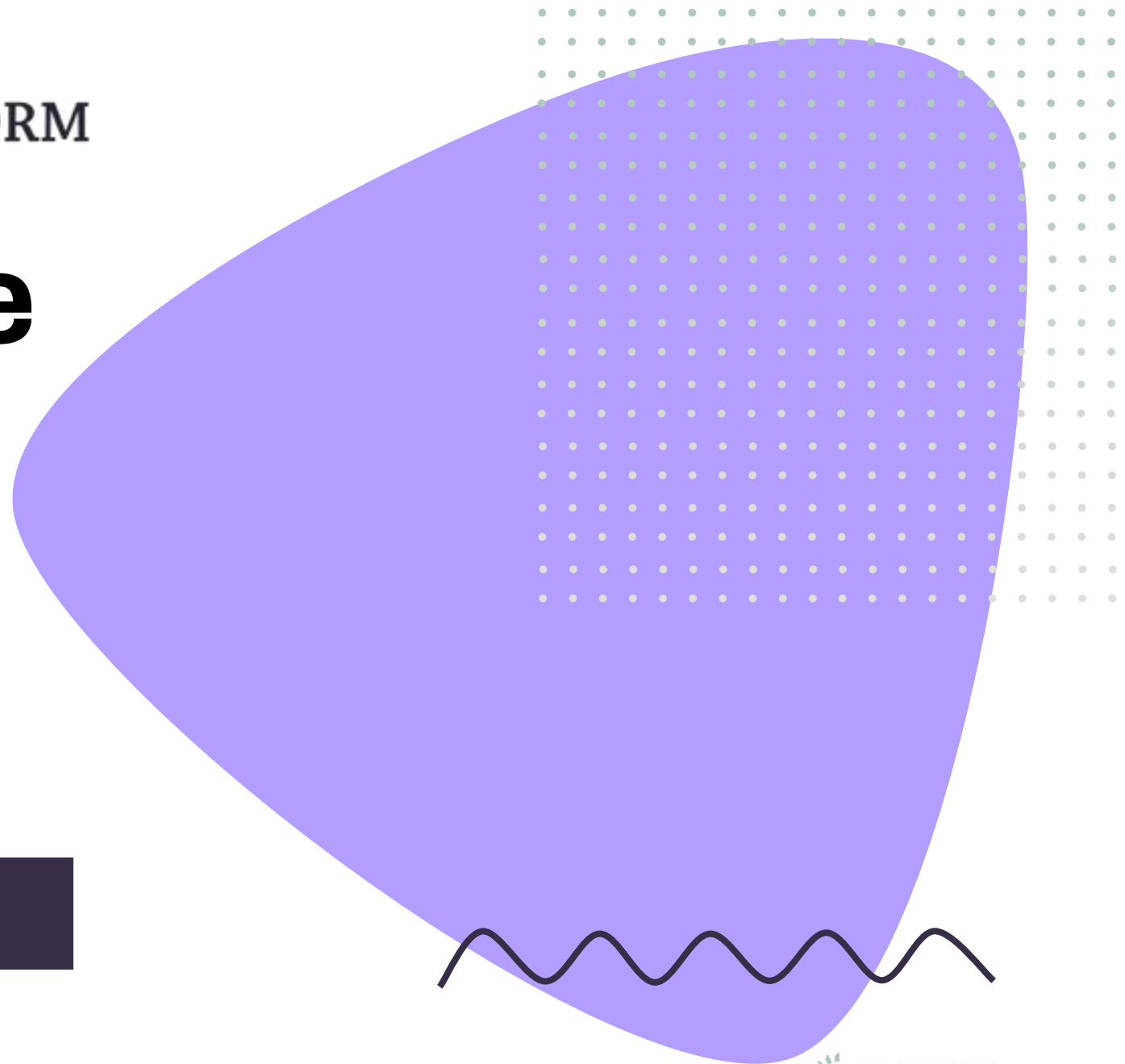




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Elderly Parole and Grant Rates in Oklahoma

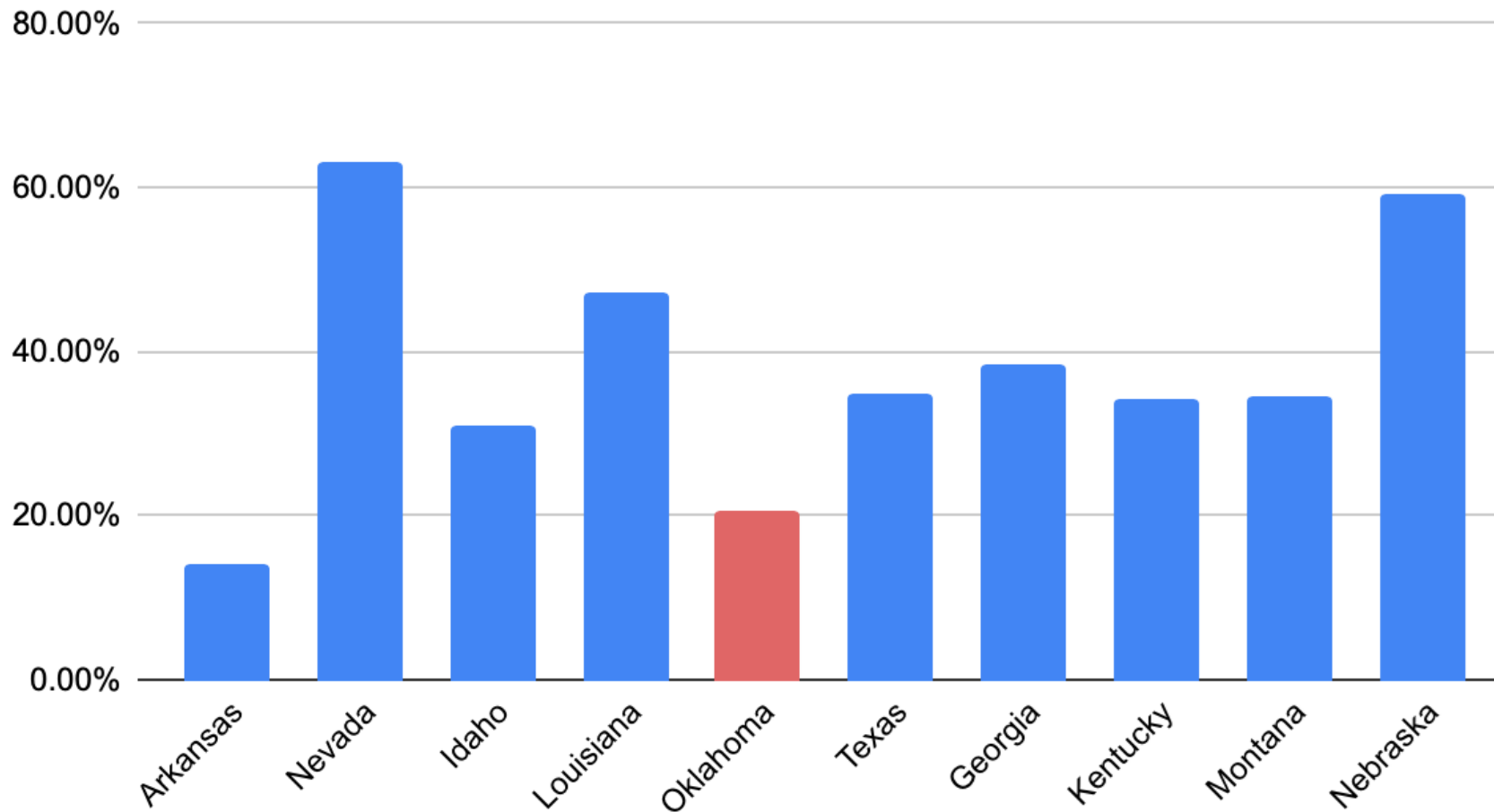
Michael Olson - Policy Counsel



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Grant Rates in Oklahoma Compared

Discretionary Parole Granted Rates by State



The Parole Process in Oklahoma

Eligibility

- Crimes after Nov. 2018 → parole after serving **1/4 of sentence** (except LWOP)
- **85% crimes** → must serve at least 85% before parole consideration
- Consecutive sentences → based on combined term
- Sentences >45 years → treated as 45 years for eligibility

Violent vs. Non-Violent Offenders

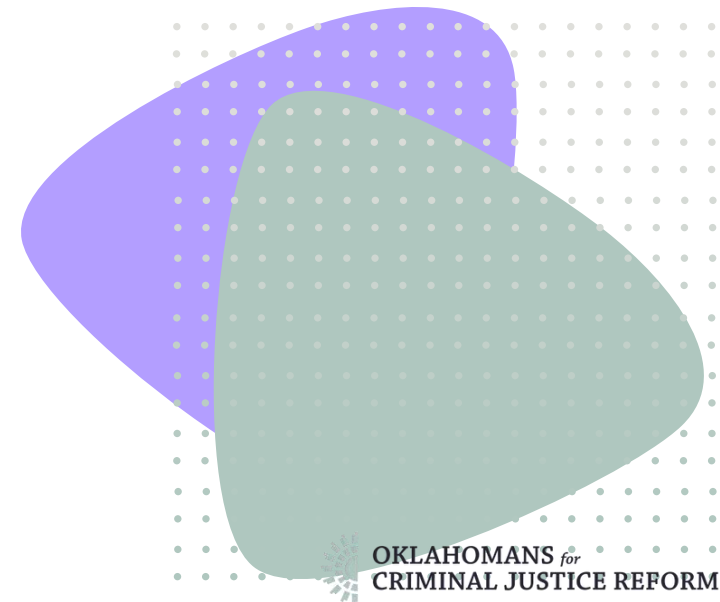
- Non-violent: reconsidered **1 year** after denial
- Violent: reconsidered at $\frac{1}{3}$ date (if >24 months from denial), then every **3 years**
- Violent offender release requires **Governor approval**

Decision-Making

- No statutory release standards; **case-by-case review**
- Factors: nature of offense, prior record, prison program participation, victim input

Victim & Public Role

- Victim impact statements considered
- Hearings open to the public; victims notified upon request



Other State Approaches - Specific Factors

Oklahoma

The Pardon & Parole Board mentions in published materials the board considers “various factors when making parole decisions, including the nature of the offense, prior criminal history, prison program participation, and more.” But these factors are not in Statute or the Oklahoma Administrative Code.

Michigan (Mich. Admin. Code R. 791.7715)

Criminal behavior: seriousness of offense, prior convictions, pending charges, risk of reoffending, age.

Institutional adjustment: work/school performance, misconduct history, program completion, relationships, credit forfeitures/restorations.

Readiness for release: vocational/educational achievements, institutional job performance, realistic parole plan.

Personal history: responsibility for behavior, pre-incarceration employment, family/community ties.

Health: mental/physical condition, treatment history, limiting conditions reducing reoffense risk.



Other State Approaches - Presumptions

South Dakota

Presumptive Parole System

- Initial parole date set by statute (grid-based) upon admission.
- Functions as an *expected release date*, not just eligibility.

Automatic Release (No Hearing)

- Prisoners must be released at their initial parole date if:
 - They meet their **individual program directives (IPDs)**,
 - Have an **approved parole plan**, and
 - Agree to **conditions of supervision**.

Felony Classes & Timing

- 7 of 9 felony classes use presumptive parole release.
- Formulas set initial parole at **25%–75% of maximum sentence**, based on crime severity, prior record, and violent crime status.

S.D. Codified Laws § 24-15A-38 (“Each inmate shall be released from incarceration to parole supervision, without a hearing with the board, at the time of the inmate's initial parole date, if the inmate has substantively met the requirements of the individual program directive established by the department, agreed to the conditions of supervision and has an approved parole release plan.”).



Oklahoma Elderly Prison Population

State	55+ Imprisonment Rate (100,000)
ALASKA	629
LOUISIANA	428
TEXAS	388
ALABAMA	386
OKLAHOMA	384
ARKANSAS	349
MISSISSIPPI	319
DELAWARE	316
GEORGIA	315
MONTANA	292

Oklahoma has the 5th highest imprisonment rate for individuals over 55 years of age. A rate 76% higher than the national average.

Elderly Parole Process in Oklahoma

Elderly Parole allows certain incarcerated people aged 60 or older to request a parole hearing once they've served the shorter of 10 years in custody or one-third of their sentence. To qualify, they must:

- Not be serving time for a violent crime or an 85% crime.
- Not have a conviction requiring sex offender registration, and
- Be assessed as posing minimal public safety risk.

The Pardon and Parole Board has sole authority to grant release, using an evidence-based risk assessment to evaluate eligibility. Parole can be granted if the Board finds, by a preponderance of the evidence, that the person can live at liberty without creating a substantial risk to public safety.

57 Okl. St. § 332.21.



Imprisoning into Old Age Is Costly

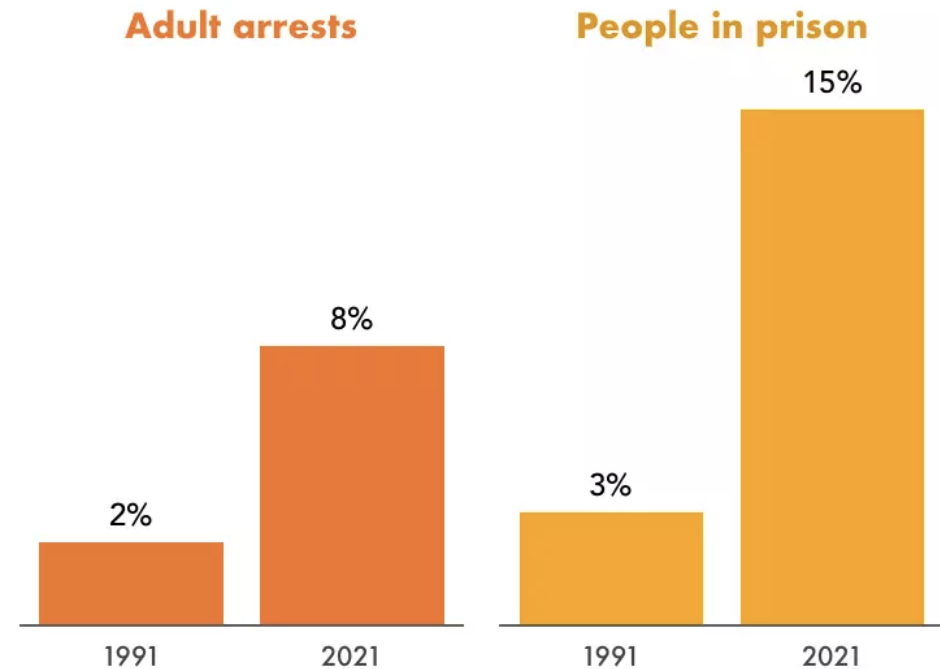
Healthcare and other costs

- **3x more expensive** to incarcerate older adults than younger people.
- From 1991 to 2021, the percentage of the state and federal prison population nationwide aged 55 or older swelled from 3% to 15%.
- **\$881 million** went to incarcerating older adults, 19% of the BOP budget.
- Older adults were the **fastest growing prison population** (+25% in one year).
- Years of limited resources, inaccessibility, and understaffing in prison healthcare have created a situation in which **each year spent in prison takes two years off of an individual's life expectancy.**

Changes in arrest and imprisonment of older adults in the last 30 years

People 55 and older account for a greater share of arrests and people incarcerated than they did in the 1990s and early 2000s.

PEOPLE IN PRISON 55 AND OLDER AS PERCENTAGE OF...

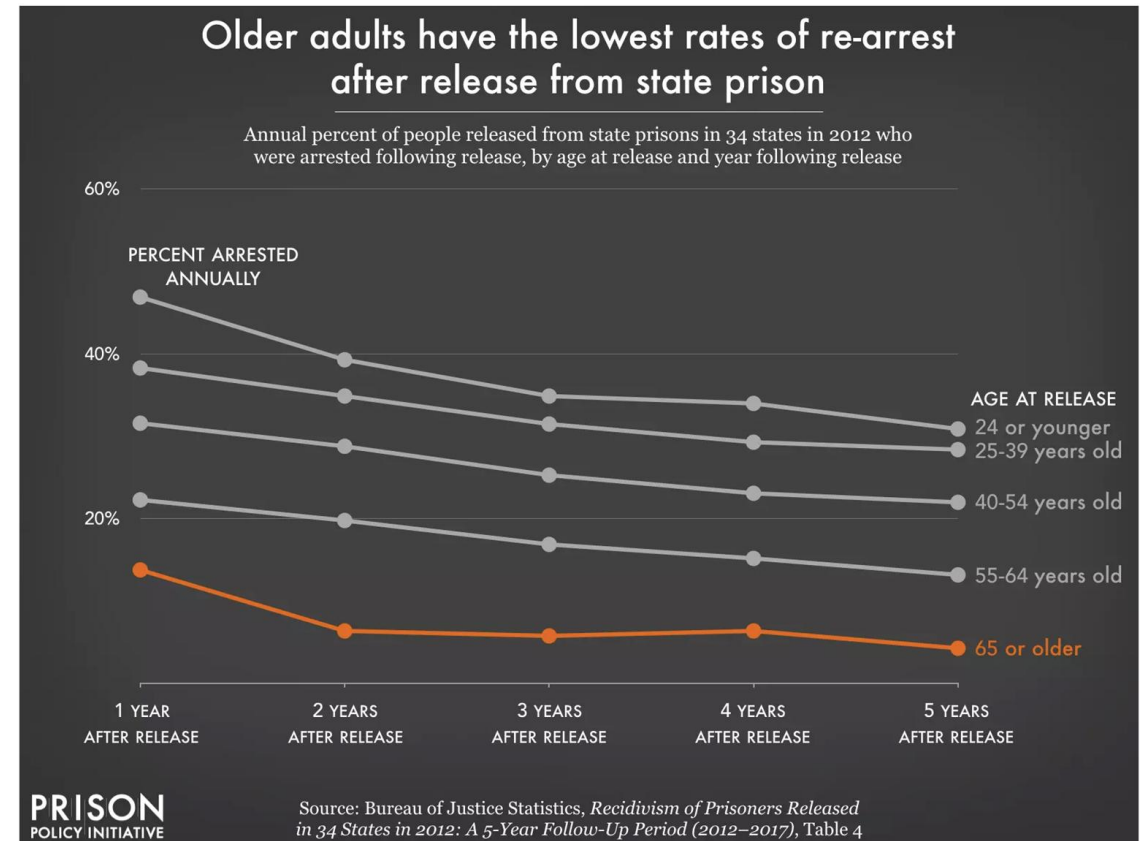


Sources: FBI, *Crime Data Explorer* & Bureau of Justice Statistics' *Prisoners* series

Elderly Individuals Pose Low Public Safety Risk

The Age - Crime Curve

- In 2019, people under age 25 made up roughly 26.9% of all arrests in the US. They also accounted for ≈31.2% of violent crime arrests and ≈31.3% of property crime arrests. (FBI CDE)
- From “Age and Crime: A Contemporary View”: in 2012, ages 18-24 made up about 11.2% of the population but were responsible for over 28.7% of all arrests.



Other States Consider the Benefits and **Costs.**

Significantly lower reoffending than younger inmates:

- Ages 50+ = ~21% rearrest within 8 years (vs. 53% under 50) ([USSC, 2022])
- Ages 40+ = 19% rearrest during the ninth year post-release ([BJS, 2018])

Near-zero rates for the oldest prisoners:

- Ages 50–65 = just over 2% recidivism ([Vera, 2025])
- Ages 65+ = approaching 0% recidivism ([Vera, 2025])

- In South Dakota, an individual is eligible if they are an elderly inmate “whose medical care needs are at least double the average annual medical cost of the inmate population” (SD Codified L § 24-15A-56 (2024)).
- A majority of States with Geriatric Parole, including, Utah, Georgia, Alabama, and Missouri do not have blanket restrictions on violent crimes. (NCSL, 2024).
- Between 1993 and 2013, more than 65% of prisoners age 55 or older were serving time in state prison for violent offenses, compared to a maximum of 58% for other age groups sentenced for violent offenses



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Thank you!



