

OKLAHOMA BOARD OF CORRECTIONS MEETING MINUTES

Location: Oklahoma County Community Corrections/Residential Services
Clara Waters Community Corrections Center
9901 Northeast Expressway
Oklahoma City, Oklahoma
Date/Time: Friday, June 12, 2009 – 1:00 p.m.

1. OPENING AND ROLL CALL

Chairman Ware of the Oklahoma Board of Corrections called the June 12, 2009, meeting to order at 1:10 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 Ted Logan Matthew McBee Robert Rainey
Earnest Ware

Absent: Linda Neal and Jerry Smith

Chairman Ware conveyed that Ernest Godlove’s term had ended and that his service will be missed. Linda Neal was recently appointed to the BOC to fill the slot previously occupied by Mr. Godlove, but was unable to be present at her first meeting due to prior commitments.

2. WELCOME/REMARKS

District Supervisor Leroy Young welcomed the BOC to the new Clara Waters facility and thanked them for the opportunity to host their meeting. He felt that rebuilding the facility after the tornado destroyed it was a good decision. He offered his and his staff’s assistance on anything the Board might need and conveyed his staff are high achievers and excited to be working at CWCCC.

3. OLD BUSINESS

None

4. APPROVAL OF APRIL 16, 2009, BOARD MEETING MINUTES

Chairman Ware sought a motion for approval of the April 16, 2009, Board meeting minutes. Mr. Henneke made the motion with a second by Mr. Rainey. Results of roll call: Mr. Henneke, yes; Mr. Logan, yes; Mr. McBee, yes; Mr. Rainey, yes; and Mr. Ware, yes.

5. DIRECTOR’S COMMENTS

Director Jones provided the following update/comments:

- Reverend Barber was recognized in the audience as CWCCC’s volunteer chaplain.
- Dr. Pitman has been attending screenings of Sweethearts of the Rodeo. She had advised the director that the director/producer of the movie, Bradley Beasley, has offered a \$1,000 college scholarship each year for the next three years for a female at EWCC who has participated in the leather shop operation. Dr. Pitman and others will be determining who will be receiving that scholarship. This film will be shown on HBO sometime this year.

- Per statute director declared the following emergencies before the Board:
 - ✓ JHCC - irrigation pumps/sewage. Cost of Repairs: excess of \$23,000
 - ✓ Hillside CCC - two sewer pumps. Cost or Repairs: \$8,328.12
 - ✓ HMCC - Lightning strike disabled multiple systems throughout the facility to include: phones, fire alarm, the computer system that operates the facility's doors, and water flow metering systems. Cost of Repairs: excess of \$16,000
 - ✓ DCCC: Chiller went down causing medical concerns for offenders in the infirmary and medical units, as well as other areas of the facility. Cost: excess of \$8,000
- The Oklahoma County Diversion Project Team was recognized and honored by the state of Oklahoma for *innovative government solutions* during the 2009 Quality Oklahoma Team Day at the state capitol. Along with this honor the Diversion Team was presented with a "*Commendation of Excellence Award.*" Director thanked Karen White and her staff.
- DOC now has fourteen (14) locations utilizing video conferencing for parole board hearings.
- The personnel unit hosted the Fourth Annual Law Enforcement Health Fair attracting almost 300 attendees and 30 vendors.
- The Offender Banking System has been installed at all male facilities as well as Probation and Parole. Implementation is going well.
- On April 15th, 62 cadets graduated from the Wilburton academy and a graduation was held yesterday as well.
- On April 27-29, the JCCC successfully underwent their ACA reaccreditation audit, with outstanding scores of 100% on both mandatory and non-mandatory standards.
- On May 11-13, HMCC underwent their ACA reaccreditation audit, with outstanding scores of 100% compliance on mandatory standards and 99.7% compliance on non-mandatory standards.
- On May 13-15, MACC underwent their ACA reaccreditation audit, with outstanding scores of 100% compliance on mandatory standards and 99.3% compliance on non-mandatory standards.
- On May 7, 2009, Deputy Director Pitman made a presentation on reentry partnerships to Women in Government, in Washington, D.C. Women in Government is a national, non-profit, bi-partisan organization of women state legislators providing leadership opportunities, networking, expert forums, and educational resources to address and resolve complex public policy issues. Dr. Pitman's presentation was made at the invitation of Women in Government, who paid all expenses related to the trip.
- On June 9, 2009, a tour and Town Hall Meeting was held at JCCC. Director, along with several legislators, city and county leaders were in attendance. Director thanked Warden Parker and Ed Evans for coordinating that effort.
- To help cover the 8 million unfunded employee benefit increases and another 7 million in unfunded and inflationary costs, the department is offering a voluntary buyout benefit to employees who are retirement eligible and occupying a position that may be left vacant for a period of 12 months. DOC has about 600 eligible employees but only needs to accept 100 to help with the deficit. As of today, over 150 applications had been received. Director thanked J'me Overstreet and her staff for coordinating this process.

6. LEGISLATIVE UPDATE

Neville Massie provided the following legislative update:

The session began with initial filing of 2,641 bills and ended the session with 480 bills and resolutions sent to the Governor for consideration. The Governor vetoed 21 bills. Ms. Massie provided a list of the agency's original initiatives with the outcome on each bill. Several identical bills were filed in both Houses, with one version ultimately passing and being signed by the Governor. HB 1773 and HB 1781 both addressed private prison issues. While these bills died, the majority of the substance of the bills

were incorporated into HB 2245, which has been signed. The only initiative that failed completely was HB 1887, the Community Sentencing initiative, which passed the House but was not heard in the Senate.

The following bills were monitored this session as they impacted the department:

- HB 1170 creates the Oklahoma Information Services Act and the position of Chief Information Officer for the state. The CIO is charged with assessing the implementation of transfer, coordination and modernization of all IT and telecommunications systems of all state agencies;
- HB 1676 transfers the Oklahoma Criminal Justice Resource Center from LSB to OSBI. It also eliminates the Oklahoma Sentencing Commission;
- SB 613 expands eligibility to witness an execution to the lead law enforcement official of an agency who investigated or testified in a proceeding related to the crime;
- SB 789 creates a misdemeanor for persons knowingly making a false statement in a state internal agency investigation;
- SB 1064 adds cell phones as contraband for prisons and establishes a felony punishment of up to 2 years and \$2500 fine.

The interim study request process is underway and Speaker and President Pro Tempore are expected to announce approved studies by the end of July. These studies normally hold meetings in the fall.

Senators David Myers and Anthony Sykes and House members Jeff Hickman, Randy Terrill and Mike Christian all attended a Town Hall Meeting and tour of James Crabtree Correctional Center on June 9th. Representative Terrill and Christian as well as House fiscal staffers have expressed interest in additional facility tours this summer.

Mr. Ware gave accolades to Ms. Massie for a job well done.

7. 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 April. The agency could have a deficit of \$1 million by the end of FY 2009 if current trends continue. This is \$500,000 less than last month's report. In payroll a surplus of \$1.5 million will exist by the end of the year if current trends continue. DOC is running an \$800,000 deficit in contract beds. As discussed last month the health claims continue to be backlogged through the EDS claims processing system. Medical is trending a deficit of \$1.7 million.

Mr. Rainey reported the Budget Committee met that morning and notes are in Board packets for review.

8. POPULATION REPORT

Chief of Operational Services Ken Klingler provided the Population update as of June 1, 2009. Total System Inmate Population = 25,176; Total Incarcerated Population = 24,278; DOC Facility Population = 18,205; Private Prison Population = 4,326; Total System Population = 55,767; County Jails with Contracts = 445; County Jail Backup = 1,447; Halfway House Population = 1,302; Probation = 26,818; and Parole = 3,773.

Pardon and Parole Board considerations were 464, denials were 336, recommendations were 128, making the percentage recommended 27.59 %.

9. APPROVAL OF PRIVATE PRISON CONTRACTS

- **Approval of 30 Day Extension of Current Contract – CCA**
- **Annual Renewal – GEO, Group, Inc.**

General Counsel Mike Oakley brought before the Board two items for approval; the first being a 30 day extension to the CCA contract to work out the negotiations and second, a renewal of the GEO contract.

Chairman Ware sought a motion to approve CCA's 30 day extension and GEO's one year contract renewal. Mr. Henneke made the motion with a second by Mr. Logan. Results of roll call: Mr. Henneke, yes; Mr. Logan, yes; Mr. McBee, yes; Mr. Rainey, yes; and Mr. Ware, yes.

10. APPROVAL OF BOARD POLICIES

- **P-020800, Guidelines for Research and Research Related Activities**
- **P-070100, Provision of Food Services**
- **P-150500, Five Year System-Wide Capital Improvement Program**

Director Jones advised the above listed Board policies were up for annual review due to American Correctional Association requirements. They were discussed previously in an Executive Committee conference call and were also discussed in committee this morning. He recommended approval, with the change in OP-150500, I. Health, Safety and Security, substituting the word "adequate" with "constitutional."

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

11. AFFECTING CHANGE

- **Transitional Program – Frederick Community Work Center**

Community Corrections Deputy Director Dan Reynolds provided a presentation on the Frederick CWC Transition Program. This 100 hour transitional program was found during a tour at an ACA conference in Florida. Before leaving Florida, Oklahoma staff visited with Florida staff who explained the program. In Florida it is mandated that every offender prior to discharge to go through this program. Florida recommended we talk to Louisiana as they mirrored their program after Louisiana. Anita Alford was sent to Louisiana and found that in Louisiana they had mandated in statute that every offender go through this program. Mr. Hines authorized the pilot in Frederick. The program places offenders in nearby cities or communities in which they will live upon discharge. The program provides needed resources and tools to be successful to include job, housing, transportation, referrals to specialized assistance and more. In February 2008, the 1st class was started at Frederick. Offenders were selected based upon the geographical location upon discharge so only those discharging to the SW part of the state were allowed to attend. Selection criteria was also based upon risk from the LSI. They must be work release eligible upon completion of the program and willing to reside within 50 miles of their employer. A course book and instructors guide was developed specifically for Oklahoma. Instructors are primarily community leaders. The program has 10 modules; goal setting/decision making, problem solving, communication conflict resolution, social skills/interpersonal skills, value clarifications, healthy lifestyles, family issues/parenting skills, victim awareness, money management, job/career, and human, civil and property rights. Upon completion each graduate receives a professionally typed resume, ID, portfolio, prerelease handbook that has referral services for needs they might have, certificate of completion and gets to participate in a graduation ceremony with family members and invited guests and a keynote speaker. The graduation occurs on Friday morning. That afternoon they are loaded on the bus and are transported to

Lawton CCC and assigned to a work release bed. The following Monday they go to work. The facility transports the offenders to and from work. Since February 2008, 103 offenders have gone through the program. Dr. Connelly has been working to establish outcome measure data. They are finding out that offenders in the program are less likely to receive offense reports compared to those in general population. Most of the program graduates are still employed; many by the same employers. Most of the offenders have remained in community corrections and not returned to higher security. Within the last year 4 offenders have not completed the program. None of those were paroled. Of the 22% that have discharged the system, none have returned to prison. They plan to implement this program in at least one facility per district this year.

Mr. Henneke asked if this program was structured toward offenders getting close to being released. Mr. Reynolds said it takes about 5 weeks to complete the program and during this time they spend ½ day doing the program and the other half doing PPWP. Once they complete the program they are work release eligible, with less than 1,000 days remaining. The cost to the agency is very minimal due to the use of volunteers.

12. AGRISERVICES UPDATE

Mr. Klingler provided the following Agri-Services update:

Agri-Services is made up of 3 components: 10 farms, dairy operation and meat processing plant. Currently there are 52 staff members that run the unit with the help of approximately 450 offenders. The meat processing center is the only meat cutting apprenticeship school operated by corrections in the nation. Fifteen offenders are admitted into the program per year. It takes three years to complete the course and so far this year one has graduated.

Mr. Klingler reported the following items that produce revenue for Agri-Services:

- Sales from cattle hides earned \$15,856
- Sales from dairy herd earned \$50,816
- Cattle sales outside the agency earned \$1,156,760
- Spot buys have saved \$524,000 during the first three quarters of FY 09
- Meat sales during FY 09 to current state employees and retirees have run \$392,969
- Firewood sales have earned \$67,047
- Wheat sales have earned \$8,021
- Pecan sales have earned \$11,870

Statistics for FY 09 through the end of March:

Agri-Services produced 686,665 pounds of beef; 597,092 pounds of pork; 923,206 pounds of processed meat; 112,375 pounds of corndogs; 459,990 gallons of milk; and 548,700 dozen eggs.

New Ventures:

- Agri-Services started with 40 head of female goats and so far 47 kids have been born. When they reach 120 pounds, they will be taken to market for sale.
- Currently there are 35 acres that vegetables are being raised on. They started a quick freeze program, whereby they process the fresh vegetables and freeze them, allowing fresh vegetables to be consumed year round. The shelf life is anywhere from 6 months to 1 year. This supplements Mr. Boone's food cost. OSU is assisting with this. They are also being offered some green house space at the institutions and will start raising plants from seed.

Mr. Rainey asked about the net profit list on the last page. Mr. Klingler advises he cleared \$888,861. He said making money was secondary to the goal of helping this agency save money and lower their food costs. The true value of Agri-Services is a program where we work inmates to give them skills, but the biggest thing they can do is offset costs. Mr. Rainey asked if we had any data to show real offset costs, especially when leadership asks why DOC operates 10 farms that they deem as unproductive and what can BOC members say about true offset costs. Mr. Klingler said in the future they will be able to provide more hard data on that. If we didn't have the farms, we'd be writing checks for food. The meat plant just went through a federal inspection that lasted 14 days and only one minor deficiency was found. Mr. Klingler can show the numbers on revenues, but keeping inmates busy and providing staff with a product at a competitive price is very hard to measure. Director said that agriculture many times holds us stable while other states are increasing because the majority of states have eliminated their farm operations; much of it due to political pressure and outsourcing. We have resisted that because we have such a massive operation and our key outcome measures show in the last 5-6 years, our per diem rate for average daily cost to feed has only gone up a few cents while the rest of the country is jumping much higher. The last time director checked ODOC was 4th in the nation, with only Louisiana, Mississippi, and South Carolina being cheaper. When you look at what they feed as opposed to what we feed it is easy to see why their rate is cheaper.

Mr. Rainey asked if any land or facilities were being underutilized at this point. Mr. Klingler said no, that everything available to them is being used. OSU evaluates our land and does soil samples for us. In addition, Agri-Services is looking at conservation efforts with assistance from OSU.

Mr. Henneke indicated he was in Alva recently and Warden Melton showed him their tomato plants. Mr. Klingler said they have acres of tomatoes. The plants are grown in raised beds, which is cutting edge technology and the most efficient way to plant.

13. LEADERSHIP ACADEMY

Executive Communications Administrator Joyce Jackson reported the Leadership Academy just completed its first class, with graduation being held on May 21. The concept of Leadership Academy is to enhance the public's understanding of the Oklahoma Department of Corrections' operation. The class consists of eight class sessions and a graduation. She showed a brief video of their first academy. The plan is to do two academies each year in OKC, then branch out in all four regions of the state with two academies each.

Director said the goal is to get more corporate leadership. Since graduation, director has received cards talking about how well received the academy was. Feedback he has received from CEO's that attended have already planned to send someone from their organization the next time we hold an academy.

Chairman Ware recognized Mr. Rainey's daughter, Sarah and Josie Young in the audience. They received a round of applause.

14. COMMITTEE REPORTS

The following committee reports were provided.

- Budget – Chair Jerry Smith, Member Robert Rainey (**Mr. Rainey reported the committee met and minutes are included in BOC packets**).
- Female Offender – Chair Ted Logan, Members Matthew McBee and Jerry Smith (**no report**)
- Legislative – Chair Matthew McBee, Members Earnest Ware and Jerry Smith (**Mr. McBee praised Ms. Massie on the fine job she did with the legislature this year**).

- Population/Private Prisons – Chair David Henneke, Member Robert Rainey (**Mr. Henneke conveyed there was nothing more to add other than what was done today approving the two contracts**).
- Public Affairs/State Boards Interface – Chair Robert Rainey, Member Matthew McBee (**no report**)
- Executive – Chair Earnest Ware, Members Ted Logan and David Henneke (**Chairman Ware reported their committee met and minutes are included in BOC packets**).

15. ELECTION OF OFFICERS

Chairman Ware opened the floor for officer nominations.

Mr. Rainey nominated Ted Logan as chair; Matthew McBee as vice chair; and Linda Neal as secretary. There was no second on the motion, therefore the motion failed.

Mr. Henneke reported the Executive Committee had discussed the policy that had been followed in the recent past having the chair serve two terms. He nominated Mr. Ware as chair for a second term; Mr. Logan as vice chair; and Mr. McBee as secretary. Mr. McBee seconded the motion. Results of roll call: Mr. Henneke, yes; Mr. Logan, yes; Mr. McBee, yes; Mr. Rainey, no; and Mr. Ware, yes.

16. 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

17. ANNOUNCEMENTS

None

18. ADJOURNMENT

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

Meeting adjourned at 2:20 pm.

I hereby certify that these minutes were duly approved by the Board on this 10th day of July, 2009, in which a quorum was present and voting.

Approved by:

Secretary of the Board

Date: July 10, 2009

Submitted by: _____
Minutes Clerk