

# An Act

ENROLLED HOUSE  
BILL NO. 2317

By: Lawson, Munson and Dills of  
the House

and

Haste and Floyd of the  
Senate

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

SUBJECT: Children

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 an adult jail, adult lockup, adult detention or other adult 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 a person responsible for the juvenile's health or welfare as

defined by Section 2-1-103 of Title 10A of the Oklahoma Statutes acting on the child's behalf.

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

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

- a. placement,
- b. treatment,
- c. psychological services,
- d. social services,
- e. educational services,
- f. recreation,
- g. abuse, neglect or misconduct,
- h. cleanliness and hygiene, and
- i. routine problems with employees, contractors or other incarcerated persons within the facility.

2. The Office of Juvenile System Oversight shall notify the Office of Juvenile Affairs compliance monitor or designee when a grievance is received. The Office of Juvenile System Oversight shall notify the Department of Human Services when a grievance is received regarding a child in the custody of the Department of Human Services.

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

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

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

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

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

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

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

Passed the House of Representatives the 2nd day of March, 2021.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the 21st day of April, 2021.

\_\_\_\_\_  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_