

OKLAHOMA BOARD OF CORRECTIONS MEETING
 Howard McLeod Correctional Center
 1970 E Whippoorwill Lane
 Atoka, Oklahoma

1. Opening and Roll Call

Matthew McBee, Chair

Chair McBee called the regular meeting of the Oklahoma Board of Corrections (BOC) to order at 1:02 p.m. at Howard McLeod Correctional Center (HMCC) on Friday, June 29, 2012. Chair McBee asked the clerk to call the roll:

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

Although one member was absent, a quorum was present so the meeting continued. Chair McBee welcomed everyone and thanked them for their attendance.

2. Welcome/Remarks

Bruce Howard, Warden
Howard McLeod Correctional Center

Chair McBee recognized and opened the floor to HMCC Warden Bruce Howard for opening remarks. Warden Howard welcomed the Board, Director Jones and other attendees to HMCC. He stated the Honor Farm, as it was originally called when it was built, is best known for its 5,300-hundred-acre cattle operation and garden. In addition to the cattle operation and garden, HMCC offers education classes, including college courses for offenders who qualify; four CareerTech programs in heavy equipment operation, welding, and precision machining technology; and a faith-based program. Warden Howard once again welcomed the Board and all attendees to the facility. No other comments were made.

3. Old Business

Matthew McBee, Chair

There was no old business brought before the Board and the item was closed.

4. Approval of April 26, 2012, Board Meeting Minutes

Matthew McBee, Chair

Chair McBee opened the floor for approval of the minutes from the April 26, 2012, meeting of the Oklahoma Board of Corrections. No comments or questions were raised by the Board regarding the minutes.

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

Chair McBee opened the floor to Director Jones, who thanked everyone for attending and also thanked Warden Howard and his staff for hosting the meeting.

- Per state statute, Director Jones advised the Board of an emergency purchase made in June. On June 26, 2012, William S. Key Correctional Center (WSKCC) reported that one of their cooling towers, which provide air conditioning to four buildings, was down. Loss of the cooling tower affected approximately 400 offenders in general population, 35 staff and 15 offenders in the Restrictive Housing Unit; offenders were transferred to other locations due to the heat issues. The estimated cost of the repairs will be approximately \$17,000.00.
- Dr. Suttmiller, Chief Medical Officer for Medical Services, and medical staff have been working with facilities to issue heat warnings and how to identify signs of heat exhaustion or issues with medication related to the heat.

- Policy was issued on June 28, with an effective date of August 6, 2012, to address the recent Executive Order from Governor Mary Fallin regarding tobacco cessation on any and all properties owned, leased, or contracted for use by the State of Oklahoma. Although smoking was allowed at minimum security and community correction centers, this order will eliminate all tobacco product usage for staff and offenders at all correctional facilities, community corrections centers, work centers, etc.
- During the Executive Committee meeting, the committee approved to change the next meeting location from Madill Community Work Center to the Oklahoma State Penitentiary in McAlester.
- In June, ODOC had a follow-up meeting with SandRidge Energy to expand a program at Bill Johnson Correctional Center (BJCC) to train offenders for employment in the oil field industry after release from incarceration.
- The Community Service Council in Tulsa was awarded a Reintegration of Ex-Offenders (RExO) – Adult Generation 5 grant from the US Department of Labor Employment and Training Administration. This grant will allow funding to provide employment-related services for formerly incarcerated adults who are returning to high-poverty, high-crime communities. The Community Service Council will establish a Reentry One-Stop Center in north Tulsa and will coordinate a collaborative team from ODOC, Workforce Oklahoma, Metropolitan Tulsa Urban League and Counseling and Recovery Services. Additional funds are being provided by the George Kaiser Family Foundation and ODOC.
- A film crew from HBO was at Joseph Harp Correctional Center (JHCC) and Oklahoma State Reformatory filming a documentary on offenders working to improve themselves and the public servants who are effectively educating these offenders for successful re-entry into society.
- With over eight months of training and preparation, six offenders in the Oklahoma Correctional Industries' (OCI) Metal Fabrication training were recently able to achieve their 3G AWS (American Welding Society) MIG Welding Certifications. These offenders are now registered with the Department of Labor and ODOC welders place among the top in their field. This is a major achievement for the offenders in their preparation for life after incarceration, as well as OCI on many different levels. These offenders are now qualified, when released, to work on structural applications such as bridges, public buildings and other large commercial projects.
- Area Septic Services, an OCI Private Partner, continues to increase their production with OCI. The month of May brought in \$112K in sales. Among the products delivered were the first ten "below ground" garage style storm shelters. After finalizing prints and prototypes, all ten shelters were produced and delivered with zero defects.
- The OCI Sign Shop, in conjunction with the Oklahoma Department of Health, completed an order for 2,500 "Breathe Easy" signs. These signs will be utilized on state properties to inform the public of the governor's Executive Order to ban all tobacco products on state property.
- Facility doors and locks at Dick Conner Correctional Center are 95% completed in the planning process. There is a plan to do a one-time door removal and installation so that potential bidders can see the demolition process and the amount of time it takes. This will also allow Kaighn and Associates to place specifications in the bid process concerning time lines.
- On May 23, 2012, Program Coordinator Amanda McCurdy coordinated a family day for participants in Mabel Bassett Correctional Center's (MBCC) Faith and Character Community program. More than 100 family members attended the recognition and luncheon event.
- There are currently 157 offenders in the Female Diversion program. The Justice Assistance Grant Board met on May 30, 2012, and awarded the female diversion program \$315,000 for FY 2013. This is a 10% decrease from FY 2012 and is due to budget cuts.
- During May, sixty-five (65) male and one hundred twenty-seven (127) female offenders completed an HIV prevention program. In addition, one hundred nine (109) male and forty-one (41) females completed Living Longer Living Stronger which teaches offenders, many of whom live with chronic disease, how to live longer and healthier lives.
- Twenty (20) women at Dr. Eddie Warrior Correctional Center (EWCC) completed the four month Helping Women Recover substance abuse and trauma treatment program. Twenty-two (22) women completed the Woman to Woman course developed from the Office of Women's Health, DHHS. This curriculum is a comprehensive health education intervention.

- As of the end of May 2012, the Intelligence Unit has registered 2,068 offenders as Security Threat Group (STG) members. This unit also presented a training session on Oklahoma Prison STG members during the state Criminal Justice Summit and as requested by the Carter County Sheriff's office.

Director Jones closed his comments. No further comments were made and the item was closed.

6. Budget Report

**Greg Sawyer, Chief
Departmental Services**

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

- Expenditure summary – Based on eleven months of expenditure data, a surplus of \$4.5 million currently exists for fiscal year 2012. This surplus is \$2.7 million less than reported the previous month and is roughly .85% of the total budget. 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 69.7%. This totals 4,110.1 out 5,894.6 authorized FTE. At the end of May, there were 4,018.0 positions filled for a rate of 68.2% with 92.1 FTE under the funded rate. A surplus of \$2.6 million currently exists.
- Contract Beds – Expenditure trends are based on current offender levels as of the end of May. A \$1.5 million surplus 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 expenditures for May reflect a deficit of \$416,396 exists should current expenditure trends continue.

Mr. Sawyer then opened the floor for questions or comments. Director Jones queried about the trending surplus that he stated typically goes down at the end of June. Mr. Sawyer stated they are anticipating it to be close to \$2 million which is less than 1% of the budget. No further questions or comments were noted.

7. Population Report

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

Chair McBee opened the floor to Dr. Pitman for the ODOC Population Update as of June 4, 2012. Dr. Pitman provided the following information:

Total System Offender Population = 25,830	GPS = 656 (478 males, 178 females)
DOC Facilities = 18,105	EMP = 8 (6 males, 2 females)
Private Prisons = 4,763	Probation Supervision = 20,895
County Jails with Contracts = 496	Parole Supervision Offenders = 3,108
Halfway Houses = 1,112	Total System Population = 49,833
Out Count (jails, hospitals, etc.) = 690	County Jail Backup = 1,560

Dr. Pitman then opened the floor for questions and comments. Mr. Wright queried how Speaker Steele's Justice Reinvestment Initiative (HB 3052) would affect the population. Dr. Pitman stated the bill, which goes into effect on November 1, 2012, will expand the number of offenders on probation supervision due to mandatory supervision upon release. Director Jones provided additional information by stating that the bill was not retroactive, so only those offenders sentenced after November 1 will have mandatory supervision after release. The impact in the probationary supervision population will not be seen for several years. Chair McBee queried when the EMP program began and if it is the same as the equipment used for alcohol intake monitoring that is placed on vehicles. Director Jones responded that EMP has been utilized for many years and is ordered by the courts, which is why there are a small number of offenders under this supervision. EMP is used in conjunction with the ignition interlock device as a condition of probation for offenders charged or convicted of alcohol-related offenses. No further questions or comments were raised regarding the population report.

Chair McBee then opened the floor to Mr. David Parker, Deputy Director of Institutions, Division III. Mr. Parker first provided an update on the population moves at Oklahoma State Penitentiary (OSP). Based on findings from a recent report about the facility's structure, a team was created to develop a plan to reduce the population at OSP and close a portion of the facility. Mr. Parker stated that the F-Cell house was built in 1937 and was an inefficient structure compared to modern housing units. He said that it took twice as many staff to work this unit as other, more modern units. F-4 and F-3, the top two tiers of the unit, are being emptied by utilization of classification procedures to move

offenders down into other facility populations. As of today, 136 offenders out of the original 281 housed on the unit have been moved to other units or facilities. G-Unit, which was used to house community corrections and Jackie Brannon Correctional Center (JBCC) offenders for segregated housing, has also been closed. The goal is to empty F-Cell house completely and cease housing offenders in that portion of the facility. Mr. Parker then opened the floor for questions or comments. Director Jones noted that the Board will have the opportunity to tour the F-Cell house at the next meeting to see the condition of the unit. No other comments or questions were made on this topic.

Mr. Parker then noted the recent population change at Oklahoma State Reformatory (OSR). Due to staffing issues, offender violence, and facility structural issues, they have been moving approximately 50-70 offenders a week out of OSR to other facilities. Mr. Parker commended Dr. Pitman and the staff at Population Management for their assistance with the complex movements. He stated they hope to have the population switched to an older, more manageable group by September 2012. Chair McBee queried the locations of the offenders that had been moved out of OSR. Mr. Parker stated they had been mixing the OSR offenders into almost every medium facility within the state, including private prisons. They move 10-12 offenders into one facility at a time, giving the offenders and facility time to acclimate to the new facility's surroundings and culture. Mr. Parker stated they had meetings with wardens, deputy wardens and chiefs of security to explain the reasoning behind the movements.

Ms. Neal queried if there was any data to support that having an older, more manageable offender at OSR will make the facility safer. Mr. Parker stated that he did not have national data to support the theory, but the same type of adjustment had been made at James Crabtree Correctional Center (JCCC) with great success. Staff and offender assaults at JCCC are some of the lowest in state, as are misconduct reports and grievances. Mr. Parker stated that he believes by the time a man has reached the age of 40, he has adjusted to incarceration and outgrown the "gang" mentality. Chair McBee then queried about the medical unit at OSR. Mr. Parker stated he met with Dr. Don Suttmiller, Chief Medical Officer, and Mr. Kenny Holloway, Deputy Director of Treatment and Rehabilitative Services, to discuss the medical needs at OSR and how to increase the level of services at the facility.

Director Jones stated that in the last legislative session, ODOC asked for \$2.9 million for changes at OSP to make it safer for staff and to allow flexibility in moving offenders out of the older portion of the facility. The existing administration offices will be decommissioned and a fence will be added to the newer portion of OSP for security.

Director Jones also advised the Board that included in their packet of information was a letter sent to Governor Mary Fallin regarding the escapes from WSKCC. Included with the letter was information on escapes from WSKCC for the last five years, providing a brief summary of the offender's sentences, details of their escapes and apprehensions. The issue is being reviewed by staff to determine how to prevent the walk-aways and escapes from the facility.

No other comments or questions were noted and the item was closed.

8. Approval of Private Prison Contract Renewal

Mike Oakley, General Counsel

▪ Corrections Corporation of America

Chair McBee opened the floor to Mr. Oakley to discuss approval of the contract renewal with Corrections Corporation of America (CCA). Mr. Oakley stated he met earlier with the Population/Private Prison Committee to discuss Amendment #5 of the FY 2012 Annual Renewal of the Correctional Services Contract with CCA. Mr. Oakley stated the contract covers a per diem increase of approximately \$1.01, bringing the per diem rate to \$44.03 for medium security beds at the Cimarron Correctional Facility and the Davis Correctional Facility (DCF) and \$57.96 for maximum security beds at DCF. Mr. Oakley then noted several other changes:

- CCA will maintain a copy of the video recording from Use of Force incidents for a period of at least two (2) years from the date of the incident.
- A third party arbitrator may be used by either ODOC or CCA if after-action reviews provide different conclusions regarding the cause of the incident.
- Offenders must be appropriately trained prior to assuming job duties and CCA must provide a copy of the job description signed by the offender that describes the safety training provided.
- CCA personnel files shall be accessible to ODOC upon request and CCA will notify ODOC of employee disciplinary actions arising from security concerns, conduct implicating moral issues, or conduct involving interacting with offenders and in cases where staff resigns during or in lieu of an investigation involving these things.
- The guarantee to utilize 98% of the beds at CCF does not include the 240 medium beds that were added as a result of the renewal for July 1, 2012, to June 30, 2013.

Mr. Oakley then opened the floor for questions or comments. None were made and the floor was opened for motion to approve.

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

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

9. Legislative Update

Neville Massie, Executive Assistant

Chair McBee opened the floor to Ms. Massie for the legislative update. Ms. Massie stated final information on the status of ODOC initiatives as well as a number of bills followed through session were included in the Board packets. Of ODOC's original six initiatives, three ultimately were signed into law:

- HB 2364, which allows ODOC to sell seized contraband cell phones, becomes effective November 1, 2012.
- SB 1069 allows for deduction of cost of cremation from inmate trust funds and is also effective November 1, 2012.
- SB 1551 modifying degree requirements for director, deputy director, and warden, is also effective November 1, 2012.

The failure of the other three initiatives was not surprising; two of them had been introduced in previous sessions. Several other bills of interest:

- HB 3009 expands the Murder I group to all corrections employees; previously it only included correctional officers.
- SB 1083 requires specified state agencies, including ODOC, to provide EAP services to employees. ODOC has already done this for many years, but this was an OPEA initiative targeted at another state agency.
- The Council of State Governments (CSG) will continue to be involved in monitoring implementation of Speaker Steele's Justice Reinvestment Initiative (JRI) bill. CSG representatives were in Oklahoma City in June, meeting with participants from various involved agencies. CSG will be hiring someone locally to monitor this implementation process for the next 18 months. Approximately \$1 million of ODOC's appropriation is earmarked for the mandatory supervision language. This will be used for equipment related to increased offenders under supervision. CSG estimates an additional \$2 million will be needed in subsequent appropriations for probation and parole officer staffing.
- SB 1988 is an ODOC limits bill which specifies some of the GA bill SB 1975 funding, \$2.9 million for OSP, which is an increase of \$2 million above current year spending for private prisons and HWHs and authorization to spend \$1.25 million of Industries Revolving Fund for agency operations.
- SB 1991 directs OK Commission on Children and Youth (OCCY) to administer the Children of Incarcerated Parents Program to include coordinating research, collecting data, creating a resource clearinghouse, and coordinating an advisory committee of involved agencies. HB 2300 directs OCCY to work with the Oklahoma Juvenile Authority on a mentoring program for children of incarcerated parents.
- SJR 25 will be on the November ballot which proposes a constitutional amendment limiting the governor's role in the parole process to offenders convicted of violent offenses.

Process for requesting interim studies is underway. House members proposed a total of 91 studies and the Speaker will announce approved studies on July 13, 2012. One proposal addresses ODOC and prison staffing; another addresses state employee compensation. The Senate deadline for Interim Study Requests was June 15, 2012, and Pro Temp Bingman is to announce the approved list by June 29, 2012. ODOC will begin identification of proposed agency initiatives in August and Ms. Massie will be back before the Board in October soliciting approval of ODOC initiatives. Ms. Massie then opened the floor for questions or comments.

Mr. Wright commented that, in his opinion, the Justice Reinvestment Initiative was neither justice nor reinvestment. He stated that the CSG did not review sentencing, the length of sentences, crimes, or 85% crimes for treatment. He further stated that it was his understanding that CSG was forbidden to review those issues and he felt that without those issues being addressed, there could be no justice reinvestment. Mr. Wright stated that he felt there will be a net increase in ODOC's population and not a decrease as touted by CSG. Chair McBee then commented that he believes the JRI bill is going to create a burden on the department to hire additional probation and parole officers (PPO) to supervise the number of offenders that will require supervision after the bill is implemented. He stated that this bill will increase the case loads, which are already twice the national average, since it does not provide additional funding to hire more PPOs. Chair McBee stated he was very disappointed in what he had believed to be a very promising process.

No further questions or comments were made and the item was closed.

10. Approval of Board Resolutions

**Gerald W. Wright, Secretary
Board of Corrections**

- *Ted Logan – Outgoing BOC Member*
- *Robert L. Rainey – Outgoing BOC Member*
- *David C. Henneke – Outgoing BOC Member*

Chair McBee opened the floor to Mr. Wright for approval of Board resolutions to honor former Board members Ted Logan, Robert Rainey, and David Henneke. Mr. Wright then read the following resolution for Mr. Logan:

WHEREAS, Theodore “Ted” Logan was appointed to the Oklahoma Board of Corrections by the Governor of the State of Oklahoma and confirmed by the Senate on April 6, 2004; and

WHEREAS, Theodore “Ted” Logan was a dedicated and committed board member during his eight year term, to include serving outstandingly in the capacity of secretary (July 1, 2007 - June 30, 2008), vice chair (July 1, 2008 - June 30, 2009), and chair (July 1, 2010 - June 30, 2011); and

WHEREAS, Theodore “Ted” Logan dutifully and distinctly carried out his duties and responsibilities as a member and officer of the Oklahoma Board of Corrections and was instrumental in guiding the department in creating a female offender division, and was a valuable and contributing member on several board committees to include: executive committee, budget committee, female offender committee, legislative/public policy committee, population/private prisons committee, public affairs/state boards interface committee, and Ad Hoc training committee; and

WHEREAS, Theodore “Ted” Logan’s service on the board has contributed to the efficiency and betterment of the operations of the Oklahoma Department of Corrections:

BE IT THEREFORE RESOLVED, that the Oklahoma Board of Corrections does hereby recognize the leadership, support, and contributions of former board member, Theodore “Ted” Logan, and expresses sincere appreciation for his dedicated service to the Oklahoma Department of Corrections, the Oklahoma Board of Corrections and the State of Oklahoma.

ADOPTED this 29th day of June, 2012.

Mr. Wright then read the following resolution for Mr. Rainey:

WHEREAS, Robert Lee Rainey was appointed to the Oklahoma Board of Corrections by the Governor of the state of Oklahoma and confirmed by the Senate on April 12, 2000; and

WHEREAS, Robert Lee Rainey was a dedicated and committed board member during his twelve year term, to include serving outstandingly in the capacity of secretary (July 1, 2002 - June 30, 2003), vice chair (July 1, 2003 - June 30, 2004), and chair (July 1, 2005 - June 30, 2007); and

WHEREAS, Robert Lee Rainey dutifully and distinctly carried out his duties and responsibilities as a member and officer of the Oklahoma Board of Corrections and was instrumental in developing process and outcome measures for the Board and an evaluation process on the Director, and was a valuable and contributing member on several board committees to include: executive committee, budget committee, legislative/public policy committee, population/private prisons committee, public affairs/state boards interface committee, and Ad Hoc medical committee; and

WHEREAS, Robert Lee Rainey’s service on the board has contributed to the efficiency and betterment of the operations of the Oklahoma Department of Corrections:

BE IT THEREFORE RESOLVED, that the Oklahoma Board of Corrections does hereby recognize the leadership, support, and contributions of former board member, Robert Lee Rainey, and expresses sincere appreciation for his dedicated service to the Oklahoma Department of Corrections, the Oklahoma Board of Corrections and the state of Oklahoma.

ADOPTED this 29th day of June, 2012.

Mr. Wright then read the following resolution for Mr. Henneke:

WHEREAS, David C. Henneke was appointed to the Oklahoma Board of Corrections by the Governor of the state of Oklahoma and confirmed by the Senate on May 25, 1999; and

WHEREAS, David C. Henneke was a dedicated and committed board member during his thirteen year term, to include serving outstandingly in the capacity of secretary (July 1, 2001 - June 30, 2002), vice chair (July 1, 2002 - June 30, 2003); and chair (July 1, 2003 - June 30, 2004), and (July 1, 2007 - June 30, 2008); and

WHEREAS, David C. Henneke dutifully and distinctly carried out his duties and responsibilities as a member and officer of the Oklahoma Board of Corrections and was a valuable and contributing member on several board committees to include: executive committee, budget committee, legislative/public policy committee, population/private prisons committee, public affairs/state boards interface committee, and female offender committee, as well as serving on the Ad Hoc director's search committee and training committee, and went beyond the call of duty on many occasions to assist correctional operations, especially in Northwest Oklahoma and Enid; and

WHEREAS, David C. Henneke's service on the board has contributed to the efficiency and betterment of the operations of the Oklahoma Department of Corrections:

BE IT THEREFORE RESOLVED, that the Oklahoma Board of Corrections does hereby recognize the leadership, support, and contributions of former board member, David C. Henneke, and expresses sincere appreciation for his dedicated service to the Oklahoma Department of Corrections, the Oklahoma Board of Corrections and the state of Oklahoma.

ADOPTED this 29th day of June, 2012.

Mr. Wright then stated that he felt their service to the Board and to the Department of Corrections was sincere and he appreciated each member's service.

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

No other comments or questions were made and the item was closed.

11. Overview of TB Incident at John Lilley Correctional Center

**Don Sutmiller, DO, Chief Medical Officer
Medical Services**

Chair McBee opened the floor to Dr. Sutmiller for information on the tuberculosis (TB) incident at John Lilley Correctional Center (JLCC). Dr. Sutmiller began by stating that every offender that is received at Lexington Assessment and Reception Center (LARC) is screened with a TB skin test which, if positive, indicates a person has been exposed to TB. If an offender tests positive for TB during this process, according to state law, they must receive further examination for signs and symptoms of TB along with a chest x-ray and testing of sputum, as a positive test does not indicate active, contagious disease. Dr. Sutmiller stated that ODOC also conducts annual TB testing on staff and offenders.

The first priority in the JLCC incident was to investigate those most likely to be infected, which is almost complete. Employees who were on leave or were not reporting to JLCC were notified of the need for testing. Lists of offenders and employees that had transferred from JLCC, discharged, or left employment were compiled. Current employees and offenders housed at JLCC were evaluated by ODOC staff. Those offenders and employees no longer with ODOC were evaluated by OSDH and local health departments and OSDH was provided with the contact information for those individuals. OSDH had also recommended contacting the family members who were visitors of the patients with the active disease.

Dr. Sutmiller then provided the following timeline on the TB incident at JLCC.

- **April 3, 2012:** patient “K” presented in the medical clinic to seek treatment for a cough that he had complained about previously in June 2011 and had been treated for with over-the-counter (OTC) medications. He had never tested positive for TB during annual testing prior to this appointment. He is seen in the clinic and a chest x-ray is ordered with a possible diagnosis of bronchitis.
- **April 4, 2012:** The chest x-ray results show an abnormal result, with TB as one of the considerations. “K” is sent to the Lindsay Municipal Hospital (LMH) and admitted to isolation as a precautionary measure. Further testing is conducted to diagnose the cause of the abnormal x-ray and testing for TB is expedited. The Oklahoma State Department of Health (OSDH) is consulted regarding this testing.
- **April 6, 2012:** active TB is suspected. LMH staff notifies the Health Services Administrator at JLCC who then phones the Infection Control Nurse.
- **April 9, 2012:** Active TB is confirmed by testing; OSDH, Acute Disease Division, is notified and expert TB physician, Dr. Harvey, consults regarding treatment. Medications are ordered to begin treatment and the Infection Control Nurse begins regular contact with OSDH. OSDH advises that the regularly scheduled annual TB testing, in May, will be an acceptable response time to preform skin testing for offenders and employees.
- **April 10-11, 2012:** TB skin testing of JLCC employees begins. Tests are read 48-72 hours after application and two employees convert to a positive skin test. Employees are seen by their local county health department on April 12, receive a chest x-ray, and are released to return to work the next day.
- **April 12, 2012:** “K” is transferred to a TB isolation cell at LARC where he remains, stable and with ongoing treatment. He will likely be removed from isolation within 30 days of beginning treatment and his treatment will continue for 9-12 months.
- **April 13, 2012:** TB testing for all JLCC offenders is placed.
- **April 16, 2012:** TB testing is read for all JLCC offenders. The reading is a multi-step process, for accuracy. Nurses screen the readings and questionnaires are completed. Final readings are conducted by a clinician. Chart reviews of offenders confirm past positive TB test results. Ultimately, fifty-one (51) offenders are found to be new positives. OSDH is notified and chest x-rays are recommended for new positives, and is to be completed within the next two weeks. A town-hall informational meeting is held with JLCC employees and medical services staff is available to answer questions.
- **April 16, 2012:** The van for the new Mobile Digital X-ray company drives directly to JLCC and begins to perform 3-view chest x-rays for offenders. Nineteen chest x-rays are completed by 9:00 p.m. None of the nineteen are suspicious for TB.
- **April 17, 2012:** Chest x-rays are completed for all fifty-one newly positive offenders, four offenders with HIV (at high risk, even with negative TB test), and two employees (who had been to health department, but requested x-ray by ODOC). One chest x-ray, patient “B”, is suspicious for TB and the report is shared with OSDH.
 - “B” has a history of some complaints of cough, none severe, which had been treated with OTC medications. He had past negative TB skin tests. “B” is transferred to LMH for further evaluation and treatment. His chest x-ray is highly suspicious for TB and it is expected that he will test positive for TB, but the final diagnosis is not yet confirmed. “B’s” first complaint of cough, noted in his medical record, was in January 2011. He had a negative TB skin test in April 2011.

On April 23, Dr. Mike Houston, LARC, met with all newly positive JLCC offenders and offered Latent TB treatment, if medically appropriate. Offenders may waive this treatment, but if they choose it, they receive two medications by Direct Observed Therapy twice a week for six months. This treatment greatly reduces the chance of developing active TB. On May 4-7, statewide TB testing of all offenders and employees began with only new arrivals being tested at JLCC. At least twelve (12) weeks from last possible exposure, approximately July 13, TB skin testing will be repeated on all JLCC offenders and employees who tested negative during the first round of testing. Any new positives will receive a chest x-ray and further evaluation as indicated. After this testing, routine annual testing will resume as regularly scheduled.

Chair McBee thanked Dr. Suttmiller for the update and opened the floor for questions and comments. No further comments or questions were raised and the item was closed.

12. Overview of Internal Affairs

**Melissa Townsend, Fugitive Apprehension Agent
Internal Affairs**

Chair McBee opened the floor to Ms. Townsend for information on Internal Affairs. Ms. Townsend stated that Internal Affairs is comprised of four separate units: Security/Communications; Fugitive Apprehension; Investigations; and Intelligence. Ms. Townsend provided information on each Internal Affairs unit as follows:

- Security/Communications
 - Provides security staff for the main administration building in Oklahoma City.
 - Coordinates the return of all departmental fugitives when apprehended outside the state and also coordinates moves for offenders to outside states when deemed to be high security risks due to STG affiliation or for offenders that may be harmed if housed within the Oklahoma system.
 - Completes pre-employment record checks, enters National Crime Information Center (NCIC) records (escapes and parole warrants) and maintains the fugitive website.
 - Provides NCIC record checks and vehicle registration information for all ODOC staff.
 - Enters ODOC sex offenders into NCIC.
- Fugitive Apprehension
 - Responsible for investigating and apprehending fugitives from ODOC. In January 2011, the ODOC fugitive list consisted of 84 lifetime fugitives. During CY 2011, an additional 145 offenders were reported as escapes from community corrections and minimum security and 45 parole absconders were added to the list. Through CY 2011, ODOC apprehended 199 fugitives and agents assisted with the arrest of 64 offenders under the supervision of Probation and Parole.
 - Participates as members of the US Marshal's Fugitive Task Force. ODOC has a Memorandum of Understanding with both the Northern and Western Oklahoma District United States Marshal's offices, and, as a result, assisted the violent crime task forces in serving 85 additional felony warrants.
 - Agents assist all ODOC staff with execution of warrants.
- Investigations
 - Agents are assigned to offices in McAlester, Oklahoma City, and Tulsa to shorten response time as they assist facilities across the state.
 - As requested, agents conduct new employee background investigations and investigations of criminal and administrative policy violations by offenders and employees. This includes interviewing suspects, victims, and witnesses, and often taking photographs of crime scenes, which may later be used as evidence in criminal proceedings.
 - In CY 2011, Internal Affairs completed 205 investigations, presenting 57 cases for criminal prosecution throughout the state. Agents also completed 63 preliminary inquiries, 65 employee background investigations and 22 computer forensic audits.
- Intelligence
 - Responsible for gathering information from incident reports, serious incident reports and media attention, and completed Internal Affairs investigations regarding serious incidents involving staff, organized criminal activity, narcotics trade, as well as gang and terroristic activity within ODOC.
 - Reviews information regarding DOC fugitives, analyzes the information, and provides possible leads to the Fugitive Apprehension Unit.
 - Maintains the visitor restriction database for ODOC.
 - Prepares the monthly crime alert bulletin and ensures distribution to internal and external stakeholders.
 - Ensures that an offender is assessed into a Security Threat Group (STG) once reliable, documented history of gang activity while confined or in the community is obtained. Maintains a database of suspected and validated STG members, which will be available to staff as deemed necessary by each facility head. There are currently over 2,000 offenders listed in the STG database.
 - Shares information with outside law enforcement in order to develop professional working relationships, and assist with ongoing investigations in the community.

- Assists with the forensic analysis of cellular telephones confiscated inside institutions and has access to state of the art equipment to retrieve information stored within cellular devices and Subscriber Information Modules (SIM).

Ms. Townsend then opened the floor for questions or comments. Director Jones queried of the STGs in ODOC, which was the largest number of members. Ms. Townsend responded that the United Aryan Brotherhood (UAB) has the largest number of members, but she believes the Sureños are currently the most powerful gang in the ODOC system. Ms. Neal commended Internal Affairs staff for their work in the various investigations. Chair McBee queried how many offenders were currently on the lifetime absconders list. Mr. Blevins said that out of the 84 lifetime fugitives, there are approximately 70 remaining on the list. He further clarified that most of them had been fugitives for approximately 25-30 years. Mr. Blevins added that an absconder recently captured had been on the fugitive list for 36 years. No further questions or comments were raised and the item was closed.

13. Current Trends in Programs and Education

Kristy Warren, Administrative Manager Programs

Chair McBee opened the floor to Ms. Warren. Ms. Warren stated the ODOC educational programs, as well as the teachers and administrators, are accredited by the State Department of Education. The test of Adult Basic Education (TABE) is the assessment instrument used to determine educational levels of offenders at reception. Offenders received in FY 2011 indicated an overall educational accomplishment average of 7th Grade, 4th month. The highest percentage of both male and females received in FY 2011 tested between 5th and 8th Grade levels.

Ms. Warren stated that ODOC educational programming involves academics from Literacy to bachelor degrees. Literacy programs are available for those offenders with an overall education accomplishment of less than 6th Grade level. Adult Basic Education is available to offenders with an overall education accomplishment between the 6th and 9th Grade levels. For those offenders with an overall education accomplishment at or above 9th Grade levels but did not receive a high school diploma, the General Education Development (GED) program is available. In addition to basic education, ODOC provides a nine-component Curriculum and Instructional Materials Center (CIMC) Life Skills program facilitated by a certified teacher. This program provides offenders with information for enhancing basic life skills and assisting with reentry into society. College courses are provided at numerous state facilities for those offenders with the financial resources to cover applicable costs. In FY 2011, twenty-eight offenders received a college degree. In May 2012, seventy offenders received their GED.

Substance Abuse Treatment (SAT) programs include all the current SAT programs at MBCC, JHCC, WSKCC, JBCC, JLCC, Mack Alford Correctional Center, Oklahoma City Community Corrections Center, Lawton Community Corrections Center, and Union City Community Corrections Center, as well as Elk City and Enid Work Centers. In addition, the Regimented Treatment Programs at BJCC and EWCC and the gender-specific Beyond Trauma – Helping Women Recover programs at MBCC and EWCC are included in this program group. ODOC currently has 798 treatment slots available to those offenders determined by Level of Service Inventory-Revised assessment to be at the highest risk of re-offending or the most in need of treatment. As of June 15, 2011, case plan needs for incarcerated offenders showed that 58% needed SAT programs, 72% had cognitive behavioral needs, and 56% had educational needs. SAT programs range from four to twelve months in duration. As such, ODOC has the capability to provide treatment services to approximately 1,536 offenders in a twelve-month cycle. In May 2012, there were 1,082 offenders actively participating in SAT programs.

Ms. Warren stated that treatment programs are evaluated routinely by the Correctional Program Checklist (CPC) which is an assessment tool used to determine how closely a program adheres to best practice methodology in delivering programmatic services. Ms. Warren stated she was proud to report that ODOC's treatment programs have an overall average score higher than that of the national average.

Programs that address criminal thinking are available at most facilities and provide offenders the opportunity to scrutinize their behaviors through identifying thinking errors and triggers to criminal behavior. Cognitive behavioral programming offers the offender a chance to practice pro-social behaviors in a controlled environment to better understand personal triggers that lead to inappropriate behaviors. 1,043 offenders participated in cognitive restructuring programs in May 2012.

Lastly, Ms. Warren stated that career and technical training education programs allow offenders to learn a skill prior to returning to society. A variety of technical training programs is available throughout ODOC at multiple sites and security levels. Career and technical training education personnel are certified by a state department or other comparable authority.

Ms. Warren then opened the floor for questions or comments. No further questions and/or comments were raised and the item was closed.

14. Election of Officers

Matthew McBee, Chair

Chair McBee opened the floor for nomination and election of Board officers. Mr. Ware recommended that the current officers retain their chairs for another year and made motion to approve their election. No further comments or questions were made.

Motion: Mr. Ware made a motion to re-elect the current officers. Ms. Neal seconded the motion. The results of the roll call were as follows: Mr. Burrage – yes; Mr. Gross – yes; Mr. McBee – yes; Ms. Neal – yes; Mr. Roach – absent; Mr. Ware – yes; Mr. Wright – absent.

The election results are as follows: Matthew McBee, Chair; Linda Neal, Vice Chair; Gerald Wright, Secretary. The item was closed.

15. Committee Reports

Committee Chairs

Chair McBee then opened the floor for comments from the Committee Chairs.

- **Budget – Chair Gerald Wright, Members Steve Burrage and Matthew McBee**
Mr. Wright stated they will probably need a supplemental and will start working on it in the next month or two.
- **Female Offender – Chair Linda Neal, Members Michael Roach and Earnest Ware**
Ms. Neal stated the committee had no report for the Board at this time, but the committee would be meeting next month.
- **Public Policy – Chair Gerald Wright, Members Kevin Gross and Earnest Ware**
Mr. Wright stated they would be reviewing how Texas revamped their criminal code and closed prisons.
- **Population/Private Prisons – Chair Linda Neal, Members Steve Burrage and Michael Roach**
Ms. Neal stated the committee had no report for the Board at this time.
- **Public Affairs/State Boards Interface – Chair Earnest Ware, Members Kevin Gross and Michael Roach**
Mr. Ware stated the committee had no report for the Board at this time.
- **Executive – Chair Matthew McBee, Members Linda Neal and Gerald Wright**
Chair McBee stated the committee had met and minutes were provided to the Board members in their packets. There was nothing further to report for the Board at this time.

16. 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)

Matthew McBee, Chair

Chair McBee opened the floor for any new business and began by introducing two of the new Board members, Mr. Burrage and Mr. Gross. He thanked them for coming to the meeting and for their willingness to serve on the Board. He stated their service to the Board is very much appreciated.

No further comments or announcements were made and the item was closed.

17. Announcements

Matthew McBee, Chair

Chair McBee opened the floor for announcements but none were raised and the item was closed.

18. 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 Deaths/Pending Investigation/Litigation]*

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

Chair McBee opened the floor to Mr. Oakley who recommended adjournment to Executive Session.

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

Chair McBee adjourned the meeting at 2:21 p.m. At 3:18 p.m., the Board returned to the meeting room and Mr. Oakley advised that a motion to return from Executive Session was needed.

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

The meeting reconvened at 3:19 p.m. There was nothing to vote on from Executive Session and no other comments or questions were made so the item was closed.

19. Adjournment

Matthew McBee, Chair

There being no further business to come before the meeting, Chair McBee requested to adjourn the meeting.

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

The meeting was adjourned at 3:20 p.m.

I hereby certify that these minutes were duly approved by the Board on the 27th of July, 2012, in which a quorum was present and voting.

Approved by:



Gerald W. Wright, Secretary of the Board

July 30, 2012

Submitted by:



Kimberley Owen, Minutes Clerk