

1 STATE OF OKLAHOMA

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

3 HOUSE JOINT
4 RESOLUTION 1065

By: Peters

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6 AS INTRODUCED

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8 A Joint Resolution relating to juvenile justice;
9 creating the Oklahoma Juvenile Justice Reform
10 Committee; requiring certain cooperation; specifying
11 membership of Committee; directing notification of
12 membership; permitting Committee to divide into
13 subcommittees; authorizing the Committee to enter
14 into certain contracts; providing for vacancies on
15 the Committee; specifying duties of Committee;
16 directing the Committee to prepare and submit certain
17 report; providing for termination of Committee;
18 directing appointment of cochairs and other officers;
19 permitting certain travel reimbursement; providing
20 for staff support; providing for noncodification; and
21 declaring an emergency.

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23 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
24 2ND SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

SECTION 1. NEW LAW A new section of law not to be
codified in the Oklahoma Statutes reads as follows:

A. The Legislature hereby establishes the Oklahoma Juvenile
Justice Reform Committee and directs the Committee to undertake a
full, good faith and thorough study of Oklahoma's juvenile justice

1 system and to make recommended revisions to the Oklahoma Juvenile
2 Code in Title 10A of the Oklahoma Statutes and any other statutes
3 necessary to accomplish its purpose.

4 B. All departments, officers, agencies and employees of this
5 state shall cooperate with the Oklahoma Juvenile Justice Reform
6 Committee in carrying out its duties and responsibilities, including
7 providing any information, records and reports as may be requested
8 by the cochairs of the Committee.

9 SECTION 2. NEW LAW A new section of law not to be
10 codified in the Oklahoma Statutes reads as follows:

11 A. The Committee shall consist of twenty (20) members appointed
12 as follows:

13 1. Two members who are presiding judges of a court having
14 juvenile law jurisdiction to be appointed by the President of the
15 Oklahoma Judicial Conference. One of the judges shall be in a
16 county having a juvenile bureau;

17 2. Two members who are district attorneys or assistant district
18 attorneys having experience in cases involving juveniles to be
19 appointed by the President of the District Attorneys Council;

20 3. One member who is an attorney appointed by the Oklahoma
21 Indigent Defense System to represent juveniles charged with crimes
22 or delinquent acts to be appointed by the Director of the Oklahoma
23 Indigent Defense System;

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1 4. One member who is a practicing attorney who regularly
2 represents juveniles charged with crimes or delinquent acts to be
3 appointed by the President of the Oklahoma Bar Association;

4 5. Two members who are employees of the Department of Mental
5 Health and Substance Abuse Services to be appointed by the
6 Commissioner of Mental Health and Substance Abuse Services, one of
7 whom shall be an attorney;

8 6. Two members who are employees of the Office of Juvenile
9 Affairs to be appointed by the Executive Director of the Office of
10 Juvenile Affairs, one of whom shall be an attorney;

11 7. One member to be appointed by the Director of the Oklahoma
12 Commission on Children and Youth;

13 8. Three members to be appointed by the Speaker of the House of
14 Representatives;

15 9. Three members to be appointed by the President Pro Tempore
16 of the Senate;

17 10. One member who is an executive director of a Youth Services
18 Agency to be appointed by the Speaker of the House of
19 Representatives;

20 11. One member who is a child advocate to be appointed by the
21 President Pro Tempore of the Senate; and

22 12. One member who is an executive director of an alcohol and
23 drug abuse treatment facility that serves juveniles to be appointed
24 by the Speaker of the House of Representatives.

1 B. Each member of the Oklahoma Juvenile Justice Reform
2 Committee initially appointed shall make the appointment known to
3 the Speaker of the House of Representatives and the President Pro
4 Tempore of the Senate by June 30, 2010. Appointed members shall
5 serve until December 31, 2011. The Oklahoma Juvenile Justice Reform
6 Committee may divide into subcommittees in furtherance of its
7 purposes.

8 C. The Oklahoma Juvenile Justice Reform Committee may contract
9 with such consultant or consultants as it deems necessary to
10 accomplish its purposes as funds are available.

11 D. Any vacancies in the appointive membership of the Oklahoma
12 Juvenile Justice Reform Committee shall be filled for the unexpired
13 term in the same manner as the original appointment.

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

16 A. The Oklahoma Juvenile Justice Reform Committee shall conduct
17 a systematic review and study of:

18 1. Oklahoma's juvenile justice system, including its efficiency
19 and effectiveness in protecting the public and habilitating and
20 rehabilitating juveniles; and

21 2. All laws and procedures in Title 10A of the Oklahoma
22 Statutes or other laws affecting the juvenile justice system,
23 including the laws relating to youthful offenders, certification and
24 reverse certification of juveniles.

1 B. The Oklahoma Juvenile Justice Reform Committee shall prepare
2 a report of its recommendations and a recommended draft to
3 reclassify, update, reform and recodify the statutes pertaining to
4 juveniles. The duties of the Committee in preparing recommendations
5 shall be as follows:

6 1. To study, report and recommend the most efficient
7 organization and effective programs to accomplish the public safety,
8 treatment and prevention goals of the juvenile justice system;

9 2. To study, report and recommend the most effective system for
10 transitioning persons aging out of the juvenile justice system;

11 3. To organize the Oklahoma Juvenile Code to effectively
12 implement the goals of the juvenile justice system including persons
13 aging out the juvenile justice system;

14 4. To incorporate into the Oklahoma Juvenile Code as many
15 existing statutes relating to juvenile law and procedure found
16 throughout the Oklahoma Statutes as is practicable;

17 5. To clarify and update existing statutory language; and

18 6. To perform any other act necessary to complete the purposes
19 of the Committee.

20 C. The Oklahoma Juvenile Justice Reform Committee shall be
21 responsible for drafting recommended legislation in accordance with
22 the current legislative drafting procedures.

23 D. 1. The Oklahoma Juvenile Justice Reform Committee shall
24 prepare a final draft of its report and recommendations together

1 with its recommended changes in the Oklahoma Juvenile Code, and
2 shall submit them to the Speaker of the House of Representatives and
3 the President Pro Tempore of the Senate by December 1, 2011.

4 2. The Oklahoma Juvenile Justice Reform Committee shall submit
5 a summary of every recommended change and addition to existing laws
6 at the time any amendments are presented to the Speaker of the House
7 of Representatives and the President Pro Tempore of the Senate.

8 E. The Oklahoma Juvenile Justice Reform Committee shall cease
9 to function December 31, 2011.

10 SECTION 4. NEW LAW A new section of law not to be
11 codified in the Oklahoma Statutes reads as follows:

12 A. Within fifteen (15) days from the initial appointment of
13 membership on the Oklahoma Juvenile Justice Reform Committee, the
14 Speaker of the House of Representatives and the President Pro
15 Tempore of the Senate shall each appoint one member of the Committee
16 to serve as cochairs. If a vacancy occurs in such office, a new
17 cochair shall be appointed from the Committee in the same manner as
18 the original appointment, who shall serve until December 31, 2010.

19 B. Other officers may be elected to serve on the Committee for
20 terms of office as may be designated by the Committee members. The
21 cochairs of the Committee or their designees shall preside at
22 meetings.

23 C. The Committee may meet at least one time per month and at
24 such other times as may be set by the cochairs of the Committee.

1 D. Members of the Committee shall receive no salary; however,
2 all members of the Committee shall be reimbursed for their actual
3 and necessary travel expenses as follows:

4 1. Legislative members of the Committee shall receive
5 reimbursement from the house in which they serve as provided in
6 Section 456 of Title 74 of the Oklahoma Statutes, except when the
7 Legislature is in session and the meeting is held in Oklahoma City;

8 2. Nonlegislative Committee members employed by the state shall
9 be reimbursed by their respective employing agency pursuant to the
10 State Travel Reimbursement Act; and

11 3. Any other Committee member shall receive reimbursement from
12 the appointing entity pursuant to the State Travel Reimbursement
13 Act.

14 E. A majority of the members appointed to the Committee shall
15 constitute a quorum and a majority present may act for the
16 Committee.

17 SECTION 5. NEW LAW A new section of law not to be
18 codified in the Oklahoma Statutes reads as follows:

19 The House of Representatives and the Senate shall provide staff
20 assistance to the Oklahoma Juvenile Justice Reform Committee as
21 necessary to assist the Committee in the performance of its duties.

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

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