

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE

4 RESOLUTION 99

By: Johnson (Constance)

5  
6 AS INTRODUCED

7 A Resolution acknowledging obligation to review  
8 convictions; urging a review of questionable  
9 convictions; supporting judicial review; urging use  
10 of NFPA 921; and directing distribution.

11 WHEREAS, the crime of arson takes hundreds of lives and causes  
12 billions of dollars in property damage every year; and

13 WHEREAS, the fire investigation community now generally accepts  
14 that the only appropriate means for identifying arson is to use the  
15 scientific method; and

16 WHEREAS, the National Fire Protection Association (NFPA) 921  
17 publication has been generally accepted as the standard of care for  
18 fire investigation; and

19 WHEREAS, many of the previously accepted methods for identifying  
20 incendiary fires have been proven to be unreliable and resulted in  
21 fires being improperly classified as incendiary when they were, in  
22 fact, accidental; and

1       WHEREAS, it is not clear when or if NFPA 921 has been adopted by  
2 law enforcement and other relevant investigative agencies in  
3 Oklahoma as the proper method of investigating fires; and

4       WHEREAS, some of those convicted of arson in Oklahoma have never  
5 abandoned their claim of innocence and may, in fact, be innocent.

6       NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION  
7 OF THE 52ND OKLAHOMA LEGISLATURE:

8       THAT the Oklahoma State Senate acknowledges that the government  
9 has an obligation to review arson convictions obtained using  
10 evidence that is now known to be unreliable.

11       THAT the Oklahoma State Senate urges that government attorneys  
12 and private attorneys and fire investigators review questionable  
13 arson convictions.

14       THAT the Oklahoma State Senate supports judicial review of any  
15 cases where the attorneys submit that a conviction is questionable  
16 due to faulty science having been used.

17       THAT the Oklahoma State Senate urges the judicial branch, law  
18 enforcement agencies, and other relevant government entities in  
19 Oklahoma to employ NFPA 921 when conducting fire investigations.

20       THAT a copy of this resolution be distributed to the Innocence  
21 Project.

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