

1 ENGROSSED SENATE
2 BILL NO. 1505

By: Johnson (Rob) of the Senate

3 and

4 Martin (Steve) of the House

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6
7 An Act relating to protection of jurors and
8 witnesses; amending 21 O.S. 2011, Section 582, which
9 relates to disclosing indictment; prohibiting
10 disclosure of certain sealed presentment or
11 indictment; amending 22 O.S. 2011, Section 385, which
12 relates to presentment and filing of indictment;
13 allowing sealing of certain indictment; authorizing
14 Attorney General to establish an Oklahoma Witness
Protection Program; authorizing use of certain funds;
specifying availability of Program; requiring
Attorney General to administer Program; authoring
provision of funds to participants of Program;
authorizing promulgation of certain rules; providing
for codification; and providing an effective date.

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

16 SECTION 1. AMENDATORY 21 O.S. 2011, Section 582, is
17 amended to read as follows:

18 Section 582. ~~Every~~ In the event the presiding judge orders a
19 presentment or an indictment be sealed until the defendant is
20 arrested, every grand juror, district attorney, clerk, judge, or
21 other officer, who, excepting by issuing or in executing a warrant
22 to arrest the defendant, willfully discloses the ~~fact~~ content of a
23 sealed presentment or indictment ~~having been made for a felony,~~
24 until the defendant has been arrested, is guilty of a misdemeanor.

1 SECTION 2. AMENDATORY 22 O.S. 2011, Section 385, is
2 amended to read as follows:

3 Section 385. An indictment, when found by the grand jury, must
4 be presented by their foreman, in their presence, to the court, and
5 must be filed with the clerk, and remain in ~~his~~ the clerk's office
6 as a public record, ~~and except as provided by law, it may not be~~
7 ~~inspected or its contents revealed, until the defendant has been~~
8 ~~arrested.~~ Upon the request of the grand jury's legal advisor, the
9 presiding judge of the grand jury may order the indictment sealed
10 until the defendant is arrested.

11 SECTION 3. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 18p-10 of Title 74, unless there
13 is created a duplication in numbering, reads as follows:

14 A. The Office of the Attorney General is hereby authorized to
15 establish an Oklahoma Witness Protection Program and is authorized
16 to use monies from the Attorney General's Evidence Fund created
17 pursuant to Section 19 of this title or from federal grants for the
18 implementation of the Program. The Witness Protection Program may
19 be made available to witnesses who are actively aiding in the
20 prosecution of dangerous perpetrators and who are in danger of
21 bodily harm or death by participating in the prosecution. The
22 Attorney General shall administer the Oklahoma Witness Protection
23 Program.

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1 B. Funds may be provided for the support of a participant in
2 the Witness Protection Program. Support may include, but shall not
3 be limited to, temporary living costs, moving expenses, rent,
4 security deposits, or other appropriate expenses of relocation or
5 transition.

6 C. The Attorney General is authorized to promulgate rules
7 necessary to implement the Oklahoma Witness Protection Program.

8 SECTION 4. This act shall become effective November 1, 2012.
9 Passed the Senate the 7th day of March, 2012.

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11 _____
12 Presiding Officer of the Senate

13 Passed the House of Representatives the ____ day of _____,
14 2012.

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17 Presiding Officer of the House
18 of Representatives
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