

1 the primary purpose of investigating Internet crimes committed
2 against children, including, but not limited to, offenses related to
3 child pornography and solicitation of minors for pornography,
4 prostitution or sex-related offenses. The unit shall additionally
5 promote safe Internet use among children and their parents by
6 various media or printed-material campaigns or by offering
7 educational programs to schools or communities throughout this
8 state. The Bureau shall employ sufficient employees to investigate
9 and implement the ICAC unit.

10 B. The Director of the Oklahoma State Bureau of Investigation
11 is hereby authorized to enter into local cooperative agreements with
12 local law enforcement agencies for the purpose of appointing ICAC
13 Affiliate Task Force Agents to assist the ICAC unit of the Bureau.
14 ICAC Affiliate Task Force Agents shall be employees and commissioned
15 law enforcement officers of the local law enforcement agency
16 entering into agreement with the Oklahoma State Bureau of
17 Investigation and shall not be employees of the Bureau. ICAC
18 Affiliate Task Force Agents shall have general peace officer powers
19 and the authority to arrest persons throughout the state for the
20 purpose of investigating Internet crimes committed against children
21 including, but not limited to, offenses related to child
22 pornography, solicitation of minors for pornography, prostitution or
23 sex-related offenses. ICAC Affiliate Task Force Agents shall
24 promote safe Internet use among children and parents of children by

1 various media or printed-material campaigns or by offering
2 educational programs to schools or communities throughout Oklahoma.
3 The Director of the Bureau may renew, suspend or revoke any
4 agreement appointing an ICAC Affiliate Task Force Agent at any time.
5 ICAC Affiliate Task Force Agents serve solely at the discretion and
6 will of the Director of the Oklahoma State Bureau of Investigation.

7 C. In any investigation relating to the functions of the ICAC
8 unit of the Oklahoma State Bureau of Investigation, if recommended
9 and approved by the Division Director of the Investigative Division
10 of the Oklahoma State Bureau of Investigation or designee and the
11 legal counsel of the Oklahoma State Bureau of Investigation, the
12 ICAC unit may subpoena witnesses, compel the attendance and
13 testimony of witnesses and require the production of any records
14 including books, papers, documents and other tangible things which
15 constitute or contain evidence, which the ICAC unit finds relevant
16 or material to the investigation. The attendance of witnesses and
17 the production of records may be required from any place in the
18 state to a designated location in the county seat of the county in
19 which the subpoenaed person is an inhabitant or in which the
20 subpoenaed person carries on business or may be found. Witnesses
21 summoned pursuant to this section shall be paid the same fees and
22 mileage that are paid witnesses in the courts of this state.

23 1. The witness shall have the option of complying with said
24 subpoena by:

- 1 a. appearing or producing documents, as requested, or
2 b. notifying the ICAC unit of the Oklahoma State Bureau
3 of Investigation, in writing, of refusal to appear or
4 produce documents within ten (10) days of the date of
5 service.

6 The subpoena form shall clearly set forth the optional means of
7 compliance including instructions for sending written notice of
8 refusal.

9 2. A subpoena issued pursuant to this section may be served by
10 any person designated in the subpoena to serve the subpoena.

11 Service upon a natural person may be made by personal delivery of
12 the subpoena to the person. Service may be made upon a domestic or
13 foreign corporation or upon a partnership or other unincorporated
14 association which is subject to suit under a common name by
15 delivering the subpoena to an officer, to a managing or general
16 agent, or to any other agent authorized by appointment or by law to
17 receive service of process. The affidavit of the person serving the
18 subpoena entered on a true copy thereof by the person serving the
19 subpoena shall be proof of service.

20 3. In the case of contumacy by or refusal to obey a subpoena
21 issued to any person, the Director may invoke the aid of any
22 district court of the state within the jurisdiction of which the
23 investigation is carried on or in which the subpoenaed person is an
24 inhabitant, or in which the person carries on business or may be

1 found, to compel compliance with the subpoena. The court may issue
2 an order requiring the subpoenaed person to appear before the
3 Director to produce records, if so ordered, or to give testimony
4 regarding the matter under investigation. Any failure to obey the
5 order of the court may be punished by the court as an indirect
6 contempt thereof. All process in any such case may be served in any
7 judicial district in which the person may be found.

8 4. The district court of the county wherein the subpoena is
9 served may quash a subpoena issued pursuant to this section upon a
10 motion to quash filed with the court by the party to whom the
11 subpoena is issued.

12 SECTION 2. This act shall become effective November 1, 2015.

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14 COMMITTEE REPORT BY: COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS,
15 dated 02/05/2015 - DO PASS, As Coauthored.
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