



OKLAHOMA
State Courts Network

Title 57. Prisons and Reformatories

Oklahoma Statutes Citationized

Title 57. Prisons and Reformatories

Chapter 8A - Oklahoma Prison Overcrowding Emergency Powers Act

Section 571 - Definitions

Cite as: O.S. §, ___

As used in the Oklahoma Statutes, unless another definition is specified:

1. "Capacity" means the actual available bedspace as certified by the State Board of Corrections subject to applicable federal and state laws and the rules and regulations promulgated under such laws;
2. "Violent crime" means any of the following felony offenses and any attempts to commit or conspiracy or solicitation to commit the following crimes:
 - a. assault, battery, or assault and battery with a dangerous or deadly weapon;
 - b. shooting with intent to kill, assault, battery, or assault and battery with a deadly weapon or by other means likely to produce death or great bodily harm, as provided for in Section 652 of the Oklahoma Statutes;
 - c. aggravated assault and battery on a police officer, sheriff, highway patrolman, or any other officer of the law;
 - d. poisoning with intent to kill;
 - e. shooting with intent to kill;
 - f. assault with intent to kill;
 - g. assault with intent to commit a felony;
 - h. assaults while masked or disguised;
 - i. murder in the first degree;
 - j. murder in the second degree;
 - k. manslaughter in the first degree;
 - l. manslaughter in the second degree;
 - m. kidnapping;
 - n. burglary in the first degree;
 - o. burglary with explosives;
 - p. kidnapping for extortion;
 - q. maiming;
 - r. robbery;

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- s. robbery in the first degree;
- t. robbery in the second degree;
- u. armed robbery;
- v. robbery by two (2) or more persons;
- w. robbery with dangerous weapon or imitation firearm;
- x. child abuse;
- y. wiring any equipment, vehicle or structure with explosives;
- z. forcible sodomy;
- aa. rape in the first degree;
- bb. rape in the second degree;
- cc. rape by instrumentation;
- dd. lewd or indecent proposition or lewd or indecent act with a child;
- ee. use of a firearm or offensive weapon to commit or attempt to commit a felony;
- ff. pointing firearms;
- gg. rioting;
- hh. inciting to riot;
- ii. arson in the first degree;
- jj. injuring or burning public buildings;
- kk. sabotage;
- ll. criminal syndicalism;
- mm. extortion;
- nn. obtaining signature by extortion;
- oo. seizure of a bus, discharging firearm or hurling missile at bus;
- pp. mistreatment of a mental patient;
- qq. using a vehicle to facilitate the discharge of a weapon pursuant to Section 652 of Title 21 of the Oklahoma Statutes;
- rr. bombing offenses as defined in Section 1767.1 of Title 21 of the Oklahoma Statutes;
- ss. child pornography or aggravated child pornography as defined in Section 1021.2, 1021.3, 1024.1 or 1040.12a of Title 21 of the Oklahoma Statutes;
- tt. child prostitution as defined in Section 1030 of Title 21 of the Oklahoma Statutes;
- uu. abuse of a vulnerable adult as defined in Section 10-103 of Title 43A of the Oklahoma Statutes who is a

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resident of a nursing facility;

vv. aggravated trafficking as provided for in subsection C of Section 2-415 of Title 63 of the Oklahoma Statutes;

ww. aggravated assault and battery upon any person defending another person from assault and battery;

xx. human trafficking as provided for in Section 748 of Title 21 of the Oklahoma Statutes; or

yy. terrorism crimes as provided in Sections 1268 et seq. of Title 21 of the Oklahoma Statutes.

Such offenses shall constitute exceptions to nonviolent offenses pursuant to Article VI, Section 10 of the Oklahoma Constitution.

Historical Data

Laws 1984, SB 445, c. 97, § 2, emerg. eff. April 4, 1984; Amended by Laws 1984, SB 9, c. 275, § 1, emerg. eff. May 31, 1984; Amended by Laws 1993, SB 467, c. 276, § 10, emerg. eff. May 27, 1993; Amended by Laws 2001, SB 397, c. 437, § 30, emerg. eff. July 1, 2001 (superseded document available); Amended by Laws 2007, SB 905, c. 358, § 10, emerg. eff. July 1, 2007 (superseded document available); Amended by Laws 2007, HB 1327, c. 166, § 1, eff. November 1, 2007 (repealed by Laws 2008, SB 1830, c. 3, § 30, emerg. eff. February 28, 2008) (superseded document available); Amended by Laws 2008, SB 1830, c. 3, § 29, emerg. eff. February 28, 2008 (superseded document available); Amended by Laws 2015, SB 412, c. 397, § 1, eff. November 1, 2015 (superseded document available).

Citationizer® Summary of Documents Citing This Document

<i>Cite Name</i>	<i>Level</i>
Oklahoma Attorney General's Opinions	
<i>Cite</i>	<i>Name</i> <i>Level</i>
<u>2000 OK AG 55</u>	<u>Question Submitted by: James L. Saffie, Director, Oklahoma Department of Corrections</u> Cited
<u>2004 OK AG 2</u>	<u>Question Submitted by: The Honorable Jeff Rabon, State Senator, District 5</u> Cited
<u>2006 OK AG 25</u>	<u>Question Submitted by: The Honorable Kenneth Corn, State Senator, District 4</u> Discussed at Length
<u>2008 OK AG 14</u>	<u>Question Submitted by: The Honorable Shane D. Jeff, State Representative, District 27</u> Discussed
<u>2013 OK AG 11</u>	<u>Question Submitted by: Tracy L. George, Acting Executive Director, Oklahoma Pardon and Parole Board</u> Discussed at Length
<u>2013 OK AG 19</u>	<u>Question Submitted by: The Honorable Harry Coates, State Senator, District 28</u> Discussed
<u>1999 OK AG 56</u>	<u>Question Submitted by: The Honorable Frank Shurden, State Senator, District 8</u> Discussed at Length
Oklahoma Court of Criminal Appeals Cases	
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<u>1991 OK CR 52, 814 P.2d 154</u>	<u>TOMLIN v. STATE EX REL, DEPT. OF CORR.</u> Discussed
<u>2016 OK CR 4, 370 P.3d 828</u>	<u>LEWALLEN v. STATE</u> Discussed at Length