

3 Senate Bill No. 539

4 As Amended

5 SENATE BILL NO. 539 - By: Reynolds of the Senate and Tibbs of the
6 House.

7 [criminal procedure - violent crimes - duties -
8 codification - effective date -
9 emergency]

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

11 SECTION 1. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 984.3 of Title 22, unless there
13 is created a duplication in numbering, reads as follows:

14 A. Upon the preliminary investigation of a violent crime, it
15 shall be the duty of the officer who interviews the victim of such
16 crime to inform the victim, or a responsible adult if the victim is
17 a minor child or an incompetent person, of the services available to
18 victims of violent crimes, including any telephone hotline or other
19 telephone communication relating to the offense, and to give notice
20 to the victim, or such responsible adult, of certain rights of the
21 victim. The notice shall consist of handing the victim, or
22 responsible adult, a written statement in substantially the
23 following form:

24 "As a victim of a violent crime, you have certain rights. These
25 rights are as follows:

- 1 1. The right to request that charges be pressed against your
2 assailant;
- 3 2. The right to request protection from any harm or threat of
4 harm arising out of your cooperation with law enforcement and
5 prosecution efforts as far as facilities are available and to be
6 provided with information on the level of protection available;
- 7 3. The right to be informed of financial assistance and other
8 social services available to victims, including information on how
9 to apply for the assistance and services;
- 10 4. The right to a free forensic medical examination for sexual
11 assault;
- 12 5. The right to prepare and present a victim impact statement;
13 and
- 14 6. The right to be informed by the district attorney of other
15 victim's rights available pursuant to Section 215.33 of Title 19 of
16 the Oklahoma Statutes."

17 The written notice shall also include the telephone numbers of the
18 Office of the District Attorney and Victim Witness Coordinator.

19 B. For purpose of this section, "violent crime" means the same
20 as provided in paragraph 3 of Section 984 of Title 22 of the
21 Oklahoma Statutes.

22 SECTION 2. This act shall become effective July 1, 2009.

1 SECTION 3. It being immediately necessary for the preservation
2 of the public peace, health and safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

5 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 2-10-09 - DO
6 PASS, As Amended and Coauthored.