

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 3165

By: Shelton

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5
6 AS INTRODUCED

7 An Act relating to gangs; authorizing courts to
8 establish a youth gang court pilot program; providing
9 for assistance from the Office of Juvenile Affairs;
10 defining term; authorizing courts to exclude certain
11 persons from participation in youth gang court;
12 providing for codification; and providing an
13 effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 482 of Title 22, unless there is
17 created a duplication in numbering, reads as follows:

18 A. Any district or municipal court of this state may establish
19 a youth gang court pilot program pursuant to the provisions of this
20 section and subject to the availability of funds.

21 B. The court may request assistance from the Office of Juvenile
22 Affairs which shall be the primary agency to assist in developing
23 and implementing a youth gang court pilot program.

24 C. For purposes of this section, "youth gang court" means a
judicial process that utilizes specially trained court personnel to

1 expedite the case and explore alternatives to sentencing or
2 placement under the custody or supervision of the Office of Juvenile
3 Affairs for offenders under eighteen (18) years of age charged with
4 criminal offenses other than a crime listed in paragraph 2 of
5 Section 571 of Title 57 of the Oklahoma Statutes. The district
6 attorney may use discretion in the prosecution of those offenders
7 specified in this subsection subject to the restrictions provided in
8 subsection D of this section.

9 D. The court shall have the authority to exclude from youth
10 gang court any offender arrested or charged with any violent
11 offense. Eligibility and entry by an offender into the youth gang
12 court pilot program is dependent upon prior approval of the district
13 attorney. Eligible offenses may further be restricted by the rules
14 of the specific youth gang court pilot program. The court also
15 shall have the authority to exclude persons from youth gang court
16 who have a propensity for violence.

17 SECTION 2. This act shall become effective November 1, 2010.

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19 52-2-8434 GRS 01/11/10

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