

**OCDW 12.23.24**

Category



**OKLAHOMA CRIMINAL DEFENSE WEEKLY**

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[James L. Hankins](#),  
Publisher

*(with special thanks to Mark Hoover, OIDS, for contributing regularly)*

“I have lived my life, and I have fought my battles, not against the weak and the poor—anybody can do that—but against power, against injustice, against oppression, and I have asked no odds from them, and I never shall.”---Clarence S. Darrow, *Attorney for the Damned* 491, 497 (Arthur Weinberg ed. 1957).

## OKLAHOMA

[B.S. v. State](#), No. J-2024-563 (Okla. Cr., December 19, 2024) (unpublished):  
**Juveniles & Y.O.:** B.S. was 14-years-old when he stabbed and killed his father, who he asserted was abusive. The Hon. Christine M. Galbraith (Comanche County) denied his motion for reverse certification. In this opinion, the Court affirmed, finding no abuse of discretion. NOTE: I included this opinion because of the strong dissents by Presiding Judge Rowland and Judge Lumpkin, finding an abuse of discretion under the facts. Judge Hudson issued a Specially Concurring opinion.

## UNITED STATES SUPREME COURT

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“Only Supreme Court justices and schoolchildren are expected to and do take the entire summer off.” –*Chief Justice John Roberts* (statement made while he served as a lawyer in the Reagan Administration).

*No new cases.*

## VICTORIES

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**JEREMY BENNETT**, Miami, scored a pre-holiday good result in Ottawa County. The plea offer to the Mong-speaking client was 10 in and 10 out on the charge of Rape in the First Degree (his wife). At trial, the State included over objection instructions on the lesser crime of Sexual Battery. The jury found the client guilty on this lesser charge (non-85%) and recommended two years to the client who has already been in jail for over a year. A hard-fought result for Jeremy!

## HEARSAY

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**MEDIATION**: The City of Oklahoma City and Oklahoma County will enter mediation over the proposed location of the county jail.

**DOC**: Undocumented immigrants account for 2.3% of the DOC prison population.

**D.A.**: Gov. Stitt has appointed First Assistant Jennifer Austin to succeed Greg Mashburn as District Attorney. Mr. Mashburn has announced his **retirement** effective March 1.

**A.G.**: Attorney General Gentner Drummond has summarized the accomplishments of his office for the year.

**BOARD:** The Pardon and Parole Board now has a fifth member and is fully staffed.

**LOST:** State Rep. Justin Humphrey, a disruptive force in the Legislature on criminal justice/DOC issues, has been ousted from his seat as Chair of the Criminal Justice Committee. He believes something is afoot.

**WALK-A-WAY:** An inmate who walked away from custody at Clara Waters Correctional Center has been caught and is back in custody.

## **WACKY CRIME**

**UNHAPPY:** A Bartlesville man is unhappy with the wait for service at a tag agency...so he head-butted an employee.

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