

FOSTER CARE: THE WILL TO ACT

By Brandon Webb
Staff Writer

■(GIT) Late Friday afternoon Governor Keating sat down with a task force to discuss the increasing problems with Oklahoma's child foster care program. Last May the five member panel met at the governors request to make a report and recommendations on the future of Oklahoma's foster care. Michael Sanders, executive director of Citizens Caring for Children chaired the task force. Members for Oklahoma's DHS, Juvenile affairs and the governor's office all participated in the task force.

The panel's findings are now complete and the report entitled "Children First: The Will to Act," is in the hands of the Governor. The report appears to be both timely and needed. Coming on the heels of six foster children being removed from a Lincoln County foster home after a child welfare worker discovered what were described as deplorable conditions.

Secretary of Human Services Ken Lackey, who compiled the task force report, said that foster care is a very critical issue to Oklahoma. Lackey believes that foster care is an answer to problems the state is having with child abuse and the juvenile system. Oklahoma has only 1,600 foster care families, responsible for the welfare of 3,500 children. Unfortunately the number of foster care families is nearly the same as were participating 12 years ago.

Lackey acknowledges that we need more foster care families today than we needed several years ago in order to implement some of the recommended solutions. When asked what some of those solutions were Lackey deferred the answer until after the Governor had time to look at the report. The Governor did declare his intention of asking state churches to help recruit new foster care families.

Governor Keating intends to digest the information, with the goal of discovering what goes on in foster care, why it goes on, how it occurs and how to keep it from recurring. The Governor plans to review the report with the committee members and determine what regulatory and statutory changes are needed to see that the task force recommendations are implemented.

When the new laws go on the books, Keating wants to make sure foster children are nurtured, cared for, and educated. Sanders stated, "It is bad enough when the state has to take a child away from a real family, but it's even worse when the foster family is

poor."

Keating responded, "If we are falling down on that responsibility it is unsatisfactory. We have children that need to be protected."

Sanders commented "You can have all the policies and legislation in the world but if you don't make a conscious decision to improve the system from the bottom level up, not the top level down, then you're not looking out for your mission. And that is the

best interests of the child."

Lackey said "The real story on the report is not that there are some great recommendations. The story here is that we have had great recommendations many times before but they haven't been acted on. Hopefully they will be acted on so we can build a foster care base in Oklahoma."

To which Keating emphatically replied, "This administration has the will to act!"

INTERIM STUDY LOOKS AT TRUTH IN SENTENCING

By Michelle Boyd Waters
Staff Writer

■(GIT) The Truth in Sentencing Policy Advisory Commission and interim studies plan to reintroduce legislation to insure prisoners serve most of their sentences, to give judges control of sentencing in non-capital cases and to find alternative ways to punish first-time, non-violent offenders, said Rep. Dwayne Steidley, D-Claremore, and House chairman of the joint interim study.

A special subcommittee within the commission is working on a fiscal impact study to present to the legislature while another interim study is focusing on educating the legislators about the issues involved in the proposed legislation, Paul O'Connell, executive director of the TIS commission, said.

The commission finalized a bill proposal in April 1996 and gave it to the legislature, but by the time HB1138 was introduced, it was too late for it to get full consideration during the 45th legislature.

Capitol Network News reported that HB1138 — which was combined with another initiative to create SB1200, the Rozell Community Corrections Act Bill — was defeated in the last hours of the 45th legislature. Some legislators commented that, though they supported the initiative, they could not pass a bill they did not have time to study in depth.

"Our hope is that the bill will be considered and eventually passed this session," O'Connell said. He also said that the defeated bill bore little resemblance to the original proposal created by the commission. Key items such as the sentencing matrices and the stipulation that 85 percent of the sentence be served in all but five felonies were dropped from the final bill.

The interim studies are also looking at community corrections issues in conjunction with the main truth in sentencing issue, Steidley said. The key issues in truth in sen-

tencing include managing and prioritizing available prison space, ensuring the length of time served, giving judges control of sentencing and seeking alternative punishments for first-time, non-violent offenders.

"We want to keep prison space open for violent, repeat offenders," Steidley said. "We're trying to prioritize space for upper-level felonies."

The proposed bill will also seek to establish rules that will allow offenders to serve no less than 85 percent of their sentences before becoming eligible for parole or other community corrections programs. Oklahoma's prisoners only serve 15 percent of their terms under current laws.

Steidley also said that the bill currently allows for consideration of aggravating or mitigating circumstances.

The bill seeks to eliminate jury sentencing in non-capital punishment cases, the representative said. Under the proposed bill, a judge would refer to four grids or matrices, which clearly outline punishments based on the severity of the crime and the offenders criminal record, to determine the appropriate sentence.

Each of the four matrices cover an area of crime, including general felonies, drug crimes, sex crimes and driving while under the influence. Each matrix is also divided into levels, which determine the length and type of punishment and schedules, which determine the severity of the crime.

The bill would also allow for judges to be involved in the plea bargaining process, which traditionally has involved only prosecution and defense attorneys.

Community corrections issues under consideration include providing communities with additional resources for lower-level felonies, finding ways to rehabilitate people with behavioral or drug problems and providing early intervention.

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