

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

COMMITTEE SUBSTITUTE

FOR HOUSE BILL NO. 2362

By: Fallin

COMMITTEE SUBSTITUTE

An Act relating to children; requiring the Department of Human Services to establish, maintain and operate a regimented juvenile training program; specifying eligibility for program; stating legislative intent; specifying the program and administration of such program; authorizing certain contracts; requiring certain conditions for such contracts; mandating participation in certain components of such program; providing for and prohibiting certain reassignments for failure to progress; requiring establishment and enforcement of certain standards by the Department; authorizing certain supportive services; requiring the submission of certain report by the Department; specifying such report; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1162 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. The Department of Human Services may establish, maintain and operate a regimented juvenile training program. Juveniles eligible for participation in the program shall be assessed and deemed appropriate for the program by the Department. The juveniles eligible for the program shall include only juveniles placed in the custody of the Department of Human Services. A juvenile may be eliminated from the program upon a determination by the Department that a physical or mental condition will prevent full participation in the program by such offender.

B. It is the intent of the Legislature that the program established pursuant to this section benefit the state by providing a two-phase regimented juvenile training program under

which certain adjudicated juveniles are subject to a controlled and regimented environment that:

1. Affirms dignity of self and respect for others;
2. Promotes the value of education, work and self-discipline;

and

3. Develops useful skills and abilities that can be applied when the juvenile is reintegrated into the community.

C. The regimented juvenile training program shall consist of two phases, which shall be administered as follows:

1. Phase I: A military-style intensive physical training and discipline phase in a secure facility consisting of thirty-two beds for a period of not less than ninety (90) days or more than one hundred fifty (150) days and administered by the Department of Human Services;

2. Phase II: A community reintegration phase for eighty juveniles, which is administered by the Department, as follows:

- a. if appropriate juvenile diversion services are available the Department shall contract with any governmental unit or nongovernmental agency providing services under such contract to provide diversion services similar to those provided by the Department, and

- b. if diversion services are not available, the juvenile shall be subject to a period of supervision under the Department;

3. A juvenile in the regimented juvenile training program shall be required to participate in a diversion program for a period to be determined by the Department; and

4. In addition to the requirements set forth in this subsection, juveniles shall be required to participate in a job training and educational component, as deemed appropriate by the Department. The educational component shall include classroom work comprised of basic academic and/or vocational instruction.

D. When a juvenile fails to progress through or complete the initial phase of the regimented juvenile training program, the Department may reassign the juvenile to a secure facility. In

addition, when a juvenile fails to progress through or complete the second phase of the program, the Department may return the juvenile to an earlier phase of the program for completion of all or part of the earlier phase. Provided, however, that a juvenile shall not be returned for participation in the initial phase more than once.

E. The Department of Human Services shall establish and enforce standards for the regimented juvenile training program and each of the phases thereof described in this section. Supportive services deemed necessary by the Department shall be made available under the phases of the regimented juvenile training program, as deemed appropriate by the Department.

F. On or before December 1, 1997, the Department shall submit a report evaluating the regimented juvenile training program to the Governor, the Speaker of the House of Representatives, the President Pro Tempore of the Senate and the appropriations committees of both houses of the Legislature. The report shall include the following determinations:

1. Whether juveniles placed in a regimented juvenile training program have a recidivism rate which is equal to or less than that of similar adjudicated juveniles who were not placed in such program but were otherwise committed to the Department of Human Services; and

2. Whether bed savings to the Department are a result of the regimented juvenile training program.

SECTION 2. This act shall become effective September 1, 1994.

44-2-8883

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