



July 31, 2020

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To Whom It May Concern,

Please find the attached document as required per executive order 2020-3. Last year my staff began an evaluation of our administrative rules to ensure that they were necessary and up-to-date. Last year, we identified low-hanging-fruit in order to quickly remove the most problematic rules that were no longer accurate or necessary. Those changes have been submitted to the Office of Administrative Rules and will go into effect on September 11.

This report aligned with our existing goals of completing a comprehensive review of the remainder of our rules to identify changes to be submitted during the upcoming session. We have identified dozens of edits between the two sessions which will bring our rules in line with current practices and eliminate unnecessary regulations. Please accept the attachment which lists each rule and why it was chosen. I am available if you have any questions or concerns.

Respectfully,

Scott Crow

Oklahoma Department of Corrections

Administrative Rules Report | Executive Order 2020-03

Comprehensive Review of Administrative Rules as of August 1, 2020

Report Submitted by: Scott Crow

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Method Used to Conduct Review: Staff administrative rules liaison completed an in-depth review of the current rules beginning last year. Low-hanging rules were identified for removal and submitted in 2019. Those eliminations are included in this report and will go into effect in September of 2020. Further, the liaison reached out to Deputy Directors responsible for the divisions whose daily work is affected by each chapter and identified rules that can be eliminated. This report includes both the rules being eliminated in September of 2020 (marked with an *) and the rules projected for elimination in 2021.

TOTAL NUMBER OF UNECESSARY, COSTLY, INEFFECTIVE, DUPLICATIVE, OR OUTDATE REGULATIONS: (39)

Title 170 Department of Corrections

Chapter 1- Organization

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
*1-1-4	Director	Prior to 1993					X		This rule attempts to establish the appointment of the Director which is already controlled by state statute which outlines a different process.
*1-1-7 (1-10)	Divisions, subdivisions, institutions, units, sections, offices, and positions	Prior to 1993					X		These parts established specific positions, titles, and chains of command which were overly restrictive and failed to allow necessary mobility.
*1-1-8	Penal Institutions	Prior to 1993					X		This rule lists all of the state's penal institutions, which fails to serve a useful purpose, is already covered by statute, and requires frequent updating if maintained.
*1-1-9	Community corrections centers	Prior to 1993					X		This rule lists all of the state's community corrections centers, which fails to serve a useful purpose and requires frequent updating if maintained.

*1-1-11	Community corrections districts	Prior to 1993					X		This rule lists all of the state's community corrections districts, which fails to serve a useful purpose and requires frequent updating if maintained.
*1-1-14	Public access to public information	Prior to 1993					X		This rule simply restates part of the Oklahoma Open Records Act. It serves no purpose and the language is not consistent with the ORA. The process described is no longer utilized.

Chapter 10-Prisoner Public Works Contracts

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
10-5-1	Calculation of Monthly Invoice	Prior to 1993					X		This rule requires a specific timesheet tracking mechanism as well as a required invoice calculation. This process was too costly to maintain. The agency has updated the contract process to allow for appropriate billing that benefits both the Department and the public works agency entering into the contract.
10-5-2	Billing and reimbursement	Prior to 1993					X		This rule requires a specific monthly billing cycle and reimbursement. This process was replaced with an annual contract for a consistent monthly amount.

Chapter 15-Private Prison Contractor Compliance Monitoring

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
*5-1-2(2)	Scope: Initial Point of Contact	Prior to 1993					X		This language established a specific office and suite number for a point of contact. ODOC is no longer at that address. The part of the rule is not necessary.

Chapter 20-Community Work Centers

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
20-1-1	Purpose	Prior to 1993					X		The community work centers have all been shuttered. There is no expectation that they will resume.
20-1-2	Scope	Prior to 1993					X		The community work centers have all been shuttered. There is no expectation that they will resume.
20-1-3	Definitions	Prior to 1993					X		The community work centers have all been shuttered. There is no expectation that they will resume.
20-3-1	Application for establishment	Prior to 1993					X		The community work centers have all been shuttered. There is no expectation that they will resume.
20-3-2	Selection Criteria	Prior to 1993					X		The community work centers have all been shuttered. There is no expectation that they will resume.
20-3-6	Requests for proposal	Prior to 1993					X		The community work centers have all been shuttered. There is no expectation that they will resume.
20-3-7	Review and evaluation of proposals	Prior to 1993					X		The community work centers have all been shuttered. There is no expectation that they will resume.
20-3-8	Selection of sites for final consideration	Prior to 1993					X		The community work centers have all been shuttered. There is no expectation that they will resume.
20-5-2	Mediation and venue	Prior to 1993					X		The community work centers have all been shuttered. There is no expectation that they will resume.
20-5-3	Governmental disclaimer	Prior to 1993					X		The community work centers have all been shuttered. There is no expectation that they will resume.
20-5-4	Public immunity	Prior to 1993					X		The community work centers have all been shuttered. There is no expectation that they will resume.

Chapter 25-Community Sentencing

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
25-5-1	Performance based evaluation	9/13/1999					X		This process has not been utilized in years. The regulation is not necessary in light of current practices.

Chapter 30 - Tuition Assistance Program

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
30-1-2	Scope	7/25/2002					X		The program is defunct and has not been used in years.
30-1-3	Definitions	7/25/2002					X		The program is defunct and has not been used in years.
30-1-4	Program purpose	7/25/2002					X		The program is defunct and has not been used in years.
30-1-5	Eligibility requirements	7/25/2002					X		The program is defunct and has not been used in years.
30-1-6	Use of tuition assistance	7/25/2002					X		The program is defunct and has not been used in years.
30-1-7	Tuition assistance amounts and limitations	7/25/2002					X		The program is defunct and has not been used in years.
30-1-8	Application and approval	7/25/2002					X		The program is defunct and has not been used in years.
30-1-9	Service/Reimbursement commitment	7/25/2002					X		The program is defunct and has not been used in years.
30-1-10	Record Keeping	7/25/2002					X		The program is defunct and has not been used in years.

Chapter 35 – Employee recruitment referral incentive program

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
35-1-1	Scope	7/11/2005					X		The program is defunct and has not been used in years.
35-1-2	Definitions	7/11/2005					X		The program is defunct and has not been used in years.
35-1-3	Program purpose	7/11/2005					X		The program is defunct and has not been used in years.
35-1-4	Eligibility requirements	7/11/2005					X		The program is defunct and has not been used in years.
35-1-5	Payment conditions and amounts	7/11/2005					X		The program is defunct and has not been used in years.
35-1-6	Limitations	7/11/2005					X		The program is defunct and has not been used in years.
35-1-7	Application and approval	7/11/2005					X		The program is defunct and has not been used in years.
35-1-8	Program evaluation	7/11/2005					X		The program is defunct and has not been used in years.
35-1-9	Record keeping	7/11/2005					X		The program is defunct and has not been used in years.

END OF REPORT