

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 783

By: Brecheen and Johnson  
(Constance) of the Senate

6 and

7 Faught of the House

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10 COMMITTEE SUBSTITUTE

11 An Act relating to the criminal justice system;  
12 creating the Drug Court and Community Sentencing  
13 Reform Task Force; specifying duties thereof;  
14 providing for membership, appointments, meetings,  
15 chair, operations and staff support; requiring  
16 certain report; providing for noncodification; and  
17 declaring an emergency.

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

19 SECTION 1. NEW LAW A new section of law not to be  
20 codified in the Oklahoma Statutes reads as follows:

21 A. There is hereby created until November 30, 2012, the Drug  
22 Court and Community Sentencing Reform Task Force. The task force  
23 shall have the following duties:

24 1. To review and evaluate the operations, efficiency and  
outcomes of alternatives to incarceration, including but not limited

1 to, drug courts, community sentencing programs and practices,  
2 probation and parole, both for adult and juvenile offenders;

3 2. To evaluate the feasibility of consolidating the programs  
4 specified in paragraph 1 of this subsection at the county or  
5 judicial district level;

6 3. To determine the cost savings of requiring a single  
7 administrator to coordinate the provision of services and the  
8 allocation of resources in such programs, including but not limited  
9 to a review of Medicaid expenses, the benefits of providing services  
10 in-house rather than on a contract basis and the prioritization of  
11 mental health and substance abuse treatment tiers;

12 4. To evaluate the cost and feasibility of requiring drug court  
13 programs in every judicial district of this state, to be provided in  
14 conjunction with existing community sentencing programs;

15 5. To encourage drug courts and community sentencing program  
16 administrators to make use of faith-based counseling programs, both  
17 to conserve scarce state and local tax dollars and to provide  
18 improved counseling and other services to program participants;

19 6. To assess the feasibility and cost savings of providing  
20 services similar to those offered to drug court participants to  
21 parolees, persons sentenced to probation and persons released early  
22 from incarceration;

23 7. To look into the provision of drug court services in rural  
24 areas of this state, particularly with respect to the possibility of

1 utilizing local law enforcement resources in the same way as drug  
2 task force agents, thereby creating both flexibility and efficiency  
3 in the use of such resources;

4 8. To determine if there are ways to provide drug court  
5 services to more participants using existing resources, such as by  
6 providing such services with mobile or temporary locations; and

7 9. To make recommendations to the Legislature and the Governor  
8 for improvements with respect to alternatives to incarceration, for  
9 the purpose of improving the safety and well-being of the citizens  
10 of this state at the lowest possible cost.

11 B. The task force shall consist of seventeen (17) members as  
12 follows:

13 1. Three members of the Senate appointed by the President Pro  
14 Tempore of the Senate, who shall not all be members of the same  
15 political party, one of whom shall be the chair of the Senate  
16 Judiciary Committee;

17 2. Three members of the House of Representatives appointed by  
18 the Speaker of the House of Representatives, who shall not all be  
19 members of the same political party, one of whom shall be the chair  
20 of the House Judiciary Committee;

21 3. The Presiding Judge of the Court of Criminal Appeals or  
22 designee;

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1 4. A district attorney with a drug court program, a probation  
2 supervision program and a community sentencing program in his or her  
3 jurisdiction;

4 5. One person who is currently employed in the Division of  
5 Probation and Parole of the Department of Corrections, to be  
6 appointed by the Director of the Department;

7 6. The Administrative Director of the Courts;

8 7. Two district court judges who administer a drug court  
9 program pursuant to the provisions of Section 471.1 et seq. of Title  
10 22 of the Oklahoma Statutes and who have had experience with  
11 community sentencing, to be appointed by the Chief Justice of the  
12 Supreme Court;

13 8. One person who shall have experience with probation or  
14 parole matters;

15 9. One person who shall have experience with a community  
16 sentencing program;

17 10. One person who shall have worked in a drug court program  
18 with a recidivism rate lower than the state average;

19 11. The Commissioner of the Department of Mental Health and  
20 Substance Abuse Services; and

21 12. The Director of the Office of Juvenile Affairs.

22 C. Appointments to the task force shall be made by August 31,  
23 2011. The first meeting of the task force shall be called by the  
24 Governor and shall be held not later than September 30, 2011, at

1 which meeting a chair shall be elected by a majority of the members  
2 of the task force. Subsequent meetings of the task force shall be  
3 held at the call of the chair of the task force. Members shall  
4 serve at the pleasure of their appointing authorities. A majority  
5 of the members of the task force shall constitute a quorum to  
6 transact business, but no vacancy shall impair the right of the  
7 remaining members to exercise all of the powers of the task force.  
8 A vacancy on the task force shall be filled by the original  
9 appointing authority. Staff support for the task force shall be  
10 provided by the Department of Corrections, the Senate, and the House  
11 of Representatives.

12 D. Not later than November 30, 2012, the task force shall  
13 submit a report of findings and recommendations to the Governor, the  
14 President Pro Tempore of the Senate, and the Speaker of the House of  
15 Representatives.

16 SECTION 2. It being immediately necessary for the preservation  
17 of the public peace, health and safety, an emergency is hereby  
18 declared to exist, by reason whereof this act shall take effect and  
19 be in full force from and after its passage and approval.

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21 53-1-7478 LRB 04/06/11

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