

August 10, 2004

The regularly scheduled meeting of the Community Corrections Planning Council was called to order this 10<sup>th</sup> day of August, 2004, in the conference room of the Cleveland County Fairgrounds, 605 E. Robinson, Norman, Oklahoma, by Chairman Dave Stockwell. Roll was called by Dorinda Harvey, County Clerk/Secretary and those present were:

Dave Stockwell, Chairman  
Dorinda Harvey, Secretary  
F. DeWayne Beggs, Member  
Waldo Blanton, Member  
William C. Hetherington, Member  
Libba Smith, Member

Vice-Chairman Melissa Houston, Members Leroy Krohmer and Tim Kuykendall were absent.

Others present were: Tim Guinn, Debbie Cox, Steve Nelson, David Williams, Wayne Barnes, Julia Curry, Carmen Jackson, Rhonda Peterson, Jennifer Creecy, Cheryl Farnsworth, and Dr. Margaret Olsen.

Chairman Stockwell asked if the Council was in compliance with the Open Meeting Act. Dorinda Harvey answered in the affirmative.

After the reading of the minutes of the regular meeting of July 13, 2004, and there being no additions or corrections, Waldo Blanton moved that the minutes be approved. F. DeWayne Beggs seconded the motion.

The vote was: Dave Stockwell, yes; Dorinda Harvey, yes; F. DeWayne Beggs, yes; Waldo Blanton, yes; William C. Hetherington, yes; Libba Smith, yes.

Motion carried.

Chairman Stockwell moved, seconded by Dorinda Harvey, to table discussion, consideration, and/or action on the issuance of reimbursement by the Sheriff to DOC until the Council has determined legally how it is to be done.

The vote was: Dave Stockwell, yes; Dorinda Harvey, yes; F. DeWayne Beggs, yes; Waldo Blanton, yes; William C. Hetherington, yes; Libba Smith, yes.

Motion carried.

William C. Hetherington moved, seconded by Waldo Blanton, to approve the review of the month of June bills.

The vote was: Dave Stockwell, yes; Dorinda Harvey, yes; F. DeWayne Beggs, yes; Waldo Blanton, yes; William C. Hetherington, yes; Libba Smith, yes.

Motion carried.

Dorinda Harvey moved, seconded by Waldo Blanton, to table discussion, consideration, and/or action to review the month of July bills.

The vote was: Dave Stockwell, yes; Dorinda Harvey, yes; F. DeWayne Beggs, yes; Waldo Blanton, yes; William C. Hetherington, yes; Libba Smith, yes.

Motion carried.

Chairman Stockwell called for discussion, consideration, and/or action on new legislation pertaining to offenders who have a mental illness being put into Community Sentencing.

Chairman Stockwell introduced Dr. Margaret Olsen, a Psychologist that works on the drug court team and now is a provider for community sentencing.

Judge Hetherington explained to Dr. Olsen what the focus was about concerning mental illness. The question is, should a new bureaucracy be created and a mental health court be created in Cleveland County? The idea being, do we have the structure in place already in community corrections to handle the mentally ill, should we handle the mentally ill, should we make staffing distinctions between substance abuse individuals and mentally ill individuals and direct them in different directions and provide the resources for that? Do we specialize more in that area in community corrections or is this not the appropriate structure? Does it need a more drug court type feel, drug court type staffing and create another bureaucracy with another mental health court? Judge Hetherington stated as per his perspective that is the issue. The issue is not that we need one; there is no question there is a great need here in Cleveland County. Judge Hetherington explained what is going on in Oklahoma County with mental health court.

Dr. Olsen stated she thought that Judge Hetherington observation was exactly accurate.

Clinically it is like a bag of worms trying to sort out which is an addiction problem and which is a mental health problem. They are clearly intertwined and at any given moment either one or the other may be prominent. Dr. Olsen stated she had been back and forth in her own mind about a mental health court, thinking that it's just as a clinician, it's difficult to distinguish, which is which. It seems to Dr. Olsen that to be able to have significant amount of flexibility and being able to move people from treatment providers and to be able to use intervention tools quickly when a substance abuse problem come up like a relapse issue or a mental health issue, that quick intervention can be made. Dr. Olsen stated she did not know of any psychological or assessment tool that can help you clearly make a distinction between those who have mental health issue as a predominant issue and those who might have chemical addiction, they really are very much intertwined and knotted together.

Judge Hetherington thinks the ultimate question is to be able to address mental health issues, and addiction, which is probably going along with it. Some would say you can't address mental health issues in certain people unless it is in a more structure mental health court, like drug court. Drug court is more highly supervised, more highly structured, more hands on than community corrections is, and some would say you just have to have a mental health court because community corrections is not hands on enough. Judge Hetherington's thinking is that it could be, it can be. There is no reason a planning council can't say its going to be, do it. Since the structure is already in place, the funding mechanism in place, to the extent the Legislature sees it then what is wrong with that approach if the Council believes that is the way to go. If it's funded, properly structured, properly manned and staffed, you just have a mental health court within community corrections. Judge Hetherington stated that is not what he favors. He is just saying that is a way to go maybe.

Dr. Olsen stated you have a mental health court whether you know it or not. The more structure you can bring to it, in the long term, the better participates will do. Because most of the mental health issues are going to be arising from out of the lack of internal structure, so being able to present an external structure, with clear requirement and .....

Jennifer Creecy stated that about 50 to 65 percent of the community corrections participants have been diagnosed or treated for a mental illness.

Judge Hetherington asked if Julia Curry, Jennifer Creecy, or Wayne Barnes would have the ability with Dr. Olsen's help, could they say that an individual needs mental health resources?

Carmen Jackson stated that is already being done. That is why additional resources like Dr. Olsen were brought in. Ms. Jackson explained how it was being done.

Judge Hetherington stated what he was hearing is that Dr. Olsen thinks it is possible to structure (mental health) in with community corrections and Dr. Olsen stated she was willing to give it a try.

Discussion took place as to the expenses of mental health and that the number of individuals that could be taken into community sentencing would be lessened. Different options were discussed for funding, such as grants, and other funding sources.

Carmen Jackson doesn't think there would be any problems on getting the system to run, it's going to be the resources.

Chairman Stockwell explained to Cheryl Farnsworth, Assistant District Attorney, that the Legislature changed the statute allowing those individuals who test high or low on a LSI, (not in the moderate range) who had a mental health issue, that the District Attorney could go ahead and put them into the program. Chairman Stockwell asked Ms. Farnsworth if her office had discussed this and Ms. Farnsworth stated that it had not been discussed at all. The only thing that was discussed was the problem with some of the individuals having mental health issues, that there wasn't any resources to help get them through. Ms. Farnsworth has been watching the LSI's more closely and any that come back with the possibility of a mood disorder or a mental health issue she is trying to go ahead and get a mental health evaluation on those people before putting them into community sentencing.

Libba Smith asked about those in drug court what does it do, it must run into dual diagnoses all of the time?

Chairman Stockwell stated that a number of individuals are dual diagnosed and they are sent out to DMH.

Dr. Olsen stated that if they have any kind of insurance they are sent to private providers.

Discussion took place on how drug court was done.

Carmen Jackson stated that she would go back to the State Community Sentencing, if it is the Council's desire, and see if the Council could get more money if the Council acted like a Beta program. A discussion took place on funding.

Dorinda Harvey moved to strike, discussion, consideration, and/or action on new legislation pertaining to offenders who have a mental illness being put into Community Sentencing as no motion was made to approve. William C. Hetherington seconded the motion.

The vote was: Dave Stockwell, yes; Dorinda Harvey, yes; F. DeWayne Beggs, yes; Waldo Blanton, yes; William C. Hetherington, yes; Libba Smith, yes.

Motion carried.

Chairman Stockwell called for discussion, consideration, and/or action to approve payment for comprehensive client report from Oklahoma Court Services at \$15.00 per person per quarter. Chairman Stockwell stated this is the report that is the synopsis of who is in the program, how they have done, how they are doing, and where they are going. This report used to be done monthly and the Council requested it be done quarterly and since this is a new fiscal year the Council needs to approve for the quarterly reports.

Libba Smith moved, seconded by Waldo Blanton to approve.

The vote was: Dave Stockwell, yes; Dorinda Harvey, yes; F. DeWayne Beggs, yes; Waldo Blanton, yes; William C. Hetherington, yes; Libba Smith, yes.

Motion carried.

Chairman Stockwell called for review status on Bench Warrant Executions and Arrest of Absconders and stated that the list is getting shorter.

Jennifer Creecy went over the list of absconders and stated she would keep the Council posted.

Chairman Stockwell called for presentation on Status Report from Oklahoma Court Services, Inc., and Wayne Barnes.

Julia Curry stated there are 71 community-sentencing clients; there are 6 closed cases and 3 new cases. Wayne Barnes got all of the new cases. There were 17 violations; most of them were technical, nothing serious. As of right now there is an average of one incentive hearing a month and would like to do more.

Chairman Stockwell asked if the incentives were working and does it give the clients the extra drive to do well.

Jennifer Creecy stated yes and told to the Council what she has been telling the clients during orientation the past year.

Carmen Jackson stated that in the FY05 contract it is required that all of the providers try to use a 4 to 1 ratio when giving incentives. All of the literature shows that the more positive reinforcement they get is good.

Carmen Jackson gave the Council a list of the people that have had LSI's and are eligible for community sentencing and went over the list. Ms. Jackson was concerned that community sentencing had paid the \$75.00 for the LSI's and some people were going elsewhere and community sentencing was out that money.

Chairman Stockwell asked Judge Hetherington if the Court could order repayment of that \$75.00 if the people do not go to community sentencing if they were otherwise eligible.

Judge Hetherington doesn't mind ordering it at all. He would not hesitate ordering the \$75.00 be paid as court cost, but it would be a mess. The mechanics of it is the problem, not the legality.

There being no further business to come before the Council Chairman Stockwell moved that the meeting be adjourned. Waldo Blanton seconded the motion.

The vote was: Dave Stockwell, yes; Dorinda Harvey, yes; F. DeWayne Beggs, yes; Waldo Blanton, yes; William C. Hetherington, yes; Libba Smith, yes.

Motion carried.