STATE OF OKLAHOMA

1st Session of the 52nd Legislature (2009)

HOUSE BILL 1676 By: Ownbey

AS INTRODUCED

An Act relating to criminal justice; transferring Criminal Justice Resource Center to Oklahoma State Bureau of Investigation and Office of Attorney General; providing for transfer of funds, property, records, personnel and financial obligations or encumbrances; providing for transfer of certain personnel and status thereof; amending 10 O.S. 2001, Sections 7302-9.2 and 7302-9.6, which relate to the Oklahoma Juvenile Code; changing references from Criminal Justice Resource Center to Oklahoma State Bureau of Investigation; amending Section 12, Chapter 390, O.S.L. 2002 (20 O.S. Supp. 2008, Section 1315.7), which relates to compliance with certain act; updating statutory references; requiring Oklahoma State Bureau of Investigation to provide certain assistance; amending 21 O.S. 2001, Section 19, which relates to uniform justice information reporting systems; updating statutory references; changing reference from Criminal Justice Resource Center to Oklahoma State Bureau of Investigation; amending 22 O.S. 2001, Sections 1508 and 1516, which relate to the Oklahoma Sentencing Commission; deleting certain duty of Oklahoma Sentencing Commission; changing references from Criminal Justice Resource Center to Oklahoma State Bureau of Investigation; amending 57 O.S. 2001, Sections 508.2, as amended by Section 2, Chapter 340, O.S.L. 2003, and as renumbered by Section 3, Chapter 340, O.S.L. 2003 and 508.2b, as renumbered by Section 3, Chapter 340, O.S.L. 2003 (22 O.S. Supp. 2008, Sections 1517 and 1518), which relate to the Oklahoma Criminal Justice Resource Center; changing references from Criminal Justice Resource Center to Oklahoma State Bureau of Investigation; deleting references to Oklahoma Council on Violence Prevention; deleting

certain duties of Legislative Service Bureau; changing name of certain revolving fund; amending Section 1, Chapter 547, O.S.L. 2004 (22 O.S. Supp. 2008, Section 1519), which relates to the Criminal Justice Computer Assistance Act; changing references from Criminal Justice Resource Center to Oklahoma State Bureau of Investigation; amending 22 O.S. 2001, Sections 1601, as last amended by Section 3, Chapter 324, O.S.L. 2008, 1602, as last amended by Section 4, Chapter 136, O.S.L. 2006 and Section 6, Chapter 407, O.S.L. 2003 (22 O.S. Supp. 2008, Sections 1601, 1602 and 1603), which relate to the Domestic Violence Fatality Review Board; transferring Domestic Violence Fatality Review Board to Office of Attorney General; modifying membership of Domestic Violence Fatality Review Board; amending Section 1, Chapter 149, O.S.L. 2007 and Section 1, Chapter 507, O.S.L. 2004 (57 O.S. Supp. 2008, Sections 332.20 and 508.2c), which relate to prisons and reformatories; updating statutory references; changing references from Criminal Justice Resource Center to Oklahoma State Bureau of Investigation; modifying membership of the Oklahoma Integrated Justice Information Systems Steering Committee; repealing 63 O.S. 2001, Section 1-250, which relates to the Oklahoma Council on Violence Prevention; providing for codification; providing an effective date; and declaring an emergency.

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 150.17a of Title 74, unless there is created a duplication in numbering, reads as follows:

A. Effective July 1, 2009, the Criminal Justice Resource Center of the Legislative Service Bureau shall be transferred to the Oklahoma State Bureau of Investigation and the Office of the Attorney General as follows:

1. The functions of the Criminal Justice Resource Center relating to administration and research shall be transferred to the Office of Criminal Justice Statistics, which is hereby created within the Information Services Division of the Oklahoma State Bureau of Investigation;

2. The functions of the Criminal Justice Resource Center relating to data processing and information technology shall be transferred to the Information Technology Systems Division of the Oklahoma State Bureau of Investigation; and

3. The functions of the Criminal Justice Resource Center relating to the Domestic Violence Fatality Review Board shall be transferred to the Office of the Attorney General.

All unexpended funds, property, records, personnel and any outstanding financial obligations or encumbrances of the Center are hereby transferred to the entities specified in this subsection.

B. Effective July 1, 2009, the personnel transferred from the Criminal Justice Resource Center to the Oklahoma State Bureau of Investigation and the Office of the Attorney General and persons occupying the position of any such personnel on July 1, 2009, shall become employees of such agencies and shall not be subject to the provisions of the Merit System of Personnel Administration.

C. Effective July 1, 2009, any reference in the Oklahoma Statutes to the Criminal Justice Resource Center shall be a reference to the Oklahoma State Bureau of Investigation or the

Office of the Attorney General, as appropriate with respect to the content of the reference.

SECTION 2. AMENDATORY 10 O.S. 2001, Section 7302-9.2, is amended to read as follows:

Section 7302-9.2 As used in the Oklahoma Juvenile Code:

1. "Agencies and programs comprising the juvenile justice system" means:

a. the courts, the District ~~Attorney's~~ Attorneys Council and offices of the district attorneys, state and local law enforcement agencies, juvenile bureaus, the Department of Human Services, the Department of Juvenile Justice of the Office of Juvenile Affairs, the Oklahoma Commission on Children and Youth, the Department of Corrections, the ~~Criminal Justice Resource Center~~ Oklahoma State Bureau of Investigation, any other state agency responsible for the care, custody or supervision of youth alleged or adjudicated to be delinquent, and

b. to the extent that they are responsible for the provision of services to youth alleged or adjudicated to be delinquent, including but not limited to educational, treatment or residential services, local school districts and technology center schools and other public and private agencies not otherwise

specifically included in subparagraph a of this paragraph, comprising the "children and youth service system" as defined by Section 600 of this title;

2. "Felony act" or "felony offense" means any criminal offense that would constitute a felony crime if committed by an adult;

3. "Habitual criminal acts" means three separate delinquency adjudications for the commission of felony acts. The felony acts relied upon shall not have arisen out of the same transaction or occurrence or series of events related in time and location;

4. "Juvenile court personnel" means those persons responsible for juvenile court intake, probation and parole supervision and services to youth alleged or adjudicated to be delinquent;

5. "Juvenile Justice Information System" means the automated information system established by Section 7302-9.6 of this title;

6. "Juvenile offender" means a delinquent child or juvenile as defined by Section 7301-1.3 of this title;

7. "Sanction" means a consequence imposed upon a juvenile offender:

a. as a result of a criminal act, and

b. as a result of a violation of a condition of probation or parole;

8. "Serious act" means any crime specified by subsection A of Section 7306-1.1 of this title;

9. "Serious and Habitual Juvenile Offender Program" means the program of information, information sharing, case tracking, case management, supervision and sanctions established by Section 7302-9.3 of this title; and

10. "Serious juvenile offender" and "habitual juvenile offender" means persons under eighteen (18) years of age who have been adjudicated delinquent for the commission of serious acts or habitual criminal acts and are subject to the Serious and Habitual Juvenile Offender Program in accordance with the criteria established pursuant to Section 7302-9.3 of this title.

SECTION 3. AMENDATORY 10 O.S. 2001, Section 7302-9.6, is amended to read as follows:

Section 7302-9.6 A. For the purpose of information sharing and management of the Serious and Habitual Juvenile Offender Program, there is hereby created the Juvenile Justice Information System. The information system shall be an automated, data-based, system for tracking juvenile offenders from arrest through final closure of the case and shall include information provided by all of the components of the juvenile justice system in accordance with the provisions of the Serious and Habitual Juvenile Offender Act. The information system shall be fully integrated with other information systems related to services to children and youth and shall:

1. Be based upon the integration, utilization and modification, as necessary, of existing information systems;

2. Provide for the accuracy of the information and for the security of and limited access to the information;

3. Include case specific information, including client outcomes, and have the ability to monitor juveniles in the juvenile justice system; and

4. Be capable of providing management reports and information to the various components of the juvenile justice system, and of providing aggregate information necessary for planning, monitoring, evaluating and managing programs and services provided to youthful offenders as well as for system-wide analysis of the Serious and Habitual Juvenile Offender Program.

B. The Department of Juvenile Justice of the Office of Juvenile Affairs, the juvenile bureaus, the ~~Criminal Justice Resource Center~~ Oklahoma State Bureau of Investigation, the Office of the Court Administrator, and other agencies and programs comprising the juvenile justice system, including but not limited to law enforcement and district attorneys, in accordance with guidelines established by the Serious and Habitual Juvenile Offender Program Implementation Task Force, shall jointly:

1. Identify information to be shared by agencies on a regular basis;

2. Develop procedures for processing case-profiles as cases move through agencies that come in contact with juvenile offenders;

3. Establish training programs in the use of the system;

4. Conduct a pilot project to test the system; and

5. At least annually, evaluate the plan for full statewide implementation of the Juvenile Justice Information System and submit any necessary modifications of the existing plan to the Serious and Habitual Juvenile Offender Program Implementation Task Force and to the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and each agency affected by said plan.

SECTION 4. AMENDATORY Section 12, Chapter 390, O.S.L. 2002 (20 O.S. Supp. 2008, Section 1315.7), is amended to read as follows:

Section 1315.7 A joint meeting of the House Appropriations and Budget Subcommittee on the Judiciary and the Senate Appropriations Subcommittee on Public Safety and Judiciary shall monitor compliance with ~~this act, using staff support provided by the Oklahoma Criminal Justice Resource Center~~ Sections 1315.3 through 1315.7 of this title. The Oklahoma State Bureau of Investigation shall provide such assistance to the subcommittees as may be necessary. At public meetings, the joint committee is authorized to take testimony from court clerks, the public and from the Supreme Court Technical Oversight Committee, and to make recommendations to the Supreme Court to resolve technical and policy problems that impact other elected officials and other state and federal agencies.

SECTION 5. AMENDATORY 21 O.S. 2001, Section 19, is amended to read as follows:

Section 19. For purposes of any crime specified by the criminal code of this title or any provision of the law in this state, all criminal and juvenile justice information systems shall adopt and use the uniform reporting standard created and published by the Oklahoma ~~Criminal Justice Resource Center~~ State Bureau of Investigation as provided by Section ~~1~~ 1517 of ~~this act~~ Title 22 of the Oklahoma Statutes. The uniform reporting standard shall insure the accurate reporting of all criminal and juvenile delinquency information relating to arrests, charges, custody records, dispositions, and any other information record purporting to identify a criminal or juvenile delinquency history record or information to be maintained by any criminal or juvenile justice information system within this state. Every district court, criminal justice agency, and juvenile delinquency agency of this state is hereby directed to comply with and use the uniform reporting standard for reporting and maintaining all criminal justice information systems of this state.

SECTION 6. AMENDATORY 22 O.S. 2001, Section 1508, is amended to read as follows:

Section 1508. A. ~~The Oklahoma Sentencing Commission shall serve as an advisory board to the Oklahoma Criminal Justice Resource Center.~~

~~B.~~ The Oklahoma Sentencing Commission may establish subcommittees or advisory committees composed of Commission members or others to accomplish duties imposed by this section.

~~C.~~ B. It is the legislative intent that the Commission attach priority to accomplish the formulation of proposals and recommendations as described in Section 1512 of this title.

~~D.~~ C. In addition, the Commission may make recommendations to the Legislature for the recodification of the Penal Code of the State of Oklahoma.

~~E.~~ D. The Commission shall have the continuing duty to monitor and review the criminal justice and corrections systems in this state to ensure that sentencing remains uniform and consistent, and that the goals and policies established by the state are being implemented by sentencing practices, and it shall recommend methods by which this ongoing work may be accomplished and by which the correctional population simulation model shall continue to be used by the state.

~~F.~~ E. The Commission shall review all proposed legislation which creates a new criminal offense or increases the punishment for an existing criminal offense and shall make recommendations to the Legislature.

~~G.~~ F. The Oklahoma ~~Criminal Justice Resource Center~~ State Bureau of Investigation, under the direction of the Oklahoma Sentencing Commission, shall prepare a report within twenty (20)

days after the last day for filing bills in the Legislature containing a review of bills as described in this ~~subsection~~ section. The ~~Oklahoma Criminal Justice Resource Center~~ Bureau may include in its report on a bill an impact analysis based upon an application of the correctional population simulation model to the provisions of the bill. The bill analysis report shall be delivered to the chair of the legislative committee to which the bill is assigned.

SECTION 7. AMENDATORY 22 O.S. 2001, Section 1516, is amended to read as follows:

Section 1516. A. The Oklahoma Sentencing Commission, established by Section 1501 of this title shall monitor, review, analyze and provide impact statements and reports to the Legislature concerning the criminal law of the State of Oklahoma. The Commission is vested with authority to collect data and reports from governmental entities and courts within the State of Oklahoma relating to all matters concerning the charging, pleading, sentencing, and release of persons charged, convicted, or placed on probation for criminal offenses within this state. Governmental entities and courts shall respond promptly to all reasonable requests of the Commission for data required to meet this directive. The Oklahoma ~~Criminal Justice Resource Center~~ State Bureau of Investigation, under the direction of the Oklahoma Sentencing

Commission, shall prepare an impact statement on proposed legislation which impacts the criminal law of the State of Oklahoma.

B. The Oklahoma Sentencing Commission shall review each bill or joint resolution which impacts the Oklahoma criminal justice system introduced in the Oklahoma Legislature. The Commission shall prepare an impact statement, as established by joint legislative rules. The Commission shall direct other state entities including, but not limited to, the Department of Corrections, the Oklahoma District Attorneys Council, the Office of the Oklahoma Attorney General, the Oklahoma State Bureau of Investigation, the Administrative Office of the Oklahoma Courts, the Oklahoma Court of Criminal Appeals, the Oklahoma Indigent Defense System, and county indigent defenders, to provide assistance and information in the preparation of the ~~fiscal~~ impact statement. The entities and courts shall provide the information described in this subsection to the Commission within the time set by the requesting agency. The impact statement shall include, but shall not be limited to, a report on the impact the proposal will have on the criminal justice system, information obtained from the Department of Corrections, including a projection of offender population, and any other information relevant to the impact of the proposed legislation.

C. A copy of the impact statement shall be attached to each copy of a bill or joint resolution reviewed by any committee of either house of the Legislature and to each copy of a bill or joint

resolution that impacts the criminal justice system that is reviewed by the entire membership of either house of the Oklahoma Legislature.

SECTION 8. AMENDATORY 57 O.S. 2001, Section 508.2, as amended by Section 2, Chapter 340, O.S.L. 2003, and as renumbered by Section 3, Chapter 340, O.S.L. 2003 (22 O.S. Supp. 2008, Section 1517), is amended to read as follows:

Section 1517. A. The Oklahoma ~~Criminal Justice Resource Center shall consist of~~ State Bureau of Investigation shall be the entity recognized by the Bureau of Justice Statistics as the Statistical Analysis Center, and shall include a program resources unit, a computer information services unit, and an administrative support unit.

B. ~~The~~ In addition to other duties specified by law, the duties of the Oklahoma ~~Criminal Justice Resource Center~~ State Bureau of Investigation 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.~~ 16. 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.

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

~~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,~~ State Bureau of Investigation shall hire employees as may be necessary to complete the statutory functions of the ~~Oklahoma Criminal Justice Resource Center~~ Bureau as specified in this section within the budgeting limits set by ~~the President Pro Tempore of the Senate and the Speaker of the House of Representatives~~ law.

~~E. The director of the Oklahoma Criminal Justice Resource Center shall submit a budget work program 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 9. AMENDATORY 57 O.S. 2001, Section 508.2b, as renumbered by Section 3, Chapter 340, O.S.L. 2003 (22 O.S. Supp. 2008, Section 1518), is amended to read as follows:

Section 1518. There is hereby created in the State Treasury a revolving fund for the Oklahoma ~~Criminal Justice Resource Center within the Legislative Service Bureau~~ State Bureau of Investigation to be designated the "Oklahoma Criminal Justice Resource ~~Center~~ Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all grants, gifts, bequests and any other lawful monies received for the benefit of the ~~Oklahoma Criminal Justice Resource Center~~ Bureau. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Director of the ~~Oklahoma Criminal Justice Resource Center~~ Bureau for the operation of the ~~Oklahoma Criminal Justice Resource Center~~ Bureau in furtherance of its duties

as set forth in Section 1517 of this title or other purposes authorized by law. ~~Expenditures from said fund shall be for the general operating expenses of the Oklahoma Criminal Justice Resource Center or other purposes authorized by law.~~

SECTION 10. AMENDATORY Section 1, Chapter 547, O.S.L. 2004 (22 O.S. Supp. 2008, Section 1519), is amended to read as follows:

Section 1519. A. This ~~act~~ section shall be known and may be cited as the "Criminal Justice Computer Assistance Act".

B. The Oklahoma ~~Criminal Justice Resource Center~~ State Bureau of Investigation is directed to implement and administer a data information system called the "Offender Data Information System", subject to funding. The purpose of the System shall be to:

1. Provide software and support to interested criminal justice agencies to assist in record keeping and data reporting functions;

2. Provide a uniform method for sharing data and information from existing databases operated by participating agencies; and

3. Transmit data and other information from participating criminal justice agencies to other local, state and federal agencies upon request or as necessary.

C. The ~~Oklahoma Criminal Justice Resource Center~~ Bureau is directed to develop procedures for the administration, participation, operation and use of the Offender Data Information System.

D. Any criminal justice agency of this state may voluntarily participate in the Offender Data Information System.

E. Nothing in this section shall be construed to compel participation of any state or local criminal justice agency in the Offender Data Information System.

SECTION 11. AMENDATORY 22 O.S. 2001, Section 1601, as last amended by Section 3, Chapter 324, O.S.L. 2008 (22 O.S. Supp. 2008, Section 1601), is amended to read as follows:

Section 1601. A. There is hereby created until July 1, 2013, in accordance with the Oklahoma Sunset Law, the Domestic Violence Fatality Review Board within the ~~Oklahoma Criminal Justice Resource Center~~ Office of the Attorney General. The Board shall have the power and duty to:

1. Coordinate and integrate state and local efforts to address fatal domestic violence and create a body of information to prevent domestic violence deaths;

2. Collect, analyze and interpret state and local data on domestic violence deaths;

3. Develop a state and local database on domestic violence deaths;

4. Improve the ability to provide protective services to victims of domestic violence who may be living in a dangerous environment;

5. Improve policies, procedures and practices within the agencies that serve victims of domestic violence; and

6. Enter into agreements with other state, local or private entities as necessary to carry out the duties of the Domestic Violence Fatality Review Board including, but not limited to, conducting joint reviews with the Child Death Review Board on domestic violence cases involving child death or child near-death incidents.

B. In carrying out its duties and responsibilities, the Board shall:

1. Promulgate rules establishing criteria for identifying cases involving a domestic violence death subject to specific, in-depth review by the Board;

2. Conduct a specific case review of those cases where the cause of death is or may be related to domestic violence;

3. Establish and maintain statistical information related to domestic violence deaths, including, but not limited to, demographic and medical diagnostic information;

4. Establish procedures for obtaining initial information regarding domestic violence deaths from law enforcement agencies;

5. Review the policies, practices, and procedures of the domestic violence protection and prevention system and make specific recommendations to the entities comprising the domestic violence

prevention and protection system for actions necessary for the improvement of the system;

6. Review the extent to which the state domestic violence prevention and protection system is coordinated with law enforcement and the court system and evaluate whether the state is efficiently discharging its domestic violence prevention and protection responsibilities;

7. Request and obtain a copy of all records and reports pertaining to a domestic violence death case of the victim, perpetrator or any other person cohabitating in the domicile at the time of the fatality that is under review, including, but not limited to:

a. the report of the medical examiner,

b. hospital records,

c. school records,

d. court records,

e. prosecutorial records,

f. local, state, and federal law enforcement records, including, but not limited to, the Oklahoma State Bureau of Investigation (OSBI),

g. fire department records,

h. State Department of Health records, including birth certificate records,

i. medical and dental records,

j. Department of Mental Health and Substance Abuse Services and other mental health records,

k. emergency medical service records,

l. files of the Department of Human Services, and

m. records in the possession of the Child Death Review Board when conducting a joint review pursuant to paragraph 6 of subsection A of this section.

Confidential information provided to the Board shall be maintained by the Board in a confidential manner as otherwise required by state and federal law. Any person damaged by disclosure of such confidential information by the Board or its members which is not authorized by law may maintain an action for damages, costs and attorney fees pursuant to The Oklahoma Governmental Tort Claims Act;

8. Maintain all confidential information, documents and records in possession of the Board as confidential and not subject to subpoena or discovery in any civil or criminal proceedings; provided, however, information, documents and records otherwise available from other sources shall not be exempt from subpoena or discovery through those sources solely because such information, documents and records were presented to or reviewed by the Board;

9. Conduct reviews of specific cases of domestic violence deaths and request the preparation of additional information and reports as determined to be necessary by the Board including, but

not limited to, clinical summaries from treating physicians, chronologies of contact, and second opinion autopsies;

10. Report, if recommended by a majority vote of the Board, to the President Pro Tempore of the Senate and the Speaker of the House of Representatives any gross neglect of duty by any state officer or state employee, or any problem within the domestic violence prevention and protection system discovered by the Board while performing its duties; and

11. Exercise all incidental powers necessary and proper for the implementation and administration of the Domestic Violence Fatality Review Board.

C. The review and discussion of individual cases of a domestic violence death shall be conducted in executive session. All other business shall be conducted in accordance with the provisions of the Oklahoma Open Meeting Act. All discussions of individual cases and any writings produced by or created for the Board in the course of determining a remedial measure to be recommended by the Board, as the result of a review of an individual case of a domestic violence death, shall be privileged and shall not be admissible in evidence in any proceeding. The Board shall periodically conduct meetings to discuss organization and business matters and any actions or recommendations aimed at improvement of the domestic violence prevention and protection system which shall be subject to the Oklahoma Open Meeting Act. Part of any meeting of the Board may be

specifically designated as a business meeting of the Board subject to the Oklahoma Open Meeting Act.

D. The Board shall submit an annual statistical report on the incidence and causes of domestic violence deaths in this state for which the Board has completed its review during the past calendar year including its recommendations, if any, to the domestic violence prevention and protection system. The Board shall also prepare and make available to the public, on an annual basis, a report containing a summary of the activities of the Board relating to the review of domestic violence deaths, the extent to which the state domestic violence prevention and protection system is coordinated and an evaluation of whether the state is efficiently discharging its domestic violence prevention and protection responsibilities. The report shall be completed no later than February 1 of the subsequent year.

SECTION 12. AMENDATORY 22 O.S. 2001, Section 1602, as last amended by Section 4, Chapter 136, O.S.L. 2006 (22 O.S. Supp. 2008, Section 1602), is amended to read as follows:

Section 1602. A. The Domestic Violence Fatality Review Board shall be composed of ~~eighteen (18)~~ <u>seventeen (17)</u> members, or their designees, as follows:

1. ~~Eight~~ <u>Seven</u> of the members shall be:

a. the Chief Medical Examiner,

b. a designee of the Attorney General. The designee shall be a person assigned to the Victims Services Unit of the Office of the Attorney General,

c. the State Commissioner of Health,

d. ~~the Director of the Criminal Justice Resource Center,~~

~~e.~~ the Chief of Injury Prevention Services of the State Department of Health,

~~f.~~ e. Director of the Department of Human Services,

~~g.~~ f. the Director of the Oklahoma State Bureau of Investigation, and

~~h.~~ g. the Commissioner of the Department of Mental Health and Substance Abuse Services; and

2. Ten of the members shall be appointed by the Attorney General, shall serve for terms of two (2) years and shall be eligible for reappointment. The members shall be persons having training and experience in matters related to domestic violence. The appointed members shall include:

a. a county sheriff selected from a list of three names submitted by the executive board of the Oklahoma ~~Sheriff's~~ Sheriffs' Association,

b. a chief of a municipal police department selected from a list of three names submitted by the Oklahoma Association of Chiefs of Police,

c. an attorney licensed in this state who is in private practice selected from a list of three names submitted by the Board of Governors of the Oklahoma Bar Association,

d. a district attorney selected from a list of three names submitted by the District Attorneys Council,

e. a physician selected from a list of three names submitted by the Oklahoma State Medical Association,

f. a physician selected from a list of three names submitted by the Oklahoma Osteopathic Association,

g. a nurse selected from a list of three names submitted by the Oklahoma Nurses Association,

h. two individuals, at least one of whom shall be a survivor of domestic violence, selected from lists of three names submitted by the Oklahoma Coalition Against Domestic Violence and Sexual Assault, and

i. a member of the Judiciary selected from a list of three names submitted by the Oklahoma Supreme Court.

B. Every two (2) years the Board shall elect from among its membership a chair and a vice-chair. The Board shall meet at least quarterly and may meet more frequently as necessary as determined by the chair. Members shall serve without compensation but may be reimbursed for necessary travel out of funds available to the ~~Oklahoma Criminal Justice Resource Center~~ Office of the Attorney

General pursuant to the State Travel Reimbursement Act; provided, that the reimbursement shall be paid in the case of state employee members by the agency employing the member.

C. With funds appropriated or otherwise available for that purpose, the ~~Criminal Justice Resource Center~~ Office of the Attorney General shall provide administrative assistance and services to the Domestic Violence Fatality Review Board.

SECTION 13. AMENDATORY Section 6, Chapter 407, O.S.L. 2003 (22 O.S. Supp. 2008, Section 1603), is amended to read as follows:

Section 1603. A. If funds are available, the ~~Criminal Justice Resource Center~~ Office of the Attorney General annually shall collect data on the number of victim protective orders issued in each county and the number of violations of victim protective orders in each county.

B. The ~~Center~~ Attorney General shall provide this information to the Domestic Violence Fatality Review Board and the Administrative Office of the Courts.

SECTION 14. AMENDATORY Section 1, Chapter 149, O.S.L. 2007 (57 O.S. Supp. 2008, Section 332.20), is amended to read as follows:

Section 332.20 ~~On and after the effective date of this act, the~~ The Department of Corrections, in conjunction with the Pardon and Parole Board, shall implement a method for tracking the success and

recidivism of persons who are required to have a two-stage parole consideration process pursuant to subsection C of Section 332.7 of ~~Title 57 of the Oklahoma Statutes~~ this title for the first three (3) years following their individual release from incarceration or release to parole. Included in the annual and cumulative data to be collected for this category of offenders shall be offender demographics and statistics including:

1. Offense type;

2. Sentence length;

3. Release information, indicating parole including the offense to which parole applied and whether multiple offenses or concurrent offenses were reviewed for purposes of parole or timed-out sentence and the percent of sentence served;

4. Number of persons by offense type eligible for parole consideration in the first and second stages of parole consideration in the calendar year;

5. Number of persons by offense type actually recommended for parole in the calendar year;

6. Number of persons by offense type granted parole by the Governor in the calendar year;

7. Rearrest data in the calendar year and cumulatively over the offender's three-year data collection period;

8. Reincarceration data in the calendar year and cumulatively over the offender's three-year data collection period;

9. Employment data for the calendar year cumulatively over the offender's three-year data collection period; and

10. Other information deemed beneficial to analyzing the success and recidivism of this category of offenders annually and cumulatively over the offender's three-year data collection period.

The information collected shall be made available to the members of the Legislature, the ~~Criminal Justice Resource Center~~ Oklahoma State Bureau of Investigation, and the Governor, by the Department of Corrections or the Pardon and Parole Board annually upon request, but not later than March 1 following the first data collection period.

SECTION 15. AMENDATORY Section 1, Chapter 507, O.S.L. 2004 (57 O.S. Supp. 2008, Section 508.2c), is amended to read as follows:

Section 508.2c A. There is hereby created the Oklahoma Integrated Justice Information Systems (OIJIS) Steering Committee which shall serve as an advisory board to the Oklahoma Legislature regarding issues pertinent to the strategic planning, development, funding, implementation, and operations of the justice information systems of the state.

B. The Committee shall be composed of the following members, except as otherwise provided by this section:

1. Two senators appointed by the President Pro Tempore of the Senate;

2. Two representatives appointed by the Speaker of the House of Representatives;

3. The Commissioner of Public Safety or a designee;

4. A judge appointed by the Chief Justice of the Oklahoma Supreme Court or a designee;

5. The Executive Coordinator of the District Attorneys Council or a designee;

6. The Director of the Oklahoma State Bureau of Investigation or a designee;

7. The Director of the Department of Corrections or a designee;

8. The Executive Director of the Office of Juvenile Affairs or a designee;

9. The Executive Director of the Oklahoma Association of Chiefs of Police or a designee;

10. The Executive Director of the Oklahoma Sheriffs' Association or a designee;

11. The Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control or a designee; and

12. The Director of the Oklahoma Indigent Defense System or a designee~~; and~~

~~13. The Director of the Oklahoma Criminal Justice Resource Center or a designee~~.

C. Each committee member shall be required to attend the meetings of the committee. While designees are allowed, the member

shall identify the designee in writing to the Chair of the committee prior to any meeting. The committee will meet twice a year and at any other time as the Chair may call a meeting, upon such notice and in such manner as may be fixed by the rules of the committee. Failure to attend two consecutive meetings by a designee shall automatically result in the removal of the designee from the committee and the individual making the designation shall select a new designee.

D. The committee shall be chaired by one of the appointed members from the Senate, selected by the President Pro Tempore of the Senate, in the odd-numbered years and one of the appointed members of the House of Representatives, selected by the Speaker of the House of Representatives, in the even-numbered years. A majority of the members shall constitute a quorum for purposes of transacting business. Committee members shall not be compensated but shall be reimbursed their actual and necessary travel expenses as provided in the State Travel Reimbursement Act for members who are not members of the Legislature, and as provided in Section 456 of Title 74 of the Oklahoma Statutes for legislative members.

E. The duties of the committee shall be to:

1. Serve as the Executive Committee for oversight of the strategic planning, development, funding, implementation, and operations of the justice information systems of the state;

2. Review and discuss issues pertaining to justice information systems;

3. Make recommendations of issues relating to justice information systems to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Governor, and the Secretary of the Safety and Security Cabinet;

4. Establish policy for the OIJIS Steering Committee;

5. Create an Operational Subcommittee for the OIJIS Steering Committee derived from the member agencies; and

6. Tasks for the Operational Subcommittee are:

a. to meet monthly or more frequently as needed,

b. to elect a Chair and Vice Chair of the Operational Subcommittee from their membership, each of whom will serve a two-year period with the Vice Chair assuming the duties automatically of the Chair upon completion of the two-year period of the Chair, or earlier in the case of the early loss of the Chair,

c. to review current justice information systems,

d. to create, annually update, and implement a strategic plan for improving the accuracy, completeness, and timeliness of criminal history information within the state,

e. to create, annually update, and implement a statewide plan for the integration of the justice information systems of the state, and

f. to assist as requested, review, and make recommendations on grant applications relative to justice information systems.

F. The committee is hereby authorized to enlist the aid of any agency of state government for assistance or for information to enable the committee to perform the duties charged in this section.

G. The committee shall make a written report each year to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Governor, and the Secretary of the Safety and Security Cabinet on any findings or recommendations concerning needed legislation, the potential impact, including fiscal estimates, of existing or proposed legislation, and the impact of agency policies which affect the justice information systems.

H. The Oklahoma ~~Criminal Justice Resource Center~~ State Bureau of Investigation shall provide the administrative support in scheduling of meetings, providing records of the meetings, publication of reports, and any other support as required of and approved by the committee.

SECTION 16. REPEALER 63 O.S. 2001, Section 1-250, is hereby repealed.

SECTION 17. This act shall become effective July 1, 2009.

SECTION 18. 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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