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THE STATE SENATE
Thursday, February 10, 2005

Senate Bill No. 13

SENATE BILL NO. 13 - By: WYRICK of the Senate and LAMONS of the House.

An Act relating to officers; amending 51 O.S. 2001, Section 24A.8, which relates to the Oklahoma Open Records Act; providing for the release of copies of certain records by the Council on Law Enforcement Education and Training (C.L.E.E.T.) to law enforcement agencies; and declaring an emergency.

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

SECTION 1. AMENDATORY 51 O.S. 2001, Section 24A.8, is amended to read as follows:

Section 24A.8 A. Law enforcement agencies shall make available for public inspection, if kept, the following records:

- 1. An arrestee description, including the name, date of birth, address, race, sex, physical description, and occupation of the arrestee;
- 2. Facts concerning the arrest, including the cause of arrest and the name of the arresting officer;
- 3. Conviction information, including the name of any person convicted of a criminal offense;
- 4. Disposition of all warrants, including orders signed by a judge of any court commanding a law enforcement officer to arrest a particular person;

1 5. A chronological list of incidents, including initial offense
2 report information showing the offense, date, time, general
3 location, officer and a brief summary of what occurred;

4 6. A crime summary, including a departmental summary of crimes
5 reported and public calls for service by classification or nature
6 and number;

7 7. Radio logs, including a chronological listing of the calls
8 dispatched; and

9 8. Jail registers, including jail blotter data or jail booking
10 information recorded on persons at the time of incarceration showing
11 the name of each prisoner with the date and cause of his commitment,
12 the authority committing the prisoner, whether committed for a
13 criminal offense, a description of the prisoner, and the date or
14 manner of his discharge or escape.

15 B. Except for the records listed in subsection A of this
16 section and those made open by other state or local laws, law
17 enforcement agencies may deny access to law enforcement records
18 except where a court finds that the public interest or the interest
19 of an individual outweighs the reason for denial.

20 C. Nothing contained in this section imposes any new
21 recordkeeping requirements. Law enforcement records shall be kept
22 for as long as is now or may hereafter be specified by law. Absent
23 a legal requirement for the keeping of a law enforcement record for

1 a specific time period, law enforcement agencies shall maintain
2 their records for so long as needed for administrative purposes.

3 D. Registration files maintained by the Department of
4 Corrections pursuant to the provisions of the Sex Offenders
5 Registration Act shall be made available for public inspection in a
6 manner to be determined by the Department.

7 E. The Council on Law Enforcement Education and Training
8 (C.L.E.E.T.) shall keep confidential all records it maintains
9 pursuant to Section 3311 of Title 70 of the Oklahoma Statutes and
10 deny release of records relating to any employed or certified full-
11 time officer, reserve officer, retired officer or other person;
12 teacher lesson plans, tests and other teaching materials; and
13 personal communications concerning individual students except under
14 the following circumstances:

15 1. To verify the current certification status of any peace
16 officer;

17 2. As may be required to perform the duties imposed by Section
18 3311 of Title 70 of the Oklahoma Statutes;

19 3. To provide to any peace officer copies of the records of
20 that peace officer upon submitting a written request;

21 4. To provide, upon written request, to any law enforcement
22 agency conducting an official investigation, copies of the records
23 of any peace officer who is the subject of such investigation;

1 5. To provide final orders of administrative proceedings where
2 an adverse action was taken against a peace officer; and

3 ~~5.~~ 6. Pursuant to an order of the district court of the State
4 of Oklahoma.

5 SECTION 2. It being immediately necessary for the preservation
6 of the public peace, health and safety, an emergency is hereby
7 declared to exist, by reason whereof this act shall take effect and
8 be in full force from and after its passage and approval.

9 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 2-8-05 - DO PASS,
10 As Coauthored.