

1 **SENATE FLOOR VERSION**

February 8, 2024

2 **AS AMENDED**

3 SENATE BILL NO. 1643

By: Howard

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5  
6 **[ crimes and punishment - Task Force - sunset date -**  
7 **purpose - membership - report and recommendations -**  
8 **codification - effective date ]**  
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10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 1. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 2300 of Title 21, unless there  
13 is created a duplication in numbering, reads as follows:

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

20 1. Advising the Legislature and the Governor on matters related  
21 to any legislation, regulations, rules, budgetary changes, and all  
22 other actions needed to implement the provisions of the MODERN  
23 Justice Task Force report of December 2023 as such provisions relate  
24 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;

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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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