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Joe M. Allbaugh, Director Oklahoma Department of Corrections		Signature on File	

Community Sentencing

Probation and Parole Services/Community Sentencing is responsible for providing administrative and technical support to local community sentencing systems and for managing the statewide sentencing system in accordance with the provisions of the Oklahoma Community Sentencing Act (22 O.S. § 988.1-988.24). (2-CO-1A-14, 2-CO-1A-15, 4-APPFS-1B-06)

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 Probation and Parole Services/Community Sentencing of the Oklahoma Department of Corrections (ODOC) locates treatment providers and resources to support the local community sentencing system.

Community Sentencing shall ensure each local planning council is made 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. Marketing of community sentencing.

B. Planning

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

1. A current list of planning council members to include the terms of membership of elected members;
2. A list of resources available 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:

- a. Community service;
- b. Substance abuse treatment and periodic drug testing;
- c. Mental health treatment;
- d. Varying levels of supervision;
- e. Education and literacy;
- f. Employment opportunities;
- g. Enforced collections; and
- h. Special/segregated/restrictive housing facilities.

C. Attendance

A Community Sentencing local administrator shall attend each local planning council meeting and offer additional assistance to support the local planning council in meeting the requirements of the Oklahoma Community Sentencing Act.

D. Pre-existing Community Programs

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

E. Technical Assistance

Community Sentencing shall provide advice and technical assistance to the local planning council to facilitate the planning and administration of the local sentencing 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 shall require planning councils to submit local community sentencing system plans on or before February 1 of each year. The plan design shall be established by Community Sentencing to allow planning councils to demonstrate conformance with the goals and funding priorities of the Community Sentencing Act. The plan design shall be

reviewed annually. Once a proposed plan is received, the division shall evaluate the plan and notify the sending planning council of any recommended modifications within 45 days. At a minimum, each plan shall 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

Approved plans may be modified by the local planning council after written justification is received by the division 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 director of Probation and Parole Services ; and
3. The director of Probation and Parole Services 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 shall 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. Approved plans shall be maintained for a period of three years by the director of Probation and Parole Services.

III. Administrative Rules

Community Sentencing shall conduct an annual review of the rules for administering community sentencing 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 Community Sentencing to provide programs or services to local sentencing systems, to include state agencies offering services, shall receive a performance-based evaluation within two years of starting participation. All services and programs shall be evaluated annually thereafter. Results of each performance evaluation shall be shared with the respective planning councils and the courts. Failure of a provider to meet performance evaluation standards or failure of a provider to undergo an evaluation will result in discontinuation of the program or service. If a program or service is terminated, it will not be utilized until the director of Probation and Parole Services approves the corrective action.

V. Fiscal Operation

A. Responsibility

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

1. Local administrators shall be responsible for securing contracts for services to the planning councils by June 30th of each year.
2. Grant information and assistance shall 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 system shall be prepared.
4. If appropriations are inadequate to fund the statewide system, Community Sentencing shall 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

Community Sentencing will establish and maintain a cost center for each planning council's appropriated budget amount. Community Sentencing shall 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 shall be deposited in the designated revolving fund account.

1. Upon request from a planning council, and with the approval of the director of Probation and Parole Services, 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 shall review and approve all financial transactions before payments are made to the service providers.

C. Random/Scheduled Audits

Random and scheduled financial audits shall be conducted by ODOC and/or OMES.

D. Financial Statement

Community Sentencing shall provide each planning council with a monthly financial statement, which shall 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, persons sentenced to a community punishment which does not include incarceration shall 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 Community Sentencing. Field operating procedures have been developed and utilized by Community Sentencing to ensure consistent and adequate collection of data. Areas of data collection includes, 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

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

IX. Annual Report

A Community Sentencing Annual Report shall be compiled and submitted each year by January 15 to the Governor, Senate President Pro Temp, Speaker of the House of Representatives, Board of Corrections, Safety and Security Cabinet Secretary, and the director of the Oklahoma Department of Corrections. Community Sentencing shall develop a field operating procedure outlining the content of the report.

X. Reference

Policy Statement No. P-170100 entitled "Community Sentencing"

22 O.S. § 988.12

22 O.S. § 988. 1-988.24

XI. Action

The director of Probation and Parole Services is responsible compliance with this procedure and 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: Operations Memorandum No. OP-170101 entitled "Community Sentencing" dated March 30, 2017

Distribution: Policy and Operations Manual
Agency Website