

OKLAHOMA

Collateral Punishments for Marijuana Offenses

COLLATERAL PUNISHMENTS THAT HINDER FAMILY LIFE

Eligibility to Adopt a Child, or to Become a Foster Parent

A prospective adoptive parent will not be approved if the person or *any other person residing in the home* has been convicted of a drug-related offense within five years preceding the application. OKLA. STAT. ANN. tit. 10, §§ 7505-5.1, 7003-8.1 (2005). However a prospective adoptive parent may still be approved if an evaluation has been made and accepted by the court which considers the nature and seriousness of the crime in relation to the adoption placement, the time elapsed since the commission of the crime, the circumstances under which the crime was committed, the degree of rehabilitation, the number of crimes committed by the person involved, and a showing by clear and convincing evidence that the child will not be at risk by such placement. OKLA. STAT. ANN. tit. 10, §§ 7505-5.1, 7003-8.1 (2005). Any marijuana-related offense results in a lifetime bar on foster parenting. OKLA. STAT. ANN. tit. 10, §404.1, OKLA. ADMIN. CODE, §340:110-3-85(c) (2006).

Eligibility for Public Housing

The Public Housing Authority Central Office at Oklahoma City will not consider arrests not leading to conviction. LEGAL ACTION CENTER, AFTER PRISON: ROADBLOCKS TO REENTRY: A REPORT ON STATE LEGAL BARRIERS FACING PEOPLE WITH CRIMINAL RECORDS, OKLAHOMA (hereinafter "LAC REPORT"), <http://www.lac.org/lac/main.php?view=profile&subaction1=OK> (last modified 2004). An applicant with a felony or misdemeanor marijuana conviction will be barred for three years for a misdemeanor and five years for a felony, but rehabilitation is considered to lift the bar on drug-related convictions. LAC REPORT.

Eligibility for Food Stamps and other Public Assistance

A marijuana conviction has no effect on receiving food stamps or other public assistance. 1997 OKLA. SESS. LAWS 414-28

COLLATERAL PUNISHMENTS THAT HINDER PROFESSIONAL SUCCESS

Employment and Professional Licensing

Employers may inquire about and discriminate against job applicants on the basis of marijuana convictions and arrests not leading to conviction. See OKLA. STAT. ANN. tit. 51, § 24A.8 (2005).

Eligibility for Educational Loans

Students who do not qualify for federal financial aid cannot receive state financial aid. CHRIS MULLIGAN ET AL., FALLING THROUGH THE CRACKS: LOSS OF STATE-BASED FINANCIAL AID ELIGIBILITY FOR STUDENTS AFFECTED BY THE FEDERAL HIGHER EDUCATION ACT DRUG PROVISION 18 (Coalition for Higher Educ. Reform 2005), <http://www.raiseyourvoice.com/statereport/fallingthrough.pdf> (last modified February 7, 2005). Students in Oklahoma who have a felony or misdemeanor marijuana conviction are not eligible to receive any financial aid. *Id.* (CHEAR red state)

Driver's License

Oklahoma will revoke a driver's license for a marijuana-related misdemeanor or felony offense for 180 days for the first offense, one year for a second offense committed within five years of the prior offense, or three years if the third or greater offense was committed within five years of the prior offense. OKLA. STAT. ANN. tit.47, §§ 6-205, -205.1 (2005).

COLLATERAL PUNISHMENTS THAT HINDER CIVIC PARTICIPATION

Right to Vote

A felony marijuana conviction results in a ban on voting until the person's sentence is completed, including probation or parole. OKLA. STAT. ANN. tit. 26, §§ 4-101, 4-120 (2005).

Right to Sit on a Jury

A felony marijuana conviction results in a lifetime bar on jury service. OKLA. STAT. ANN. tit. 38, § 28(C)(6) (2005).

Right to Possess a Firearm

Any felony marijuana conviction results in the loss of the right to possess a firearm. OKLA. STAT. ANN. tit. 21, § 1283 (2005).