**CORRECTIONS SYSTEM**  copied from League of Women Voters of Oklahoma Program For Action, (former title Program Positions) pp. 30-34

***Support for an improved Oklahoma penal system.***

**LAWS, AGENCIES, AND INSTITUTIONS**

The League of Women Voters of Oklahoma believes that the present correctional system of Oklahoma is inadequate and should be improved. It believes that the following standards should be implemented:

1. All administrative officers in the Department of Corrections should be required to have at least a degree in the behavioral sciences and experience in corrections. The “experience equivalent” clause should be deleted from the present statutes that establish the Oklahoma Department of Corrections.

2. The Division of Inspection should be implemented under the Department of Corrections.

3. A pre-sentence investigation should be required on every convicted felon.

4. A centrally located diagnostic facility, staffed with professionally qualified personnel, should be established near a metropolitan area that can provide readily available expertise. The proper placement or assignment of convicted felons should be made from this facility based on professional evaluation.

5. A centralized prisoner record system should be established, either at the diagnostic center or the Department of Corrections where records would not be available to prisoners.

The State institutional facilities should include the following:

1. One maximum-security facility for the state with the prisoner population limited to not more than 500.

2. More medium-security facilities, limited in size and near metropolitan areas

3. More community treatment centers established as minimum security facilities.

4. Training and education programs should be provided with emphasis on programs for medium and minimum-security inmates.

5. The League supports utilization of community rehabilitation measures as effective means to

decrease the present system of centralized imprisonment.

 Consensus approved 1975

**SENTENCING**

The League of Women Voters of Oklahoma believes that the primary purpose of

imposing criminal sanctions is for the protection of the public. Rehabilitation is one means of

achieving this purpose.

Sentences should be uniform throughout the state; there should be no gross disparity between

sentences imposed for the same kind of crime. Sentences should be fair, provide certainty for the convicted, and be tied in a reasonable way to the crime. Sentencing for criminal acts should be determined by judges, rather than juries.

Sentences imposed should be within specific guidelines established by the legislature or by a

sentencing commission. Judges should be accountable for imposing sentences within the guidelines.

The League of Women Voters of Oklahoma believes that the current felony limit should be raised. Any felony limits established should be reviewed and updated periodically.

Sentencing other than imprisonment should play a major role in the criminal justice system. A wide variety of alternative sentences closely tied to community resources and involvement should be used. Because they are most effective in economic and human terms for the protection of society, alternatives to incarceration must be an integral part of the sentencing process.

The community has the responsibility to be involved at all stages of the criminal justice system-study, planning, education and policy-making. It should provide support for a sound restitution program, reintegration of violators into community life, and prevention programs.

Consensus approved 1979

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**PAROLE**

The League of Women Voters of Oklahoma supports the creation of a State Pardon and

Parole Board composed of three to five full time members. The League believes the Board should be the sole authority for the granting of paroles with the governor removed from any involvement in the parole granting process. Qualification requirements for Board members should include personal qualifications and integrity consistent with those expected of high judicial officers that would command the trust and respect of the public. Educational requirements would be those that qualify the individual for professional status in such fields as criminology, education, psychology and other social sciences. Board members should also have experience in many fields of corrections that would enable them to understand intimately the problems confronting both offenders and correctional officials. No member of the Pardon and Parole Board should be an officer of any political party or seek to hold elective office while a member of the Board. Members should serve staggered terms. The League believes that the method of appointment of members of the Pardon and Parole Board should be such

that partisan politics would be minimized in the parole process.

An individualized parole plan based on uniform criteria should be developed for each inmate when he enters the prison system. The criteria should be clearly defined. A standard procedure should be developed for a systematic review of each inmate, and inmate counseling should be provided periodically as to progress made in meeting the requirements of the parole plan. All parole investigations and reports should be done by professionally qualified personnel.

Prison rules and regulations should be clear, reasonable, and well defined. Every effort needs to be made to insure prisoners’ understanding of the rules. Good time should be vested with maximum limits set on the amount lost per infraction. In disciplinary action, due process must be protected. An ombudsman system should be established.

Parole officers should be professionally qualified and have reduced caseloads. Rules and the period of supervision for parolees should be individualized and realistic. Services need to be offered to bridge the gap between institution and society.

The League believes that procedures for revoking parole should insure that parolees are entitle to minimum requirements of “due process.” Parolees should have legal counsel and the right to subpoena witnesses.

 Consensus approved in 1979

**BACKGROUND INFORMATION**

The League’s adoption of the Oklahoma correctional system as a study in the spring of 1973 proved timely, as a major riot at McAlester state prison that summer focused state attention on the need for reform of Oklahoma’s prisons. The Legislature, prodded by the report of a special task force committee that investigated the riot, moved the state forward, improving the correctional system. However, the most significant development in correctional reform came, not from the actions by the Legislature or the executive branch, but from the judiciary in the form of a court order by U. S. District Judge Luther Bohanon. His orders to correct discrimination and unlawful actions mandated changes

in the area of:

• Racial discrimination in cell and job assignment;

• Harsh discipline actions;

• Harsh confinement and lack of exercise;

• Use of chemical agents’

• Meals;

• Medical care;

• Correspondence and subscriptions to publications;

• Access to courts and legal books;

• Religious freedom; and

• Security and staffing.

Both the post-riot Legislative Task Force and the Master Plan for Oklahoma Corrections gave top priority to reduction of the inmate population through use of alternatives to incarceration. This has not taken place.

Upon completion of our first two studies, ***Laws, Agencies and Institutions*** and ***The Parole System in Oklahoma,*** an awareness that the consensus at which we had arrived must be preceded or accompanied by other changes, led to the 1977 Convention’s adopting a further study of parole and a new study of sentencing.

The League continues to address the issues of:

• Prison overcrowding;

• Alternatives to incarceration;

• Over incarceration;

• Disproportionate incarceration of women and minorities;

• Training and education programs;

• Under-utilization of parole;

• Large-scale early releases and emergency releases;

• Specialized treatment of categories of offenders such as drunk drivers and sex offenders;

• Sentencing reform;

• Siting of community treatment centers

• Full-time Pardon and Parole Board;

• Community involvement; and

• Education of the public on criminal justice issues

Several League positions have been accomplished:

• All administrative officers in the Department of Corrections are required to have at least a degree in the behavioral sciences and experience in criminology. The “experience equivalent” clause has been deleted from the present statutes that establish the Oklahoma Department of Corrections.

• The Division of Inspection has been implemented under the Department of Corrections.

• A centrally located diagnostic facility, staffed with professionally qualified personnel, has been established at the Lexington facility. The proper placement or assignment of convicted felons, based on professional evaluation, is made from this facility.

• A centralized prisoner record system has been established.

• An individualized parole plan based on uniform criteria is developed for each inmate when he enters the prison system.

• All counties now have the option to use community service sentencing when offenders remain in their home communities and make restitution.

The state added two new institutions in 1988 – one for women and one for young male offenders, and in 1990 added 350 more beds to the maximum-security facility at McAlister. However, overcrowding continues to be a major problem. The riot at Mack Alford Correction Center in Stringtown in 1988 was caused by overcrowding. The programs offered by the Department of Corrections are excellent, but access is curtailed by unpredictable discharge dates and the heavy use of the early release programs caused by overcrowding. Although the 1990 Legislature appropriated funds to staff three work camps, no funds are available to construct the work camps. Capital improvements are currently on hold with no new money appropriated for emergency repairs.

In 1988, a Criminal Justice System Task Force was appointed by the Governor to examine ways to reduce prison overcrowding. One of the 18-member task force was a League member who held the Corrections Portfolio for several years. Task Force Recommendations led to creation of two important committees: 1) Re-codification of the Criminal Code Committee; and 2) Sentencing and Release Policy Committee. Final recommendations are due by March 1992.

Rates of imprisonment for the United States and the State of Oklahoma began to climb in the

mid-1970s and showed no sign of a decline. Oklahoma remained, in 1993, the state with the highest rate for incarceration of women and had the fourth highest incarceration rate for men. There were over 12,000 people serving sentences in correctional facilities in Oklahoma with 57.6 percent of crimes non-violent and 42.4 percent violent. The average sentence was 15 years; however, average time served was only 20 months. Drug offenses at 23 percent were the fastest growing category of new receptions.

Due to increasing demand on the system and lack of resources to build new prisons, SB 565 (Prison Population Management Act) was passed in 1993. This Act was passed in 1993. This Act provided for a system of supervised release when the prison system’s population exceeded 97.5 percent of capacity. Only non-violent offenders, within 24 months, of parole were eligible for release. The prisoner had to complete the required rehabilitation, education, or substance abuse program for his or her case. SB 565 also required active community supervision, for inmates participating in the program. Although this bill was passed in 1993, by spring of 1994, the Legislature had been challenged by public opinion and a court case.

As of 1996, there appeared to be both public and Legislative momentum to plan comprehensive sentencing reform. Various reform groups in steering committees worked to write a balanced reform bill that focused on the need for truth in sentencing (and hence an end to early release) and to design alternative punishments that would be rehabilitative in nature, but would have sufficient safe guards to protect the public. The bill, HB 1213, called the Truth-in-Sentencing and Community Corrections Act, addressed both problems in exhaustive detail. It passed with nearly a unanimous vote and was signed by the Governor at the end of the 1996 session.

However since then, progress has stalled and no provisions of the bill have taken effect. At the time of this writing, just prior to the LWVOK 1999 State Convention, the legislature has delayed

implementation, has not funded any county to provide community services, and is unsure of the fate of the sentencing guidelines. At the same time, prison crowding is worse than ever with 20,000 in custody. Conditions in the institutions are deteriorating especially in the areas of medical services, mental health services, and staff retention. There is decreasing commitment to the importance of family visitation, educational programs, and the need to prepare inmates for successful release into their communities. There is increasing commitment to the use of private prisons that charge more per diem and while clean, new, and safe, do not provide much education or training.

As the end of the legislative session nears, no comprehensive reform is expected although it is

certainly still needed.

 5/12/99

**RE-INTEGRATION OF FEMALE OFFENDERS** copied from League of Women voters of Oklahoma Program For Action (former title Program Positions) pp. 34-35

***Support for successful re-integration of female offenders.***

Recognizing that Oklahoma can take no pride in incarcerating such a high percentage of its female population, the League of Women voters of Oklahoma conducted a two-year study of some of the barriers to successful reintegration. The barriers selected were: 1) Restoration of voting rights, 2) Adequate housing, 3) Medical Care, and 4) employment. With improvements in these areas, it was concluded that there would be a real possibility of successful re-integration, a decrease in the recidivism rate, and improved lives for former offenders and their children that would help eliminate the generational incarceration in families currently occurring.

The position of the LWVOK on these issues is:

**Restoration of Voting Rights** – The right to vote in Oklahoma should be restored to former offenders upon discharge of all current sentences. At present, a person with felony convictions cannot vote until the time of original judgment and sentence has passed. Currently the law is confusing even for county election boards. Legislation changing the requirement would help remove the possibility of misinterpretation.

**Employment** – The ability of the Department of Corrections in Oklahoma to provide programs to improve job skills while incarcerated is greatly hampered by inadequate funding. The LWVOK should educate Legislators on these issues and advocate for improved funding on the state and federal levels. Upon release from prison, transportation to work becomes and issue and the LWVOK should work in the community to create innovative ways to meet these needs.

**Housing** – Availability of decent, affordable housing is limited especially for women coming into the community from prison with immediate concerns for housing for themselves and their children. As an example, Title VIII housing requires an individual with a drug or violence charge within the preceding three years to complete courses dealing with substance and/or anger management. Adequate funding must be provided for the Department of Corrections to offer these courses and provide documentation of completion. In addition, the Department of Corrections should assist inmates in obtaining all other documents that will be required for access to housing as well as other needs upon their release from prison.

**Health Care** – No prisoner should be denied necessary and appropriate health care. This includes substance abuse and dental and mental health programs. Access to adequate care on release from prison would be facilitated if offenders were provided with a complete record of their treatment in all areas upon release. Once again, LWVOK should do what is necessary to see that funding for this is available. As access to dental care is the most difficult upon release, LWVOK should do what is necessary to see that funding for this is available. As access to dental care is the most difficult upon release, LWVOK should network with others in the community to see that the care is available.

As a means of assisting the Department of Corrections, the LWVOK will develop directories of

services available in the various parts of the state and these directories will be provided to women leaving the prison system. The LWVOK will work with the Department of Corrections and other entities in the community to see that these four barriers to successful reintegration are reduced or completely eliminated.

Consensus approved in 2007