

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

SENATE BILL 1583

By: Wilkerson and Smith of the  
Senate

and

Askins and Ingmire of the  
House

AS INTRODUCED

An Act relating to the Criminal Justice Resource Center; amending 22 O.S. 2001, Sections 1502 and 1508, and 57 O.S. 2001, Section 508.2, which relate to the membership and duties of the Oklahoma Criminal Justice Resource Center; modifying number of members who appoint a victim representative; expanding certain authority of the Oklahoma Sentencing Commission; providing for coordination and utilization of certain critical databases; compelling participation by certain agencies and entities; expanding duties of the Criminal Justice Resource Center; directing critical analysis of the Department of Corrections; providing for critical analysis of the Department of Corrections policies and procedures impacting financial resources; providing for critical analysis for rehabilitation of offenders; directing the Oklahoma Criminal Justice Resource Center to promote and coordinate volunteerism in the criminal justice system; directing study of certain work programs and restitution to crime victims and community; deleting authority of the Oklahoma Sentencing Commission to approve the hire of employees for certain functions of the Criminal Justice Resource Center; providing for certain appointed legislative members to approve hire of certain employees; and declaring an emergency.

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

SECTION 1. AMENDATORY 22 O.S. 2001, Section 1502, is amended to read as follows:

Section 1502. A. The Commission shall consist of fifteen (15) members as follows:

1. The Chief Justice of the Oklahoma Supreme Court shall appoint a sitting Justice of the Oklahoma Supreme Court who shall serve an initial term of four (4) years;

2. The Director of the Administrative Office of the Courts shall appoint an indigent defender, who shall serve an initial term of three (3) years;

3. One member, to be appointed by the Governor, who shall serve an initial term of one (1) year;

4. Two members of the House of Representatives, one of whom shall be a Republican and one of whom shall be a Democrat, to be appointed by the Speaker of the House of Representatives each of whom shall serve an initial term of two (2) years;

5. Two members of the Senate, one of whom shall be a Republican and one of whom shall be a Democrat, to be appointed by the President Pro Tempore of the Senate each of whom shall serve an initial term of two (2) years;

6. A district attorney appointed by the District Attorneys Council who shall serve an initial term of five (5) years; provided, any person appointed pursuant to this paragraph who is no longer serving as a district attorney shall not continue to serve on the Commission;

7. The Attorney General, the first assistant Attorney General, or the chief of the criminal division of the Office of Attorney General;

8. The Director of State Finance or the director of the budget division of the Office of State Finance;

9. A defense attorney appointed by the Oklahoma Bar Association, who shall serve an initial term of five (5) years;

10. A judge of the district court appointed by the assembly of presiding judges, who shall serve an initial term of three (3) years; provided, any person appointed pursuant to this paragraph who

is no longer serving as a district judge shall not continue to serve on the Commission;

11. A crime victim or representative of crime victims appointed by the other ~~twelve~~ fourteen members of the Commission from a list of five persons submitted to the Commission by the Victim's Compensation Board, who shall serve an initial term of four (4) years;

12. The director of the Oklahoma Indigent Defense System, the deputy director of the Oklahoma Indigent Defense System or the chief of the noncapital trial division of the Oklahoma Indigent Defense System; and

13. The director of the Oklahoma State Bureau of Investigation or the deputy director of the Oklahoma State Bureau of Investigation.

B. All members of the Commission shall be voting members.

SECTION 2. AMENDATORY 22 O.S. 2001, Section 1508, is amended to read as follows:

Section 1508. A. The Oklahoma Sentencing Commission shall serve as an advisory board to the Oklahoma Criminal Justice Resource Center.

B. The Oklahoma Sentencing Commission may establish subcommittees or advisory committees composed of Commission members or others to accomplish duties imposed by this section.

C. It is the legislative intent that the Commission attach priority to accomplish the formulation of proposals and recommendations as described in Section 1512 of this title.

D. In addition, the Commission may make recommendations to the Legislature for the recodification of the Penal Code of the State of Oklahoma.

E. The Commission shall have the continuing duty to monitor and review the criminal justice and corrections systems in this state to ensure that sentencing remains uniform and consistent, and that the

goals and policies established by the state are being implemented by sentencing practices, and it shall recommend methods by which this ongoing work may be accomplished and by which the correctional population simulation model shall continue to be used by the state.

F. The Commission shall review all proposed legislation which creates a new criminal offense or increases the punishment for an existing criminal offense and shall make recommendations to the Legislature.

G. The Oklahoma Criminal Justice Resource Center under the direction of the Oklahoma Sentencing Commission shall prepare a report within twenty (20) days after the last day for filing bills in the Legislature containing a review of bills as described in this subsection. The Oklahoma Criminal Justice Resource Center may include in its report on a bill an impact analysis based upon an application of the correctional population simulation model to the provisions of the bill. The bill analysis report shall be delivered to the chair of the legislative committee to which the bill is assigned.

H. The Commission shall have the authority to coordinate the development and utilization of the statewide databases that are critical to the criminal justice system and to compel participation by the following agencies and entities:

1. The Administrative Office of the Court;
2. The Department of Public Safety including the 800 MHz radio project, digital driver license project, and the Oklahoma Law Enforcement Telecommunications System;
3. The Oklahoma State Bureau of Investigation;
4. The Offender Data Information System of the Criminal Justice Resource Center;
5. The District Attorneys Council;
6. The Office of Juvenile Affairs;
7. The Department of Corrections;

8. The Office of the State Auditor and Inspector, as it relates to accounting functions of the county court clerks' offices; and

9. The Pardon and Parole Board.

SECTION 3. AMENDATORY 57 O.S. 2001, Section 508.2, is amended to read as follows:

Section 508.2 A. Effective July 1, 1998, there is hereby transferred from the Department of Public Safety to the Legislative Service Bureau the Oklahoma Criminal Justice Resource Center which shall consist of the entity recognized by the Bureau of Justice Statistics as the Statistical Analysis Center, a prevention and intervention unit, a resource development unit, and an administrative support unit.

B. Effective July 1, 1998, all unexpended funds, property, records, personnel, and outstanding financial obligations and encumbrances of the Oklahoma Criminal Justice Resource Center are hereby transferred to the Legislative Service Bureau. All transferred personnel shall retain their employment position and status as unclassified or classified employees. The Director of State Finance is hereby directed to coordinate the transfer of funds, allotments, purchase orders, and outstanding financial obligations, or encumbrances, provided for by the provisions of this subsection.

C. The duties of the Oklahoma Criminal Justice Resource Center shall be to:

1. Provide a clearinghouse for criminal justice information;
2. Provide a central contact point for federal, state, and local criminal justice agencies;
3. Provide technical assistance for all criminal justice agencies of this state;
4. Provide consultation for criminal justice agencies of this state in preparing reports, gaining funding, or preparing information;

5. Obtain information from criminal justice agencies in this state for analyses of criminal justice issues;
6. Collect and analyze criminal justice data;
7. Produce reports for state and local criminal justice agencies;
8. Facilitate information networking between criminal justice agencies;
9. Attend meetings concerning criminal justice issues;
10. Represent this state at national meetings including, but not limited to, meetings or conferences of criminal justice statistics associations of other states;
11. Provide administrative support to the Oklahoma Sentencing Commission;
12. Assist in developing resources for the criminal justice system;
13. Address pertinent issues related to prevention and intervention programs;
14. Provide assistance to the State Crime Stoppers Association;
15. Maintain support and provide assistance to the Oklahoma Council on Violence Prevention;
16. Create and publish by December 1 each year a uniform reporting standard for citing state criminal statutes to be used in reporting information to and from all criminal justice information systems within this state. The uniform reporting standard shall be developed in consultation with the Administrative Office of the Courts, the Department of Corrections, the Oklahoma State Bureau of Investigation, the District Attorneys Council, the Department of Public Safety through the Oklahoma Law Enforcement Telecommunications System Division, and the Office of Juvenile Affairs. The uniform reporting standard shall be used by all criminal justice information systems and shall be the standard for reporting arrests, criminal and juvenile delinquency charges, charge

and case dispositions, custody records, and any other record purporting to identify a criminal history record or information relating to arrests, charges, custody, adjudication, conviction, and disposition of criminal or juvenile matters; ~~and~~

17. Monitor all changes to state crime statutes within ninety (90) days of the Legislature's adjournment sine die for purposes of including any changes in law or new offenses within the uniform reporting standard;

18. Conduct critical analysis of the Department of Corrections, including policies and procedures that impact financial resources of the Department or other state agencies and the rehabilitation of offenders; and

19. Promote and coordinate volunteerism in the criminal justice system and study potential work programs that rehabilitate offenders and provide restitution to crime victims and the community.

D. The Legislative Service Bureau shall provide office space, equipment, and other administrative support required by the Oklahoma Criminal Justice Resource Center.

E. The Oklahoma Criminal Justice Resource Center shall have a director and other necessary staff. The Oklahoma Sentencing Commission shall hire and set the salary of the director. The director of the Oklahoma Criminal Justice Resource Center, subject to the approval of the legislative members of the Oklahoma Sentencing Commission, shall hire employees as may be necessary to complete the statutory functions of the Oklahoma Criminal Justice Resource Center within the budgeting limits set by the President Pro Tempore of the Senate and the Speaker of the House of Representatives.

F. The director of the Oklahoma Criminal Justice Resource Center shall submit a budget request by July 1 of each year which shall be approved by the President Pro Tempore of the Senate and the Speaker of the House of Representatives.

SECTION 4. 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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