

OKLAHOMA BOARD OF CORRECTIONS MEETING MINUTES

Location: Oklahoma State Capitol
Conference Center Room 104
2300 North Lincoln Boulevard
Oklahoma City, Oklahoma

Date/Time: Wednesday, February 13, 2008 – 1:00 p.m.

1. OPENING AND ROLL CALL

Chairman David Henneke of the Oklahoma Board of Corrections called the February 13, 2008, 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.

Robert Rainey	Ted Logan	David Henneke	Ernest Godlove
Earnest Ware	Matthew McBee	Jerry Smith	

Chairman Henneke recognized Representatives Mark McCullough (District 30) and David Derby (District 74), and thanked them for being in attendance. Mr. Logan recognized his pastor in the audience, Reverend Anthony Chapman, from Redeemer Lutheran Church. Chairman Henneke introduced Karl Willett and asked him to tell about the big trophy he brought to the meeting. Mr. Willett explained that the traveling trophy had been presented to the DOC for the largest percentage of increase in contributions toward the State Charitable Campaign. He presented it to the director and the employees of the agency.

2. APPROVAL OF JANUARY 10, 2008, BOARD MEETING MINUTES

Chairman Henneke sought a motion for approval of the January 10, 2008, Board meeting minutes. Mr. Rainey made the motion with a second by Mr. Logan. Results of roll call: Mr. Godlove, abstain; Mr. Henneke, yes; Mr. Logan, yes; Mr. McBee, yes; Mr. Smith, yes; Mr. Rainey, yes; and Mr. Ware, yes.

3. OLD BUSINESS

None reported on agenda.

4. DIRECTOR'S COMMENTS

- Director Jones thanked the Board members for their participation at the capitol today; talking to legislators about DOC's needed bond issues and other issues recommended in the MGT audit.
- Each year DOC provides a legislative luncheon at OCI to show off the new furniture line and new products. This year it is scheduled for February 28th, at 11:30.
- The agency's Black History Program is set for February 15th, at 11:30, at Hillside Community Corrections Center. Dr. Kevin McPherson, from the Marcus Garvey Leadership Charter School, will be guest speaker. It is open to the public and everyone is invited.
- Also in celebration of Black History Month, the department will be cosponsoring along with other state agencies, a Black History Program, February 29th, 1:30, at Mt. Olive Baptist Church on Kelly Boulevard.
- The first ever DOC History Books (covering 1908-2006) are in. The book comes in leather or hard bound and is available to the public. Contact Joyce Jackson at 425-2500 to order.
- Director Jones expressed his appreciation to DOC employees for their giving spirit toward the State Charitable Campaign as well as other causes the agency supports.

- The female assessment and reception center at Mable Bassett Correctional Center opened on January 23, 2008.
- Mabel Bassett Correctional Center hosted the National Alliance of Faith and Justice, celebrating and honoring the life and work of Dr. Martin Luther King. There were 258 offenders who pledged 40 days of non-violence and signed an agreement to participate. Also, in collaboration with the Pottawatomie Health Department, the facility hosted a new 12-week parenting class based on a curriculum promoting the healthy development of children of incarcerated parents, and providing community support for the parents.
- Oklahoma Correctional Industries produced 425 centennial benches during 2007. The green benches, adorned with the Seal of the State of Oklahoma, were sold to customers to mark the state's 100th birthday.
- North Fork Correctional Facility received the first group of 120 California inmates the week of February 7, 2008, with this number expected to increase to 1400 by July, 2008. Colorado inmates are expected to be returned sometime between April and June, 2008.
- The Lawton Constitution Newspaper reported a correctional officer running a PPW crew noticed an individual setting fire to structures in the area. The female officer stopped and asked the suspect to cease and desist. The perpetrator approached her in an aggressive manner and the inmates subdued the individual, protecting their officer. The perpetrator is a suspect in many arsons in the Comanche County area.
- Quality Assurance staff members Debbie Boyer and Cindy Gill joined Director Jones and Deputy Director Debbie Mahaffey on January 15, 2008, to present a workshop entitled, "Quality Assurance in Corrections: An Innovative Approach to Self-Examination" during the American Correctional Association 2008 Winter Conference. There was standing room only in the workshop and twenty-one requests for handouts and other materials have been received since the workshop.
- On January 8, 2008, the Reentry Policy Council held their first meeting. The Council has requested information on the reentry and volunteer procedures of the Department of Corrections and any programs that assist in reentry for their meeting in February.
- The Executive Reentry Committee's Offender Reentry and Transition website is live. A message board to facilitate communication between those that work in the reentry field is also included on this site. The site is: www.ok.gov/re-entry.
- The Skills Centers School of the Department of Career and Technology Education is facing a reduction or elimination of federal funds of the Workforce Investment Grant. They may have to reduce staff and the number of programs at DOC facilities. In 2007 the Skills Center placed 75% of its graduates in employment related to the training they had received. Last year 825 graduated from CareerTech. Director Jones hopes the Board and others will notify Congress that DOC is close to cutting CareerTech programs for inmates due to the lack of funding.
- Director Jones thanked Board members who attended Opio Toure's funeral services.

Chairman Henneke commented about the event that occurred in Lawton and was very proud of the actions taken by the inmates.

5. APPROVAL OF RESOLUTION

- **Acknowledging the Accomplishments and Support of Representative Opio Toure**

Mr. Ware announced the recent passing of Representative Opio Toure and read the following resolution acknowledging his accomplishments and support:

WHEREAS, the Oklahoma Board of Corrections has learned with great sorrow of the death of Representative Opio Toure, who served in the Oklahoma Legislature from 1994

to 2006, representing the people of the state of Oklahoma as a respected and valued member of the House of Representatives; and

WHEREAS, the Oklahoma Board of Corrections acknowledges the profound public service of Representative Opio Toure and his accomplishments as a supporter of criminal justice initiatives and endorser of legislation that improved the quality of life, health and safety of the people of the state of Oklahoma; and

WHEREAS, Representative Opio Toure, a man of honor who enriched the lives of others, led with a servant's heart and will be remembered for his involvement and interaction in the community as a state lawmaker and for his advocacy for human rights; and

WHEREAS, having served his constituents and community to the utmost of his ability during his legislative career and beyond, the contributions of Representative Opio Toure will never be forgotten:

BE IT THEREFORE RESOLVED, that the Oklahoma Board of Corrections does hereby acknowledge the leadership, support, life, legacy and accomplishments of Representative Opio Toure for his many years of outstanding and dedicated service to the people of Oklahoma and expresses deepest sympathy to his wife, Linda, and children, Jelani and Jabari, and other family members and friends upon his passing.

ADOPTED *this 13th day of February, 2008.*

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

Mr. Ware will ensure the family receives the resolution.

Chairman Henneke acknowledged that the department had prepared a resolution as well and recognized Director Jones who read a portion of the following DOC resolution that was presented to the family at Representative Toure's funeral last week.

WHEREAS, Representative Opio Toure, a twelve year member of the Oklahoma Legislature from 1994 to 2006 for District 99, departed this world on Monday, February 4, 2008; and

WHEREAS, the Administrative Offices of the Oklahoma Department of Corrections, are located in his District; and

WHEREAS, during his tenure in the House, **Representative Opio Toure** demonstrated a steadfast unselfish commitment to his constituency, and was known for taking a lead role in the fight for civil rights and improving the quality of life for all; and

WHEREAS, Representative Opio Toure was a true friend and valued supporter of the Department of Corrections; and

***WHEREAS**, while serving in the Legislature and as a member and chair of several notable committees, such as the Judiciary and Appropriations and Budget, **Representative Opio Toure** sponsored and supported legislation that improved the health and welfare of correctional employees and offenders and enhanced the overall operations of the Department of Corrections; and*

***WHEREAS**, members of the Oklahoma Board of Corrections join the employees of the Oklahoma Department of Corrections in sharing the loss of **Representative Opio Toure** and will publicly acknowledge the support and accomplishments of **Representative Opio Toure** as a true statesman at their February 13, 2008, board meeting:*

***BE IT THEREFORE RESOLVED**, that the employees of the Oklahoma Department of Corrections do hereby recognize the leadership and support of **Representative Opio Toure** and extend deepest sympathy to his wife, children, other family members and friends.*

***ADOPTED** this 8th day of February 2008.*

6. POPULATION UPDATE

Chief of Operational Services Ken Klingler presented the following population update as of February 4, 2008: Total System Inmate Population = 25,135; Total Incarcerated Population = 24,311; DOC Facility Population = 17,810; Private Prison Population = 4,554; Total System Population = 56,313; County Jails with Contracts = 638; County Jail Backup = 1,190; Halfway House Population = 1,309; Probation = 27,518; and Parole = 3,660.

Mr. Klingler reported that last week the department never fell below 98% capacity; February 6 and 8 were at 98.6% capacity. For the first time in the agency's history, female beds were depleted. Currently there are 115 available male beds at maximum and 11 beds at medium security.

Chairman Henneke indicated this is the time of year the agency receives the majority of its offenders and that the total system inmate population is about 500 more than it was at this time last year. The projected growth for the fiscal year was reported to be 600, which put the agency on track with the projections. Director Jones said it is imperative that the agency receive funding for the additional beds coming on line at the Davis Correctional Facility. Chairman Henneke commented that when the department is full it will have to stop accepting offenders, until more beds become available. Director Jones stated that the department had been exercising slow downs at the reception centers. The hope was that the new female assessment and reception center at MBCC would give the agency some relief. Mr. Klingler stated that 39 beds were freed up for men when the MBCC Assessment and Reception Center opened. However, those beds filled up in the first day.

7. BUDGET UPDATE

Chief Financial Officer Jim Harris provided the budget update and referred the Board to page 3 of their handouts.

After taking into account trended payroll excess and current contract bed expenditure trends, the shortfall stands at around \$25.7 M. It is important this funding be approved by the legislature so that appropriate budget revisions and payroll transfers can be made. Then adjustments to purchase orders and contracts can be made so claims can be paid when they come due in April. February claims in March can be paid without any trouble but March claims in April will not all be paid without the supplemental.

Chairman Henneke asked if there was any idea when the supplemental would be approved. Director responded that we'd be asking leadership next week to expedite that process. It is critical that they act in the next couple weeks or we run the risk of being late making payments to contract bed vendors.

Mr. Ware stated he wanted to commit some of his time sharing with legislators the importance of DOC getting their supplemental. Director Jones said a speaking document had been sent to the Board members which included the 3-tiered bond and revisions to the 2009 budget based upon findings in the MGT audit. For clarification, there is some legislation that will impact the increase in per diem rates for county jail contracts and county jail back-ups, as part of that document. Adjustments were made based on MGT recommendations that included fully funding medical staffing, mental health staffing, adding addition CO's at certain facilities, funding community corrections and probation and parole because of the increased involvement in specialty case loads. One of the key things in that speaking document is the engineering and architectural master plan study that was requested by the MGT audit to determine which facilities would be best suited for add-ons or renovations. We expect to have that completed before the end of the session to help support the need for a bond issue. Our own staff have looked at sewage lagoons, water capacity, and electrical so much of the work has already been done. The Board needs to know as they talk to legislators that these are critical issues that are add-ons because of the MGT audit. They were not part of the original FY2009 budget.

8. GIRL SCOUTS BEYOND BARS

Sheila Harbert, Program Manager of Project (MEND) Mothers Encouraging and Nurturing their Daughters, spoke about their program. Project MEND, a national program, is a Girl Scouts Beyond Bars outreach program. For clarification, she said the program is named Girl Scouts Beyond Bars, not Behind Bars. Their main goal is to help mothers along with their children, have a life beyond the bars. They began at Turley Correctional in Tulsa and have expanded to Eddie Warrior Correctional Center, Hillside Community Corrections Center, Kate Barnard Community Corrections Center and Mable Bassett Correctional Center. Their program provides life skills training, drug abuse prevention, communication skills, teenage pregnancy prevention, anti-bullying, etc. Girl Scouts of Magic Empire Council in Tulsa for the last five years has secured their own funding for this program through grants. Project MEND is the first and currently the only Girl Scouts Beyond Bars Program in the State of Oklahoma. They currently have six paid staff (two of which are ex-offenders) and three volunteers dedicated to the project. They serve young girls ages 5-17 years old and are all about family reunification. Ms. Harbert has been a DOC volunteer for over 11 years. She was trained in the Thinking for a Change program so that the moms could get credits for that program. She noted that District Supervisor Ruby Cooper, Warden Millicent Newton-Embry and Deputy Warden Angela Reagan were all former girl scouts. Outcome measures are in the handouts provided.

When asked how many were currently in the program, Ms. Harbert advised there were 200, but that the need was so big and they could use more volunteers. Chairman Henneke suggested possible assistance from our faith based volunteers. She said they do use them, plus they operate as collaborators and work with the community and other organizations to bring in volunteers to help. Transportation is the biggest issue because there is no consistency. Chairman Henneke asked if their funding from the Department of Justice was an annual grant. Ms. Harbert responded that five years ago they received \$45,000. Each year that amount gets smaller. Chairman Henneke suggested that perhaps DOC grant writing staff could help her identify other foundations willing to help the program. Ms. Harbert would be very receptive to working with DOC on that.

9. TESTIMONIALS

Jacqueline Ervin, a former DOC offender, addressed the Board telling about her life and what she has done to change it around for the good. She is 51 and came from a large dysfunctional family. From the age of 12-17, she was in and out of juvenile institutions. She entered the DOC in 1978 for the first time. She was sentenced to 199 years and was in prison four different times. She discharged in 1996. In 2001, she entered a drug program at Carver Center where she paid \$849/month for one year. Upon successful completion of the program, Oklahoma County dropped all charges. At that time she got involved with All of Us or None. She attended training in Atlanta with Donna Thompson to learn to speak about ministries and reentry. She is a born again Christian and is involved in numerous reentry programs and ministries. In addition she works with Kim Shahan in Lawton to help other inmates learn to excel and participates in the Angle Tree Camp. This is a camp for children of incarcerated parents and is held in the Wichita Mountains. They take kids, approved through the Angel Tree Program, camping for four days to plant seeds of faith in the children. The care takers of the children are invited to dinner with them on the last night. She acknowledged Reginald Hines, who was her case manager and always told her that she could do better. She also thanked Ted Logan, who was the warden at MBCC, when she lost her daughter. Her goal in life is to help other people excel and to let them know it is attainable. She is working on a CPA degree and has 12 credits remaining to graduate. She has worked for the City of Lawton in Parks and Recreation; Cameron University; and managed four different alarm companies where she wrote the policy for training and payroll.

Chairman Henneke and other Board members expressed their pride in her and congratulated her efforts on making a change in her life and that of others.

Dr. Kiffin was recognized to introduce Michael Hicks. Mr. Hicks was incarcerated for 14 years and has been out for 15 years. He is in charge of the sterile processing of tools used in surgery at the OU Medical Center. Mr. Hicks has given a presentation to the Entrepreneur Class at the LARC and has plans to do so again.

Mr. Hicks thanked the Board for the opportunity to speak. He was incarcerated at 17 years of age. He doesn't consider himself a success yet. It's a life long project and something he works at on a daily basis. While incarcerated he tried to remain positive and associated himself with people who were positive, getting college degrees, involved in Toastmasters, and community involvement. He copied what he saw. Now when he sees someone successful and he wants what they have; he doesn't take it; he asks what they did to achieve it and could they help him do the same. There are people in prison who have no family to return to for support. He was released to his sister's care. She was very hard on him, questioning his every move, which was good. The day he was released he started paying bills; for gas and giving money to help his mom. He kept himself in society by reading the newspaper, watching television and interacting in programs. When he was incarcerated he never stopped thinking about being free. His message to parents is to stay close to their children and never let them out of sight; always encourage them to do the right thing; question everything they do; question their friends; and make sure they abide by their curfew. He was 9 of 12 children and thinks his parents were just tired after raising that many children.

Mr. Henneke asked what his advice would be to inmates who are incarcerated now and to inmates once released from incarceration. Mr. Hicks said to be patient. He said many people get caught up in the Problem of Immediate Gratification (PIG). They want what they had before right now. They want to pick up where they left off and it cannot be done. They need to understand that not everyone will accept them. They need to let go of the anger and accept responsibility for what they've done and get back on the right track and move on.

10. OKLAHOMA COUNTY DIVERSION PROGRAM UPDATE

Karen White, District Supervisor of Central District Community Corrections, thanked the Board for the opportunity to provide an update on the Oklahoma County Diversion Program. As a result of meetings with the Oklahoma County DA and Public Defender, the Diversion Program was developed to resolve the issue of the overabundance of technical violators in Oklahoma County. The program is made up of four specialized officers and two supervisors who manage prison bound problem offenders who would more than likely go through the revocation process if issues were not addressed. The officers maintain a caseload of 50-55 offenders utilizing contracted special treatment providers and service providers just to deal with this particular group.

Probation and Parole Officer Deidra Upchurch-McLoud spoke about their collaborative efforts. The Containment meetings involve probation officers, Diversion team members and treatment team members from Northcare, a mental health facility, and other treatment teams. They meet once a month to discuss the needs of their clients and how they are progressing in treatment. They also speak with each other on almost a daily basis on how the clients are doing in their treatment. The first Diversion Containment Meeting was held in July 2007 and the meetings have continued on a monthly basis. To date, officers have imposed 358 intermediate sanctions in lieu of revocations in order to gain compliance. Officers have utilized incentives, totaling 400 to date, to increase positive reinforcement and reward positive behaviors. The majority of offenders placed into this program were referred based on two or more reasons; failure to report and non-compliance with treatment. Ms. McLoud provided outcome measures on the following categories: Successful Program Completions by Gender; Program Failures by Gender; Active Offenders by Gender; Active Offenders by Number of Substances Abused; and Active Male and Female Offenders Employment Status. The district has been collecting and analyzing outcome data on this information to determine intermediate measures of success. Thus far, 231 offenders have collectively spent approximately 12,000 days in the program at a supervision cost of \$2.58/day, totaling \$31,000. The cost to incarcerate this same group of offenders for an equal number of days at a minimum security level would have been \$642,000 or \$53/day. Of the 231 only one has been revoked to prison. By successfully diverting these offenders from prison, the cost savings to the agency has been \$611,000, not including the initial start up cost of \$171,000. The program has been successful and plans to expand are under consideration. Of the current Diversion participants being supervised, 20% have exhausted all resources available to them through the Division program. They are exploring other financial options in hopes to attain inpatient treatment for these offenders. Without the collaboration of treatment providers, DA's, judges and other stakeholders, this program would not have been possible.

Chairman Henneke mentioned that in a meeting which he attended with the DA's Council, that the Tulsa County DA was not aware of this program. Their intention was to get with the Oklahoma County DA and get something started in the Tulsa area. He asked Assistant District Supervisor Chris Hudson if that meeting had occurred. Mr. Hudson indicated that the Central District Diversion Team met with management from Tulsa County District Community Corrections about how they implemented the program, but he was unaware if a meeting had occurred with the Tulsa County DA. Chairman Henneke asked what the Board could do to help spread the word about this program to some of the larger counties. Mr. Hudson said the key is educating the judges and DA's about the program and convincing them to have open minds. Deputy Director Reginald Hines reported that they are expecting to get a program going in Tulsa County in about 6 months.

11. APPROVAL OF BOARD POLICY P-140100

- **“OFFENDER MEDICAL, MENTAL HEALTH AND DENTAL CARE”**

Deputy Director Debbie Mahaffey submitted P-140100, “Offender Medical, Mental Health and Dental Care” for Board approval. She advised there were no substantive changes; only the following minor changes:

- Name of Chair was changed
- Name of Vice-Chair was changed
- Changed inmate to offender

Chairman Henneke sought a motion for approval of Board Policy P-140100. Mr. Rainey made the motion with a second by Mr. Smith. Results of roll call: Mr. Godlove, yes; Mr. Henneke, yes; Mr. Logan, yes; Mr. McBee, yes; Mr. Smith, yes; Mr. Rainey, yes; and Mr. Ware, yes.

12. APPROVAL OF BOARD POLICIES

- **P-020100, “Management of Oklahoma Department of Corrections Information”**
- **P-090200, “Public Works Programs of the Oklahoma Department of Corrections”**

Associate Director J’me Overstreet submitted P-020100, “Management of Oklahoma Department of Corrections Information” and P-090200, “Public Works Programs of the Oklahoma Department of Corrections” for Board approval. She advised there were no substantive changes to either policy; only the following minor changes:

- Name of Chair was changed
- Name of Vice-Chair was changed
- Changed inmate to offender

Chairman Henneke sought a motion for approval of Board policies P-020100 and P-190200. Mr. Ware made the motion with a second by Mr. Smith. Results of roll call: Mr. Godlove, yes; Mr. Henneke, yes; Mr. Logan, yes; Mr. McBee, yes; Mr. Smith, yes; Mr. Rainey, yes; and Mr. Ware, yes.

13. COMMITTEE REPORTS

Chairman Henneke asked if committees had anything to report.

Budget – Robert Rainey: No report

Female Offender – Ted Logan: No report

Legislative – Earnest Ware: No report

Population/Private Prison – Matthew McBee: No report

Public Affairs/State Boards Interface – Ernest Godlove: No report

Executive – David Henneke: The Executive Committee had met by teleconference in which they discussed the new smoking policy. Director Jones was asked to comment on the policy. Because it is an internal operations policy it does not require Board approval. However, the chair felt it important to make mention of it. Director Jones reported the agency is still non-smoking at facilities with the exception of community corrections. The policy was unenforceable on those offenders that have access to the general public on a day to day basis on work release/HWH. The new policy will be effective March 1, 2008, and will allow offenders at community corrections, community work centers, and HWH’s to possess and use tobacco products; but not in their rooms or on state property. There will be designated smoking areas aside from those areas. This new policy also affects our contract facilities at community security level and lower. It does not include minimum, medium or maximum security.

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

1) Discussion of employment, hiring, appointment, promotion, salary, demotion, discipline or resignation of any individual salaried public officer or employee – Director’s Bi-Annual Performance Evaluation.

B. Adjourn to Executive Session

C. Return from Executive Session

D. Announcement by the Chair as to the necessity of any Board action, if necessary, as a result of the Executive Session.

E. Vote, if necessary.

At 2:50 pm, General Counsel Mike Oakley stated the item for discussion qualified for exception to the Open Meetings Act and it was the advice of counsel that the Board vote to adjourn into Executive Session.

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

The Board returned and Chairman Henneke called the meeting to order at 4:30 pm. Mr. Oakley stated that statute requires after returning from Executive Session that the Board vote to come out of Executive Session and if there is a matter to be voted on, the Board vote on that publicly also.

Chairman Henneke entertained a motion to return from Executive Session. Mr. Ware made the motion followed with a second by Mr. Rainey. Results of roll call: Mr. Godlove, yes; Mr. Henneke, yes; Mr. Logan, yes; Mr. McBee, yes; Mr. Smith, yes; Mr. Rainey, yes; and Mr. Ware, yes.

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

15. 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

16. ANNOUNCEMENTS

None

17. ADJOURNMENT

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

Meeting adjourned at 4:35pm.

I hereby certify that these minutes were duly approved by the Board on this 14th day of March, 2008, in which a quorum was present and voting.

Approved by:

Secretary of the Board

Date: March 14, 2008

Submitted by: _____
Minutes Clerk