

1 ENGROSSED SENATE  
2 BILL NO. 1771

By: Anderson of the Senate  
and  
Johnson of the House

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6 [ children and juveniles - escaping and running away  
7 from institutional placement - modifying provisions  
8 - Youthful Offender Act -  
9 emergency ]

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

12 SECTION 1. AMENDATORY Section 2, Chapter 239, O.S.L.  
13 2006, as amended by Section 85, Chapter 234, O.S.L. 2009, and as  
14 renumbered by Section 188, Chapter 234, O.S.L. 2009 (10A O.S. Supp.  
15 2009, Section 2-5-207), is amended to read as follows:

16 Section 2-5-207. It is the intent of the Legislature to fully  
17 utilize the Youthful Offender Act as a means to protect the public  
18 while rehabilitating and holding youth accountable for serious  
19 crimes. The Legislature finds that eligible seventeen-year-olds  
20 should have the opportunity to be processed as youthful offenders as  
21 provided by law and held accountable through the various provisions  
22 of the Youthful Offender Act for custody, institutional placement,  
23 supervision, extended jurisdiction within the Office of Juvenile  
24 Affairs, and the ability to transfer youthful offenders to the

1 Department of Corrections when incarceration or additional  
2 supervision is required beyond the maximum age allowed in the Office  
3 of Juvenile Affairs. No older youth should be deemed ineligible or  
4 denied consideration as a youthful offender who is otherwise  
5 lawfully eligible based upon the age of the youth being seventeen  
6 (17) years, but it is the intent of the Legislature that such  
7 youthful offender shall not remain in the custody or under the  
8 supervision of the Office of Juvenile Affairs beyond the youthful  
9 offender's maximum age of eighteen (18) years and five (5) months.

10 To deny access to an otherwise eligible older youth without cause is  
11 to circumvent the original intent of the Legislature in creating the  
12 Youthful Offender Act.

13 SECTION 2. AMENDATORY 10 O.S. 2001, Section 7302-6.5, as  
14 amended by Section 22, Chapter 234, O.S.L. 2009, and as renumbered  
15 by Section 174, Chapter 234, O.S.L. 2009 (10A O.S. Supp. 2009,  
16 Section 2-7-605), is amended to read as follows:

17 Section 2-7-605. A. Upon discovery that a ~~child~~ juvenile or  
18 youthful offender has ~~escaped or~~ run away or is absent without leave  
19 (AWOL) from ~~an institutional~~ a staff secure or non-secure placement,  
20 the Office of Juvenile Affairs may notify any law enforcement  
21 officer or agency in this state who shall use any reasonable method  
22 to notify law enforcement agencies and personnel. ~~Upon receiving~~  
23 ~~notification that a child has escaped or run away from an~~  
24 ~~institutional placement, all~~ All law enforcement agencies and

1 personnel shall be authorized to apprehend and detain ~~said child~~  
2 such juvenile or youthful offender.

3 B. 1. Escaping or running Running away or being absent without  
4 leave (AWOL) by an adjudicated delinquent child a juvenile from  
5 ~~institutional~~ a staff secure or non-secure placement shall be  
6 considered by the court of juvenile jurisdiction as a delinquent  
7 act.

8 2. Running away or being absent without leave (AWOL) by a  
9 youthful offender from a staff secure or non-secure placement may be  
10 considered by the court of juvenile jurisdiction as grounds for  
11 bridging the youthful offender to the adult system.

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

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1 Passed the Senate the 25th day of February, 2010.

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3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2010.

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9 Presiding Officer of the House  
10 of Representatives