

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

CONFERENCE COMMITTEE SUBSTITUTE

FOR ENGROSSED

SENATE BILL NO. 1328

By: Laughlin of the Senate

and

Reese of the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to prisons; amending 57 O.S. 1991, Sections 211, 530.1, as last amended by Section 40, Chapter 293, O.S.L. 1997 and 539 (57 O.S. Supp. 1997, Section 530.1), which relate to occupational rosters, the assessment and reception of inmates and vocational-technical policies; requiring each warden to establish and maintain an occupational roster of inmates; requiring the Department of Corrections to identify certain skills of inmates; requiring certain information to be included in inmate records; requiring system to identify job skills of inmates; directing assignment of certain qualified inmates to certain projects in lieu of certain contractors; and providing an effective date.

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

SECTION 1. AMENDATORY 57 O.S. 1991, Section 211, is amended to read as follows:

Section 211. ~~The Warden of the Oklahoma State Penitentiary at McAlester and the Warden of the Oklahoma State Reformatory at Granite~~ The warden of each state penal institution shall establish and maintain occupational rosters of prisoners incarcerated in their respective institutions, showing prisoners who have special skills and talents in institutional maintenance, including but not limited to dairying, cooking, electrical work, steam boiler work, bricklaying, carpenter work, heat and air conditioning work, and common labor.

SECTION 2. AMENDATORY 57 O.S. 1991, Section 530.1, as last amended by Section 40, Chapter 293, O.S.L. 1997 (57 O.S. Supp. 1997, Section 530.1), is amended to read as follows:

Section 530.1 A. The Department of Corrections, by the rules of that Department, shall have the following duties which shall be performed as part of the assessment and reception process of the Department of Corrections, upon reception of each inmate:

1. To administer, or cause to be administered, physical and psychological examination of all inmates;

2. To ~~inventory~~ identify the ~~vocational~~ vocational-technical skills of all inmates. The information shall be noted on and made a part of the record for each inmate;

3. To assess the educational and training needs of all inmates;

4. To determine from available records and interviews, the place of birth of new inmates. The Department of Corrections shall furnish a list of foreign-born nationals and suspected foreign-born nationals to the Immigration and Naturalization Service on a weekly basis;

5. To determine initial security and custody classifications;

6. To determine and recommend for placement in an alcohol or substance abuse treatment facility or program, as provided for in this section, any inmate convicted of alcohol related offenses or otherwise in need of alcohol or substance abuse treatment;

7. To determine and recommend for placement in the Department of Corrections Special Care Unit at the State Penitentiary at McAlester any inmate who is in need of acute psychiatric care;

8. To plan for immediate assignments to institutions, community treatment centers, alcohol or substance abuse treatment centers or programs, alternatives to incarceration authorized by law, or other facilities, public or private, designated by the Department;

9. To recommend possible future assignments to institutions, community treatment centers, alcohol or substance abuse treatment centers or programs, alternatives to incarceration authorized by law, or other facilities designated by the Department;

10. To provide orientation and instruction with respect to rules and procedures for prisoners; and

11. To obtain all relevant juvenile court records and relevant Department of Juvenile Justice agency records, if any, pertaining to inmates and make said records a part of the permanent record maintained by the Department of Corrections regarding the inmate. The information contained in those records shall be used to determine security level and placement of inmates.

B. An alcohol or substance abuse treatment center in which an inmate is placed shall provide services and standards of treatment as provided by the Department of Mental Health and Substance Abuse Services under its rules for alcoholism or substance abuse treatment. Upon placement of a prisoner in a center for alcoholism or substance abuse treatment, the Department of Corrections shall enter into a third party contract with such center for the custodial and professional services rendered to any prisoner. Such contract may include requirements imposed by law on the Department of Corrections or reimbursement for such services, if necessary. The Department of Corrections is further authorized to enter into third party contracts for substance abuse treatment programs which are certified by the Department of Mental Health and Substance Abuse Services to provide professional services on an outpatient basis to prisoners in need of substance abuse treatment and follow-up treatment while assigned to alternatives to incarceration.

C. The Department of Juvenile Justice shall allow reasonable access to its database for the purpose of obtaining the juvenile records required by subsection A of this section.

D. The Department of Corrections shall adopt rules governing the implementation of this section within sixty (60) days from the effective date of this act.

SECTION 3. AMENDATORY 57 O.S. 1991, Section 539, is amended to read as follows:

Section 539. The Director of the Department of Corrections will within thirty (30) days of the effective date of this act:

1. Establish and implement a classification program that will insure the maximum utilization, by qualified inmates, of the

vocational training facilities that exist within designated institutions-;

2. Establish a system of identifying the current vocational-technical job skills of inmates upon reception at the Lexington Assessment and Reception Center and any other place of reception;

3. Establish a system of assigning inmates with vocational-technical job skills in lieu of using outside contractors for internal projects or repairs; and

4. Establish a system of internal periodic audits that will encompass all items of equipment, supplies, materials, livestock and poultry, purchased or produced, within the Department of Corrections and its institutions. Audits shall also include all continuing and special funds and special accounts. The State Auditor and Inspector shall conduct an annual audit of all such areas of accountability.

SECTION 4. This act shall become effective November 1, 1998.

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