

OKLAHOMA BOARD OF CORRECTIONS MEETING MINUTES

Location: Union City Community Corrections Center
700 State Hwy 81 North
Union City, Oklahoma
Date/Time: Thursday, January 22, 2009 – 10:00 a.m.

1. OPENING AND ROLL CALL

Chairman Earnest Ware of the Oklahoma Board of Corrections called the January 22, 2009, meeting to order at 10:05 a.m. and welcomed those in attendance.

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

Ernest Godlove
Robert Rainey

David Henneke
Earnest Ware

Ted Logan

Matthew McBee

Absent - Jerry Smith

Chairman Ware recognized Faye Tucker, Interim Executive Director of the Oklahoma Health Care Project, who was present in the audience.

2. DISTRICT SUPERVISOR'S COMMENTS

Mike Carr welcomed the BOC and guests to the Union City Community Corrections Center. He provided the following review of the Northwest District. The district operates 21 probation and parole sub offices located in 27 counties. It is responsible for 1,084 beds. Of those beds, 634 are state or county owned and 450 are private. They maintain five community work centers and two community corrections centers. Center Point, a six month substance abuse treatment program, has 200 beds and Catalyst Behavior Services, mostly work release, has 139 beds. Two primary objectives in residential operations are: 1. Provide the opportunity to give back (PPW). Approximately 200 offenders on 14 crews in the surrounding communities are sent out Monday through Friday and sometimes on weekends if there is a special event; 2. Provide Reintegration/Reentry opportunities. They are enhancing their daily living skills program and will bring in a computer based program designed by DOC teachers. Work Release is also offered. DOC receives about 50% of the offender's pay check. The offender is required to ensure that restitution is met, child support is paid, and they maintain a savings account. The district's Residential Substance Abuse Treatment Program in Elk City maintains a 90% success rate. For a couple years NWDC has specialized in DUI convictions at the Enid facility and are seeing evidence of high success rates in the reduction of risk. In March 2005, Mr. Carr accepted the keys to the Union City facility and in September will undergo their 2nd ACA audit in which they expected to receive 100% compliance. Also in September, Enid will be undergoing their 4th ACA audit, having the same expectation of 100% compliance.

Mr. Henneke asked what the current population was at Union City. Mr. Carr responded that Union City's general population was 228, with 8 RHU beds, for a total capacity of 236.

3. APPROVAL OF OCTOBER 8, 2008, BOARD MEETING MINUTES

Chairman Ware sought a motion for approval of the October 8, 2008, Board meeting minutes. Mr. Henneke 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, absent; Mr. Rainey, yes; and Mr. Ware, yes.

4. OLD BUSINESS

None

5. DIRECTOR'S COMMENTS

- Director Jones publicly acknowledged Mr. Carr for his hard work and dedication.
- The reason for the BOC meeting time change from 1:00 pm to 10:00 am was that an execution was scheduled at 6:00 pm in McAlester.
- As a follow up to the MGT audit the Legislative Service Bureau is now conducting architecture and engineering study of DOC's 17 facilities and also looking at some of its community corrections facilities. Director Jones and Ms. Massie met on two occasions with one of their principle providers and architect out of Iowa. The study will be finished March 16th and submitted to leadership. There will be a 10 day comment period. Around April 1st there will be a completed document that will assist the agency in looking at the needs of infrastructure and capitol improvements, bed expansion, etc.
- The Legislative Committee met this morning and updated their Gold Standard #2 as it relates to that particular study. Director Jones appreciated Ms. Massie and the committee's efforts on this project.
- Director congratulated staff, inmates and Dr. Harless who participated in the Crystal Darkness documentary. DVD's are being ordered for BOC members and may be acquired through Joyce Jackson if anyone else is interested.
- DOC had its first budget meeting at the Capitol yesterday. The meeting was conducted with both House and Senate committees for Public Safety and Corrections. It went well and Director Jones was given a good deal of time to present the budget plan. It is too early to determine the results of that presentation since the Equalization Board hasn't met and it is unsure what the revenue is going to be for FY 10. Director Jones thanked J'me Overstreet, Greg Sawyer, and Tom James for their assistance in preparing him.
- The Oklahoma Department of Corrections East and West Hostage Negotiation Teams took 1st and 2nd place during the 19th Annual Hostage Negotiation Competition/Seminar at Texas State University held January 13-15. The East Team placed first and the West Team placed second in the corrections division competition.
- In December, the Kaiser Family Foundation provided funding for a full time Substance Abuse Treatment Therapist to work with offenders at MBCC.
- On December 22nd, MBCC received a large donation of books for the leisure library from publishing house Simon and Schuster. The donation was arranged by Dianne Torres-Velasquez, Ph.D., Associate Professor at the University of New Mexico.
- On December 18th, representatives from the Creek Nation met with OSR unit staff and offenders about re-entry options.
- OCI sold \$270,000 in modular buildings in November, and surpassed \$7 million in booked sales for OCI products for FY09 as of the end of December.
- OCI's Digital License Plate System is well underway and is producing 20,000 to 21,000 per day. The first order for the tags (325,000) was received in late October, and the tags were produced and delivered by the due date of January 1, 2009.
- The new canteen building built by OCI at HMCC has been completed and is currently being utilized.
- The Memorandum of Understanding for the state-wide agreement with the Social Security Administration was finalized.
- Robbie Fullerton, long time Victim Services Coordinator for the Department and Mary Smith, Programs Administrator, have both announced their retirement.
- The evaluation of Electronic Health Records RFP application has been completed and a vendor recommended.

- The Fourth Annual Reentry Conference was held in December with nearly 400 participating. Director Jones thanked Mr. Ware and Mr. Logan for their attendance.
- The department was successful in applying for a Prisoner Reentry Initiative grant and awarded \$540,000 to be used over a two year period to support wraparound services in Tulsa.
- Reginald Hines represented the agency in purchasing Healdton Work Center. The property valued at \$2.5 million; DOC paid \$175,000.
- The construction project has been completed at Lawton CCC. The previous office area occupied by administrative staff was remodeled and turned into an inmate dormitory which will house additional general population inmates. Upon final approval, this will increase the capacity at Lawton CCC to 157.
- Enid CCC graduated 98 DUI offenders in the last eight months, and placed thirty-one of those on the Electronic Monitoring Program (EMP). Three of the EMP offenders have returned; two with alcohol offenses, and one due to a rule violation for driving.

6. RESOLUTION

- **Acknowledging the Accomplishments and Support of Wayne C. Thompson**

Pam Ramsey read the following resolution.

***WHEREAS**, the Oklahoma Board of Corrections has learned with great sorrow and deep regret of the death of Wayne C. Thompson; and*

***WHEREAS**, Wayne C. Thompson, who departed this life on December 15, 2008, was a true friend and valued supporter of the Oklahoma Department of Corrections; and*

***WHEREAS**, the Oklahoma Board of Corrections acknowledges the programs established and profound accomplishments of Wayne C. Thompson as an advocate for improved healthcare, benefits and services for veterans, ex-offenders, convicted felons and their families, families of murdered children, and at-risk youth; and*

***WHEREAS**, Wayne C. Thompson's professional endeavors included Deputy Director of the Oklahoma Legal Service Center; Southern Regional Director for the Human Service Campaign, National Voter Registration Reform Initiative; Board of Directors of Community Health Centers, Inc.; Chief Administrator/Development Coordinator, Responsive Intervention/Prevention Programs for Community Organizations; Director, Agent Orange Class Assistance Program and Developmental Disabilities Outreach Program for Minority Communities; Development Consultant, INTEGRIS Health Systems, INTEGRIS Mental Health; Executive Director, Oklahoma Health Care Project, Inc.; Member, Executive Coordinating Committee, All of Us or None; and President and CEO, WCT Management Services, Inc.; and*

***WHEREAS**, Wayne C. Thompson was instrumental in the passage of the Federal Voter Registration Reform Act of 1992 (known as the Motor Voter Law) and the new Second Chance Act; and*

***WHEREAS**, Wayne C. Thompson will be remembered for his involvement in the Cherokee Freedmen membership initiative, interaction in countless community, state, national and international organizations, and for his unwavering pursuit of freedom and equality to improve, enrich and impact the lives of others, especially those who were unprivileged and underrepresented;*

BE IT THEREFORE RESOLVED that the members of the Oklahoma Board of Corrections join the employees of the Oklahoma Department of Corrections in sharing the loss of a great humanitarian and does hereby acknowledge the support, accomplishments and life of Wayne C. Thompson and expresses deepest sympathy to his family, friends, and associates upon his passing.

ADOPTED this 22nd day of January 2009.

Chairman Ware also noted Wayne Thompson was instrumental in the adoption of 4 children from Haiti and a number of other programs dealing with youth. Most of these accomplishments were handled out of pocket with no governmental funding.

Ms. Tucker, Interim Director, All of Us or None, humbly accepted the resolution and was met with applause.

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

Agenda numbers 7 and 8 were rearranged to accommodate presenters.

7. BUDGET UPDATE

Chief of Departmental Services Greg Sawyer provided the following budget update as of November 30, 2008. The agency is looking at a deficit of 5.3M if things remain as they are now. That is less of a deficit than was anticipated last month. Payroll remains consistent. The biggest reduction is being seen in medical and mental health services. It dropped from roughly 3.1M last month to 1.9M this month.

Director Jones advised that we were asked about our budget and trending deficit at the budget hearing yesterday. We are also trending a deficit in contract prison beds. Compared to this time last year the agency is at -187 in net growth. However, March through June is when DOC receives the most offenders. Director doesn't think we'll get close to OCJRC's projections, which is good news. Nor does he think we'll have to ask for a supplemental.

Mr. Sawyer presented the annual per diem calculation that shows the cost of incarceration in our system pursuant to statute. Actual rate in FY 08 = \$53.77 compared to an FY 08 budgeted amount of \$55.09. For FY 09 the budgeted figure was \$53.24.

Director Jones noted that the agency's feeder rate went up only 4 cents (\$2.44/day). This is attributed to the expansion of DOC's gardens and the fact that next year at JCCC we'll do fast freezing of vegetables that will last all season.

8. INTRODUCTION OF DEPUTY DIRECTOR OF FEMALE OPERATIONS

- **Laura Pitman, M.B.A., Ph.D.**

Director Jones reported the Female Offender Deputy Director position was announced nation wide. He bragged on our leadership program. Once the applications were compared, it was evident that not only did we compare nationally, but far exceeded on the national level in many aspects. Dr. Pitman presented a good business plan, good insight, and passion for prevention during her interview. Director's expectation is that she'll reduce the female population enough to close EWCC in the next five years. Dr. Pitman began her career with the agency in July 2000 as the Clinical Coordinator of Mental Health Services at MBCC. While there she was also responsible for mental health services at HCCC, KBCCC, OKCCC, and Union

City. She was promoted to Deputy Chief Mental Health Officer in 2007 until her most recent promotion to deputy director. She has a Ph.D. in Clinical Psychology from the University of Arkansas, a member of the OUHSC Chemical Dependence and Fellowship Executive Committee, adjunct professor of research in the Department of Psychiatry at OU Behavioral Sciences, member of the Advisory Board of Directors for the University of Tulsa Institute of Trauma and a board member for the National Association of Mentally Ill.

Dr. Pitman approached the podium and expressed her honor to accept the position and thanked the BOC and director.

Mr. Logan expressed his optimism about this position and looks forward to working with Dr. Pitman.

Mr. Rainey echoed the director in that home grown leadership is ultimately the best, assuming great training programs and great people are involved. He is very proud of DOC and has high hopes for Dr. Pitman and the future of DOC.

Dr. Pitman accepted her certificate from Chairman Ware and received applause.

9. APPROVAL OF ADDITIONAL LEGISLATIVE INITIATIVES/LEGISLATIVE UPDATE

Neville Massie passed around DOC initiatives with bill numbers identified. She also pointed out two initiatives that were not presented at the last meeting and asked for BOC approval on those today. The Legislative Committee discussed them this morning. The first one has to do with deportable detainees. It would allow Oklahoma to release offenders with ICE detainers to ICE authorities. Our language says when they have served 1/3 of their sentence. It may be modified to mirror Arizona's language that says the offenders will serve 1/2 their sentence, and does not include offenders convicted of 85% crimes. There are 508 offenders in the system now with detainers. Of that, 352 now meet the criteria. The other initiative came from the Internal Affairs unit. It would authorize the director to have subpoena power as it relates to criminal investigations involving our offenders. Currently our system gets subpoenas from the Multi County Grand Jury and if they are not in session we are presented with occasions where we are unable to pursue. An author has been secured on this bill.

Ms. Massie advised that the House is hosting a State Agency Fair on January 27, on the 4th Floor Rotunda. Field units have been notified so they are able to attend and introduce themselves to new legislators. The Board is welcome to attend as well.

Mr. Henneke asked who would issue the subpoena power. Ms. Massie said the director would have the subpoena power for Oklahoma County District Court and suggested Mike Oakley might want to add additional comments. Mr. Oakley said often times phone records, etc. are needed but are unavailable until the Grand Jury rules. This would only be for criminal activity; not for civil or employee investigations.

Ms. Massie said there are several bills raising the crimes of bringing a cell phone into a facility from misdemeanor to a felony. There is also a bill expanding who can witness executions to include law enforcement who investigated the case, testified at trial or testified at clemency hearings. Senator Lerblance has introduced a Joint Resolution for a full time Parole Board. She'll keep the Board posted as the session progresses.

Mr. Henneke asked if there was any follow up on trying to change or set a limit on child support for incarcerated inmates. Ms. Massie not aware of anything but she'll talk to DHS to see where they stand on it.

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

10. APPROVAL OF BOARD POLICY

- **P-130100, Department of Corrections Annual Inspections and Monitoring**

Director Jones reported this policy was an annual review and contained no substantive changes; only minor word changes and changing of chair and vice chair names.

Chairman Ware sought a motion approving P-130100. Mr. Henneke 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, absent; Mr. Rainey, yes; and Mr. Ware, yes.

11. PROGRAM UPDATE

- **Wraparound Model**

Transitional Coordinator Allen Everett reported Oklahoma DOC was the first correctional system in the US to utilize the wraparound process. Wraparound is a way of improving the lives of discharging offenders and their families by enlisting collaboration in the community to help support the discharging offender. Wraparound is about helping those most at risk offenders who are sincere about changing their criminal behaviors to build healthy support systems in the community. This is accomplished by helping them develop a plan of care. The plan is developed by the offender and those people who are part of their support system. The plan is needs based rather than service driven. That means what goes into the plan is based upon the specific needs of that offender; not ready made programs that might look good but will leave the offender's needs unaddressed. The offender and family team must take ownership of the plan. The team meets several times before the inmate discharges from prison and it continues to meet at least on a monthly basis for a year after discharge.

Mr. Henneke asked how many are on the team. Mr. Everett responded the team is comprised of at least four people; one DOC transition coordinator and sometimes a case manager, offender, family member, and alcohol/drug/marriage counselors or other faith based members. DOC has seven transition coordinators. Director Jones noted the department did not receive any funding for this program and have gone as far as we can go with the resources available. Mr. Henneke announced he would like to lend his support to building this program.

Mr. Godlove asked how they select the people who participate. Mr. Everett replied it was a voluntary program of the most high risk offenders who have an LSI score of at least 25 or greater, spent at least one year in prison, and are discharging in the Oklahoma City or Tulsa areas. Each transition coordinator carries a case load of around 38.

Mr. McBee asked how long an offender will stay on a transition coordinator's case load. Typically, 1 ½ years, then they have a graduation ceremony. Sometime even though the offender is no longer obligated to keep in touch with them, they often hear back from the offender on how they are doing.

Mr. Godlove asked if we had a system so we would know when someone would be discharging. Director said we can predict who will be at a 6 month point of discharge but it is all contingent upon if the offender receives a level change or misconduct.

12. POPULATION UPDATE

Chief of Operational Services Ken Klingler provided the Population update as of January 5, 2009. Total System Inmate Population = 25,111; Total Incarcerated Population = 24,280; DOC Facility Population = 17,794; Private Prison Population = 4,446; Total System Population = 56,129; County Jails with Contracts = 706; County Jail Backup = 1,210; Halfway House Population = 1,334; Probation = 27,207; and Parole = 3,811.

13. APPROVAL OF FACILITY CAPACITY CHANGES

- **John Lilley Correctional Center**
- **Lawton Community Corrections Center**

Mr. Klingler requested approval for Lawton Community Corrections Center to increase their count by 42. Their current capacity stands at 115 and would like to raise it to 157. He also asked for approval that JLCC be allowed to increase their count from 696 to 836.

Chairman Ware sought a motion approving the count changes at LCCC and JLCC. Mr. Henneke made the motion followed with a second by Mr. McBee. Results of roll call: Mr. Godlove, absent; Mr. Henneke, yes; Mr. Logan, yes; Mr. McBee, yes; Mr. Smith, absent; Mr. Rainey, yes; and Mr. Ware, yes.

14. GLOBAL POSITION SATELLITE (GPS)/ELECTRONIC MONITORING PROGRAM (EMP) UPDATE

Field Services Coordinator Ann Toyer reported that this year will mark the 5th and 2nd anniversary for the GPS and EMP program respectively. Both programs continue to meet the department's expectations in public safety, cost effectiveness, and successful reentry of offenders. In FY 08 their success rate was 93%. Ms. Toyer indicated they spoke with the vendor about improving GPS technology and concerns she had about expenses. The GPS vendor recently came out with a one piece unit as opposed to the two piece unit Oklahoma had been using. The one piece unit is more fashionable and costs \$5.50 per day. The best thing about the one piece unit is that telephone service is not needed. With the two piece unit, the offender had to carry around the receiver as well as have the strap on their ankle. Now the offender only has to worry about having the ankle bracket, which lowers the number of violations because they don't have to worry about misplacing two separate pieces. The cost to replace the two piece unit was \$900 for the receiver, \$100 for the strap and \$350 for the base unit. The replacement for the one piece unit is \$1200. They are trading out the equipment currently in Oklahoma and Tulsa counties.

The DUI program has added new technology called (SCRAM) Secure Continuous Remote Alcohol Monitor. It consists of a modem and a bracelet. The officer receives a report daily that identifies if the offender had any alcohol incidents. The range has been set at .02 for the monitoring center, but for this program DOC has no tolerance for drinking. Currently there are 21 in the program, which lasts for 90 days. If there are no events, they move on to another program. The SCRAM vendor would not lease units so the department had to purchase them. Until more funds become available 15 units is all the department has been able to afford.

Mr. McBee asked how many inmates could participate in these programs and had all inmates been identified in the system that would qualify. Ms. Toyer indicated the agency's current resources would allow the department to max out at 450 offenders. Identifying eligible offenders is an ongoing process and a number of variables might exclude them, so they don't know until the packets are reviewed.

Mr. Henneke asked about the warranty on the units and how long they would last if used properly. Ms. Toyer conveyed they receive a damage report monthly. There were problems with the two piece unit antennas. Once that was acknowledged by the vendor the units were sent back to the vendor at no cost. Pictures are taken of damaged units and the vendor has been working with them to determine if the damage was due to equipment failure on the vendor's part or something the offender did. If the offender damages the unit, DOC charges the offender. The life span on the one piece unit is not yet known, however, the batteries are provided at no charge. Kenny Holloway reported that the vendor we purchased the SCRAM units from had been replacing them at no cost, but beginning in February they will start charging for offender inflicted damage. The units are about \$1500 each. The agency is 80%-85% successful in collecting fees from the inmates.

There was discussion about the expandability of the program. Due to criteria restrictions, Director Jones did not feel the program could expand without legislative involvement.

Chairman Ware indicated that the committee reports had inadvertently been left off the agenda and asked if anyone had a committee report.

On behalf of the Public Interface Committee Mr. Rainey called attention to the minutes from their teleconference January 7th, and noted that paragraphs 2, 3, and 4, refer to the Board's Gold Standard #2, which should read #3. It also sites they met as an Executive Committee and it should read Public Affairs Committee. The Public Affairs Committee recommended meeting with the Pardon and Parole Board. They are scheduled for a luncheon on February 12th. Mr. Rainey also thought it helpful, if the Executive Committee approves, to list the six committees and their chairs on future agendas.

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

Chairman Ware acknowledged new Canadian County Sheriff Randy Edwards. Sheriff Edwards thanked the Board for the invitation and looks forward to meeting everyone.

17. ADJOURNMENT

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

Meeting adjourned at 11:34 am.

I hereby certify that these minutes were duly approved by the Board on this 12th day of February, 2009, in which a quorum was present and voting.

Approved by:

Secretary of the Board

Date: February 12, 2009

Submitted by: _____
Minutes Clerk