

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 112

By: Young

6 AS INTRODUCED

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

22 2. Any mandatory minimum sentence.

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. Faith and 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, 2019.

21 57-1-1032

22 BHG

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