

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 HOUSE BILL 1642

By: Inman

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5
6 AS INTRODUCED

7 An Act relating to law enforcement; granting the
8 Attorney General the discretion to investigate and
9 prosecute officer-involved deaths; providing
10 guidelines for requesting investigations; defining
11 terms; providing for codification; and providing an
12 effective date.

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 20m of Title 74, unless there is
16 created a duplication in numbering, reads as follows:

17 A. The Attorney General shall have the discretion to
18 investigate and prosecute all officer-involved deaths that occur
19 within this state.

20 B. If an investigation is requested or ordered by the Office of
21 the Attorney General, the investigation shall be conducted by at
22 least two investigators, neither of whom is employed by the law
23 enforcement agency that employs the law enforcement officer involved
24 in the officer-involved death. The investigators conducting the
investigation shall provide a complete report to the Attorney

1 General. If the Attorney General determines that there is no basis
2 to prosecute the law enforcement officer involved in the officer-
3 involved death, the Attorney General shall release the report to the
4 general public.

5 C. The provisions of this section shall only apply to officer-
6 involved deaths that occur after November 1, 2017.

7 D. As used in this section:

8 1. "Law enforcement agency" means any agency of this state that
9 employs law enforcement officers;

10 2. "Law enforcement officer" means any police officer, peace
11 officer, sheriff, deputy sheriff, correctional officer, probation or
12 parole officer, or any employee of a governmental agency who is
13 authorized by law to engage in the investigation, arrest,
14 prosecution or supervision of a person for any violation of law and
15 has statutory powers of arrest; and

16 3. "Officer-involved death" means the death of an individual
17 that results directly from an action or an omission by a law
18 enforcement officer while the law enforcement officer is on duty or
19 while the law enforcement officer is off duty but performing
20 activities that are within the scope of his or her law enforcement
21 duties.

22 SECTION 2. This act shall become effective November 1, 2017.

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24 56-1-6341 GRS 01/15/17