

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1771

By: Anderson

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7 AS INTRODUCED

8 An Act relating to children and juveniles; amending  
9 10 O.S. 2001, Section 7302-6.5, as amended by Section  
10 22, Chapter 234, O.S.L. 2009, and as renumbered by  
11 Section 174, Chapter 234, O.S.L. 2009 (10A O.S. Supp.  
12 2009, Section 2-7-605), which relates to escaping and  
13 running away from institutional placement; making  
14 certain provisions apply to juveniles and youthful  
15 offenders; deleting language referring to escapes;  
16 providing for a juvenile or youthful offender's  
17 absence without leave; modifying language relating to  
18 placement; deleting language requiring certain  
19 notification; modifying provisions providing  
20 punishment for the running away or absence without  
21 leave by juveniles; providing punishment for the  
22 running away or absence without leave by youthful  
23 offenders; repealing Section 2, Chapter 239, O.S.L.  
24 2006, as amended by Section 85, Chapter 234, O.S.L.  
2009, and as renumbered by Section 188, Chapter 234,  
O.S.L. 2009 (10A O.S. Supp. 2009, Section 2-5-207),  
which relates to legislative findings and intent  
under the Youthful Offender Act; and declaring an  
emergency.

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

22 SECTION 1. AMENDATORY 10 O.S. 2001, Section 7302-6.5, as  
23 amended by Section 22, Chapter 234, O.S.L. 2009, and as renumbered  
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1 by Section 174, Chapter 234, O.S.L. 2009 (10A O.S. Supp. 2009,  
2 Section 2-7-605), is amended to read as follows:

3 Section 2-7-605. A. Upon discovery that a ~~child~~ juvenile or  
4 youthful offender has ~~escaped or~~ run away or is absent without leave  
5 (AWOL) from ~~an institutional~~ a staff secure or non-secure placement,  
6 the Office of Juvenile Affairs may notify any law enforcement  
7 officer or agency in this state who shall use any reasonable method  
8 to notify law enforcement agencies and personnel. ~~Upon receiving~~  
9 ~~notification that a child has escaped or run away from an~~  
10 ~~institutional placement, all~~ All law enforcement agencies and  
11 personnel shall be authorized to apprehend and detain ~~said child~~  
12 such juvenile or youthful offender.

13 B. 1. Escaping or running Running away or being absent without  
14 leave (AWOL) by ~~an adjudicated delinquent child~~ a juvenile from  
15 ~~institutional~~ a staff secure or non-secure placement shall be  
16 considered by the court of juvenile jurisdiction as a delinquent  
17 act.

18 2. Running away or being absent without leave (AWOL) by a  
19 youthful offender from a staff secure or non-secure placement shall  
20 be considered by the court of juvenile jurisdiction as possible  
21 grounds for bridging the youthful offender to the adult system.

22 SECTION 2. REPEALER Section 2, Chapter 239, O.S.L. 2006,  
23 as amended by Section 85, Chapter 234, O.S.L. 2009, and as

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1 renumbered by Section 188, Chapter 234, O.S.L. 2009 (10A O.S. Supp.  
2 2009, Section 2-5-207), is hereby repealed.

3 SECTION 3. 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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