



JUVENILE JUSTICE

Fact Sheet: Oklahoma

Key Facts:

- All youth adjudicated by a district court and under the supervision of the Office of Juvenile Affairs are required to be tested to determine their reading level. During fiscal year 2006, 1,860 youth were tested with 365 (19.6%) scoring below grade level.¹
- Since the implementation of the Youthful Offender Act in January of 1998 until the end of FY2006, 826 juveniles have been convicted as Youthful Offenders including 86 sentenced directly to the Department of Corrections (DOC).²
- In fiscal year 2004, 1,006 youth were admitted to out-of-home facilities, in fiscal year 2006, this number fell 15.1% to 854.³
- The number of juveniles transferred to the adult criminal court system decreased 16.5% from 133 in fiscal year 2004 to 111 in fiscal year 2006.⁴
- As of June 30, 2006, five youth under the age of 18 were held in a State prison. In the previous year – June 30, 2005, ten youth under the age of 18 were confined in adult facilities.⁵
- Forty-one agencies provide First Offender Program services, serving youth and their families who have been referred to the juvenile justice system for the first time. Participants in this program had a non-recidivism rate of 87.5%, and 8.2% of participants reoffended.⁶
- Out-of-home residential programs provide a range of services including room and board, mental health treatment, and educational services. The recidivism rate for residential program participants in fiscal year 2006 was 24.4%, with a 64.9% non-recidivism rate.⁷

Major Developments:

- SB 1765, which was enacted in May 2006, provides that youthful offenders may be detained in a county jail upon arrest and detention, provided they are separated by sight and sound from the adult population.⁸ It also provides that a convicted youthful offender may be imprisoned with the adult offender population.
- A bill was introduced in the legislature in 2006 that would Create the Office of Citizens Concerns for Criminal and Juvenile Justice (OCC Office) to act as the central point of contact for persons to direct concerns or make inquiries regarding the state's criminal justice systems, juvenile agencies, and juvenile courts.⁹
- In July 2007, the Oklahoma attorney general issued an opinion which states that juveniles who are waiting to be tried as adults are considered by law to be part of the state children and youth services system and that the Oklahoma Commission on Children and Youth has the authority to monitor county jails and to investigate complaints regarding juveniles held as adults.¹⁰

What Oklahoma Law Says:

- Oklahoma's Youthful Offender Act¹¹ has provided a blended sentencing option from the criminal and juvenile court since 1998. Based upon age and offense criteria, youth offenders transferred to criminal court may file a motion for certification as a youthful offender.
- Upon conviction of a crime as a youthful offender, the court may impose a sentence not to exceed the amount possible for an

adult criminal conviction or 10 years, whichever is less. A special review hearing is required prior to the youth reaching 18 years of age where the court has several options available, including discharging the case, modifying the juvenile disposition, or transferring the youth to the custody of the Department of Corrections to serve the remainder of the Youthful Offender sentence.

- Juvenile offenders, ages 13 or 14, who are charged with murder in the first degree will be automatically treated as an adult, unless certified as a youth offender or juvenile pursuant to the Youthful Offender Act.¹²
- The maximum term a child may be held in a jail or other facility before transfer is 24 hours, and the temporary detention time allowed for identification, processing, or arranging transfer to a secure facility is 6 hours maximum.¹³
- Juveniles may be held in preadjudicatory or predisposition detention for no more than 30 days, unless extended for an additional 60 days.¹⁴
- A court may defer delinquency proceedings for 180 days for any youth that has not been previously adjudicated delinquent, is currently charged with a misdemeanor, submits a guilty plea, and if the youth and their parent or legal guardian agree to participate in a court-approved alternative program for first-time offenders.¹⁵
- The educational needs of any child under 18 years of age must be identified within 72 hours of detention or arrest, regardless of whether the child is subject to adult prosecution, youthful offender proceedings, or juvenile proceedings. Educational opportunities must be provided without delay in all facilities, including all jails, holding facilities, and juvenile or correctional institutions.¹⁶

State Resources:

Juvenile Justice Specialist

Anna Kelly
Office of Juvenile Affairs
P.O. Box 268812

Oklahoma City, OK 73126-8812
Phone: (405) 530-2804
anna.kelly@oja.ok.gov

Department of Corrections

3400 North Martin Luther King Avenue,
PO Box 11400
Oklahoma City, Oklahoma 73136-0400
405-425-2505
www.doc.state.ok.us/

Department of Mental Health and Substance Abuse

Terry L. Cline, Ph.D., Commissioner
1200 North East 13th Street, PO Box 53277
Oklahoma City, Oklahoma 73152
405-522-3908
www.odmhsas.org

Oklahoma Commission on Children and Youth

Debbie McCowan, Executive Secretary
500 North Broadway, Suite 300
Oklahoma City, Oklahoma 73102
405-606-4913
dmccowan@occy.state.ok.us

Prepared by the Justice Policy Institute.

¹ Office of Juvenile Affairs (OJA): State of Oklahoma. 2006. *The 2007 Annual Report*.

www.ok.gov/oja/documents/AR2007.pdf

² Office of Juvenile Affairs (OJA): State of Oklahoma. 2006.

³ Office of Juvenile Affairs (OJA): State of Oklahoma. 2006.

⁴ Office of Juvenile Affairs (OJA): State of Oklahoma. 2006.

⁵ Sabol, William J., Todd D. Minton, and Paige M. Harrison. 2007. *Prison and Jail Inmates at Midyear 2006*. Washington, DC: Bureau of Justice Statistics.

www.ojp.usdoj.gov/bjs/pub/pdf/pjim06.pdf.

⁶ National Center for Juvenile Justice. 2006. *State Juvenile Justice Profile*. www.ncjj.org/stateprofiles/

⁷ National Center for Juvenile Justice. 2006.

⁸ National Juvenile Defender Center. 2007.

⁹ National Juvenile Defender Center. 2007.

¹⁰ Canfield, Kevin. 2007. Ruling on juveniles vexes jail. *Tulsa World*, August 25.

¹¹ National Center for Juvenile Justice. 2006.

¹² National Juvenile Defender Center. 2007. *2006 State Juvenile Justice Legislation*.

www.njdc.info/pdf/2006%20State%20JJ%20Legislation.pdf

¹³ Oklahoma Juvenile Code, section 10-7304-1.1 (E) (2)

¹⁴ Oklahoma Juvenile Code, section 7304-1.1 (A) (1.a)

¹⁵ Oklahoma Juvenile Code section 7303-4.6(B)

¹⁶ National Center for Juvenile Justice. 2006.