



DISTRICT COURT OF THE STATE OF OKLAHOMA

14TH JUDICIAL DISTRICT
TULSA COUNTY FAMILY
CENTER FOR JUVENILE JUSTICE
500 WEST ARCHER STREET
TULSA, OKLAHOMA 74103-2208

KEVIN GRAY
DISTRICT JUDGE

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July 10, 2024

Dear Commissioners Keith, Sallee, and Dunkerley,

I write today regarding the administration of the Tulsa County Family Center for Juvenile Justice (FCJJ) and its detention facility. As you know, the Office of Juvenile Affairs (OJA) has again identified shortcomings at the FCJJ detention facility, many of which predate my service as a District Judge. OJA's letter sent to you in the Spring of 2022 laid out conditions to correct for the detention facility, and a failure to correct those conditions resulted in detention's license being transitioned to a probationary status in May of 2023. A cooperative effort of OJA, FCJJ administration, and the Board of County Commissioners (BOCC) resulted in OJA awarding a full license to the detention facility in early 2024. Despite ongoing efforts to improve operations, the detention facility is again operating on a probationary license as of July 8, 2024.

Title 10A of the Oklahoma Statutes, Section 2-3-103, provides for the management of juvenile detention facilities. That statute notes that boards of county commissioners shall "(a.) operate the juvenile detention facility through a statutorily constituted juvenile bureau subject to the supervision of the district court, or (b.) operate the juvenile detention facility by employing a manager who may employ personnel and incur other expenses as may be necessary for its operation and maintenance, or (c.) contract with a public agency, private agency, federally recognized tribe, or single or multi-county trust authority for the operation of the juvenile detention facility."

It is abundantly clear to me that a new course needs to be charted for the administration of the detention facility. Therefore, I have two requests of the BOCC. First, I ask the BOCC to alter the operational structure of the detention facility in one of two ways: either to contract with OJA for the operation and management of the detention facility, or to directly operate the detention facility through the employment by the BOCC of a manager of its choice.

An OJA contract would grant OJA full control of detention, including all decisions about its leadership, staff, and operations. It would also empower OJA to establish policies and procedures as it saw fit for the detention facility. After eighteen months of service on the bench assigned to FCJJ, it is my observation that the cycle of detention running afoul of OJA regulations is likely to continue repeating itself absent fundamental, structural change. Contracting with OJA for operation of the detention facility would hand control to the agency recognized by the Oklahoma legislature as the expert in housing, detaining, and providing treatment to troubled and justice involved juveniles. OJA has operated the Central Oklahoma Juvenile Center (COJC) for over one hundred years, and licenses all

county detention facilities in Oklahoma. They are well positioned to manage FCJJ's detention facility safely, humanely, and in accordance with OJA's own regulations.

Alternatively, if you prefer direct control of the detention facility, I invite you to assert that choice and to hire a manager who will report directly to you and outside of the FCJJ leadership structure. The staff and employees would cease being employees of the FCJJ and would become Tulsa County employees, under your direct control and supervision. If you chose to do so, I would do everything possible to make such a transition as smooth as possible. Either way, I am confident that the current structure is unwise and unwieldy, as it puts OJA, the BOCC, and myself as a judicial officer in constant tension as we attempt to collectively manage the detention facility. I urge you to act on my request with all due haste, and to strongly consider entering into such a contract or direct management of the detention facility as soon as possible.

Second, I now formally repeat in writing a request I initially made verbally in person over a year ago. Early last summer, in the wake of OJA's Spring of 2023 letter, I met with Commissioner Keith, Deputy Jim Rea, Deputy Darren Gantz, then-Presiding District Judge Doug Drummond, and Court Administrator Kim Hall. At that meeting, I brought to your attention my belief that the statutory scheme in Title 10A that places a judicial officer in an administrative role over an executive branch/county agency was fundamentally flawed. Not only does it raise separation of powers concerns, it denies the BOCC full control of an agency that it is required by law to fund. Since the BOCC has that statutory financial obligation for FCJJ, it only makes sense for the BOCC to have administrative control as well. I again ask you to request a legislative change to Title 10A to give the BOCC administrative control of FCJJ and its Director.

I am a strong supporter of the work done at FCJJ, and am a fierce advocate for children. I do not make these requests without having given them great thought and prayerful discernment. I humbly urge you to quickly consider my requests, and to take prompt action if you concur. I want the best for FCJJ, its employees, and the families they serve. I know you share that desire. I believe that these two changes will set FCJJ on a new and transformative path, while streamlining operations and giving the BOCC the direct control that I believe should accompany its fiscal responsibility.

Respectfully,



Kevin J. Gray

District Judge

Cc:

Steve Kunzweiler, Tulsa County District Attorney

Lora Howard, Tulsa County Chief Public Defender

Delivered via e-mail and inter-office mail