

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1189

By: Young

4
5
6 AS INTRODUCED

7 An Act relating to crimes and punishments;
8 prohibiting sentences of life imprisonment without
9 parole and certain mandatory minimum sentences for
10 juveniles; directing court to consider mitigating
11 circumstances; providing for codification; and
12 providing an effective date.

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 69 of Title 21, unless there is
16 created a duplication in numbering, reads as follows:

17 A. The following sentences shall not be imposed on any person
18 who was less than eighteen (18) years of age at the time the
19 criminal offense was committed:

- 20 1. Life imprisonment without the possibility of parole; or
21 2. A mandatory minimum sentence carrying a term of imprisonment
22 that exceeds twenty (20) years.

23 B. In addition to other factors required by law to be
24 considered prior to imposition of a sentence, when determining the
25 appropriate sentence for a person who has been certified as an adult

1 pursuant to certification procedures authorized in the Oklahoma
2 Juvenile Code and who has been subsequently tried and convicted of a
3 felony offense as an adult, the court shall consider the following
4 mitigating circumstances:

5 1. Age at the time of the offense;

6 2. Level of maturity and the ability to appreciate the risks
7 and consequences of the conduct;

8 3. Culpability;

9 4. Family and community environment;

10 5. Intellectual capacity;

11 6. Peer or familial pressure;

12 7. Ability to participate meaningfully in his or her defense;

13 8. Capacity for rehabilitation;

14 9. School records and special education evaluations;

15 10. Trauma history;

16 11. Community involvement;

17 12. Involvement in the child welfare system; and

18 13. Any other mitigating factors or circumstances.

19 SECTION 2. This act shall become effective November 1, 2020.

20
21 57-2-2698

BG

1/3/2020 1:52:11 PM