

## NOTICE OF REGULAR MEETING

### ROGERS COUNTY CRIMINAL JUSTICE AUTHORITY

**PLACE:** Public Meeting Room, 2<sup>nd</sup> Floor, Rogers County Courthouse  
200 South Lynn Riggs Blvd., Claremore, Oklahoma

**DATE & TIME:** Thursday, February 4, 2016 at 9:00 O'clock a.m.

### MINUTES

#### **\*\*\*CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO BE TAKEN ON THE FOLLOWING LISTED ITEMS ON THE AGENDA:**

- ITEM 1: CALL TO ORDER:** DeLozier called the meeting to order at 9:10 AM.
- ITEM 2: ROLL CALL TO ESTABLISH QUORUM:**  
Determine that Notice of Meeting and Agenda were properly posted in accordance with the Oklahoma Open Meeting Act. Chairman Dan DeLozier, Commissioner Ron Burrows and Mayors Bill Flanagan, Larry Griggs, Mat Shockley, Keith Crawford and Brenda Conley were present and Quorum was established and determined that Notice of Meeting and Agenda were properly posted in accordance with the Oklahoma Open Meeting Act. Mayor Mike Provence was absent.
- ITEM 3: APPROVAL/DISAPPROVAL OF THE MINUTES:** January 7, 2016 Meeting – Flanagan made a motion to approve and Burrows seconded. Roll Call: DeLozier –aye, Burrows –aye, Flanagan –aye, Conley –aye, Griggs –aye, Shockley –aye, Crawford –aye. Motion carried.  
**\*\*\*NOTE\*\*\* At this time, DeLozier moved to Item 11:5.**
- ITEM 4: UNFINISHED BUSINESS:** None presented.
- ITEM 5: FINANCIAL STATUS UPDATE:** County Clerk Robin Anderson stated the unencumbered balance is \$1,561,120.63. Sappington stated he was concerned with DOC numbers. DeLozier stated we would get Turner here next month. No action taken.
- ITEM 6: DISCUSSION/POSSIBLE ACTION ON CASH FUND ESTIMATE OF NEEDS AND REQUESTS FOR APPROPRIATIONS:** None presented.
- ITEM 7: DISCUSSION/POSSIBLE ACTION ON SHERIFF'S REPORT OF THE JAIL AND UPDATE:** None presented.
- ITEM 8: DISCUSSION/POSSIBLE ACTION ON TRANSFER OF APPROPRIATIONS:** None presented.
- ITEM 9: DISCUSSION/POSSIBLE ACTION ON JUDGES' REPORTS:** None presented.
- ITEM 10: DISCUSSION/POSSIBLE ACTION ON RATIFICATION OF PURCHASE ORDERS:**  
Flanagan made a motion to approve and Conley seconded. Roll Call: DeLozier –aye, Burrows –aye, Flanagan –aye, Conley –aye, Griggs –aye, Shockley –aye, Crawford –aye. Motion carried.
- ITEM 11: AGENDA ITEMS:**
1. Update from Legal Counsel James Orbison with law firm of Riggs, Abney, Neal, Turpen, Orbison, and Lewis – No update.
  2. Update from Certified Public Accountant Bill Turner, CPA – Turner not present. Flanagan asked that Turner be at the next meeting to discuss the budget.
  3. Invoice #569280 from Riggs, Abney, Neal, Turpen, Orbison & Lewis for professional services through December 31, 2015 \$306.25 – Flanagan made a motion to approve and Conley seconded. Roll Call: DeLozier –aye, Burrows –aye, Flanagan –aye, Conley –aye, Griggs –aye, Shockley –aye, Crawford –aye. Motion carried.
  4. Consideration and possible action regarding the reduction of the number of the Trustees of the Authority by amending the Amended and Restated Declaration of Trust of the Authority – Orbison stated there are 9 trustees that govern this Authority: 3 Commissioners and 6 Mayors. We've had a problem with this Authority having a quorum for meetings. Many of the mayors are volunteers and have other jobs and can't get here. One way to make it easier to have a quorum would be to have less trustees. With 9, it takes 5 trustees. With 7, it would take 4. Every mayor is required to be on this Authority. It would be up to the Authority as to which Mayors would be kept. There was discussion about possibly reducing the number of members. No action taken.
  5. Discussion and possible action regarding overcrowding at the jail – Sheriff Scott Walton stated it was no secret that there are jail number problems and there is no one item responsible. It speaks highly of law enforcement, the District Attorney's office and the judicial because we're doing what needs to be done to keep Rogers County's quality of life where it needs to be. It's a reality that a percentage of the population that needs locked up – this morning the count is 270. In 2000, 47 total prisoners were brought to the new jail. In 2009, there were 47 female prisoners. Walton stated he was grateful to the partners in law enforcement who are working with us and being understanding. He added he didn't want to make mistakes that would cost

Rogers County money and referenced the Jail Medical. He added that an inmate in Muskogee County died sixteen minutes after he was booked and someone will be handing a check over for that. Walton added he's grateful to the detention officers who work for what they do and put up with what they do. We currently have 100 more inmates than we did one year ago. There's nothing wrong with the system, we just need somewhere to put the inmates. There has been discussion of ankle monitors. Flanagan asked for clarification on what the capacity of the jail is and what the management problem was as far as the jail count. Undersheriff Jon Sappington stated they went from a population of average 180 so they ordered 180 mats, food for 180, medical for 180, etc. 180 was the average so once they exceed that, additional mats, food, medical must be ordered. Legally, by square footage, maximum capacity is 250 inmates. When we budgeted, we budgeted off of last year's numbers and that number was 180. Flanagan asked what the max capacity was for the Fire Marshall. Chief Bob Darby stated that by square footage, the Fire Marshall and State Jail Inspector determine how much square footage you are required to have per person, per facility. The Fire Marshall is 25 square foot and the State Jail Inspector is 35 square foot for each individual. If we were to have a surprise inspection, we would be written up for violation of fire codes because we are in excess of the square footage allowed per person. Flanagan asked if the law had changed since we built the facility and Darby stated it had not. Darby stated the jail was built for 180 and somebody went in a talked to the Jail Inspector and gave them a plan to enclose the rec yards and re-measure the facility – based off that measurement, we were increased to 250. The purpose for that was to be able to hold more DOC inmates and collect more money off those inmates. Currently, we are declaring an emergency and calling DOC and requiring them to ship out any excess prisoners. They can only take the inmates who have been sentenced. Walton stated the things that we could do to generate revenue – DOC prisoners, Cherokee Nation prisoners – can't be done because we are at capacity. Walton stated that eventually, when the Federal Building gets completed, we might be able to squeeze a bed or two here and there but regardless, everything we've seen is a band aid at best. Walton stated we need to build on and that comes at a tremendous cost. Flanagan asked if the current structure could go up and Walton stated it could not. Sappington stated he just wanted to make the Authority aware of what's going on as the burden falls to the Commissioners. From September of 2015 to today, the count has been over 200 every day. The average capacity is 229 and today is 270. DOC has called offering inmates but we don't have room to put them anywhere. Flanagan stated, nationwide, sales tax is down. Our revenue source is in more jeopardy than we realize. Walton stated the answer is expensive and difficult. He added he is thankful that we don't have homicides and robberies in Rogers County – something that happens daily in Tulsa. There was discussion about the number of inmates and why they are currently in jail. There is only one inmate in jail on a municipal charge and there are 202 pre-trial felonies. Walton stated they will not be charging municipalities. Jim Thomas stated he thought the county jail was for sentences less than a year. Thomas then asked what the 202 felonies were. Walton stated they are career criminals. You can only be sentenced to one year in a county jail but ongoing litigation can keep you there much longer. Sappington stated when you look at the numbers, there are six armed robberies and four murderers. This is unseen in Rogers County. The types of crimes are changing from DUI's, public nuisance... The majority of our inmates are less than 180 days old. The ones that have been here longer are ones that know they are going to prison and are trying to slow roll the process. Thomas asked if the other jails in other counties at the same capacity or is there an option for us to give them some of our inmates. Walton stated that comes at a non-efficient expense. Stan Brown asked if anyone locally had run numbers on alternative solutions versus incarceration for non-violent offenders. Sappington stated the DA is working on a pilot program. The problem is, with 202 here on significant felonies, we don't know how many would be able to qualify or pay for that program. Walton stated it would be counter-productive to send the message out that we want to lighten up on who we bring to jail. Sappington stated he was concerned because we've been at or above capacity since September and this is our slow season. If we are still this way in April and May, it's going to present much larger issues. Brown asked if there was any way of knowing how many of the pre-trial felony cases are non-violent offenders. Sappington stated he would find out. Brown stated he would like for everybody to look at the alternative solutions. Judge Sheila Condren stated there might be a way for the County to help with this in the way of a pre-trial release program with ankle monitors. Darby stated in Tulsa County, they have a new day program where they have non-violent offenders on ankle monitors. Darby stated to hold a prisoner in jail is \$59.00 per day and for them to wear an ankle monitor, the cost is \$15 per week. The offender is paying for the monitor and also paying \$25 for the pee test they must take. Brown asked if personnel is assigned to monitor. Darby stated they have about 20 people who do that. Drug Court Coordinator Chrisie Stone stated the system she uses is \$10/day. There is inactive monitoring and active monitoring. One dumps twice a day and you look at where the offender has been while the other is more complex and you can set parameters and if the offender crosses those lines, you are immediately notified. Darby stated in doing that program, it would likely only get 10-15 people out of jail: good but it doesn't solve everything. Flanagan stated we have identified the problem and we need to now look at solutions. We need to look at the capacity and financial side of this. Steidley stated we need to be careful at how we are evaluating the numbers. DeLozier stated we are getting to the point of needing a committee to start looking at everything. Funding will go through the Board of County Commissioners. Capacity has been an issue for years but now it's becoming a problem. Eventually, we will have nothing else to do but add on to the jail. That's not going to happen next week so we need to look at every avenue that we have and see what programs are available. Thomas stated in fifteen years we have tripled capacity. Walton stated that at the very best, we are just buying

time until we can build a facility. Brown stated we must have the ability to lock criminals up. Walton agreed and said we can't loosen up law enforcement. Burrows stated the percentage of prisoners who are mentally ill is very high. Ms. Condren stated we have mental health court. DeLozier stated we need to make a genuine and honest effort to look at solutions to this to prove to the public that, at some point, we are going to have to build on. Walton stated we can't do twelve meetings a year and get to where we need to be fast enough. Steidley recommended a similar model to what was used to build the Courthouse. DeLozier stated perhaps using a committee of 11 who reports to the CJA. There was recommendations for the types of people who need to be on the committee. Conley stated we are in a critical phase and we need to move quickly because we have some plans but not even a short term solution. Walton stated we need to increase the frequency of the meetings and get a short term plan in place. Thomas stated we need a long-term, strategic goal. Walton bragged on his staff stating they squeeze dimes out of pennies and work hard. DeLozier stated the appointments would be an agenda item on Monday so the committee could get started. Walton expressed a sincere "thank you" to everybody for understanding that there is a real issue and that there is a need to move quickly. \*\*\*NOTE\*\*\* At this time, DeLozier moved to Item 4.

6. Discussion and possible action regarding updating equipment in the kitchen – Darby stated with more inmates, we cook more. We are at lifespan at some of the items in the kitchen and it will be a significant expense if something goes out. Flanagan suggested is to repair and get it in as good of working condition as possible. Darby stated he found some things on the GSA website that could save money. No action taken. \*\*\*NOTE\*\*\* At this time, DeLozier moved to Item 5.

**ITEM 12: RECESS OR ADJOURNMENT:** Flanagan made a motion to adjourn and Conley seconded. Roll Call: DeLozier –aye, Burrows –aye, Flanagan –aye, Conley –aye, Griggs —aye, Shockley – aye, Crawford – aye. Motion carried.

ROGERS COUNTY CRIMINAL JUSTICE AUTHORITY  
BY \_\_\_\_\_  
Robin Anderson, Secretary

(SEAL)

*Notice of said meeting was filed in the Office of the County Clerk on Tuesday, February 2, 2016 at 4:51 p.m. and posted in the public display case near the front door entrance to the courthouse and on the county website.*