

State of Oklahoma PARDON AND PAROLE BOARD

PARDON AND PAROLE BOARD Business Meeting Minutes

Monday, January 8, 2024 9:00 a.m.

MEMBERS PRESENT: Edward Konieczny, Richard Miller, Calvin Prince, Kevin Buchanan, and

Robert Reavis

MEMBERS ABSENT: None

STAFF: Tom Bates, Melinda Romero, Kyle Counts and Leroy Long

GUESTS: See attached sign-in sheets for speakers at public hearing.

I. Call To Order – Edward Konieczny, Chairman

The Business Meeting of the Pardon and Parole Board (PPB) was called to order at 9:00 a.m. by Chairman Edward Konieczny on Monday, January 8, 2024.

A. Roll Call

The members attending were Edward Konieczny, Richard Miller, Calvin Prince, Robert Reavis, and Kevin Buchanan.

B. Assurance of Compliance with Open Meeting Act

General Counsel Kyle Counts provided assurance of compliance with the Open Meeting Act. The business meeting of the Pardon and Parole Board was convened in accordance with the Oklahoma Open Meeting Act. This meeting was preceded by an advance notice of the date, time, and place filed with the Oklahoma Secretary of State on November 13, 2023. Notice of this meeting was also given at least twenty-four (24) hours in advance of the meeting by posting notice of the date, time, virtual meeting place, and agenda of the meeting on January 4, 2024, on the Pardon and Parole Board's website, www.ok.gov/ppb. The meeting is in compliance with the Open Meeting Act.

II. Approval of Minutes

- **A.** Discussion and Possible Action on December 2023 Business Meeting Minutes
 The December business meeting minutes were provided to the Board for review. Calvin
 Prince made a motion to approve the December business meeting minutes, Richard
 Miller seconded. The Board carried the motion 5-0.
- **B.** Discussion and Possible Action on December 2023 Parole Meeting Minutes
 The December Parole minutes were provided to the Board for review. Calvin Prince
 made a motion to approve the December Parole meeting minutes, Robert Reavis
 seconded. The Board carried the motion 5-0.

III. Business Meeting –Tom Bates, Executive Director, Melinda Romero, Deputy Director, Leroy Long, Field Director, and Kyle Counts, General Counsel

- **A.** Personnel Updates Melinda Romero, Deputy Director, stated that there are no new hires or separations to report. She did explain that there are still two field vacancies for which interviews are being scheduled.
- **B.** Field Updates Leroy Long, Field Director, echoed Ms. Romero's statements regarding the field vacancies, stating that interviews are being scheduled for the open Parole Investigator Positions at Northeast Oklahoma CC and Allen Gamble CC. He also informed the Board that the February 2024 docket is close to completion.
- C. Legal Updates Kyle Counts, General Counsel, stated that in the month of December there were 13 revocations, with 7 waiving and 6 receiving their hearings. He stated that this meeting would include a public hearing on the Notice of Rulemaking Intent, with a vote on the proposed rules to be held at the February meeting. He also informed the Board that the staff is in the finishing stages of the Policies and Procedures project and will be able to provide more information at the February meeting.
- **D. Director's Update** Tom Bates, Executive Director, provided some updates and remarks to the Board. He stated that the office is close to finalizing the lease to move into the Oklahoma Healthcare Authority building. This move would put the administrative office and meeting place in one location. He thanked PPB staff for their work throughout the year. Mr. Bates was delighted to share the results of the Risk Assessment score provided by OMES, with the Pardon and Parole Board earning a score of 3.89, exceeding the passing score of 2.5. Finally, Mr. Bates provided key data points from the Board's 2023 statistics. In 2023, there were 5,478 cases heard, up over 400 for 2022. The Board heard 60 more commutations and 79 more pardons than they did in 2022. He also stated that there were 3,170 Investigative Reports generated, even being down 2 Parole Investigators most of 2023. He closed by offering appreciation for all the hard work.

IV. Discussion and Possible Action on Election of Chairperson

A. Acting Chairman Ed Konieczny opened the floor to nominations for the election of the Board's Chairperson. Richard Miller made a motion to nominate Ed Konieczny, with Calvin Prince seconding. The Board elected Ed Konieczny by vote of 4-0, with the nominee abstaining from the vote.

V. Discussion and Possible Action on Election of Vice-Chairperson

A. Chairman Ed Konieczny opened the floor to nominations for the election of the Board's Vice-Chairperson. Chairman Konieczny made a motion to nominate Calvin Prince, with Robert Reavis seconding. The Board elected Calvin Prince by vote of 4-0, with the nominee abstaining from the vote.

VI. Public Hearing on Proposed Administrative Rule Changes

A. Introductory Remarks – Tom Bates, Executive Director, gave thanks to the Board and to the public for attending this hearing. Mr. Bates took a moment to explain the reasons behind the drafting and proposal of the new rules, especially regarding commutation. The

- intent of the commutation rules is to provide objective criteria surrounding requests for commutations.
- B. Report on Feedback Received During Comment Period Kyle Counts, General Counsel, explained that the during the comment period, there were 180 written submissions regarding the proposed commutation rules. Many of them included similar language, and 38 of them were unique submissions. He explained there was a mix of support and opposition, seeing comments from organizations like the American Civil Liberties Union, Project Commutation, and Attorney General Gentner Drummond. Mr. Counts also addressed some misconceptions regarding the motives of the Board in proposing these rules.
- C. Comment Period Instructions were provided to those who sought to share their comments on the rules. Once everyone in the room were provided with instructions, the Board heard comments and opinions from many interested parties. After the last speaker had finished, Chairman Konieczny showed gratitude for everyone who provided insight.
- **D. Discussion on Comments from Board Members** The Board did not have any further discussion following the comment period.

VII. New Business Not Known or Which Could Not Have Been Reasonably Foreseen Before the Posting of the Agenda

No new business.

VIII. Adjournment of the Business Meeting

The meeting was adjourned at 12:33 p.m.

Respectfully Submitted,

Kyle Cant

Kyle Counts General Counsel

The minutes for the January 2024 Pardon and Parole Board Business Meeting were approved by a majority vote on the 5th day of February 2024.

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