

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL NO. 1407

By: Thompson (Roger) and Floyd
of the Senate

and

George of the House

6
7
8
9
10 COMMITTEE SUBSTITUTE

11 [Department of Public Safety - legislative findings
12 - Oklahoma child abduction response teams - terms -
13 multi-agency elements - Department of Public Safety
14 Restricted Revolving Fund - Commissioner of Public
15 Safety - policies - committee membership - response
16 plans - notice - automated license plate readers -
17 training - noncodification - codification -
18 effective date -
19 emergency]

20
21
22 ~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~

23 SECTION 1. NEW LAW A new section of law not to be
24 codified in the Oklahoma Statutes reads as follows:

1 It is the finding of the Legislature that abduction is a serious
2 threat to the health and safety of minors in this state. The
3 immediate notification and response to a child abduction greatly
4 increases the chances of a positive outcome. Oklahoma child
5 abduction response teams (OCARTs) are being created to facilitate
6 efficient, effective, and coordinated law enforcement and social
7 services responses to child abductions.

8 SECTION 2. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 2-140a of Title 47, unless there
10 is created a duplication in numbering, reads as follows:

11 A. The Department of Public Safety is hereby authorized to
12 create and administer Oklahoma child abduction response teams
13 (OCARTs) for the purposes of mitigating child endangerment.

14 B. For purposes of this section:

15 1. "Commissioner" means the Commissioner of the Department of
16 Public Safety;

17 2. "Custodial child abduction" means the abduction of a child
18 under the age of eighteen (18) by a custodial parent where a
19 reasonable and articulable suspicion exists that the child is in
20 imminent danger;

21 3. "Missing child" means a child under the age of eighteen (18)
22 who is unaccounted for where a reasonable and articulable suspicion
23 exists that the child is in imminent danger;

24

1 4. "Non-custodial child abduction" means the abduction of a
2 child under the age of eighteen (18) by the non-custodial parent;
3 and

4 5. "Verified child abduction" means the confirmation of a
5 reasonable suspicion that a missing child or the victim of a
6 custodial child abduction or non-custodial child abduction is in
7 imminent danger.

8 C. 1. a. The Commissioner shall create a network of Oklahoma
9 child abduction response teams in cooperation with
10 federal, state, tribal, county, and municipal law
11 enforcement agencies, and the appropriate social
12 services agencies. The Commissioner is authorized to
13 enter into agreements with any governmental agency,
14 private person or entity, or not-for-profit
15 organization to effectuate the purposes of this act.

16 b. Each member agency of an OCART committee is
17 responsible for its own acts or omissions under The
18 Governmental Tort Claims Act, or otherwise under state
19 or federal law.

20 c. When activated pursuant to this section, member
21 agencies are exempt from the Oklahoma Central
22 Purchasing Act.

23 2. The Commissioner is authorized to accept contributions,
24 donations, and gifts in support of OCART programs. All monies

1 received by the Commissioner pursuant to this subsection shall be
2 deposited to the credit of the Department of Public Safety
3 Restricted Revolving Fund and shall be expended by the Department
4 solely for the purposes of the operation of OCART programs. All
5 other property received by the Commissioner or designee pursuant to
6 this subsection shall be held by the Department in trust under the
7 terms and conditions imposed by the donors and the title to any and
8 all property acquired, granted, or donated to the Department shall
9 be taken in the name of the state to be held for the use and benefit
10 of education programs of the Department under the conditions of the
11 grants or donations.

12 3. The Commissioner is authorized to establish policies and
13 procedures and promulgate rules to effectuate the purposes of this
14 act.

15 D. 1. The Commissioner is authorized to employ an OCART
16 coordinator to assist in administering the provisions of this act.
17 The Commissioner shall create local OCART committees to effectuate
18 the purposes of this act. The number, location, and boundaries of
19 the regions are to be determined by the Commissioner. The members
20 of each Oklahoma child abduction response team shall be peace
21 officers, communications personnel, administrative personnel,
22 support personnel, and multidisciplinary professionals reasonably
23 necessary to effectuate the purposes of this act.

24 2. The OCART committee shall consist of:

- a. the OCART coordinator who shall act as chairperson,
- b. one representative of the Oklahoma State Bureau of Investigation,
- c. one representative who is an active elected sheriff from the applicable region or a designee,
- d. one representative who is an active chief of police from the applicable region or a designee,
- e. one representative from the Department of Mental Health and Substance Abuse Services,
- f. one elected district attorney from the applicable region or a designee,
- g. one representative from the Oklahoma Counter Terrorism Intelligence Center (OCTIC),
- h. one representative from the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control,
- i. one representative from the U.S. Marshals Service from the applicable region, and
- j. any other individuals deemed necessary by the Commissioner or coordinator.

3. In conjunction with the OCART coordinator, each OCART committee shall develop a plan for mounting a coordinated response to a verified child abduction. The plan shall include, but not be limited to, an outline of the procedure for verification of a child abduction, a notification of a child abduction, outreach to local

1 law enforcement agencies, and member agency responsibilities in the
2 event of a verified child abduction.

3 E. Within four (4) hours of receiving a report of verified
4 child abduction, the law enforcement agency receiving the report
5 shall notify the Oklahoma Counter Terrorism Intelligence Center.

6 F. Law enforcement agencies of this state are hereby authorized
7 to utilize the automated license plate readers (ALPRs) in carrying
8 out a coordinated response to a verified child abduction.

9 G. Each law enforcement member of an OCART committee shall
10 receive initial training and annual refresher training as determined
11 by the Commissioner.

12 SECTION 3. This act shall become effective July 1, 2024.

13 SECTION 4. It being immediately necessary for the preservation
14 of the public peace, health or safety, an emergency is hereby
15 declared to exist, by reason whereof this act shall take effect and
16 be in full force from and after its passage and approval.

17

18 59-2-10961 JM 04/11/24

19

20

21

22

23

24