

Pardon and Parole Board

Frequently Asked Questions About Aging Prisoners Parole

GENERAL QUESTIONS

1. What is the aging prisoner's parole?

The Aging Prisoner's Parole was legislatively established in May 2018 to be effective in November 2018 as a part of Oklahoma's criminal justice reform.

2. What are the eligibility criteria for an inmate to be considered under the aging prisoner's parole?

The inmate must be 60 years of age or older, have served in actual custody 10 years or 1/3 of the total term of imprisonment (whichever is shorter), must pose a minimal public safety risk, and not be incarcerated for a violent crime identified in Section O.S. Title 21, Section 13.1 or Title 57, Section 571. Finally, the inmate also may not be convicted of a crime that would require registration under the Sex Offender Registration Act.

3. Who determines if an inmate is eligible for aging prisoner's parole?

A Records Officer of the Department of Corrections will determine that an inmate meets all of the statutory criteria for parole consideration under the aging prisoner's parole.

APPLICATION QUESTIONS

4. How can an inmate apply for the aging prisoner's parole?

To apply, an application must be completed and submitted to the Pardon and Parole Board as per the directions.

5. How can an application be obtained?

The Pardon and Parole Board does not provide applications directly to inmates. The law library will have an application. Another option to obtain an application is for a family member to print a copy from the Pardon and Parole Board's website and mail the application to the inmate.

6. Can an inmate receive assistance in completing an application?

Yes, family members or other may assist the inmate with the application but the inmate is required to sign the application indicating that all information submitted is true and correct.

7. Can the Pardon and Parole Board's investigator or the Department of Correction's case manager assist me in completing the application or providing information necessary to complete the application?

No, neither parole investigators nor case managers can advise an inmate regarding completion of an application.

8. Where does the application need to be sent?

The application must be mailed to the Pardon and Parole Board at 4345 N. Lincoln Blvd., Suite 1082, Oklahoma City, Oklahoma, 73105.

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9. Will a letter be sent indicating that the application was received?

No, the Pardon and Parole Board does not send notice that an application was received. Applications should be sent by certified mail if a return receipt is desired.

10. What if an inmate receives a notification that the application is incomplete?

The application will not be processed until it is complete. If the application is not complete, the inmate or the attorney submitting the application on behalf of their client will be notified about the missing information, along with a deadline to provide the missing information.

11. How long does it take after an application is submitted to come before the Board?

Once the application is complete, the inmate may need a risk assessment by the Department of Corrections. A report will be then completed by a parole investigator. Once complete, the inmate will be placed on the next available docket. Case managers will notify the inmate when the inmate is placed on the docket.

12. Should a copy of the application be made before sending?

Yes, the inmate or the attorney submitting the application on behalf of their client should keep a copy of the application. Denied applications are not returned. If a copy was not retained, the inmate can obtain a copy by making an open records request and a copy will be provided at twenty-five cents (\$0.25) per page. This fee cannot be waived. Payment must be made before the copy is provided.

PAROLE HEARINGS

13. What is the purpose of a parole hearing for an inmate eligible for this parole?

A parole hearing provides the Board an opportunity to review the investigator's report and other pertinent information on the inmate, to hear input from victims and district attorneys, to hear input from the inmate's family or friends, and to question the inmate directly in order to assess of the inmate's readiness for parole and the risk to the public.

14. How often are meetings held?

The Board meets once per month.

15. Where are the meetings held?

The Parole Board meets monthly at the Oklahoma Health Care Authority, located at 4345 N. Lincoln Blvd., Oklahoma City, OK 73105. To determine specific dates or individual parole docket times, contact the Pardon and Parole Board at 405/521-6600.

16. Are parole hearings open to the public?

Yes, Pardon and Parole Board hearings are open to the public pursuant to and conducted in accordance with the Oklahoma Open Meeting Act. Since hearings are held at the Department of Corrections facility, all visitors are subject to search in accordance with DOC's policies and

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procedures. Visitors must bring photo identification. Cell phones are not allowed. Meetings are also subject to capacity limitations for the meeting facility. The Board reserves the right to deny entrance to any attendee once capacity is reached.

17. Can a family member, friend, or attorney speak directly to the Board or a Board member on behalf of the inmate outside of the parole hearing?

No, family members or friends, often referred to as delegates, or attorneys cannot communicate directly with a Board member outside of a Board hearing about the specifics of a case. Delegates may write letters of support directed to the Board to be considered by the Board or attend a Board meeting in support of a delegate. One delegate may present at a Board hearing on behalf of an inmate.

18. Can a family member, friend, or attorney speak at hearing on behalf of the inmate?

Yes, persons wishing to speak to the Board must contact the Pardon and Parole Board at 405/521-6600 and obtain a confirmation number by Friday at 4:00 p.m. prior to the first day of the monthly meeting in which the inmate is being considered. Two (2) delegates are allowed to appear before the Board on the inmate's behalf and one (1) delegate is allowed to speak for two (2) minutes on behalf of the inmate. Other family members may attend in support.

19. If a family member of friend cannot attend the hearing, can they submit a written letter or email to the Board to be reviewed for consideration?

Yes, instead of appearing before the Board, a family member or friend can submit a letter or email to the Board in support of the inmate.

20. Is there a format for letters and where should letters or emails be submitted?

Letters may be typed or handwritten on one-side only. Handwritten letters must be legible. Please do not use staples. Letters must include the inmate's name, DOC number, and docket month and year on the top of each page and on the back of the envelope. In order to be forwarded to the Board, letters or emails must be submitted by 5:00 p.m. on the Tuesday one week prior to the Board meeting. Letters should be sent via mail to the Oklahoma Pardon and Parole Board, Attn: Board Communications, 4345 N. Lincoln Blvd., Suite 1082, Oklahoma City, Oklahoma, 73105. Emails should be sent to: boardcommunications@ppb.ok.gov.

21. Does a letter need to be sent to each Board member?

No, individual letters to each board member are not required or even encouraged. Letters or emails sent by the deadline will be distributed to all board members.

22. Can a victim or victim's representative or District Attorney's office protest an aging prisoner's parole consideration?

Yes, a victim, victim's representative, or District Attorney on behalf of a victim may protest an inmate's parole release.

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PARDON AND PAROLE BOARD REVIEW

23. What is the process for the aging prisoner's parole consideration?

After obtaining the application and completing the General Information, the inmate will make a request to the Records Officer to complete the Eligibility section on the application. The remainder of the application will need to be completed by the inmate and then submitted to the Pardon and Parole Board. A risk assessment will be conducted by the Department of Corrections, if needed. Once complete, the parole investigator will prepare an investigative report for the Board and the inmate will be docketed for a parole hearing.

24. How will family members or friends be notified of the date of the inmate's personal appearance?

The inmate is notified by the Department of Corrections case manager of the parole hearing date. It is the responsibility of the inmate to convey this information to family members and/or friends. Due to ongoing changes in inmates' housing assignments, dockets times and dates are not set until five (5) days prior to the meeting. To determine specific dates or individual parole docket times, contact the Pardon and Parole Board at 405/521-6600.

25. Do family members or friends have to go to Oklahoma Health Care Authority facility to speak on behalf of the inmate?

Family members and/or friends may attend the hearing at Oklahoma Health Care Authority where the Board meets or they may attend at the facility where the inmate is located if that inmate has a personal appearance.

26. What does a family member or friend need to know when going to another facility to speak on behalf of the inmate?

Only two (2) family members or friends are allowed to attend when appearing at correctional facility other than Oklahoma Health Care Authority (OHCA). Whether attending at OHCA or another correctional facility, family members and/or friends wishing to speak must obtain a confirmation number from the Pardon and Parole Board prior to the meeting. Since these are facilities of the Department of Corrections, all visitors attending are subject to search of their person in accordance with the policies and procedures of DOC. Visitors must bring photo identification and cell phones are not allowed.

27. If an inmate is granted an aging prisoners parole, what happens next?

The parole certificate is prepared and sent to the facility for the inmate's signature. The parole is pending until: 1) the certificate is signed; 2) a valid home offer is obtained; 3) stipulations are completed; and, 4) detainers and warrants, if any, are cleared. Pending paroles are verified weekly for completion of these tasks. These tasks are completed by multiple agencies so completion may take two to four weeks. Once these steps are completed, the inmate is placed on a list for probable release the following week.

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28. What does it mean when an inmate is placed on a list for probable release?

When an inmate is placed on the list for probable release it means the inmate has completed the Board and/or the Governor's recommended stipulations, has a valid home offer, and has signed the Parole Certificate. The probable list is sent on Monday morning to the facility where the inmate is located. The facilities have until 2:00 p.m. on Tuesday to send a response that the inmate can be paroled. The final releasing memo is sent Wednesday morning for the inmate to be released. Inmates are released weekly with the exception of the week after the Pardon and Parole Board meetings.

29. If the parole application is denied, how long before reapplication can be made?

There is no waiting period to re-apply at this time.

30. Can the Pardon and Parole Board parole sentences that the inmate is not currently serving?

No, the Board can only parole to the next consecutive sentence case.

31. How can someone find out the results of an aging prisoner's parole hearing?

Following the monthly Board meeting, the inmate can find out the results of the aging prisoner's parole review from the case manager. An inmate's family can find out the results of an application by visiting the Pardon and Parole Board's website <https://www.ok.gov/ppb/> on Tuesday the week following the Board meeting.

32. Can I find out why the application was denied?

The Board does not give a reason for denials.

33. How does an inmate re-apply?

If an inmate wants to re-apply for an aging prisoner's parole request, a new application must be submitted.

34. If an inmate is denied an aging prisoner's parole, what happens next?

The inmate will be considered at their next regular parole consideration.