

OKLAHOMA BOARD OF CORRECTIONS MEETING MINUTES

Location: Joseph Harp Correctional Center
16161 Moffat Road
Lexington, Oklahoma
Date/Time: Thursday, April 16, 2009 – 1:00 p.m.

1. OPENING AND ROLL CALL

Chairman Ware of the Oklahoma Board of Corrections called the April 16, 2009, meeting to order at 1:05 p.m. and welcomed those in attendance.

The clerk was asked to call roll. Members present at roll call reflected a quorum was present.

David Henneke Matthew McBee Jerry Smith Earnest Ware

Absent: Ernest Godlove, Ted Logan and Robert Rainey

2. WELCOME/REMARKS

Warden Addison welcomed the Board back to Joseph Harp Correctional Center. He and his staff enjoy hosting the Board of Corrections meetings and hoped their visit had been productive and pleasant so far. They have the conference room set up for purposes of the BOC executive session later in the meeting and they are happy to oblige any other needs the Board may have.

3. OLD BUSINESS

None

4. APPROVAL OF MARCH 12, 2009, BOARD MEETING MINUTES

Chairman Ware sought a motion for approval of the March 12, 2009, Board meeting minutes. Mr. Henneke made the motion with a second by Mr. Smith. Results of roll call: Mr. Godlove, absent; Mr. Henneke, yes; Mr. Logan, absent; Mr. McBee, yes; Mr. Smith, yes; Mr. Rainey, absent; and Mr. Ware, yes.

5. DIRECTOR'S COMMENTS

Director Jones provided the following update/comments:

- Director shared his appreciation to everyone that assisted him and the Board members since their arrival at JHCC early this morning. He also thanked the teachers, volunteers, nurses and other guests in the audience for attending.
- Sixty-two (62) cadets graduated April 15 at Wilburton. In this particular class, two cadets passed away; one as a result of an automobile accident and the other of an untimely heart attack. Director was appreciative that the deceases' family members were present at the graduation to receive the cadet's certificate and were honored by that class. It was a very moving experience and solidifies the family of corrections and how well we take care of each other and our employees.
- Forty (40) CLEET officers (17 from institutions & 23 probation/parole officers) will graduate on April 28.

- Work continues with the pilot project at three facilities to study the effectiveness (for possible statewide implementation) of computer software named My Reading Coach. This software focuses on the low-level reader and boasts gains with as low as fifty hours of instruction.
- On April 1 offenders at the community corrections centers and half-way house facilities in Tulsa began accessing medical care through the OSU Physician's Clinic. This change should enhance re-entry skills. The cost is offset by staff reductions at the Riverside DOC medical clinic.
- On April 9 the implementation team for the electronic health record is meeting with representatives of MedUnison. The implementation planning has begun and the process should take 12-18 months.
- Building renovations at JLCC are nearing completion for the new substance abuse treatment program.
- Leo Brown, Agency Chaplain; Kathy McCollum, EWCC Chaplain; Debbie Mahaffey, Deputy Director of Treatment and Rehabilitative Services; along with representatives from Field Operations and the General Council met with Dr. Joe Wilson from Mission Builders. Mission Builders is a Church Building ministry that is interested in building Religious Program Buildings within our state facilities. We are currently looking at the possibility of their assistance with a Religious Program Building project at EWCC.
- Freedom Support Committees at four facilities honored 13 employees who had been deployed to serve in the war on terrorism, and have since returned. United States flags were flown at these facilities for each employee, and special luncheons hosted in their honor at which time the flags that were flown were presented to them.
- The security work crew at HMCC planted 17,100 pounds of potatoes and 1,000 cabbage plants during the month of March. The facility garden has expanded to approximately 92 acres this year.
- Seven offenders have been approved at LCC to begin a re-entry truck driving program. This program is a joint effort with the LCC education department and WorkForce Oklahoma.
- Representative from the Grand River Dam Authority (GRDA) met with Warden Sutter at NOCC to discuss a shore line clean-up project at Grand Lake. A PPWP crew provided by NOCC will work one day per month on this project.
- On March 24 and 30, Deputy Director Laura Pitman and Executive Assistant Neville Massie hand delivered copies of the Fiscal Year 2008 Female Offender Management Annual Report to specific members of the Public Safety and Judiciary Committees. Additionally, an e-mail was sent to the full legislature advising that the report is available on the agency's web site.
- The Metal Fabrication Unit completed production on an assist project with Arkansas Correctional Industries, consisting of parts for storage cages, custom lockers, and shelving. This project allowed OCI to work hand-in-hand with another state and provided a lead into four major National Guard projects in Oklahoma.
- Construction of a new minimum security housing unit at JCCC is ongoing and approximately 85% complete. This is the priority project at this time. Asbestos abatement projects continue at JDCC and JCCC.
- Director had presented to Chairman Ware official notification of two emergency repairs that do not require a vote of the Board but do require that he present them to the Board for the official record. The two emergency repairs for the previous 30 days that fall into this category are:
 - Repairs to a major gas line break at JDCC that powers the boiler and providing all heat and hot water applications – approximate cost \$1,500 in piping and up to approximately \$1,900 in labor.
 - Repairs to two sewer pumps at Hillside – approximate cost \$4,200.

6. APPROVAL OF RESOLUTIONS

- **2008 Correctional Officer of the Year-Travis P. Ary, Correctional Security Officer IV, JHCC**
- **2008 Correctional Officer Supervisor of the Year-Michael J. Shelite, Correctional Security Manager I, JCCC**
- **Public Service Recognition Week (May 4-10)**

Personnel Administrator Linda Parrish indicated that all correctional officers would be recognized the week of April 27 and that the officers and supervisors of the divisions and for the agency would be recognized at the Capitol on April 30. She asked Sergeant Ary, who is employed at JHCC, to stand and be recognized while she read the Correctional Officer of the Year resolution.

BOC Resolution for 2008 Correctional Officer of the Year

Whereas, correctional officers are trained professionals who unselfishly provide humane conditions of confinement while ensuring security of the state's correctional institutions and contributing to the rehabilitation of offenders; and

Whereas, the Oklahoma Department of Corrections is extremely fortunate to have correctional officers who are conscientious, dedicated, and committed to performing their duties in a professional manner; and

Whereas, each year one correctional officer is selected as the outstanding officer for his or her facility as well as his or her division; and

Whereas, the Oklahoma Department of Corrections conducts a comprehensive interview process and selects an Agency Correctional Officer of the Year who exemplifies high standards and serves as a role model for others to follow in fulfilling the agency's mission of "Protecting the Public, the Employee and the Offender":

Be it therefore resolved, that the Oklahoma Board of Corrections does hereby announce and proclaim to all, its recognition of Sergeant Travis P. Ary, Joseph Harp Correctional Center, as the 2008 Agency Correctional Officer of the Year.

Adopted this 16th day of April 2009.

The reading of the Correctional Officer Supervisor of the Year was waived but is listed in the minutes for the record.

BOC Resolution for 2008 Correctional Officer Supervisor of the Year

Whereas, correctional officers are trained professionals who unselfishly provide humane conditions of confinement while ensuring security of the state's correctional institutions and contributing to the rehabilitation of offenders, and

Whereas, the Oklahoma Department of Corrections is extremely fortunate to have correctional officers who are conscientious, dedicated, and committed to performing their duties in a professional manner; and

Whereas, each year one correctional officer is selected as the outstanding officer for his or her facility as well as his or her division; and

Whereas, the Oklahoma Department of Corrections conducts a comprehensive interview process and selects an Agency Correctional Officer of the Year who exemplifies high standards and serves as a role model for others to follow in fulfilling the agency's mission of "Protecting the Public, the Employee and the Offender":

Be it therefore resolved, that the Oklahoma Board of Corrections does hereby announce and proclaim to all, its recognition of Lieutenant Michael J. Shelite,

James Crabtree Correctional Center as the 2008 Agency Correctional Officer Supervisor of the Year.

Adopted this 16th day of April 2009.

Ms. Parrish read the following resolution for Public Service Recognition Week.

BOC Resolution for 2009 Public Service Recognition Week

Whereas, May 3-9, 2009, is Public Service Recognition Week; and

Whereas, the Oklahoma Department of Corrections has over 4,700 employees who dedicate themselves to providing countless hours of essential services to the citizens of the state of Oklahoma; and

Whereas, these employees provide these services with the highest degree of professionalism, proficiency, honor, and dedication and are committed to fulfilling the Department of Corrections mission of "Protecting the Public, the Employees, and the Offenders," 24 hours a day, 365 days a year; and

Whereas, this dedication and commitment to serve and the value of the services provided is worthy of the highest form of recognition and commendation:

Be it therefore resolved, that the Oklahoma Board of Corrections does hereby announce and proclaim to all, its recognition of the employees of the Oklahoma Department of Corrections for the essential services they perform on a daily basis.

Adopted this 16th day of April 2009.

Chairman Ware sought a motion for approval of all three resolutions presented by Ms. Parrish. Mr. Smith made the motion with a second by Mr. Henneke. Results of roll call: Mr. Godlove, absent; Mr. Henneke, yes; Mr. Logan, absent; Mr. McBee, yes; Mr. Smith, yes; Mr. Rainey, absent; and Mr. Ware, yes.

7. APPROVAL OF RESOLUTIONS

- **National Nurses Appreciation Week (May 6-12)**
- **National Volunteer Appreciation Week (April 19-25)**
- **National Teacher Appreciation Week (May 3-9)**

Deputy Director Debbie Mahaffey read the following resolutions for appreciation week for nurses, volunteers and teachers. Nurses present were asked to stand during the reading of the resolution.

BOC Resolution for 2009 Nurses Appreciation Week

WHEREAS, *the Department of Corrections employs 173 professional nurses across the state who work diligently, 365 days per year to provide nursing services to our offenders; and*

WHEREAS, *these dedicated staff are called on to provide nursing care to an underserved and challenging population, and respond to that vocation unselfishly; and*

***WHEREAS**, the quality services provided by nurses continue to be a critical component of the Oklahoma Department of Corrections health care delivery system both now and in the future; and*

***WHEREAS**, National Nurses Week is celebrated annually from May 6, also known as National Nurses Day, through May 12, the birthday of Florence Nightingale, the founder of modern nursing. This year's theme "**Nurses: Making a Difference Every Day**" is in celebration of the importance of nurses in the lives of all U.S. citizens:*

***THEREFORE, BE IT RESOLVED**, that we, the Oklahoma Board of Corrections, request that all Oklahomans join us in honoring the strength, commitment, and compassion of the nursing staff of the Oklahoma Department of Corrections, and*

***BE IT FURTHER RESOLVED**, that we, the Oklahoma Board of Corrections, affirm our appreciation for the accomplishments and efforts of our professional nursing staff to improve the lives and health of the offenders under their care.*

ADOPTED this 16TH day of April 2009.

Ms. Mahaffey asked volunteers present to stand during the reading of the resolution.

BOC Resolution for 2009 Volunteer Appreciation Week

***WHEREAS**, millions of volunteers work in their communities across our nation and throughout our state utilizing their time and their talents daily to make a difference in the lives of others; and*

***WHEREAS**, the Oklahoma Department of Corrections is privileged to have thousands of men and women who tirelessly give of themselves to provide much needed programmatic and occupational services in facilities, districts and units across the great state of Oklahoma; and*

***WHEREAS**, these volunteers are dedicated to serving as positive role models for the offender population, leading offenders toward pro-social behavior while incarcerated, supporting offenders in reentry, and providing much needed resources that assist the Oklahoma Department of Corrections in fulfilling its mission in a professional manner; and*

***WHEREAS**, April 19-25, 2009, is National Volunteer Week and a most appropriate time to recognize these volunteers for demonstrating, on a daily basis, the true spirit of giving:*

***BE IT THEREFORE RESOLVED** that the Oklahoma Board of Corrections does hereby announce and proclaim to all its recognition and sincere appreciation of Oklahoma Department of Corrections volunteers and the invaluable services they provide.*

ADOPTED this 16th day of April 2009.

Ms. Mahaffey asked teachers present to stand during the reading of the resolution.

BOC Resolution for 2009 Teacher Appreciation Week

WHEREAS, the Department of Corrections employs 91 certified teachers and administrators across the state who work diligently to ensure that the educational needs of offenders are served; and

WHEREAS, these professional staff are called upon to provide educational services to a population with more concentrated special needs in a challenging population who have, for the most part, been unsuccessful in the public school setting; and

WHEREAS, the education staff must meet and maintain rigorous standards to remain accredited through three entities: State Department of Education, North Central Association for Curriculum Accreditation and School Improvement, and the American Correctional Association; and

WHEREAS, the knowledge and skills provided to offenders through the services of the correctional education unit consistently prove to be one of the main deterrents against offenders recidivating back into the system; and

WHEREAS, the provision of education by the teachers in corrections proves to be a cost savings to the State of Oklahoma each year through reduction in incarceration services; and

WHEREAS, National Teachers' Week will be celebrated from May 3-9, 2009, with May 5 known as National Teachers' Day, a day in which to "Thank a Teacher":

THEREFORE, BE IT RESOLVED, that we, the Oklahoma Board of Corrections, request that all Oklahomans join us in honoring the professionalism, commitment, and compassion of the education staff of the Oklahoma Department of Corrections.

BE IT FURTHER RESOLVED, that we, the Oklahoma Board of Corrections, affirm our appreciation for the accomplishments and efforts of our certified education staff to improve the academic achievements, job employability, and lives of the offenders under their care.

ADOPTED this 16th day of April 2009.

Chairman Ware sought a motion for approval of all three resolutions presented by Ms. Mahaffey. Mr. Smith made the motion with a second by Mr. Henneke. Results of roll call: Mr. Godlove, absent; Mr. Henneke, yes; Mr. Logan, absent; Mr. McBee, yes; Mr. Smith, yes; Mr. Rainey, absent; and Mr. Ware, yes.

8. LEGISLATIVE UPDATE

Neville Massie provided the following legislative update:

The Initiative report in Board packets lists the 4 bills dormant to date.

- HB 1697-Judicial Review
- HB 1773-private prison contracting

- HB 1781-addressing what type of offenders private prisons can house
- HB 1887-Community Sentencing

SB 653-the Senate version of Judicial Review passed the House April 14, as did SB 803-the canteen employee initiative. HB 2245-the deportable detainee bill was on the Senate agenda April 15, as was HB 1965, which eliminates the Board of Corrections.

Other bills of interest include:

- HB 1676-transferring OCJRC to OSBI passed the Senate April 14
- HB 1704-creating the Chief Information Officer for the state passed the Senate April 14
- HB 1790 and SB 1064-dealing with contraband cell phones are both still active
- SB 1141-creating a Domestic Violence Registry and SB 1142 dealing with criminal expungement both failed to be heard and are now dormant. These are the two bills Senator Connie Johnson mentioned at the last meeting;

April 23 is the deadline for bills to be heard in the opposite house.

There are 23 crime bills still active. SB 702 adding kidnapping to 85% crimes passed the House yesterday.

9. POPULATION UPDATE

Chief of Operational Services Ken Klingler provided the Population update as of April 6, 2009. Total System Inmate Population = 25,290; Total Incarcerated Population = 24,425; DOC Facility Population = 18,252; Private Prison Population = 4,323; Total System Population = 56,073; County Jails with Contracts = 506; County Jail Backup = 1,243; Halfway House Population = 1,344; Probation = 26,987; and Parole = 3,796.

10. APPROVAL OF CAPACITY CHANGE

- **Clara Waters Community Corrections Center**

Mr. Klingler requested Board approval to increase capacity at CWCCC by 80, bringing it to 256.

Mr. Henneke asked how many more beds will be available there once the construction is completed. Mr. Hines responded he hoped to have 36 more completed in the next 60 days.

Chairman Ware sought a motion to approve the capacity change at CWCCC. Mr. Henneke made the motion with a second by Mr. Smith. Results of roll call: Mr. Godlove, absent; Mr. Henneke, yes; Mr. Logan, absent; Mr. McBee, yes; Mr. Smith, yes; Mr. Rainey, absent; and Mr. Ware, yes.

11. BUDGET UPDATE

Chief of Departmental Services Greg Sawyer provided the following budget update.

The Trending Report contained in the Board packets is for the end of the month of March. The agency is still trending a deficit of \$1.5 million. This is \$100,000 less than last month's report. DOC has had a hiring freeze for some time and is showing a surplus in payroll at this time. DOC continues to run a \$1.7 million deficit in contract beds. As discussed last month the health claims continue to be backlogged through EDS. Medical is trending a deficit of \$418,458. Hopefully the EDS issues will be resolved by the end of the year.

12. APPROVAL OF PRIVATE PRISON REQUEST FOR PROPOSAL (RFP AND CRITERIA)

General Counsel Mike Oakley presented a Request for Proposal for medium and maximum security beds for Board approval. DOC's contract with CCA ends this year and before the Board is the new RFP to replace those beds. It is essentially the same as the one the Board utilized last time. We have incorporated some things that were suggested from the MGT audit such as eliminating the termination for convenience clause. The RFP also specifies criteria that will be used. Criteria for proposal evaluation are standard. Experience and price are equal in this RFP. This process is a little different than most RFP's in that after the RFP is distributed vendors will have an opportunity to respond and then after they respond and plug in their per diem number and any other changes they want, we will have an opportunity to negotiate.

Mr. Henneke said the Population and Private Prison Committee met this morning and it was their recommendation, after discussing it with Mr. Oakley and other staff in that meeting, that the Board approve this RFP. There may be things that need to be discussed with the contractor as the process continues, but at this point, this RFP is ready for approval.

Mr. McBee asked if this RFP had any educational and programmatic requirements in it. Mr. Oakley responded that it has the same requirements for programs and education that we have in our facilities.

Chairman Ware sought a motion to approve the private prison RFP. Mr. Henneke made the motion with a second by Mr. Smith. Results of roll call: Mr. Godlove, absent; Mr. Henneke, yes; Mr. Logan, absent; Mr. McBee, yes; Mr. Smith, yes; Mr. Rainey, absent; and Mr. Ware, yes.

13. APPROVAL OF BOARD POLICIES

- **P-010300-01, Mission and Organization of the DOC**
- **P-090200, Public Works Program of the DOC**
- **P-140100, Offender Medical, Mental Health and Dental Care**

Director Jones advised the above listed Board policies were up for annual review due to American Correctional Association requirements. There were only a few minor word changes and name changes of the chair and vice chair. They were reviewed with the Executive Committee in a conference call.

Chairman Ware sought a motion to approve all three Board polices. Mr. Smith made the motion with a second by Mr. Henneke. Results of roll call: Mr. Godlove, absent; Mr. Henneke, yes; Mr. Logan, absent; Mr. McBee, yes; Mr. Smith, yes; Mr. Rainey, absent; and Mr. Ware, yes.

14. PROGRAM'S UPDATE

- **INSIDEOUT DAD'S REENTRY PROGRAM**

Dr. Melanie Spector, Health Education, Research and Development Specialist, provided the following update on the InsideOut Dad's Reentry program.

Recently funded, this is a parenting program for father's who are incarcerated. It is also a reentry program that fosters and facilitates group parenting while the men are incarcerated and then when they get on the outside. A brochure of the program is provided in the Board packets along with evaluation data from a pilot test. The program was piloted at JDCC and MACC, and all 21 men completed the program and all showed inferential changes in knowledge, attitude, beliefs and behaviors as a result of the intervention. The program data was sent to the program directors who then offered Oklahoma an opportunity to become a training site for the Bureau of Justice. Staff will be trained across the board on how to facilitate and implement this program through the Second Chance Act.

Mr. Henneke asked about the length of the program and if children would be allowed to come in and spend time with their father and evaluators/teachers. Dr. Spector responded that there are 24 sessions of the curriculum and the facility determines how many sessions they will provide. It is possible for children to come visit at community and minimum. She was not sure if they will facilitate visits at the medium or maximum security facilities. Director asked if being in the program allowed them to receive special visiting privileges. Dr. Spector said that has not been determined yet.

She reported that so far they have received \$17,000 in books, training and instructional design. She'll be visiting with the foundation that trained her and try to gain an additional \$17,000.

Mr. Ware said it sounds like an excellent program and asked if domestic violence was one of the sessions in the curriculum. Dr. Spector said there was a program design on handling anger and stress.

15. FAMILY JUSTICE CENTER GRANT VIDEO

Director reported that about 7 years ago Oklahoma DOC got involved with the Family Justice Institute out of New York City through the American Probation and Parole Association. We were one of the original pilot sites to look at geno-mapping and getting families more involved in the positive aspects of an offender's life. Since that time, we have initiated wraparound services, and also recently was one of two states that received a grant through Family Justice Institute referencing not only family relationship tools but other things.

A short video, filmed about a year ago, was played. It included the two pilot sites from Oklahoma and California. The film is on the Family Justice website and has received good reviews.

Following the video presentation, the director acknowledged the presence of Joyce Jackson and her Leadership Academy class. The academy is a method to educate people about DOC's system and in turn hope they will take the message out and educate others. She is hopeful it will turn in to a recruitment and retention tool. This is their first official Leadership Academy class. The classes are held over an 8 week period and they are hoping to start the next one in August. So far the class has been to OSP, JHCC, and LARC. Each participant introduced themselves.

16. COMMITTEE REPORTS

The following committee reports were provided.

- Budget – Chair Jerry Smith, Members Robert Rainey and Ernest Godlove (**Mr. Smith reported their committee met via teleconference and covered what Mr. Sawyer presented today**).
- Female Offender – Chair Ted Logan, Members Matthew McBee and Jerry Smith (**no report**)
- Legislative – Chair Matthew McBee, Members Earnest Ware and Jerry Smith (**no report**)
- Population/Private Prisons – Chair David Henneke, Members Ernest Godlove and Robert Rainey (**no report**)
- Public Affairs/State Boards Interface – Chair Robert Rainey, Members Matthew McBee and Ernest Godlove (**no report**)
- Executive – Chair Earnest Ware, Members Ted Logan and David Henneke (**Chairman Ware reported their committee met and discussed policy changes and gold standards**).

17. A. CONSIDERATION OF MOTION TO ADJOURN TO EXECUTIVE SESSION PURSUANT TO “TITLE 25, 307.B” FOR THE FOLLOWING REASONS:

- 1) *Confidential communications between a public body and its attorney concerning pending investigation or an action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public.*

B. Adjourn to Executive Session

C. Return from Executive Session

D. Announcement by the Chair as to the necessity of any Board Action as a result of the Executive Session.

E. Vote, if necessary.

General Counsel Mike Oakley advised the Board of the need to adjourn to Executive Session.

Before the meeting adjourned for Executive Session Mr. Henneke gave a special thanks to the nurses, teachers, and volunteers for attending.

Chairman Ware called for a motion to adjourn to Executive Session. Mr. Smith made the motion with a second by Mr. Henneke. Results of roll call: Mr. Godlove, absent; Mr. Henneke, yes; Mr. Logan, absent; Mr. McBee, yes; Mr. Smith, yes; Mr. Rainey, absent; and Mr. Ware, yes. The Board entered Executive Session at 2:04 p.m.

The Board returned from Executive Session at 2:49 p.m. Chairman Ware called for a motion to return from Executive Session. Mr. Henneke made the motion with a second by Mr. Smith. Results of roll call: Mr. Godlove, absent; Mr. Henneke, yes; Mr. Logan, absent; Mr. McBee, yes; Mr. Smith, yes; Mr. Rainey, absent; and Mr. Ware, yes.

Chairman Ware reported that there was nothing to vote on as a result of what took place during Executive Session.

18. NEW BUSINESS (“ANY MATTER NOT KNOWN ABOUT OR WHICH COULD NOT HAVE BEEN REASONABLY FORSEEN PRIOR TO THE TIME OF POSTING.” 25 O.S. § 311)

None

19. ANNOUNCEMENTS

None

20. ADJOURNMENT

Chairman Ware sought a motion to adjourn. Mr. Henneke made the motion with a second by Mr. McBee. Results of roll call: Mr. Godlove, absent; Mr. Henneke, yes; Mr. Logan, absent; Mr. McBee, yes; Mr. Smith, yes; Mr. Rainey, absent; and Mr. Ware, yes.

Meeting adjourned at 2:50 pm.

I hereby certify that these minutes were duly approved by the Board on this 15th day of May, 2009, in which a quorum was present and voting.

Approved by:

Secretary of the Board

Date: May 15, 2009

Submitted by: _____
Minutes Clerk