

1 STATE OF OKLAHOMA

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

3 SENATE BILL 657

By: Weaver

6 AS INTRODUCED

7 An Act relating to justifiable homicide; amending 21
8 O.S. 2021, Section 732, which relates to justifiable
9 homicide by officer; authorizing appeal of certain
ruling to Court of Criminal Appeals; requiring
priority be given to certain appeals; providing for
waiver of certain right; and providing an effective
date.

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

12 SECTION 1. AMENDATORY 21 O.S. 2021, Section 732, is
13 amended to read as follows:

14 Section 732. A. A peace officer, correctional officer, or any
15 person acting by his command in his aid and assistance, is justified
16 in using deadly force when:

17 1. The officer is acting in obedience to and in accordance with
18 any judgment of a competent court in executing a penalty of death;
19 or

20 2. In effecting an arrest or preventing an escape from custody
21 following arrest and the officer reasonably believes both that:

1 a. such force is necessary to prevent the arrest from
2 being defeated by resistance or escape, and
3 b. there is probable cause to believe that the person to
4 be arrested has committed a crime involving the
5 infliction or threatened infliction of serious bodily
6 harm, or the person to be arrested is attempting to
7 escape by use of a deadly weapon, or otherwise
8 indicates that he will endanger human life or inflict
9 great bodily harm unless arrested without delay; or

10 3. The officer is in the performance of his legal duty or the
11 execution of legal process and reasonably believes the use of the
12 force is necessary to protect himself or others from the infliction
13 of serious bodily harm; or

14 4. The force is necessary to prevent an escape from a penal
15 institution or other place of confinement used primarily for the
16 custody of persons convicted of felonies or from custody while in
17 transit thereto or therefrom unless the officer has reason to know:

18 a. the person escaping is not a person who has committed
19 a felony involving violence, and
20 b. the person escaping is not likely to endanger human
21 life or to inflict serious bodily harm if not
22 apprehended.

23 B. An officer or other person acting by the officer's command

24 in the officer's aid and assistance whose use of deadly force is

1 found during any pretrial hearing or proceeding to be unjustified
2 pursuant to this section may appeal such ruling to the Court of
3 Criminal Appeals within ten (10) days of the ruling. Priority shall
4 be given to appeals made pursuant to this subsection and an order
5 staying proceedings shall be entered pending the outcome of the
6 appeal. If an appeal is not brought within ten (10) days of the
7 ruling, the officer waives the right to immediate appeal of the
8 ruling but does not waive any right to assert the claim at trial or
9 upon direct appeal.

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

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