

BEFORE THE OKLAHOMA STATE DEPARTMENT OF HEALTH
STATE OF OKLAHOMA

Filed

JUN 24 2022

Office of
Administrative Hearings

OKLAHOMA STATE DEPARTMENT OF)
HEALTH, PROTECTIVE HEALTH SERVICES,)

Petitioner,)

v.)

Case No.: PHS-2022-506

OKLAHOMA COUNTY CRIMINAL JUSTICE)
AUTHORITY a/k/a OKLAHOMA COUNTY)
DETENTION CENTER,)

Respondent.)

ADMINISTRATIVE COMPLIANCE ORDER

Based upon the representations of the Protective Health Services division of the Oklahoma State Department of Health, the Commissioner of the Oklahoma State Department of Health (hereinafter "OSDH") finds the Oklahoma County Criminal Justice Authority a/k/a Oklahoma County Detention Center (hereinafter "OCDC") and its Administrator, Greg Williams, are in violation of Title 310, Chapter 670 of the Oklahoma Administrative Code (hereinafter "OAC," "Rule," or "Rules"). Accordingly, this Order is hereby issued, pursuant to Okla. Stat. tit. 63 § 1-1701.1A.

LEGAL AUTHORITY

1. OSDH is the agency with statutory authority to inspect city and county jails to ensure compliance with the regulatory rules and standards promulgated pursuant to Okla. Stat. tit. 74 § 192.

2. OCDC currently operates as a county jail, located in Oklahoma City, Oklahoma County.

FINDINGS OF FACTS

3. On February 5, 2021, OSDH conducted an unannounced inspection of OCDC. As a result of that inspection, OSDH identified the following twenty-six (26) violations:

- a. 5202 – Visually monitoring inmates each hour
- b. 5230 – Notification to OSDH of serious injury by next working day
- c. 5232 – Notification to OSDH of suicide by next working day
- d. 5301 – Staff Provide 24-hour supervision of inmates
- e. 5302 – Staff to physically or via CCTV monitor inmates 24-hour
- f. 5303 – Adequate staffing to fully operate the facility
- g. 5601 – Facility kept in a clean condition
- h. 5603 – Facility floors kept clean and safe
- i. 5604 – Inmates provided with routine cleaning supplies
- j. 5612 – Inmates provided clean towels and bed linens weekly
- k. 5613 – Regular laundry exchange
- l. 5618 – Sufficient showers at least three (3) time per week
- m. 5620 – Water meets standards; hot/cold water in all showers and washbasins
- n. 5621 – Eliminate pests / pest control
- o. 5623 – Fire safety prevention
- p. 5626 – Building materials meet fire prevention standards
- q. 5627 – Heating system maintain min. temp. of 65 degrees Fahrenheit
- r. 5700 – At least three (3) meals every 24 hours; at least two (2) hot meals daily
- s. 5801 – Adequate observation for medical or psychiatric risk
- t. 5802 – Prescription possession by inmate
- u. 6101 – Double cell occupancy minimum of 60 square feet
- v. 6103 – Light at a minimum of 20ft candles
- w. 6218 – Bunks/storage by square footage
- x. 6224 – Maintained floor drains
- y. 7002 – Juvenile hourly sight checks
- z. 7005 – Juvenile/staff communication

4. Based on the violations identified, OCDC was determined to be substantially non-compliant with the applicable standards.

5. In accordance with Okla. Stat. tit. 74 § 193(B), a copy of the written inspection report outlining the above-referenced violations was provided to OCDC on March 30, 2021.

6. On June 23, 2021, OSDH conducted an unannounced follow-up inspection of OCDC. As a result of that inspection, OSDH identified the following thirty-five (35) violations:

- a. 5102 – Intake medical & psychiatric screening
- b. 5201 – Documented inmate count at start of shift
- c. 5202 – Visually monitoring inmates each hour
- d. 5222 – Use of force documentation / treatment
- e. 5223 – Use of restraints on inmate / supervision
- f. 5230 – Notification to OSDH of serious injury by next working day
- g. 5232 – Notification to OSDH of suicide by next working day
- h. 5301 – Staff Provide 24-hour supervision of inmates
- i. 5302 – Staff to physically or via CCTV monitor inmates 24-hour
- j. 5303 – Adequate staffing to fully operate the facility
- k. 5501 – Opposite sex housing requirement
- l. 5502 – Juvenile separated by sight and sound
- m. 5601 – Facility kept in a clean condition
- n. 5603 – Facility floors kept clean and safe
- o. 5604 – Inmates provided with routine cleaning supplies
- p. 5612 – Inmates provided clean towels and bed linens weekly
- q. 5613 – Regular laundry exchange
- r. 5615 – Document issuance of clothing and bed linens
- s. 5618 – Sufficient showers at least three (3) time per week
- t. 5620 – Water meets standards; hot/cold water in all showers and washbasins
- u. 5621 – Eliminate pests / pest control
- v. 5623 – Fire safety prevention
- w. 5626 – Building materials meet fire prevention standards
- x. 5700 – At least three (3) meals every 24 hours; at least two (2) hot meals daily
- y. 5800 – Develop health care plan
- z. 5801 – Adequate observation for medical or psychiatric risk
- aa. 5802 – Prescription possession by inmate
- bb. 5804 – Document inmate behavior / psychiatric risk
- cc. 6101 – Double cell occupancy minimum of 60 square feet
- dd. 6103 – Light at a minimum of 20ft candles
- ee. 6218 – Bunks/storage by square footage
- ff. 6224 – Maintained floor drains
- gg. 7002 – Juvenile hourly sight checks
- hh. 7005 – Juvenile/staff communication
- ii. 7200 – Juvenile inmate documentation and reporting

7. Additionally, as a result of the June 23, 2021 follow-up inspection, OSDH identified twenty-five (25) violations previously identified during the February 5, 2021 inspection.

The following were identified as repeat violations:

- a. 5202 – Visually monitoring inmates each hour
- b. 5230 – Notification to OSDH of serious injury by next working day
- c. 5232 – Notification to OSDH of suicide by next working day
- d. 5301 – Staff Provide 24-hour supervision of inmates

- e. 5302 – Staff to physically or via CCTV monitor inmates 24-hour
- f. 5303 – Adequate staffing to fully operate the facility
- g. 5601 – Facility kept in a clean condition
- h. 5603 – Facility floors kept clean and safe
- i. 5604 – Inmates provided with routine cleaning supplies
- j. 5612 – Inmates provided clean towels and bed linens weekly
- k. 5618 – Sufficient showers at least three (3) time per week
- l. 5620 – Water meets standards; hot/cold water in all showers and washbasins
- m. 5621 – Eliminate pests / pest control
- n. 5623 – Fire safety prevention
- o. 5626 – Building materials meet fire prevention standards
- p. 5700 – At least three (3) meals every 24 hours; at least two (2) hot meals daily
- q. 5801 – Adequate observation for medical or psychiatric risk
- r. 5802 – Prescription possession by inmate
- s. 6101 – Double cell occupancy minimum of 60 square feet
- t. 6103 – Light at a minimum of 20ft candles
- u. 6218 – Bunks/storage by square footage
- v. 6224 – Maintained floor drains
- w. 7002 – Juvenile hourly sight checks
- x. 7005 – Juvenile/staff communication
- y. 7200 – Juvenile inmate documentation and reporting

8. Based on the repeat violations identified above, OCDC was determined to be in continuing substantial non-compliance with the applicable standards.

9. Significantly, all twenty-five (25) repeat violations identified above pertain to life safety and health, and security standards promulgated by OSDH.

10. In accordance with Okla. Stat. tit. 74 § 193(B), a copy of the written inspection report outlining the above-referenced violations was provided to OCDC on July 13, 2021.

11. On October 22, 2021, OSDH conducted an unannounced follow-up inspection of OCDC. As a result of that inspection, OSDH identified the following twenty-nine (29) violations:

- a. 1505 – Facility policy and procedure standards
- b. 5102 – Intake medical & psychiatric screening
- c. 5103 – Inmate facility rules orientation
- d. 5201 – Documented inmate count at start of shift
- e. 5202 – Visually monitoring inmates each hour
- f. 5216 – Facility staff post orders
- g. 5230 – Notification to OSDH of serious injury by next working day
- h. 5232 – Notification to OSDH of suicide by next working day

- i. 5301 – Staff Provide 24-hour supervision of inmates
- j. 5302 – Staff to physically or via CCTV monitor inmates 24-hour
- k. 5303 – Adequate staffing to fully operate the facility
- l. 5501 – Opposite sex housing requirement
- m. 5601 – Facility kept in a clean condition
- n. 5603 – Facility floors kept clean and safe
- o. 5604 – Inmates provided with routine cleaning supplies
- p. 5606 – Facility hygiene issue
- q. 5608 – Issue cleanable mattress
- r. 5612 – Inmates provided clean towels and bed linens weekly
- s. 5615 – Document issuance of clothing and bed linens
- t. 5618 – Sufficient showers at least three (3) time per week
- u. 5620 – Water meets standards; hot/cold water in all showers and washbasins
- v. 5621 – Eliminate pests / pest control
- w. 5623 – Fire safety prevention
- x. 5626 – Building materials meet fire prevention standards
- y. 5801 – Adequate observation for medical or psychiatric risk
- z. 5802 – Prescription possession by inmate
- aa. 6101 – Double cell occupancy minimum of 60 square feet
- bb. 6103 – Light at a minimum of 20ft candles
- cc. 6218 – Bunks/storage by square footage

12. Additionally, as a result of the October 22, 2021 follow-up inspection, OSDH identified the following twenty-four (24) violations previously identified during the February 5, 2021 and June 23, 2021 inspections. The following were identified as repeat violations:

- a. 5102 – Intake medical & psychiatric screening
- b. 5201 – Documented inmate count at start of shift
- c. 5202 – Visually monitoring inmates each hour
- d. 5230 – Notification to OSDH of serious injury by next working day
- e. 5232 – Notification to OSDH of suicide by next working day
- f. 5301 – Staff Provide 24-hour supervision of inmates
- g. 5302 – Staff to physically or via CCTV monitor inmates 24-hour
- h. 5303 – Adequate staffing to fully operate the facility
- i. 5501 – Opposite sex housing requirement
- j. 5601 – Facility kept in a clean condition
- k. 5603 – Facility floors kept clean and safe
- l. 5604 – Inmates provided with routine cleaning supplies
- m. 5612 – Inmates provided clean towels and bed linens weekly
- n. 5615 – Document issuance of clothing and bed linens
- o. 5618 – Sufficient showers at least three (3) time per week
- p. 5620 – Water meets standards; hot/cold water in all showers and washbasins
- q. 5621 – Eliminate pests / pest control
- r. 5623 – Fire safety prevention

- s. 5626 – Building materials meet fire prevention standards
- t. 5801 – Adequate observation for medical or psychiatric risk
- u. 5802 – Prescription possession by inmate
- v. 6101 – Double cell occupancy minimum of 60 square feet
- w. 6103 – Light at a minimum of 20ft candles
- x. 6218 – Bunks/storage by square footage

13. Based on the repeat violations identified above, OCDC was determined to be in continuing substantial non-compliance with the applicable standards for a second time.

14. Significantly, twenty-three (23) of the twenty-four (24) repeat violations identified above pertain to life safety and health, and security standards promulgated by OSDH. Those repeat life safety and health, and security violations were identified as follows:

- a. 5102 – Intake medical & psychiatric screening
- b. 5201 – Documented inmate count at start of shift
- c. 5202 – Visually monitoring inmates each hour
- d. 5230 – Notification to OSDH of serious injury by next working day
- e. 5232 – Notification to OSDH of suicide by next working day
- f. 5301 – Staff Provide 24-hour supervision of inmates
- g. 5302 – Staff to physically or via CCTV monitor inmates 24-hour
- h. 5303 – Adequate staffing to fully operate the facility
- i. 5501 – Opposite sex housing requirement
- j. 5601 – Facility kept in a clean condition
- k. 5603 – Facility floors kept clean and safe
- l. 5604 – Inmates provided with routine cleaning supplies
- m. 5612 – Inmates provided clean towels and bed linens weekly
- n. 5618 – Sufficient showers at least three (3) time per week
- o. 5620 – Water meets standards; hot/cold water in all showers and washbasins
- p. 5621 – Eliminate pests / pest control
- q. 5623 – Fire safety prevention
- r. 5626 – Building materials meet fire prevention standards
- s. 5801 – Adequate observation for medical or psychiatric risk
- t. 5802 – Prescription possession by inmate
- u. 6101 – Double cell occupancy minimum of 60 square feet
- v. 6103 – Light at a minimum of 20ft candles
- w. 6218 – Bunks/storage by square footage

15. In accordance with Okla. Stat. tit. 74 § 193(B), a copy of the written inspection report outlining the above-referenced violations was provided to OCDC on November 9, 2021.

16. OSDH recently conducted an unannounced follow-up inspection of OCDC on April 13, 14 and 18, 2022. As a result of that inspection, OSDH identified the following twenty-nine (29) violations:

- a. 1505 – Facility policy and procedure standards
- b. 5102 – Intake medical & psychiatric screening
- c. 5103 – Inmate facility rules orientation
- d. 5109 – Inmate personal property inventory
- e. 5201 – Documented inmate count at start of shift
- f. 5202 – Visually monitoring inmates each hour
- g. 5216 – Facility staff post orders
- h. 5301 – Staff Provide 24-hour supervision of inmates
- i. 5302 – Staff to physically or via CCTV monitor inmates 24-hour
- j. 5303 – Adequate staffing to fully operate the facility
- k. 5400 – Rules/Disp/Grievance to Inmate
- l. 5501 – Opposite sex housing requirement
- m. 5601 – Facility kept in a clean condition
- n. 5603 – Facility floors kept clean and safe
- o. 5604 – Inmates provided with routine cleaning supplies
- p. 5606 – Facility hygiene issue
- q. 5608 – Issue cleanable mattress
- r. 5612 – Inmates provided clean towels and bed linens weekly
- s. 5615 – Document issuance of clothing and bed linens
- t. 5618 – Sufficient showers at least three (3) time per week
- u. 5620 – Water meets standards; hot/cold water in all showers and washbasins
- v. 5621 – Eliminate pests / pest control
- w. 5623 – Fire safety prevention
- x. 5626 – Building materials meet fire prevention standards
- y. 5801 – Adequate observation for medical or psychiatric risk
- z. 5802 – Prescription possession by inmate
- aa. 6101 – Double cell occupancy minimum of 60 square feet
- bb. 6103 – Light at a minimum of 20ft candles
- cc. 6218 – Bunks/storage by square footage

17. Additionally, as a result of the April 13, 14 and 18, 2022 follow-up inspection, OSDH identified twenty-seven (27) violations previously identified during the February 5, 2021, June 23, 2021, and October 21, 2021 inspections. The following were identified as repeat violations:

- a. 1505 – Facility policy and procedure standards
- b. 5102 – Intake medical & psychiatric screening

- c. 5103 – Inmate facility rules orientation
- d. 5201 – Documented inmate count at start of shift
- e. 5202 – Visually monitoring inmates each hour
- f. 5216 – Facility staff post orders
- g. 5301 – Staff Provide 24-hour supervision of inmates
- h. 5302 – Staff to physically or via CCTV monitor inmates 24-hour
- i. 5303 – Adequate staffing to fully operate the facility
- j. 5501 – Opposite sex housing requirement
- k. 5601 – Facility kept in a clean condition
- l. 5603 – Facility floors kept clean and safe
- m. 5604 – Inmates provided with routine cleaning supplies
- n. 5606 – Facility hygiene issue
- o. 5608 – Issue cleanable mattress
- p. 5612 – Inmates provided clean towels and bed linens weekly
- q. 5615 – Document issuance of clothing and bed linens
- r. 5618 – Sufficient showers at least three (3) time per week
- s. 5620 – Water meets standards; hot/cold water in all showers and washbasins
- t. 5621 – Eliminate pests / pest control
- u. 5623 – Fire safety prevention
- v. 5626 – Building materials meet fire prevention standards
- w. 5801 – Adequate observation for medical or psychiatric risk
- x. 5802 – Prescription possession by inmate
- y. 6101 – Double cell occupancy minimum of 60 square feet
- z. 6103 – Light at a minimum of 20ft candles
- aa. 6218 – Bunks/storage by square footage

18. Based on the repeat violations identified above, OCDC was determined to be in continuing substantial non-compliance with the applicable standards for a third time.

19. Significantly, twenty-three (23) of the twenty-seven (27) repeat violations identified above pertain to life safety and health, and security standards promulgated by OSDH.

Those repeat life safety and health, and security violations were identified as follows:

- a. 5102 – Intake medical & psychiatric screening
- b. 5201 – Documented inmate count at start of shift
- c. 5202 – Visually monitoring inmates each hour
- d. 5301 – Staff Provide 24-hour supervision of inmates
- e. 5302 – Staff to physically or via CCTV monitor inmates 24-hour
- f. 5303 – Adequate staffing to fully operate the facility
- g. 5501 – Opposite sex housing requirement
- h. 5601 – Facility kept in a clean condition
- i. 5603 – Facility floors kept clean and safe
- j. 5604 – Inmates provided with routine cleaning supplies

- k. 5606 – Facility hygiene issue
- l. 5608 – Issue cleanable mattress
- m. 5612 – Inmates provided clean towels and bed linens weekly
- n. 5618 – Sufficient showers at least three (3) time per week
- o. 5620 – Water meets standards; hot/cold water in all showers and washbasins
- p. 5621 – Eliminate pests / pest control
- q. 5623 – Fire safety prevention
- r. 5626 – Building materials meet fire prevention standards
- s. 5801 – Adequate observation for medical or psychiatric risk
- t. 5802 – Prescription possession by inmate
- u. 6101 – Double cell occupancy minimum of 60 square feet
- v. 6103 – Light at a minimum of 20ft candles
- w. 6218 – Bunks/storage by square footage

20. In accordance with Okla. Stat. tit. 74 § 193(B), a copy of the written inspection report outlining the above-referenced violations was provided to OCDC on May 16, 2022.

CONCLUSIONS OF LAW

21. OSDH has regulatory jurisdiction and authority in this matter, and OCDC is subject to the authority and jurisdiction of OSDH under Okla. Stat. tit. 74 § 192.

22. The Findings of Fact contain repeat life safety and health, and security violations of the following statutory and administrative code requirements:

<u>Statutory / Admin. Code Citation</u>	<u>Deficiency / Violation Title</u>
Okla. Stat. tit. 57 § 57 Okla. Stat. tit. 74 § 192 OAC 310:670-5-1(1)(C)	5102 – Intake medical & psychiatric screening
Okla. Stat. tit. 74 § 192 OAC 310:670-5-2(2)	5201 – Documented inmate count at start of shift
Okla. Stat. tit. 74 § 192 OAC 310:670-5-2(3)	5202 – Visually monitoring inmates each hour
Okla. Stat. tit. 74 § 192 OAC 310:670-5-2(27)(B)	5230 – Notification of serious injury to inmate.
Okla. Stat. tit. 74 § 192 OAC 310:670-5-2(27)(D)	5232 – Notification to OSDH of suicide by next working day
Okla. Stat. tit. 74 § 192 OAC 310:670-5-3(b)	5301 – Staff Provide 24-hour supervision of inmates
Okla. Stat. tit. 74 § 192 OAC 310:670-5-3(c)	5302 – Staff to physically or via CCTV monitor inmates 24-hour
Okla. Stat. tit. 74 § 192 OAC 310:670-5-3(d)	5303 – Adequate staffing to fully operate the facility

Okla. Stat. tit. 57 § 57 Okla. Stat. tit. 74 § 192 OAC 310:670-5-5(1)	5501 – Opposite sex housing requirement
Okla. Stat. tit. 57 § 4 Okla. Stat. tit. 74 § 192 OAC 310:670-5-6(1)	5601 – Facility kept in a clean condition
Okla. Stat. tit. 57 § 4 Okla. Stat. tit. 74 § 192 OAC 310:670-5-6(3)	5603 – Facility floors kept clean and safe
Okla. Stat. tit. 57 § 4 Okla. Stat. tit. 74 § 192 OAC 310:670-5-6(4)	5604 – Inmates provided with routine cleaning supplies
Okla. Stat. tit. 57 § 4 Okla. Stat. tit. 74 § 192 OAC 310:670-5-6(6)	5606 – Facility hygiene issue
Okla. Stat. tit. 57 § 4 Okla. Stat. tit. 74 § 192 OAC 310:670-5-6(7)(A)	5608 – Issue cleanable mattress
Okla. Stat. tit. 57 § 4 Okla. Stat. tit. 74 § 192 OAC 310:670-5-6(10)	5612 – Inmates provided clean towels and bed linens weekly
Okla. Stat. tit. 57 § 4 Okla. Stat. tit. 74 § 192 OAC 310:670-5-6(11)	5613 – Regular laundry exchange
Okla. Stat. tit. 57 § 4 Okla. Stat. tit. 74 § 192 OAC 310:670-5-6(16)	5618 – Sufficient showers at least three (3) time per week
Okla. Stat. tit. 57 § 4 Okla. Stat. tit. 74 § 192 OAC 310:670-5-6(18)	5620 – Water meets standards; hot/cold water in all showers and washbasins
Okla. Stat. tit. 57 § 4 Okla. Stat. tit. 74 § 192 OAC 310:670-5-6(19)	5621 – Eliminate pests / pest control
Okla. Stat. tit. 74 § 192 OAC 310:670-5-6(21)	5623 – Fire safety prevention
Okla. Stat. tit. 74 § 192 OAC 310:670-5-6(24)	5626 – Building materials meet fire prevention standards
Okla. Stat. tit. 74 § 192 OAC 310:670-5-7(a)	5700 – At least three (3) meals every 24 hours; at least two (2) hot meals daily
Okla. Stat. tit. 57 § 57 Okla. Stat. tit. 74 § 192 OAC 310:670-5-8(2)	5801 – Adequate observation for medical or psychiatric risk
Okla. Stat. tit. 74 § 192 OAC 310:670-5-8(2)(A)	5802 – Prescription possession by inmate
Okla. Stat. tit. 57 § 57 Okla. Stat. tit. 74 § 192	6101 – Double cell occupancy minimum of 60 square feet

OAC 310:670-5-11(a)(2)	
Okla. Stat. tit. 74 § 192 OAC 310:670-5-11(a)(4)(A)	6103 – Light at a minimum of 20ft candles
Okla. Stat. tit. 57 § 57 Okla. Stat. tit. 74 § 192 OAC 310:670-5-11(b)(6)(B)	6218 – Bunks/storage by square footage
Okla. Stat. tit. 74 § 192 OAC 310:670-5-11(b)(12)	6224 – Maintained floor drains
Okla. Stat. tit. 74 § 192 OAC 310:670-7-1(c)	7002 – Juvenile hourly sight checks
Okla. Stat. tit. 74 § 192 OAC 310:670-7-1(f)	7005 – Juvenile/staff communication

23. Based on the number of repeat life safety and health, and security violations outlined above, OSDH has determined the application of penalties as follows:

<u>Deficiency / Violation Title</u>	First Inspection	Second Inspection	Third Inspection	Fourth Inspection
5102 – Intake medical & psychiatric screening		June 23, 2021	October 22, 2021	April 18, 2022
5201 – Documented inmate count at start of shift		June 23, 2021	October 22, 2021	April 18, 2022
5202 – Visually monitoring inmates each hour	February 5, 2021	June 23, 2021	October 22, 2021	April 18, 2022
5230 – Notification of serious injury to inmate.	February 5, 2021	June 23, 2021	October 22, 2021	
5232 – Notification to OSDH of suicide by next working day	February 5, 2021	June 23, 2021	October 22, 2021	
5301 – Staff Provide 24-hour supervision of inmates	February 5, 2021	June 23, 2021	October 22, 2021	April 18, 2022
5302 – Staff to physically or via CCTV monitor inmates 24-hour	February 5, 2021	June 23, 2021	October 22, 2021	April 18, 2022
5303 – Adequate staffing to fully operate the facility	February 5, 2021	June 23, 2021	October 22, 2021	April 18, 2022
5501 – Opposite sex housing requirement		June 23, 2021	October 22, 2021	April 18, 2022
5601 – Facility kept in a clean condition	February 5, 2021	June 23, 2021	October 22, 2021	April 18, 2022
5603 – Facility floors kept clean and safe	February 5, 2021	June 23, 2021	October 22, 2021	April 18, 2022
5604 – Inmates provided with routine cleaning supplies	February 5, 2021	June 23, 2021	October 22, 2021	April 18, 2022
5606 – Facility hygiene issue			October 22, 2021	April 18, 2022

5608 – Issue cleanable mattress			October 22, 2021	April 18, 2022
5612 – Inmates provided clean towels and bed linens weekly	February 5, 2021	June 23, 2021	October 22, 2021	April 18, 2022
5613 – Regular laundry exchange	February 5, 2021	June 23, 2021		
5618 – Sufficient showers at least three (3) time per week	February 5, 2021	June 23, 2021	October 22, 2021	April 18, 2022
5620 – Water meets standards; hot/cold water in all showers and washbasins	February 5, 2021	June 23, 2021	October 22, 2021	April 18, 2022
5621 – Eliminate pests / pest control	February 5, 2021	June 23, 2021	October 22, 2021	April 18, 2022
5623 – Fire safety prevention	February 5, 2021	June 23, 2021	October 22, 2021	April 18, 2022
5626 – Building materials meet fire prevention standards	February 5, 2021	June 23, 2021	October 22, 2021	April 18, 2022
5700 – At least three (3) meals every 24 hours; at least two (2) hot meals daily	February 5, 2021	June 23, 2021		
5801 – Adequate observation for medical or psychiatric risk	February 5, 2021	June 23, 2021	October 22, 2021	April 18, 2022
5802 – Prescription possession by inmate	February 5, 2021	June 23, 2021	October 22, 2021	April 18, 2022
6101 – Double cell occupancy minimum of 60 square feet	February 5, 2021	June 23, 2021	October 22, 2021	April 18, 2022
6103 – Light at a minimum of 20ft candles	February 5, 2021	June 23, 2021	October 22, 2021	April 18, 2022
6218 – Bunks/storage by square footage	February 5, 2021	June 23, 2021	October 22, 2021	April 18, 2022
6224 – Maintained floor drains	February 5, 2021	June 23, 2021		
7002 – Juvenile hourly sight checks	February 5, 2021	June 23, 2021		
7005 – Juvenile/staff communication	February 5, 2021	June 23, 2021		
Total Repeat Violations:		25	23	23
Repeat Violations: 138 days at \$800.00 p/d		\$110,400		
Repeat Violations: 121 days at \$800.00 p/d			\$96,800	
Repeat Violations: 178 days at \$800.00 p/d				\$142,000
Total Administrative Penalty:			\$349,200	

ORDER TO COMPLY

24. Based on the Findings of Fact and Conclusions of Law, it is **ORDERED** by the Commissioner of the Oklahoma State Department of Health, as follows:

- a. **OCDC shall immediately correct the violations cited in Paragraph 22 and 23 upon receipt of this Order; and**
- b. **Upon notification by OCDC of corrective action, OSDH shall have sole discretion to determine time and substance of any reinspection.**

25. Proposed solutions to correct the violations outlined above are:

- a. Competent facility leadership to provide operational oversight as well as staff training;
- b. Adequate number of competently trained staff;
- c. Adequate and appropriate cleaning of all facility showers, toilets, cells, and common areas;
- d. Adequate and appropriate supply of all necessary cleaning supplies, clean bedding, inmate sanitary products, clean clothing, and temperature-controlled meals; and
- e. Adequate and appropriate facility maintenance and repair to ensure the life safety and health, and security of inmate and facility staff.

26. Failure to comply with the requirements of this Order will result in additional administrative penalties for the violations cited in Paragraphs 22 and 23 for each day or part of a day that OCDC continues to operate in violation of this Order.

27. Violations beyond those listed in Paragraph 22 and 23 will subject OCDC to additional administrative penalty and may warrant additional administrative action.

28. Service of this Order shall commence with receipt by either the service agent or the facility, whichever occurs first.

GENERAL PROVISIONS

29. OCDC shall allow agents of OSDH entry onto its property, at reasonable times and without advanced notice, for the purposes of inspecting, sampling, records review, and other authorized activities to assess compliance with Oklahoma statutes and rules, and this Order.

30. This Order is in addition to any other remedies provided by law and does not preclude OSDH from seeking such other and further relief, as appropriate.

NOTICE OF OPPORTUNITY TO REQUEST HEARING

31. This Order will automatically become final unless, no later than fifteen (15) days after it is served, Respondent submits to OSDH a written request for a hearing. Such request for hearing shall be directed to:

Administrative Hearing Clerk
Oklahoma State Department of Health
123 Robert S. Kerr Ave., Ste. 1804
Oklahoma City, Oklahoma 73102
Phone: 405-426-8244
Fax: 405-900-7601
E-Mail: oah@health.ok.gov

32. If a hearing is requested, it will be scheduled promptly and Respondent will be notified of the time and place of the hearing.

33. The scope of the hearing will be limited to the matters raised in the request for hearing, unless otherwise permitted by the Administrative Law Judge for good cause.

34. The hearing will be conducted in accordance with the Oklahoma Administrative Procedures Act.

35. The Administrative Law Judge may schedule pre-hearing conferences, if deemed necessary.

36. Unless Respondent is an individual, the Respondent shall be represented by an attorney at the hearing. OAC 310:670-2-21-7(A); *Massongill v. McDevitt*, 1989 OK CIV APP 2.

37. OSDH will seek a default judgment should OCDC fail to appear with counsel at a scheduled hearing or otherwise not file a responsive pleading, as necessary. OAC 310:670-2-21-7(A).

38. Pursuant to Title 310, Chapter 2 of the Oklahoma Administrative Code, the Commissioner designates any inspector employed by OSDH to accomplish service of process for OSDH. This designation shall continue for the duration of this action and apply to any filing made by the Petitioner. OAC 310:670-2-21-4.

DATED THIS 24 DAY OF JUNE, 2022.

OKLAHOMA STATE DEPARTMENT OF HEALTH



KEITH REED, RN, MPH, CPH
COMMISSIONER OF HEALTH

OFFICE OF GENERAL COUNSEL

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CERTIFICATE OF MAILING

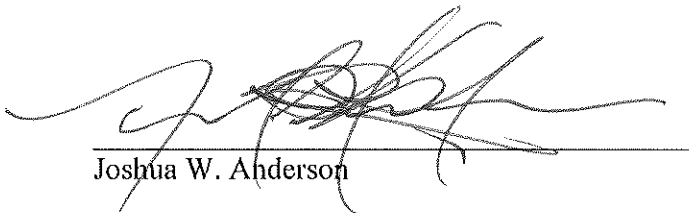
I hereby certify that on the 27 day of June, 2022, a true and correct copy of the above and foregoing was hand-delivered to the following:

Greg Williams, Chief Executive Officer and Administrator
Oklahoma County Criminal Justice Authority
a/k/a Oklahoma County Detention Center
201 North Shartel
Oklahoma City, Oklahoma 73102
Respondent

Additionally, I hereby certify that on the 27 day of June, 2022, a true and correct copy of the above and foregoing was mailed via USPS certified mail to the following:

Greg Williams, Chief Executive Officer and Administrator
Oklahoma County Criminal Justice Authority
a/k/a Oklahoma County Detention Center
201 North Shartel
Oklahoma City, Oklahoma 73102
Respondent

Jim Couch, Chair
Oklahoma County Criminal Justice Authority
a/k/a Oklahoma County Detention Center
320 Robert S. Kerr
Oklahoma City, Oklahoma 73102
Respondent



Joshua W. Anderson