

COMMISSION MEETING MINUTES

**Regular Meeting
November 19, 2021
9:00 a.m.**

Commissioners present in person: Rachel Holt, Kalie Kerth, Lindsay Laird, Jackie Aaron, Ginarie Harrington, Melinda Freundt, Keith Reed, Brad Wilson, Kevin Corbett, and John Schneider

Commissioners present virtually: Mike Warren and Brenda Myers

Guests present: Sandra Balzer, Jill Geiger, Sheamekah Williams, Wanda Felty, Dr. Lana Turner-Addison, Eydie Youngblood, Betty Hawkins-Emery, Tamara Bryan, Brandy Bahm, Constanzia Nizza, Carolyn Macallister, Delena Sullivan, Carrie Williams, and Joe Dorman

Staff present: Annette Wisk Jacobi, Mark James, Amanda Jett, Cherra Taylor, Brittany Hunt-Jassey, Rob Agnew, Lisa Rhoades, Joseph McGrath, Elizabeth Kaup, Makala Pittman, Regina James, Ellen Lohrenz, Nicole George, Jimmy Widdifield Jr, Tina Pendergraft, Keith Pirtle, Adrienne Elder, and Danielle Dill

Call to Order and Determination of Quorum

– *Chairperson Lindsay Laird*

Chairperson Laird called the special meeting to order at 9:00 a.m.

Welcome and Introductions

– *Chairperson Lindsay Laird*

Chairperson Laird welcomed everyone to the meeting. Introductions were given.

Public Comments

Public comments were given by:

- Joe Dorman, Executive Director of the Oklahoma Institute for Child Advocacy (OICA), announced that OICA had their chili cookoff and Fall Forum to raise awareness on children's issues. He also announced that OICA's Board of Directors approved the 2022 Legislative Agenda and he will give copies of the agenda to OCCY Commissioners soon.
- Carrie Williams, Executive Director for Oklahoma Partnership for School Readiness (OPSR), provided an overview of OPSR and provided copies of the annual report to the Commissioners. She announced that OPSR's Home Visiting report will be released soon.

Presentation and Approval of the Finance Report

– *Brandy Bahm*

Ms. Bahm provided an overview of the financial report through October 21, 2021 and responded to questions.

A handout was provided.

Director Fruendt moved to approve the finance report. Secretary Corbett seconded the motion. All members present voted in the affirmative.

Presentation of the State Fiscal Year 2023 OCCY Proposed Budget Request

-- Mark James, Assistant Director

Assistant Director James provided an explanation of the events and obstacles in creating the budget request for State Fiscal Year (SFY) 2023. He also provided a breakdown of the SFY2022 budget. Some of the information provided include:

- 49%, or \$2,509,414, of OCCY's budget comes from Appropriations.
- 88%, or \$2,210,938, of the Appropriations pays for employee salaries.
- 88%, or \$969,238, of the Revolving Fund pays for professional service contracts.
- Of the \$733,820 of the SFY 21 Carryover fund, \$500,000 is budgeted for an agencywide data system, and \$220,000 is budgeted for various program activities.
- OCCY will request an additional \$181,500 for SFY2023 to hire two additional staff for the Office of Juvenile Systems Oversight (OJSO).

A handout was provided.

Judge Warren moved to approve OCCY's State Fiscal Year 2023 Budget Request \$2,690,914. Commissioner Wilson seconded the motion. All members present voted in the affirmative.

Proposed Board of Child Abuse Examination Rules

-- Dr. Mary Stockett

Dr. Mary Stockett, State Chief Child Abuse Examination and the chairperson of the Board of Child Abuse Examination (BCAE), presented the proposed administrative rules prepared by BCAE. Dr. Stockett gave an overview of the statutes that govern BCAE and the requirements for the rules. The proposed rules establish protocols for training physicians in identifying child maltreatment.

A handout was provided.

Secretary Corbett moved to approve next steps forward with rule promulgation of the Board of Child Abuse Examination's proposed administrative rules. Judge Warren seconded the motion. All members present voted in the affirmative.

Commissioner Harrington arrived at the meeting.

Post Adjudication Review Board Recommendations

-- Keith Pirtle

Keith Pirtle, Program Manager for the Post Adjudication Review Board (PARB), presented on the revised proposed recommendations from the State PARB Advisory Board for State Fiscal Year 2022. The State PARB Advisory Board recommended to eliminate the right to request a jury trial in the termination of parental rights proceedings. Mr. Pirtle provided an overview of the events leading to this recommendation, including collaborating with the Jury Trial Subcommittee of the Juvenile Justice Oversight and Advisory Committee to review protocols of other states regarding the termination process.

Judge Warren, who participated on the Subcommittee, reported that only three states, Texas, Oklahoma, and Wyoming, allow for access to jury trials in parental termination cases. The research shows that jury trials in termination cases lead to delays in achieving permanency, some lasting years before resolution. Several commissioners provided their experiences with jury trials for parental termination.

A handout was provided.

Commissioner Schneider moved to approve the Post Adjudication Review Board's recommendation to eliminate the right to request jury trials in parental termination cases. Commissioner Aaron seconded the motion. All members present voted in the affirmative except for Chairperson Laird, Secretary Corbett, and Commissioner Wilson who abstained.

Review and Approval of the Minutes from the June 25, 2021 Regular Commission Meeting

– Chairperson Lindsay Laird

Review and approval of the June 25, 2021, commission meeting minutes was tabled until the next regularly scheduled meeting to be held on January 21, 2022 in order to verify Commissioner Wilson's attendance at the June meeting.

A handout was provided.

Review and Approval of the Minutes from the September 21, 2021 Special Commission Meeting

– Chairperson Lindsay Laird

A handout was provided.

Director Holt moved to approve the minutes as written. Dr. Kerth seconded the motion. The majority of members present voted in the affirmative except for Interim Commissioner Reed, Director Fruendt, and Commissioner Wilson, who abstained.

OCCY Proposed Legislation

– Brittany Hunt-Jassey

Brittany Hunt-Jassey, Legislative Liaison for OCCY, provided an overview of OCCY's proposed concepts for new legislation or statutory changes.

The first proposed concept is for an OCCY General Administrative Bill which would:

- strike the requirement to include a Commission board member representing Community Partnership Boards;
- require the inclusion of tribal member with Indian child welfare experience to the Board of Commissioners;
- allow Commissioners who are appointed to fill vacancies to serve four additional two-year terms;
- authorize the Commission to use available public or private funds to compensate members or the Parent Partnership Board in attempt to remove barriers that could prevent parents from participating; and
- limit the use of the Children's Endowment Fund to only the purposes outlined in statute.

Commissioner Wilson moved to approve the proposal for an OCCY General Administrative Bill. Judge Warren seconded the motion. All members present voted in the affirmative.

OCCY also proposed to amend existing statute so that instead of creating a State Plan for Services to Children and Youth annually, a State Plan would be created every three to five years with the deadline being January 1st.

Director Fruendt moved to approve the proposal of amending the requirement of developing the State Plan from annually to every three to five years. Commissioner Wilson seconded the motion. All members present voted in the affirmative.

Next, Ms. Hunt-Jassey stated that OCCY proposed support for HB2742, filed by Representative Ross Ford last session, which would amend Title 47 to require the use of a child passenger restraint system for children who are between eight and twelve years of age and under 4’9” in height. The bill also mandates the use of a seatbelt for older, taller children.

Commissioner Harrington moved to approve the proposal of amending the requirement to use the child restraint system for children between ages eight to twelve years and under the height of 4’9”. Dr. Kerth seconded the motion. All members present voted in the affirmative.

Lastly, the State Post Adjudication Review Board recommends that OCCY propose legislation that would eliminate the right to request a jury trial in termination of parental rights cases from statute.

Commissioner Schneider moved to approve the proposal of recommending the elimination of the right to request jury trials in termination of parental rights cases. Dr. Kerth seconded the motion. All members present voted in the affirmative, except Secretary Corbett, Director Holt, Chairperson Laird, and Commissioner Wilson who abstained.

Update on Enactment of HB2311 and Children in Adult Jails in Oklahoma

– Rachel Holt

Rachel Holt, Executive Director of the Office of Juvenile Affairs (OJA), presented information regarding HB2311 and its impact on juveniles being detained in jails and detention centers. Director Holt reported that prior to the enactment of HB2311, youthful offenders who perpetrated high-level crimes were eligible to be held in adult jails as long as the jails were certified by the Oklahoma State Department of Health (OSDH) to hold juveniles and the juveniles were “sight and sound” separated from the adult population. She also reported that new federal requirements for holding juveniles in jail were to be implemented by December 2021.

Director Holt reported that after the death of a youthful offender in the Oklahoma County Jail in 2019, Director Jacobi created the “Detaining Youth Task Force.” The task force reviewed best practices, identified examples of deficiencies in Oklahoma adult detention facilities, wrote a report of the findings, and proposed legislation to adopt the new federal requirements.

HB2311 went into effect on November 1, 2021, and requires that:

- juvenile offenders, regardless of alleged crimes, be initially placed in a juvenile detention facility;
- District attorneys have discretion to request that a juvenile who allegedly committed first degree murder be placed in an adult facility, provided it is certified by OSDH to hold juveniles; and
- judges must review the age of the child, physical and mental maturity of the child, the present mental state of the child, the nature and circumstances of the alleged offense, prior history of delinquent acts, the abilities of both juvenile and adult facilities to provide for the needs and safety of the child as well as

other detained youth and the public at large, and any other relative factors prior to placing a child accused of Murder I in an adult facility.

Director Holt stated that at this time, there are no jails in the state certified to hold youth. She also stated that the juvenile detention centers have the capacity to hold all the juvenile offenders in the state.

OCCY Parent Partnership Board (PPB)

– *Adrienne Elder*

Adrienne Elder, PPB coordinator with OCCY, and Betty Hawkins-Emery, OCCY Parent Liaison and PPB member, introduced the new PPB members. The members are:

- Amber Adams, Beggs, OK
- Dr. Lana Turner-Addison, Tulsa, OK
- Tamara Bryan, Pryor, OK
- Senaqua Hildreth, Oklahoma City, OK
- Sara Jacoby, Oklahoma City, OK
- Sunnie Jamerson, Moore, OK
- Delena Sullivan, Pauls Valley, OK
- La'Chanda Stephens-Totimeh, Moore, OK
- Issa (Ike) Turner, Oklahoma City, OK
- Betty Hawkins-Emery, Oklahoma City, OK

The Office of Planning and Coordination staff will facilitate group meetings between the PPB members and Commissioners. More information about the parents and a schedule of events can be found on the OCCY's website under the Office of Planning and Coordination page.

State Plan for Children Services

– *Jill Geiger*

Jill Geiger of Jill Geiger Consulting presented on the status of OCCY's State Plan for Services to Children and Youth. Ms. Geiger reported that there are four themes that have been consistently seen throughout the process:

- 1) the need to expand prevention services to support children and families;
- 2) the need to expand infrastructure such as transportation, childcare, and technology;
- 3) the need to increase mental health services across the state; and
- 4) growing workforce issues (i.e. lack of childcare workers).

Director Fruendt suggested that OCCY coordinate with the Oklahoma Office of Workforce Development to include data on childcare and workforce issues into both OCCY's State Plan and the Office of Workforce Development' State Plan.

A handout was provided.

Director's Report

– *Annette Wisk Jacobi, Executive Director*

Director Jacobi gave a report on activities occurring within OCCY. Director Jacobi reported that OCCY hired additional staff and reported that Jennifer Hardin resigned as OCCY's legislative liaison. Details can be found in her written report.

Director Jacobi also reported that the Office of Management and Enterprise Services and the University of Oklahoma Evaluation Team (E-Team)) are still working out the details on the contract for the agencywide database. Progress has been made, but there is still no signed contract.

Director Jacobi stated she was appointed to the Oklahoma City's Archdiocese' Charter for the Protection of Children and Youth advisory board. She informed the Commission that she will use annual leave to attend the meetings so that there is no confusion about her role.

Director Jacobi informed the Commission that there are three vacancies on the Board of Commissioners: a parent of a child with special needs, a representative of the District Attorney's Counsel, and a representative of the Community Partnership Boards (CPB). Director Jacobi reported that the seat representing CPBs will remain vacant as there are no active CPBs and anticipating changing the designation to a tribal member with Indian child welfare experience. She also reported that a parent of a child with special needs position has been open for quite sometime and OCCY does not know why the Speaker has not appointed someone. OCCY will continue to inquire about the status of the appointment.

Director Jacobi explained that OCCY has been in discussions with a group to provide data regarding the state of child well-being, particularly for children of color. She would like to have such data as a way to start looking at diversity, equity, and inclusion within child serving systems.

Director Jacobi announced that OCCY's new website is now live and asked everyone to take a look at it when they have a spare moment. She thanked Rob Agnew, OCCY's Public Information Officer, for the hours of dedicated work in making the new website a reality. He did much of the work himself and was able to save the agency money.

A handout was provided.

Chairperson Comments

– *Chairperson Lindsay Laird*

Chairperson Laird thanked the commissioners for their participation in today's meeting and reminded the commissioners to send agenda item requests to her.

Adjournment

– *Chairperson Lindsay Laird*

Dr. Kerth moved to adjourn the Commission meeting. Director Fruendt seconded the motion. The Commission meeting adjourned at 11:32 a.m.

Future Meeting Dates

January 21, 2022

March 11, 2022

May 20, 2022

June 17, 2022

August 5, 2022

September 16, 2022

November 18, 2022

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