

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

HOUSE BILL 2413

By: Braddock

AS INTRODUCED

An Act relating to state government; authorizing Attorney General to establish crime victim and witness notification and victim protective order system; directing participation in specified system; construing section; providing for codification; and providing an 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 18p-9 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. The Attorney General may establish a crime victim and witness notification and victim protective order system to assist public officials in carrying out their duties to notify and inform crime victims and witnesses as the Attorney General specifies by rule. The system shall download necessary information from participating officials into its computers, where it shall be maintained, updated, and automatically transmitted to victims and witnesses by telephone, computer, or written notice.

B. The Department of Corrections, the Pardon and Parole Board, each county sheriff office within the state shall cooperate with the Attorney General in the implementation of the system and shall provide information as necessary to the effective operation of the system.

C. District Attorneys and local law enforcement and other authorities may enter into agreements with the Attorney General for participation in the system. The Attorney General may provide those

who elect to participate with the equipment, software, or training necessary to bring their offices into the system.

D. The Attorney General may provide for telephonic, electronic, or other public access to the database established under this section.

E. This section does not limit any rights or responsibilities otherwise enjoyed by or imposed upon victims or witnesses of violent crimes, nor does it grant any person a cause of action for damages or attorney fees. Any act of omission or commission by any law enforcement officer or District Attorney, by the Attorney General, Department of Corrections, Pardon and Parole Board, or other State agency, or private entity under contract with the State, or by any employee of any state agency or private entity under contract with the state acting in good faith in rendering assistance to crime victim or otherwise enforcing this section shall not impose civil liability upon the individual or entity or his or her supervisor or employer. Nothing in this section shall create a basis for vacating a conviction or a ground for appellate relief in any criminal case. Failure of the crime victim to receive notice as required, however, shall not deprive the court of the power to act regarding the proceeding before it; nor shall any such failure grant the defendant the right to seek a continuance.

SECTION 2. This act shall become effective November 1, 2006.

50-2-8960            GRS            01/06/06