

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                   STATE OF OKLAHOMA

3                   1st Session of the 60th Legislature (2025)

4                   ENGROSSED SENATE  
5                   BILL NO. 657

6                   By: Weaver of the Senate

7                   and

8                   Kannady of the House

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

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

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

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

21                  1. The officer is acting in obedience to and in accordance with  
22                  any judgment of a competent court in executing a penalty of death;  
23                  or

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

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

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

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

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

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

12           SECTION 2. This act shall become effective November 1, 2025.  
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14           COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY, dated  
15           04/17/2025 - DO PASS.  
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