

**OKLAHOMA BOARD OF CORRECTIONS
SPECIAL MEETING**

Oklahoma Department of Corrections
Administration
3400 N Martin Luther King Ave
Oklahoma City, Oklahoma
January 17, 2014

1. Roll Call

Kevin Gross, Chair

Chair Gross called the regular meeting of the Oklahoma Board of Corrections (BOC) to order at 10:00 a.m. at the Oklahoma Department of Corrections Administration on Friday, January 17, 2014. Chair Gross asked the clerk to call the roll:

Steve Burrage, Secretary	Present	Linda Neal, Member	Present
Kevin Gross, Chair	Present	Michael Roach, Vice Chair	Present
Gene Haynes, Member	Present	Earnest Ware, Member	Present
Frazier Henke, Member	Absent		

Calling of the roll reflected a quorum was present. Chair Gross then opened the floor for comments by Representative Gus Blackwell.

Representative Blackwell thanked Chair Gross for allowing him to comment before leaving the meeting for a prior commitment. He stated the Board had received correspondence from him addressing the utilization of halfway houses and his belief ODOC was not following the intent of the law. Representative Blackwell stated Title 57, Section 521.C instructs ODOC to place offenders close to release in a halfway house and ODOC has not abided by this directive, choosing instead to follow administrative policy and procedure. He then urged the Board to reconsider depopulating Avalon Tulsa Halfway House, referring to recent serious incidents which have occurred at state facilities Mabel Bassett Correctional Center and Oklahoma State Reformatory. Representative Blackwell stated these facilities are not being closed down and he asked the Board to reconsider another way to address the issues at Avalon Tulsa Halfway House. He provided his telephone number to the Board and advised he was available for communication about the issues. Representative Blackwell then thanked Chair Gross again for allowing him to speak and for the members' work on the Board.

No further comments were made and the item was closed.

2. Approval to Adjourn for Executive Session

Mike Oakley, General Counsel

- Investigation of Avalon Tulsa Halfway House
- Discussion to select the Director of Corrections
- Discussion of the Director of Corrections' salary

Mr. Oakley advised the Board of the need to adjourn to Executive Session for discussion of the investigation regarding incidents at Avalon Tulsa Halfway House as well as to discuss and select the Director of Corrections and negotiate his salary.

Motion: Mr. Roach made a motion to adjourn for Executive Session and Mr. Burrage seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. Haynes – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes.

The adjournment was approved by majority vote and the Board adjourned at 10:05 a.m. to Executive Session.

3. Approval to Return from Executive Session

Mike Oakley, General Counsel

The Board returned to the meeting room at 12:16 p.m. Mr. Oakley advised the Board of the approval needed to

return from Executive Session.

Motion: Mr. Burrage made a motion to return from Executive Session and Mr. Ware seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. Haynes – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes.

The return was approved by majority vote and the Board resumed the meeting at 12:18 p.m.

4. If Appropriate, Approval of Director of Corrections and Salary

Kevin Gross, Chair

Chair Gross asked for a motion of approval for the Director of Corrections.

Motion: Mr. Roach made a motion to approve the selection of Robert Patton as Director of Corrections and to set the salary at \$160,000 per year; Mr. Ware seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. Haynes – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes.

The selection of Mr. Robert Patton and setting of his salary were approved by majority vote. Chair Gross congratulated Mr. Patton who thanked the Board for their approval. Chair Gross noted Mr. Patton joins ODOC from Arizona where he is the Division Director of Operations for the Department of Corrections. Chair Gross stated the Board looks forward to his successful and long-lasting term as Director.

5. Public Comments From Avalon Tulsa Halfway House

Kevin Gross, Chair

Chair Gross stated the Board would entertain comments from the administration of Avalon Correctional Services. Mr. Brian Costello, president of Avalon Correctional Services, greeted the Board and thanked them for allowing him to provide comments at the meeting. He stated he was notified by ODOC on Tuesday, January 14, 2014, of the immediate depopulation of Avalon Tulsa Halfway House due to concerns about offender safety and loss of confidence in the facility's administration. He stated the action was shocking to their administration and the decision to depopulate was based on the preliminary findings from an investigation by ODOC Internal Affairs; however, Avalon Correctional Services administration had not yet been made aware of those preliminary findings.

Mr. Costello stated their agency takes offender safety very seriously and they have never overlooked concerns or allegations when brought to their attention. He stated it goes to the core of their mission which they have been performing for the past 28 years in Oklahoma. Mr. Costello stated the video released to the media is the same incident reported in November and it is believed to have occurred on August 24, 2013. The fight was not reported to Avalon administration by staff or residents at that time, but as soon as information about the fight was received in November 2013, an internal investigation was conducted to ensure the safety of the offenders and the staff. Mr. Costello stated no credible evidence was found to indicate the incident was supported or instigated by staff and it was not considered an on-going concern. In November 2013, Avalon administration took immediate steps to increase security monitor presence in the dorm areas of the facility and conducted additional training for staff on ways to handle a situation such as this one which may occur in the future.

Mr. Costello stated Avalon Correctional Services would like to offer a proposal in response to the concerns outlined in the correspondence from Mr. Reginald Hines. He stated the proposal would address the primary and immediate concerns of ODOC and prevent the depopulation and eventual closure of the Avalon Tulsa Halfway House. Two of the primary concerns, lack of confidence in the facility's administration and offender safety, would first be addressed by removal of the facility administrator. The administrator would be replaced by the vice-president of Operations, Mr. Chris Villalobos, until a suitable replacement could be identified. Secondly, Avalon Correctional Services would offer to post and pay a full-time, around-the-clock ODOC monitor in the facility to ensure offender safety and compliance until all investigations are complete and reports are reviewed by ODOC, Avalon Correctional Services and the Board.

Mr. Costello stated after the conclusion of the investigations and review of the reports, Avalon Correctional Services proposes to work with ODOC at the direction of the Board and determine what other changes may be required to ensure the continued viability of the facility and reintegration programs provided to offenders housed there. The main benefit is to do the right thing for the offenders housed at Avalon Tulsa Halfway House and would keep approximately 100 offenders employed in the community and forty (40) who are assigned to Public Works crews around the Tulsa area. It would also allow another forty (40) offenders to search for employment with assistance from the facility staff.

Mr. Costello stated the letter from ODOC indicates the Carver Center Halfway House in Oklahoma City will be limited to 225 offenders. He stated the facility is not affected by the investigation and has a contract for 300 beds. He stated the facility being limited to 225 does not seem to be a necessary or warranted action at this time.

Mr. Costello stated Avalon Correctional Services administration understands the department's concerns and they believe this proposal effectively addresses those concerns on an interim basis. He urged the Board to consider the proposal presented this date and reach an agreement on its implementation with ODOC leadership. He thanked the Board for their time and consideration.

Chair Gross thanked Mr. Costello and opened the floor for questions or comments by the Board but none were made. Chair Gross noted the issue was not on the agenda as an action item for Board approval. He stated the Board was not prepared to take any action today but encouraged Mr. Costello to work with ODOC leadership to resolve the issues.

6. Adjournment

Kevin Gross, Chair

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

Motion: Mr. Burrage made a motion to adjourn the meeting and Ms. Neal seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. Haynes – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes.

The adjournment was approved by majority vote and the meeting ended at 12:26 p.m.

Submitted to the Board of Corrections by:

[signature on file]

Kimberley Owen, Minutes Clerk

Date

I hereby certify that these minutes were duly approved by the Board on the thirteenth day of February 2014 in which a quorum was present and voting.

Approved by:

[signature on file]

B. Steve Burrage, Secretary of the Board

Date