

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE BILL 2879

By: Wallace

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5
6 AS INTRODUCED

7 An Act relating to public health and safety; stating
8 legislative intent; defining terms; creating the
9 Violence Prevention Innovation Fund; establishing
10 characteristics of fund; authorizing, prohibiting,
11 requiring, and limiting the utilization of fund
12 proceeds for certain purposes; requiring the
13 establishment of a Granting Committee; establishing
14 parameters for grant and pilot project eligibility;
15 prohibiting the exclusion of certain applicants under
16 certain conditions; establishing size range for
17 membership of Committee; establishing selection
18 criteria for Committee appointments; providing
19 organizational structure for Committee; providing
20 process for filling Committee vacancies; authorizing
21 travel reimbursement; requiring Committee meet a
22 certain amount of times annually; requiring Committee
23 meetings occur in certain months; requiring Committee
24 meet for certain purposes; identifying funding
source; requiring certain budgetary and expenditure
procedures; requiring certain annual calculations;
establishing criteria to be used in calculations;
allowing for donations to fund; authorizing entry
into certain memorandums of understanding;
authorizing the promulgation of rules; providing for
codification; and providing an effective date.

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

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1-114.10 of Title 63, unless
3 there is created a duplication in numbering, reads as follows:

4 A. It is the intent of the Legislature, through the enactment
5 of the Violence Prevention Innovation Fund, to:

6 1. Authorize a fund to acknowledge the link between
7 victimization and involvement in the criminal justice system;

8 2. Reduce recidivism and support survivors of violence by
9 reorienting state spending in proactive ways that can reduce or
10 prevent crime, enhance the safety of our communities, support
11 healing and wellness, and foster greater accountability;

12 3. Increase funding to service providers who support survivors
13 of violence and people at risk of victimization or criminal justice
14 involvement;

15 4. Create innovation opportunities for public agencies and
16 private entities through grants that authorize pilot programs in the
17 areas of trauma-informed care, alternatives to incarceration,
18 restorative practices, and reentry support; and

19 5. Address needs and outcomes that span the mission and purpose
20 of multiple agencies.

21 B. As used in this section:

22 1. "Survivors of violence" means a person who has experienced
23 one or more forms of physical or sexual violence, abuse, or neglect,
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1 whether directly or indirectly, by a family member, intimate
2 partner, acquaintance, or any other person;

3 2. "People at risk of victimization or criminal justice
4 involvement" means a person who has had an adverse childhood
5 experience, including exposure to violence, abuse, or neglect,
6 substance misuse, mental health problems, or the incarceration of a
7 parent or guardian;

8 3. "Trauma-informed care" means an approach that understands,
9 recognizes, and responds to the pervasive effects of trauma and
10 creates practices that promote a culture of safety, empowerment, and
11 healing. Trauma is defined as an event or series of events that
12 cause moderate to severe stress reactions. These events are
13 characterized by a sense of horror, helplessness, serious injury, or
14 the threat of serious injury or death;

15 4. "Alternatives to incarceration" means rehabilitative
16 programs for a person who commits a crime in lieu of a jail or
17 prison sentence;

18 5. "Restorative practices" means programs or actions to
19 improve, build, and repair relationships between people and
20 communities while holding people who cause harm accountable and
21 providing support to people and communities who have experienced
22 harm; and

23 6. "Reentry support" means programs that help people leaving
24 prisons and jails transition back to their communities.

1 C. 1. There is hereby created in the State Treasury a
2 revolving fund for the State Department of Health, to be designated
3 the "Violence Prevention Innovation Fund". The fund shall be a
4 continuing fund, not subject to fiscal year limitations, and shall
5 consist of all monies deposited to the credit of the fund by law.
6 All monies accruing to the credit of said fund are hereby
7 appropriated and may be budgeted and expended by the State
8 Department of Health for the purpose of grantmaking. Expenditures
9 from said fund shall be made upon warrants issued by the State
10 Treasurer against claims filed as prescribed by law with the
11 Director of the Office of Management and Enterprise Services for
12 approval and payment.

13 2. The fund shall not be used for the costs the State
14 Department of Health incurs in administering this section.

15 3. The Commissioner of Health shall establish a Granting
16 Committee to review and approve grant proposals and to oversee the
17 administration of any grants issued under the fund.

18 D. The Committee may accept and approve grant proposals for the
19 general operation and funding of nationally certified providers
20 serving survivors of violence or programs with an emphasis on
21 trauma-informed care, restorative practices, and reentry support, or
22 other nonprofit organizations that provide services and programs to
23 survivors of violence. Providers that serve historically
24 disadvantaged groups including but not limited to communities of

1 color, tribal nations, and immigrant populations shall not be
2 excluded from the grantmaking process solely because they are not
3 nationally certified. Grants made pursuant to this subsection shall
4 account for no less than sixty percent (60%) of the funds granted
5 yearly from the fund.

6 E. The fund shall be used by the State Department of Health for
7 funding grants for innovative pilot programs in the areas of trauma-
8 informed care for survivors of violence, alternatives to
9 incarceration, restorative practices, and reentry support. The
10 Department shall use the fund to fund only those grants and pilot
11 programs which are approved by the Committee. The pilot programs
12 must be supported by research that has been peer-reviewed by at
13 least three accredited institutions or programs which have been
14 successfully replicated elsewhere. If the grant request is based on
15 a program with successful deployment elsewhere, evidence of
16 successful deployment is required to be submitted with the grant
17 proposal. Grants made pursuant to this subsection shall account for
18 no more than twenty-five percent (25%) of the funds granted yearly
19 by the fund.

20 F. The Committee shall be comprised of at least nine (9)
21 members, but no more than eleven (11) members, appointed by the
22 Commissioner of Health, and selected as follows:

23 1. The Chief Innovation Officer of the State Department of
24 Health, or designee;

1 2. A licensed social worker or licensed family or individual
2 therapist or psychologist serving a community with a population of
3 greater than two hundred thousand (200,000), as determined by the
4 most recent Census Data available at the time of appointment, and
5 with experience working directly with survivors of violence and/or
6 people with criminal justice system involvement;

7 3. A licensed social worker or licensed family or individual
8 therapist or psychologist serving a community with a population of
9 less than fifty thousand (50,000), as determined by the most recent
10 Census Data available at the time of appointment, and with
11 experience working directly with survivors of violence and/or people
12 with criminal justice system involvement;

13 4. An academic from an accredited university who studies and
14 publishes in the area(s) of interpersonal violence, trauma, and
15 victimization;

16 5. An academic from an accredited university who studies and
17 publishes in the area(s) of crime prevention, alternatives to
18 incarceration, restorative practices, and reentry support;

19 6. At least two people who have directly experienced intimate
20 or interpersonal violence;

21 7. At least one person who has directly experienced intimate or
22 interpersonal violence, completed a term of incarceration in an
23 Oklahoma Department of Corrections facility, and who was released
24 from custody at least twelve (12) months prior to appointment; and

1 8. Any other person(s) with notable expertise in the area(s) of
2 crime prevention, alternatives to incarceration, restorative
3 practices, and reentry support.

4 G. The Commissioner shall designate the chair and cochair for
5 the first members set forth in subsection F of this section.
6 Thereafter, the Committee shall elect a chair and cochair from its
7 membership each year. The members shall serve four-year terms and
8 until a successor is appointed and qualified. Of the first members
9 appointed, three shall be appointed for a term of two (2) years,
10 three shall be appointed for a term of three (3) years, and three
11 shall be appointed for a term of four (4) years. Vacancies shall be
12 filled in the same manner as regular appointments. Members of the
13 Committee shall receive such compensation, subsistence allowances,
14 mileage and expenses as are provided by the State Travel
15 Reimbursement Act. The Committee shall meet twice per year, once in
16 January and once in July. The purpose of meetings shall be to
17 review grant requests and award grant funds.

18 H. 1. The fund shall be funded by savings created in the
19 Oklahoma Department of Corrections due to reductions in criminal
20 sentences and the prison population as a result of the elimination
21 of sentence enhancements for most nonviolent crimes. All monies
22 appropriated and accruing to the credit of the fund shall be
23 budgeted and expended by the Office of Management and Enterprise
24 Services for the purpose of grantmaking as described in subsections

1 D and E of this section and for any necessary costs to administer
2 the fund. No later than July 31 of the year following the effective
3 date of this act, and no later than July 31 each year thereafter,
4 the Office of Management and Enterprise Services shall calculate the
5 savings and averted costs that accrued to the state from the
6 implementation of criminal sentence enhancement reforms. In making
7 the calculation required by this section, the Office of Management
8 and Enterprise Services shall use actual data on average sentence
9 lengths prior to the implementation of said reforms, as compared
10 with average sentence lengths following reforms and actual data on
11 related resentencing or commutation outcomes. The Office of
12 Management and Enterprise Services shall use the current marginal
13 costs of incarceration to calculate savings. The Office of
14 Management and Enterprise Services shall use best available
15 estimates where actual data is not available. The calculation shall
16 be final and shall not be adjusted for any subsequent changes in the
17 underlying data.

18 2. Any individual or private entity may make a voluntary
19 donation to the fund through a direct payment to the fund.

20 I. The State Department of Health may enter into memorandums of
21 understanding with other agencies and promulgate rules as necessary
22 to administer this section.

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SECTION 2. This act shall become effective November 1, 2021.

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