

**House Bills, continued from page S-1**

vices' inquiries prior to their deaths. For some, that meant the department had failed in its duty to protect the children.

HB2053, which in some cases makes dramatic changes in the way child abuse cases are handled in Oklahoma, had almost unanimous support. Although action on the bill was sometimes delayed to allow minor changes in often difficult-to-arrive-at wording, only three votes were cast against the bill during its entire legislative trek.

Key provisions of the bill include:

- The opening of some DHS and other records in child abuse death cases;
- The training of judges in child abuse and related issues;
- Requiring social workers to provide sworn testimony in child abuse cases; and
- The ability to stay a judge's order concerning the custody of a child in certain instances.

Boyd points to the opening of some records when a child dies as one of the bill's most important provisions, calling it "the single largest part of the reforms" contained in the measure.

"Currently, there are no provisions for that," the Norman lawmaker said. "This will give officials, as well as the public at large, the opportunity to see how some of our state agencies are operating, to hold them accountable when necessary and to praise them when they do things right."

Word of the provision has spread quickly, Boyd said, adding that other states are looking at the language in the bill as a model for legislation elsewhere.

"This will give the Department of Human Services, district attorneys and others involved an opportunity to defend themselves or admit the truth," Boyd added. "In some cases, there's reason for criticism, but in others, there is not. This should help everyone see all the efforts that are made to intervene on behalf of a child."

In many cases, Boyd said, people will see that the victims of child abuse had never been identified prior to their deaths, resulting in no intervention from law enforcement and the child social workers.

"What we sometimes forget is that these are not just DHS kids who are dying," Boyd said matter of factly. "This can happen to any kid, and it does. Many of the children who die each year due to child abuse have never been introduced into the system."

That, she adds, is why child abuse is not an issue that goes away after one legislative session and the enactment of one bill.

"Unfortunately, we know that children are going to die, sometime, somewhere, due to child abuse," Boyd said, "and some of those deaths are going to be at the hands of their parents. Until we work on prevention and create an effective system for dealing with this situation, that will continue to be true."

Some of those sentiments are shared by Governor Frank Keating, who proclaimed early in the legislative session his support for the bill and signed it shortly after its passage.

"Obviously, my greatest hope would be for this legislation to totally end child abuse in Oklahoma, but that, unfortunately, is not realistic," Keating said. "However, HB2053 will dramatically reform how child abuse cases are investigated and handled in Oklahoma. Everyone knows the tragic circumstances surrounding Ryan Luke and Shane Coffman. This law will not only address the horrific details of those cases but will set tougher restrictions and standards on new abuse cases as well."

Secretary of Human Services Ken Lackey agreed with the governor, adding, "I concur with the governor. There is no one solution to end child abuse in our society, but this legislation provides another tool to help solve a very serious problem."

**HB1088: Leveling the Playing Field for Adoptive Parents**

Part of the ongoing work by an adoption reform committee, HB1088, by Rep. Russ Roach, D-Tulsa, is designed to equalize the

playing field for adoptive parents.

The bill allows for a deduction of up to \$10,000 annually to aid families with "non-recurring adoption expenses," such as adoption fees, court costs and attorneys fees.

In voicing his support for the bill on the floor, Roach told lawmakers that the one-time costs associated with adopting a child are sometimes barriers for those wanting to become adoptive parents. The bill, he said, attempts to address that situation by allowing adoptive parents to deduct such expenses from their annual state income taxes.

Roach explained that biological parents have the benefits of health insurance to cover the costs of the birth of their children and receive a variety of tax breaks as a result of becoming parents. This bill, he said, would provide some of the same benefits to adoptive parents, who, like birth parents at the time their child is born, bore extraordinary costs in the process of adopting their child.

**HB2115: Taking a Lesson From Real Life**

When Sen. Jerry Smith, R-Tulsa, explained the reasoning behind the introduction of HB2115, which he co-authored with Rep. Flint Breckinridge, R-Tulsa, other lawmakers looked on in disbelief.

Smith told the story of a 14-year-old boy sent to commit a crime by two adults. The adults reasoned, Smith said, that the young boy would face only the repercussions of the juvenile justice system, while they would benefit. But after things went awry, the 14-year-old boy killed someone and found himself facing a murder charge as an adult.

The two men, however, avoided prosecution on a murder charge, Smith added, because the statute was not written in such a way that they could be charged with the crime.

Now, it is.

Smith's measure, HB2115, expands the point at which first-degree murder occurs, adding when a person "or any other person" takes the life of a human being during, or if the death of a human being results from, the commission or attempted commission of murder of another person, shooting or discharge of a firearm or crossbow with intent to kill, forcible rape, robbery with a dangerous weapon, kidnapping, escape from lawful custody, first degree burglary, first degree arson, unlawful distributing or dispensing of controlled dangerous substances, or trafficking in illegal drugs.

In arguing for the bill, Smith said Okla-

*See House Bills, page S-3*

**Capitol Network News**

A division of  
GIT, Inc.  
P.O. Box 61206  
Oklahoma City, OK 73146-1206  
Office (405) 528-2546  
Fax (405) 521-9807  
Net: gitinc@ionet.net  
Web: <http://www.exoweb.com/git>

Darwin P. Maxey, Publisher  
Mary Millen, Editor

COPYRIGHT© GIT, Inc., 1996. No part of this publication may be reproduced, transmitted, transcribed, stored in a retrieval system or translated into any language in any form by any means without the written permission of GIT, Inc. The data contained herein is obtained from government sources, but it is not warranted as to the accuracy by the publishers.