1 HOUSE OF REPRESENTATIVES - FLOOR VERSION 2 STATE OF OKLAHOMA 1st Session of the 60th Legislature (2025) 3 HOUSE BILL 1593 4 By: George of the House 5 and Weaver of the Senate 6 7 8 AS INTRODUCED 9 An Act relating to criminal procedures; defining terms; providing guidelines when evaluating the 10 credibility of peace officers; authorizing peace officers to dispute reports of misconduct; directing the Office of the Attorney General to refer petitions 11 to an administrative law judge; directing administrative law judge to find in favor of the 12 peace officer under certain circumstances; 1.3 prohibiting reliance on allegations of misconduct upon certain finding by the administrative law judge; 14 providing copy of findings of fact and conclusions of law to the court; allowing for the disclosure of 15 credibility issues to the court; providing for codification; and providing an effective date. 16 17 18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA: 19 A new section of law to be codified SECTION 1. NEW LAW 20 in the Oklahoma Statutes as Section 39.1 of Title 22, unless there 21 is created a duplication in numbering, reads as follows: 22 As used in this section: Α. 23 1. "Attorney representing the state" means an attorney 2.4 authorized by law to represent the state in a criminal case

- including, but not limited to, a district attorney or city or municipal attorney; and
 - 2. "Law enforcement agency" means an agency of the state or an agency of a political subdivision of the state authorized by law to employ peace officers.
 - B. When evaluating the credibility of a peace officer who is serving or will serve as a witness in a criminal proceeding, the attorney representing the state may not disqualify the peace officer as a witness on the basis of an allegation of misconduct by the peace officer that has not been finally adjudicated as sustained.
 - C. For purposes of this section, an allegation of misconduct by a peace officer is not considered finally adjudicated as sustained if the allegation is under appeal through an administrative process or judicial proceeding.
 - D. A peace officer who:

- 1. Is the subject of an allegation of misconduct reported by a law enforcement agency to an attorney representing the state;
- 2. Has been notified of a determination by an attorney representing the state that the peace officer is not considered credible to testify in a criminal proceeding as a result of an allegation of misconduct; or
- 3. Has his or her name placed on a "Do Not Call" list of noncredible peace officers by a law enforcement agency or an attorney representing the state, may dispute the report,

- determination, or listing by filing a petition with the Office of the Attorney General for the purpose of contesting said allegation, determination, listing, or other similar action that adversely reflects on the credibility of the peace officer. Upon request by the affected peace officer, the attorney representing the state or relevant law enforcement agency shall provide the underlying facts affecting the credibility of the peace officer to the peace officer for purposes of a hearing under subsection E of this section.
 - E. The Office of the Attorney General shall refer the petition to an administrative law judge for an evidentiary hearing. The administrative law judge shall provide findings of fact and conclusions of law as to the validity of the allegations of misconduct by the peace officer that resulted in the peace officer being placed on a "Do Not Call" list of noncredible peace officers. The respondent in the hearing shall be the law enforcement agency that reported or alleged the misconduct by the peace officer.
 - F. 1. If a peace officer has been placed on a "Do Not Call" list of noncredible peace officers due to an allegation of misconduct and the administrative process addressing said allegation is still pending or has been appealed, the administrative law judge shall find in favor of the peace officer.
 - 2. If the administrative law judge finds the allegations of misconduct are not supported by a preponderance of the evidence, the law enforcement agency and attorney for the state may not rely on

1	said allegations for any purpose. Any court that considers the
2	credibility of a peace officer who has filed a petition with the
3	Office of the Attorney General, as authorized under the provisions
4	of this section, shall be provided a copy of the findings of fact
5	and conclusions of law issued by the administrative law judge.
6	G. Nothing in the provisions of this act shall prevent an
7	attorney representing the state from disclosing credibility issues
8	of a witness to the court.
9	SECTION 2. This act shall become effective November 1, 2025.
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11	COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY OVERSIGHT, dated 02/25/2025 - DO PASS.
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