



OFFICE OF

No. SB 410

**THE GOVERNOR**  
STATE OF OKLAHOMA

OKLAHOMA CITY, OKLA.,

June 5, 2015

TIME SIGNED: 11:13 AM

TO THE HONORABLE PRESIDENT PRO TEMPORE  
AND MEMBERS OF THE OKLAHOMA SENATE  
FIRST SESSION OF THE  
FIFTY FIFTH OKLAHOMA LEGISLATURE

ENROLLED SENATE BILL NO. 410:

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED Senate Bill 410.

Senate Bill 410 amends the Youthful Offender Act by including as a youthful offender crime, accessory to any current youthful offender crime.

Currently, the Youthful Offender Act applies to juveniles who commit the most violent crimes (most of which are 85% crimes) as principals, and provides prosecutors more direct avenues to certify juveniles as adults. The Act also provides courts the option, under certain circumstances, and at the request of prosecutors, to send a juvenile to a Department of Corrections run prison, even when the juvenile has not been certified as an adult.

In Oklahoma, there exists a long standing distinction between accessories to crimes and those who are principals to crimes. An individual becomes an accessory under Oklahoma law only when that individual becomes associated with the offender *subsequent* to the commission of the original crime. In contrast, one who participates, either prior to or during the commission of the offense, is liable as a principal.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

See page 2 of 2

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JUN 05 2015

OKLAHOMA SECRETARY  
OF STATE



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This law erases that distinction, treating accessories identically to principals. For instance, under Senate Bill 410, the Youthful Offender Act would treat a 15 year old who drives a rapist away from the scene of a crime identically to a 15 year old who drugs his victim, drags her to a remote location, and rapes her.

Because the crimes involved in those two acts are not equal, I do not believe adjusting the law to make the punishments equal would be just. Furthermore, the law does not equate those two crimes committed by adults equally. Thus, the state would seem to be treating juvenile accessories considerably harsher than their adult counterparts.

Finally, SB 410 would dramatically increase the offenses punishable under the Youthful Offender Act, and have the likely effect of imprisoning more youth than ever before.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

Mary Fallin

By Becky Welch

Date/Time June 5, 2015 1:25pm