

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

HOUSE BILL 3211

By: Lawson

AS INTRODUCED

An Act relating to children; establishing a grievance procedure for children detained in adult facilities; directing administration by Oklahoma Commission on Children and Youth; requiring notice to certain agencies; establishing emergency grievances; requiring facilities to make procedures available; directing Oklahoma Commission on Children and Youth to promulgate rules; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-3-105 of Title 10A, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Commission on Children and Youth shall administer a grievance process to be utilized by children detained in a jail, adult lockup or other facility. The grievance process shall be available to a child at any time prior to or after adjudication or conviction or during his or her incarceration. Grievances may be filed either by the child or by anyone acting on the child's behalf.

1 B. Grievances shall be directed to the Commission's Office of
2 Juvenile System Oversight for investigation, resolution and referral
3 to the appropriate agency if deemed necessary.

4 1. The Office of Juvenile System Oversight shall have the
5 authority to investigate complaints including, but not limited to,
6 the following:

- 7 a. placement,
- 8 b. treatment,
- 9 c. psychological services,
- 10 d. social services,
- 11 e. educational services,
- 12 f. recreation,
- 13 g. abuse, neglect or misconduct,
- 14 h. cleanliness and hygiene, and
- 15 i. routine problems with employees, contractors or other
16 incarcerated persons within the facility.

17 2. The Office of Juvenile System Oversight shall notify the
18 Office of Juvenile Affairs compliance monitor or designee when a
19 grievance is received. The Office of Juvenile System Oversight
20 shall notify the Department of Human Services when a grievance is
21 received on a child who is in the custody of the Department.

22 C. Each facility in which children are being held shall:

23 1. Make all grievance policies and procedures available upon
24 request to any member of the public;

1 2. Make grievance policies and procedures readily accessible to
2 any children in the facility; and

3 3. Explain all grievance policies and procedures to every child
4 during his or her intake at the facility.

5 D. The Oklahoma Commission on Children and Youth shall
6 promulgate rules for the purposes of administering this section that
7 are consistent with grievance procedures available to children
8 detained in juvenile detention facilities as promulgated by the
9 Office of Juvenile Affairs.

10 SECTION 2. This act shall become effective November 1, 2020.

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