

1 STATE OF OKLAHOMA

2 1st Session of the 47th Legislature (1999)

3 COMMITTEE SUBSTITUTE
4 FOR
5 HOUSE BILL NO. 1672

By: Smith (Dale)

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to children; amending Section 96,
9 Chapter 352, O.S.L. 1995 (10 O.S. Supp. 1998, Section
10 7302-6.4), which relates to security measures
11 authorized for use by Department of Juvenile Justice;
12 authorizing use of surveillance cameras in certain
13 facilities; and providing an effective date.

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

15 SECTION 1. AMENDATORY Section 96, Chapter 352, O.S.L.
16 1995 (10 O.S. Supp. 1998, Section 7302-6.4), is amended to read as
17 follows:

18 Section 7302-6.4 A. Use of physical force in institutions and
19 other facilities operated by or through contract with the Department
20 of Juvenile Justice wherein children are housed shall be permitted
21 only under the following circumstances:

- 22 1. For self-protection;
- 23 2. To separate juveniles who are fighting; or
- 24 3. To restrain juveniles in danger of inflicting harm to
25 themselves or others; or
- 26 4. To restrain juveniles who have escaped or who are in the
27 process of escaping.

28 B. When use of physical force is authorized, the least force
29 necessary under the circumstances shall be employed.

30 C. Staff members of residential and nonresidential programs who
31 are assigned to work with juveniles shall receive written guidelines
32 on the use of physical force, and that, in accordance with staff

1 disciplinary procedures, loss of employment may result if
2 unauthorized use of physical force is proven.

3 D. Use of mechanical restraints in institutions and other
4 facilities operated by or through contract with the Department of
5 Juvenile Justice or the Department of Mental Health and Substance
6 Abuse Services wherein children are housed shall be minimal and
7 shall be prohibited except as specifically provided for in the rules
8 of each of the Departments.

9 E. If funds are available, the Department of Juvenile Justice
10 shall be authorized to purchase and install video surveillance
11 cameras in any general purpose or common area of any institution
12 operated by the Department which houses juvenile delinquents. A
13 notice that video surveillance equipment is being used in that area
14 shall be prominently posted in any room where the equipment is being
15 used.

16 SECTION 2. This act shall become effective November 1, 1999.

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