

1 ENGROSSED SENATE  
2 BILL NO. 1109

By: Fry of the Senate

3 and

4 Babinec of the House  
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6 An Act relating to prisons and reformatories;  
7 amending 57 O.S. 2011, Section 530.1, as amended by  
8 Section 2, Chapter 388, O.S.L. 2017 (57 O.S. Supp.  
9 2017, Section 530.1), which relates to the Oklahoma  
10 Inmate Literacy Act; providing that certain records  
11 may be kept confidential; and providing an effective  
12 date.

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

13 SECTION 1. AMENDATORY 57 O.S. 2011, Section 530.1, as  
14 amended by Section 2, Chapter 388, O.S.L. 2017 (57 O.S. Supp. 2017,  
15 Section 530.1), is amended to read as follows:

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

20 1. To administer, or cause to be administered, physical and  
21 psychological examination of all inmates, including any requirement  
22 to collect biological samples for DNA testing pursuant to Section  
23 991a of Title 22 of the Oklahoma Statutes and Section 150.27a of  
24 Title 74 of the Oklahoma Statutes, or other provision of law;

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

4        3. To assess the educational and training needs of all inmates  
5 and recommend for placement any inmate with an educational need as  
6 established in Section 510.7 of this title;

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

12        5. To determine initial security and custody classifications;

13        6. To determine and recommend for placement in an alcohol or  
14 substance abuse treatment facility or program, as provided for in  
15 this section, any inmate in need of alcohol or substance abuse  
16 treatment;

17        7. To determine and recommend for placement in the Department  
18 of Corrections Mental Health Unit any inmate who is in need of acute  
19 psychiatric care;

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

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

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

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

13        12. To administer a risk and needs assessment on each inmate  
14 and develop an individualized case plan based on the results of the  
15 assessment to guide an inmate's rehabilitation while in the  
16 Department's custody in order to reduce the likelihood of  
17 recidivism.

18        B. An alcohol or substance abuse treatment center in which an  
19 inmate is placed shall provide services and standards of treatment  
20 as provided by the Department of Mental Health and Substance Abuse  
21 Services under its rules for alcoholism or substance abuse  
22 treatment. Upon placement of a prisoner in a center for alcoholism  
23 or substance abuse treatment, the Department of Corrections shall  
24 enter into a third party contract with such center for the custodial

1 and professional services rendered to any prisoner. Such contract  
2 may include requirements imposed by law on the Department of  
3 Corrections or reimbursement for such services, if necessary. The  
4 Department of Corrections is further authorized to enter into third  
5 party contracts for substance abuse treatment programs which are  
6 certified by the Department of Mental Health and Substance Abuse  
7 Services to provide professional services on an outpatient basis to  
8 prisoners in need of substance abuse treatment and follow-up  
9 treatment while assigned to alternatives to incarceration.

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

13 D. The Department may keep inmate records confidential where  
14 disclosure would constitute a clearly unwarranted invasion of  
15 personal privacy. Records that may be kept confidential include:

- 16 1. Personal medical information that is not already public;
  - 17 2. Personal information of any individual listed as a family  
18 member or a visitor of the inmate. Personal information to be kept  
19 confidential shall be the address, phone number, date of birth,  
20 license plate number and driver license number of a listed family  
21 member or visitor of the inmate. The name of any individual listed  
22 as a family member or a visitor of the inmate shall not be kept  
23 confidential;
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3. Personal information of the victim or victims of the inmate.

Personal information to be kept confidential shall be the name, address, phone number, date of birth, driver license number and license plate number of the victim or victims of the inmate;

4. Any information that would identify minors under the age of sixteen (16) years of age;

5. Personal banking and financial information; and

6. Program, education and treatment records.

E. The Department of Corrections shall adopt rules governing the implementation of this section.

SECTION 2. This act shall become effective November 1, 2018.

Passed the Senate the 8th day of March, 2018.

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Presiding Officer of the Senate

Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
2018.

Presiding Officer of the House  
of Representatives