

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1643

By: Howard

AS INTRODUCED

An Act relating to crimes and punishment; creating the Modernized Operations through Data and Evidence-based Restoration Now (MODERN) Justice Task Force; providing sunset date; stating purpose; providing for membership; stating quorum; allowing election of vice chair; requiring appointments and first meeting within certain timeframe; disallowing compensation; providing staff; requiring certain report and recommendations; 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 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 1. Advising the Legislature and the Governor on matters related
2 to any legislation, regulations, rules, budgetary changes, and all
3 other actions needed to implement the provisions of the MODERN
4 Justice Task Force report of December 2023 as such provisions relate
5 to local governments;

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

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

11 4. Creating performance measures to assess the effectiveness of
12 such grants;

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

16 6. Undertaking such additional studies or evaluations as the
17 task force considers necessary to provide local justice system
18 reform information and analysis.

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

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

22 2. The President Pro Tempore of the Senate or a designated
23 member of the Senate;

1 3. The Speaker of the House of Representatives or a designated
2 member of the House of Representatives;

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

5 5. The Commissioner of Mental Health and Substance Abuse
6 Services or designee from within the Department of Mental Health and
7 Substance Abuse Services;

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

12 7. The Administrative Director of the Courts or designee from
13 within the Administrative Office of the Courts;

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

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

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

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

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

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

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

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

22 1. With respect to jail admissions:

23 a. the total number of persons admitted to jail by type
24 of charged offense, offense law class, type of

1 admission including distinct warrant type and pretrial
2 status, prior criminal history, sex, race and
3 ethnicity including tribal citizenship, age, initial
4 and subsequent bond amounts, bond decision, bond
5 status, and

6 b. the total number of persons who received a clinical
7 assessment identifying a mental health or substance
8 use disorder upon intake and risk scores if measured
9 upon intake.

10 2. With respect to jail releases:

11 a. the length of stay in jail for each type of release by
12 type of offense, offense law class, prior criminal
13 history, sex, race and ethnicity including tribal
14 citizenship, sentence type, sentence length if
15 applicable, case opened and case disposition dates,
16 and release reason including program or agency to
17 which the individual was transferred, and

18 b. the number of persons who received substance use or
19 mental health treatment or programming while
20 incarcerated.

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

22 a. the total number of persons held in jail on June 30 of
23 each year by offense type, offense law class,
24 admission type, prior criminal history, sex, race and

1 ethnicity including tribal citizenship, age, mental
2 health and substance use disorder status, and risk
3 scores if measured upon intake,

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

8 c. the total number of persons held in jail while waiting
9 to receive competency restoration treatment and the
10 current number of days spent in jail while waiting to
11 receive this treatment.

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

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

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

1 J. On or before December 15, 2026, the task force shall
2 electronically submit to the Governor, the President Pro Tempore of
3 the Senate, the Speaker of the House of Representatives, and the
4 chairs of the House and Senate committees that oversee public
5 safety, a report containing but not limited to information as
6 provided for in subsection A of this section.

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

8
9 59-2-3411 CN 1/16/2024 9:11:44 AM
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25