

Before the meeting was called to order a proxy was given to Chairman Dave Stockwell, from member F. DeWayne Beggs, authorizing David E. Williams to represent him as a voting member in his absence.

September 13, 2005

The regularly scheduled meeting of the Community Corrections Planning Council was called to order this 13<sup>th</sup> day of September, 2005, 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  
David Williams, (voting for Member F. DeWayne Beggs)  
Waldo Blanton, Member  
William C. Hetherington, Member  
Tim Kuykendall, Member

Vice-Chairman Melissa Houston was absent at roll call and Members Leroy Krohmer and Libba Smith were absent.

Others present were: Carmen Jackson, Debbie Cox, Terri Paxson, Sonny Scott, Tracy Ramirez, Rhonda Peterson, Wayne Barnes, Steve Nelson, Tim Guinn, Ron Boone, and Dan Merritt.

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 August 9, 2005, and there being no additions or corrections Waldo Blanton moved that the minutes be approved. David Williams seconded the motion.

The vote was: Dave Stockwell, yes; Dorinda Harvey, yes; David Williams, yes; Waldo Blanton, yes; William C. Hetherington, yes; Tim Kuykendall, yes.  
Motion carried.

Chairman Stockwell called for discussion, consideration, and/or action on Refund from the Sheriff. Chairman Stockwell stated that there was documentation presented to members of the Council and that the Sheriff was probably overpaid in the amount of \$1,125.00 for FY 2003. FY 2002 was not paid because the Council was out of money.

David Williams stated as he recalled the Sheriff wants to go ahead and take care of this. Chairman Stockwell stated that was his understanding, to pay it out of the account that it went into, opposed to not receiving money into that account to cover the amount.

Mr. Williams needs to visit with the Sheriff and get confirmation.

Chairman Stockwell moved, seconded by Dorinda Harvey, to table.

The vote was: Dave Stockwell, yes; Dorinda Harvey, yes; David Williams, yes; Waldo Blanton, yes; William C. Hetherington, yes; Tim Kuykendall, yes.  
Motion carried.

(Melissa Houston entered the meeting during the following discussion.)

Chairman Stockwell called for discussion, consideration, and/or action to approve the Contract on Electronic Monitoring of Offenders.

Carmen Jackson stated this was generally consideration GPS for the minutes and the Council did received \$10,000.00 from Justin Jones, which is going to allow for two thousand days. It is not going to require a contract because it would be DOC contracting with DOC. It was decided that the money would be put in a special account for the Council to draw from.

Chairman Stockwell stated that he had briefly look at the FY06 Pilot GPS Program and wanted to know where it came from and who created it?

Ms. Jackson stated that Wayne Barnes, Terry Paxson, and herself created it and she explained the process that was used.

Chairman Stockwell wanted to know if there were offenders ready to start wearing the devices and Ms. Jackson stated that right now there was none.

Ms. Jackson explained the two categories first is how high risk they are when they first come into the program. The next group are the ones as far as home visits, participation, going to their groups, how well their doing in their interactions with their supervision person, whether or not they are homeless and can't be found, if they are difficult to track, people that are dealt with on a monthly basis, so if they are having a hard time or if they have positive UA's, those are perfect candidate.

More discussion took place and Judge Hetherington didn't think that there was anyone today that he would say needs the GPS system, but after his docket yesterday there was about three offenders that if they don't change their compliance they can start being identified.

Chairman Stockwell wondered if it would not be therapeutic if the devices were put on seven or eight people that messed up and it would get through the Community Sentencing Program that this is what is going to happen if you don't play by the rules.

Ms. Jackson thinks that when they go to the docket and the offenders see the devices she thinks that will be good.

Judge Hetherington stated there needs to be a clear understanding, a pre plan, when an offender gets the GPS on them.

Ms. Jackson stated the next step is to write up the procedures.

Judge Hetherington stated that a written directive needed to be given to the offenders.

Dave Stockwell moved, seconded by Melissa Houston, to strike discussion, consideration, and/or action to approve the contract on Electronic Monitoring of Offenders due to the fact that the Council doesn't have to approve a contract.

The vote was: Dave Stockwell, yes; Melissa Houston, yes; Dorinda Harvey, yes; David Williams, yes; Waldo Blanton, yes; William C. Hetherington, yes; Tim Kuykendall, yes.

Motion carried.

Chairman Stockwell called for discussion, consideration, and/or action to approve the Contract with the District Attorney's Office for SCRAM. Chairman Stockwell stated that this test for alcohol in a persons system.

Ms. Jackson stated that the way this was set up (after her meeting with the people) it was her understanding that the Council didn't need a contract because the SCRAM devices are already available in the District Attorney's Office and all that has to be done is to send Community Sentencing People over there.

Tim Kuykendall, District Attorney, stated that after he thought about it there maybe a situation where there might need to be a contract. Mr. Kuykendall had the SCRAM device with him and explained to the Council how it operated. Mr. Kuykendall stated his office had purchased twenty (20) devices at a cost of \$29,000.00. There is a daily monitoring fee of \$5.30 and the offenders are getting charged \$10.00 per day to wear the device, which is \$300.00 per month. In the Drug Court Program the offenders pay in advance the \$300.00 that covers the monitoring fee and the other \$4.70 goes back into the fund that the devices were paid for from. With Community Sentencing, Mr. Kuykendall was thinking that he didn't need a contract if it was offender pay. The offender would just come to the D.A.'s Office and would get it hooked up and the reports would come back to the Council. The D.A.'s Office would work it out with the offender to get the money and there would be no money that would go through DOC so there is no reason to contract. With indigents that can't pay up front and there will be some of those, two things can be done. There can be some slack cut for them and not make them pay, which Mr. Kuykendall is going to do with some Drug Court participates or maybe have the offender pay the \$5.30 and not the \$10.00. If there are funds available to pay and it is DOC's money that is paying the amount then Mr. Kuykendall thinks there may need to be a contract or if the Council is using some of its money to pay for the device then in that situation there does need to be a contract.

Chairman Stockwell thinks there does need to be a contract because the D.A.'s Office would be a service provider and there are funds in the supervision portion of the budget to pay.

Ms. Jackson stated that all of the supervision money was given to Oklahoma Court Services.

Ms. Jackson suggested that the money be taken out of the administrative fees because it is not designated for anything in particular. Ms. Jackson stated that the Council would have to approve it in the minutes to come out of the administrative fees.

Melissa Houston wanted to make sure there were no restrictions on paying the D.A.

Ms. Jackson would have to take bids for administrative fee money but she doesn't think anyone would be lower than the D.A. and she thinks it would be a sole source situation.

Mr. Kuykendall stated he would propose \$5.30 to be paid which is the cost for the offenders that are indigents. The others will be offender pay. Mr. Kuykendall thinks guidelines also need to be in place for this device. This was discussed.

Chairman Stockwell moved, seconded by Melissa Houston, to table discussion, consideration, and/or action to approve the Contract with District Attorney's Office for SCRAM hoping to have a contract in place by next month.

The vote was: Dave Stockwell, yes; Melissa Houston, yes; Dorinda Harvey, yes; David Williams, yes; Waldo Blanton, yes; William C. Hetherington, yes; Tim Kuykendall, yes.

Motion carried.

Melissa Houston moved, seconded by Dorinda Harvey, to approve the Review of the bills for the month of July, 2005.

The vote was: Dave Stockwell, yes; Melissa Houston, yes; Dorinda Harvey, yes; David Williams, yes; Waldo Blanton, yes; William C. Hetherington, yes; Tim Kuykendall, yes.

Motion carried.

Chairman Stockwell called for review status on Bench Warrant Executions and Arrest of Absconders.

Terri Paxson stated that there were no absconders arrested. There were 10 a few month ago but 2 have come off. She has put the 2 in a special category, which is motion to revoke and/or unclosed cases. They are not absconders anymore but they are still in their caseload until the motion to revoke is heard. These offenders are in jail.

Ms. Jackson stated that these offenders would not always be in jail, some of them will be bonded out and discussion took place on putting the new devices on them.

Chairman Stockwell wanted to know if there were procedures in the GPS program that had been addressed on how these people would be handled and Ms. Jackson stated no but these offenders had been talked out and the Judge has always talked about these offenders being real high risk. Chairman Stockwell stated he would like to see some sort of already predetermined plan of action for these types of offenders when they are apprehended and more discussion took place.

Chairman Stockwell called for presentation on Status Report from Oklahoma Court Services, Inc., and Kimberly Weaver and stated that Wayne Barnes is back and Ms. Weaver is gone. Wayne Barnes stated he people were doing pretty well. Mr. Barnes complimented Ms. Jackson for getting so many of his people in treatment.

Judge Hetherington discussed one individual and how well she was doing.

Terri Paxson stated that her caseload was mostly new people. Ms. Paxson reported that last month she had seven violations and no incentives. Next month there will be a very large number of violations and incentives. There was one new case and two that closed. On the closed cases one was successful and one went to prison. Total DOC payments were \$270.00 and the compliance report was 83%.

Chairman Stockwell spoke of a continuing legal education seminar for attorney's to attend. It is going to be over Community Sentencing and Drug Court.

Carmen Jackson stated that the Council had lost one of the LSI providers due to the price of gas. Ms. Jackson thinks this needs to be addressed.

There being no further business to come before the Council, Melissa Houston moved that the meeting be adjourned. Tim Kuykendall seconded the motion.

The vote was: Dave Stockwell, yes; Melissa Houston, yes; Dorinda Harvey, yes; David Williams, yes; Waldo Blanton, yes; William C. Hetherington, yes; Tim Kuykendall, yes.  
Motion carried.