

Capitol Network News

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TRUTH IN SENTENCING JUST AROUND THE CORNER

By Brandon Beard
Staff Writer

■(GIT) Levels, matrix, schedules and enhancers are some of the new terms that may soon become common in Oklahoma courtrooms if **HB1138** becomes law. The bill enacts the Truth in Sentencing Act, changing the way Oklahoma sentences its convicted criminals. Lawmakers and state officials gathered at the Oklahoma Bar Center Wednesday to hear a presentation from the Truth in Sentencing (TIS) Policy Advisory Commission on the finer points of the bill.

"This is a viable product," said the bill's author, Rep. Dwayne Steidley, D-Claremore. "This is the beginning of the dialogue between the bill's House and Senate conferees."

Under the measure, convicted criminals would be expected to serve a minimum of 85 percent of their prison term before being eligible for parole or some type of community corrections program such as electronic monitoring. Currently, Oklahoma prisoners serve only approximately 15 percent of their term before being paroled.

"That is what truth in sentencing is all about," said commission member Bob Ravitz, "you know how much time an individual will actually serve."

One of the key points of the bill removes the responsibility of sentencing from juries and gives it to trial judges, except in capital cases, where judges would continue to set

sentences. The judge would determine the sentence by referring to four grids, or matrices, which clearly outline punishments based on the severity of the crime and prior criminal activity.

The four matrices (general felonies, drug crimes, sex crimes and driving while under the influence [DUI]) are divided into "levels," which determine the length and type of punishment, and "schedules," which determine the severity of the crime. Punishments range from under 1 month of a deferred sentence for theft crimes involving amounts under \$500, to 31 years in prison for manufacturing drugs.

"The flexibility of the grids allows for legislative determination," Ravitz said.

The crime of first degree murder is considered a Schedule A crime and carries a

punishment of 18 to 60 years in prison, life in prison without parole or the death penalty.

Prior convictions are treated as "enhancers" to the sentencing process. Based on the severity of each prior conviction a criminal has, that crime may be figured into the grid and then added to the sentence.

Departures from any level of the grid may be made with the consent of the prosecution, defense and judge or to any level on the grid based upon substantial assistance of the offender.

For the first time, judges would be involved in the plea bargaining process, which traditionally has involved only the prosecution and defense attorneys. Currently, judges

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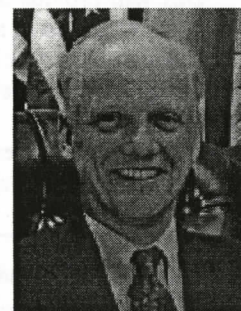
LAWMAKERS, GOVERNOR REACH PARTIAL BUDGET, TAX CUT ACCORD

By Shawn Ashley
Staff Writer

■(GIT) "Historic" was the term used by a bipartisan group of lawmakers and the governor on Wednesday as they announced an agreement on a series of tax cuts, midterm school funding adjustments and the use of the state's Rainy Day Fund.

"I am very proud of this historic agreement for the state of Oklahoma," Governor

Frank Keating said at an afternoon press conference where he was flanked by legislative leaders from both houses and political parties. "I congratulate the leadership of both parties for their bipartisan efforts in reaching this budget agreement.



Gov. Frank Keating

"This accord offers a permanent solution to the problem of funding for growing school districts, provides four specific tax cuts to spur the economy and provides economic assistance to our precious rural economy," the governor added.

The plan, which still requires legislative implementation, is broken down into three components: Midterm funding/Rural Economic Assistance Programs (REAP), Rainy

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