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AS AMENDED

By: Howard

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[ crimes and punishment - Task Force - sunset date -
purpose - membership - report and recommendations -
codification - effective date ]
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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 2300 of Title 21, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created the Modernized Operations through Data and Evidence-based Restoration Now (MODERN) Justice Task Force until December 31, 2026. The purpose of the task force shall be to oversee the implementation of the recommendations made in the MODERN Justice Task Force report of December 2023, including but not limited to:

1. Advising the Legislature and the Governor on matters related to any legislation, regulations, rules, budgetary changes, and all other actions needed to implement the provisions of the MODERN Justice Task Force report of December 2023 as such provisions relate to local governments;

1 2. Identifying county-level programming and treatment needs for
2 persons involved in the criminal justice system for the purpose of
3 reducing recidivism;

4 3. Making recommendations regarding grants to local governments
5 and nonprofit organizations from state funds;

6 4. Creating performance measures to assess the effectiveness of
7 such grants;

8 5. Identifying opportunities for collaboration with the
9 Department of Mental Health and Substance Abuse Services at the
10 state and county level for treatment services and funding; and

11 6. Undertaking such additional studies or evaluations as the
12 task force considers necessary to provide local justice system
13 reform information and analysis.

14 B. The task force shall consist of eleven (11) members as
15 follows:

16 1. The Cabinet Secretary of Public Safety or designee;

17 2. The President Pro Tempore of the Senate or a designated
18 member of the Senate;

19 3. The Speaker of the House of Representatives or a designated
20 member of the House of Representatives;

21 4. A victim advocate selected by the Cabinet Secretary of
22 Public Safety;

1 5. The Commissioner of Mental Health and Substance Abuse
2 Services or designee from within the Department of Mental Health and
3 Substance Abuse Services;

4 6. A district attorney for a county or district with a
5 population of five hundred thousand (500,000) or less as determined
6 by the latest Federal Decennial Census, to be selected by the
7 Speaker of the House of Representatives;

8 7. The Administrative Director of the Courts or designee from
9 within the Administrative Office of the Courts;

10 8. A sheriff of a county with a population of five hundred
11 thousand (500,000) or more as determined by the latest Federal
12 Decennial Census, to be selected by the President Pro Tempore of the
13 Senate;

14 9. A public defender selected by the Executive Director of the
15 Oklahoma Indigent Defense System;

16 10. A retired district judge, as selected by the Presiding
17 Judge of the Court of Criminal Appeals; and

18 11. A person with demonstrated knowledge of successful
19 diversion programs, with a specific emphasis on programs in rural
20 areas, to be selected by the Cabinet Secretary of Public Safety.

21 C. Quorum for official business of the task force shall be six
22 (6) members. The Cabinet Secretary of Public Safety shall serve as
23 the chair and a vice chair shall be elected by a majority vote of
24 the members of the task force.

1 D. Appointments to the task force shall be made by the
2 appointing authority no later than sixty (60) days after the
3 effective date of this act. The chair shall hold the first meeting
4 of the task force no later than ninety (90) days after the effective
5 date of this act and shall then meet as often as necessary to
6 perform the duties as provided for in this section. Any vacancy in
7 the membership of the task force shall be filled in the same manner
8 provided for in the initial appointment.

9 E. The members of the task force shall receive no compensation
10 but shall receive travel reimbursement for necessary travel expenses
11 incurred in the performance of their duties in accordance with the
12 State Travel Reimbursement Act. The task force shall be staffed by
13 the Office of Management and Enterprise Services.

14 F. The task force shall track and assess outcomes resulting
15 from the MODERN Justice Task Force report of December 2023,
16 including but not limited to the following data from each county in
17 this state:

18 1. With respect to jail admissions:

19 a. the total number of persons admitted to jail by type
20 of charged offense, offense law class, type of
21 admission including distinct warrant type and pretrial
22 status, prior criminal history, sex, race and
23 ethnicity including tribal citizenship, age, initial
24

1 and subsequent bond amounts, bond decision, bond
2 status, and

- 3 b. the total number of persons who received a clinical
4 assessment identifying a mental health or substance
5 use disorder upon intake and risk scores if measured
6 upon intake.

7 2. With respect to jail releases:

- 8 a. the length of stay in jail for each type of release by
9 type of offense, offense law class, prior criminal
10 history, sex, race and ethnicity including tribal
11 citizenship, sentence type, sentence length if
12 applicable, case opened and case disposition dates,
13 and release reason including program or agency to
14 which the individual was transferred, and
- 15 b. the number of persons who received substance use or
16 mental health treatment or programming while
17 incarcerated.

18 3. With respect to the number of persons in jail:

- 19 a. the total number of persons held in jail on June 30 of
20 each year by offense type, offense law class,
21 admission type, prior criminal history, sex, race and
22 ethnicity including tribal citizenship, age, mental
23 health and substance use disorder status, and risk
24 scores if measured upon intake,

1 b. the total number of persons held in jail on June 30 of
2 each year who have a bond amount set but remain
3 incarcerated, the offense type, and criminal history,
4 and

5 c. the total number of persons held in jail while waiting
6 to receive competency restoration treatment and the
7 current number of days spent in jail while waiting to
8 receive this treatment.

9 G. The task force shall identify gaps in the tracking
10 capabilities of this state related to the criminal justice system
11 and make recommendations related to such gaps.

12 H. The task force shall conduct a study to assess the
13 feasibility and efficacy of establishing a statewide office of
14 pretrial services to oversee pretrial release programs in each
15 county and the feasibility and efficacy of establishing regionalized
16 jails and behavioral health resources by September 1, 2026.

17 I. The task force shall conduct a study to assess the
18 feasibility and efficacy of establishing county-based Law
19 Enforcement Assisted Diversion programs, in conjunction with the
20 Department of Mental Health and Substance Abuse Services, by
21 November 1, 2026.

22 J. On or before December 15, 2026, the task force shall
23 electronically submit to the Governor, the President Pro Tempore of
24 the Senate, the Speaker of the House of Representatives, and the

1 chairs of the House and Senate committees that oversee public
2 safety, a report containing but not limited to information as
3 provided for in subsection A of this section.

4 SECTION 2. This act shall become effective November 1, 2024.

5 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
6 February 8, 2024 - DO PASS AS AMENDED
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