

**MINUTES
OFFICE OF JUVENILE AFFAIRS
BOARD OF DIRECTORS**

April 20, 2007

BOARD MEMBERS

Present: Lonelia Simmons
Edward Smith
Gary Taylor
George Lindley
Charlie Jackson

Absent: Jay Keel
Linda Ware Toure

PRESENT FROM THE OFFICE OF JUVENILE AFFAIRS

Gary Bolin, Don Bray, Janelle Bretten, Dorothy Brown, Rhonda Burgess, Gene Christian, Kevin Clagg, Linda Coffman, Cindy Cole, Ron Coplan, J.L. Courtney, Sam Davis, Greg Delaney, Laura Drexler, Donna Glandon, Dennis Gober, Jim Goble, Teddi Goodwin, Kim Gray, Belinda Hannon, JLYnn Hartman, Wayne Johnson, Tammy Kelly, Charlotte McKey, Linda McLennan, Amber Miller, Allen Miller, Len Morris, Mike Phillips, Mark Ruddle, Kim Sardis, Jerry Skinner, Jennie Small, Elizabeth Stewart, Wendi Sullivan, Kinny Thomas, Shantha Varahan, Shelley Waller

OTHERS PRESENT

Randy Barnett, Georgia Berry, Dean Bower, Stella Church, Denise Dunn, William Dunn, Trish Frazier, Barbara Hoberock, Danielle King, Jackie Krutsinger, Nancy Morin, Robb Perron, Tammie Perron, Will Riley, Jeremy Roady, W.F. Schmiel, Tracy Spurgeon, Jay Turner, Quinton Underwood, Betty Wunder

CALL TO ORDER

Chairman Charlie Jackson called the April, 2007 Meeting of the Board of Directors of the Office of Juvenile Affairs to order at 10:03 a.m. at the Office of Juvenile Affairs State Office, 3812 N. Santa Fe, Suite 400, Oklahoma City, OK 73118

STATEMENT OF COMPLIANCE WITH THE OPEN MEETING ACT

Ms. Linda McLennan, Board Secretary, confirmed the Board of Juvenile Affairs is in compliance with the Open Meeting Act.

INTRODUCTION OF GUESTS

Mr. Gene Christian, Executive Director welcomed the eleven (11) OJA District Supervisors to the meeting and Ms. Sardis was to introduce each one later in the program. Mr. Christian then acknowledged guests Georgia Berry, ODMHSAS Innovation Center; Jackie Krutsinger, Community Works; Barbara Hoberock, *Tulsa World*; Stella Church, representing Cabinet Secretary Howard Hendrick; those attending representing Community Works; Nancy Morin from the ROCMND Group Home and Quinton Underwood from Oklahoma Disability Law Center.

PUBLIC COMMENTS

There were no comments.

Chairman Charlie Jackson changed the Agenda slightly and moved immediately to Action Item 7E. Mr. Jackson asked Board Member Gary Taylor to introduce Dr. Bill Schmidt, Counseling Psychologist from Cleveland County Detention Center.

Dr. Schmidt attended this meeting to address his concerns of youth in the detention centers with serious mental illness.

DISCUSSION AND/OR POSSIBLE ACTION REGARDING MENTAL HEALTH TREATMENT OF YOUTH IN DETENTION CENTERS.

Dr. Bill Schmidt presented and stated he began working in the Detention System of the Office of Juvenile Affairs in November 2006 and had encountered difficulties in four major areas. Dr. Schmidt wanted to document these areas, and asked for the Board's direction in finding solutions. These areas of concern include:

- 1) The presence of youth with serious Mental Illness in the Detention System.
- 2) What appears to be a lack of systemic organizational procedures and policies that govern the provision of appropriate services to the Seriously Mentally Ill?
- 3) A lack of clear instruction and guidelines for the provision of Medical/Psychiatric/Psychological services for Mentally Ill Youth in Detention.
- 4) Obstruction to the provision of Medical Services while in Detention.

The presence of youth with Serious Mental Illness while in Detention is very troubling. These youth are not only inappropriately placed in the Detention setting, but also are often a danger to themselves and others. These youth are demonstrating symptoms consistent with Major Mental Illness. These symptoms include: Major Depression with Suicidal ideations; plans and behaviors; Psychosis with bizarre behavior and impaired reality testing; and, youth with Major Substance Problems in Detoxification. Youths with these types of symptoms are common in our Detention experience and would be much better served in appropriate treatment settings.

The OJA system and organization does not appear to have any responses that are adequate. Youth with Major Mental Illness are not treated as emergency situations. In practice, youth with Major Mental Illness in Detention are responded to as a routine difficulty. Workers appear to have little training in Mental Illness, and tend to respond to these Youths as "angry" or "manipulative" or "substance use issues." This type of response is outside of any system of best practices. One youth was referred to our Detention with a note that stated that this youth is suicidal, "you might want to put her on suicide precautions. Do not medicate." There does appear to be an aversion to, or a sense of placating a youth by placing him or her on any kind of medication.

It does appear the worker and perhaps the OJA system in total, is not educated in the appropriate treatments of Mental Health Issues. More specifically, we have had at least 14 youths placed in our Detention Center with symptoms of Psychosis and/or Marked Suicidal.

No systematic response exists to this type of inappropriate placement. Additionally, no mandatory procedures are established to insure the immediate safety of the Psychotic Youth, or to protect other youth that he or she will encounter. Even more disturbing is that the system and the workers do not respond in an emergent way. We have had 13 youths meet criteria for Inpatient Psychiatric Hospitalization. Of that number, only six were admitted. In most instances of the youths admitted, most spent three to five days in the hospital and were then returned to Detention, diagnosed as conduct disorders. The seven youths who were not admitted, remained in Detention without appropriate Medical and Psychological services and continued to meet inpatient psychiatric hospital criteria. In effect, the Detention Center is functioning as a Psychiatric Hospital without any of the resources.

When a youth with Major Mental Illness is identified during Detention, there are no procedures that elevate the youth's mental health needs to administrative attention and a systematic emergent response. JSU workers function as if Detention is an appropriate placement for a Mentally Ill Youth, and do not actively assist in finding the appropriate placement. There are no procedural responses and

administrative reviews that automatically come into action upon identification. The OJA system functions as if no additional action is necessary.

Lastly, there is a lack of clearly related criteria to the status of payments for Medical/ Psychological services. Detention youth fall into three categories. The first of the groups are youth sent to detention by the court and are in the custody of their parents. The second group is in OJA custody; the third group is youth in OJA custody and are awaiting placement in a locked facility. Within these groups, we are uncertain about payment sources. Youth in their parents' custody, who enter detention, have their Medicaid Benefits stopped. We seem to have some luck getting them reactivated, but do not understand why they were stopped. For the second and third groups, we often get "Dear Provider" letters that guarantee payment for a short time, but these also are time limited, and the youth usually remains in Detention after medical benefits expire. There also seems to be problems getting authorizations for services above and beyond those provided by the Detention contract. This is especially problematic when we are trying to place a youth in a hospital and his or her benefits have been stopped.

An additional component of interference with the provision of necessary Medical and Psychiatric services is the need to receive worker and/or parental approval in order to give medication. Often, the youth must suffer for days, while waiting for the approval. In the case of physical medicine, the lagging response time increases the time of discomfort and risk for the ill youth. This delay also raises questions about the safety of the environment for all who occupy the center.

Mr. Christian stated this goes along with the legislation and the Department of Mental Health. Children come into the criminal justice system and are found to be competent. Department of Mental Health asked for legislation for a specific plant for a juvenile that is charged with a crime and is found to be incompetent. This bill has been held over until next year. Department of Mental Health has no forensic juvenile facility. Without that facility the Department of Mental Health would be forced to say, we will treat that child in the detention center. And we all know that is inappropriate. OJA does not disagree with the issues presented by Dr. Schmidt. We do not have appropriate services throughout the state. This issue will be addressed at the legislature next year.

George Lindley asked what are the recommendations for the Board to take today? Dr. Schmidt responded that it is critical to design a system of wrap-around services that are part of the individual treatment plan of every juvenile who enters detention that has major mental illness. Those services need to run from one-to-one escort to more intervention from psychologists along with heightened awareness of OJA staff of these illnesses. Wrap around services and alternative placements are needed. There must be a coherent system in place to deal with these juveniles. A piecemeal menu will not work.

This item and information did not require a vote of the Board Members.

EXECUTIVE DIRECTOR'S REPORT

Mr. Christian presented. The Director's activity report was available in the Member's Board Book. Lt. Governor Jari Askins approached us and asked for a tour of the L.E. Rader Facility. The Director had the opportunity to visit the Court of Criminal Appeals and talk about Youthful Offender issues. The court is concerned with similar situations because of the lack of funding for youthful offenders.

During this past month, the Director had the opportunity to tour the Oklahoma County Jail with State Superintendent Sandy Garrett. They were looking into providing educational services to the residents at the county jail in an on-line presence.

The Director visited Muskogee and visited the Drug court while it was in session. OJA had an excellent meeting with OCCY at the Central Oklahoma Juvenile Facility in Tecumseh. James Johnson and his staff presented an outstanding program showing how OJA is dealing with the female individuals in the facility. The OCCY response was excellent.

REPORTS

FINANCE COMMITTEE REPORT

Mr. Jackson presented. The Finance Committee met at 9:00 a.m. this morning with Ms. Shantha Varahan, Financial Services Administrator and moved directly into her finance report.

FINANCE REPORT

Ms. Shantha Varahan, Financial Services Division Administrator, presented the Finance Report for the Month ended March 31, 2007.

FY-07 Budget Projections as of March 31, 2007

Description	Totals
FY-2007 Budget Work Program	\$119,886,115
Year-to-Date Expenditures	(79,822,360)
Encumbrances	(26,241,489)
Balance as of February 28, 2007	\$13,822,266
Less: Remaining Payroll Costs (Est.)	(12,708,636)
Less: Remaining Travel Budget	(232,422)
Less: OJJDP/JAIBG/Other Adjustments	(423,969)
Balance Before Supplemental Request	\$457,239

FY-07 Budget to Actual for Payroll as of March 31, 2007

	State Office	Residential Services	JSU	Totals
YTD BWP	5,269,000	19,608,508	12,121,188	36,998,696
YTD Exp	4,680,988	19,128,315	11,837,916	35,647,219
YTD Vary	588,012	480,193	283,272	1,351,477

State Office includes OJJDP, JAIBG, and MIS

Travel Costs Comparison to Budget as of March 31, 2007

- Agency Year-to-Date Budget \$ 464,856
- Year-to-Date Expenditures \$ 410,717
- Year-to-Date Variance \$ 54,139

Analysis: Travel costs remain closely in line with budget target. We will continue to closely monitor all travel plans before being approved.

General Revolving fund Revenue Status - March 31, 2007

General Revolving Fund	FY-2007 Budget	Budget to Date	Receipts	Variance
SSI and SSA Support	140,461	105,346	113,663	8,317

Income from Rent	11,767	8,825	8,555	(271)
School Lunch Program	599,925	449,944	411,836	(38,108)
Inter-Agency Reimbursements	9,535	7,151	5,497	(1,654)
Reimbursements – Non-Federal	85,782	64,337	32,526	(31,810)
Sales of Documents & Merchandise	11,402	8,552	7,633	(9187)
Other Receipts	38,650	28,988	28,452	535
Total Revolving Fund	\$897,522	\$673,142	\$608,163	(\$64,979)

Revolving Funds In Transit

SSI and SSA Support	13,100.36
Income from Rent	1,512.11
School Lunch Program	21,442.94
Inter-Agency Reimbursements	6,009.90
Reimbursements – Non-Federal	1,790.00
Sales of Documents & Merchandise	1,499.75
Other Receipts	3,100.91
Total in Transit	\$48,455.97

Restricted/Special Purpose Revolving Funds Revenue Status as of February 28, 2007

Description	FY-2007 Budget	Budget to Date	Receipts	Variance
<u>Special Purpose Revolving Funds</u> Parental Responsibility Fund – Child Support	267,714	200,786	169,512	(31,274)
<u>Restricted Revolving Funds</u> OJJDP-Formula Grant/Title V	1,517,822	1,138,367	1,180,104	41,737
Juvenile Accountable Block Grant	619,200	464,400	1,163,400	699,000
Investment Income	100,000	75,000	62,202	(12,798)
Santa Claus Commission fund	6,111	4,583	2,790	1,370
Investment Income			3,163	

Special Purpose Funds In Transit \$20,400

Title XIX and Title IV-E Revenue as of February 28, 2007

Type	Projections for FY-07		Actual FY-07		
	Annual Revenue	YTD Revenue	Receipts	In Transit	Variance
TCM	3,000,000	2,400,000	2,336,155	154,636	90,792
RBMS	5,177,817	4,142,254	3,723,505	415,481	(3,267)
Admin	175,000	140,500	51,629	49,059	(39,312)
Total	8,352,817	6,682,254	6,111,290	619,177	48,213
Title IV-E	400,000	307,692	310,277	76,144	117,190

Analysis: Title XIX and Title IV-E revenue collections are on target to meet budget. Title XIX Admin claim is in process of being prepared and will include three quarters – April 06 thru December 06.

Agency Special Funds

701 Trust Fund – Established to account for any funds a juvenile received or expended while in OJA custody.

Cash balance as of 03/31/07 was \$452,222.

702 Canteen Fund – Established to account for all funds received or expended at the canteens located at each of the three OJA institutions. Profits from the canteen are used for the benefit of the juvenile.

Cash Balance as of 03/31/07 was \$11,438.

703 Donation Fund – Established to account for all donated funds received or expended. These funds are used for the benefit of the juvenile.

Cash Balance as of 03/31/07 was \$11,998.

706 Dedicated Fund – Established to address an issue of the social Security administration. This fund is specifically for an individual juvenile's funds that must be separate from the trust fund. These funds belong to the juvenile.

Cash Balance as of 03/31/07 was \$16.

Emergency Purchases

Date	Location	Description	Repair Cost
No Emergency Purchases since the last Board Meeting			

Sole Source

Control #	Vendor	Date	Cost	Requestor	Division/Purpose
No Sole Source Contract since the last Board Meeting					

The Director said this financial report reflects a Balance of \$457,239. At this point in time, is OJA anticipating a carryover of any type of funds for the fiscal year?

Ms. Varahan explained that actually, this is not a true picture. Next month, there will be an additional line with the projected carry-over. OJA is looking at an approximately \$800,000 shortfall.

The Director gave the Board a copy of the cost-cutting measures he had sent to all OJA employees:

As most of you know, the Legislature did appropriate to OJA in their supplemental budget the amount of \$1,000,000.00 to cover our \$1,800,000.00 deficit for fiscal year 2007.

Since it is clear that we still need to cut \$800,000.00 from our current year budget I have enacted some cost saving measures for the remainder of this fiscal year (July 1, 2007). We have already taken some major steps towards reducing this deficit by reviewing our current encumbrances and expenditures. These are the things that we need to do now:

Item 1-(effective April 1, 2007) Instituted a hiring freeze on new employees or the replacement of lost employees, including clerical and support staff but excluding direct care staff. I am aware that exceptions will need to be made to this rule and I will do such on a case-by- case basis.

Item 2-(effective April 1, 2007) Instituted a travel freeze for overnight training, which requires overnight travel status or that which is offered on a per fee basis. Training that is provided free locally or without the need for overnight travel is authorized. This is true if paid from state funds or federal grant funds.

Item 3-(effective April 1, 2007) extraordinary purchases of supplies and equipment are frozen and will only be allowed if approved by the Director or the Chief of Staff based upon need.

LEGISLATIVE REPORT

Ms. JLYnn Hartman, Legislative Liaison, presented. Ms. Hartman presented copies of legislative information to the members and briefly discussed.

Did not pass out of committee:

- HB 1578 – Peters and Paddack
Requires OJA to assist in the establishment of Juvenile Drug courts.
- HB1864 – Shannon and C. Johnson
Relates to the Delinquency and Youth Gang Intervention and Prevention Act.
- SB370 – Garrison and Rousselot
Modifying rate of reimbursement for Juvenile Detention Services.
- SB502 – M. Johnson and Winchester
Expanding and deleting certain divisions.
- SB619 – Adelson and Adkins
New law – Modifying provisions related to competency hearings for juveniles.

Bills still alive:

- HB1051 – Speaker Cargill and Coffee
Involving separation of student victims from student offenders.
Status: 03-15-07 Passed House 99/0; 03-19-07 Engr to Senate; 04-03-07 Out of Senate Education.
Struck Title, Emergency, July 1, 2007.
- HB1545 – Winchester and M. Johnson
Relating to the Division of Juvenile and Treatment Services.
Status: 02-27-07 Passed House 99/0; 02-28-07 Engr to Senate; 03-29-07 Out of Senate Health and Human Resources.

Full Title, No Emergency, November 1, 2007

HB1579 – Peters and Barrington

Increases certain time limitation for filing petition if the juvenile participates in certain programs.

Status: 03-14-07 Passed House 98/3; 03-15-07 Engr to Senate; 04-17-07 Out of Senate Criminal Jurisprudence; 04-17-07 Passed Senate 46/0; 04-18-07 House received Senate Amendments.

Struck Title, Emergency, Effective at signing.

SB107 – Leftwich and Joyner – Transportation costs.

Status: 03-06-07 Passed Senate 38/9; 03-06-07 Engr to House; 04-11-07 Out of House Human Services; 04-18-07 Passed House 95/0; 04-19-07 Senate received House Amendments.

Struck Title, Emergency, Effective at Signing.

SB390 – Peters and Barrington – Confidential Juvenile Records.

Status: 02-27-07 Passed Senate 27/20; 02-28-07 Engr to House; 04-09-07 Out of House Judiciary and Public Safety; 04-12-07 Passed House 100/0; 04-16-07 Senate received House Amendments.

Struck Title, Emergency, Effective at Signing.

SB489 – C. Johnson and Shannon – Modifying the Delinquency and Youth Gang Intervention and Prevention Act.

Status: 03-13-07 Passed Senate 43/1; 03-14-07 Engr to House; 04-17-07 Out of House Judiciary and Public Safety.

Struck Title, No Emergency, November 1, 2007

JUVENILE SERVICES DIVISION

Ms. Kim Sardis, Division Administrator for the Juvenile Services Division presented. The JSU Division has 13 positions officed at State Office. Ms. Sardis introduced her staff to the Board Members. The 11 District Supervisors from all around the state were in attendance at the meeting and they were also introduced.

Statewide JSU field Positions include:

- 11 District Supervisors
- 11 District Secretaries
- 39 Juvenile Justice Supervisors IV's
- 227 Juvenile Justice Specialists I - III's
- 46 Administrative Support Staff

- ▶ Housed in 68 field offices throughout the state
- ▶ Ten counties do not have an assigned office and are supported from neighboring county field staff
- ▶ 17 Detention Centers
- ▶ Community Based Treatment
 - 20 Foster Home Beds
 - 21 Therapeutic Foster Care Beds
 - 28 Specialized Community Home Beds
- ▶ 4 Anti Gang Contracts
- ▶ Community Based Sanctions Program
 - 12 short term (3-5 day) sanctions beds
 - 12 long term (21 day) beds
- ▶ Reintegration Services
- ▶ CARS – Community At Risk Services
- ▶ STARS – State Transition and Reintegration Services

- Trackers
- GPS

► Federal Funds Management Unit

FY 2006 Statistics

Referrals	23,124
(# of juveniles: 15,124)	
Adjudications/Informal Probation	10,044
JSU Probation Youth	2,732
Juveniles Placed in OJA Custody	1,040

JSD Field Services

- (1) Referral
- (2) Intake Process
- (3) Court Process
 - a. Probation
 - b. Custody
- Placement
- (4) Case Closure

Ms. Sardis presented two juveniles who have been in the custody of OJA. Each juvenile presented their story and explained how the Offices of Juvenile Affairs workers' have helped them.

ACTION ITEMS

DISCUSSION AND/OR POSSIBLE ACTION TO APPROVE THE MARCH 16, 2007 BOARD MEETING MINUTES.

MOTION BY LONELIA SIMMONS WITH SECOND BY GEORGE LINDLEY TO APPROVE THE BOARD MEETING MINUTES OF MARCH 16, 2007 AS PRESENTED.

MOTION PASSED

Voting Aye: Lonelia Simmons
Edward Smith
Gary Taylor
George Lindley
Charlie Jackson

DISCUSSION AND/OR POSSIBLE ACTION REGARDING THE JUNE 15, 2007 BOARD MEETING.

MOTION BY LONELIA SIMMONS WITH SECOND BY GARY TAYLOR TO CANCEL THE MAY 18TH, 2007 BOARD MEETING AND RESCHEDULE THE JUNE 15, 2007 TO FRIDAY, JUNE 8, 2007.

MOTION PASSED

Voting Aye: Lonelia Simmons
Edward Smith
Gary Taylor
George Lindley
Charlie Jackson

DISCUSSION AND/OR POSSIBLE ACTION TO APPROVE THE FISCAL YEAR 2006 ANNUAL REPORT.

MOTION BY GEORGE LINDLEY WITH SECOND BY LONELIA SIMMONS TO APPROVE THE FISCAL YEAR 2006 OJA ANNUAL REPORT AS PRESENTED.

MOTION PASSED

Voting Aye: Lonelia Simmons
Edward Smith
Gary Taylor
George Lindley
Charlie Jackson

DISCUSSION AND/OR POSSIBLE ACTION ON ROLE OF THE BOARD OF JUVENILE AFFAIRS AND STATE ADVISORY GROUP IN THE PROCESS OF EVALUATION AND RECOMMENDATION TO THE DEPARTMENT OF CENTRAL SERVICES REGARDING AWARD OF OJJDP FORMULA GRANTS AND TITLE V GRANTS.

MOTION BY GARY TAYLOR WITH SECOND BY GEORGE LINDLEY TO DELEGATE TO THE EXECUTIVE DIRECTOR THE POWER TO MAKE THE DETERMINATION OF THE INDIVIDUAL AWARDS AS LONG AS SUCH IS CONSISTANT WITH THE STATE PLAN AND TO HAVE THE FINAL AUTHORITY ON THE EVALUATION AND RECOMMENDATION OF THE OFFICE OF JUVENILE AFFAIRS TO THE DEPARTMENT OF CENTRAL SERVICES.

MOTION PASSED

Voting Aye: Lonelia Simmons
Edward Smith
Gary Taylor
George Lindley
Charlie Jackson

VOTE TO CONVENE INTO EXECUTIVE SESSION

MOTION BY EDWARD SMITH WITH SECOND BY GARY TAYLOR TO CONVENE INTO EXECUTIVE SESSION.

MOTION PASSED

Voting Aye: Lonelia Simmons
Edward Smith
Gary Taylor
George Lindley
Charlie Jackson

Wayne Davis, Assistant Attorney General, had advice for the Board Members before going into Executive Session. The Executive Session is necessary because of the confidential communications between the Board and its attorneys concerning a pending investigation and litigation. To discuss in open session would seriously impair the ability of the Board to conduct the pending litigation in the public interest.

VOTE TO RETURN TO OPEN SESSION

MOTION BY EDWARD SMITH WITH SECOND BY LONELIA SIMMONS TO CONVENE INTO OPEN SESSION

MOTION PASSED

Voting Aye: Lonelia Simmons
Edward Smith
Gary Taylor
George Lindley
Charlie Jackson

POSSIBLE ACTION ON ITEMS FROM EXECUTIVE SESSION

There were no items requiring action.

ADJOURN

MOTION BY EDWARD SMITH WITH SECOND BY GEORGE LINDLEY TO ADJOURN THE MEETING.
MOTION PASSED

Voting Aye: Lonelia Simmons
Edward Smith
Gary Taylor
George Lindley
Charlie Jackson

The meeting was adjourned at 1:05 p.m.

Minutes approved in regular session on the 8th day of June, 2007

Charlie Jackson

Charlie Jackson, Chairman

PREPARED BY:

Linda McLennan

Linda McLennan
Board Secretary