

OFFICE OF JUVENILE AFFAIRS
January
MONTHLY BOARD OF DIRECTORS MEETING
MINUTES

January 23, 2009

BOARD MEMBERS

Present: Charlie Jackson
Jay Keel
Lonelia Simmons
Edward Smith
Gary A. Taylor
Linda Ware Toure
George Lindley

PRESENT FROM THE OFFICE OF JUVENILE AFFAIRS

Gary Bolin, Dorothy Brown, Gene Christian, Paula Christiansen, Jeff Gifford, Donna Glandon, Dennis Gober, Wayne Johnson, J Lynn Hartman, Cynthia Hollier, Linda McLennan, Len Morris, Cathy Olberding, Jimmie Richey, Carey Rouse, Kim Sardis, Elizabeth Stewart, Shantha Varahan

OTHERS PRESENT

Julie Bisbee, Stella Church, Elizabeth Heard, Carrie Slatton Hodges, Anthony Kibble, Nancy Morin, Bryan Smith, Bruce Walker, Holly Webb

CALL TO ORDER

Chairman Judge George Lindley called the January, 2009 Monthly 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 Employment Development Center, 3815 N. Santa Fe, Suite 170, 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, introduced guests attending the meeting: Stella Church representing Cabinet Secretary Howard Hendrick of Human Services; Bruce Walker from the Department of Public Safety; Anthony Kibble representing the Oklahoma Commission of Children and Youth; Bryan Smith representing *eCapitol.net*; Julie Bisbee from *The Oklahoman*; Bruce Walker from the Department of Public Safety, Nancy Morin and Holly Webb from the ROCMND Group Home; and Elizabeth Heard and Carrie Slatton Hodges from the Oklahoma Department of Mental Health and Substance Abuse Services.

PRESENTATION OF ANTI-STIGMA CAMPAIGN AWARD TO THE OFFICE OF JUVENILE AFFAIRS

Presentation by Deputy Commissioner Carrie Slatton Hodges and Ms. Elizabeth Heard, Public Information Marketing Specialist from the Department of Mental Health and Substance Abuse Services to Mr. Christian and the Office of Juvenile Affairs. Ms. Hodges presented a plaque to show their gratitude for OJA's voluntary participation in a program sponsored by DMHSAS to reduce stigma in Oklahoma. It is a volunteer program by which OJA's employees participated in education and awareness activities to

learn the importance of mental health and addictive disorder treatment and also to learn the importance of identifying and referring individuals to treatment and recovery.

On behalf of the Oklahoma Department of Mental Health and Substance Abuse Services Anti-Discrimination Organizational Awareness Initiative for Mental and Addictive Disorders *The Community Champion Award* is presented to the Oklahoma Office of Juvenile Affairs. It was awarded in recognition of outstanding commitment to ending discrimination against individuals with mental and addictive disorders and promoting healthy Oklahoma Communities – January 2009.

Mr. Christian acknowledged Cathy Olberding for her work in presenting the program to OJA employees.

INTRODUCTION OF NEW EMPLOYEES – Carey Rouse and Jimmie Ritchey

Mr. Christian said during the last legislative session, for the first time ever, the Office of Juvenile Affairs was authorized to hire and employ certified peace officers. This is due in part to the DOJ Rader lawsuit. OJA has hired two investigators who are working very well with Mike Heath through the Office of Public Integrity. They are Carey Rouse and Jimmie Ritchey. Mr. Rouse has 16 years experience as an investigator with the Office of the District Attorney. Mr. Ritchey is a retired Duncan Police Officer and came to us from the District Attorney's Council as their Statewide Task Force Gang Coordinator. Both gentlemen are Cleet Certified Officers.

Mr. Rouse and Mr. Ritchey will be leaving the meeting to locate a juvenile who is AWOL from an OJA facility. It is a new concept and fresh idea for OJA. Chairman Lindley stated they were both the highest in their profession and OJA is fortunate to have their expertise in investigations. Mr. Rouse will office in the Lawton area while Mr. Ritchey will be in the Tulsa area.

PUBLIC COMMENTS

There were no public comments.

EXECUTIVE DIRECTOR'S REPORT

Mr. Christian said he had the privilege of traveling to Florida to attend the CJCA Winter Conference and to accept the re-certification from ACA for L.E. Rader Center and the Central Oklahoma Juvenile Center. Mr. Christian recognized Elizabeth Stewart and Robert Morey along with the Institutional Superintendents, Everett Gomez and James Johnson, for their work in the re-certification process.

The Department of Justice has been back at the L.E. Rader Center. Elana Grissom has been a tremendous help with the educational aspect of the lawsuit. Ms. Grissom talked with DOJ's educational expert, Kelly Diedel, and OJA is making process and moving forward.

OJA has listed an RFP for the school contract at Rader. Sand Springs School District did re-apply for the contract, but there were also others who applied and staff will be reviewing those.

OJA had the opportunity to present training on the new Youthful Offender law changes in cooperation with the District Attorney's Council. There were over 100 participants. Hopefully, there will be additional training in Tulsa and possibly in Southwest Oklahoma.

REPORTS

FINANCIAL COMMITTEE REPORT

Mr. Charlie Jackson stated that the Finance Committee met at 9:30 a.m. in the State Office Director's Conference Room this morning prior to the Board Meeting. He will defer the Finance Report to Ms. Shantha Varahan.

FINANCE REPORT

Ms. Shantha Varahan presented the Finance Report for ending December 31, 2008.

FY-09 Budget Projections - As of December 31, 2008

Description	Totals
FY-2009 Budget Work Program	\$127,291,407
Year-to-Date Expenditures	(54,205,582)
Encumbrances	(43,658,062)
Balance as of December 31, 2008	29,427,763
Less: Remaining Payroll Costs (Estimated)	(25,655,937)
Less: Remaining Travel Costs (Estimated)	(383,805)
Less: Restricted Funds	(1,104,732)
Less: Pending Encumbrances/Transfers	(3,814,412)
Balance Available (Deficit)	(1,531,123)

FY-09 Budget to Actual for Payroll as of December 31, 2008

	State Office	Residential Services	JSU	Totals
YTD BWP	3,125,509	13,121,158	8,960,341	25,207,008
YTD Exp	3,073,247	13,198,272	8,723,554	24,995,073
YTD Vary	52,262	-77,114	236,787	211,935
% Var	1.67%	-0.59%	2.64%	0.84%

State Office includes OJJDP, JABG, and MIS

Travel Costs Comparison to Budget as of December 31, 2008

- Agency Year-to-Date Budget \$254,475
- Year-to-Date Expenditures \$190,818
- Year-to-Date Variance **(\$ 63,657)**

Agency Special Funds as of December 31, 2008

- 701 Trust Fund \$ 518,365
- 702 Canteen Fund 14,548
- 703 Donation Fund 950
- 706 Dedicated Fund 17

General Revolving Fund Revenue Status – December 31, 2008

General Revolving Fund	Budget to Date	Receipts	In Transit	Variance
SSI and SSA Support	117,000	132,668	0	15,668

Income from Rent	3,600	4,490	1,148	2,038
School Lunch Program	252,000	248,487	21,304	17,791
Inter-Agency Reimbursements	3,900	2,576	1,329	5
Reimbursements – Non-Federal	18,000	45,131	0	27,131
Sales of Documents & Merchandise	7,500	5,923	584	(993)
Other Receipts	27,000	29,956	12,170	15,126
Parental Responsibility-Child Support	117,000	204,277	20,185	107,462
Total Revolving Funds	\$546,000	\$673,508	\$56,720	\$184,228

Title XIX and Title IV-E Revenue as of December 31, 2008

Type	Projections for FY-09		Actual FY-09		
	Annual Revenue	YTD Revenue	Revenue	In Transit	Variance
TCM	3,000,000	1,560,000	1,764,758	55,879	260,637
RBMS	5,301,000	2,756,520	3,258,538	453,442	955,460
Admin	200,000	104,000		86,755	(17,245)
Total IV-E	285,000	142,500	62,547	127,343	47,390
Total	\$8,786,000	\$4,563,020	\$5,085,843	\$723,419	\$1,246,242

RBMS revenue includes \$903,575 for FY-08 that was received in FY-09

Sole Source

Vendor	Date	Cost	Requestor	Division/Purpose
ACA	10/10/08	\$21,300	Robert Morey	Recertification
Charles Kehoe	12/01/08	\$20,000	Gene Christian	DOJ Consultant

Emergency Purchases

Date	Location	Description	Repair Cost
12/08/08	SWOJC	Hot Water Tank (Juvenile Housing Unit)	\$3,593.19

LEGISLATIVE REPORT

Ms. J Lynn Hartman, Legislative Liaison, presented. 2009 – First Session of the Oklahoma 52nd Legislation Session begins at 12:00 p.m. on February 2, 2009. Sine Die Adjournment, no later than 5:00 p.m. on May 29, 2009.

Senate Bills:		
SB270	Children; modifying sentencing procedures for youthful offenders. Effective date.	Anderson(S)
SB279	Public buildings and public works; authorizing Office of Juvenile Affairs to hire a full-time architect. Effective date. Emergency.	Coates(S)
SB283	Children; creating the Task Force on Youth Transitioning into Adulthood. Emergency.	Coates(S), Jackson(H)
SB411	Criminal procedure; modifying membership of the Domestic Violence Fatality Review Board. Effective date.	Jolley(S)
SB435	Children; permitting the Office of Juvenile Affairs to enter into agreements. Effective date.	Eason McIntyre(S)
SB557	Juvenile justice; creating the Oklahoma Juvenile Justice Reform Committee. Emergency.	Anderson(S)
SB595	Children; creating the Juvenile Justice Public Works Act. Effective date.	Anderson(S)
SB659	Children; modifying procedures related to postadjudication review boards. Effective date.	Justice(S)
SB730	Crimes and punishments; permitting placement of youthful offenders with CLEET-certified peace officers. Effective date.	Laster(S)
SB968	State government; Governor appointments; codification; effective date.	Brogdon(S)
SB969	Jails; authorizing Office of Juvenile Affairs to consider certain facilities for certain purpose; noncodification; emergency.	Halligan(S)
SB1148	Jails; authorizing oversight and investigation of complaints; jail inspector; effective date; emergency.	Crain(S)
SB1149	Criminal justice; powers and duties of OSBI; gang and violent crimes; effective date; emergency.	Corn(S)
SB1155	State government; providing procedures for designation of enterprise agencies. Effective date.	Sparks(S)

House Bills:		
HB1742	Children; modifying the Oklahoma Child Care Facilities Licensing Act; effective date.	Peters(H)
HB1744	Public health and safety; creating the Children's Cabinet; codification; effective date; emergency.	Peters(H)
HB1755	State government; authorizing designation of enterprise agencies; codification; effective date; emergency.	Martin(H)
HB1936	Children; providing for the establishment of group homes; effective date.	Watson(H)
HB1983	Children; creating the Oklahoma Alternative Sentencing for Juveniles Act; noncodification; effective date.	Morrisette(H)
HB2028	Children; modifying the Oklahoma Children's Code; codification; recodification; effective date. - 393 pages	Steele(H)
HB2029	Juvenile code; adding and modifying scope of certain definitions; clarifying scope of certain juvenile services; modifying scope of tracking program components; codification; recodification; repealers; effective date. - 274 pages	Steele(H)
HB2173	Juvenile facility funding; legislative intent; Local Juvenile Facility Support Revolving Fund; codification; noncodification; effective date; emergency.	McCullough(H)

Resolutions:		
HCR1002	Concurrent Resolution; creating the Oklahoma Reduction of Recidivism of Inmates Task Force; reports.	Dorman(H)

Appropriation Bills:		
SB140	Office of Juvenile Affairs; making an appropriation. Effective date.	Johnson(S), Miller(H)
SB141	Office of Juvenile Affairs; setting budgetary limitations. Effective date.	Johnson(S), Miller(H)
SB216	General Appropriation Bill; making appropriations. Effective date.	Johnson(S), Miller(H)
SB227	Office of Juvenile Affairs; making an appropriation. Effective date.	Johnson(S), Miller(H)
HB1124	Appropriations; general appropriations; effective date.	Miller(H), Johnson(S)
HB1125	Appropriations; general appropriations; effective date.	Miller(H), Johnson(S)
HB1220	Office of Juvenile Affairs; appropriation; effective date; emergency.	Miller(H), Johnson(S)
HB1221	Office of Juvenile Affairs; appropriation; effective date; emergency.	Miller(H), Johnson(S)

ALTERNATIVE WORK SCHEDULES/FLEXIBLE WORKING HOURS

Mr. Jeff Gifford, Support Services Division Director, presented the information that was a Six Month Update to the new program.

Has this program been good for OJA?

- 1) Absenteeism
- 2) Retention/Turnover
- 3) Tardiness
- 4) Productivity

July 2008	January 2009	
60%	60%	8 Hour Work Day
18%	18%	9 Hour Work Day
22%	22%	10 Hour work Day

Absenteeism:	Empirical/Hard Data?	
	April, May and June, 2008	October, November and December, 2008
Annual	14,035	13,163
Sick	7,380	6,982
Enforced	2,372	2,012

Conclusions?

- Facts: Staff took less leave
 Staff was at work more
- Reasons (Subjective): AWS and FWH helped?
 Economy?
 Seasonal Differences?
 Other reasons?

Turnover:

OPM estimates that state employee turnover in FY 2008 cost Oklahoma tax payers \$84,976,478

Among the 12 largest state agencies, OJA has the third highest turnover rate
Using OPM's formula for calculating turnover costs, OJA's FY 2008 turnover costs were \$3,599,497

April, May, June, 2008
4.1%

October, November, and December, 2008
2.6%

Conclusions?

Facts: Turnover went down
Fewer employees left the agency
Reasons (Subjective): AWS and FWH helped?
Economy?
Seasonal Differences?
Other reasons?

Final Conclusions:

It appears that AWS and FWH are benefiting the agency's bottom line
However, after a short amount of time, a new employee benefit becomes perceived by staff as a right. The positive effects and temporary improvements vanish over time. If the benefit is later taken away or lost, employees will perceive this as punishment and it will likely have adverse effects on the agency's bottom line.

ACTION ITEMS

DISCUSSION AND/OR POSSIBLE ACTION TO ELECT A CHAIRPERSON FOR THE BOARD OF DIRECTORS FOR CALENDAR YEAR 2009.

MOTION BY CHARLIE JACKSON WITH SECOND BY JAY KEEL TO ELECT GARY A. TAYLOR AS CHAIRMAN OF THE BOARD OF DIRECTORS FOR CALENDAR YEAR 2009.

MOTION PASSED

Voting Aye: Charlie Jackson
Jay Keel
Lonnie Simmons
Edward Smith
Linda Ware Toure
George Lindley

Abstain: Gary A. Taylor

DISCUSSION AND/OR POSSIBLE ACTION TO ELECT A VICE-CHAIRPERSON FOR THE BOARD OF DIRECTORS FOR CALENDAR YEAR 2009.

MOTION BY CHARLIE JACKSON WITH SECOND BY JAY KEEL TO ELECT EDWARD SMITH AS VICE CHAIRMAN OF THE BOARD OF DIRECTORS FOR CALENDAR YEAR 2009.

MOTION PASSED

Voting Aye: Charlie Jackson
Jay Keel
Lonnie Simmons
Gary A. Taylor
Linda Ware Toure
George Lindley

Abstain: Edward Smith

DISCUSSION AND/OR POSSIBLE ACTION TO APPROVE THE DECEMBER 5, 2009 BOARD OF DIRECTORS MEETING MINUTES AS PRESENTED.

MOTION BY GEORGE LINDLEY WITH SECOND BY CHARLIE JACKSON TO APPROVE THE DECEMBER 5, 2008 BOARD OF DIRECTORS MEETING MINUTES AS PRESENTED.

MOTION PASSED

Voting Aye: Charlie Jackson
Jay Keel
Lonnie Simmons
Edward Smith
Gary A. Taylor
Linda Ware Toure
George Lindley

DISCUSSION AND/OR POSSIBLE ACTION INVOLVING THE DATE FOR THE MARCH 20, 2009 BOARD OF DIRECTORS MEETING.

MOTION BY GEORGE LINDLEY WITH SECOND BY LONELIA SIMMONS TO CHANGE THE DATE OF THE MARCH 20, 2009 BOARD OF DIRECTORS MEETING TO MARCH 27, 2009.

MOTION PASSED

Voting Aye: Jay Keel
Lonnie Simmons
Edward Smith
Gary A. Taylor
Linda Ware Toure
George Lindley

Abstain: Charlie Jackson

Dorothy Brown, Assistant Attorney General, gave advice to the Board Members before voting to convene into Executive Session.

Item XI (B) will be discussed in Executive Session due to confidential nature of communications between the Board and its attorneys concerning pending investigations and litigation. To discuss such in open session would seriously impair the ability of the Board to handle the pending litigation in the public's best interest.

VOTE TO CONVENE INTO EXECUTIVE SESSION

MOTION BY LONELIA SIMMONS WITH SECOND BY LINDA WARE TOURE TO CONVENE INTO EXECUTIVE SESSION.

MOTION PASSED

Voting Aye: Charlie Jackson
Jay Keel
Lonnie Simmons
Edward Smith
Gary Taylor
Linda Ware Toure
George Lindley

VOTE TO RETURN TO OPEN SESSION

MOTION BY GEORGE LINDLEY WITH SECOND BY LINDA WARE TOURE TO RETURN TO OPEN SESSION.

MOTION PASSED

Voting Aye: Charlie Jackson
Jay Keel
Lonnie Simmons
Edward Smith
Gary Taylor
Linda Ware Toure
George Lindley

POSSIBLE VOTE ON ITEMS FROM EXECUTIVE SESSION.

There were no items requiring a vote.

TOUR OF THE EMPLOYEE DEVELOPMENT CENTER

The Board Members were taken on a tour of the new facilities of the Employee Development Center.

NEW BUSINESS

Executive Director Gene Christian said he plans to discuss the use of pepper spray at the Board Meeting next month. This presentation will come to the Board after three violent assaults on staff members in the past month at the institutions. Of course, the Board of Directors will have to approve the new policy.

Mr. Christian said that at this point for employees, it's not so much an issue of pay as it is an issue of safety. After a survey conducted at the institutions, the youth said they feel more secure now that changes have been made, but the staff says they feel less secure. Mr. Christian said the population of the juveniles is changing. OJA is receiving more violent assaults on staff, as the age is more of youthful offenders rather than the 13 and 14-year-old juvenile delinquents.

One assault occurred at the L.E. Rader Center and others have occurred at Central Oklahoma Juvenile Center. Local police investigated the incidents, and the youths were taken to their respective county jails. Mr. Christian stated he did not know whether criminal charges were pending.

There have not been an escalating number of assaults, but there has been an escalation in violence of the assaults. OJA has been in a lawsuit with the U.S. Department of Justice's Civil Rights Division over the treatment of youths at Rader. To comply with terms of the consent agreement in the federal lawsuit, OJA has standardized the way assaults; use of force and other physical contact with offenders are reports.

There will be discussion and information shared with the Board Members at the February meeting.

ADJOURN

MOTION BY GEORGE LINDLEY WITH SECOND BY CHARLIE JACKSON TO ADJOURN THE BOARD OF DIRECTORS MEETING.

MOTION PASSED

Voting Aye: Charlie Jackson
Jay Keel

Lonnie Simmons
Edward Smith
Gary Taylor
Linda Ware Toure
George Lindley

The meeting was adjourned at 12:40 p.m.

Minutes approved in regular session on the 20th day of February, 2009.

Gary A. Taylor

Gary A. Taylor, Chairman

PREPARED BY:

Linda McLennan

Linda McLennan
Board Secretary