

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

SENATE BILL 726

By: Horner

AS INTRODUCED

An Act relating to criminal procedure; amending Section 2, Chapter 325, O.S.L. 2000 (22 O.S. Supp. 2000, Section 34.4), which relates to prohibition to racial profiling; clarifying language; providing certain time to forward certain complaint; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 2, Chapter 325, O.S.L. 2000 (22 O.S. Supp. 2000, Section 34.4), is amended to read as follows:

Section 34.4 Whenever a person ~~who~~ is stopped or detained for investigative purpose or taken into custody or arrested for an offense and the person believes the stop, detention, taking into custody, or arrest was related to racial profiling in violation of Section ~~±~~ 34.3 of this ~~act~~ title, that person may file a complaint with the Oklahoma Human Rights Commission and may also file a complaint with the district attorney for the county in which the stop or arrest occurred. A copy of the complaint shall be forwarded to the ~~arresting~~ officer's employer by the Commission within five (5) days. The employer shall investigate the complaint for purposes of disciplinary action and/or criminal prosecution.

SECTION 2. 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.