

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 COMMITTEE SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 1864

6 By: Shannon

7 COMMITTEE SUBSTITUTE

8 (children - Delinquency and Youth Gang Intervention

9 and Prevention - Oklahoma Statewide Gang

10 Intervention Steering Committee - noncodification

11 emergency)

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

15 SECTION 1. AMENDATORY 10 O.S. 2001, Section 7302-7.3, as
16 last amended by Section 10, Chapter 421, O.S.L. 2004 (10 O.S. Supp.
17 2006, Section 7302-7.3), is amended to read as follows:

18 Section 7302-7.3 A. From funds appropriated for the
19 Delinquency and Youth Gang Intervention and Prevention Act or
20 otherwise available for that purpose, the Office of Juvenile Affairs
21 through its Department of Juvenile Justice shall:

22 1. Issue requests for proposals or enter into agreements
23 pursuant to the Interlocal Cooperation Act and contract with
24 ~~eligible entities~~ for delinquency and gang intervention and

1 prevention programs for children and their family members who live
2 in at-risk neighborhoods and communities, as defined by Section
3 7302-7.2 of this title;

4 2. Provide information and technical assistance to individuals
5 and entities receiving ~~grants or~~ contracts pursuant to the
6 Delinquency and Youth Gang Intervention and Prevention Act, schools,
7 neighborhood and community organizations, and agencies within the
8 children and youth service system, as that term is defined by the
9 Serious and Habitual Juvenile Offender Act, for the purpose of
10 assisting such agencies in making application for federal, state and
11 private grants for delinquency and gang intervention and prevention
12 programs; and

13 3. Coordinate efforts among the Office of Juvenile Affairs,
14 Department of Human Services, State Department of Education, State
15 Department of Health, Department of Mental Health and Substance
16 Abuse Services, ~~State Arts Council~~, Oklahoma Commission on Children
17 and Youth, the Oklahoma Health Care Authority, ~~4-H Clubs~~, ~~Oklahoma~~
18 ~~Cooperative Extension Service~~ and other organizations identified by
19 the Department of Juvenile Justice that provide services to children
20 and youth on the creation of an out-of-school resource center
21 subject to the availability of funds.

22 B. The Department of Juvenile Justice, with the assistance of
23 and information provided by the Oklahoma Commission on Children and
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1 Youth and the Oklahoma State Bureau of Investigation, shall
2 establish criteria and procedures for:

3 1. Identifying at-risk neighborhoods and communities, as
4 defined by Section 7302-7.2 of this title, for the purposes of
5 determining eligibility for any grants for at-risk areas available
6 pursuant to the Delinquency and Youth Gang Intervention and
7 Prevention Act; and

8 2. Determining eligibility of individuals and other
9 organizations seeking other ~~grants~~ contracts pursuant to the
10 Delinquency and Youth Gang Intervention and Prevention Act.

11 The Oklahoma Commission on Children and Youth and the Oklahoma
12 State Bureau of Investigation shall provide the Department of
13 Juvenile Justice with information and assistance, as requested by
14 the Department, for the purpose of establishing the criteria
15 required by this section.

16 SECTION 2. AMENDATORY 10 O.S. 2001, Section 7302-7.4, as
17 amended by Section 11, Chapter 421, O.S.L. 2004 (10 O.S. Supp. 2006,
18 Section 7302-7.4), is amended to read as follows:

19 Section 7302-7.4 A. The Office of Juvenile Affairs shall
20 establish procedures and criteria for selecting and implementing
21 program models and issuing and submitting grant proposals. The
22 Board of Juvenile Affairs shall ~~promulgate~~ utilize new funding
23 appropriated for the Delinquency and Youth Gang Intervention and
24 Prevention Act for the expansion of the current contracts that

1 utilize the federal Office of Juvenile Justice and Delinquency
2 Prevention (OJJDP) Comprehensive Gang Model and for the creation of
3 new programs utilizing the OJJDP model in at-risk neighborhoods and
4 communities, as defined in Section 7302-7.2 of this title. The
5 contracts shall become part of a pilot program under the review and
6 supervision of the Anti-Gang Statewide Steering Committee. The
7 Board of Juvenile Affairs shall select a contractor who has
8 experience implementing the OJJDP Comprehensive Gang Model in
9 Oklahoma and will provide technical assistance to the pilot
10 programs. The Board of Juvenile Affairs shall update rules as
11 necessary for the implementation of the Delinquency and Youth Gang
12 Intervention and Prevention Act.

13 B. In order to be eligible for a grant or contract in an at-
14 risk neighborhood or community, as defined by Section 7302-7.2 of
15 this title, pursuant to the Delinquency and Youth Gang Intervention
16 and Prevention Act the proposal shall, at minimum:

17 1. Be a joint proposal made by an individual or organization, a
18 neighborhood or community organization, a municipality or county or
19 a municipal or county agency from the at-risk neighborhood or
20 community, and one or more agencies or organizations within the
21 children and youth service system. If a school or local law
22 enforcement agency is not a joint participant in the proposal, the
23 proposal shall document and describe the active participation in and
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1 support of either the local school or local law enforcement agency
2 in the program and activities for which the proposal is submitted;

3 2. Be a program or activity for children at highest risk of
4 involvement in gangs or delinquent behaviors, as defined by Section
5 7302-7.2 of this title, and their family members;

6 3. Describe the respective roles and responsibilities for the
7 administration and operation of the program and activities,
8 including but not limited to the designation of the entity
9 responsible for the receipt and expenditure of any funds awarded
10 pursuant to the Delinquency and Youth Gang Intervention and
11 Prevention Act;

12 4. Specifically identify the at-risk neighborhood or community
13 where the programs and activities will be implemented and provide
14 either statistical information concerning the at-risk area or a
15 letter of support from a local school or local law enforcement
16 agency;

17 5. Describe how the program will coordinate and cooperate with
18 programs and services administered by the Department of Juvenile
19 Justice, the Department of Human Services, the State Department of
20 Education, and other state or local agencies, such as law
21 enforcement, courts and other agencies within the juvenile, children
22 and youth service system; and

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1 6. Provide the program and activities on-site in a school,
2 community center, or other similar location within the identified
3 at-risk neighborhood or community.

4 C. In order to be eligible for training or continuing education
5 grants or any other ~~grant~~ contract pursuant to the Delinquency and
6 Youth Gang Intervention and Prevention Act, the proposal shall, at a
7 minimum:

8 1. Describe the respective roles and responsibilities for the
9 administration and operation of the training or activity, including
10 but not limited to, the designation of the entity responsible for
11 the receipt and expenditure of any funds awarded pursuant to the
12 Delinquency and Youth Gang Intervention and Prevention Act; and

13 2. Describe how the training or activity will coordinate and
14 cooperate with existing programs and services administered by the
15 Department of Juvenile Justice, the Department of Human Services,
16 the State Department of Education, and other state or local
17 agencies, such as law enforcement, courts and other agencies within
18 the juvenile, children and youth service system.

19 D. Each entity receiving a grant or contract pursuant to the
20 Delinquency and Youth Gang Intervention and Prevention Act shall
21 work with local community leaders, neighborhood associations, direct
22 service providers, local school officials, law enforcement and other
23 stakeholders to create a local Anti-Gang Statewide Steering
24 Committee to help facilitate the implementation of the program. The

1 entity shall also submit an annual evaluation report to the
2 Department of Juvenile Justice, by a date subsequent to the end of
3 the contract period as established by the Department, documenting
4 the extent to which the program objectives were met and any other
5 information required by the Department.

6 SECTION 3. NEW LAW A new section of law not to be
7 codified in the Oklahoma Statutes reads as follows:

8 A. There is hereby created until February 1, 2012, the
9 "Oklahoma Statewide Gang Intervention Steering Committee".

10 B. The Oklahoma Statewide Gang Intervention Steering Committee
11 shall be composed of twenty-two (22) members as follows:

12 1. The Executive Director of the Office of Juvenile Affairs, or
13 designee;

14 2. The Commissioner of Public Safety, or designee;

15 3. Two sheriffs representing counties having a population of
16 more than five hundred thousand (500,000) inhabitants, as determined
17 by the latest Federal Decennial Census, appointed by the executive
18 board of the Oklahoma Sheriff's Association;

19 4. Two sheriffs representing counties having a population
20 between one hundred thousand (100,000) inhabitants and four hundred
21 ninety-nine thousand (499,000) inhabitants, as determined by the
22 latest Federal Decennial Census, appointed by the executive board of
23 the Oklahoma Sheriffs' Association;

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1 5. Two sheriffs representing counties having a population of
2 less than one hundred thousand (100,000) inhabitants, as determined
3 by the latest Federal Decennial Census, appointed by the executive
4 board of the Oklahoma Sheriffs' Association;

5 6. Two chiefs of police representing communities impacted by
6 gangs, to be selected by the Oklahoma Chiefs of Police Association;

7 7. One member of the Oklahoma House of Representatives
8 appointed by the Speaker of the House of Representatives;

9 8. One member of the State Senate appointed by the President
10 Pro Tempore of the Senate;

11 9. One member appointed by the Governor who is the director of
12 an entity that contracts with the Office of Juvenile Affairs to
13 implement the federal Office of Juvenile Justice and Delinquency
14 Prevention Comprehension Gang Model in Oklahoma;

15 10. One member selected by the United States Attorney for the
16 Western District of Oklahoma;

17 11. The Director of the Oklahoma State Bureau of Investigation,
18 or designee;

19 12. The Director of the Department of Corrections, or designee;

20 13. The State Superintendent of Public Instruction, or
21 designee;

22 14. The Executive Coordinator of the District Attorneys
23 Council, or designee;

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1 15. The Director of the Department of Human Services, or
2 designee;

3 16. The Commissioner of the Department of Mental Health and
4 Substance Abuse Services, or designee;

5 17. The Commissioner of the State Department of Health, or
6 designee; and

7 18. The Director of the Commission on Children and Youth, or
8 designee.

9 C. The chair shall be appointed by the Speaker of the Oklahoma
10 House of Representatives on or before August 1, 2007. The vice-
11 chair shall be appointed by the President Pro Tempore of the State
12 Senate on or before August 1, 2007. The chair shall convene the
13 first meeting of the Steering Committee on or before September 1,
14 2007. The Steering Committee shall meet as often as necessary.
15 Steering Committee members employed by the state shall be reimbursed
16 for travel expenses related to their service on the Steering
17 Committee by their respective agencies pursuant to the provisions of
18 the State Travel Reimbursement Act. Legislative members of the
19 Steering Committee shall be reimbursed for their necessary travel
20 expenses incurred in the performance of their duties in accordance
21 with Section 456 of Title 74 of the Oklahoma Statutes. Remaining
22 Steering Committee members shall be reimbursed travel expenses
23 related to their service on the Steering Committee by their
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1 appointing authorities pursuant to the provisions of the State
2 Travel Reimbursement Act.

3 D. Administrative support for the Steering Committee,
4 including, but not limited to, personnel necessary to ensure the
5 proper performance of the duties and responsibilities of the
6 Steering Committee, shall be provided by the Oklahoma Criminal
7 Justice Resource Center and the Office of Juvenile Affairs to be
8 supplemented, if necessary, by the staff of the Oklahoma House of
9 Representatives and the Oklahoma State Senate. All participating
10 state agencies shall provide for any administrative support
11 requested by the Steering Committee.

12 E. The Steering Committee shall coordinate Oklahoma's response
13 to gang activity and violence by reviewing and assessing the current
14 suppression, intervention and prevention efforts to reduce gang
15 activity and violence in Oklahoma. The Steering Committee shall
16 make recommendations to improve and make more effective the
17 implementation and funding of current efforts. The Steering
18 Committee shall continue to monitor and renew on a yearly basis,
19 through benchmarks and other identified assessment tools, the
20 success of these programs. Other duties shall include:

21 1. Cataloging and reporting the total amount of federal funds
22 devoted to gang-intervention programs by type and activity;

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1 2. Work with the Office of Juvenile Affairs to develop
2 concrete, measurable performance outcomes to assess the
3 effectiveness of these programs; and

4 3. Evaluate successful local gang initiatives across the state
5 and the nation to determine if their methods and strategies can be
6 duplicated and applied to other Oklahoma communities.

7 F. The Steering Committee shall also study and make
8 recommendations as to the feasibility of requiring any juvenile
9 arrested for any activity that is associated with or considered
10 gang-related activity to be immediately referred for services with
11 the Office of Juvenile Affairs. Components of the services provided
12 by the Office of Juvenile Affairs should include, but not be limited
13 to:

14 1. The processing of the juvenile into a statewide database for
15 gang-involved youth;

16 2. An evaluation of the youth within forty-eight (48) hours of
17 arrest to determine appropriate gang intervention programs; and

18 3. A meeting and assessment with the family of the juvenile to
19 determine an interim program as to the legal status of the juvenile.

20 G. The Steering Committee shall make an annual report to the
21 Governor, the Speaker of the Oklahoma House of Representatives, the
22 President Pro Tempore of the State Senate, and the appropriate
23 committee of the Oklahoma State Senate and the Oklahoma House of
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1 Representatives by February 1 of each year. The report shall be
2 prepared by the administrative staff of the affected agencies.

3 SECTION 4. It being immediately necessary for the preservation
4 of the public peace, health and safety, an emergency is hereby
5 declared to exist, by reason whereof this act shall take effect and
6 be in full force from and after its passage and approval.

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