

## OKLAHOMA BOARD OF CORRECTIONS MEETING

Joseph Harp Correctional Center  
16161 Moffat Road  
Lexington, Oklahoma

### 1. Opening and Roll Call

Linda Neal, Vice Chair

Chair McBee was absent for the meeting, so Vice Chair Neal called the regular meeting of the Oklahoma Board of Corrections (BOC) to order at 1:01 p.m. at Joseph Harp Correctional Center (JHCC) on Thursday, January 17, 2013. Vice Chair Neal asked the clerk to call the roll:

Steve Burrage, Member	Present	Michael Roach, Member	Present
Kevin Gross, Member	Present	Earnest Ware, Member	Present
Matthew McBee, Chair	Absent	Gerald Wright, Secretary	Present
Linda Neal, Vice Chair	Present		

A quorum was present and the meeting continued. Vice Chair Neal welcomed everyone and thanked them for their attendance at the meeting.

### 2. Welcome/Remarks

Mike Addison, Warden

Joseph Harp Correctional Center

Vice Chair Neal recognized and opened the floor to Warden Addison. Warden Addison welcomed the Board, Director Jones and other guests to the facility. He stated the meeting was a chance for staff to display their hard work in maintaining the facility and he appreciated the opportunity. Vice Chair Neal thanked Warden Addison for the tour of JHCC and stated it was very informative. She encouraged everyone in attendance to tour and commended the facility staff on their caliber of maintenance. No other comments were made and the item was closed.

### 3. Old Business

Linda Neal, Vice Chair

Vice Chair Neal opened the floor for discussion of old business, but nothing was brought forward at this time. Vice Chair Neal then recognized Representative Bobby Cleveland, District 22, and also Cody Inman, Governor Fallin's office, and welcomed them to the meeting. Vice Chair Neal also recognized Brian Costello, President, and Chris Villalobos, Vice President, from Avalon Correctional Services, Inc., who were also present at the meeting.

### 4. Approval of November 30, 2012, Board Meeting Minutes

Linda Neal, Vice Chair

Vice Chair Neal opened the floor for approval of the minutes from the November 30, 2012, meeting of the Oklahoma Board of Corrections. No comments or questions were raised by the Board regarding the minutes.

**Motion:** Mr. Burrage made a motion to approve the meeting minutes. Mr. Gross seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. McBee – absent; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes; Mr. Wright – yes.

The meeting minutes were approved; no other comments or questions were made and the item was closed.

### 5. Director's Comments

Justin Jones, Director

Vice Chair Neal opened the floor to Director Jones for his comments. Director Jones first commended the staff at JHCC for the tour and thanked them for their hard work, with special compliments paid to the maintenance staff and their area. Director Jones then provided the following information to the Board:

- On November 1, 2012, Bill Johnson Correctional Center opened and received the first offenders on Unit 4, which was a building previously occupied by CareerTech.
- The Jackie Brannon Correctional Center canine tracking team and additional officers provided assistance to the McAlester Police Department in tracking a robbery suspect from a local convenience store; a second request for canine tracking team assistance was provided to Hughes County in the apprehension of a fleeing suspect.

- For the first time, a pecan crop has been harvested from the pecan trees at Howard McLeod Correctional Center. Crews harvested approximately 30,000 pounds of pecans, which will be sold on the outside market.
- Agri-Services will be utilizing a greenhouse at Northeast Oklahoma Correctional Center to facilitate herb production for facilities; the OSU Food and Ag Production Center has assisted in converting a discarded cooler into a dehydrator to dry the herbs.
- Sales of license plates in FY 2013 to date (six months) of State and Indian Nation license plates are currently ahead of FY 2012 sales by slightly more than 29%. The operation is currently over \$1.4 million. In addition, four new license plates are approved and ready for production. Two are for the Muskogee Creek Nation - the Veteran Seal and the Purple Heart plates - and the other two are for the Oklahoma Tax Commission - the new "DON'T TREAD ON ME" and the "OLYMPIC" plate.
- Oklahoma State Penitentiary changes continue with the architects and engineering of the new administration building starting. The security fencing is coming out for bid in the near future. The stun fence remains in the planning stages with final preparation in the near future. Infrastructure planning is at the final planning stage and, if approved, bid processes will begin on this work in the upcoming weeks.
- The lock replacement process has started at Lexington Assessment and Reception Center, mirroring the process at Dick Conner Correctional Center, and the first site meeting was held with the architects and engineers.
- Mabel Bassett Correctional Center refinancing of bond issue goes to market on January 10, 2013, and closing will be January 30, 2013. This was previously approved by the Board.
- Work began on the education building at Bill Johnson Correctional Center to convert the old chapel into another classroom. A new teacher was hired to begin in December and one new part-time teacher began teaching evening instruction.
- Since the BOC meeting in November 2012, there has been 141 offenders graduate with GEDs and 11 offenders graduated with associate degrees.
- 176 male and 182 female offenders completed an HIV peer intervention class designed to prevent HIV and other STD's in November and in December 100 male and 114 female offenders completed the program. 100 male and 60 female offenders completed chronic care management during November, and 31 male and 2 female offenders completed in December.
- 24 female offenders completed the one month Helping Women Recover in November. 20 female offenders completed Early Childhood Development and Parenting and 34 completed Woman to Woman.
- Applications were submitted for a series of Office of Women's Health grants, and received approximately \$407,000 in grants and contracts for CY 2013.
- There were a total of seven (7) suicide completions in CY2012; three (3) at private facilities and four (4) at state facilities. Two (2) alleged suicide are still pending the Medical Examiner's report, both from private facilities.
- The department is working on a veteran specific reentry program with Major General (retired) Rita Aragon, Oklahoma State Secretary of Veteran and Military Affairs. The program, 'Battle Buddy' Reentry, is to assist incarcerated veterans upon being released or paroled from the Department of Corrections. A core group of veteran volunteers (all badged ODOC Volunteers) will be scheduling visits to ODOC facilities (including private prisons) to meet with soon to be released veteran offenders. Secretary Aragon is currently recruiting community-based volunteers who will work with veteran offenders post-release.
- In December, a historical interagency agreement was finalized between ODOC and the Department of Rehabilitative Services, Disability Determination Division (DRS-DDD). For the first time, this agreement allows credentialed DRS-DDD staff to access ODOC electronic health records for the sole purpose of Social Security benefit determination. This, in turn, will streamline a process with an already high approval rate and will decrease the timeframe for approving reentry disability benefits for severely mentally ill offenders.
- On December 10, Dr. Don Suttmiller, ODOC's Chief Medical Officer, met with executive staff at Morton Clinic in Tulsa, to discuss renewal of the agreement between Morton and ODOC, through which Morton provides primary care for Tulsa Halfway House offenders.
- Enid Community Corrections Center participated and provided 20 wishes for DHS foster children, which provided two gifts each for 10 different children in the Garfield County area.

- On December 19, 2012, a groundbreaking ceremony was held in Waurika at the site where the new Waurika Community Work Center is being constructed.
- The Internal Affairs Fugitive Apprehension Unit assisted the United States Marshal's Violent Crime Task Force with 80 arrests during CY 2012.
- There was an execution on December 4, 2012, and the next one will be in March 2013.
- Jeffery McCoy's family accepted a plea bargain of Life Without Parole for the defendant who assassinated Probation and Parole Officer Jeffery McCoy in May 2012.

Director Jones closed his comments and Vice Chair Neal opened the floor for questions or comments. No further comments were made and the item was closed.

**6. Budget Report**

**Greg Sawyer, Chief  
Departmental Services**

Vice Chair Neal opened the floor to Mr. Sawyer for the ODOC Budget Report as of December 31, 2012. Mr. Sawyer provided the following information:

- Expenditure Summary – Based on six months of expenditure data, an estimated deficit of \$13.1 million exists for fiscal year 2013. This deficit is \$1.4 million larger than the deficit reported the previous month. The report does not take into account changes in staffing or offender population that may occur through the course of the fiscal year.
- Payroll – The overall funded payroll is 68.9%; this totals 4,059.1 out of 5,894.6 authorized FTE. At the end of December, 3,960.0 positions were filled for a rate of 67.2% with 99.1 FTE under the funded rate. A surplus of \$605,346 currently exists.
- Contract Beds – Expenditure trends are based on current offender levels as of the end of December. A \$7.6 million deficit exists at this time. Any offender growth during the course of the fiscal year that would require additional contract bed space will increase this deficit.
- Medical and Mental Health Services – Medical and mental health expenditure trends for December reflect a deficit of \$6.1 million exists should current expenditure trends continue.

Mr. Sawyer then opened the floor for questions or comments. No further questions or comments were noted and the item was closed.

**7. Adoption of Average Daily Rate Per Inmate**

**Greg Sawyer, Chief  
Departmental Services**

Vice Chair Neal opened the floor to Mr. Sawyer who stated this item is per statutory requirement in accordance with Title 57 § 561.1 ¶E., which states:

"At the beginning of each fiscal year, the Department of Corrections shall determine the budgeted average daily cost per inmate. There shall be a separate computation of budgeted average daily cost for maximum security, medium security, minimum security, and community facilities. This information shall be presented to the State Board of Corrections for informational purposes only. After the close of each fiscal year, the Department shall determine the actual average daily cost per inmate for the operational costs at each major category of correctional facility. There shall be a separate computation of the average daily rate for maximum security, medium security, minimum security, and community facilities. The Department shall present to the Board of Corrections at its January meeting comparative data on budgeted daily cost versus actual daily cost, and, after appropriate review and analysis, the Board shall adopt as a final action of the Board an average daily cost per inmate by facility category for the immediately preceding fiscal year."

Mr. Sawyer stated the information required by statute is provided as follows:

Public Only			
Facility Type	FY 2012 Budgeted	FY 2012 Actual	FY 2013 Budgeted
Maximum Security	\$68.47	\$78.50	\$68.93

Medium Security – Male	\$40.64	<b>\$39.33</b>	\$40.60
Medium Security – Female	\$36.67	<b>\$36.50</b>	\$36.95
Medium Security – Combined Average	\$40.07	<b>\$38.94</b>	\$40.07
Minimum Security – Male	\$38.11	<b>\$37.47</b>	\$37.82
Minimum Security – Female	\$34.61	<b>\$36.76</b>	\$34.74
Minimum Security – Combined Average	\$37.71	<b>\$37.39</b>	\$37.47
Community Correction Centers – Average	\$34.22	<b>\$40.07</b>	\$33.87
Community Work Centers – Average	\$30.34	<b>\$35.55</b>	\$30.66

Director Jones stated the Budget Committee held a meeting to discuss how the amounts are calculated. Mr. Burrage stated he recommended the Board approve the FY 2012 actual average daily cost per inmate. Mr. Gross queried the differences between costs for female and male offenders. Mr. Sawyer responded ODOC has more male facilities than female facilities; therefore costs associated with the number of male offenders will generally be higher due to higher staff costs, maintenance costs, etc. Mr. Gross then queried if the amounts included capital costs and depreciation. Mr. Sawyer responded these amounts do not include those figures and only reflects what it costs ODOC to operate a facility. Mr. Gross then asked if the amounts incorporated all operating costs to which Mr. Sawyer replied there are detailed documents, used for internal purposes, which include every dollar spent. Mr. Burrage stated the documents include full blown allocations under general cost accounting standards acceptable in the industry.

Mr. Wright queried why the FY 2013 budget would not include the FY 2012 actual costs for maximum security and community corrections. Mr. Sawyer stated the FY 2013 budget request was prepared in July 2012, but the actual numbers from FY 2012 were not available until November 2012. Mr. Sawyer stated a comparison review of each actual average daily rate from years past would show the budgeted and actual amounts are much closer. Mr. Wright stated a \$10 difference is significant to which Mr. Sawyer replied when FY 2013 is completed, the actual budgeted amount will be closer to the budgeted amount. Mr. Sawyer further stated the numbers are truly affected by the timing of the submission of the budget request and when the final, actual numbers are available from the previous fiscal year. Mr. Wright asked if a change, amendment or supplemental can be submitted. Mr. Sawyer stated ODOC can request a supplemental, if the Board chooses to do so, but at this point in time, ODOC must compute the daily rates as instructed by statute.

Director Jones added the costs of maximum security will be affected by the downsizing of Oklahoma State Penitentiary, since offenders will be moved to lower security, which has lower rates.

**Motion:** Mr. Burrage made a motion to approve the average daily rate per inmate. Mr. Gross seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. McBee – absent; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes; Mr. Wright – yes.

The average daily rate per inmate was approved; no other comments or questions were made and the item was closed.

## 8. Population Update

**Laura Pitman, Ph.D., Deputy Director  
Institutions, Division I**

Vice Chair Neal opened the floor to Dr. Pitman for the ODOC Population Update as of December 31, 2012. Dr. Pitman provided the following information:

Total System Offender Population = 26,252	EMP = 9
DOC Facilities = 17,917	PPCS = 1
Private Prisons = 5,139	Probation Supervision = 20,974
County Jails with Contracts = 631	Parole Supervision Offenders = 3,041
Halfway Houses = 1,187	Total System Population = 50,267
Out Count (jails, hospitals, etc.) = 664	County Jail Backup = 1,618
GPS = 704	

Dr. Pitman stated the total growth from last year has been 880 offenders and the majority of the growth has been in private prison and county jail contract beds. Dr. Pitman then opened the floor for questions or comments. Vice Chair Neal stated the Population/Private Prisons Committee met earlier in the day to discuss the information provided. No further questions or comments were made and the item was closed.

**9. Approval of Facility Capacity Modification**

**Laura Pitman, Ph.D., Deputy Director  
Institutions, Division I**

- *Hillside Community Corrections Center*

Vice Chair Neal opened the floor to Dr. Pitman for approval of the offender general population capacity modification at Hillside Community Corrections Center. Dr. Pitman stated when Mabel Bassett Correctional Center (MBCC) occupied the grounds the facility had a mental health unit as well as a medical unit, which were single-cell units. Since Hillside does not have a need for either of these types of units, the cells have been converted back to two-person cells, allowing for an increase in facility capacity from 249 to 269, a growth of 11 beds. Dr. Pitman requested the Board approve the increase at the facility.

**Motion:** Mr. Roach motioned to approve the facility capacity modification. Mr. Burrage seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. McBee – absent; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes; Mr. Wright – yes.

The capacity modification was approved; no further comments or questions were made and the item closed.

**10. Approval/Confirmation of Appointment**

**Renee Watkins, Deputy Director  
Institutions, Division II**

- *William Monday, Warden, William S. Key Correctional Center*
- *Kameron Harvanek, Warden, John Lilley Correctional Center*

Vice Chair Neal opened the floor to Deputy Director Watkins for introduction of Mr. William Monday. Deputy Director Watkins provided the career progression of Mr. Monday within ODOC. She stated she feels he is ready for the next step in his career as Warden of William S. Key Correctional Center (WSKCC) and asked for the Board's approval and confirmation of his appointment.

**Motion:** Mr. Wright made a motion to approve the appointment of William Monday as Warden. Mr. Ware seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. McBee – absent; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes; Mr. Wright – yes.

The floor was opened to Warden Monday for comments after Vice Chair Neal introduced his wife, Robin Monday, present in the audience. Warden Monday thanked the Board and Director Jones for the opportunity to serve as Warden of WSKCC and stated he will work hard to make it the strongest facility he possibly can. He also thanked his family for their support.

Deputy Director Watkins then introduced Mr. Kameron Harvanek. She provided his career progression within ODOC and recommended his approval and confirmation as Warden at John Lilley Correctional Center.

**Motion:** Mr. Burrage made a motion to approve the appointment of Kameron Harvanek as Warden. Mr. Ware seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. McBee – absent; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes; Mr. Wright – yes.

The floor was opened to Warden Harvanek for comments. Warden Harvanek thanked the Board and Director Jones for allowing him the opportunity to lead John Lilley Correctional Center (JLCC). He stated JLCC is a very nice facility and they will continue to make it a positive environment. He thanked his family, who were unable to attend, for their support while he pursued his career choices.

No other comments were made and the item was closed.

**11. Program Update**

**Ricky Whisenhunt, Psychological Clinician  
JHCC SAT Program Director**

- *Substance Abuse Treatment Program (SAT)*

Vice Chair Neal opened the floor to Mr. Whisenhunt. Mr. Whisenhunt thanked the Board for allowing him to speak about the Substance Abuse Treatment Program at JHCC. He stated the program had been active for four months and it is a residential substance abuse program which emphasizes the importance of pro-social behaviors. The cognitive behavioral approach of the program comes from the second edition of Criminal Conduct and Substance Abuse Treatment Workbook: Strategies for Self-Improvement and Change written by Wanberg and Milkman. The program has modules and sessions directed towards completion in three phases. The phase topics of the fifty sessions are challenges to change, commitment to change, and taking ownership of change.

Mr. Whisenhunt said the program began in October 2012 with three groups currently meeting three days a week for three-hour sessions. Along with the workbook, each participant meets with staff weekly to discuss treatment plans, receive assistance with homework, and after-care plans. Criteria for admission into the program are based on the LSI scores, the offender's sentence, and days remaining to serve. Qualifications for the program are moderate-to-high on the LSI score, adjudicated for substance abuse treatment and pro-social education, balance suspended upon completion of program or parole stipulation, and 2,500 days remaining. For the offenders who work hard, completion of the objectives and goals can be accomplished in six months and earns the participant a graduation certificate and either release from incarceration to home or transitional housing.

Vice Chair Neal queried the current number of participants. Mr. Whisenhunt stated there are three groups with each group having ten men enrolled in the program. Vice Chair Neal asked if there had been any feedback at this point, since the program had only been active for four months. Mr. Whisenhunt stated there have been a few participants removed from the program due to positive urinalysis tests and feedback indicates offenders understand the seriousness of the program requirements. Vice Chair Neal requested and Mr. Whisenhunt verified the participants are close to discharge. Vice Chair Neal then asked if the participants were housed with other non-participants. Mr. Whisenhunt stated the participants are housed together on one pod within a unit. Director Jones queried the number of participants who were court-ordered to substance abuse treatment with the balance of their sentence suspended upon completion. Mr. Whisenhunt stated he did not have the exact amount, but it was a large percentage of participants. Director Jones also clarified the JHCC SAT program is the only medium-security SAT program in the system at this time.

Vice Chair Neal wished Mr. Whisenhunt luck with the program and thanked him for the information provided. No further comments or questions were made and the item was closed.

## 12. Committee Reports

Committee Chairs

Vice Chair Neal then opened the floor for comments from the Committee Chairs.

- **Budget – Chair Gerald Wright, Members Steve Burrage and Matthew McBee**  
Mr. Wright stated there was nothing new to report.
- **Female Offender – Chair Linda Neal, Members Michael Roach and Earnest Ware**  
Ms. Neal stated she had nothing new from the committee.
- **Public Policy/Affairs – Chair Gerald Wright, Members Kevin Gross and Earnest Ware**  
Mr. Wright stated there will be a committee meeting in February before the Board meeting.
- **Population/Private Prisons – Chair Linda Neal, Members Steve Burrage and Michael Roach**  
Ms. Neal stated there was nothing new to report.
- **Executive – Chair Matthew McBee, Members Linda Neal and Gerald Wright**  
Vice Chair Neal stated the committee meeting was held without Chair McBee, but he should be back to chair the next committee and Board meeting in February.

## 13. New Business (*Any matter not known about or which could not have been reasonably foreseen prior to the time of posting.* 25 O.S. § 311)

Linda Neal, Vice Chair

Vice Chair Neal opened the floor for any new business. No other new business was brought before the Board and the item closed.

## 14. Announcements

Linda Neal, Vice Chair

Vice Chair Neal opened the floor for announcements, but nothing was brought before the Board and the item closed.

## 15. A. Consideration of Motion to Adjourn to Executive Session

Mike Oakley, General Counsel

Pursuant to "Title 25, 307.B" for the following reasons:

4. *"Confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation or proceeding in the public interest."* [Offender Death]

## 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**

Vice Chair Neal opened the floor to Mr. Gary Elliott, representing Mr. Oakley, who recommended adjournment to Executive Session to discuss confidential information on offender deaths.

**Motion:** Mr. Gross made a motion to adjourn to Executive Session. Mr. Ware seconded the motion. The results of the roll call were as follows: Mr. Burrage – yes; Mr. Gross – yes; Mr. McBee – absent; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes; Mr. Wright – yes.

All were in approval and Vice Chair Neal adjourned to Executive Session at 1:38 p.m. At 2:40 p.m., the Board returned to the meeting room and Mr. Elliott advised a motion to return from Executive Session was needed.

**Motion:** Mr. Ware made a motion to return from Executive Session. Mr. Wright seconded the motion. The results of the roll call were as follows: Mr. Burrage – yes; Mr. Gross – yes; Mr. McBee – absent; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes; Mr. Wright – yes.

There was nothing to vote on from Executive Session and no other comments or questions were made so the item was closed.

**16. Adjournment**

**Linda Neal, Vice Chair**

There being no further business to come before the meeting, Vice Chair Neal requested a motion to adjourn the meeting.

**Motion:** Mr. Ware made a motion to adjourn the meeting. Mr. Wright seconded the motion. The results of the roll call were as follows: Mr. Burrage – yes; Mr. Gross – yes; Mr. McBee – absent; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes; Mr. Wright – yes.

The meeting was adjourned at 2:41 p.m.

I hereby certify that these minutes were duly approved by the Board on the 28<sup>th</sup> day of February, 2013, in which a quorum was present and voting.

Approved by:

  
\_\_\_\_\_  
Gerald W. Wright, Secretary of the Board

February 28, 2013  
\_\_\_\_\_

Submitted by:

  
\_\_\_\_\_  
Kimberley Owen, Minutes Clerk

*The next regular meeting of the Board of Corrections is scheduled for  
1:00 p.m. on February 28, 2013, at Central District Community Corrections, in Oklahoma City, OK.*