

1 ENGROSSED HOUSE
2 BILL NO. 2729

By: Rousselot and Cannaday of
the House

3 and

4 Garrison of the Senate
5
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7 An Act relating to juvenile justice; amending 10 O.S.
8 2001, Section 7302-6.4, as amended by Section 21,
9 Chapter 234, O.S.L. 2009, and as renumbered by
10 Section 174, Chapter 234, O.S.L. 2009 (10A O.S. Supp.
11 2009, Section 2-7-604), which relates to use of
12 physical force; authorizing use of chemical agents
and electroshock weapons under certain circumstances;
and providing an effective date.

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

14 SECTION 1. AMENDATORY 10 O.S. 2001, Section 7302-6.4, as
15 amended by Section 21, Chapter 234, O.S.L. 2009, and as renumbered
16 by Section 174, Chapter 234, O.S.L. 2009 (10A O.S. Supp. 2009,
17 Section 2-7-604), is amended to read as follows:

18 Section 2-7-604. A. Use of physical force in institutions and
19 other facilities operated by or through contract with the Office of
20 Juvenile Affairs wherein children are housed shall be permitted only
21 under the following circumstances:

- 22 1. For self-protection;
 - 23 2. To separate juveniles who are fighting; or
- 24

1 3. To restrain juveniles in danger of inflicting harm to
2 themselves or others; or

3 4. To restrain juveniles who have escaped or who are in the
4 process of escaping.

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

7 C. Staff members of residential and nonresidential programs who
8 are assigned to work with juveniles shall receive written guidelines
9 on the use of physical force, and that, in accordance with staff
10 disciplinary procedures, loss of employment may result if
11 unauthorized use of physical force is proven.

12 D. Use of mechanical restraints in institutions and other
13 facilities operated by or through contract with the Office of
14 Juvenile Affairs or the Department of Mental Health and Substance
15 Abuse Services wherein children are housed shall be minimal and
16 shall be prohibited except as specifically provided for in the rules
17 of the Office of Juvenile Affairs and Department of Mental Health
18 and Substance Abuse Services.

19 E. Use of chemical agents and electroshock weapons in secure
20 facilities operated by or through contract with the Office of
21 Juvenile Affairs shall be minimal and shall be prohibited except as
22 specifically provided for in the rules of the Office of Juvenile
23 Affairs.

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