

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 607

By: Smith of the Senate

and

Ingmire of the House

COMMITTEE SUBSTITUTE

An Act relating to the Criminal Justice Resource Center; amending 22 O.S. 2001, Section 1502, which relates to creation of the Oklahoma Sentencing Commission; modifying appointment provision; amending 57 O.S. 2001, Section 508.2, which relates to the Criminal Justice Resource Center; modifying required service units with Criminal Justice Resource Center; requiring approval of certain members for hiring employees; eliminating requirement for submission of budget to certain persons; providing for recodification; 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 Oklahoma Sentencing 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 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~~ 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 program resources unit, a computer information services 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.

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

~~E.~~ D. 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 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 3. RECODIFICATION 57 O.S. 2001, Sections 508.2 and 508.2b, shall be recodified as Sections 1517 and 1518 of Title 22 of the Oklahoma Statutes, unless there is created a duplication in numbering.

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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