

Oklahoma Jail Standards Act Waiver Request **INSTRUCTIONS**

Please review these instructions before completing the waiver request form. This will ensure you have the necessary information and documents required for submission. Prior to the submission of your request, you may want to review the waiver provisions of the Oklahoma Jail Standards Act (OJSA) [74 O.S. § 192](#), Inspection of Detention Facilities.

Note: Recommend you save your responses on a Word Document so you can copy and paste them onto the [“OSJA Waiver Request Form”](#). In addition, you will be required to upload a pdf document for questions 9 and 10.

BELOW ARE THE QUESTIONS CONTAINED ON THE OSJA WAIVER REQUEST FORM.

1. Name and physical address of the affected facility.

- List the full legal name of the facility and its complete street address (No P.O. boxes).
- Enter the full legal name of the facility for which the waiver is requested.
- Physical Address: Provide the complete physical street address to include the city, state, zip code, and county (no P.O. boxes).

2. Name and contact information of the requesting official.

- Provide the full name, title, agency/department, contact telephone number, and email address of the official submitting the waiver.
- Include a direct cell or office phone number.
- If applicable, list an alternative Point of Contact phone number for OSDH communication.

3. Is the Physical Address the same as the Mailing Address?

- If YES, no further action. You will skip entering another address.
- If NO, you must provide a mailing address in next space provided.

4. Provide Mailing Address.

- Provide the complete mailing address to include the city, state, and zip code.

5. Include all the specific provisions in the Oklahoma Jail Standards Act requested to be waived (Be specific and include the citation).

- Cite the exact statute and section (e.g., Title 74 O.S. §192.3 (6) Inmates to be properly advised of rules of the detention facility in which they are detained).
- Cite each relevant statutory section and subsection (e.g., *Title 74 O.S. §192.3(6)*).
- Verification: Double-check that the citations match the most recent version of the Oklahoma Jail Standards Act.

6. List all areas of the facility that will be affected by this waiver.

- Describe in detail the specific areas, sections, locations and systems of the jail that are involved (e.g., housing units, kitchen, booking, HVAC, plumbing, fire suppression, etc.).
- Explain how the affected area's condition impacts operations or safety.
- Be clear and detailed as to the impact on daily operations for the area.

7. Reason for Waiver. (Be specific and Descriptive)

- Reason for temporary emergency resulting from a natural or man-made disaster.
- The event that caused undue hardship on the facility and/or the inmate population.
- Equipment failures, etc.
- Describe the **event or condition** causing hardship, including:
 - Date and nature of occurrence.
 - How it affects the facility and/or inmate population.
 - Impact on the operation of the facility, resulting in non-compliance.
- Description why compliance is temporarily impossible.
- Be specific and descriptive about the cause and impact of current conditions.

8. Provide justification that the application of the OJSA provision would impose undue hardship on the facility or on the inmate population. (Be Specific).

- Describe in detail how enforcing OJSA provision during this period would create hardship.
- How enforcement of OJSA would impact facility operations (living conditions, housing, hygiene, security, life safety, medical care, fire safety, etc.)
- Identify any alternative **measures** already implemented to mitigate hardship.
- Provide examples of risk mitigation (e.g., temporary relocation of inmates, additional supervision, or emergency repairs).

9. **UPLOAD a “Plan of Compliance” (POC) for the housing and care of the inmate population for the duration of the waiver and subsequent compliance with the OJSA.**

- The POC must not impose undue hardship on the inmate population.
- Describe what measures/steps will be implemented that will ensure adequate housing, security, life safety & health of the inmate population while the waiver is in effect.
- Include a detailed timetable for obtaining Compliance with OJSA.
- Outline in POC how and when full compliance will be restored. Include milestones and completion dates.
- Plan must include the actions to be taken and who is responsible.
- Provide the name of the person who will report to OSDH any updates on the progress of becoming complaint and/or any changes to the facilities submitted POC.

- Include a realistic *timeline* or *milestone chart* (dates and completion goals).
- Describe how inmate and staff safety and well-being will be maintained until compliance is achieved.
- Demonstrate how you will maintain *security, life safety, and inmate health* during the waiver period. Include step-by-step measures to protect inmates and staff.
- Any alternative housing, supervision, or safety protocols.
- Include any policies, procedures, post orders, emergency plans, etc., that need to be written and/or modified during the waiver.
- Provide who is responsible for communicating with the inmate population regarding any approved waiver and its potential effects on living conditions, housing, hygiene, food service, medical care, safety, etc.).
- List any additional staff training required.
- *THIS DOCUMENT IS REQUIRED TO BE UPLOADED WITH THE WAIVER REQUEST FORM*

10. UPLOAD approval to request waiver letter from the Authority Having Jurisdiction.

- Include a signed letter on official letterhead from the governing authority of the detention facility (e.g., Sheriff, Jail Trust Chairperson, or City/Municipal Governing Body).
- The letter must authorize submission of the waiver to OSDH.
- Acknowledge awareness of the affected conditions.
- Identify the impacted area(s) and nature of hardship.
- *THIS DOCUMENT IS REQUIRED TO BE UPLOADED WITH THE WAIVER REQUEST FORM*

11. Does this requested waiver relate, involve, or impact any fire codes? (e.g., Fire Safety, Life Safety, Fire protection, Occupancy, etc.)

- If the waiver relates, involves, or impacts fire codes:
 - Select “YES”, then provide any correspondence the facility has had with the Oklahoma State Fire Marshal concerning the conditions and/or this waiver request.
 - Select “NO”, if the waiver does not relate, involve, or impact fire codes-no further action.

12. UPLOAD any correspondence with the Oklahoma State Fire Marshal concerning this waiver request relating to fire code issues. (Fire and Life Safety, Fire protection, Occupancy, etc.)

Submission

- Upon completion of the online “[OSJA Waiver Request Form](#)”, a pdf document of your completed responses will be generated for your records.
- OSDH will review the request and may contact the submitting official for clarification or additional supporting documentation.

NOTE: Waivers are not applicable for Holding or Lock-Up Facilities