



State of Oklahoma  
OFFICE OF JUVENILE AFFAIRS  
Lloyd E. Rader Center  
13323 West Highway 51  
Sand Springs, Oklahoma 74063-9632  
918-246-8000

October 16, 2009

Oklahoma Commission on Children and Youth  
Office of Juvenile System Oversight  
500 North Broadway Avenue, Suite 300  
Oklahoma City, Oklahoma 73102-6200

Dear Mr. Kibble;

Enclosed are the responses to the Office of Juvenile System Oversight's (OJSO) visit to the L.E. Rader Center on May 20, 21, 22, 26, 27, and June 3, 2009.

**Violations:**

#1.) The mechanical restraint report (RC-88) did not include the reason restraints were used or who authorized the use of the restraints when the restraints had been applied for on campus transport. IOKDHD Licensing Requirements for Residential Child Care Facilities, 340:110-3-1169, Requirements for secure care facilities, (4), Seclusion and mechanical restraint log, (B), states, in part, "The log includes:... the name of the person authorizing the use of seclusion or mechanical restraint...." LERC policy RC30100.11, Mechanical Restraints, II, Documentation, (B), 1 through 3, states, in part, "All uses of mechanical restraints are recorded on the Use of Mechanical Restraints Report (RC-88). [This] [r]eport will include conditions under which restraints may be used; [the] [t]ypes of restraints to be applied for specific conditions; [and the] [p]erson authorizing the use of restraints...."

**Response:**

Mechanical Restraint Reports are now reviewed and signed by the Chief Of Security. Any deficiency noted on the report is returned to the JSO for corrections prior to final signature and filing.

#2.) The solitary confinement log indicated that there were two incidents in which a resident had been confined for more than three hours. OJA policy, OPAC 377:35-11-4, Solitary confinement, (b), states, in part, "Solitary confinement shall not be used for punishment at any OJA institution. No juvenile shall remain in solitary confinement in excess of three hours...." LERC policy, Procedure Number" RC30500.04, I, Solitary Confinement, (E), states, in part, "Placement in Solitary Confinement will not exceed three hours as in accordance with OJA Standard 377:35-11-4. 3-JTS-3E-03...."

**Response:**

Due to the juvenile's unwillingness to comply with staff's directives, he was placed in Solitary Confinement in excess of three hours. In the future, the facility will make every effort to comply with the facility's procedure regarding Solitary Confinement.

#3.) According to the grievance logs, there were seventy-seven grievances that had not been resolved. In addition, seven out of fifteen grievance forms reviewed had been appealed at the first level, but had not been resolved within the five-day time frame. OJA policy, OAC 377:3-1-30, Grievance procedures for institutions, group homes, and contract facilities, (b), Institutions, states, in part:

The assigned staff shall review each grievance and attempt to resolve the grievance with the juvenile. If the grievance is not resolved in three working days, the juvenile may appeal to the supervisor or facility administrator who will have an additional five working days in which to attempt resolution. The grievance shall be resolved within seven working days.

**Response:**

The facility will strive to complete all grievances within the allotted time frames. We encourage OCCY to provide the facility with the juvenile names and the grievance information, so that we can investigate and provide the juveniles with a response to their concerns.

#4.) According to the Caretaker Conduct Review log, there were sixteen CCRs that were not completed within the thirty-day time frame. OKDHS

policy, OAC 340:2-3-37, Caretaker Conduct review (CCR), (f), Time for completion of report, states, "the final written report is submitted to the advocate general within 30 calendar days from the date that OCA intake notified the administrator that an allegation is referred for CCR"

**Response:**

The workload of completion of CCR's has been expanded to include the use of the two disciplinary hearing officers to assist in the completion of CCR's. Additionally, Investigative Training has recently been conducted at our facility to train additional personnel in the completion of these reports.

Sincerely,

Mike Moriarity  
Institutional Superintendent  
Lloyd Rader Center

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