State of Oklahoma

Special Task Force for Women Incarcerated in Oklahoma

(Created by S.B. 810 of 2003 Legislative Session)

REPORT

to the

Governor

President Pro Tempore of the Senate

and

Speaker of the House of Representatives

January 5, 2004

State of Oklahoma
Mary Fallin **Office of Lieutenant Governor**
Lieutenant Governor Oklahoma City

January 14, 2004

The Honorable Governor Henry, President Pro Tempore Hobson, and Speaker Adair:

As required by Senate Bill 810 the Special Task Force on Women Incarcerated is transmitting this report that was agreed upon by a majority of the members. Although it is important to note that not all of this report received universal support, I want to take this opportunity to commend the efforts and input of all task force members, the many concerned Oklahomans who voiced their opinions throughout the process, and the staff of the Oklahoma Criminal Justice Resource Center that dedicated a tremendous amount of time and expertise. Also, I would be remiss if I did not specifically give thanks to the leadership that Senator Dick Wilkerson provided as Vice-Chair.

Respectfully,
/s/
Lieutenant Governor Mary Fallin
Chair

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GENERAL INTRODUCTION

Senate Bill No. 810 of the 1st Session of the 49th Oklahoma Legislature (2003) created the Special Task Force for Women Incarcerated in Oklahoma. A copy of SB 810 is included in Appendix B to this Report.

Pursuant to SB 810, the following 11 persons served as members:

- Hon. Mary Fallin, Lieutenant Governor
- Senator Daisy Lawler, appointed by the President Pro Tempore of the Senate
- Senator Dick Wilkerson, appointed by the President Pro Tempore of the Senate
- Rep. Ron Kirby, appointed by the Speaker of the House of Representatives
- Rep. Barbara Staggs, appointed by the Speaker of the House of Representatives
- Hon. Linda Morrissey, Tulsa County District Court Judge, designee of the Director of the Oklahoma Criminal Justice Resource Center
- Suzanne McClain Atwood, Executive Coordinator, District Attorneys Council
- Debbie Mahaffey, designee of the Director of the State Department of Corrections
- Jean Derry, designee of the Director of the Oklahoma Department of Human Services
- Debbe Leftwich, Chair, Oklahoma Commission on the Status of Women
- Bernice Mitchell, Vice-chair, Oklahoma Commission on the Status of Women

At the first meeting, July 9, 2003, the members elected Lt. Gov. Fallin as Chair and Sen. Dick Wilkerson as Vice-chair.

The Task Force met in open meeting nine times at the State Capitol: July 9, July 30, August 20, September 10, October 1, October 22, November 12, December 2-3, and December 17, 2003. Notices and agendas were posted in advance at the meeting place and filed with the Secretary of State. The general public was afforded the opportunity to comment at Public Forums that were included on the agendas for July 30, August 20, September 10, October 1, October 22, and November 12. Copies of the notices and agendas are included in Appendix B to this Report, as are Minutes of the meetings.

As directed by SB 810, the Oklahoma Criminal Justice Resource Center staffed the Task Force, under the direction of K.C. Moon, Director. However, several other agencies and organizations and their leaders also provided substantial and essential information, including the Departments of Corrections, Human Services, Mental Health & Substance Abuse Services, the District Attorneys Association, the Oklahoma Indigent Defense System, and the Vera Institute of Justice. Drs. Susan Sharp, Susan Marcus-Mendoza, and Stephanie Covington graciously provided their expertise. The Task Force also benefited from the interest, comments, and suggestions of representatives of numerous other organizations and the general public.

This Report, including Appendices A and B, may be viewed on the Internet web site of the Oklahoma Criminal Justice Resource Center: http://www.ocjrc.net/Publications.asp

FINDINGS AND RECOMMENDATIONS
of the
Special Task Force for
Women Incarcerated in Oklahoma

Introduction

The mission of the Special Task Force for Women Incarcerated in Oklahoma as mandated in Senate Bill No. 810 of 2003 was to determine the causes of Oklahoma's high female incarceration rate. Oklahoma's female incarceration rate of 131 per 100,000 female population is 143% higher than the U.S. average and has led the nation at least since 1993. Research reviewed by the Task Force suggests that the following findings are possible causes of Oklahoma's high female incarceration rate.

- Oklahoma's 2001 total female arrest rate was 54% higher than the U.S. total female arrest rate and has increased by 25% since 1990.

- States such as Maine, Minnesota, Missouri, and Arkansas have higher total female arrest rates and Uniform Crime Report Index arrest rates than Oklahoma. However, their female incarceration rates are between one-half and one-tenth of Oklahoma's rates.

- The largest discrepancy between Oklahoma and other states in the area of female arrests and incarceration is in drug-related crimes.

- Oklahoma's 2001 female drug arrest rate was 116% higher than the U.S. female drug arrest rate and has increased by 152% since 1990.

- Oklahoma's percentage of prison receptions due to drug possession is twice the national average at 27.5% for females and 18.2% for males. The U.S. average is 12.9% for females and 8.9% for males.

- Females in Oklahoma experienced a 125% increase in the number of prison receptions for drug crimes from 1990-2002.

- Low incarceration states spend more for state-supported alcohol and other drug abuse treatment programs than high incarceration states. Oklahoma's per capita expenditure for state-supported alcohol and other drug abuse treatment programs at $6.06 is 117% less than the U.S. average at $13.17.

- There is a link between lower probation spending on offenders and higher female incarceration rates. States that incarcerate the most women spend consistently less than average on probation costs. Oklahoma spends $2.04, half the U.S. average of $4.37 for probation/parole cost per offender per day.

- There is a correlation between lower spending on judicial and legal services and higher female incarceration rates. States that incarcerate the most women spend consistently less than average on courts, prosecutors, and criminal defense. Oklahoma spends 71% less than the U.S. average.

The Present Criminal Justice System: Findings and Conclusions

Finding 1: The Task Force finds no bias against women in statewide felony sentencing practices.

Finding 2: Although the Oklahoma female prison incarceration rate of 131 per 100,000 female residents in 2002 is the highest in the nation, females comprise 10% (2,363 of 23,006) of the prison population as of June 30, 2003. [4A, pp. 2 and 31]

Finding 3: Oklahoma females sentenced to prison are not likely to be first-time offenders. [4A, p. 26]

Finding 4: Females were about half as likely as males to be sentenced to prison, and among all felony sentences given, the sentences of females were slightly shorter (11 months) than the sentences of males. [4A, pp. 15 and 18]

Finding 5: Oklahoma has increased the time served by violent offenders. [1A, page 16; 4A, page 18]

Finding 6: By using drug courts and probation more frequently for women, the Oklahoma criminal justice system is at least partially recognizing the special needs and lesser risk posed by female offenders. [2A]

Finding 7: Females represent 10% of the prison population, yet they are 21.6% of the inmates granted parole or commutation. [4A, p. 31]

Finding 8: Incarceration of females often costs more than incarceration of males for two reasons: (1) females are more likely to need medical care in prison, and (2) female inmates are more likely to be custodial parents, and society pays more to care for their children. All told, taxpayers spend 31% more to lock up the average female than the average male. [8C and 8D]

Finding 9: A 2002 survey by the Oklahoma Department of Corrections (DOC) documented the following characteristics of female inmates (information was self-reported by inmates):

a. 30% do not have a high school diploma or GED;
b. 81% have children;
c. 25% are currently married;
d. 71% had been in an abusive relationship;
e. 35% were sexually abused as a child, and 29% were physically abused as a child;
f. 48% had received social assistance; and
g. 75% were incarcerated for drug and non-violent crimes.

Finding 10: Children of women in the criminal justice system are often at risk.

Conclusion 1: The present system is working to protect the public by keeping violent offenders, including the small number of violent female offenders, in prison.

Conclusion 2: Oklahoma needs a comprehensive study to address the funding and exercise oversight of the care of children of women in the criminal justice system.

Conclusion 3: The present system is utilizing alternatives to incarceration of women, but recommendations for change in policies, both in and outside of the system, are warranted as shown in sections A through D below.

Recommendations for Change

Underlying the following set of recommendations is the idea that meeting the state's public safety obligations to its taxpayers and citizens requires a systematic approach to criminal justice that:

recognizes that many of Oklahoma's female offenders share commonalities that we, as a state, should work to alleviate,

utilizes and maximizes all tools within the community and criminal justice system available to deal with female offenders, and

better prepares incarcerated women, pre-release and post-release, for surviving on the outside without re-offending.

A. Diverting Women from Becoming Offenders

Part One: Mental Illness

Finding A-1-1: Fifty percent of women incarcerated in Oklahoma have a history of, or are currently exhibiting, some form of diagnosed mental illness – nearly twice the rate for male prisoners. [X2, X8]

Finding A-1-2: Of the women with mental illness sent to prison, 68.3% were incarcerated for non-violent crimes. [X2, X8; for meaning of "non-violent crime" see Definitions in Appendix A]

Finding A-1-3: The population of women in jails and prisons in Oklahoma has markedly increased while the population of persons institutionalized under the supervision of the Oklahoma Department of Mental Health and Substance Abuse Services (DMHSAS) has dramatically declined. [X8, 8D, and 1F, page 3.]

Finding A-1-4: The use of psychotropic medications by DOC in the last five years has doubled. [X2]

Recommendation A-1-1: Oklahoma needs a comprehensive study of the mental health needs of women, the mental health services available to women in this state, the mental health services that should be provided to women incarcerated, and the prospects for utilizing mental health courts as an additional sentencing option.

Part Two: Physical & Sexual Abuse and Domestic Violence

Finding A-2-1: Two of every three women in the criminal justice system report a background of childhood physical, sexual, emotional, or economic abuse and two of three report having been victims of domestic violence as adults. [5A, X4, X9]

Finding A-2-2: Many women report, because of lack of awareness of the dynamics of domestic violence, being reluctant to make official complaints.

Finding A-2-3: Many women who make domestic violence complaints want to drop them upon realizing that, lacking funds, education, and job experience, they have no apparent means of survival outside of the troubled domestic situation.

Recommendation A-2-1: The Task Force strongly encourages police and district attorneys to vigorously investigate domestic violence and pursue prosecutions, including the use of expert witnesses, even in situations where the complainant becomes reluctant to testify or asks that the matter be dropped.

Recommendation A-2-2: The Oklahoma Department of Mental Health and Substance Abuse Services should work with the Department of Education and other agencies to educate, protect, and empower victims of domestic violence and to encourage prosecution of offenders.

Recommendation A-2-3: The Administrative Office of the Courts should emphasize educational opportunities for the judiciary on the subject of domestic violence and on managing female offenders.

Part Three: Background Factors for Female Drug Users

Finding A-3-1: The total adult female drug arrest rate for Oklahoma increased by 152% from 1990 through 2001. [4A, p. 10]

Finding A-3-2: Oklahoma's high correlation between increases in arrests of females and increases in imprisonment of females seems to be isolated to drug-related offenses. [4A, pp. 12 and 20]

Finding A-3-3: There is little evidence that sanctions without treatment deter drug-addicted offenders from re-offending.

Finding A-3-4: When compared with other states, Oklahoma underutilizes jail sentences as an intermediate punishment between probation and imprisonment for female offenders: Oklahoma uses jail sentences for felony offenders at half the national percentage. [4A, p. 14; 8A; 8B]

Recommendation A-3-1: Policymakers should consider enhancing treatment for offenders who are addicted to drugs or alcohol. Policymakers may need to develop creative and effective alternatives to imprisonment, as well as enhance treatment services within prisons and jails.

B. Alternatives within the Criminal Justice System

Part One: Costs: Incarceration vs. Drug Court and Community Sentencing

Finding B-1-1: Nationally, 70% of incarcerated women have minor children and 10% of those children wind up in foster care. [X5, from Bureau of Justice Statistics (BJS)]

Finding B-1-2: In Oklahoma, about 1,000 minors are currently in foster care because the mother is incarcerated. [Statements by officials of the Oklahoma Department of Human Services (DHS) on several occasions; 8D]

Finding B-1-3: The state's cost per year for a child in foster care is, at a minimum, $4,100. [Derived in preparation of 8D]

Finding B-1-4: Incarceration of a female typically has much more substantial destructive impact on families than incarceration of a male. [X4]

Finding B-1-5: Of the 557 female drug offenders sent to prison in 2001, 307 (57.9%) were convicted of possession and 185 (28%) were convicted of distribution. Fourteen (2.0%) were convicted of trafficking and 17 (4.8%) were convicted of manufacturing. [2B]

Finding B-1-6: There is wide disparity among criminal justice experts as to the percentage of women offenders that need to be in prison to protect the public safety. For example, wardens and other prison officials say only 20% to 25% of female inmates need to be there to protect the public. [Comments at X3]

Finding B-1-7: 79.9% of women imprisoned in Oklahoma are serving sentences for non-violent crimes. [1I]

Finding B-1-8: The re-arrest rate for female drug court graduates is 14.2% whereas the re-arrest rate for female traditional probation offenders is 31%. [3B]

Finding B-1-9: The prison cost per year for female offenders in Oklahoma is $19,847 per offender (about 10% higher than for male offenders) whereas drug court and community sentencing alternatives cost one-fourth that amount or less. [3C; 8C]

Finding B-1-10: Current funding at about $2,000 per offender for drug court and $1,100 per offender for community sentencing, which is less than actual cost, is limiting the use of drug courts and community sentencing. If fully funded, these options could handle offenders with more needs and many who are otherwise prison bound.

Finding B-1-11: The Oklahoma Sentencing Commission recently completed an analysis of alternatives to incarceration and provided the Legislature with a set of sentencing recommendations. [2C]

Recommendation B-1-1: More drug courts should be established and expanded.

Recommendation B-1-2: The state should fund expansion and establishment of drug court services as rapidly as DMHSAS can certify that qualified drug treatment providers are available to support new drug court services.

Recommendation B-1-3: The state should continue to fund efforts to find, perfect, and utilize assessment tools that can determine more accurately the kind and level of treatment to which substance-abusing women are likely to respond.

Recommendation B-1-4: The Legislature should consider removing any barriers that prevent judges from sentencing offenders convicted of the lesser drug-related offenses to drug court.

Recommendation B-1-5: To the extent that resources are available, female offenders who have been convicted of the lesser drug-related offenses should be channeled into drug court and community sentencing programs, when appropriate, rather than be sent to prison or placed on traditional probation.

Part Two: Methamphetamines and Intensive Treatment

Finding B-2-1: Drug court data shows that, although alcohol (39%) still is the addictive substance most often used by men in Oklahoma, for women, methamphetamine (37%) is the drug of choice. For persons sentenced to prison for controlled dangerous substance (CDS), methamphetamine was the predominant drug type for both males (51%) and females (60%). [2A, p.6; 4A, p. 22]

Finding B-2-2: Methamphetamine has such a profound effect on the brain that outpatient treatment, even if extended or intensive, is often not sufficient to deal successfully with the addiction. [X4, X9, 3C]

Finding B-2-3: Some offenders report the prospect of losing custody of a child is often the point at which a methamphetamine-addicted woman is ready to accept intervention, particularly if there is a facility available where both she and the child can receive the intensive assistance necessary to rebuild their lives. [X4]

Finding B-2-4: Oklahoma has only about 50 placements for long-term intensive treatment where a child or children can be with the mother. [X7]

Recommendation B-2-1: The Legislature should fund establishment of more long-term intensive treatment placements for women and their children for use in appropriate cases.

Recommendation B-2-2: The Legislature should encourage DMHSAS in its efforts to help treatment providers implement best practices in both outpatient and residential programs across the state.

C. Rehabilitative Efforts while Offenders are Incarcerated

Finding C-1: DOC reports more than 530 incarcerated female offenders in need of substance abuse treatment are awaiting a treatment program. [DOC information provided December 22, 2003]

Finding C-2: DOC reports more than 277 incarcerated female offenders in need of education await an education program, and that more than 252 female prisoners await vocational training. [DOC information provided December 22, 2003]

Finding C-3: There is a limited number of employment opportunities for women upon release from prison.

Recommendation C-1: DOC and DMHSAS should continue their collaboration to provide substance abuse treatment to those who are incarcerated as well as provide adequate follow-up and aftercare upon release.

D. Reintegration Efforts after Incarceration

Finding D-1: The Task Force has discovered very few efforts in Oklahoma to provide structured support for male or female offenders attempting to establish healthy lives post-release.

Finding D-2: Obstacles faced by women attempting to establish healthy lives post-release are sometimes formidable. [X3 and X4. See also X10.]

Recommendation D-1: DOC should be supported in its efforts to facilitate successful reintegration of offenders into society.

Recommendation D-2: The Legislature should study the scope of fees and restitution requirements placed on offenders to consider whether the debts faced by the offenders on release (particularly the debts of women who have minimal education, job skills, and work experience) are barriers to their successful reintegration into society.

Appendix A

- List of documents referenced by the Task Force
- Definitions of Terms

Appendix is also available on the OCJRC Internet web site at: www.ocjrc.net/publications.asp

SPECIAL TASK FORCE FOR WOMEN INCARCERATED IN OKLAHOMA

REFERENCE LIST

First Meeting:

Items distributed by OCJRC staff:

1A U.S. Dept. of Justice, Bureau of Justice Statistics. "2001 Female Incarceration Rates (Rank) Per 100,000 Population" (a graphic prepared by Oklahoma Data Analysis & Statistics Unit of the Oklahoma Department of Corrections).

1B Oklahoma Department of Corrections. "Total Crime Rate Per 100,000 – Incarceration Rate Per 100,000" (chart for the years 1974 through 2001).

1C U.S. Dept. of Justice, Bureau of Justice Statistics. *Sourcebook of Criminal Justice Statistics 2001*, page 501: "Female Prisoners Under Jurisdiction of State and Federal Correctional Authorities."

1D Oklahoma Criminal Justice Resource Center. 2003. *Oklahoma Sentencing Commission: Felony Sentencing in 2001*.

1E Sandhu, Harjit S., Hmoud Salem Al-Mosleh, and Bill Chown. "Why Does Oklahoma Have the Highest Female Incarceration Rate in the U.S.? A Preliminary Investigation." *Oklahoma Criminal Justice Research Consortium Journal*, Vol. 1: August 1994. <http://www.doc.state.ok.us/DOCS/OCJRC/OCJRC94/940650c.htm>

Oklahoma Department of Corrections items distributed by Debbie Mahaffey, Deputy Director, DOC:

1F "Female Offender Management Work Summary for Fiscal Year 2002."

1G "Facts at a Glance" ["a monthly snapshot of the department's population, programs, inmate demographics, and much more"]. May 30, 2003.

1H "Survey of Oklahoma Department of Corrections Female Offenders Conducted in September 2002."

1I "Inmate Profile for End of Month Population for December 2002."

1J "Female Receptions as a Percent of All Receptions from FY 1980 through FY 2002."

Second Meeting:

Items distributed by OCJRC staff:

2A OCJRC. July 18, 2003. "Drug Courts." A list of existing and planned drug courts, by county, and a set of charts and graphs as follows:

Gender at Entry
Gender by County
Drug Court Status by Gender

Race at Entry by Gender
Children of Participants at Entry
Education at Entry by Gender
Employment at Entry
Income at Entry
Mean ASI Scores at Entry for All Participants
Number of Prior Felonies for All Participants
Top Five Felonies for Males and Females
Top Four Drugs of Choice
Outcomes
Full-Time Employment Among Graduates
Mean Income among Graduates Only
Mean Education Among Graduates Only
Mean ASI Scores for Graduates Only
Comparison of Re-Arrest Among Drug Court Graduates and Traditional Probation Offenders
Re-Arrest of Drug Court Graduates After 36 Months.

2B OCJRC. "Drug Offenders to Prison by Gender 2001." A chart prepared July 30, 2003.

2C OCJRC. 2003. "Oklahoma Sentencing Commission: Recommendations to the Legislature about Felony Sentencing."

2D Moon, Dreama G., Garry L. Robison, Olayemi D. Akande, and Beverly Fletcher. 1994. "Substance Abuse Among Female Prisoners in Oklahoma." *Oklahoma Criminal Justice Research Consortium Journal* Vol. 1: August 1994.

Third Meeting:

3A OCJRC. "Statewide Criminal Justice Flow Chart, 2001." August 19, 2003.

3B OCJRC. "Requested Information on Drug Courts." August 19, 2003.

3C Oklahoma Department of Corrections, Division of Community Corrections. Set of various items distributed, and comments by Justin Jones, Division Director, August 20, 2003.

3D OCJRC. "Future Meeting Topics and Information/Questions to be Addressed. August 19, 2003.

Fourth Meeting:

4A Analysis of the Oklahoma Criminal Justice System Process

1. Overview
a. Female, Male, and Total Incarceration - Oklahoma v. U.S.
b. Total Incarceration Rates 1993-2002 – Oklahoma v. U.S.
c. Female Incarceration Rates 1993-2002 – Oklahoma v. U.S.

d. Criminal Justice System Process Flow Chart

2. Arrest Data
a. Oklahoma v. U.S. Total 1990-2001
b. Oklahoma v. U.S. Total 1990-2001 – Female
c. Oklahoma v. U.S. Total 1990-2001 – Male
d. Oklahoma Arrests by Offense and Gender – 2001
e. Drug Arrests by Gender in Oklahoma 1990-2001
f. Oklahoma Drug Possession Arrests by Category and Gender
g. State Comparisons on Female Arrests and Incarceration

3. Felony Sentencing Data
a. Offense Types Among all Convictions
b. Sentence Types by Gender – Oklahoma v. U.S.
c. Offense Types Among all Prison Receptions
d. Sentence Lengths Among Prisoners by Offense Types and Gender – Oklahoma v. U.S.
e. Drug Crime Prison Receptions by Gender 1990-2002
f. Drug Crime Prison Receptions Relative to Drug Crime Arrests
g. Drug Types for Possession of CDS by Gender
h. All Felony Convictions by Gender and Race
i. All Prison Receptions by Gender and Race
j. Plea Rates by Gender
k. Analysis of First-Time Felony Offenders Sentence to Prison by Gender

4. Prison Population Data

a. Drug Offenders as a Percentage of Prison Receptions and Prison Population: Oklahoma, Selected States, and U.S.
b. Inmate Population per 1,000 Nonviolent, Violent, and Total Index Crimes
c. Female Incarceration Rates by County

5. Female Percentage of Totals at Various Stages in the Oklahoma Criminal Justice System 2001.

4B Oklahoma Department of Corrections. "Approved Program Information." August 2003.

Fifth Meeting:

5A Sharp, Susan F., Ph.D., and Susan T. Marcus-Mendoza, Ph.D. "Female Drug Offenders in Oklahoma." October 1, 2003.

5B OCJRC. September 30, 2003:
Female Index Crime Arrests 2001: Oklahoma vs. U.S., Violent and Non-Violent.

Male Index Crime Arrests 2001: Oklahoma vs. U.S., Violent and Non-Violent.
Adult Female Index Crime Arrest Rates, 2001: Oklahoma vs. U.S., Violent and Non-Violent.
Percent of Time Served in Prison by Selected Offenses and Gender (Based on 6043 prison releases in FY 2003).

Sixth Meeting:

6A Oklahoma Department of Human Services. October 22, 2003. "Women in Prison."

6B Covington, Stephanie S., Ph.D. 2003. "Guiding Principles for a Gender-Responsive System of Care" and "Strategies for Implementation" from NIC Project: *Gender-Responsive Strategies: Research, Practice, and Guiding Principles for Women Offenders*.

Seventh Meeting:

7A OCJRC. "State Comparisons of Substance Abuse and Criminal Justice Expenditures." November 12, 2003.

7B Vera Institute of Justice. "Female Offenders: An Overview of State Responses." November 12, 2003.

Eighth Meeting:

8A Rate of Female Inmates in State Prison and Local Jails in June, 2001: High vs. Low Female Incarceration Rates.

8B Rate of Female Inmates in State Prison and Local Jails in June, 2001: Oklahoma vs. Regional States.

8C Annual Taxpayer Cost of Incarceration for Female vs. Male Inmate [including medical costs].

8D Annual Taxpayer Cost of Incarceration for Female vs. Male Inmate [including social service costs as well as medical costs].

8E Trends in Statewide Prison Population and Mental Hospital Population.

8F Percent Change in State Appropriations to Selected Agencies FY '97 – 'FY 04.

LIST OF OTHER ITEMS REFERRED TO IN FINDINGS AND RECOMMENDATIONS

X1 "Study finds Hundreds of Thousands of Inmates Mentally Ill." *The New York Times*, October 22, 2003.

X2 Powitzky, Robert J., Ph.D. Oklahoma Department of Corrections Mental Health Services *Fact Sheet*. January 2003.

X3 National Institute of Corrections (NIC) Training Program held September 23-26, 2003, at Oklahoma City, OK

X4 Comments by Stephanie S. Covington, Ph.D., when speaking to the Task Force October 22, 2003.

X5 Comments by personnel of the Vera Institute of Justice when speaking to the Task Force November 12, 2003.

X6 Letter of July 16, 2003, from N. Ann Lowrance, Executive Director, Project Safe, Inc., Shawnee, Oklahoma, to Rep. Barbara Staggs citing several studies regarding victimization of women prior to incarceration. (Distributed to the Task Force at the July 30, 2003, meeting.)

X7 Oklahoma Department of Mental Health and Substance Abuse Services. "Substance Abuse Programs Bed Utilization Report" for the week ending October 25, 2003.

X8 "Jailing of Mentally Ill on Rise." *Tulsa World*, November 20, 2003.

X9 Comments by Eagle Ridge Institute Guthrie facility staff and residents during October 2, 2003, visit by the Task Force, Chair, one other member, and two Task Force staff.

X10 Boo, Katherine. "The Marriage Cure." *The New Yorker*. August 18, 2003.

X11 Snyder, Carmel Perez. "Foster Care Rate Linked to Factors." The Daily Oklahoman. June 11, 2003.

Felony Sentencing Data Definitions

Deferred - includes a probation sentence typically for first time, non-violent offenders, whereby once the sentence is completed, the offender's record is expunged.

Suspended - includes a prison sentence that has been suspended, allowing the offender to serve the sentence under probation (usually under DOC supervision).

Community Sentence - An alternative sanction program created in 2000 and administered by DOC through local planning councils.

Drug Court - An alternative sanction program created in 1997 and administered by DMHSAS though a local team, usually headed by a judge.

Jail Term - includes all offenders who are sentenced to jail or a jail split.

-Jail - includes all offenders sentenced to county jails. Once the offender has completed his/her sentence, he/she is released.

-Jail Split - includes both a period to be served in the county jail and a period on probation, which may be suspended or deferred. Once the offender has completed his/her time in the county jail, he/she is released to probation for the remainder of the sentence.

Prison Term - includes all offenders who are sentenced to prison or a prison split sentence.

-Prison - includes all offenders sentenced to the Department of Corrections in a state correctional facility. Once the offender has completed his/her sentence, he/she is released without supervision. Paroled inmates are supervised until their sentence expires.

-Prison split - includes both a period to be served with the Department of Corrections in a state correctional facility and a suspended probation sentence. Once the offender has completed his/her sentence in prison, he/she is released to probation for the remainder of the sentence.

Offense Category Definitions: Offenses included in each offense category that are not already indicated such as Drug Possession, DUI, Burglary II, Drug Distribution, Drug Manufacture, and Drug Trafficking are as follows (not an exclusive list):

Deadly Sins - includes Murder I, Murder II, Manslaughter I, Assault and Battery with a Deadly Weapon, Drive-by Shooting, Shoot with Intent to Kill, Attempt to Kill by Administering Poison, Robbery With a Dangerous Weapon, Robbery by Force or Fear, Conjoint Robbery, Rape I, Arson I, Burglary I, Bombing, Child Abuse and Sexual Abuse, Forcible Sodomy, Child Pornography, Child Prostitution, and Lewd Acts with a Minor.

Drug Other - includes Obtaining Drugs by Fraud, Cultivation, Maintain a Place Where Drugs Are Kept, and Possession of Precursor Substances.

Fraud - includes Embezzlement, Obtaining Property by False Pretense, Bogus Checks, and Forgeries.

Larceny - includes Grand Larceny, Shoplifting, and Larceny of Auto.

Assault Other - includes Domestic Abuse and Assault/Battery on a Police Officer.

Sex - includes Indecent Exposure and Failure to Register as Sex Offender.

Weapon Nonviolent - includes Possession of a Firearm After a Felony Conviction and Possession of a Sawed-off Shotgun.

Other Nonviolent - includes all nonviolent offenses not already accounted for in other categories.

Other Violent - includes all violent offenses not already accounted for in other categories.

Rape - includes Rape II and Rape by Instrumentation.

Assault Violent - includes Assault and Battery with a Dangerous Weapon, Manslaughter II, Maiming and Kidnapping, and Assault with Intent to Commit a Felony.

Weapon Violent - includes Pointing a Firearm and Use of a Firearm in the Commission of a Felony.

Arson- includes Arson II through IV.

Violent Offenses- offenses defined by 57 O. S. 571.

Appendix B

- SB 810
- Meeting Notices/Agendas
- Minutes of the Meetings
- Documents Distributed

Appendix is also available on the OCJRC Internet web site at: www.ocjrc.net/publications.asp

ENROLLED SENATE
BILL NO. 810

By: Wilkerson of the Senate

and

Staggs of the House

An Act relating to state government; amending 74 O.S. 2001, Section 669, which relates to the Oklahoma Commission on the Status of Women; modifying duties; creating the Special Task Force for Women Incarcerated in Oklahoma; stating purposes; establishing membership; providing for reimbursement; providing staff support; requiring a report; providing for noncodification; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 74 O.S. 2001, Section 669, is amended to read as follows:

Section 669. The Oklahoma Commission on the Status of Women shall have the power and the duty to:

1. ~~Act as an advisory entity~~ Advise on equity issues relating to gender bias ~~not only to~~, state agencies and employees, ~~but to~~ communities, organizations and businesses of this state which desire the services of the Commission;

2. ~~Act as a monitor on~~ Monitor legislation as to whether the legislation is discriminatory toward one gender ~~or the other~~ or whether the gender of an individual would have an effect on the enforcement of the legislation;

3. Act as a resource and a clearinghouse for research on issues related to women and gender bias;

4. Conduct meetings and seminars within the state as appropriate to support the goals and duties of the Commission; and

5. ~~Make an annual report~~ Report to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives of its activities ~~under this act~~. ~~Such~~ The report recommendations may include recommendations concerning needed legislation or regulatory changes relating to equity and gender bias.

SECTION 2. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. There is hereby created the Special Task Force for Women Incarcerated in Oklahoma. The purpose of the Task Force is to study factors that have resulted in Oklahoma being one of the highest among the states in the rate of incarceration of women. The Task Force shall consider factors including, but not limited to, the inmate's education and literacy level, gender bias, policies, and procedures that may have contributed to the high incarceration rate of women in Oklahoma.

B. The Task Force shall be composed of the following eleven (11) members:

1. The Lieutenant Governor or a designee;

2. Two members of the Oklahoma House of Representatives appointed by the Speaker of the Oklahoma House of Representatives;

3. Two members of the State Senate appointed by the President Pro Tempore of the State Senate;

4. The Director of the Oklahoma Criminal Justice Resource Center or a designee;

5. The Executive Coordinator of the District Attorneys Council or a designee;

6. The Director of the State Department of Corrections or a designee;

7. The Director of the Department of Human Services or a designee; and

8. The chair and vice-chair of the Oklahoma Commission on the Status of Women.

C. The initial meeting of the Task Force shall be called by the chair of the Oklahoma Commission on the Status of Women and held by July 15, 2003. A chair and vice-chair of the Task Force shall be elected at the initial meeting. The Task Force may elect other officers as it deems necessary. The Task Force may create subcommittees as it deems necessary to its study.

D. Members of the Task Force shall receive no compensation for serving on the Task Force, but they shall receive travel reimbursement as follows:

1. Legislative members of the Task Force shall be reimbursed for their necessary travel expenses incurred in the performance of their duties in accordance with Section 456 of Title 74 of the Oklahoma Statutes; and

2. Other members of the Task Force shall be reimbursed for travel expenses incurred in the performance of their duties in

accordance with the State Travel Reimbursement Act from monies available to the entities that they represent.

E. Staffing for the Special Task Force for Women Incarcerated in Oklahoma shall be provided by the Oklahoma Criminal Justice Resource Center. Additional staff expertise may be provided by the staff of the Oklahoma House of Representatives, the State Senate, the State Department of Corrections, the District Attorneys Council, and other state agencies that may be identified by the Task Force with resources that shall assist it with its work.

F. The Task Force shall report its findings and recommendations to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives by February 10, 2004.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 7th day of May, 2003.

/s/_____
Presiding Officer of the Senate

Passed the House of Representatives the 15th day of April, 2003.

/s/_____
Presiding Officer of the House of Representatives

SPECIAL TASK FORCE FOR WOMEN INCARCERATED IN OKLAHOMA

(Created by SB 810, signed by Governor Brad Henry on May 14, 2003)

MEETING NOTICE: FIRST MEETING

TO:	Members of the Task Force
FROM:	Debbe Leftwich Chair, Oklahoma Commission on the Status of Women
MEETINGDATE/TIME:	**Wednesday, July 9, 2003, 10:00 a.m.**
LOCATION:	**Room 104, State Capitol**

Agenda:

1. Call to order and introductions
2. Purpose of the Task Force as set forth in SB 810
3. Election of Chair, Vice-chair, and possibly other officers
4. Schedule of forthcoming meetings
5. Explanation of travel reimbursement procedures
6. Staff presentations
7. Other business

Task Force Members
Hon. Mary Fallin, Lieutenant Governor
Senator Daisy Lawler
Senator Dick Wilkerson
Rep. Ron Kirby
Rep. Barbara Staggs
Hon. Linda Morrissey, designee of the Director of the Oklahoma Criminal Justice Resource Center
Suzanne Atwood, Executive Director, District Attorneys Council
Debbie Mahaffey, designee of the Director of the State Department of Corrections
Jean Derry, designee of the Director of the Department of Human Services
Debbe Leftwich, Chair, Oklahoma Commission on the Status of Women
Bernice Mitchell, Vice-chair, Oklahoma Commission on the Status of Women

Lead Staff: Bill Thoms, 210-4402 or 275-2514

SPECIAL TASK FORCE FOR WOMEN INCARCERATED IN OKLAHOMA

(Created by SB 810 of 2003)

MEETING NOTICE: SECOND MEETING

TO:	Members of the Task Force
FROM:	Lt. Gov. Mary Fallin Chair
MEETINGDATE/TIME:	**Wednesday, July 30, 2003, 10:00 a.m.**
LOCATION:	**Room 104, State Capitol**

Agenda:

1. Call to order and determination of quorum.

2. Consideration and possible approval of minutes of the First Meeting.

3. Discussion of Drug Court information presented by staff:

    a. Set of data prepared July 18, 2003, by Oklahoma Criminal Justice Resource Center.

    b. "Substance Abuse Among Female Prisoners in Oklahoma."

4. Discussion of Oklahoma Sentencing Commission March 2003 "Recommendations to the Legislature about Felony Sentencing."

5. Presentations by persons invited by the Task Force, if any.

[CONTINUED ON REVERSE]

6. Public forum: as provided by rules adopted July 9, 2003, by the Task Force:

   a. public comments will be limited to **three minutes per person** and to relevant topics. At this meeting, **priority will be given to the Drug Court topic**; then, if time permits, comments on other topics relevant to the purpose of the Task Force as set forth in SB 810 ("to study factors that have resulted in Oklahoma being one of the highest among the states in the rate of incarceration of women") may be heard;

   b. **only persons who sign up at the beginning of the meeting and list the topic on which they wish to speak will be eligible to speak** in the public forum;

   c. **only one person will be permitted to speak on a topic**; and

   d. not more than 20 minutes will be allotted to the public forum.

7. New business.

8. Discussion concerning topic(s) for subsequent meeting agenda(s).

9. Adjournment.

Task Force Members

Hon. Mary Fallin, Lieutenant Governor
Senator Daisy Lawler
Senator Dick Wilkerson
Rep. Ron Kirby
Rep. Barbara Staggs
Hon. Linda Morrissey, designee of the Director of the Oklahoma Criminal Justice Resource Center
Suzanne McClain Atwood, Executive Coordinator, District Attorneys Council
Debbie Mahaffey, designee of the Director of the State Department of Corrections
Jean Derry, designee of the Director of the Department of Human Services
Debbe Leftwich, Chair, Oklahoma Commission on the Status of Women
Bernice Mitchell, Vice-chair, Oklahoma Commission on the Status of Women

The Task Force has scheduled the following additional meetings (all on Wednesdays at Room 104, State Capitol, each to begin at 10:00 a.m.) and might possibly schedule other meetings if the need arises.

August 20 September 10 October 1 October 11 November 12

Staff contact person: Bill Thoms, 210-4402 or 275-2514

SPECIAL TASK FORCE FOR WOMEN INCARCERATED IN OKLAHOMA

(Created by SB 810 of 2003)

MEETING NOTICE: THIRD MEETING

TO:	Members of the Task Force
FROM:	Lt. Gov. Mary Fallin Chair
MEETINGDATE/TIME:	**Wednesday, August 20, 2003, 10:00 a.m.**
LOCATION:	**Room 104, State Capitol**

Agenda:

1. Call to order and determination of quorum.

2. Consideration and possible approval of minutes of the Second Meeting.

3. OCJRC staff response to requests from previous meeting for information about Drug Court.

4. Presentations by Department of Corrections personnel on Oklahoma's utilization of:
    a. Community sentencing
    b. Standard/Traditional Probation
    c. Electronic monitoring
    d. Parole policies

[CONCLUDED ON REVERSE]

5. Public forum: as provided by rules adopted July 9, 2003, by the Task Force:
    a. public comments will be limited to **three minutes per person** and to relevant topics. At this meeting, **priority will be given to the topics listed under Agenda Item 4**; then, if time permits, comments on other topics relevant to the purpose of the Task Force as set forth in SB 810 ("to study factors that have resulted in Oklahoma being one of the highest among the states in the rate of incarceration of women") may be heard;
    b. **only persons who sign up at the beginning of the meeting and list the topic on which they wish to speak will be eligible to speak** in the public forum;
    c. **only one person will be permitted to speak on a topic**; and
    d. not more than 20 minutes will be allotted to the public forum.

6. Discussion of topics for forthcoming meetings.

7. New business.

8. Adjournment.

Task Force Members

Hon. Mary Fallin, Lieutenant Governor
Senator Daisy Lawler
Senator Dick Wilkerson
Rep. Ron Kirby
Rep. Barbara Staggs
Hon. Linda Morrissey, designee of the Director of the Oklahoma Criminal Justice Resource Center
Suzanne McClain Atwood, Executive Coordinator, District Attorneys Council
Debbie Mahaffey, designee of the Director of the State Department of Corrections
Jean Derry, designee of the Director of the Department of Human Services
Debbe Leftwich, Chair, Oklahoma Commission on the Status of Women
Bernice Mitchell, Vice-chair, Oklahoma Commission on the Status of Women

The Task Force has scheduled the following additional regular meetings (all on Wednesdays at Room 104, State Capitol, each to begin at 10:00 a.m.) and might schedule further regular meetings or special meetings if the need arises.

September 10 October 1 October 22 November 12

Staff contact person: Bill Thoms, 210-4402 or 275-2514

SPECIAL TASK FORCE FOR WOMEN INCARCERATED IN OKLAHOMA

(Created by SB 810 of 2003)

MEETING NOTICE: FOURTH MEETING

TO:	Members of the Task Force
FROM:	Lt. Gov. Mary Fallin Chair
MEETINGDATE/TIME:	**Wednesday, September 10, 2003, 10:00 a.m.**
LOCATION:	**Room 104, State Capitol**

Agenda:

1. Call to order and determination of quorum.

2. Consideration and possible approval of minutes of the Third Meeting.

3. Presentations by personnel of the Oklahoma Criminal Justice Resource Center per 3rd-meeting handout on Topics and Information/Questions to be Addressed, chiefly:
    a. Arrest data;
    b. Felony sentencing data;
    c. Prison population data.

[CONCLUDED ON REVERSE]

4. Public forum:

   As provided by rules adopted July 9, 2003, by the Task Force: public comments will be limited to **three minutes per person** and to relevant topics. At this meeting, **priority will be given to the topics listed under Agenda Item 3**; then, if time permits, comments on other topics relevant to the purpose of the Task Force as set forth in SB 810 ("to study factors that have resulted in Oklahoma being one of the highest among the states in the rate of incarceration of women") may be heard;

   a. **Only persons who sign up at the beginning of the meeting and list the topic on which they wish to speak will be eligible to speak** in the public forum;

   b. **Only one person will be permitted to speak on a topic**; and

   c. Not more than 20 minutes will be allotted to the public forum.

5. New business.

6. Adjournment.

Task Force Members

Hon. Mary Fallin, Lieutenant Governor
Senator Daisy Lawler
Senator Dick Wilkerson
Rep. Ron Kirby
Rep. Barbara Staggs
Hon. Linda Morrissey, designee of the Director of the Oklahoma Criminal Justice Resource Center
Suzanne McClain Atwood, Executive Coordinator, District Attorneys Council
Debbie Mahaffey, designee of the Director of the State Department of Corrections
Jean Derry, designee of the Director of the Department of Human Services
Debbe Leftwich, Chair, Oklahoma Commission on the Status of Women
Bernice Mitchell, Vice-chair, Oklahoma Commission on the Status of Women

The Task Force has scheduled the following additional regular meetings (all on Wednesdays at Room 104, State Capitol, each to begin at 10:00 a.m.) and might schedule further regular meetings or special meetings if the need arises.

October 1 October 22 November 12

To contact staff: *e-mail* bthoms@ocjrc.net *or*
call Oklahoma Criminal Justice Resource Center (405) 524-2059

SPECIAL TASK FORCE FOR WOMEN INCARCERATED IN OKLAHOMA

(Created by SB 810 of 2003)

MEETING NOTICE: FIFTH MEETING

TO:	Members of the Task Force
FROM:	Lt. Gov. Mary Fallin Chair
MEETINGDATE/TIME:	**Wednesday, October 1, 2003, 10:00 a.m.**
LOCATION:	**Room 104, State Capitol**

Agenda:

1. Call to order and determination of quorum.

2. Consideration and possible approval of minutes of the Fourth Meeting.

3. Presentations by invited speakers:

    a. Profile of Female Offenders

        Dr. Susan Sharp, University of Oklahoma
        Dr. Susan Marcus-Mendoza, University of Oklahoma

    b. Observations of District Attorneys and Public Defenders

        Rob Wallace
            District Attorney, District 16
        Mark Gibson
            District Attorney, District 8
        Jim Drummond
            Chief, Non-capital Trial Division,
            Oklahoma Indigent Defense System

[CONCLUDED ON REVERSE]

4. Comments, if any, from members or others who attended the September 23-26 National Institute of Corrections program on *Women Offenders: Critical Policy Issues*."

5. Public forum:

   As provided by rules adopted July 9, 2003, by the Task Force: public comments will be limited to **three minutes per person** and to relevant topics. At this meeting, **priority will be given to responses to matters brought up under Agenda Item 3**; then, if time permits, comments on other topics relevant to the purpose of the Task Force as set forth in SB 810 ("to study factors that have resulted in Oklahoma being one of the highest among the states in the rate of incarceration of women") may be heard;

   a. **Only persons who sign up at the beginning of the meeting and list the topic on which they wish to speak will be eligible to speak** in the public forum;

   b. **Only one person will be permitted to speak on a topic**; and

   c. Not more than 20 minutes will be allotted to the public forum.

6. Unforeseen new business.

7. Announcements.

8. Adjournment.

Task Force Members

Hon. Mary Fallin, Lieutenant Governor
Senator Daisy Lawler
Senator Dick Wilkerson
Rep. Ron Kirby
Rep. Barbara Staggs
Hon. Linda Morrissey, designee of the Director of the Oklahoma Criminal Justice Resource Center
Suzanne McClain Atwood, Executive Coordinator, District Attorneys Council
Debbie Mahaffey, designee of the Director of the State Department of Corrections
Jean Derry, designee of the Director of the Oklahoma Department of Human Services
Debbe Leftwich, Chair, Oklahoma Commission on the Status of Women
Bernice Mitchell, Vice-chair, Oklahoma Commission on the Status of Women

The Task Force has scheduled the following additional regular meetings (both on Wednesdays at Room 104, State Capitol, each to begin at 10:00 a.m.) and might schedule further regular meetings or special meetings if the need arises.

October 22 November 12

To contact staff: *e-mail* bthoms@ocjrc.net *or call OCJRC* (405) 524-2059.

SPECIAL TASK FORCE FOR WOMEN INCARCERATED IN OKLAHOMA

(Created by SB 810 of 2003)

MEETING NOTICE: SIXTH MEETING

TO:	Members of the Task Force
FROM:	Lt. Gov. Mary Fallin Chair
MEETINGDATE/TIME:	**Wednesday, October 22, 2003, 10:00 a.m.**
LOCATION:	**Room 104, State Capitol**

Agenda:

1. Call to order and determination of quorum.

2. Consideration and possible approval of minutes of the Fifth Meeting.

3. Presentations by invited speakers:

    a. Howard Hendrick, Director, Oklahoma Department of Human Services, will lead presentations by DHS personnel on Social Services Indicators related to Female Incarceration.

    b. Dr. Stephanie Covington, nationally-recognized expert on gender-responsive strategies for treatment of addictions, including treatment in criminal justice contexts, will comment on essential issues and respond to questions from Task Force members. Dr. Covington appears through the courtesy of the Oklahoma Department of Mental Health and Substance Abuse Services.

    c. Staff of the Oklahoma Criminal Justice Resource Center will present comparisons of Oklahoma with other states on funding of police, courts, and corrections programs.

[AGENDA CONCLUDED ON REVERSE]

4. Discussion of topics for the November 12 regular meeting and possible scheduling of additional meetings.

5. Public forum:

   As provided by rules adopted July 9, 2003, by the Task Force: public comments will be limited to **three minutes per person** and to relevant topics. At this meeting, **priority will be given to responses to matters brought up under Agenda Item 3**; then, if time permits, comments on other topics relevant to the purpose of the Task Force as set forth in SB 810 ("to study factors that have resulted in Oklahoma being one of the highest among the states in the rate of incarceration of women") may be heard;

   a. **Only persons who sign up at the beginning of the meeting and list the topic on which they wish to speak will be eligible to speak** in the public forum;

   b. **Only one person will be permitted to speak on a topic**; and

   c. Not more than 20 minutes will be allotted to the public forum.

6. Unforeseen new business.

7. Announcements.

8. Adjournment.

Task Force Members

Hon. Mary Fallin, Lieutenant Governor
Senator Daisy Lawler
Senator Dick Wilkerson
Rep. Ron Kirby
Rep. Barbara Staggs
Hon. Linda Morrissey, designee of the Director of the Oklahoma Criminal Justice Resource Center
Suzanne McClain Atwood, Executive Coordinator, District Attorneys Council
Debbie Mahaffey, designee of the Director of the State Department of Corrections
Jean Derry, designee of the Director of the Oklahoma Department of Human Services
Debbe Leftwich, Chair, Oklahoma Commission on the Status of Women
Bernice Mitchell, Vice-chair, Oklahoma Commission on the Status of Women

The Task Force has thus far scheduled one additional regular meeting, for Wednesday, November 12, 2003,beginning at 10:00 a.m. at Room 104, State Capitol.

To contact staff: e-mail bthoms@ocjrc.net *or call OCJRC* (405) 524-2059.

SPECIAL TASK FORCE FOR WOMEN INCARCERATED IN OKLAHOMA

(Created by SB 810 of 2003)

MEETING NOTICE: SEVENTH MEETING

TO:	Members of the Task Force
FROM:	Lt. Gov. Mary Fallin Chair
MEETING DATE/TIME:	**Wednesday, November 12, 2003, 10:00 a.m.**
LOCATION:	**Room 104, State Capitol**

Agenda:

1. Call to order and determination of quorum.

2. Consideration and possible approval of minutes of the Sixth Meeting.

3. Scheduled presentations and topics for discussion:

   a. Staff of the Oklahoma Criminal Justice Resource Center (OCJRC) will provide information on per-capita expenditures for state-supported alcohol and other drug abuse treatment programs.

   b. OCJRC staff will distribute and explain comparisons with other states on:

      (1) Incarceration rates;
      (2) Incarceration costs;
      (3) Ratio of inmates to correctional officers;
      (4) Probation and parolee costs;
      (5) Per-capita expenditures for police protection;
      (6) Per-capita rate of number of state and local police officers; and
      (7) Government expenditures for judicial and legal services.

[AGENDA CONCLUDED ON REVERSE]

c. OCJRC staff will provide an analysis of the real cost of incarcerating female offenders.

d. Vera Institute of Justice personnel will provide information on other states' criminal justice initiatives that relate to female offenders.

4. Announcement of additional meeting and discussion of agenda items to be considered.

5. Public forum:

As provided by rules adopted July 9, 2003, by the Task Force: public comments will be limited to **three minutes per person** and to relevant topics. At this meeting, **priority will be given to responses to matters brought up under Agenda Item 3**; then, if time permits, comments on other topics relevant to the purpose of the Task Force as set forth in SB 810 ("to study factors that have resulted in Oklahoma being one of the highest among the states in the rate of incarceration of women") may be heard;

a. **Only persons who sign up at the beginning of the meeting and list the topic on which they wish to speak will be eligible to speak** in the public forum;

b. **Only one person will be permitted to speak on a topic**; and

c. Not more than 20 minutes will be allotted to the public forum.

6. Unforeseen new business.

7. Announcements and Adjournment.

Task Force Members

Hon. Mary Fallin, Lieutenant Governor
Senator Daisy Lawler
Senator Dick Wilkerson
Rep. Ron Kirby
Rep. Barbara Staggs
Hon. Linda Morrissey, designee of the Director of the Oklahoma Criminal Justice Resource Center
Suzanne McClain Atwood, Executive Coordinator, District Attorneys Council
Debbie Mahaffey, designee of the Director of the State Department of Corrections
Jean Derry, designee of the Director of the Oklahoma Department of Human Services
Debbe Leftwich, Chair, Oklahoma Commission on the Status of Women
Bernice Mitchell, Vice-chair, Oklahoma Commission on the Status of Women

To contact staff: *e-mail* bthoms@ocjrc.net *or call OCJRC* (405) 524-2059.

SPECIAL TASK FORCE FOR WOMEN INCARCERATED IN OKLAHOMA

(Created by SB 810 of 2003)

MEETING NOTICE: EIGHTH MEETING

TO:	Members of the Task Force
FROM:	Lt. Gov. Mary Fallin Chair
MEETING DATE/TIME:	**Tuesday, December 2, 2003, 10:00 a.m.**
LOCATION:	**Room 419-C, State Capitol**

Agenda:

1. Call to order and determination of quorum.

2. Consideration and possible approval of minutes of the Seventh Meeting.

3. OCJRC cost presentations:

    a. Comparing Oklahoma's female jail and prison incarceration rates;

    b. Prison and social costs of female incarceration;

    c. Changes in Oklahoma mental hospital populations as compared with prison populations, 1960 - 2002;

    d. Changes in state appropriations for major areas, FY 1997 - FY 2004.

4. Discussion of, and possible action on, findings and recommendations to be included in the Task Force report to the Governor, President Pro Tempore of the Senate, and Speaker of the House of Representatives.

[AGENDA CONCLUDED ON REVERSE]

5. Discussion of, and possible action on, directives to staff concerning preparation of the report.

6. Announcement of additional meetings, if any, and discussion of agenda items to be considered.

7. Unforeseen new business.

8. Announcements and Adjournment.

Task Force Members:

Hon. Mary Fallin, Lieutenant Governor
Senator Daisy Lawler
Senator Dick Wilkerson
Rep. Ron Kirby
Rep. Barbara Staggs
Hon. Linda Morrissey, designee of the Director of the Oklahoma Criminal Justice Resource Center
Suzanne McClain Atwood, Executive Coordinator, District Attorneys Council
Debbie Mahaffey, designee of the Director of the State Department of Corrections
Jean Derry, designee of the Director of the Oklahoma Department of Human Services
Debbe Leftwich, Chair, Oklahoma Commission on the Status of Women
Bernice Mitchell, Vice-chair, Oklahoma Commission on the Status of Women

To contact staff: e-mail bthoms@ocjrc.net *or call OCJRC* (405) 524-2059.

SPECIAL TASK FORCE FOR WOMEN INCARCERATED IN OKLAHOMA

(Created by SB 810 of 2003)

MEETING NOTICE: NINTH MEETING

TO:	Members of the Task Force
FROM:	Lt. Gov. Mary Fallin Chair
MEETING DATE/TIME:	**Wednesday, December 17, 2003, 9:00 a.m.**
LOCATION:	**Room 419-C, State Capitol**

Agenda:

1. Call to order and determination of quorum.

2. Consideration and possible approval of minutes of the Eighth Meeting.

3. Resumption of discussion of, and possible action on, findings and recommendations to be included in the Task Force report to the Governor, President Pro Tempore of the Senate, and Speaker of the House of Representatives.

4. Discussion of, and possible action on, further directives to staff concerning preparation of the report.

5. Announcement of additional meetings, if any, and discussion of agenda items to be considered.

6. Unforeseen new business.

7. Announcements and Adjournment.

To contact staff: *e-mail* bthoms@ocjrc.net *or call OCJRC* (405) 524-2059.

SPECIAL TASK FORCE FOR WOMEN INCARCERATED IN OKLAHOMA

Minutes of the First Regular Meeting
July 9, 2003
10:00 a.m.
State Capitol, Room 104

Members:

Debbe Leftwich, Convener (Present)	Commission on the Status of Women
Hon. Mary Fallin (Present)	Lieutenant Governor
Senator Daisy Lawler (Present)	Oklahoma Senate
Senator Dick Wilkerson (Present)	Oklahoma Senate
Rep. Ron Kirby (Present)	Oklahoma House of Representatives
Rep. Barbara Staggs (Present)	Oklahoma House of Representatives
Hon. Linda Morrissey (Absent)	Designee, Criminal Justice Resource Council
Suzanne McClain Atwood (Present)	District Attorneys Council
Debbie Mahaffey (Present)	Designee, Dept. of Corrections
Jean Derry (Present)	Designee, Dept. of Human ~~Resources~~ Services
Bernice Mitchell (Present)	Commission on the Status of Women

Staff Present:
K.C. Moon, Executive Director, Oklahoma Criminal Justice Resource Center
Dr. David Wright, Director of Research, OCJRC
Bill Thoms, Research Assistant, OCJRC
Anthony Sammons, Senate Fiscal Analyst
Malia Bennett, Director, Senate Communications Division
Sandra Benischek, House Staff Attorney
Brad Wolgamott, House Research Analyst

Others Present:
Bill Bateman, KTOK
Patricia Presley, Commission on the Status of Women
Greg Treat, Office of the Lt. Gov.
Ron Jenkins, Associated Press

Call to Order, Declaration of Quorum:
Debbe Leftwich, Chair of the Commission on the Status of Women, designated to convene the first meeting pursuant to Senate Bill 810 of the First Session of the 49th Oklahoma Legislature, called the meeting to order and recognized a quorum.

Comments on Task Force Statement of Purpose:
Debbe Leftwich reviewed the purpose of the Task Force as set forth in Section 2 of SB 810 and commented on the history of its creation. She read the mission statement of the Commission on the Status of Women and suggested how the work of the Task Force might relate to forthcoming legislation.

Schedule of Forthcoming Meetings:
Debbe Leftwich announced the following regular meeting schedule, all meetings to be held at Room 104 of the State Capitol starting at 10:00 a.m.

July 30
August 20
September 10
October 1
October 22
November 12

Rep. Staggs asked that the schedule of meetings be included in a Media Release and asked that each meeting have a Public Forum. Rep. Kirby called for the Task Force to set rules for conduct of such forums.

Rep. Staggs indicated possible difficulties about attending all the meetings and designated Patricia Presley to act in her place when necessary.

Explanation of Travel Reimbursement Procedures:
Debbe Leftwich invited the attention of the members to the provisions of SB 810 relating to travel reimbursement and said members seeking reimbursement should use the procedures of their respective agencies.

Election of Chair and Vice-chair:
On motion of ~~Debbe Leftwich~~ Sen. Lawler, seconded by Sen. Wilkerson, Lt. Gov. Mary Fallin was elected Chair of the Task Force (motion approved by voice vote).
On motion of Rep. Kirby, seconded by Sen. Lawler, Sen. Wilkerson was elected Vice-chair (motion approved by voice vote). Upon election, Lt. Gov. Fallin took the chair.

Staff Presentations:
OCJRC staff distributed and briefly commented upon the following items, provided as general background information:

OCJRC. 2003. *Oklahoma Sentencing Commission: Felony Sentencing in 2001*.
U.S. Dept. of Justice, Bureau of Justice Statistics. "2001 Female Incarceration Rates (Rank) Per 100,000 Population" (a graphic prepared by Oklahoma Data Analysis & Statistics Unit).
Oklahoma Department of Corrections. "Total Crime Rate Per 100,000 – Incarceration Rate Per 100,000" (chart for the years 1974 through 2001).
U.S. Dept. of Justice, Bureau of Justice Statistics. *Sourcebook of Criminal Justice Statistics 2001*, page 501: "Female Prisoners Under Jurisdiction of State and Federal Correctional Authorities."
Sandhu, Harjit S., Hmoud Salem Al-Mosleh, and Bill Chown. "Why Does Oklahoma Have the Highest Female Incarceration Rate in the U.S.? A Preliminary Investigation." *Oklahoma Criminal Justice Research Consortium Journal*, Vol. 1: August 1994.

Other Information Distributed:
Debbie Mahaffey gave each member a folder from the Oklahoma Department of Corrections containing the following DOC items:

"Female Offender Management Work Summary for Fiscal Year 2002."
"Facts at a Glance" ["a monthly snapshot of the department's population, programs, inmate demographics, and much more"]. May 30, 2003.
"Survey of Oklahoma Department of Corrections Female Offenders Conducted in September 2002."
"Inmate Profile for End of Month Population for December 2002."
"Female Receptions as a Percent of All Receptions from FY 1980 through FY 2002."
An announcement concerning a training program to be held September 23-26, 2003, entitled "Women Offenders: Critical Policy Issues."

Other Business:

1. **Topics for Possible Future Discussion:**

Lt. Gov. Fallin expressed interest in how drug abuse treatment programs work while inmates are being held and stressed how important it is to most of the female inmates to be reunited with their children. Jean Derry stated that the Department of Human Services has about 1,000 children in foster care because of parental incarceration. The Lt. Gov. and Rep. Staggs asked whether the Task Force, or probably a [sub]committee thereof, might wish to visit drug treatment programs at Eagle Ridge, Monarch, or elsewhere

At one time or another during the meeting, the members also expressed interest in:

Drug Court effectiveness, and other alternatives to incarceration;
Percentage of incarcerated persons diagnosed mentally ill (by gender);
Involvement of women in male criminal activity;
Nature and extent of plea bargaining vis-à-vis crimes for which arrested;
Gender bias and racial bias;
The politics of incarceration
Whether there is bias in the justice system on the basis of how articulate or attractive defendants are;
Recividism of drug offenders compared to other defenders;
Availability of drug treatment programs;
Average number of involvements of drug offenders with the system prior to prison;
Whether parole procedures and practices differ by gender;
Whether methamphetamine offenders are considered differently; and
What happens to offenders after they leave prison.

2. **Public Forum Rules:**

Acknowledging expressed interest of various citizens in speaking to the Task Force, the members discussed the need for rules to govern the holding of public forums. On motion of Rep. Staggs, seconded by Sen. Wilkerson, the following rules were adopted (motion carried on voice vote):

Speakers shall be limited to the topics at hand unless time permits further discussion;
Only a person who signs in at the beginning of the meeting and lists his or her topic shall be allowed to speak;
Only one speaker per topic shall be heard;
Time for an individual speaker shall be limited to three minutes;
Time for the entire public forum at a meeting shall be limited to twenty minutes; and
Limits shall not apply if a speaker's response to a question from a member of the Task Force requires more time.

3. **Attendance at Women Offender Conference:**
   Apparent consensus being that all members of the Task Force should be invited to the September conference, Debbie Mahaffey indicated that all members and staff not already contacted would receive a packet of information and be invited to register.

Adjournment:
At approximately 11:55 a.m., the meeting was adjourned without formal action.

Minutes prepared by:

William H. Thoms
Research Assistant, OCJRC
July 21, 2003

Approved as corrected, July 30, 2003

SPECIAL TASK FORCE FOR WOMEN INCARCERATED IN OKLAHOMA

Minutes of the Second Regular Meeting

July 30, 2003
10:00 a.m.
State Capitol, Room 104

Members:

Hon. Mary Fallin, Chair (Absent)	Lieutenant Governor
Senator Dick Wilkerson, Vice-chair (Present)	Oklahoma Senate
Senator Daisy Lawler (Present)	Oklahoma Senate
Rep. Ron Kirby (Present)	Oklahoma House of Representatives
Rep. Barbara Staggs (Present)	Oklahoma House of Representatives
Hon. Linda Morrissey (Absent)	Designee, Criminal Justice Resource Center
Trent Baggett (Present)	Designee, District Attorneys Council
Debbe Leftwich (Present)	Chair, Commission on the Status of Women
Debbie Mahaffey (Present)	Designee, Dept. of Corrections
Jean Derry (Present)	Designee, Dept. of Human Resources
Bernice Mitchell (Present)	Vice-chair, Commission on the Status of Women

Staff Present:

K.C. Moon, Executive Director, Oklahoma Criminal Justice Resource Center
Dr. David Wright, Director of Research, OCJRC
Nancy Warren, Stat. Research Specialist, OCJRC
Bill Thoms, Research Assistant, OCJRC
Anthony Sammons, Senate Fiscal Analyst
Malia Bennett, Director, Senate Communications Division
Adrianne Covington, Senate Media Specialist
Sandra Benischek, House Staff Attorney
Brad Wolgamott, House Research Analyst

Media Representative Presence Noted:

John Greiner, Daily Oklahoman
Sean Murphy, CNHI
Jeff Packham, Capital Network News
Barbara Hoberock, Tulsa World

Visitors Present:

Rose Lynch, Dept. of Corrections
Pat Martin
Dr. Susan F. Sharp, Dept. of Sociology, Univ. of Oklahoma
Renee Bohling, Tulsa Co. Sheriff's Office
Wynema Ra, Dept. of Mental Health & Substance Abuse Services
Hon. Charlie Hill, Special Judge (Oklahoma County)
Brian Karnes, Dept. of Mental Health & Substance Abuse Services
Julie Holmes, Office of State Finance
Phyllis Mattek, National Association of Social Workers (NASW)
Jim Russell, Spirit of Recovery
Dr. Diane J. Willis, American Psychiatric Association
Joyce Wood, Citizens United for Rehabilitation of Errants (CURE), Oklahoma
Patricia Presley, Commission on the Status of Women
Greg Treat, Office of the Lt. Gov.
Gina Wendling

1. Call to Order and Declaration of Quorum:

Sen. Dick Wilkerson, Vice-chair, in the absence of the Chair, recognized a quorum and opened the meeting at approximately 10:15 a.m.

Staff pointed out an error on the second page of the Meeting Notice and indicated that the correct dates for the October meetings are October 1 and October 22.

2. Minutes of the First Meeting:

Corrections: Motion to elect chair and vice-chair was made by Sen. Lawler;
Jean Derry is the designee of the Director of Human Services, not Resources.
Action: On motion of Sen. Lawler, with second by Rep. Staggs, the minutes were approved as corrected (motion approved by voice vote).

3. Drug Court Presentations and Discussion:

K.C. Moon, David Wright, and Nancy Warren of the Oklahoma Criminal Justice Resource Center (OCJRC) distributed and explained a nine-page OCJRC presentation of drug court information, dated July 18, 2003, to which was attached a chart entitled "Drug Offenders to Prison by Gender 2001," also prepared by OCJRC. They responded to a number of questions about the information presented, as did several visitors present. The Task Force heard at length from Special Judge Charlie Hill [Copies of the handouts are attached to the record set of minutes only.]

Dr. Wright said OCJRC had not included data on the age of drug court participants or comparison between drug court graduates and traditional probationers as to recidivism by gender but would obtain that information and present it at the next meeting.

K.C. Moon briefly highlighted the article "Substance Abuse Among Female Prisoners in Oklahoma" which had been distributed to the Task Force members in advance of the meeting.

4. Felony Sentencing Recommendations:

At the request of a member of the Task Force, copies of the March 27, 2003, "Recommendations to the Legislature about Felony Sentencing" of the Oklahoma Sentencing Commission had been distributed as part of the packet members received in advance of the meeting. K.C. Moon gave a brief review of the document, inviting particular attention to the recommendations for more alternatives to imprisonment.

5. Presentations by Invited Persons

No persons were invited to make presentations.

6. Public Forum:

During the discussion of drug courts, all the visitors who had signed up to speak at the Public Forum were heard at length in response to questions from the Task Force members. Thus the Public Forum, as such, was not held.

7. New Business:

Rep. Staggs distributed copies of a draft survey intended for administration to women in the prison system and asked that suggestions for improvement of the survey be sent to her. Debbie Mahaffey said the Department of Corrections would administer the survey. [A copy of the survey draft distributed is attached to the record set of minutes only.]

8. Topics for Subsequent Meetings:

Although there were a few comments about the need to focus, per SB 810, on consideration of factors possibly contributing to the high rate of incarceration of women in Oklahoma, and although one or two pieces of published research were alluded to, staff was given no specific directives.

9. Adjournment:

At approximately 12:20 p.m., the meeting was adjourned without formal action.

Minutes prepared by:

William H. Thoms
Research Assistant, OCJRC
August 14, 2003

Approved as read, August 20, 2003

SPECIAL TASK FORCE FOR WOMEN INCARCERATED IN OKLAHOMA

Minutes of the Third Regular Meeting

August 20, 2003
10:00 a.m.
State Capitol, Room 104

Members:

Hon. Mary Fallin, Chair (Present)	Lieutenant Governor
Senator Dick Wilkerson, Vice-chair (Present)	Oklahoma Senate
Senator Daisy Lawler (Present)	Oklahoma Senate
Rep. Ron Kirby (Present)	Oklahoma House of Representatives
Rep. Barbara Staggs (Present)	Oklahoma House of Representatives
Hon. Linda Morrissey (Absent)	Designee of Exec. Director, Criminal Justice Resource Center
Suzanne McClain Atwood (Present)	Executive Coordinator, District Attorneys Council
Debbie Mahaffey (Represented by J'me Overstreet)	Designee of Director, Dept. of Corrections
Jean Derry (Absent)	Designee of Director, Dept. of Human Resources
Debbe Leftwich (Present)	Chair, Commission on the Status of Women
Bernice Mitchell (Present)	Vice-chair, Commission on the Status of Women

Staff Present:

K.C. Moon, Executive Director, Oklahoma Criminal Justice Resource Center
Dr. David Wright, Director of Research, OCJRC
Debra B. Simpson, Statistical Research Specialist, OCJRC
Nancy Warren, Statistical Research Specialist, OCJRC
Bill Thoms, Research Assistant, OCJRC
Anthony Sammons, Senate Fiscal Analyst
Adrianne Covington, Senate Media Specialist
Sandra Benischek, House Staff Attorney
Brad Wolgamott, House Research Analyst

Media Persons Signed In:

Ben Fenwick, Reuters
Ray Carter, Journal-Record
Marie Price, Tulsa World
Sean Murphy, CNHI
Julie Bisbee, Associated Press
John Greiner, Daily Oklahoman
Klare Li, OETA
Laura Knoll, KOMA-AM

Visitors Signed In:

Marcia Smith, Oklahoma Coalition Against Domestic Violence & Sexual Assault
Barbara Palmer, Project Safe, Shawnee, OK
Rosemary Lynch, Department of Corrections
Bill Shahan, Center for Personal Development
Pat Boatright, Mentor Program for Mabel Bassett Correctional Center
Don Duncan, Prison Fellowship
Pat Martin, Commission on the Status of Women
Karen V. Irey, Oklahoma Association for Infant Mental Health
Jim Russell, Spirit of Recovery
Susan Marcus-Mendoza, University of Oklahoma
Norma Sapp
Dr. Diane Willis
Polly Ward, Prison Fellowship
Patricia Presley, Commission on the Status of Women
Leslie Green
Joyce Wood
Debi Bohannan, J.A.I.L.
Jean Warner, League of Women Voters

1. Call to Order and Declaration of Quorum:

At 10:15 a.m., the Chair asked for call of the roll, recognized a quorum, and opened the meeting. She then asked all present to introduce themselves.

2. Minutes of the Second Meeting:

On motion of Sen. Wilkerson, seconded by Rep. Kirby, the minutes were approved as read (yea all).

3. Response to Request for Drug Court Information from Staff

K.C. Moon and David Wright of the Oklahoma Criminal Justice Resource Center reflected briefly on the previous meeting's focus on the Drug Court alternative and the current meeting's focus on the Community Sentencing alternative. Moon distributed a "Statewide Criminal Justice Flow Chart, 2001."

Dr. Wright distributed, reviewed, and answered questions concerning a handout entitled "Requested Information on Drug Courts" [copy attached to record set of minutes], consisting of bar charts on "Re-Arrest Among Drug Court Graduates and Traditional Probation Offenders by Gender 36 Months after Entry" and "Age of Drug Court Participants by Gender, July 1, 2001 – July 1, 2003."

Dr. Wright said, with regard to data on women, that he finds the difference in re-arrests between Drug Court "graduates" and ex-probationers quite interesting.

4. Presentation on Community Sentencing and Related Topics

Justin Jones, Deputy Director, Community Corrections, Oklahoma Department of Corrections, distributed a folder of items [copy attached to record set of minutes] to which he occasionally referred while making a number of related comments.

Noting that sex offenders and violent offenders do not qualify for Community Sentencing, he emphasized the significance of the felon's score on an assessment called the Level of Service Inventory (LSI) that is used as a screening tool for Community Sentencing. Participation in the Community Sentencing program also requires the acquiescence of the district attorney.

Inviting the Task Force to check the DOC website for extensive statistical information, Jones mentioned that the current level of funding is about $6 million for the 5,000 or so offenders presently under Community Sentencing. He said the program, although established four years ago, has only been funded for the last three years.

He briefly reviewed the role of the 36 established local planning councils that serve the 61 counties that have Community Sentencing and noted that Comanche County was recently funded for the first time. He emphasized that although the local councils decide how to spend the money, DOC actually handles payments to the providers of outpatient treatment services and the other vendors who provide services under the program.

Jones noted that 72% of the money is spent for addressing substance abuse and 6% goes for addressing mental health problems. He said 62% of the women in Community Sentencing have drug problems, compared with 49% of men. He also said that 73% of all women having a moderate LSI score were placed in Community Sentencing, compared with 66% of the men. He observed that 98% of the Community Sentencing population is indigent.

Responding to a question about costs, Jones said Community Sentencing costs about $2,000 per year per person.

He observed that the rate of incarceration is apparently not being affected much by Community Sentencing, the implication being that Community Sentencing is pulling mainly from the population who would otherwise be on standard probation.

Task Force members asked a number of questions and made several observations about the education and training being offered in the prisons, the supervision of prisoners on work-release, the employment barriers faced by women upon release, and conditions faced by prisoners released on parole. Rep. Kirby said there's a need to find out what it takes for women to remain out – to find out what it is reasonable to expect [of women] upon parole.
Suzanne McClain Atwood asked the Department of Corrections to provide a breakdown, by county, of the offenses of the women currently in prison.

Responding to a question from the Lt. Gov. about where the best behavioral modification is found, Jones said Intensive Outpatient Treatment (IOP) works best. He observed that IOP does not appear to work so well with methamphetamine users -- that inpatient treatment might be better for them. Further commenting on drug use, he said men tend to have a drug of choice but that women seem to use whatever they can get, and he noted meth is cheap.

5. Public Forum:

There were no requests to speak on the agenda topics.

The Chair recognized Debi Bohannan, J.A.I.L., who suggested several reasons why the inmate population is high and commented on prison conditions for women.

6. Discussion of Topics for Forthcoming Meetings:

OCJRC personnel distributed a proposed list of "Future Meeting Topics and Information/Questions to be Addressed" [copy attached for members and for the record] and asked for comments. Two members expressed interest in knowing more about Drug Courts for juveniles. Earlier in the meeting, Suzanne McClain Atwood asked that some district attorney's be invited to speak.

7. New Business:

Lt. Gov. Fallin, noting the tight schedule of regular Task Force meetings said anyone interested in visiting Eagle Ridge Institute as a side trip should contact her office.

8. Adjournment:

At approximately 12:15 p.m., the meeting was adjourned on motion of Rep. Kirby and second by Suzanne McClain Atwood.

Minutes prepared by:

William H. Thoms
Research Assistant, OCJRC
September 3, 2003

Approved as read, September 10, 2003

SPECIAL TASK FORCE FOR WOMEN INCARCERATED IN OKLAHOMA

Minutes of the Fourth Regular Meeting

[On September 5, 2003, the meeting notice/agenda was posted at the meeting place and filed with the Secretary of State.]

September 10, 2003
10:00 a.m.
State Capitol, Room 104

Members:

Hon. Mary Fallin, Chair (Absent) Represented by Greg Treat	Lieutenant Governor
Senator Dick Wilkerson, Vice-chair (Present)	Oklahoma Senate
Senator Daisy Lawler (Present)	Oklahoma Senate
Rep. Ron Kirby (Present)	Oklahoma House of Representatives
Rep. Barbara Staggs (Absent) Represented by Patricia Presley	Oklahoma House of Representatives
Hon. Linda Morrissey (Present)	Designee of Exec. Director, Criminal Justice Resource Center
Suzanne McClain Atwood (Present)	Executive Coordinator, District Attorneys Council
Debbie Mahaffey (Present)	Designee of Director, Dept. of Corrections
Jean Derry (Present)	Designee of Director, Dept. of Human Resources
Debbe Leftwich (Absent) Represented by Pat Martin	Chair, Commission on the Status of Women
Bernice Mitchell (Present)	Vice-chair, Commission on the Status of Women

Staff Present:

K.C. Moon, Executive Director, Oklahoma Criminal Justice Resource Center
Dr. David Wright, Director of Research, OCJRC
Carol Furr, Staff Attorney, OCJRC
Debra B. Simpson, Statistical Research Specialist, OCJRC
Nancy Warren, Statistical Research Specialist, OCJRC
Marsha G. Boling, OCJRC
Bill Thoms, Research Assistant, OCJRC
Anthony Sammons, Senate Fiscal Analyst
Nancy Pellow, Senate Legislative Analyst
Adrianne Covington, Senate Media Specialist
Sara Lassiter, Senate Administrative Assistant
Sandra Benischek, House Staff Attorney
Brad Wolgamott, House Research Analyst

Media Persons Signed In:
Ray Carter, *Journal-Record*
Marie Price, *Tulsa World*
Laura Knoll, KOMA
Jim Campbell, Capitol News Bureau
Ben Fenwick, Reuters

Visitors Signed In:
Trent H. Baggett, District Attorneys Council
Wynema Ra, Dept. of Mental Health & Substance Abuse Services
Norma Sapp, Citizen
Pat Boatwright, Citizen Volunteer, Mabel Bassett Correctional Center
Barbara Dowell, Citizen Volunteer, Mabel Bassett Correctional Center
Dorothy Cornwell, Raising the Standard Ministry
Shontelle Pope, Raising the Standard Ministry
Don Duncan, Prison Fellowship
Stan Basler
Chris Morriss, Office of the Secretary of State
Marcia Smith, Oklahoma Coalition Against Domestic Violence
Mary Kay Audd, Office of the Governor
Renee Bohling, Tulsa County Sheriff's Office
Phyllis Mattek, National Association of Social Workers
Kathy S. Huston, Citizen
Lou Kohlman, Commission on the Status of Women
Joyce Wood, Oklahoma CURE
Jim Russell, Spirit of Recovery
Julie Holmes, Office of State Finance

1. Call to Order and Declaration of Quorum:

At 10:15 a.m., the Vice Chair asked for call of the roll, recognized a quorum, and opened the meeting.

2. Minutes of the Third Meeting:

On motion of, the minutes were approved as read (yea all).

3. Staff Presentations:

OCJRC Executive Director K.C. Moon took a moment to emphasize that one indication of previous presentations is that Oklahoma makes greater utilization of alternatives to prison for women than it does for men. Proportional to the population of persons sentenced

for felonies, he said, Oklahoma sends a higher percentage of women to Drug Court, Community Sentencing, and standard probation.

Moon and OCJRC Director of Research Dr. David Wright distributed a set of charts and tables as follows, highlighting significant indications and responding to questions from members of the Task Force:

Analysis of the Oklahoma Criminal Justice System Process

1. Overview
   a. Female, Male, and Total Incarceration - Oklahoma v. U.S.
   b. Total Incarceration Rates 1993-2002 – Oklahoma v. U.S.
   c. Female Incarceration Rates 1993-2002 – Oklahoma v. U.S.
   d. Criminal Justice System Process Flow Chart

2. Arrest Data
   a. Oklahoma v. U.S. Total 1990-2001
   b. Oklahoma v. U.S. Total 1990-2001 – Female
   c. Oklahoma v. U.S. Total 1990-2001 – Male
   d. Oklahoma Arrests by Offense and Gender – 2001
   e. Drug Arrests by Gender in Oklahoma 1990-2001
   f. Oklahoma Drug Possession Arrests by Category and Gender
   g. State Comparisons on Female Arrests and Incarceration

3. Felony Sentencing Data
   a. Offense Types Among all Convictions
   b. Sentence Types by Gender – Oklahoma v. U.S.
   c. Offense Types Among all Prison Receptions
   d. Sentence Lengths Among Prisoners by Offense Types and Gender – Oklahoma v. U.S.
   e. Drug Crime Prison Receptions by Gender 1990-2002
   f. Drug Crime Prison Receptions Relative to Drug Crime Arrests
   g. Drug Types for Possession of CDS by Gender
   h. All Felony Convictions by Gender and Race
   i. All Prison Receptions by Gender and Race
   j. Plea Rates by Gender
   k. Analysis of First-Time Felony Offenders Sentence to Prison by Gender

4. Prison Population Data
   a. Drug Offenders as a Percentage of Prison Receptions and Prison Population: Oklahoma, Selected States, and U.S.
   b. Inmate Population per 1,000 Nonviolent, Violent, and Total Index Crimes
   c. Female Incarceration Rates by County

5. Female Percentage of Totals at Various Stages in the Oklahoma Criminal Justice System 2001
   Sentence Range for Selected Offenses (esp. drug offenses)
   Felony/Misdemeanor Categorization for Selected Offenses and States

Suzanne McClain Atwood requested that staff obtain information on time served for drug offenses.

Judge Morrissey expressed a desire that the Task Force recommend that the Legislature broaden the Drug Court and Community Sentencing programs, to which Sen. Wilkerson added comments on the importance of scientifically determining who can benefit from Drug Court.

Jim Drummond, Division Chief, Non-capital Trial Division, Oklahoma Indigent Defense System, responded to several questions from Rep. Kirby and Sen. Lawler about the percentage of all defendants' cases that agency receives and how it handles the cases. Drummond said the percentage is probably 55% to 60%.

4. Public Forum:

Marcia Smith yielded her time, indicating she might like to be heard following the presentation scheduled for October 22.

Norma Sapp made several comments about Drug Court.

Jim Russell said the Task Force should get involved in a comprehensive inventory of what's causing the problem – both alcohol and drugs – and not just look at symptoms.

5. New Business:

No new business was brought up.

6. Adjournment:

At approximately 12:15 p.m., the meeting was adjourned

Minutes prepared by:

William H. Thoms
Research Assistant, OCJRC
September 23, 2003

Approved as read October 1, 2003

SPECIAL TASK FORCE FOR WOMEN INCARCERATED IN OKLAHOMA

Minutes of the Fifth Regular Meeting

[On September 26, 2003, the meeting notice/agenda was posted at the meeting place and filed with the Secretary of State.]

October 1, 2003
10:00 a.m.
State Capitol, Room 104

Members:

Hon. Mary Fallin, Chair (Present)	Lieutenant Governor
Senator Dick Wilkerson, Vice-chair (Present)	Oklahoma Senate
Senator Daisy Lawler (Present)	Oklahoma Senate
Rep. Ron Kirby (Present)	Oklahoma House of Representatives
Rep. Barbara Staggs (Present)	Oklahoma House of Representatives
Hon. Linda Morrissey (Present)	Designee of Exec. Director, Criminal Justice Resource Center
Suzanne McClain Atwood (Present)	Executive Coordinator, District Attorneys Council
Debbie Mahaffey (Absent) Represented by Patricia E. Davis	Designee of Director, Dept. of Corrections
Jean Derry (Present)	Designee of Director, Dept. of Human Resources
Debbe Leftwich (Present)	Chair, Commission on the Status of Women
Bernice Mitchell (Present)	Vice-chair, Commission on the Status of Women

Staff Present:

K.C. Moon, Executive Director, Oklahoma Criminal Justice Resource Center
Debra B. Simpson, Statistical Research Specialist, OCJRC
Nancy Warren, Statistical Research Specialist, OCJRC
Bill Thoms, Research Assistant, OCJRC
Suzanne Broadbent, Senate Staff Attorney
Brad Wolgamott, House Research Analyst
Merian McCuin, Senate Administrative Assistant

Media Persons Signed In:

Marie Price, *Tulsa World*
Bill Bateman, KTOK
Ray Carter, *Journal Record*
Erin Israel, GIT, Inc.
Jack Money, OPUBCO
[unidentifed], KKNG

Visitors Signed In:
Brian Karnes, Dept. of Mental Health & Substance Abuse Services
Don Duncan, Prison Fellowship
Phyllis Mattek, National Association of Social Workers
Wynema Ra, Norman Alcohol & Drug Treatment Center (DMHSAS)
Lou Kohlman, OCSW
Julie Holmes, Office of State Finance
Jesse Chapel, Office of State Finance
Rose Lynch, Dept. of Corrections
Joyce Wood, Oklahoma CURE
Barbara Dowell, Mabel Bassett Correctional Center
Barbara Palmer, Citizen, Shawnee
Pat Boatwright, Mabel Bassett Correctional Center
Debi Bohannan, J.A.I.L. Oklahoma
Chris Morriss, Office of the Secretary of State

1. Call to Order and Declaration of Quorum:

At 10:18 a.m., the ~~Vice~~ Chair asked for call of the roll, recognized a quorum, and opened the meeting.

2. Minutes of the Fourth Meeting:

On motion of Suzanne McClain Atwood, seconded by Bernice Mitchell, the minutes were approved as read (yea all).

3. Presentations by Invited Speakers:

a. Profile of Female Offenders:

The Task Force heard from Dr. Susan Sharp and Dr. Susan Marcus-Mendoza, both of the University of Oklahoma, who discussed their research, commented upon a handout entitled "Female Drug Offenders in Oklahoma" [copy attached to record set of Minutes], and responded to a number of questions from members of the Task Force.

Their findings about incarcerated women included the following:
Women with drug problems were almost always involved with drug-involved men.
Most women had income from low-paying jobs at time of arrest.
Most were initiated to drugs by male sexual partners.
Children were passed along month by month.
Biggest problem with the children was depression, which ranged across all age groups.

Dr. Marcus-Mendoza noted there are more programs for men than for women.

Dr. Sharp identified five big problems:

Educational deficits. (She reiterated a statement she had made at a previous meeting that women completing vocational programs have a higher recidivism rate than women who do not, speculating that the reason might have something to do with unrealistic expectations – being trained for jobs not available to felons, etc.

Marital instability – half who go into prison married either divorce or are divorced.

Abuse – unless well treated, the women find new abusive situations after release.

Cycle of offending.

Unstable placements for children.

Dr's. Sharp and Marcus-Mendoza made the following recommendations:

The women must obtain GED's or high-school graduation and get job training that can support them after release.

Therapy and treatment must be tailored to women.

Women need contact with their children – whereas women whose partners are incarcerated tend to take the children to visit the men, the men usually don't do so when it is the women who are incarcerated.

Society needs to deal with its reticence about developing programs to address sexual violence.

Women need after-care.

More longitudinal studies are needed about what happens to children during and after the imprisonment of their mothers.

The Chair related being shocked at what she had seen and heard about the pain incarcerated women experience due to separation from children.

b. Observations of District Attorneys and Public Defenders:

The Task Force heard first from Rob Wallace, District 16, and Mark Gibson, District 8. James Drummond, Chief, Non-capital Trial Division, Oklahoma Indigent Defense System, then represented the public defender perspective. Both the District Attorneys and Mr. Drummond distributed handouts [copies attached to record set of minutes].

During Mr. Drummond's presentation, Sen. Wilkerson took the chair.

Mr. Wallace indicated a preference for seeing incarceration as an issue rather than a problem, suggesting that it is symptomatic of underlying problems. He mentioned teen pregnancy and dropping out of school in particular. He also said Oklahoma is "ground zero" for methamphetamines, leading or vying for the lead in the raw number of labs. Women, he said, are often involved with meth manufacture.

Referring to a September 10 OCJRC presentation winnowing the number of women incarcerated down to 156 who had no conviction for a violent offense, were not revoked, did not have multiple offenses, did not use firearms when offending, had no known prior felony offense, were not in short-term prison programs, and were not convicted of theft in excess of $2,500, he urged caution about conclusions because of the possibility the district attorney or the court were aware of juvenile offenses or offenses not counted from other states.

Referring to one of Dr. Sharp's handouts, Mr. Wallace observed that getting men into prison, through a program or treatment, and out is about a three-year process – and is apparently a longer process for women.

He mentioned that Drug Court is being used in his district as a re-integration vehicle. While recognizing the state's budget problems, he lamented the lack of funds for Drug Court and Community Sentencing programs.

Mr. Gibson emphasized four points:

- He doesn't believe more than 1% of the women incarcerated shouldn't be in prison.
- Changes are taking place that aren't yet reflected in the statistics OCJRC gathers – in particular, a 5% drop last year in the number of cases filed, and a relaxing of minimum sentences.
- He thinks there is still an inherent bias against incarcerating women.
- Domestic violence is huge and might well be a big factor, as noted by Dr. Sharp, behind men leading women into crime – our system doesn't take domestic violence seriously, rarely sending domestic violence defendants to jail.

Mr. Gibson advocated mandatory minimums for domestic violence.

Mr. Wallace pointed out that rural areas often don't have treatment providers and that there is a lack of jail space for accommodating Drug Court and Community Sentencing sanctions.

Jim Drummond (also a member of the Oklahoma Sentencing Commission) stressed the need for building bi-partisan consensus for change. He noted that too many female inmates harden their drug problem while inside awaiting treatment in the latter portion of their sentence. He advocated diverting funds up front to other controlled settings.

Mr. Drummond agreed with Mr. Gibson that recent changes may lead to a decline in the rate of female incarceration, but he said it would be a very long time before those changes would return the rate to what it was in the early 1990's.

He agreed that domestic violence is a very big factor. Treatment is needed for empowerment of the women, he said, because we continue to marginalize them. He

called for more specialty courts that can offer both carrot and hammer, and he called for more intermediate sanctions at all levels of the system.

Mr. Drummond said he also sees problems in some areas where there's probably less consensus:

We lock up too many for possession and related crimes.
Meth is the devil (Dr. John Duncan, he said, has a good slide show on that).
There is a vast social problem from rural devastation.
We need to fine-tune how we look at the small-timers.

Mr. Wallace said 100% of meth users relapse in treatment.

Responding to a question from Debbe Leftwich, Mr. Wallace said using Drug Court as a re-integration vehicle in LeFlore County has significantly lowered the recidivism rate.

Judge Morrissey challenged Mr. Gibson's claim of special consideration for women (which Dr. Sharp had indicated the literature calls "chivalry"). Judge Morrissey referred to statements from women's prison officials at a recent conference to the effect that perhaps 80% don't need to be in prison. She also said the domestic violence issue is critical.

Dr. Sharp said chivalry works somewhat for white, middle- and upper-class women but that the reality for black women is quite the opposite.

Debbe Leftwich asked for data on prisoners' children living with abusive grandparents – who may have abused the mother to start with.

Mr. Drummond finished his presentation with a plea for more dollars for treatment programs.

Bernice Mitchell asked who decides what career programs are to be offered to the women. Patty Davis (Chief Administrator, Classification and Programs, DOC), said DOC is presently in discussions with the State Department of Career & Technical Education about what is to be offered.

4. Comments by Persons who Attended the Sep. 23-26 NIC Program on Women Offenders:

No attendees asked to speak.

5. Public Forum:

The Chair recognized Debi Bohannan, J.A.I.L. Oklahoma, for three minutes. She emphasized that Oklahoma suffers from "over-prosecution."

Dr. Sharp responded that reaction to domestic violence situations must address both partners.

6. Un-foreseen New Business:

No unforeseen new business was brought up.

7. Announcements:

Lt. Gov. Fallin, at the beginning of the meeting, described the agenda for November 12 as focusing on cost factors and mentioned the possible need for one or more additional meetings after November 12.

She also reminded members of plans, at the invitation of Eagle Ridge Institute and her office, for a visit to the Guthrie facility of Eagle Ridge at 10:00 a.m. on October 2. She asked Greg Treat of her staff to distribute information about Eagle Ridge to those expressing interest in attending. [The visit was not a meeting of the Task Force and was attended by fewer members than needed to constitute a quorum.]

Just prior to adjournment, in response to previous requests, K.C. Moon distributed and briefly explained the following items:

Female Index Crime Arrests 2001, Oklahoma vs. U.S., Violent vs. Non-violent.
Male Index Crime Arrests 2001, Oklahoma vs. U.S., Violent vs. Non-violent.
Adult Female Index Crime Arrest Rates 2001, Oklahoma vs. U.S., Violent and Non-violent.
Percent of Time Served in Prison by Selected Offenses and Gender.

8. Adjournment:

At approximately 12:20 p.m., the meeting was adjourned

Minutes prepared by:

William H. Thoms
Research Assistant, OCJRC
October 13, 2003

Approved as corrected, October 22, 2003

SPECIAL TASK FORCE FOR WOMEN INCARCERATED IN OKLAHOMA

Minutes of the Sixth Regular Meeting

[On October 15, 2003, the meeting notice/agenda was posted at the meeting place and filed with the Secretary of State.]

October 22, 2003
10:00 a.m.
State Capitol, Room 104

Members:

Hon. Mary Fallin, Chair (Present)	Lieutenant Governor
Senator Dick Wilkerson, Vice-chair (Present)	Oklahoma Senate
Senator Daisy Lawler (Present)	Oklahoma Senate
Rep. Ron Kirby (Present)	Oklahoma House of Representatives
Rep. Barbara Staggs (Present)	Oklahoma House of Representatives
Hon. Linda Morrissey (Present)	Designee of Exec. Director, Criminal Justice Resource Center
Suzanne McClain Atwood (Present)	Executive Coordinator, District Attorneys Council
Debbie Mahaffey (Present)	Designee of Director, Dept. of Corrections
Jean Derry (Present)	Designee of Director, Dept. of Human Resources
Debbe Leftwich (Present)	Chair, Commission on the Status of Women
Bernice Mitchell (Present)	Vice-chair, Commission on the Status of Women

Staff Present:

K.C. Moon, Executive Director, Oklahoma Criminal Justice Resource Center
Nancy Warren, Statistical Research Specialist, OCJRC
Marsha Boling, Research Specialist, OCJRC
Bill Thoms, Research Assistant, OCJRC
Greg Treat, Office of the Lieutenant Governor
Suzanne Broadbent, Senate Staff Attorney
Anthony Sammons, Senate Fiscal Analyst
Sue Ann Derr, Asst. Chief Counsel, House of Representatives
Grace Shelton, Staff Attorney, House of Representatives
Merian McCuin, Senate Administrative Assistant

Media Persons Signed In:

Jeff Packham, CNN
Jack Money, OPUBCO
[unidentified] KKNG
Sean Murphy, CNHI

Visitors Signed In:
Bill Johnson
Darlene Johnson
Rose Lynch, Dept. of Corrections
Brian Karnes, Dept. of Mental Health & Substance Abuse Services
Todd Crawford, Dept. of Mental Health & Substance Abuse Services
June Elkins, Dept. of Mental Health & Substance Abuse Services
Marilyn Thoms, Gateway to Prevention and Recovery, Inc., Shawnee
Beverly Young, Member, Board of Corrections
Chris Morriss, Office of the Secretary of State
Lou Kohlman, Commission on Status of Women
Norma Sapp
Norma Newton, Dept. of Human Services
Dr. Terry Cline, Commissioner of Mental Health & Substance Abuse Services
Joyce Wood, Oklahoma CURE
Pat Boatwright, Chaplain, Mabel Bassett Correctional Center
Deputy Carla Housley, Tulsa County Sheriff's Office
Julie Holmes, Office of State Finance
Brandy Manek, Office of State Finance
Debi Bohannan, J.A.I.L.
Jauna Head, Office of State Finance
Ted Logan, Member, Board of Corrections
Kathy Huston
Mark Keys, City of Midwest City

1. Call to Order and Declaration of Quorum:

At 10:15 a.m., the Chair asked for call of the roll, recognized a quorum, and opened the meeting.

2. Minutes of the Fifth Meeting:

On motion of Sen. Dick Wilkerson, seconded by Rep. Barbara Staggs, the minutes were approved as corrected (yea all), the correction being to show that the Chair, rather than the Vice-chair, called the meeting to order.

3. Presentations by Invited Speakers:

a. Oklahoma Department of Human Services Director Howard Hendrick utilized PowerPoint to present and comment upon information about indicators related to incarceration of females. DHS personnel distributed hard copies of the PowerPoint slides for the convenience of the Task Force members (copy attached to record set of minutes)

b. Noting that domestic violence and sexual assault are among the concerns that the Oklahoma Department of Mental Health and Substance Abuse Services (ODMHSAS), is charged with responding to, Oklahoma's Commissioner of Mental Health, Dr. Terry Cline, introduced Dr. Stephanie Covington, a nationally recognized expert on gender-responsive strategies for treatment of addictions.

Dr. Covington emphasized that, internationally, disadvantaged women are over-represented in prisons. She reviewed several pathways often taken by women who become incarcerated, pathways often starting with physical and sexual abuse disruptive of educational opportunity, progressing to addiction and economically related crimes. She also emphasized that violence committed by women is in relationships, that the chance of a woman attacking a stranger is much less than the chance of a male doing so. She said the war on drugs has netted many women who otherwise would not have been picked up.

Dr. Covington also talked about the difficulties women face when released from incarceration without aftercare. She said substance abuse treatment needs to be for 90 days or more and include aftercare -- needs to last a year or more if the woman has children to care for.

Finally, Dr. Covington reiterated that there are huge "system" issues, pointing out that all kinds of program and policy gaps impact women much more than men, stressing the need to look at the cost of the bigger picture and achieve a shift in public understanding and attitudes about the true costs of incarceration. She said that getting a woman clean and sober impacts about four people because of her role in the family.

c. The scheduled presentation by staff of the Oklahoma Criminal Justice Resource Center was deferred until the next meeting.

4. Discussion of Topics for Forthcoming Meetings

The Chair mentioned the possibility of a need to schedule, in addition to the November 12 meeting, at least one more meeting.

5. Public Forum:

The Chair recognized Norma Sapp, who spoke briefly about the need for more inpatient treatment facilities for women.

Phyllis Mattek was not present when afforded the opportunity to speak.

The Chair recognized Debi Bohannan, J.A.I.L. Oklahoma, who suggested there be more dissemination of information to encourage women to enroll in the support programs they need.

6. Un-foreseen New Business:

No unforeseen new business was brought up.

7. Announcements:

Lt. Gov. Fallin, at the beginning of the meeting, commented on the October 2 visit to Eagle Ridge Institute's Guthrie facility during which she, Ms. Mitchell, and several staff met and heard first hand about the experiences of several women in gender-sensitive long-term residential treatment at that facility. She noted as particularly significant the arrangements whereby the residents' children are able to be with their mothers, receive counseling, and begin to rebuild relationships. She offered the services of her office to schedule another visit for those who were unable to be present October 2.

8. Adjournment:

At approximately 12:10 p.m., on motion of Suzanne McClain Atwood and second by Sen. Dick Wilkerson, the meeting was adjourned

Minutes prepared by:

William H. Thoms
Research Assistant, OCJRC
November 3, 2003

Approved as read, November 12, 2003

SPECIAL TASK FORCE FOR WOMEN INCARCERATED IN OKLAHOMA

Minutes of the Seventh Regular Meeting

[On November 5, 2003, the meeting notice/agenda was posted at the meeting place and filed with the Secretary of State.]

November 12, 2003
10:00 a.m.
State Capitol, Room 104

Members:

Hon. Mary Fallin, Chair (Present)	Lieutenant Governor
Senator Dick Wilkerson, Vice-chair (Present)	Oklahoma Senate
Senator Daisy Lawler (Present)	Oklahoma Senate
Rep. Ron Kirby (Absent)	Oklahoma House of Representatives
Rep. Barbara Staggs (Absent) Represented by Patricia Presley	Oklahoma House of Representatives
Hon. Linda Morrissey (Present)	Designee of Exec. Director, Criminal Justice Resource Center
Suzanne McClain Atwood (Absent) Represented by Suzanne Breedlove	Executive Coordinator, District Attorneys Council
Debbie Mahaffey (Present)	Designee of Director, Dept. of Corrections
Jean Derry (Present)	Designee of Director, Dept. of Human Services
Debbe Leftwich (Present)	Chair, Commission on the Status of Women
Bernice Mitchell (Present)	Vice-chair, Commission on the Status of Women

Staff Present:

K.C. Moon, Executive Director, Oklahoma Criminal Justice Resource Center (OCJRC)
Dr. David Wright, Director of Research, OCJRC
Nancy Warren, Statistical Research Specialist, OCJRC
Marsha Boling, Research Specialist, OCJRC
Bill Thoms, Research Assistant, OCJRC
Greg Treat, Office of the Lieutenant Governor
Grace Shelton, House Staff Attorney
Anthony Sammons, Senate Fiscal Analyst
Brad Wolgamott, House Research Analyst
Marcus Walker, Training Specialist, OCJRC
Merian McCuin, Senate Administrative Assistant

Media Persons Signed In:
Laura Knoll, KOMA-AM
Matt Glanville, GIT
Sean Murphy, CNHI
Marie Price, *Tulsa World*
Tim Granahan, KKNG

Visitors Signed In:
William Shahan, Center for Personal Development
Pat Martin, Commission on the Status of Women
Phyllis Mattek, NASW
Leslie Coale-Mossman, OPEA
Marcia Smith, OCADVSA
Kristie Payne, YWCA
Rita Cooksey, Dept. of Corrections
Greg Williams, Dept. of Corrections
Karen White, Dept. of Corrections
Rose Lynch, Dept. of Corrections
Brian Karnes, Dept. of Mental Health & Substance Abuse Services
Chris Morriss, Office of the Secretary of State
Lou Kohlman, Commission on Status of Women
Norma Sapp
Julie Holmes, Office of State Finance
Rob Wallace, Oklahoma District Attorneys Association
Dorothy Danberry
Renee Bohling, Tulsa County Sheriff's Office
Sharon Neumann, Dept. of Corrections

1. Call to Order and Declaration of Quorum:
At 10:15 a.m., the Chair asked for call of the roll, recognized a quorum, and opened the meeting. The Chair noted the rearrangement of the room and the addition of a sound system. Staff advised the Chair that the meeting would be tape-recorded (not the case with prior meetings).

2. Minutes of the Sixth Meeting:
On motion of Sen. Dick Wilkerson, seconded by Debbe Leftwich, the minutes were approved as read (yea all).

3. Presentations by Invited Speakers:

[The detailed record of what occurred during this part of the meeting, provided for the convenience of Task Force members, is not an entirely verbatim transcription of what was recorded.]

OCJRC Executive Director K.C. Moon distributed a 16-page handout [copy attached to record set of minutes] presenting graphic displays of statistical data. He briefly reviewed

some of the basic information presented at previous meetings about incarceration rates, arrests rates, and crime rates.

Turning to the handout, Moon noted that Oklahoma's female incarceration rate is twelve times that of the lowest state (Rhode Island), 2.4 times the national average, and about 3.4 times the rate in the neighboring state of Kansas.

Working on through the handout, he then introduced some comparisons of high-incarceration states and low-incarceration states as to expenditures of a social, judicial, and law enforcement nature. He pointed out that, considering state, local, and federal expenditures together, low-incarceration states spend more per capita on alcohol and drug abuse treatment programs than high-incarceration states, suggesting that if other states are investing in drug treatment for poor women before they get into trouble with the law, perhaps that is a way to prevent ultimate imprisonment of the women.

Moon clarified that Drug Court monies and Community Sentencing monies are not included because those are considered post-conviction expenditures whereas the comparison presented is for pre-conviction expenditures and almost entirely represents treatment for poor people who do not have health insurance. He said Oklahoma leads the nation in rate per capita of persons not having health insurance (and that the problem is compounded because of lack of coverage for substance abuse treatment even for some of those who do have health insurance).

Turning to Page 5 of the handout, Moon next drew attention to what states invest in their prison systems, showing an inverse relationship between corrections spending per inmate per day and the rate of incarceration (not broken out by gender). He suggested that the states with higher corrections spending are probably doing more with drug treatment, relapse prevention, and recidivism prevention and may thus be having a lower rate of incarceration outcome. Responding to a question from Sen. Wilkerson, Moon said the data was not adjusted for cost of living, but he suggested that looking at the next set of data (pp. 7 and 8), on ratios of number of inmates to number of correctional officers, might address the issue. He said OCJRC would look at appropriate factors to use to adjust for cost of living.

Moon said OCJRC had hoped to have a presentation on spending in prisons for treatment of offenders but could not find reliable measures of what different states spend on in-prison treatment. He reminded the members that Oklahoma spends less than 4% of its prison budget on programs that might include treatment.

Oklahoma, Moon emphasized, has the seventh worst prison-staffing ratio (inmates per correctional officer) in the nation. He said we don't know whether Oklahoma's inmate population is any more or less dangerous than in other states. He suggested that high incarceration for non-violent drug offenses in Oklahoma could be a factor suggesting that ratios should be adjusted for a lower level of danger of Oklahoma's inmate population.

Moon said the states with the highest incarceration rates spend the least on probation supervision. Noting Oklahoma's low expenditures for probation supervision (less than half the national average), Moon raised the question whether plea-bargaining and sentencing decisions might sometimes be influenced by DA's and judges' lack of confidence in the adequacy of probation supervision to protect the public. The average probation officer in Oklahoma, Moon said, carries a caseload of about 100 offenders. On Page 10, Moon pointed out that Kansas, a low female incarceration state, spends more than three times what Oklahoma does. Higher expenditures, he said, could translate to more home visits, job verifications, drug tests, etc., and that DA's and judges might thus be more satisfied that probation supervision protects the public. Arkansas, Moon acknowledged, spends less but has a low incarceration rate. OCJRC has not been able to account for that anomaly.

Per capita government expenditures for police protection (pp. 11-12) and number of officers (pp. 13 and 14) do not correlate with low incarceration or high incarceration, Moon said. He noted that Oklahoma spends about 10% less than the regional average on police protection but is nearly at the national average on numbers of officers. Apparently Oklahoma's officers are paid less. Oklahoma is remarkably close to the regional average for number of officers per capita.

Page 15, Moon said, shows expenditures of the judicial system and legal system. As the data is from the U.S. Census, he said, it should provide an apples-to-apples comparison from state to state. He clarified that the expenditures include those for the court system, the prosecutorial system, and the public defense system. He noted a correlation between lower spending on the judicial/legal services and higher incarceration rates. Oklahoma, he said, spends 71% less than the national average (which does not indicate whether this level of expenditure is a cause or an effect of high incarceration rates), and 24% less than the regional average. With respect to the region, Moon pointed out that a higher proportion of what is spent for the judicial/legal system comes from state rather than local or federal funds (except for New Mexico). Moon mentioned that the Drug Courts and Community Sentencing are locally initiated and managed but are state funded. Oklahoma's effort in the late '90's with Community Sentencing, he said, was intended to get local communities to "own" their own offenders, to take responsibility for their offenders rather than just banish them to the penitentiary system.

Discussion ensued about overwhelming caseloads in the courts and Oklahoma's 98% plea bargaining rate (compared with 95% or 96% nationally) possibly meaning that most convictions are for lesser charges. Moon said that might be due to defenders not having money to spend on cases, prosecutors wanting to process cases as fast as possible, or both. Rob Wallace, President of the District Attorneys Association, said the pleas to lesser charges often involve incarceration. He also talked about inadequacy of courtroom facilities, and number of judges. Moon noted that there are two kinds of bargaining involved in pleas, charge bargaining and sentence bargaining.

Director Moon said OCJRC, working with staff of the Department of Corrections and the Department of Human Services, hoped to have information on the real cost of incarcerating women put together by December 2 but did not have anything ready yet.

Vera Institute of Justice, a not-for-profit entity based in New York currently providing technical assistance to about 20 states, including Oklahoma, to assist them with criminal justice reform, was represented by Sara Mogulescu and Donald Stemon.

Mr. Stemon highlighted, commented upon, and took questions concerning a PowerPoint presentation, hard copy of which he distributed [copy attached to record set of minutes].

He concentrated on national trends and specific policy reforms being undertaken in other states in regard to female offenders. For background, he reviewed some aggregate national data on incarceration rate increases since 1980. He emphasized that female offenders still account for only about 7% of the entire U.S. incarcerated population, thus not many states are changing sentencing policies for female offenders specifically. They are not looking at sentencing differently by gender because of Constitutional issues such as due process and equal protection.

While Oklahoma seems to be focusing on stemming the flow of women into prison, other states, he said, are more often looking at changing programming for women in the prisons or preparing women for re-entry. Some, he said, are looking at community-based alternatives to incarceration for specific offender groups such as pregnant offenders, women with children, or drug-addicted offenders. They are also improving in-prison assessment and programming for women.

Stemon said there is growing recognition that female offenders are different in the nature of their crimes and how they respond to different programs, and that there is a growing body of literature recognized by the National Institute of Corrections (NIC), and other organizations. He mentioned a curriculum developed collaboratively by NIC and the National Association of Women Judges to assist judges in sentencing female offenders, recognizing such factors as that women have a different societal role, have different physical and mental health needs, and are more vulnerable than men to physical and sexual abuse. In short, he said, NIC argues that sentences shouldn't necessarily be different but that the goals of sentencing should be altered to recognize gender differences, recommending that states should adopt alternatives to incarceration and should develop programs within prisons that address gender-specific needs.

He noted that a recent study by the Bureau of Justice Statistics (BJS) found that 70% of women in prison had children under the age of 18 and that 10% of the minor children of women incarcerated wind up in foster care. There is thus a focus in many states, he said, on finding alternatives within the community because most of these women are still caregivers.

Stemon said states are that are developing alternatives are focusing on women's needs, among which are to provide counseling for histories of physical and sexual abuse and to provide a great deal of substance abuse treatment.

One example, he said, is a California alternative sentencing program, started in 1994, with a mandate for community corrections for substance-abusing pregnant women and women with children under the age of six. He noted there is some parenting training and counseling in addition to the treatment.

In 2002, Stemon said, Illinois created a broader residential and transition treatment approach aimed at all non-violent female offenders. Children are allowed to reside with the women in the program. Although the program is limited to twelve months, the women receive mental health, trauma, and medical treatment; counseling in family relationships, life skills, and parenting skills; GED preparation or vocational schooling, job-readiness and job-skills training; and community transition assistance. Unlike the California program, the Illinois program is county based, with sheriffs having discretion to create such programs if they find the need. Judges sentence directly to the program but only do so on the recommendation of the Department of Corrections.

Stemon said Connecticut and Rhode Island have similar programs, both of those being directed at substance-abusing females. Last session, he said, a few other states tried to develop such programs but failed, and California was unable to expand its program. Hawaii, also, was unable to get a program for substance-abusing women through the legislature.

Most states, he reiterated, are developing in-prison programs that recognize that programs for women should be substantially different than those for men in regard to the needs that they address, how they assess risk, and the way they recognize different motivations. Four states, Idaho being one, use a completely different risk assessment tool designed and validated specifically for women. He mentioned a program in Portland, Oregon, focused on creating a safe environment, with more attention being paid to relationship development mental health issues, abuse, and medical needs. That program also has grief counseling for women who have lost custody of their children while incarcerated, and it places more emphasis on provision of post-release treatment.
Stemon said there is now a federal focus on women's re-entry issues and many states are considering them. He reported that New York, through its Women's Prison Association, provides a continuum of services that includes post-release assistance with housing, job assistance, drug treatment, and liaison services to connect women with services in the community.

While many states, he said, have repealed mandatory minimum sentences and enhanced funding for drug courts, a few states have made drug treatment while incarcerated

mandatory for such populations or have given judges more discretion to sentence offenders to drug treatment in lieu of incarceration if drug abuse is a contributing factor.

He then focused on three states that have taken such action in just the last legislative term: Kansas, Texas, and Indiana. He noted similarities between the prison populations of Kansas and Oklahoma as to what people were incarcerated for.

He said Kansas, last term, mandated drug treatment for first-time offenders incarcerated for drug possession (discretionary for second-time drug possessors). Treatment lasts no more than 18 months and is supervised by community corrections, which Kansas funded last year at $6 million despite a budget crisis. The program is expected to affect about 1,400 offenders, just over 10% of the Kansas prison population.

Stemon said Texas, last year, passed a bill that mandates treatment for first-time drug possession in amounts small enough to qualify for jailing. Second-time offenders are eligible at the discretion of the judge. Texas, however, did not provide funding, and rospects for implementation remain vague. It was anticipated that the program would affect about 2,500 offenders, which is about 2% of the Texas prison population.

Indiana, Stemon said, passed a little-noticed, more broad-ranging, bill that gives judges discretion to suspend the entire sentence of any offender convicted of a non-violent offense if drug or alcohol abuse is a contributing factor to the crime. Offenders are put on probation and referred to what is essentially community-based drug treatment. Implementation remains vague; it is uncertain whether communities have the programs or whether DA's, defense attorneys, and judges know about the programs.

Stemon concluded by saying other states are struggling with many of the same issues that Oklahoma is – budget, overcrowding, desire for better outcomes. Thus the ground is ripe for reform. As ways of stemming the flow of offenders, states are looking at changing sentencing policies and practices while considering how to deal with drug abuse.

[Several responses to questions from Task Force members were inaudible on the tape.]

Responding to Sen. Wilkerson's reservations about legislative mandates, Sara Mogulescu said there are revocation provisions in all the aforementioned legislation, and Don Stemon said the Indiana statute places all discretion with the judge.

K.C. Moon said OCJRC has found that every state that is looking at drug treatment is struggling with net-widening concerns. He said that if treatment is predicated on conviction of a felony, however, the result might be more people convicted of felonies in order to get them into treatment.

4. Announcement of Additional Meeting and Discussion of Agenda

The Chair, at the beginning of the meeting, announced a forthcoming meeting and made several statements, essentially as follows, about phases of the work and procedures to be followed at the next meeting:

> With this meeting we conclude the information-gathering phase of our work. We now need at least one meeting to determine what our findings and recommendations will be. To accommodate the schedules of the greatest number of members, I am calling a meeting for **10:00 a.m. on Tuesday, December 2nd**. If we cannot finish our work on the 2nd, I plan to recess the meeting until 10:00 a.m. the following day.
>
> I have asked my staff and staff of the Criminal Justice Resource Center to compile an initial draft of the findings and recommendations they think we might want to consider. They will e-mail that list to the members before the meeting. Of course you may also wish to bring your own findings and recommendations to the December 2nd meeting, send them independently to the rest of us beforehand, or send them to the staff for incorporation in their list of proposed findings and recommendations.
>
> We will not take findings or recommendations from the general public on December 2nd or have any Public Forum that day. Persons who are not Task Force members but who feel strongly that certain findings or recommendations should be considered are welcome to make individual contact with a Task Force member to press their concerns.
>
> The findings and recommendations that gain the support of a majority of the members of this Task Force will be put into the Task Force report that we must make, per Senate Bill 810, to the Governor, President Pro Tempore of the Senate, and Speaker of the House of Representatives. If our deliberations on December 2nd are such as to suggest that minority findings and recommendations should be included, we will consider that possibility at that time.
>
> We will also need to determine at the December 2nd meeting what directives we wish to give staff about other contents of the report, about any review or final editing or other completion procedures we want, and about the distribution we desire in addition to the three copies required by the law.

Discussion ensued as to what room would be best for December 2 and 3. After some consultation, arrangements were made to meet in **Room 419-C** at the Capitol and reserve 419-B and A, which are sound-equipped in connection with C, to accommodate spectators unable to find space in 419-C.

There were no suggestions that other items be added to the proposed agenda.

5. Public Forum:

There were no requests to speak during the Public Forum.

6. Un-foreseen New Business:
No unforeseen new business was brought up.

7. Announcements and Adjournment:
The Chair summarized her November 10 discussion with staff on topics and issues to be included in the staff-prepared findings and recommendations for consideration by the Task Force.

At approximately 11:40 a.m., on motion of Sen. Dick Wilkerson and second by Jean Derry, the meeting was adjourned.

Minutes prepared by:

William H. Thoms
Research Assistant, OCJRC
November 19, 2003

Approved as read, December 2, 2003

SPECIAL TASK FORCE FOR WOMEN INCARCERATED IN OKLAHOMA

Minutes of the Eighth Regular Meeting

[On November 26, 2003, the meeting notice/agenda was posted at the meeting place and filed with the Secretary of State.]

December 2, 2003
10:00 a.m.
State Capitol, Room 419-C

Members:

Hon. Mary Fallin, Chair (Present)	Lieutenant Governor
Senator Dick Wilkerson, Vice-chair (Present)	Oklahoma Senate
Senator Daisy Lawler (Present)	Oklahoma Senate
Rep. Ron Kirby (Absent)	Oklahoma House of Representatives
Rep. Barbara Staggs (Present on 12-02-03) Represented by Patricia Presley on 12-03-02	Oklahoma House of Representatives
Hon. Linda Morrissey (Present on 12-02-03)	Designee of Exec. Director, Criminal Justice Resource Center
Suzanne McClain Atwood (Present)	Executive Coordinator, District Attorneys Council
Debbie Mahaffey (Present)	Designee of Director, Dept. of Corrections
Jean Derry (Present)	Designee of Director, Dept. of Human Services
Debbe Leftwich (Present)	Chair, Commission on the Status of Women
Bernice Mitchell (Present)	Vice-chair, Commission on the Status of Women

Staff Present:

K.C. Moon, Executive Director, Oklahoma Criminal Justice Resource Center (OCJRC)
Dr. David Wright, Director of Research, OCJRC
Marsha Boling, Research Specialist, OCJRC
Bill Thoms, Research Assistant, OCJRC
Greg Treat, Office of the Lieutenant Governor
Nate Webb, Office of the Lieutenant Governor
Larry Saxon, Office of the Lieutenant Governor (12-02 only)
Grace Shelton, House Legal Staff (12-02 only)
Sara Lassiter, Senate Administrative Assistant
Sommer Hibdon-Dodd, Senate Administrative Assistant (12-03 only)

Media Persons Signed In:
Marie Price, *Tulsa World*
Ray Carter, *Journal-Record* (12-02 only)
Tim Granahan, KKNG
Jeff Packham, Capital News Network (12-02 only)
Erin Israel, Capital News Network (12-03 only)
Laura Knoll, KOMA-AM
Ryan M. Neill, OPUBCO

Visitors Signed In:
Bill and Darlene Johnson (12-02 only)
Phyllis Mattek, NASW (12-02 only)
Dean Balmer, OPEA (12-02 only)
Joyce G. Wood, Oklahoma CURE (12-02 only)
Brian Karnes, ODMHSAS
Karen V. Grey, Oklahoma Association for Infant Mental Health (12-02 only)
Karen Hill, OCADVSA
Dorothy Danberry, All of us or None (12-03 only)

1. Call to Order and Declaration of Quorum:
At 10:15 a.m., the Chair asked for call of the roll, recognized a quorum, and opened the meeting. [The proceedings were tape-recorded, but some portions proved to be inaudible.]

2. Minutes of the Sixth Meeting:
On motion of Sen. Dick Wilkerson, seconded by Jean Derry, the minutes were approved as read (9 yea, 0 nay, one abstention).

3. OCJRC Cost Presentations:
OCJRC Director of Research Dr. David Wright distributed a six-page handout consisting of the following charts [copy attached to record set of minutes]:

Rate of Female Inmates in State Prison and Local Jails in June 2001:
High vs. Low Female Incarceration Rates.
Rate of Female Inmates in State Prison and Local Jails in June 2001:
Oklahoma vs. Regional States.
Annual Taxpayer Cost of Incarceration for Female vs. Male Inmate
[including medical costs].
Annual Taxpayer Cost of Incarceration for Female vs. Male Inmate
[including social service costs as well as medical costs].
Trends in Statewide Prison Population and Mental Hospital Population.
Percent Change in State Appropriations to Selected Agencies FY '97 – 'FY 04.

Responding to a question from Suzanne McClain Atwood about the data shown on the first page, OCJRC Executive Director K.C. Moon clarified that the jail count shown is a census of all persons in jail on a given day, including persons charged with misdemeanors. Ms. Atwood suggested the day-to-day numbers would be affected by differences in processing time in various counties.

Dr. Wright emphasized that the data shows Oklahoma makes less use of jails than other states, and he made several references to Texas' utilization of jails for incarceration periods of up to two years whereas the limit is one year in Oklahoma. Various Task Force members offered observations about implications of the time differences and some of the ramifications of possibly changing the Oklahoma limit to two years.

Responding to a question from Rep. Barbara Staggs whether Oklahoma jails would have sufficient beds to handle the impact of making Oklahoma law similar to Texas law, Wright and Moon said that even though several new jails have been built in recent years most Oklahoma jails could not accommodate offenders staying two years. Rep. Staggs noted that one good thing, usually, about utilization of jails is the woman's proximity to family.

Moon said about roughly one third of the state's jail capacity is being used to hold prisoners awaiting transfer to DOC. He said the backup is currently about 1,300, not including some 400 to 500 prisoners being held in jails on contracts with DOC. The more crowded the prison system gets, he said, the fewer jail beds are available. Less availability of jail beds, he suggested, could in turn lead to more people being sentenced to prison. He mentioned that Tulsa County has such a backup that the county is paying a private vendor $45 per person per day (while getting only $31 per person per day from the state).

Moon also explained that holding DOC prisoners is a revenue source for sheriffs in some counties that do have beds and thus is not always an unwelcome thing. It can help get local governments through tough times, he said, but is not necessarily good for the penal system.

Judge Linda Morrissey asked about the average period of time that a convicted DOC inmate stays in a local county jail. Moon estimated it was three or four months. He pointed out that it would vary from county to county because some counties like the revenue they are getting and thus are in no hurry to transfer inmates to DOC.

Responding to Sen. Daisy Lawler's question whether having the option of keeping convicted persons in jail for two years would encourage more use of drug courts or community sentencing, Judge Morrissey said she doubted it would impact drug court participation but that it would allow persons otherwise sentenced to eighteen months or two years to stay in local facilities.

Moon suggested a two-year limit for certain offenses rather than an all-or-nothing change. He said he thought Texas has a "state jail felony" category, with the jails being compensated by the

prison system. He expressed doubt there would be much support for a two-year program in Oklahoma unless funding were tied to it.

Sen. Dick Wilkerson asked Dr. Wright whether any state could show benefit from putting people in jail where, historically, there are no educational or treatment programs, as opposed to a penitentiary setting where there are at least programs available even if an offender has to stand in line to get to them. He also suggested that many courts don't use jails because they know the counties can't afford it.

Dr. Wright agreed with the latter point. He said the literature suggests there are some offenders for whom a short jail stay, a kind of shock incarceration, is a sufficient wake-up to reality to correct their behavior. Sen. Wilkerson said DA's and courts have that option available now, with 30-day sentences, for example.

Judge Morrissey joined Sen. Wilkerson in urging caution about changing the felony definition.

Responding to a question from the Lt. Gov. about relative costs, Dr. Wright said average prison cost is about $43 per prisoner per day, and Debbie Mahaffey said the average jail reimbursement rate is about $24 per prisoner per day, $31 for contract prisoners. They agreed that DOC pays for certain service costs, most notably medical costs, on top of that. Dir. Moon said $24 per prisoner per day is probably a profit-making level, otherwise the counties wouldn't do it. Good data on actual operating cost for a jail in Oklahoma, he said, has never been available. He has heard it is as low as $9 or $10 in some counties. He mentioned some of the DOC services and programs that probably are not available in a standard jail setting.

On the subject of comparative direct cost to the taxpayers for incarceration of males vs. females, Dr. Wright referred to Page 3 of the handout, showing basic security costs are 4% higher for females and medical costs are 46% higher for female inmates.

Discussion followed as to lesser economies of scale of the smaller facilities for females. Dr. Wright noted the female facilities had a higher ratio of correctional officers to prisoners. Mr. Moon said that for a variety of accounting reasons, community corrections facilities were not included in the comparison. Responding to a question from Suzanne McClain Atwood, Dr. Wright said there is little medical cost at community corrections facilities.

Moon and Debbie Mahaffey agreed that DOC implementation of a new classification system that places more women in a low security environment is not yet reflected in the data, which was for FY 02. They also agreed that the recent opening of the more efficient facility at McLoud might help bring the security costs for female incarceration down to better accord with the intuitive expectation that security costs for females should be less because they are less aggressive and violent than males.

Responding to a question from Rep. Staggs, Debbie Mahaffey said accreditation requirements for correctional officer staffing, being general for both males and females and being simply

stated in terms of adequacy, do not drive up security costs for females and might, in fact, provide flexibility to permit a higher officer to prisoner ratio that could allow more staffing of other kinds for other needs that the women have.

Turning to the next page for the social costs associated with incarceration, developed with the help of information from DHS, Dr. Wright noted that the higher social costs for females include Medicaid and Temporary Aid to Needy Families (TANF) costs that result from incarceration of females, particularly those with children.

During discussion of Page 5 of the handout, Lt. Gov. Fallin expressed concern that the move of more prisoners to community-based corrections might prompt a rise in crime as was apparently the case after the mental health shift to the communities.

Bernice Mitchell asked about DOC responses to increases in the number of prisoners with mental health needs. Debbie Mahaffey said additional mental health services for females are being started at McLoud and that additional psych staff are being hired. Staffing, she said, is the biggest money issue. Mr. Mood, replying to questions from Ms. Leftwich and others, mentioned the Battles case and constitutional cruel-and-unusual-punishment concerns. He said compliance with civil rights cases and settlements and desire to stay out of federal court are significant factors affecting how richly or poorly states fund their medical services. Ms. Mitchell, citing her experience as a county commissioner, indicated that counties have similar concerns and responsibilities with respect to jail inmates and have significant costs for medical treatment.

The Lt. Gov. asked what proof there is that the 6,000 released from mental health hospitals ended up in prison because they were released to community-based mental health services. Dr. Wright said there is no proof. Lt. Gov. Fallin suggested the increase in incarcerations could be due to such a thing as an increase in use of methamphetamines. Dr. Wright said data does not indicate how many DOC inmates were diagnosed with mental health disorders in 1960, presumably a lower percentage than now. The Lt. Gov. also asked about definitions of mental illness. Debbie Mahaffey said DOC uses several levels of mental illness classification. Sen. Wilkerson said that in 1960 the district attorneys and courts had options they don't have now, that now it's "put them in the penitentiary or forget it." Mr. Moon agreed that the process of civil commitment has changed wholesale, that there once were long-term commitments available for drug addicted people and alcoholics who were constantly in trouble with the law, whereas the present civil commitment process is more focused on the rights of the mentally ill and tends to short-term commitments because, with medications, the persons are only certifiably dangerous to themselves or others for maybe a week. When, just as quickly, they stop taking the medications, he said, they may get caught up in the criminal justice net again. He suggested there was less recycling of people through the mental health system 40 years ago.

Rep. Staggs asked whether incarceration might be a factor in causing women to exhibit mental illness. Debbie Mahaffey said that might be possible but that it is more likely they are exhibiting some form of mental illness beforehand and become stabilized in the system. Sen. Wilkerson agreed with the 60% figure for incarcerated females with mental illness, emphasizing that

diagnosed mental illness could range from clinical depression (which the person cannot escape without medical help) to psychotic behavior. The point, he said, is that district attorneys and courts now have no option but prison if the person is acting out.

4. Findings and Recommendations:

The Task Force began its consideration of findings and recommendations by taking up an eleven-page set of staff proposals [copy attached to record set of minutes]. Judge Linda Morrissey explained that she could not be present the next day and asked that some of her concerns regarding the staff-suggested findings and recommendations on Physical and Sexual Abuse and Domestic Violence be addressed first.

By unanimous consent to a motion of Judge Morrissey, **Finding A-2-1** was amended to read as follows:

> Two of every three women in the criminal justice system ~~have~~ report a background of childhood physical, sexual , emotional, or economic abuse and two of three ~~have been~~ report having been victims of domestic violence as adults.

By unanimous consent to a motion by Judge Morrissey, a new **Finding A-2-2** was inserted to read as follows:

> Many women report, because of lack of awareness of the dynamics of domestic violence, being reluctant to make official complaints.

By unanimous consent to a motion of Judge Morrissey, previous Finding A-2-2 was renumbered as **Finding A-2-3**.

By unanimous consent to a motion of Judge Morrissey, **Recommendation A-2-1** was amended to read as follows:

> ~~Because of the ability to use evidence-based prosecution, police and district attorneys should~~ The Task Force strongly encourages police and district attorneys to vigorously investigate domestic violence and pursue prosecutions ~~on the evidence~~ , including the use of expert witnesses, even in situations where the complainant becomes reluctant to testify or asks that the matter be dropped.

By unanimous consent to a motion of Judge Morrissey, **Recommendation A-2-2** is amended to read as follows:

> The Oklahoma Department of Mental Health and Substance Abuse Services should ~~encourage the development of effective programs to protect~~ work with the Department of

Education and other agencies to educate, protect, and empower victims of domestic violence and to ~~prosecute~~ encourage prosecution of offenders.

By unanimous consent to a motion of Judge Morrissey, staff was directed to find a place to insert the following **new recommendation [placed by staff as Recommendation A-3-2]**:

The Administrative Office of the Courts should emphasize educational opportunities for the judiciary on the subject of domestic violence and on managing female offenders.

At approximately 12:15 p.m., the Chair recessed the meeting until 10:00 a.m., Wednesday, December 3, 2003, at the same location (Room 419-C, State Capitol).

On Wednesday the Task Force resumed its considerations by working from the beginning of the previously-distributed staff proposal document. Staff distributed a summary of the changes made the previous day [copy attached to record set of minutes].

By unanimous consent, on motion of Debbe Leftwich, seconded by Suzanne McClain Atwood, a portion of the opening statement of the staff proposals was amended to read as follows:

~~invests more in services that help women avoid going down paths that lead to criminal offenses~~ recognizes that many of Oklahoma's female offenders share commonalities that we, as a state, should work to alleviate

Unanimous consent was also given to a motion by Ms. Atwood, seconded by Sen. Wilkerson, to delete the word "constructively" from the first sentence of the opening statement of the staff language.

By unanimous consent, the opening statement was further amended, as follows, on motion by Sen. Wilkerson, seconded by Ms. Atwood:

~~relies less on incarceration of female offenders and more on proved alternatives within the criminal justice system~~ utilizes and maximizes all tools within the community and criminal justice system available to deal with female offenders

Two other amendments to the opening statement by Ms. Atwood were withdrawn.

Finding 1 was amended to read as follows (motion by Ms. Atwood, second by Sen. Wilkerson, unanimous consent):

The Task Force finds no ~~unwarranted gender disparity~~ bias against women in statewide felony sentencing practices.

The Task Force next addressed the **heading of the first section** of findings and conclusions, making the following amendment on motion by Sen. Wilkerson and second by Jean Derry (unanimous consent):

~~Positives of the~~ The Present Criminal Justice System: Findings and Conclusions

After considerable discussion of **Finding 3** and unanimous consent to a motion by Debbe Leftwich and Sen. Wilkerson to delete the finding in its entirety, the following language was inserted as a new Finding 3 (motion by Suzanne McClain Atwood, second by Jean Derry, unanimous consent):

Oklahoma females sentenced to prison are not likely to be first-time offenders.

Debbie Mahaffey moved to delete **Finding 7**. The motion was seconded by Sen. Daisy Lawler and approved by unanimous consent.

On motion of Suzanne McClain Atwood, seconded by Sen. Dick Wilkerson, **Finding 5** was amended to read as follows (unanimous consent):

~~By comparison with other states,~~ Oklahoma ~~offenders convicted of violent crimes are sentenced to, and serve, relatively long terms~~ has increased the time served by violent offenders.

The Chair entertained motions regarding Finding 6, but no motions for change were forthcoming.

OCJRC Executive Director K.C. Moon suggested that the Task Force adopt an Introduction that he then distributed [copy attached to record set of minutes]. On motion of Debbe Leftwich, seconded by Sen. Daisy Lawler, the following Introduction, incorporating many changes accepted by Ms. Leftwich and Sen. Lawler, was adopted on a vote of seven ayes, two nays -- for placement ahead of the staff-proposed opening previously amended [roll-call sheet attached to record set of minutes]:

Introduction

The mission of the Special Task Force for Women Incarcerated in Oklahoma as mandated in SB 810 of 2003 is to determine the causes of Oklahoma's high female incarceration rate. Oklahoma's female incarceration rate of 131 per 100,000 female population is 143% higher than the U.S. average and has led the nation at least since 1993. Research reviewed by the Task Force suggests that the following findings are possible causes of Oklahoma's high female incarceration rate.

- Oklahoma's 2001 total female arrest rate was 54% higher than the U.S. total female arrest rate and has increased by 25% since 1990.

- States such as Maine, Minnesota, Missouri, and Arkansas have higher total female arrest rates and Uniform Crime Report Index arrest rates than Oklahoma. However, their female incarceration rates are between one-half and one-tenth of that of Oklahoma's.

- The largest discrepancy between Oklahoma and other states in the area of female arrests and incarceration is in drug-related crimes.

- Oklahoma's 2001 female drug arrest rate was 116% higher than the U.S. female drug arrest rate and has increased by 152% since 1990.

- Oklahoma's percentage of prison receptions due to drug possession is twice the national average at 27.5% for females and 18.2% for males. The U.S. average is 12.9% for females and 8.9% for males.

- Females in Oklahoma experienced a 125% increase in the number of prison receptions for drug crimes from 1990-2002.

- Low incarceration states spend more for state-supported alcohol and other drug abuse treatment programs than high incarceration states. Oklahoma's per capita expenditure for state-supported alcohol and other drug abuse treatment programs at $6.06 is 117% less than the U.S. average at $13.17.

- There is a link between lower probation spending on offenders and higher female incarceration rates. States that incarcerate the most women spend consistently less than average on probation costs. Oklahoma spends $2.04, half the U.S. average of $4.37 for probation/parole cost per offender per day.

- There is a correlation between lower spending on judicial and legal services and higher female incarceration rates. States that incarcerate the most women spend, consistently, less than average on courts, prosecutors, and criminal defense. Oklahoma spends 71% less than the U.S. average.

As part of the foregoing set of changes accepted by Ms. Leftwich and Sen. Lawler, staff was directed to move the following statements (bullets 7 and 8 in the Introduction, as proposed) to the section entitled "The Present Criminal Justice System: Findings and Conclusions," where they became:

Finding 7: <u>Females represent 10% of the prison population, yet they are 21.6% of the inmates winning parole or commutation.</u>

Finding 8: Incarcerating females often costs more than males for two reasons: (1) females are more likely to need medical care in prison, and (2) female inmates are more likely to be custodial parents, and society pays more to care for their children. All told, taxpayers spend 31% more to lock up the average female than the average male.

By unanimous consent to a motion of Jean Derry, seconded by Debbie Mahaffey, **Conclusion 1** was amended to read as follows:

> The present system is ~~successfully protecting~~ working to protect the public by keeping violent offenders, including the small number of violent female offenders, in prison.

By unanimous consent to a motion by Suzanne McClain Atwood, seconded by Jean Derry, **Conclusion 2** was amended to read as follows:

> The present system is ~~beginning to utilize~~ utilizing alternatives ~~instead of wholesale~~ to incarceration of women, but recommendations for change in policies, both in and outside of the system, are warranted as shown in sections A through D below.

5. Preparation of the Report:

OCJRC Executive Director K.C. Moon summarized his discussions with Greg Treat of the Office of the Lt. Gov. to the effect that during the following week staff could compile a complete report of the findings and recommendations and circulate it to the members to affirmatively say "yes" by a call to the Office of the Lieutenant Governor.

6. Additional Meetings:

The Lt. Gov. responded to a concern expressed by Sen. Wilkerson that the process continue to its conclusion by saying that once the members finished the whole document, it should be possible for the members to affirm that it does say what they have agreed to. Consensus was to keep working. She then asked staff to make arrangements for another meeting to continue, and hopefully to conclude, the work.

7. Unforeseen New Business:

No new business was brought up.

8. Adjournment:

At approximately 12:20 p.m., on motion of Sen. Wilkerson, seconded by Suzanne McClain Atwood, the meeting was adjourned.

Minutes prepared by:

William H. Thoms
Research Assistant, OCJRC
December 10, 2003

Approved as read, December 17, 2003

SPECIAL TASK FORCE FOR WOMEN INCARCERATED IN OKLAHOMA

Minutes of the Ninth Regular Meeting

[On December 11, 2003, the meeting notice/agenda was posted at the meeting place and filed with the Secretary of State.]

December 17, 2003
9:00 a.m.
State Capitol, Room 419-C

Members:

Hon. Mary Fallin, Chair (Present)	Lieutenant Governor
Senator Dick Wilkerson, Vice-chair (Present)	Oklahoma Senate
Senator Daisy Lawler (Present)	Oklahoma Senate
Rep. Ron Kirby (Present)	Oklahoma House of Representatives
Rep. Barbara Staggs (Absent) Represented by Patricia Presley	Oklahoma House of Representatives
Hon. Linda Morrissey (Present)	Designee of Exec. Director, Criminal Justice Resource Center
Suzanne McClain Atwood (Absent) Represented by Lee Cohlmia	Executive Coordinator, District Attorneys Council
Debbie Mahaffey (Present)	Designee of Director, Dept. of Corrections
Jean Derry (Present)	Designee of Director, Dept. of Human Services
Senator Debbe Leftwich (Present)	Chair, Commission on the Status of Women
Bernice Mitchell (Present)	Vice-chair, Commission on the Status of Women

Staff Present:

K.C. Moon, Executive Director, Oklahoma Criminal Justice Resource Center (OCJRC)
Dr. David Wright, Director of Research, OCJRC
Bill Thoms, Research Assistant, OCJRC
Greg Treat, Office of the Lieutenant Governor
Nate Webb, Office of the Lieutenant Governor
Brad Wolgamott, House Staff
Merian McCuin, Senate Administrative Assistant

Media Persons Signed In:
Marie Price, *Tulsa World*

Visitors Signed In:
James Drummond, Chief, Non-capital Trial Division, Oklahoma Indigent Defense System
Lou Kohlman, Commission on the Status of Women
Julie Holmes, Office of State Finance
Jesse Chapel
Norma Sapp
Martha Kendall Holmes, National Association of Social Workers
Rita J. Monk, Jail Oversight Board

1. Call to Order and Declaration of Quorum:
At 9:20 a.m., the Chair asked for call of the roll, recognized a quorum, and opened the meeting. [The proceedings were tape-recorded, but some portions proved to be inaudible.]

2. Minutes of the Eighth Meeting:
On motion of Sen. Dick Wilkerson, seconded by Senator Leftwich, the minutes were approved as read (6 yea, 0 nay, 2 abstentions).

3. Resumption of Discussion of, and Possible Action on, Findings and Recommendations to be Included in the Task Force Report:

Staff distributed, and the Task Force worked from, a December 12, 2003, document entitled:

FINDINGS AND RECOMMENDATIONS
Proposed by Staff for
Consideration by the Special Task Force for
Women Incarcerated in Oklahoma
WITH PORTIONS AFFECTED BY TASK FORCE CHANGES OF
DECEMBER 2, AND DECEMBER 3, 2003,
SHOWN IN ITALICS, AS CHANGED

Lee Cohlmia moved to amend Finding 2, Page 3, after the word "comprise" and before the figure "10%" by inserting the word "only". The motion died for lack of a second.

Lee Cohlmia moved to amend Finding 7, Page 3, after the word "inmates" and before the word "parole" by deleting the word "winning" and inserting the word "granted". The motion was seconded by Rep. Kirby and adopted by unanimous consent.

Lt. Gov. Fallin moved to insert a new Finding 2, to read as follows: "Ninety-nine percent of females currently incarcerated in Oklahoma pled guilty to the crime for which they are imprisoned." and to renumber subsequent findings. The motion was seconded by Lee Cohlmia but failed on a vote of two ayes, six nays.

Sen. Leftwich moved to amend Finding A-1-1, Page 5, after the third word "of" and before the word "mental" by inserting the word "diagnosed". The motion was seconded by Sen. Wilkerson and approved by unanimous consent.

Debbie Mahaffey moved to direct staff to add to Finding A-1-2, Page 5, a reference to a definition of the term "non-violent" in a definition section to be added to the report. The motion was seconded by Lee Cohlmia and approved by unanimous consent.

Lt. Gov. Fallin moved to delete Finding A-1-4, Page 5. The motion was seconded by Lee Cohlmia but failed on a vote of two ayes, seven nays.

Debbie Mahaffey moved to amend Finding A-1-4, Page 5, before the first word "use" by deleting the words "Doubling of" and inserting the word "The"; and after the acronym "(DOC)" and before the period by deleting all language and inserting the words "has doubled". The motion was seconded by Bernice Mitchell and adopted on a vote of seven ayes, two nays.

Sen. Leftwich moved to delete Finding A-1-5, Page 5. The motion was seconded by Debbie Mahaffey and approved by unanimous consent.

Lee Cohlmia moved to amend Recommendation A-1-1, Page 6, by deleting all language before the word "Oklahoma". The motion was seconded by Sen. Leftwich and approved by a vote of five ayes, four nays.

Lee Cohlmia moved to amend Recommendation A-2-1, Page 6, after the word "witnesses" and the comma and before the word "even" by adding the words "when feasible". The motion died for lack of a second.

Lee Cohlmia moved to delete Finding A-3-3, Page 7, but withdrew the motion.

Sen. Leftwich moved to amend Finding A-3-3, Page 7, after the word "drug" and before the word "offenders" by inserting the word "addicted". The motion was seconded by Sen. Lawler and approved by unanimous consent.

Finding A-3-4, Page 7, was discussed at some length but action was deferred until staff could prepare substitute language.

Lee Cohlmia moved to substitute the following language for Recommendation A-3-1, Page 7: "Policymakers should consider enhancing treatment for offenders who are addicted to drugs or alcohol. Policymakers may need to develop creative and effective alternatives to imprisonment, as well as enhance treatment services within prisons and jails." The motion was seconded by Sen. Lawler and approved by unanimous consent.

Task Force members gave unanimous consent to Judge Morrissey's proposal that Recommendation A-3-2, Page 8, be renumbered as Recommendation A-2-3 and be inserted after Recommendation A-2-2 (Page 6).

Lt. Gov. Fallin moved to delete Finding B-1-4, Page 8. The motion was seconded by Lee Cohlmia but failed on a vote of two ayes, seven nays. Sen. Leftwich's motion, seconded by Bernice Mitchell, to retain the finding was withdrawn as moot following the vote on the Fallin motion.

Lee Cohlmia moved to amend Finding B-1-5, Page 8, by adding a sentence to read: "A number of these had previous convictions, or failed alternative forms of sentencing." The motion was seconded by Lt. Gov. Fallin but failed on a vote of three ayes, seven nays.

Lee Cohlmia moved to delete Finding B-1-6, Page 9. The motion was seconded by Lt. Gov. Fallin but failed on a vote of two ayes, eight nays.

Jean Derry moved to amend Finding B-1-6, Page 9, after the comma and before the word "wardens" by deleting the words "ranging from" and inserting a period and the words "For example,"; and after the first word "say" and before the figure "20%" by inserting the word "only"; and after the figure "25%" by deleting the words "to some district attorneys who say 100%" and inserting the words "need to be there to protect the public". The motion was seconded by Patricia Presley and approved on a vote of eight ayes, two nays.

At 12:30 p.m., the Task Force recessed for lunch. The Chair subsequently resumed the meeting with a call to order at 1:45 p.m.

As previously directed (see above) staff distributed substitute language for Finding A-3-4, Page 7, but suggested that the language be inserted as a new Finding 9 (Page 4) rather than as a substitute Finding A-3-4. The suggested language read as follows:

> A 2002 survey by DOC documented the following characteristics of female inmates (information was self-reported by inmates):
>
> a. 30% do not have a high school diploma or GED
> b. 81% have children
> c. 25% are currently married
> d. 71% had been in an abusive relationship
> e. 35% were sexually abused as a child, and 29% were physically abused as a child
> f. 48% had received social assistance
> g. 75% were incarcerated for drug and non-violent crimes

Debbie Mahaffey moved to adopt all the staff-suggested language except statement "g." The motion was seconded by Lt. Gov. Fallin but failed [staff failed to note the vote]. A motion to delete the original finding was approved [staff failed to record the name of the member making the motion, the member seconding the motion, and the vote]. Sen. Leftwich then moved to approve the staff-suggested substitute language, including statement "g." and the staff-recommended placement of the language as Finding 9. The motion was seconded by Sen. Wilkerson and approved on a vote of seven ayes, two nays.

Jean Derry moved to amend Finding B-1-7, Page 9, before the first word "of" by deleting the words "Almost 80%" and inserting a precise figure to be supplied by staff. The motion was seconded by Bernice Mitchell and approved by unanimous consent. [Staff subsequently determined the precise figure to be 79.9%.]

Judge Morrissey moved to amend Finding B-1-9, Page 9, after the words "alternatives cost" and before the words "per year" by deleting the figures "$2,000 to $5,000" and inserting the words "one-fourth that amount or less". The motion was seconded by Jean Derry and approved by unanimous consent.

Jean Derry moved to amend Finding B-1-10, Page 9, after the word "funding" and before the word "about" by deleting the word "at" and inserting the word "of"; and after the word "offender" and before the comma by inserting the words "for drug court and $1,100 for community sentencing". The motion was seconded by Sen. Wilkerson and approved by unanimous consent.

Lee Cohlmia moved to delete Finding B-1-11, Page 9. The motion was seconded by Sen. Leftwich but failed on a vote of four ayes, five nays.

Jean Derry moved to amend Finding B-1-11, Page 9, after the word "a" and before the word "set" by deleting the word "thoughtful". The motion was seconded by Sen. Leftwich and approved by unanimous consent.

Judge Morrissey moved to delete all language in Recommendation B-1-1 and substitute the following: "More drug courts should be established and expanded." The motion was seconded by Sen. Wilkerson and approved by unanimous consent.

Lee Cohlmia moved to amend Recommendation B-1-3, Page 10, after the word "fund" and before the word "efforts" by deleting the acronym "DMHSAS". The motion was seconded by Jean Derry, who obtained consent of Lee Cohlmia to amend the amendment to include a directive to staff to revise the sentence so that it would not end with a preposition. The motion, as amended, was approved by unanimous consent.

Lt. Gov. Fallin moved to delete Recommendation B-1-4, Page 10. The motion was seconded by Lee Cohlmia but failed on a vote of two ayes, seven nays.

Jean Derry moved to amend Recommendation B-1-4, Page 10, after the word "removing" and before the word "barriers" by deleting the word "minimum" and inserting the word "any". The motion was seconded by Patricia Presley and approved on a vote of five ayes, three nays.

Sen. Leftwich moved to amend Recommendation B-1-5, Page 10, after the comma and before the word "female" by deleting the words "district attorneys and judges should channel"; and after the word "offenses" and before the word "into" by inserting the words "should be channeled"; and after the word "programs" and before the word "rather" by inserting the words "when appropriate". The motion was seconded by Judge Morrissey and approved by unanimous consent.

At approximately 2:30 p.m., the Task Force to a brief recess, resuming work at 2:40 p.m.

Jean Derry moved to amend Finding B-2-1, Page 10, before the word "alcohol" by deleting the word "Although" and inserting the words "Drug court data shows that, although". The motion was seconded by Sen. Wilkerson and approved by unanimous consent.

Lee Cohlmia moved to amend Finding B-2-2, Page 10, after the word "Methamphetamines" and before the word "have" by deleting the word "apparently". The motion was seconded by Jean Derry and approved by unanimous consent.

Lee Cohlmia moved to amend Finding B-2-3, Page 11, before the word "prospect" by deleting the word "The" and inserting the words "Some offenders report the"; and after the word "intervention" and before the comma by deleting the words "in her path to destruction". The motion was seconded by Sen. Wilkerson and approved by unanimous consent.

Jean Derry moved to delete Finding B-2-5, Page 11, and to insert a new Finding 10 on Page 4 to read as follows: "Children of women in the criminal justice system are often at risk." The motion was seconded by Judge Morrissey and approved by unanimous consent.

Lee Cohlmia moved to amend Recommendation B-2-1, Page 11, after the word "children" and before the period by inserting the words "for use in appropriate places". The motion was seconded by Jean Derry and approved by unanimous consent.

Lt. Gov. Fallin noted that staff's working document labeled two different recommendations as B-2-2 on Page 11. She moved to delete the second of the two recommendations and to add a new Conclusion 2 on Page 4 to read as follows: "Oklahoma needs a comprehensive study to address the funding and exercise oversight over the care of children of women in the criminal justice system." The motion was seconded by Jean Derry and approved by unanimous consent.

By unanimous consent, staff was directed to change Finding C-1, Page 11, and Finding C-2, Page 12, to reflect figures for females rather than for males and females together.

Lee Cohlmia moved to delete Finding C-3, Page 12. The motion was seconded by Jean Derry and approved by unanimous consent.

Finding C-4, Page 12, was deleted and a new Finding was approved by unanimous consent to be numbered C-3 and to read as follows: "There is a limited number of employment opportunities for women upon release from prison." [Staff failed to note who made or seconded the motion.]

Debbie Mahaffey moved to amend Recommendation C-1, Page 12, by deleting the proposed language and substituting the following language: "DOC and DMHSAS should continue their collaboration to provide substance abuse treatment to those who are incarcerated as well as provide adequate follow-up and aftercare upon release." The motion was seconded by Jean Derry and approved by unanimous consent.

Debbie Mahaffey moved to delete Recommendation C-2, Page 12. The motion was approved by unanimous consent [second not noted].

Jean Derry moved to delete Recommendation C-3, Page 12. The motion was seconded by Judge Morrissey and approved by unanimous consent.

Lee Cohlmia moved to amend Finding D-1, Page 13, after the word "for" and before the word "attempting" by deleting the word "women" and inserting the words "male or female offenders". The motion was seconded by Jean Derry and approved by unanimous consent.

Jean Derry moved to amend Recommendation D-1, Page 13, by deleting the proposed language and substituting the following language: "DOC should be supported in its efforts to facilitate successful reintegration of offenders into society." The motion was seconded by Sen. Wilkerson and approved on a vote of seven ayes, two nays.

Lee Cohlmia moved to delete Recommendation D-2, Page 13. The motion was seconded by Lt. Gov. Fallin but failed on a vote of two ayes, seven nays.

Jean Derry moved to amend Recommendation D-2, Page 13, after the word "are" and before the word "barriers" by deleting the words "so substantial as frequently to be insurmountable". The motion was seconded by Sen. Wilkerson and approved on a vote of seven ayes, two nays.

4. Further Directives to Staff Concerning Preparation of the Report

Jean Derry moved to approve the report. The motion was seconded by Sen. Leftwich and approved on a vote of seven ayes, two nays.

The Chair asked staff to send the report to the members and asked the members to report any inaccuracies to her staff.

Recognizing different philosophies among the members, she thanked the Task Force for the civility of the discussions. She also indicated she might want to have a minority report included.

5. Announcement of Additional Meetings

No further meetings were announced.

6. Unforeseen New Business:

No new business was brought up.

7. Adjournment:

The meeting was adjourned at approximately 3:20 p.m.

Minutes prepared by:

William H. Thoms
Research Assistant, OCJRC
December 30, 2003

Documents Distributed

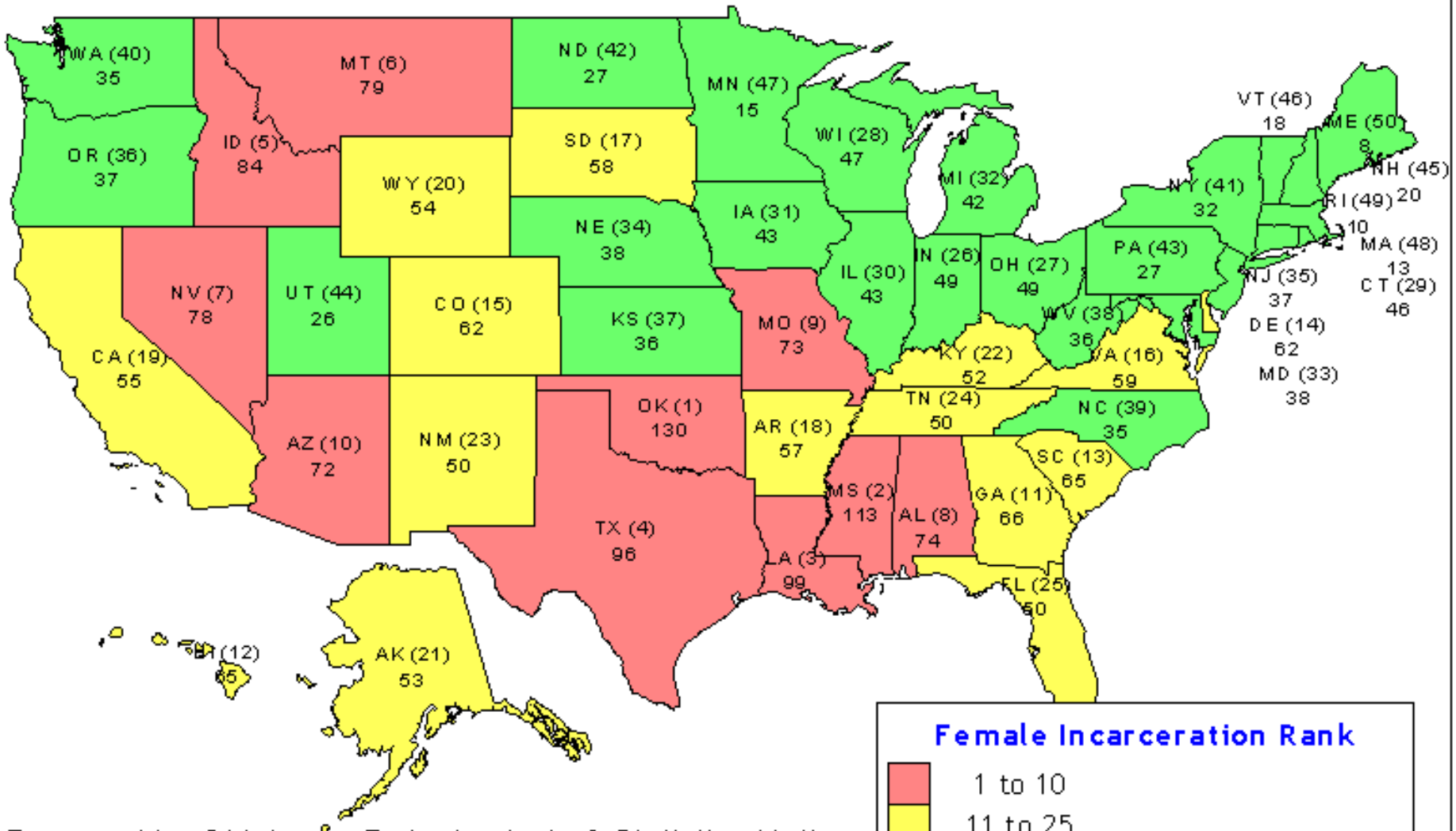
(see itemized reference list in Appendix A)

1A

"2001 Female Incarceration Rates (Rank) Per 100,000 Population" (a graphic prepared by Oklahoma Data Analysis & Statistics Unit of the Oklahoma Department of Corrections). U.S. Dept. of Justice, Bureau of Justice Statistics.

2001 Female Incarceration Rates (Rank) Per 100,000 Population

Data Source: Bureau of Justice Statistics "Prisoners in 2001"



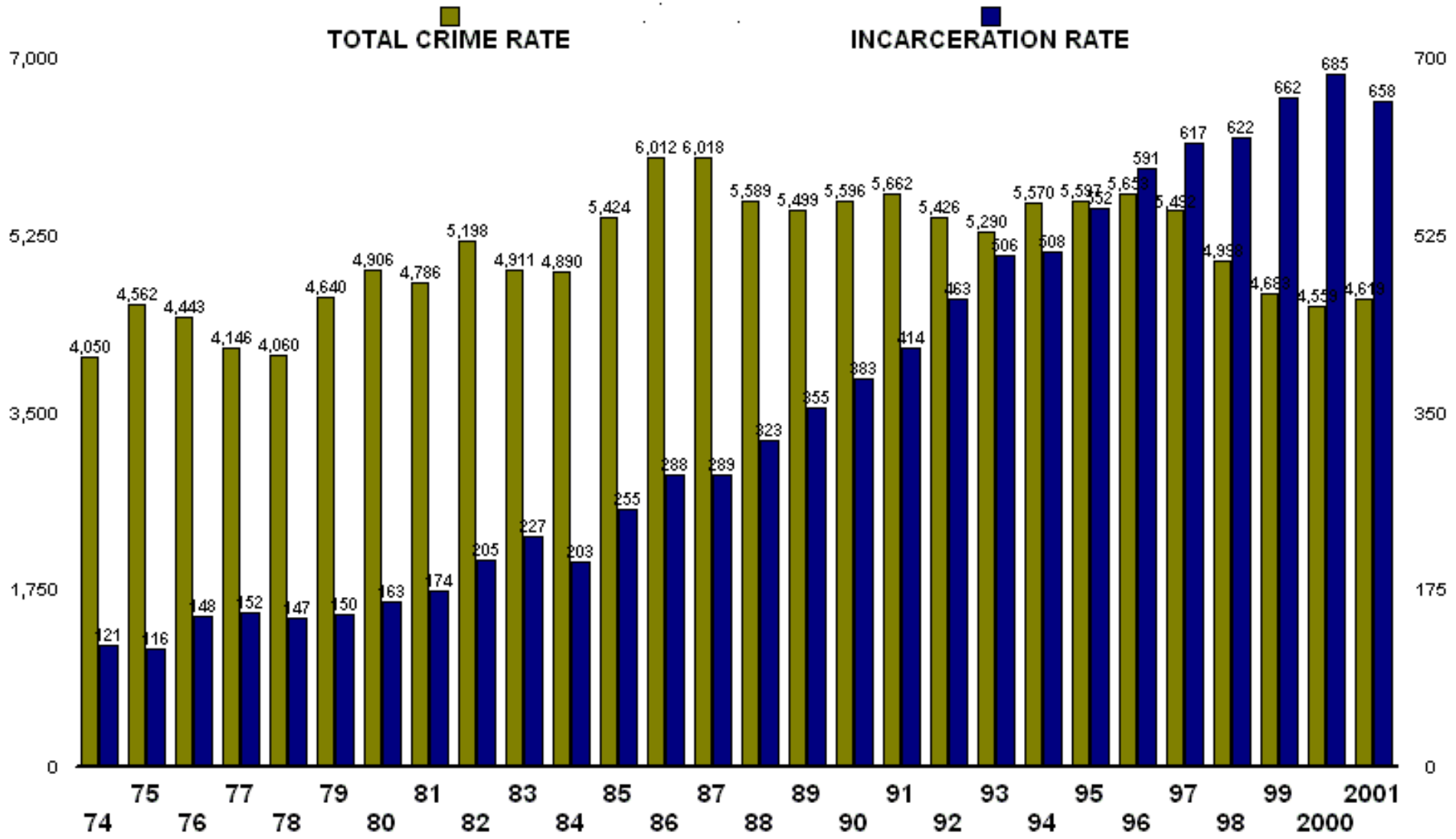
Prepared by Oklahoma Data Analysis & Statistics Unit
Average state female incarceration rate is 52

1B

"Total Crime Rate Per 100,000 – Incarceration Rate Per 100,000" (chart for the years1974 through 2001). Oklahoma Department of Corrections.

OKLAHOMA DEPARTMENT OF CORRECTIONS

TOTAL CRIME RATE PER 100,000 - INCARCERATION RATE PER 100,000



1C

"Female Prisoners Under Jurisdiction of State and Federal Correctional Authorities." *Sourcebook of Criminal Justice Statistics 2001*, page 501. U.S. Dept. of Justice, Bureau of Justice Statistics.

Table 6.34

Female prisoners under jurisdiction of State and Federal correctional authorities

By region and jurisdiction, on Dec. 31, 1990, 1995, 2000-2002

	Female prisoners							
	Number					Percent change	Average annual percent change	Incarceration rate,
	1990	1995	2000	2001	2002	2001 to 2002	1995 to 2002	2002[a]
United States, total	44,065	68,468	93,234	92,979	97,491	4.9%	5.2%	60
Federal	5,011	7,398	10,245	10,973	11,234	2.4	6.1	6
State	39,054	61,070	82,989	82,066	86,257	5.2	5.1	54
Northeast	6,293	8,401	9,082	9,108	9,381	3.0	1.6	29
Connecticut	683	975	1,406	1,447	1,694	17.1	8.2	52
Maine	44	36	66	59	90	52.5	14.0	12
Massachusetts[b]	582	656	663	713	704	-1.3	1.0	11
New Hampshire	44	109	120	129	144	11.6	4.1	22
New Jersey	1,041	1,307	1,650	1,628	1,586	-2.6	2.8	36
New York	2,691	3,615	3,280	3,133	2,996	-4.4	-2.6	30
Pennsylvania	1,006	1,502	1,579	1,711	1,821	6.4	2.8	29
Rhode Island	166	157	238	193	214	10.9	4.5	11
Vermont	36	44	80	95	132	38.9	17.0	26
Midwest	7,521	10,864	14,598	14,872	15,302	2.9	5.0	46
Illinois	1,183	2,196	2,849	2,747	2,520	-8.3	2.0	39
Indiana[b]	681	892	1,452	1,542	1,583	2.7	8.5	50
Iowa	212	425	592	635	703	10.7	7.5	47
Kansas	284	449	504	497	537	8.0	2.6	39
Michigan[b]	1,688	1,842	2,131	2,149	2,267	5.5	3.0	44
Minnesota	159	217	368	383	455	18.8	11.2	18
Missouri	777	1,174	1,993	2,124	2,274	7.1	9.9	78
Nebraska	145	211	266	342	352	2.9	7.6	38
North Dakota	20	29	68	101	103	2.0	19.8	31
Ohio	1,947	2,793	2,808	2,829	2,929	3.5	0.7	50
South Dakota	77	134	200	220	225	2.3	7.7	58
Wisconsin	348	502	1,367	1,303	1,354	3.9	15.2	48
South	15,366	27,366	39,652	39,135	41,559	6.2	6.2	71
Alabama	955	1,295	1,826	1,783	1,697	-4.8	3.9	71
Arkansas	435	523	772	851	854	0.4	7.3	61
Delaware	226	358	597	591	542	-8.3	6.1	54
District of Columbia[c]	606	494	356	NA	NA	NA	NA	NA
Florida	2,664	3,660	4,105	4,282	4,595	7.3	3.3	54
Georgia	1,243	2,036	2,758	2,834	3,129	10.4	6.3	72
Kentucky	479	734	1,061	1,138	1,282	12.7	8.3	59
Louisiana	775	1,424	2,219	2,362	2,238	-5.2	6.7	96
Maryland	877	1,079	1,219	1,207	1,264	4.7	2.3	40
Mississippi	448	791	1,669	1,823	2,082	14.2	14.8	126
North Carolina[b]	945	1,752	1,903	2,042	2,175	6.5	3.1	37
Oklahoma	1,071	1,815	2,394	2,290	2,336	2.0	3.7	131
South Carolina	1,053	1,045	1,420	1,509	1,671	10.7	6.9	71
Tennessee[b]	390	637	1,369	1,468	1,735	18.2	15.4	58
Texas	2,196	7,935	13,622	12,369	13,051	5.5	7.4	96
Virginia	927	1,659	2,059	2,240	2,546	13.7	6.3	68
West Virginia	76	129	303	346	362	4.6	15.9	37
West	9,874	14,439	19,657	18,891	20,015	5.9	4.8	57
Alaska	128	243	284	359	349	-2.8	5.3	47
Arizona	835	1,432	1,964	2,168	2,428	12.0	7.8	81
California[b]	6,502	9,082	11,161	9,921	10,050	1.3	1.5	54
Colorado	433	713	1,333	1,375	1,566	13.9	11.9	70
Hawaii	171	312	561	616	669	8.6	11.5	69
Idaho	120	212	493	541	631	16.6	16.9	94
Montana	76	112	306	363	345	-5.0	17.4	75
Nevada	406	530	846	841	851	1.2	7.0	80
New Mexico	193	278	511	517	516	-0.2	9.2	52
Oregon	362	465	596	661	812	22.8	8.3	46
Utah	125	161	381	315	377	19.7	12.9	31
Washington	435	793	1,065	1,079	1,254	16.2	6.8	40
Wyoming[b]	88	106	156	135	167	23.7	6.7	67

Note: See Note, table 6.22. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK. For information on methodology, definitions of terms, and jurisdictional explanatory notes, see Appendix 15.

[a]The number of female prisoners with sentences of more than 1 year per 100,000 female U.S. residents.

[b]Average annual percent change from 1995 to 2002 may be slightly overestimated due to a change in reporting from custody to jurisdiction counts.

[c]As of Dec. 31, 2001, the transfer of responsibility for sentenced felons from the District of Columbia to the Federal Bureau of Prisons was completed. The District of Columbia no longer operates a prison system.

Source: U.S. Department of Justice, Bureau of Justice Statistics, ***Prisoners in 2000***, Bulletin NCJ 188207, p. 6; ***2001***, Bulletin NCJ 195189, p. 7; ***2002***, Bulletin NCJ 200248, p. 5, Table 6 (Washington, DC: U.S. Department of Justice). Table adapted by SOURCEBOOK staff.

1D

Oklahoma Sentencing Commission: Felony Sentencing in 2001. Oklahoma Criminal Justice Resource Center. 2003.

Oklahoma Sentencing Commission

A Report to the Oklahoma Legislature
of
Statewide Felony Sentencing in 2001

Oklahoma Sentencing Commission

created July 1, 1997 by
22 O.S. 1501 et. al.

Appointments by:

Speaker of the House of Representatives:
- ➔ Representative Lucky Lamons, D - Tulsa
- ➔ Representative Terry Ingmire, R - Stillwater
  - **x** Representative Jari Askins, (through Dec. 2002), D - Duncan

President Pro Tempore of the Senate:
- ➔ Senator Jerry Smith, Oklahoma State Senate*, R - Tulsa
- ➔ Senator Dick Wilkerson, Oklahoma State Senate, D - Atwood

Office of the Governor:
- ➔ Stephen Coit, Citizen's Representative

Chief Justice fo the Oklahoma Supreme Court:
- ➔ The Honorable James Winchester, Supreme Court Justice

Office of the Attorney General:
- ➔ Drew Edmondson, Attorney General of Oklahoma

Administrative Office of the Courts:
- ➔ Robert A. Ravitz, Oklahoma County Chief Public Defender

Oklahoma State Bureau of Investigation:
- ➔ DeWade Langley, Director

District Attorney's Council:
- ➔ John Wampler, District Attorney
  District #3, Altus

Oklahoma Office of State Finance:
- ➔ Scott Meacham, Director, Office of State Finance
  - **x** Tom Daxon, Director, Office of State Finance
    (through Dec. 2002)

Oklahoma Bar Association:
- ➔ Danny C. Williams, Defense Attorney, Tulsa
  - **x** Cheryl Ramsey, Defense Attorney, Stillwater
    (through May 2002)

Assembly of Judges:
- ➔ The Honorable Charles Goodwin, Presiding District Judge
  Judicial District #2, Arapaho

Oklahoma Indigent Defense System:
- ➔ James Drummond, Chief Non-Capital Trial Division

Victim Compensation Board:
- ➔ Toby Taylor

Note: * Commission Chairperson

Prepared January 2003
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This report is presented to the Oklahoma Legislature as mandated by Section 1509 of Title 22 of the Oklahoma Statutes. The Oklahoma Criminal Justice Resource Center is charged with providing sentencing data to the Oklahoma Sentencing Commission and the Oklahoma Legislature. The contents of this report outlines sentencing practices of all 77 counties in the state. The compilation of this data is the result of many hours of effort from key agencies, groups and staff within the criminal justice system. The Oklahoma Sentencing Commission would like to take this opportunity to recognize these entities who helped make this report possible:

- The Oklahoma Criminal Justice Resource Center
- The Oklahoma Clerks of the Court
- The Oklahoma Court of Criminal Appeals
- The Oklahoma Department of Corrections
  - Division of Probation and Parole and Community Corrections
  - Division of Community Sentencing
  - Division of Administrative Services
- The Oklahoma District Attorneys
- The Oklahoma Supreme Court

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Scope of the 2001 Statewide Felony Sentencing Report

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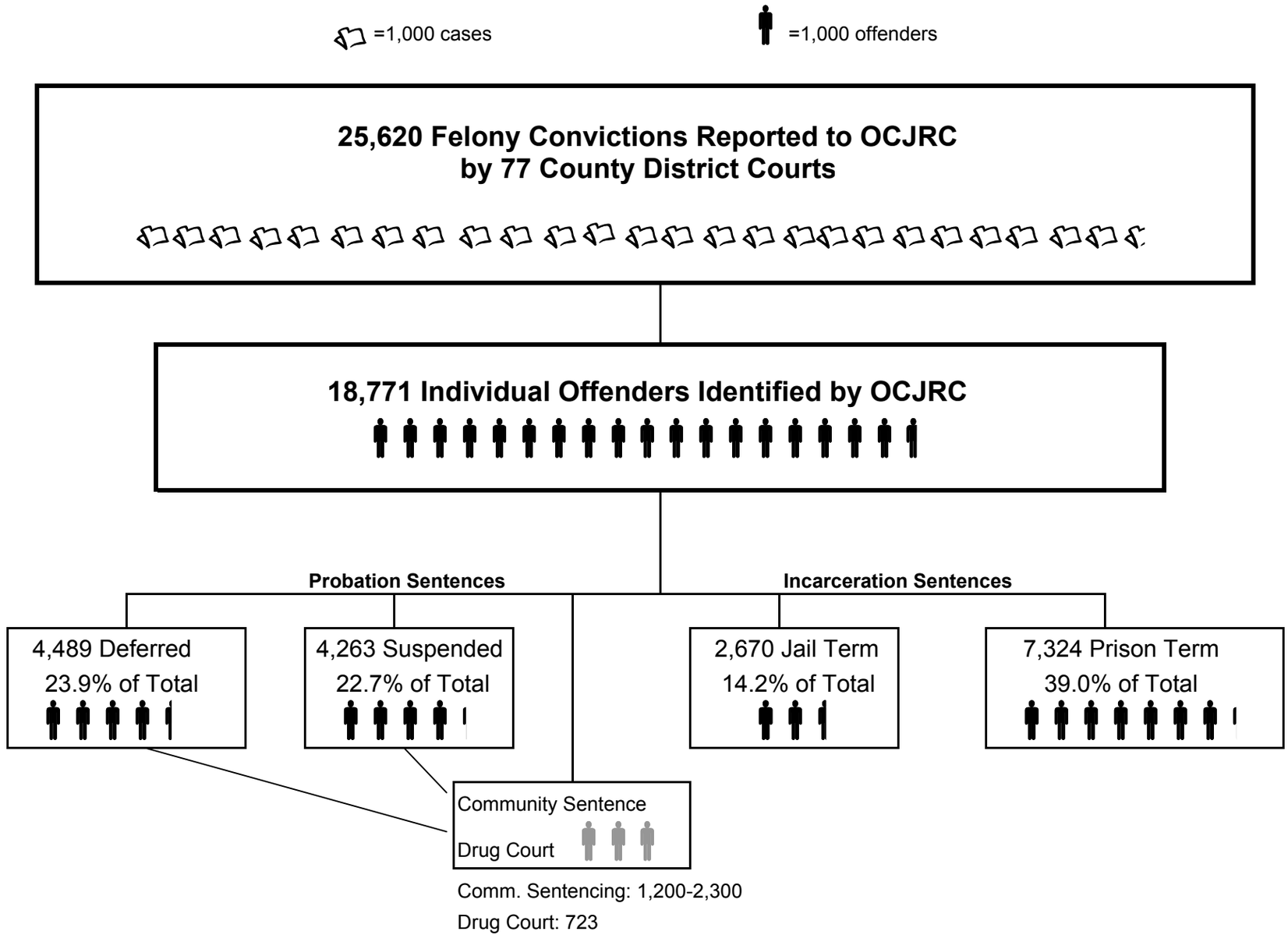
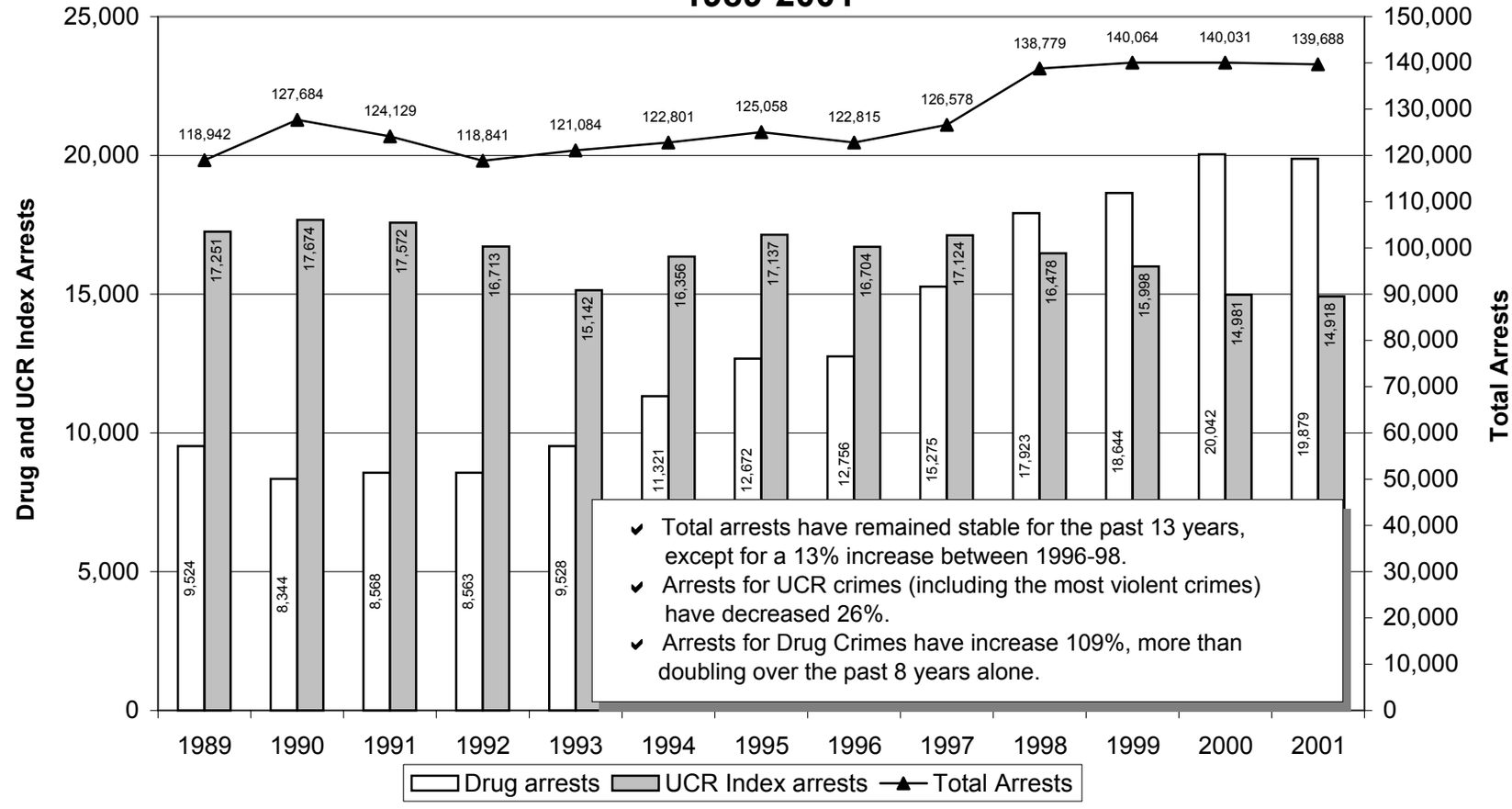
(appendix is also available at www.ocjrc.net/publications.asp)

Statewide Felony Sentencing Report for 2001



Predictors of Felony Convictions: Total Adult Arrests, Drug Arrests, and UCR Index Crime Arrests 1989-2001



- Total arrests have remained stable for the past 13 years, except for a 13% increase between 1996-98.
- Arrests for UCR crimes (including the most violent crimes) have decreased 26%.
- Arrests for Drug Crimes have increase 109%, more than doubling over the past 8 years alone.

Uniform Crime Report (UCR) Index Arrests - Murder, Rape, Robbery, Aggravated Assault, Burglary, Larceny, and Motor Vehicle Theft. This category does not include Manslaughter and Other Assaults (not aggravated.)

Drug Arrests - All drug arrests reported as Sale/Manufacturing and Possession.

Total Arrests - Adult arrests for both Part I and Part II classifications. Traffic arrests are not reported, except for DUI and open container arrests.

Source: Oklahoma State Bureau of Investigation

Sentencing and Offense Category Definitions

Deferred - includes a probation sentence typically for first time, non-violent offenders, whereby once the sentence is completed, the offender's record is expunged.

Suspended - includes a prison sentence that has been suspended, allowing the offender to serve the sentence under probation (usually under DOC supervision).

Community Sentence - An alternative sanction program created in 2000 and administered by DOC through local planning councils.

Drug Court - An alternative sanction program created in 1997 and administered by DMHSAS though a local team, usually headed by a judge.

Jail Term - includes all offenders who are sentenced to jail or a jail split.
- *Jail* - includes all offenders sentenced to county jails. Once the offender has completed his/her sentence, he/she is released.
- *Jail Split* - includes both a period to be served in the county jail and a period on probation, which may be suspended or deferred. Once the offender has completed his/her time in the county jail, he/she is released to probation for the remainder of the sentence.

Prison Term - includes all offenders who are sentenced to prison or a prison split sentence.
- *Prison* - includes all offenders sentenced to the Department of Corrections in a state correctional facility. Once the offender has completed his/her sentence, he/she is released without supervision. Paroled inmates are supervised until their sentence expires.
- *Prison split* - includes both a period to be served with the Department of Corrections in a state correctional facility and a suspended probation sentence. Once the offender has completed his/her sentence in prison, he/she is released to probation for the remainder of the sentence.

Offense Category Definitions: Offenses included in each offense category that are not already indicated such as Drug Possession, DUI, Burglary II, Drug Distribution, Drug Manufacture, and Drug Trafficking are as follows (not an exclusive list):

Deadly Sins - includes Murder I, Murder II, Manslaughter I, Assault and Battery with a Deadly Weapon, Drive-by Shooting, Shoot with Intent to Kill, Attempt to Kill by Administering Poison, Robbery With a Dangerous Weapon, Robbery by Force or Fear, Conjoint Robbery, Rape I, Arson I, Burglary I, Bombing, Child Abuse and Sexual Abuse, Forcible Sodomy, Child Pornography, Child Prostitution, and Lewd Acts with a Minor.

Drug Other - includes Obtaining Drugs by Fraud, Cultivation, Maintain a Place Where Drugs Are Kept, and Possession of Precursor Substances.

Fraud - includes Embezzlement, Obtaining Property by False Pretense, Bogus Checks, and Forgeries.

Larceny - includes Grand Larceny, Shoplifting, and Larceny of Auto.

Assault Other - includes Domestic Abuse and Assault/Battery on a Police Officer.

Sex - includes Indecent Exposure and Failure to Register as Sex Offender.

Weapon Nonviolent - includes Possession of a Firearm After a Felony Conviction and Possession of a Sawed-off Shotgun.

Other Nonviolent - includes all nonviolent offenses not already accounted for in other categories.

Other Violent - includes all violent offenses not already accounted for in other categories.

Rape - includes Rape II and Rape by Instrumentation.

Assault Violent - includes Assault and Battery with a Dangerous Weapon, Manslaughter II, Maiming and Kidnapping, and Assault with Intent to Commit a Felony.

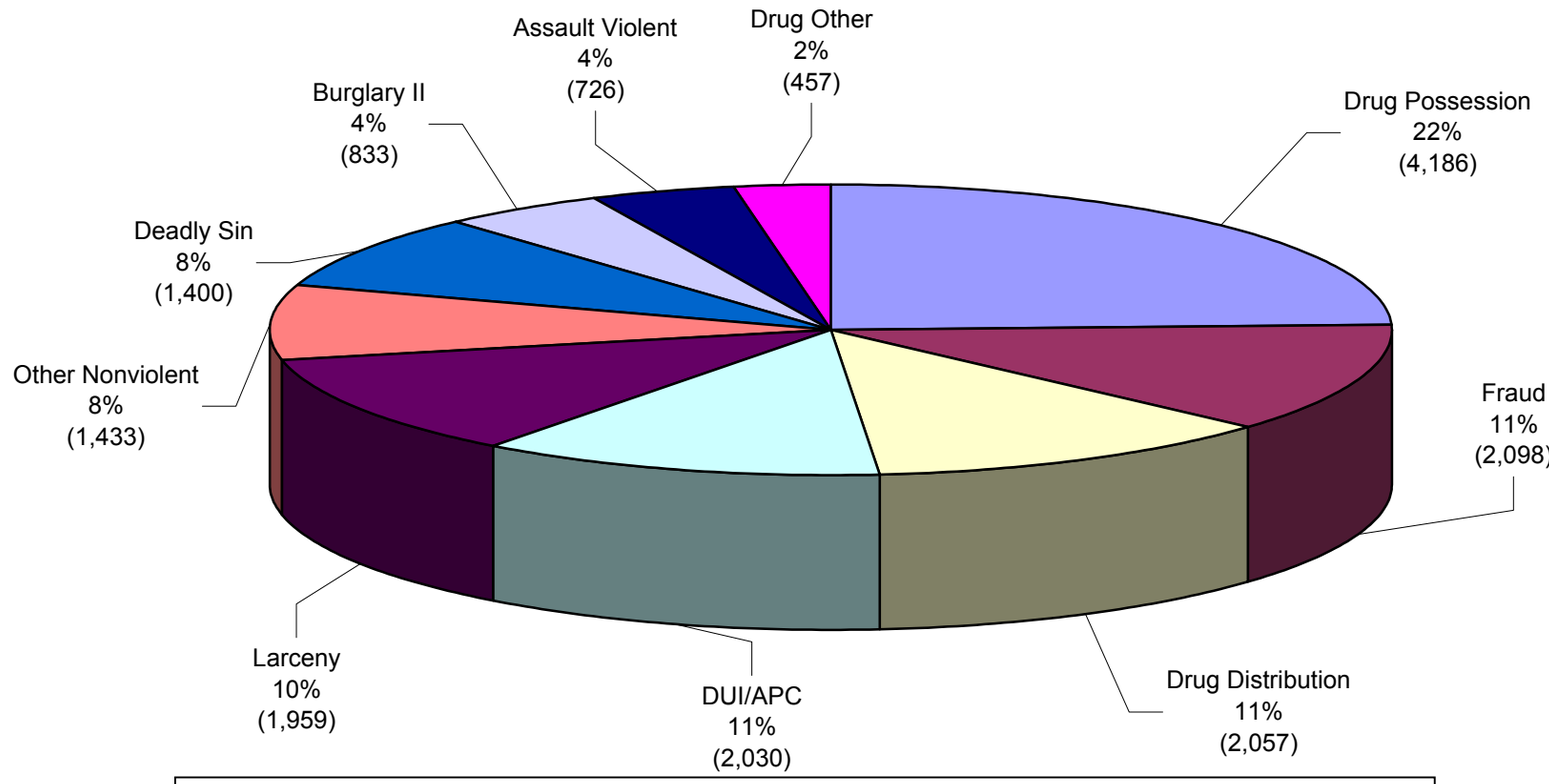
Weapon Violent - includes Pointing a Firearm and Use of a Firearm in the Commission of a Felony.

Arson - includes Arson II through IV.

2001 Sentencing Data

All Convictions by Offense Category 2001

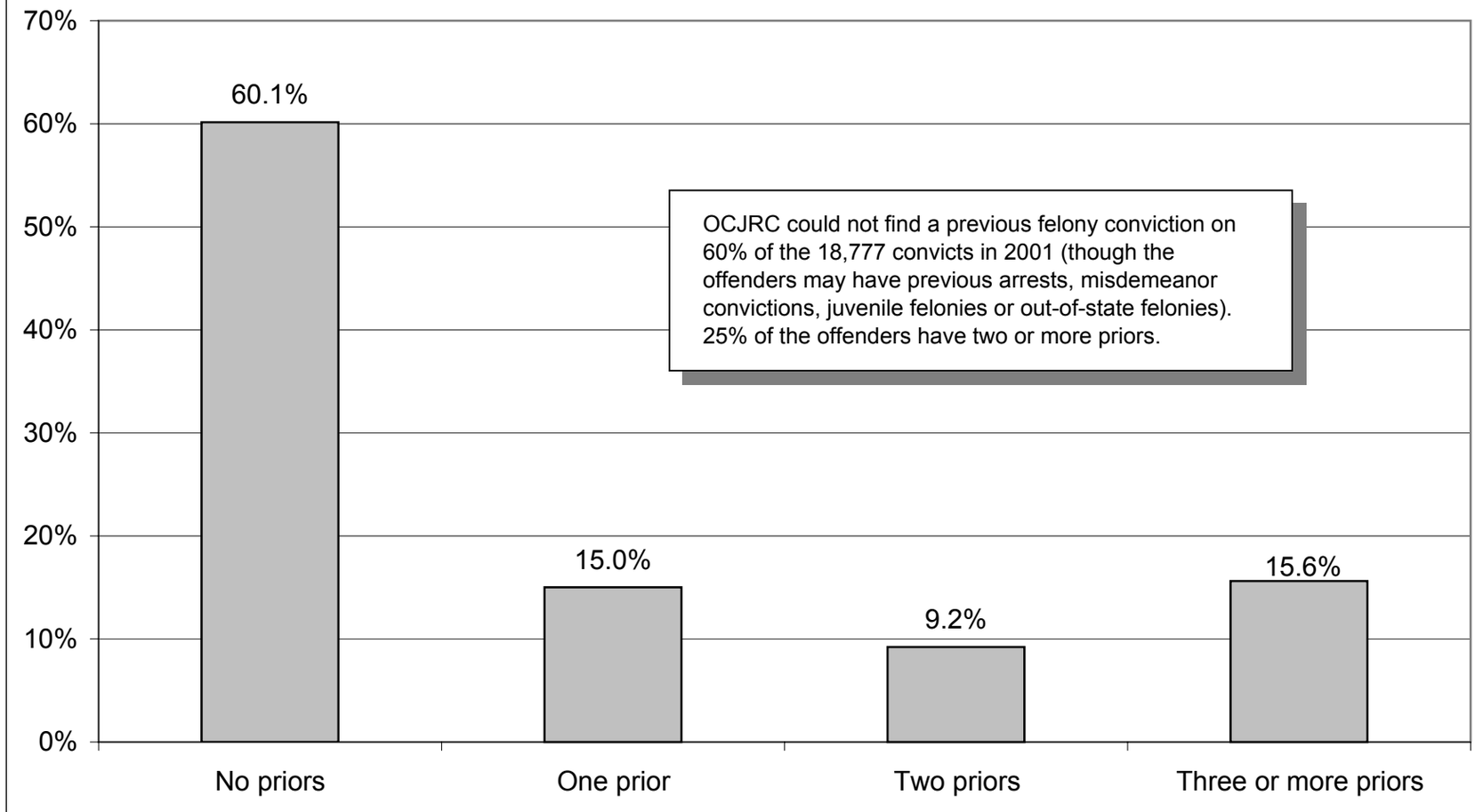
(N = 18,771)



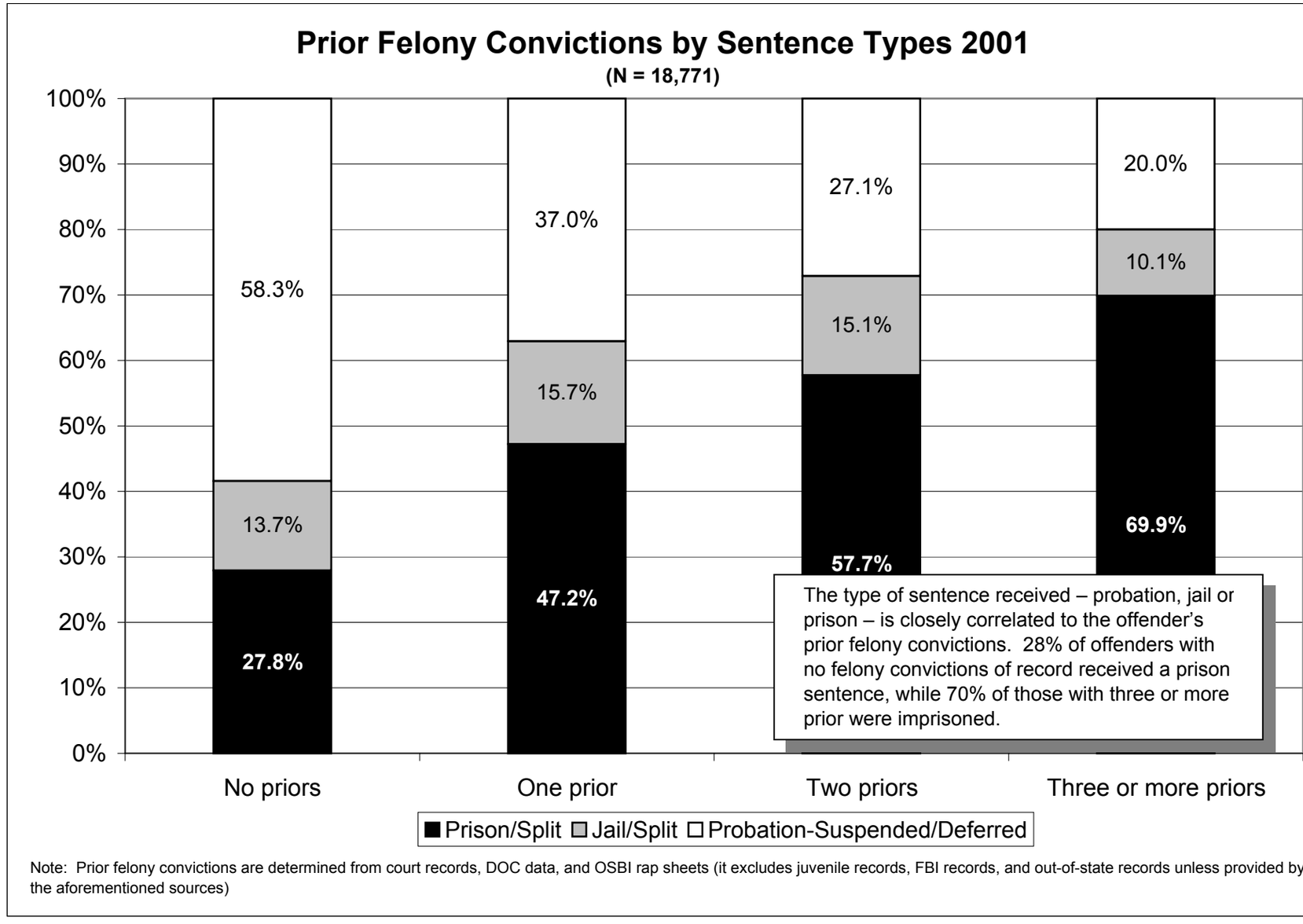
The six most common felony convictions are for non-violent crimes, accounting for three-fourths of all convictions. About 15% of all convictions are for violent crimes or threats of violence.

Prior Felony Convictions of All Offenders 2001

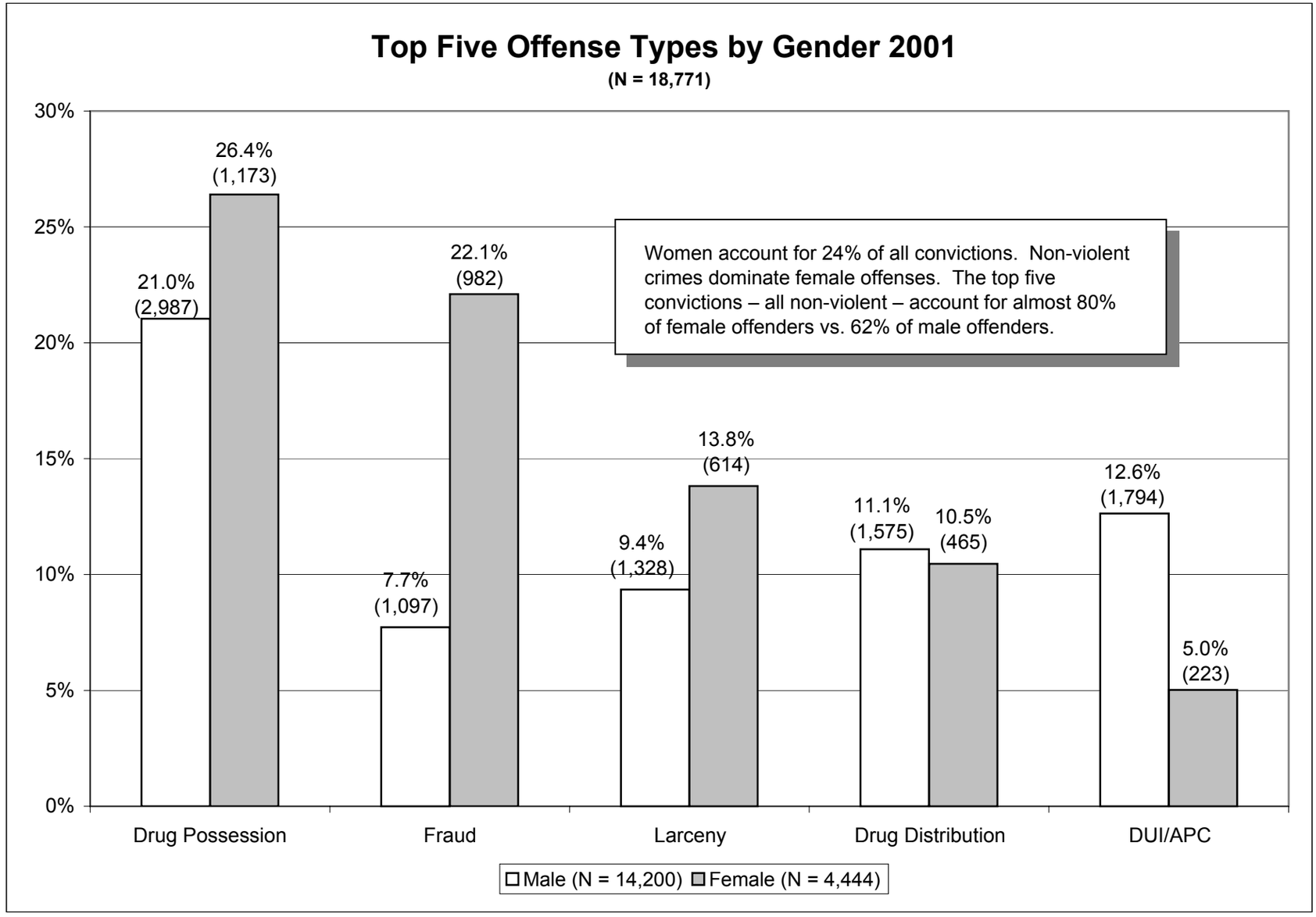
(N = 18,771)



Note: Prior felony convictions are determined from court records, DOC data, and OSBI rap sheets (it excludes juvenile records, FBI records, and out-of-state records unless provided by the aforementioned sources)

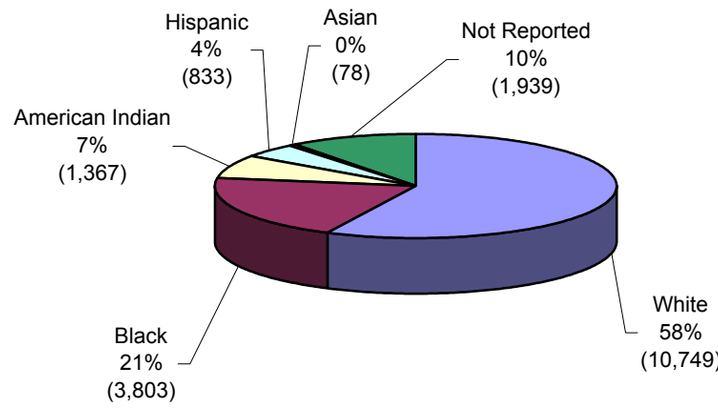


Note: Prior felony convictions are determined from court records, DOC data, and OSBI rap sheets (it excludes juvenile records, FBI records, and out-of-state records unless provided by the aforementioned sources)


Top Five Offense Types by Gender 2001
(N = 18,771)
30%
25%
20%
15%
10%
5%
0%
26.4%
(1,173)
21.0%
(2,987)
22.1%
(982)
7.7%
(1,097)
13.8%
(614)
9.4%
(1,328)
11.1%
(1,575)
10.5%
(465)
12.6%
(1,794)
5.0%
(223)
Women account for 24% of all convictions. Non-violent crimes dominate female offenses. The top five convictions – all non-violent – account for almost 80% of female offenders vs. 62% of male offenders.
Drug Possession
Fraud
Larceny
Drug Distribution
DUI/APC
Male (N = 14,200)
Female (N = 4,444)

All Convictions by Race 2001

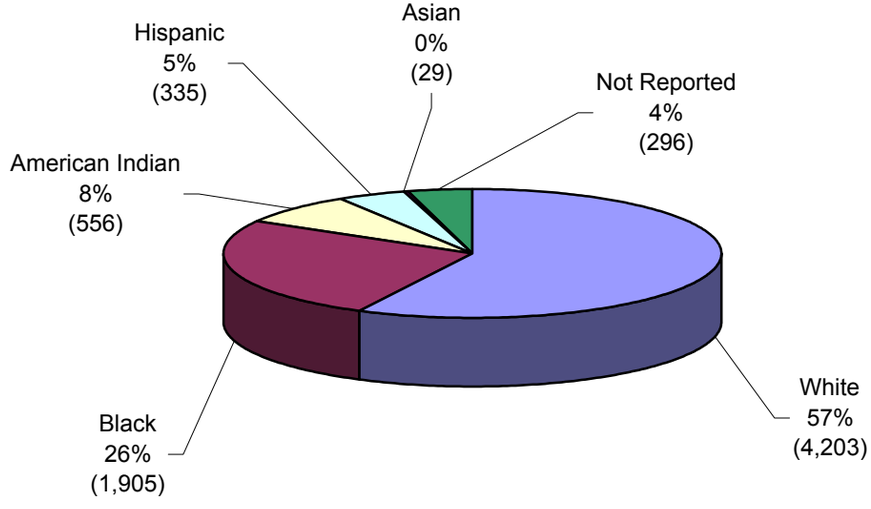
(N = 18,771)



Prison Convictions by Race 2001

(includes prison and prison split)

(N = 7,324)



Oklahoma Population by Race

74.1% White

7.5% Black

7.9% American Indian

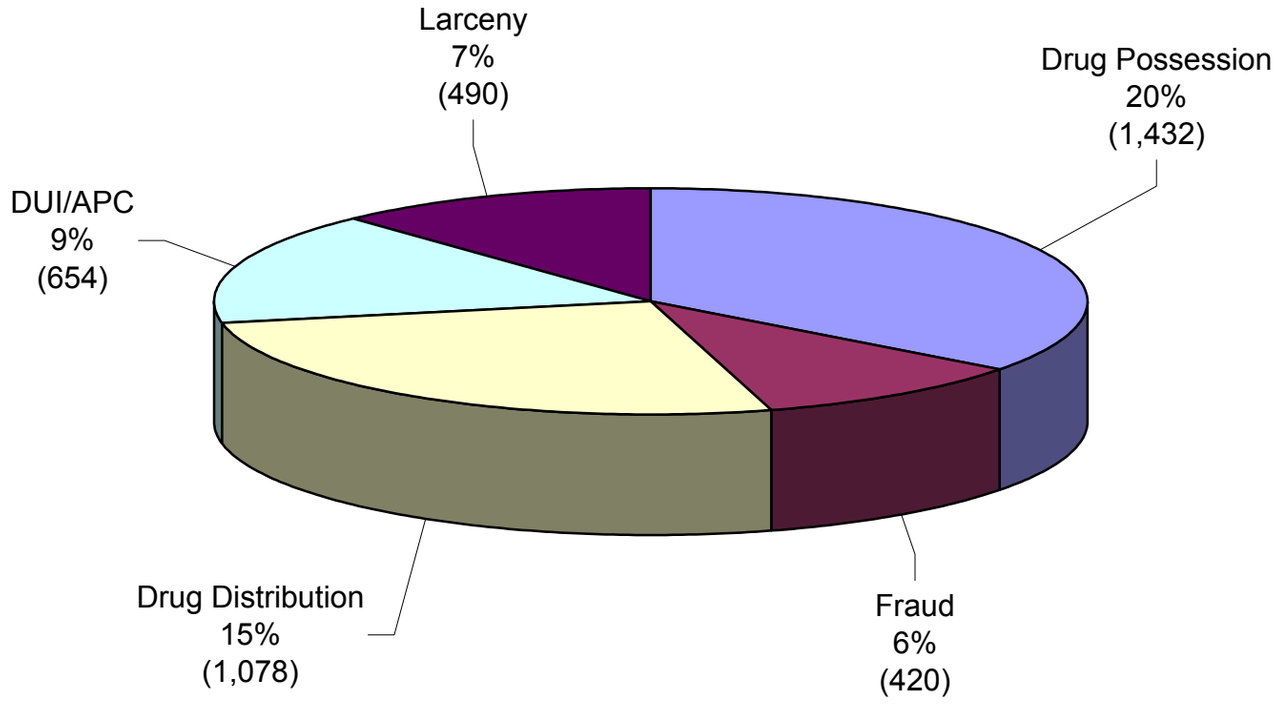
5.2% Hispanic

1.4% Asian

Source: Census Bureau 2000

Top Five Prison Sentences by Offense Type 2001

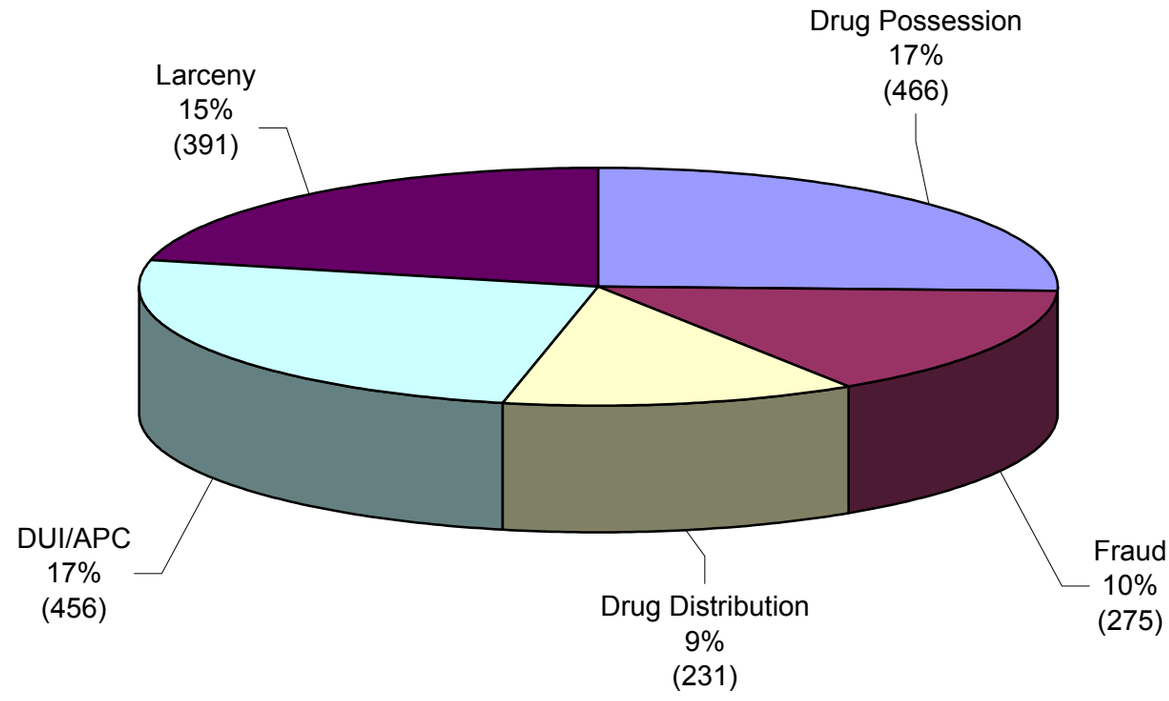
(includes prison sentences followed by probation)
(N = 7,324)



Drug and alcohol crimes account for 44% of all prison receptions. See Page 40 for comparison of substance-abuse crime receptions over time.

Top Five Jail Sentences by Offense Type 2001

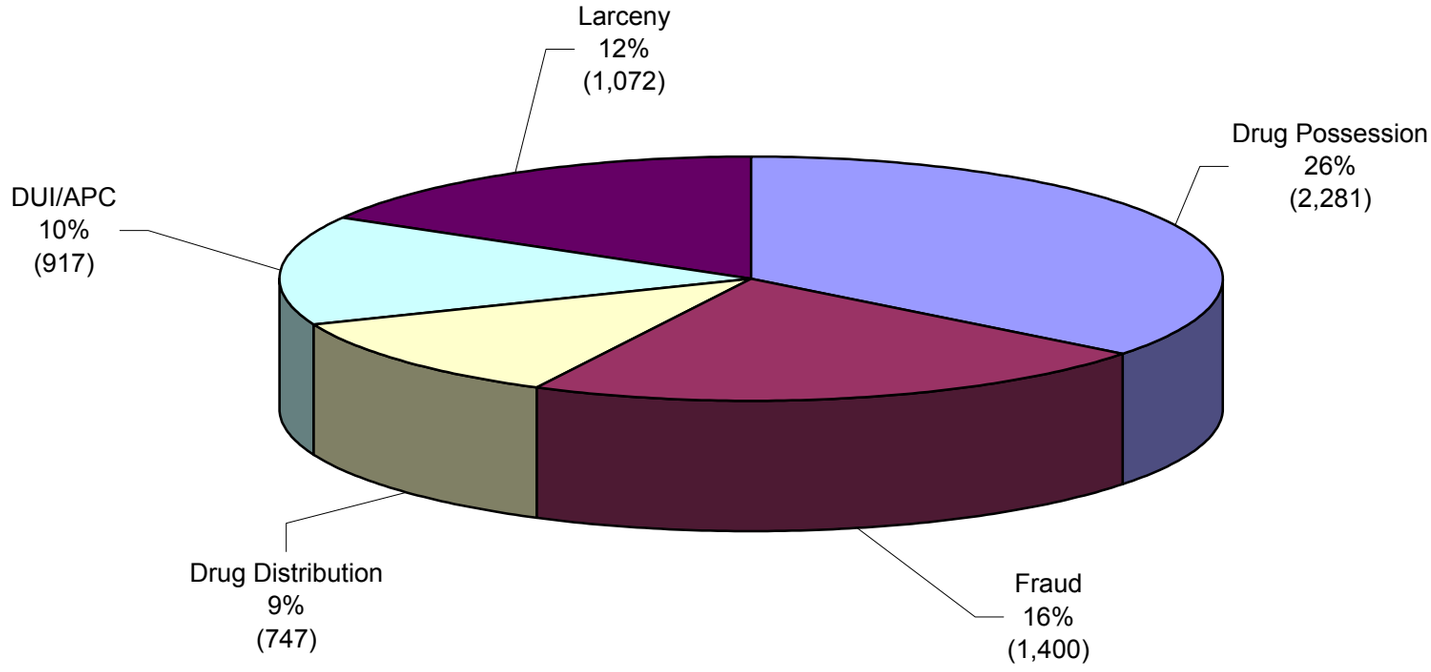
(includes jail sentences followed by probation)
(N = 2,670)



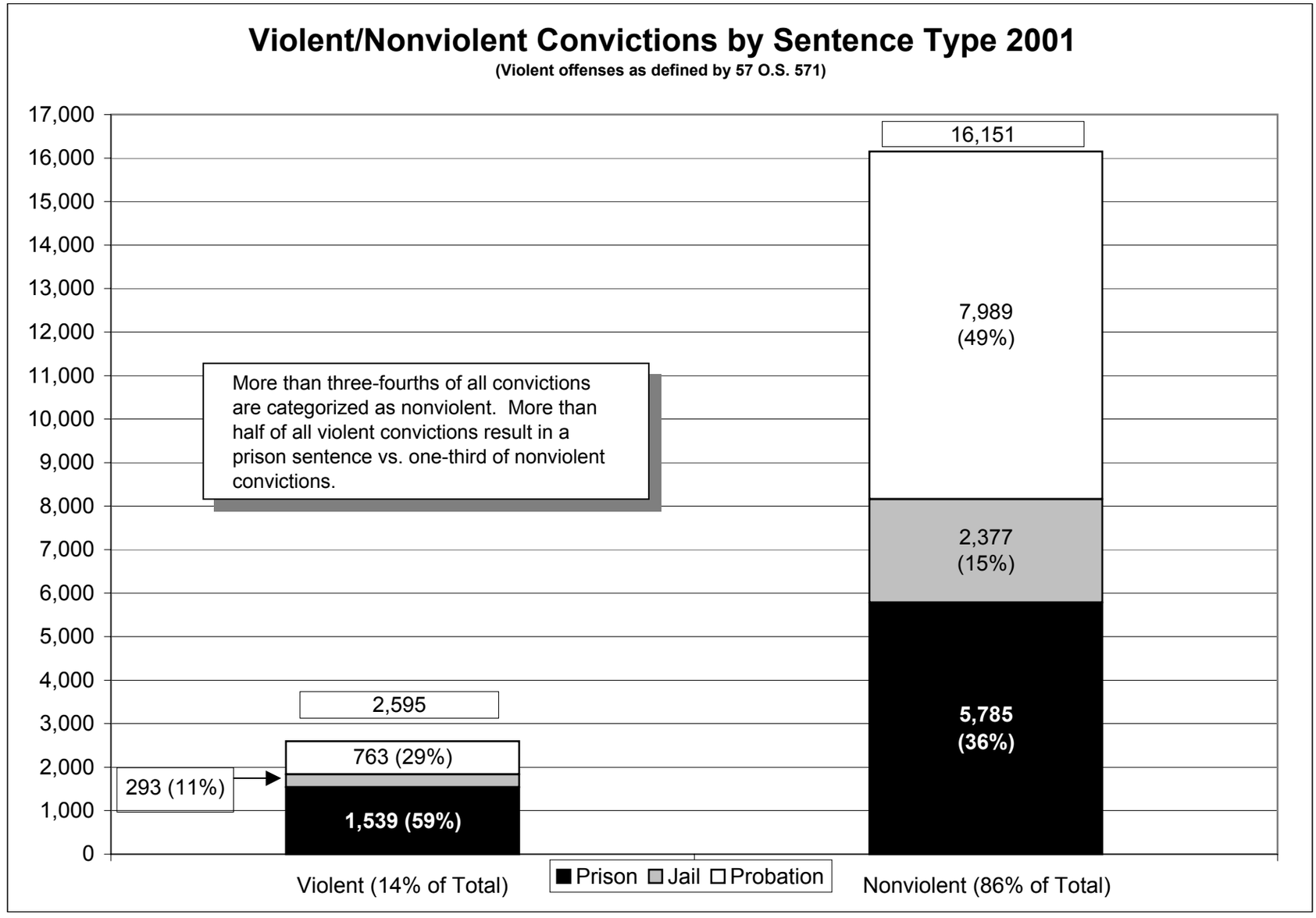
The top felony crime in Oklahoma (Drug Possession) is more likely to result in a prison sentence than a jail sentence. Felony possessions resulted in 466 jails sentences vs. 1,432 prison sentences.

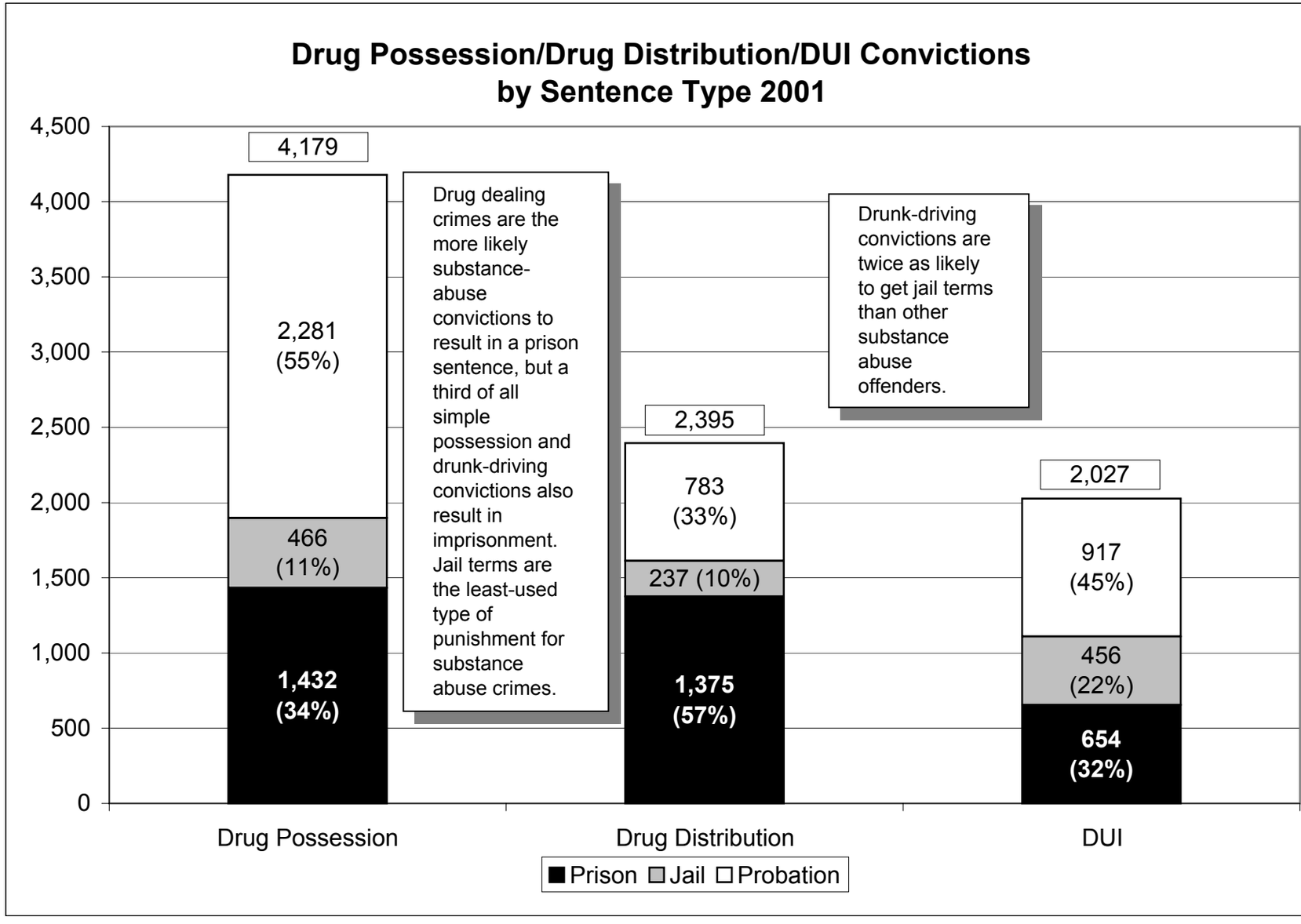
Top Five Probation Sentences by Offense Type 2001

(includes suspended and deferred sentences)
(N = 8,752)



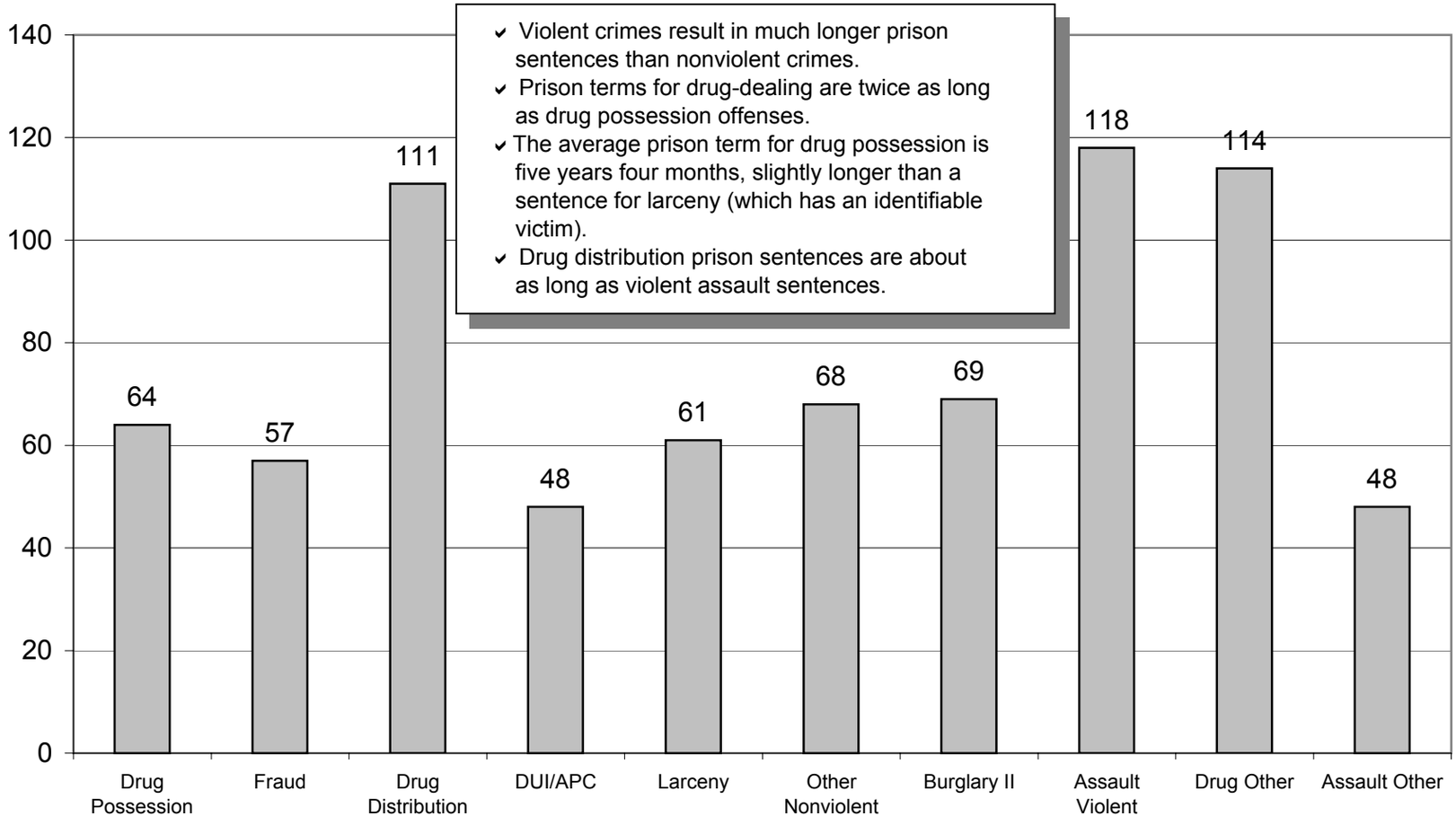
The top five felony crimes also dominate probation sentences. They account for 73% of all probation sentences, 68% of all jail sentences and 57% of all prison sentences.


Violent/Nonviolent Convictions by Sentence Type 2001
(Violent offenses as defined by 57 O.S. 571)
17,000
16,000
15,000
14,000
13,000
12,000
11,000
10,000
9,000
8,000
7,000
6,000
5,000
4,000
3,000
2,000
1,000
0
16,151
7,989
(49%)
2,377
(15%)
5,785
(36%)
2,595
763 (29%)
293 (11%)
1,539 (59%)
More than three-fourths of all convictions are categorized as nonviolent. More than half of all violent convictions result in a prison sentence vs. one-third of nonviolent convictions.
Prison
Jail
Probation
Violent (14% of Total)
Nonviolent (86% of Total)


Drug Possession/Drug Distribution/DUI Convictions
by Sentence Type 2001
4,500
4,000
3,500
3,000
2,500
2,000
1,500
1,000
500
0
4,179
2,281
(55%)
466
(11%)
1,432
(34%)
Drug dealing crimes are the more likely substance-abuse convictions to result in a prison sentence, but a third of all simple possession and drunk-driving convictions also result in imprisonment. Jail terms are the least-used type of punishment for substance abuse crimes.
2,395
783
(33%)
237 (10%)
1,375
(57%)
Drunk-driving convictions are twice as likely to get jail terms than other substance abuse offenders.
2,027
917
(45%)
456
(22%)
654
(32%)
Drug Possession
Drug Distribution
DUI
Prison
Jail
Probation

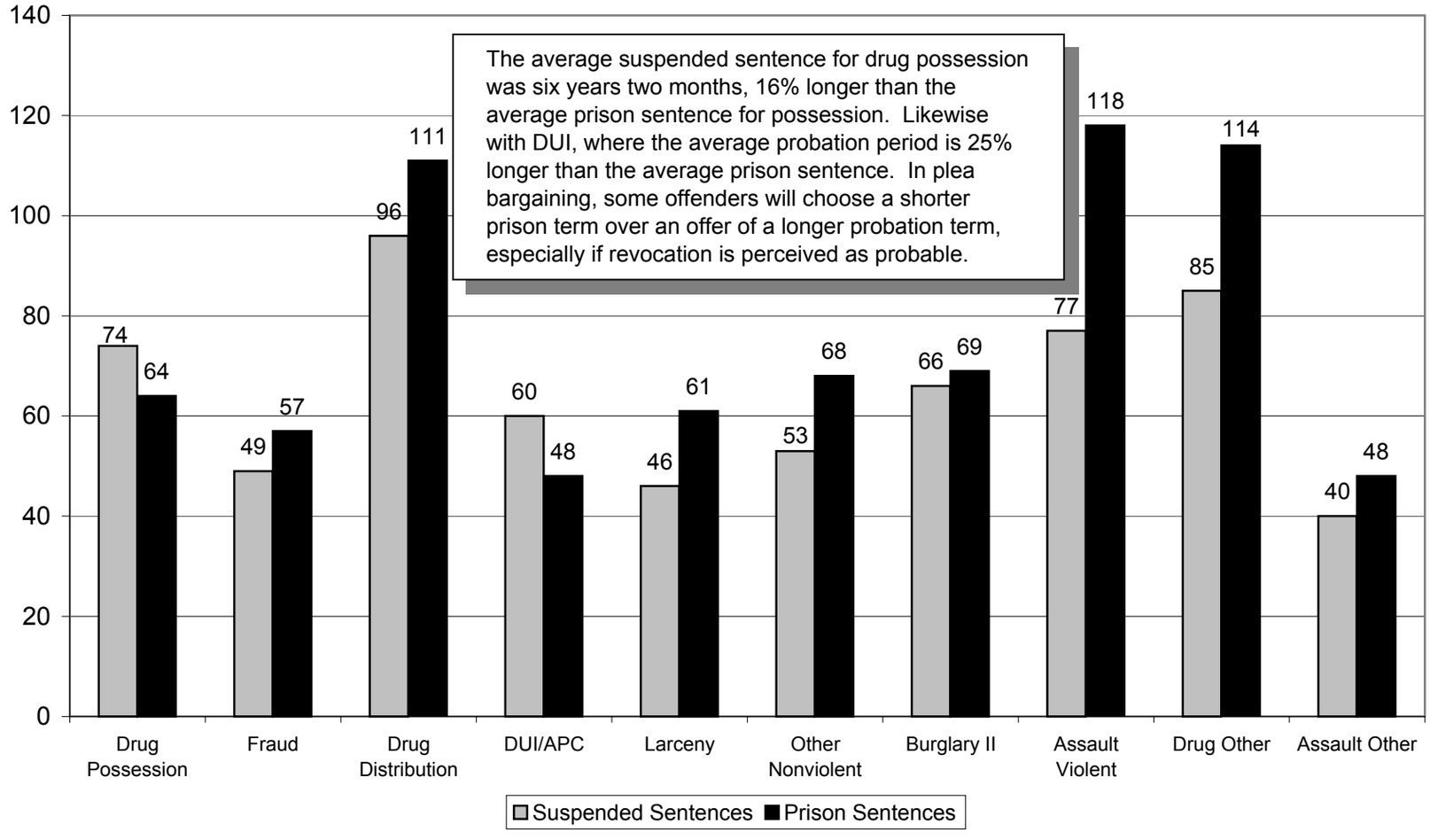
Average Prison Sentence for Top Ten Convictions 2001

(sentence length in months; excludes split sentences and life/death/100 or more year sentences)



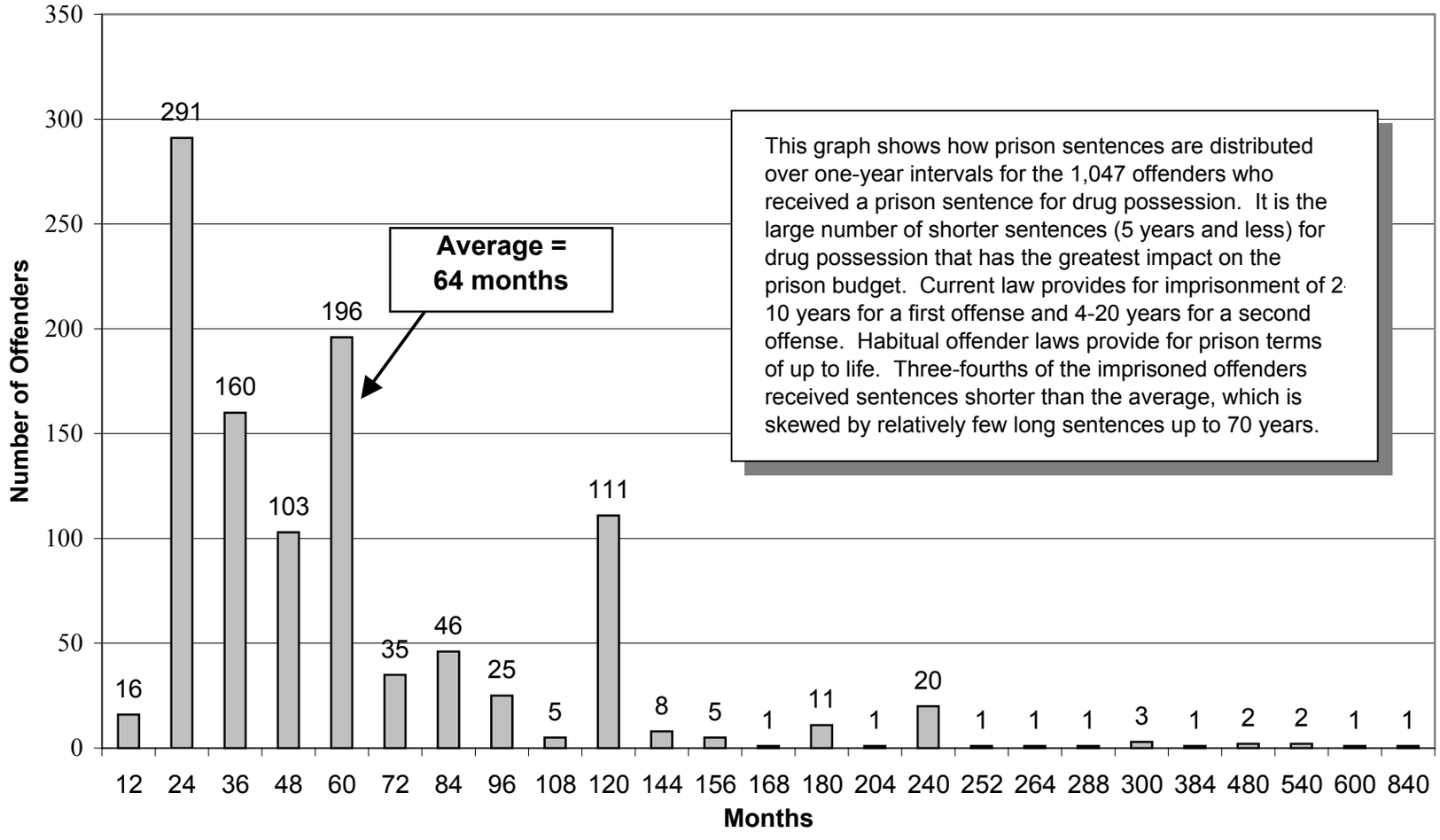
Comparison of Average Sentence Length for Prison vs. Suspended Sentences 2001

(sentence length in months; excludes split sentences and life/death/100 or more year sentences)

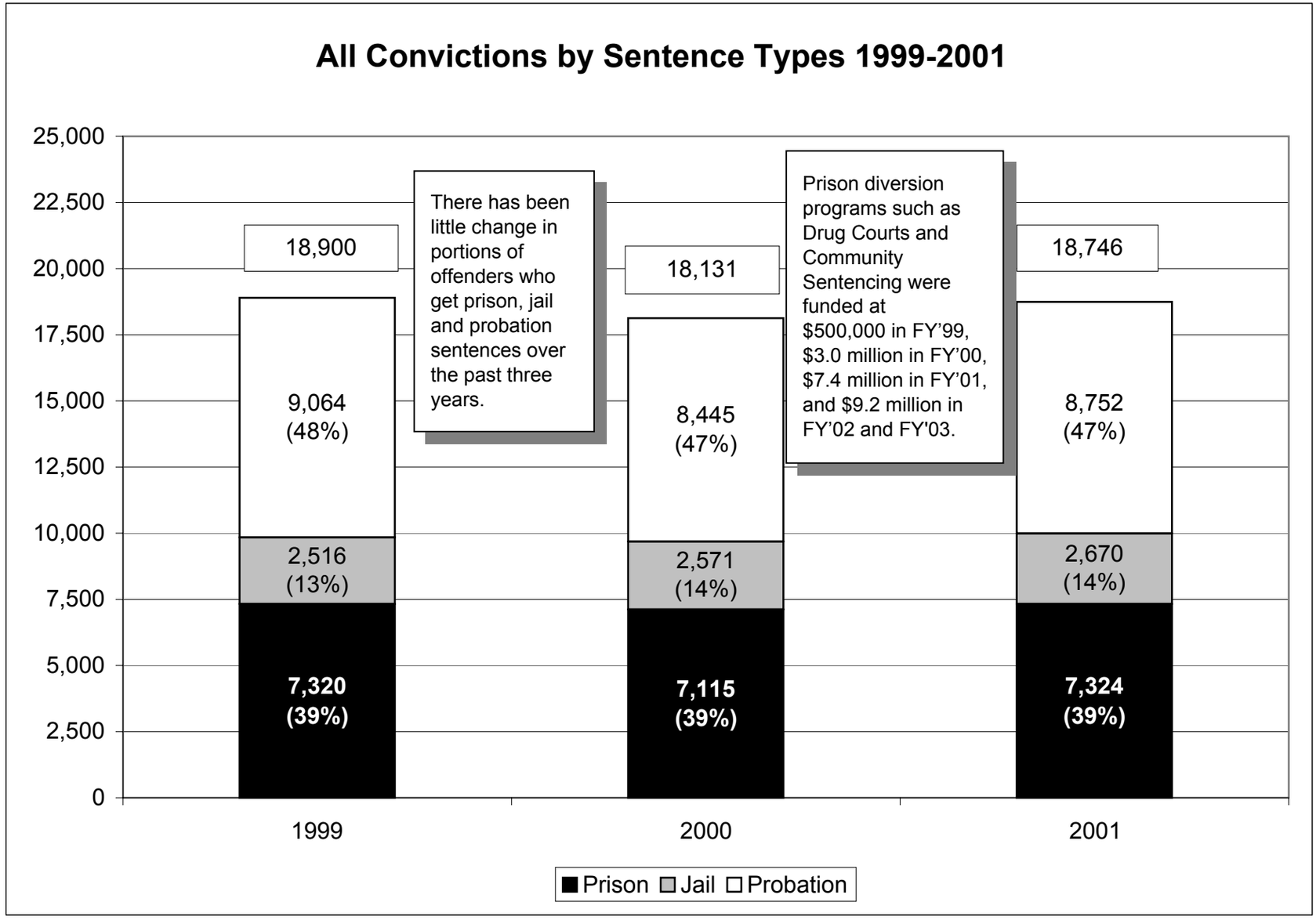


Distribution of Prison Sentences for Drug Possession 2001

(sentence length in months; split sentences excluded)
(N = 1,047)



Trends in Sentencing over Three Years


All Convictions by Sentence Types 1999-2001
25,000
22,500
20,000
17,500
15,000
12,500
10,000
7,500
5,000
2,500
0
18,900
18,131
18,746
9,064 (48%)
8,445 (47%)
8,752 (47%)
2,516 (13%)
2,571 (14%)
2,670 (14%)
7,320 (39%)
7,115 (39%)
7,324 (39%)
1999
2000
2001
There has been little change in portions of offenders who get prison, jail and probation sentences over the past three years.
Prison diversion programs such as Drug Courts and Community Sentencing were funded at $500,000 in FY'99, $3.0 million in FY'00, $7.4 million in FY'01, and $9.2 million in FY'02 and FY'03.
Prison
Jail
Probation

Change in Felony Convictions by Offense Types 1999-2001

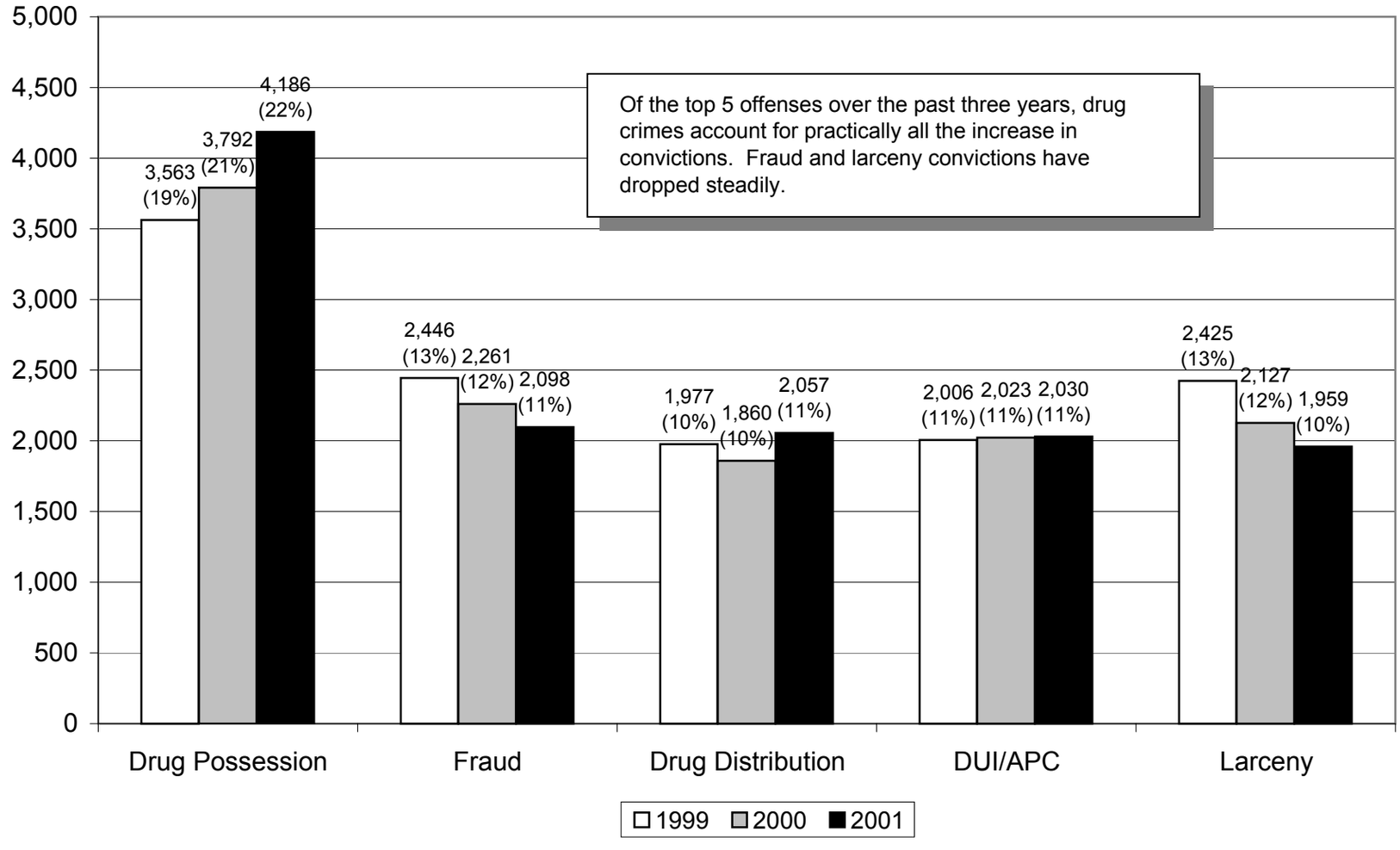
(Ranked Highest to Lowest)

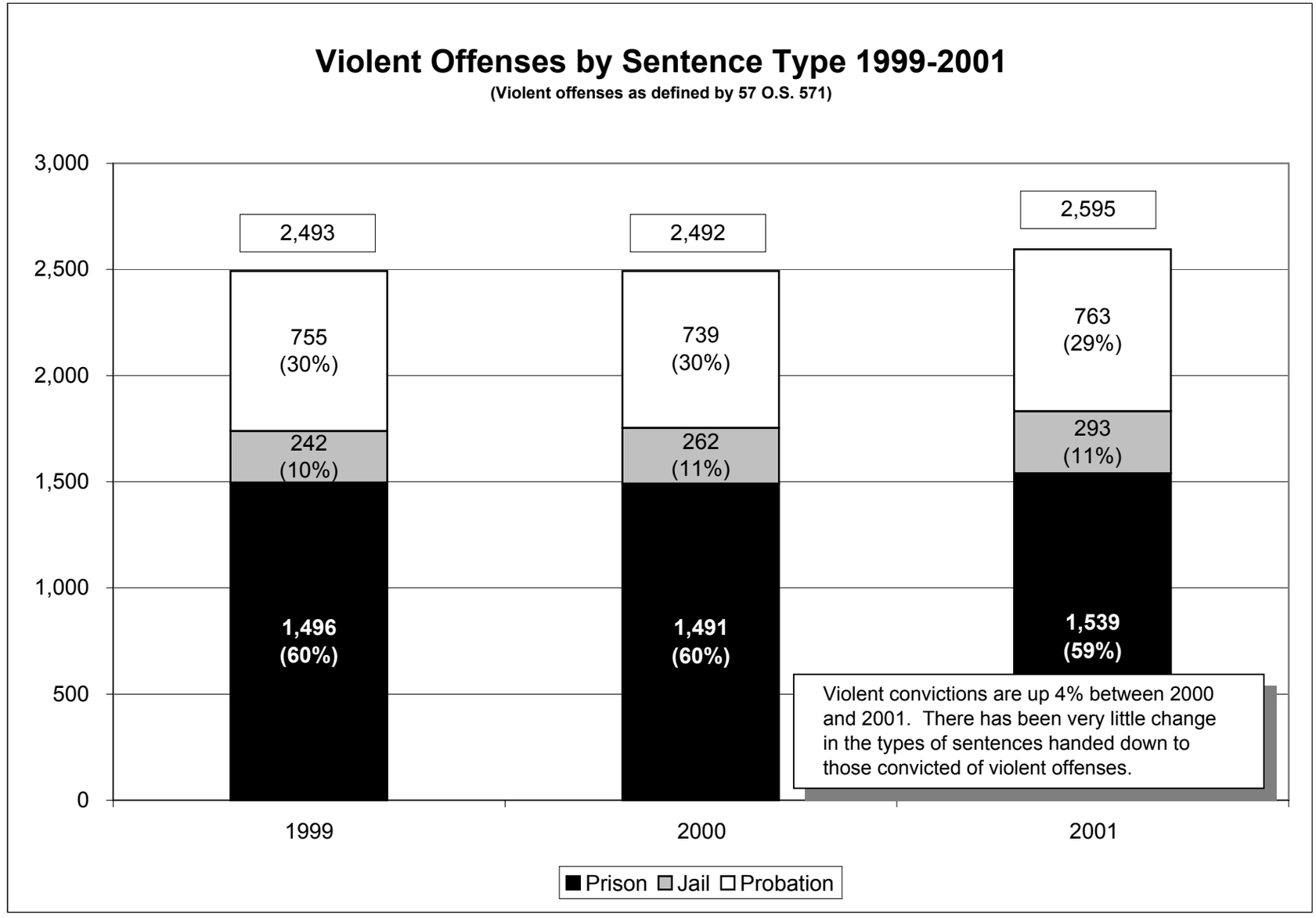
Offense Category	1999		2000		2001		3-year change	
	#	%	#	%	#	%	#	%
Drug Possession	3,563	18.7	3,792	20.7	4,186	22.3	623	17.5
Fraud	2,446	12.8	2,261	12.4	2,098	11.2	-348	-14.2
Drug Distribution	1,977	10.4	1,860	10.2	2,057	11.0	80	4.0
DUI/APC	2,006	10.5	2,023	11.1	2,030	10.8	24	1.2
Larceny	2,425	12.7	2,127	11.6	1,959	10.4	-466	-19.2
Other Nonviolent	1,437	7.5	1,459	8.0	1,433	7.6	-4	-0.3
19 "Deadly Sins"	1,493	7.8	1,401	7.7	1,400	7.5	-93	-6.2
Burglary	1,114	5.8	863	4.7	833	4.4	-281	-25.2
Assault Violent	672	3.5	707	3.9	726	3.9	54	8.0
Drug Other	393	2.1	408	2.2	457	2.4	64	16.3
Assault Other	330	1.7	294	1.6	355	1.9	25	7.6
Weapon Violent	245	1.3	288	1.6	355	1.9	110	44.9
Weapon Nonviolent	320	1.7	225	1.2	219	1.2	-101	-31.6
Drug Manufacture	113	0.6	130	0.7	194	1.0	81	71.7
Drug Trafficking	184	1.0	150	0.8	147	0.8	-37	-20.1
Sex	196	1.0	147	0.8	138	0.7	-58	-29.6
Rape	78	0.4	83	0.5	84	0.4	6	7.7
Arson	67	0.4	44	0.2	69	0.4	2	3.0
Other Violent	20	0.1	22	0.1	31	0.2	11	55.0
TOTALS	**19,079**	**100.0**	**18,284**	**100.0**	**18,771**	**100.0**	**-308**	**-1.6%**

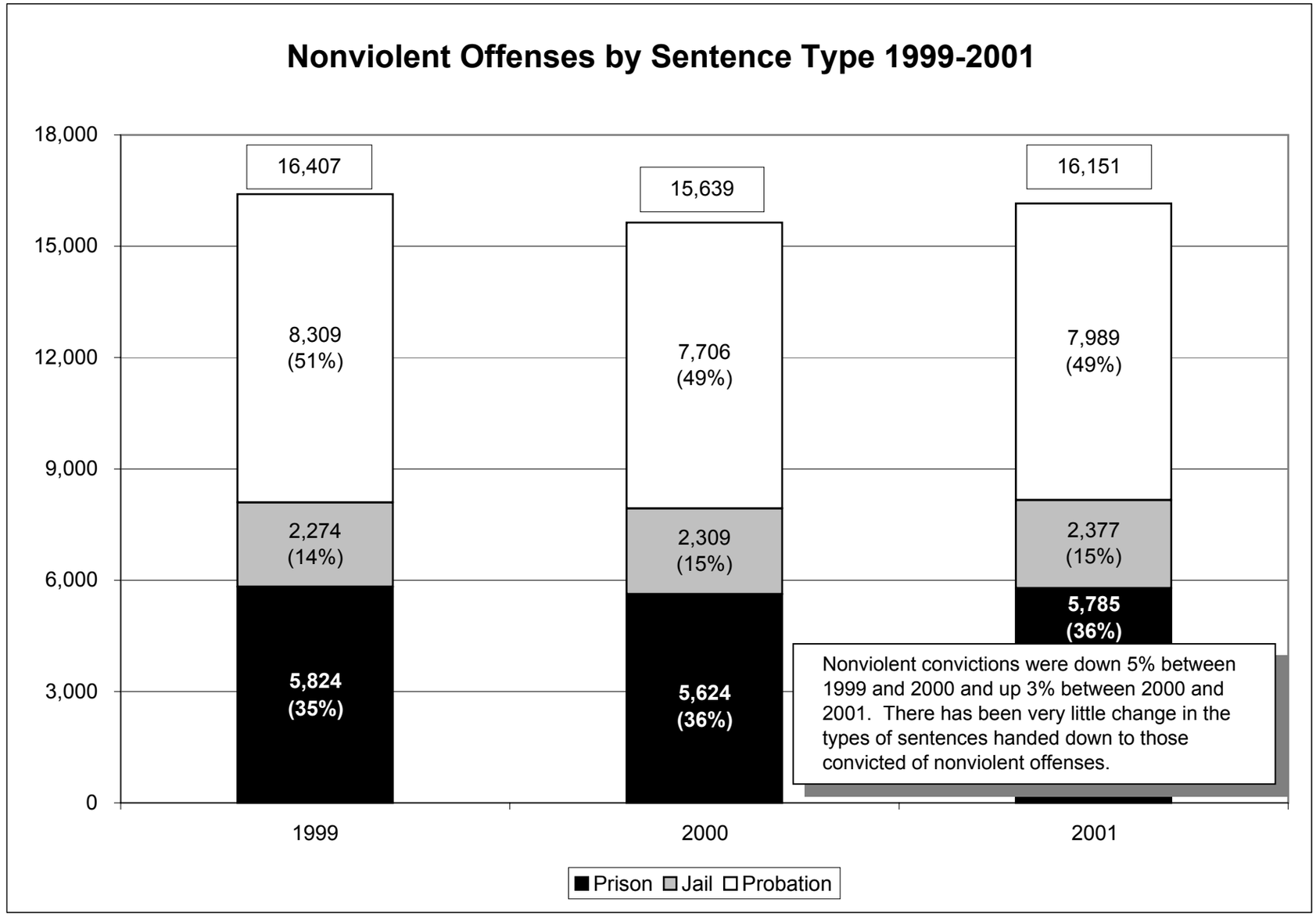
Over the past three years:

- The top 5 offenses consistently account for two-thirds of all felony sentences (65.1% in 1999, 66.0% in 2000, 65.7% in 2001).
- The biggest increase in numbers of offenders has been Drug Possession (+623 offenders). Drug Possession convictions are up 17.5%.
- The biggest decreases in numbers are Larceny (-466 offenders), Fraud (-348) and Burglary (-281).
- Percentage-wise, the largest increases are Drug Manufacturing (+71.7%), Other Violent (+55.0%) and Weapon Violent (+44.9%).

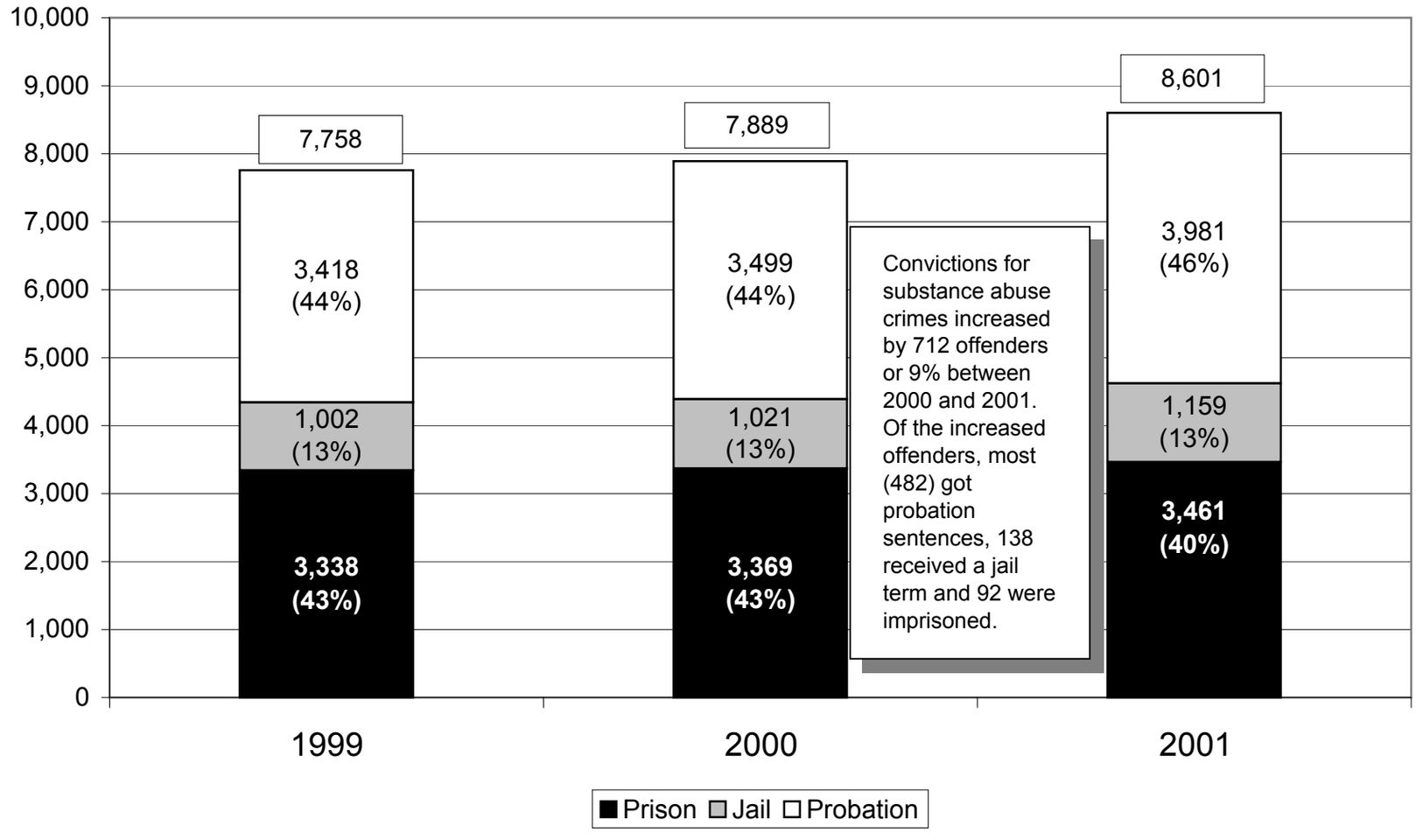
Top Five Convictions by Offense Type 1999-2001




Violent Offenses by Sentence Type 1999-2001
(Violent offenses as defined by 57 O.S. 571)
3,000
2,500
2,000
1,500
1,000
500
0
2,493
2,492
2,595
755
(30%)
739
(30%)
763
(29%)
242
(10%)
262
(11%)
293
(11%)
1,496
(60%)
1,491
(60%)
1,539
(59%)
1999
2000
2001
Violent convictions are up 4% between 2000 and 2001. There has been very little change in the types of sentences handed down to those convicted of violent offenses.
Prison
Jail
Probation

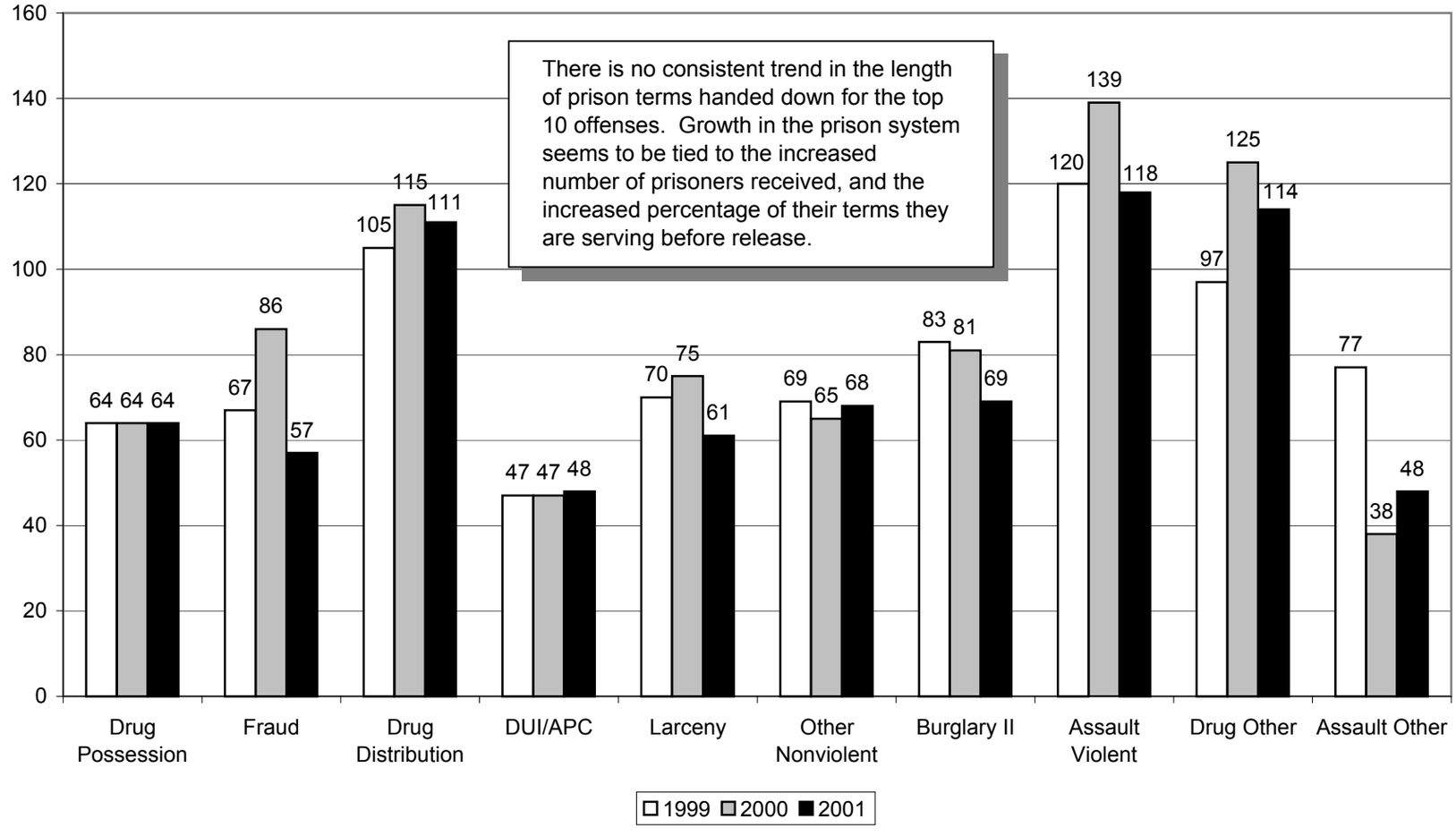

Nonviolent Offenses by Sentence Type 1999-2001
18,000
15,000
12,000
9,000
6,000
3,000
0
16,407
15,639
16,151
8,309
(51%)
7,706
(49%)
7,989
(49%)
2,274
(14%)
2,309
(15%)
2,377
(15%)
5,824
(35%)
5,624
(36%)
5,785
(36%)
1999
2000
2001
Prison
Jail
Probation
Nonviolent convictions were down 5% between 1999 and 2000 and up 3% between 2000 and 2001. There has been very little change in the types of sentences handed down to those convicted of nonviolent offenses.

Drug Possession/Drug Distribution/DUI Convictions by Sentence Type 1999-2001



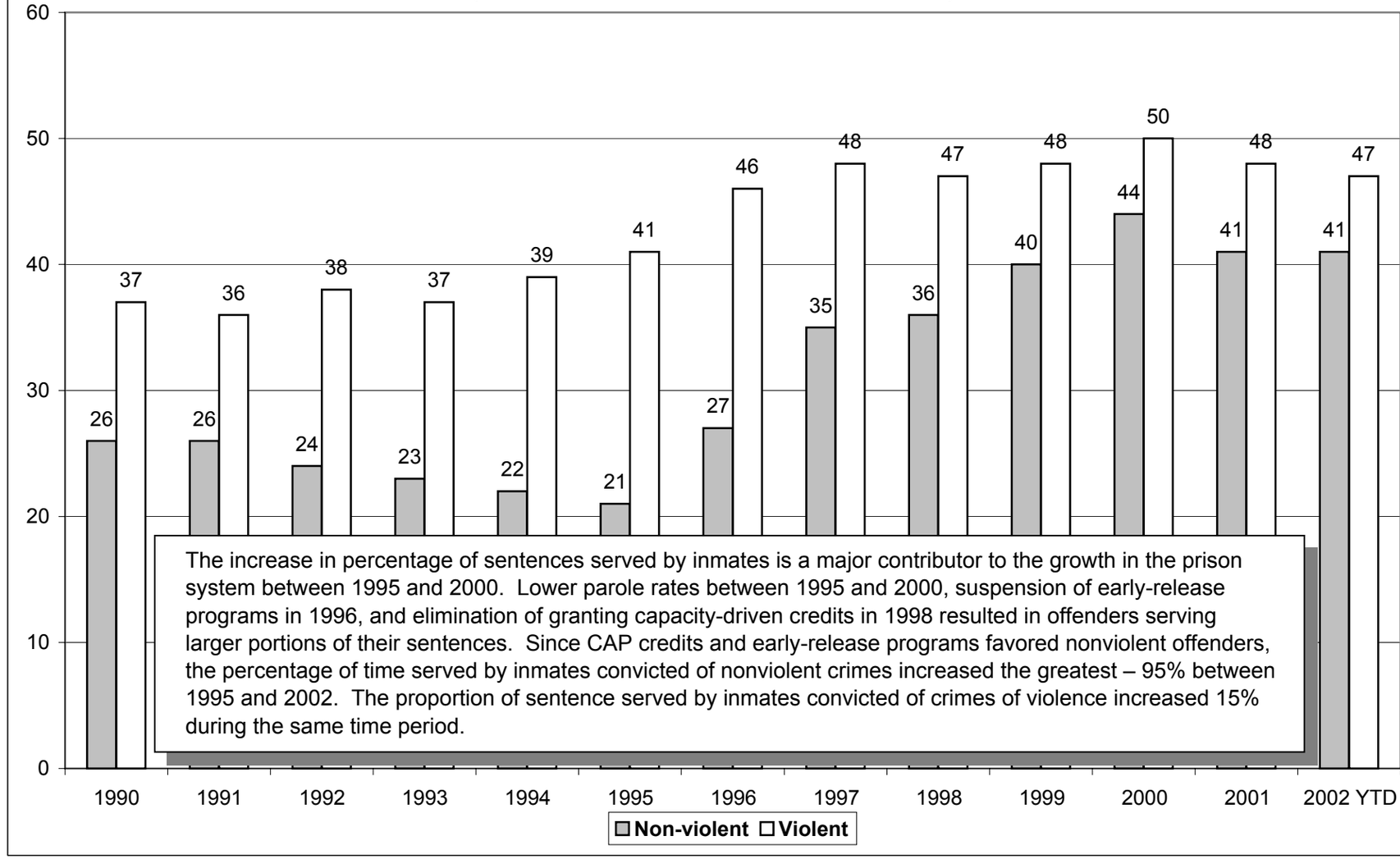
Average Prison Sentences for the Top Ten Convictions 1999-2001

(sentence length in months; excludes split sentences and life/death/100 or more year sentences)



History of Percent of Sentence Served by Oklahoma Prisoners

(Violent vs. Non-violent Current Offense)



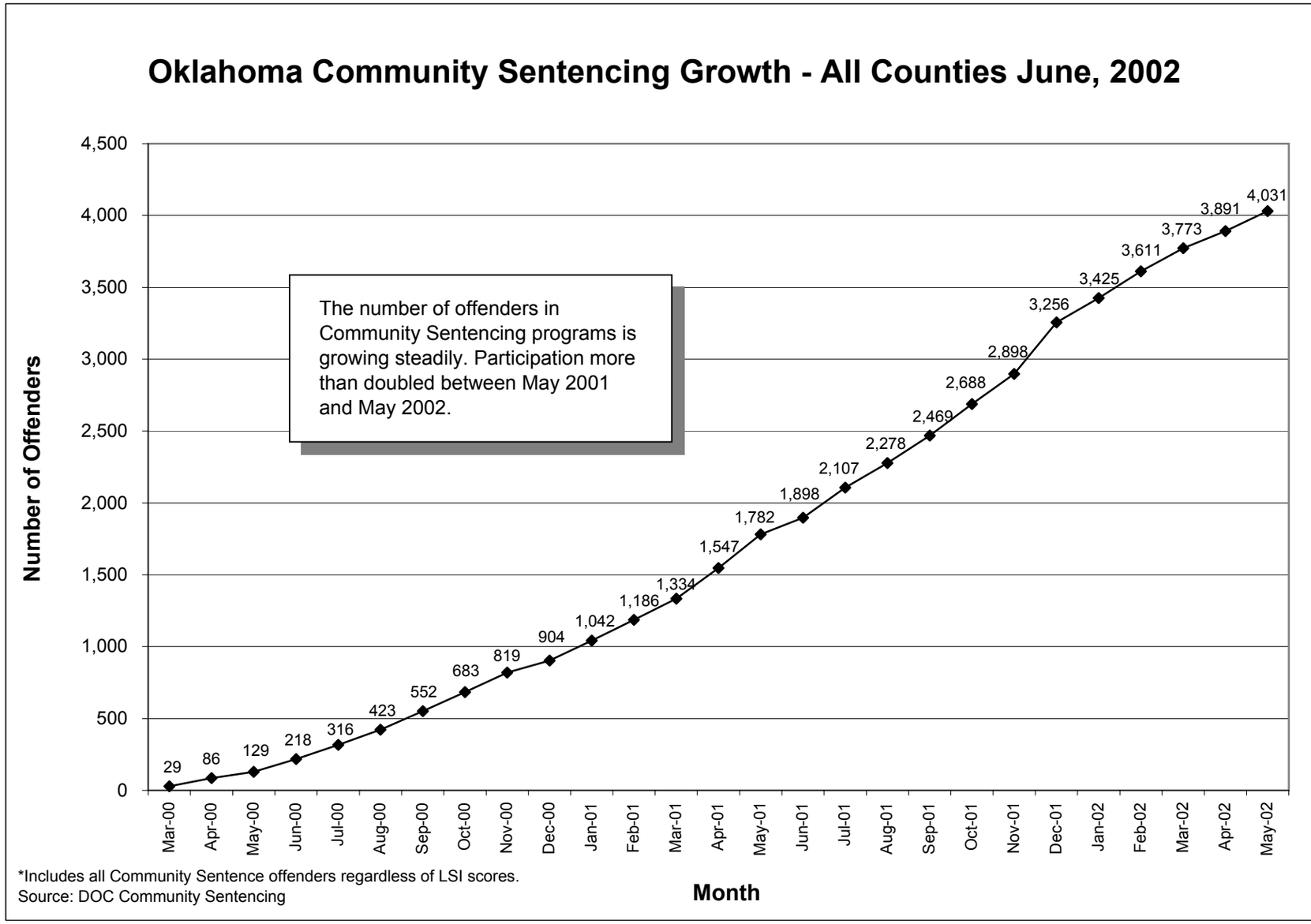
The increase in percentage of sentences served by inmates is a major contributor to the growth in the prison system between 1995 and 2000. Lower parole rates between 1995 and 2000, suspension of early-release programs in 1996, and elimination of granting capacity-driven credits in 1998 resulted in offenders serving larger portions of their sentences. Since CAP credits and early-release programs favored nonviolent offenders, the percentage of time served by inmates convicted of nonviolent crimes increased the greatest – 95% between 1995 and 2002. The proportion of sentence served by inmates convicted of crimes of violence increased 15% during the same time period.

Alternative Sanction Programs

- Community Sentencing
- Drug Courts

Comparison Between Standard Probation and Intensive Supervision Programs

	Standard Probation	Community Sentencing	Drug Court
Participants Entering in 2001	Unsupervised = 1,062 (12.1%) Supervised = 7,690 (87.9%)	1,200 (OCJRC data) 2,300 (DOC Community Sentencing data)	729 (DMHSAS data)
Eligibility			
Priors	● Deferred sentence: no previous felony convictions allowed. ● Suspended sentence: no more than one prior felony. (However, the D.A. may waive this prohibition by a statutory process or by an unofficial process (I.e. dropping "page 2" list of prior offenses.)	● Deferred sentence: no previous convictions allowed. ● Suspended sentence: available for first or second felony conviction. ● Be convicted of or entered a guilty or nolo contendere for a nonviolent offense. (However, the D.A. may waive this prohibition by a statutory process or by an unofficial process (I.e. dropping "page 2" list of prior offenses.)	● No violent prior offenses.
Current Charge	● No restriction on offense type.	● No "Deadly Sins" allowed.	● Current charge/arrest includes a drug offense or drug related crime and does not include a violent offense or a violation of the Trafficking in Illegal Drugs Act.
Assessments	● None required, but some jurisdictions require presentence investigations (PSI) on all offenders. ● DOC policy is to conduct Adult Substance Use Survey (ASUS) and Level of Service Inventory (LSI) after reception for those supervised.	● A moderated score on the LSI. ● ASUS. ● PSI required for the specific offense pursuant to 22 O.S.Supp.1997§ 982 (C(E)(F).	● Substance abuse addiction as determined by the Addiction Serverity Index (ASI).
Supervision			
Time Limit	● Deferred: limited to 2 years supervision. ● Suspended: no time limit, but DOC has authority to reduce any offender to admistrative supervision after other terms have been satisfied.	● Cannot exceed three years.	● Designed to last one year. * Treatment can last 2 years. * Supervision/aftercare may last one year after treatment
Funding			
Fees	● Standard court costs/fees/fines (until satisfied). ● Restitution (to victim/D.A.) ● Supervision fees of $40 to DOC (monthly).	● Standard court costs/fees/fines (until satisfied). ● Restitution (to victim/D.A.) ● Supervision fees of $40 to DOC (monthly). ● Administrative fees of $20 to Council (monthly). ● Ineligible offenders (low/high LSI) pay for all services.	● Standard court costs/fees/fines (until satisfied). ● Treatment costs ● Program user fees ● Supervision fees


Oklahoma Community Sentencing Growth - All Counties June, 2002
Number of Offenders
4,500
4,000
3,500
3,000
2,500
2,000
1,500
1,000
500
0
The number of offenders in Community Sentencing programs is growing steadily. Participation more than doubled between May 2001 and May 2002.
29
86
129
218
316
423
552
683
819
904
1,042
1,186
1,334
1,547
1,782
1,898
2,107
2,278
2,469
2,688
2,898
3,256
3,425
3,611
3,773
3,891
4,031
Mar-00
Apr-00
May-00
Jun-00
Jul-00
Aug-00
Sep-00
Oct-00
Nov-00
Dec-00
Jan-01
Feb-01
Mar-01
Apr-01
May-01
Jun-01
Jul-01
Aug-01
Sep-01
Oct-01
Nov-01
Dec-01
Jan-02
Feb-02
Mar-02
Apr-02
May-02
Month
*Includes all Community Sentence offenders regardless of LSI scores.
Source: DOC Community Sentencing

Oklahoma Community Sentencing Participating Counties as of June 2002

(DOC reports that all counties except Comanche County have filed plans to begin Community Sentencing Programs)

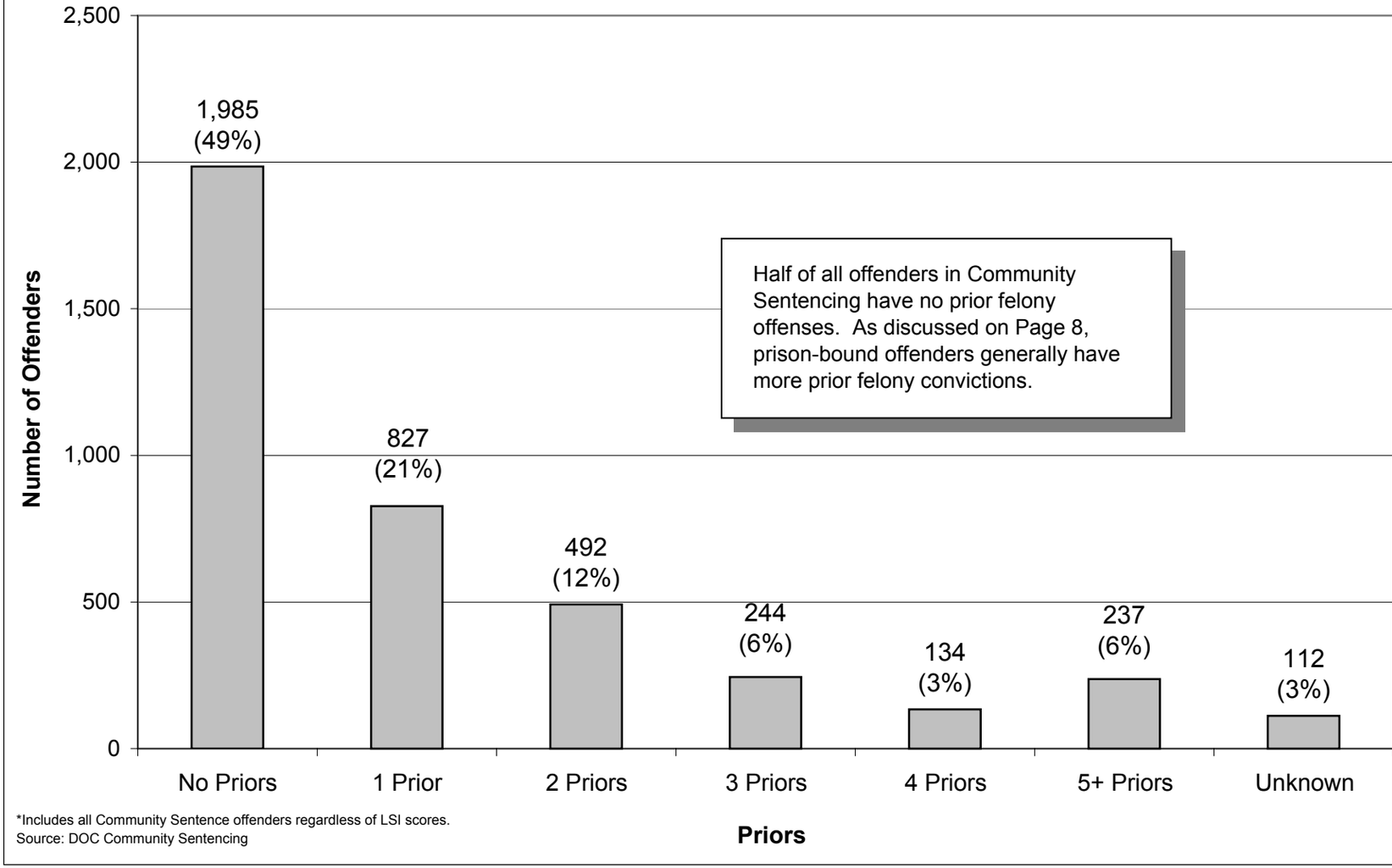
Sentencing County	Number of Offenders	Percent of Total
Adair	2	0.0
Alfalfa	1	0.0
Blaine	13	0.3
Bryan	35	0.9
Caddo	26	0.6
Canadian	23	0.6
Cherokee	188	4.7
Cleveland	88	2.2
Craig	20	0.5
Creek	238	5.9
Dewey	1	0.0
Garfield	42	1.0
Garvin	29	0.7
Grady	148	3.7
Hughes	49	1.2
Jackson	3	0.1
Johnston	4	0.1
Kay	51	1.3
Logan	21	0.5
Major	2	0.0
Marshall	6	0.1
Mayes	28	0.7
McClain	44	1.1
McCurtain	15	0.4
Murray	2	0.0
Muskogee	3	0.1
Noble	4	0.1
Oklahoma	1,388	34.4
Osage	13	0.3
Pawnee	5	0.1
Payne	116	2.9
Pittsburg	74	1.8
Pontotoc	66	1.6
Pottawatomie	51	1.3
Pushmataha	1	0.0
Rogers	86	2.1
Seminole	70	1.7
Tillman	13	0.3
Tulsa	853	21.2
Wagoner	174	4.3
Washington	10	0.2
Woodward	25	0.6
Total	**4,031**	**100.0**

* Includes all Community Sentence Offenders regardless of LSI scores.

Source: DOC Community Sentencing

Prior Felony Convictions of All Participating Community Sentencing Offenders as of June 2002*

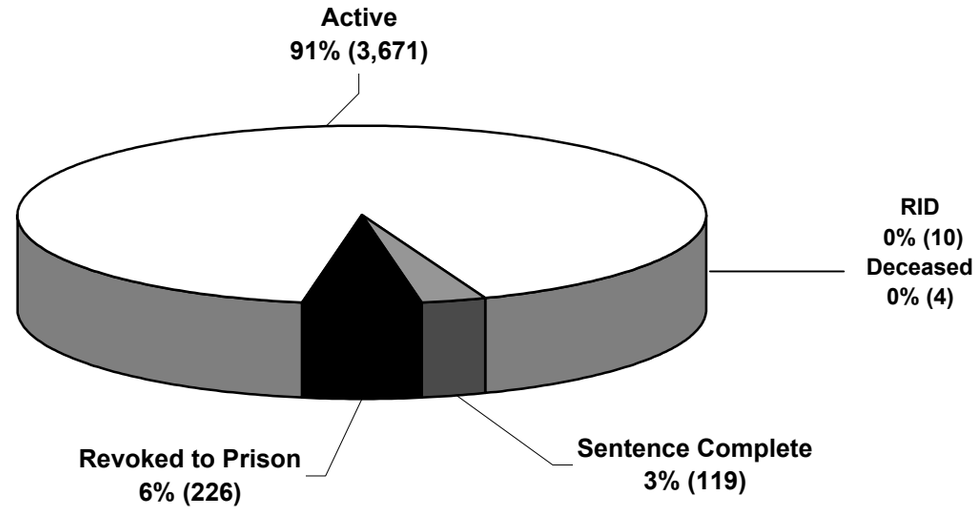
(N = 4,031)



*Includes all Community Sentence offenders regardless of LSI scores.
Source: DOC Community Sentencing

Oklahoma Community Sentencing Sentence Outcome of All Participating Offenders as of June 2002*

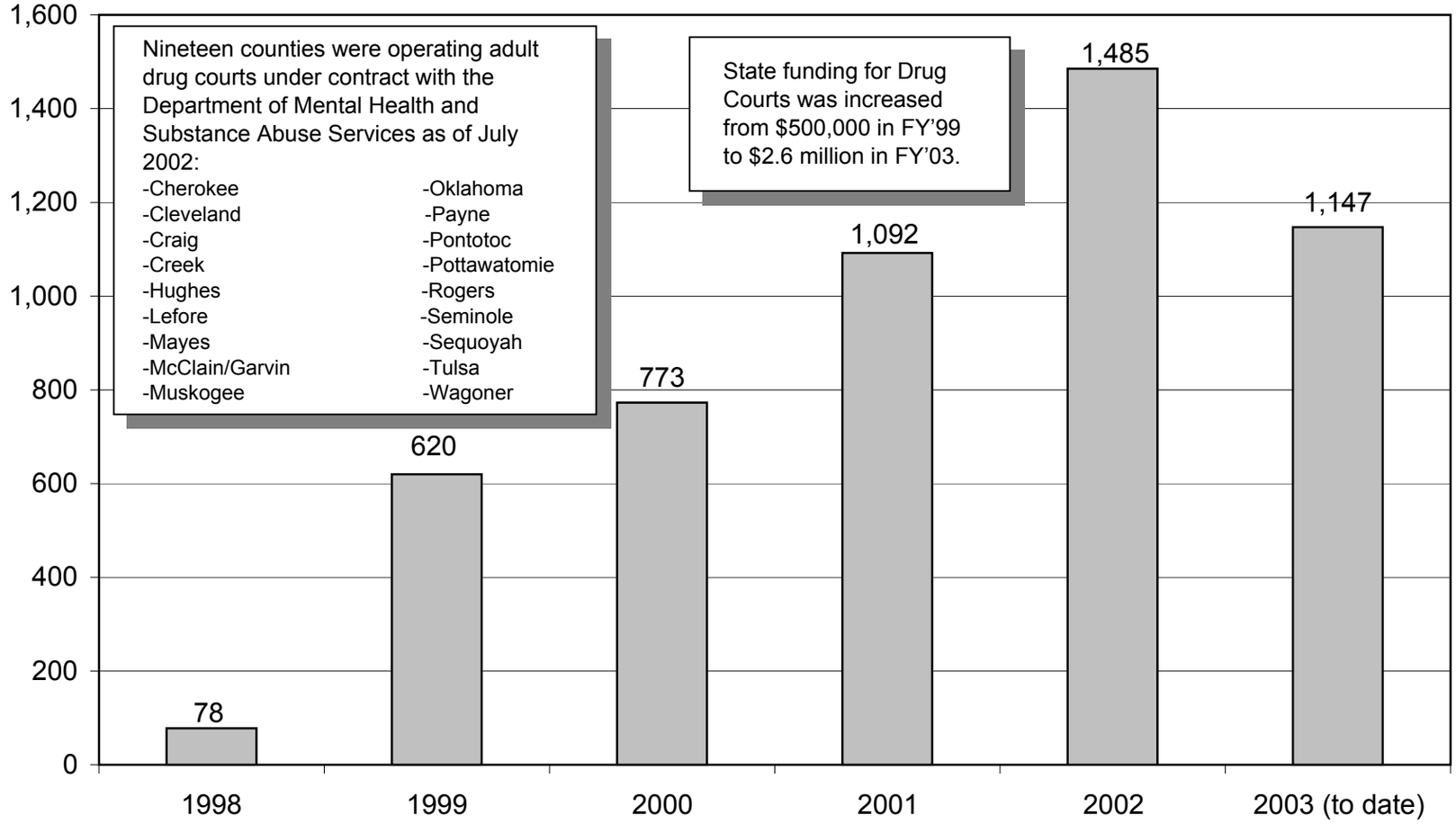
(N = 4,031)



Almost all Community-Sentenced offenders are still being monitored. Under contract with DOC, the Oklahoma Criminal Justice Resource Center is studying the effectiveness of treatment programs.

*Includes all Community Sentence offenders regardless of LSI scores.
Source: DOC Community Sentencing

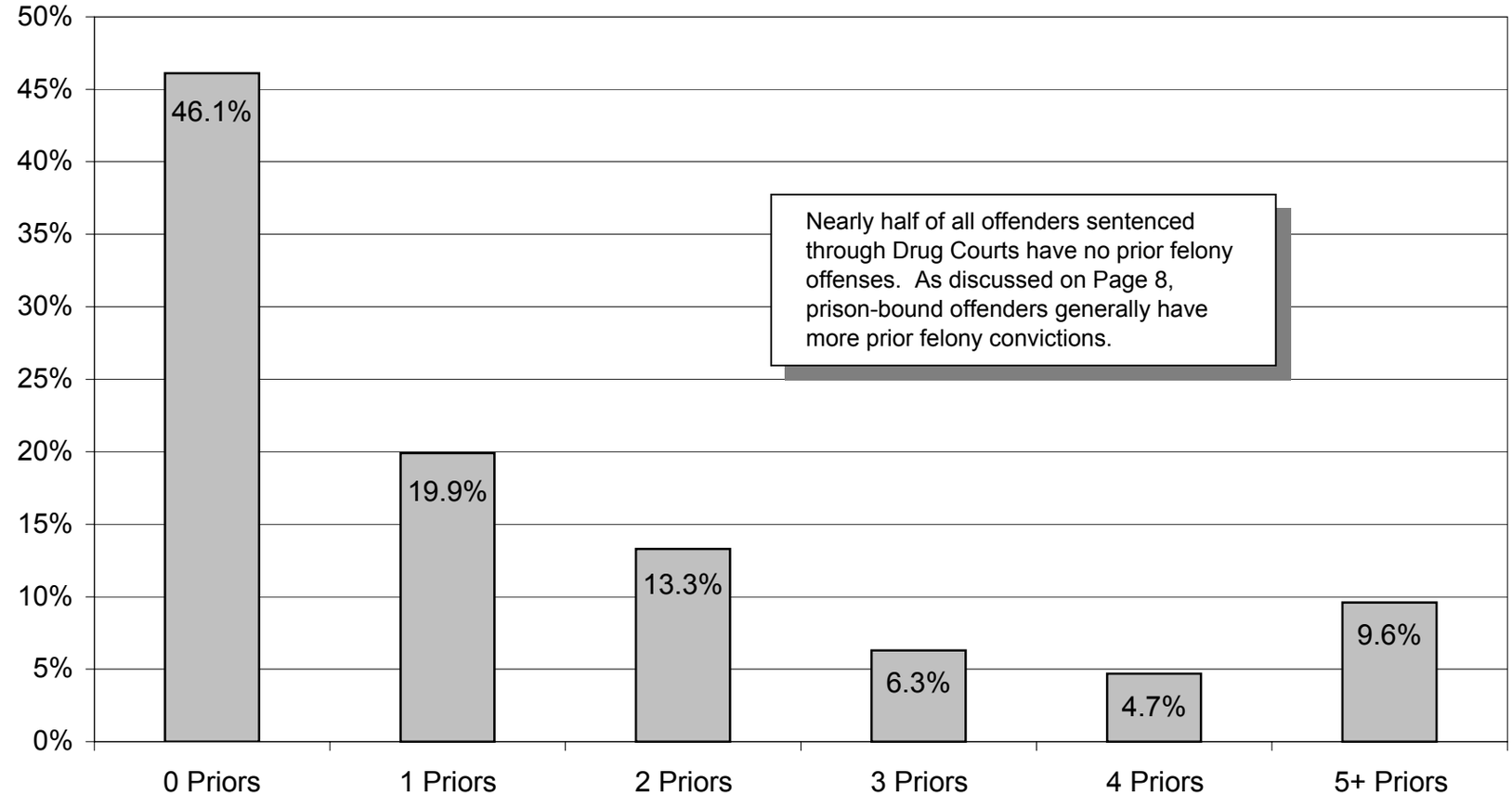
Drug Court Participants
FY'96-FY'2003



Source: DMHSAS

Prior Felony Convictions for Drug Court Participants*

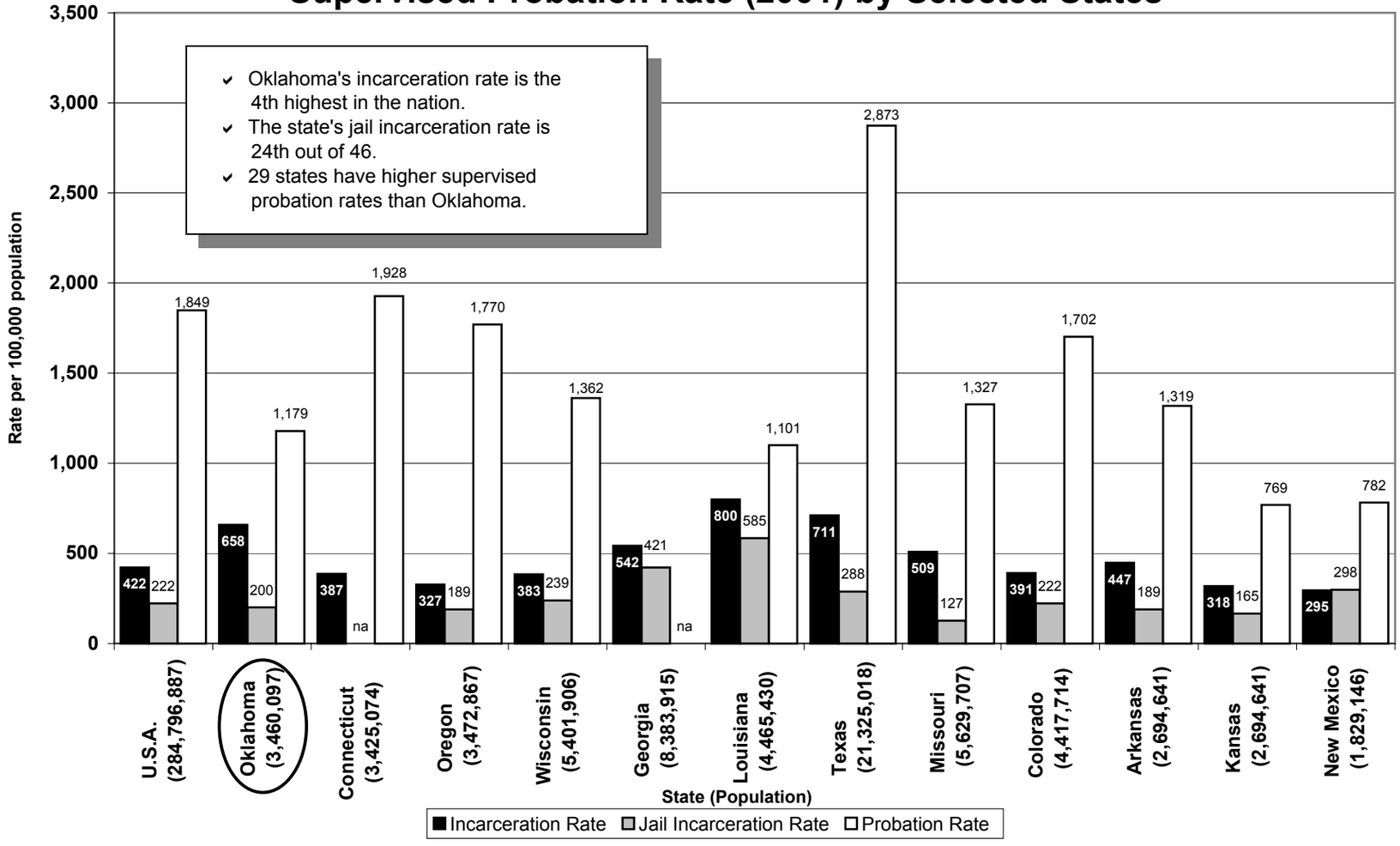
(N = 395)



*Active or Entering as of July 1, 2001.
Source: DMHSAS, 2002

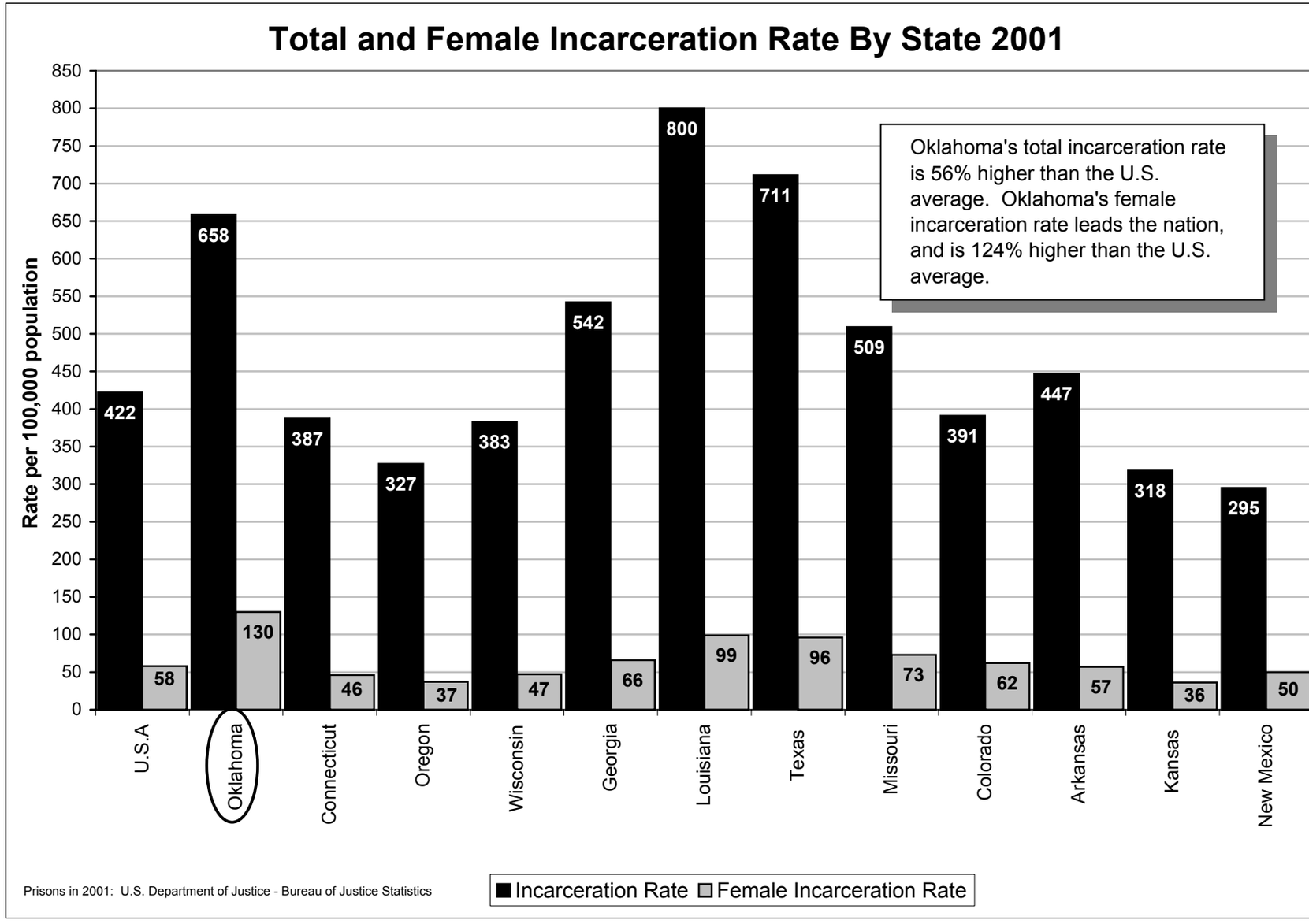
Perspectives

Incarceration Rate (2001), Jail Rate* (1999) and Supervised Probation Rate (2001) by Selected States

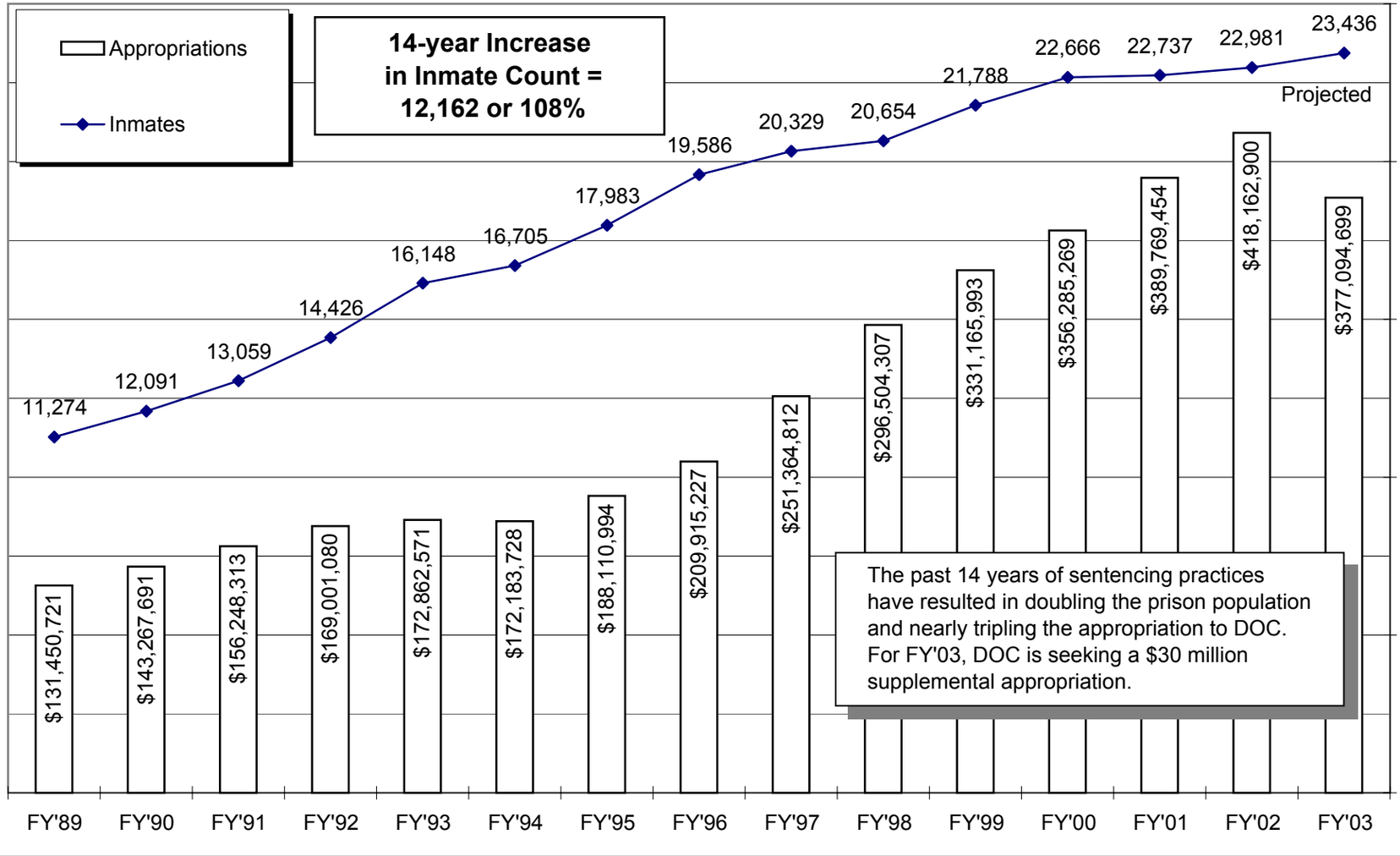


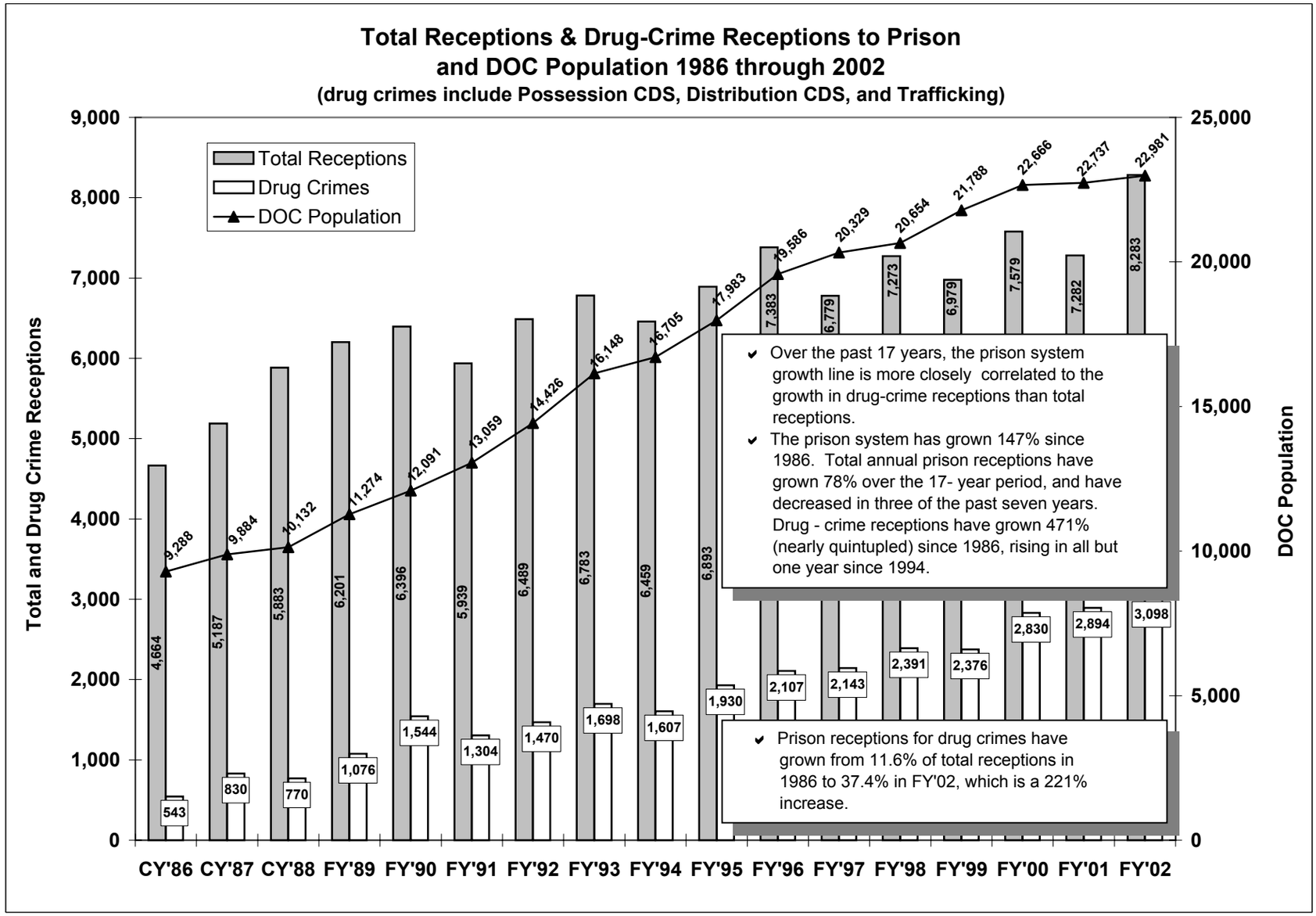
*Jail includes all locally administered jails that held inmates beyond arraignment and that were staffed by municipal or county employees.

Source: Prisons in 2001; Census of Jails, 1999; Probation and Parole in the United States, 2001: U.S. Department of Justice - Bureau of Justice Statistics


Total and Female Incarceration Rate By State 2001
Rate per 100,000 population
850
800
750
700
650
600
550
500
450
400
350
300
250
200
150
100
50
0
422
58
658
130
387
46
327
37
383
47
542
66
800
99
711
96
509
73
391
62
447
57
318
36
295
50
U.S.A
Oklahoma
Connecticut
Oregon
Wisconsin
Georgia
Louisiana
Texas
Missouri
Colorado
Arkansas
Kansas
New Mexico
Oklahoma's total incarceration rate is 56% higher than the U.S. average. Oklahoma's female incarceration rate leads the nation, and is 124% higher than the U.S. average.
Prisons in 2001: U.S. Department of Justice - Bureau of Justice Statistics
Incarceration Rate
Female Incarceration Rate

History of DOC Appropriations and Inmates




Total Receptions & Drug-Crime Receptions to Prison
and DOC Population 1986 through 2002
(drug crimes include Possession CDS, Distribution CDS, and Trafficking)
Total Receptions
Drug Crimes
DOC Population
Total and Drug Crime Receptions
DOC Population
9,000
8,000
7,000
6,000
5,000
4,000
3,000
2,000
1,000
0
25,000
20,000
15,000
10,000
5,000
0
CY'86 CY'87 CY'88 FY'89 FY'90 FY'91 FY'92 FY'93 FY'94 FY'95 FY'96 FY'97 FY'98 FY'99 FY'00 FY'01 FY'02
9,288 9,884 10,132 11,274 12,091 13,059 14,426 16,148 16,705 17,983 19,586 20,329 20,654 21,788 22,666 22,737 22,981
4,664 5,187 5,883 6,201 6,396 5,939 6,489 6,783 6,459 6,893 7,383 6,779 7,273 6,979 7,579 7,282 8,283
543 830 770 1,076 1,544 1,304 1,470 1,698 1,607 1,930 2,107 2,143 2,391 2,376 2,830 2,894 3,098
✔ Over the past 17 years, the prison system growth line is more closely correlated to the growth in drug-crime receptions than total receptions.
✔ The prison system has grown 147% since 1986. Total annual prison receptions have grown 78% over the 17- year period, and have decreased in three of the past seven years. Drug - crime receptions have grown 471% (nearly quintupled) since 1986, rising in all but one year since 1994.
✔ Prison receptions for drug crimes have grown from 11.6% of total receptions in 1986 to 37.4% in FY'02, which is a 221% increase.

Prison Population Projection
Notes and Assumptions

- Fiscal year 2001 data are used for projection. It is assumed that new receptions to prison will remain constant for the next 10 years.

- The projection cannot account for future changes made by judges, district attorneys, or police that may increase/decrease the number of offenders admitted to prison or that may increase/decrease the lengths of sentences given.

- The projection cannot account for future changes in parole or probation revocation rates.

- The projection cannot account for future changes in the crime rate.

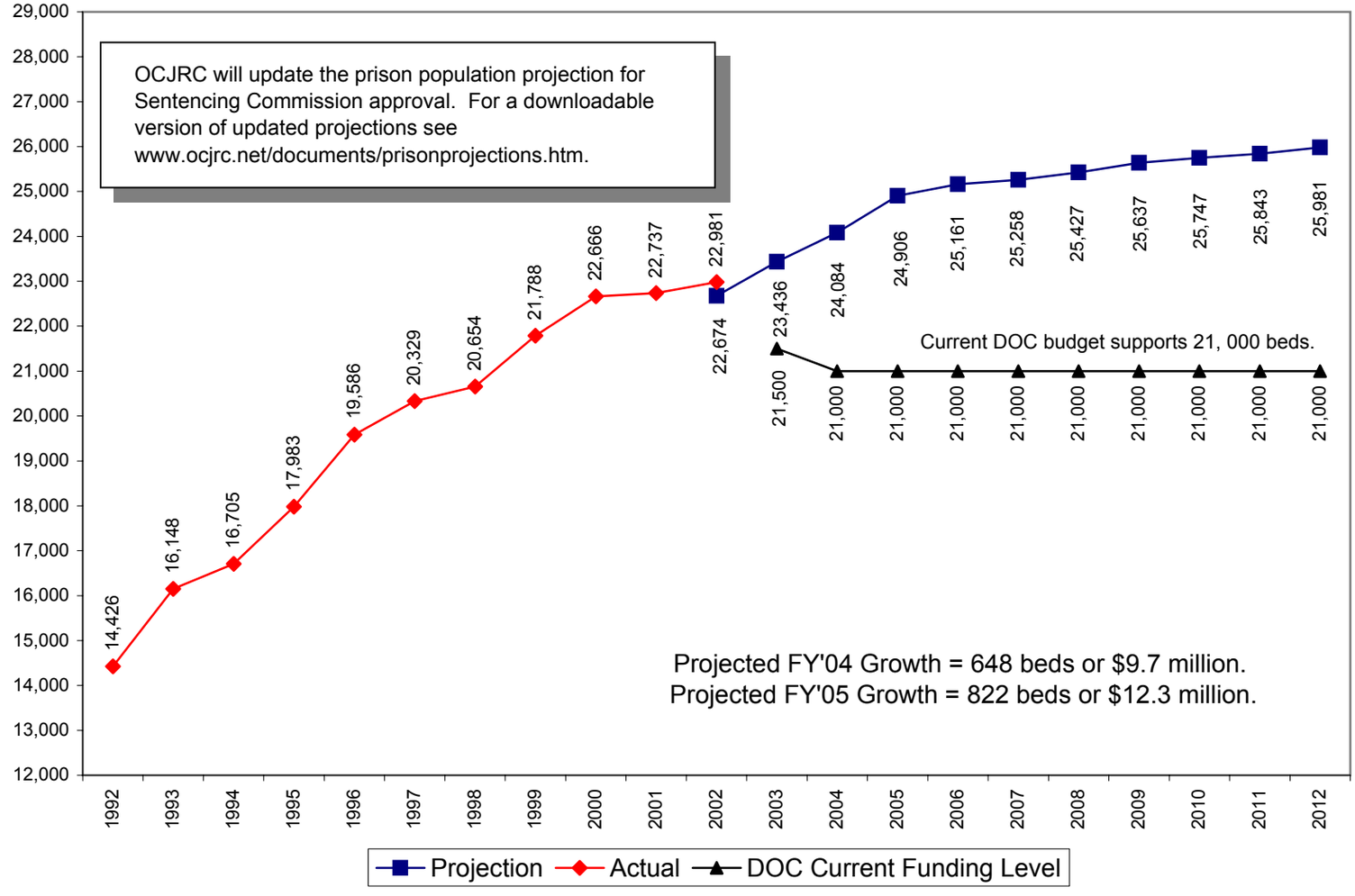
- The projection phases in the changes implemented with SB 397. This includes increasing the felony threshold amount from $50 to $500 and the designation of 7 additional "deadly sins" including Murder II, Manslaughter I, Co-Joint Robbery, Attempt to Kill by Administering Poison, Shoot with Intent to Kill, A&B with Intent to Kill, Drive-by Shooting, and A&B with Deadly Weapon for which offenders must serve at least 85% of sentence. The phase in is such that for the first year of the projection (2002) half of those sentenced will use SB 397, while the other half use the pre-SB 397 sentencing practices. For the second year (2003) the remaining half of those sentenced will use SB 397. For the third year (2004) everyone is sentenced according to SB 397.

- Stock population numbers were provided by the Oklahoma Department of Corrections, allowing the on-hand population to be projected without new admissions for 10 years.

- Sentences and times served are determined according to current sentencing practices. Sentence lengths are obtained through the Oklahoma Criminal Justice Resource Center database and time served is determined by releases in 2001 as reported by DOC. These vary depending on the crime.

- The projection numbers represent number of prison beds used, not the number of con victions for a given year.

Actual Prison Population 1992-2002 and Projected Populations 2003-2012



1E

"Why Does Oklahoma Have the Highest Female Incarceration Rate in the U.S.? A Preliminary Investigation." *Oklahoma Criminal Justice Research Consortium Journal,* Vol. 1: August 1994. Sandhu, Harjit S., Hmoud Salem Al-Mosleh, and Bill Chown.

Why Does Oklahoma Have the Highest Female Incarceration Rate in the U.S.? A Preliminary Investigation

Harjit S. Sandhu

Hmoud Salem Al-Mosleh

Bill Chown

Abstract

The study explores possible reasons why Oklahoma has the highest rate of female incarceration in the U.S. and analyzes some system and offender characteristics. The rates of crime reported, rates of female arrests, and finally the rates of female incarceration in Oklahoma were compared with the corresponding national rates. It was found that while the reporting and arrest rates in Oklahoma were similar to the national ones, the incarceration rates were much higher. The study then analyzed computerized data on 3,636 female inmates admitted in Oklahoma's correctional institutions between the years 1988 and 1992 and made some comparisons with the national data. Oklahoma showed a lower rate of violent offenders, but a higher rate of drug offenders. Also, Black women were overrepresented in the prison population.

Introduction

Oklahoma's rate of female incarceration is more than twice the national rate and is increasing every year. Why do Oklahoma's females have such a high rate of incarceration? In order to answer this question, one has to look into the following:

1. Is Oklahoma's criminal justice system taking a harsher view of female criminality?
2. Do women perceive some structural barriers in the infra-structure of Oklahoma society which renders then vulnerable to breaking laws of that society?
3. Are there some other personal problems leading Oklahoma women to criminality?

Because of the complexity of these issues, the researchers decided that they would first look into some aspects of female incarceration in relation to the national rate of incarceration, and then examine the characteristics of female inmates received by Oklahoma's correctional institutions during the five years' period from 1988 to 1992. It was realized that this will be an exploratory study with some preliminary cues for a more focused subsequent inquiry.

Female Incarceration: A Statistical Analysis

Before we examine the high rate of female incarceration in Oklahoma, it is imperative that we look at what precedes incarceration (or conviction): the rate of female arrests, and before that the rate of reporting female crimes.

Table 1: Crimes Reported in Oklahoma and the United States 1988-1991

OKLAHOMA			UNITED STATES	
Year	Crimes Reported	Rate per 100,000	Crimes Reported	Rate per 100,000
1988	182,361	5,800	13,923,100	5,700
1989	177,285	5,700	14,251,400	5,700
1990	176,027	5,600	14,475,600	5,800
1991	179,790	5,700	14,872,900	5,900

Source: FBI *Uniform Crime Reports: Crime in the United States*. 1988-1991. OSBI *Uniform Crime Reports: Crime in Oklahoma*. 1988-1991.

The crime rate in Oklahoma (reported) is the same as in the United States in 1989, and after that it is actually lower. It should be noted that the reported crime includes both male and female crime. Next, we should look at the arrest rate, which is indicative of police attitudes toward female suspects.

Table 2: Total Arrests and the Rate of Arrests of Females in Oklahoma and the U.S. 1988-1991

OKLAHOMA			UNITED STATES	
Year	Total Arrests of Females	Rate of Arrests per 100,000	Total Arrests of Females	Rate of Arrests per 100,000
1988	19,727	600	1,652,304	700
1989	21,155	700	1,544,336	600
1990	22,854	700	1,674,882	700
1991	23,013	700	1,754,397	700

Source: FBI *Uniform Crime Reports: Crime in the United States.* 1988-1991. OSBI *Uniform Crime Reports: Crime in Oklahoma*. 1988-1991.

The arrest rate of Oklahoma is the same as that of the rest of the nation. If Oklahoma incarcerates more of its female offenders, it is not because Oklahoma has a higher rate of crime, or has a higher arrest rate. The above two tables have cleared the blame from both the crime rate and the arrest rate and lead us to examine and focus on the rates of incarceration per se. The next table presents the number of females incarcerated at year-end, both in Oklahoma and the nation, and compares the rates of females incarcerated per 100,000 population.

Table 3: Female Inmates Confined in Correctional Institutions at Year End (1988 to 1991): Oklahoma's Rate of Incarcerated Females Versus National (State and Federal Institutions)

OKLAHOMA			
Year	# Incarcerated at Year End	Rate per 100,000	Population
1988	731	23.61	3,122,000
1989	900	28.73	3,133,000
1990	1,058	33.64	3,145,000
1991	1,236	39.15	3,157,000
NATIONAL			
Year	# Incarcerated at Year End	Rate per 100,000	Population
1988	32,691	13.30	245,807,000
1989	40,646	16.37	248,239,000
1990	43,845	17.63	248,709,813
1991	47,691	18.91	252,177,000

Source: BJS: *Prisons In 1988, 1990, 1991.*

Oklahoma's rate of female incarceration per 100,000 population is more than double the national rate, **and is increasing**. Clearly, the Oklahoma courts are incarcerating female offenders at a rate much higher than the rest of the nation. The rate of female incarceration in the nation has also increased over the decade of the 1980s from 12 to 31 (about 2 1/2 times) and female inmates have outstripped their male counterparts in the annual rate of increase. But Oklahoma's rate has grown much faster than that of the nation.

The percent of females of all inmates in the nation for the years 1988 to 1991 was 5.2, 5.7, 5.7, and 5.8 respectively; while in Oklahoma for the same years the percentages were 7.0,

7.9, 8.6, and 9.2 (BJS: *Prisoners* in 1988-91). Comparing the male and female receptions (or admissions) during the five year period from 1988 to 1992, females account for an average of 12.4 in 100 admissions in Oklahoma's correctional institutions, while in the nation females accounted for 7.7 percent in the year 1990 (BJS: *National Corrections*, 1990). The reader will appreciate that if in the yearly prison admissions in Oklahoma, the percentage of female admissions has that kind of an edge over the national admissions, Oklahoma's year-end female prison population will far outstrip the national figures. If the yearly increases in female admissions keep that pace, Oklahoma may need as many prisons for women as for men. What would be the economic and social costs at that time is beyond the scope of the present study.

Sociodemographic Characteristics: Race

According to Camp, "Analysis of data by race and gender indicate that all females (by race) are within statistical proportions with the exception of Black females. Black females account for 51.35 percent of all blacks or 3.815 percent of the total Oklahoma population, while White females account for 42.25 percent of the total Oklahoma population." Yet Black females account for 40.0 percent of all females incarcerated in Oklahoma during the years 1988-92 (see table 4).

It is noteworthy that while 40 percent of the women sent to prison were Black, only 29.6 percent of the women placed on probation and parole were Black; and the reverse was true of White women: while 53.0 percent of the women sent to the prison were White, 63.7 percent of the women placed on probation were White.

Table 4: Race Distribution of Oklahoma Female Offenders: Incarcerates (1988-92) Versus Probationers and Parolees (1989-92)

	Incarcerates N=3134		Probationers and Parolees N=5704	
Race	Number	Percent	Number	Percent
White	1661	53.0	3632	63.7
Black	1254	40.0	1687	29.6
Hispanic	44	1.4	48	0.8
Indian	175	5.6	337	5.9

As indicated in Table 5, Black females are also more likely to be incarcerated as compared to Black males.

Table 5: Female Versus Male Offenders Incarcerated in Oklahoma by Race (1988-92) N = Female 3,134 N = Male 22,106

	RACE			
	WHITE		BLACK	
Gender	Raw #	Percent	Raw #	Percent
Female	1,661	53.00	1,254	40.01
Male	13,116	59.33	6,817	30.84
	HISPANIC		INDIAN	
Gender	Raw #	Percent	Raw #	Percent
Female	44	1.40	175	5.59
Male	721	3.26	1452	6.57

So a Black female offender is more likely to be incarcerated rather than placed on probation, as compared to her White counterpart, and also more likely to be incarcerated as compared to her male counterpart. Both her gender and her race seem to work against her.

Nationwide, looking at the composition of the female inmate population, the percentage of Black female inmates has ranged between 46.1 in the year 1986 to 47.01 percent in the year 1992, but the latter comes from a higher base of 12.25 percent Black population in the nation. Oklahoma, with a smaller base of 7.43 percent Black population, has a rate of 40.0 percent Black female incarcerations. Also, it should be noted that while in the nation the percentages of Black female and Black male inmates are close to each other (46.1 percent versus 45.3 percent), the percentages of Black female and Black male inmates in Oklahoma tend to differ widely (40.0 percent versus 30.8 percent) as shown in the table below:

Table 6: Race and Ethnicity of Prison Inmates by Gender: Nation Versus Oklahoma

	NATION*		OKLAHOMA**	
Race	Female	Male	Female	Male
White	39.6%	39.5%	53.0%	59.3%
Black	46.1%	45.3%	40.0%	30.8%
Hispanic	11.7%	12.6%	1.4%	3.3%
Other Race	2.5%	2.5%	5.6%	6.6%

# of Inmates	19,812	430,604	3,134	22,106

*Source: *Women in Prison* 1991 (The data pertains to the year 1986.)

**ODOC Data: 1988-92

So while the national rates of incarceration for male and female percentages are equal, in Oklahoma the Black females represent a disproportionately higher percentage as compared to their male counterparts. All of the above leads to the necessity of a special study of Black female incarceration in Oklahoma. There must be some legal, social, or personal circumstances behind Black women's high vulnerability to incarceration.

Table 7: Age Levels of Female Inmates and Probationers/Parolees Inmates N = 3134 Probationers and Parolees N = 5704

Age Levels	**Female Inmates Percents**	**Female Probationers/ Parolees Percents**
Below 20 Years	6.5	2.6
Lower 20s	20.5	19.8
Upper 20s	25.6	25.1
Lower 30s	22.1	22.1
Upper 30s	13.2	13.9
Lower 40s	6.4	7.6
Upper 40s	3.2	4.4
Lower 50s	1.2	2.4
56 and above	1.2	2.1

Age

As expected, most of the women inmates were in their 20s or early 30s, and that was true of both the inmates and the probationers/parolees. Their age levels are compared in Table 7.

There were approximately the same percentages of women both in the institutions and under probation/parole supervision up to age 30. But at age levels 40s and 50s, there were more probationers/parolees.

It is an established fact that criminal tendencies decline with aging. It is noteworthy that female offenders are generally arrested and convicted for their first crime a little later in life as compared to male offenders. Females also drop out from criminal activities later in life than do males. So the female offenders are late starters and late quitters. The national survey (Table 8) supports this statement.

Table 8: Characteristics of State Prison Inmates, by Age and Sex, National Data 1986

Age	Female N=19,812	Male N=263,484
17 or younger	.2%	.5%
18-24	22.3%	26.9%
25-34	50.5%	45.5%
35-44	19.6%	19.4%
45-54	5.5%	5.2%
55-64	1.5%	1.9%
65 or older	.4%	.6%

This "late starter-late quitter" pattern on the part of the female offenders has persisted over the years. Looking at the probationers/parolees data, it is interesting to note that there is a higher percentage of Black female probationers at every age level up to age 35. After that the White females are higher at every age level. So the White female offender fits in with the "late starter-late quitter" pattern more than does the Black female offender.

Women offenders seem to have more problems in their upper 20s and lower 30s, which may have originated earlier, but get complicated by the lower 30s. Male criminals start dropping out of criminal life around age 30. About 48 percent of the female inmates and 52.50 percent of the female probationers/parolees are above age 29. All of them start resolving their problems in their upper 30s, or at least drop out of criminal statistics.

Marital Status

The national marital statistics on female offenders differ somewhat from those of Oklahoma. Both sets of statistics are presented here for comparison (with some adaptation).

Table 9: Marital Status of Female Offenders: National (Year 1986) and Oklahoma (Years 1988-92)

	NATIONAL		OKLAHOMA	
Marital Status	**Female**	**Male**	**Female Inmates**	**All Probationers /Parolees (M&F)**
Married	20.1%	20.4%	29.4%	30.7%
Common Law Marriage	-------	-------	12.6%	10.0%
Widowed	6.7%	1.6%	2.1%	0.8%
Divorced	20.5%	18.0%	25.2%	18.0%
Separated	11.0%	5.0%	6.5%	4.1%
Single, Never Married	41.7%	54.3%	24.1%	35.2%
Number of Inmates	19,812	430,604	3,636	28,872

Oklahoma's female offenders are more often married than the national sample, although the combined percentage of separated and divorced is about the same. The national figure of widowed amounting to 6.7 percent was more than three times larger than Oklahoma's figure of 2.1 percent.

Offenders are notorious for their disorganized married lives, but the female offenders, in particular, have very disorganized married lives. More of the female offenders have a higher rate of marriage, separation, divorce, and remarriage. They also have more children or sets of children (from different lovers or husbands) than male offenders, and their married lives are, as a result, quite complicated. A recent study of Oklahoma probationers and parolees showed that females married a mean number of 1.58 times, and male probationers married a mean number of .85 times. Also, female offenders had an average of 1.85 children as compared to 1.16 of their male counterparts (Jackson 1993). These patterns have persisted over a long time. A quarter of a century ago, 35 percent of the female inmates had two marriages, ten percent had three marriages, and four percent had four or more marriages, as compared to 14.0 percent, 4.7 percent, and 1.0 percent (respectively) of male inmates in the Oklahoma correctional system during 1969-72 (Sandhu 1974). In 1934, the Gluecks in their classic study of *Five Hundred Delinquent Women* had similar comments about the reformatory women whom they studied over several years:

By a reasonable standard, only two of the three hundred and one marriages could be deemed entirely successful. The reasons for the failure of marital ventures of our women involved not only their own shortcomings but also those of their husbands. The majority of them (the husbands) were vicious and criminal.

A practitioner who worked very closely with women offenders said:

The female offender is inclined to respond quickly to any emotional stimulus, particularly where her family, her husband, boyfriend, or her children are involved. A good portion of her antisocial behavior may result also when her role as the dependent member of the household has been disrupted (Payak 1963).

Children of Mothers in Prison

Regardless of marital status, most female inmates are mothers.

While in 483 cases there was no information available, only seven percent of 3153 inmates said that they had no child. The rest of the table very well resembles the national figures: one child 31.7 percent, two children 28.7 percent, three to four children 29.1 percent, five to six children 8.3 percent, seven or more 2.1 percent. In 51 percent of the cases these children are taken care of by grandparents, in 28 percent of the cases by the father.

Table 10: Number of Children of Female Inmates Admitted in Oklahoma Correctional Institutions (1988-92) N = 3,636

Number of Children	N	Percent
None	220	7.0
1	1,053	33.4
2	796	25.2
3	601	19.1
4	302	9.6
5	181	5.7
Number of Inmates	3,153	100
No information	483	

Education

Nationally, female inmates are somewhat better educated than male inmates, more so at the college level. Oklahoma's female inmates' last grade completed is higher than their national female counterparts.

Table 11: Last Grade Completed by National and Oklahoma's Female Inmates

	NATIONAL 1986		OKLAHOMA 1988-92
Education	**Female N=19,812**	**Male N-430,604**	**Female N=3,636**
8th grade or less	20.1%	20.4%	29.4%
Some high school	40.4%	40.8%	32.5%
High school grad	28.4%	27.4%	46.6%
Some college or more	14.8%	10.8%	15.0%

A brochure prepared by the Oklahoma Department of Corrections for a conference on women in prison in 1991 remarked that "Fifty-one percent failed to complete their education because they were bored or tired, and 34 percent failed to graduate because of pregnancy."

Legal Data

This section will deal with female offenders' commitment offenses, and alcohol/drug abuse.

Commitment Offenses

The commitment offenses of the female inmates admitted to Oklahoma correctional institutions are presented in the next table. The Oklahoma percentages of various offenses could not be compared with the national percentages as the national percentages were based on the existing populations in state institutions, and Oklahoma's data were collected from five years' receptions from 1988 to 1992.

Oklahoma female offenders' major offenses are property offenses (48 percent) half of which are offenses such as Fraud, Bogus Check Writing, Forgery, and Embezzlement, which account for 22 percent of all serious crimes of female inmates. In a companion study on race, Camp (1993) said:

Black female inmates represent a much larger proportion of the prison population than probability alone would suggest (approximately five times the expected proportional amount). Especially significant are the combined areas known as "cheating crimes": Bogus Check or Charge, Forgery, and Fraud. Black females represent 10.39 percent of all inmates for these crimes and 33.33 percent of all females in these crimes. Concerning another strongly indicated area (drugs) Black females represent 6.98 percent of all incarcerated offenders and 34.07 percent of all females incarcerated for drug crimes.

More than one-third female inmates are incarcerated for drug-related offenses.

Table 12: Percent of Most Serious Offenses of Female Prison Inmates Admitted in Oklahoma (1988-92) and Male and Female Inmates Admitted Nationally (1986)

	OK	NATIONAL	
Most Serious Offenses	**Female Percent**	**Female Percent**	**Male Percent**
Violent Offenses Murder Negligent Manslaughter Kidnapping Rape Other Sexual Assault Robbery Assault Other Violent	9.2 1.4 1.5 0.2 0.0 0.0 2.9 2.1 1.1	23.2	34.3
Property Offenses Burglary I and II Larceny/Theft Motor Vehicle Theft Arson Embezzlement Fraud Forgery Bogus Check Other Property	48.0 3.0 20.0 1.2 0.4 2.7 4.0 8.5 5.8 2.4	48.0	40.5
Drug Offenses Possession Trafficking Other Drug	34.6 15.0 19.6 0.0	21.5	15.9
Public-Order Offenses Weapons Other Public-Order (DUI)	5.2 1.4 3.8	6.0	8.0
Other Offenses Escape Sex	1.8 1.4 0.4	1.2	1.4
Miscellaneous	1.8		
Total Number of Inmates	3,636		

Drugs and Crime

Drug abuse by females is all pervasive in their criminality. We have already seen that 34.6 percent of them were incarcerated for possession and trafficking in drugs. Nationwide the rate of arrest of females for drug violations has increased at about twice the rate of men over the decade of the 1980s. A special report published by the Bureau of Justice Statistics, Women in Prison (1991), has the following to say:

Over the 1980s the number of arrests of women for drug violations increased at about twice the rate of men. Between 1980 and 1989, there was a 307 percent increase in the number of women arrested for drug crimes, including possession, manufacturing, or sale of illegal drugs. Over the same period, arrests of men for drug violations increased 147 percent. While women accounted for less than 11 percent of the adults arrested for drug violations in 1980, they accounted for 20 percent of the increase in drug arrests between 1980 and 1989.

Increasing drug violations have heavily contributed to increasing female incarcerations in Oklahoma as well. Of those incarcerated for drug violations, 70 percent were in their 20s; race-wise, 41 percent were Black, 54 percent were White. Eleven percent of the incarcerated were under the influence of alcohol at the time of offense, and 23 percent were under the influence of other drugs at the time of offense or arrest.

Summary

The rate of crime reported in Oklahoma (5,700 per 100,000 population) is not higher than that of the nation (5,900 per 100,000 population). The rate of arrest of female offenders in Oklahoma is the **same** as that of the nation (700 per 100,000). Yet, the rate of incarceration of female convicted offenders is more than double the national rate of incarceration (39.2 versus 18.9 of the 100,000 population). The rate of incarceration is increasing every year with the result that female inmates in Oklahoma constitute 12.4 percent of the total inmate population, which is more than four and one half times the national rate. If this trend is not reversed, Oklahoma tax payers will have to open more prisons for women.

Black females are disproportionately represented in prison admissions. Black females account for 3.8 percent of the total Oklahoma population, yet they comprise 40 percent of the female prison admissions. A Black female is more likely to be incarcerated rather than placed on probation as compared to her White counterpart, and also is more likely to be incarcerated as compared to a Black male. Black female inmates may have problems needing special study.

Age-wise, most of the female inmates were in their 20s and early 30s and that was true of both the inmates and the probationers/parolees. Yet at age levels 40s and 50s there were more probationers/parolees. As compared to males, females start crime later and quit later in life. But this "late starter-late quitter" pattern fits White female offenders better than Black female offenders.

More of the female inmates are married and/or cohabitating under common law, and also much more burdened with worries about their children as compared to their male counterparts. Also, more of the female inmates are divorced, and single parents.

Compared to the nation, Oklahoma has a lower percentage of violent offenders, but a higher percentage of drug offenders. This necessitates a very effective drug abuse program both inside the institutions and in the communities.

Biography

Harjit S. Sandhu, M.A., M.S.W., Ph.D., is professor of sociology and coordinator of the graduate program in corrections at Oklahoma State University, Stillwater, and is an internationally known expert on corrections.

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"Female Offender Management Work Summary for Fiscal Year 2002."

Oklahoma Department of Corrections

DOC

"Protect the Public, The Employees, The Offenders"

Female Offender Management
Work Summary
For
Fiscal Year 2002

Submitted by the Office of the
Deputy Director of Operations Support

Ron J. Ward, Director

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INTRODUCTION

In 1998 the Oklahoma Department of Corrections issued operations memorandum OP-090501 establishing the Female Offender Task Force. The task force was established to review and offer recommendations in all programmatic and operational areas provided in department policies and procedures that may affect or impact female offenders.

Effective January 4, 2002, OP-090501 was changed to Female Offender Management. The purpose of this group is to ensure policies and procedures that affect or impact female offenders provide or ensure a level of parity that avoids any discriminatory impact.

The management group, comprised of Executive Staff representatives, meets on a quarterly basis and oversees subcommittees to address areas of concern. These appointees are representatives for meetings, boards, and task forces dealing with female offenders. The committees meet as needed and are charged with offering proposed amendments to policy, ensuring parity in programs, keeping abreast of legislative action and monitoring trends pertaining to female offenders.

Female Offender Management, at a minimum, focuses on the following 6 major areas of concern:

- Training of correctional staff who manage female offenders,
- Sexual misconduct and privacy issues of female offenders,
- Parity in work and programs,
- Medical and mental health issues,
- Classification and custody levels,
- Contract bed space and aftercare services

The contents of this work summary address the activities and recommendations of the female offender management group during fiscal year 2002.

TRAINING OF STAFF

Throughout the fiscal year Department of Corrections staff members were afforded the opportunity to attend National Institute of Corrections (NIC) satellite training at various locations throughout the state. "Addressing Staff Sexual Misconduct" was conducted on December 12, 2001. Over 100 staff members attended this training. The National Institute of Corrections also sponsored videoconferences to address mental health issues on April 17, 2002 entitled "Jail Inmates with Mental Illness: A Community Problem". Fifty-seven staff members from three locations participated in this videoconference.

Staff continued to receive training on sexual misconduct consisting of four pre-service hours and three annual in-service hours. The lesson plan on Staff/Offender Relationships was converted to CD-Rom. This will provide additional staff the opportunity to be trained at minimal costs. The Training Administrator attended training to become an instructor in staff sexual misconduct. Additional staff will be trained in all areas of staff sexual misconduct with a savings to the agency next fiscal year.

SEXUAL MISCONDUCT AND PRIVACY ISSUES

The development and implementation of the Sexual Misconduct Database was a major focus of the Internal Affairs Unit for fiscal year 2002. A vendor was selected and staff trained prior to implementation of the software.

Policy OP-040117 entitled "Investigations" was reviewed to change the role of the investigator as the first responder for alleged rape victims. This investigator will be certified to respond to rape crisis situations and ensure the victim's security, medical and psychological needs are met. An Internal Affairs Investigator will be assigned to investigate all reported allegations of sex crimes.

Inmate Trust Funds

Recommendations were drafted to address inmate trust funds to reduce the instances of policy violations and to protect the public. The recommendations submitted for addendum to the policy included the addition of language as follows:

"This correspondence is from an inmate under the custody of the Oklahoma Department of Corrections (ODOC). For specific information about the inmate you are corresponding with, such as offense, projected release date, photo, etc. refer to our website at www.doc.state.ok.us then click **Offender Information** and the **Offender Lookup** or contact staff at the facility. The ODOC is not responsible for the substance or content of the information. Objectionable material may be returned to the facility head."

The addendum will be submitted to the agency Director for final approval and implementation.

PARITY IN WORK AND PROGRAMS

The following accomplishments were achieved in FY2002 in the area of female parity in work and programs by the agency:

1. Compared parity statistics for the agency to focus on areas of concern.
2. Applied for grant monies for inmates released to Oklahoma County.
3. Established a partnership with the Department of Human Services and other related agencies involved in seeking grant funding for parenting.
4. Attended the Female Offender Conference in Boise, Idaho in September 2001.

Parity statistics as of December 2001 indicate the following percentages based on statewide enrollment:

OCI Jobs	Males 5%	Female	4%
Career Tech Programs	Males 3%	Females	7%
Substance Abuse Programs	Males 12%	Females	24%
Sex Offender Treatment Programs	Males 9%	Females	"0"
Agri-Services	Males 2%	Females	0.7%
Prison Works Program Slots	Males 6%	Females	10%
Work Release Slots	Males 3%	Females	16%

Identified needs in programming for female offenders are in the areas of sex offender treatment, domestic violence and sexual abuse treatment. These programs should be

based upon gender-specific responsiveness and research-based models to address the unique needs of women offenders.

The Child Abuse and Evaluation Center in Oklahoma City, Oklahoma began regular domestic violence and child abuse classes at the Kate Barnard Community Corrections Center (KBCCC).

MEDICAL AND MENTAL HEALTH SERVICES

The focus on health and mental health issues for female offenders continues to be addressed as a priority. Over the past four years there has been a documented increase in the number of female offenders on psychotropic medications. The Medical Unit increased the number of staff trained in the area of mental health to address this growing need.

A newly developed Mental Health Service Levels Classification system has confirmed upper management's prevailing belief that the proportion of female inmates requiring mental health services has increased dramatically over the past several years. Results of this classification also indicate that a greater proportion of female inmates require mental health services compared to their male inmate peers.

Preliminary planning and discussions are ongoing regarding the lease/purchase and potential move of Mabel Bassett Correctional Center inmates to the Central Oklahoma Correctional Facility (COCF). Medical and mental health staff strongly support this potential transfer, as it would automatically afford an improved physical plant that would facilitate the treatment of medically and mentally ill female inmates. In addition, the COCF physical plant would permit corresponding improvements in programming and staffing that would address parity issues such as a female habilitation unit.

Policy OP-140145 entitled "Female Offender Health Services" was newly drafted with an effective date of June 17, 2002. This policy addresses the needs of female offenders in all aspects of healthcare for women.

The Kate Barnard Community Correctional Center (KBCCC) added HIV peer education to the orientation process.

The medical evaluation form completed for offenders prior to release to the community, was revised to include mental health information.

CLASSIFICATION AND CUSTODY LEVELS

An addendum to OP-060102(F)-01 entitled "Female Initial Custody Assessment Procedures" effective April 1, 2002 was approved to reflect policy changes regarding classifying female offenders with a separate instrument. Language was added to address "Re-Entry" and "Alcohol/Drug" needs. The distribution of females at various security levels continues to be documented by the Classification Unit.

Policy OP-040111 entitled "Transportation of Inmates" was revised to address same gender transports and notification of arrival time. These changes were finalized with an effective date of June 3, 2002. An addendum to the "Work Release" policy, OP-090110, effective June 25, 2002 requires female inmates to have no more than 910 days remaining prior to placement on work release.

Female offender bed space remained limited throughout the fiscal year. There continues to be approximately 90 females in county jail beds waiting to come into the Department of Corrections. During the year, the agency has increased the number of inmates housed at the Central Oklahoma Correctional Facility and the count increased at the Mabel Bassett Correctional Center-Minimum Unit.

The United States Department of Justice published information concerning the Oklahoma classification system and a report entitled "Classification of Women Offenders: A National Assessment of Current Practices" on their website. The information is listed under the publications section available on the web at www.nicic.org

CONTRACT BED SPACE

The Private Prison Administration closely monitored the Legislative Session. Senate Bill 1530 amended Title 57 O.S. 2001, Section 561, which relates to private prison contractors, allows the lease and operation of certain prison facilities and provides for the negotiation of private prison agreements. Governor Keating signed the bill into law on May 30, 2002.

With the support of the Female Offender Management group, a more comprehensive approach to dealing with higher security female offenders was proposed to take shape at COCF. These plans call for the female assessment and reception operation to be transferred from the Lexington Assessment and Reception Center to COCF as well as the entire Mabel Bassett Correctional Center (MBCC) located at 3400 Martin Luther King in Oklahoma City, Oklahoma to be moved to McLoud, Oklahoma.

In addition to the many benefits to the Oklahoma Department of Corrections female incarcerated population, the states of Hawaii and Wyoming may agree to contract with the agency to maintain inmates at COCF. This will enable the agency to earn revenue on these offenders to help defray the cost of operations.

Female offenders continue to be housed at the Central Oklahoma Correctional Facility (COCF) in McLoud, Oklahoma. Contracts were also maintained with Turley Halfway House in Tulsa, Oklahoma and New Directions Halfway House, in Oklahoma City, Oklahoma. No females were housed in county jails during FY 2002.

RE-ENTRY

A steering committee of various state agencies began work on the "Going Home" Offender Re-entry grant to fund programs for male and female offenders released to Oklahoma County. The project is entitled PROTECT and the grant request is for $1,000,000 to provide transition workers and additional services for offenders as they release.

These services include reunification with family, substance abuse treatment and aftercare, housing, transportation, work and training and other needs. Specific needs of women offenders will be addressed through the re-entry process on a statewide basis, and through the PROTECT Re-entry Grant in the Oklahoma County area.

CHALLENGES FOR FY 2003

Training of Staff

- Develop and implement Staff Sexual Misconduct training for supervisory level staff.
- Provide mandatory training for staff working with mentally ill and/or mentally challenged inmates.

Sexual Misconduct and Privacy Issues

- Implement OP-040117 entitled "Investigations" to include an investigator as the first responder for alleged rape crisis situations.
- American Correctional Association Standards added requiring documentation.

Parity in Work and Programs

- Continue staff training on a national level to address female treatment concerns.
- Continue to track statistics regarding parity in work and programs.
- Continue to focus on mental health priorities for female offenders.
- Research and develop a system-wide Domestic Violence/Sexual Abuse treatment program for the agency.
- Explore parity in paroling female inmates.
- Focus on a gender-specific sex offender program for female offenders.
- Research and develop parenting education programs for female offenders.

Medical and Mental Health Services

- Finalize recommendations for female offender mental health treatment.
- Develop a Habilitation Program for female offenders.
- Continue to focus on mental health priorities for female offenders.

Classification and Custody Levels

- Legislative initiative to approve bonds to increase the number of female community beds by 100 in Oklahoma City, Oklahoma.

Contract Bed Space and Re-Entry Services

- Consider a re-entry program for female offenders from Kate Barnard Community Corrections Center to include a step-down process to lower security for eligible inmates.
- Operationalize the move from Mabel Bassett Correctional Center to Central Oklahoma Correctional Facility in McLoud, Oklahoma.

1G

"Facts at a Glance" ["a monthly snapshot of the department's population, programs, inmate demographics, and much more"]. May 30, 2003.

Oklahoma Department of Corrections

FACTS AT A GLANCE

A monthly snapshot of the department's population, programs, inmate demographics, and much more

May 30, 2003

For further information contact:

Oklahoma Department of Corrections
Public Information Office
Operations Support Division
3400 Martin Luther King Avenue
Oklahoma City, OK 73111
(405) 425-2513
www.doc.state.ok.us

COUNT SHEET SUMMARY
as of May 30, 2003

Maximum Security	Count
Lexington A&R	405
Oklahoma State Penitentiary	1,242
Oklahoma State Reformatory	442
Mabel Bassett CC	56
Capacity / Total Count	**2,285 / 2,145**

Medium Security	Count
Dick Conner CC	984
James Crabtree CC	748
Joseph Harp CC	1,109
Lexington CC	736
Mabel Bassett CC	719
Mack Alford CC	539
Oklahoma State Penitentiary	111
Oklahoma State Reformatory	335
Capacity / Total Count	**5,456 / 5,281**

Minimum Security	Count
Charles E. "Bill" Johnson CC	436
Dick Conner CC	230
Eddie Warrior CC	773
Howard McLeod CC	612
Jackie Brannon CC	615
James Crabtree CC	85
Jess Dunn CC	882
John Lilley CC	674
Lexington CC	254
Mabel Bassett CC	237
Mack Alford CC	263
Northeast Oklahoma	415
Jim E. Hamilton	692
Oklahoma State Reformatory	198
Oklahoma State Penitentiary	69
William S. Key CC	646
Capacity / Total Count	**7,199 / 7,081**

Community	Count
Clara Waters CCC	217
Muskogee CCC	79
Enid CCC	98
Kate Barnard CCC	163
Lawton CCC	104
Capacity / Total Count	**668 / 661**

Work Centers	Count
Altus	90
Ardmore	99
Beaver	44
Holdenville	84
Elk City	78
Frederick	99
Healdton	45
Hobart	85
Hollis	40
Idabel	62
Madill	46
Mangum	51
Sayre	60
Walters City	84
Waurika	57
Capacity / Total Count	**1,033 / 1,024**

Contract Facilities	
County Jail Program	434
Halfway Houses	1,022
Contract Prisons	5,008
Residential Prisoner Public Works	0
Total	**6,464**

Outcount	388

PROBATION AND PAROLE DISTRICTS

	Probation	Parole
Northeast District CC	4,706	416
Tulsa County Dist. CC	4,502	630
Southeast District CC	4,299	507
Southwest District CC	3,079	640
Northwest District CC	3,640	472
Central District CC	7,518	1,390
Totals:	27,744	4,055

SYSTEM SUMMARY

Facility Total	16,226
Contract Facilities	6,464
Outcount	388
Probation	27,744
Parole	4,055
System Total	54,877

OFFENDER DEMOGRAPHICS

as of May 30, 2003

INMATES		23,079
Sex		
Male	20,728	89.8%
Female	2,351	10.2%
Race		
White	13,469	58.4%
Black	6,585	28.5%
Native American	1,921	8.3%
Hispanic	990	4.3%
Other	114	0.5%
Crime Type		
Violent	9,187	39.8%
Nonviolent	13,892	60.2%
Average Age		36.6

PROBATION CLIENTS		27,744
Sex		
Male	20,872	75.2%
Female	6,872	24.8%
Race		
White	17,943	64.7%
Black	5,353	19.3%
Native American	2,186	7.9%
Hispanic	1,556	5.6%
Other	706	2.5%
Crime Type		
Violent	4,815	17.4%
Nonviolent	22,929	82.6%
Average Age		34.5

PAROLE CLIENTS		4,055
Sex		
Male	3,283	81.0%
Female	772	19.0%
Race		
White	2,322	57.3%
Black	1,232	30.4%
Native American	215	5.3%
Hispanic	262	6.5%
Other	24	0.6%
Crime Type		
Violent	563	13.9%
Nonviolent	3,492	86.1%
Average Age		40.1

STAFF DEMOGRAPHICS

as of May 30, 2003

Sex		
Male	2,898	62.08%
Female	1,770	37.92%
Race		
White	3,691	79.07%
Black	435	9.32%
Native American	430	9.21%
Hispanic	81	1.74%
Asian	31	0.66%
Average Age		44

STAFF COMPOSITION

Administrative Support (including Clerical and Sales)	513
Officials/Administrators	83
Paraprofessionals	35
Professionals	1,278
Protective Services	2,334
Service Maintenance	143
Skilled Crafts	29
Technicians	253
Total	**4,668**

DEATH ROW

Male	White	Black	Hispanic	Indian	Other
100	52	36	5	6	1

COST OF INCARCERATION

(FY 2002 Actual Expenditures)

	Daily	Annual
Maximum	$62.27	$22,728
Medium	$49.37	$18,021
Minimum	$48.90	$17,850
Community	$47.98	$17,514
Work Centers	$34.55	$12,609
Probation, Parole	$2.18	$797

FY03 Appropriated Budget $392,828,555

INMATE WORK
as of May 30, 2003

Number of inmates assigned to:	
OCI Production	995
Agri-Services	450
Warden's Crews	51
PPW Crews	1,816
Institutional Gardens	472
Institutional Support	7,587
Work Release	962

CRIME TYPE
as of May 30, 2003

Nonviolent	13,892	60.2%
Violent	9,187	39.8%
The top five controlling offenses:		
Drugs:		
Distributing Controlled	4,099	17.8%
Possession/Obtaining	2,696	11.7%
Robbery	1,759	7.6%
Murder I	1,536	6.7%
Larceny	1,480	6.4%

INMATE PROGRAMS (as of May 30, 2003)

Number of inmates assigned to:			
Substance Abuse Treatment	5,029	Educational programs	4,205
Therapeutic Community	2,112	Completed GED program	54
Sex Offender Program	49	Career-Tech Training	328

INMATES RECEIVED (as of May 30, 2003)

Inmate receptions during the month of May	695
Inmates received for fiscal year to date	7,589
Recidivism rate (within 3 years)	25.4%

RESTITUTION & FEES (as of May 30, 2003)

	FY2003	FY2002
Restitution Collected	$1,524,100	$1,811,253
Restitution Distributed to Victims	$1,613,280	$1,895,177
Probation, Parole, PSI and EMP fees collected	$5,371,155	$5,840,399

COMMUNITY SENTENCING (as of May 30, 2003)

Number of offenders receiving a community sentence*	5,457
Cummulative number of offenders with active community sentence	4,261

*Cummulative number from March 2000 implementation of program

RANDOM DRUG TESTING (as of May 30, 2003)

Security Level	**Number Tested**	**Number Positive**	**Number Negative**	**Percent Positive**
Public Maximum	40	1	39	2.5
Public Medium	147	3	144	2.0
Public Minimum	130	2	128	1.5
Community	46	0	46	0.0
DOC Facility Total	**363**	**6**	**357**	**1.7**
Private Medium	100	0	100	0.0
Private Community	21	1	20	4.8
Private Total	**121**	**1**	**120**	**0.8**
At-Facility Total	**484**	**7**	**477**	**1.4**

1H

"Survey of Oklahoma Department of Corrections Female Offenders Conducted in September 2002."

Survey of Oklahoma Department of Corrections Female Offenders

Facility Total Responses		MBCC-MSU 85	MBCC 88	Wyoming 41	Hawaii 40	KBCCC 41	New Directions 43	EWCC 464	COCF 414	TOTAL 1216	% of Total
Age	18-25	18	8	12	5	4	1	61	84	193	15.87%
	26-35	29	28	11	16	9	22	184	145	444	36.51%
	36-45	25	35	12	13	21	15	162	129	412	33.88%
	46 & over	13	17	6	6	7	5	57	56	167	13.73%
Education (Years)	1-6	1	2	0	2	0	0	4	4	13	1.07%
	7-11	39	19	9	9	11	8	134	129	358	29.44%
	12 or GED	32	50	28	26	17	32	219	209	613	50.41%
	College	13	17	9	3	13	11	107	72	245	20.15%
Race	African American	26	12	1	0	9	8	99	86	241	19.82%
	Caucasian	40	50	29	9	25	27	273	238	691	56.83%
	Native American	13	17	4	1	6	2	64	63	170	13.98%
	Other	2	5	8	31	1	1	30	27	105	8.63%
Do you have children?	Yes	71	74	29	33	33	39	387	317	983	80.84%
	No	12	12	12	7	8	2	61	70	184	15.13%
Children's ages	12 and under	116	59	35	44	24	36	459	297	1070	47.81%
	13-19	38	52	13	21	29	21	235	177	586	26.18%
	Adult: 20 +	56	65	12	15	26	31	192	185	582	26.01%
General Health	Excellent	32	29	12	17	14	10	144	129	387	31.83%
	Good	47	55	26	22	26	32	251	235	694	57.07%
	Poor	6	2	3	0	1	0	40	30	82	6.74%
Marital Status	Married	25	21	8	5	13	13	116	104	305	25.08%
	Widowed	1	14	3	0	3	2	19	25	67	5.51%
	Divorced/Separated	34	34	14	18	19	24	196	153	492	40.46%
	Never Married	23	18	16	17	6	8	122	108	318	26.15%
How many times been married	Once	35	25	13	17	17	22	175	144	448	50.34%
	Twice	17	25	4	3	9	10	122	81	271	30.45%
	Three Times	5	13	4	0	5	4	55	29	115	12.92%
	Four or More	6	8	3	1	4	1	13	20	56	6.29%
Been in an abusive relationship	Yes	55	68	32	26	34	28	345	278	866	71.22%
	No	29	21	9	14	7	17	102	111	310	25.49%
Filed a protective order	Yes	22	39	6	6	14	13	179	123	402	33.06%
	No	63	48	35	33	27	33	255	265	759	62.42%
Intimate partner abuse	Yes	23	58	30	25	28	25	290	244	723	59.46%
	No	38	23	11	15	13	20	238	137	495	40.71%
Any sexual abuse	Yes	9	42	17	9	7	14	164	108	370	30.43%
Any physical abuse	Yes	49	57	26	25	28	25	312	240	762	62.66%
Received social assistance	Yes	33	37	21	22	22	22	251	179	587	48.27%
	No	51	40	20	17	19	15	169	192	523	43.01%
Employment prior to incarceration	Full Time	40	48	26	13	25	24	214	182	572	47.04%
	Part Time	10	14	6	7	3	3	77	50	170	13.98%
	Unemployed	3	25	9	15	13	14	142	129	350	28.78%
Current Offense	Violent	17	48	5	11	1	0	67	160	309	25.41%
	Property	13	4	8	7	6	5	51	29	123	10.12%
	Drug	54	30	19	10	27	30	298	147	615	50.58%
	Other	7	6	11	16	10	5	78	65	198	16.28%
Sentence being served	LWOP	0	12	0	0	0	0	0	10	22	1.81%
	Life	0	13	0	3	0	0	0	30	46	3.78%
	Less than 10 yr.	62	23	39	21	20	31	218	125	539	44.33%
	More than 10 yr.	28	29	2	14	13	7	181	187	461	37.91%
If violent, relationship to victim	Intimate	3	10	1	0	0	0	12	18	44	14.24%
	Relative	6	14	3	4	0	0	14	40	81	26.21%
	Acquaintance	1	7	3	2	0	2	18	59	92	29.77%
	Stranger	6	15	1	5	1	1	24	53	106	34.30%
Prior sentences	None	36	50	22	19	22	25	201	161	536	44.08%
	Juvenile	4	6	5	1	1	0	16	117	150	12.34%
	Adult only	39	22	8	12	15	20	201	133	450	37.01%
	Both	4	4	5	6	3	0	43	40	105	8.63%
Persons lived with most as child	Both Parents	42	43	19	19	24	31	248	276	702	57.73%
	Mother only	25	20	13	11	13	7	135	128	352	28.95%
	Father only	2	5	1	3	2	1	20	13	47	3.87%
	Other	14	16	8	7	4	6	92	64	211	17.35%
Sexually abused as child	Yes	22	38	15	6	11	11	158	168	429	35.28%
	No	63	44	26	31	31	34	275	216	720	59.21%
Physically abused as child	Yes	17	25	19	12	12	9	153	106	353	29.03%
	No	67	60	22	27	27	34	280	242	759	62.42%
Violence in family as child	Yes	24	38	21	17	15	13	203	180	511	42.02%
	No	58	44	20	22	25	31	232	188	620	50.99%
Family members	Yes	46	37	14	17	15	14	233	211	587	48.27%

Survey of Oklahoma Department of Corrections Female Offenders

Facility Total Responses		MBCC-MSU 85	MBCC 88	Wyoming 41	Hawaii 40	KBCCC 41	New Directions 43	EWCC 464	COCF 414	TOTAL 1216	% of Total
incarcerated	No	45	44	27	22	25	27	187	145	**522**	**42.93%**
Relationship	Parent	17	13	4	3	4	5	62	71	**179**	**14.72%**
	Sibling	25	18	7	10	17	16	149	133	**375**	**30.84%**
	Husband	2	0	0	0	1	0	9	9	**21**	**1.73%**
	Other	23	14	3	5	3	8	113	109	**278**	**22.86%**
Did parents abuse alcohol	Yes	39	42	21	15	22	20	203	179	**541**	**44.49%**
	No	45	41	20	24	19	23	225	178	**575**	**47.29%**
Did parents abuse drugs	Yes	15	16	16	7	4	13	116	108	**295**	**24.26%**
	No	72	65	25	33	38	30	312	257	**832**	**68.42%**
Did you abuse alcohol	Yes	22	21	21	11	15	16	158	140	**404**	**33.22%**
	No	61	56	20	23	27	20	262	164	**633**	**52.06%**
Did you abuse drugs	Yes	60	48	30	26	31	21	322	208	**746**	**61.35%**
	No	24	32	11	14	11	14	100	101	**307**	**25.25%**
If yes, Type of Drugs Used	Marijuana	26	33	21	11	13	11	175	180	**470**	**27.65%**
	Cocaine	28	24	18	13	14	12	162	127	**398**	**23.41%**
	Heroin	5	8	6	3	1	1	38	39	**101**	**5.94%**
	Barbiturates	5	9	4	1	2	1	62	45	**129**	**7.59%**
	Other	32	38	28	14	21	17	253	199	**602**	**35.41%**

c:janetb:DM:SurveyResults.xls

1I

“Inmate Profile for End of Month Population for December 2002.”

INMATE PROFILE FOR END OF MONTH POPULATION FOR DECEMBER 2002

	MALE		FEMALE		TOTAL	
	NUM.	PERCENT	NUM.	PERCENT	NUM.	PERCENT
GENDER	20443	90.0	2259	10.0	22702	100.0
AGE						
UNKNOWN	1	0.0	0	0.0	1	0.0
<= 20	485	2.4	30	1.3	515	2.3
21 - 25	3000	14.7	264	11.7	3264	14.4
26 - 30	3340	16.3	356	15.8	3696	16.3
31 - 35	3222	15.8	433	19.2	3655	16.1
36 - 40	3240	15.8	458	20.3	3698	16.3
41 - 45	3141	15.4	386	17.1	3527	15.5
46 - 50	2001	9.8	210	9.3	2211	9.7
51 - 55	1038	5.1	78	3.5	1116	4.9
>= 56	975	4.8	44	1.9	1019	4.5
TOTAL	20443	100.0	2259	100.0	22702	100.0
AVERAGE	36.5		36.2		36.5	
RACE						
WHITE	11745	57.5	1395	61.8	13140	57.9
BLACK	6043	29.6	595	26.3	6638	29.2
INDIAN	1659	8.1	203	9.0	1862	8.2
HISPANIC	907	4.4	60	2.7	967	4.3
OTHER	89	0.4	6	0.3	95	0.4
TOTAL	20443	100.0	2259	100.0	22702	100.0
CONTROLLING OFFENSE						
BURGLARY II	1218	6.0	40	1.8	1258	5.5
LARCENY	1353	6.6	157	6.9	1510	6.7
BOGUS CHECK/CARD	150	0.7	63	2.8	213	0.9
FORGERY	399	2.0	149	6.6	548	2.4
FRAUD	285	1.4	64	2.8	349	1.5
EMBEZZLEMENT	62	0.3	20	0.9	82	0.4
UNA. USE MOTOR VEH.	303	1.5	26	1.2	329	1.4
ALCOHOL RELATED	937	4.6	61	2.7	998	4.4
POSS./OBTAIN. DRUGS	2173	10.6	489	21.6	2662	11.7
DISTRIBUTING CDS	3292	16.1	456	20.2	3748	16.5
ESCAPE	352	1.7	37	1.6	389	1.7
BURGLARY I	386	1.9	17	0.8	403	1.8
MURDER I	1407	6.9	109	4.8	1516	6.7
MURDER II	375	1.8	48	2.1	423	1.9
MANSLAUGHTER	332	1.6	35	1.5	367	1.6
KIDNAPPING	160	0.8	10	0.4	170	0.7
RAPE	1361	6.7	11	0.5	1372	6.0
ROBBERY	1664	8.1	106	4.7	1770	7.8
ASSAULT	1306	6.4	78	3.5	1384	6.1
ARSON	110	0.5	22	1.0	132	0.6
SEX (NOT RAPE)	946	4.6	13	0.6	959	4.2
EXPLOSIVES	13	0.1	0	0.0	13	0.1
WEAPONS	653	3.2	28	1.2	681	3.0
MISC. NON-VIOLENT	536	2.6	103	4.6	639	2.8
MISC. VIOLENT	156	0.8	35	1.5	191	0.8
UNCLASSIFIED	514	2.5	82	3.6	596	2.6
TOTAL	20443	100.0	2259	100.0	22702	100.0

TOTAL NON-VIOLENT = 13938 (61.4 %) TOTAL VIOLENT = 8764 (38.6 %)
NOTE: TOTALS REPRESENT THE JURISDICTIONAL POPULATION.

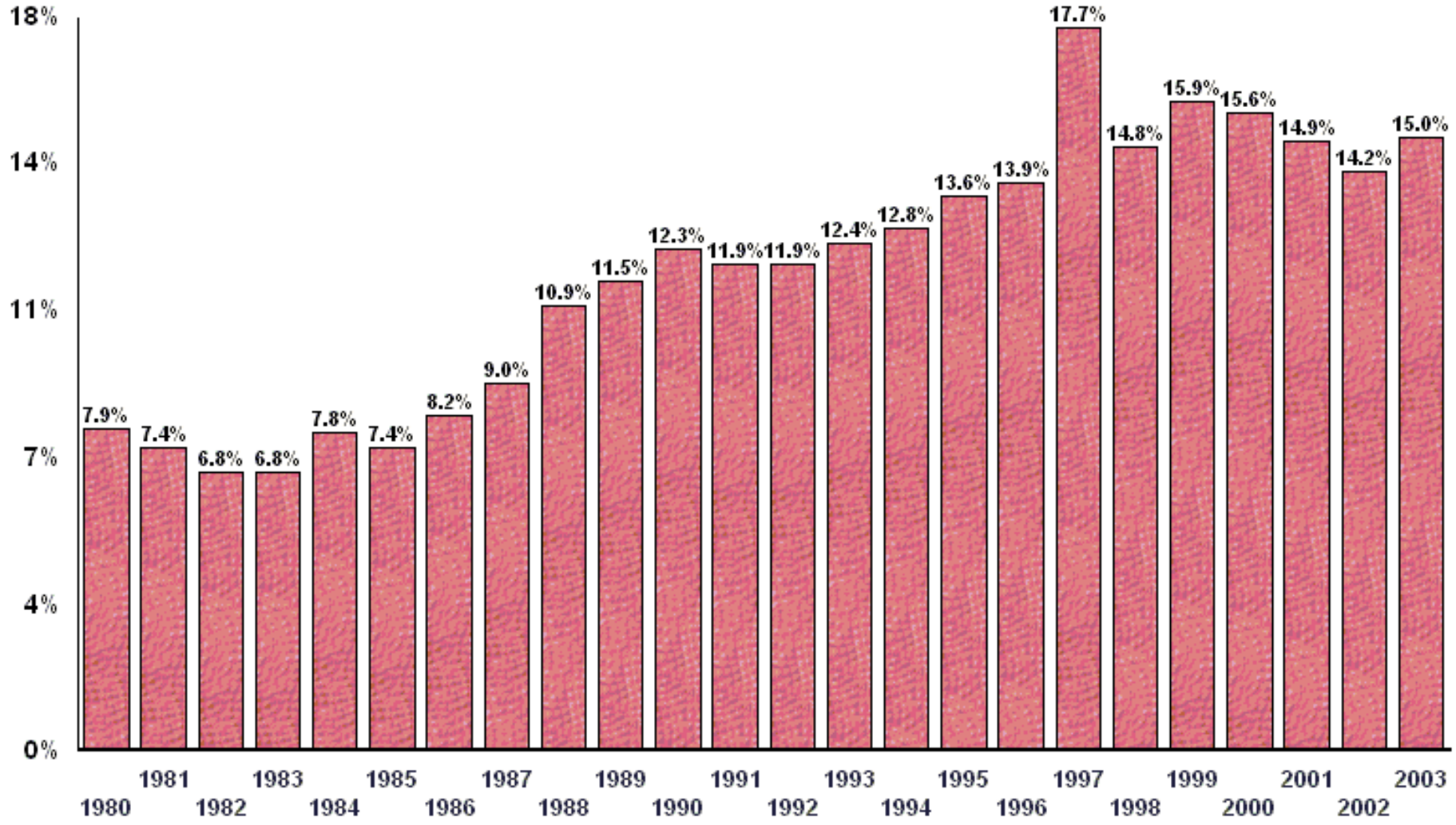
1J

"Female Receptions as a Percent of All Receptions from FY 1980 through FY 2002."

OKLAHOMA DEPARTMENT OF CORRECTIONS

FEMALE RECEPTIONS AS A PERCENT OF ALL RECEPTIONS

FROM FY1980 THROUGH FY2003



2A

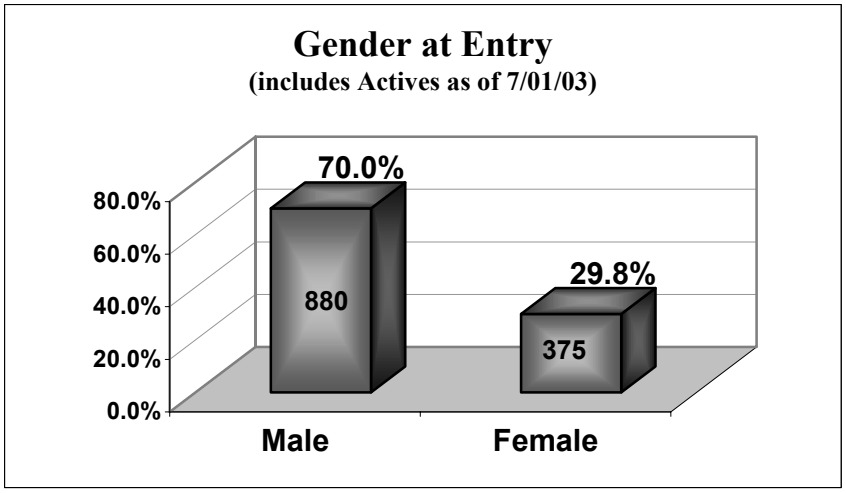
"Drug Courts." A list of existing and planned drug courts, by county, and a set of charts and graphs. OCJRC.

Drug Courts

County	Type
Beckham	Adult, Juvenile
Canadian	Family, Juvenile
Cherokee	Adult
Cleveland	Adult, Juvenile
Craig	Adult
Creek	Adult
Garfield	Juvenile
Haskell/Latimer/Leflore	Adult
Hughes	Adult
Mayes	Adult
McClain/Garvin	Adult
Muskogee	Adult
Oklahoma	Adult
Payne	Adult, Juvenile
Pontotoc	Adult, Juvenile
Pottawatomie	Adult
Rogers	Adult
Seminole	Adult, Juvenile
Sequoyah	Adult
Tulsa	Adult, DUI, Family, Juvenile
Wagoner	Adult

Planned Drug Courts

Bryan	Adult
Comanche	Adult
Jackson	Adult
Lincoln	Adult
McCurtin	Adult
Muskogee	Juvenile
Stephens	DUI
Woodward	Adult

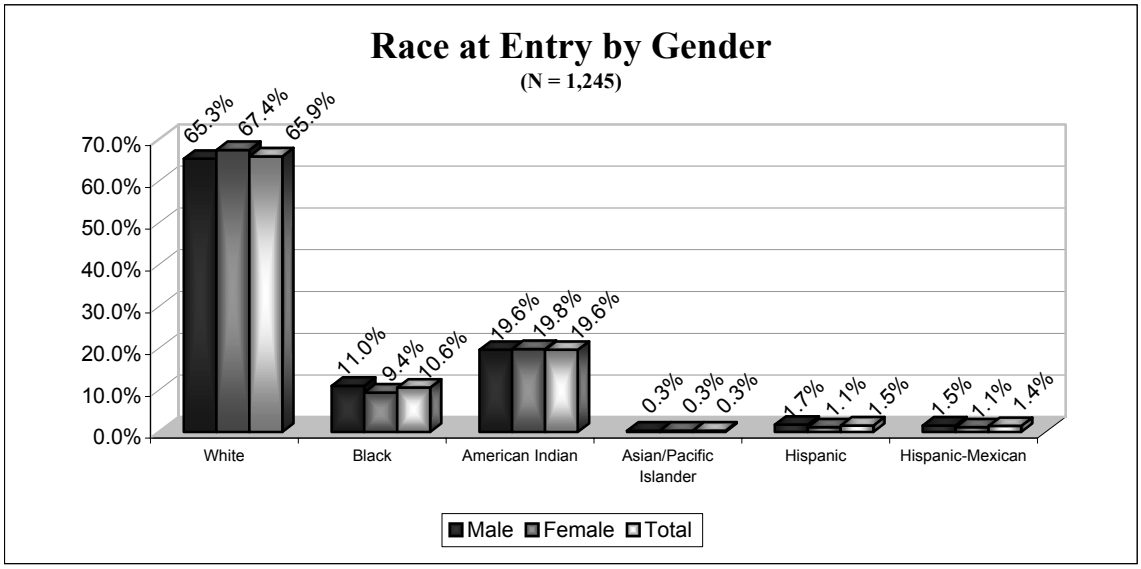


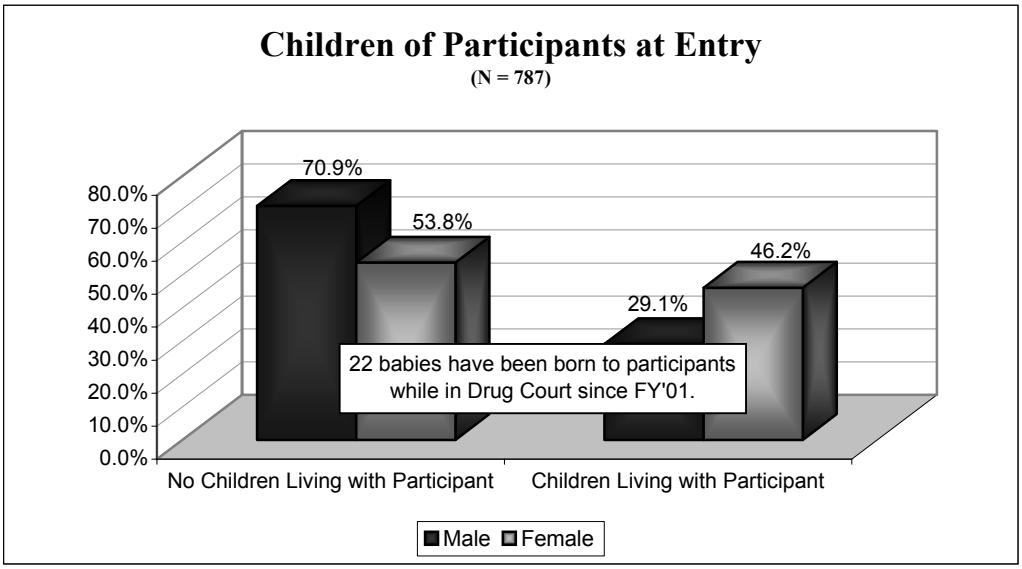
Gender by County

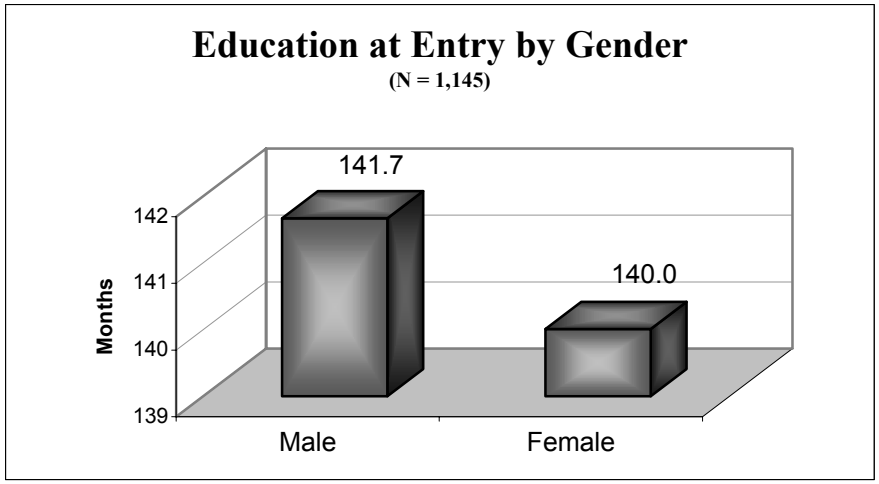
County	Males	Females	Total
Cherokee	36 60%	24 40%	60 100%
Craig	8 61.5%	5 38.5%	13 100%
Creek	86 71.7%	34 28.3%	120 100%
Hughes	14 66.7%	7 33.3%	21 100%
Leflore	52 67.5%	23 29.9%	77 100%
McClain/Garvin	25 69.4%	11 30.6%	36 100%
Mayes	25 69.4%	11 30.6%	36 100%
Muskogee	34 64.2%	19 35.8%	53 100%
Oklahoma	63 47.4%	70 52.6%	133 100%
Payne	73 72.3%	28 27.7%	101 100%
Pontotoc	101 69.7%	44 30.3%	145 100%
Pottawatomie	37 80.4%	9 19.6	46 100%
Rogers	71 84.5%	13 15.5%	84 100%
Seminole	85 85%	15 15%	100 100%
Tulsa	53 68.8%	24 31.2%	77 100%
Tulsa DUI	58 92.1%	5 7.9%	63 100%
Wagoner	59 64.1%	33 35.9%	92 100%
Total	**880** **70%**	**375** **29.8%**	**1257** **100%**

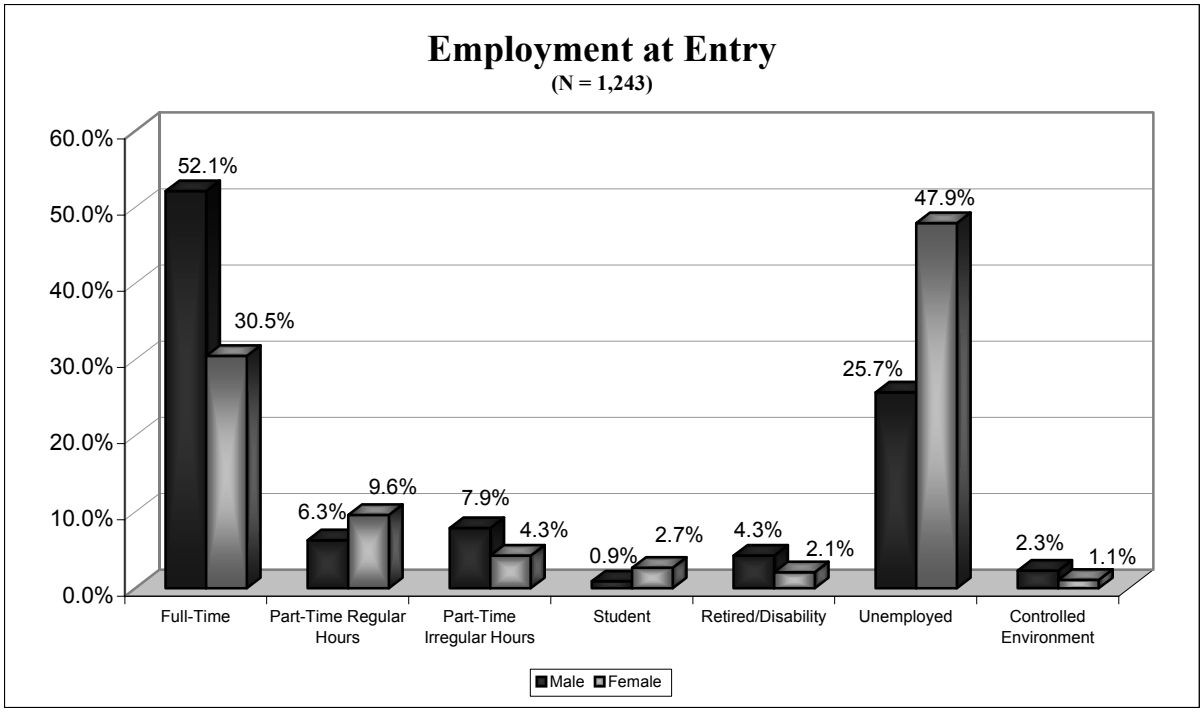
Drug Court Status by Gender

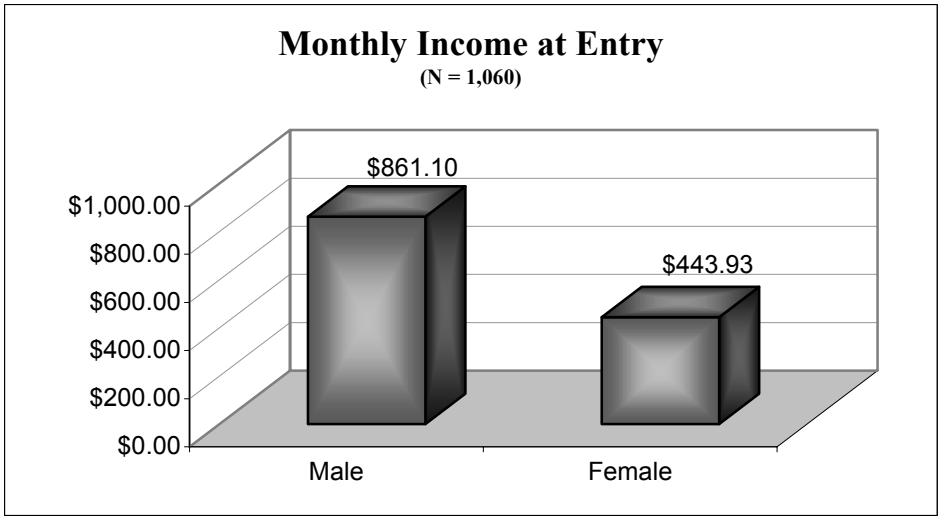
Status	Male		Female		Total	
	Number	Percent	Number	Percent	Number	Percent
Active	510	58.0%	210	56.0%	720	57.3%
Graduated	233	26.5%	98	26.1%	333	26.5%
Absent	27	3.1%	16	4.3%	43	3.4%
Terminated	82	9.3%	40	10.7%	122	9.7%
Other (death, withdrawal)	2	0.2%	2	0.5%	4	0.3%
Unknown	26	3.0%	9	2.4%	35	2.8%
Total	**880**	**100.0%**	**375**	**100.0%**	**1257**	**100.0%**






Education at Entry by Gender
(N = 1,145)
Months
142
141
140
139
141.7
140.0
Male
Female

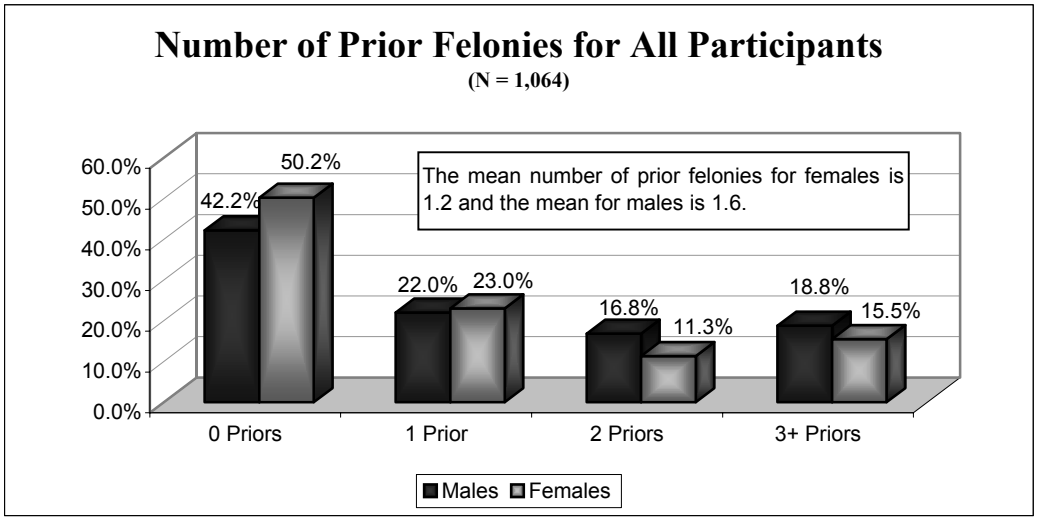

Employment at Entry
(N = 1,243)
60.0%
50.0%
40.0%
30.0%
20.0%
10.0%
0.0%
52.1%
30.5%
6.3%
9.6%
7.9%
4.3%
0.9%
2.7%
4.3%
2.1%
25.7%
47.9%
2.3%
1.1%
Full-Time
Part-Time Regular Hours
Part-Time Irregular Hours
Student
Retired/Disability
Unemployed
Controlled Environment
Male
Female



Mean ASI Scores at Entry for All Participants

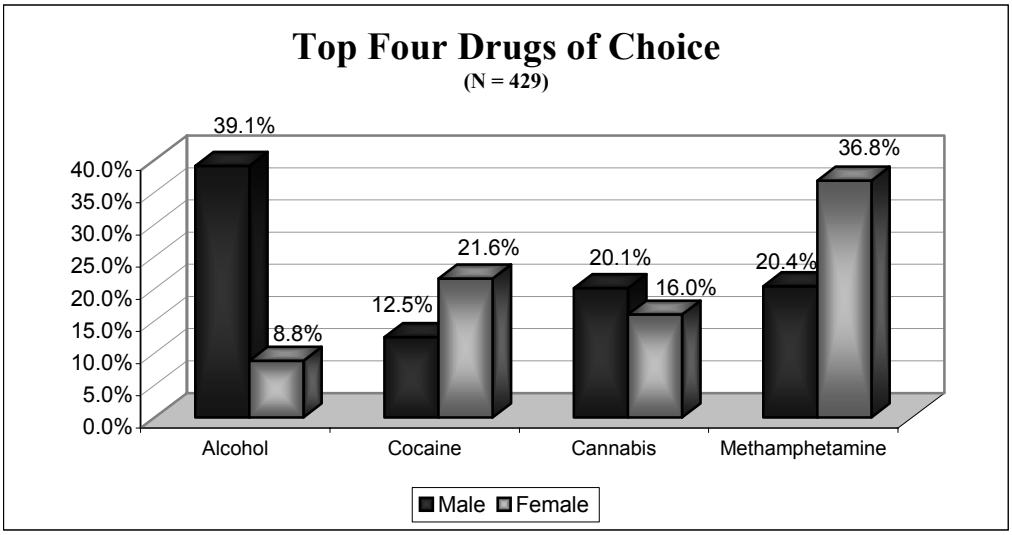
(Scale runs 0 – 9 with higher values being worse)

	Medical	Employment/ Support	Alcohol	Drug	Legal	Family/ Social	Psychiatric
Males	1.4	3.1	5.3	5.5	5.4	3.7	2.1
Females	1.9	3.8	4.2	6.3	5.5	4.8	2.8
Total	**1.6**	**3.3**	**5.0**	**5.7**	**5.5**	**4.0**	**2.3**

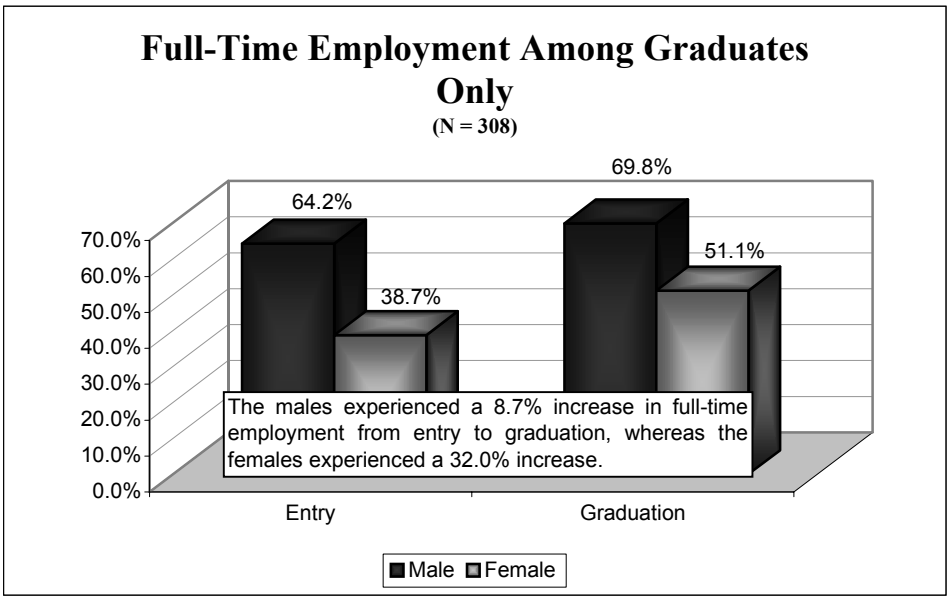


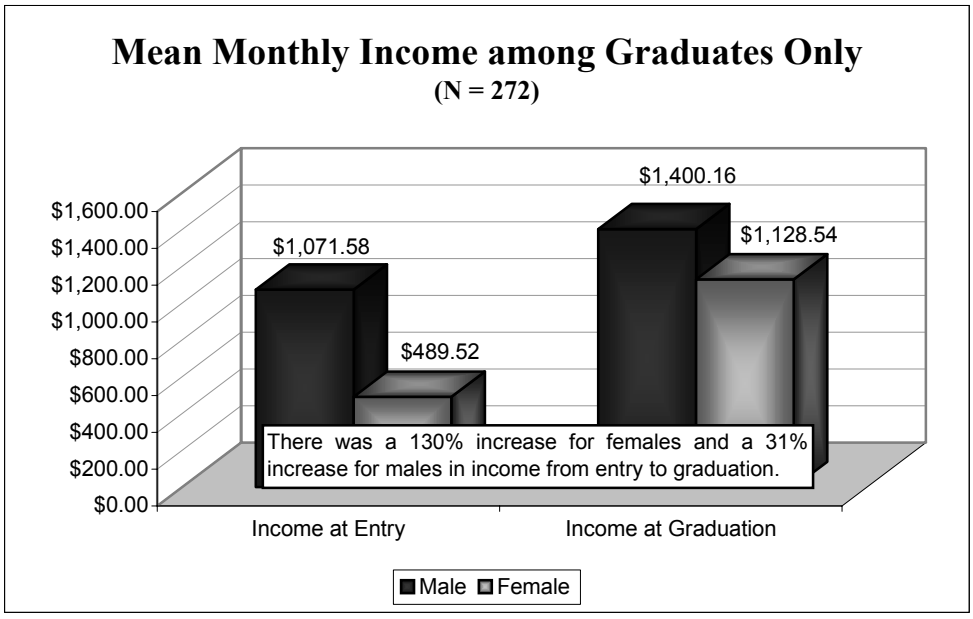
Top Five Felonies for Males and Females

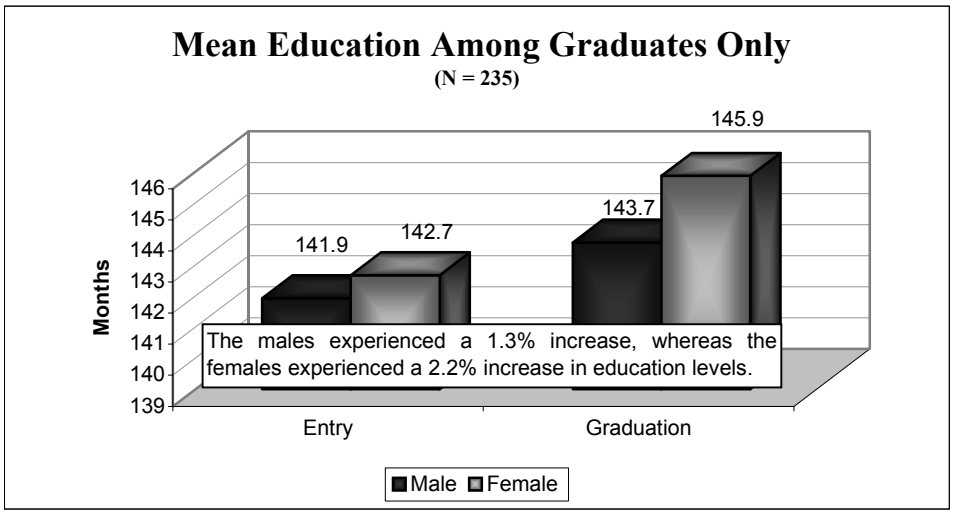
Males			Females		
	#	%		#	%
1. Possess CDS	311	35.3%	**1. Possess CDS**	187	49.9%
2. DUI/APC	298	33.9%	**2. DUI/APC**	41	10.9%
3. PWID CDS	51	5.8%	**3. PWID CDS**	27	7.2%
4. Burglary	26	3.0%	**4. Obtain CDS by Fraud**	15	4.0%
5. Manufacture CDS	12	1.5%	**5a. False Pretense/ Bogus Check**	7	1.9%
			5b. Grand Larceny	7	1.9%



Outcomes


Full-Time Employment Among Graduates Only
(N = 308)
69.8%
64.2%
51.1%
38.7%
70.0%
60.0%
50.0%
40.0%
30.0%
20.0%
10.0%
0.0%
The males experienced a 8.7% increase in full-time employment from entry to graduation, whereas the females experienced a 32.0% increase.
Entry
Graduation
Male
Female


Mean Monthly Income among Graduates Only
(N = 272)
$1,400.16
$1,600.00
$1,400.00
$1,200.00
$1,000.00
$800.00
$600.00
$400.00
$200.00
$0.00
$1,071.58
$1,128.54
$489.52
There was a 130% increase for females and a 31% increase for males in income from entry to graduation.
Income at Entry
Income at Graduation
Male
Female



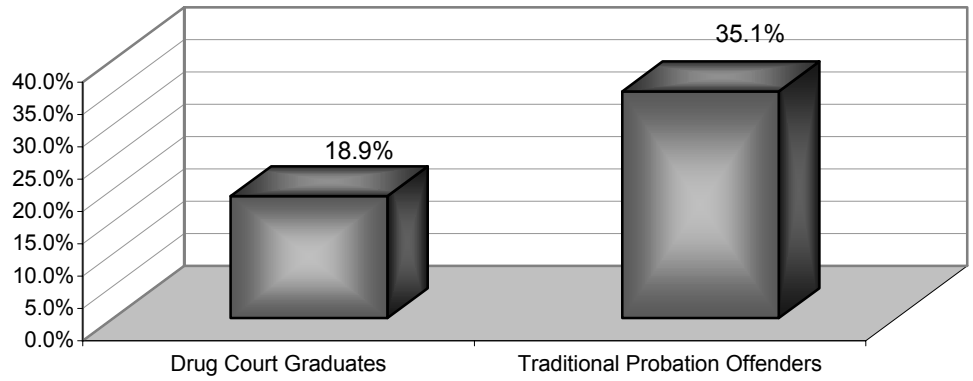
Mean ASI (Addiction Severity Index) Scores for Graduates Only

(Scale runs 0 – 9 with higher values being worse)

	Male		Female	
	Entry	**Graduation**	**Entry**	**Graduation**
Medical	2.0	1.0	2.8	0.9
Employment/Support	3.1	0.7	4.3	1.0
Alcohol	6.1	2.7	4.5	1.3
Drug	5.2	2.1	6.4	2.3
Legal	5.9	1.3	6.4	1.6
Family/Social	4.1	1.2	5.5	1.5
Psychiatric	2.7	0.5	3.4	1.2

Comparison of Re-Arrest Among Drug Court Graduates and Traditional Probation Offenders*

(N = 333)



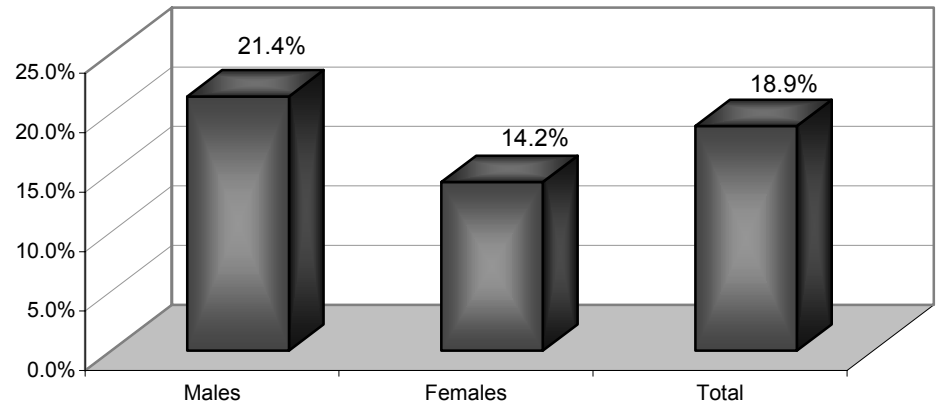
* 36 Months after entry.

Drug Court Graduates - Includes graduates from Tulsa, Oklahoma, Creek, Pontotoc, Pottawatomie, and Seminole counties.

Traditional Probationers - Offenders were matched to drug court graduates on several factors including current charge and number of

Re-Arrest of Drug Court Graduates After 36 Months*

(N = 333)



* Includes graduates from Tulsa, Oklahoma, Creek, Pontotoc, Pottawatomie, and Seminole counties.

2B

"Drug Offenders to Prison by Gender 2001." A chart prepared July 30, 2003. OCJRC.

The following document is not yet available in this version of this publication.

2-B - *"Drug Offenders to Prison by Gender 2001." A chart prepared July 30, 2003*

2C

"Oklahoma Sentencing Commission: Recommendations to the Legislature about Felony Sentencing." OCJRC. 2003.

Oklahoma Sentencing Commission
3812 N. Santa Fe, Suite 290
Oklahoma City, Oklahoma 73118
(405) 524-5900 • Fax (405) 524-2792

Recommendations to the Legislature about Felony Sentencing

March 27, 2003

Statewide felony sentencing data indicates that the number of offenders projected to be in prison and sentenced to prison for the coming years will outstrip the number of prison beds the state Department of Corrections budget can support. The Oklahoma Sentencing Commission offers this report to the Legislature in an effort to help balance the demands on the prison system while maximizing protection of the public.

Members of the Oklahoma Sentencing Commission

Senator. Jerry L. Smith, R-Tulsa, Chair
Appointed by Senate President Pro-Tempore
Representative Terry Ingmire, R-Stillwater, Co-Chair
Appointed by Speaker of House of Representatives
Rep. Lucky Lamons, D-Tulsa
Appointed by Speaker of House of Representatives
Sen. Dick Wilkerson, D-Atwood
Appointed by Senate President Pro-Tempore
Drew Edmondson, Attorney General
or Tom Gruber, First Assistant AG
Scott Meacham, OSF Director
or Rollo Redburn , OSF Budget Division
Office of State Finance
Stephen Coit
General Counsel, Commissioners of the Land Office
Citizen Appointee of the Governor
Justice James Winchester
Oklahoma Supreme Court
Appointed by Chief Justice
Robert A. Ravitz
Oklahoma Co. Chief Public Defender
Appointed by Administrative Office of the Courts
John Wampler
District Attorney, Jackson County
Appointed by District Attorneys Council
Danny C. Williams
Defense Attorney, Tulsa
Appointed by Oklahoma Bar Association
Judge Charles L. Goodwin
Presiding Judge, Custer County
Appointed by Assembly of Presiding Judges
Toby Taylor
Crime Victim, Oklahoma City
Appointed by Sentencing Commissioners
James Drummond
Division Chief, Oklahoma Indigent Defense System
Tom Jordan
Acting Director, OSBI

22 O.S. § 1512: (T)he Commission shall: Determine the long-range needs of the criminal justice and corrections systems and recommend policy priorities for those systems; Identify critical problems in the criminal justice and corrections systems and recommend strategies to solve those problems; Assess the cost-effectiveness of the use of state and local funds in the criminal justice and corrections systems; Recommend the goals, priorities and standards for the allocation of criminal justice and corrections funds; Recommend means to improve the deterrent and rehabilitative capabilities of the criminal justice and corrections systems; (and) Propose plans, programs and legislation for improving the effectiveness of the criminal justice and corrections systems.

1. Strategies to Broaden Use of Probation Sentences

Finding A: Community-based supervision programs are more likely to produce positive outcomes for lower risk offenders than prison sentences. Recidivism rates (measured by re-arrest) of offenders after 36 months are as follows: 19% for Drug Court graduates, 35% for standard probation offenders, and 67% for prisoners.

Finding B: Accountability during probation supervision is essential to modifying offender behavior. Rules of probation must be respected, and sanctions for non-compliance must be swift and certain.

Finding C: Due process considerations make the current probation revocation process cumbersome, requiring a filing by the District Attorney and a hearing before a judge.

Finding D: Oklahoma uses probation at a rate that is 35% below the national average, according to a 2001 report by the Bureau of Justice Statistics.

Finding E: Jail sentences (an intermediate punishment between probation and prison) also appear to be an under-utilized option for low-level offenders. For the felony of simple drug possession, Oklahoma uses jail sentences at a rate about one-half the national average. Fourteen percent of felony offenders in Oklahoma received a jail sentences, compared to about 32% nationally.

Finding F: Central to the success of the proposed changes is a substantial increase in the funding level and an increase in the number of probation and parole officers to supervise offenders given all types of probation sentences.

1. a. Repeal the prohibition against probation sentences.

Finding 1:
Current law restricts the courts from suspending many sentences, which eliminates use of probation for many offenders. A suspended prison sentence is banned for a person convicted of a third or subsequent felony, unless waived by DA.

Finding 2:
Current law ties the hands of judges, such that they cannot give probation sentences to good candidates for treatment, even when the judge determines the offender is not a threat to public safety.

Finding 3:
OCJRC data for 2001 indicates that many offenders with prior offenses are receiving probation sentences.

- ✓ among the 4,489 offenders receiving deferred sentences, at least 289 persons or 6.4% had a prior felony offense;
- ✓ among the 4,263 offenders given suspended sentences, at least 891 or 20.9% had two or more prior offenses.

Recommendation 1a: The statutory prohibition against suspended sentences for certain offenders should be repealed, allowing courts the option of using community supervision programs as alternatives to prison.

1. b. Make judges the gatekeepers for Community Sentencing.

Finding 1:
Community Sentencing laws require approval of the prosecutor before courts can consider these options.

Recommendation 1b: In an adversarial judicial system, judges are better positioned than prosecutors to determine eligibility for Community Sentencing.

1. c. Utilize Intermediate Sanctions for Probation instead of Revocation.

Finding 1:
Standard probation lacks sufficient intermediate sanctions. The offender often ignores probation officers' warnings of revocation with no apparent consequence.

Finding 2:
Revocation sentences could be served in jails or other facilities, where these facilities exist, that cost the state less than the average $43/day cost of a prison bed.

Recommendation 1c: The law should provide for immediate sanctions to intermediate punishments (e.g., short jail stints, day reporting, program attendance, community service), by either providing an administrative process for sanctioning offenders or by establishing a streamlined judicial process.

1. d. Retain the Current Maximum Allowable Length of Deferred Sentences.

Recommendation 1d: The maximum length of deferred sentences should remain at 5 years.

2. Minor Drug Possession Sentence Modifications

Finding A: The top-ranked felony offense in Oklahoma for at least the last five years has been Drug Possession. In 2001, drug possessors accounted for 4,186 or 23% of the 18,777 felony convictions.

Finding B: The top reason felony offenders are imprisoned in Oklahoma is Drug Possession. In 2001, drug possessors accounted for 1,432 or 20% of the 7,324 people received to prison during that year.

Finding C: Oklahoma statutes allow a large range of punishment for most drug possession crimes: 2-10 years imprisonment for first offense, and 4-20 years for a second offense.

Finding D: Drug abuse and addiction are one of the few underlying causes of crime with accepted treatment options.

2. a. Establish a Quantity Threshold for Marijuana Possession.

Finding 1:
Marijuana possession accounts for 521 or 12% of the felony drug possessors convicted during 2001.

Finding 2:
Marijuana possessors accounted for 179 or 2% of new prisoners received to prison in 2001.

Recommendation 2a: Marijuana possession of one ounce or less should be considered a misdemeanor subject to fines, community service, mandatory treatment and jail.

2. b. Adjust Sentences for Drug Possession.

Finding 1:
Oklahoma offenders sentenced to prison for drug possession in 2001 received an average sentence of 64 months (5 years, 4 months). This is more than a year longer than the national average of 50 months (4 years, 2 months), according to the U.S. Department of Justice.

Recommendation 2b: Mandatory minimum prison sentences for drug possession should be eliminated in order to make better use of prison beds. Mandatory treatment for drug offenders should be instituted.

3. Equalize the Threshold for Crack vs. Powder Cocaine

Finding 1:
Current Oklahoma law provides a 10-to-life prison sentence for trafficking 50 or more grams of crack cocaine and the same sentence for trafficking 300 or more grams of powder cocaine.

Recommendation 3: The threshold disparity between crack and powder cocaine should be eliminated.

4. Establish Uniform Thresholds for Low-Level Theft Offenses

Finding 1:
SB 397 (2001) increased the felony threshold to $500 (and the imprisonment threshold to $1,000) for 10 common theft crimes (e.g., bogus checks, embezzlement).

Finding 2:
The 2001 changes failed to address other common low-level theft offenses, which collectively accounted for about 1,400 felony convictions.

Finding 3:
OCJRC data collected from courts indicate that the theft amount was less than $500 in at least 30% of the 1,400 cases.

Recommendation 4: A uniform felony threshold should be applied to low-level theft and property crimes to consistently articulate the state's priorities relating to felonies and imprisonment.

5. Ensure Post-Release Supervision of Sex Offenders

Finding 1:
62% of sex offenders released from prison during FY'01 were discharged with no parole or probation supervision.

Recommendation 5: Split sentences, whereby a prison term is followed by a period of supervised probation, should be required for sex offenders who will otherwise be released from prison without supervision.

6. Modification of Governor's Authority in the Parole Process

Finding 1:
Oklahoma is the only state in which the governor's signature is required before a standard parole is finalized (two states require the governor to affirm paroles of life sentences).

Finding 2:
The rate of executive approval of the Pardon and Parole Board actions has varied by administration:

- ✓ 90.4% during the Bellmon administration (1987-90)
- ✓ 80.2% during the Walters administration (1991-94)
- ✓ 78% during the Keating administration (1995-2002)

Finding 3:
The governor appoints three of the five parole board members.

Recommendation 6: The Constitution should be amended so that the Governor's signature is not required for parole release unless the District Attorney or victim has filed a protest of the parole with the Board, and that proof of notice to a victim who has requested notice and the District Attorney is on file with the board prior to consideration of parole.

7. Informing Victims about Commutation Possibility

Recommendation 7: District Attorneys should be required to advise victims that the state constitution allows executive commutation of any sentence, including a sentence of life without parole.

2D

"Substance Abuse Among Female Prisoners in Oklahoma." *Oklahoma Criminal Justice Research Consortium Journal* Vol. 1: August 1994. Moon, Dreama G., Garry L. Robison, Olayemi D. Akande, and Beverly Fletcher.

Substance Abuse Among Female Prisoners in Oklahoma

Dreama G. Moon
Garry L. Rolison
Olayemi D. Akande
Beverly R. Fletcher

Abstract

Using a volunteer sample of 547 women prisoners, this study compares drug users and nondrug users, White and Black drug users, and multiple drug use by race. Drug users are significantly more likely to be older, have a lengthier history of involvement with the criminal justice system, be serving time for a drug-related offense, and report more physical and emotional abuse than are nondrug users. Black drug users are significantly more likely to have used cocaine and to be currently serving time for Larceny, whereas White drug users are more likely to use a variety of drugs and to report higher levels of abuse. It is found that for Black women, abuse and lower levels of self- esteem are correlated with multiple drug use, whereas among White women, multiple drug use is correlated with history of criminal justice system involvement.

Although the number of women in U.S. state prisons is small compared to that of incarcerated men, the female inmate population has grown more rapidly than that of males every year since 1981 (Bureau of Justice, March, 1991). Women currently represent approximately 5.7 percent of the total inmate population in the United States; however, they comprise 12 percent of Oklahoma's prison population. For several years, the state of Oklahoma has led the nation in per capita rates of incarceration for women and its female inmate population literally doubled over a five year period (Oklahoma Department of Corrections, 1989).

Coterminous with the rise in the number of female prisoners is an increase in the number of incarcerated female drug users. In particular, female involvement with drugs has increased dramatically in both personal consumption and drug-related crime which, in turn, has contributed to the rising conviction and incarceration rates for women (Oklahoma Department of Corrections, 1989). During the decade of the 80s, the number of women arrested nationally for drug-related offenses increased at twice the rate of men arrested for the same crimes, 307 percent compared to 147 percent. Furthermore, it is estimated that between 75 and 90 per cent of female inmates have a drug and/or alcohol problem (Senna & Siegel, 1990). A national survey (Bureau of Justice Statistics, 1988) of inmates in state correctional facilities found that women are more likely than men to have used "hard" drugs such as cocaine, heroin, PCP, LSD, and methadone on a daily basis. In addition, a report published by the Oklahoma Department of Corrections (1989) found that almost three-fourths of the women imprisoned in Oklahoma prisons had used drugs sometime in their lives and that over half of them were under the influence of drugs at the time of their immediate offense.

The link between drug use and crime is complex and difficult to untangle. Viewing the connection between drug use and crime in a simple, causal manner oversimplifies their relationship. While it is unclear if one "causes" the other, it is apparent that they do reinforce one another (Bureau of Justice Statistics, 1992). Below we explore some of the ways that drug use, crime, and incarceration appear to be related.

Substance Use and Crime

Drug use and crime are related in at least three ways: psychopharmacological, economic compulsive, and systemic (Bureau of Justice Statistics, November, 1991). Drug users may commit a crime due to drug-induced changes in physiological functions, in order to obtain money to buy drugs, and/or in the course of being a part of the drug business or culture. The relationship between drug use and crime may be further compounded by nondrug-related economic necessity, a lack of alternative coping strategies, and general levels of drug use in society at large (Moon, Thompson, & Bennett, 1993). In addition, the use of certain types of drugs such as cocaine or heroin may be more likely to precipitate criminal activity than others due to their addictive properties (Bureau of Justice Statistics, 1992). Also, frequency of use is a factor as those who use drugs regularly are at greater risk for crime involvement than are irregular or nondrug users (Bureau of Justice Statistics, 1992).

While involvement in crime may precede drug use, serious drug use appears to exacerbate criminal behavior. For those already involved with crime, increased drug use accelerates levels of criminal activity. According to the National Institute of Corrections (1991), drug abusers are involved in three to five times the number of crime incidents as those who do not use drugs and have significantly higher numbers of arrests than do those who do not use drugs. Additionally, drug-abusing offenders are more likely to resume their criminal careers once released from prison (National Institute of Corrections, 1991).

Drug Use, Crime, and Incarceration

As drug abusing offenders are arrested more often, they are more likely to be incarcerated than are non-drug-using offenders. In addition, as drug abusing offenders are more likely to resume criminal careers after release from prison, they are more likely to be re-arrested and incarcerated more often than nondrug using offenders (National Institute of Corrections, 1991). A high level of criminal activity is also strongly associated with the frequent use of drugs and the use of multiple drugs (Bureau of Justice Statistics, 1992).

Background Factors and Substance Abuse

In recent years, more attention has been devoted to research about female substance users, although, most of this focus has been on White women. Variables thought to be related to female drug use are economic factors (e.g, an increase in the numbers of single female headed households), low educational attainment levels, and psychological factors (e.g., a history of physical and/or sexual abuse and low self-esteem). A "typical" incarcerated

female drug user is envisioned as poor, a single head of household with at least one child, a high school drop-out/undereducated, and a survivor of physical and/or sexual abuse. She has a low level of self-esteem and a criminal history of shoplifting and petty thefts. This profile is explored in the present project.

Methods

Sampling Procedures

The findings reported here are based on surveys conducted in the state of Oklahoma during 1991 with a volunteer sample of 547 female inmates. This sample at Oklahoma's two women's prisons represents 82 percent of the total female inmate population at the time. Data collection was conducted by the Project for Recidivism Research and Female Inmate Training (PRRFIT), a multi-disciplinary, multi-racial research team then located at the University of Oklahoma.

The first prison, Site 1, is Oklahoma's only maximum security facility for women although it houses medium and minimum as well as maximum security prisoners. Usable responses were gathered from a total of 259 inmates representing 79 percent of the total Site 1 inmate population (325). Two hundred and eighty-eight usable surveys representing 83.2 percent of the inmate population (346) were gathered at the second research site, Site 2. Inmates at Site 1 and Site 2 received a preliminary orientation in which researchers explained both verbally and via written information sheets the purpose of the research project and answered questions and concerns about participation. At both research sites, the surveys were administered in areas such as dining rooms and inmate dorms and cells. Surveys were also gathered from death row inmates at Site 1. The researchers were present at both sites during the survey administration to answer questions and to assist inmates who were illiterate or who spoke Spanish as their first language. Surveys were administered over the summer and fall of 1991.

The survey instrument administered consisted of 142 closed and open-ended questions. The instrument asked questions about family history, economic status, self-image, criminal history, health, history of substance use and treatment, and program needs.

Analysis of Data

In our analyses we first look briefly at the overall sample, then at differences between drug users and nondrug users. Lastly, we examine differences between drug users by race. We compute descriptive statistics and conduct bivariate and tabular analyses. It should be noted that all percentages are based on the total number in the sample and that not all respondents provided answers to every question. Including respondents with missing values in the base lowers the percentages obtained thereby providing more conservative estimates.

Findings

Overall Sample

Sixty-two percent of the total sample report the use of nonprescription ("street") drugs prior to their current incarceration and about one-third are presently incarcerated for drug-related crimes (possession, manufacturing, and trafficking). Almost a third (31.9 percent) of Blacks and slightly more than a third (36 percent) of Whites are currently incarcerated for drug-related crimes.

To capture the extent of substance involvement, we construct three measures of multiple drug use. The first measure, MDRUG, is an additive scale of whether an individual had used one or more of the following substances prior to the present incarceration: alcohol, marijuana, opiates, heroin, cocaine, hallucinogens, speed, "downers," and inhalants. The second measure, MDRUG1, is the same as the first measure except that it excludes the two most commonly used substances, alcohol and marijuana. The last measure, MDRUG2, consists of illegal drug types including opiates, heroin, cocaine, hallucinogens, inhalants, and marijuana. Table 1 shows significant correlations between these measures of multiple drug use and selected demographic variables, perceived social class, physical and emotional abuse, self-esteem, and criminal justice system involvement.

The demographic variables selected are age, age at first pregnancy, and number of birth children. Our social class measure is a five point scale ranging from poor to rich. To assess emotional and physical abuse, we develop a four-item index in which we asked the respondent: (1) whether she had been physically abuse before the age of 18, (2) whether she had been physically abused after the age of 18, (3) whether she had been emotionally abused before the age of 18, and (4) whether she had been emotionally abused after the age of 18. Each item was measured on a four point continuum ranging from never to frequently. An index is also constructed to measure self-esteem. That index is comprised of six items asking respondents how true or false it is that they: (1) are a good person, (2) are a nice person, (3) are a friendly person, (4) are easy to like, (5) like the way they look, and (6) like themselves. Each item is measured using a five-point continuum from completely true to completely false. The Cronbach's alpha for both indices is approximately .80.

Criminal justice involvement was assessed by age at first arrest, age at first incarceration, number of misdemeanor and felony arrests as an adult, and the total number of adult incarcerations (see Table 1).

Table 1: Selected Significant Pearson Correlations for Dependent Variables*

	MDRUG	MDRUG1	MDRUG2
Age	-.125	-.054 (ns)	-.146
Age at 1st Pregnancy	-.075 (ns)	-.082+	-.098
Number of Children	-.132	-.125	-.120
Age at 1st Incarceration	-.200	-.161	-.259
Number of Adult Misdemeanor Arrests	.127	.135	.174
Number of Adult Felony Arrests	.175	.182	.174
Number of Incarcerations	.190	.220	.178
Adult Social Class	-.118	-.105	-.119
Self Esteem	.198	.214	.137
Abuse	.246	.243	.173

* $p < .05$, + = $p < .10$, ns = $p > .10$.
MDRUG = additive scale composed of whether inmate used alcohol, marijuana, opiates, heroin, cocaine, hallucinogens, inhalants, speed, or downers prior to present incarceration.
MDRUG1 = additive scale composed of the same items contained in MDRUG with alcohol and marijuana excluded.
MDRUG2 = additive scale composed of the illegal drugs contained in MDRUG.

Age is negatively related to MDRUG and MDRUG2 suggesting that the younger the woman, the more different types of drugs she has used before her present incarceration. Age at first pregnancy is negatively correlated with the illegal drug measure (MDRUG3) indicating that women whose first pregnancy occurred at a relatively early age are more likely to be multiple users of street drugs. Finally with respect to our demographic measures, women who have more children have used fewer different types of drugs.

Our social class measure after the age of 18 is negatively correlated with all three of our multiple drug use measures suggesting that multiple drug users are poorer than others. Our self-esteem measure, which is reverse coded, is positively correlated with all of our multiple drug use measures showing that lower levels of self esteem are associated with higher multiple drug use. Finally, higher levels of reported physical and emotional abuse are positively correlated with multiple drug use.

Our measures of criminal justice system involvement are all associated with multiple drug use. The younger the woman was at time of first arrest and first incarceration, the greater her involvement with multiple drug use. Additionally, greater numbers of adult misdemeanor and felony arrests are positively correlated with multiple drug use. In sum,

women who get involved with the criminal justice system at an early age and who experience multiple arrests tend to be multiple drug users.

Drug Users and Nondrug Users

In this section, we compare drug users and non-drug users. We define a drug user as a person who responded affirmatively to the question "Did you use any nonprescribed ("street") drugs before you were incarcerated?" This measure is chosen because we are interested in determining those factors that differentiate between those involved in the "drug culture" and others on the assumption that individuals who participate in the illegal transaction of drugs evidence an involvement with both drugs and crime.

In general, nondrug users are older than are drug users, 33.3 years to 31 years (t=3.09, p=.002). Drug users are likely to be younger at the time of their first pregnancy, 17.5 to 18.2 years (t=2.24, p=.025) and have less children, 2.48 to 2.91 (t=2.86, p=.004). While no difference was found between drug users and nondrug users in terms of high school graduation (which includes GED attainment), nondrug users are more likely to have earned a high school diploma, 41 percent compared to 30 percent (Chi square=6.8/1 df, p=.009). Drug-users are far more likely to have earned a GED, 32 percent compared to 19 percent (Chi square=11.6/1 df, p=.001) and to have earned the GED while in prison.

No differences were found between the two groups in terms of being sole providers for their household prior to current incarceration (61.2 percent for drug users and 61.6 percent for nondrug users, Chi square=.007/1 df, p=.931), being recipients of welfare (30.5 percent of drug users and 24.6 percent for non-drug users, Chi square=2.2/1 df, p=.140), whether they are married (23.7 percent of drug users and 28.4 percent of nondrug users, Chi square=1.6/1 df, p=.213) or in how they perceived their social class of origin (t=1.46, p=.146).

Drug users report significantly lower social class positions after age 18 than nondrug users (t=2.73, p=.007). They also are significantly more likely than nondrug users to have served time in a juvenile facility, 27 percent compared to 19 percent (Chi square=4.0/1 df, p=.046), to be arrested for the first time at a young age, 21.6 years to 26.6 years (t=6.96, p=.000), and to have been arrested more times for misdemeanors as juveniles (mean=2.2 to .4, t=-2.02, p=.044). There was no significant difference found between the two groups in terms of number of felony arrests before the age of 18 (mean=.52 for drug users to .31 for nondrug users, t=-1.62, p=.105). As adults, drug users are more likely than nondrug users to have both more misdemeanor (mean=3.0 to .6, t=-3.15, p=.002) and felony arrests (mean=3.4 to 1.6, t=-2.77, p=.006) and to have been incarcerated more times (mean=1.9 to 1.5, t=-2.53, p=.004).

Significant differences are noted between drug users and nondrug users for offense categories. Drug users are more likely to be incarcerated for drug-related crimes (40 percent compared to 22 percent, Chi square=18.3/1 df, p=.000), larceny (14.5 percent compared to 9 percent, Chi square=3.61/1 df, p=.057), burglary (3.0 percent versus .5 percent, Chi square=4.08/1 df, p=.043), and robbery (6.8 percent compared to 1.9 percent,

Chi square=6.7/1 df, p=.010). They are less likely than nondrug users to be incarcerated for fraud (4.14 percent versus 9.95 percent, Chi square=7.35/1 df, p=.007) and embezzlement (.3 percent versus 2.4 percent, Chi square=5.17/1 df, p=.023) However, because of small cell sizes for some of these offenses, chances are that only robbery, larceny, drug offenses, and fraud represent true statistical difference. When crimes are collapsed into aggregate categories of drug-related, property, violent, and public order, no significant differences are found between drug users and non-drug users except for drug-related crimes (Chi square=18.3/1 df, p=.000). The aggregate offense categories were constructed following the method used by the FBI Uniform Crime Reports.

Drug users are more likely to define the use of alcohol and/or drugs as problematic, 24 percent and 56 percent respectively, compared to 8 percent and 5 percent for non-drug users (Chi square=22.4/1 df, p=.000; Chi square=145.6/1 df, p=.000). They are also more likely than nondrug users to have participated in drug treatment either prior to or after incarceration, 41 percent and 40 percent compared to 4.7 percent and 5 percent respectively (Chi square=89.6/1 df, p=.000; Chi square=81.3/1 df, p=.000). In addition, drug users report more physical and emotional abuse, mean of 9.4, than non-drug users, mean of 8.2, (t=-3.29, p=.001). Tables 2 and 3 present the findings for this section.

Table 2: Comparison of Drug and Nondrug Users by Selected Demographic, Substance, and Offense Characteristics

	Chi-Square
Sole Provider of Household	0.0 (ns)
Welfare Recipient	2.2 (ns)
Married	1.6 (ns)
Served Time in Juvenile Facility	4.0*
HS Grad	6.8**
GED	11.6***
HS Diploma	6.8**
Alcohol Problem	22.4***
Drug Problem	145.6***
Drug Treatment Out of Prison	89.6***
Drug Treatment in Prison	81.3***
Larceny	3.6+
Fraud	7.4**

Robbery	6.7**
Drug Offenses	18.3***

df = 1
*** = p < .001, ** = p < .01, * p < .05, + = p < .10, ns = p > .10.

Table 3: **Comparison of Drug and Nondrug Users by Selected Demographic, Arrest, Abuse, and Self-Esteem Variables**

	Chi-Square
Age at 1st Arrest	6.96***
Age at 1st Incarceration	4.54***
No. of Juvenile Misdemeanor Arrests	-2.02*
No. of Juvenile Felony Arrests	-1.62 (ns)
No. of Adult Misdemeanor Arrests	-3.15**
No. of Adult Felony Arrests	-2.77**
No. of Incarcerations	-2.53**
Age	3.09**
Age at 1st Pregnancy	2.24*
No. of Children	2.86**
Abuse	-3.29***
Self-Esteem	-1.55 (ns)
Social Class Before Age 18	1.46 (ns)
Social Class After Age 18	2.73**

*** = p < .001, ** = p < .01, * = p < .05, ns = p > .05.

Drug Users By Race

We next examine drug users by race, however, due to small sample sizes for Native American, Hispanic, and Asian categories, only White and Black drug users are compared. We look at racial differences between drug users with respect to demographic, educational, and criminal justice system involvement factors.

No significant difference is found in terms of age for Black and White drug users (mean=30.8 versus 32.1 years). Black drug users are younger at the time of their first pregnancy (17.1 to 18 years, t=-2.1, p=.038) and have significantly more children than do White drug users (2.8 to 2.2 children, t=3.57, p=.000). Finally, White drug users are significantly more likely to be married: 29 percent compared to 17 percent for Blacks (Chi square=5.2/1 df, p=.023).

Educationally, White drug users are more likely to have either graduated high school or have earned a GED (71 percent of Whites compared to 50 percent of Blacks, Chi square=13.4/1 df, p=.000). No difference is found between Black and White drug users in terms of their likelihood to have earned a high school diploma (29 percent and 32 percent respectively); however, White drug users are more likely to have earned a GED than were Black drug users (38 percent and 20 percent respectively, Chi square=11.01/1 df, p=.001).

Economically, Black drug users are significantly more likely to have been the sole provider of their household prior to their current incarceration (73 percent compared to 58 percent, Chi square=7.1/1 df, p=.008) and are more likely to have received welfare before coming to prison (42 percent compared to 25 percent of Whites, Chi square=9.7/1 df, p=.002). Although White drug users report higher social class before age 18 (Chi square=13.8/5 df, p=.017), no difference in perceived social class is found between the two groups after age 18 (Chi square=1.4/5 df, p=.923).

No difference is found between the two groups in terms of time spent in a juvenile facility (30 percent of Blacks to 24.8 percent of Whites). Black drug users, however, are more likely to be in prison for parole or probation violations than are Whites (25 percent compared to 11 percent, Chi square=9.9/1 df, p=.002) and highly significant differences are found between Black and White drug users in terms of current offenses. Black drug users are significantly more likely to be incarcerated for larceny, 28.6 percent to 5.8 percent (Chi square=27.66/1 df, p=.000), while White drug users are significantly more likely to be incarcerated for murder, 14 percent to 3.8 percent (Chi square=8.97/1 df, p=.003) and to be serving time for drug-related crimes, 47.1 percent to 33.1 percent (chi square=5.89/1 df, p=.015). No significant differences were found between the two groups relative to other individual crimes. However, when collapsed into aggregate crime categories, significant differences are found between Black and White drug users for property crimes (46.6 percent to 21 percent, chi square=21.42/1 df, p=.000) and violent crimes (14.3 percent to 26.8 percent, chi square=6.74/1 df, p=.009).

No significant racial differences were found among those who report using street drugs: Drug users are just as likely to be White as Black. Statistically significant racial differences do emerge, however, when type of drug used is examined. Whites comprise higher proportions of every type of drug used category except cocaine. Table 4 illustrates type of drugs used by race.

While Black and White drug users in this sample tend to use alcohol and marijuana about equally, it is important to note that Black drug use is otherwise mostly confined to

cocaine usage. Whites, although heavily concentrated in the use of speed, take a more "smorgasbord" approach to drug use in that they tend to use more of a variety of drugs. For example, significant proportions of White drug users report high levels of cocaine, barbiturate, and opiate use.

Table 4: Drug Usage by Race: Percent Ever Used

	Black	White	Chi-Square
Alcohol	58%	65%	1.73 (ns)
Marijuana	43%	50%	1.82 (ns)
Opiates	5%	20%	23.12***
Heroin	9%	19%	8.92**
Cocaine/crack	54%	37%	13.96***
Speed/amphetamines	6%	43%	81.00***
Downers/barbiturates	7%	27%	30.60***
Hallucinogens	3%	16%	20.96***
Tranquilizers	4%	19%	22.03***
Inhalants	.5%	4%	6.80**

*** = $p < .001$, ** = $p < .01$, * = $p < .05$, ns = $p > .05$.

Black drug users are less likely to perceive the use of alcohol and/or drugs as a problem than are White drug users (14 percent and 50 percent compared to 29 percent and 64 percent respectively; chi square=10.4/1 df, p=.001; chi square=5.2/1 df, p=.02). Nevertheless, Black and White drug users are equally as likely to have received drug treatment either prior to or during incarceration (41 percent and 44 percent; 41 percent and 39 percent respectively). Finally, White drug users report higher levels of physical and emotional abuse (mean=10.0 to 8.3, t=-3.72, p=.000) and lower levels of self-esteem than do Black drug users (reverse coded scale: mean=11.2 to 8.6, t=-7.36, p=.000). Table 5 summarizes these significant differences between Black and White drug users.

Table 5: Comparison of Black and White Drug Users on Selected Demographic, Social Class, Substance Use, and Offense Categories

	t	Chi-Square	d.f.
Age at 1st Pregnancy	-2.10*		
No. of Children	3.57***		
Self-Esteem	7.36***		
Abuse	3.72***		
HS Graduate		13.4***	1
GED		11.0***	1
Sole Provider of Household		7.1**	1
Welfare Recipient		9.7**	1
Social Class Before Age 18		13.8*	5
Social Class After Age 18		1.4 (ns)	5
Married		5.2*	1
Have Alcohol Problem		10.2***	1
Have Drug Problem		5.2*	1
Violation		9.9**	1
Larceny		27.7***	1
Murder		9.0**	1
Drug Related Crimes		5.9*	1
Property Crimes		21.4***	1
Violent Crimes		6.7**	1

Note: Chi-square computed to assess statistical significance between the two groups among categorical variables. Among continuous variables, t statistics are computed to assess statistical significance between the two groups.

*** = $p < .001$, ** = $p < .01$, * = $p < .05$, ns = $p > .05$.

Table 6: Selected Significant Pearson Correlations for Dependent Variables by Race*

Black Drug Users			
	MDRUG	**MDRUG1**	**MDRUG2**
Age	ns	.182	ns
No. of Siblings	-.201	ns	.188
Age 1st Arrest	-.248	-.214	-.240
Age 1st Incarceration	ns	ns	-.192
Adult Felony Arrests	.205	.246	.264
No. of Incarcerations	.164+	.266	.158+
Social Class After 18	ns	ns	ns
Self-Esteem	.165+	.219	.166+
Abuse	.186	ns	.158+
White Drug Users			
	MDRUG	**MDRUG1**	**MDRUG2**
Age	-.179	ns	-.150+
Age 1st Arrest	-.251	-.205	-.282
Age 1st Incarceration	-.260	-.204	-.286
Adult Misdemeanor Arrests	ns	ns	.176
No. of Incarcerations	ns	.142+	ns
No. of Children	ns	ns	ns
Self-Esteem	ns	ns	ns

* $p < .05$, + = $p < .10$, ns = $p > .101$.
MDRUG = additive scale composed of whether inmate used alcohol, marijuana, opiates, heroin, cocaine, hallucinogens, inhalants, speed, or downers prior to present incarceration.
MDRUG1 = additive scale composed of the same items contained in MDRUG with alcohol and marijuana excluded.
MDRUG2 = additive scale composed of the illegal drugs contained in MDRUG.

Multiple Drug Use by Race

The level and onset of involvement in the criminal justice system represented by age at first arrest, age at first incarceration, number of incarcerations, and misdemeanor and felony arrests as an adult are significantly correlated with multiple drug use for both Black and White drug users in this sample (see Table 6). Clearly, regardless of race, the earlier and more deeply a woman becomes involved in crime, the more likely she is to use multiple drugs. These findings are consistent across the present sample and are supported in the current literature (Blount et al., 1991).

It is interesting to note that for Black drug users multiple drug use is correlated with self-esteem and abuse. This is not the case for White drug users. This pattern of result is the reverse of earlier findings with respect to the entire sample. For the overall sample, Black women report higher levels of self-esteem and lower levels of abuse than White women. However, it appears that for Black drug users, abuse and lower levels of self-esteem are associated with multiple drug use. This is in contrast to White drug users for whom neither abuse or self-esteem is associated with multiple drug use. In other words, the association between abuse, self-esteem, and multiple drug use found in the total sample may reflect only the experience of Black inmates. These results are surprising given that White women in the total sample report higher levels of abuse and lower levels of self-esteem than Black women.

Conclusions

Multiple drug use was found to be associated with demographic, criminal justice system involvement, self-esteem, and physical and emotional abuse. Age, number of children, and social class of procreation were all negatively related to multiple drug use while number of arrests and incarcerations were positively associated. In other words, older women with more children who came from higher perceived social class are less likely to be multiply drug involved. On the other hand, women who have a relatively extensive history of criminal justice involvement are more likely to have used multiple drugs before incarceration. Additionally, women who report lower levels of self-esteem and relatively high levels of physical and emotional abuse are also more likely to have used multiple drugs prior to coming to prison.

Interestingly, when multiple drug use is examined by race, we find that relatively high levels of physical and emotional abuse and lower levels of self-esteem are associated with multiple drug use only among Blacks. Conversely, we find criminal justice system involvement to be related with multiple drug use only among Whites. In essence, part of the results reported for the entire sample with respect to multiple drug use may hide important racial differences.

Discussion

The relationship between drug use and crime documented in the literature is supported and further explicated by the present project. When examining the profile of the

"average" or "typical" female drug user in this sample, we see many similarities with that offered in the research literature (Blount et al., 1991). However, when we look at drug users by race, somewhat different patterns of drug use emerge. Although the awareness of similarities within the target group is important in terms of treatment planning and provision, it is also important to be cognizant of and to incorporate cultural differences into intervention strategies if work with incarcerated women who have a history of drug use is to be effective. In addition, there may be gender differences in the drug use patterns between male and female prisoners which need to be taken into account when developing treatment strategies for these populations. In short, treatment programs both during and after incarceration must be developed with both similarities and differences in mind rather than adopting "universal" treatment models that may only meet the needs of a few.

It seems clear that treatment professionals working with incarcerated female drug users must be prepared to work with those who have a fairly long history of involvement with the criminal justice system. Research such as the present project can be used to target first timers who possess special at risk histories for early intervention. For those working with women, issues related to abuse and self esteem must be addressed. In addition, special issues associated with different cultural groups must be addressed within the treatment framework. Particular strengths of these groups should also be incorporated into program planning and development.

Biography

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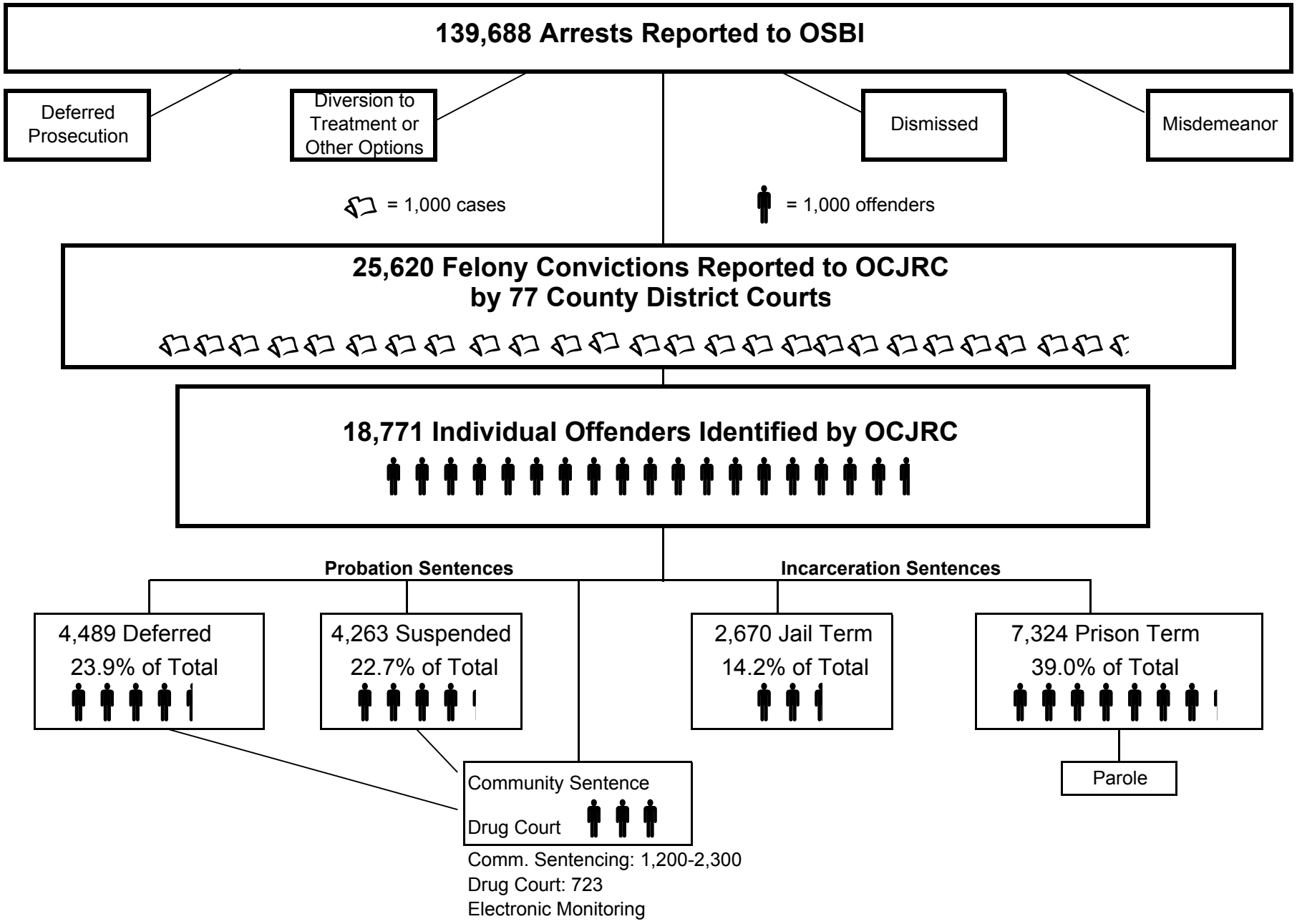
3A

"Statewide Criminal Justice Flow Chart, 2001." August 19, 2003. OCJRC.

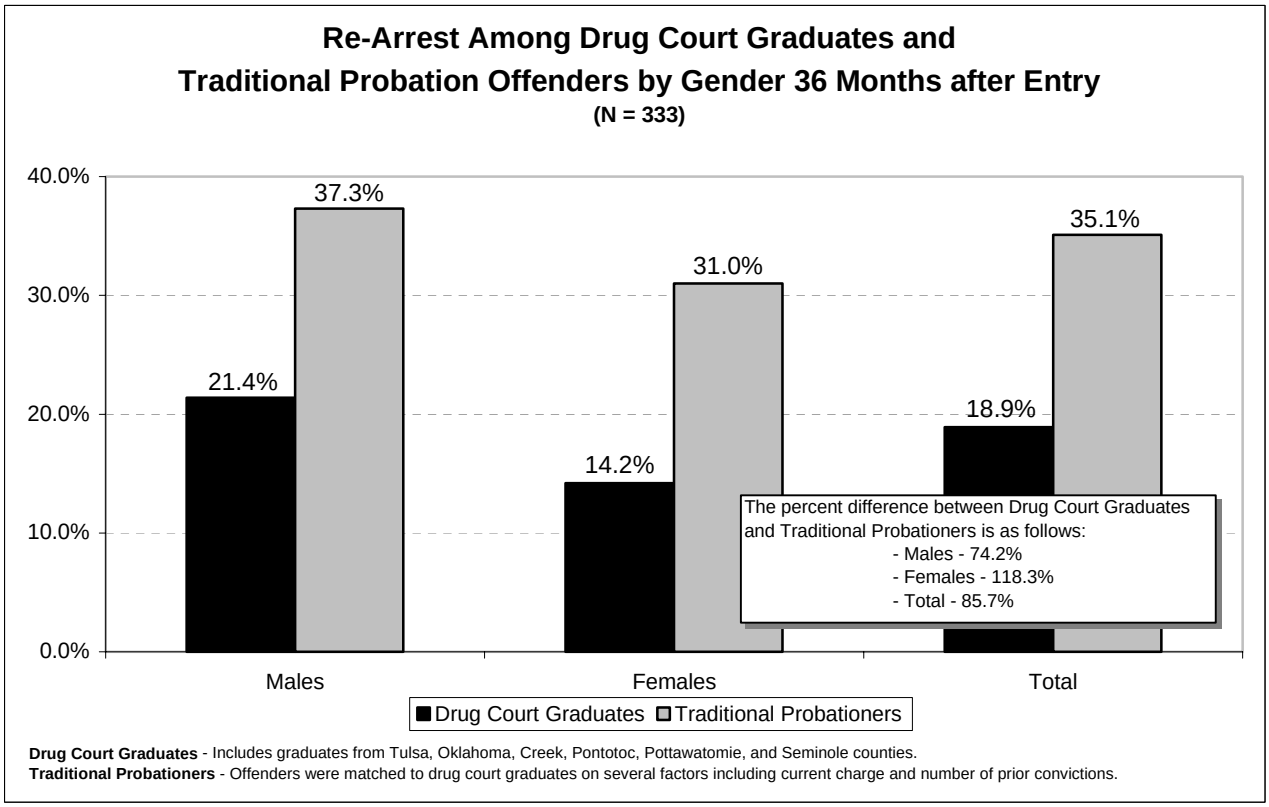
Statewide Criminal Justice System Flow Chart, 2001



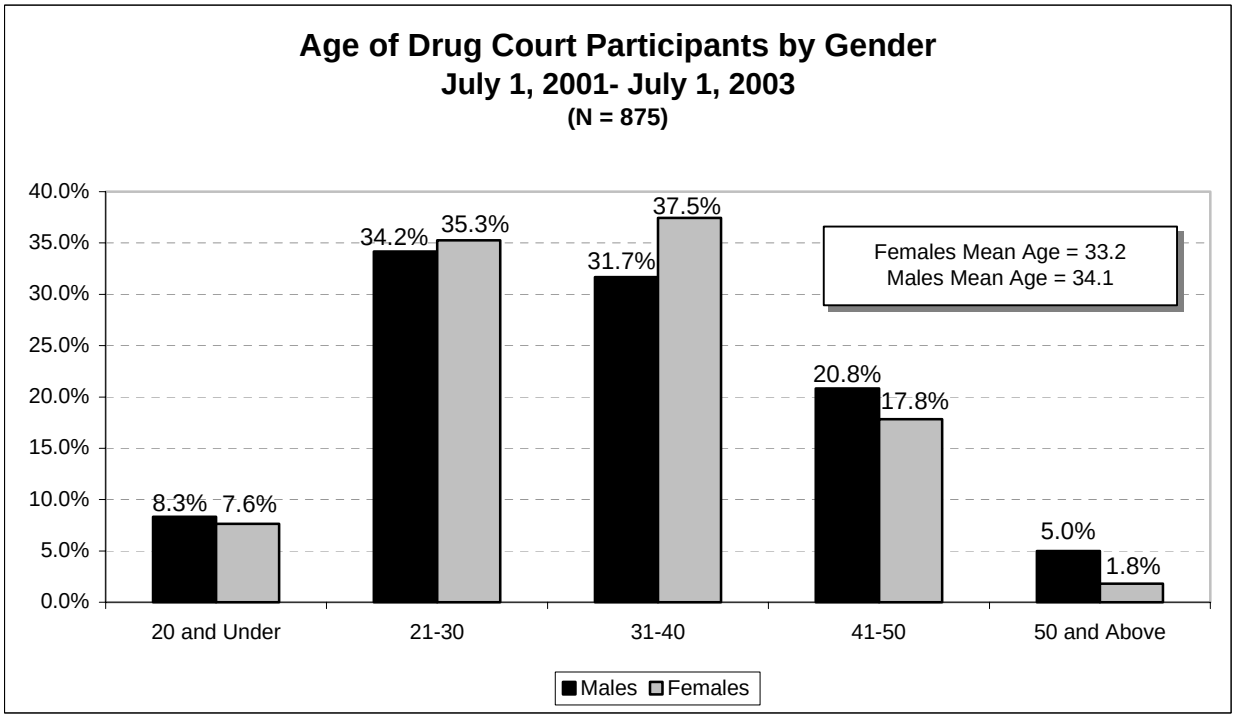
3B

"Requested Information on Drug Courts." August 19, 2003. OCJRC.

Requested Information on Drug Courts



Drug Court Graduates - Includes graduates from Tulsa, Oklahoma, Creek, Pontotoc, Pottawatomie, and Seminole counties.
Traditional Probationers - Offenders were matched to drug court graduates on several factors including current charge and number of prior convictions.



3C

Set of various items distributed, and comments by Justin Jones, Division Director, August 20, 2003. Oklahoma Department of Corrections, Division of Community Corrections.

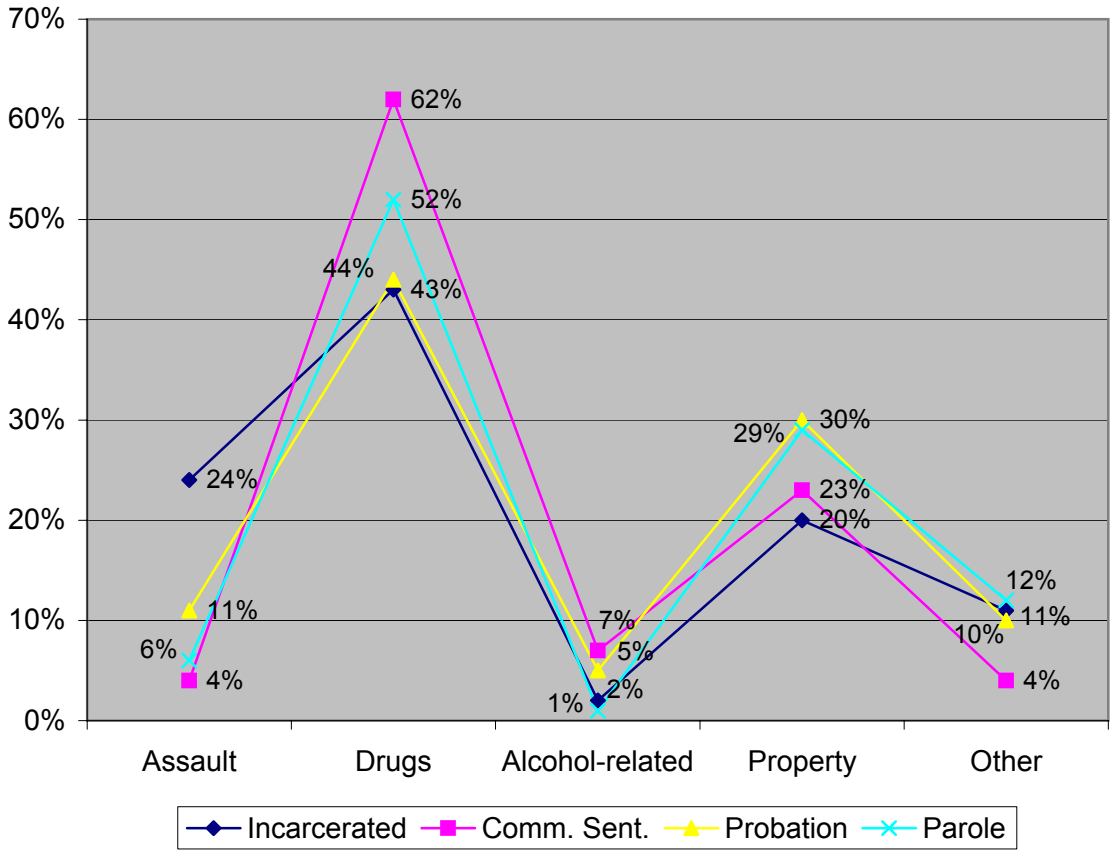
SPECIAL TASK FORCE
FOR
WOMEN INCARCERATED
IN OKLAHOMA

AUGUST 20, 2003

Presentation prepared by:
Division of Community Corrections
Oklahoma Department of Corrections

Female Offense Categories

Offense Category	Incarcerated	Comm. Sent.	Probation	Parole
Assault	24%	4%	11%	6%
Drugs	43%	62%	44%	52%
Alcohol-related	2%	7%	5%	1%
Property	20%	23%	30%	29%
Other	11%	4%	10%	12%
	100%	100%	100%	100%



Termination Summaries 8/02 - 7/03

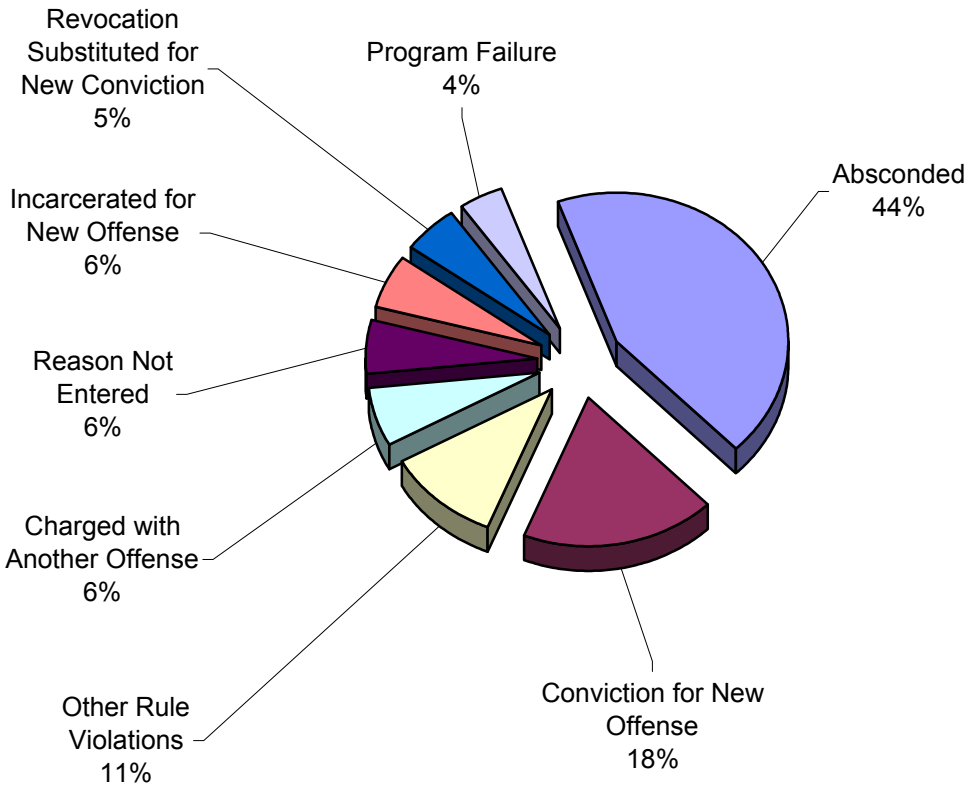
Type of Termination	**Female**	**Male**
Expiration of Sentence	36.8	34.5
Court Ordered Discharge	18.4	15.1
Advance Termination	16.7	15.7
Revocation	6.4	11.1
Rule Violation During Supervision		
None	51.5	47.9
Three or More	23.5	25.8
Two or Fewer	15.2	14.3
New Sentence w/Jail/Prision Term	2.8	5.1
Absconder and Reinstated	2.2	2.5
Acceleration/Revocation Reasons		
Absconded	43	33
Incarceration/Conviction for New Offense	18	21
Other Rule Violations	11	14
Significant Others		
Single, Never Married	28.7	37.9
Married	22.7	25.2
Divorced	26	18.1
Common Law	7.9	7.8
Employment		
Full Time	33.9	47.9
Unemployed - Not Seeking	17.9	14.3
Part Time	14.3	10.1
Unemployed - Seeking	7.4	5.9
Retired/Disabled	7.2	6.4
Gross Monthly Income		
None	25.4	18.3
$1,000 or More	14.7	31.6
$800 - $999	13.2	12.8
$600 - $799	11.7	9.4
$400 - $599	13	9.2
Education - Last Grade Completed		
Grade 10 - 12	30.6	32.1
High School Graduate	23.9	26.5
Some College	12.9	10.1
Grade 7-9	12.3	11.4
GED	11.8	10.2

Termination Summaries 8/02 - 7/03

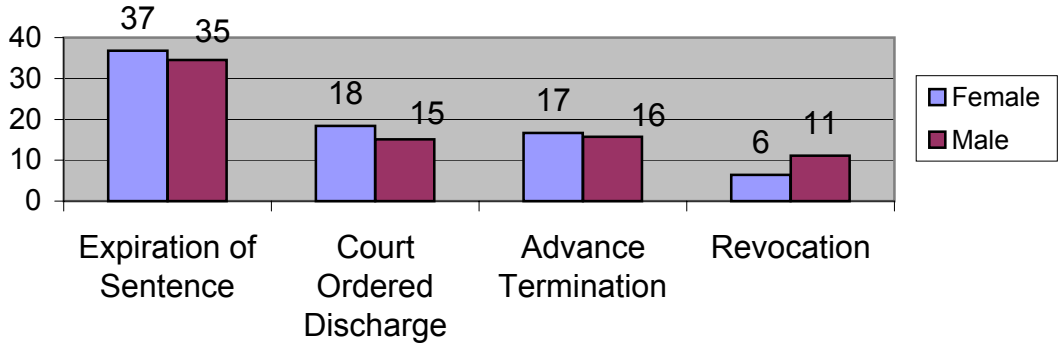
Prior Convictions	**Female**	**Male**
None	66.6	52.6
1 - 3	28.3	39.3
Prior Incarcerations		
None	85.1	75.3
One	10.9	17.7
Prior Probations		
None	73.1	62.6
One	19.7	25.7

Females

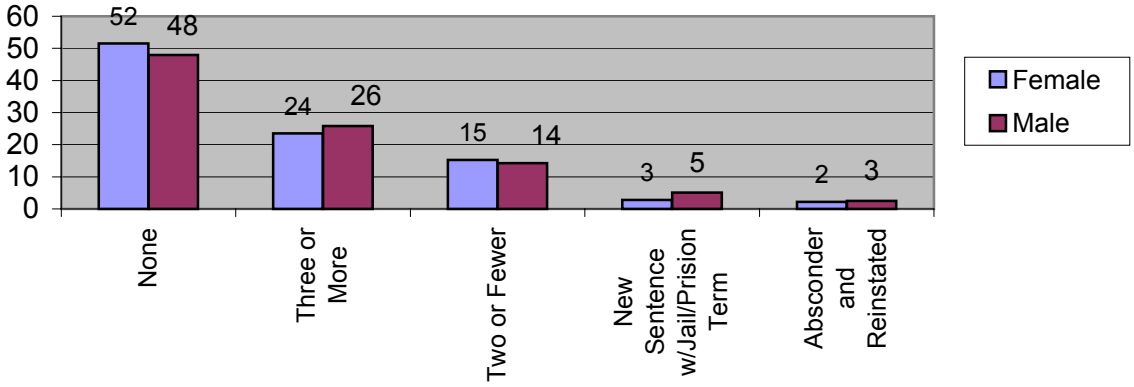
Accelerated/Revoked	539	
Reason	**#**	**%**
Absconded	234	44%
Conviction for New Offense	99	18%
Other Rule Violations	58	11%
Charged with Another Offense	34	6%
Reason Not Entered	32	6%
Incarcerated for New Offense	31	6%
Revocation Substituted for New Conviction	28	5%
Program Failure	23	4%
Total	539	100%



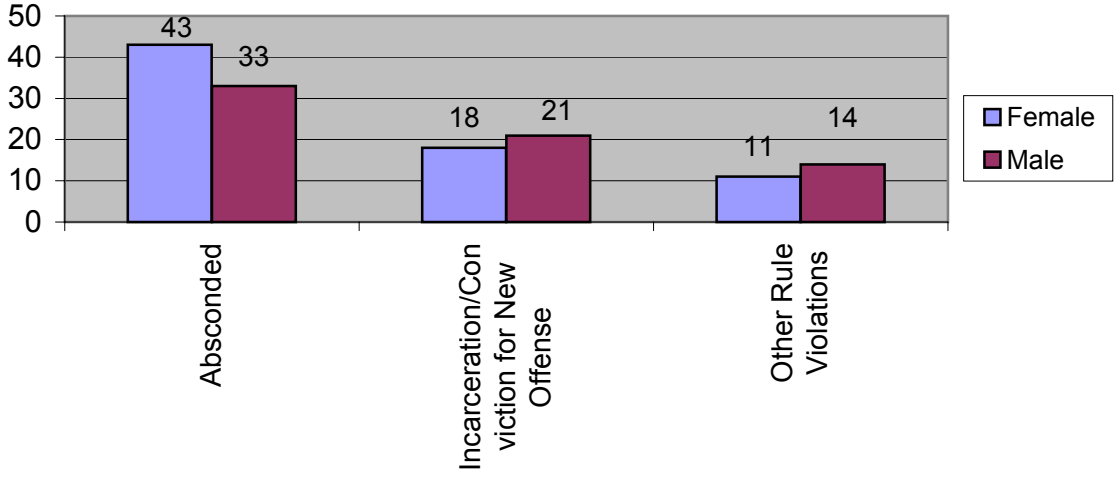
Primary Reasons for Termination



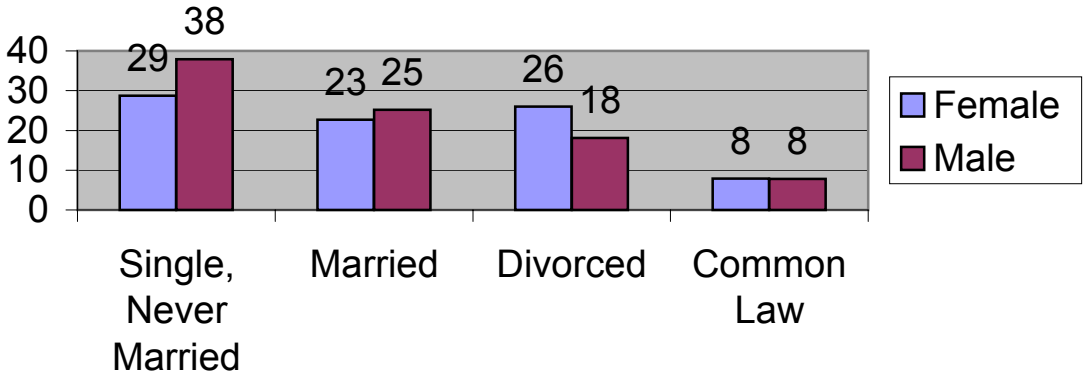
Rule Violation During Supervision



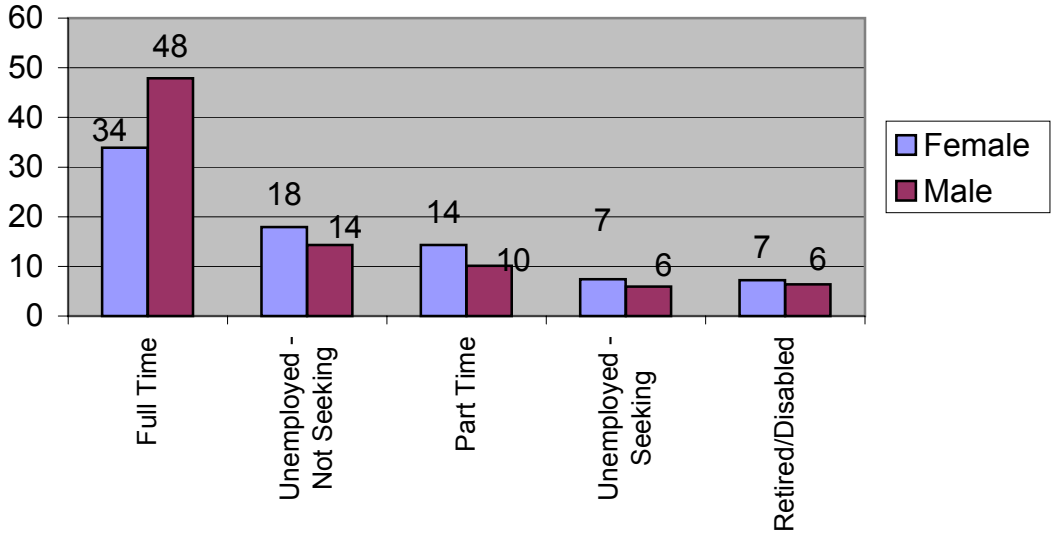
Acceleration/Revocation Reasons



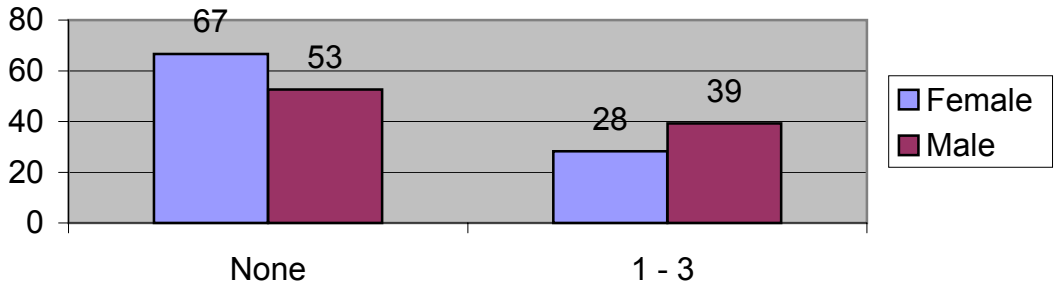
Significant Others



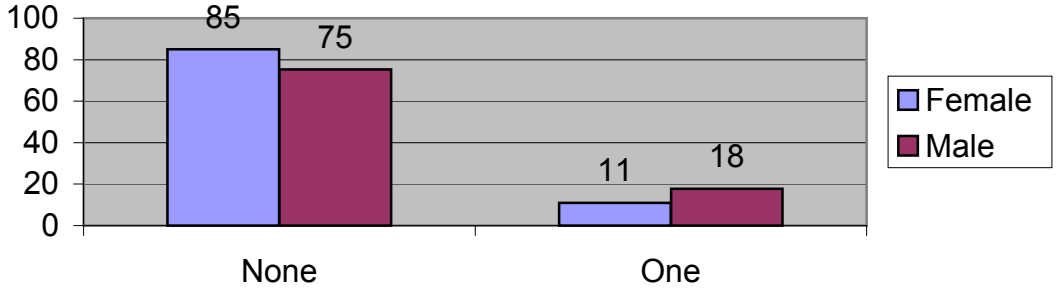
Employment



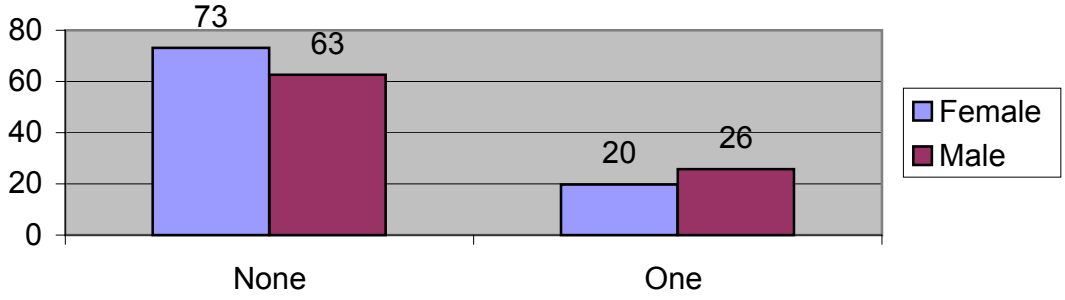
Prior Convictions



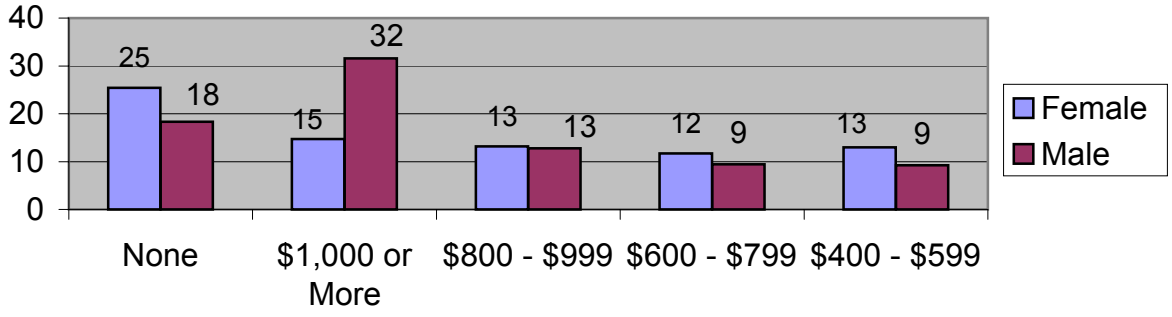
Prior Incarcerations



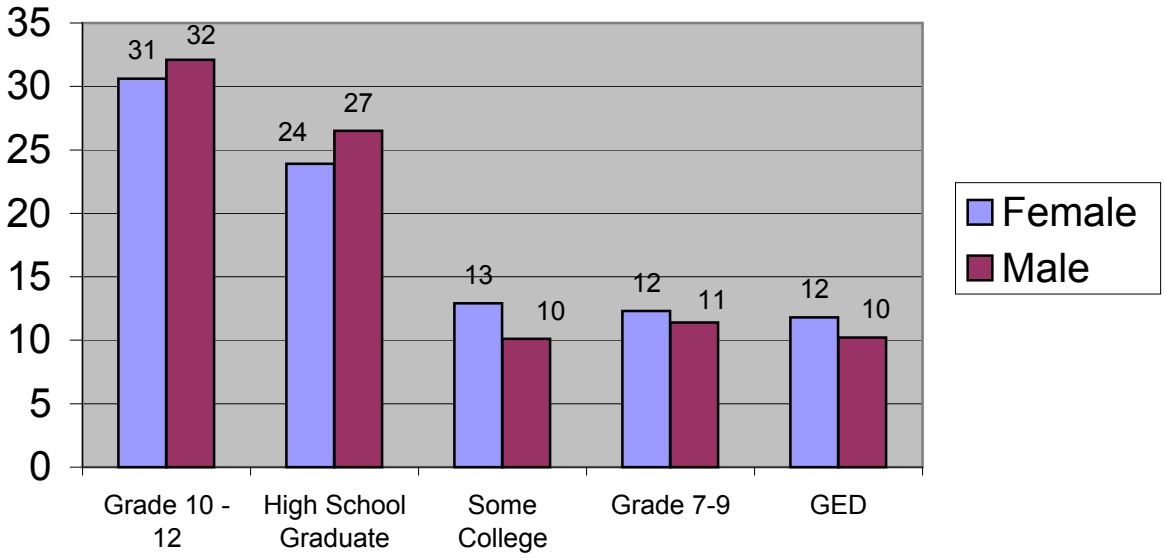
Prior Probations



Gross Monthly Income



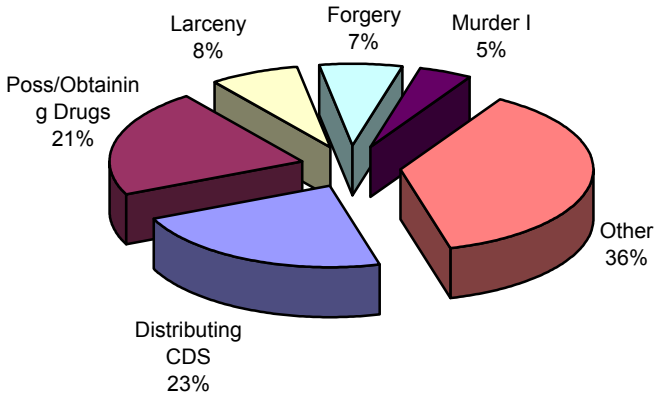
Education - Last Grade Completed



Female Inmate Profile

May-03

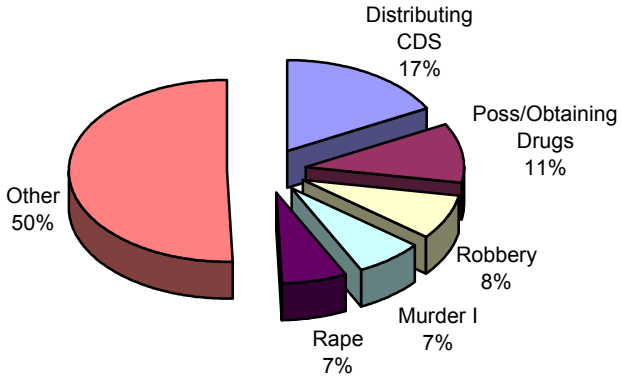
Distributing	532	23%
Poss/Obtai	500	21%
Larceny	178	8%
Forgery	161	7%
Murder I	108	5%
Other	872	36%
Total	2351	100%



Male Inmate Profile

May-03

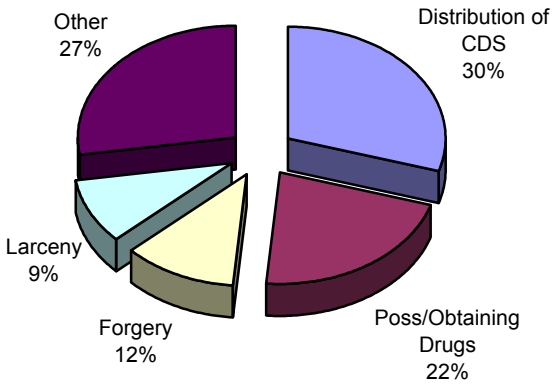
Distributing	3567	17%
Poss/Obtai	2196	11%
Robbery	1653	8%
Murder I	1428	7%
Rape	1398	7%
Other	10486	50%
Total	20728	100%



Female Parolee Profile

May-03

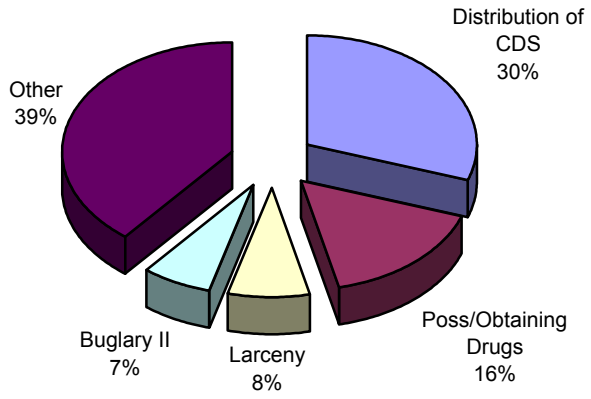
Distribution	229	30%
Poss/Obtai	168	22%
Forgery	90	12%
Larceny	73	9%
Other	212	27%
Total	772	100%



Male Parolee Profile

May-03

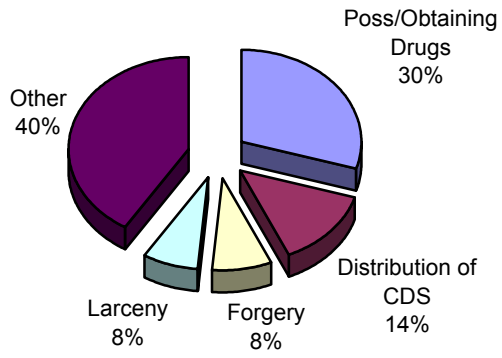
Distribution	998	30%
Poss/Obtai	524	16%
Larceny	255	8%
Buglary II	219	7%
Other	1287	39%
Total	3283	100%



Female Probation Profile

May-03

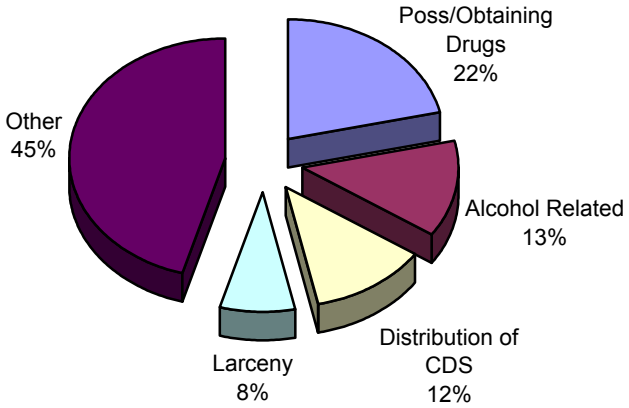
Poss/Obtai	2036	30%
Distribution	937	14%
Forgery	550	8%
Larceny	528	8%
Other	2821	40%
Total	6872	100%



Male Probation Profile

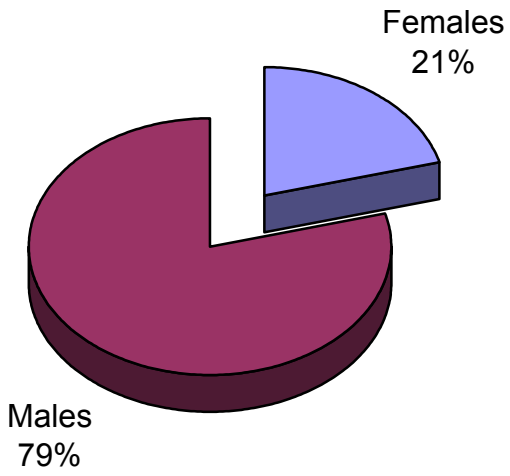
May-03

Poss/Obtai	4490	22%
Alcohol Re	2685	13%
Distribution	2580	12%
Larceny	1633	8%
Other	9484	45%
Total	20872	100%



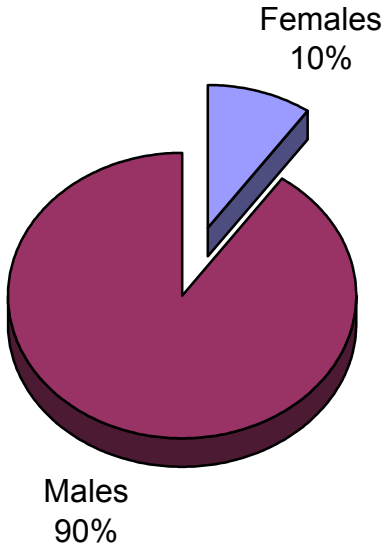
120 JR Offenders Released 6/02 - 7/03

Females	161	21%
Males	613	79%
Total	774	100%

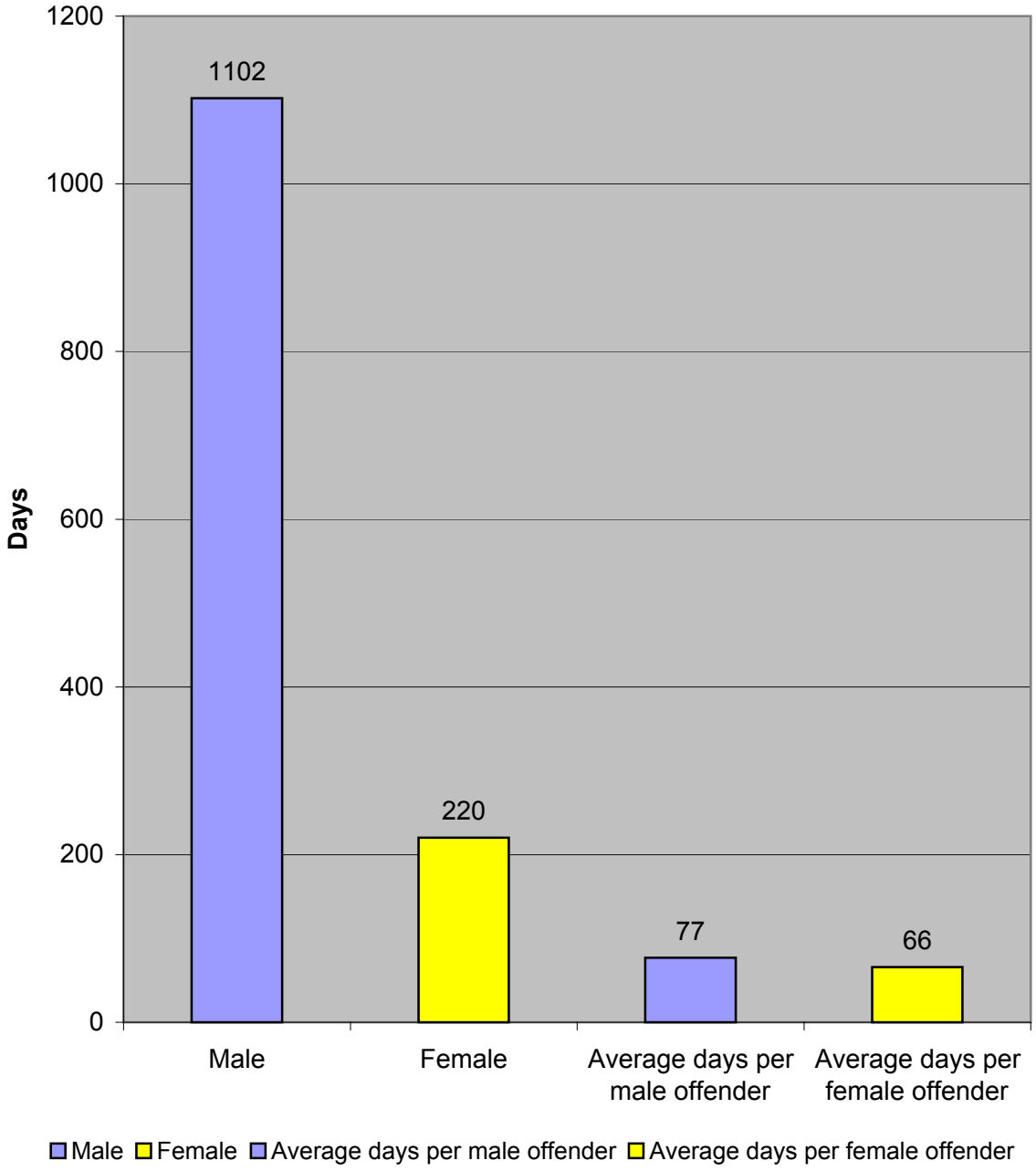


Delayed Sentence Offenders Released 6/02 - 7/03

Females	89	10%
Males	827	90%
Total	916	100%



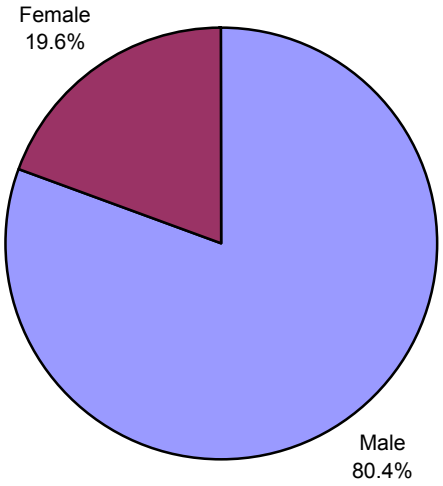
FY 03 Night Time Incarceration



On 8/13/03, the system wide count for incarcerated inmates was 22,898, of which 2,692 (11.8%) were assigned to community corrections.

Community Corrections

Total Population 2,692

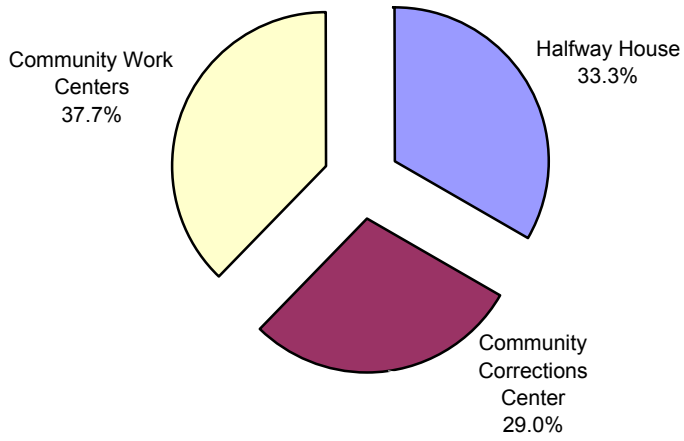


**Females comprise 24.7% of the total system population.*

Male	2,165
Female	527

Community Corrections

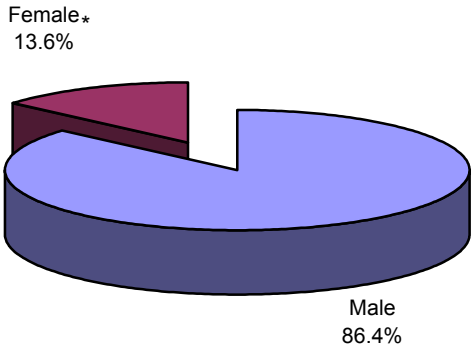
Total Population 2,692



Community Work Center	1,015
Halfway House	897
Community Corrections Center	780

Halfway House

Total Population 897

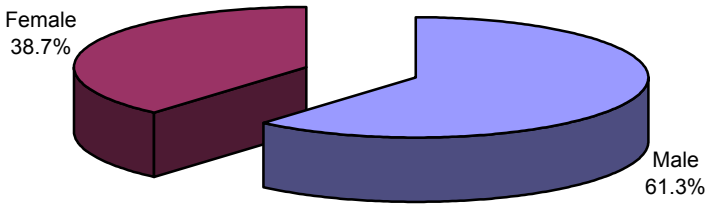


*NOTE: The New Directions Halfway House recently closed, transferring to KBCCC - Population 133

Male	775
Female	122

Community Correction Centers

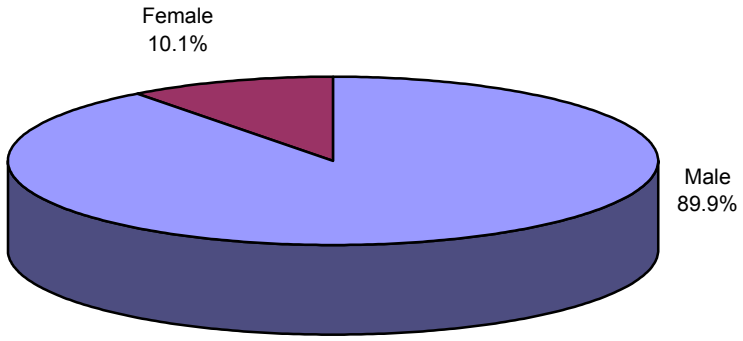
Total Population 780



Male	478
Female	302

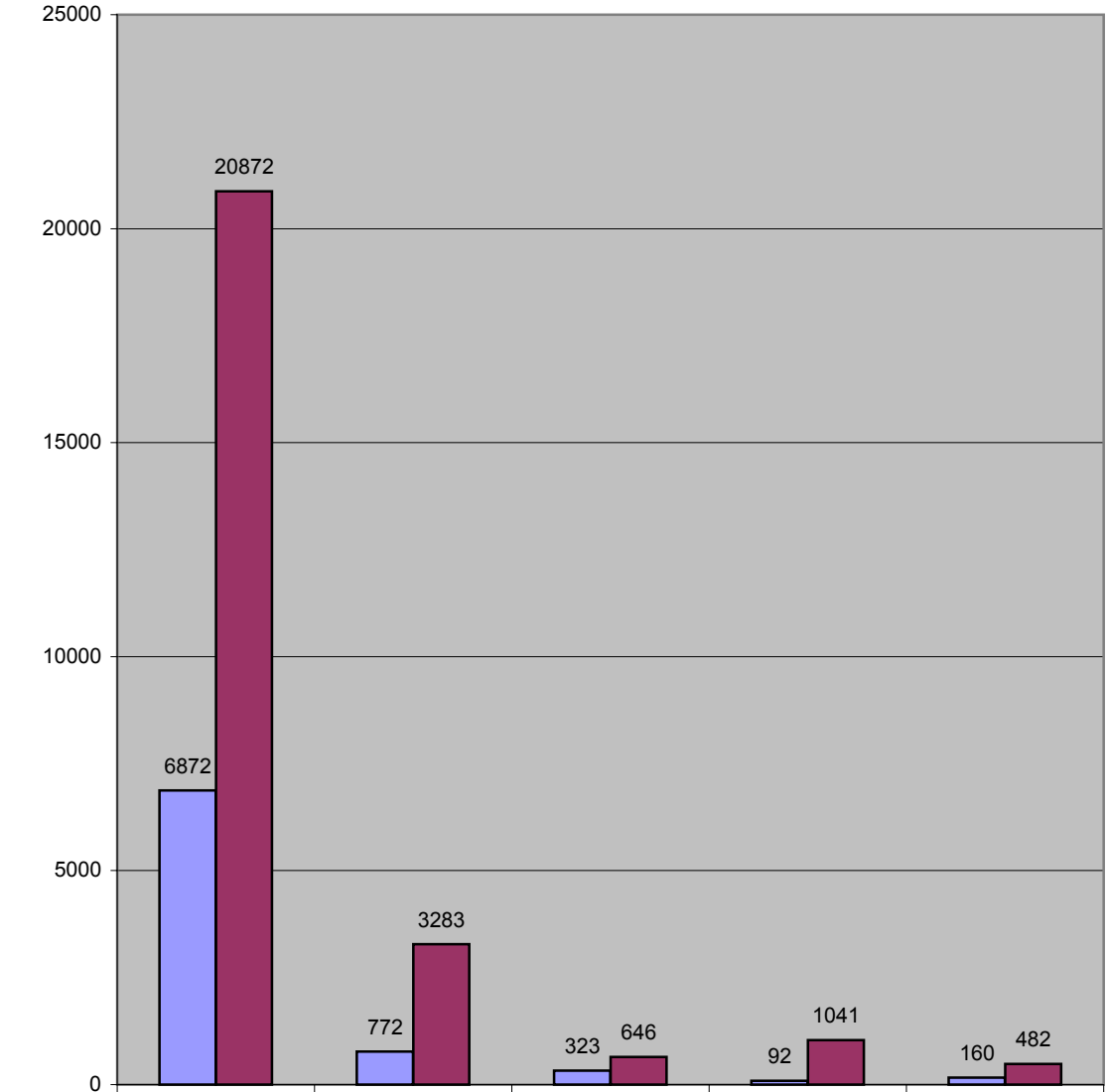
Community Work Centers

Total Population 1,015



Male	912
Female	103

Offender Demographics
By Security/Classification
May 2003



	Probation Offenders	Parole Offenders	Halfway House	Community Work Centers	Community Corrections Centers
Female	6872	772	323	92	160
Male	20872	3283	646	1041	482

3D

"Future Meeting Topics and Information/Questions to be Addressed." August 19, 2003. OCJRC.

Mission (SB 810)
Determine the Causes of Oklahoma's High Female Incarceration Rate

Future Meeting Topics and Information/Questions to be Addressed

September 10, 2003: Analysis of the Criminal Justice System Process (Arrest and Felony Sentencing Data)

1. Are Oklahoma females committing more total crimes, violent crimes, or drug crimes than females in other states or national averages?
2. Does Oklahoma's arrest rate for females vary by race and how does it compare to felony conviction data?
3. What offenses result in felony convictions and what sentence types and sentence lengths are received?
4. What is the percentage of females going to prison in the state and how does this compare to national averages?
5. What is the percentage of females already in prison in the state and how does this compare to national averages?
6. How many females go to prison for drug crimes over time?
7. Are charging patterns different between males and females?
8. Are plea rates different between males and females?
9. Does the percentage of 1st time offenders received to prison vary by gender?
10. What is the female incarceration rate by county and for the state and is it substantially different from that of males?
11. Does Oklahoma have harsher sentencing practices than other states or the national average, for offenses females predominately commit, particularly for drug offenses?
12. What are the sentencing ranges and punishments for offenses that Oklahoma females are convicted for?
13. Are offenses that Oklahoma punishes as felonies treated as misdemeanors in other states?
14. Are the sentencing ranges, both the minimums and the maximums, higher in Oklahoma?
15. Among several offense types, are the average sentences for females longer in Oklahoma than national averages or among other states?
16. Does the Pardon and Parole Board recommend males and females for parole at the same percentages?
17. How many females are in drug courts, community sentencing, or other forms of probation?

Information/data presented will include:

- Comparison between Oklahoma and national arrest rate for females (total, non-violent, violent, and drugs)
- Comparison between Oklahoma and 5 states with the highest and lowest female incarceration rate
- Oklahoma's arrest rate for females by race compared with felony conviction data
- Offense types by sentence types (prison, probation, jail) and sentence lengths by gender
- Charging of drug possession convictions by gender
- Plea rates by gender
- Percentage of "1st time" offenders to prison by gender
- Incarceration rates by county and statewide by gender and race

- Comparison of punishments with those in other states (states with high and low incarceration rates) among offenses that females predominately commit.
- Parole data (comparison of percent of females and males receiving Board recommendation)

October 1, 2003: Survey Results from Previous Studies of Female Inmates

- Dr. Susan Sharp and Dr. Susan Marcus-Mendoza

October 22, 2003: State Demographic Factors and Expenditure Patterns/Priorities

1. Are state expenditure patterns or priorities related to female incarceration rates?
2. What impact does having higher expenditures for substance abuse and mental health treatment have on female incarceration rates?
3. What impact does having higher expenditures for education, welfare and health programs have on female incarceration rates?
4. Are various state demographic factors (such as the percent of the state with a high school education, the percent of the female population that is 18-24 years old, percent of single parents, percent of female head of households, per capital personal income) associated with female incarceration rates?
5. Are various state economic factors (such as the unemployment rate, the percent of the population in poverty) associated with female incarceration rates?

Information/data presented will include:

- Comparison between Oklahoma and 5 states with the highest and lowest female incarceration rate by state demographic factors and state expenditures/priorities (considering the factors below)
- Expenditures of Substance Abuse and Mental Health Treatment (cost per capita)
- Expenditures on education (public, secondary, higher education), welfare programs (cost per capita), health programs (cost per capita)
- Age structure among females (percentage 18-24 year-olds, percentage 25-44 year-olds), median household income/per capita personal income, percent of single parents, percent of female head of households, percent of population with high school/college degree
- Economy : Unemployment rates, Percent of population below poverty
- Match of prisoners receiving social services, welfare, TANF, substance abuse treatment
- Have DHS and/or DMHSAS representative at the meeting to discuss information
- Stephanie Covington, a national consultant, may be available

November 12, 2003: Cost Analysis and Experiences of Other States/Alternatives to Incarceration

1. What are the direct costs of incarceration between females and males?
2. What are the contingent costs associated with incarcerating females (determine the number and percentage of females with children, the number of children, and the number of females incarcerated as single parents or head of households, number of children in foster care because mother is in prison, number of children placed with family members because mother is in prison, number of children that end up on welfare and other state programs and the associated costs)?
3. What are the costs after incarceration?
4. What are the recidivism differences between females and males?

5. How other states are handling their female incarceration issues (analysis of states and whether they are changing sentencing practices for female offenders or using alternatives to incarceration)?
6. Do states with low female incarceration have certain programs or sentencing schemes that facilitate this?
7. What are other states doing differently with regard to women at various stages in the criminal justice system?

Possible Additions:
Structured Testimony/Survey Results of Law Enforcement, District Attorneys, Defense Attorneys, and Judges

- Information on deferred prosecution, plea bargaining process, process of handling co-defendants, prosecuting/defending females in general

4A

Analysis of the Oklahoma Criminal Justice System Process.

Oklahoma Criminal Justice Resource Center

Analysis of the Oklahoma Criminal Justice System Process

Special Task Force for Women Incarcerated in Oklahoma

(Created by SB 810 of 2003)

September 10, 2003

Analysis of the Oklahoma Criminal Justice System Process

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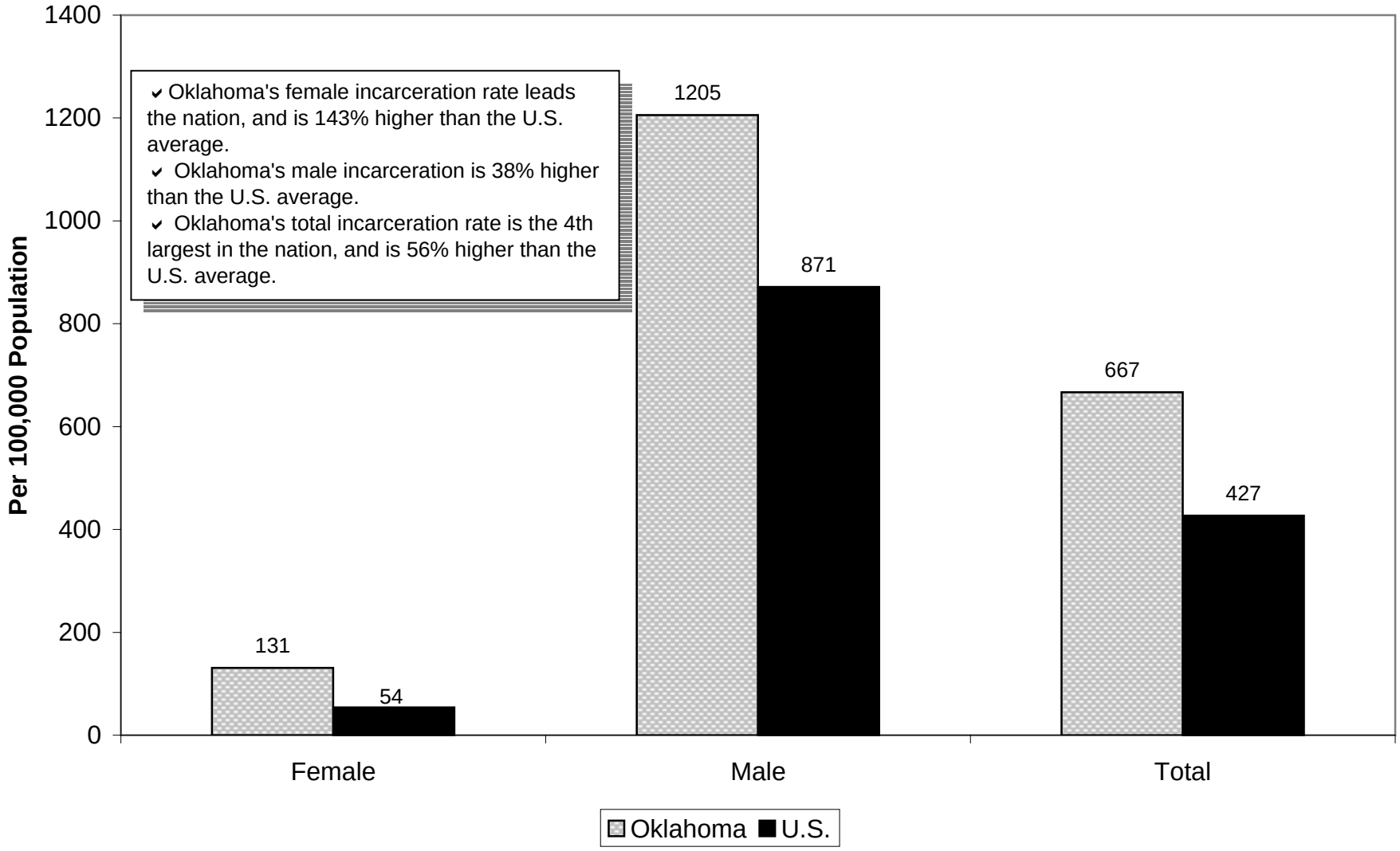
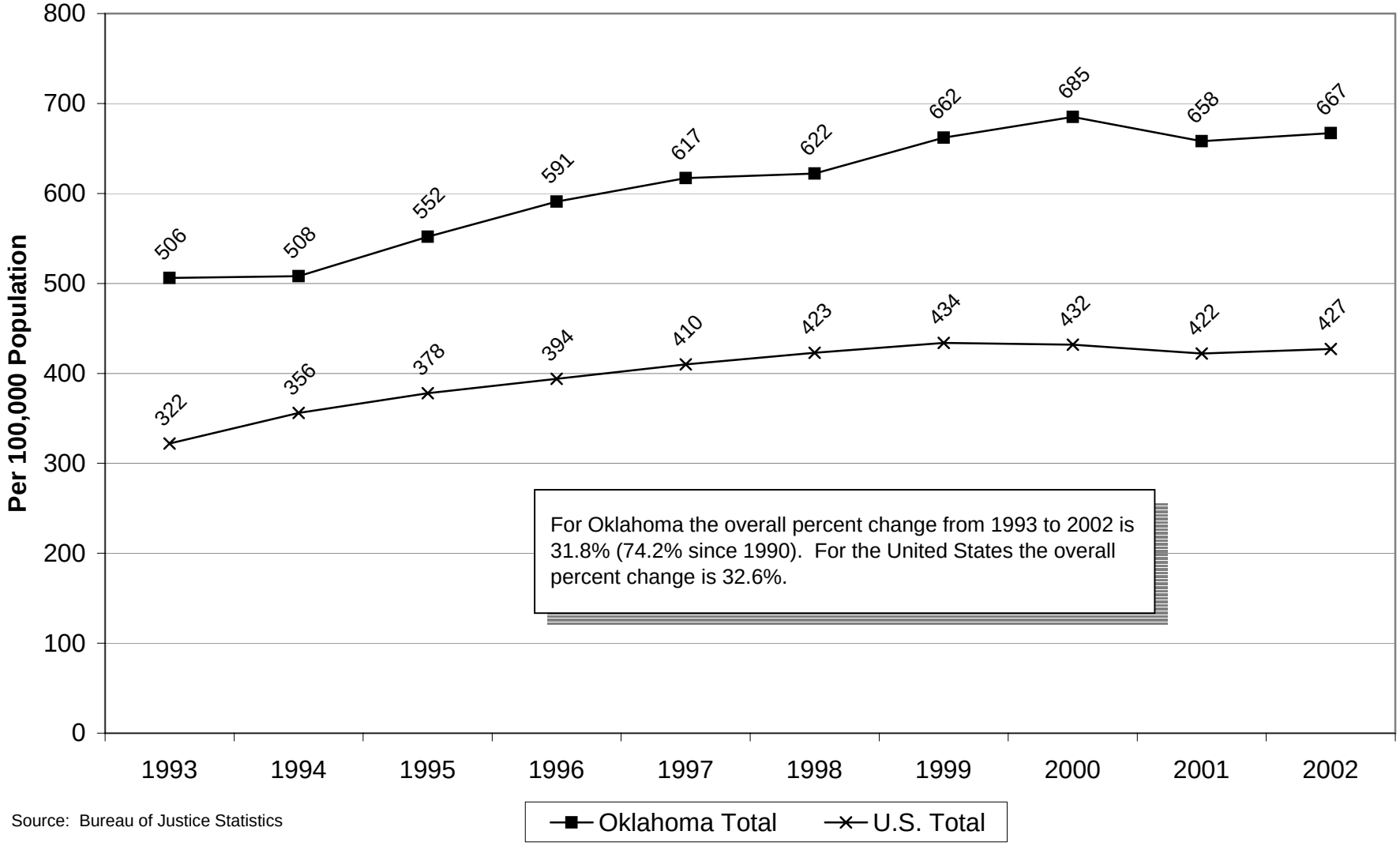
Oklahoma vs. U.S. Incarceration Rates 2002

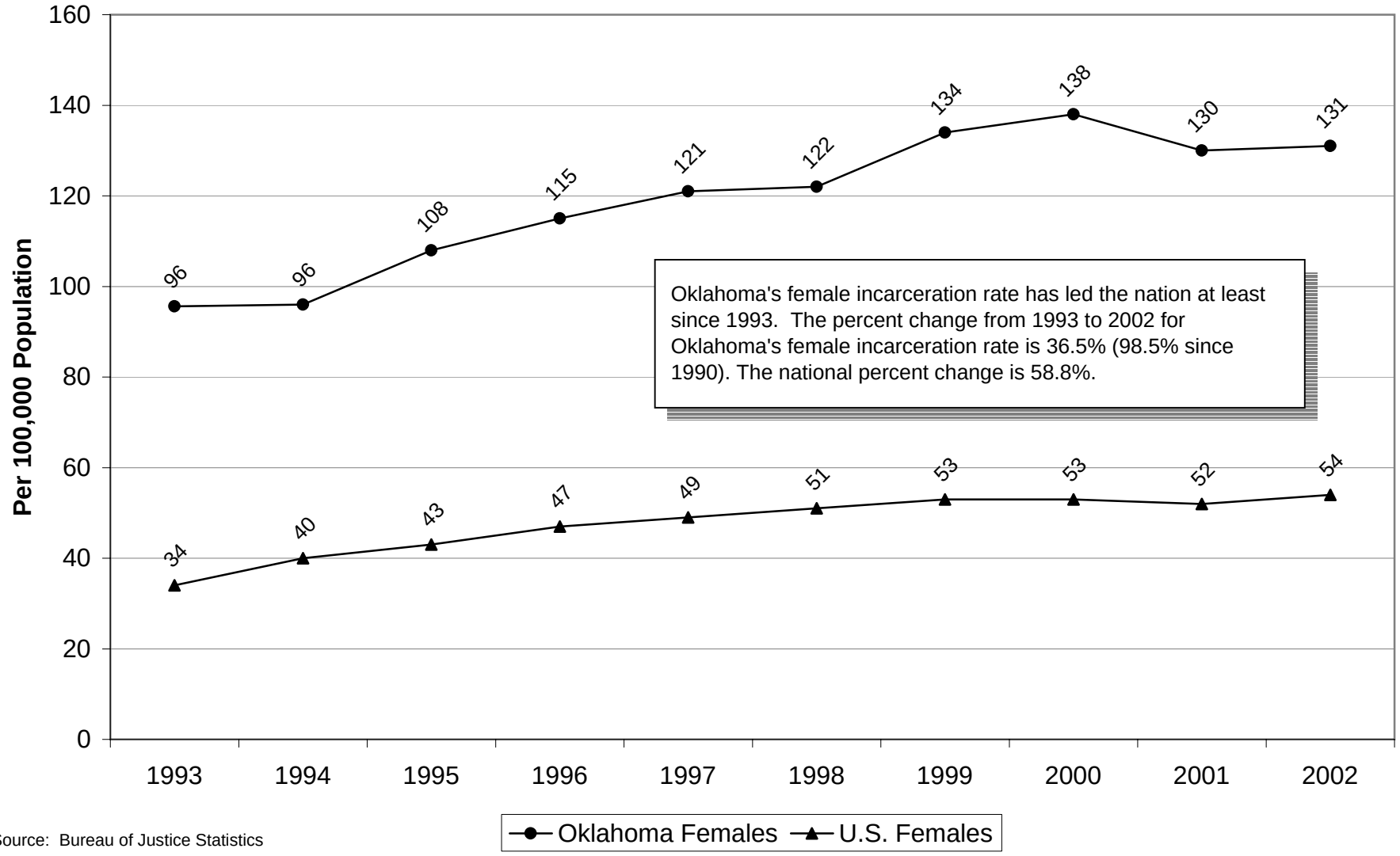


Oklahoma vs. U.S. Total Incarceration Rates



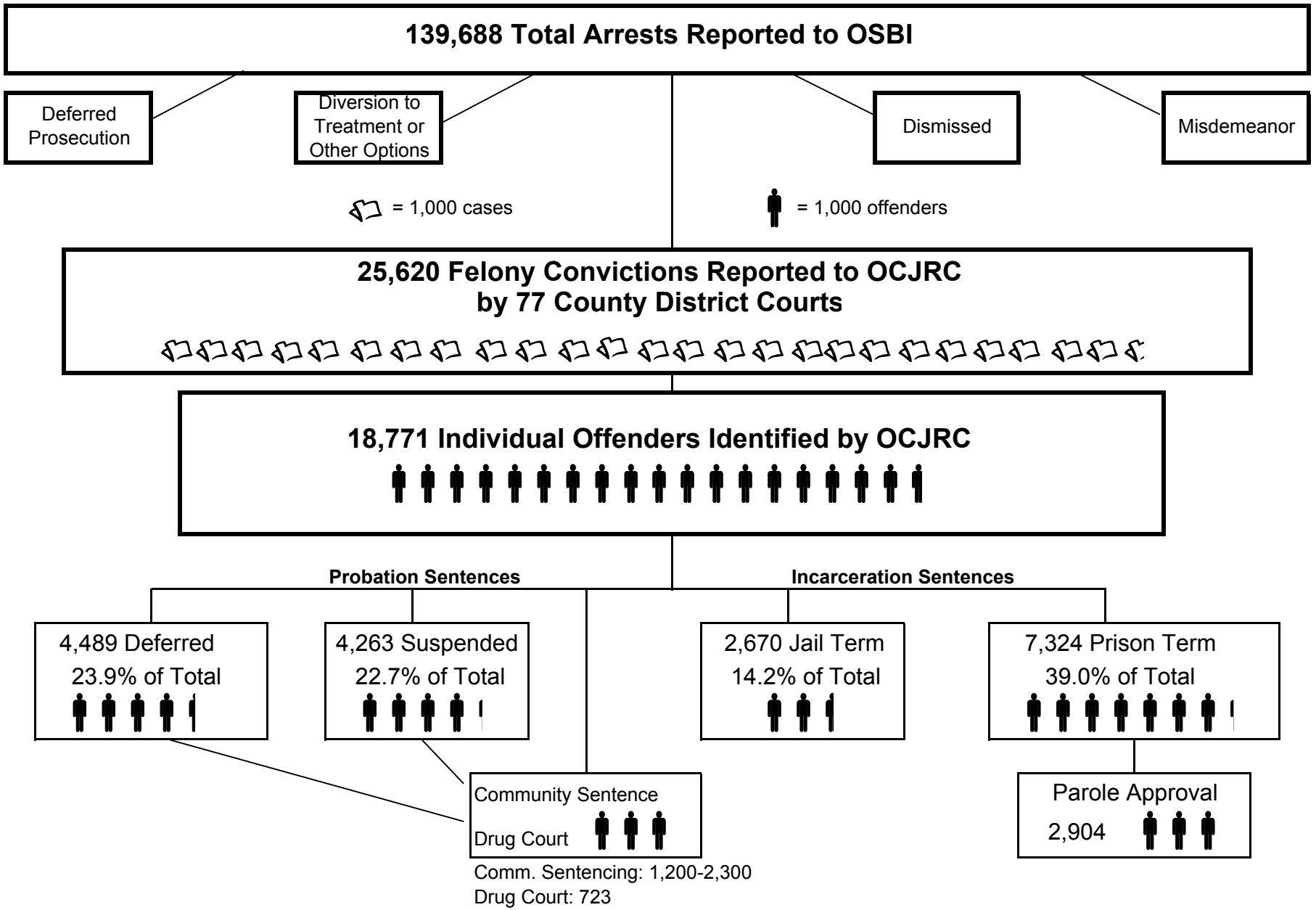
Source: Bureau of Justice Statistics

Oklahoma vs. U.S. Female Incarceration Rates

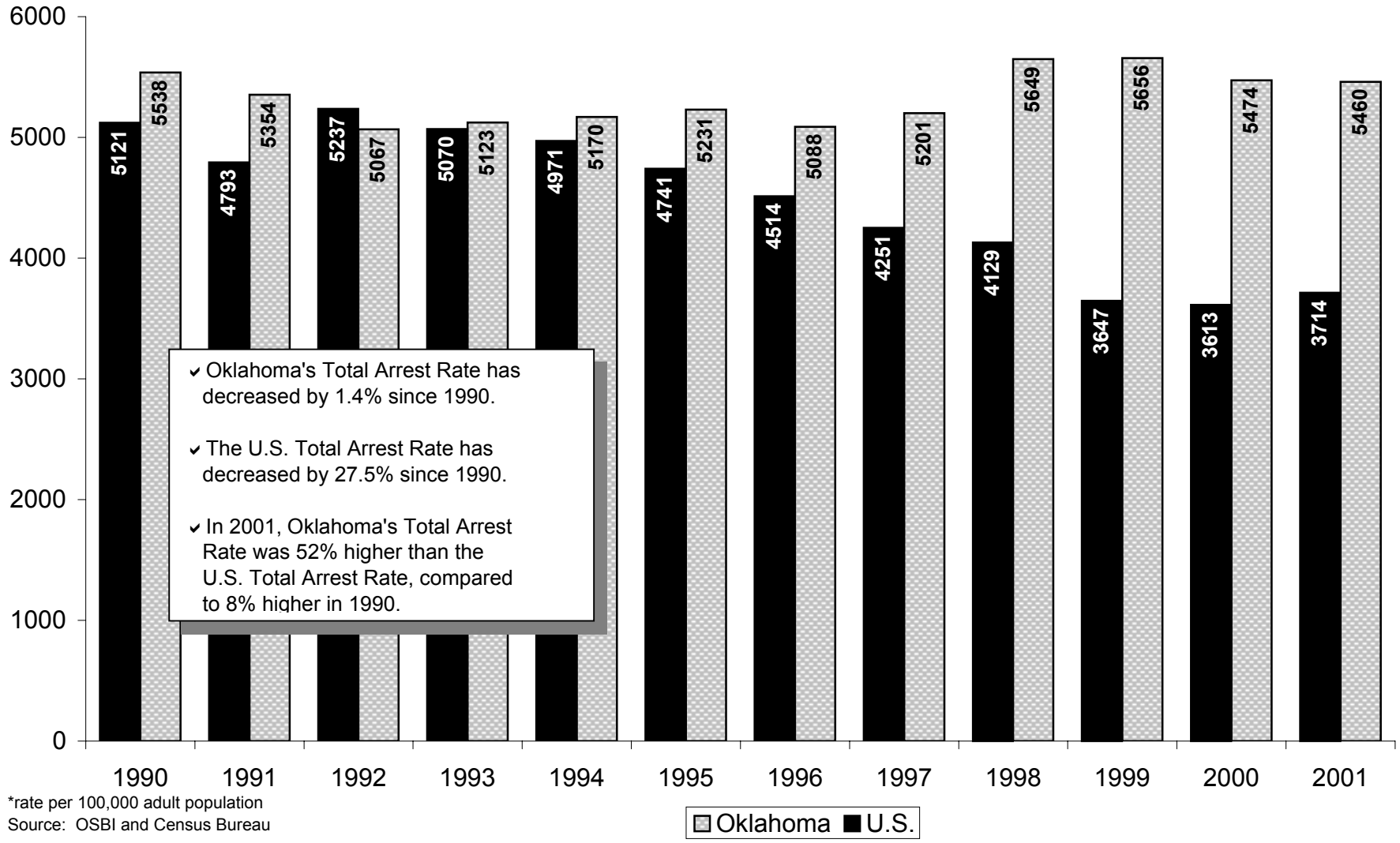


Source: Bureau of Justice Statistics

Statewide Criminal Justice System Flow Chart, 2001

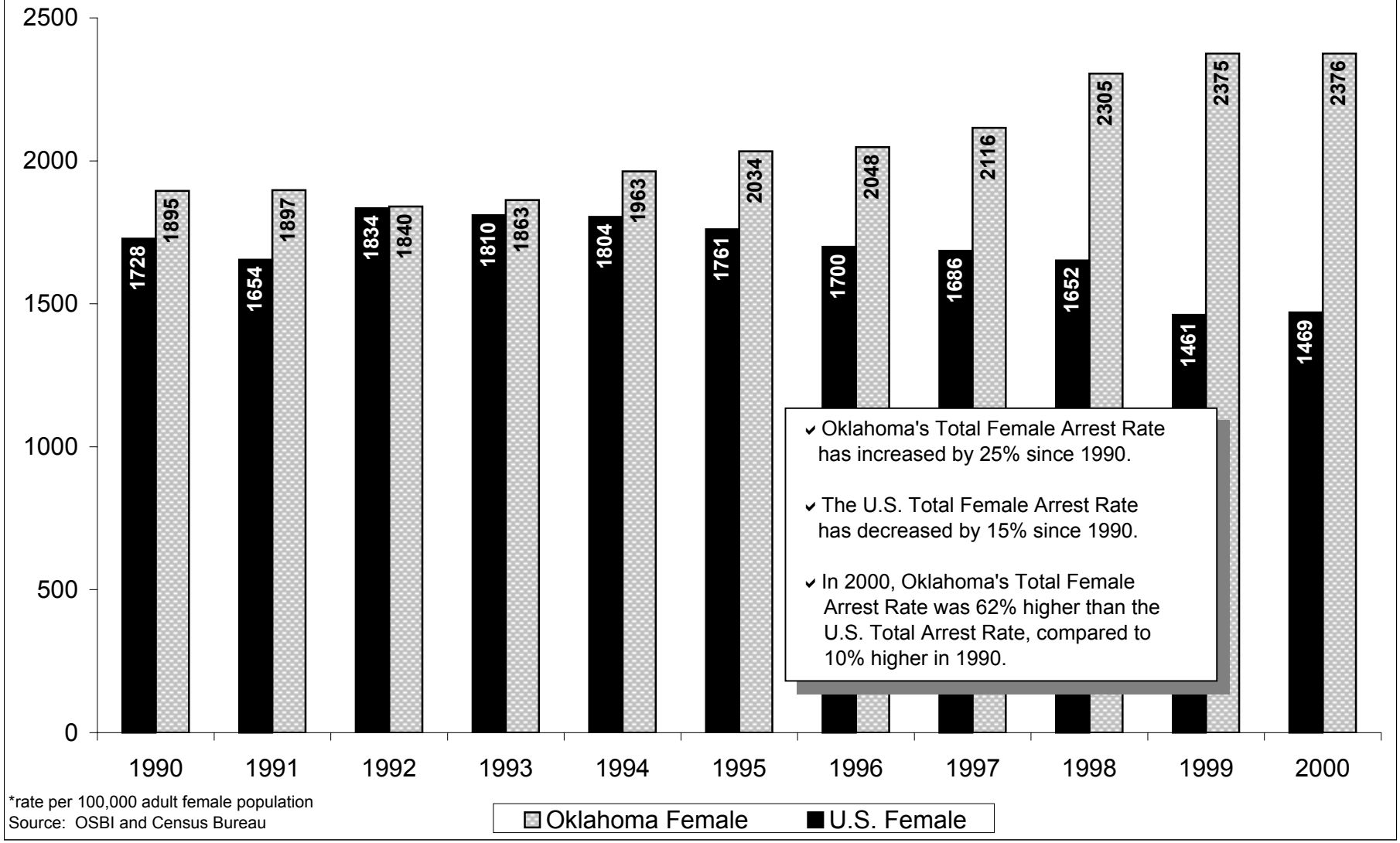


Oklahoma vs. U.S. Total Adult Arrest Rate*



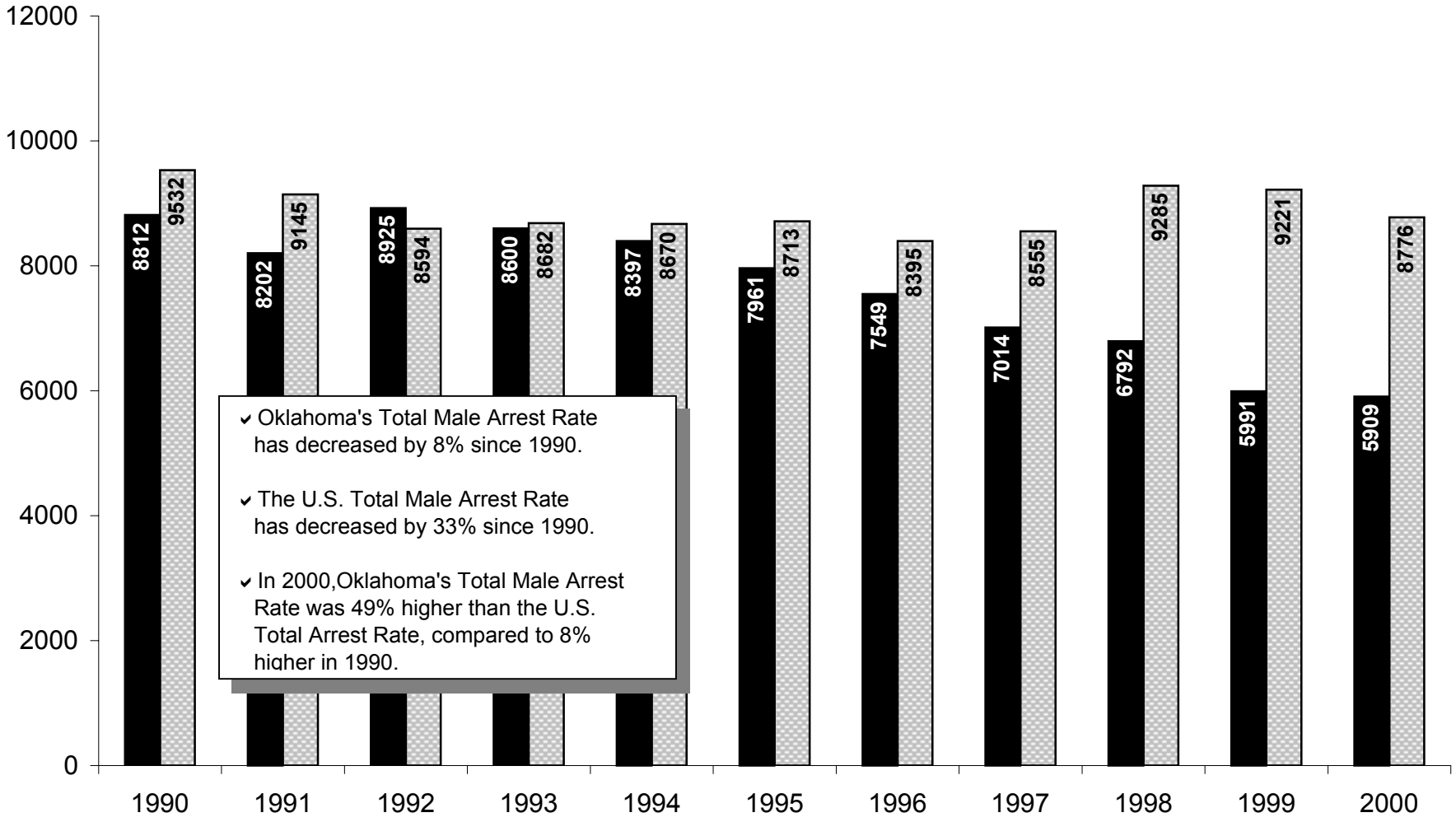
*rate per 100,000 adult population
Source: OSBI and Census Bureau

Oklahoma vs. U.S. Adult Female Arrest Rate*



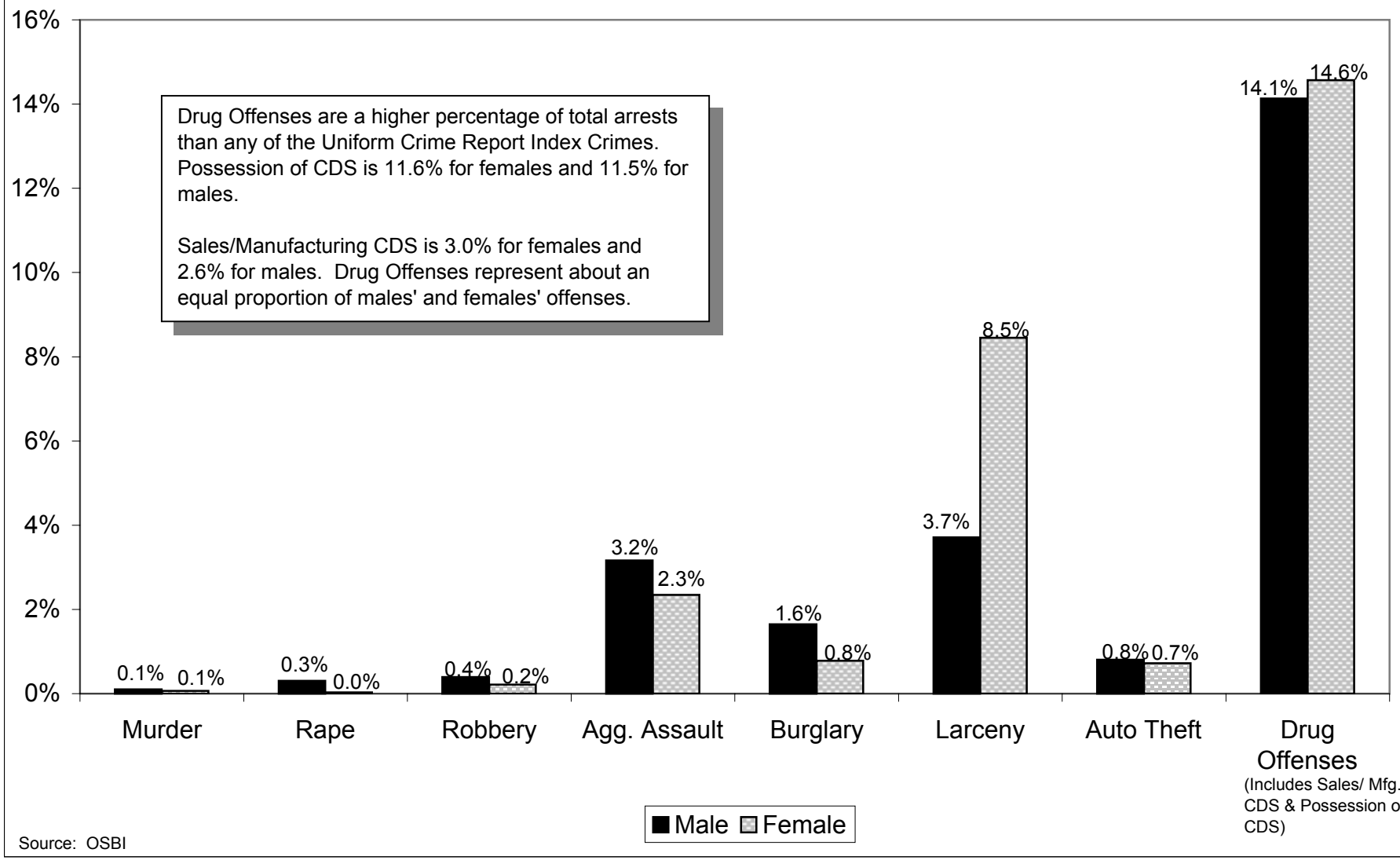
*rate per 100,000 adult female population
Source: OSBI and Census Bureau

Oklahoma vs. U.S. Adult Male Arrest Rate*



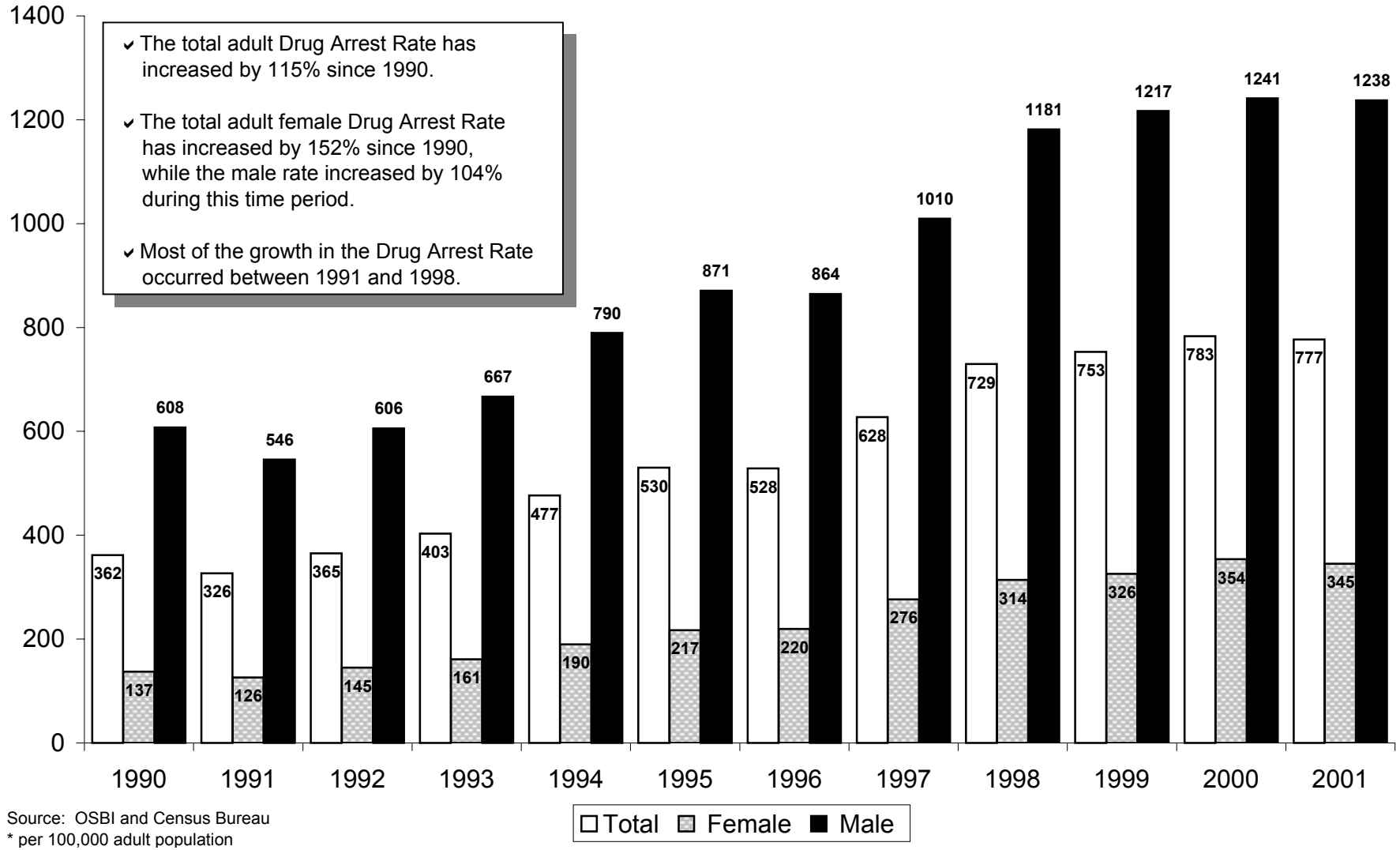
*rate per 100,000 adult male population
Source: OSBI and U.S. Census Bureau

Oklahoma Arrests by Offense and Gender 2001



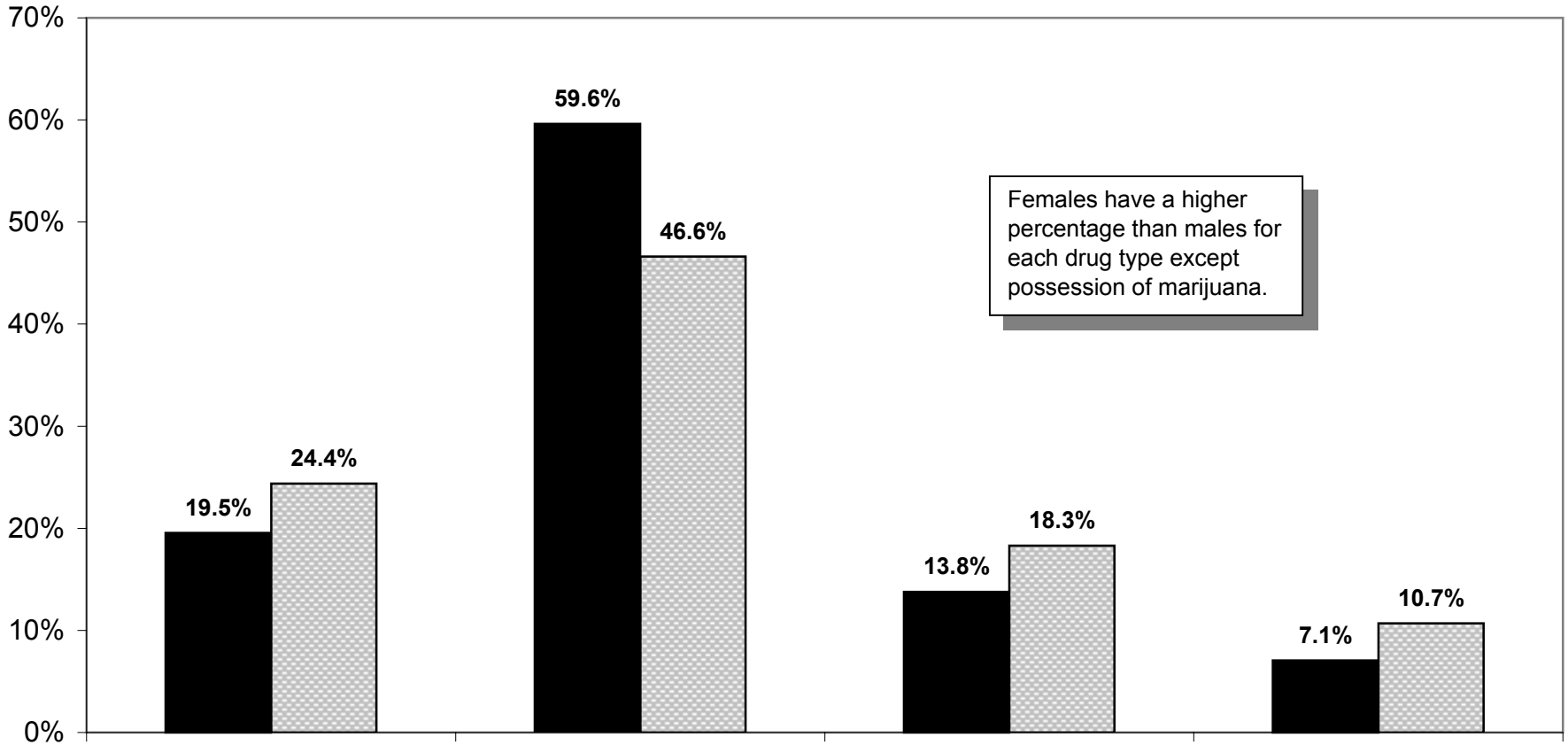
Source: OSBI

Oklahoma Adult Drug Arrest Rate by Year and Gender *



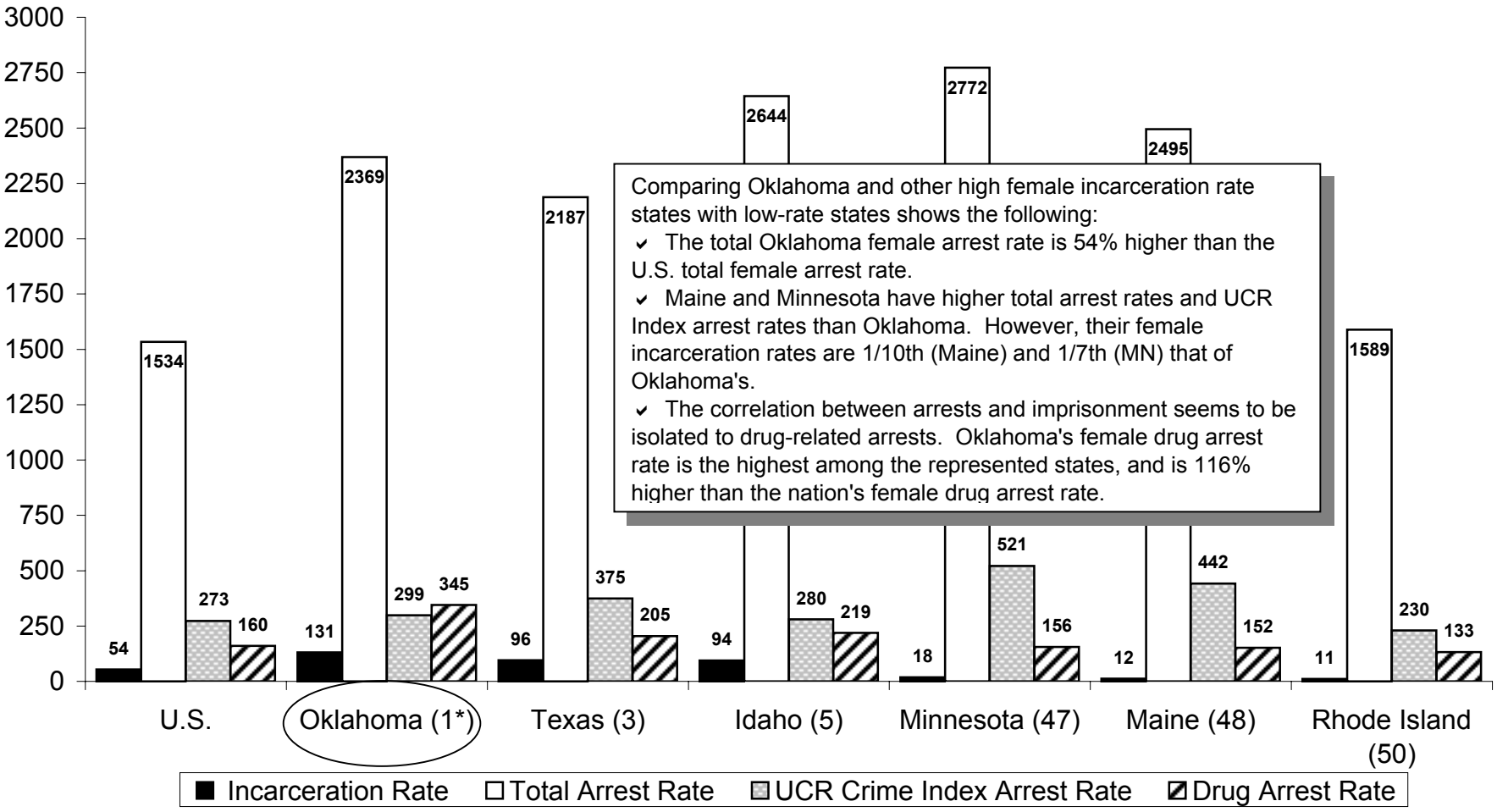
Source: OSBI and Census Bureau
* per 100,000 adult population

Oklahoma Drug Possession Arrests by Drug Type and Gender 2001



Source: OSBI

2002 Adult Female Incarceration Rate**
2001 Female Total, Crime Index, and Drug Arrest Rates**



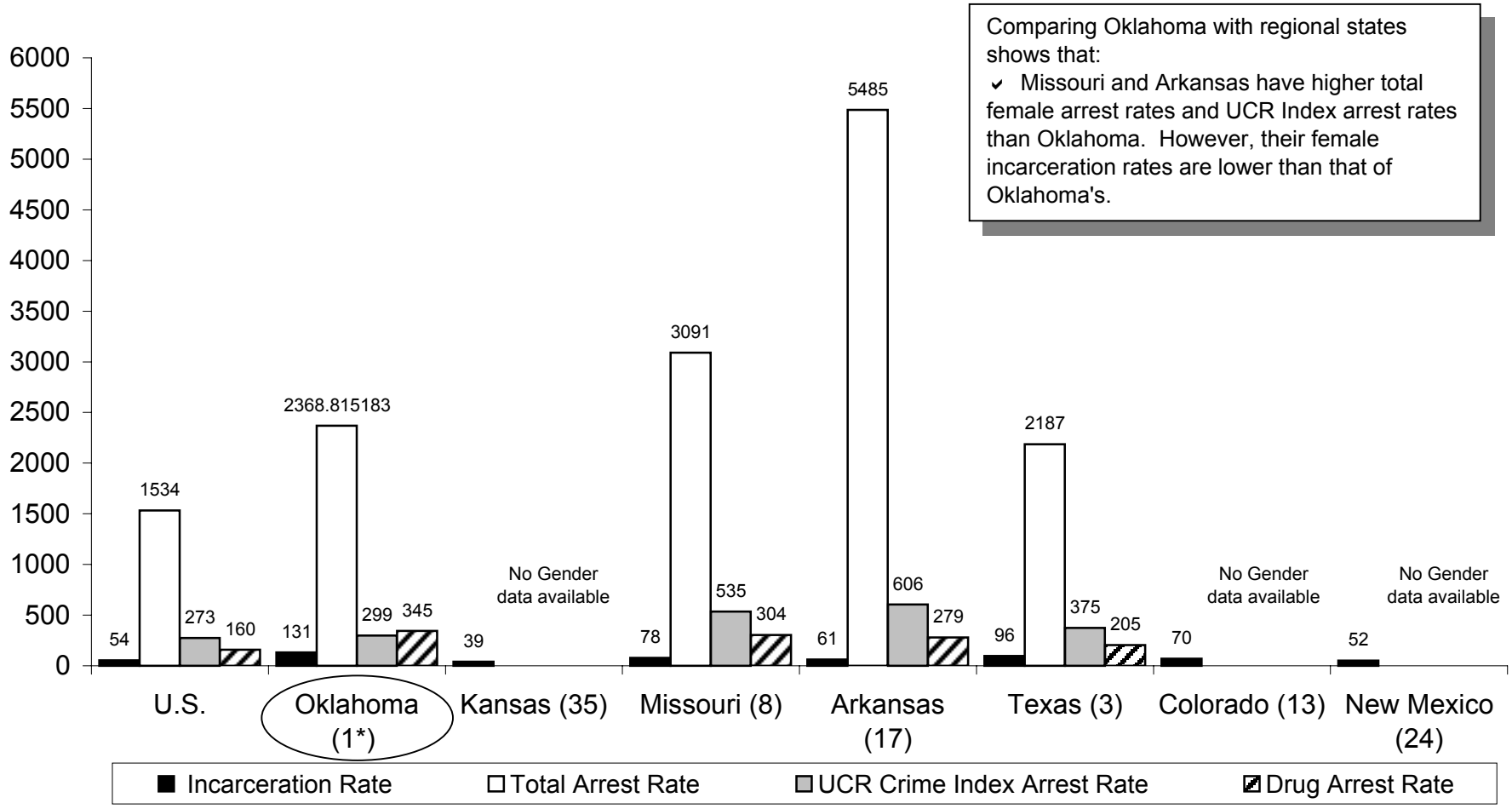
Comparing Oklahoma and other high female incarceration rate states with low-rate states shows the following:

- The total Oklahoma female arrest rate is 54% higher than the U.S. total female arrest rate.
- Maine and Minnesota have higher total arrest rates and UCR Index arrest rates than Oklahoma. However, their female incarceration rates are 1/10th (Maine) and 1/7th (MN) that of Oklahoma's.
- The correlation between arrests and imprisonment seems to be isolated to drug-related arrests. Oklahoma's female drug arrest rate is the highest among the represented states, and is 116% higher than the nation's female drug arrest rate.

Source: *Crime in the United States 2001* U.S. Department of Justice FBI
Prisoners in 2002 Bureau of Justice Statistics

*The rank for incarceration rates follows each state in parenthesis.
**Arrest rates per 100,000 female population 18 years and older - Incarceration rates per 100,000 female population.

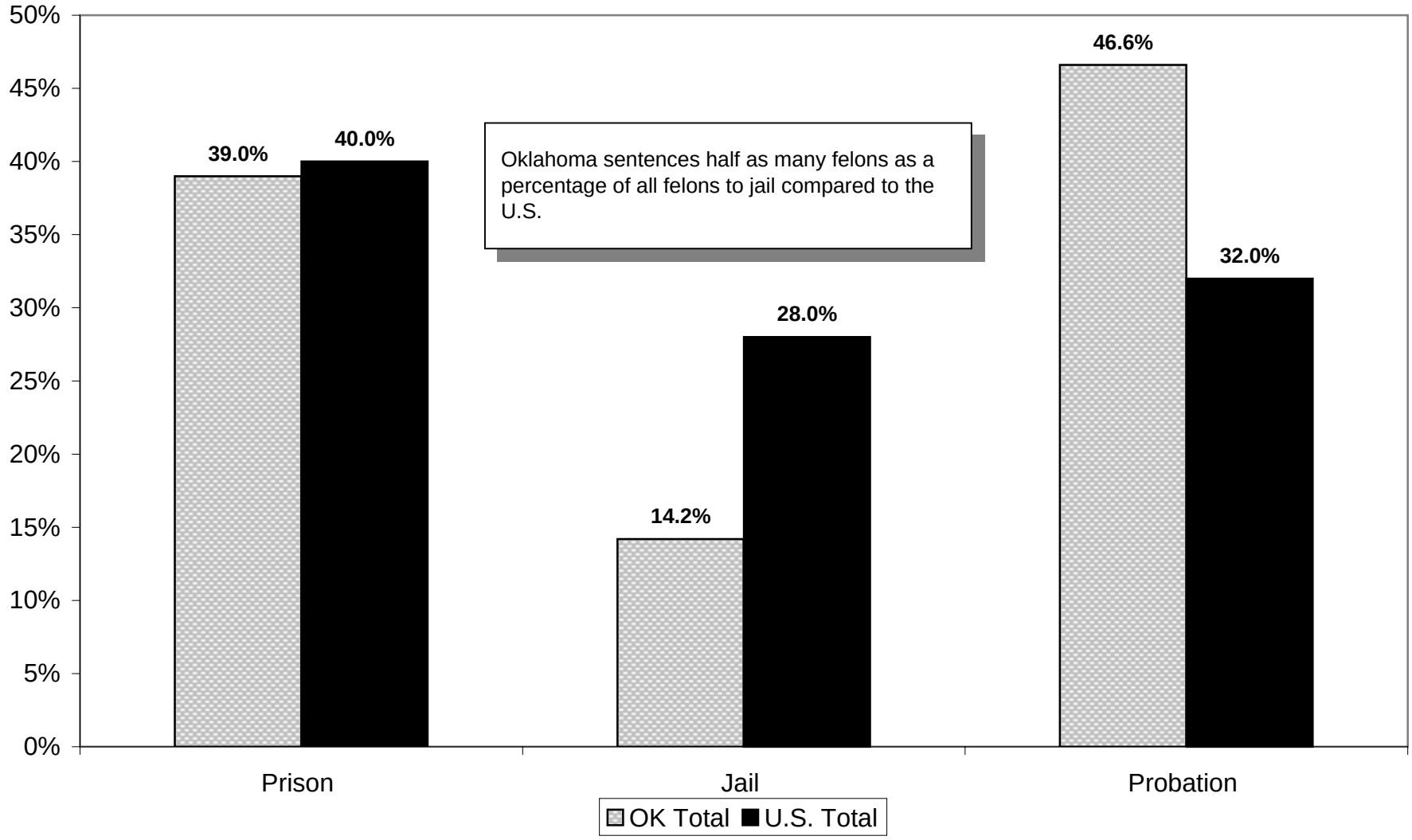
2002 Adult Female Incarceration Rate**
2001 Adult Female Total, Crime Index, and Drug Arrest Rates**
Among Regional States



Source: *Crime in the United States 2001* U.S. Department of Justice FBI
Prisoners in 2002 Bureau of Justice Statistics

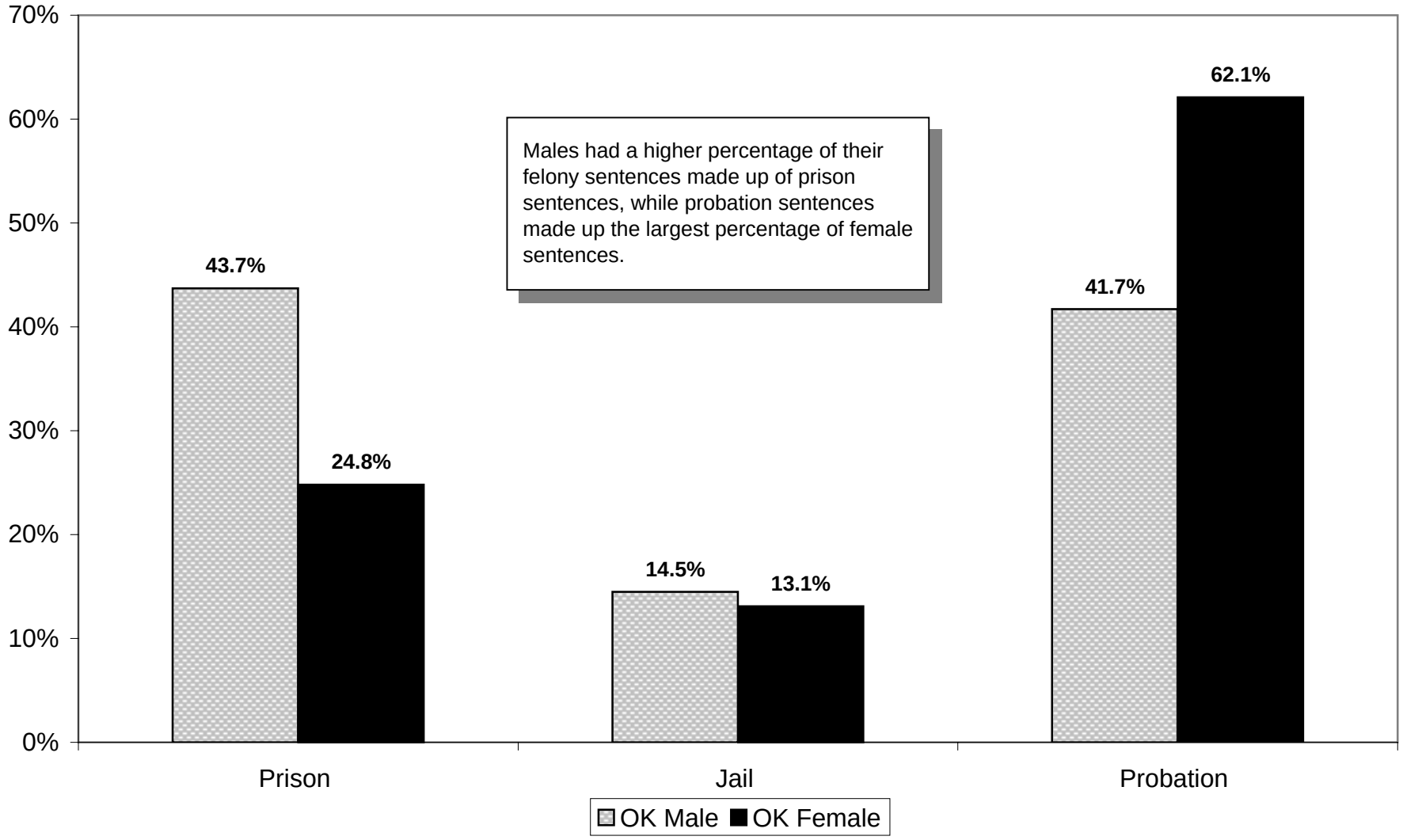
*The rank for incarceration rates follows each state in parenthesis.
**Arrest rates per 100,000 female population 18 years and older - Incarceration rates per 100,000 female population

Sentence Types for Oklahoma and U.S. Felons*



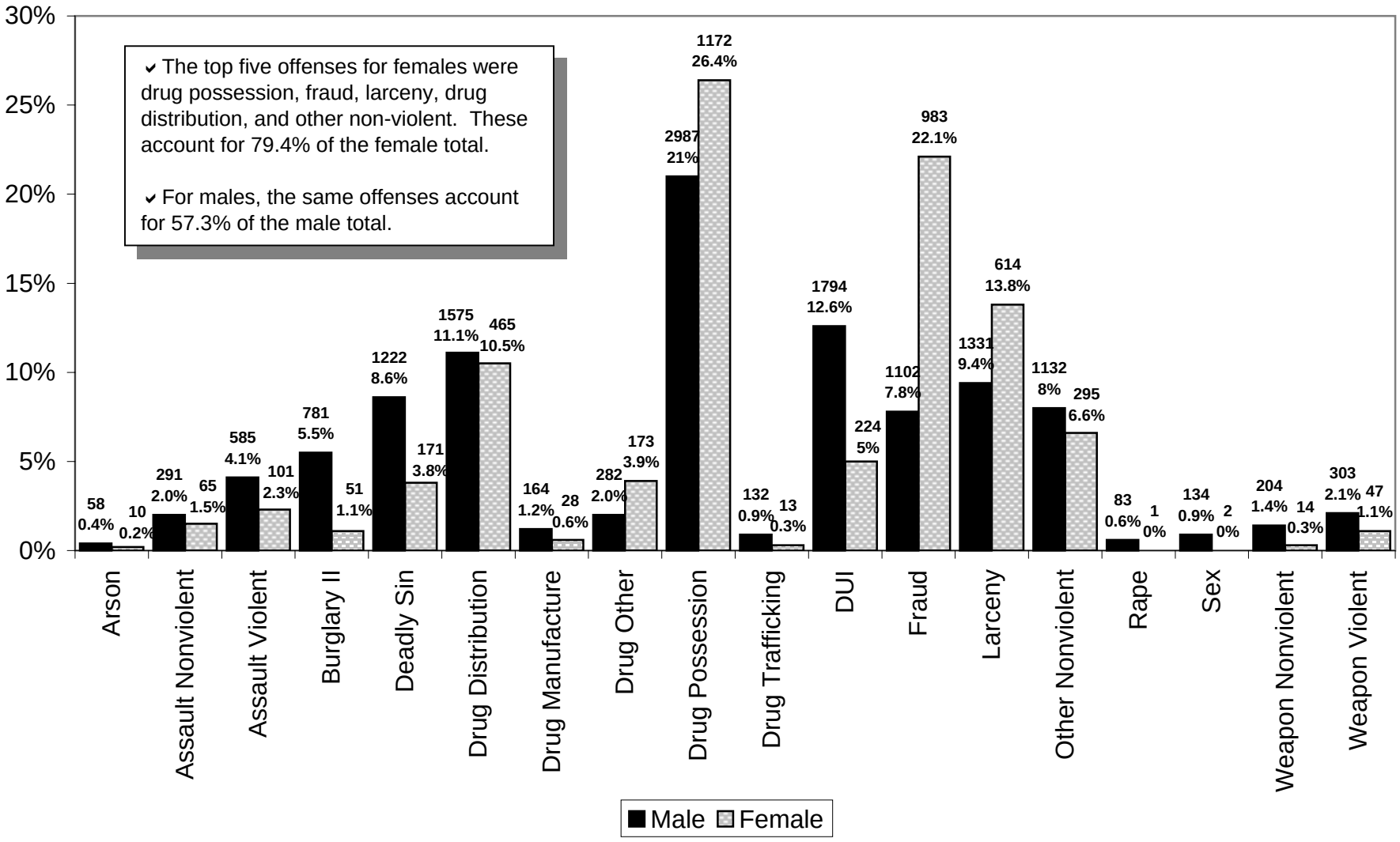
*Source: OCJRC - Oklahoma data 2001 and BJS, National Judical Reporting Program - U.S. data 2000.

Sentence Types for Oklahoma Felons by Gender 2001



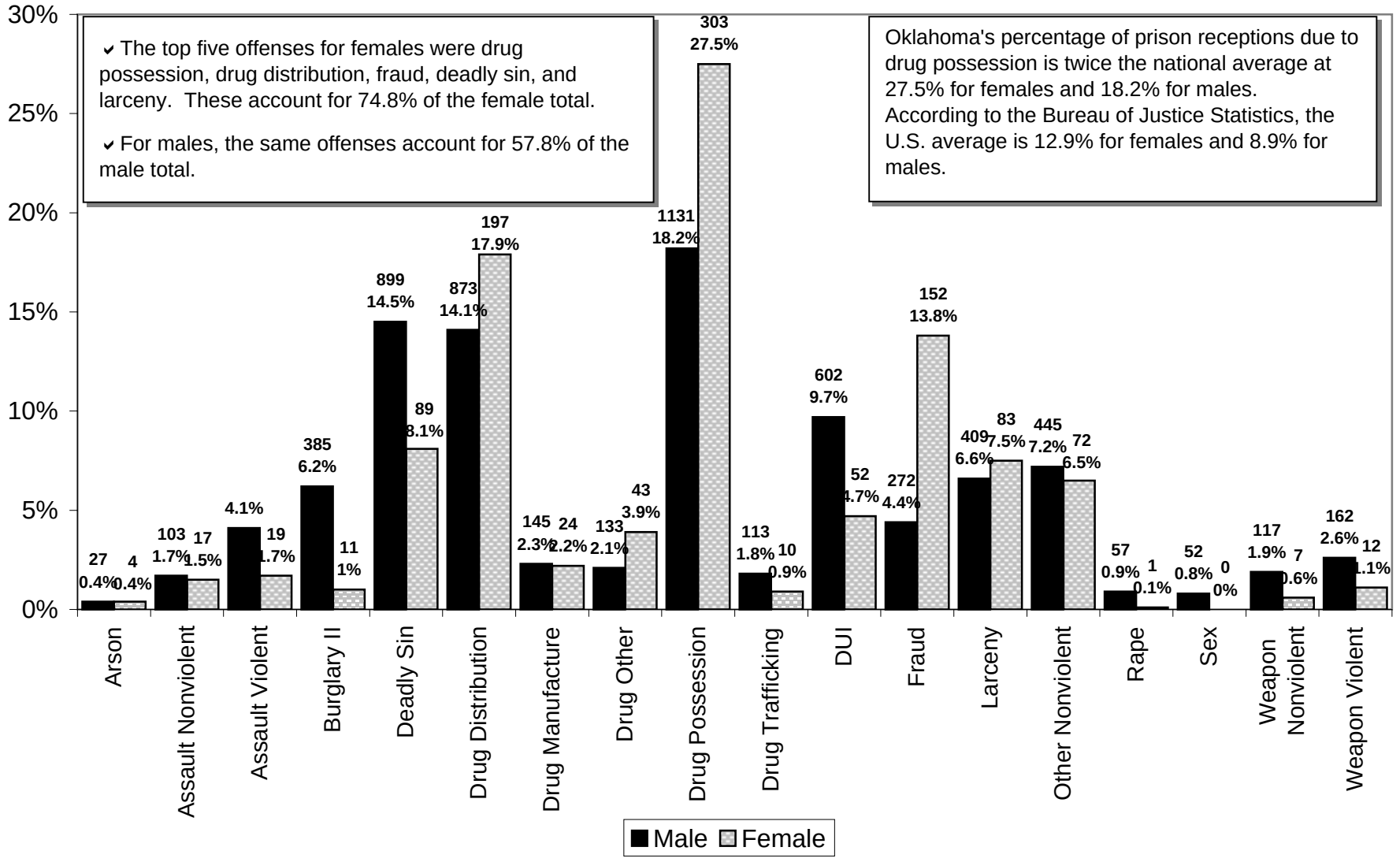
Source: OCJRC

All Felony Convictions in Oklahoma by Gender and Offense 2001



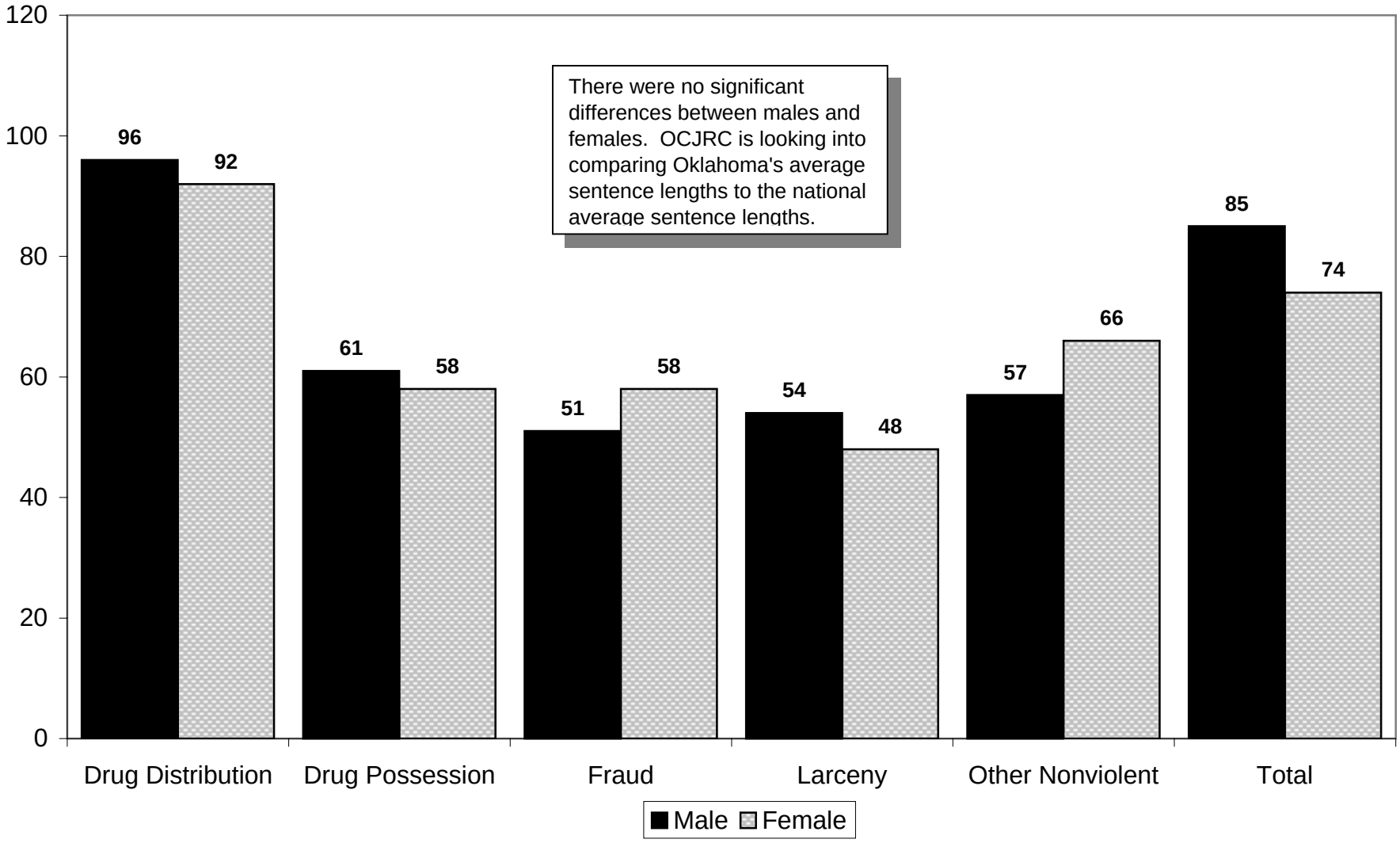
Source: OCJRC

All Prison Receptions in Oklahoma by Gender and Offense 2001



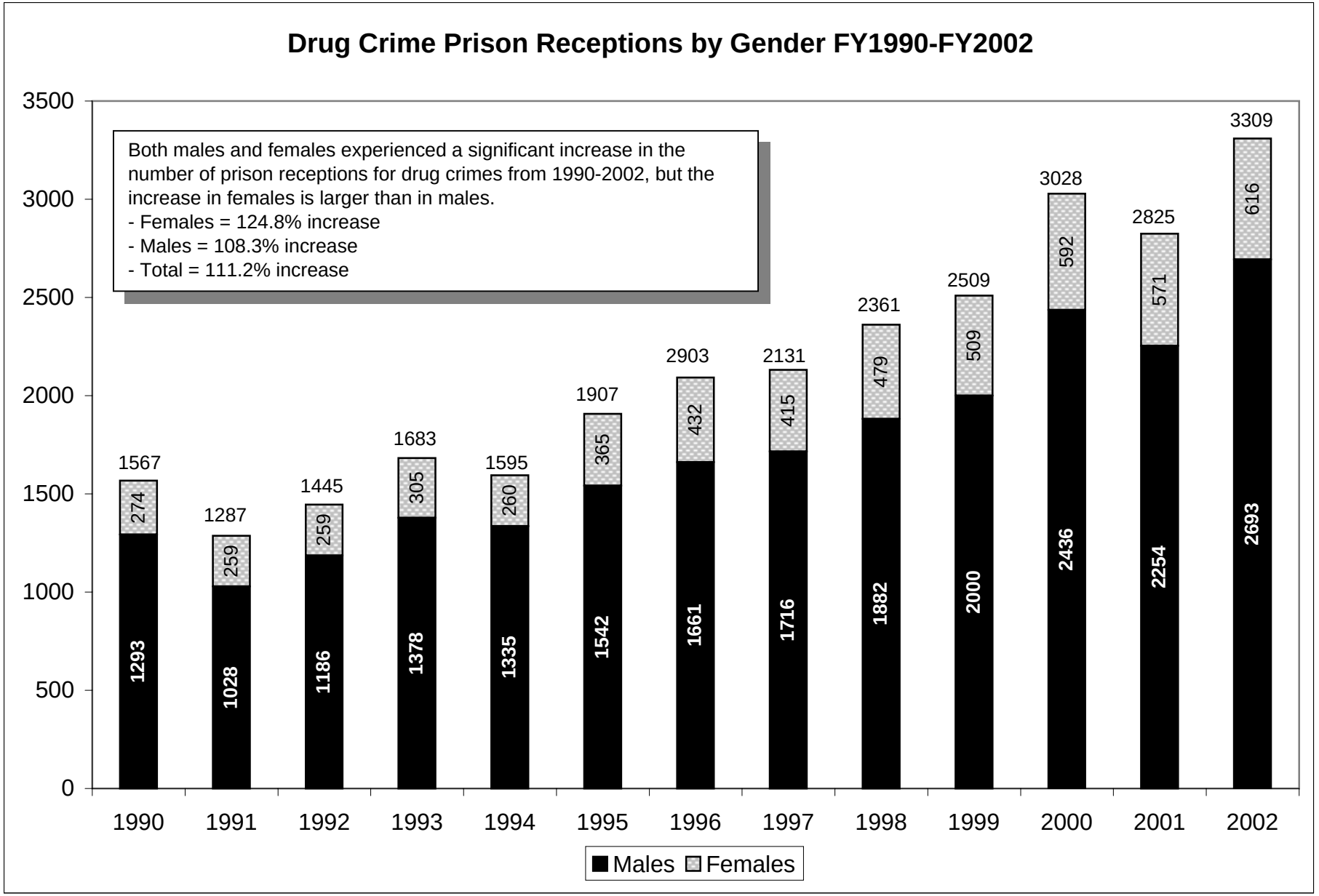
Source: OCJRC and BJS, National Corrections Reporting Program.

Oklahoma Average Prison Sentence Lengths in Months by Gender 2001

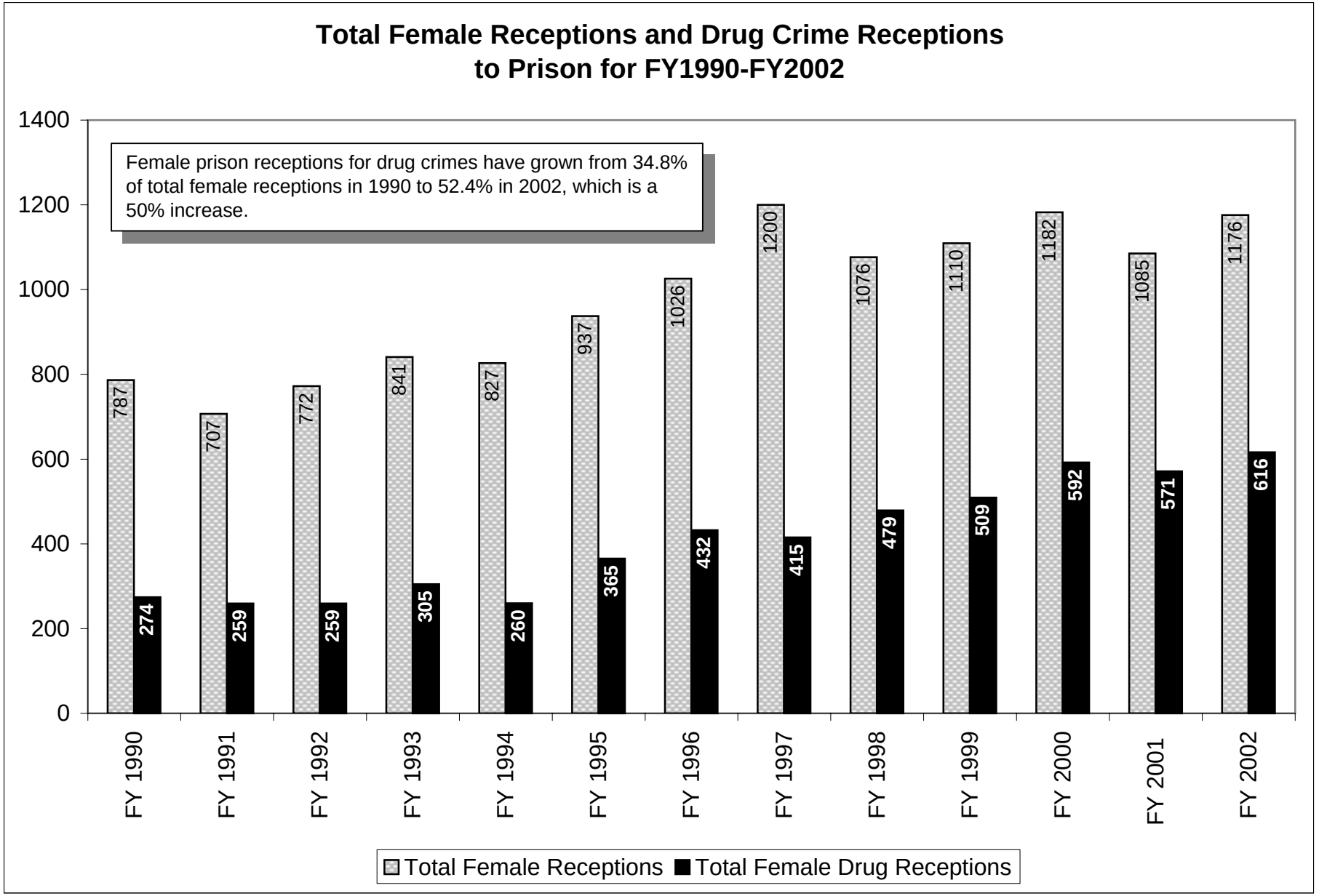


Source: OCJRC
Note: Sentences over 45 years omitted in average sentence length, as well as Life, LWOP, and Death sentences.

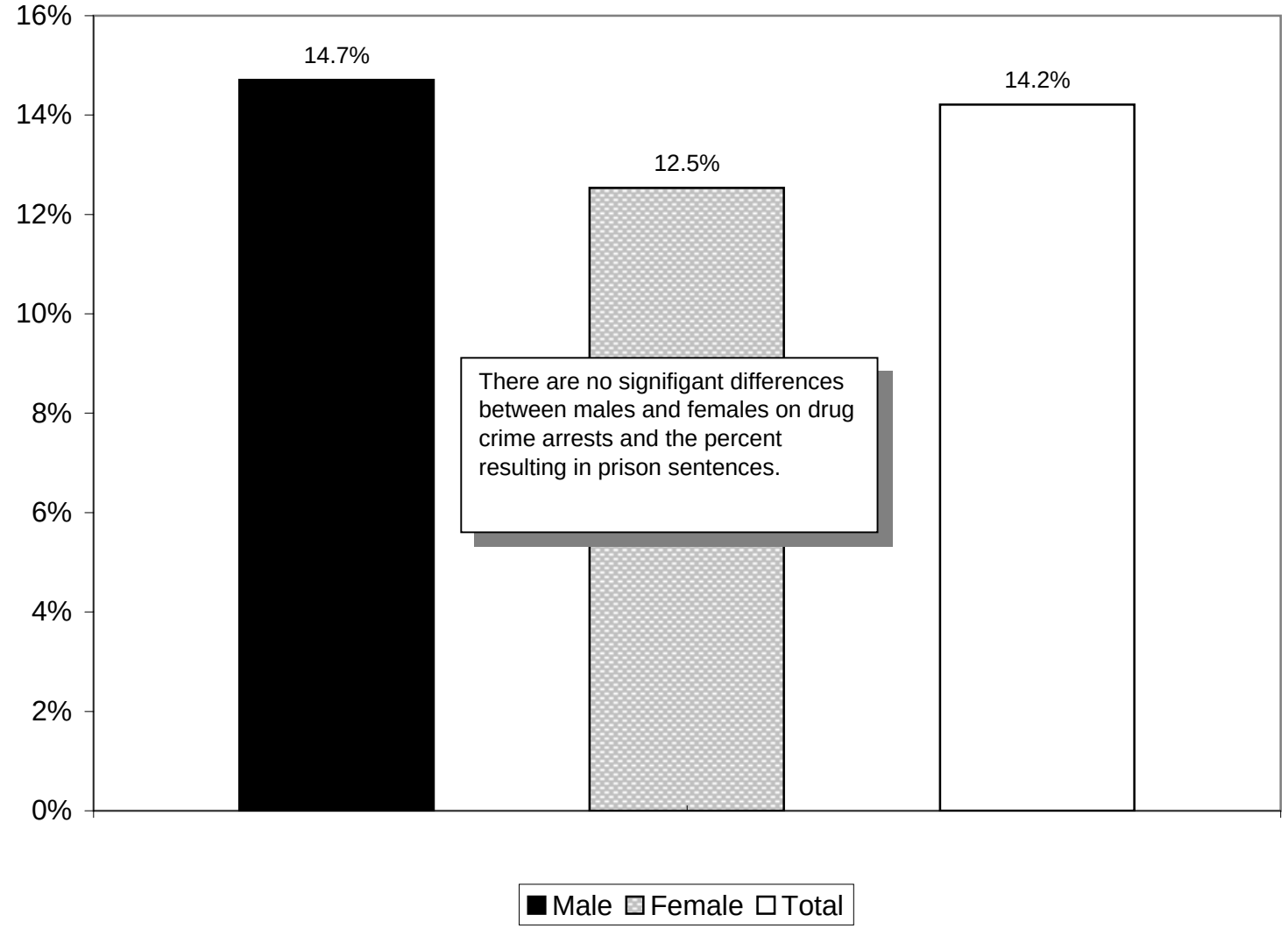
Drug Crime Prison Receptions by Gender FY1990-FY2002



Total Female Receptions and Drug Crime Receptions to Prison for FY1990-FY2002

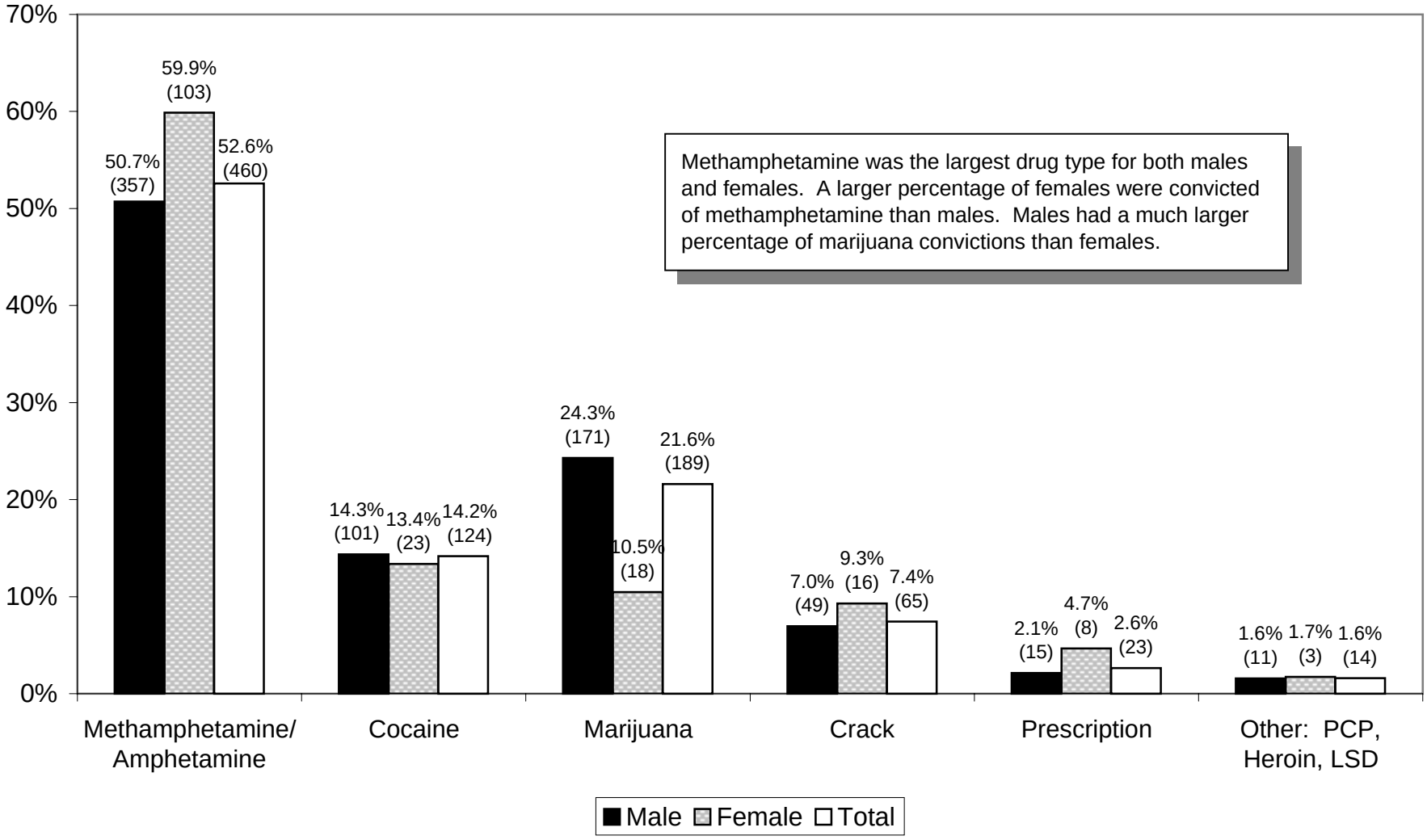


Percent of Drug Arrests Resulting in Prison Receptions for Drug Crimes by Gender 2001



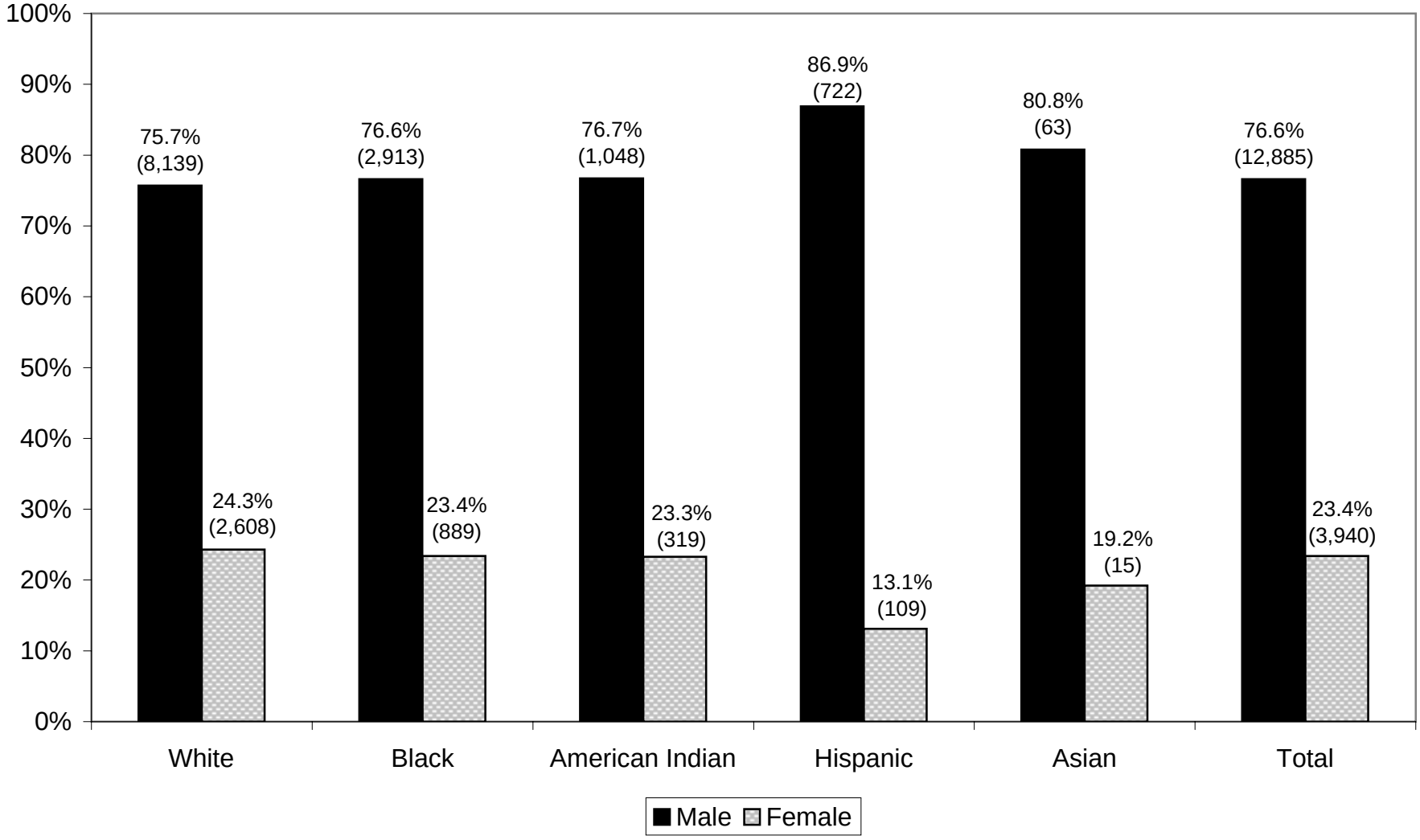
Drug Types for Possession of CDS for Prison Sentences by Gender

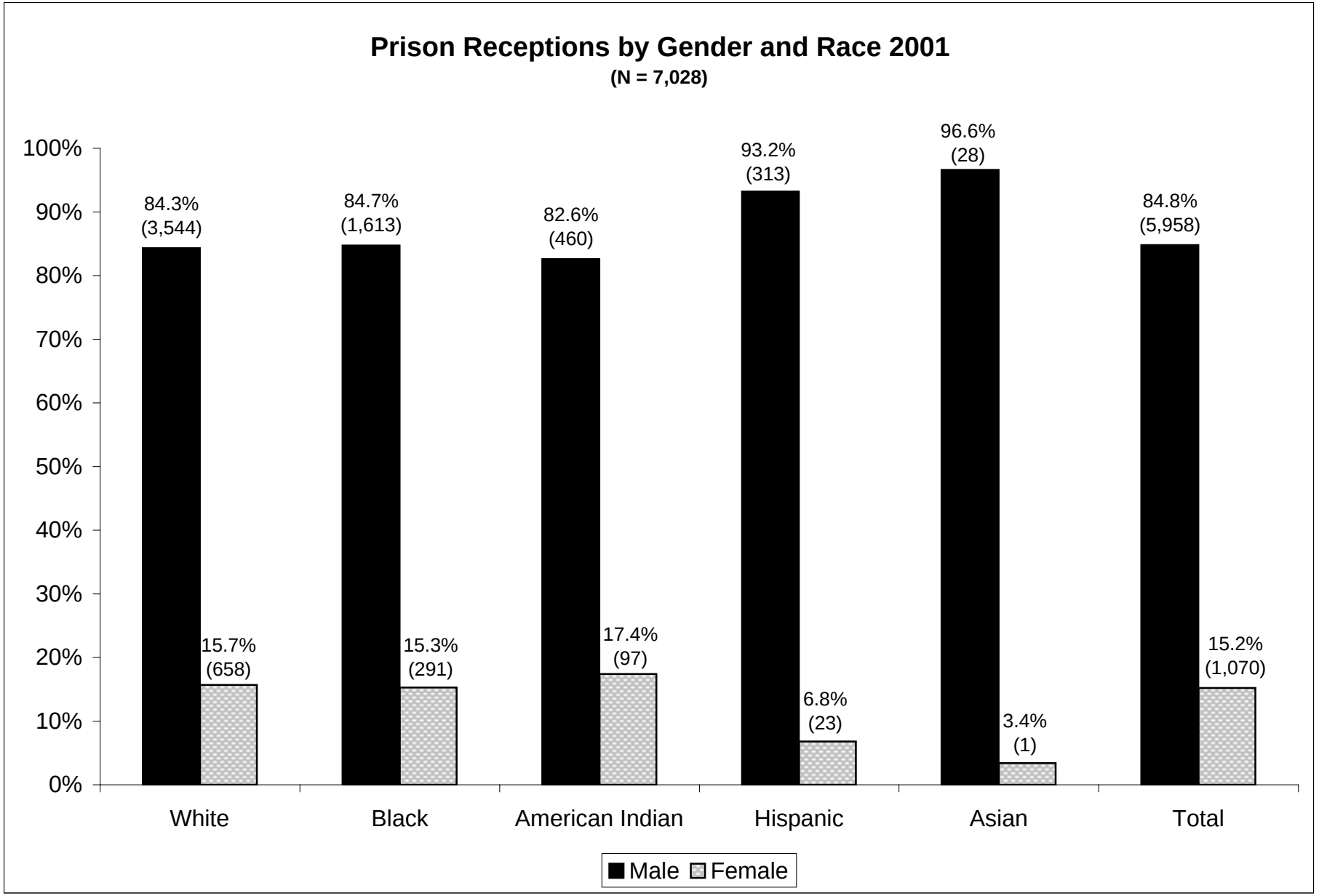
(N = 875 where drug type was known)

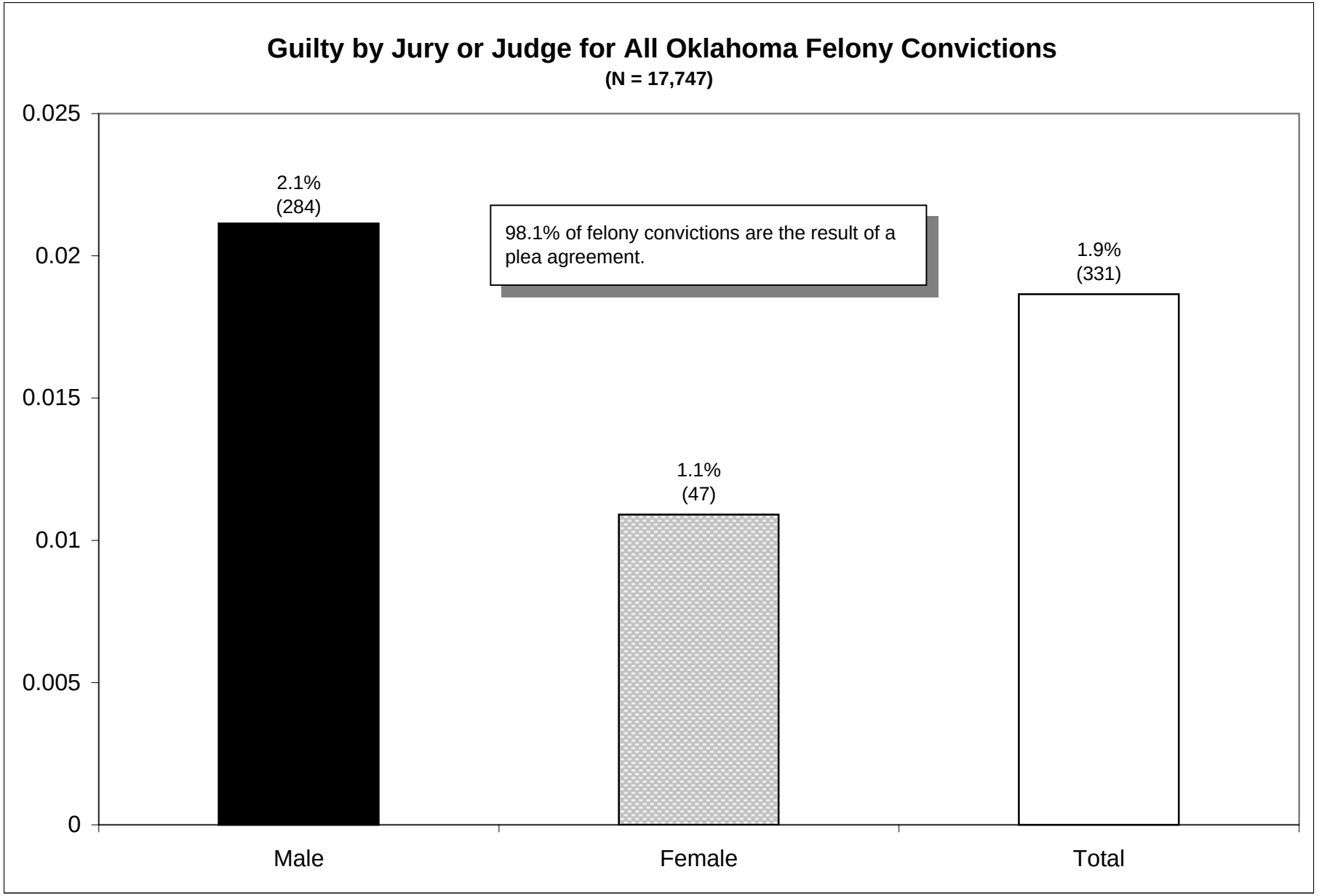


All Felony Convictions by Gender and Race 2001

(N = 16,825)




Prison Receptions by Gender and Race 2001
(N = 7,028)
100%
90%
80%
70%
60%
50%
40%
30%
20%
10%
0%
84.3% (3,544)
15.7% (658)
84.7% (1,613)
15.3% (291)
82.6% (460)
17.4% (97)
93.2% (313)
6.8% (23)
96.6% (28)
3.4% (1)
84.8% (5,958)
15.2% (1,070)
White
Black
American Indian
Hispanic
Asian
Total
Male
Female


Guilty by Jury or Judge for All Oklahoma Felony Convictions
(N = 17,747)
0.025
0.02
0.015
0.01
0.005
0
2.1%
(284)
98.1% of felony convictions are the result of a plea agreement.
1.1%
(47)
1.9%
(331)
Male
Female
Total

Analysis of First-Time Felony Female Offenders Sentenced to Prison

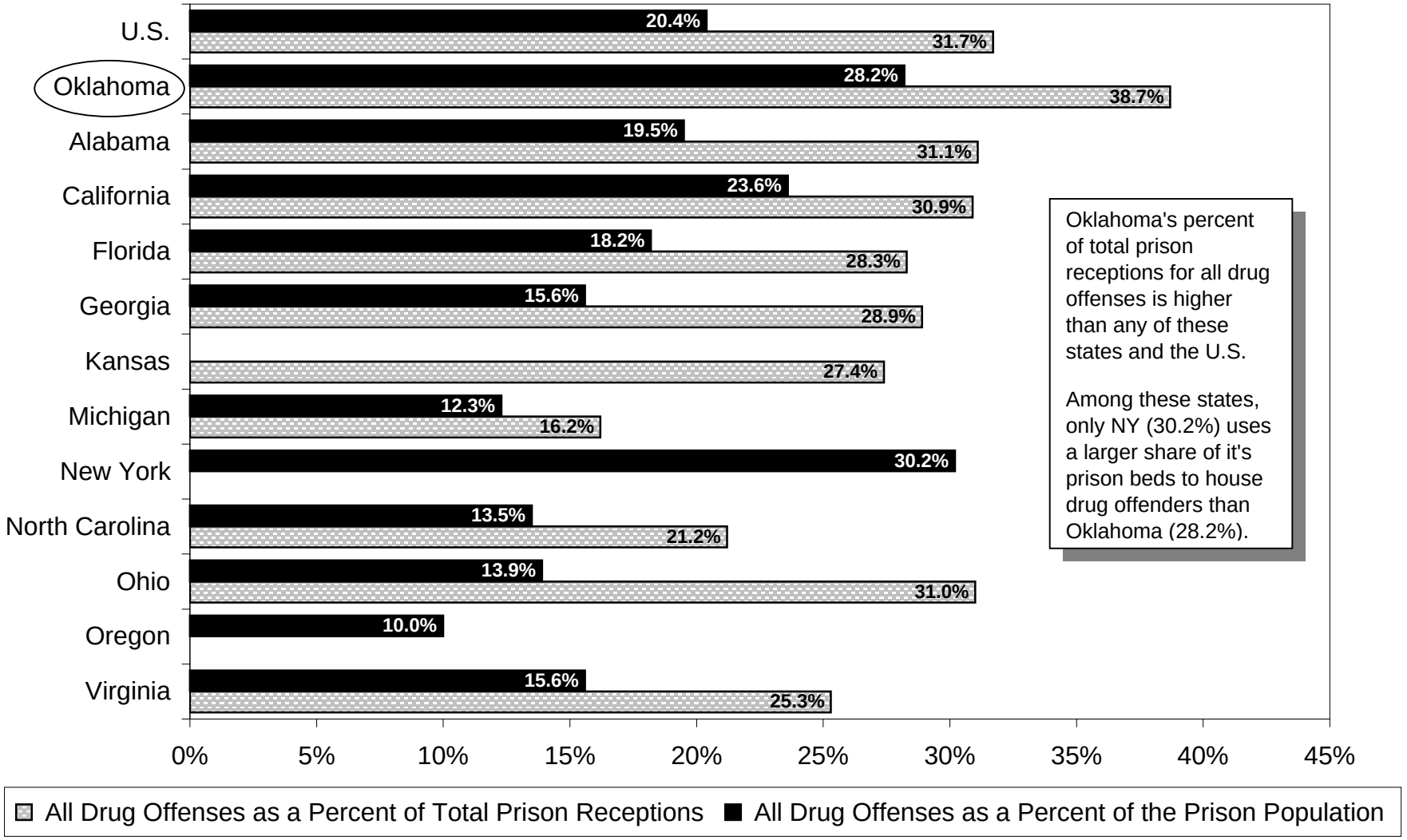
Considerations and Exclusions	Female Offenders Impacted (Number and % of total)	Female Offender New Reception Numbers
Population considered: inmate receptions in CY 01		**1101**
Exclude offenders convicted of a violent offense	126 11.4%	975
Exclude revoked/accelerated sentences	140 12.7%	835
Exclude multiple offenses	405 36.8%	430
Exclude offenders convicted of drug trafficking and drug manufacturing	6 female offenders had a drug trafficking offense and 7 were drug manufacturing offenses 1.2%	417
Exclude offenders where firearm was used in offense	6 0.5%	411
Exclude offenders who had 1 known felony prior offense*	58 5.3%	353
Exclude offenders who had 2 or more known felony prior offenses*	172 15.6%	181
Exclude prison receptions that were blind pleas or a jury trial	9 0.8%	172
Exclude prison receptions less than 12 months as they are most likely short-term programs	13 1.2%	159
Exclude theft amounts over $2,500	3 0.3%	156
		Percent of females left over from original receptions = **14.2%**

Female Offenders Sent to Prison After Accounting for Extenuating Circumstances

	Female Offenders	
Offense Category	**Frequency**	**Percentage**
Arson	1	0.6%
Nonviolent Assault	4	2.6%
Burglary II	1	0.6%
Drug Distribution	28	17.9%
Drug Other	10	6.4%
Drug Possession	63	40.4%
DUI	11	7.1%
Fraud	16	10.3%
Larceny	11	7.1%
Other Nonviolent	11	7.4%
Sex	0	0.0%
Totals	156	100.0%

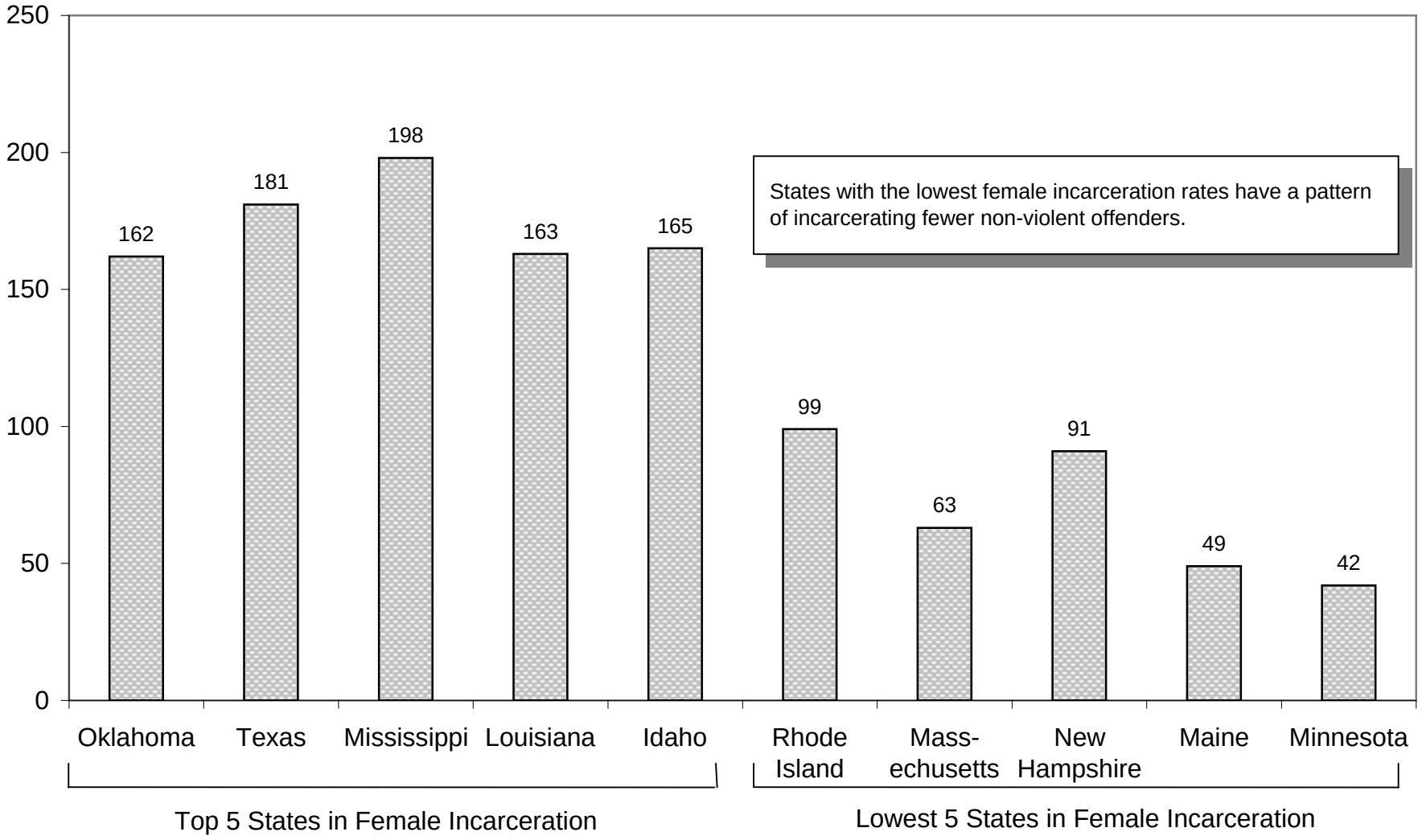
*Prior felony convictions are determined from court records, DOC data, and OSBI rap sheets (it excludes juvenile records, FBI records, and out-of-state records unless provided by the aforementioned sources).

Drug Offenders as a Percentage of Prison Receptions and Prison Population of Oklahoma, Selected States, and U.S.



Source: Vera Institute of Justice and Bureau of Justice Statistics

Number of Inmates per 1,000 Nonviolent Crimes of Selected States*



* Ratio is calculated as inmates CY 2001 from Bureau of Justice Statistics per nonviolent index crime CY 1999 from the Federal Bureau of Investigation.

2002 Females Incarcerated by County*

County	Female Population	Number of Females Incarcerated	Female Incarceration Rate
Adair	10,668	1	0.09
Alfalfa	2,643	1	0.38
Atoka	6,373	15	2.35
Beaver	2,897	0	0.00
Beckham	9,445	17	1.80
Blaine	5,462	3	0.55
Bryan	18,724	27	1.44
Caddo	15,184	19	1.25
Canadian	43,971	18	0.41
Carter	23,656	28	1.18
Cherokee	21,658	4	0.18
Choctaw	8,058	11	1.37
Cimarron	1,595	0	0.00
Cleveland	103,589	44	0.42
Coal	3,072	9	2.93
Comanche	55,371	120	2.17
Cotton	3,331	1	0.30
Craig	7,435	8	1.08
Creek	34,373	50	1.45
Custer	13,414	17	1.27
Delaware	18,870	17	0.90
Dewey	2,434	0	0.00
Ellis	2,061	0	0.00
Garfield	29,840	53	1.78
Garvin	14,118	6	0.42
Grady	23,311	40	1.72
Grant	2,646	0	0.00
Greer	2,708	1	0.37
Harmon	1,691	5	2.96
Harper	1,812	1	0.55
Haskell	6,026	11	1.83
Hughes	6,876	3	0.44
Jackson	14,282	24	1.68
Jefferson	3,502	13	3.71
Johnston	5,343	2	0.37
Kay	24,817	13	0.52
Kingfisher	7,138	1	0.14
Kiowa	5,227	5	0.96
Latimer	5,415	3	0.55

* County information is missing for 27 female inmates whose county of conviction is unknown.

Source: Doc Female Incarceration Map

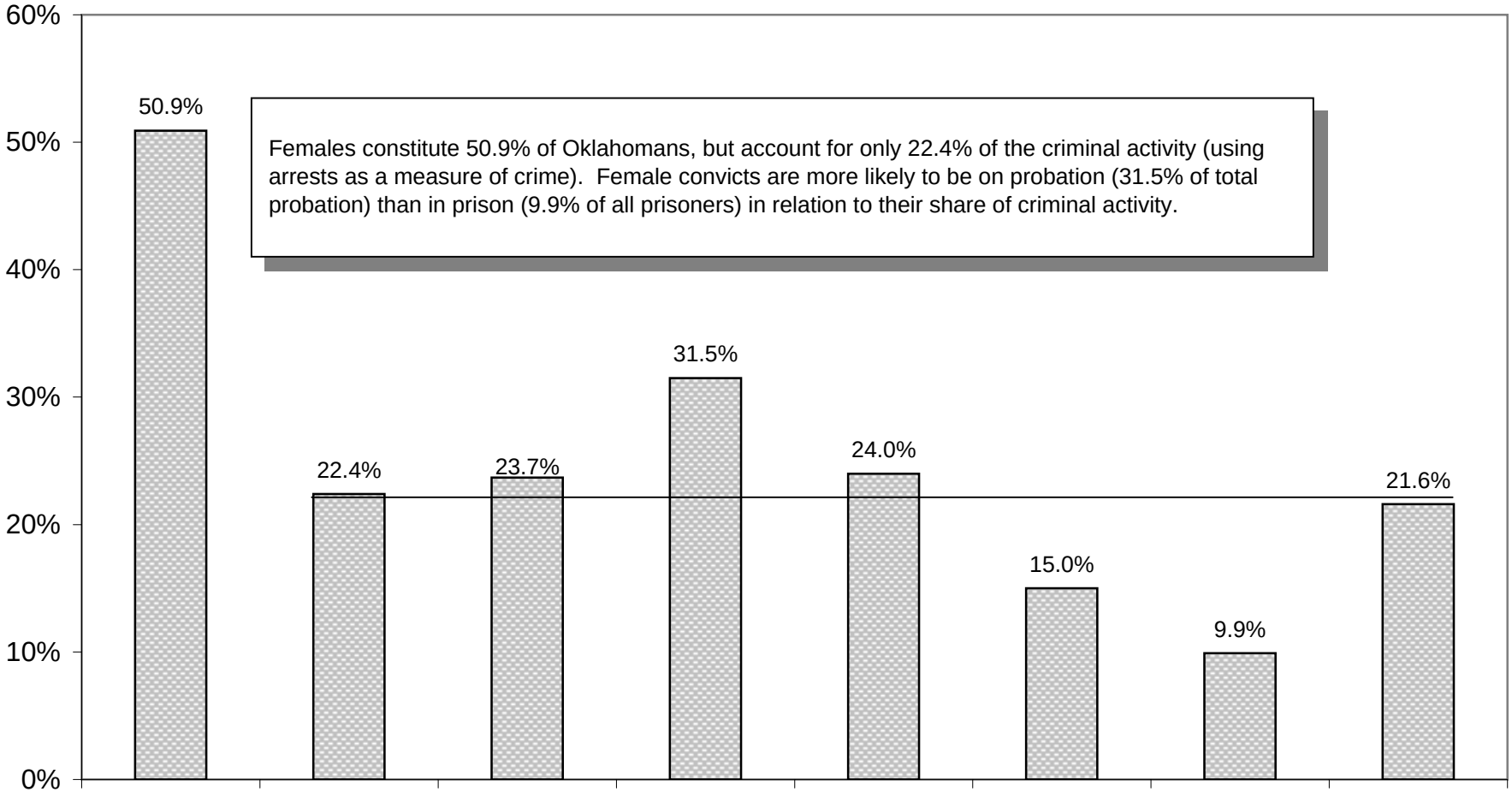
2002 Females Incarcerated by County*

County	Female Population	Number of Females Incarcerated	Female Incarceration Rate
Love	4,456	4	0.90
McClain	13,966	4	0.29
McCurtain	17,845	16	0.90
McIntosh	10,149	15	1.48
Major	3,862	1	0.26
Marshall	6,710	6	0.89
Mayes	19,336	9	0.47
Murray	6,395	7	1.09
Muskogee	35,936	32	0.89
Noble	5,781	4	0.69
Nowata	5,372	2	0.37
Okfuskee	5,721	7	1.22
Oklahoma	340,022	679	2.00
Okmulgee	20,329	20	0.98
Osage	21,986	10	0.45
Ottawa	17,085	10	0.59
Pawnee	8,415	4	0.48
Payne	33,542	35	1.04
Pittsburg	21,814	20	0.92
Pontotoc	18,185	24	1.32
Pottawatomie	33,881	38	1.12
Pushmataha	6,060	1	0.17
Roger Mills	1,714	0	0.00
Rogers	35,889	16	0.45
Seminole	12,884	13	1.01
Sequoyah	19,751	23	1.16
Stephens	22,288	75	3.37
Texas	9,764	13	1.33
Tillman	4,735	4	0.84
Tulsa	290,069	437	1.51
Wagoner	29,075	17	0.58
Washington	25,499	32	1.25
Washita	5,936	6	1.01
Woods	4,457	1	0.22
Woodward	9,247	9	0.97
Statewide	**1,754,759**	**2,268**	**1.29**

* County information is missing for 27 female inmates whose county of conviction is unknown.

Source: Doc Female Incarceration Map

Female Percentage of Totals at Various Stages in the Oklahoma Criminal Justice System 2001



4B

"Approved Program Information." August 2003. Oklahoma Department of Corrections.

Oklahoma

Department of Corrections

Approved Program Information

August 2003

CAPACITY AND COST OF DOC PROGRAMS
AS OF AUGUST 18, 2003

SUBSTANCE ABUSE PROGRAM	CPAI	DATE OF CPAI	PROGRAM CAPACITY **	FY 2003 PROGRAM PARTICIPANTS ***	FEDERAL RSAT GRANT FUND	DMHSAS SPTU FUNDS	DOC FUNDS (PERSONNEL AND OPERATING)	REVOLVING FUND (MATCHING FUNDS)	TOTAL
OKC CCC	S	3-25-03	30	73		$122,500			$122,500
Hillside CCC	S	4-9-03	12	61		$122,500			$122,500
LCCC	VS	8-27-02	20	131	$74,700			$24,900	$99,600
ECWC	S	4-23-02	72	222	$138,600			$46,200	$184,800
ECCC	NI	7-31-02	20	49		$70,000			$70,000
NEOCC	NI	11-13-01	98	361		$281,999			$281,999
MACC-min. unit	VS	4-17-02	24	65	$58,200		$38,000	$19,400	$115,600
JBCC	S	4-17-02	20	171		$67,200	$33,950		$101,150
EWCC-RTP	S	10-21-02	82	535	$154,500			$51,500	$206,000
WKCC	VS	4-24-02	164	559	$109,500 $117,028*			$36,500 $39,007*	$146,000 $156,035*
MBCC- min unit	S	3-4-03	50	137	$171,000		$32,000	$57,000	$260,000
BJCC-RTP	S	3-12-02	428	831	$73,500		$258,455	$24,500	$356,455
JHCC	VS	3-11-02	160	158			$220,000		$222,000
LCC	S	4-25-02	36	92			$54,010		$54,010
CCF	S	4-18-02	240	346			$133,462		$133,426
LCF	S	11-28-02	300	701			$605,280		$605,280
DCF	S	4-16-02	240	474			$133,566		$133,566
12 & 12	S	8-22-02	34	108			$72,320		$72,320
SUBSTANCE ABUSE TOTAL					**$897,028***	**$664,199**	**$1,581,043**	**$ 299,007***	**$3,441,277***

Number of offenders identified with a Substance Abuse Treatment Need awaiting a treatment program: 3,074

SEX OFFENDER TREATMENT	CPAI*	DATE OF CPAI	PROGRAM CAPACITY	FY 2003 PROGRAM PARTICIPANTS	DOC FUNDS		TOTAL
JDCC-SOTP			40	0	$137,608		$137,608
JHCC-SOTP	VS	3-13-02	40	55	$139,445		$139,445
SEX OFFENDER TOTAL							**$277,053**

Number of offenders identified with a need for Sex Offender Treatment awaiting a treatment program: 528

EDUCATION PROGRAMS	PROGRM CAPACITY	FY 2003 PROGRAM PARTICIPANTS	FUNDING STATE	FUNDING FEDERAL	TOTAL
Literacy	704	1,842		$36,250-Dept of Library	$36,250
Adult Basic Education	922	3,298		$236,100-ABE	$236,100
GED	768	3,312		$350,611-Title I	$350,611
College	153	489		$325,688 US DOE College Program	$325,688
SUB TOTAL	2,547		**$5,613,513** Personnel and Operating		**$948,649**
EDUCATION TOTAL					**$6,562,162**

Number of offenders identified with an Educational need awaiting an educational program: 3,156

VOCATIONAL TRAINING PROGRAMS (PUBLIC FACILITIES)	PROGRAM CAPACITY	FUNDING SOURCE	
Air/Cond/Heat & Refrig	30	CareerTech - a separate state agency	
Auto Service Technology	68		
Building Maintenance Tech	12		
Building Trades Academy	48		
Comm Construction Trades	76		
Adult Cooperative Ed.	158		
Construction Technology	12		
Electricity Technology	24		
Heavy Equip Mech	10		
Heavy Equip Opr	8		
Cabinet Making	48		
Masonry	12		
Licensed Trades	30		
Meat Processing	20		
Plumbing	12		
Welding/Fabrication	66		
Modular Home Construction	48		
Information Technology	36		
Horticulture/ Landscaping	12		
Food Service	30		
Industrial Maint. Tech.	48		
Equine Mgmt.	11		
Comm. Building & Ground Maint.	11		
TOTAL	**830**		

VOCATIONAL TRAINING PROGRAMS (PRIVATE PRISONS)	PROGRAM CAPACITY	FUNDING SOURCE	
Business Computer	103	These programs are included in the per diem	
Horticulture	84		
Carpentry	30		
Construction Tech	18		
Building Maintenance	18		
Masonry	25		
Culinary Arts	23		
Carpet Design	28		
Commercial Cleaning	20		
TOTAL	**349**		
PUBLIC AND PRIVATE VO-TECH TOTAL	**1,179**		

Number of offenders identified with a vocational training need: 702

CPAI-Correctional Programs Assessment Inventory
RSAT-Residential Substance Abuse Treatment
SPTU-Special Populations Treatment Unit

- Currently, two years of federal grant (RSAT) money is used for one year of funding for treatment

CPAI initials:
NI-Needs Improvement
S-Satisfactory
VS-Very Satisfactory

** **PROGRAM CAPACITY** – refers to the maximum number of offenders a specific facility program can serve at any given time. This figure is more dynamic with educational programs, as the number of educators employed at a facility determines maximum number of offenders served

*** **FY 2003 PROGRAM PARTICIPANTS** – indicates the number of offenders who participated in a given program during FY 2003.

* **WSKCC** has received a federal Byrne Grant that will fund a treatment component for the RTP population. Funding marked with an (*) denotes the allocated Byrne funds. These funds were also included in the overall total for Substance Abuse Treatment Programs

FEMALE FACILITIES

Approved Programs

The Oklahoma Department of Corrections operates numerous programs designed to address criminal behavior. These programs utilize a cognitive behavioral curriculum to address criminogenic behaviors and attitudes. Approved programs include Substance Abuse Treatment (SAT) and Sex Offender Treatment Programs (SOTP). The Department of Corrections also offers various programs designed to address the criminal thought process such as Thinking for a Change (TFC) and Moral Reconation Therapy (MRT). All Approved Programs must meet requirements set forth by OP-090101. Attached are the following:

- Approved Program Matrix – details Facility, Type and Length of Program, Capacity, and Requirements for Placement in Substance Abuse Treatment, Therapeutic Communities, Regimented Treatment Programs and Sex Offender Treatment.

- Listing of facilities currently providing Thinking for a Change (TFC) and Moral Reconation Therapy (MRT).

- Capacity and Cost Matrix – detailing funding breakdown and number of offenders served.

- OP – 090101 as referenced earlier, detailing requirements that must be met by all approved programs.

- OP – 060203 and OP – 060107 that provide a better understanding of offender levels in conjunction with program referral and participation.

APPROVED PROGRAM MATRIX

Facility	M/F	Program	Risk	Custody	Entry	Length	Slots	Age	Requirements		Definition and Description
JHCC	Male	SAT	Mod to high	Medium	open	12 months	160	open	(items 1-2-3-4-5)		**SAT** - Substance Abuse Treatment
LCC	Male	SAT	Mod to high	Medium	open	6 months	36	open	(items 1-2-3-4-5)		**RTP** - Regimented Treatment Program
WKCC	Male	SAT	Mod to high	Minimum	open	6-12 mon	164	open	(items 1-2-3-4-5)		**TC** - Therapeutic Community
MACC	Male	SAT	Mod to high	Minimum	closed	6 months	24	open	(items 1-2-3-4-5)		**SOTP** - Sex Offender Treatment Program
JBCC	Male	SAT	Mod to high	Minimum	closed	6 months	20	open	(items 1-2-3-4-5)		
NOCC	Male	SAT	Mod to high	Minimum	open	4 months	98	open	(items 1-2-3-4-5)		**Risk** - Based on LSI-R score
MBMSU	Female	SAT	Mod to high	Minimum	open	6 months	50	open	(items 1-2-3-4-5)		**Custody** - Security level of facility
OKCCCC	Male	SAT	Mod to high	Community	open	4 months	30	open	(items 1-2-3-4-5)		
ECWC	Male	SAT	Mod to high	Community	open	6 months	40	open	(items 1-2-3-4-5-6)		
ECWC	Male	SAT-support		Community	open		32	open			
ECCC	Male	SAT	Mod to high	Community	open	6 months	20	open	(items 1-2-3-4-5-6)		
LCCC	Male	SAT	Mod to high	Community	closed	6 months	20	open	(items 1-2-3-4-5)		**Entry** - Open=continuous enrollment
HillsideCC	Female	SAT	Mod to high	Community	open	4 months	12	open	(items 1-2-3-4-5)		**Slots** - Maximum capacity
12 &12	Male	SAT	Mod to high	Community	open	6 months	34	open	(items 1-2-3-4-5)		
											Item Description
BJCC	Male	RTP	Mod to high	Minimum	open	12 months	428	18-40	(items 1-2-3-4-5-6)		1) No sex offences
EWCC	Female	RTP	Mod to high	Minimum	open	12 months	82	open	(items 1-2-3-4-5-6)		2) Minimum/Community eligible upon completion
											or discharge upon completion
											3) Mental health level A and B only
DCF	Male	TC	Mod to high	Medium	open	12 months	240	open	7th grade ed. (items 1-2-3-4-5)		4) History of Substance Abuse
LCF	Male	TC	Mod to high	Medium	open	12 months	300	open	7th grade ed. (items 1-2-3-4-5)		5) No trafficers unless history of abuse
CCF	Male	TC	Mod to high	Medium	open	12 months	240	open	7th grade ed. (items 1-2-3-4-5)		6) Medical Clearance
DBCF	Male	TC	Mod to high	Medium	open	12 months	0	open	8th grade ed. (items 1-2-3-4-5)		7) History of Sex Offense
JHCC	Male	SOTP	all ranges	Medium	open	36 months	40	open	(items 2-3-7)		
JHCC	Male	SOTP	all ranges	Medium	open	12 months		open	(items 2-3-7)		
JDCC	Male	SOTP	all ranges	Minimum	open	36 months	40	open	(items 2-3-7)		
JDCC	Male	SOTP	all ranges	Minimum	open	12 months		open	(items 2-3-7)		

Thinking For a Change and Moral Reconation Therapy (MRT) by Facility

Facility	
DCCC	Thinking For a Change
male - med/min	
EWCC	Thinking For a Change
female - min	Moral Reconation Therapy (MRT)
HMCC	Thinking For a Change
male - min	Moral Reconation Therapy (MRT)
JBCC	Thinking For a Change
male -min	
JDCC	Thinking For a Change
male -min	
JEHCC	Thinking For a Change
male - min	
NOCC	Thinking For a Change
male - min	Moral Reconation Therapy (MRT).
JCCC	Thinking For a Change
male - med	
JLCC	Thinking For a Change
male - min.	
JHCC	Thinking For a Change
male - med	
LCC	Thinking For a Change
male - med/min	
MBCC	Thinking For a Change
female - min/med/max	
OSR	Thinking For a Change
male - med/min	
WSKCC	Thinking For a Change
male - min	
CCF private prison	Thinking For a Change
male - med	
GPCF private prison	Thinking For a Change
male - med	
MCCC	Thinking For a Change
male - community	Moral Reconation Therapy (MRT)

Idabel WC	Moral Reconation Therapy (MRT)
male - community WC	
Ardmore WC	Moral Reconation Therapy (MRT)
male - community WC	
Frederick WC	Thinking For a Change
male - community WC	
LCCC	Thinking For a Change
male - community	Moral Reconation Therapy (MRT)
Madill WC	Thinking For a Change
male - community WC	
Walters WC	Thinking For a Change
male - community WC	
Waurika WC	Thinking For a Change
male - community WC	
Elk City WC	Thinking For a Change
male - community WC	
Sayre WC	Thinking For a Change
male - community WC	Cage Your Rage
OKCCCC	Thinking For a Change
male - community	Moral Reconation Therapy (MRT)
Hillside CCC	Thinking For a Change
female - community	Moral Reconation Therapy (MRT)
Avalon	Thinking For a Change
male - halfway house	
Bridgeways	Thinking For a Change
male - halfway house	Moral Reconation Therapy (MRT)
Turley HWH	Thinking For a Change
female - halfway house	
Riverside	Thinking For a Change
male - halfway house	

Ancillary Classes and Groups

The Oklahoma Department of Corrections offers various ancillary classes or groups at facilities across the state. These classes and groups complement and enhance other programs offered by the Oklahoma Department of Corrections. The attached listing provides a breakdown by facility of Ancillary classes and groups available. All Ancillary groups listed meet the following guidelines.

- All Ancillary classes and groups are voluntary.
- Ancillary classes and groups entail various educational/instructional and support group services offenders may volunteer to participate in.
- Ancillary classes and groups are open to all offenders, and do not have admission or completion criteria.
- Ancillary classes and support groups are offered to offenders as resources permit at varying facilities.
- Volunteers or facility staff provide all Ancillary classes and groups.
- The Oklahoma Department of Corrections neither receives nor requires additional funding to provide Ancillary classes or groups.
- Most Ancillary class and group material is either free or obtained for minimal cost and can be reproduced. Minimal facility funding is used to purchase supplies and materials.

Facility	Ancillary Class or Group
DCCC	New Life Behavior
male - med/min	Alcohol Narcotics Victorious (ANV)
	Alcoholics Anonymous (AA)
	Christians Against Substance Abuse (CASA)
	Coping w/ Anger
EWCC	New Life Behavior
female - min	Genesis One
	Alcohol Narcotics Victorious (ANV)
	Domestic Violence
	Alcoholics Anonymous (AA)
	Narcotics Anonymous (NA)
	Prep Marriage Initiative
	Parenting Teen
	Parenting
	Coping w/ Anger
HMCC	Keys to Successful Life Choices
male - min	Reintegration
JBCC	New Life Behavior
male -min	Alcohol Narcotics Victorious (ANV)
	Alcoholics Anonymous (AA)
JDCC	New Life Behavior
male -min	Genesis One
	Alcohol Narcotics Victorious (ANV)
	Alcoholics Anonymous (AA)
	Narcotics Anonymous (NA)
	Coping w/ Anger
JEHCC	New Directions
male - min	New Life Behavior
	Alcohol Narcotics Victorious (ANV)
	Alcoholics Anonymous (AA)
	Keys to Successful Life Choices
MACC	New Life Behavior
male - med/min	Alcohol Narcotics Victorious (ANV)
	Narcotics Anonymous (NA)
	Keys to Successful Life Choices
NOCC	New Life Behavior
male - min	Alcohol Narcotics Victorious (ANV)
	Domestic Violence
	Alcoholics Anonymous (AA)
	Keys to Successful Life Choices
	Coping w/ Anger

Facility	Ancillary Class or Group
OSP	New Life Behavior
male - max/min	Alcoholics Anonymous (AA)
BJCC	Alcoholics Anonymous (AA)
male - min	Narcotics Anonymous (NA)
	Reintegration
JCCC	Home of Honor
male - med	Alcohol Narcotics Victorious (ANV)
	Alcoholics Anonymous (AA)
	Narcotics Anonymous (NA)
	Keys to Successful Life Choices
JLCC	Alcohol Narcotics Victorious (ANV)
male - min.	Alcoholics Anonymous (AA)
	Parenting Teen
	Parenting
	Coping w/ Anger
JHCC	Alcoholics Anonymous (AA)
male - med	Prep Marriage Initiative
LCC	New Life Behavior
male - med/min	Alcoholics Anonymous (AA)
	Narcotics Anonymous (NA)
MBCC	New Life Behavior
female - min/med/max	Genesis One
	Alcohol Narcotics Victorious (ANV)
	Domestic Violence
	Alcoholics Anonymous (AA)
	Narcotics Anonymous (NA)
	Prep Marriage Initiative
	Parenting
	Coping with Anger
OSR	New Life Behavior
male - med/min	Christians Against Substance Abuse (CASA)
WSKCC	New Life Behavior
male - min	Alcohol Narcotics Victorious (ANV)
	Alcoholics Anonymous (AA)
	Narcotics Anonymous (NA)
	Keys to Successful Life Choices
	Anger Management
	Coping w/ Anger
	Cage Your Rage
CCF private prison	Alcoholics Anonymous (AA)
male - med	Relapse Prevention

Facility	Ancillary Class or Group
DBCF private prison	New Life Behavior
male - med	Alcoholics Anonymous (AA)
	Christians Against Substance Abuse (CASA)
DCF private prison	Lighthouse
male - med	New Life Behavior
	Alcoholics Anonymous (AA)
GPCF private prison	Alcoholics Anonymous (AA)
male - med	Cage Your Rage
LCF private prison	Coping w/ Anger
male - med	
MCCC	Alcohol Narcotics Victorious (ANV)
male - community	
Earl Davis WC	none reported
male - community WC	
Idabel WC	none reported
male - community WC	
Altus WC	none reported
female - community WC	
Ardmore WC	none reported
male - community WC	
Frederick WC	none reported
male - community WC	
Healdton WC	Alcoholics Anonymous (AA)
male - community WC	Coping w/ Anger
Hobart WC	none reported
male - community WC	
Hollis WC	none reported
male - community WC	
LCCC	Domestic Violence
male - community	Alcoholics Anonymous (AA)
	Narcotics Anonymous (NA)
Mangum WC	none reported
male - community WC	
Madill WC	Alcoholics Anonymous (AA)
male - community WC	

Facility	Ancillary Class or Group
Walters WC	none reported
male - community WC	
Waurika WC	none reported
male - community WC	
Beaver WC	none reported
male - community WC	
Elk City WC	Alcoholics Anonymous (AA)
male - community WC	Keys to Successful Life Choices
ECCC	Alcoholics Anonymous (AA)
male - community	Narcotics Anonymous (NA)
Sayre WC	Keys to Successful Life Choices
male - community WC	Cage Your Rage
OKCCCC	Alcoholics Anonymous (AA)
male - community	Narcotics Anonymous (NA)
	Christians Against Substance Abuse (CASA)
	Relapse Prevention
	Cage your Rage
Hillside CCC	Genesis One
female - community	Alcoholics Anonymous (AA)
	Narcotics Anonymous (NA)
	Keys to Successful Life Choices
	Parenting Teen
	Cage Your Rage
Alpha II HWH	Alcoholics Anonymous (AA)
male - halfway house	
Avalon	Alcoholics Anonymous (AA)
male - halfway house	Narcotics Anonymous (NA)
	Coping w/ Anger
Bridgeways	Coping w/ Anger
male - halfway house	
Carver	Relapse Prevention
male - halfway house	Alcoholics Anonymous (AA)
	Narcotics Anonymous (NA)
Oklahoma HWH	Relapse Prevention
M/F - halfway house	

Facility	Ancillary Class or Group
Turley HWH	Alcoholics Anonymous (AA)
female - halfway house	Narcotics Anonymous (NA)
	Parenting
Twelve and Twelve	none reported
male - halfway house	
Drug Recovery Inc.	Alcoholics Anonymous (AA)
M/F - halfway house	Narcotics Anonymous (NA)
	Relapse Prevention
	Coping w/ Anger
Riverside	Alcoholics Anonymous (AA)
male - halfway house	Narcotics Anonymous (NA)

Program Completion Achievement Credits

Successful completion of approved vocational programs will be granted achievement credits (3-4414 and 3-4422-1) as follows:

Completed Contact Hours:	960	500-959	400-499	300-399	200-299	199-50
Achievement Credits	80	60	40	30	20	10

For the below listed programs, credits will be awarded upon completion of the entire program in accordance with the above chart; no credits are given in increments.

Alva CTSC - BJCC, Alva

Electricity Technology
Plumbing Technology

Boley CTSC - JLCC, Boley
Building and Home Services
Major Appliance Repair

Central Oklahoma CTSC - COCC, McLoud
Computer Technology
Horticulture/Landscape Management

Granite CTSC – OSR, Granite
Welding

Helena CTSC – JCCC, Helena
Commercial Building & Grounds Maintenance
Equine Management

Holdenville CTSC – DCF, Holdenville
Building Maintenance Technology
Construction Technology
Horticulture/Landscape Management

Hominy CTSC – DCCC, Hominy
Plumbing

Jim E. Hamilton CTSC – JEHCC, Hodgen
Auto Service Technology
Building Maintenance Technology
Commercial/Residential Mechanical
Masonry
Welding

Lexington CTSC – LCC, Lexington
Food Services

Caddo – Kiowa Technology Center-Great Plains CF, Hinton
Business Information Process
Masonry
Carpet & Rug Design
Horticulture

Governors Mansion CTSC – KBCC, Okla. City
Horticulture/Landscape Management

McLeod CTSC – HMCC, Lane
Electricity
Heavy Equipment Operation
Heavy Equipment Mechanics
Welding

Taft CTSC – JDCC, Taft
Building Maintenance Technology
Plumbing

Taft CTSC – EWCC, Taft
Construction Support Technology
Basic Computer Technology

Fort Supply CTSC – WSKCC, Fort Supply
Commercial Construction

Chisholm Trail Area Vo-Tech – Diamondback CF, Watonga
Commercial Cleaning
Horticulture
Carpentry
Computer Training

Pontiac Business Institute-Cimarron CF, Cushing
Computerized Information Processing
Commercial Cleaning
Horticulture

Lawton Correctional Facility
Culinary Art Vocational Education
Cabinet Making/ Woodworking Vocational Education
Business and Basic Computer Technology

Altus CTSC – AWC, Altus
Adult Cooperative Education

Elk City CTSC – ECCWC, Elk City
Adult Cooperative Education

Lawton CTSC-LCCC, Lawton
Adult Cooperative Education

For the below listed programs, credits will be awarded in the following manner:

For every 6 months in work based learning and classroom: 30 credits

US Department of Labor Apprentice Training DOC Maintenance Academy

Alva CTSC – BJCC, Alva
Cooking/Baking Apprenticeship

Lexington CTSC – LCC, Lexington
Cabinet Making Apprenticeship

McAlester CTSC – JBCC, McAlester
Meat Processing Apprenticeship

Stringtown CTSC – MACC, Stringtown
Construction Trades

Lexington CTSC – JHCC Lexington
Information Technology

Lexington CTSC – LCC, Lexington
Licensed Trades
Modular Home Construction

APPRENTICESHIP PROGRAMS

Program Number	DOC Facility	Occupation(s)	Term/Hours
OK0210904	Oklahoma Department of Corrections Jackie Brannon Correctional Center Agri-Services Division Meat Processing Plant	Meat Cutting D.O.T. #316684018	6000 hrs.
OK0210908	Bill Johnson Correctional Center	Cook D.O.T.#315361010	6000 hrs.
		Baker D.O.T.#526381010	6000 hrs.
OK0210911	Oklahoma Department of Corrections Oklahoma Correctional Industries Lexington & Joseph Harp Correctional Centers	Cabinetmaker D.O.T.#660280010	7160 hrs.

APPROVED ACHIEVEMENT CREDITS/ PROGRAM PARTICIPATION POINTS

Substance Abuse Treatment Programs

	AC	(-1)
(JBCC) Substance Abuse Treatment	70	Y
(MACC) Substance Abuse Treatment	70	Y
(JHCC) Substance Abuse Treatment	70	Y
(BJCC) Regimented Treatment Program	70	Y
(EWCC) Regimented Treatment Program	70	Y
(KBCC) Substance Abuse/Reintegration	70	Y
(Elk City WC) Substance Abuse/Reintegration	70	Y
(WKCC) Substance Abuse Treatment	70	Y
(COCF) Therapeutic Community	70	Y
(LCF) Therapeutic Community	70	Y
New Direction Halfway House	70	Y
(DCF)Therapeutic Community	70	Y
(MBCC-MSU) Substance Abuse Treatment	70	Y
12 & 12 Halfway House	70	Y
(CCF) Therapeutic Community	70	Y
(CWCCC) Substance Abuse/Reintegration	70	Y
(LCC) Substance Abuse Treatment	70	Y
(LCCC) Substance Abuse Treatment	70	Y
(NOCC) Substance Abuse Treatment	70	Y
(DBCF) Therapeutic Community	70	Y
(ECCC) Substance Abuse Treatment	70	Y

Sex offender Treatment

(JHCC) Residential Sex Offender Treatment Program	30	Y

Cognitive/Behavioral

Thinking for A Change	15	Y
Moral Reconation Therapy	15	Y

Education

Literacy (0-5.9 total battery)	30	Y
ABE (6.0-8.9 total battery)	30	Y
GED	90	Y
High School Diploma	90	Y
12 college accredited hours with 2.0 or above GPA	30	Y
Title I	30	Y
Certified Volunteer Tutor	30	N
Certified Trainer	30	N
Certified Supervisor Trainer	30	N
(JHCC) Habilitation	30y	Y

Vocational Training

Approved Programs of 960 to 200 hours	(see attachment D)	Y
Approved Programs of 199-50 hours	(see attachment D)	N

Other

Keys to Successful Life Choices	15	N
Life Skills (LCF only)	15	N
CIMC Basic Life Skills	15	N
Asbestos Abatement On-The Job Training	30	N
Asbestos Abatement Training (initial Certification only)	20	N

5A

"Female Drug Offenders in Oklahoma." October 1, 2003. Sharp, Susan F., Ph.D., and Susan T. Marcus-Mendoza, Ph.D.

Female Drug Offenders in Oklahoma

Prepared for the Task Force on the Incarceration of Women

by

Susan F. Sharp, Ph.D., Associate Professor of Sociology

and

Susan T. Marcus-Mendoza, Ph.D., Chair and Associate Professor of Human Relations

University of Oklahoma

October 1, 2003

The data are from research conducted in 1997-1998 among female drug offenders in the custody of the Oklahoma Department of Corrections.

Who These Women Are:

- About half of the women were raised by both biological parents.

- About 40% of the women did not have a high school diploma or GED.

- While only 21.9% were married at the time of incarceration, in more than half of these marriages divorce had been discussed and usually one of the parties had filed for divorce.

- More than 40% of the women reported having been sexually abused as a child. More than 40% reported having been physically abused as a child. Overall, almost two-thirds of the women reported one or both types of abuse.

- Nearly two-thirds of these women reported having been the victim of domestic violence as an adult.

- Employment represented the single largest source of income for these women prior to incarceration.

- Approximately 1 in 5 of these women reported that their spouse or partner was an accomplice in the offense for which they were incarcerated.

- More than half of the women are not the first in their family to go to prison, indicating a cycle of offending. Male siblings were the most likely to have been incarcerated.

- About half of the women reported that their spouse or common-law spouse was either currently or in the past incarcerated.

- The mean age for initiation of drug use was 18.3 years. Mean age for initiation of alcohol use was 15.6 years.

- Two-thirds of the women reported that a minor child (under 18) was living with them at the time of arrest for the current offense.

- Post-incarceration, help from family members represented the single largest source of income for support of their children

- Post-incarceration, the majority of children lived with inmates' family members who had been living with the inmate at time of her arrest
    - Some children were separated from each other
    - One out of four inmates reported their children were currently living in family setting that had been physically abusive for inmate as a child.

- 43% of those with children in home reported they used drugs while children were in home but only 5% reported drug use with their children

- 41.5% reported their children have developed a problem with depression since their incarceration. This was most pronounced among children 12-18. 20.6% reported that their children ages 12-18 had dropped out of school since their incarceration.

- 14.7% of those with children in home ages 12-18 reported their children were having problems with alcohol now. 8.8% of these mothers reported children were having problems with drugs now.

Identified Problems:

- Educational deficits: Women need both high school graduation and job training.
- Marital instability
- History of physical and/or sexual abuse
- History of domestic violence victimization
- Family cycle of offending
- Unstable placements for children

Table 1. Demographics *

Variables	
Race	
Native-American	15.3%
African-American	35.4%
White	46.5%
Hispanic	1.4%
Mixed or other	1.4%
Education	
Vo-tech/2 or more yrs of college	20.6%
GED/HS diploma	40.4%
9th - 11th grade	31.9%
8th grade or less	7.1%
Employed full-time prior to incarceration	36.6%
Mean age in years	35.0 years
Mean age of those with children in home	33.7 years
Mean age of those without children in home	37.8 years

* Some percentages may not equal 100% due to rounding.

Table 2. Background of Inmate

Variables	
Marital status	
Married	21.9%
Common-law	33.3%
Divorce discussed (among those legally married)	57.1%
Divorce filed (among those legally married)	52.4%
Spouse is or has been incarcerated (among those married or common-law)	50.7%
First in family to go to prison	43.0%
Mother went to prison	4.1%
Father went to prison	9.9%
Physically abused as a child	42.3%
Parent or step-parent was perpetrator	25.9%
Sexually abused as a child	42.7%
Parent or step-parent was perpetrator	13.7%
Experienced domestic violence as adult	
Victim of domestic violence	64.6%
Perpetrator of domestic violence	11.8%

Table 3. Mean Age at Initiation of Alcohol and Drug Use

Age	Years of Age
Mean age at first drink (in yrs.)	15.6
Mean age began daily drinking (in yrs.)	19.0
Mean age first used drugs (in yrs.)	18.3
Mean age first injected drugs (in yrs.)	18.6

Table 4. Children under age 18 (means reported)

	AGE
Number of children under age 18, per inmate	2.03
Number of minor children living elsewhere at time of arrest, per inmate	0.69

* 96 of 144 women surveyed (2/3) reported that they had one or more children living in the home at the time of incarceration. The 96 women reported a total of 195 children in the home.

Table 5. Method of Supporting Family Reported by Women with Dependent Children in Home at Time of Incarceration

	Prior to Incarceration	**Current**
Respondent worked	37.5% (36)	–
Spouse worked	25.0% (24)	15.6% (15)
Received AFDC/TANF	26% (25)	16.7% (16)
Received SS/SSI/VA benefits	19.8% (19)	14.6% (14)
Received child support	10.4% (10)	2.1% (2)
Illegal income	16.7% (16)	4.2% (4)
Family helped	11.5% (11)	33.3% (32)

Table 6. Current Living Arrangements of Children Living with Inmate Prior to this Incarceration (N=96)

	Percentage (N)
Child now with other parent	30% (29)
Child with inmate's mother	49% (47)
Child with inmate's father	12.5% (12)
Child with inmate's grandparent	1% (1)
Child with inmate's sibling	16% (15)
Child with partner's mother	5% (5)
Child with partner's father	0% (0)
Child with partner's grandparent	1% (1)
Child with partner's sibling	1% (1)
Child in foster home	4% (4)
Child with agency	3% (3)
Don't know where child is	2% (2)

Table 7. Cross-Tabulation of Reported Living Situations: Dependent Children Living With Inmate's Mother and/or Father by Whether Her Parent Was Violent [a]

	Inmate's Mother or Father Violent Toward Inmate or Her Family Members When Inmate Was a Child		
Inmate Reports Child/Children Live(s) With Inmate's Parent(s)	**Yes**	**No**	**Total**
Yes	24.0% (23)	25.0% (24)	49.0% (47)
No	26.0% (25)	25.0% (24)	51.0% (49)
Total	50.0% (48)	50.0% (48)	100.0% (96)

$\chi^2 = -.040$

[a] The *n*s and percentages based on the 96 women who reported that their child or children lived with them prior to incarceration.

Table 8. Drug Use Around Children

Used while child was in home with you?	62 (43%)
Used with your child?	7 (5%)
Kept paraphernalia in home?	88 (61%)

Table 9. Accomplices Involved in Current Offense.

	Percentages Reported
None	45.7%
Friend	30.0%
Family Member	5.7%
Spouse	13.6%
Common-law Spouse	2.9%
Partner	1.4%
Family or Friend	0.7%

Table 10. How Sentence Was Assessed

Plea Bargain	54%
Blind Plea	16.8%
Nolo Contendre	6.6%
Bench Trial	13.1%
Jury Trial	9.5%

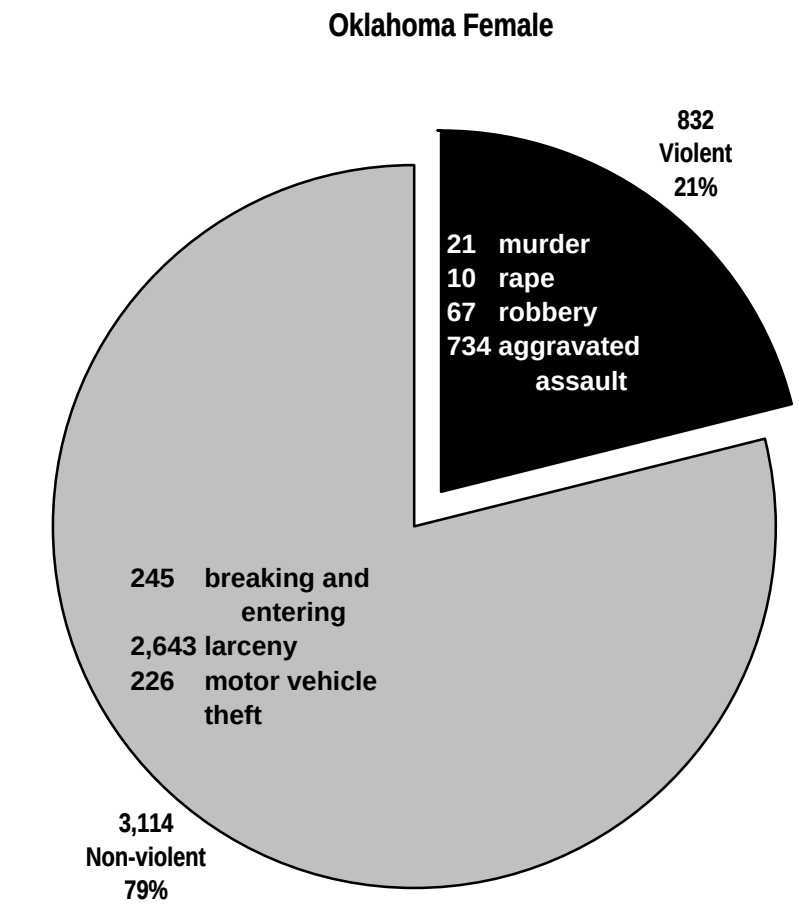
Table 11. Sentences

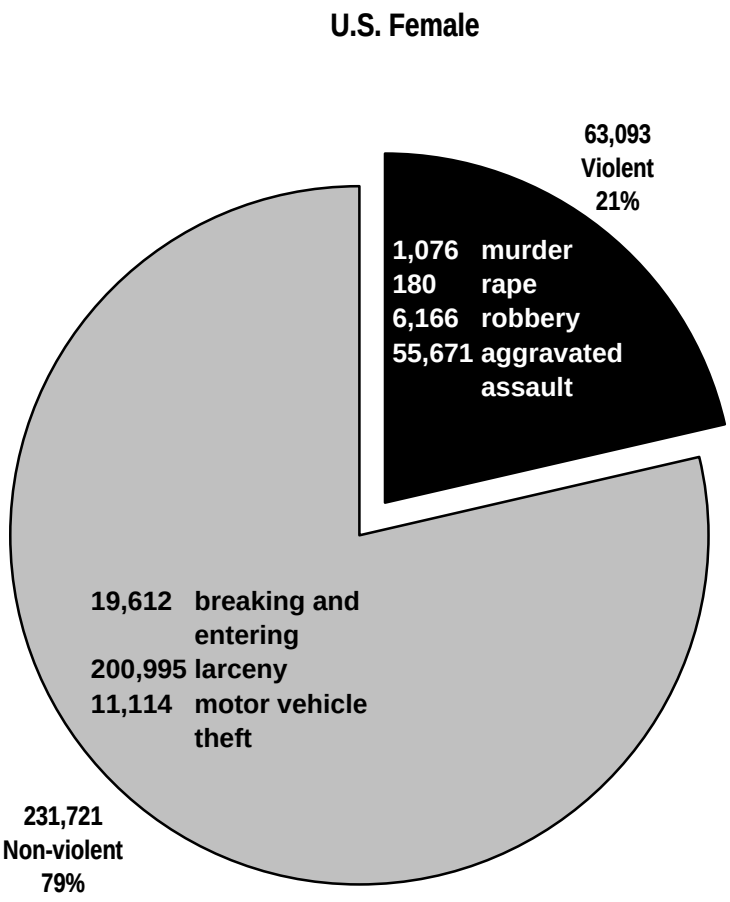
Sentence length	
Delayed Sentence	2.9%
1 - 4 yrs.	20.0%
5 - 9 yrs.	32.1%
10-14 yrs.	29.3%
15 - 19 yrs.	2.1%
20 or more yrs.	13.8%

5B

Female Index Crime Arrests 2001: Oklahoma vs. U.S., Violent and Non-Violent.
Male Index Crime Arrests 2001: Oklahoma vs. U.S., Violent and Non-Violent.
Adult Female Index Crime Arrest Rates, 2001: Oklahoma vs. U.S., Violent and Non-Violent.
Percent of Time Served in Prison by Selected Offenses and Gender (Based on 6043 prison releases in FY 2003).
September 30, 2003. OCJRC.

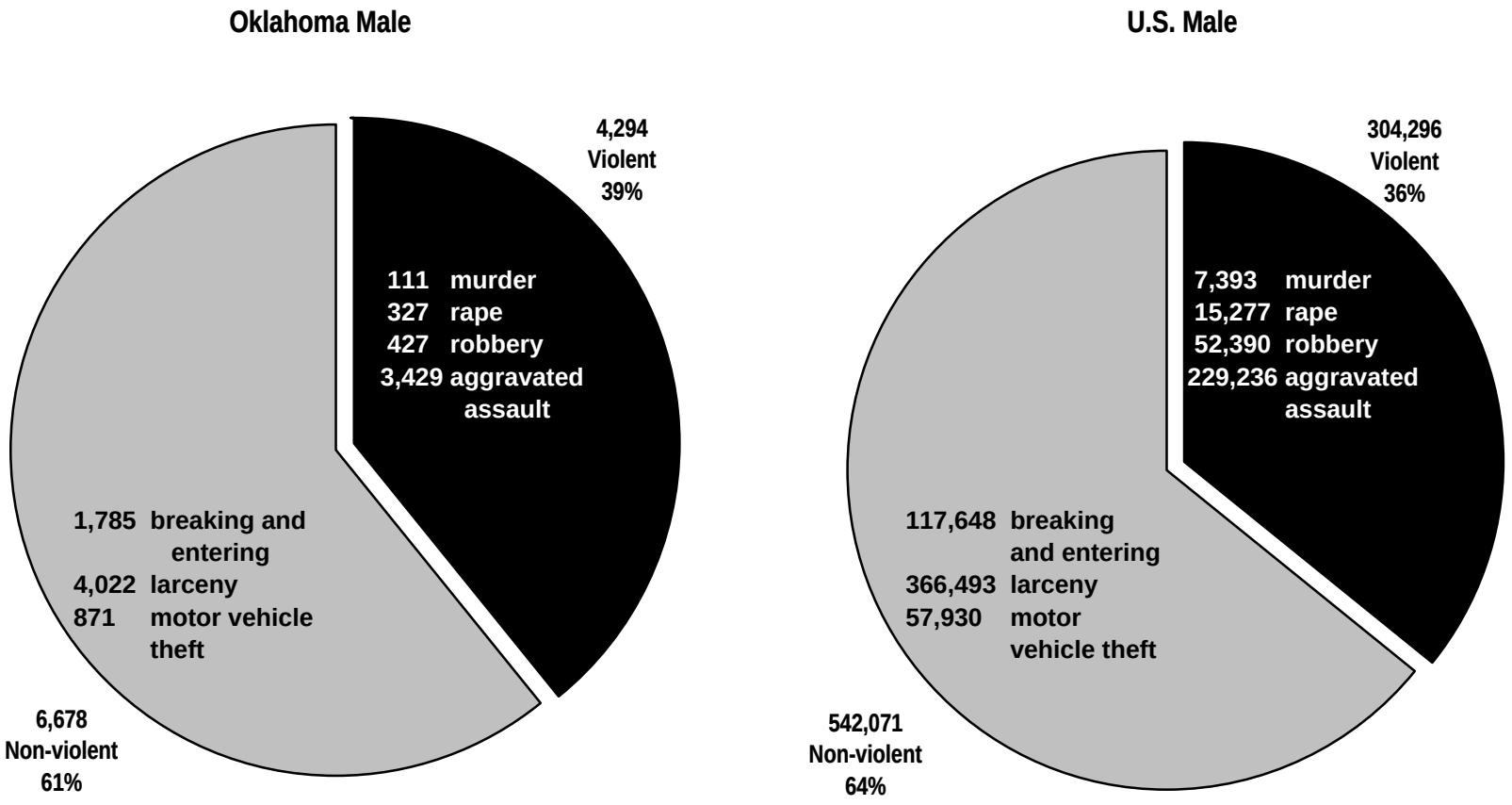
Female Index Crime Arrests 2001
Oklahoma vs. U.S., Violent vs. Non-Violent





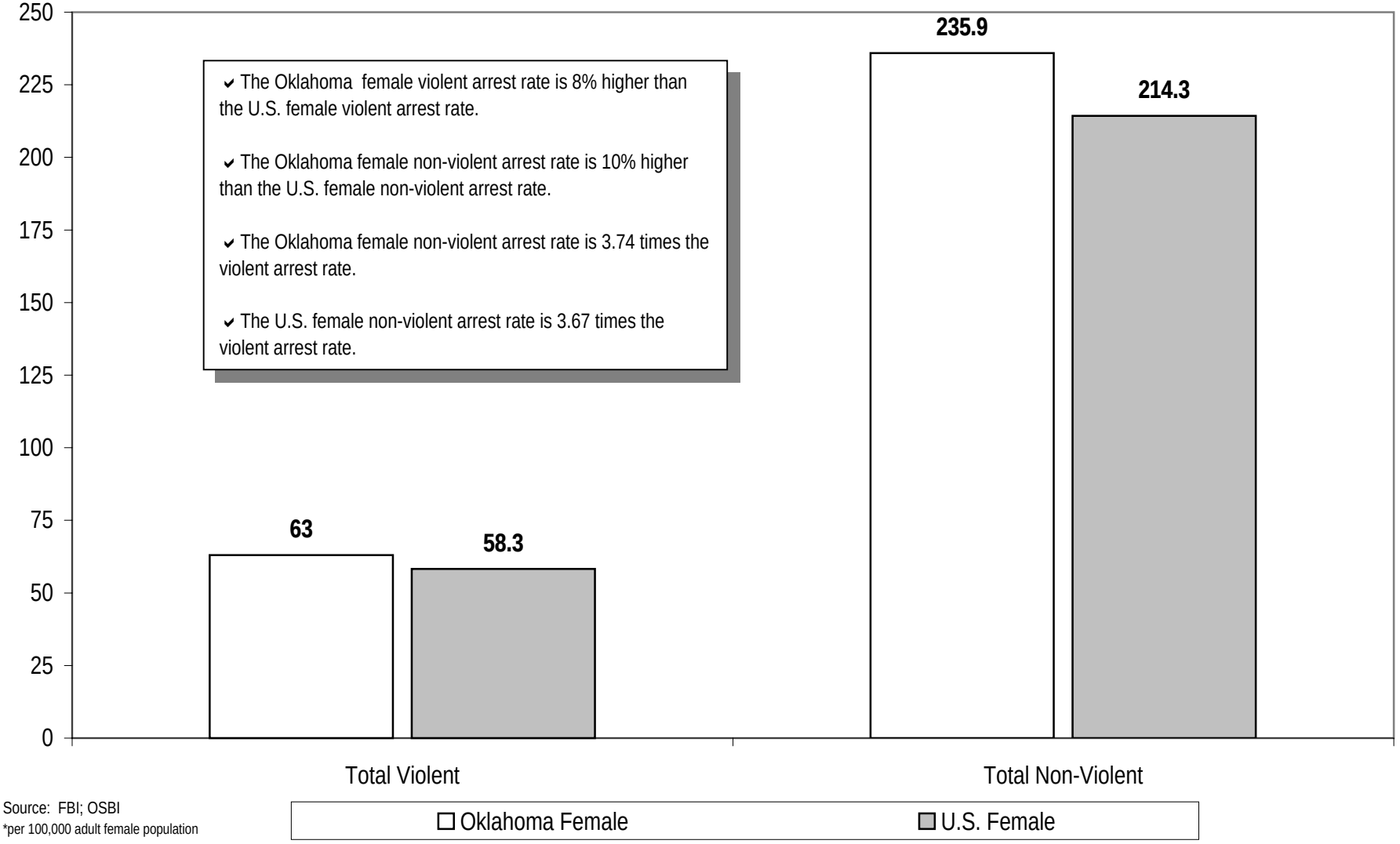
Source: FBI; OSBI

Male Index Crime Arrests 2001
Oklahoma vs. U.S., Violent vs. Non-Violent



Source: FBI; OSBI

Adult Female Index Crime Arrest Rates* 2001
Oklahoma vs. U.S., Violent and Non-Violent

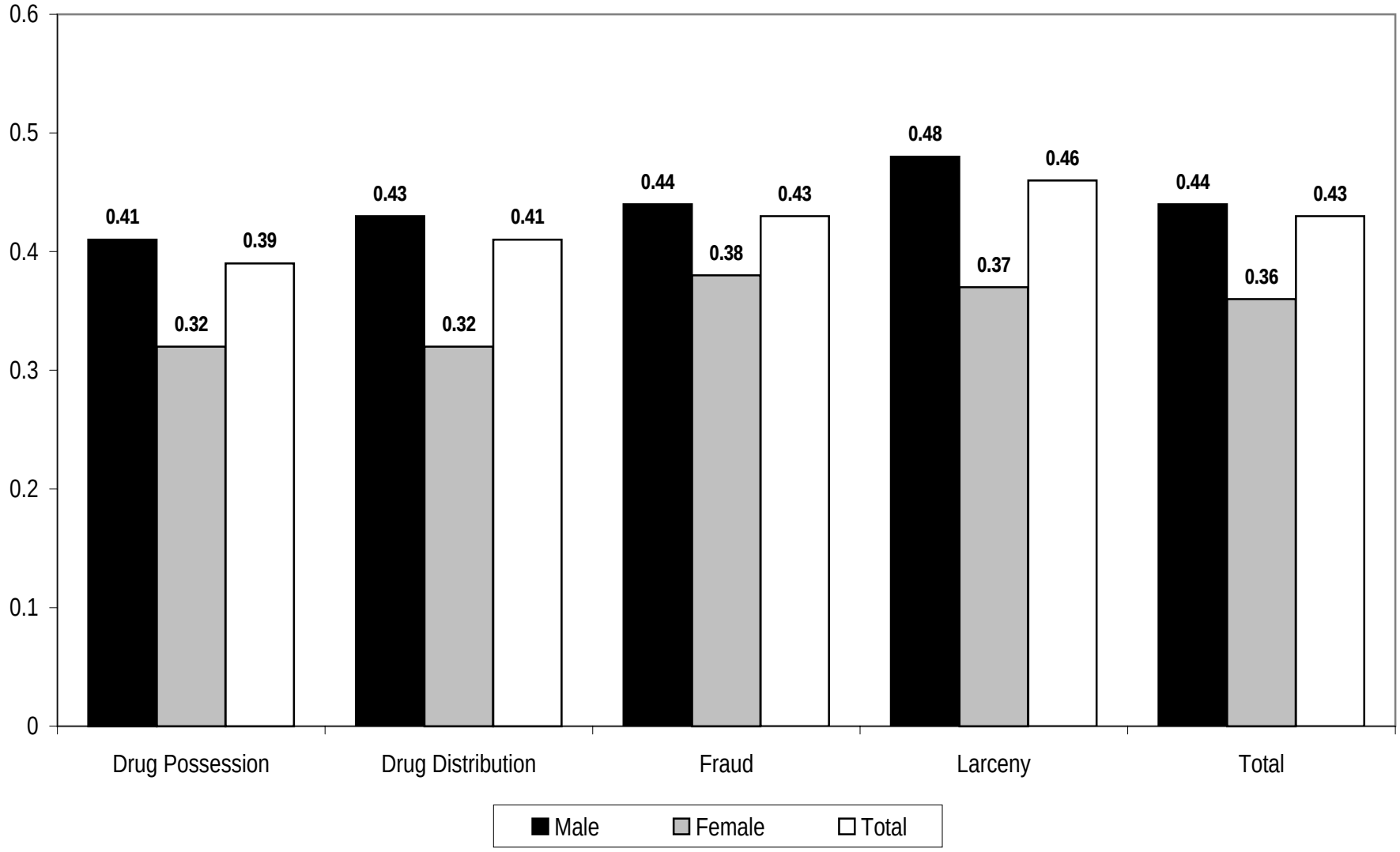


- The Oklahoma female violent arrest rate is 8% higher than the U.S. female violent arrest rate.
- The Oklahoma female non-violent arrest rate is 10% higher than the U.S. female non-violent arrest rate.
- The Oklahoma female non-violent arrest rate is 3.74 times the violent arrest rate.
- The U.S. female non-violent arrest rate is 3.67 times the violent arrest rate.

Source: FBI; OSBI
*per 100,000 adult female population

Percent of Time Served in Prison by Selected Offenses and Gender

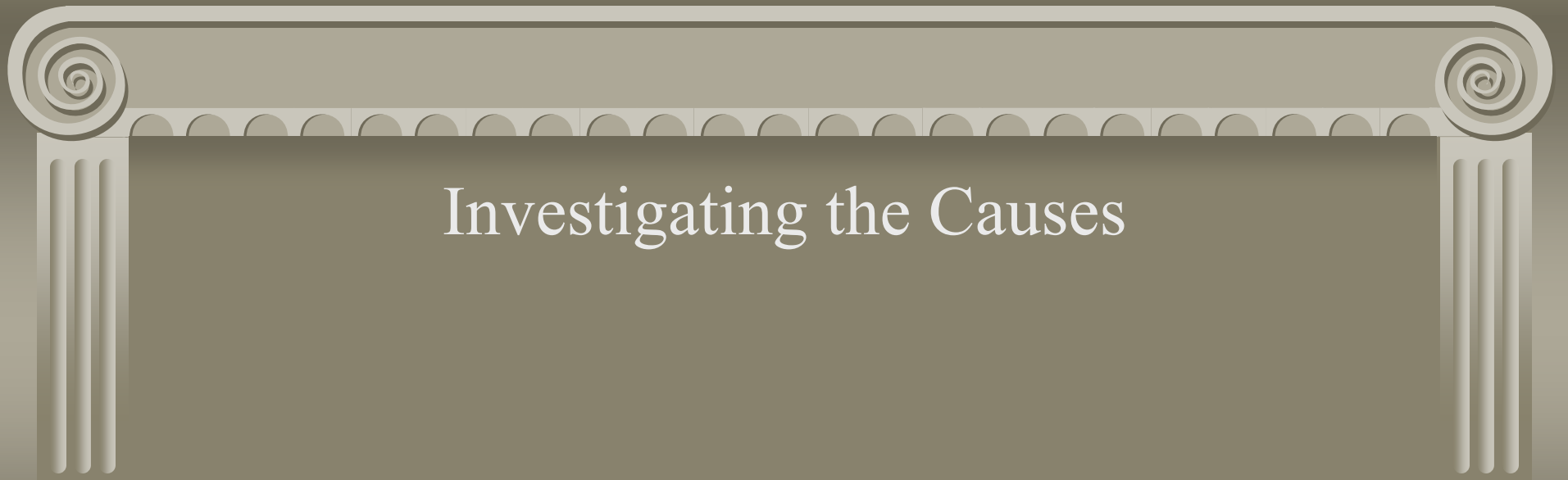
(Based on 6043 prison releases in FY2003)



6A

"Women in Prison." Oklahoma Department of Human Services. October 22, 2003.

Women in Prison:



Investigating the Causes

Women in Prison Internationally

- Between 1999 and 2002 the United States had the highest prison population rate in the world, some 686 per 100,000 of its population, followed by the Cayman Islands (664), Russia (638) and Belarus (554).
- More than three-fifth of the countries (62.5%) had rates below 150 per 100,000.
- The median rate for the Southern European countries is 69 per 100,000, whereas for central and eastern European countries it is 213.

Women in Prison Nationally

- In the United States, the rate of female incarceration has increased an average of 5.2 percent per year since 1995.[1]
- At the close of 2002, nearly 100,000 females with sentences of at least one year were under the jurisdiction of State or Federal Correctional authorities.[2]
- Nationally, 60 out of every 100,000 female U.S. residents are behind bars.[3]

Women in Prison Nationally

- Between 1990 and 1998
  - The number of female defendants convicted of felonies in state courts has grown at twice the rate of the increase in male defendants; [4]
  - The number of women per capita involved in corrections overall has grown 48 % compared to a 27 % increase in the number of men per capita.[5]

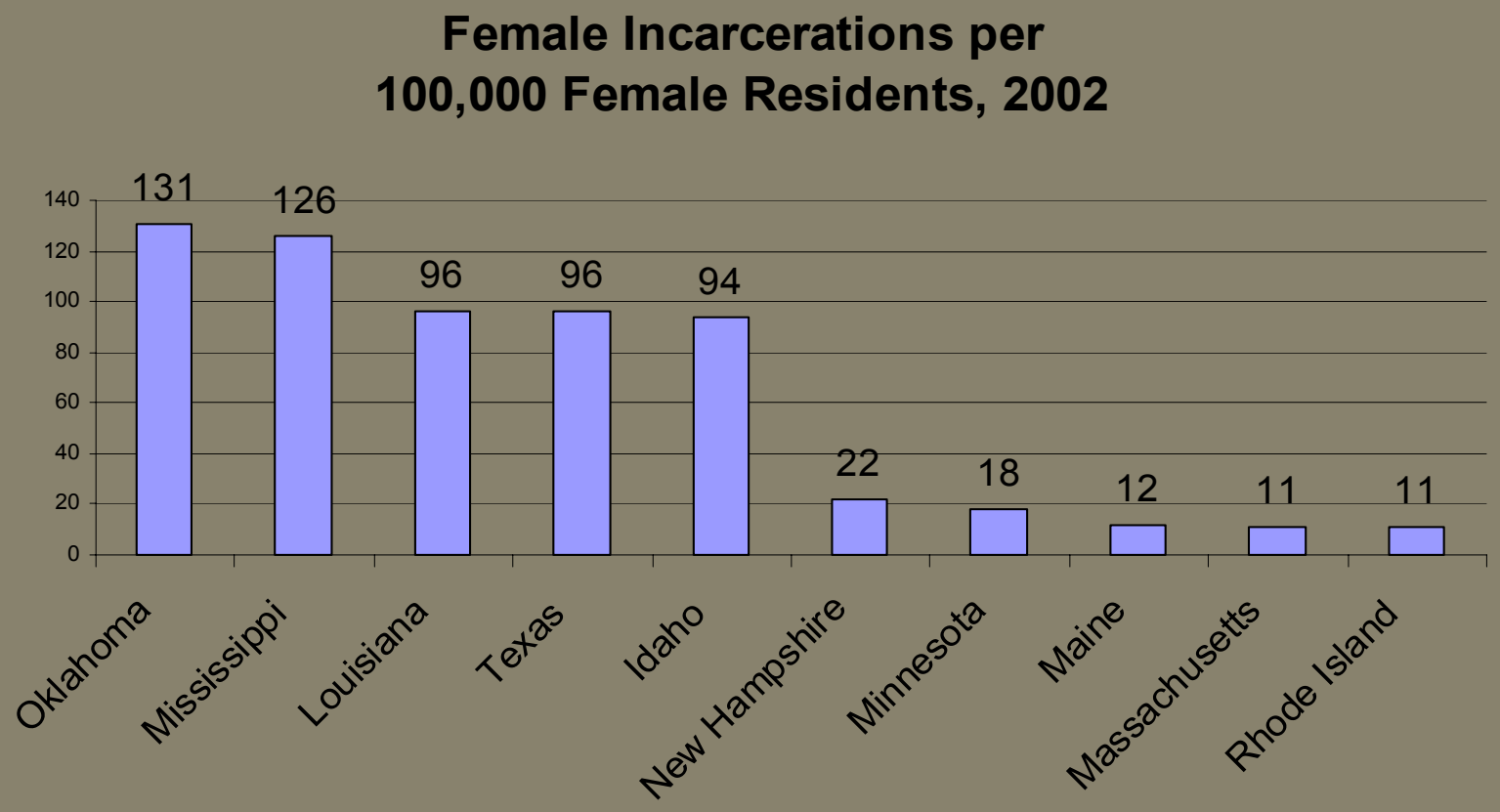
Women in Prison Nationally

- Between 1988 and 1997, the number of crime cases involving females under age 16 increased 89 percent, while the number of cases involving females age 16 or older grew 74 percent.[6]
- Of the female offenders released from prison during 1994, some 57.6 percent were rearrested.[7]

Women in Prison Nationally

- The probability of a woman born in 2001 spending time in prison in her lifetime is 6 times higher (1.8%) than for a woman born in 1974 (0.3%).[8]
- For men, the chances of going to prison were over three times greater in 2001 (11.3%) than in 1974 (3.6%).[9]

Comparing the States



Source: U.S. Dept. of Justice, Bureau of Justice Statistics

Female Incarceration and Male Incarceration

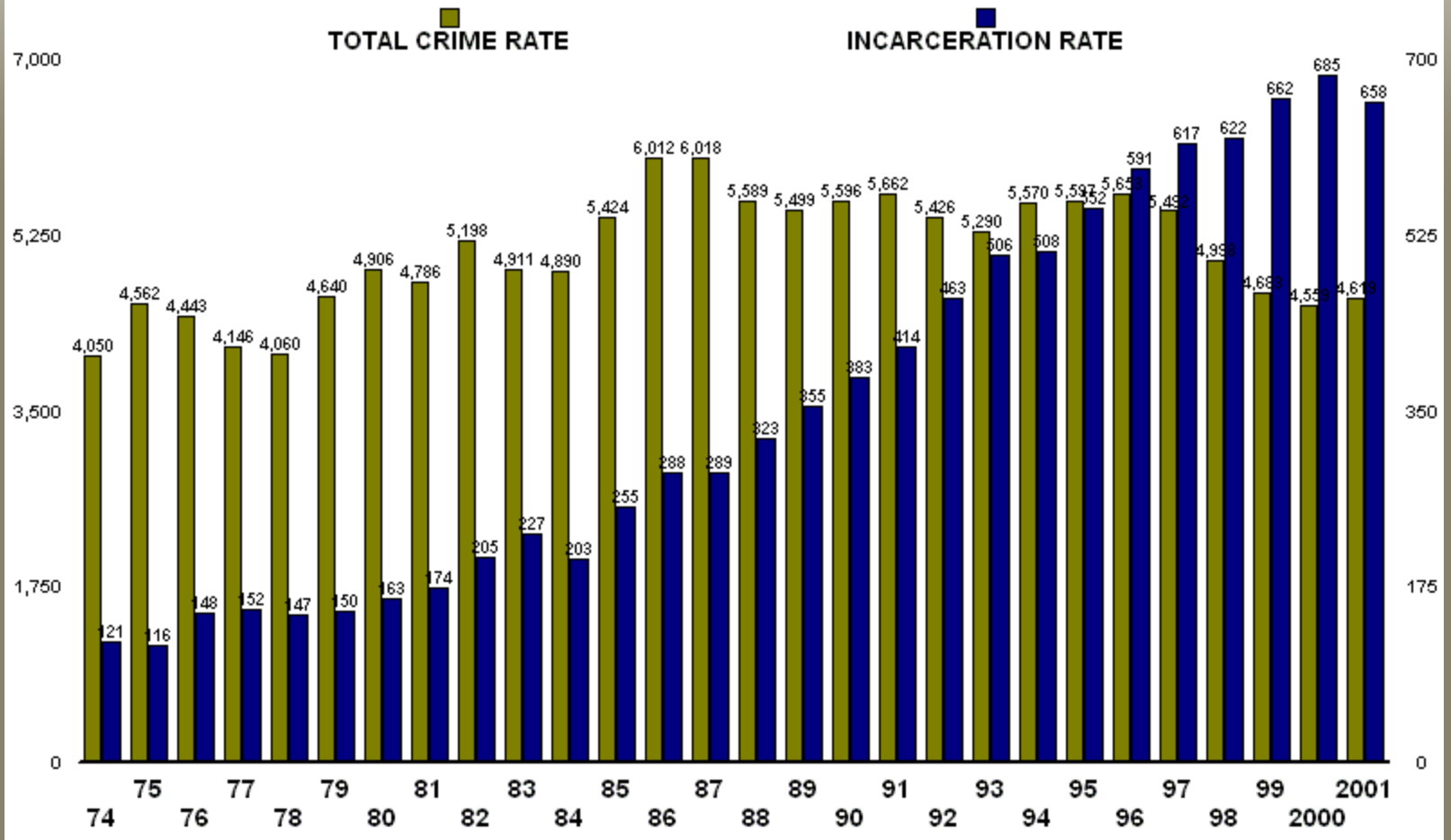
- State female incarceration rate is highly correlated with male incarceration rate.
- Most states with a low rate of female incarceration, also have a low male incarceration rate.
- Oklahoma ranks fourth among states in total incarceration rate.
- Oklahoma ranks fifth in male incarceration rate.

Crime and Incarceration in Oklahoma

- From 1974 to 2001, Oklahoma's crime rate increased 14 percent, from 4050 per 100,000 population in 1974 to 4619 in 2001.
- The incarceration rate increased by more than 440 percent, from 121 per 100,000 in 1974 to 658 in 2001.

OKLAHOMA DEPARTMENT OF CORRECTIONS

TOTAL CRIME RATE PER 100,000 - INCARCERATION RATE PER 100,000



Women in Prison in Oklahoma

- In Oklahoma, the female incarceration rate is more than double the national rate.
- 131 out of every 100,000 female Oklahomans are incarcerated.
- Oklahoma's female inmate population has increased by almost 30 percent since 1995.
- Oklahoma leads all states in terms of female incarceration rate.[10]

Issues

- Why is Oklahoma's female incarceration rate so high?
- What kinds of state characteristics are highly correlated with high state female incarceration rates?

Research Approach

- Review the literature to find the theoretical causes of female incarceration.
- Search for data that fits the theories.
- Develop a regression model with variables that tend to explain the variation in female incarceration rates across the states.
- Interpret the results.

What Does the Literature Suggest?

- Multiple possible causes, including…
  - History of abuse or neglect
  - Unstable family structure
  - Poverty
  - Mental health and substance abuse issues
  - Public policies
    - Severity of criminal justice system
    - Effectiveness of indigent defense system
    - Availability of social services

History Of Abuse or Neglect

- In 1996, more than 48 percent of women in jail reported having been physically or sexually abused prior to admission; 27% had been raped.[11]
- Ninety-two percent of the juvenile female offenders interviewed in a 1998 survey said they had been subjected to some form of emotional, physical and/or sexual abuse.[12]

Unstable Family Structure

- Between 1990 and 1999, the number of female prisoners increased 106 percent.[13]
- As a result, the number of children with a mother in prison nearly doubled (up 98 percent) during this period.[14]
- In a report by U.S. Department of Justice in 1999, there were 1.3 million minor children whose mothers were in prison.[15]

Economic Stress

According to sociologists analyzing the interaction between poverty and crime, pronounced economic inequalities and poverty are significantly correlated with violent crime.[16]

Mental Health and Substance Abuse

- About 54 percent of women inmates surveyed in 1991 used drugs in the months before their current offense (compared to 50 percent of the men).[17]
- About 50 percent of the women in prison during 1991, reported committing their offense under the influence of drugs or alcohol.[18]

Public Policies

- Expenditures and programs aimed at alleviating these problems may reduce female incarceration rates.
- Other relevant public policies relate to the severity of Oklahoma's criminal justice system and the effectiveness of its indigent defense system.

Oklahoma Data Supporting Possible Theoretical Causes

- In a survey of Oklahoma female inmates, more than 71 percent said they had been involved in an abusive relationship.
- Forty-two percent lived with a single parent or other relatives as a child.
- Sixty-one percent of these woman had used drugs and 33 percent had used alcohol.[19]

Data Set and Model

- Our data set contains the fifty states, with the state values for over 70 variables, being measured at various times between 1996 and 2002.
- We used regression modeling to see which variables can explain variation among the states in female incarceration rates.
- The dependent variable is the number of incarcerated females (with sentences of more than one year) per 100,000 female residents in 2002.[20]
- The state values range from 11 (MA and RI) to 131 (OK) female prisoners (nat'l. avg. = 54).

Many Variables Didn't Work

- There were numerous variables that were expected to affect the rate of female incarceration, yet did not meet the criteria for inclusion in the final model. For example…
- Percent of females age 18-24, and 25-44, had no effect.
- Crime rate should be a good explanatory variable in estimating the incarceration rate. However, this variable didn't work.
  - In 2000, Oklahoma's crime rate ranked 14th highest.

Many Variables Didn't Work

- Economic indicators, such as the female unemployment rate, were expected to be relevant variables.
- Several variables we tested didn't work
  - average annual unemployment rate over 1993–99 for females and males (separately)
  - various poverty rates (e.g., the percent of people in poverty, the 3-year moving average poverty rate, etc.)
  - state government general revenue per capita
- These variables did not contribute to explaining the variation in female incarceration across states.

Many Variables Didn't Work

- Education--we expected an inverse relationship between education and female incarceration.
- We tried several variables,
  - percent of people with bachelor's degree
  - total education expenditures per capita
  - state and local education expenditures per capita
  - high school drop out rates for 1990 and 2000
  - pupil teacher ratios
- None worked well in the presence of other predictors.

Other Important Variables Not Included

- Also, there were some variables we couldn't test due to a lack of data.
  - Number of domestic violence occurrences in each state. This data is not collected at national level and not available.
  - The rate of illicit drug use among females. This data is not available by state.

Variables That Showed Promise

- Abuse and neglect
  - Child abuse/neglect deaths per million population, 1998 (Urban Institute data)
  - Oklahoma ranks #1: 13.04 per million pop. (nat'l. avg. = 3.6)
  - If Oklahoma's rate dropped to the national average, we would expect the female incarceration rate to decrease by 19.4 (from 131 to 112), all else being equal.

Variables That Showed Promise

- Unstable family structure
  - Percent of children living with grandparents, 2000 (Census data)
  - Oklahoma ranks #18: 6.5 % (nat'l. avg. = 5.8%)
  - If Oklahoma's rate dropped to the national average, we would expect the female incarceration rate to decrease by 3 (from 131 to 128).

Variables That Showed Promise

- Economic Stress
  - Of people in families headed by females, percent living below 125% of poverty, 2000 (Current Population Survey data)
  - Oklahoma ranks #5: 52.5% (nat'l. avg.= 43.6%)
  - If Oklahoma's rate dropped to the national average, we would expect the female incarceration rate to decrease by 4.7 (from 131 to 126.3).

Variables That Showed Promise

- Mental Health and Substance Abuse (*We used expenditures for services because incidence data was not available. Increased expenditures should reduce these problems, thus decreasing female incarceration.)*
  - Federal expenditures for services per capita in 1997 (Census data)
  - Oklahoma ranks #27: $4.89 (nat'l. avg.= $4.99)
  - If Oklahoma's expenditures increased to $6.39 per capita (as in CA), we would expect the female incarceration rate to decrease by 12.5 (from 131 to 118.5).

Variables That Showed Promise

- Severity of criminal justice system
  - Number of people executed per million population, 2000 (Stat. Abstract)
  - Oklahoma ranks #1: 3.2 per million pop. (nat'l. avg. = 0.24)
  - If Oklahoma's "severity" measure decreased by half (to 1.6), we would expect the female incarceration rate to decrease by 18 (from 131 to 113).

Variables That Showed Promise

- Effectiveness of indigent defense system
  - Is the system funded primarily or totally at the state level, as opposed to county-level funding? (Spangenberg Group, 1998)
  - Oklahoma, KS, OH, & SC are “mixed” states.
  - If Oklahoma’s indigent defense system were funded primarily or totally at the state level, we would expect the female incarceration rate to decrease by 4.8 (from 131 to 127.2).

Variables That Showed Promise

- Availability of social services
  - Federal spending for social services per capita, 1996 (UI data)
    - Total federal spending on child welfare services, including funds from IV-B, IV-E, Medicaid, SSBG, EA and other sources.
  - Oklahoma ranks #38: $16.04 per capita (nat'l. avg. = $23.52)
  - If Oklahoma's expenditures increased to the national average, we would expect the female incarceration rate to decrease by 4 (from 131 to 127).

Results of the Regression

- The predictor variables explain 64 % of the variation in female incarceration rates.
- The estimated coefficients are all statistically significant (> 90% confidence) with the expected signs.
- A decrease of one in Oklahoma's female incarceration rate equates to approximately 18 women.

Conclusion

- The variables that showed promise suggest that the severity of Oklahoma's criminal justice system, and its "mixed" approach to indigent defense funding, contribute to the female incarceration problem.
- The severity of Oklahoma's criminal justice system is also supported by the fact that Oklahoma crime rate is 15th in the nation (4,559 per 100,000 population in 2000) whereas it ranks 1st in female incarceration rate, 4th in total incarceration rate, and 5th in male incarceration rate (2002 BJS data) in the nation.

Conclusion

- The variables that showed promise indicate that social service expenditures, particularly in the areas of mental health and substance abuse, have an inverse relationship with state variation in female incarceration rates.

Qualifications and Need for Additional Research

- Other factors worthy of review:
  - State vs. Local Financing of incarceration alternatives
  - i.e. Do States with weak local funding sources have higher incarceration rates since local incarcerations may not be included in the data?
  - Percent of children uninsured may be a more consistent predictor of Economic Stress
  - Finding “liberty” vs. “virtue” predictors which might explain better the correlation

Qualifications on Conclusions and Limitations of the Data

- All correlations were done with "incarceration rate" data. It was the dependant variable. It may be incorrectly computed due to some flaws in the comparability of the data among states:
  - County jail inmates are not included in a state's incarceration rate, although sentenced for a comparable amount of time
  - Some crimes punished at the local level are not included in the state's incarceration rate data
  - Sentencing lengths, percentage of sentence served, and time served for comparable crimes among states
  - Dirty multi-state data on some variables which might correlate nicely, e.g marriage and divorce data, domestic violence and/or acts of religiosity

6B

"Guiding Principles for a Gender-Responsive System of Care." and "Strategies for Implementation." From NIC Project: Gender-Responsive Strategies: *Research, Practice, and Guiding Principles for Women Offenders.* Covington, Stephanie S., Ph.D. 2003.

Guiding Principles for a Gender-Responsive System of Care

- Develop a gendered consciousness that acknowledges gender differences in the criminal justice system.
- Create an environment that fosters safety, respect and dignity for women offenders.
- Supervise/treat women in the least restrictive environment possible consistent with public safety, services and program provision, and the risk and needs of women offenders.
- Policies, practices, and programs/services should reflect the realities of women's lives and should focus on the specific needs of women, their different developmental stages and learning styles, and should incorporate elements that promote healthy connections to children, family, significant others and the community.
- Establish a comprehensive, integrated, and collaborative system of service and supervision that is balanced between women's material needs and their social need for connection and community support.

Source: Bloom, Owen, & Covington (2003). NIC Project: Gender-Responsive Strategies: Research, Practice and Guiding Principles for Women Offenders.

Stephanie S. Covington, Ph.D.
Center for Gender and Justice
Institute for Relational Development
La Jolla, CA

Strategies for Implementation

In order to implement the guiding principles, the following overarching strategies are applicable to all of the principles:

Adopt

Each principle should be adopted as policy on a system-wide and programmatic level.

Support

Principle adoption and implementation should receive full support of the administration.

Resources

An evaluation of financial and human resources should occur to ensure adequate implementation and allocation adjustments made to accommodate any new policies and practices.

Training

Ongoing training is essential to the implementation of gender-responsive practices.

Oversight

Oversight of the new policies and practices should be included in management plan development.

Congruence

Procedural review is essential in order that procedures are adapted/deleted/written for new policies.

Environment

Ongoing assessment and review of the culture/environment should occur to monitor attitudes, knowledge, and behavior of administration, management, and line staff.

Evaluation

An evaluation process should be developed to consistently assess management, supervision, and services.

Source: Bloom, Owen, & Covington (2003). NIC Gender-Responsive Project.

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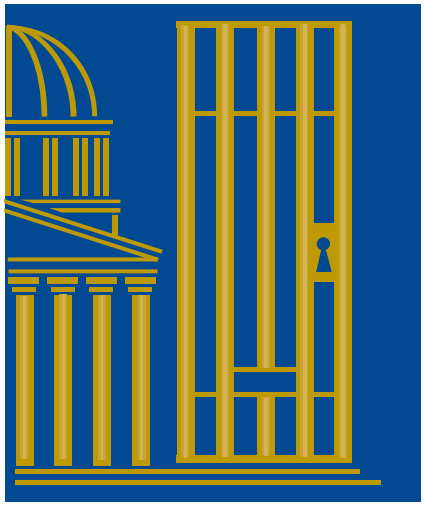
Institute for Relational Development
La Jolla, CA

7A

"State Comparisons of Substance Abuse and Criminal Justice Expenditures." November 12, 2003. OCJRC.



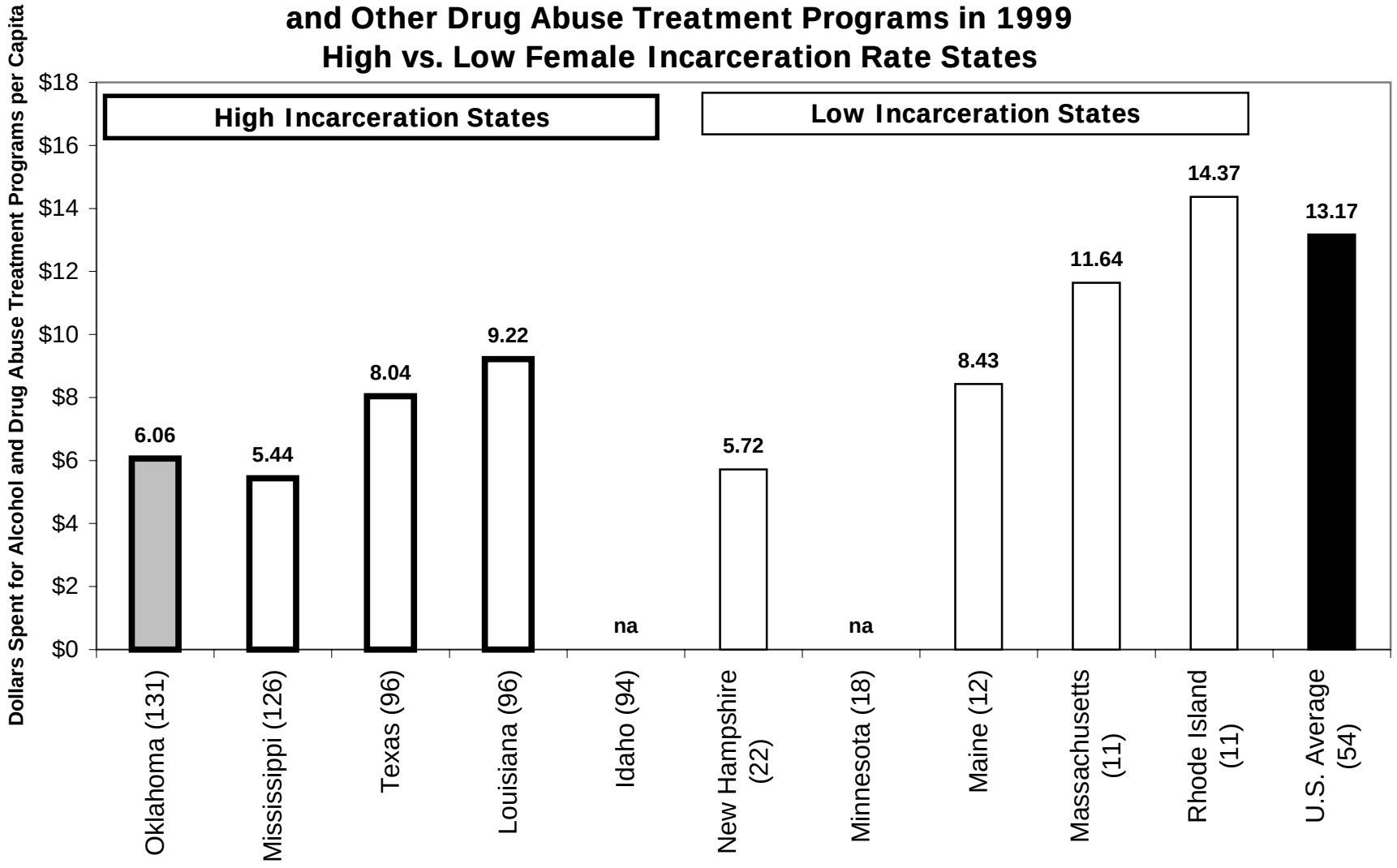
Oklahoma Criminal Justice Resource Center

State Comparisons of Substance Abuse and Criminal Justice Expenditures

Special Task Force for Women Incarcerated in Oklahoma

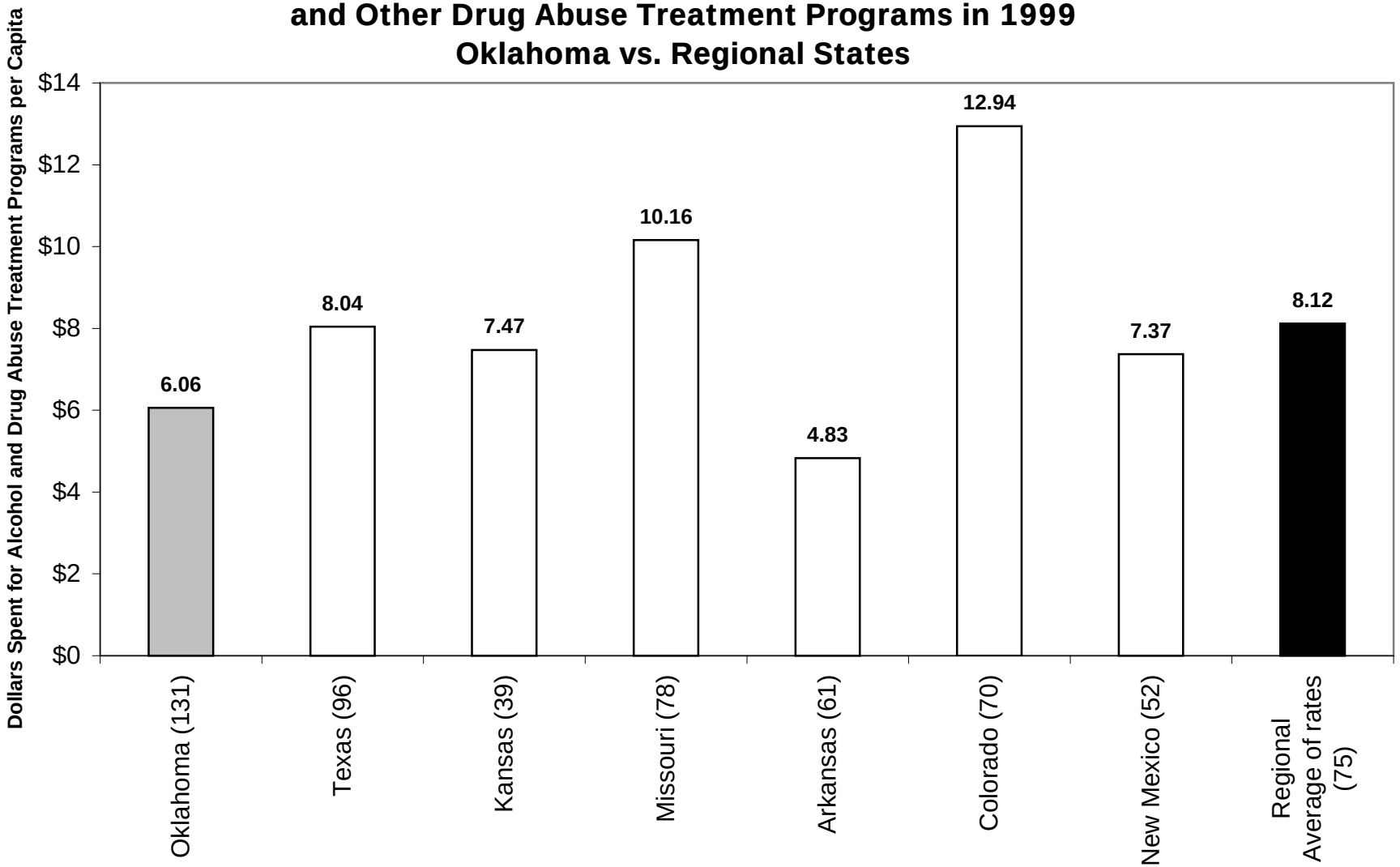
November 12, 2003

Per Capita Expenditures for State-Supported Alcohol and Other Drug Abuse Treatment Programs in 1999
High vs. Low Female Incarceration Rate States



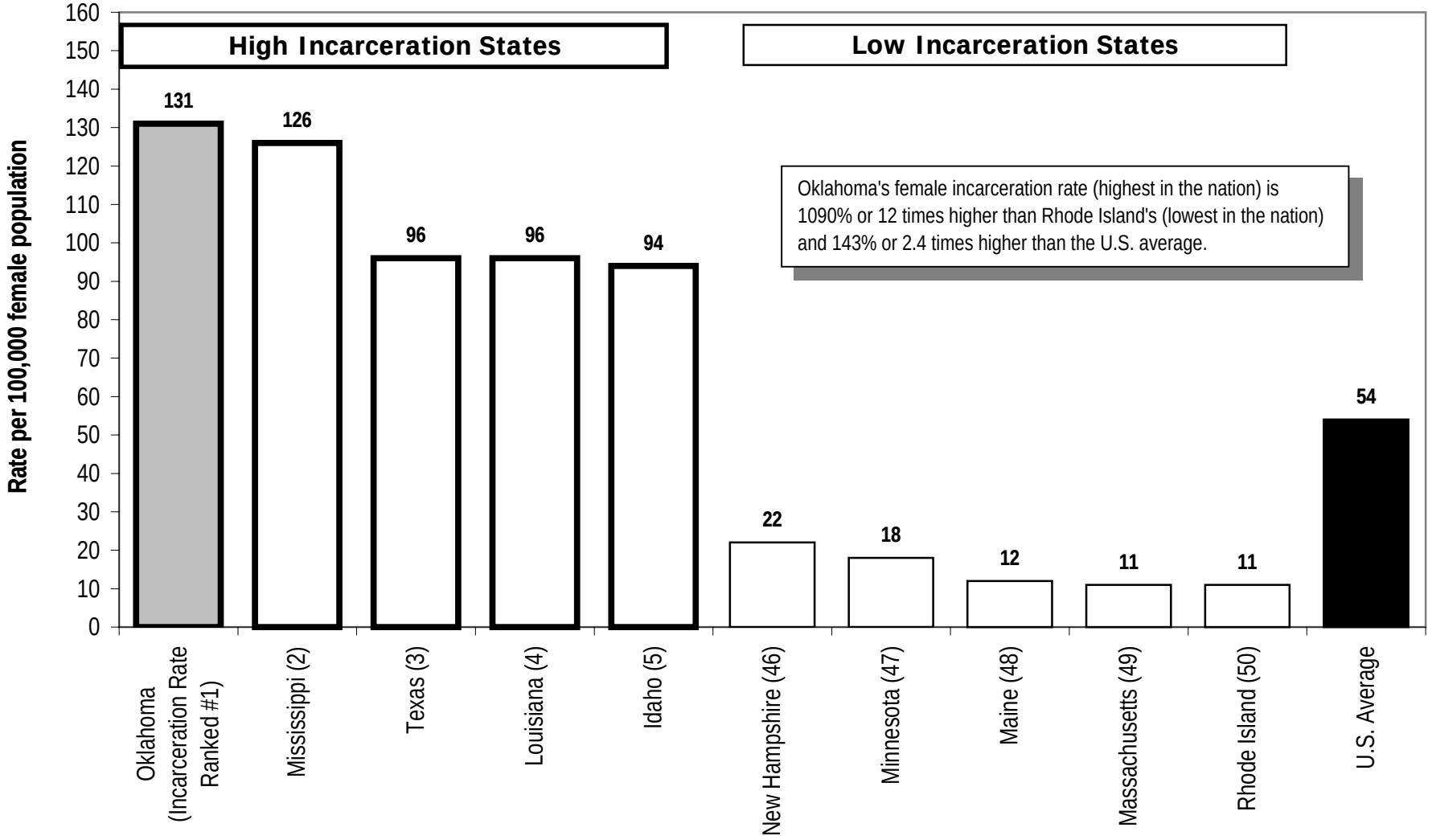
(Adult Female Incarceration Rate)
Source: Crime State Rankings 2003

Per Capita Expenditures for State-Supported Alcohol and Other Drug Abuse Treatment Programs in 1999 Oklahoma vs. Regional States



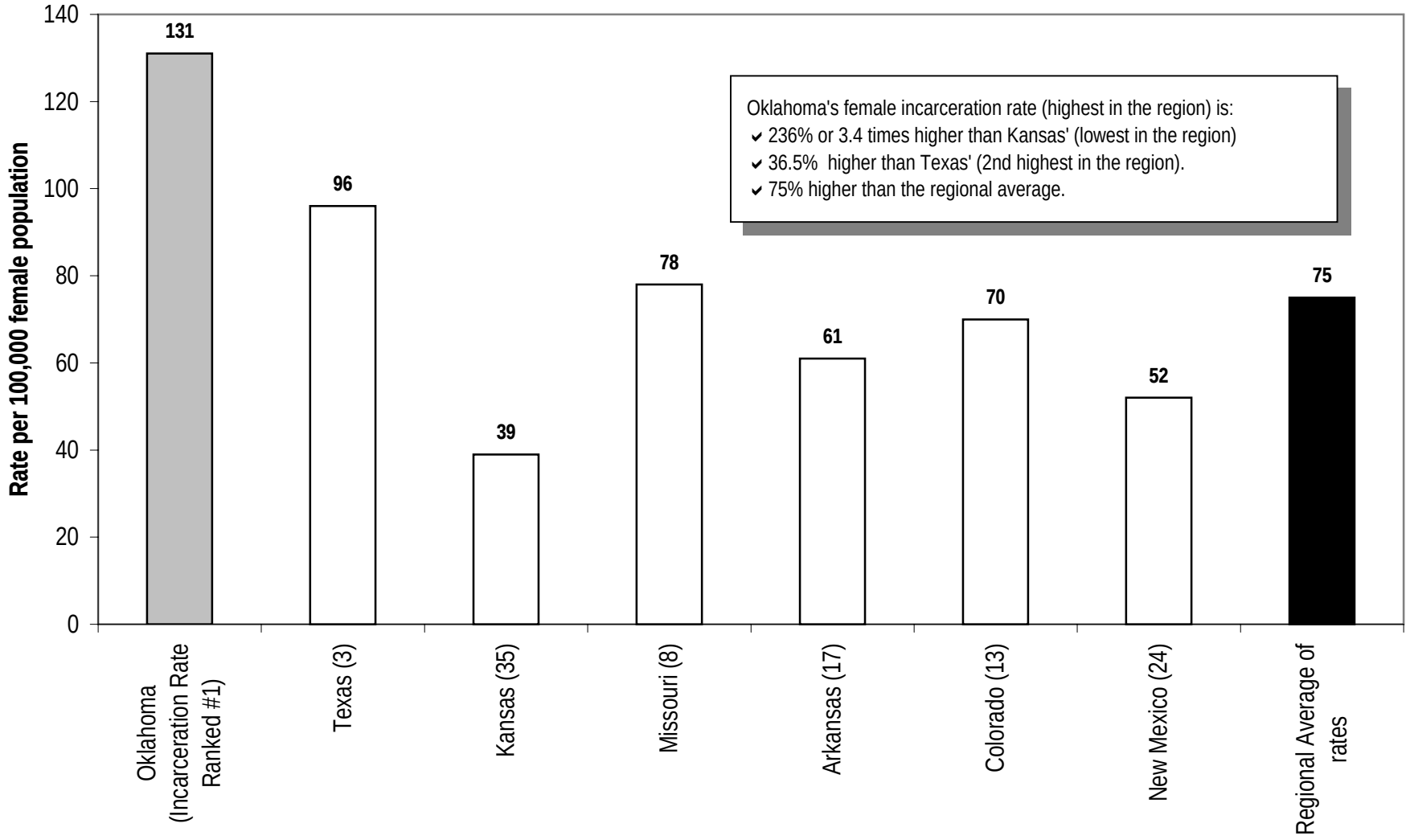
(Adult Female Incarceration Rate)
Source: Crime State Rankings 2003

Adult Female Incarceration Rate
High vs. Low Female Incarceration States



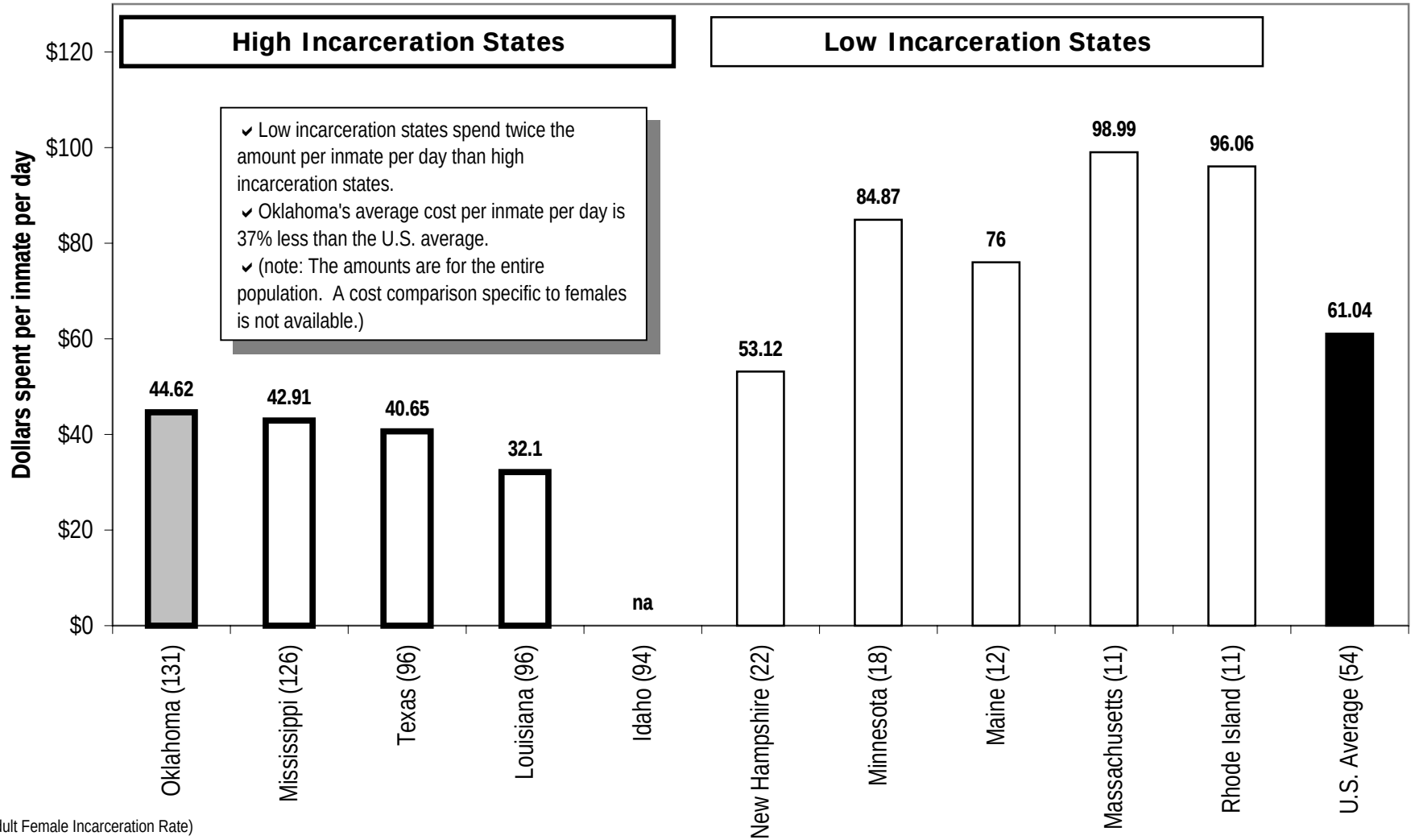
Source: *Prisoners in 2002,* Bureau of Justice Statistics

Adult Female Incarceration Rate
Oklahoma vs. Regional States



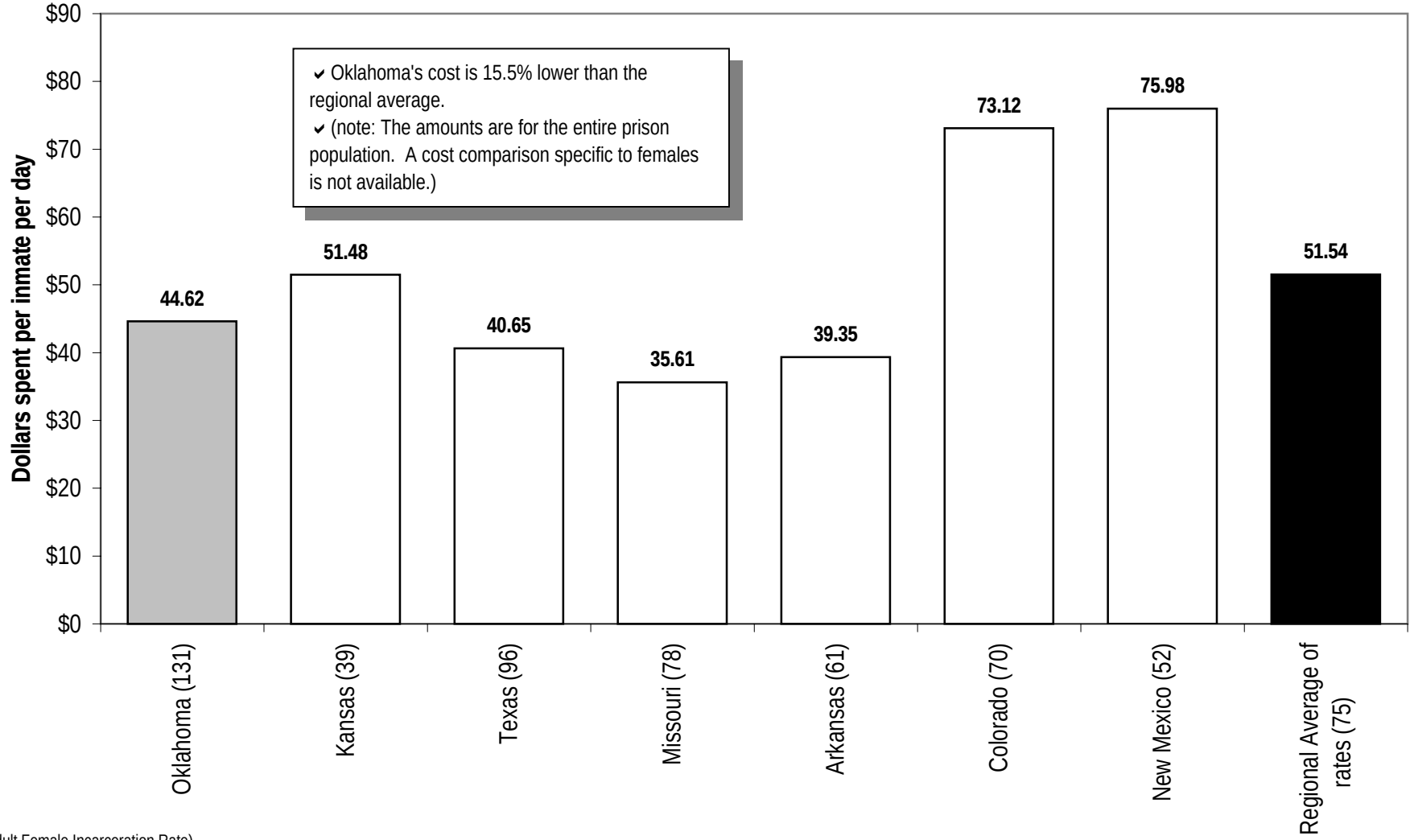
Source: *Prisoners in 2002*, Bureau of Justice Statistics

Average Cost per Inmate per Day in 2000
High vs. Low Female Incarceration Rate States



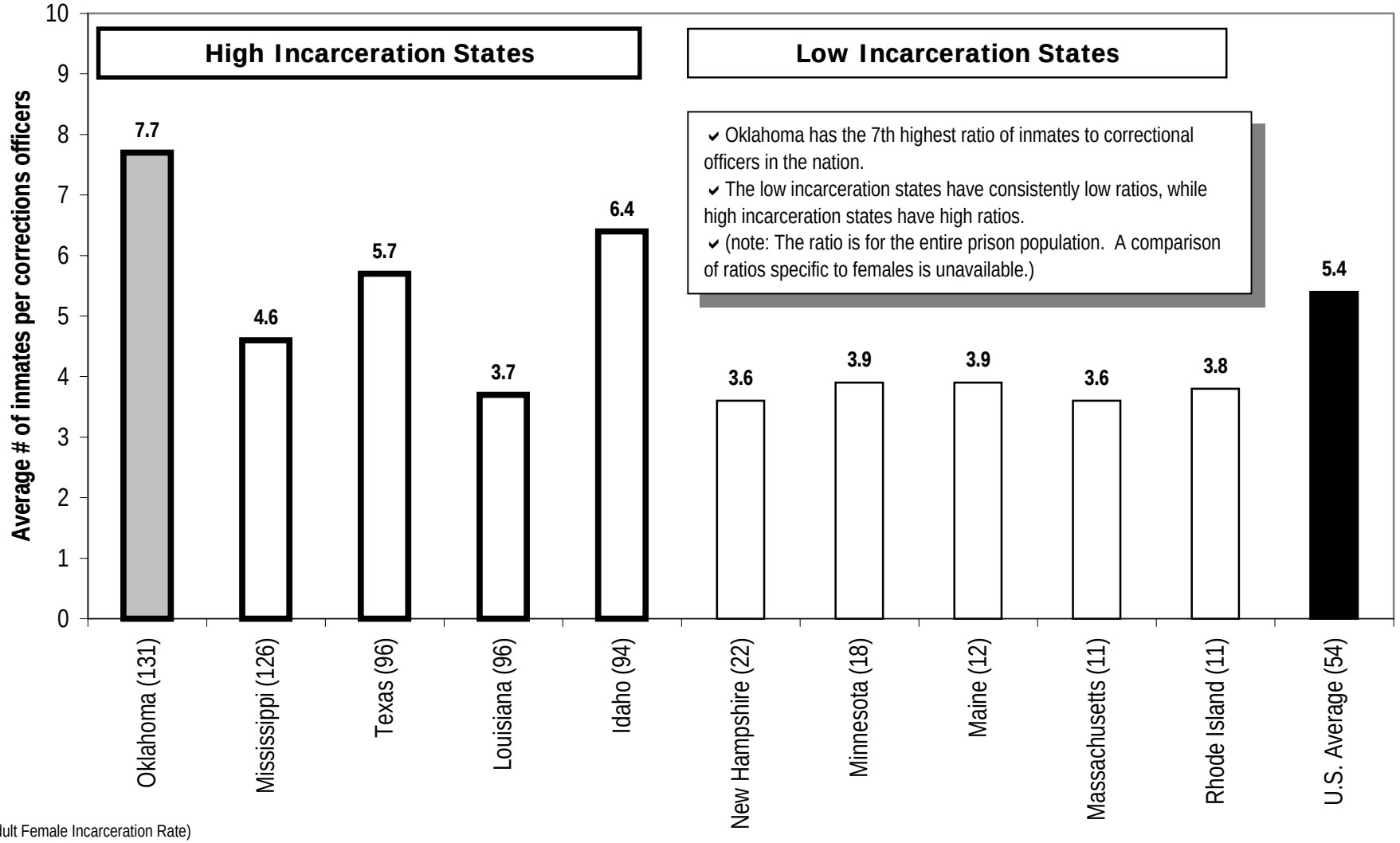
(Adult Female Incarceration Rate)
Source: The 2001 Corrections Yearbook

Average Cost per Inmate per Day in 2000
Oklahoma vs. Regional States



(Adult Female Incarceration Rate)
Source: The 2001 Corrections Yearbook

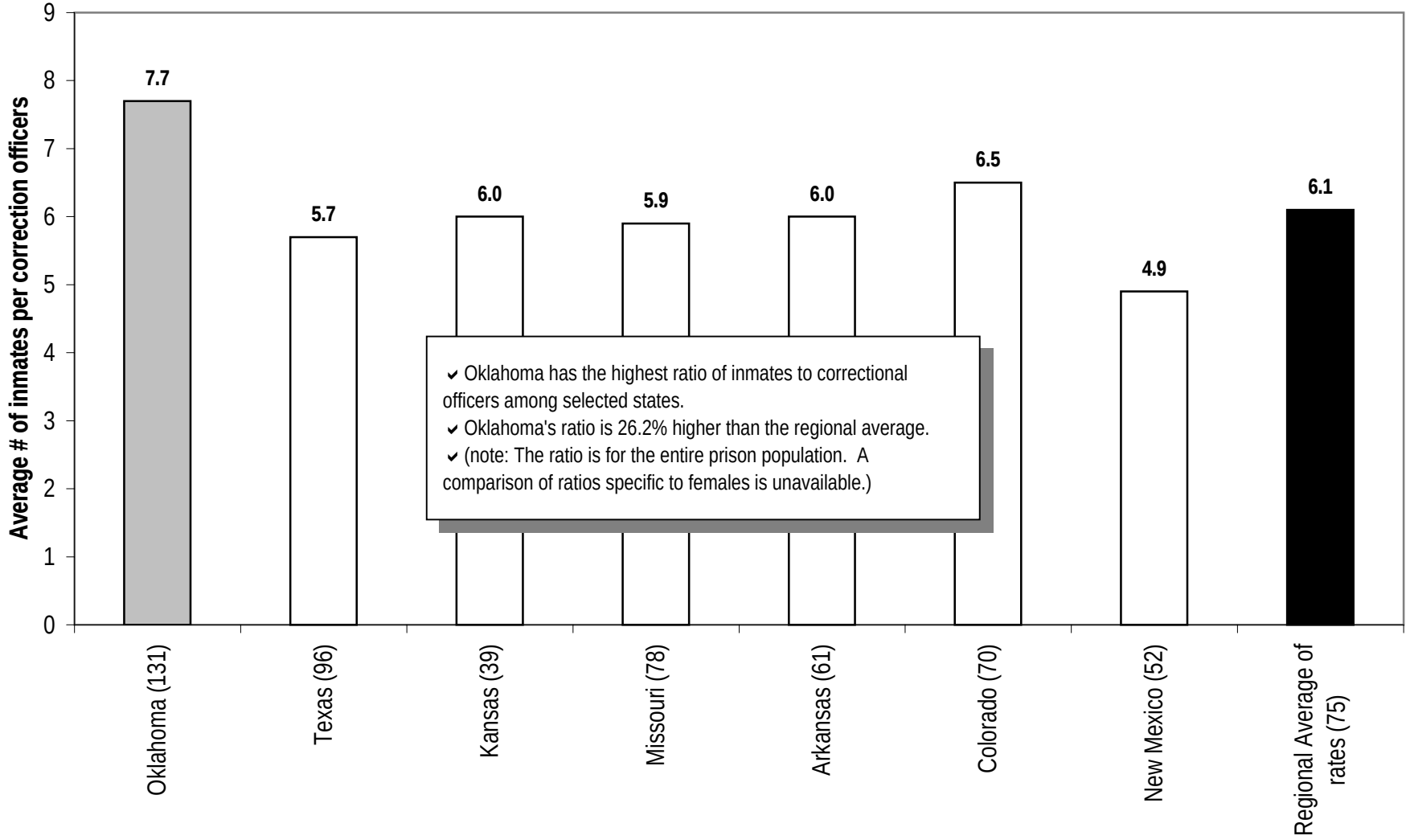
Ratio of Inmates-to-Correctional Officers on January 1, 2001
High vs. Low Female Incarceration Rate States



- Oklahoma has the 7th highest ratio of inmates to correctional officers in the nation.
- The low incarceration states have consistently low ratios, while high incarceration states have high ratios.
- (note: The ratio is for the entire prison population. A comparison of ratios specific to females is unavailable.)

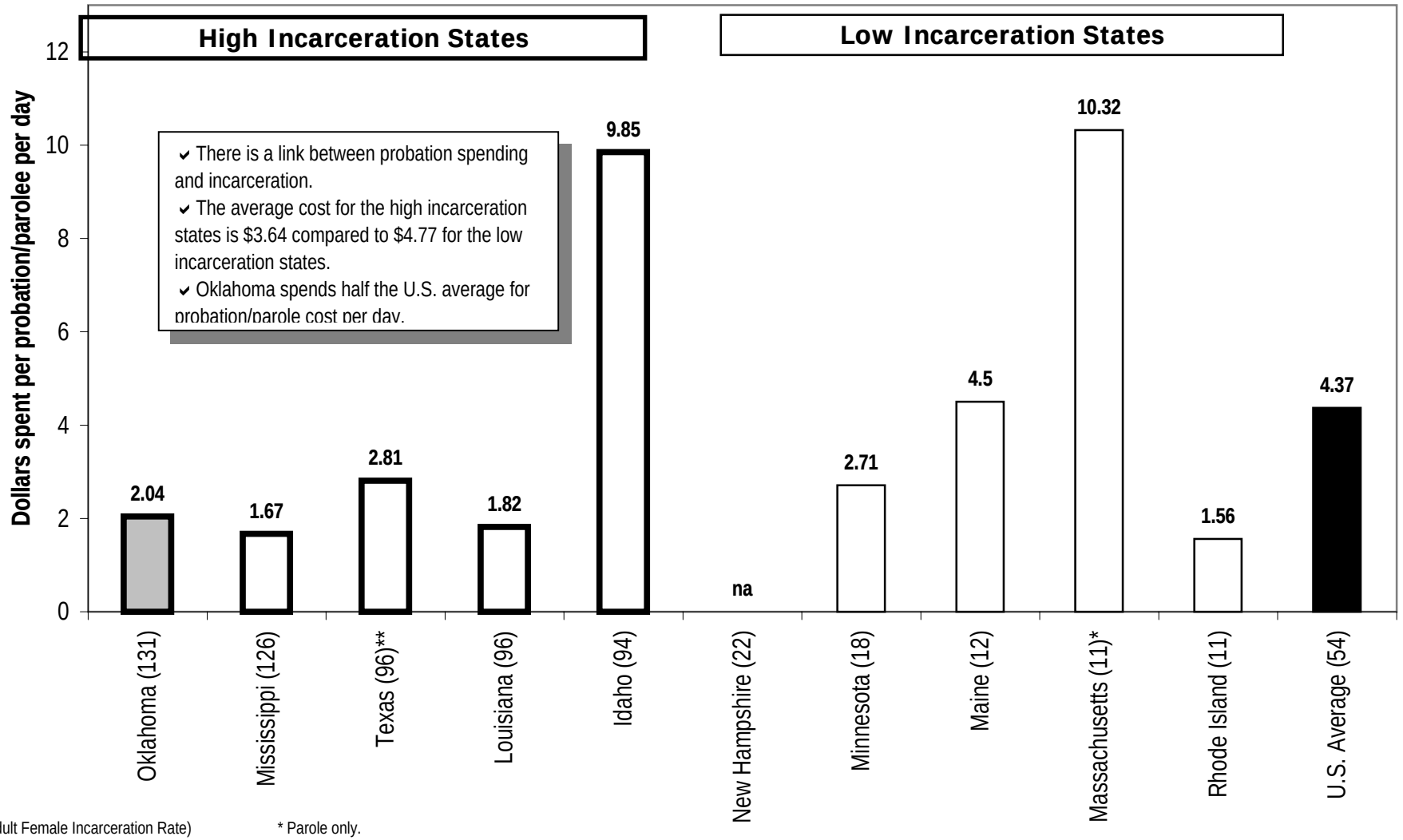
(Adult Female Incarceration Rate)
Source: The 2001 Corrections Yearbook

Ratio of Inmates-to-Correctional Officers on January 1, 2001
Oklahoma vs. Regional States



(Adult Female Incarceration Rate)
Source: The 2001 Corrections Yearbook

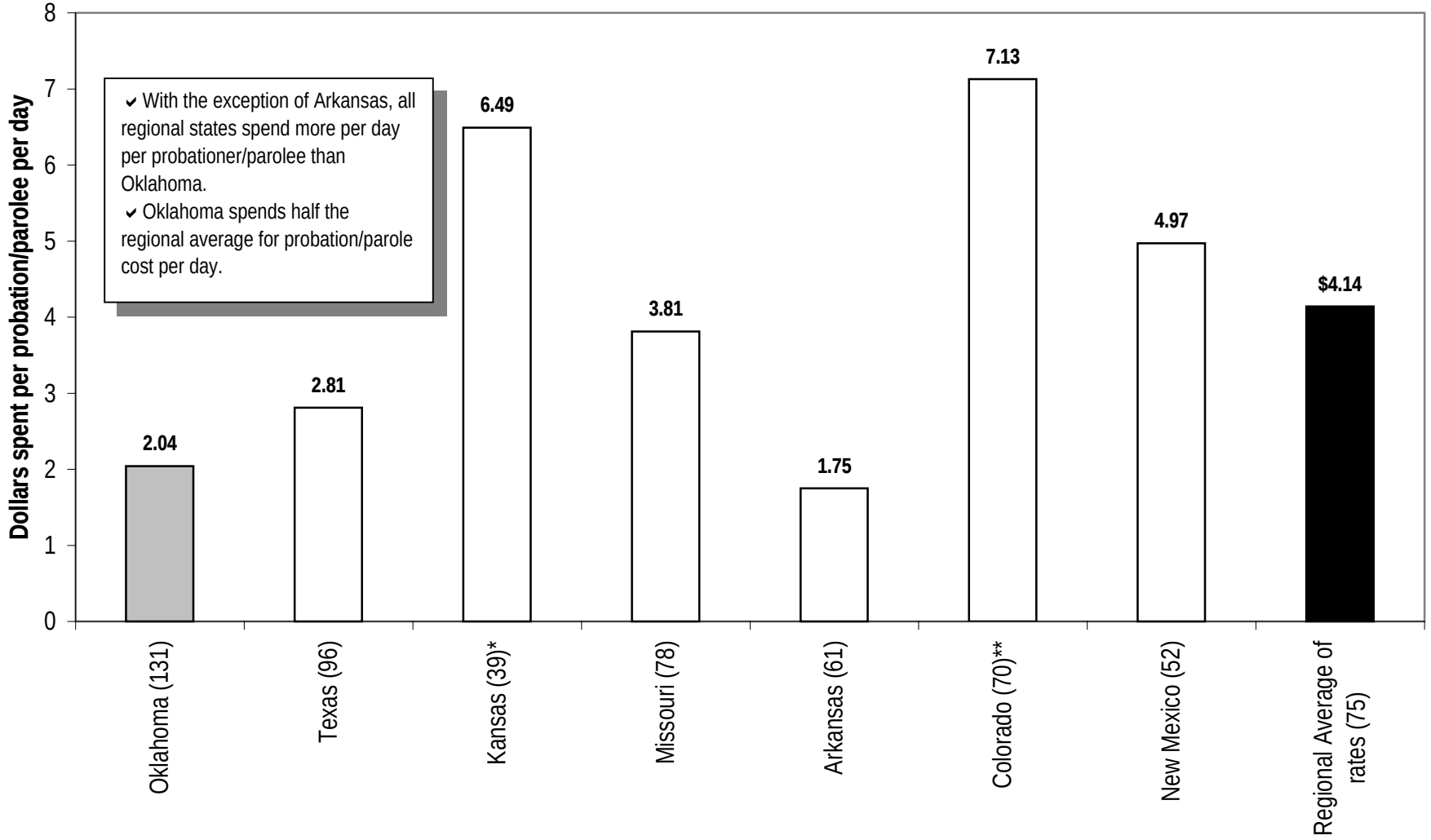
Cost per Day per Probation/Parolee 2000
High vs. Low Female Incarceration Rate States



(Adult Female Incarceration Rate) * Parole only.

Source: The 2001 Corrections Yearbook ** Average of Probation and Parole.

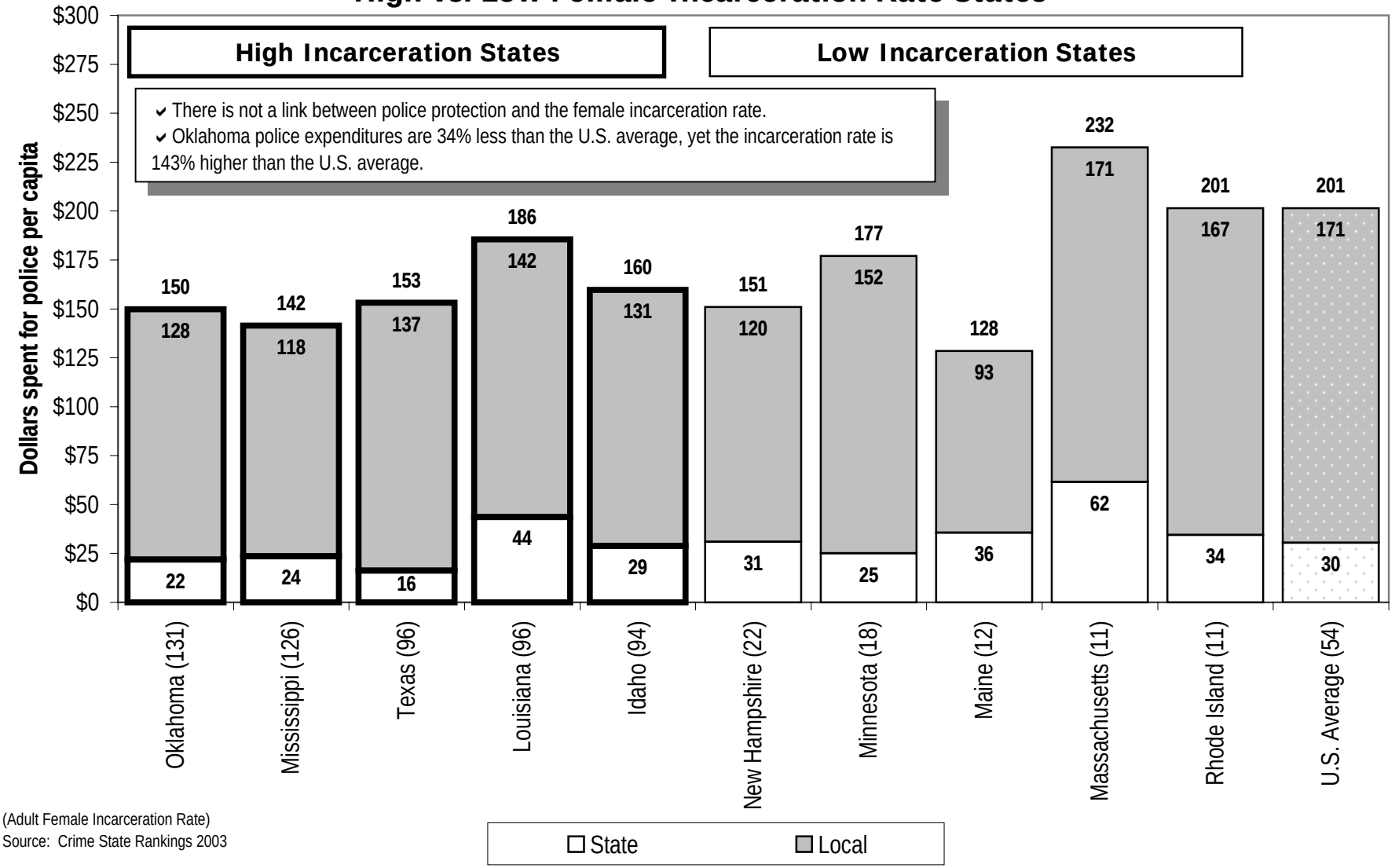
Cost per Day per Probationer/Parolee 2000
Oklahoma vs. Regional States



(Adult Female Incarceration Rate)
Source: The 2001 Corrections Yearbook

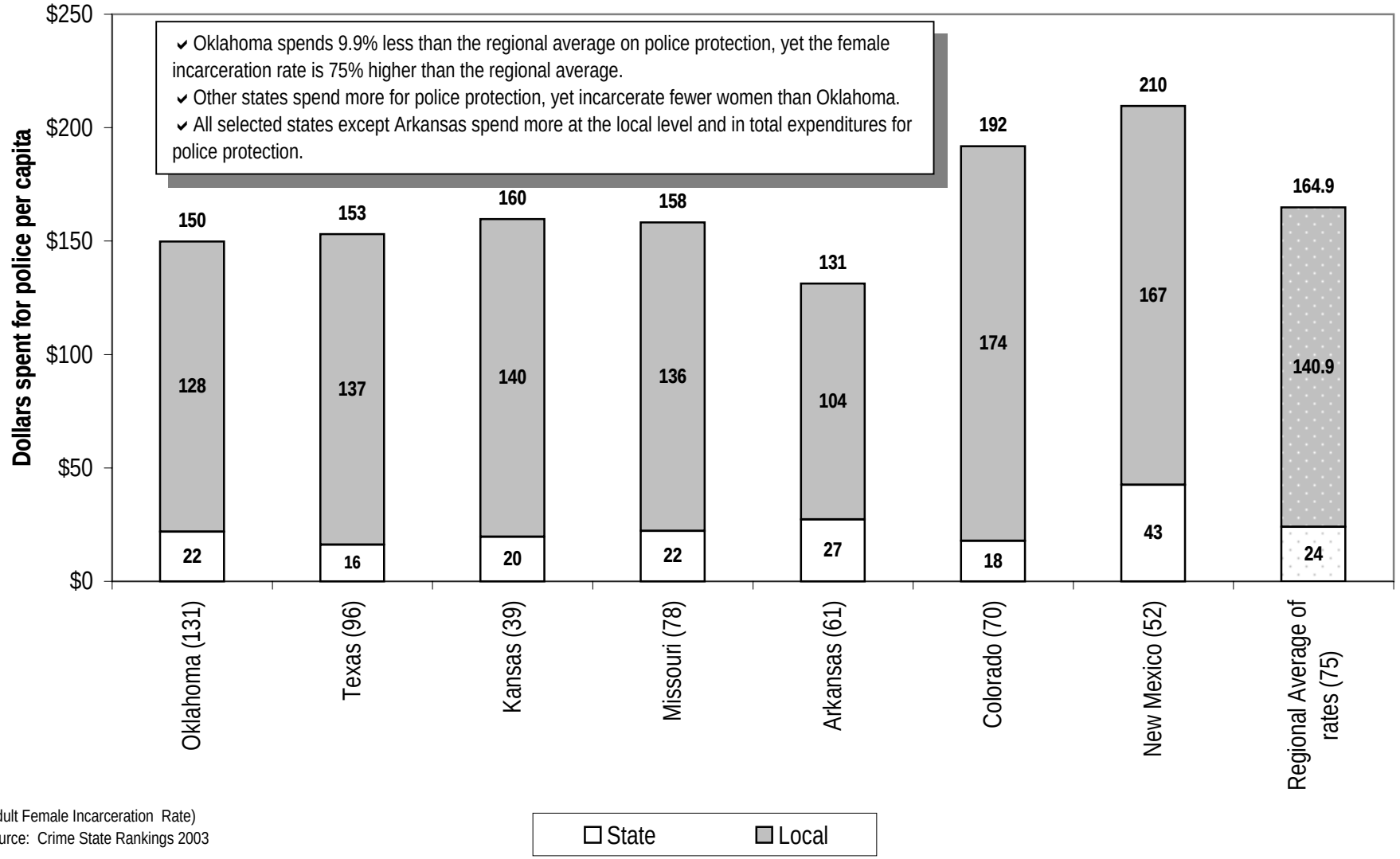
* Parole only.
** Average of Probation and Parole.

Per Capita Government Expenditures for Police Protection in 2000
High vs. Low Female Incarceration Rate States



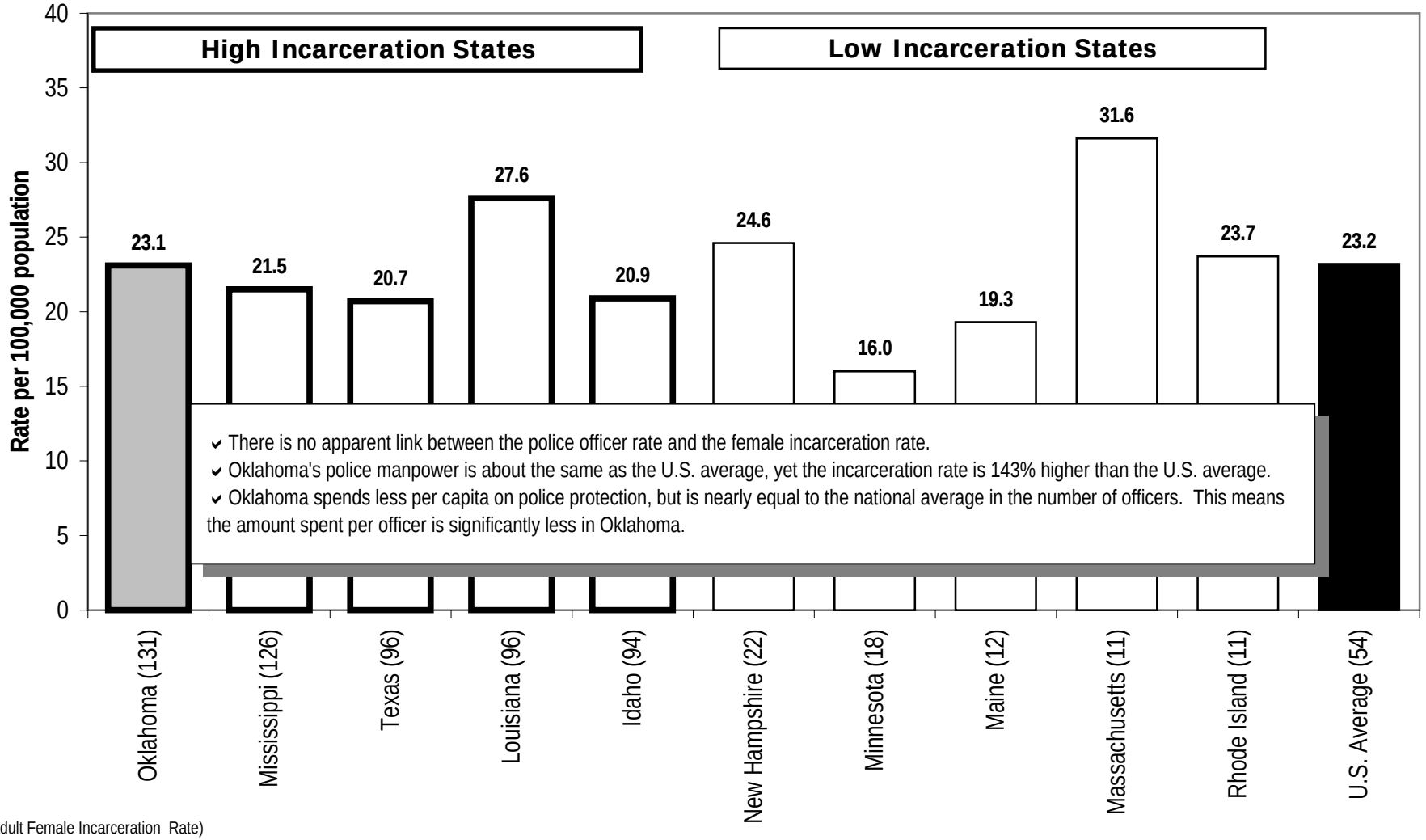
Source: Crime State Rankings 2003

Per Capita Government Expenditures for Police Protection in 2000
Oklahoma vs. Regional States



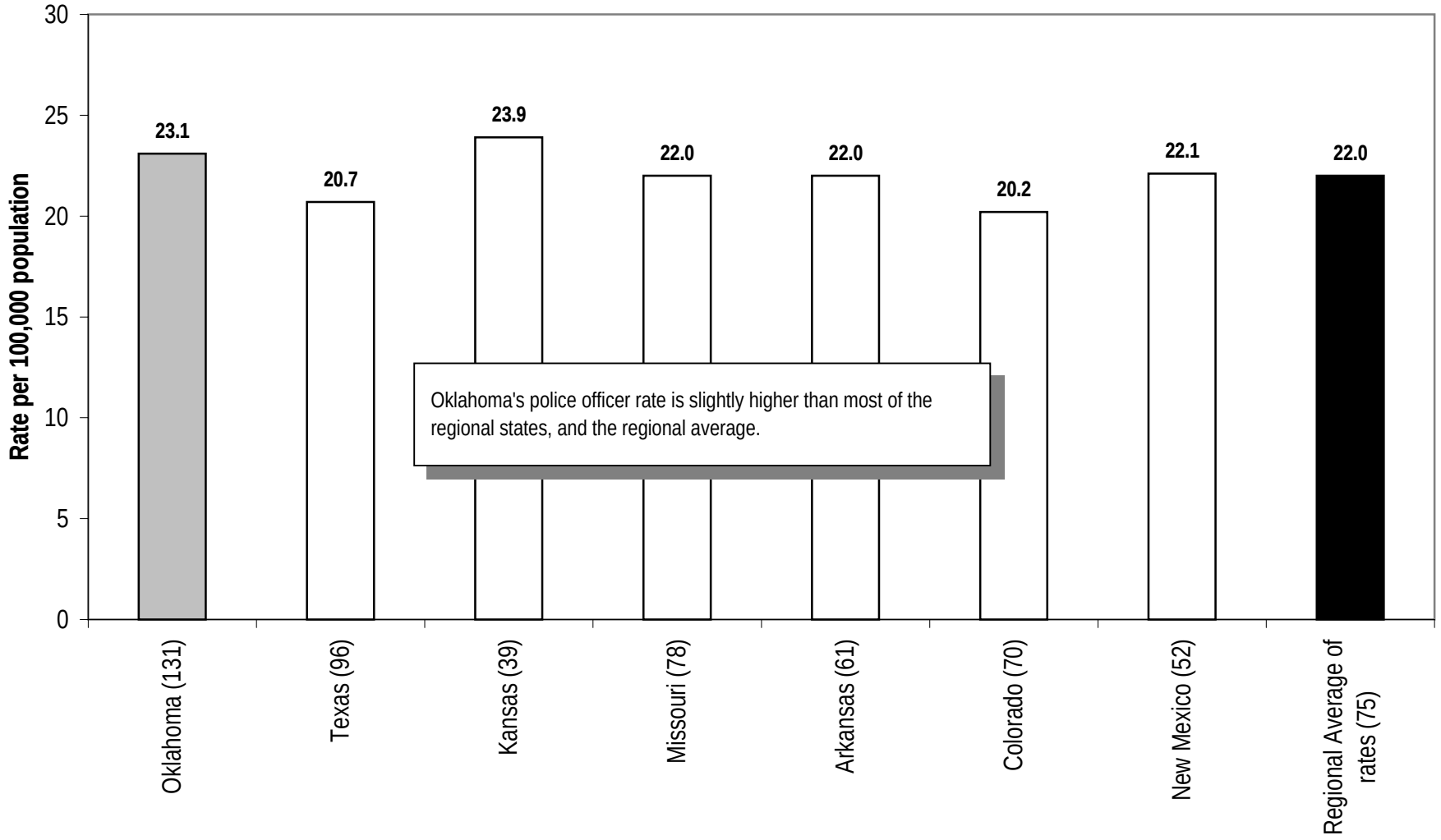
(Adult Female Incarceration Rate)
Source: Crime State Rankings 2003

Rate of State and Local Police Officers in 2001
High vs. Low Female Incarceration Rate States



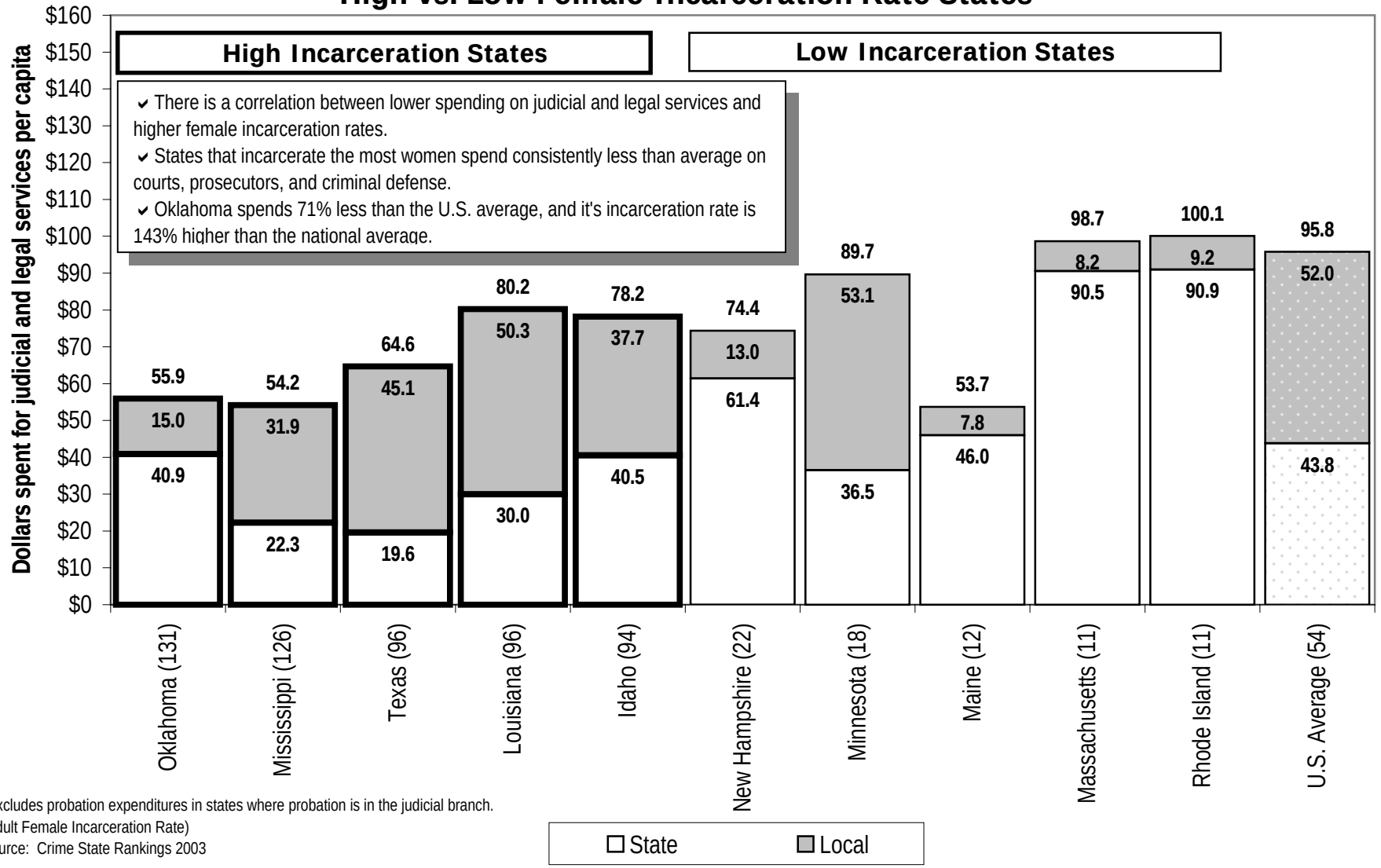
(Adult Female Incarceration Rate)
Source: Crime State Rankings 2003

Rate of State and Local Police Officers in 2001
Oklahoma vs. Regional States



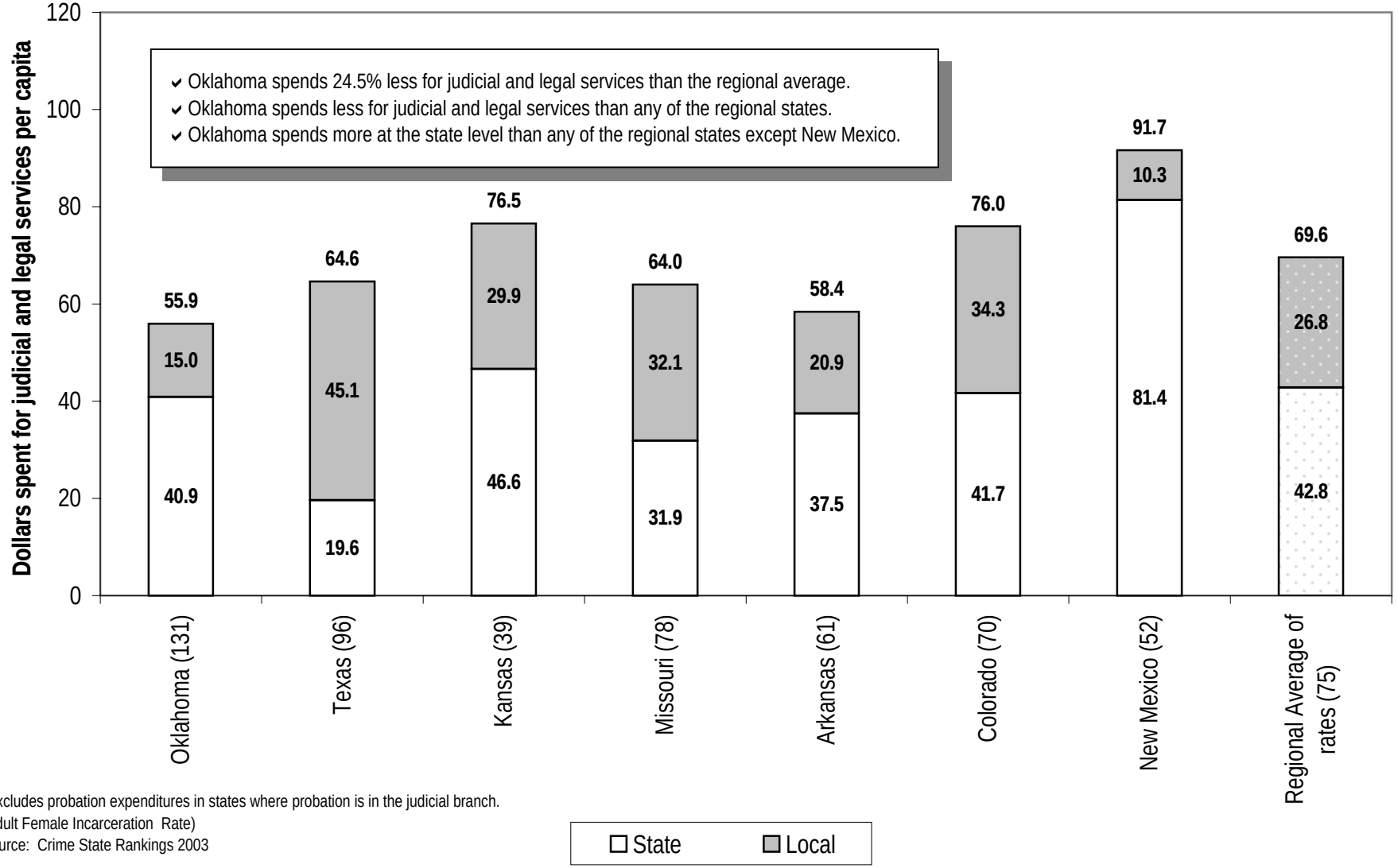
(Adult Female Incarceration Rate)
Source: Crime State Rankings 2003

Per Capita Government Expenditures for Judicial and Legal Services, 2000*
High vs. Low Female Incarceration Rate States



*Excludes probation expenditures in states where probation is in the judicial branch.
(Adult Female Incarceration Rate)
Source: Crime State Rankings 2003

Per Capita Government Expenditures for Judicial and Legal Services, 2000*
Oklahoma vs. Regional States



*Excludes probation expenditures in states where probation is in the judicial branch.
(Adult Female Incarceration Rate)
Source: Crime State Rankings 2003

7B

"Female Offenders: An Overview of State Responses." November 12, 2003. Vera Institute of Justice.

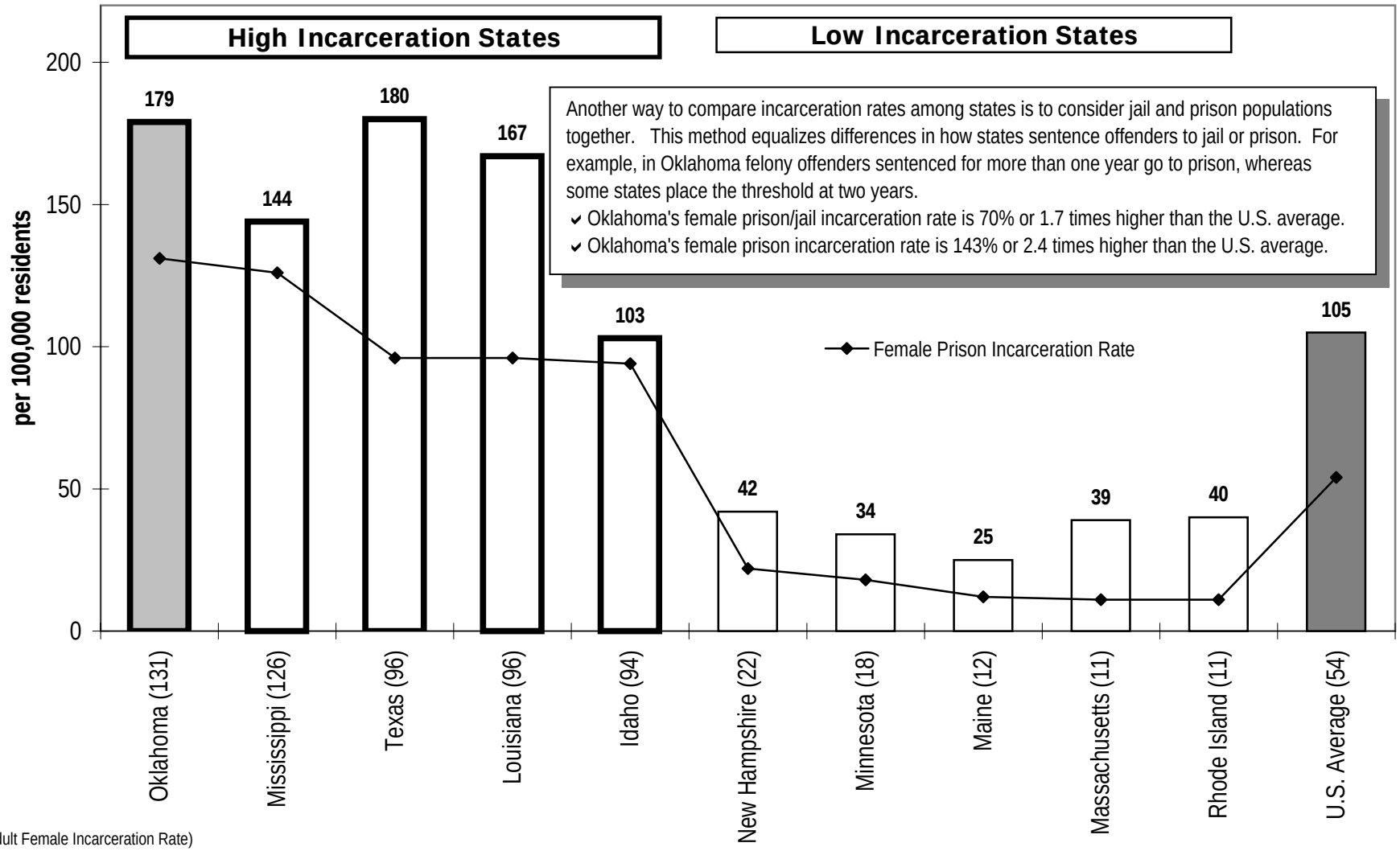
The following document is not yet available in this version of this publication.

7-B - ***Vera Institute of Justice. "Female Offenders : An Overview of State Responses." November 12, 2003. (powerpoint presentation)***

8A

Rate of Female Inmates in State Prison and Local Jails in June, 2001: High vs. Low Female Incarceration Rates.

Rate of Female Inmates in State Prison and Local Jails in June, 2001
High vs. Low Female Incarceration Rates



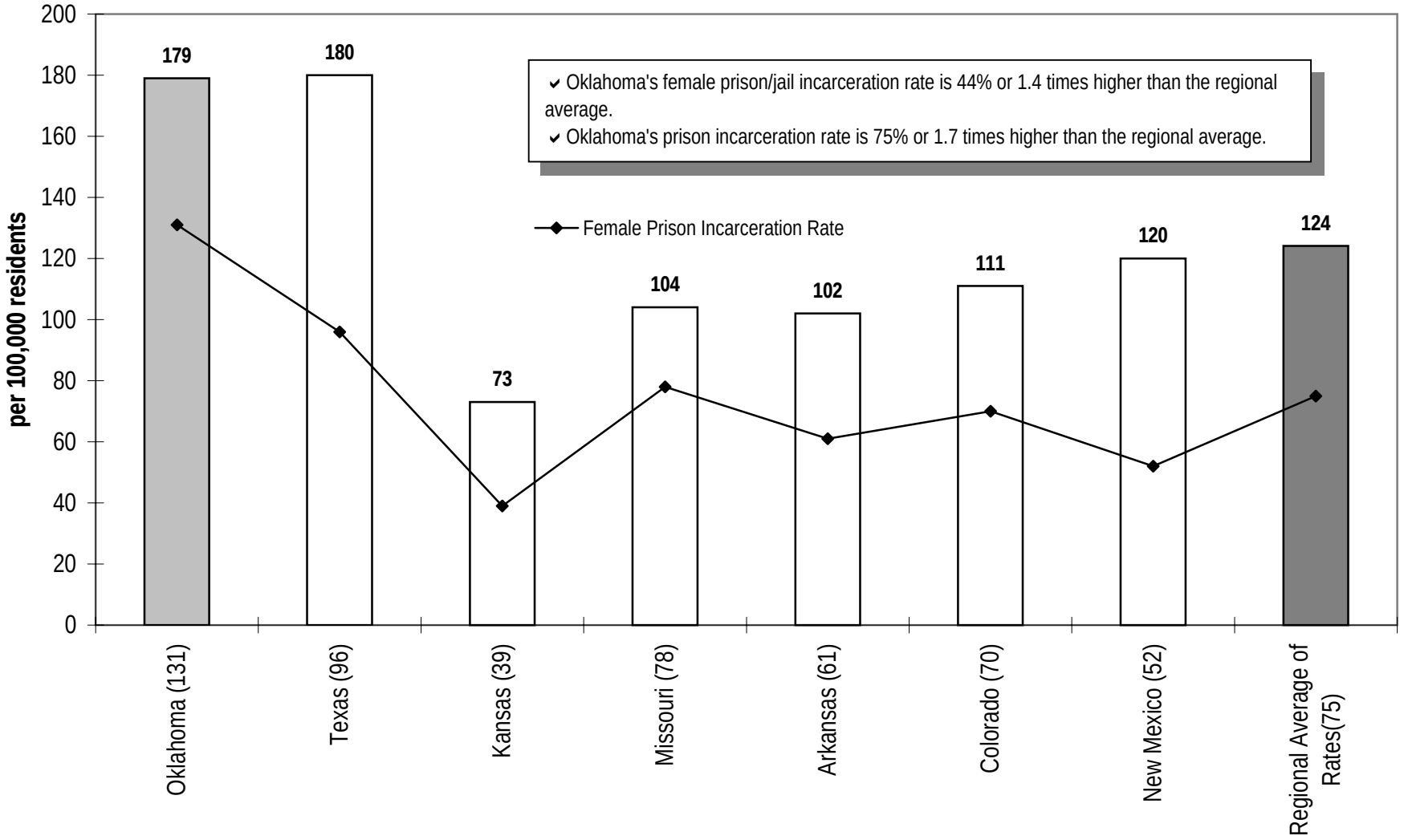
(Adult Female Incarceration Rate)

Source: Bureau of Justice Statistics *Prison and Jail Inmates at Midyear 2001*

8B

Rate of Female Inmates in State Prison and Local Jails in June, 2001: Oklahoma vs. Regional States.

Rate of Female Inmates in State Prison and Local Jails in June, 2001
Oklahoma vs. Regional States

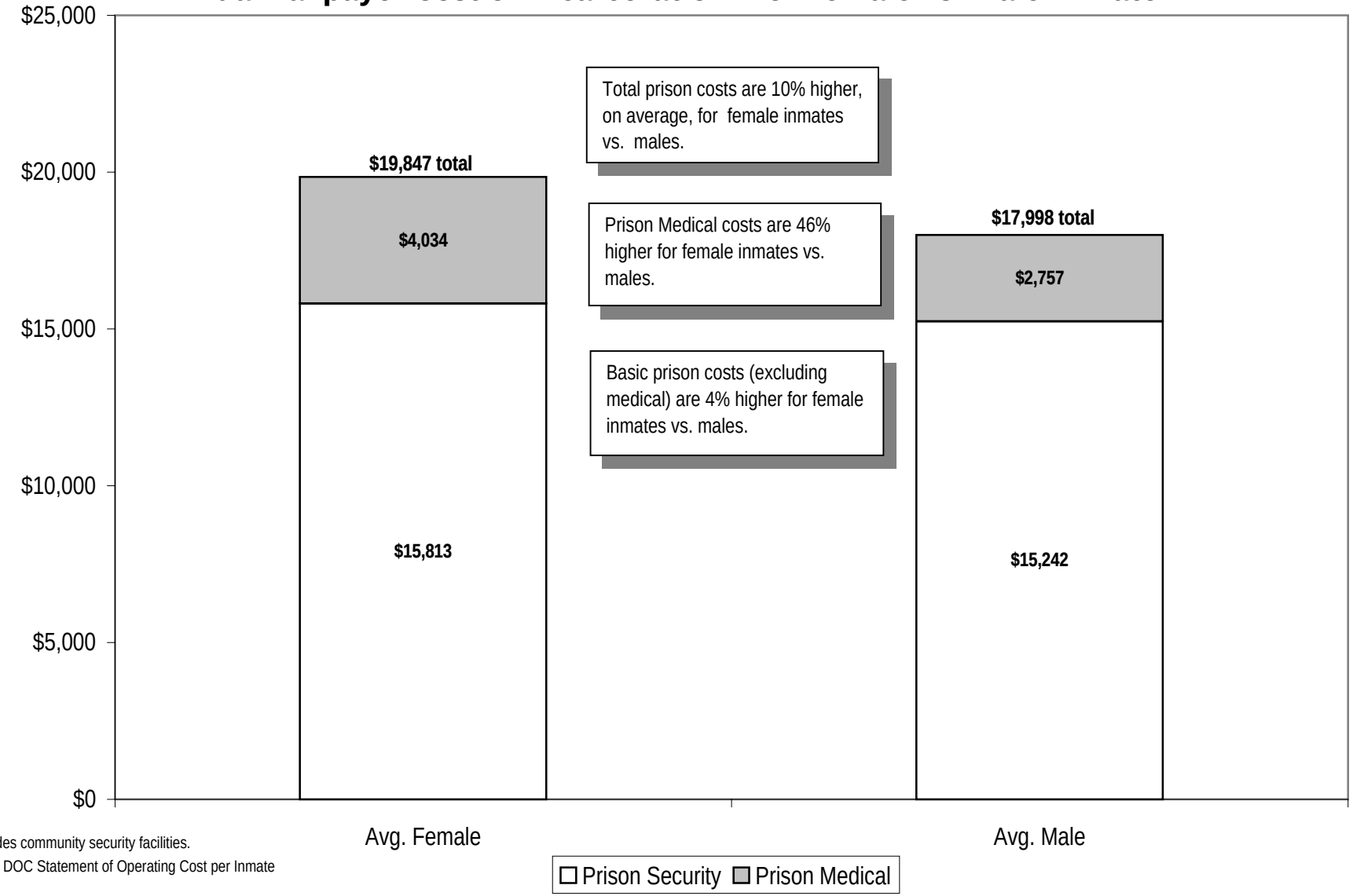


(Adult Female Incarceration Rate)
Source: Bureau of Justice Statistics *Prison and Jail Inmates at Midyear 2001*

8C

Annual Taxpayer Cost of Incarceration for Female vs. Male Inmate [including medical costs].

Annual Taxpayer Cost of Incarceration* for Female vs. Male Inmate



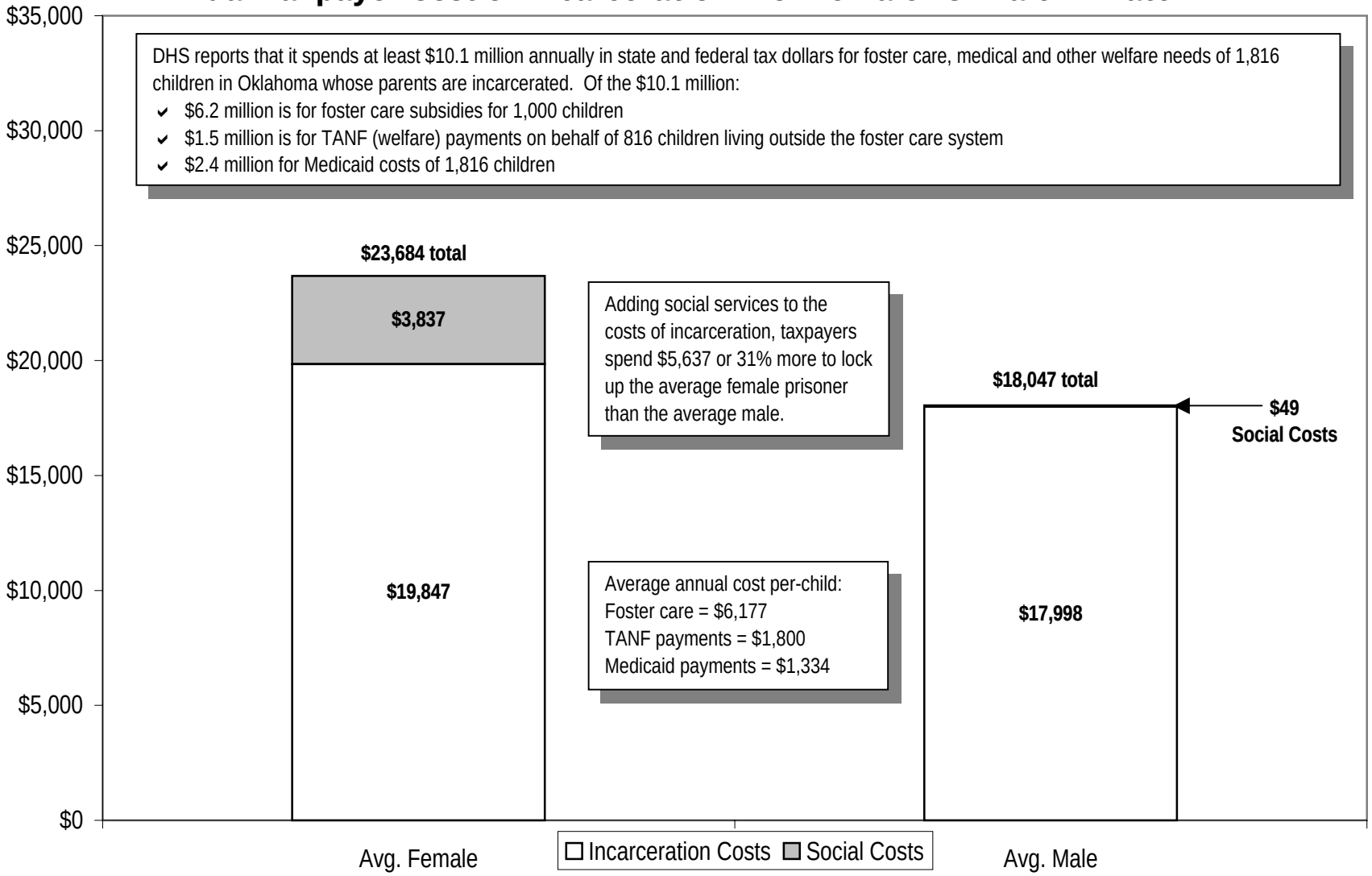
* Excludes community security facilities.

Source: DOC Statement of Operating Cost per Inmate

8D

Annual Taxpayer Cost of Incarceration for Female vs. Male Inmate [including social service costs as well as medical costs].

Annual Taxpayer Cost of Incarceration* for Female vs. Male Inmate

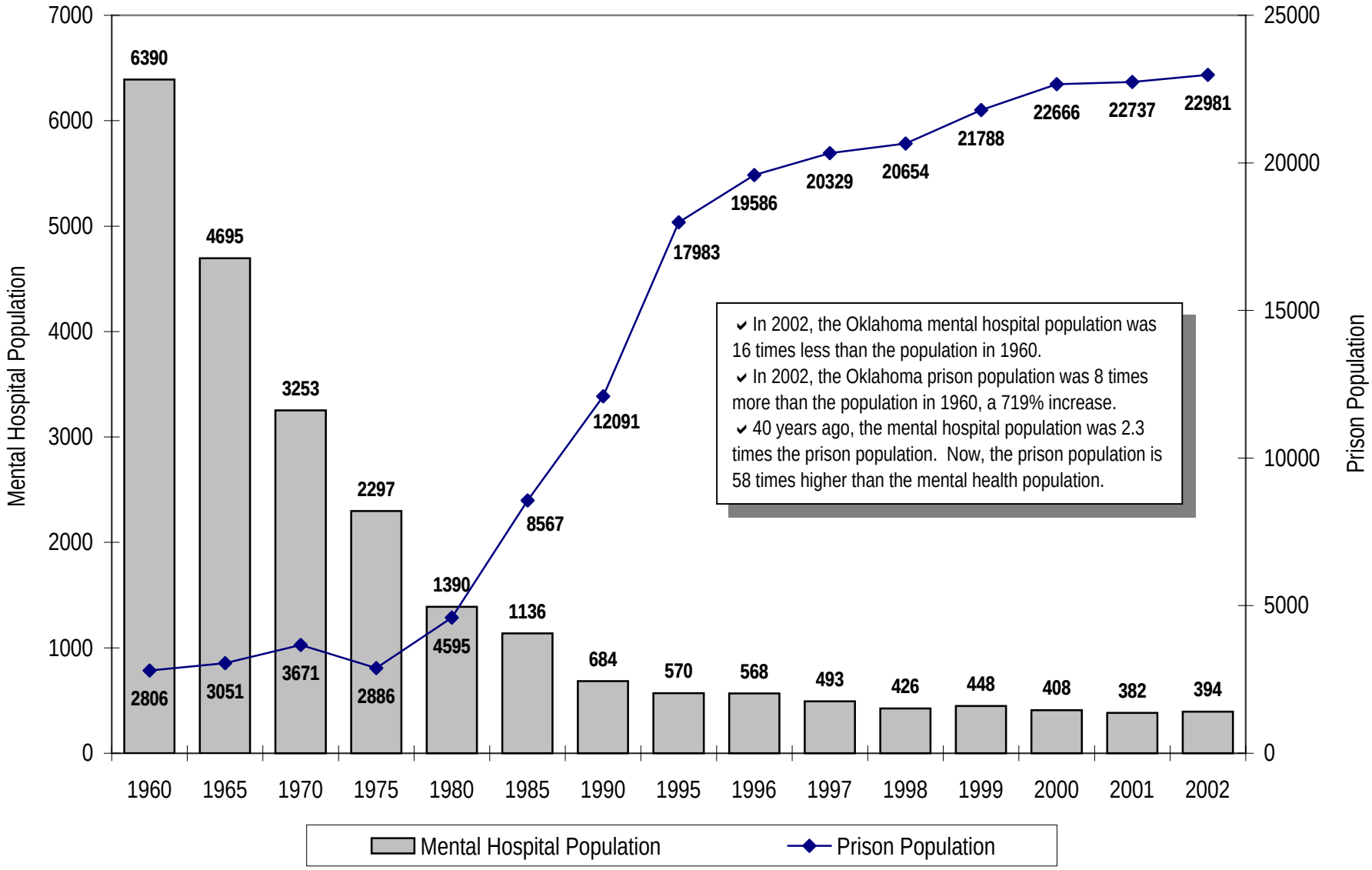


* Excludes community security facilities. DHS could not immediately identify the gender of the parent whose incarceration caused the spending on social services. For comparison purposes, OCJRC assumes that 90% of the costs are attributable to incarceration of female inmates and 10% is for males. Source: DOC and DHS

8E

Trends in Statewide Prison Population and Mental Hospital Population.

Trends in Statewide Prison Population and Mental Hospital Population



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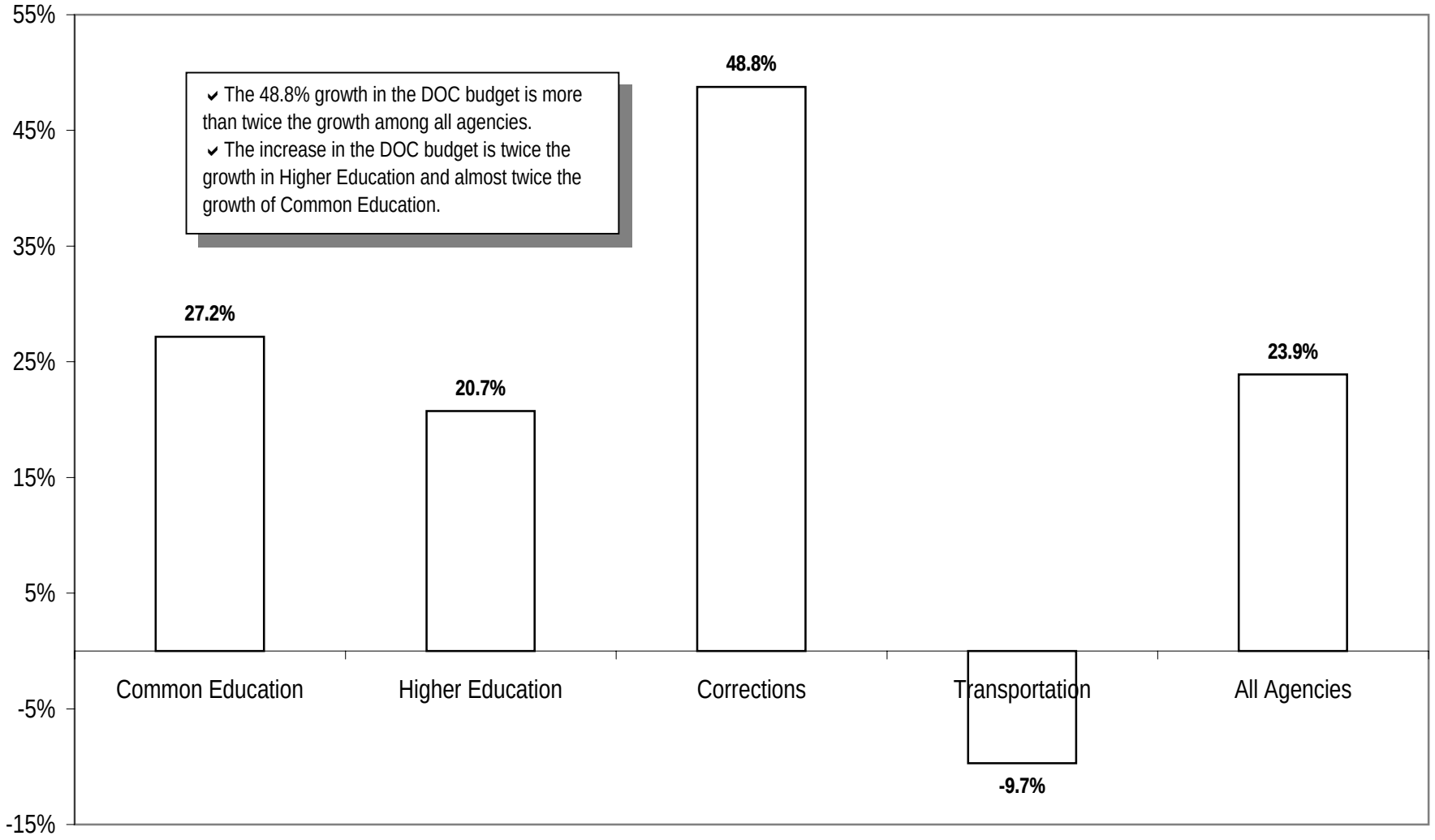
Percent Change in State Appropriations to Selected Agencies
FY ’97 – FY ‘04.

Percent Change in State Appropriations to Selected Agencies FY'97 - FY'04



Source: Senate Staff

X1

"Study finds Hundreds of Thousands of Inmates Mentally Ill." The New York Times, October 22, 2003.

The following document is not yet available in this version of this publication.

X-1 – *"Study finds Hundreds of Thousands of Inmates Mentally Ill." The New York Times, October 22, 2003.*

X2

Oklahoma Department of Corrections Mental Health Services *Fact Sheet*. January 2003. Powitzky, Robert J., Ph.D.

FACT SHEET
Oklahoma Department of Corrections
Mental Health Services
(January 2004)

The following are frequently asked questions concerning mental health issues within the Oklahoma Department of Corrections.

•How many inmates have a mental illness?
Answer: Approximately **6,000 (26 %)** out of 23,000 inmates have a history of, or are currently exhibiting some form of mental illness. Of the 2,000 **female inmates, 1,000 (48.5%)** and of the 21,000 **male inmates, 5,000 (24.2%**) fall in that category. These numbers/percentages have dramatically increased since 1998. Currently, approximately **4,000** inmates take some sort of psychotropic medication as prescribed, and about 20% of inmates with mental illness refuse to take the medication that is prescribed.

•What are the costs for mental health services for DOC inmates?
Answer: In FY 2002, approximately **$6,702,000** was spent on Professional salaries and medications for inmates in the state-owned facilities. In a comparison of the costs of professional salaries and psychotropic medications in six other state DOC's, **Oklahoma's costs per inmate per year was lowest.** The dollars spent per inmate per year ranged from $471 for ODOC to $1,276 for New Jersey.

•What crimes are inmates with mental illness incarcerated for?
Answer: Overall, **57%** of inmates with some form of mental illness were incarcerated for **non-violent offenses**. Of the mentally ill **females, 68%** were incarcerated for non-violent crimes, and of the **males, 54%** were incarcerated for non-violent crimes. The percentage of all inmates with no prior crimes (i.e., **first-time offenders) was 47%.**

Oklahoma Department of Corrections

Number of Inmate Patients Receiving Psychotropic Prescriptions

1996 through 2002

X6

Letter of July 16, 2003, from N. Ann Lowrance, Executive Director, Project Safe, Inc., Shawnee, Oklahoma, to Rep. Barbara Staggs citing several studies regarding victimization of women prior to incarceration. (Distributed to the Task Force at the July 30, 2003, meeting.)

Distributed at Request of Rep. Staggs

w/ 5th type

Project Safe, Inc.

P. O. Box 465, Shawnee, Oklahoma 74801

(405) 273-9953

July 16, 2003

The Honorable Barbara Staggs
302 State Capitol Building
2300 N. Lincoln Boulevard
Oklahoma City, OK 73105

RE: Special Task Force for Women Incarcerated in Oklahoma

Dear Representative Staggs:

It is my understanding that you are a member of a newly-created task force to study incarcerated women in Oklahoma. I am pleased that this important issue is being examined and want to encourage you to investigate the role domestic violence and sexual assault play in the lives of these women.

Incarcerated women are disproportionately more likely to have experienced interpersonal victimization prior to incarceration (Chesney-Lind, 1997). Rates of abuse reported are 86% experienced childhood sexual abuse, 57% experienced child physical abuse by a caretaker, 68% were raped as an adult, and 84% suffered severe physical abuse by an intimate partner as an adult. Further, interpersonal violence reported by these women was more severe, frequent, ongoing, and, for childhood abuse, began at relatively young ages (Bradley and DaVino, 2002). Their accounts suggest that even though women in abusive relationships are incarcerated (and theoretically protected from physically violent partners on the outside) they continue to be controlled, manipulated, threatened, and even stalked by their abusers. The abuse was so severe, a third of these women reported feeling safer in prison than they felt at home.

Again, thank you for your attention to this critical issue. Please do not hesitate to contact me if I can be of assistance to you in this or any other matter.

Sincerely,

Ann

N. Ann Lowrance
Executive Director

X7

"Substance Abuse Programs Bed Utilization Report" for the week ending October 25, 2003. Oklahoma Department of Mental Health and Substance Abuse Services.

The following document is not yet available in this version of this publication.

X-7 - *Oklahoma Department of Mental Health and Substance Abuse Services. "Substance Abuse Programs Bed Utilization Report" for the week ending October 25, 2003.*

X8

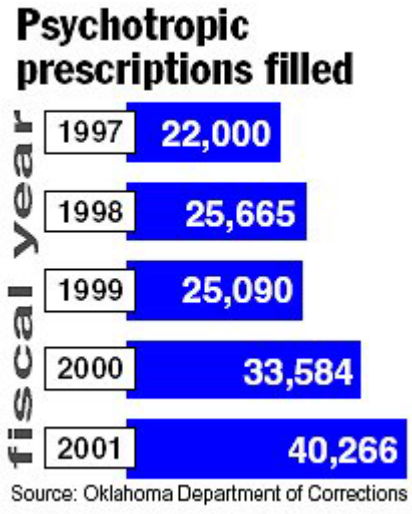
"Jailing of Mentally Ill on Rise." *Tulsa World*, November 20, 2003.

Tulsa World

By BARBARA HOBEROCK
World Capitol Bureau
11/20/2003

Jailing of mentally ill on rise

Better diagnosis by staff, reduced community resources are cited in a legislative hearing.



OKLAHOMA CITY -- Lawmakers on Wednesday expressed alarm at the increasing number of people with mental illnesses who wind up behind bars.

Rep. David Braddock, D-Altus, called the situation "disturbing" as Department of Corrections officials discussed budgetary and other issues before a subcommittee of the House General Conference Committee on Appropriations.

The Corrections Department has seen an incredible increase in the inmate use of psychotropic medication over the last two to three years, Braddock said.

In 2002, some 4,000 inmates were receiving psychotropic prescriptions, up from 1,150 in 1996, according to information provided by the DOC.

In fiscal year 2001, the department filled 40,266 psychotropic prescriptions, up from 22,000 in 1997, according to DOC.

Better diagnosis by staff is one reason for the increase, said Ron Ward, Oklahoma Department of Corrections director.

In addition, reduced community resources have resulted in more people with mental illnesses being sent to prison, Ward said.

The better detection has resulted in a reduction of suicides behind prison bars, Ward said.

About 6,000 or 26 percent of the 23,000 offenders in the corrections system have a history of or exhibit a form of mental illness, DOC documents show.

Of 2,000 female offenders, 1,050 or 50.3 percent have a history of or exhibit mental illness. Of the 21,000 males locked up, some 5,024 or 24.4 percent have a history of or exhibit mental ill ness.

About 57 percent of inmates with some form of mental illness were incarcerated for nonviolent offenses.

Of females with a mental illness, 68.3 percent were incarcerated for nonviolent crimes, while 54.7 percent of the males with mental illness were incarcerated for nonviolent crimes.

Tulsa County has made an unbelievable effort in trying to divert the mentally ill from jail, said Mike Brose, executive director of the Mental Health Association in Tulsa.

Officials try to divert nonviolent people into treatment, Brose said.

But the state has a long way to go in setting up community-based services to keep those with a mental illness out of jail, he said.

"We are the cheaper alterna tive," Ward said, adding that he can't fault the court system for sending people with mental illnesses to prison because the court system doesn't have an alternative.

"Our people in mental health do an excellent job of treating those with mental illnesses," Ward said.

Ward said that a problem occurs when an offender with a mental illness discharges to the community, which does not have the resources to handle the person's needs. As a result, Ward said, that person returns to prison.

The person not only leaves the system with a mental illness but with a felony conviction, making it difficult to obtain employment, Ward said. About 8,000 people a year discharge from DOC custody, Ward said, adding that the department needs to do a better job of reintegration.

"About 2,000 of those people come back," he said.

Improving the transfer to the community would reduce recidivism, Ward said.

Braddock said sending those with mental illness to prison appears to be archaic. They would be better served by treatment locally and with the support of family, he said.

If those with a mental illness were removed, prison numbers would be way down, Ward said.

X11

“Foster Care Rate Linked to Factors.” The Daily Oklahoman. June 11, 2003. Snyder, Carmel Perez.

Foster care rate linked to factors

(The Daily Oklahoman 6/11/03)

By Carmel Perez Snyder
Capitol Bureau

A lack of education, unemployment, substance abuse and the state's incarceration rates are the main reasons Oklahoma ranks seventh nationally in the number of children in foster care, according to a report presented Tuesday to the Oklahoma Human Services Commission.

As of June 5, Oklahoma had 9,147 children in out-of-home care, said Linda Smith, director of the Department of Human Services' Family and Children's Services.

Smith said the department uses the "out-of-home" designation for children in regular foster care, therapeutic foster care, inpatient psychiatric facilities, group homes and for children placed with relatives.

"Kinship placement is important to us, and that's one of the first things we do is try to make the connection with a relative," Smith told commissioners.

According to the report, more than 98,000 Oklahoma children were involved in abuse and neglect reports received by DHS.

Of those, 67 percent were assigned to be investigated, 8 percent of the children were removed from the home and petitions were filed on 5 percent of the children, Smith said.

"It starts with a very, very large number and gets down much smaller through the process," she said. "Of the reports assigned for investigation, 22 percent were confirmed. The vast number - 82 percent - of that is for neglect, 13 percent is for physical abuse and 5 percent for sexual abuse."

Smith and the department were responding to questions raised in April by commission Chairman Steve Bailey about the increasing number of children in foster care.

"I get overwhelmed by it," said Bailey, after hearing DHS Director Howard Hendrick's monthly report. "I get a sick feeling in my stomach and feel like I'm sitting here not making a difference."

Smith said reasons for the increase since 1998 are unemployment, underemployment and a low educational level of the parents, incarceration, substance abuse, domestic violence and safety concerns.

A survey of 4,000 families involved in DHS, conducted by the Oklahoma Children's Services and the University of Oklahoma, show 38 percent of those parents had less than a high school education and 50 percent of the primary caretakers were unemployed.

Families headed by females were affected more because of lower income levels and often the poor choice of partners made by single mothers.

"In Oklahoma, 24 percent of the state's children live in poverty," Smith said. "This is 20 percent higher than the national rate. Oklahoma has the ninth highest poverty rate in the nation."

Neglect - the highest factor noted for the removal of children in Oklahoma - is especially associated with poverty, she said.

Oklahoma's high rate of incarceration also contributes to the high foster care numbers. Oklahoma ranks third overall for incarceration rates, but No.1 nationally in female incarceration.

"When parents are incarcerated, there's often a relative or other family to take care of the children," Smith said. "Many judges in the state refuse to terminate parental rights if a parent is incarcerated."

Hendrick said there are some inconsistencies from county to county on the crimes for which people are sent to prison.

National figures show that though Oklahoma ranks third in incarceration rates, it ranks 34th in violen crimes.

"There's no budgetary consequences to DAs (district attorneys) - it doesn't impact their budget," Hendrick said. "They can send as many people to prison as they wan."

Commissioners said the Legislature should find better ways to get people to pay their debt.

Bailey said, "I'm concerned that is a big contributor to the foster care issue and that's really what we're talking about – finding out why our foster care numbers are growing."

Substance abuse is another contributing factor; according to Smith's report.

"Nineteen percent of confirmed abuse and neglect reports cite substance abuse as the primary cause," Smith said. "But anecdotal evidence presented by caseworkers shows that substance abuse is a factor in 75 to 80 percent of their cases."

The biggest problem is methamphetamine use. Oklahoma ranks in the top five in every national meth category.

Methamphetamine cases in Oklahoma have increased by 8,000 percent since 1995.

"According to national reports, Oklahoma City has a worse methamphetamine problem than New York City or Detroit," Smith said.

Smith also detailed strategies DHS has been using to reduce the number of children in out-of-home care.

Officials are hoping home-based programs through the Office of Child Abuse Prevention in the state Health Department will help families before a child has to be removed.

Parent-aid programs teach parents budgeting and house management skills.

DHS also has provided more training on safety assessments for its workers, and is analyzing child removal rates by county, Smith said.

"We are working with many things to increase the number of children leaving care," she said. "We are working harder to set up guardianship with relatives. Previously a child must have been over the age of 12. Now we've removed the age restriction.

"We also removed some barriers to adoption subsidies for relatives. We are expanding some of the reunification services so that we can get children back home quicker."

Commissioners said they will use the information provided in Smith's report to make recommendations for prevention programs and other ways to stop the increase into foster care that lawmakers can consider for the next legislative session.

Staff writer Carmel Snyder can be reached by em*ail at csnyder@oklahoman.com or by phone at* 475-*3305.*