

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

SENATE BILL 1109

By: Fry

AS INTRODUCED

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

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

SECTION 1. AMENDATORY 57 O.S. 2011, Section 530.1, as  
amended by Section 2, Chapter 388, O.S.L. 2017 (57 O.S. Supp. 2017,  
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, including any requirement  
to collect biological samples for DNA testing pursuant to Section

1 991a of Title 22 of the Oklahoma Statutes and Section 150.27a of  
2 Title 74 of the Oklahoma Statutes, or other provision of law;

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

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

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

14 5. To determine initial security and custody classifications;

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

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

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

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

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

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

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

20 B. An alcohol or substance abuse treatment center in which an  
21 inmate is placed shall provide services and standards of treatment  
22 as provided by the Department of Mental Health and Substance Abuse  
23 Services under its rules for alcoholism or substance abuse  
24 treatment. Upon placement of a prisoner in a center for alcoholism

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

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

15 D. The Department may keep inmate records confidential where  
16 disclosure would constitute a clearly unwarranted invasion of  
17 personal privacy.

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

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

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