

ENGROSSED SENATE AMENDMENT  
TO  
ENGROSSED HOUSE  
BILL NO. 2109

By: Kirby of the House

and

Wilkerson of the Senate

An Act relating to prisons and reformatories;  
requiring records of investigations be kept  
confidential; providing penalty; providing for  
exceptions; directing that certain persons receive  
the investigation report; allowing the dissemination  
of the investigation report to certain persons under  
certain circumstances; requiring all discussions of  
pending investigations be held in executive session;  
providing for codification; and providing an  
effective date.

AMENDMENT NO. 1. Page 1, strike the title, enacting clause  
and entire bill and insert

"[ prisons and reformatories - requiring records of  
investigations be kept confidential - codification -  
effective date ]

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 508.5 of Title 57, unless there  
is created a duplication in numbering, reads as follows:

A. Except as provided for in this section, all records relating  
to any investigation being conducted by the Investigations Division  
of the Department of Corrections shall be confidential and shall not  
be open to the public. Any unauthorized disclosure of any  
information contained in the confidential files of the  
Investigations Division of the Department of Corrections shall be a  
misdemeanor.

B. Officers and agents of the Investigations Division of the Department of Corrections shall disclose any investigative information to:

1. Officers and agents of federal, state, county, or municipal law enforcement agencies and district attorneys in the furtherance of criminal investigations within their respective jurisdictions; and

2. Appropriate accreditation bodies for purposes of obtaining or maintaining accreditation of the Investigations Division.

C. The Director of the Department of Corrections, the affected Deputy Director, the Legal Division of the Department of Corrections, and the Attorney General, in the case of investigations that focus on pending litigation, shall receive a report of the results of the requested investigation. The person or entity requesting the investigation may give that information only to the appropriate prosecutorial officer or agency having statutory authority in the matter, if that action appears proper from the information contained in the report, and shall not reveal or give such information to any other person or agency.

D. The State Board of Corrections may require the Director to advise the Board on the progress of pending investigations. All discussions of pending investigations shall be conducted in executive session not open to the public.

SECTION 2. This act shall become effective November 1, 2004."

Passed the Senate the 7th day of April, 2004.

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Presiding Officer of the Senate

Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
2004.

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Presiding Officer of the House  
of Representatives