



OKLAHOMA

OKLA. STAT. tit. 74, § 18p-1 to 18p-3

Okla. Admin. Code § 75:15-2-1

Type of Privilege: Qualified by statute

Notes:

- The privilege in this statute applies only to the case records, case files, case notes, client records, or other similar records of a sexual assault program, and does not cover communications between a sexual assault counselor and a victim in a broader sense
- Because the sexual assault program must be certified by the Attorney General of Oklahoma in order for this privilege to apply, communication between RAINN's Online Hotline counselors and victims would most likely not be privileged under the Oklahoma confidentiality statute

Privilege:

- The case records, case files, case notes, client records, or similar records of a sexual assault program certified by the Attorney General or of any employee or trained volunteer of such a sexual assault program about any victim who has utilized the services of the sexual assault program or counselor shall be confidential and shall not be disclosed OKLA. STAT. tit. 74, § 18p-3 (B.1)
- The location of any victim seeking services from a sexual assault program is confidential and shall not be disclosed OKLA. STAT. tit. 74, § 18p-3 (C)
- The home address, personal telephone number, and social security of staff and volunteers at certified sexual assault programs is confidential information and may not be disclosed OKLA. STAT. tit. 74, § 18p-3 (D)
- A sexual assault program must have written policy and procedures for keeping victim information confidential OKLA. ADMIN. CODE § 75:15-5-4 (b)

Statutory Exceptions to Privilege: None specified

In Camera Review: Provided for by statute

- The court may compel disclosure of privileged information if, after in camera review of the records, the court finds that there is good cause for disclosure OKLA. STAT. tit. 74, § 18p-3 (B.3)

Holder of Privilege:

- Only the victim or the personal representative of a deceased or disabled victim may waive the privilege OKLA. STAT. tit. 74, § 18p-3 (B.3)

Waiver of Privilege:

- Waiver must be in writing OKLA. STAT. tit. 74, § 18p-3 (B.3)

DEFINITIONS:

Information compiled by RAINN and last updated December 2009. For more information, visit rainn.org. © RAINN 2009.

©2009. For reprint permission, please contact RAINN at info@rainn.org. Last updated: December 2009. RAINN (Rape Abuse and Incest National Network) provides general information that is intended, but not guaranteed, to be correct and up-to-date. The information is not presented as a source of legal advice. You should not rely, for legal advice, on statements or representations made by RAINN. If you need legal advice upon which you intend to rely in the course of your legal affairs, consult a competent, independent attorney. RAINN does not assume any responsibility for actions or non-actions taken by people who have used this information, and no one shall be entitled to a claim for detrimental reliance on any information provided or expressed. RAINN does not endorse, guarantee or warranty the accuracy, reliability or thoroughness of any referenced information, product or service.



Client Records:

- Includes, but is not limited to, all communications, records, and information regarding clients of sexual assault programs OKLA. STAT. tit. 74, § 18p-3 (B.2)

Sexual Assault Program:

- An organization that offers or provides support services to victims or survivors of sexual assault and which may provide other services to victims or survivors of sexual assault including, but not limited to, counseling, case management, and referrals OKLA. STAT. tit. 74, § 18p-1 (C) (4)
- According to Oklahoma's Administrative Code, all certified sexual assault crisis intervention services programs must provide the following crisis intervention services:
 - 24-hour crisis telephone services staffed by trained staff or volunteers
 - Cooperation with law enforcement to provide assistance to victim and victim's dependents
 - Provision of a trained staff person or volunteer to talk to the victim
 - Provision of advocacy and referrals to assist victims in obtaining needed services or resources OKLA. ADMIN. CODE § 75:15-2-1 (d)(1)-(7)

Sexual Assault Counselor: No definition specified

Training Requirements for Sexual Assault Counselors:

- A minimum of eight (8) hours of classroom training and basic orientation including, but not limited to, information about sexual assault and rape, date rape, spousal rape, incest, stalking, and sexual harassment
- Training in safety planning and local procedures for providing sexual assault services for victims of rape OKLA. ADMIN. CODE § 75:15-13-25 (a)

Information compiled by RAINN and last updated December 2009. For more information, visit rainn.org. © RAINN 2009.

©2009. For reprint permission, please contact RAINN at info@rainn.org. Last updated: December 2009. RAINN (Rape Abuse and Incest National Network) provides general information that is intended, but not guaranteed, to be correct and up-to-date. The information is not presented as a source of legal advice. You should not rely, for legal advice, on statements or representations made by RAINN. If you need legal advice upon which you intend to rely in the course of your legal affairs, consult a competent, independent attorney. RAINN does not assume any responsibility for actions or non-actions taken by people who have used this information, and no one shall be entitled to a claim for detrimental reliance on any information provided or expressed. RAINN does not endorse, guarantee or warranty the accuracy, reliability or thoroughness of any referenced information, product or service.