

**OKLAHOMA  
BOARD OF CORRECTIONS  
MEETING**

November 30, 2012

Northeast Oklahoma Correctional Center  
Vinita, Oklahoma

## OKLAHOMA BOARD OF CORRECTIONS MEETING

Northeast Oklahoma Correctional Center  
442606 E 250 Road  
Vinita, Oklahoma  
Friday, November 30, 2012 / 1:00 p.m.

### AGENDA

Note: Members of the Board of Corrections will be lunching together before the Board meeting. No business will be conducted during this time period.

1. Opening and Roll Call Matthew McBee, Chair
2. Welcome/Remarks Mike Wade, Acting Warden  
Northeast Oklahoma Correctional Center
3. Old Business Matthew McBee , Chair
4. Approval of October 30, 2012, Board Meeting Minutes Matthew McBee, Chair
5. Director's Comments Justin Jones, Director
6. Budget Report Greg Sawyer, Chief  
Departmental Services  
  
Gerald W. Wright, Chair  
Budget Committee
7. Population Report Laura Pitman, Ph.D., Deputy Director  
Institutions, Division I  
  
Linda K. Neal, Chair  
Population/Private Prisons Committee
8. Approval of Board Policy Matthew McBee , Chair
  - *P-010200, Operating Procedures and Policies for the Oklahoma Board of Corrections*
9. Confirmation/Approval of Appointment David Parker, Deputy Director  
Institutions, Division III
  - Jim Farris, Warden, Lexington Assessment and Reception Center
10. Program Update Dolores Verbonitz, Program Manager  
Tulsa Reentry One-Stop
  - Tulsa Reentry One-Stop
11. Committee Reports Committee Chairs
  - Budget – Chair Gerald Wright, Members Steve Burrage and Matthew McBee
  - Female Offender – Chair Linda Neal, Members Michael Roach and Earnest Ware
  - Public Policy – Chair Gerald Wright, Members Kevin Gross and Earnest Ware
  - Population/Private Prisons – Chair Linda Neal, Members Steve Burrage and Michael Roach
  - Public Affairs/State Boards Interface – Chair Earnest Ware, Members Kevin Gross and Michael Roach
  - Executive – Chair Matthew McBee, Members Linda Neal and Gerald Wright

12. 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
13. Announcements Matthew McBee, Chair
14. A. Consideration of Motion to Adjourn to Executive Session Pursuant to “Title 25, 307.B” for the following reasons: Mike Oakley, General Counsel
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
15. Adjournment Matthew McBee, Chair

11/27/2012 11:02 AM

The next regular meeting of the Board of Corrections is scheduled for January 17, 2013, 1:00 p.m. at Joseph Harp Correctional Center, Lexington, OK.

OKLAHOMA BOARD OF CORRECTIONS  
MISSION STATEMENT

We are a select group of Governor appointed, politically diverse volunteers, which directs, advocates and holds accountable stakeholders to effect best correctional practices.

*“Advocating Correctional Excellence”*



**OKLAHOMA BOARD OF CORRECTIONS MEETING**

James Crabtree Correctional Center  
RR 1 Box 8 (3<sup>rd</sup> and Murray)  
Helena, Oklahoma  
October 30, 2012

**1. Opening and Roll Call**

**Matthew McBee, Chair**

Chair McBee called the regular meeting of the Oklahoma Board of Corrections (BOC) to order at 12:58 p.m. at James Crabtree Correctional Center (JCCC) on Tuesday, October 30, 2012. Chair McBee 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	Present	Gerald Wright, Secretary	Present
Linda Neal, Vice Chair	Present		

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

**2. Welcome/Remarks**

**Janet Dowling, Interim Warden  
James Crabtree Correctional Center**

Chair McBee recognized and opened the floor to Interim Warden Dowling. Interim Warden Dowling welcomed Chair McBee, the Board, and Director Jones to the facility and expressed her appreciation for the opportunity to introduce them to the dedicated and professional staff at JCCC. Interim Warden Dowling stated the facility had been in service to the state since before statehood and is on the grounds of the old Connell Agriculture College. The facility has served as a county high school, a junior college, an orphanage, and a Department of Human Services' training school for boys. In 1982, the facility was transferred to ODOC and became JCCC. Today, the facility has a 200-bed minimum security unit and 800 offenders on the medium security yard. The medium security yard houses offenders who are 35 years of age and older. Currently, the oldest offender at JCCC is 76 years old and the youngest, housed on the minimum security unit, is 24 years old. Interim Warden Dowling stated approximately 30 offenders are serving Life Without Parole on the medium security yard and approximately 130 are serving Life sentences. Approximately 550 offenders are diagnosed with a mental health illness, which Interim Warden Dowling stated she feels is a growing challenge at every medium security institution. Programs offered at JCCC include education, cognitive behavior, and a variety of ancillary programs, such as sex offender treatment. Interim Warden Dowling thanked the Board and once again welcomed them to JCCC.

Chair McBee then introduced Senator Patrick Anderson and Senator Bryce Marlatt also in attendance at the meeting. He invited them to remark and Senator Marlatt accepted the invitation. Senator Marlatt stated he was appreciative of the invitation to attend the meeting and thanked the Board and staff for their service to the state of Oklahoma. He stated he knows of the challenges the ODOC faces and issues that will need to be overcome during the next legislative session. Senator Marlatt stated the budget is of utmost concern as is the need for additional correctional officers in all of the facilities. He again thanked the Board and staff for the hospitality and offered his assistance with any issues.

Chair McBee acknowledged Mr. Cody Inman and Sean Rose, Governor Fallin's office, also in attendance at the meeting.

**3. Old Business**

**Matthew McBee, Chair**

Chair McBee opened the floor for discussion of old business; however, none was brought before the Board and the item was closed.

**4. Approval of September 21, 2012, Board Meeting Minutes**

**Matthew McBee, Chair**

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

**Motion:** Mr. Wright 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 – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes; Mr. Wright – yes.

The meeting minutes were unanimously 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 for his comments. Director Jones began by thanking Interim Warden Dowling and JCCC staff for hosting the Board meeting.

- Since the Board meeting in September, American Correctional Association (ACA) Audits were conducted at Eddie Warrior Correctional Center (EWCC), Bill Johnson Correctional Center (BJCC), Dick Conner Correctional Center (DCCC), and Enid Community Corrections Center (ECCC). EWCC and DCCC both received 100% scores on both mandatory and non-mandatory standards, while BJCC received scores of 100% on mandatory standards and 99.5% on non-mandatory standards. ECCC achieved perfect scores on their 5<sup>th</sup> consecutive ACA audit of 100% on both mandatory and non-mandatory standards.
- HBO crews returned to visit EWCC on September 25-26, 2012, for a final summary on the three offenders who participated in the 2013 documentary, "Incarceration and Special Education Project."
- Representative Jeff Hickman and Speaker Kris Steele toured BJCC on September 5, 2012. In addition, BJCC hosted a tour, luncheon and overview for approximately 20 judges and assistant district attorneys on September 26, 2012.
- On September 24, 2012, Northeast Oklahoma Correctional Center (NOCC) presented a check to the William A. Barnes Children's Advocacy Center in the amount of \$1,000. The proceeds were derived from the annual inmate Run Against Child Abuse. Each participating facility has offenders raising funds to donate to a local charity through the Run Against Child Abuse.
- William S. Key Correctional Center (WKCC) implemented 12-hour shifts on September 8, 2012, in an effort to address post issues and difficulties in recruitment and retention.
- OSU Agriculture Extension requested and was approved to conduct a canola test plot on JCCC Agri-Services land.
- Oklahoma Correctional Industries (OCI) and the Oklahoma Bureau of Narcotics (OBN) worked together for several months to design and develop meth lab storage lockers. The lockers are 5' x 5' x 7' tall and are made of 3/16" thick steel. All seams are welded to create a water-tight seal. By purchasing these containment units from OCI, OBN estimates a savings of over \$85,000 for the five units.
- The DCCC door and lock replacement contract is beginning site deployment.
- ODOC contracted with Jefferson County Detention to house 96 minimum-security male offenders effective October 1, 2012.
- Neville Massie, Deputy Director Laura Pitman, and Interim Warden Gary Elliott toured Mabel Bassett Correctional Center (MBCC) with District 17 State Senator Ron Sharp.
- The renovation of Idabel Community Work Center continues to progress with an approximate completion date in early 2013.
- Medical Services signed a contract addendum with Lindsay Municipal Hospital, limiting the amount reimbursed over expenses to 8% for a period of three years.
- The Oklahoma Department of Mental Health and Substance Abuse Services (ODMHSAS) received a three-year grant of \$1.2 million (approximately \$400 thousand per year) from the Substance Abuse and Mental Health Services Administration to expand the current mental health collaborative program. The grants are for offenders with a co-occurring mental health and substance disorder exiting from incarceration to Oklahoma City or Tulsa from a facility covered by an ODMHSAS discharge manager – Oklahoma State Penitentiary (OSP), MBCC, Joseph Harp Correctional Center, and Oklahoma City Community Corrections Center – and with a mental health level B or below, which is not currently served by our mental health reentry program.
- Howard McLeod hosted a graduation in October with twenty-eight GED graduates and two college graduates who received their associate degrees from Rose State College. Lexington Correctional Center also hosted a graduation with nineteen GED graduates, one of which was 72 years old.

- Dr. Pitman and Director Jones met with executives of the Inasmuch Foundation to review the progress of the ReMerge project. Director Jones reminded the Board that ODOC invested \$100,000 in the project two years ago, which is legislatively mandated.
- Associate Director Edward Evans and staff recently met with a national expert on security fencing for the project at OSP to decommission certain areas and install more secure fencing in others.
- Approximately two hundred ODOC employees attended the Oklahoma Correctional Association (OCA) and National Association of Blacks in Criminal Justice (NABCI) Joint Conference on October 12 in Norman, Oklahoma at the National Center for Employee Development Conference Center.
- ODOC is working on a new project with the Cabinet Secretary for the Department of Veteran's Affairs, Rita Aragon. The project, Battle Buddies, will train volunteers within Oklahoma's Veterans of Foreign Wars (VFW) posts to assist with reentry needs for incarcerated veterans.
- Garry T. Allen is scheduled for execution on November 6, 2012, and George Ochoa is scheduled for execution on December 4, 2012.

Director Jones closed his comments and Chair McBee 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**

Chair McBee opened the floor to Mr. Sawyer for the ODOC Budget Report as of September 30, 2012. Mr. Sawyer provided the following information:

- Expenditure Summary – Based on three months of expenditure data a deficit of \$13.7 million exists for fiscal year 2013. This deficit is \$3.8 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 September, 4,002.3 positions were filled for a rate of 67.9% with 56.8 FTE under the funded rate. A surplus of \$1.8 million currently exists.
- Contract Beds – Expenditure trends are based on current offender levels as of the end of September. A \$9.4 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 September reflect a deficit of \$6.1 million exists should current expenditure trends continue.

Mr. Sawyer then opened the floor for questions or comments. Chair McBee queried if the trending deficit for \$13.7 million includes the \$9.4 million deficit in contract beds to which Mr. Sawyer replied it was included. He further explained the expenditure summary is in reference to all three areas: payroll, contract beds, and medical and mental health services. Mr. Sawyer further explained these three areas make up 80% of all ODOC expenditures. Mr. Wright stated the Budget Committee met earlier in the day and asked Mr. Sawyer to explain this information does not indicate ODOC is currently in a deficit. Mr. Sawyer stated this information indicates if the year ended the same as last year, then ODOC would be in a deficit; however, as ODOC is limited to a specific budget, other areas would be cut to accommodate the budget and it would be balanced at the end of the year. The information provided in this report is an indication of the trends and what ODOC is facing. Director Jones also noted offender net growth will change monthly and the trending report will increase and decrease with these changes.

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

## 7. Approval of FY 2014 Budget

**Greg Sawyer, Chief  
Departmental Services**

Chair McBee skipped to agenda item number 8, Approval of Supplemental, prior to opening this agenda item. Returning to this item after approval of agenda item number 8, Mr. Sawyer stated ODOC is requesting an appropriation for FY 2014 of \$530,444,929, which is an increase of \$66,713,861 over the FY 2013 Appropriation. This appropriation is for:

- Salary increase for classified employees - \$12,200,000

- Necessary staffing for added requirements resulting from HB 3052 - \$2,998,533
- Offender net growth results in contract growth and per diem restoration – \$13,697,537
- Operating cost required for 2014 not budgeted in 2013 – \$9,313,111
- Non-discretionary increases for medical services – \$9,500,000
- Restart of reduced or eliminated programs in Treatment & Rehabilitative Services - \$1,282,850
- Efficiency improvements - \$634,000
- Infrastructure and equipment improvements - \$9,197,730
- Security needs – \$6,331,100
- Vehicle needs – \$810,000
- Information technology/other technology infrastructure and upgrades – \$749,000.

Mr. Sawyer then opened the floor for questions or comments. Chair McBee asked Mr. Sawyer to provide the appropriation request for FY 2009, to which Mr. Sawyer replied ODOC was budgeted for \$503 million, but that was the year the budget cuts began and it was never realized. Chair McBee noted ODOC has not yet been restored to the level appropriated for FY 2009, and this year it is hoped a restoration to that amount will be provided. Mr. Sawyer then stated \$503 million was the highest appropriation the agency had ever received. Director Jones added since the budget cuts in FY 2009, ODOC has had a net growth of approximately 1,300 offenders. Mr. Wright noted the increase of the offender count had hoped to be alleviated with the recommendations made by the Counsel of State Governments in the Justice Reinvestment Initiative (JRI). However, with all the changes to the JRI bill, this will not come to fruition. Mr. Wright further stated until the legislature deals with the sentencing laws, Oklahoma will not see a significant reduction in prison populations as has been seen in Texas.

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

The FY 2014 budget request was unanimously approved; no other comments or questions were made and the item was closed.

## 8. Approval of Supplemental

**Greg Sawyer, Chief  
Departmental Services**

Chair McBee skipped agenda item number 7 to discuss and approve the supplemental budget for FY 2013 prior to approving the FY 2014 budget. Mr. Sawyer stated information was provided to the Board in their packets and ODOC's population problems indicates an overall supplemental of \$6,371,015 million is needed to accommodate the increase in the current budget for the following areas:

- Contract per diem restoration - Contract beds will require an additional \$2 million to provide funding for the legislatively mandated per diem rate increase dictated in SB 1988 for halfway houses and private prison beds. The rates were cut during the budget reductions and ODOC is now attempting to restore the rates.
- Offender population growth – \$3,787,815 additional funds are requested to address the population growth ODOC is experiencing this fiscal year due to the 85% sentencing law and longer sentences. The growth has been addressed by using an increased number of private prison beds compared to when the FY 2013 budget was set. Added population growth will require additional resources necessary to house these offenders through the remainder of FY 2013.
- Substance abuse treatment – HB 3052 mandates “intensive programmatic services’ be provided, which are defined as “alcohol and substance abuse counseling and treatment, mental health counseling and treatment, and domestic violence courses and treatment programs.” The estimated cost per day per offender for programmatic needs is \$4.25, which does not include the one-time training costs of \$24,000. ODOC is requesting \$583,200 to fund this legislative mandate.

Mr. Sawyer then opened the floor for questions and/or comments. None were raised and the motion was made to approve the supplemental request.

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

The supplemental budget request was unanimously approved; no other comments or questions were made and the item was closed.

**9. Approval of Mabel Bassett Correctional Center Bond Refinance**

**Greg Sawyer, Chief  
Departmental Services**

Chair McBee opened the floor to Mr. Sawyer for discussion and approval of the Mabel Bassett Correctional Center (MBCC) Bond Refinance. Mr. Sawyer stated in reviewing avenues to reduce debt service, they determined refinancing the bonds completed in 2003/2004 to purchase MBCC would save ODOC \$347,000 per year. Mr. Burrage queried if the approval of the bond refinance was also an approval of the lease purchase. Mr. Sawyer answered in the affirmative and stated the Board needed to include in their motion to also approve the lease purchase. Mr. Sawyer also stated the maturity would be in 2023. Mr. Wright stated based on the discussion within the Budget Committee meeting earlier in the day, he recommends approval of the bond refinance.

**Motion:** Mr. Wright motioned to approve the MBCC bond refinance and lease purchase. Mr. Ware seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. McBee – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes; Mr. Wright – yes.

The bond refinance and lease purchase were unanimously approved; no other comments or questions were made and the item was closed.

**10. 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 September 28, 2012. Dr. Pitman provided the following information:

Total System Offender Population = 26,200	GPS = 731
DOC Facilities = 17,969	EMP = 13
Private Prisons = 5,108	Probation Supervision = 20,972
County Jails with Contracts = 504	Parole Supervision Offenders = 3,040
Halfway Houses = 1,162	Total System Population = 50,212
Out Count (jails, hospitals, etc.) = 713	County Jail Backup = 1,591

Dr. Pitman noted the total population increased from last year, which was 25,486 offenders, as well as the county jail contracts and county jail backup. Dr. Pitman then opened the floor for questions and comments. Director Jones noted the number of males in the total population increased by 615 offenders and Mr. McBee stated 365 of those went to private prisons. Ms. Neal queried about the increase in GPS numbers, to which Dr. Pitman responded the numbers increased based on the change to the GPS criteria as implemented by the legislature last year. No other comments or questions were noted and the item was closed.

**11. Approval of 2013 Legislative Initiatives**

**Neville Massie, Executive Assistant**

Chair McBee opened the floor to Ms. Massie to discuss and approve ODOC's legislative initiatives for 2013. Ms. Massie stated the following initiatives are labeled 1A/1B, 2A/2B, and 3A/3B because of their relevance to each other and will be essentially three bills:

- 1A. Amend statute regarding drug or alcohol assessment, required for certain crimes, allowing for third party payment of the assessment fee. This change would allow grants, social service agencies, or family members to assist with the fee.
- 1B. Modify statute to specify that DOC approved substance abuse treatment programs shall satisfy the 10 or 24 hour alcohol and drug program required by Drug or Alcohol Assessment.
- 2A. Amend powers of the Director to authorize award of the badge of an employee who dies while employed to the spouse or next of kin of the deceased employee.
- 2B. Amend powers of the Director to authorize payment of \$100.00 per month for the maintenance and cleaning of uniforms to all uniformed correctional officers.

- 3A. Amend private prison statute to require contractors housing Oklahoma offenders or offenders from other jurisdictions to furnish information regarding a riot, escape, or other serious emergency and facility operations upon request of Oklahoma DOC. Failure to comply may result in fines to be assessed.
- 3B. Amend private prison statute to assess liquidated damages when a contractor houses maximum security offenders for longer than 30 days without authorization.

Ms. Massie then opened the floor for comments or questions. Director clarified 3A and 3B stating those amendments focus solely on out-of-state offenders housed in Oklahoma’s private prisons where ODOC does not have a contract with the private prison. Ms. Massie stated the amendment would not limit ODOC to just out-of-state offenders but would also include Oklahoma offenders as well. She stated the Sayre prison riot is the best example of these needed amendments. The riot received much publicity from local sheriff’s offices talking about the incident, which happened in October 2011. By December 2011, local law enforcement still had not received information on charges to be filed on the offender’s involved in the riot nor had they received any reports on the incident. Director Jones then noted the private prisons are not subject to the Open Records Act, so are not required to provide any information about incidents like the 2011 riot.

**Motion:** Mr. Wright motioned to approve the 2013 legislative initiatives. Mr. Gross seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. McBee – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes; Mr. Wright – yes.

The 2013 legislative initiatives were unanimously approved. Ms. Massie stated the next two dates coming up are December 14, draft bill deadline, and January 17, bill introduction deadline. No further comments or questions were made and the item closed.

**12. Confirmation/Approval of Appointment**

**David Parker, Deputy Director  
Institutions, Division III**

- *Janet Dowling, Warden, James Crabtree Correctional Center*
- *Rickey Moham, Warden, Mabel Bassett Correctional Center*
- *Sharon McCoy, Warden, Eddie Warrior Correctional Center*

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

Chair McBee opened the floor to Deputy Director Parker for introduction of and request to approve Janet Dowling as Warden of James Crabtree Correctional Center (JCCC). Ms. Dowling has been Interim Warden at JCCC for approximately one year. Deputy Director Parker then provided Ms. Dowling’s career progression in ODOC beginning in 1995 at Bill Johnson Correctional Center. Deputy Director Parker then stated he recommended approval and confirmation of Ms. Dowling.

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

Warden Dowling’s appointment was unanimously approved by the Board. She thanked the Board and Director Jones for the opportunity and stated every unit and/or division she has queried for assistance in the agency has provided her with the information and guidance to help her grow. She also thanked the wardens for whom she had worked, Janice Melton and David Parker, who mentored her in the business of corrections and personal integrity.

Chair McBee then opened the floor to Dr. Pitman for introduction of and request to approve Rickey Moham as Warden of Mabel Bassett Correctional Center. She provided the career progression of Warden Moham through the agency and his community and organizational activities. Dr. Pitman stated she recommended approval and confirmation of Mr. Moham as Warden at MBCC.

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

Warden Moham’s appointment was unanimously approved by the Board. Warden Moham thanked the Board and Director Jones for their confirmation. He stated since his appearance before the Board in January 2012, when he was appointed as a warden, he has not changed his vision of having a positive effect on staff and offenders and will carry it on to MBCC. He also thanked his family and his wife for their support during his service to the agency.

Dr. Pitman then introduced and requested approval of Sharon McCoy as Warden of Eddie Warrior Correctional Center (EWCC). She provided the career progression of Ms. McCoy through the agency and recommended approval and confirmation of Ms. McCoy as Warden at EWCC.

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

Warden McCoy's appointment was unanimously approved by the Board. Warden McCoy thanked the Board and Director Jones for the opportunity. She expressed special gratitude to Dr. Pitman and Deputy Director Parker for their encouragement and support. She thanked Warden Emma Watts for encouraging her to return to ODOC after her retirement. She stated she will do the best job she can and expressed her love for EWCC. She also thanked her family for instilling her with a strong work ethic. Warden McCoy said her goal is to treat people in such a way so they know there are other people who care about them.

No other comments were made and the item was closed.

### 13. Program Update

#### ▪ Education

**Pam Humphrey, Superintendent of Schools  
Educational Services**

Chair McBee opened the floor to Ms. Humphrey who began by thanking the Board and Director Jones for allowing her to speak about the Education department. She stated the Education department is accredited through the Oklahoma Department of Education as well as AdvancEd and North Central Association Commission on Accreditation (NCA). They provide Literacy, Adult Basic Education (ABE), GED, CIMC Life Skills, and College and this year, they served 10,211 participants with 4,512 program completions. Of the program completions, 996 were GED and 17 were associate degrees. Ms. Humphrey stated they average 1,000 GEDs and their pass rate remains at 90%. To compare, the state's pass rate for adult learning centers is approximately 78% and the national pass rate is 69-70%.

Ms. Humphrey stated over the past year, the department received approximately \$848,000 from federal funding, which is a decrease because of the loss of approximately \$350,000 in college funding. The Education department is up to 63% in their staffing, but had been down as low as 51%. This includes 74 certified employees working full-time and another will be hired within the week at Bill Johnson Correctional Center. Because of the achievement credits awarded to participants who complete education programs, with Literacy, ABE and GED, the department realized a savings of \$6.4 million and if adding in the Life Skills, the savings increased to \$9.8 million. This does not include any of the achievement credits for college completions.

Ms. Humphrey mentioned the HBO project and the filming at EWCC during their recent graduation. She stated the film crew has been following offenders through the ABE and GED program at multiple facilities. She thanked all of the administration and facility staff for assisting with and allowing the film crew access into the various facilities. The film should be completed in another six (6) months.

The Education department is working on a GED computer-based testing which will become active on January 1, 2014. It is not an online test, but a computer-based method of testing for nationwide use. The current GED testing is a paper-based test and is used nationwide. When the computer-based testing becomes active, there will no longer be paper-based testing, with the exception of foreign languages. The Education department is preparing by piloting the computer-based testing within a few facilities beginning in January 2013 and by the end of 2013, it will be available at all of ODOC's facilities. Ms. Humphrey stated with this change, there will be a cost increase as well. Also, the computer-based test will be more difficult than the paper-based test so staff is expecting the GED completion rate to decrease.

The department is working with The VERA Institute for an opportunity for a grant ODOC has been afforded which would provide \$1 million in private funding. They are partnering with several foundations, including the Bill and Melinda Gates Foundation, to provide college and smooth reentry transitions from incarceration to the community.

Ms. Humphrey stated there are currently 51 students attending Rose State College who were formerly incarcerated with ODOC but are now on campus. She encouraged the Board to realize their education programs are not only affecting the offenders, but also their lives and their family's lives after they have returned to the community. Ms. Humphrey shared the story of one offender who told her most parents tell their children "When you go to college..." but his father had told him "When you go to prison..." He told Ms. Humphrey he would never say "When you go to prison..." to his children, because now he had a college education and could encourage them to do the same.

Ms. Humphrey then opened the floor for questions and comments. Ms. Neal stated she was aware of the changes to the GED test and the increase in difficulty. She then queried if additional material and resources would be available to the Education department to begin preparation for the changes. Ms. Humphrey stated the test would first become available as scheduled; however, the materials and resources would not be available until after January 2014. Ms. Humphrey stated they are moving forward as planned and will adjust their current resources more along the lines of college

preparedness-type testing. Ms. Neal stated this would be a huge challenge to the teachers and the students to which Ms. Humphrey agreed. Ms. Humphrey stated the cost of testing in the community will rise to approximately \$125, which may make some people fearful of testing.

Mr. McBee queried if the number of students testing for their GED would be decreased since it would be computer-based. Ms. Humphrey responded they may have to change based on the number of computers available for use at each facility. She stated normally only nine (9) students are tested at a time with the exception of BJCC, JCCC and EWCC. Finally, Ms. Humphrey stated with Rose State College, since the inception of the partnership with ODOC in 1999, there has only been one (1) person who has returned to incarceration after receiving their associate degree. No further comments or questions were made and the item 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 there was nothing else to report at this time.
- **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.
- **Public Policy – Chair Gerald Wright, Members Kevin Gross and Earnest Ware**  
Mr. Wright stated there was nothing else to report at this time.
- **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. Mr. Wright stated he would like to recognize the Bridge Project for their work on the afghan blankets they crochet for veterans around the state. He read their Motto aloud - Though we cannot serve our country, we will serve those who have – and displayed an afghan presented to him which resembled the national flag. He asked Warden Dowling to express his appreciation to the offenders who participate in the project and to thank them for their patriotic duties to the veterans.

No other new business was brought before the Board and the item closed.

## 17. Announcements

Matthew McBee, Chair

Chair McBee opened the floor for announcements; however, none were made 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 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**

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

**Motion:** Mr. Wright 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 – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes; Mr. Wright – yes.

All were in approval and Chair McBee adjourned the meeting at 2:03 p.m. At 2:45 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. Gross 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 – absent; Mr. Wright – absent.

Three members were absent but a quorum was still present, so the meeting reconvened at 2:45 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. Gross 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 – absent; Mr. Wright – absent.

The meeting was adjourned at 2:48 p.m.

I hereby certify that these minutes were duly approved by the Board on the 30<sup>th</sup> of November, 2012, in which a quorum was present and voting.

Approved by:

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

Submitted by:

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



## **MEMORANDUM**

**November 26, 2012**

**To:** Matthew H. McBee, Chairman, Board of Corrections  
Linda Neal, Vice Chairman, Board of Corrections  
Ged Wright, Secretary, Board of Corrections  
Earnest D. Ware, Member, Board of Corrections  
Steve Burrage, Member, Board of Corrections  
Kevin Gross, Member, Board of Corrections  
Michael Roach, Member, Board of Corrections  
Justin Jones, Director  
Ed Evans, Associate Director, Field Operations  
Linda Parrish, Deputy Director, Administrative Services  
Eric Franklin, Deputy Director, Treatment and Rehabilitative Services  
Dr. Laura Pitman, Deputy Director of Division I Institutions  
Renee Watkins, Deputy Director of Division II Institutions  
David Parker, Deputy Director of Division III Institutions  
Reginald Hines, Deputy Director, Community Corrections  
Sharon Neumann, Deputy Director, Community Sentencing and Information Services  
Joyce Jackson, Executive Communications Manager

**From:** Greg Sawyer, Chief of Departmental Services

**Subject:** FY 2013 Fiscal Expenditure Trending Report as of 10/31/2013

The report continues to focus on the major expenditure categories that historically represent 80% of all department costs: payroll, contract beds, and offender medical services.

### **Expenditure Summary**

Based on four months of expenditure data a deficit of \$14.4 million exists for fiscal year 2013. This deficit is \$700,000 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 October, 3,992.8 positions were filled for a rate of 67.7% with 66.3 FTE under the funded rate. A surplus of \$3.6 million currently exists.

**Contract Beds**

Expenditure trends are based on current offender levels as of the end of October. An \$11 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 October reflect a deficit of \$7 million exists should current expenditure trends continue.

CC Marilyn Anderson, House Fiscal Staff  
Jose Salinas, Senate Fiscal Staff  
Josh Maxey, Office of State Finance  
Neville Massie  
Dr. Don Suttmiller  
Jerry Massie  
Greg Thomas  
Tom James  
Greg Williams  
Ron Wiser  
Chris Kennedy



## Population Update

### Population Information as of October 31, 2012

#### Compared to October 31, 2011

Total System Offender Population	Females	Males	Total
Current Population	2,663	23,576	26,239
Population Last Year	2,555	22,921	25,476
Change from last year	108	655	763

DOC Facilities	Females	Males	Total
Current Population	2,163	15,776	17,939
Population Last Year	2,215	15,873	18,088
Change	(52)	(97)	(149)

Private Prisons	Females	Males	Total
Current Population	0	5,119	5,119
Population Last Year	0	4,741	4,741
Change	0	378	378

County Jail Contracts	Females	Males	Total
Current Population	0	603	603
Population Last Year	0	427	427
Change	0	176	176

Halfway Houses	Females	Males	Total
Current Population	292	883	1,175
Population Last Year	196	890	1,086
Change	96	(7)	89

Out Count	Females	Males	Total
Current Population	27	635	662
Population Last Year	37	634	671
Change	(10)	1	(9)

GPS	Females	Males	Total
Current Population	181	546	727
Population Last Year	104	352	456
Change	77	194	271

EMP	Females	Males	Total
Current Population	0	13	13
Population Last Year	3	4	7
Change	(3)	9	6

PPCS	Females	Males	Total
Current Population	0	1	1
Population Last Year	0	0	0
Change	0	1	1

Probation Supervision	Females	Males	Total
Current Population	4888	16182	21,070
Population Last Year	4898	16258	21,156
Change	(10)	(76)	(86)

Parole Supervision	Females	Males	Total
Current Population	501	2556	3,057
Population Last Year	504	2708	3,212
Change	(3)	(152)	(155)

Total System Population	Females	Males	Total
Current System Population	8,052	42,314	50366
Population Last Year	7,957	41,887	49844
Change	95	427	522

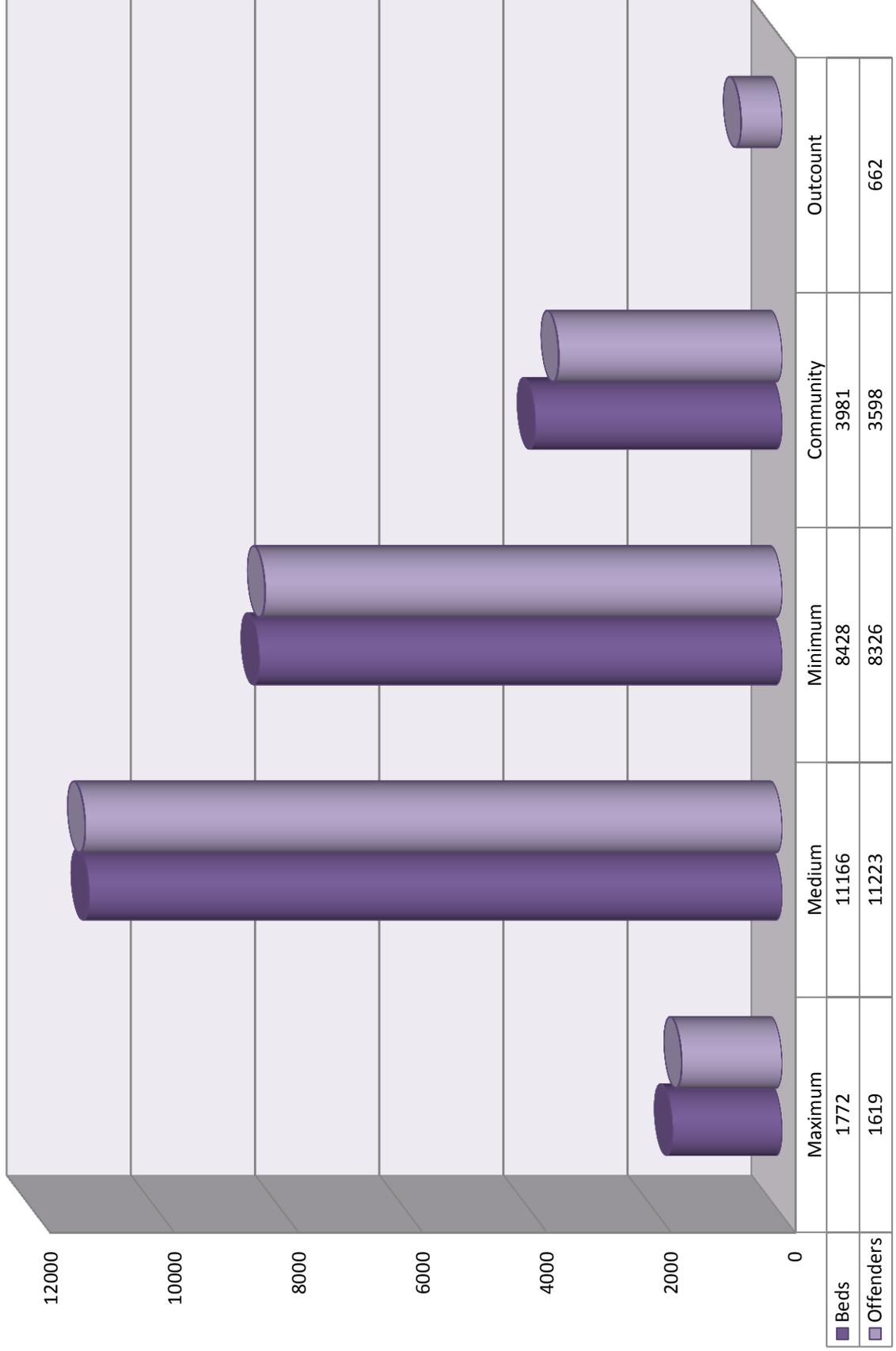
County Jail Inmate Backup	Females	Males	Total
<b>October 31, 2012</b>	63	1618	1,681
Population Last Year	59	1486	1,545
Change	4	132	136

Pardon & Parole Board Results	Females	Males	Total
<b>Month: October 2012</b>			
Considered	43	479	522
Denied	24	368	392
Recommended	19	111	130
Percentage Recommended	44.19%	23.17%	24.90%

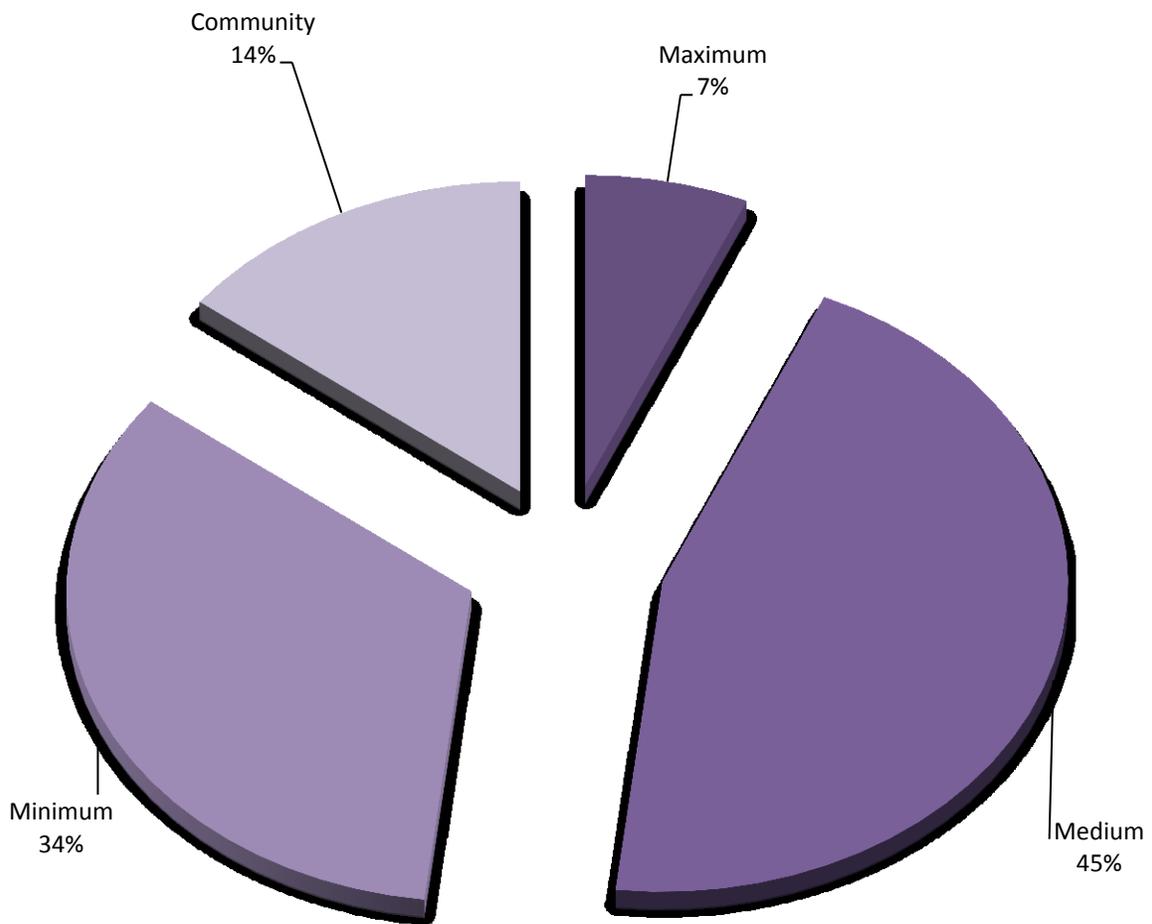
Governor's Actions	Females	Males	Total
<b>Month: October 2012</b>			
Reviewed	8	106	109
Approved	5	23	38
Denied	3	83	71
Percentage Approved	62.50%	21.70%	34.86%

Effective Parole Rate	Females	Males	Total
<b>Month: October</b>			
Percentage Recommended by Board	44.19%	23.17%	24.90%
Percentage Approved by Governor	62.50%	21.70%	34.86%
Effective Parole Rate	27.62%	5.03%	8.68%

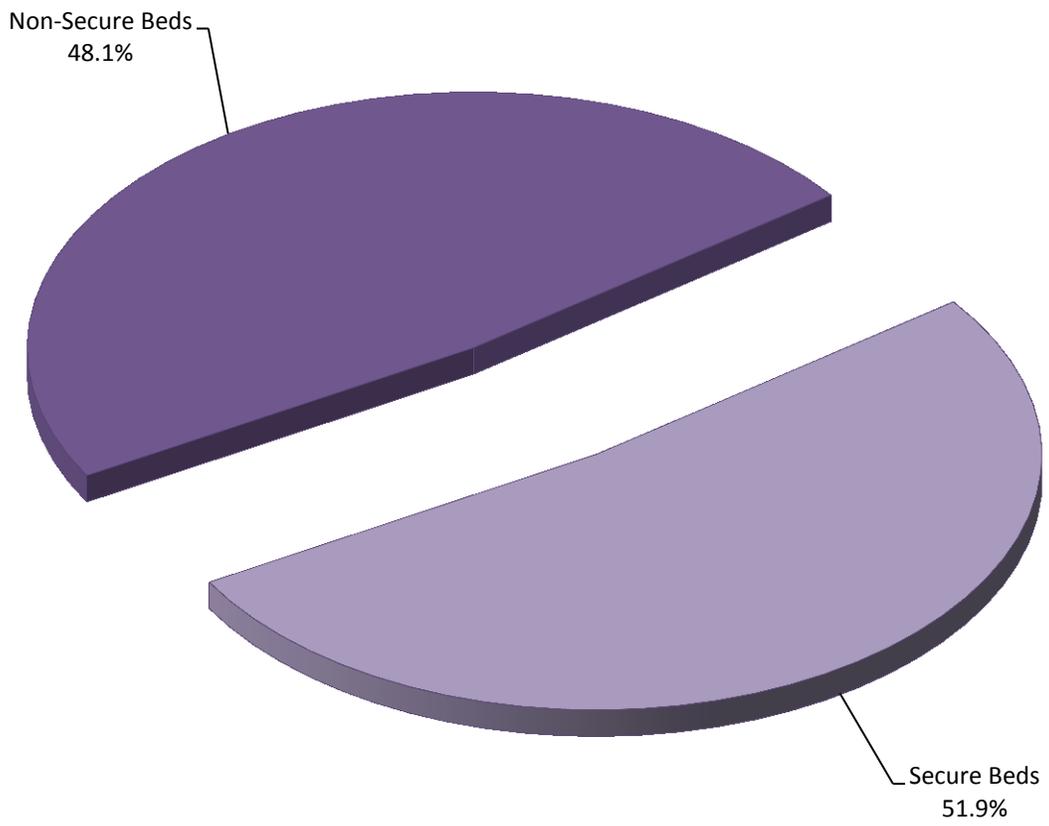
# Offender and Bed Distribution 10/31/2012



## Offender Distribution By Security Level 10/31/2012



**Percentage Of Offenders In Secure And Non-Secure  
Beds  
10/31/2012**



## Offenders In DOC Facilities v. Contract Facilities 10/31/2012





<b>Section-01 Organization</b>	<b>Page: 1</b>	<b>P-010200</b>	<b>Effective Date: 12/11/2012</b>
<b>Board Operating Procedures</b>	<b>ACA Standards: 2-CO-1A-10, 4-4001, 4-APPFS-3D-01</b>		
<b>Matthew McBee , Chair</b> <b>Oklahoma Board of Corrections</b> _____			
<b>Linda Neal, Vice Chair</b> <b>Oklahoma Board of Corrections</b> _____			

## **Operating Procedures and Policies for the Oklahoma Board of Corrections**

The Oklahoma Board of Corrections (“Board”) will establish and maintain written policy pursuant to Section 504 of Title 57 of the Oklahoma Statutes, which govern decision making, monitoring of operations, and meetings conducted within the Department of Corrections (DOC). (4-4001, 4-APPFS-3D-01)

### **I. Operating Procedures**

#### **A. Officers, Terms of Office, and Qualifications**

1. The Board, composed of seven members, will have the following offices: a chair, vice chair, and secretary. These offices will be filled annually by Board election at the regular meeting held in June of each year.
2. Members who have demonstrated leadership, while adhering to these operating procedures and policies, and shown commitment to the missions of both the Board and DOC are eligible for election by a majority vote of the Board. Whenever possible, a member shall not serve as chair until serving a term as vice chair.
3. An incumbent officer may be re-elected as often as such officer receives the necessary votes, except the office of the chair who shall serve no more than two (2) consecutive terms. Newly elected officers will assume their offices at the next meeting of the Board.

#### **B. Board Vacancies and Succession**

1. If a vacancy occurs in the office of the chair, the vice chair will automatically succeed to the office of the chair and complete the remaining term of office.
2. Upon assuming the office of chair, the office of vice chair will become vacant through succession, and the chair may appoint a vice chair to complete the remaining term of office.
3. Any vacancy occurring in the office of vice chair or secretary may be filled by the chair by appointment for the remaining term of office.

4. A newly appointed officer will assume office at the next meeting of the Board.
5. A newly appointed member nominated, but not approved by the Senate, shall not vote during a Board meeting unless the new member has been designated by the Governor as an interim member to fill a vacancy that occurred during a term of office. An incumbent member scheduled to leave office may continue to act as a member of the Board until a successor is duly appointed and confirmed according to law. A reappointed member may continue to vote unless denied confirmation by the Senate.

C. Duties and Responsibilities

Upon selection by the Governor to the Board, the prospective new Board member(s) shall promptly receive a copy of these Operating Procedures and Policies its attachments, including the "Performance Expectations for Members of the Board of Corrections" which is incorporated by reference (See [Attachment A](#), attached). The duties and responsibilities outlined in these Operating Procedures and Policies will be reviewed annually by the Board and the DOC director.

D. Orientation

Within three (3) months of their appointment, all newly appointed Board members shall attend a DOC orientation to become familiar with DOC operations.

E. Modern Rules of Order

The "Modern Rules of Order" shall act as a guide to the Board in the transaction of business during meetings, unless otherwise provided by law or these Board operating procedures and policies.

F. Establishment of Policies

The Board will establish policies for the operation of the DOC. The Board also must approve cancellation of, and amendments to, established policy statements.

G. Approval of Personnel Matters (2-CO-1A-10)

1. The Board may require the director and any other DOC personnel, when deemed necessary by the Board, to give bond for the faithful performance of their duties (57 O.S. 504(5)).
2. The Board will appoint and fix the salary of the director.

- a. The maximum salary of the director is established by law.
  - b. The term of office of the director is continuous and may only be terminated for good cause and after a formal and open hearing on specific charges, if requested by the director or by the Board.
3. The Board will consider for confirmation and vote on the appointments of wardens, district supervisors, and other staff members required by law to be confirmed as submitted to the Board by the director.

#### H. Approval of Contracts and Budgets

1. The Board will be involved in the selection of architectural firms for projects when the architect's fee is over \$200,000. The Board will also approve requisitions for construction contracts for projects where estimated construction costs are greater than \$500,000. Approval of construction documents must occur before acceptance of a bid.
2. The Board will be involved in the selection of sites for new institutions and community corrections centers, and select and approve relocation of existing correctional facilities.
3. The Board will review and approve the proposed DOC budget before it is submitted to the State Budget Office in the fall of each year for review by the Governor.
4. The Board will review and approve all emergency expenditures of money that exceed the director's authority as allowed by law.

#### I. Private Prison Construction or Operation

1. If DOC proposes to enter into a contract for the construction or the operation, or both, of a private prison, DOC shall compare both the capital costs and the operating costs for the facility to the imputed capital costs and the projected operating costs of a comparable facility constructed and operated by DOC (57 O.S. 561, 561.1D-4 &G).
2. DOC shall then deliver to the Board the top three (3) qualified prospective private prison contractors identified pursuant to law together with the information reviewed and analyzed by DOC during analysis of the proposals. The Board of Corrections shall evaluate the information provided and shall make a final decision selecting the contractor within 15 days of receipt of the information (57 O.S.561.1.H).

3. Should DOC choose to negotiate with current private prison contractors for a new contract for the operation, lease, or lease/purchase of a private prison, DOC shall compare both the capital costs and the operating costs for the facility to the imputed capital costs and the projected operating costs of a comparable facility constructed and operated by DOC. The Board of Corrections shall evaluate the information provided and shall make a final decision selecting the contractor within 15 days of receipt of the information. Additional time may be provided, when necessary (57 O.S. 561, 561.1).

J. Facility/Office Tours

Besides the tours or inspections, which may be taken during the regular Board meetings, each Board member is encouraged to conduct at least one unannounced visit of a DOC institution, community corrections center, and community work center or probation and parole office per year.

K. Inquiries

Any inquiries regarding DOC's operations, actions, or policies received by Board members from the public, employees, or offenders will be referred to the director or designee for response. If those inquiries are of such a nature that referral to the director may be inappropriate, then referral should be made to the chair of the Board for appropriate disposition.

II. Administration of Board Functions

A. Board of Corrections Meetings

The Board will normally meet with the director at least monthly to review the administration and activities of the DOC to include reports on the operation and performance of facilities and units, review Board policies as needed, and other appropriate matters.(4-ACRS-7D-34)

1. The chair will preside over Board meetings. The vice chair will preside in the absence of the chair.
2. The monthly meetings will be conducted at a time and place designated by the chair (or vice chair in the chair's absence), and published by DOC.
  - a. Members who know that they will be unable to attend will notify the DOC of their intended absence at least one week before the scheduled meeting.
  - b. A majority of the members of the Board currently serving will constitute a quorum for the transaction of business. A

majority of affirmative votes of a quorum will be required to conduct and transact the business of the Board.

3. DOC support staff will be responsible for the following:
  - a. Recording of the minutes of every Board meeting;
  - b. The certification of the approval of the minutes;
  - c. Ensuring whenever possible, all documents and information relevant to the Board meeting is provided to the Board in electronic form, no less than five (5) days prior to the scheduled Board meeting; and
  - d. Maintaining the official records of the Board as required by law.
4. Upon approval of the minutes, the Board Secretary will execute the following:

#### Certificate of Approval

I hereby certify that these minutes were duly approved by the Board of Corrections on \_\_\_\_\_, 20\_\_\_\_, in which a quorum was present and voting.

Date: \_\_\_\_\_ Secretary of the Board

5. All meetings of the Board will be conducted according to Oklahoma's "Open Meeting Law" (25 O.S. 301-314).
  - a. The director will ensure that notice is given in writing to the Secretary of State, by December 15 of each calendar year, of the regularly scheduled meetings of the Board of Corrections for the next calendar year.
  - b. The director will ensure that the proposed agenda is posted at least 24 hours before each meeting. The agenda will be posted in prominent public view at DOC Headquarters, 3400 Martin Luther King, Oklahoma City, or at the location of the meeting.
  - c. If any change is to be made in the date, time, or place of the regularly scheduled meeting, then notice in writing will be given to the Secretary of State not less than ten days before the implementation of the change.
6. Board executive sessions are authorized only under the following circumstances, or as otherwise provided by Oklahoma law;

- a. Discussion of the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any salaried public officer or employee, including a periodic performance evaluation of the director.
  - b. Confidential communication with the Board's attorneys only to discuss a pending investigation, claim, case, matter, or action where disclosure would seriously impair the ability of the Board to proceed in the public interest.
  - c. Any vote or action must be taken in public meeting with the vote of each member publicly cast and recorded. At the end of each executive session, a public announcement will be made memorializing the executive session discussion and announcing whether a vote is necessary.
7. Special meetings may be called by the chair or by a majority of the Board as necessary and according to the "Open Meeting Law."
8. In the event any meeting is to be continued or reconvened, public notice of the action, including date, time, and place of continued meeting, will be given by announcement at the original meeting. Only matters appearing on the agenda of the meeting that is continued will be discussed at the continued or reconvened meeting.
9. An emergency meeting of the Board of Corrections as permitted by the Open Meetings Act may be held without public notice. The person calling an emergency meeting will give as much advance public notice as is reasonable and possible under the existing circumstances.
10. Matters of business that require further investigation or detailed study may be delegated to an ad hoc Board committee appointed by the chair with the advice and consent of the Executive Committee.
11. At each meeting, the chair may provide an opportunity for any relevant business to be introduced by any Board member, the director, a member of the news media, or any citizen attending the meeting, however, business may not be transacted unless such business constitutes "new business" within the meaning of the Open Meeting Act.
12. Every meeting of the Board will be electronically taped (except executive session) from which minutes will be transcribed in summary form. A copy of the minutes will be forwarded to the Board before the next meeting for their review. After formal

approval of the minutes, as submitted or as amended, the taped recordings shall be destroyed, unless the Board or the Executive Committee requests that the tape recording not be destroyed. A certified copy of the approved minutes will constitute the official record of the Board.

13. Members of the Board will be reimbursed for travel expenses, as provided by law for other state officers and employees, while attending meetings of the Board or performing other official duties.

B. Board Committees

The chair of the Board shall appoint or reappoint up to three (3) members of the Board to a standing committee at the beginning of a fiscal year. Any Board member may offer a motion to create a standing or ad hoc committee, which shall include the proposed committee's specific tasks and/or goals. If approved, the chair shall appoint up to three (3) members to the committee and name a member to act as chair of the newly created committee.

The chair of the Board will function as *ex officio* of all committees and may attend meetings in compliance with the Open Meeting Act.

Each committee may meet as required by the respective chair of the committee, and report their findings and recommendations to the full Board for formal approval and action. After each meeting of any committee, a report will be made during the next regular or special Board meeting as required. Committee meetings will be coordinated with the director and staff schedules.

The following committees are standing committees:

1. Executive Committee

- a. The Executive Committee shall consist of the following Board members:

- (1) Chair of the Board;

- (2) Vice chair of the Board; and

- (3) The immediate past chair of the Board for one year term, or in the event that member has completed that member's one year term, or is no longer serving as a board member, the secretary of the Board shall succeed to the Executive Committee.

- b. Duties of the Executive Committee shall include:

<b>Section-01 Organization</b>	<b>Page: 8</b>	<b>P-010200</b>	<b>Effective Date: 12/11/2012</b>
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- (1) Ensuring that the director's annual written performance evaluation is conducted by the Board;
- (2) Developing, reviewing, and approving the monthly Board agenda;
- (3) Acting as the Sponsor Monitoring Team to ensure the Board's Strategic Five Year Vision and Strategic Goals are being tracked and implemented; and
- (4) Any matter referred to it by the chair Board or director.

2. Budget Committee

- a. The Budget Committee will meet with the director and designated staff to conduct business, including but not limited to, reviewing and analyzing the DOC's annual budget request.
- b. The Budget Committee will meet as needed to review the budget request due in October of each fiscal year.
- c. The chair or a designee of the chair of the budget and finance committee will report to the Board, and request formal approval of the budget for the following fiscal year.

3. Population/Private Prison Committee

- a. The Population/Private Prison Committee will meet as needed with the director and designated staff to conduct business, including but not limited to the review of the DOC's population status, policies, and the review and approval of facilities' authorized capacity.
- b. The Population/Private Prison Committee will review and approve requests for proposals, determine contract performance standards, propose rules and regulations, review and approve proposed per diem costs for the ensuing fiscal year, and review the cost benefit analysis required by law.
- c. The chair or a designee of the chair of the Population/Private Prison Committee will report to the full Board their recommendations, and request formal approval thereof.

4. Public Policy/Affairs Committee

- a. The Public Policy/Affairs Committee will meet with the director and designated and appropriate staff to conduct

business, including but not limited to the review and approval of the specific language of the legislative initiatives of DOC.

- b. The Public Policy/Affairs Committee will meet prior to each legislative session, and from time to time during the legislative session, to review and discuss any necessary changes.
- c. The Public Policy/Affairs Committee, the director and designated staff will interface, as necessary with members of other state boards, associations, organizations, agencies and designated appropriate staff to coordinate activities relating to the above named entities.
- d. The chair or a designee of the chair of the Public Policy/Affairs Committee will report to the Board their recommendations and request formal approval thereof.

5. Female Offender Committee

- a. The Female Offender Committee will meet as necessary with the director and designated staff to conduct business, including but not limited to the review and approval of DOC policies and procedures which may affect female offenders to ensure a level of parity that avoids and/or minimizes any discrimination.
- b. The chair or a designee of the chair of the Female Offender Committee will report to the Board their recommendations, and request formal approval thereof.

C. Committee Sunset Provision

All committees not designated as a standing committee shall expire after one calendar year from the date of the committee's inception, unless the Board approves the committee continued existence.

D. Board Agenda

The chair and/or the Executive Committee shall be contacted in order for any item to be placed on the Board agenda for a regular or special Board meeting. Proposed agendas will be prepared and posted at least seven days prior to any Board meeting. A final agenda will be posted 24 hours in advance of any Board meeting. After final posting, no additions to the agenda will be considered unless it falls under the item of new business in compliance with the Open Meeting Act. The decision of the chair will be final for placing items on the agenda for the next meeting unless three members of the Board request in a timely manner the item be placed on the agenda.

E. Requests for Information by Board Members

Any Board member or committee may request information from DOC that is within the Board's statutory authority, provided such request is presented to the director who may refer the request to the appropriate member of the DOC staff. Copies of such information shall be provided to all members of the Board, as deemed appropriate by the director and/or the Board Executive Committee. Any requests that cause significant increases in workload for the director or DOC staff should be referred to the Board Executive Committee for approval or placed on the next Board meeting's agenda for consideration by the Board. The director will determine whether the request presents a significant increase in workload and the time required responding to the request. If required, the director will request that the Board member contact the Board chair to place the item on the agenda for the next Board meeting.

III. Public Access

The DOC and its Board share the responsibility to provide information concerning DOC to Oklahoma citizens. The Board will allow public and press inquiry of each Board member after each Board meeting, as each individual Board member's schedule permits. All requests for information from Board members shall be referred to the director for appropriate response.

A. Requests for Information

Requests for information from the public regarding an individual offender must meet the following requirements:

1. The request must comply with [OP-060212](#) entitled "Maintenance and Access of Offender Records" and "Authorization to Release Department of Corrections Record Information" form ([DOC 060212F](#)).
2. The request must be in writing with a return address. Electronic mail requesting information about an offender will not be responded to until said electronic mail is converted to an appropriate paper writing, and the sending party is identified by name, address, and original signature.
3. If the request is regarding questionable policy practices or possible criminal behavior by staff or an inmate, specific facts must be provided by the requesting party prior to any response.

For any request that does not involve possible criminal behavior by the offender or place the requesting party in jeopardy, the information gathered for the response shall be provided to the offender by the unit staff. The offender shall then have the opportunity to forward the information to the requesting party. The offender shall be encouraged to utilize the grievance procedure, when

appropriate.

This section will not apply to open records requests or requests by an offender's attorney of record or elected public officials.

Unless otherwise provided by the Open Meeting Act, all Board meetings will be open and accessible by the public. All members of the public attending Board meetings shall be subject to any security procedures deemed necessary by DOC. Any person who has been denied access to any DOC facility or institution may be allowed to attend a Board meeting, provided the person meets all security concerns, and shall be limited to the specific room where the meeting is held, and shall be required to arrive within a reasonable time before the meeting and leave within a reasonable time after the adjournment of the meeting.

#### IV. Members Representing Board of Corrections

Only members or committees authorized by the chair and/or the Executive Committee or pursuant to a duly adopted Board resolution may represent the Board before the executive or legislative branch or before any other branch or agency of the state or federal government or before any private entity, including the press. Except as noted above, media comments may be made stating only the personal views or positions of the member on matters that may come before the Board. Members may express their personal views on any proposed legislation affecting DOC.

#### V. References

OP-060212 entitled "Maintenance and Access of Offender Records"

25 O.S. 301-314

57 O.S. 503, 504, 506, 510, 561, 561.1

74 O.S. 2.2

577 P. 2nd 1310 (Okla. 1978)

#### VI. Action

The director is responsible for compliance with this policy.

The director and the Board of Corrections are responsible for the annual review and revisions.

Any exceptions to this policy statement will require prior written approval of the Board of Corrections.

This policy is effective as indicated.

<b>Section-01 Organization</b>	<b>Page: 12</b>	<b>P-010200</b>	<b>Effective Date: 12/11/2012</b>
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Replaced: Policy Statement No. P-010200 entitled "Operating Procedures and Policies for the Oklahoma Board of Corrections" dated January 19, 2012

Distribution: Policy and Operations Manuals  
Department Website (Public)  
Board Website (Private)

<u>Referenced Forms</u>	<u>Title</u>	<u>Location</u>
<a href="#">DOC 060212F</a>	“Authorization to Release Department of Corrections Record Information”	<a href="#">OP-060212</a>

<u>Attachments</u>	<u>Title</u>	<u>Location</u>
<a href="#">Attachment A</a>	“Performance Expectations for Members of the Board of Corrections”	Attached

## PERFORMANCE EXPECTATIONS FOR MEMBERS OF THE BOARD OF CORRECTIONS

Board members recognize that being selected by the Governor of the State of Oklahoma to serve as a member is a significant honor and a statement of the Governor's trust in the appointee in terms of his or her dedication to excellence. Because Oklahoma's incarceration rates are so high, our Department of Corrections (DOC) system includes a 77 county, 24 hour, 7 day a week, comprehensive network of institutions, community corrections centers, community work centers, statewide probation and parole services, correctional industries, agriculture operations, treatment programs, work release, halfway house and private prison contracting and oversight, medical, programs, community sentencing acts, and a variety of other mandates, expectations, and operations. Couple these with death penalty requirements, life and death decisions with hostage and riot situations, and the need to constantly educate all stakeholders, and DOC has one of the most complex and comprehensive correctional systems in the nation.

This complexity is enhanced by a system that has antiquated facilities in dire need of refurbishment, funding, and staffing shortages, yearly net increases in offender populations, and other increasing demands on the system. DOC has budget in excess of a half billion and employees totaling over 4,800. Thus, the Board member position is comparable to that of a large corporate director position, as the demands, expectations, qualifications, and external and interactions, resemble those of many of our country's major corporations.

The Board sets challenging goals that focus on educating, directing and holding accountable the DOC to relentlessly seek improvement, while and advocating correctional excellence. Because the Board seeks to lead and set an example for all of DOC's stakeholders, the Board of the State of Oklahoma has adopted certain performance expectations for its members. The following are legal and moral responsibilities, operational responsibilities, professional development requirements, and essential Board duties:

### A. Legal and Moral Responsibilities

Board members are expected to conduct themselves above reproach in all of their public and private affairs, and wherever possible, avoid even the appearance of impropriety. They are expected to be models of integrity in their working relationships that demonstrates trust, honesty, and ethical behavior. They realize their high calling and place great importance on their roles as members, and possess a strong belief in the mission and goals of the Board and DOC.

### B. Operational Responsibilities

Board members provide effective oversight to DOC in the enabling legislative Board guidelines. Board members are expected to:

1. Be completely knowledgeable of the Standard Operating Procedures for the Board and understands the history and purpose of the Oklahoma Department of Corrections.
2. Attend all meetings, Board retreats, advancements, training, and strategic planning events, unless unavoidable personal, family, or business issues preclude them from doing so.
3. Arrive prepared for meetings, having read the agenda, minutes of previous meetings, and any reports and information sent out earlier.
4. Sit as Chair and/or members of the various Board standing and/or ad hoc committees.

5. Treat other Board members with respect and appropriate decorum. Sidebar conversations during meetings should be avoided as being potentially disruptive and discourteous.
6. Be open to members with diverse views, opinions, and expectations.
7. Create an environment that encourages learning, growth, and development of its members.
8. Have relationships with other Board members that demonstrate openness, trust, and mutual respect.
9. Foster an atmosphere open to the exchange of ideas and dialogue before, during, and after Board meetings.
10. Participate fully in Board business during meetings.
11. Use skills and talent to positively influence and impact areas within the Board and the DOC.
12. Put aside personal positions when compromise is necessary.
13. Continuously challenge themselves to improve.
14. Assure themselves that they know what was decided in meeting and any responsibilities that were assigned to them.
15. Be comfortable with changing established ways of doing business.
16. Understand the DOC, both financially, and operationally to enable knowledgeable discussion of existing or prospective DOC policies, including, but not limited to the financial impact of such policies.

C. Professional Development Requirements

Like DOC employees, Board members are expected to engage in continuous professional development. This includes Board members who:

1. Attend, as a newly appointed Board member, a DOC orientation to become familiar with DOC operations.
2. Are knowledgeable of the Modern Rules of Order.
3. Participate in training opportunities.
4. Actively and critically read recommended professional development materials and actively incorporate the lessons learned into action.
5. Develop new skills to contribute to the Board and DOC.

D. Essential Board Duties

Board members are required by law to:

1. Appoint the director of the DOC and fix his or her salary (The maximum salary of the director is established by law).

2. Consider appointments of wardens, district supervisors and other staff members as required by law that are submitted to the Board by the Director.
3. Select architectural firms for projects when the architect's fee is over \$200,000.
4. Approve requisitions for construction contracts where estimated construction costs are greater than \$500,000.
5. Be involved in the selection of sites for new institutions and community corrections centers, and select and approve relocation of existing correctional facilities.
6. Review and approve the proposed DOC budget before it is submitted to the State Budget Office in the fall of each year for review by the Governor.
7. Review and approve all emergency expenditures of money that exceed the director's authority as allowed by law.
8. Make the final decision in selecting a contractor for the construction, operation or both from a list of the top three qualified prospective private prison contractors identified by DOC.
9. Evaluate material furnished by DOC regarding proposed new contracts for the operation, lease, or lease/purchase of a private prison and make a final decision selecting the contractor.
10. Authorize the director of DOC to issue a letter or memorandum of support for any project involving construction or operation of a correctional facility other than the State of Oklahoma according to established procedures.

Board members are required by Board operating procedures to:

11. Establish policies for the operation of DOC. The Board also must approve cancellation of, and amendments to, established policy statements.
12. Refer to the director or designee for response any inquiries regarding DOC's operations, actions, or policies received by Board members from the public, employees, or offenders. If those inquiries are of such a nature that referral to the director may be inappropriate, then referral should be made to the chairperson of the Board for appropriate disposition.
13. Encourage to annually conduct at least one unannounced visit to a DOC institution, community corrections center, community work center, or probation and parole district.
14. Conduct in person, informed, and rigorous Performance Evaluation of the DOC director, at least once per fiscal year.
15. Serve on or chair one or more of the Board's standing or ad hoc committees.

(R 12/12)

Confirmation/Approval of  
Appointment  
- Jim Farris, Warden, LARC

# Jim Farris

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## Objective

I am seeking the position of Warden at Lexington Correctional Center. I have twenty one years experience with the department as of May 6, 2013. I am currently a Deputy Warden at Howard McLeod Correctional Center and have held the positions of Unit Manager, Warden's Assistant, Correctional Case Manager, Correctional Counselor, and Correctional Officer. Having completed a degree in Criminal Justice/Psychology, combined with my experience, I feel that I am highly qualified for this position.

## Education

1987-1990 Southeastern Oklahoma State University Durant, OK

### **Bachelor of Arts Criminal Justice**

1986-1987 Murray State College Tishomingo, OK

### **General Education**

1982-1986 Coalgate Public School Coalgate, OK

### **High School Diploma**

## Work experience

2011-Present Howard McLeod Correctional Center Atoka, OK

### **Deputy Warden**

- Responsible for secondary accountability of the operational and/or administrative aspects of a correctional facility which may include, but are not limited to: security and custodial care, classification, food service, health services, physical plant maintenance, inmate programmatic activities, religious activities, education, laundry, mail, canteen, correctional industries, agri-services.
- Assists the warden in preparing the facility's budget and a variety of correspondence, reports, and recommendations concerning the facility's programs to departmental officials.
- Serves as the primary assistant to the Warden in managing the facility budget, staff and other resources.
- Provides guidance and information as approved by the Warden relating to the interpretation, applications of laws, rules and regulations pertaining to operation of a correctional institution; assists the warden in developing, implementing, and applying department policies and procedures to ensure compliance with statutory and applicable regulatory agencies.
- Provides oversight to contract service providers as appropriate; serves on special project committees on various department related operational activities.
- Serves as a public relations contact for the facility as needed/required.

2008-2011 Mack Alford Correctional Center Stringtown, OK

### **Unit Manager**

- Supervises and evaluates the performance of unit staff members: provides on the job training to staff members as required, monitor case management activities, maintains a clean, safe, humane, and secure environment.
- Provides for the maintenance, security and control of offender records

assigned to the unit.

- Serves as chairperson of the Unit Disciplinary and Classification Committee, may serve as a member of the institutional Disciplinary Committee.
- Acts as a liaison with private and public agencies such as the courts, and the Pardon and Parole Board, elected officials, etc.
- Submits reports as needed to the Warden and Deputy Warden covering data such as incident reports, food served, leisure time, activities, and other significant events.
- Consults with institutional administration, security personnel and inmates as necessary in their resolution of emergency or extraordinary correctional problems.
- Responsible for administration of unit/work center programs as well as planning, developing, and implementing group/individual programs tailored to the needs of the inmates.

2006-2008 Mack Alford Correctional Center Stringtown, OK

**Warden's Assistant**

- Supervise areas to include Property, Laundry, Switchboard, Law Library and Marshall County Jail.
- Prepare all grievances and appeals for MACC.
- Serve as the facility PIO.
- Prepare and serve all legal documents that involve MACC.
- Prepare all reports assigned by the Warden including special reports.
- Prepare all letters and memos that the Warden assigns.
- Investigate Medium Security PC inmates.

2001-2006 Mack Alford Correctional Center Stringtown, OK

**Correctional Case Manager I I**

- Assigned inmate custody levels, work assignments, transfer packets, adjustment reviews, and new arrival reviews.
- Provide inmate programs such as Transitional Living and Thinking for A Change.
- Served as Disciplinary Chairperson.
- Served as Unit Manager in the absence of the Unit Manager.

1992-2000 Mack Alford Correctional Center Stringtown, OK

**Correctional Counselor**

- Serves as a member of the Unit Classification Team which determines each inmates assigned custody level, work assignment, transfer consideration, release planning, program needs and other considerations pertaining to the inmate's incarceration.
- Serves as a disciplinary chairman and disciplinary investigator.
- Provides written evaluations and recommendations for each on assigned case load.
- Provide inmate programs such as Moral Recognition Therapy and Transitional Living.
- Responsible for Unit Sanitation and the supervision of inmates
- Conducts drug testing of inmates assigned to the unit.
- Serves as the Special Olympics Coordinator for the facility.
- Serves as Unit Manager in the absence of the Unit Manager.

January 1999-June 1999, January 2000-August 2000, January 2006-August 2006

**Detailed Unit Manager A Unit, B Unit, and SHU**

- Supervises and evaluates the performance of unit staff members: provides on the job training to staff members as required, monitor case management activities, maintains a clean, safe, humane, and secure environment.
- Provides for the maintenance, security and control of offender records assigned to the unit.
- Serves as chairperson of the Unit Disciplinary and Classification Committee, may serve as a member of the institutional Disciplinary Committee.
- Acts as a liaison with private and public agencies such as the courts, and the Pardon and Parole Board, elected officials, etc.
- Submits reports as needed to the Warden and Deputy Warden covering data such as incident reports, food served, leisure time, activities, and other significant events.
- Consults with institutional administration, security personnel and inmates as necessary in their resolution of emergency or extraordinary correctional problems.
- Responsible for administration of unit/work center programs as well as planning, developing, and implementing group/individual programs tailored to the needs of the inmates.

1991-1992                      Oklahoma State Penitentiary McAlester, OK  
1992-1993                      Mack Alford Correctional Center Stringtown, OK

**Correctional Officer I**

- Performs inmate counts.
- Performs routine duties in the maintenance of proper discipline and security of inmates
- Responsible for the sanitation of assigned posts.

**Special Duties**

- NIC Media Relations Training (2006-2007)
- PIO HMCC Correctional Center
- Quality Assurance Facilitator
- Thinking for A Change Instructor
- Correctional Leadership Training
- Duty Officer
- Member of OCA and SSCA