

1 **SENATE FLOOR VERSION**

2 April 7, 2021

3 ENGROSSED HOUSE
4 BILL NO. 2317

By: Lawson, Munson and Dills of
the House

5 and

6 Haste and Floyd of the
7 Senate

8
9 An Act relating to children; establishing a grievance
10 process for children detained in adult facilities;
11 directing administration by Oklahoma Commission on
12 Children and Youth; granting investigatory authority
13 to the Office of Juvenile System Oversight; requiring
14 notice to certain agencies; requiring facilities to
15 make procedures available; directing Oklahoma
16 Commission on Children and Youth to promulgate rules;
17 making grievance process inapplicable to certain
18 children; providing for codification; and providing
19 an effective date.

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1 any time prior to or after adjudication or conviction or during his
2 or her incarceration. Grievances may be filed either by the child
3 or by a person responsible for the juvenile's health or welfare as
4 defined by Section 2-1-103 of Title 10A of the Oklahoma Statutes
5 acting on the child's behalf.

6 B. Grievances shall be directed to the Commission's Office of
7 Juvenile System Oversight for investigation, resolution and referral
8 to the appropriate agency if deemed necessary, including, but not
9 limited to, the State Department of Health.

10 1. The Office of Juvenile System Oversight shall have the
11 authority to investigate complaints, including, but not limited to,
12 the following:

- 13 a. placement,
- 14 b. treatment,
- 15 c. psychological services,
- 16 d. social services,
- 17 e. educational services,
- 18 f. recreation,
- 19 g. abuse, neglect or misconduct,
- 20 h. cleanliness and hygiene, and
- 21 i. routine problems with employees, contractors or other
22 incarcerated persons within the facility.

23 2. The Office of Juvenile System Oversight shall notify the
24 Office of Juvenile Affairs compliance monitor or designee when a

1 grievance is received. The Office of Juvenile System Oversight
2 shall notify the Department of Human Services when a grievance is
3 received regarding a child in the custody of the Department of Human
4 Services.

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

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

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

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

12 D. The Oklahoma Commission on Children and Youth shall
13 promulgate rules for the purposes of administering this section that
14 are consistent with grievance procedures available to children
15 detained in juvenile detention facilities as promulgated by the
16 Office of Juvenile Affairs.

17 E. The provisions of this section shall not apply to any child
18 housed in a Department of Corrections facility or housed under a
19 contract with the Department of Corrections.

20 SECTION 2. This act shall become effective November 1, 2021.

21 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
22 April 7, 2021 - DO PASS

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