

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 539

By: Reynolds

6 AS INTRODUCED

7 An Act relating to criminal procedure; stating duty  
8 of law enforcement officer for violent crime  
9 investigation; providing written victim notification;  
10 stating contents of certain notification; defining  
11 term; providing for codification; providing an  
12 effective date; and declaring an emergency.

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

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

16 A. Upon the preliminary investigation of a violent crime, it  
17 shall be the duty of the officer who interviews the victim of such  
18 crime to inform the victim, or a responsible adult if the victim is  
19 a minor child or an incompetent person, of the services available to  
20 victims of violent crimes, including any telephone hotline or other  
21 telephone communication relating to the offense, and to give notice  
22 to the victim, or such responsible adult, of certain rights of the  
23 victim. The notice shall consist of handing the victim, or  
24

1 responsible adult, a written statement in substantially the  
2 following form:

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

5 1. The right to request that charges be pressed against your  
6 assailant;

7 2. The right to request protection from any harm or threat of  
8 harm arising out of your cooperation with law enforcement and  
9 prosecution efforts as far as facilities are available and to be  
10 provided with information on the level of protection available;

11 3. The right to be informed of financial assistance and other  
12 social services available to victims, including information on how  
13 to apply for the assistance and services;

14 4. The right to a free forensic medical examination for sexual  
15 assault;

16 5. The right to prepare and present a victim impact statement;  
17 and

18 6. The right to be informed by the district attorney of other  
19 victim's rights available pursuant to Section 215.33 of Title 19 of  
20 the Oklahoma Statutes."

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

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

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

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

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10 52-1-516 NP 3/6/2009 5:11:14 AM