

Inmate Marriages	1
I. Policy.....	1
II. Procedures for the Initiation of Inmate Marriages.....	1
A. Eligibility	1
B. Request to Marry.....	1
C. Staff Assistance	2
III. Prerequisite	2
A. Documentation and Associated Costs.....	2
B. Pre-Marriage Counseling	3
IV. Marriage Ceremony	3
A. Conducting the Ceremony.....	3
V. References.....	4
VI. Action.....	4
Attachments.....	6

Section-09 Programs	OP-090128	Page: 1	Effective Date: 01/20/2022
Inmate Marriages	ACA Standards: None		
Scott Crow, Director Oklahoma Department of Corrections		Signature on File	

Inmate Marriages

I. Policy

The Oklahoma Department of Corrections (ODOC) does not encourage marriage while incarcerated, although inmates who are legally eligible to become married in accordance with Oklahoma law may be provided assistance in accordance with this procedure.

II. Procedures for the Initiation of Inmate Marriages

A. Eligibility

1. All inmates may request to marry.
2. Inmates are not allowed to marry anyone who is incarcerated.

B. Request to Marry

1. An "Inmate Marriage Request" ([Attachment A](#), attached) must be obtained by the inmate. The inmate will complete the inmate section of the form and mail it to his/her fiancé. The inmate's fiancée will complete the appropriate section of the form, sign it, and submit it to the agency chaplain.
2. Formerly married inmates (common law or civil marriage) must submit a copy of a valid divorce decree with their request for

marriage unless the inmate's fiancé(e) is also the person listed as a common law spouse

3. Inmate marriage ceremonies will be conducted during the months of March and September. "Inmate Marriage Request" ([Attachment A](#), attached) forms for March wedding ceremonies must be received by December 1st of the preceding year. Request forms for September wedding ceremonies must be received by June 1st. If the ceremony does not take place as scheduled due to a failure to meet the requirements set forth in this policy or a rule violation by either the inmate or their fiancée, the inmate must submit a new request to be considered for a future scheduled wedding ceremony date.
4. The agency chaplain will review the forms and forward the marriage requests, along with the "Inmate Marriage Request Tracking and Approval" form ([Attachment B](#), attached) to the appropriate facility chaplain for processing, unless the nature of the marriage request violates restrictions placed on the chaplain by his/her ordaining/endorsing religious organization. The agency chaplain will work with the facility administration and other designated staff to ensure such requests are processed appropriately.

C. Staff Assistance

At institutions, the facility head will designate staff to assist the inmate in meeting the prerequisites for acquiring a marriage license. At community corrections centers and halfway houses, the facility head will designate staff to assist the inmate, when needed, in acquiring a marriage license.

III. Prerequisite

A. Documentation and Associated Costs

It is the responsibility of the inmate to ensure all documentation is completed and associated costs are paid prior to the marriage ceremony. Documentation and costs are as follows:

1. Divorce decree, where agency records indicate a previous marriage (civil or common law) unless the fiancée is the same person indicated in the previous marriage.
2. Approval by facility head or designee.
3. Proof of Age - Both parties must be a minimum of 18 years old, according to a certified birth certificate or state ID.
4. Payment of license fee to the court clerk (costs to be paid by the inmate or inmate's fiancée).

5. Transportation Costs - If the county where the facility is located requires the inmate and fiancée to sign the county's marriage record book in the county clerk's office, the inmate will be transported to the county clerk's office to sign.
 - a. The inmate is responsible for paying the facility all costs incurred in transporting them to the county clerk's office.
 - b. The cost of the transport will be the actual cost of the salary and benefits of the transporting officer(s), as determined by the agency, plus mileage cost.
 - c. Mileage cost is calculated in the following manner: Miles (as determined by an objective internet based program such as MapQuest) multiplied by the mileage rate (the current rate established by the Internal Revenue Service (IRS) for business expense deductions).
 - d. All costs must be paid prior to the transport.

B. Pre-Marriage Counseling

1. Pre-marriage counseling is not required and will not be provided by the agency.
2. Pre-marriage counseling provided by qualified counselors from outside the agency and paid for by the inmate or the inmate's fiancée will be permitted if the facility is able to provide appropriate supervision.
3. Inmates are encouraged to participate in marriage and family skill building programs where those programs are available.

IV. Marriage Ceremony

A. Conducting the Ceremony

1. When the prerequisites have been met, the marriage ceremony will be added to list of marriages on the next scheduled date and conducted in accordance with the security needs of the facility. Each facility will designate no more than two days each year to conduct marriage ceremonies, one during the month of September and one during the month of March. If circumstances unrelated to the inmate or their fiancée prevent the ceremonies from taking place as scheduled, the facility will schedule an alternative date as soon as possible.

2. Marriage ceremonies will take place at the facility or, based on the security level and supervision requirements, another location approved by the facility head. Specific arrangements for the marriage ceremony will be made in accordance with the security needs of the facility.
3. The inmate or the inmate's fiancée must arrange for a legally authorized person to perform the ceremony. Facility staff will verify that the officiant's credentials are registered at a county courthouse in the state of Oklahoma. If the ceremony is to be conducted at the facility, the person performing the ceremony must provide the necessary information for a criminal record check to be conducted at least two weeks prior to the ceremony and be approved by the facility. Any financial compensation paid to the person performing the ceremony is the responsibility of the inmate or the inmate's fiancée. Chaplains employed by the agency are not allowed to perform marriage ceremonies. No inmate may officiate at the wedding of another inmate, regardless of the credentials possessed.
4. Clothing worn by inmates during the ceremony will be authorized in accordance with [OP-030120](#) entitled "Inmate Property." At community corrections centers or halfway houses, clothing will be authorized by the facility head.
5. [OP-030118](#) entitled "Visitation" will apply to guests at all weddings. All guests must be approved visitors on the inmate's visiting list. No inmates will be allowed as guests at the wedding.
6. If the ceremony does not take place during regular/holiday visitation, the newly married couple will be allowed a 30 minute monitored visit with each other following the ceremony.

V. References

Policy Statement. P-090100 entitled "Provisions of Programs"

OP-030118 entitled "Visitation"

OP-030120 entitled "Inmate Property"

VI. Action

The appropriate administrator of Institutions/Community Corrections is responsible for compliance with this procedure.

The administrator of Programs is responsible for the annual review and revisions.

Section-09 Programs	OP-090128	Page: 5	Effective Date: 01/20/2022
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Any exceptions to this procedure will require prior written approval from the agency director.

This procedure is effective as indicated.

Replaced: OP-090128 entitled "Inmate Marriages" dated October 8, 2020

Distribution: Policy and Operations Manual
Agency Website

<u>Attachments</u>	<u>Title</u>	<u>Location</u>
Attachment A	"Inmate Marriage Request"	Attached
Attachment B	"Inmate Marriage Request Tracking and Approval"	Attached