

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1010

By: Matthews

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6 AS INTRODUCED

7 An Act relating to reporting requirements for certain
8 injuries or deaths caused by peace officers and for
9 certain injuries or death of peace officers; stating
10 definitions; requiring certain reports; setting
11 reporting deadlines; requiring certain postings;
12 requiring certain distribution of reports; providing
13 for codification; and providing an effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 34.6 of Title 22, unless there
17 is created a duplication in numbering, reads as follows:

18 Reports required for officer-involved injuries or deaths.

19 A. In this act:

20 1. "Deadly weapon" means:

- 21 a. a firearm or any object manifestly designed, made or
22 adapted for the purpose of inflicting death or serious
23 bodily injury, or
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1 b. any object that in the manner of its use or intended
2 use is capable of causing death or serious bodily
3 injury.

4 2. "Officer-involved injury or death" means an incident during
5 which a peace officer discharges a firearm causing injury or
6 death to another.

7 B. The Attorney General Office of Civil Rights Enforcement
8 shall promulgate rules establishing procedures for reporting by law
9 enforcement agencies of an officer-involved injury or death. The
10 Attorney General Office of Civil Rights Enforcement shall promulgate
11 a form with spaces for the recording of the following information:

12 1. The date on which the incident occurred;

13 2. The location where the incident occurred;

14 3. The age, gender and race or ethnicity of each peace officer
15 involved in the incident;

16 4. If known, the age, gender and race or ethnicity of each
17 injured or deceased person involved in the incident;

18 5. Whether the person was injured or died as a result of the
19 incident;

20 6. Whether each injured or deceased person used, exhibited, or
21 was carrying a deadly weapon during the incident;

22 7. Whether each peace officer involved in the incident was on
23 duty during the incident;

1 8. Whether each peace officer involved in the incident was
2 responding to an emergency call or a request for assistance and, if
3 so, whether the officer responded to that call or request with one
4 or more other peace officers; and

5 9. Whether the incident occurred during or as a result of:

6 a. the execution of a warrant, or

7 b. a hostage, barricade, or other emergency situation.

8 C. Not later than the thirtieth day after the date of an
9 officer-involved injury or death, the law enforcement agency
10 employing an officer involved in the incident shall complete and
11 submit a written or electronic report, using the form created under
12 subsection B of this section, to the Office of the Attorney General
13 and, if the agency maintains an Internet website, post a copy of the
14 report on the agency's website. The report must include all
15 information described in subsection B of this section.

16 D. Not later than the fifth day after the date of receipt of a
17 report submitted under subsection C of this section, the Office of
18 the Attorney General shall post a copy of the report on the Office's
19 Internet website.

20 E. Not later than February 1 of each year, the Office of the
21 Attorney General shall submit a report regarding all officer-
22 involved injuries or deaths that occurred during the preceding year
23 to the Governor, President Pro Tempore of the Senate, the Speaker of
24 the House of Representatives and the standing legislative committees

1 with primary jurisdiction over criminal justice matters. The report
2 must include:

- 3 1. The total number of officer-involved injuries or deaths;
- 4 2. A summary of the reports submitted to the Office under this
5 act; and
- 6 3. A copy of each report submitted to the Office under this
7 article.

8 SECTION 2. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 34.7 of Title 22, unless there
10 is created a duplication in numbering, reads as follows:

11 Reports required for certain injuries or deaths of peace
12 officers.

13 A. The Attorney General Office of Civil Rights Enforcement
14 shall promulgate rules establishing procedures for a written and
15 electronic form for the reporting by law enforcement agencies of
16 incidents in which, while a peace officer is performing an official
17 duty, a person who is not a peace officer discharges a firearm and
18 causes injury or death to the officer. The form must include spaces
19 to report only the following information:

- 20 1. The date on which the incident occurred;
- 21 2. The location where the incident occurred;
- 22 3. The age, gender, and race or ethnicity of each injured or
23 deceased peace officer in this incident;

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1 4. If known, the age, gender, and race or ethnicity of each
2 person who discharged a firearm and caused injury or death to a
3 peace officer involved in the incident; and

4 5. Whether the officer or any other person was injured or died
5 as a result of the incident.

6 B. Not later than the thirtieth day after the date of an
7 officer-involved injury or death, the law enforcement agency
8 employing an officer involved in the incident must complete and
9 submit a written or electronic report, using the form created under
10 subsection A of this section, to the Office of the Attorney General
11 and, if the agency maintains an Internet website, post a copy of the
12 report on the agency's website. The report must include all
13 information described in subsection A of this section.

14 C. Not later than February 1 of each year, the Office of the
15 Attorney General shall submit a report regarding all officer-
16 involved injuries or deaths that occurred during the preceding year
17 to the Governor, President Pro Tempore of the Senate, the Speaker of
18 the House of Representatives and the standing legislative committees
19 with primary jurisdiction over criminal justice matters. The report
20 must include:

21 1. The total number of incidents that occurred;

22 2. A summary of the reports submitted to the Office under this
23 act; and

1 3. A copy of each report submitted to the Office under this
2 article.

3 D. Not later than February 1, 2017, the Office of the Attorney
4 General shall create the reporting forms required under this act.

5 SECTION 3. This act shall become effective November 1, 2016.

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