

OKLAHOMA BOARD OF CORRECTIONS MEETING MINUTES

Location: Mabel Bassett Correctional Center
29501 Kickapoo Road
McCloud, Oklahoma

Date/Time: Friday, June 13, 2008 – 1:00 p.m.

1. OPENING AND ROLL CALL

Chairman David Henneke of the Oklahoma Board of Corrections called the June 13, 2008, meeting to order at 1:10 p.m. and welcomed those in attendance.

He thanked Millicent Newton-Embry, MBCC Warden, for hosting the meeting and providing lunch for the meeting attendees. He welcomed Sarah and Robin Rainey, Robert Rainey's daughters, and Amy McClellon, Ted Logan's grand-niece. Ms. McClellon, attends University of North Carolina at Chapel Hill and is interning with the Department of Corrections Executive Communications unit while pursuing a degree in Journalism.

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

2. WELCOME / OPENING REMARKS

Millicent Newton-Embry, MBCC Warden, welcomed the Board to the facility. She shared the following information about MBCC with the Board:

- Since the MBCC Assessment and Reception (A & R) opened on January 23, 2008, 512 female offenders have passed through, 18% of which have remained at the facility. The MBCC Assessment & Reception unit receives approximately 27 to 29 offenders a week and it's been a very successful project. She expressed gratitude to Ken Klingler and his staff for their partnership to make the process a success.
- The first graduation of the Faith & Character program was in May and the second class will begin July 1, 2008.
- With the assistance of Ted Logan, Clint Johnson, and the Board, the facility will present the charter for the first Veteran's Program for females at a prison. She expressed gratitude for the efforts of the Board to help the facility meet the goals they have set.

Ms. Newton-Embry then welcomed several meeting attendees:

- Mr. Bob Brooks, former Chairman of the McCloud Chamber of Commerce and current Lieutenant Governor of the Kiwanis International District 40. Mr. Brooks is a member of the MBCC Citizen's Advisory Board and is very helpful with recruiting efforts in the McCloud area.
- Ms. Linda O'Dell, MBCC Volunteer. Ms. O'Dell is a member of the MBCC Citizen's Advisory Council and, with her assistance, the beauty shop at the facility is able to stay open on a daily basis.

- Ms. Alba Simmons, Redlands Council Girl Scouts Volunteer. Ms. Simmons is a member of the MBCC Citizen's Advisory Council and serves as a translator at the facility. She also assists with the Girl Scouts Behind Bars program, which the Board helped initiate at the facility.
- Jayne Sconyers, former Mayor of McLoud and current reporter for the McLoud Weekly Gazette.

Chairman Henneke thanked the volunteers for their dedication and hard work at the facility and welcomed them to the meeting.

3. APPROVAL OF APRIL 9, 2008, BOARD MEETING MINUTES

Chairman Henneke sought a motion for approval of the April 9, 2008, Board meeting minutes. Mr. Rainey 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 reported on agenda.

5. DIRECTOR'S COMMENTS

Director Jones recognized Ms. Harkins, Chairman for the Pardon and Parole Board, as an attendee and welcomed her to the meeting. Director provided the following updates to the Board.

- At the end of the session, the Legislative body found within the Legislative Service Bureau \$500,000 for an architectural/engineering study of our 17 facilities to look at the feasibility of adding onto or renovating them. Director has met with one firm that has met with expected leadership and believes that the study will occur sometime this summer.
- Dick Conner Correctional Center celebrated their 20th graduation and awards ceremony recently with approximately 50 graduates completing their educational programs. They are also doing reentry efforts with four Native American tribes: Cheyenne, Arapaho, Comanche, and Creek nations, which were represented by some of the graduates in this group.
- The agency contributed to the Special Olympics and participated in the Special Olympics Run in Oklahoma. Most notably, James Crabtree Correctional Center raised in excess of \$2,000 for Special Olympics athletes.
- Mabel Bassett Correctional Center recently hosted Jimmy Baca, an award-winning poet and writer. Mr. Baca, who served six years in prison, lectured the offenders at MBCC who are interested in writing.
- Mabel Bassett Correctional Center also recently hosted the Bill Glass Weekend of Champions Ministries.
- Private Prison and Jails Administration reviewed 480 California classification packets for offenders going to Northfork Correctional Facility in Sayre, Oklahoma. Colorado and Vermont are currently moving their offenders back to their states.
- The agency received a grant for the Residential Substance Abuse Treatment in the amount of \$146,000. Although this grant is less than the one the agency received last year, it is greatly appreciated. The Justice Assistance Grant (JAG) was also awarded, which supports programs at Jackie Brannon Correctional Center, William S. Key Correctional Center, and Bill Johnson Correctional Center.
- The Female Offender Management group has formed several new sub-committees to retool the focus group. They are focusing on specialty courts and sentencing, releases from institutions, and

legislation. They will be meeting every other month with the next meeting scheduled for July 16, 2008 in Oklahoma City. At that meeting, they will have their new goals and objectives.

- Upper Management & Leadership has begun a new speaker series that J'me Overstreet is overseeing. Speakers present at the last meeting were Howard Hendrick, Director, Oklahoma Department of Human Services; Darrell Weaver, Director, Oklahoma Bureau of Narcotics; and Dr. Terry Cline, Commissioner, Mental Health. They spoke of the vision and cooperation between the DOC and their agencies and they were very well received.
- Schools are out for the summer and a lot of offender work crews are currently working around the schools. Sayre Schools are receiving major renovations this year with the use of these work crews.
- 27 offenders from Hillside Community Correctional Center assisted in the Memorial Marathon Run in Oklahoma City, which is now an international event. They helped package bags for over 15,000 runners this year.
- The DOC continues to work with CareerTech in the community with Mr. Hobb's division. 16 more youthful offenders graduated from Francis-Tuttle Vo Tech. From graduation, they are ready to go to work for businesses around the Oklahoma City area who have agreed to hire these graduates
- Through the leadership of Joyce Jackson, we did our pilot program for a Leadership Academy in Corrections. Much like Leadership Oklahoma or other leadership academies, we hope to bring in upper managers and up-and-coming stars in private organizations to come in and learn about corrections. Director expressed his gratitude to Ms. Jackson for her kicking off the pilot program.

6. OKLAHOMA EMPLOYEES MEMORIAL FOUNDATION UPDATE AND VIDEO PRESENTATION

Chairman Henneke introduced Ann Tandy, President of the Oklahoma Correctional Employees Memorial Foundation Board, and welcomed her to the meeting. Ms Tandy thanked the Board and recognized members of the Memorial Board present at the meeting: Tameka Taylor, Joseph Harp Correctional Center; Pam Carter, Jess Dunn Correctional Center; Wendell Davis, Mabel Basset Correctional Center; Tommy Morrison, Mabel Bassett Correctional Center; and Preston Marshall, Northeast Oklahoma Correctional Center.

She then introduced Duane Mass, AIA President, and Brian Guz, AIA Senior Design Architect from Mass Architects, Inc. Mass Architects generously donated their time and skills in the design and presentation of the Oklahoma Correctional Employees Memorial. Mr. Mass spoke about implementing the dream of the memorial and how the project began for his organization. Mr. Mass then introduced Mr. Guz, who walked the Board through the architects' vision of the memorial with a PowerPoint presentation, explaining the meaning behind the different elements of the memorial. After the presentation was complete, Mr. Guz opened the floor for questions.

Chairman Henneke first thanked the firm for their dedication to the memorial and for offering their time and skills to designing it. He then requested budget information for the memorial. Mr. Guz stated there were many variables to the project and they very intentionally tried not to make things too sophisticated in order to allow donations to be made to the project, however at this time they had yet to put the budget on paper and were working on it. Mr. Godlove questioned the size of the wall and whether it would impede the view of the main administration building. Mr. Guz explained it would depend on the rock that they get for the project. Mr. Henneke commented that offender labor would be utilized in assisting with the landscaping and bricklaying of the memorial to help alleviate some of the costs. Mr. Godlove asked if the Board had anything to do with the next step. Ms. Tandy stated the foundation board approved the

memorial as presented and stated they will be meeting next week to determine costs, materials to be used, etc. Director stated that donations had already been received and other sponsors are waiting to donate. Director also stated that one thing the agency will do for the memorial foundation is to donate the land in front of the administration building to the memorial. Mr. Godlove asked if it was appropriate for the Board to endorse this. Ms. Tandy stated that although the Board's endorsement was not necessary, it would be very much appreciated. Mr. Godlove recommended placing it on the next meeting's agenda. Mr. Rainey expressed appreciation to the architect firm for the powerful gift they have envisioned for the Oklahoma Department of Corrections.

7. POPULATION UPDATE

Chief of Operational Services Ken Klingler presented the following population update as of June 2, 2008: Total System Inmate Population = 25,318; Total Incarcerated Population = 24,441; DOC Facility Population = 17,880; Private Prison Population = 4,563; County Jails with Contracts = 704; County Jail Backup = 1,205; Halfway House Population = 1,294; Probation = 27,213; Parole = 3,732; and the Total System Population = 56,263.

Director commented that the FY 2008 net growth, which was 218, was well below the projected net growth from the Criminal Justice Resource Center. Mr. Henneke commented that he hoped we could continue that downward growth and he questioned if there was a change or shift in corrections that had impacted the decrease. Mr. Klingler stated that some of the District Attorneys were working with community corrections to have a tremendous impact on the number of incarcerates. He also stated that there were also several small changes to policy to assist with the changes. Director commented that looking at the recidivism rates from the audit, you can see a shift in the incarceration rate. Ms. Sharon Neumann stated that recidivism was currently at 9.5%, which is an 89.5% success rate. Mr. Jones then stated that maximizing drug courts and finding alternative sentencing is a possible reason behind the decrease. Mr. Henneke then asked about the parole process and Mr. Klingler advised it is still moving along with no issues. No further comments or questions.

8. APPROVAL OF FACILITY CAPACITY CHANGE

▪ James Crabtree Correctional Center, Helena

Mr. Klingler requested the Board to approve a change in the population count from 886 to 901 in order to place 15 more offenders at the facility to help with the asbestos abatement crew.

Chairman Henneke entertained a motion to approve the capacity change. Mr. McBee 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

9. APPROVAL OF RENEWAL OF CONTRACTS FOR CORRECTIONAL SERVICES

▪ GEO Group, Inc. – Five Year Contract

-Lawton Correctional Facility, Lawton, OK

▪ Corrections Corporation of America – One Year Renewal of Existing Contract

-Cimarron Correctional Facility, Cushing, OK

-Davis Correctional Facility, Holdenville, OK

Mr. Oakley presented the contracts for the Board's approval, beginning with the GEO contract. Chairman Henneke then recognized Reverend Nancy Brock, who wished to address the Board regarding the GEO contract in reference to concerns of offender religious access. Ms. Brock stated she was present on behalf of both DOC Advisory Councils and she thanked the Board for allowing her to speak. At the June 3rd meeting, the DOC Advisory Councils unanimously authorized a resolution that representatives from both councils be involved in contract negotiations. However, they were not aware that the contracts were so

close to a final proposal. This action was taken after months of working with GEO trying to address serious religious access issues. The councils agree that significant access issues still remain and they are asking the Board to do one of two things. First, the councils recommend that the absolute ban against any receiving of Holy Communion by any offender while in protective custody be lifted. They believe that this ban violates religious rights and is unnecessary, because it is allowed at Oklahoma State Penitentiary without issue. Second, they recommend that GEO institute faith-based programs since they currently have none, as the DOC currently defines them. Third, they believe that offenders should be allowed to attend more than one worship service per week. Although they do acknowledge that GEO has increased the number of bible studies, the councils do not feel this is meaningful as they only have 3 bible studies, that the councils know about, for approximately 2,526 offenders. Fourth, they recommend the security problems at GEO, which are constantly cited as the reasons for not allowing access to religious services, be solved in another way, as these issues have been successfully addressed by other DOC facilities. In summary, Ms. Brock stated they are aware that GEO in Lawton has special needs and issues due to the size of the prison, but at the same time they do not understand the difference between GEO's approach to religious services, in relationship to security, and what the council experiences on other DOC yards.

Henneke noted that Mr. Oakley and the Private Prison committee met earlier in the day and had discussed the religious services provisions in the GEO contract. Chairman Henneke noted that on page 17, the GEO contract states the contractor shall provide facilities for religious services and access to religious programs in accordance with OP-030112 and the Operating Standards. In essence, GEO is bound by the contract to follow the same policies and procedures, regarding access to religious services, which DOC is required to follow. Chairman Henneke then asked Mr. Oakley if there was anything the Board or contract monitors could do to address Ms. Brock's concerns in reference to the contract. Mr. Oakley stated that we are limited to what is available on the agenda and the agenda item is the approval of the contract, which expires at the end of the month. Chairman Henneke then asked if there was an individual or group with whom Ms. Brock could discuss the policy. Director then stated that they had met with GEO officials and had several discussions over the same issues that Ms. Brock had addressed. He further stated DOC is committed to working with GEO to address these issues.

Chairman Henneke opened the discussion for questions or comments. Mr. Rainey then asked if the Private Prison Committee Chair had an opinion on this matter since learning of this issue earlier that day. Mr. McBee stated he did not have a comment and felt the contract addresses religious services by having GEO meet the same standards that DOC facilities are required to meet. Mr. Rainey expressed that he is concerned when he sees a resolution signed and endorsed by 13 separate religious organizations dating back to January 2008 evidencing some concerns. He stated he is concerned that the philosophy of the private prison community may be disparate from the DOC. Mr. Rainey asked Ms. Brock if she would be satisfied with the wording of the contract. Ms. Brock stated she believes that the tools of the letter of the law are within contract because the letter of the law is within DOC facilities. However, Ms. Brock reiterated that she would like a commitment to creating access to religious services in such a way that security is not the only reason that somebody cannot get Holy Communion for months on end. Ms. Brock expressed fear that David Miller, Lawton Correctional Facility Warden, is limiting access to religious services because he is trying to control security issues that are occurring at the facility due to gangs, although these issues are not any different than ones faced at DOC facilities. Ms. Brock apologized to Mr. McBee for not contacting him before the meeting with these issues, but she was unaware that he was the Private Prison Committee Chair. Mr. Rainey again asked if Ms. Brock was comfortable with the contract as it is written. She stated she would trust the Board and Director to ensure the policies are enforced.

Mr. Rainey made the motion to approve the GEO contract. Mr. Godlove stated he would second the motion, given that the contract addressed the access to religious services. He also stated to Ms. Brock that he appreciated her willingness to approach the Board with her concerns.

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

Mr. Oakley requested a 30-day extension on the vote of the contract renewals for CCA, since the final drafts of the contracts had not been completed.

Chairman Henneke sought a motion for approval to extend the decision on the contracts. Mr. Ware made the motion with a second by Mr. Godlove. 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. PROGRAM UPDATE

▪ Skills Center Program

Career Tech Instructional Leader Mike Harper provided the following MBCC Skills Center update. He stated that over the last four years, it had been pleasure working with Warden Newton-Embry, as she was very proactive in programs for offenders. At the present time there are three programs; Computer Literacy, Transportation Distribution & Logistics (TDL), and Electrical Trades. Last month, 3 female offenders from the original training started four years ago passed their electrical license tests. There are now 3 Journeyman Electricians at the facility. This year, 9 students graduated from the TDL program, of those, 85% were training-related placed, one was positively placed, and one was unknown since they were unable to locate her. From the Electrical Trades program, 8 students graduated with 6 of those training-related placed and working with electricians; the other two were positively placed. A future plan for adding more programs is dependent on availability of space at the facility. The Computer Literacy program has serviced 42 students and will finish next week. One statewide concern with these programs is getting the offenders to the streets as soon as possible after program completion to enable them to put their skills to immediate use.

In response to Mr. Henneke's inquiry on the truck driving program, Ms. Newton-Embry advised that the program is provided through the Education Department. She stated the current class is full. The program is approximately 4 months long at the facility with an additional 6 months of training when they discharge.

11. VIDEO PRESENTATION

▪ Things You Don't Know About Prison

Executive Communications Administrator, Joyce Jackson, presented a video titled "Things You Don't Know about Prison." The video is one of a three part series for a public education campaign for DOC. Mr. Henneke asked who assisted with the production of the video and Ms. Jackson stated DOC has a videographer on contract. Ms. Jackson stated the video would be shared with everyone in the state of Oklahoma as part of our public education campaign. The video could be viewed by people associated with faith-based organizations or through civic organizations by taking the video to them. Mr. McBee asked if she had pamphlets or flyers available to go with the video, to which Ms. Jackson stated pamphlets are available. Chairman Henneke congratulated Ms. Jackson on a job well-done. Mr. Godlove stated that Ms. Jackson had done an excellent job putting the video together along with the intention to use the voluntary organizations to distribute the information.

12. APPROVAL OF BOARD POLICIES

- **P-020600, "Legislative Initiative Process"**
- **P-020700, "Oklahoma Department of Corrections Information System"**
- **P-030200, "Offender Housing, Job and Program Integration"**

- **P-100100, “Training and Staff Development Standards”**
- **P-100600, “Quality Assurance System”**

Director stated the executive committee had a teleconference earlier in the week and went over each one of the policies. Mr. Henneke stated the executive committee recommended approval of the policies presented.

Chairman Henneke sought a motion for approval of Board policies. Mr. Godlove made the motion with a second by Mr. Ware. 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.

13. COMMITTEE REPORTS

Chairman Henneke stated the executive committee had discussed everything presented today and he asked if there were any committees that wished to report.

Budget – Robert Rainey: The budget committee met this morning and he would refer the Board to the minutes from the meeting for additional information. In keeping with the video just presented, he felt it important to state that rumors about the department being fully funded, have no basis in fact.

Female Offender – Ted Logan: nothing to report.

Legislative – Earnest Ware: The committee met earlier that day and Mr. Ware asked Ms. Massie to bring the Board members up-to-date on issues with the initiatives. Ms. Massie stated that the initiatives were located in the packets. She stated it was a difficult session in terms of initiatives and we were successful in completing 3 initiatives. One initiative was related to offender banking/offender canteen and the repeal of the provision that 20% of the money sent in from outside would be put in savings, which has been an issue that people have heard about over the past several years. The Correctional Officer age change from 21 years to 20 was successfully passed. Absent those, we were not successful in accomplishing the majority of the initiatives in this session. She stated that fewer committee meetings were held this year and fewer bills were heard. Ms. Massie then stated the outline provided also includes several bills of interest. HB3336 includes the county jail medical provision that was first drafted last year and vetoed by the governor. That bill also includes language that adds cell phones and tobacco as misdemeanors for introduction into prison & jail facilities. It also affects, one year from now, the date of payment to county jails for county jail backup after sentencing. SB1725 creates the task force on mentally ill female offenders. DOC and the Department of Mental Health will be co-chairs of that task force, which will be in place until November 2009. Mr. Ware questioned whether the task force would visit institutions. Ms. Massie stated that it would be possible if the task force chairperson so desired it.

Population/Private Prison – Matthew McBee: nothing to report.

Public Affairs/State Boards Interface – Ernest Godlove: nothing to report.

Executive – David Henneke: nothing to report.

14. ELECTION OF OFFICERS

Chairman Henneke stated the standing tradition is to move the Vice-Chairperson to the Chairperson position; move the Secretary to the Vice-Chairperson position; and move one of the new members into the Secretary position. It is the recommendation of the executive committee to have Mr. Ware become the Chairperson; Mr. Logan the Vice-Chairperson; and Mr. McBee to become the Secretary.

Chairman Henneke sought a motion for approval of the election. Mr. Godlove made the motion 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.

15. 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.*
 - 2) Confidential communication 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, if necessary, as a result of the Executive Session.
E. Vote, if necessary.

Mr. Oakley stated it is the advice of Counsel to adjourn to executive session. Chairman Henneke called for a motion to adjourn.

Mr. Ware made the motion to adjourn, seconded by Mr. Logan and the Board entered executive session at 2:35 p.m. 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.

The Board returned from executive session at 4:11 p.m. Chairman Henneke called for a motion to return from executive session. Mr. Ware made the motion followed by a second from Mr. Godlove. 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.

Chairman Henneke reported that there was nothing to vote on as a result of what took place during executive session.

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

Director provided information on the fund raising efforts for the John Henry Bowman III Annual Youth Retreat, which will be held July 21-27, 2008, at Fountain Head Park, Checotah, Oklahoma. The fund-raising will help alleviate costs to send children of incarcerated parents, children with a parent serving our country in Iraq and Afghanistan, and at-risk children to the camp. Mr. Ware commented that this is the 3rd annual event and this year more people are interested in helping. The ages of camp attendees are between 8 and 17 years and approximately 70 children are expected to attend this year.

Mr. Rainey then thanked the warden for her generosity to his children while they were present at the facility.

18. ADJOURNMENT

Chairman Henneke sought a motion to adjourn. Mr. Godlove made the motion followed with a second by Mr. Ware. 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

Meeting adjourned at 4:15 p.m.

I hereby certify that these minutes were duly approved by the Board on this 10th day of July, 2008, in which a quorum was present and voting.

Approved by:

Secretary of the Board

Date: July 10, 2008

Submitted by: _____
Minutes Clerk