

OKLAHOMA BOARD OF CORRECTIONS MEETING MINUTES

Location: John Lilley Correctional Center
Highway 62 East
Boley, Oklahoma
Date/Time: Friday, May 14, 2010 – 1:00 p.m.

1. OPENING AND ROLL CALL

Chairman Ware of the Oklahoma Board of Corrections called the May 14, 2010, meeting to order at 1:05 p.m. and welcomed those in attendance. He also welcomed new board member, Ged Wright.

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

David Henneke	Ted Logan	Matthew McBee	
Linda Neal	Robert Rainey	Earnest Ware	Ged Wright (not yet confirmed)

2. OLD BUSINESS

Warden Standifird came forth to give comments that had been inadvertently left off the agenda. She welcomed the board and guests to their minimum security facility. They have a capacity of 836 offenders; FTE of 123 which is now filled at 115; 66 officers are approved, but currently they have 60; and they have 51 support staff. They were able to hire 8 new officers for which they were extremely excited. They have a small SAT program and also ABE and GED. They also have a small farm operation that contributes greatly. She hopes the board enjoyed their tour and thanked them for coming.

3. APPROVAL OF APRIL 15, 2010, BOARD MEETING MINUTES

Chairman Ware sought a motion for approval of the April 15, 2010, Board meeting minutes. Mr. Logan made the motion with a second by Mr. Henneke. Results of roll call: Mr. Henneke, yes; Mr. Logan, yes; Mr. McBee, yes; Ms. Neal, yes; Mr. Rainey, yes; and Mr. Ware, yes.

4. DIRECTOR'S COMMENTS

Director Jones provided the following update/comments:

- He thanked everyone involved in the first Annual Memorial Ceremony on May 5. Nineteen wreaths signifying our employees who gave their life in the line of duty will continue to be present in front of Central Office through Memorial Day. Hopefully by the end of the year we'll start construction on the memorial.
- On May 5, after the Memorial Ceremony he and a group of staff proceeded to the State Capitol and were joined by Mr. Logan and Mr. Rainey to recognize the correctional officers/supervisors of the year and probation and parole officer of the year on the Senate and House floor. This year there was a lot of empathy/sympathy expressed over our overcrowding conditions and underfunding. The major of our elected officials understand it, but he's not sure how much they can do about it and they showed a lot of care and concern at this ceremony.
- The board packets contain the PowerPoint he utilized on April 26 for the House and Senate Joint Subcommittee on Public Safety. It is self explanatory but he added the comments made at the Capitol referencing the findings of the MGT audit for explanatory reasons on why we are still experiencing net offender growth. We've had over 600 net growth since July 1st and talked about the percentage increase in 85% crimes. We also presented from the Bureau of Justice Statistics

that in previous years for every 100 felony drug arrests, 36.8 would come to prison and is now up to 41.1 per 100. Dr. Connelly crunches these numbers and it helps with our projections. He also talked about the true number ratio of correctional officer to offenders at facilities, which is roughly 1 to 57. We also talked about the 67% increase since 2002 of life without parole. Lastly if we are held harmless from additional reductions for FY 2011 we would still have to make approximately 31 million in adjustments to balance the budget. Much of what he just spoke of is on slide 16.

- Our leadership academy is becoming very popular and we have had to turn applicants down due to capacity. A class of 24 started on April 22 and it is starting to reap great benefits.
- We completed the transfer of many historical documents from the Oklahoma State Penitentiary in conjunction with the OK Historical Society. They are currently working on documentation of historical photos, which began March 24th.
- After the Governor signed legislation for partial funding state agencies for another employee voluntary retirement eligible buyout (VOBO) we had 140 originally sign up, but only 118 were submitted to the Office of State Finance on May 10th. Some were not eligible and some decided to take their names off the list.
- The training units at the University of Oklahoma in Norman and Eastern Oklahoma State College in Wilburton were moved to the Department of Public Safety in Oklahoma City on April 30, 2010. The first correctional officer training class is scheduled for May 17, 2010.
- On April 21, 2010 a crew of offenders from Elk City CWC went to the town of Hammon to assist with the clean up after the storm/tornado that destroyed the Rodger Mills County Barn and several local residents' houses. They picked up debris from fields and along the roadsides.
- Union City CCC offenders assisted with trash pickup at the OKC Bombing Memorial Marathon.
- A crew of 25 offenders from the Hillside Community Corrections Center assisted with stuffing bags for the Memorial Marathon Run the week of April 13-16. This was the sixth year of participation, and a total of 20,000 adult bags and 3,500 children's bags were prepared. Ten offenders also assisted with clean-up following the Memorial Marathon Run on April 25, 2010.
- The *Incarceration of Oklahoma Women Solutions Initiative Summit (Oklahoma SIS)* was held April 30, 2010. The summit, sponsored by the Oklahoma Commission on the Status of Women, Oklahoma Women's Coalition, and Oklahoma Department of Corrections provided state leaders, lawmakers, and citizens from across the state the opportunity to come together for the purpose of identifying solutions related to the incarceration of women in Oklahoma. He appreciated Mr. Logan and Ms. Neal's attendance.
- The Victim Impact of Crimes course has started at OKCCC through the Second Chance Act Grant. A total of 12 participants will initially have the opportunity to participate in this class. The Victim Impact of Crime curriculum consists of 13 units, each requiring approximately 2.5 hours for completion. This program helps offenders learn about the impact of crime on victims. Offenders have the opportunity to learn information and skills that will benefit them. During this program offenders will participate in activities, watch videos and hear victims speak. At the conclusion offenders will participate on a panel that discusses awareness the program has provided for them.
- The first victim newsletter can be read from the DOC Website, Treatment and Rehabilitative Services webpage under Victim Services. This newsletter is an electronic publication edited and compiled by the Executive Communication staff and can be accessed by hundreds of readers who may not otherwise be aware that it is available to the public. This newsletter has been circulated to the District Attorney' Council, and the Attorney General's office as well as other allied professionals.
- Our annual TB testing was completed this month with results due to Central Office Medical Services by May 14, 2010.

Mr. Rainey asked about slide 21 and if he was interpreting the graph correctly if this is what would happen if we go as far as the 12.5. Director responded that each one of the lines trailing off at the end, each line represents the different level of cut scenarios we were asked to present. It was distributed to House and Senate subcommittees on April 26. How much if any distribution beyond the subcommittees did it get? The committee chairs report to the leadership on the House and Senate. We were one of a handful of agencies asked to present to help them get a good picture of the impact on public service and public safety. He is unsure if it went viral or who got copies.

5. BUDGET UPDATE

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

The packet contains the expenditure trending analysis as of the end of April 2010. The agency is trending a deficit of \$5.3M for this fiscal year, which is roughly \$200,000 less than in March. DOC is showing a surplus of \$3.7M in payroll. Contract beds are running a deficit of \$6.3M, while Medical is showing a deficit of \$2.7M.

6. POPULATION REPORT

Chief of Operational Services Ken Klingler provided the Population update as of May 3, 2010. Total System Inmate Population = 25,895; Total Incarcerated Population = 24,868; DOC Facility Population = 18,281; Private Prison Population = 4,723; Total System Population = 54,107; County Jails with Contracts = 504; County Jail Backup = 1,515; Halfway House Population = 1,360; Probation = 24,611; and Parole = 3,601.

7. LEGISLATIVE UPDATE

Neville Massie provided the following legislative update.

- The legislative committee held a conference call on May 13, 2010, and in the board packets is a copy of the bills we are monitoring.
- House and Senate leadership are still conducting budget negotiations with the Governor and no information on current status has been released. Earlier this week there was discussion of possibly working this Friday but those plans were cancelled. They are planning to be in session next Friday.
- All of our initiatives have been placed in a single bill HB 3379 which is in conference. Also we added GPS language to that bill. HB 2298 Representative Steele's bill on reentry and diversion with Kaiser Foundation funding is in conference as is SB 2070 dealing with felony records and occupational licenses.
- The Governor has signed HB 2746 which no longer requires all individuals convicted of drug offenses to lose their driver's license even if the crime did not involve a motor vehicle. It becomes effective November 1, 2010. The Governor has also signed HB 2363, the Voluntary Buy Out bill which provides for reimbursement of some related expenses (Longevity, \$5,000 bonus and 18 months of insurance) from a fund established in the Office of State Finance. We have already submitted 118 retirements to OSF for reimbursement.
- I had previously advised the legislative committee that SB 1597, the bill that would have limited the terms of state boards failed a deadline since my last report.
- HB 2266 involves drugs used in execution protocol. We've had discussions with the AG's office for an opportunity to get language in a bill carried by Representative Christian. Our General Counsel provided language which is in the bill. It is in conference now.

- The remaining two weeks of session will be hectic as conference committee substitutes are completed and budget bills move through the process.

Mr. Henneke asked what our odds were on our initiatives. Neville said the Representative Terrill is carrying the bill. Some of the language had been in a previous bill that Representative Christian was carrying. They collapsed both those bills into one with the intent of keeping Representative Christian's as the back up. It is difficult to predict.

8. APPROVAL OF BOARD POLICIES

- **P-060100, Classification and Case Management of Offenders**
- **P-140100, Offender Medical, Mental Health and Dental Care**

Director Jones advised the above listed Board policies were up for annual review due to American Correctional Association Accreditation requirements. The policies were reviewed during a conference call with the Board's Executive Committee. One sentence was added in section B that said daily medical appointments for offenders would be performed by qualified health care professionals. There were no substantive changes and director recommended both policies be approved.

Chairman Ware sought a motion to approve P-060100 and P-140100. Mr. Rainey made the motion with a second by Mr. Henneke. Results of roll call: Mr. Henneke, yes; Mr. Logan, yes; Mr. McBee, yes; Ms. Neal, yes; Mr. Rainey, yes; and Mr. Ware, yes.

9. PROGRAM UPDATES

- **100 Re-entry Program - CWCCC**

Faye Tucker, Transition Coordinator, provided an update on Clara Waters' 100 Reentry Program.

This is a 30 day voluntary program is provided to offenders at CWCCC 30-60 days prior to being eligible for WR to gain the tools that will substantially increase their success once they reenter the community. They partner with the community to give the offenders life skills and the opportunity to intermingle with people before they go back into the community. The program began at CWCCC May 1, 2009 so they only have one year's worth of data. So far at CWCCC and OKCCCC they have enrolled 45. Thirty five offenders have actually gone through the program; and before they completed 2 of them received misconducts. Of the 33 remaining; 15 discharged, 6 paroled, 2 are on GPS, 3 went to higher security and 7 went at halfway houses. Employers which include Skirvin Hotel, Subway, Guarantee Laundry and Java Daves have agreed to help get the offenders employed. Their ultimate goal is to reduce recidivism. The handout lists all the skills the offenders are being provided with. The program does not cost much because we are using community partners. The Education and Employment Ministry (TEEM) has agreed to use their program manual to introduce to the offenders CWCCC provides them. At TEEM, persons in the program also intermingle with people in the community to get an opportunity to see what's like to be an offender as well as the offender's see that it's difficult to reentry back into the community unless they have the tools needed. According to the data collected so far the program is showing to be successful.

Mr. Henneke asked where these programs are located. Anita Alford started the program in the Southwest District, but the program is statewide. In the Oklahoma City area, OKCCCC and CWCCC offer the program. He asked about the people listed who appear to be responsible for classes and are they employees. Ms. Tucker said they use volunteers and their professional position to match them up with the classes being given to the offenders. Most of them are volunteers, but a few are employees. Linda Jackson, DOC Victim Coordinator, will teach the victim workshop because they want the offenders to understand the hurt and pain suffered by the victims. TEEM has them for a whole week to teach communications, interpersonal skills, etc., and Career Tech provides job options, resumes, and interviewing techniques.

Offenders chosen have to meet LSI score criteria and are chosen by case managers. However, word gets around so know offenders are asking to be in the program.

Ms. Neal asked how long the program had been in operation. The programs at CWCCC and OKCCC began May 1, 2009.

Reggie Hines reported this program was available in each district and that the goal is to have one at every community corrections center and work center in the next year or so. February 2008 was the 1st of this program to be implemented. The program doesn't cost much because they use volunteers to teach most of the classes. It program is modeled after a program in Louisiana and Florida. We have programs in 6 different locations now.

Mr. Logan asked if there was a program for women. Mr. Hines said they didn't have one at any of the female facilities but it could be offered if the Female Offender Management Unit wanted the model.

Ged Wright asked how many offenders had been through the program. Mr. Hines did not have that information with him so he didn't have an exact number but he knew it was more than 100. Mr. Wright asked why so few are in the program. Mr. Hines responded that it was because we are working with volunteers so we have to work on their schedules and how many they can get into a class at a time, but we also look at if an offender is eligible to go into work release upon completion of the program.

Director asked for an explanation of TEEM for those who don't know. Ms. Tucker explained it was The Education and Employment Ministry which is located in Oklahoma City. They do job readiness and employment development as well as job placement.

Mr. Wright said that reintegration in Tulsa is big for women. Why not have a program for the women in Oklahoma City? Director said the female offenders are working on gender specific programming. They do a lot of what this program offers only under different names and different formats.

Anita Alford gave some background on the first program implemented at Frederick CWC in February 2008. They have 198 graduates. The concept behind it was sustainable employability so they contracted with local companies in the area to hire offenders upon completion of the program. As of the end of this month, Avalon in Tulsa, Carver and Oklahoma Halfway Houses will start this same program.

Mr. Wright asked about recidivism data. Mr. Hines reported they are required every year to do an annual report to the director. Every month they collect data and turn it in to Dr. Connelly. This data will be included in the annual report. Director said we combine the recidivism data on all the programs and submit it to the Bureau of Justice to get our certified recidivism rates.

Mr. Rainey asked if we had any measurable validation of viability of these programs post 08 and 09. Ms. Alford reported that no offenders completing the program have returned to the system and there were no misconducts for those in the program during the first year. She projects they will meet their 15% reduction for recidivism rates. That is their goal.

Mr. Wright asked about misconducts at CWCCC. Ms. Tucker explained those misconducts were issued before the offenders got into the program.

10. COMMITTEE REPORTS

The following committee reports were provided.

- Budget – Chair David Henneke and Member Robert Rainey (**No report**).
- Female Offender – Chair Ted Logan and Member Linda Neal (**No report**).
- Legislative – Chair David Henneke, Members Robert Rainey and Matthew McBee (**No report**).
- Population/Private Prisons – Chair Matthew McBee and Member Linda Neal (**Mr. McBee noted that an editorial in the Daily Oklahoman suggests that private prisons are the answer to the department’s problems. Private prisons are a reality in Oklahoma and the DOC has to have private prison beds because there are not enough state run facility beds to meet the demand. However, there is also not the appropriated dollars necessary for private prison beds to meet the current inmate bed shortage. Private prison beds only help if appropriated dollars are allocated. Even if we had the money for private prison beds, it still does not address the underling problem, which is the need for criminal justice reform measures. Without some of the measures the board proposed earlier in the session there will not be any meaningful inmate growth reduction in Oklahoma. Putting inmates in private prisons will only cost the state more money**).

Mr. Henneke suggested we review our emergency plans and make sure that OHP, the national guard, and other agencies that we rely upon are met with so that we are prepared. With summer approaching, some cells will be 115 degrees which isn’t an ideal situation. If we can’t get relief at the capitol we need to be prepared for whatever emergencies exist to help protect or save lives. Director indicated that all Executive Staff continuously review emergency plans. Facilities are required to participate in table top exercises and emergency drills. Our relationships with Emergency Management, National Guard and others are part of our MOU. Our emergency management staff are fine tuned.

- Public Affairs/State Boards Interface – Chair Robert Rainey, Members Linda Neal and Matthew McBee (**No report**).
- Executive – Chair Earnest Ware, Members Ted Logan and David Henneke (**Mr. Ware reported the committee met and minutes are contained in the BOC packets**).

11. 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

- ## 12. A. CONSIDERATION OF MOTION TO ADJOURN TO EXECUTIVE SESSION PURSUANT TO “TITLE 25, 307.B” FOR THE FOLLOWING REASONS:
- 1) Confidential communications between a public body and its attorney concerning pending investigation(s) 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

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

Chairman Ware called for a motion to adjourn to Executive Session. Mr. Henneke made the motion with a second by Mr. Rainey. Results of roll call: Mr. Henneke, yes; Mr. Logan, yes; Mr. McBee, yes; Ms. Neal, yes; Mr. Rainey, yes; and Mr. Ware, yes. The Board entered Executive Session at 1:49 p.m.

The Board returned from Executive Session at 2:30 p.m. Chairman Ware called for a motion to return from Executive Session. Mr. Logan made the motion with a second by Mr. Henneke. Results of roll call: Mr. Henneke, yes; Mr. Logan, yes; Mr. McBee, yes; Ms. Neal, yes; Mr. Rainey, yes; and Mr. Ware, yes.

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

13. ANNOUNCEMENTS

None

14. ADJOURNMENT

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

Meeting adjourned at 2:31 pm.

I hereby certify that these minutes were duly approved by the Board on this 18th day of June, 2010, in which a quorum was present and voting.

Approved by:

Secretary of the Board

Date: June 18, 2010

Submitted by: _____
Minutes Clerk