

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE BILL 2220

By: McDugle

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6 AS INTRODUCED

7 An Act relating to the death penalty; establishing  
8 the Prosecutor Conduct Review Panel; providing for  
9 the review of prosecution files and prosecutor  
10 conduct in death penalty cases; directing prosecutors  
11 in death penalty cases to submit files to the Panel;  
12 providing for confidentiality of reviews; directing  
13 the Panel to make its findings available to the  
14 public; providing for codification; and providing an  
15 effective date.

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

17 SECTION 1. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 1801 of Title 22, unless there  
19 is created a duplication in numbering, reads as follows:

20 A. There is hereby established the Prosecutor Conduct Review  
21 Panel, an independent legal panel to review the files of the  
22 prosecution and conduct of the prosecutor in all death penalty  
23 cases.

24 B. Whenever a judgment of death is imposed and upon the  
judgment becoming final in a capital murder case, the prosecutor  
assigned to the case shall submit copies of the entire criminal

1 file, including all attorney work product related to the case, to  
2 the Panel.

3 C. The review by the Panel shall be conducted in a confidential  
4 manner in order to determine if there is exculpatory evidence or  
5 impeaching material in the file of the prosecutor that should have  
6 been turned over to the defense counsel in the trial or appeal. The  
7 review shall also determine if there is any evidence of  
8 prosecutorial misconduct.

9 D. The findings of the Prosecutor Conduct Review Panel shall be  
10 made available to the public.

11 SECTION 2. This act shall become effective November 1, 2021.

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13 58-1-6581 GRS 01/14/21

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