

SHORT TITLE: Criminal procedure; notice of rights to victim of rape
or forcible sodomy; effective date.

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

SENATE BILL NO. 458

By: Williams (Penny)

AS INTRODUCED

An Act relating to criminal procedure; amending 22

O.S. 1991, Section 40.1, which relates to victim of rape, forcible sodomy or domestic abuse; clarifying statutory reference; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 22 O.S. 1991, Section 40.1, is amended to read as follows:

Section 40.1 A. Upon the preliminary investigation of any rape or forcible sodomy, it shall be the duty of the officer who interviews the victim of the rape or forcible sodomy to inform the victim of the twenty-four-hour statewide telephone communication service established by Section ~~5~~ 40.4 of this ~~act~~ title and to give notice to the victim of certain rights. The notice shall consist of handing such victim the following statement:

"As a victim of the crime of rape or forcible sodomy, you have certain rights. These rights are as follows:

1. The right to request that charges be pressed against your assailant;

2. The right to request protection from any harm or threat of harm arising out of your cooperation with law enforcement and

prosecution efforts as far as facilities are available and to be provided with information on the level of protection available;

3. The right to be informed of financial assistance and other social services as a result of being a victim, including information on how to apply for the assistance and services; and

4. The right to a free medical examination for the procurement of evidence to aid in the prosecution of your assailant."

B. The written notice shall also include the telephone number of the twenty-four-hour telephone communication service established by Section ~~5~~ 40.4 of this ~~act~~ title.

SECTION 2. This act shall become effective September 1, 1993.

44-1-0506

CJ