

21 Okl. St. § 1959

This document is current with emergency effective legislation through Chapter 300 of the Second Regular Session of the 59th Legislature (2024) with exceptions to Chapter 182.

Oklahoma Statutes, Annotated by LexisNexis® > Title 21. Crimes and Punishments (Chs. 1 — 70) > Chapter 70. Other Offenses Against Property Rights (§§ 1831 — 2200) > Oklahoma Computer Crimes Act (§§ 1951 — 1959)

§ 1959. Oklahoma Attorney General or District Attorney May Conduct Investigation

A. When any person has engaged in, is engaged in, or is attempting or conspiring to engage in any conduct constituting a violation of any of the provisions of Section 1953 of Title 21 of the Oklahoma Statutes, the Oklahoma Attorney General or any district attorney in Oklahoma may conduct an investigation of the activity. On approval of the district judge, the Attorney General or district attorney, in accordance with the provisions of Section 258 of Title 22 of the Oklahoma Statutes and pursuant to the provisions of the Oklahoma Computer Crimes Act, is authorized before the commencement of any civil or criminal proceeding to subpoena witnesses, compel their attendance, examine them under oath, or require the production of any business papers or records by subpoena duces tecum. Evidence collected pursuant to this section shall not be admissible in any civil proceeding.

B. Any business papers and records subpoenaed by the Attorney General or district attorney shall be available for examination by the person who produced the material or by any duly authorized representative of the person. Transcripts of oral testimony shall be available for examination by the person who produced such testimony and their counsel.

Except as otherwise provided for in this section, no business papers, records, or transcripts or oral testimony, or copies of it, subpoenaed by the Attorney General or district attorney shall be available for examination by an individual other than another law enforcement official without the consent of the person who produced the business papers, records or transcript.

C. All persons served with a subpoena by the Attorney General or district attorney pursuant to the provisions of the Oklahoma Computer Crimes Act shall be paid the same fees and mileage as paid witnesses in the courts of this state.

D. No person shall, with intent to avoid, evade, prevent, or obstruct compliance in whole or in part by any person with any duly served subpoena of the Attorney General or district attorney pursuant to the provisions of this section, knowingly remove from any place, conceal, withhold, destroy, mutilate, alter, or by any other means falsify any business papers or records that are the subject of the subpoena duces tecum.

E. Any person violating the provisions of this section shall be guilty, upon conviction, of a misdemeanor.

History

Laws 2003, HB 1603, c. 98, § 1, eff. November 1, 2003.

Oklahoma Statutes, Annotated by LexisNexis®

Copyright © 2024 All rights reserved.

End of Document