

COMMITTEE REPORT
HOUSE OF REPRESENTATIVES
State of Oklahoma

February 20, 2002

MR. SPEAKER: We, your Committee on CRIMINAL JUSTICE

to whom was referred HOUSE BILL 2246

by: PETERS of the HOUSE

entitled

An Act relating to domestic abuse; amending 10 O.S. 2001, Section 21.1, which relates to order of preference for guardianship or custody of children; stating court shall consider evidence of domestic abuse and violations of protective orders; amending 10 O.S. 2001, Section 1211, which relates to training for judges having juvenile docket; requiring certain training for judges having protective order and domestic abuse docket responsibility; amending 21 O.S. 2001, Section 644, which relates to assault and battery; requiring certain offenses to be filed as felonies; modifying punishment for second and subsequent offenses of domestic abuse; authorizing court to order participation by defendants in treatment programs; specifying when review hearings will be held; authorizing revocation of probation under certain circumstances; modifying definition; specifying punishment for person convicted of domestic abuse three or more times; prohibiting domestic abuse by strangulation; setting penalty; setting minimum sentences for second and subsequent offenses of certain crimes; requiring court to make specific findings why term of imprisonment is not imposed under certain circumstances; providing immunity from liability or prosecution for judges and treatment programs; prohibiting charging victim of domestic abuse with court fees; requiring certain conviction records to be presented to and considered by the court prior to a plea agreement or sentencing; amending 21 O.S. 2001, Section 852.1, which relates to child endangerment; expanding circumstances which may be considered an affirmative defense; amending 21 O.S. 2001, Section 1173, which relates to stalking; modifying punishment; requiring minimum sentences of imprisonment for certain offenses; amending 22 O.S. 2001, Section 40.3, which relates to not discouraging victims from filing charges; prohibiting certain officials from discouraging victim of rape, forcible sodomy and domestic abuse from requesting that charges be pressed; amending 22 O.S. 2001, Sections 60.1, 60.2, 60.3, 60.4, 60.6, 60.9 and 60.11, which relate to the Protection from Domestic Abuse Act; *** amending 43A O.S. 2001, Sections 3-313 and 3-314.1, which relate to domestic violence and sexual assault programs; adding records regarding batterers to confidential records; authorizing certification of treatment programs for batterers; providing for codification; providing an effective date; and declaring an emergency.

beg leave to report that we had the same under consideration and herewith return the Committee Substitute therefor with the recommendation that it

DO PASS as coauthored by COFFEE (Principal Senate Author)

David B. Braddock, Chairman