

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

SENATE BILL NO. 590

By: Horner

AS INTRODUCED

An Act relating to motor vehicles; creating the Traffic Stops Statistics Study Act; providing short title; directing the Department of Public Safety and the Attorney General to conduct certain study; stating purpose of study; requiring certain report at certain time; directing continuation of study and reporting for certain years; requiring certain data be collected and analyzed; requiring participation of law enforcement agencies and district attorney offices; authorizing promulgation of rules, forms, and procedures for data collection purposes; providing for codification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 350 of Title 47, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Traffic Stops Statistics Study Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 350.1 of Title 47, unless there is created a duplication in numbering, reads as follows:

A. The Attorney General and the Department of Public Safety shall jointly conduct a two-year study beginning July 1, 1999, of traffic stops within this state by law enforcement officers for alleged traffic violations. The purpose of the study is to consider the relationships of traffic stops to criminal offenses, race, ethnicity, gender, and age. The findings of the study shall be reported to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives by September 15,

2001. A two-year study shall be conducted every four (4) years thereafter beginning July 1, 2005, with a report due the fifteenth day of September following the close of the study period.

B. Data to be collected, analyzed, and reported shall include, but not be limited to:

1. Information on race, ethnicity, gender, and age of the stopped vehicle operator;

2. Information on race, ethnicity, gender, and age of any passenger that is searched or otherwise involved directly in the traffic stop;

3. Information on the traffic violation alleged to have been committed or other probable cause for the traffic stop;

4. Information on the actual traffic stop, including but not limited to the time of day, day of the week, month, and place where the stop was made;

5. Whether a search was conducted on the vehicle operator, any passenger, or the vehicle, including but not limited to the rationale for the search, how the search was carried out, and whether any contraband was found;

6. Information on criminal offenses, including but not limited to whether an arrest was made of any person during the traffic stop, whether an arrest was made of any person at a later time based upon information obtained from the traffic stop, the nature of the criminal offense for which an arrest was made and whether the offense was a misdemeanor or a felony, whether the vehicle operator or any passenger involved directly in the traffic stop was checked for a prior criminal record at the time of the traffic stop, and whether the vehicle operator or any passenger involved directly in the traffic stop had any outstanding warrants or other criminal charges pending at the time of the traffic stop;

7. Information on the direct benefit of traffic stops to drug interdiction, including but not limited to approximate quantities and value of drugs seized in the traffic stop; and

8. Information on the direct benefit of traffic stops to recovery of stolen property, seizure of weapons, detection of illegal aliens, and investigation of criminal activity and conspiracy.

C. Every state, county, and municipal law enforcement agency and district attorney office in this state shall participate in the Traffic Stops Statistics Study Act as required by the Department of Public Safety or the Attorney General. The Attorney General and the Department of Public Safety are authorized to promulgate rules, forms, and procedures to carry out the provisions of this act.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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