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Oklahoma City, Oklahoma

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PARDON AND PAROLE BOARD

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ROBERT H. MITCHELL

OKLAHOMA CITY

VICE-CHAIRMAN

AUGUSTA E. MANN

TULSA

MEMBERS

FARRELL M. HATCH

DURANT

JIM HANEY

SHAWNEE

BETTY KINNETT

SHAWNEE

**GEORGE NICH
GOVERNOR**



STATE OF OKLAHOMA

Pardon and Parole Board

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ANNUAL REPORT

1985

ISSUED BY

THE PARDON AND PAROLE BOARD

OKLAHOMA CITY, OKLAHOMA

MAY 1, 1986

NCJRS

FEB 4 1986

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I. Organization of the Pardon and Parole Board

The Pardon and Parole Board was created by a constitutional amendment adopted by the voters in 1944. The Board consists of five members who are private citizens appointed to serve for four years coterminous with the Governor. Three members are appointed by the Governor, one by the Presiding Judge of the Supreme Court and one by the Presiding Judge of the Court of Criminal Appeals. The Board elects a Chairman and a Vice-Chairman to preside at meetings and administer oaths. The Chairman also represents the Board at public functions and speaks on behalf of the Board on issues affecting the agency.

The Board is supported by a staff of twenty-two employees including the Executive Director who is responsible for supervision of the staff, budgetary management and all phases of the agency's operation. The staff also includes a Deputy Director, General Counsel, Administrative Officer, nine Investigators, two Investigator Supervisors, a Business Manager, an Executive Secretary and five typist/clerks. The major functions of the staff are to assign parole docket dates to all inmates incarcerated in Oklahoma penal institutions and to provide written reports on clemency candidates considered at the monthly Board meetings. The professional staff has an average of ten years experience in criminal justice, and the majority of the Investigators and all of the administrative staff hold post-graduate degrees.

The Board establishes the dates for the monthly meetings in accordance with the Open Meeting Act, and members of the public, youth groups and civic organizations are encouraged to attend. Meetings alternate between the Oklahoma State Penitentiary in McAlester and the Lexington Correctional Center in Lexington.

Robert H. Mitchell, Chairman, Oklahoma City
Augusta E. Mann, Vice-Chairman, Tulsa
Jim Haney, Member, Shawnee
Farrell M. Hatch, Member, Durant
Betty Kinnett, Member, Shawnee

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J.D. Daniels, Deputy Director
Sheila Sewell, General Counsel

II. 1985 Budget and Personnel

<u>APPROPRIATIONS</u>		
	FY-85	FY-86
Personal Services	\$556,199	\$643,723
Equipment	6,300	2,300
Other Operating Expenses	94,469	103,168
Total Appropriation	\$656,968	\$749,191
Authorized FTE	21	22

The increase in funding for FY-86 was largely due to the addition of one position and the state-wide pay raises granted by the Legislature. Operating expenses increased in the areas of travel and communications. Compensation for Board members was modified to include a pay raise to \$3,600 per year, while per diem was decreased from \$75 per day to the rate paid to all state employees.

Two significant changes occurred in the membership of the Board in 1985. Lynnell Harkins, Oklahoma City Attorney, resigned in October to accept an appointment as Special Judge in the Juvenile Division of the Oklahoma County District Court. A former Board member, Jim Haney of Shawnee, was appointed by the Court of Criminal Appeals as her successor. Haney had previously served on the Board as a Governor's appointee and resigned in 1983 for business reasons.

The agency was saddened by the death of Board member J.W. Kinnett on December 22, 1985. As a Governor's appointee, Kinnett replaced Jim Haney in 1983 and continued to serve despite a leukemia diagnosis in early 1985. Mr. Kinnett was known for his integrity and his commitment to public service, but was most admired by the Board and staff for his sense of humor and caring attitude toward all people. His wife, Betty, was appointed by Governor Nigh as his successor.

The agency staff increased in 1985 with the addition of an Administrative Officer I. Under the supervision of the General Counsel, the Administrative Officer's primary function is the auditing of inmate files to ensure the correct assignment of parole consideration dates. Other duties include conducting parole revocation hearings, recording and maintaining minutes of the Pardon and Parole Board meetings, coordinating staff training, and performing risk management tasks. The hiring of the Administrative Officer and the promotion

III. 1985 Accomplishments

The Pardon and Parole Board began the immense task of revising the risk assessment form and parole guideline matrix in April, 1985. Through a technical assistance grant from the National Institute of Corrections, a form was designed for use in the gathering of data on inmates released from prison between January and June of 1983. The files of approximately 1100 offenders were included in the sample for analysis. Data collection will continue through most of 1986, when technical assistance will again be utilized for analysis and restructuring of the guidelines.

One of the primary objectives for 1985 was the establishment of a procedure for the auditing of parole docket dates and inmate files. The increase in inmate movement due to the house arrest program administered by the Department of Corrections necessitated the monitoring of docket dates to ensure the correct application of Board policies and state law. Factors such as sentence modification, increased jail credits, and rebill to a consecutive sentence have required constant revision of records. An audit system was developed by the Administrative Officer to review inmate files and docketing records for accuracy and completeness. One benefit of the audit system has been to identify files where the District Attorney's version of the offense has not been received and is necessary for the Board to make an informed decision. The version can then be requested prior to the inmate's parole consideration.

With the acquisition of the Administrative Officer to coordinate training, emphasis was placed on the utilization of free training opportunities offered by the state Office of Personnel Management and the National Academy of Corrections in Boulder, Colorado. Through participation in these programs, employees obtained additional training with little or no cost to the agency. In April, the staff conducted a seminar for Board members which included a review of agency procedures on the docketing process and investigative report preparation. The staff also provided training for other agencies including the Department of Corrections training academy and a special seminar on the parole revocation process necessitated by the decentralization of the Division of Probation and Parole. In conjunction with the June Board meeting, a seminar was held for District Attorneys Victim-Witness Coordinators, which included an explanation of procedures and observation of the Board in session.

Decentralization of the Department of Corrections resulted in several changes related to the monthly parole dockets. Since dockets were produced by Department of Corrections computer, the Pardon and Parole Board was able to adapt the computer functions to produce minutes of each meeting and a list of recommendations for distribution to the District Attorneys. Decentralization also resulted in the administrative clerical staff assuming the responsibility for typing parole certificates. This service was previously provided by each correctional facility.

Investigators for the Pardon and Parole Board continued to maintain a high standard in the production of investigative reports and consistently volunteered for special projects which could not have otherwise been completed. These assignments included the purging of all Board documents from the Department of Corrections Central records prior to closing of that unit and the research project for modification of the parole matrix.

IV. 1985 Statistics

Senate Bill 65, enacted in 1985, provided that inmates who were denied parole by the Pardon and Parole Board could not be placed on house arrest for six months. To avoid this restriction, inmates began waiving parole in record numbers during the last half of the year. The waiver rate was the highest in December, reaching 47.5%. The impact has been a reduced number of inmates being considered for parole and a reduction in the number of investigative reports completed each month. However, the agency's workload was not correspondingly reduced, because the establishment of a docket date and much of the investigative work is done prior to the inmate deciding to waive parole.

PERCENTAGE OF PAROLE WAIVERS

June	29.5
July	29.8
August	43.2
September	42.9
October	45.5
November	42.6
December	47.5

Another significant statistic in 1985 was the decline in the percentage of paroles approved by the Governor. Only 59% of parole recommendations were signed by Governor Nigh during the year, compared to 67-87% in previous years. Consequently, the number of inmates reviewed by the Board due to Governor Denial increased in 1985 by 52%.

The percentage of inmates recommended for commutation to time served on the Spring and Christmas commutation dockets increased significantly, from 54% in 1984 to 70.5% in 1985. The increase was due to improved criteria for determining the eligibility of inmates for commutation consideration and the Board's awareness of prison crowding.

SUMMARY OF CLEMENCY ACTION

	<u>Calendar Year</u> , 19 <u>85</u>		
<u>PAROLES:</u>	<u>CONSIDERED</u>	<u>RECOMMENDED</u>	<u>DENIED</u>
PERSONAL APPEARANCES	1,474	466	1,008
JACKET REVIEWS	1,995	804	1,191
TOTAL	3,469	1,270 (36.6%)	2,199 (63.4%)
SPRING/CHRISTMAS COMMUTATION	863	608 (70.5%)	255 (29.5%)
WAIVERS:	2,100 (37.7%)		

V. 1986 Objectives

In December of 1985 all investigators, supervisors and professional staff participated in the establishment of priorities for the agency for the next several years. The variety of ideas and proposals discussed indicates that the Pardon and Parole Board is a progressive agency, dedicated to the public interest and to improving the quality of operations. Due to budgetary problems, 1986 objectives were carefully screened for those which were the most important or which could be accomplished with little or no expenditures. The selected objectives for 1986 are:

- Completion of the risk assessment revision project, modification of the parole matrix and relevant procedural changes
- Revision of policies and procedures governing jacket review criteria and the redocketing of inmates denied parole by the Board or returned to prison as parole violators
- Increased participation by victims in the parole process through the development of a victim impact statement
- Training for clerical and support staff on the criminal justice system
- Development of a handbook and training program for new Board members
- Continued involvement of staff in the development of long-range agency goals.