (1) copy for the field file, and one (1) copy for the legal document file. Upon receipt of the commutation order, the inmate's records will be modified to the commuted length of sentence.

B. Leaves of Absence

1. Upon official authorization from the governor, the inmate will be released according to the terms of the leave. If supervision is

ordered, the probation and parole office responsible for the county of residence will commence supervision of the inmate according to the terms of the leave.

2. The Pardon and Parole Board will forward the "Executive Order of Leave of Absence" to the facility. Distribution is as follows: one (1) copy for the inmate, one (1) copy for the field file, and one (1) copy for the legal document file.

VIII. DOC Responsibilities Concerning Paroles and Commutations Denied by the Governor

Upon notice from the Governor's office of those inmates denied parole or commutation, the Pardon and Parole Board will notify the affected records officer by a computer message. The records officer/team supervisor will immediately notify the inmate and provide written notice utilizing the "Notice of Pardon Parole Board Hearing Results" form ([DOC 060205D](#)) following verbal notification.

IX. References

Policy Statement No. P-060100 entitled "Classification and Case Management of Inmates/Offenders"

OP-060211 entitled "Sentence Administration"

OP-060212 entitled "Maintenance and Access of Inmate/Offender Records"

OP-160108 entitled "Interstate Compact for Probation/Parole"

(Revision-02 dated 10/15/2021) 57 O.S. § 332, 332.7, 333.7a, 332.8, 332.18.A., 332.18.B., 332.18.D., 347, and 358

(Revision-02 dated 10/15/2021) 63 O.S. § 6403

Oklahoma Attorney General Opinion No 2013-11

Pardon and Parole Board Rules, Title 515.

X. Action

The affected deputy director/facility head is responsible for compliance with this procedure.

The director of Community Corrections and Contract Services is responsible for the annual review and revisions.

Any exceptions to this procedure will require prior written approval from the agency director.

This procedure is effective as indicated.

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Replaced: Operations Memorandum No. OP-060205 entitled "Parole Process Procedures" dated July 10, 2019

Deleted: OP-060205 Operations Revision 01 dated July 30, 2019

Distribution: Policy and Operations Manual
Agency Website

<u>Referenced Forms</u>	<u>Title</u>	<u>Location</u>
DOC 060205B	"Parole Status Report"	Attached
DOC 060205C	"Parole Stipulation Report"	Attached
DOC 060205D	"Notice of Pardon Parole Board Hearing Results"	Attached
DOC 060205E	"Pending Parole Tracking Report"	Attached
DOC 060211H	"Consolidated Record Card"	OP-060211
DOC 060211O	"Notice of Inmate Status Change"	OP-060211
DOC 140108A	"Authorization for Release of Protected Health Information"	OP-140108
004-9-A	"Application for Consideration for In Absentia Parole" (Pardon and Parole Board form)	www.ok.gov/ppb/
Website Form	"Parole Interview Questionnaire" (Pardon and Parole Board form)	www.ok.gov/ppb/
004-4-6A	"Waiver of Parole-004-4-6A" (Pardon and Parole Board form)	www.ok.gov/ppb/
Form 007	"Request for Jacket Review-007" (Pardon and Parole Board form)	www.ok.gov/ppb/
Website Form	"Eligibility for Aging Prisoner Parole Consideration" (Pardon and Parole Board form)	www.ok.gov/ppb/
<u>Attachments</u>	<u>Title</u>	<u>Location</u>
Attachment A	"Parole Residence and Employment Verification Request"	Attached
Attachment B	"Medical Parole/Commutation Algorithm"	Attached
Attachment E (Revision-02 dated 10/15/2021, Revision-01 dated 03/24/2021)	"Oklahoma Department of Corrections Medical Services Medical Parole/Commutation Evaluation"	Attached
Attachment F	"Notification of Parole Hearing Date"	Attached
Attachment G	"Oklahoma Department of Corrections Mental Health Services Treatment Recommendations Upon Parole"	Attached