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| Scott Crow, Director Oklahoma Department of Corrections | | Signature on File | |

Community Sentencing

The Oklahoma Department of Corrections (ODOC) Division of Community Corrections/Community Sentencing unit is responsible for providing administrative and technical support to local systems and for managing the statewide sentencing system in accordance with the provisions of the Oklahoma Community Sentencing Act (22 O.S. § 988.1 through 22 O.S. § 988.24 known as the “Oklahoma Community Sentencing Act”). (2-CO-1A-14, 2-CO-1A-15)

I. Local Planning Councils

A. Definition and Responsibilities

A "planning council", as defined by statute, is a group of citizens and elected officials appointed by the Chief Judge of the Judicial District which plans the local community sentencing system and, with the assistance of the ODOC's Community Sentencing unit, locates treatment providers and resources to support the local system.

Community Sentencing will ensure each local planning council is aware of their responsibilities with respect to the following:

1. Open Meetings Act;
2. Open Records Act;
3. Administrative rules;
4. Development of local procedures;
5. Membership requirements and election of officers;
6. Local system plan and budgets;
7. Monitoring of funds and cost effectiveness of services; and
8. Promotion of community sentencing.

B. Planning

Community Sentencing will provide the following to local planning councils to guide them in the process of developing the local sentencing system:

1. A current list of planning council members to include the terms of membership of elected members;
2. A current list of available resources and providers serving the system;
3. Data on sentencing and sanctioning practices of the local system;
4. Information and education concerning the best practices of offender treatment;
5. Advice and assistance in the promulgation of local procedures;
6. Facilitation with the development of local system goals;
7. Access to training opportunities and support for council participation; and

8. Guidance in the development of a continuum of sanctions for the court to include but are not limited to:
 - a. Community service;
 - b. Increased drug testing
 - c. Increased supervision;
 - d. Monetary fines;
 - e. Special/restrictive housing; and
 - f. Electronic surveillance.

C. Attendance

The local administrator will attend each planning council meeting and offer additional assistance to support their efforts in adhering to the requirements of the Oklahoma Community Sentencing Act.

D. Pre-existing Community Programs

The local administrator will work with and assist all existing county employees when a county has a preexisting community program operated at county expense.

In the event state funding is to be provided for continuing an existing program, community sentencing will promulgate rules for continuing the program.

E. Technical Assistance

Community Sentencing will provide advice and technical assistance to the local planning council to facilitate the implementation and administration of the local system to include the following:

1. Local Sentencing System Design
 - a. Administrative structure;
 - b. Systems management and operations;
 - c. Targeting offenders for participation;
 - d. Sentencing practices;
 - e. Principles and practices of offender treatment;

- f. Performance measurements;
 - g. Record keeping; and
 - h. Information management.
- 2. Planning and Budgeting
 - a. Collection and interpretation of data;
 - b. Plan preparation;
 - c. Budget development and modification;
 - d. Matching offender criminogenic needs with appropriate services; and
 - e. Cost effective and efficient use of resources.
 - 3. Offender Supervision and Treatment
 - a. Risk/need principle;
 - b. Risk assessments;
 - c. Supervision standards;
 - d. Disciplinary sanctions practices and procedures; and
 - e. Effective treatment interventions.
 - 4. Performance Based Evaluation
 - a. Process outcome measurements;
 - b. Intermediate performance measurements;
 - c. Long term performance measurements; and
 - d. Recommendations to improve system operations.

II. Local System Plan

A. Plan Design

The Community Sentencing unit will require planning councils to submit local system plans on or before April first of each year. The plan design will be established by the Community Sentencing unit to allow planning councils to demonstrate conformance with the goals and funding priorities of the

Community Sentencing Act. The plan design will be reviewed annually. Once a proposed plan is received, the unit will evaluate the plan and notify the sending planning council of any recommended modifications within 45 days. At a minimum, each plan will include the following:

1. Administrative structure of local system;
2. Local system goals;
3. Identification of existing resources;
4. Identification of additional resource needs;
5. Methods for allocating resources;
6. Types and priority of offenders targeted to be served;
7. List of preferred service providers;
8. Projected number of offenders to be served by each provider;
9. Proposed offender disciplinary sanctions for technical violations;
10. Record keeping and audit requirements; and
11. Statements of local community support.

B. Plan Modifications

The local planning council may modify approved plans after written justification is received by the unit and all of the following requirements are met:

1. Modifications are passed by majority vote of planning council;
2. Local administrators request approval by the community sentencing administrator; and
3. The Community Sentencing administrator approves or requests further modification.

C. Request for Modification

Community Sentencing may request modification for the following reasons:

1. Failure to complete plan as required;
2. Failure to address mandatory standards as established by the Oklahoma Community Sentencing Act;

3. Failure of the modification action to receive a majority vote of the planning council;
4. Allocation of additional appropriations; or
5. Budget shortfall.

Community Sentencing will not restrict plans by rule or practice or request modification of a plan if it meets all requirements as established by the Oklahoma Community Sentencing Act. The Community Sentencing administrator will maintain approved plans for a period of three years.

III. Administrative Rules

The Community Sentencing unit will conduct an annual review of the rules for administering local community sentencing systems under the guidelines of the administrative procedures act.

IV. Performance-Based Evaluations (2-CO-1B-10, 2-CO-1C-17)

Each service provider contracted by the Community Sentencing unit to provide programs or services to local sentencing systems, to include state agencies offering services, will receive a performance-based evaluation within two years of starting participation. All services and programs will be evaluated annually thereafter. Results of each performance evaluation will be shared with the respective planning councils, courts as well as the individual providers. Included in the performance evaluation will be a detailed account of the identified issues. Failure of a provider to meet performance evaluation standards or failure of a provider to undergo an evaluation will result in discontinuation of the contract with the program or service provider. If a contract with a program or service provider is terminated, it will not be utilized until the provider has addressed the deficiencies outlined in the evaluation and the Community Sentencing administrator approves the corrective action taken.

V. Fiscal Operation

A. Responsibility

The Community Sentencing unit will be responsible for all contracting and financial transactions necessary to administer the local and statewide community sentencing systems.

1. Local administrators will be responsible for securing contracts for services to the planning councils by June 30th of each year.
2. Grant information and assistance will be provided to each planning council as applicable information becomes available.

3. Consistent with provisions of the Oklahoma Community Sentencing Act, an annual budget for the local and statewide systems will be prepared.
4. If appropriations are inadequate to fund the statewide system, the Community Sentencing unit will allocate a percentage of the funds made available by the legislature to each local system based on sentencing practices and the characteristics of offenders receiving community sentences.

B. Cost Centers

The Community Sentencing unit will establish and maintain a cost center for each planning council's appropriated budget amount. Community Sentencing will establish a cost center for each planning council in a community sentencing revolving fund. Collected administrative fees, required by statute, as well as other monies generated for the benefit of the local system, will be deposited in the designated revolving fund account.

1. Upon request from a planning council, and with the approval of the Community Sentencing administrator, revolving fund monies may be budgeted by the planning council for the support and expansion of the local community sentencing system.
2. The local administrator, providing administrative support to the local system, will review and approve all financial transactions before payments are made to the service providers.

C. Random/Scheduled Audits

Random and scheduled financial audits will be conducted by ODOC and/or the Office of Management and Enterprise Services (OMES).

D. Financial Statement

Community Sentencing will provide each planning council with a monthly financial statement, which will include, at a minimum, the following:

1. Current expenditures by service for the year; and
2. Amounts of deposits in the revolving fund.

VI. Medical Expenses

In accordance with 22 O.S. § 988.12(B.), persons sentenced to a community punishment which does not include incarceration will not have medical or dental expenses paid or reimbursed by the Oklahoma Department of Corrections.

VII. Assessment Instrument

The ODOC and contractors may utilize the “Level of Service Inventory-Revised (LSI-R)” assessment instrument or other statutorily authorized assessment to determine community sentencing eligibility and to prepare a supervision plan.

- A. All providers contracted to perform the LSI-R assessments and local administrators are required to obtain and maintain certification prior to providing services.
- B. Any interested party will be advised of opportunities to receive required training for LSI-R certification.
- C. Assessors will be closely monitored and evaluated to ensure quality assessments.

VIII. Information Management (2-CO-1F-07)

A. Data Collection

Management information protocol for community sentenced offenders has been established and is maintained by the Community Sentencing unit. Field operating procedures have been developed and are utilized by the Community Sentencing unit to ensure consistent and adequate collection of data. Areas of data collection include, but is not limited to the following:

- 1. Assessments;
- 2. Criminal and social history;
- 3. Sentence conditions;
- 4. Service and program participation;
- 5. Violations of conditions;
- 6. Sanctions ordered;
- 7. Terminations;
- 8. Programs cost(s); and
- 9. Performance measures.

B. Local System Requests

The Community Sentencing unit will assist planning councils as requested with the collection and analysis of county sentencing data. Program information will be available for system planning and operations.

IX. Annual Report

A Community Sentencing Annual Report will be compiled and submitted each year by January 15 to the Legislature and Governor on the statewide system. The report will provide an evaluation of the effectiveness of the Oklahoma Community Sentencing Act in terms of public safety, appropriate range of community punishments, cost-effectiveness, performance-based effectiveness in reducing recidivism, utilization by the judiciary, resource allocation, reduced state and local institutional receptions, if any, and statistical data, including, but not limited to, community sentencing participation by number of community sentences ordered per month, program participation and the annual average cost per offender. A copy of the report will also be submitted to the Oklahoma Statistical Analysis Center, a division of the Office of Criminal Justice Statistics of the Oklahoma State Bureau of Investigation, which will publish the annual report on the website of the Bureau.

X. Reference

Policy Statement P-170100 entitled "Community Sentencing"

22 O.S. § 988.12(B.)

22 O.S. § 988.1 through 22 O.S. § 988.24 (known as the "Oklahoma Community Sentencing Act")

XI. Action

The administrator of Community Sentencing is responsible for compliance with this procedure.

The chief administrator of Community Corrections and Contract Services is responsible for the annual review and revisions.

Any exceptions to this procedure will require prior written approval from the agency director.

This procedure is effective as indicated.

Replaces: OP-170101 entitled "Community Sentencing" dated August 25, 2021

Distribution: Policy and Operations Manual
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