

July 19, 2005

The regularly scheduled meeting of the Community Corrections Planning Council was called to order this 19<sup>th</sup> day of July, 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  
F. DeWayne Beggs, Member  
Waldo Blanton, Member  
William C. Hetherington, Member  
Leroy Krohmer, Member  
Tim Kuykendall, Member  
Libba Smith, Member

Vice-Chairman Melissa Houston was absent at roll call.

Others present were: Cheryl Farnsworth, Terri Paxson, Debbie Cox, David Williams, Carman Jackson, Tracy Ramirez, Steve Nelson, Rhonda Peterson, and Kimberly Weaver.

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 June 14, 2005, and there being no additions or corrections Libba Smith moved that the minutes be approved. 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; Leroy Krohmer, yes; Tim Kuykendall, yes; Libba Smith, yes.

Motion carried.

Chairman Stockwell called for discussion, consideration, and/or action on follow up & evaluation on home visitation. There was discussion a month or two ago regarding some of the offenders that were not receiving close enough attention and the Council wanted to have more home visits.

Terri Paxson stated that there had not been near as many home visits done in June as there was in May, but there will be more home visits in July.

Chairman Stockwell stated that it had been determined that the Council could not hire additional off duty law enforcement officers out of the Council's budget it has to be an open bid process and get a state contract rate which is going to be worked on. This can't be done until the next fiscal year.

Judge Hetherington is disappointed that this can't be done.

(Melissa Houston entered the meeting during this discussion.)

Since nothing can be do to get additional officers until next fiscal year Chairman Stockwell moved to strike this from the agenda. Dorinda Harvey seconded the motion.

The vote was: Dave Stockwell, yes; Melissa Houston, yes; Dorinda Harvey, yes; F. DeWayne Beggs, yes; Waldo Blanton, yes; William C. Hetherington, yes; Leroy Krohmer, yes; Tim Kuykendall, yes; Libba Smith, yes.

Motion carried.

Chairman Stockwell called for discussion, consideration, and/or action to get Offenders with Motion to Accelerate or Revoke out of the System.

Judge Hetherington thinks the Council needs to make a decision what to do with the offenders while they have pending motions to accelerate/motion to revoke. If the offenders are not in jail or they post bond and get out of jail then they are not very susceptible to supervision because they have accelerations and revocations. Judge Hetherington thinks that more then half of them are trying to stay out of the penitentiary, but if they think they are going to go no matter what, than they just don't want to be supervised, they don't care about anything. This is a period of time the community is at risk with this handful of people that are out there on the streets that either aren't being supervised at all or aren't at least responding to the rules and conditions, aren't paying anything.

Chairman Stockwell asked Judge Hetherington if the system was any better that when an offender was arrested on a motion to accelerate or revoke that the offender is coming before him in a very quick time period.

Carmen Jackson stated it is better than it was, but still not as fast as they would like it to be. Right now it is between sixty to ninety days. Ms. Jackson stated that the sanctions are going well it is just the revocations and discussion took place on what all was being done or what could be done.

Ms. Jackson stated that it might be good if there were written procedures to give to the offenders telling them exactly what they have to do and have them sign off on it. Telling the offenders these are the rules, you have had a motion filed this is what you are required to do. Dorinda Harvey moved, seconded by Melissa Houston, to table until the next meeting, so Carman Jackson could put something together for the Council to review, get input from the Council, finalize it and get it where it could start being used.

The vote was: Dave Stockwell, yes; Melissa Houston, yes; Dorinda Harvey, yes; F. DeWayne Beggs, yes; Waldo Blanton, yes; William C. Hetherington, yes; Leroy Krohmer, yes; Tim Kuykendall, yes; Libba Smith, yes.

Motion carried.

Chairman Stockwell moved, seconded by Melissa Houston to approve the Review of the bills for the month of May, 2005.

The vote was: Dave Stockwell, yes; Melissa Houston, yes; Dorinda Harvey, yes; F. DeWayne Beggs, yes; Waldo Blanton, yes; William C. Hetherington, yes; Leroy Krohmer, yes; Tim Kuykendall, yes; Libba Smith, yes.

Motion carried

Chairman Stockwell went to item “4” Discussion on Budget for FY2006, and he stated that the Council got the same amount of money that it received last year, \$125,000.00. No special funding was given for the mental health type individuals. The only good news is that there is a separate set of fund available for inpatient residential treatment. The Council doesn’t have to use any of its \$125,000.00 for the inpatient residential treatment, that comes from somewhere else.

Ms. Jackson stated that the Council ended up spending right around \$100,000.00 and what the State (DOC) did was give all the Councils what they spent. So the State (DOC) gave us back our \$100,000.00 and the State (DOC) also gave this Council \$25,000.00 for the mental health unit last year. Ms. Jackson stated she is still waiting to hear from Justin Jones (with DOC) to see if the GPS is going to be picked up by the State (DOC), for the electronic monitoring and the money for that. Ms. Jackson stated 1.3 million dollars had been budgeted for residential treatment.

Chairman Stockwell then went back to item “3” Discussion on Electronic Monitoring of Offenders and asked Ms. Jackson if the Council was ready to start this program today?

Ms. Jackson stated no because Mr. Jones has not told her about the money.

Chairman Stockwell wanted to know if the Council could use part of its \$125,000.00 to pay for this.

Ms. Jackson stated we could but we would have to talk about where we want to pull the money from, treatment money or supervision money. Ms. Jackson doesn’t what to use any of our money if the State (DOC) is going to give us some from their pot and more discussion took place explaining the program again, cost of the program and if there are any current offenders that might need to be on the program.

Chairman Stockwell wants this on the agenda next month to vote on but he really doesn’t want to wait another three weeks to get the bracelets on the offenders that need them.

Ms. Jackson explained to the Council that this can’t be done until there is a contract in place and discussion took place on the contract.

Tim Kuykendall stated that another type of electronic monitoring that the Council might consider is the SCRAM Program. It is a program that the D.A.’s Office is going to implement with its Drug Court. The Drug Court is expanding into DUI cases as well and this is a similar type of monitoring system as GPS, it is an ankle bracelet, it measures the offenders sweat up to forty-five times per day and measures the alcohol level by testing the sweat. This is an expensive program and there will be a \$10.00 per day charge to the offenders to use the bracelet. The SCRAM Company charges \$5.30 per day to monitor the systems, analyzing the data, and send the D.A.’s Office the reports. The remaining \$4.70 will be for the D.A.’s Office to recoup the initial investment that the program is going to cost. Right now it is the D.A.’s plan for the offender to pay the entire amount about \$300.00 per month.

Judge Hetherington brought up a question as to why the State is putting more emphasis on drug court then community corrections, he understands that the drug court budgets increased dramatically and he was told it was for treatment. Statewide both systems seem to be working and if the State takes DUI away from community corrections and put it in drug court

he thinks they are going to place more emphasis on community correction to take different kinds of offenders with more priors and that seems to be the trend.

More discussion took place on the SCRAM Program.

Chairman Stockwell called for discussion on Attorney General's Opinion on Cost of Incarceration. Chairman Stockwell stated he had received the A.G. Opinion and that the A.G. said that you can't pay the Sheriff more than \$24.00. We can't use the Council's Administrative fund to pay the Sheriff any additional fees and it did not address if the Sheriff had to repay the Council the money from three years ago.

Chairman Stockwell called for discussion, consideration, and/or action on Refund from the Sheriff.

Waldo Blanton asked if the AG didn't say anything about it than why don't we just ignore it. Carman Jackson stated that the problem is that she is responsible and she has to account for it. It doesn't mean that the Sheriff has to write the Council a check, it could just be against future billing. The Council would get credit until that amount is used. (Until the audit is looked at again it was unsure how much the amount was.)

Tracy Ramirez with the Sheriff stated that actually DOC owes the Sheriff's Office \$4,000.00 because when the Sheriff's Office started doing the billing, they had to do a bulk billing for one year and the Sheriff's Office billed for \$7,000.00 and only received \$3,000.00.

Ms. Jackson stated that was because the Sheriff's Office went past the deadline for closing out the fiscal year.

Ms. Ramirez stated they had just been told to bill.

Ms. Jackson stated that was before her time but according to Ed Kearns, (the person who was in Ms. Jackson position) the time it took in order to get the billing the Sheriff's Office had exceeded the time. All of these things have deadlines when you are dealing with fiscal years and the DOC will only allow you so many extra months. Ms. Jackson only has until September to pay bill for FY05 and after that no one can bill her for anything and she can't pay for anything from the previous fiscal year. It is her understanding from Mr. Kearns that because the Sheriff's Office held bills for an entire year the time frame had lapsed, and the Sheriff only received part of the money.

Tim Kuykendall stated that whether it is state money or county money, unless there is statutory authority to spend it, it can't be spent. And if there is not statutory authority to spend it, in the way it was spent, then it ought to be paid back or it is a misappropriation of state funds.

Chairman Stockwell stated he wanted this on the record; the Council did exactly what it was told to do by Bill Yeager (with DOC). Ms. Jackson's boss told the Council to give the extra \$6.00.

Mr. Kuykendall stated there was no criminal intent, but it still needs to be paid back.

More discussion took place on the amount and how it was to be paid back check or credit and Mr. Kuykendall stated that if it is credit that sure needs to be clearly documented that would be hard for an auditor to follow that paper trail.

Ms. Jackson stated that she would have to track it away from what is owed and keep all of those invoices together in a folder until it totals up.

Sheriff Beggs stated that he wanted to make it very clear so if there is the possibility he will just pay it and there wouldn't be a conflict or any kind of a problem following the paperwork, he will just pay it. The Sheriff wants the Council to know that he really appreciates the members being very patient and getting the opinion from the Attorney General this will not only help him but other sheriffs.

Chairman Stockwell moved, seconded by Leroy Krohmer, to table discussion, consideration, and/or action on Refund from the Sheriff.

The vote was: Dave Stockwell, yes; Melissa Houston, yes; Dorinda Harvey, yes; F. DeWayne Beggs, yes; Waldo Blanton, yes; William C. Hetherington, yes; Leroy Krohmer, yes; Tim Kuykendall, yes; Libba Smith, yes.

Motion carried.

Chairman Stockwell called for Review Status on Bench Warrant Executions and Arrest of Absconders.

Melissa Houston asked about one offender that was officially AWOL but that is not reflected on the AWOL report.

Terri Paxson stated it is not on the AWOL report because it is her understanding that the report is after ninety days and it will be on the next one.

(Melissa Houston exited the meeting.)

Terri Paxson stated that there was not any arrest of absconders this last month and she did run NCIC reports on all of the individuals that are on the report and there were no hits.

Chairman Stockwell asked if there were any other tools that can be used to find out if these offenders are trying to get employment, food stamps, etc?

Ms. Paxson stated there was one other way that Mr. Barnes had been doing and that was to run their Social Security Numbers to find out if they are getting employment.

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

There were two successful case closings in June and the numbers have remained steady for the last two to three months. Violation report did go up to ten, which is a little high because it was decided that sanctions would be given to those individuals who weren't paying their administration and supervision fee so that the DOC payment could be brought up and get paid. That has been successful so far. There were four incentives. The compliance report was at 81%.

Carman Jackson introduced Kimberly Weaver to the Council, and stated that she would be taking Wayne Barnes' place.

There being no further business to come before the Board, Dorinda Harvey moved that the meeting be adjourned. Leroy Krohmer seconded the motion.

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

Motion carried.