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of whether it was the child's mother who might be responsible for his death.

In a February plea bargain with Bickel, Wendy Luke pleaded guilty to first-degree manslaughter for failing to seek medical attention for her son the day before he died and agreed to testify against Tannehill, as well as her father, Don Luke, who faces a second-degree manslaughter charge in his grandson's death.

Following the child's death last year, the governor asked the Department of Human Services to provide a full report on its handling of the case. Accusations that the child had been abused first arose in January, 1995, leading to a child abuse investigation and then a hearing that gave Don Luke physical custody of the child. Although specific details of the report were not released because of confidentiality requirements, the department and the governor said the case was properly handled.

Luke's death also resulted in a grand jury investigation in Pittsburg County last year. As the jury, led by Bickel, neared the conclusion of its investigation, District Attorney Don Roberts and Assistant District Attorney Ron Boyer resigned from the district attorney's office. The grand jury also indicted and filed an accusation for ouster against Pittsburg County Sheriff Don Hass. The indictments and ouster petition focused on issues unrelated to the Luke case and were later dropped.

The grand jury also made a series of recommendations concerning the handling of child abuse cases, many of which are included in Boyd's HB2053.

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REVERSE CERTIFICATION CLAUSE MAY COME OUT

By Brandon Beard
Staff Writer

■(GIT) The so-called "Reverse Certification" bill by Sen. Robert M. Kerr, D-Altus,



Sen. Robert Kerr

may change, becoming less restrictive, in the next week. The bill, **SB1184**, contains a provision that would allow 13 to 15 year-olds to be tried as adults in criminal cases, unless the court opts to try them as juveniles. Currently, juvenile offenders must be certified as adults before being tried as such. Kerr said the bill will be sent to conference some time next week, where he will consider removing the provision.

The Oklahoma Juvenile Affairs Board is opposed to the reverse certification provision. At a recent meeting, the board passed a resolution opposing any legislation involving the reverse certification of 13 to 15 year

olds, except in cases of first degree murder, which is current law.

"We have a great deal of concern about a bunch of 13 year-olds being in the Department of Corrections," said Dawn Byram, spokesperson for the Office of Juvenile Affairs (OJA). "What is DOC going to do with a bunch of 13 and 14 year-olds?"

Byram said, because OJA is a treatment-based system, she questions if the state prison system is the best place for young offenders who are "amenable to treatment."

Voicing similar thoughts, DOC spokesman Jerry Massie, said mixing juveniles with adult offenders is cause for concern.

"We are concerned about having very young people in with our general population," he said. "It is probably better that the juvenile system be equipped to handle those kids in a secure environment."

Massie said only about 100 of the nearly 7000 prisoners received by DOC last year were under 18 years old.

He suggests, like other states, placing juvenile offenders who reach the age of 18

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24 caseworkers and supervisors are needed besides what we're already negotiating plus their existing vacancies — was just excessive."

The conflicting schedules of the House and Senate also contributed to Boyd's delay in bringing the bill before the House. Boyd first asked on Wednesday that the bill's conference committee report be rejected and that it be returned to committee for further consideration. Soon after making that motion, however, Boyd withdrew it.

She made the motion again on Thursday and received unanimous consent for the action. However, the Senate had already adjourned for the day, making a similar action in that house of the legislature impossible.

Boyd said the request will be made of the Senate on Monday and that the conferees have already agreed to the proposed change.

That, she added, means the bill should be before the House on Tuesday.

In a related development, a Pittsburg County jury acquitted Larry Tannehill of first-degree murder in the death of two-year-old Ryan Luke. It was the death of the toddler that led Boyd and other members of the

legislature to propose the child abuse measure.

Upon learning of the verdict, Boyd said she was not surprised, particularly after hearing one of two alternate jurors say they believed Tannehill's testimony to be sincere and because of the speed with which the child's mother had agreed to a plea bargain.

The child's mother, Wendy Luke, agreed in February to plead guilty to first-degree manslaughter and to testify against Tannehill and her father, Don Luke, in exchange for a 30-year prison sentence.

Her father faces a second-degree manslaughter charge in the case.

In her testimony, Wendy Luke accused Tannehill, her former boyfriend, of being the one responsible for striking the blow that resulted in her son's death. Tannehill testified that he believed Wendy was responsible for the child's death and that she was trying to frame him for the murder.

Tannehill and special prosecutor Janet Bickel both cried as the verdict was read. Bickel said she was devastated by the verdict, adding, "I will always believe that Larry Tannehill killed Ryan Luke."

Boyd said, "I feel the system failed this baby. It failed us and it failed that family."