

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 2186

By: Blancett

4
5
6 AS INTRODUCED

7 An Act relating to pretrial data; creating the
8 Pretrial Data Collection Act; defining terms;
9 requiring certain entities to collect specific data;
10 requiring certain entities to report the collected
11 data to the Oklahoma State Bureau of Investigation;
12 specifying types of data to be collected; providing
13 for publication of datasets; requiring certain public
14 format; specifying submission dates; authorizing
15 county commissioner to bring an action for
16 noncompliance; providing for codification; and
17 providing an effective date.

18
19
20 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

21 SECTION 1. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 80.2 of Title 74, unless there
23 is created a duplication in numbering, reads as follows:

24 A. This act shall be known and may be cited as the "Pretrial
Data Collection Act".

B. As used in this act:

1. "Average cost for jail stay" means the average daily cost to
house an inmate including, but not limited to, average medical care
costs, daily stay fee, extra food, and transportation;

1 2. "Case number" means the identification number assigned by
2 the clerk of the court to a criminal case;

3 3. "Charge description" means the statement of the conduct that
4 is alleged to have been violated, the associated statutory section
5 establishing such conduct as criminal, and the misdemeanor or felony
6 classification that is provided for in the statutory section alleged
7 to have been violated;

8 4. "Charge modifier" means an aggravating circumstance of an
9 alleged crime that enhances or reclassifies a charge to a more
10 serious misdemeanor or felony offense;

11 5. "Cited offense" means the alleged offense for which an
12 arrest occurred, including the state or municipal code under which
13 the offense is alleged;

14 6. "Co-occurring disorder" means any combination of mental
15 health symptoms and substance use disorder symptoms or diagnoses
16 that affect a consumer and are typically determined by the current
17 Diagnostic and Statistical Manual of Mental Disorders;

18 7. "Criminal charge against" means information related to the
19 formal charges filed against a defendant, including charge
20 description, as defined in this section, code section, jurisdiction,
21 and charge modifier, as defined in this section, if applicable;

22 8. "Date of arrest" means the day, month, and year the arrest
23 occurred;

24

1 9. "Date of entrance" means the day, month, and year of
2 entrance into a county jail or detention facility;

3 10. "Demographic information" means identifying information
4 including name, age, race and ethnicity, gender, ZIP Code of primary
5 residence, and unhoused status;

6 11. "Mental illness" means a substantial disorder of thought,
7 mood, perception, psychological orientation or memory that
8 significantly impairs judgment, behavior, capacity to recognize
9 reality, or ability to meet the ordinary demands of life;

10 12. "Offense location" means the county in which the offense is
11 alleged to have occurred;

12 13. "Operational capacity" means the maximum number of inmates
13 a county jail or detention facility can hold;

14 14. "Release date" means the day, month, and year a defendant
15 is released from a county jail or detention facility;

16 15. "Substance-use disorders" means alcohol or drug dependence
17 or psychoactive substance use disorder, as defined by current
18 Diagnostic and Statistical Manual of Mental Disorders criteria or by
19 other standardized and widely accepted criteria; and

20 16. "Term of sentence" means the sentence type and length
21 imposed by the court including, but not limited to, the total
22 duration of imprisonment in a county jail or detention facility and
23 conditions of probation or community supervision.

24

1 C. Beginning January 1, 2026, an entity required to collect
2 data in accordance with the provisions of this act shall collect the
3 specified data required of the entity on a monthly basis. Each
4 entity shall report the data collected to the Oklahoma State Bureau
5 of Investigation on a monthly basis.

6 1. Municipal police departments and county sheriff offices
7 shall collect for each individual arrested the following
8 information:

- 9 a. arrest location,
- 10 b. date of arrest,
- 11 c. race of detainee,
- 12 d. ethnicity of detainee,
- 13 e. age of detainee,
- 14 f. gender of detainee,
- 15 g. ZIP Code of residence of detainee, if applicable, and
- 16 h. cited offense.

17 2. County jail and county detention facilities shall collect
18 for each confined person the following information:

- 19 a. date of entrance,
- 20 b. name,
- 21 c. date of birth,
- 22 d. gender,
- 23 e. race,
- 24 f. ethnicity,

- 1 g. pregnancy or postpartum status,
- 2 h. mental illness, co-occurring disorder, substance abuse
- 3 disorder, history of opioid use, if any,
- 4 i. last-known residential ZIP Code, if applicable,
- 5 j. unhoused status,
- 6 k. Medicaid enrollment status,
- 7 l. any criminal charges against the person by code
- 8 section and jurisdiction,
- 9 m. term of sentence,
- 10 n. bond amount,
- 11 o. if bond is set, and
- 12 p. release date.

13 3. Each county jail and county detention facility shall collect
14 the following information:

- 15 a. average costs for jail stay per day for a confined
- 16 person,
- 17 b. average medical care costs for a confined person,
- 18 c. daily stay fee and rate for a confined person,
- 19 d. bill for medical costs for all confined persons,
- 20 e. bill for extra food for all confined persons,
- 21 f. bill for transportation for all confined persons,
- 22 g. operational capacity of the county jail and county
- 23 detention facility,
- 24

1 h. for each confined person, counting only one time, and
2 with accompanying demographic information:

3 (1) the number of sentenced confined people,

4 (2) the number of unsentenced confined people with a
5 hold and what kind of hold each unsentenced
6 person has including, but not limited to, tribal
7 or federal holds,

8 (3) the number of unsentenced confined people without
9 a hold, and

10 (4) the number of unsentenced people admitted for a
11 probation violation or violation of community
12 sentencing standards,

13 i. for unsentenced confined people, counting only one
14 time, and with accompanying demographic information:

15 (1) the number of unsentenced confined people whose
16 most serious charged offense is a felony, and

17 (2) the number of unsentenced confined people whose
18 most serious charged offense is a misdemeanor,

19 j. number of confined people held solely for a municipal
20 offense with accompanying demographic information,

21 k. average daily population of the jail facility with
22 accompanying demographic information,

23 l. average or median length of stay with accompanying
24 demographic information:

1 (1) number of people who were released within the
2 prior twelve (12) months whose most serious
3 offense was a felony, and

4 (2) number of people who were released within the
5 prior twelve (12) months whose most serious
6 offense was a misdemeanor,

7 m. number of confined people identified as unhoused with
8 accompanying demographic information,

9 n. number of bookings into the jail facility with
10 accompanying demographic information,

11 o. number of people screened at intake for mental health
12 and substance use disorders using a validated
13 screening tool,

14 p. number of people referred to mental health or
15 substance use services based on intake behavioral
16 health screening,

17 q. number of people receiving psychotropic medication,

18 r. number of people receiving medications for opioid use
19 disorder or medication assisted treatment,

20 s. number of people awaiting competency evaluation,

21 t. number of deaths in the jail, and

22 u. cause of any reported death.

23 D. The Bureau shall publish datasets in its possession in a
24 modern, open, electronic format that is machine-readable and readily

1 accessible by the public on the website of the Office. The
2 published data shall be searchable, at a minimum, by each data
3 element, county, circuit, and unique identifier. Agencies that
4 employ five hundred (500) or more employees shall submit data to the
5 Office by July 1, 2026. Agencies that employ more than one hundred
6 (100) but less than five hundred (500) employees shall submit data
7 to the Office by July 1, 2027. Agencies with more than zero (0) and
8 less than one hundred (100) employees shall submit data to the
9 Office by July 1, 2028.

10 E. Upon a determination by the Bureau of noncompliance, any
11 member of any board of county commissioners may bring an action in a
12 district court having jurisdiction over the county from which the
13 county commissioner serves to force compliance. If any entity
14 covered under the provisions of this act encompasses more than one
15 county, upon a determination by the Office of noncompliance, a
16 county commissioner serving from any of the encompassed counties may
17 bring such action against the entity.

18 SECTION 2. This act shall become effective November 1, 2025.

19

20 60-1-12223 GRS 01/16/25

21

22

23

24