

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3628

By: Goodwin

AS INTRODUCED

An Act relating to law enforcement; directing the Oklahoma State Bureau of Investigation to create annual use-of-force report; directing the Oklahoma Highway Patrol Division and local law enforcement agencies to submit use-of-force incidents to the Bureau; specifying information to be submitted; prohibiting personal identification information from being reported; making certain data available to the public; directing the Bureau to maintain statewide database; requiring publication of data on website of the Bureau; providing for suspension of peace officer certification for noncompliance; defining terms; 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 150.21c of Title 74, unless there is created a duplication in numbering, reads as follows:

A. Beginning July 1, 2025, the Oklahoma State Bureau of Investigation shall create an annual report regarding use-of-force incidents involving peace officers in Oklahoma. The report shall include all the information that is reported to the Bureau pursuant

1 to subsection B of this section by law enforcement agencies that
2 employ peace officers in this state.

3 B. Beginning January 1, 2025, the Oklahoma Highway Patrol
4 Division of the Department of Public Safety and each local law
5 enforcement agency that employs peace officers in this state shall
6 report to the Bureau:

7 1. All uses of force by its peace officers that result in death
8 or bodily injury, including:

- 9 a. the date, time, and location of the use of force,
- 10 b. the perceived demographic information of the person
11 contacted; provided, that the identification of these
12 characteristics is based on the observation and
13 perception of the peace officer making the contact and
14 other available data,
- 15 c. the names of all peace officers who were at the scene,
16 identified by whether the peace officer was involved
17 in the use of force or not; provided, that the
18 identity of other peace officers at the scene not
19 directly involved in the use of force shall be
20 identified by the identification number of the officer
21 unless the peace officer is charged criminally or is a
22 defendant in a civil suit as a result arising from the
23 use of force,

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- 1 d. the type of force used, the severity and nature of the
2 injury, whether the peace officer suffered physical
3 injury, and the severity of the injury suffered by the
4 peace officer,
5 e. whether the peace officer was on duty at the time of
6 the use of force,
7 f. whether the peace officer unholstered a weapon during
8 the incident,
9 g. whether the peace officer discharged a firearm during
10 the incident,
11 h. whether the use of force resulted in a law enforcement
12 agency investigation and the result of that
13 investigation, and
14 i. whether the use of force resulted in a citizen
15 complaint and the resolution of that complaint;

16 2. All instances when a peace officer resigned while under
17 investigation or was terminated for violating the use of force
18 policy of the department;

19 3. All data relating to contacts conducted by its peace
20 officers, including:

- 21 a. the perceived demographic information of the person
22 contacted; provided, that the identification of these
23 characteristics is based on the observation and
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1 perception of the peace officer making the contact and
2 other available data,

3 b. whether the contact was a traffic stop,

4 c. the time, date, and location of the contact,

5 d. the duration of the contact,

6 e. the reason for the contact,

7 f. the suspected crime,

8 g. the result of the contact, such as:

9 (1) no action, warning, citation, property seizure,
10 or an arrest,

11 (2) if a warning or citation was issued, the warning
12 provided or violation cited,

13 (3) if an arrest was made, the offense charged, or

14 (4) if the contact was a traffic stop, the
15 information collected, which shall include the
16 driver and contact with any passengers in the
17 motor vehicle or pedestrians, and

18 h. the actions taken by the peace officer during the
19 contact including, but not limited to, whether:

20 (1) the peace officer asked for consent to search the
21 person, and, if so, whether consent was provided,

22 (2) the peace officer searched the person or any
23 property, and, if so, the basis for the search
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1 and the type of contraband or evidence

2 discovered, if any,

3 (3) the peace officer seized any property, and, if
4 so, the type of property that was seized and the
5 basis for seizing the property,

6 (4) a peace officer unholstered a weapon during the
7 contact, and

8 (5) a peace officer discharged a firearm during the
9 contact; and

10 4. All instances of unannounced entry into a residence, with or
11 without a warrant, including:

12 a. the date, time, and location of the use of unannounced
13 entry,

14 b. the perceived demographic information of the subject
15 of the unannounced entry; provided, that the
16 identification of these characteristics is based on
17 the observation and perception of the peace officer
18 making the entry and other available data,

19 c. whether a peace officer unholstered a weapon during
20 the unannounced entry, and

21 d. whether a peace officer discharged a firearm during
22 the unannounced entry.

23 C. The Oklahoma Highway Patrol and local law enforcement
24 agencies shall not report the name, address, Social Security number,
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1 or other unique personal identifying information of the subject of
2 the use of force, victim of the official misconduct, or persons
3 contacted, searched, or subjected to a property seizure. The data
4 reported pursuant to this section shall be available to the public
5 pursuant to subsection D of this section.

6 D. The Oklahoma State Bureau of Investigation shall maintain a
7 statewide database with data collected pursuant to the provisions of
8 this section, in a searchable format, and publish the database on
9 its website.

10 E. Any local law enforcement agency that fails to meet its
11 reporting obligations pursuant to the provisions of this section
12 shall have the certification of its peace officers suspended
13 indefinitely by the Council on Law Enforcement Education and
14 Training until compliance with the provisions of this section have
15 been met.

16 F. As used in this section:

17 1. "Law enforcement agency" means any department or agency of
18 the state, a county, a municipality, or political subdivision which
19 employs CLEET-certified personnel, with duties to maintain public
20 order, make arrests, and enforce the criminal laws of this state or
21 municipal ordinances; and

22 2. "Peace officer" shall have the same meaning as that term is
23 defined in Section 99 of Title 21 of the Oklahoma Statutes.

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

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3 59-2-9152 GRS 12/28/23
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