

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

COMMITTEE SUBSTITUTE

FOR

SENATE BILL 1636

By: Hicks

COMMITTEE SUBSTITUTE

An Act relating to law enforcement; defining terms; requiring certain review upon certain request; stating review criteria; clarifying individuals authorized to make certain review; requiring confirmation of receipt; prohibiting more than one review at given time; stating time frame for which certain review shall be concluded; authorizing certain extension of time frame; requiring certain notice; requiring certain coordination; requiring certain consultation and meeting; stating time frame for which additional review is prohibited; construing provision; providing for codification; and providing an effective date.

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 146 of Title 21, unless there is created a duplication in numbering, reads as follows:

A. For the purposes of this section:

1. "Case file review" means a review of all information, evidence, records, testimonies, and other pertinent information regarding a cold case;

1 2. "Cold case" means a case of violent crime, as provided for
2 in Section 571 of Title 57 of the Oklahoma Statutes, for which all
3 probative investigative leads have been exhausted and for which no
4 likely perpetrator has been identified;

5 3. "Designated person" means an immediate family member or
6 similar individual as determined by the law enforcement agency
7 reviewing a case file;

8 4. "Immediate family member" means the spouse, a child by birth
9 or adoption, a stepchild, a parent by birth or adoption, a
10 stepparent, a grandparent, a grandchild, a sibling, or a stepsibling
11 of a victim;

12 5. "Law enforcement agency" means any department or agency of
13 the state, a county, a municipality, or a political subdivision
14 thereof, with the duties to maintain public order, make arrests, and
15 enforce the criminal laws of this state or municipal ordinances and
16 that employs personnel certified by the Council on Law Enforcement
17 Education and Training; and

18 6. "Victim" means the victim of a violent crime.

19 B. 1. A law enforcement agency shall review the case file
20 regarding a cold case upon written application by a designated
21 person to determine if further investigation would result in
22 probative investigative leads.

23 2. The case file review shall include, but not be limited to:
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- a. an analysis of the investigative steps or follow-up steps that may contribute to the initial investigation,
- b. an assessment of whether witnesses should be interviewed or reinterviewed,
- c. a review of physical evidence to determine if all appropriate forensic testing and analyses were performed in the first instance or if additional testing might produce information relevant to the investigation, and
- d. a modernization of the file to raise it to current investigative standards to the extent that it would develop probative leads.

3. The person or persons employed by a law enforcement agency and performing the case file review shall not have previously investigated the cold case being reviewed.

4. The law enforcement agency shall confirm receipt of the request for a case file review in writing within thirty (30) days of receipt of the application pursuant to paragraph 1 of this subsection.

5. Only one case file review shall be undertaken at a time with respect to the same victim.

- a. The law enforcement agency reviewing a cold case shall, within six (6) months of receiving an

1 application for a case file review, reach a conclusion
2 about whether further investigation is warranted
3 pursuant to paragraph 1 of this subsection.

4 b. The law enforcement agency shall be authorized to
5 extend the time requirement pursuant to subparagraph a
6 of this paragraph for a period of up to six (6) months
7 at a time if the law enforcement agency determines
8 that the number of case files to be reviewed would
9 make it impracticable to comply with the provisions of
10 this subsection. The law enforcement agency shall
11 provide written notice and an explanation of the
12 reasoning for extending the time frame for conclusion
13 of a case file review to the designated person who
14 made the written application pursuant to paragraph 1
15 of this subsection.

16 C. If there is more than one law enforcement agency that would
17 be subject to reviewing the same cold case, the law enforcement
18 agencies shall jointly coordinate the case file review.

19 D. 1. The law enforcement agency shall consult with the
20 designated person who filed a written application pursuant to
21 paragraph 1 of subsection B of this section and provide the
22 designated person with periodic updates during the case file review.
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1 2. The law enforcement agency shall meet with the designated
2 person and discuss the findings to explain the decision whether to
3 engage in further investigation.

4 E. 1. If a case file review is completed and the law
5 enforcement agency concludes that further investigation is not
6 warranted, no additional review shall be taken for the same cold
7 case for at least five (5) years, unless new evidence that is
8 materially significant is discovered.

9 2. If a suspect is not identified after further investigation,
10 no additional case file review or further investigation shall be
11 undertaken for the same cold case for at least five (5) years.

12 F. The provisions of this section shall not be construed to
13 interfere with the ability of law enforcement to conduct further
14 investigation.

15 SECTION 2. This act shall become effective November 1, 2026.

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