

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)

HOUSE BILL NO. 2951

By: Phillips

AS INTRODUCED

An Act relating to prisons and reformatories;
abolishing the State Board of Corrections;
transferring duties and powers of the Board to the
Director; changing the name of the Department of
Corrections to the Department of Prisons; amending
57 O.S. 1991, Sections 502, as last amended by
Section 1, Chapter 266, O.S.L. 1995, 505, 506 and
528 (57 O.S. Supp. 1995, Section 502), which relate
to the Oklahoma Corrections Act of 1967; modifying
definitions; creating the Department of Prisons;
removing references to the State Board of
Corrections; modifying references to the Department
and the Director to reflect name change; and
repealing 57 O.S. 1991, Sections 503, as amended by
Section 5, Chapter 364, O.S.L. 1992, 504 and 550
(57 O.S. Supp. 1995, Section 503), which relate to
the State Board of Corrections.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 503.1 of Title 57, unless there
is created a duplication in numbering, reads as follows:

The State Board of Corrections is hereby abolished. All duties and powers performed by the State Board of Corrections prior to the effective date of this act shall be performed by the Director of the Department of Corrections.

SECTION 2. AMENDATORY 57 O.S. 1991, Section 502, as last amended by Section 1, Chapter 266, O.S.L. 1995 (57 O.S. Supp. 1995, Section 502), is amended to read as follows:

Section 502. As used in this title, unless the context otherwise requires:

~~(a) "Board" means the State Board of Corrections;~~

~~(b) 1. "Department" means the Department of Corrections Prisons~~
of this state;

~~(c) 2. "Institutions" means the Oklahoma State Penitentiary~~
located at McAlester, Oklahoma; the Oklahoma State Reformatory
located at Granite, Oklahoma; the Lexington Assessment and Reception
Center located at Lexington, Oklahoma; the Joseph Harp Correctional
Center located at Lexington, Oklahoma; the Jackie Brannon
Correctional Center located at McAlester, Oklahoma; the Howard C.
McLeod Correctional Center located at Farris, Oklahoma; the Mack H.
Alford Correctional Center located at Stringtown, Oklahoma; the
Ouachita Correctional Center located at Hodgen, Oklahoma; the Mabel
Bassett Correctional Center located at Oklahoma City, Oklahoma; the
R.B. "Dick" Conner Correctional Center located at Hominy, Oklahoma;
the James Crabtree Correctional Center located at Helena, Oklahoma;
the Jess Dunn Correctional Center located at Taft, Oklahoma; the
John Lilley Correctional Center located at Boley, Oklahoma; the
William S. Key Correctional Center located at Fort Supply, Oklahoma;
the Dr. Eddie Walter Warrior Correctional Center located at Taft,
Oklahoma; the Northeast Oklahoma Correctional Center located at
Vinita, Oklahoma; the Oklahoma City, Clara Waters and Kate Barnard
Community Corrections Centers located at Oklahoma City, Oklahoma;
the Tulsa Community Corrections Center located at Tulsa, Oklahoma;

the Community Corrections Centers located at Lawton, Enid, and Muskogee; the Charles E. "Bill" Johnson Correctional Center, located east of Alva, Oklahoma; and other facilities under the jurisdiction and control of the Department of ~~Corrections~~ Prisons or hereafter established by the Department of ~~Corrections~~ Prisons;

~~(d)~~ 3. "Director" means the Director of the Department of ~~Corrections~~ Prisons;

~~(e)~~ 4. "Halfway house" means a private facility for the placement of inmates in a community setting for the purpose of reintegrating into the community inmates who are nearing their release dates. The term shall not include private prisons~~;~~;

~~(f)~~ 5. "House arrest" means a program whereby persons committed to the Department of ~~Corrections~~ Prisons are authorized to be away from a correctional facility and are placed by the Department in a community for the purpose of reintegration of the person into society, pursuant to the provisions of Section 510.2 of this title; and

~~(g)~~ 6. "Private prison contractor" means:

~~(1)~~ a. a nongovernmental entity or public trust which, pursuant to a contract with the Department of ~~Corrections~~ Prisons, operates an institution within the Department, or provides for the housing, care, and control of inmates and performs other functions related to said responsibilities within a minimum or medium security level facility not owned by the Department but operated by the contractor~~;~~ or

~~(2)~~ b. a nongovernmental entity or public trust which, pursuant to a contract with the United States or another state, provides for the housing, care, and control of minimum or medium security inmates in the custody of the United States or another state, and performs other functions related to said

responsibilities within a facility owned or operated by the contractor.

SECTION 3. AMENDATORY 57 O.S. 1991, Section 505, is amended to read as follows:

Section 505. A. There is hereby created the Department of ~~Corrections~~ Prisons which shall consist of divisions, subdivisions, institutions, and such sections, offices and positions as may be established by the Director, ~~subject to the approval of the Board,~~ of the Department of Prisons or by law.

B. Whenever the terms "Department of Corrections", "State Department of Corrections", "Oklahoma Department of Corrections", or "Department", when used in reference to the Department of Corrections of this state, appear in the Oklahoma Statutes they shall mean the Department of Prisons of this state. Whenever the term "Director of the Department of Corrections" appears in the Oklahoma Statutes, it shall mean the Director of the Department of Prisons of this state.

SECTION 4. AMENDATORY 57 O.S. 1991, Section 506, is amended to read as follows:

Section 506. A. There is hereby created the position of Director of ~~Corrections~~ the Department of Prisons. The Director shall be qualified for such position by character, personality, ability, education, training and successful administrative experience in the correctional field; shall have earned a Master's Degree from an accredited college or university with a major field of study in at least one of the following: Corrections, criminal justice, police science, criminology, psychology, sociology, administration, education, or a related social science, and five (5) years' work experience in corrections, or a bachelor's degree in the degree areas above specified and six (6) years' progressively responsible work experience in corrections. The Director ~~of~~ Corrections shall be appointed by the ~~Board of Corrections~~ Governor,

with the advice and consent of the Senate, and shall be subject to removal by ~~a vote of the majority of the entire Board~~ the Governor or in the manner provided by law for the removal of officers not subject to impeachment.

B. In addition to other duties and powers provided by law, the Director shall:

1. Establish policies for the operation of the Department;

2. Establish and maintain such institutions as are necessary or convenient for the operation of programs for the education, training, vocational education and rehabilitation of prisoners under the jurisdiction of the Department;

3. Be authorized to lease any property which the Director shall determine advisable to more fully carry into effect the operation of prison industries;

4. Be authorized to acquire, construct, extend, improve, maintain and operate any and all facilities of all kinds which in the judgment of the Director shall be necessary or convenient to foster the prison industries program;

5. Be authorized to require any personnel of the Department to give bond for the faithful performance of their duties;

6. Be authorized to enter into contracts with private prison contractors; and

7. Be authorized to provide training to employees of private prison contractors and other governmental entities on a fee basis.

SECTION 5. AMENDATORY 57 O.S. 1991, Section 528, is amended to read as follows:

Section 528. The Director of the Department of Corrections shall appoint and fix the duties and compensation of employees necessary to carry out the duties imposed upon the Department of Corrections by law. ~~The State Board of Corrections shall appoint the Director of the Department of Corrections with the advice and~~

~~consent of the Senate.~~ The salary of the Director shall be set by the Legislature in the annual appropriation bill.

SECTION 6. REPEALER 57 O.S. 1991, Sections 503, as amended by Section 5, Chapter 364, O.S.L. 1992, 504 and 550 (57 O.S. Supp. 1995, Section 503), are hereby repealed.

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