

Life Without Parole (LWOP) in Oklahoma

- Fiscal impact
- Safety impact
- A conservative, data-driven path to judicial review

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What LWOP Is (and Isn't)

Life without parole = imprisonment for life with no parole eligibility; release only by commutation or court relief.

Originally pitched as an alternative to the death penalty; now widely used in non-capital cases across the U.S.

Today's question: Is permanent incarceration the smartest public-safety investment in cases where it is applicable?



Source: ODOC statute framework; national trends (The Sentencing Project).

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Oklahoma Snapshot (Scale & Trend)

ODOC last published LWOP share at $\approx 3\%$ of the prison population (FY2015).

Applying 3% to today's $\sim 22,858$ prison population $\approx \sim 686$ Oklahomans* on LWOP (*illustrative, due to limited current reporting).

Nationally, LWOP reached 56,245 people in 2024—an all-time high.



Source: Robina Institute (2022) citing ODOC FY2015;
ODOC BOC packet population table (Apr 30, 2025);
The Sentencing Project 2025 life census.

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What LWOP Costs Oklahoma (Baseline)

ODOC daily cost per person (May 22, 2024):
\$67.53.

≈ \$24,648 per person per year (custody-only
benchmark).

≈ \$492,969 over 20 years per person—before
geriatric health-care multipliers.



Source: ODOC Board of Corrections Packet (May 22, 2024): daily cost \$67.53;
community sentence \$4.44/day.

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Aging Behind Bars = Multiplying Costs

Adults 55+ are a growing share of Oklahoma's prison population.

Older adults in custody typically cost 2–3× more due to health care and accommodations.

LWOP front-loads decades where costs rise but risk declines with age.



Source: Arnall Family Foundation (2025) on aging; national geriatric cost literature.

Public Safety: What the Research Says

Deterrence hinges more on certainty and swiftness than on severity/length of sentences.

Extreme sentence length has limited marginal deterrent effect at the community level.

Inside facilities, stable incentives (education, work, treatment) improve order more than hopelessness.



Source: NIJ 'Five Things About Deterrence';
Nagin (2013) review;
Vera Institute synthesis (2023).

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Behavior Inside the Walls

Concern: ‘nothing to lose’ under LWOP.
Evidence is mixed across systems.

Misconduct tends to decline with age; clear,
earned incentives reduce incidents.

Parole eligibility & program-linked rewards
support safer day-to-day operations.



Source: Bales & Piquero (2012) on determinate sentences & misconduct; incentive literature.

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What Other States Are Doing: 'Second Look'

Judicial sentence review after a substantial period if rehabilitation is demonstrated.

Common thresholds: 15–20 years; earlier eligibility if offense < age 25.

Review $\neq$ automatic release; courts weigh risk, rehabilitation, and victim input.



Source: The Sentencing Project (2025) review of sentence review laws; DC/IRAA statute.
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Examples to Model

Washington, DC: Review after 15 years for offenses before age 25 (D.C. Code §24-403.03).

New Jersey: Judicial review after ~20 years for youth via state constitutional ruling.

Delaware: Petitions after 20–30 years (youth), offense-dependent; court weighs growth & risk.



Source: D.C. Code §24-403.03; state case law/statutes compiled by The Sentencing Project (2025).

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Oklahoma Momentum to Build On

2024 Survivors' Act: case-by-case resentencing for DV survivors—a targeted review already in law.

Second Look extends this logic to LWOP after meaningful time served with earned achievements.



Source: SB 1835 (Survivors' Act) coverage and statute.

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A Pragmatic Oklahoma Second Look (Adults)

Eligibility: petition for judicial review after 20 years served on LWOP.

Gateways: educational/vocational milestones, program completion, restorative work, clean conduct trend.

Victim/survivor voice: guaranteed notice and opportunity to be heard.



Emerging Adult Option (<25 at offense)

Earlier eligibility: review after 15 years when offense occurred before age 25.

Court weighs youth, trauma, maturation science, and rehabilitation.

If denied, allow renewal at 5-year intervals.



Fiscal Note (Illustrative)

Each LWOP case that transitions after 20+ years avoids $\approx$ \$24,648 per additional year incarcerated (custody-only).

If 10 people/year qualify, that's $\approx$ \$246,484 avoided annually, compounding as the cohort ages.

Reinvest in victim services, ODOC programming, and reentry supports that further reduce misconduct.



Source: ODOC daily cost benchmark (May 22, 2024).

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Public-Safety Safeguards

No automatic release—case-by-case judicial discretion based on validated risk & rehabilitation.

Mandatory reentry plan and supervision conditions where appropriate.

Tie eligibility to pro-social milestones to strengthen institutional order.



Recommended Bill Skeleton (Title 22, New Section)

Create judicial review after 20 years (15 if offense <25).

Factors: rehabilitation, institutional record, age/health, offense context (incl. abuse/trauma), validated risk, victim input.

Relief: modify to term-of-years with parole eligibility or time served; if denied, set next review in 5 years.



Close: Safer • Smarter • Responsible

Safer facilities through incentives and hope.

Smarter fiscal stewardship as the population ages.

Responsible, case-by-case judicial review that keeps victim voice central.



Selected Sources (staff can request full memo)

- ❑ ODOC Board of Corrections Packet (May 22, 2024): daily cost \$67.53; community sentence \$4.44/day.
- ❑ ODOC BOC Packet (May 28, 2025): population table (22,858, Apr 30, 2025).
- ❑ Robina Institute (2022) Oklahoma report: LWOP $\approx$ 3% of population; $\sim$ 866 in 2015.
- ❑ The Sentencing Project (2025): 56,245 LWOP nationwide in 2024; second-look summaries.
- ❑ NIJ ‘Five Things About Deterrence’; Nagin (2013) certainty > severity.
- ❑ Vera Institute (2023) synthesis on long sentences & public safety.
- ❑ D.C. Code §24-403.03 (IRAA/Second Look); NJ & DE youth review examples.
- ❑ Arnall Family Foundation (2025): aging cohort & costs in Oklahoma.