

**TITLE 515. PARDON AND PAROLE BOARD
CHAPTER 25. PAROLE PROCEDURES**

SUBCHAPTER 5. VICTIM NOTIFICATION PROGRAM

515:25-5-1. Victim registration [AMENDED]

- (a) **Victim notification program.** The Board utilizes the Victim Notification Program to notify a registered Victim or Victim Representative of an Inmate's commutation application.
- (b) **Registration.** A Victim or Victim Representative may register with the Victim Notification Program by contacting the administrative staff at 405/521-6600 to obtain a copy of the form. The form is also available on the website at www.ok.gov/PPB/Victim-Notification-Program, or by contacting the Victim Witness Coordinator in the District Attorney's office in the county where the Inmate was prosecuted. A completed form can be mailed to the administrative office of the Board or emailed as per the directions on the form.
- (c) **Change of address.** In order to ensure continued notifications from the Board, changes of address of the Victim or Victim Representative must be provided in writing to administrative office of the Board.

SUBCHAPTER 13. REVOCATION

515:25-13-1. Parole revocation [NEW]

- (a) **Executive parole revocation hearing.** The Executive Parole Revocation Hearing for each parolee is conducted when the parolee has been charged with violating the rules and conditions of parole, including any special rules and conditions. After a finding of probable cause by the Department of Corrections (DOC) pursuant to a Probable Cause Hearing, the parolee shall be given an opportunity to have an Executive Revocation Hearing. The parolee may choose to waive the hearing
- (b) **Hearing officer.** The Hearing Officer for each Executive Parole Revocation Hearing is assigned by the Executive Director of the Pardon and Parole Board.
- (c) **Appointment of counsel for parolee.** Parolees may be represented by an attorney during the parole revocation process. Should a parolee make a request that counsel be appointed, the Hearing Officer will decide whether to appoint counsel, based on the offender's ability to understand and present the case.

515:25-13-2. Executive parole revocation hearing [NEW]

- (a) **Hearing procedure.** The Hearing Officer presides over the proceedings and make a fair and impartial disposition based upon findings of fact.
- (1) The facts shall be presented to and determined by the assigned Hearing Officer, unless the Hearing is waived by the parolee. If the Executive Parole Revocation Hearing is waived, the facts shall be determined by the Hearing Officer after a fair and impartial review of the written information submitted to the Hearing Officer by the DOC and the parolee.
- (2) Witnesses shall be screened to determine who may be subject to sequestration. All non-party witnesses may be subject to sequestration.
- (3) For Executive Parole Revocation Hearings that are conducted via video conference, the participants may appear at the video location or in person at the discretion of the Hearing Officer, provided that the parolee shall appear at the location determined by the DOC.

(4) The hearing shall be conducted in accordance with the due process requirements of law.
(b) Evidence. The Hearing Officer shall screen all evidence for its material value to the issues of the hearing.

(1) Rules of Evidence followed in the Oklahoma Courts shall not be applicable. However, the evidence relied upon must be material and relevant to the issues at hand. Direct and verified evidence shall be given the greatest weight in deciding issues in a particular case.

(2) Hearsay evidence is admissible and will be considered in light of its reliability, relevancy, necessity, and probative value.

(3) Evidence is relevant if it has a tendency to prove or disprove any disputed fact at issue.

(4) The Hearing Officer may take official notice of any fact that the courts may judicially notice and of those matters within the Hearing Officer's particular expertise, including the policies and procedures related to parole.

515:25-13-3. Parole revocation recommendation [NEW]

Whether a hearing is held or waived, a parole revocation recommendation may be prepared to reinstate parole, or revoke a parole in its entirety, partially, or to revoke the parolee to time served if DOC proves by a preponderance of the evidence that the allegations regarding parole violation are true and that revocation is warranted under the circumstances. The recommendation shall also include whether the offender receives credit for his or her time on parole, pursuant to 57 O.S. § 350, and whether the time revoked is to be served concurrently or consecutively with any new law violations.

515:25-13-4. Hearing summary [NEW]

After a hearing is held, the Hearing Officer will prepare a written summary including a recommendation as to whether the parolee's parole should be revoked. The written summary, along with the evidence submitted will be distributed to the Governor, the parolee and the Department of Corrections.

515:25-13-5. Parole revocation certificate [NEW]

Following the preparation of the recommendation and hearing summary, the Hearing Officer shall prepare a draft Certificate of Parole Revocation or Reinstatement. The proposed Certificate is forwarded to the Office of the Governor for further action. The proposed Certificate is considered a working draft copy and can be modified by the Office of the Governor. The Governor makes the final determination on the parolee's revocation and files the certificate of revocation with the Secretary of State.