



State of Oklahoma  
PARDON AND PAROLE BOARD

**PARDON AND PAROLE BOARD**  
**Business Meeting Minutes**  
**January 22, 2018**  
**9:00 a.m.**

**MEMBERS PRESENT:** Chairman Tom Gillert, Vice-Chairman Brett Macy, Allen McCall (in at 9:10 a.m.), Kris Steele, and Robbie Fullerton

**MEMBERS ABSENT:** None

**STAFF:** DeLynn Fudge, Melinda Romero, Melissa Blanton, Amber Briggs, and Stacy Hill (OCU Legal Extern)

**I. Call to Order – Tom Gillert, Chairman**

The Business Meeting of the Pardon and Parole Board (PPB) was called to order at 9:01 a.m. on Monday, January 22, 2018, at Kate Barnard Corrections Center (KBCC) in Oklahoma City by Chairman Tom Gillert.

**A. Roll Call**

Melinda Romero, Deputy Director, announced the members attending as Tom Gillert, Brett Macy, Kris Steele, Allen McCall (in at 9:10 a.m.) and Robbie Fullerton. A quorum was present. The voting order was announced as Brett Macy, Robbie Fullerton, Kris Steele, Allen McCall, and Tom Gillert. Allen McCall was in at 9:10 a.m.

**B. Moment of Silence/Prayer**

Chairman Gillert requested a moment of silence indicating that no one was obligated to participate. Kris Steele led the Moment of Silence/Prayer.

**C. Pledge of Allegiance**

Chairman Gillert led the Pledge of Allegiance.

**D. Assurance of Compliance with Open Meeting Act**

The regularly scheduled meeting of the Pardon and Parole Board was convened in accordance with the Oklahoma Open Meeting Act. This meeting was preceded by advance notice of the date, time, and place filed with the Oklahoma Secretary of State on November 9, 2017. Notice of this meeting was also given at least twenty-four (24) hours in advance of the meeting. The notice of the date, time, place, and agenda of the meeting was posted at 8:15 a.m. on January 18, 2018, at the principal office of the Pardon and Parole Board, located at 2915 N. Classen, Suite 405, Oklahoma City, Oklahoma. Ms. Fudge confirmed that the meeting is in compliance with the Open Meeting Act.

## **II. Business Meeting – DeLynn Fudge, Executive Director**

### **A. Discussion and Possible Action on December Business Meeting Minutes**

Ms. Fudge previously emailed the December Business Meeting minutes for review. Ms. Fudge asked the Board to review and approve the minutes as presented or edit and approve the minutes. A motion was made by Brett Macy and seconded by Robbie Fullerton to approve the December Business Meeting Minutes as presented. Brett Macy, Robbie Fullerton, Kris Steele, and Tom Gillert voted in favor of the motion. There were no votes against the motion. The motion passed.

### **B. Discussion and Possible Action on December Parole Meeting Minutes**

Ms. Fudge previously emailed the December Parole Meeting minutes for review. Ms. Fudge asked the Board to review and approve the minutes as presented or edit and approve the minutes. A motion was made by Kris Steele and seconded by Robbie Fullerton to approve the December Parole Meeting Minutes as presented. Brett Macy, Robbie Fullerton, Kris Steele, and Tom Gillert voted in favor of the motion. There were no votes against the motion. The motion passed.

### **C. Discussion and Possible Action on Agency Updates:**

#### **1. Legislative Update**

The deadline for Bill Introduction was January 18. The 2<sup>nd</sup> Regular Session convenes February 5 at noon. Staff is tracking pre-filed bills and will provide the Board with more information as the legislative session progresses. Board members can have access to the legislative tracker if desired. If not, monthly updates will continue to be provided.

#### **2. Personnel Updates – New Hires and Separations**

Ms. Fudge reported that Ross Ellis, Investigator at JHCC/LARC, terminated service on January 12<sup>th</sup>. After serving in the Coast Guard, he came to work for the PPB. During his time with the PPB, he was able to continue his education through the GI Bill, as well as pursue his pilot's license. He was offered a tremendous opportunity at the University of Oklahoma in the Aviation Department.

It is hoped that the vacancies will be refilled. Unfortunately, all of the vacancies are in the Eastern District, which means that three investigators and the supervisor are completing the work of seven. The Western District is helping out as time allows.

#### **3. Administrative Staff Activities**

##### **Use of Questionnaire with Vacancies in Eastern District**

With the vacancies, the use of Questionnaires will increased because there are not enough staff to conduct interviews. The form has recently been revised to simplify and clarify questions in order to make it easier for inmates to complete. Until new staff are hired and trained, the questionnaire is a necessity.

##### **Public Safety Cabinet Meeting**

Ms. Fudge attended a Public Safety Cabinet meeting in December. The new Public Safety Commissioner is Billy “Rusty” Rhoades. He started in this position in mid-November. This was his first meeting with the agencies under his cabinet.

##### **Extern**

The PPB is hosting an OCU 3<sup>rd</sup> year law student in an extern placement. Mr. Stacy Hill will be joining the agency for the spring semester and contributing 91 hours of service. Mr. Hill comes

to the PPB by way of Cameron University where he received his Bachelor's degree in Business Administration. During his time with the PPB, he will focus on:

- researching inmate litigation which will include reviewing unpublished opinions, providing a brief synopsis, and categorizing;
- reviewing parole revocation files;
- drafting revocation certificates; and
- reviewing pardon applications to ensure all certified Judgement and Sentences are included as well payment of cost statements.

### **Budget Review Hearing**

The House/Senate held a joint budget performance hearing on January 17. At the hearing, Ms. Fudge provided information on the Board, the budget, the impact of budget cuts on staff, and statistics, including waivers and revocations. She also shared other accomplishments of the field and agency, budget cutting efforts, and constraints on the agency. In addition, she emphasized that the work of the PPB saves the state money.

Ms. Fudge also spoke about the agency's budget request, which is for two field positions. She explained that we are sensitive to the difficulties that the Legislature faces with the budget, but they would not be informed of the agency's needs if an increase was not requested. The Pardon and Parole Board budget request included an increase of \$112,732.

### **III. Discussion and Possible Action on Second Quarter Budget Report – Melinda Romero, Deputy Director**

Melinda Romero presented the FY18 Second Quarter Budget Report. She provided a brief overview of the budget and stated that the agency is on track with the budget. Chairman Gillert inquired as to how agency vacancies would affect the budget. Ms. Romero responded that the impact varies depending upon what type of vacancy. For example, if the vacancy is due to a retirement or a termination, it will cost the agency more money as a result of the annual leave payout owed to the employee. Generally, a position would need to be vacant for some time to realize any benefits.

### **IV. Update, Discussion, and Possible Action on Administrative Rulemaking and Scheduling Special Meeting for Adoption of Administrative Rules for Pardons, Commutations, and Clemencies – DeLynn Fudge**

Ms. Fudge reported that the Board will need to adopt the administrative rules after the public hearing which will require a special meeting. Even though the Board has approved the administrative rules, the Secretary of State (SOS) indicated that the Board needs to adopt the rules. General discussion was held and Ms. Fudge will communicate further with the Board members to find an agreed upon date. A general consensus was for March 21<sup>st</sup> at 1:30 p.m.

### **V. Discussion and Possible Action on November 2017 Statistical Information and Changes in FY2018 Compilation of Data– DeLynn Fudge**

Ms. Fudge presented the November 2017 Statistical Data. Previously, the agency's statistical information has been provided by the Statistical Analysis Center (SAC) at the OSBI. There have been some recent personnel changes and no one can provide the compilation of our statistics. Ms. Fudge met with Professors DeWade Langley and Elizabeth Maier, the Director and Assistant Director in the School of Criminal Justice at UCO, and they are willing to pick up where the SAC left off. In addition, opportunities for intern placements at the PPB in the future were discussed.

**VI. Presentation, Discussion, and Possible Action on Revocations – Melissa Blanton, Staff Attorney**

Ms. Blanton provided a presentation on the parole revocation process, explaining the notice and hearing requirements per statute as well as case law. A handout was provided to the Board outlining the information provided. She explained the various roles carried out by the Department of Corrections (DOC), the Executive Hearing Officer from the PPB, and the Governor's Office in the process. Board members asked questions regarding the use of sanctions by the DOC and the time frames for each phase of the process from initiation of a revocation proceeding through final action by the Governor. General discussion was held.

**VII. Discussion and Possible Action on Revisions to Vision and Mission Statements – DeLynn Fudge**

Ms. Fudge previously sent an email regarding the proposed Mission and Vision Statements seeking input from the Board on the options. A written response from Ms. Fullerton was distributed. General discussion was held on the various options. Ms. Fullerton and Mr. Macy both agreed that the mission and vision statements should be short and concise. There was general agreement about the Vision Statement; however, Mr. Steele asked if this item could be tabled to have additional time to consider. A motion was made by Allen McCall and seconded by Brett Macy to table the agenda item to February. Brett Macy, Robbie Fullerton, Kris Steele, Allen McCall, and Tom Gillert voted in favor of the motion. There were no votes against the motion. The motion passed.

**VIII. Report, Discussion, and Possible Action on Interstate Compact for Adult Offender Supervision (ICAOS) Meeting – Judge Tom Gillert**

Chairman Gillert presented information regarding the out-of-state supervision of adult offenders. He indicated that he serves on ICAOS at the request of the Governor. He informed the Board of the statutory authority, as well as the purpose of the IACOS Board. He explained that they have a hard time making quorum for meetings. General discussion was held.

**IX. Discussion and Possible Action to Convene in Executive Session As Per 25 O.S. § 307(B)(7) for Discussion on a Former Employee Retirement Issue Where Disclosure of Information Would Violate Confidentiality Requirements of State or Federal Law – Tom Gillert**

A motion was made by Brett Macy and seconded by Allen McCall to convene in Executive Session. Brett Macy, Robbie Fullerton, Kris Steele, Allen McCall, and Tom Gillert voted in favor of the motion. There were no votes against the motion. The motion passed. The Board convened to Executive Session at 10:49 a.m.

**X. Discussion and Possible Action to Reconvene After Executive Session – Tom Gillert**

A motion was made by Brett Macy and seconded by Allen McCall to reconvene after Executive Session. Brett Macy, Robbie Fullerton, Kris Steele, Allen McCall, and Tom Gillert voted in favor of the motion. There were no votes against the motion. The motion passed. The Board reconvened in General Session at 10:53 a.m.

**XI. Discussion and Possible Action Regarding the Former Employee Retirement Issue – Tom Gillert**

A motion was made by Brett Macy and seconded by Robbie Fullerton to make payment to the Oklahoma Public Employment Retirement System (OPERS) pursuant to the invoice which was presented for the employee's contribution to OPERS, including the calculated interest, during the

employee's time as a 999. Brett Macy, Robbie Fullerton, Kris Steele, Allen McCall, and Tom Gillert voted in favor of the motion. There were no votes against the motion. The motion passed.

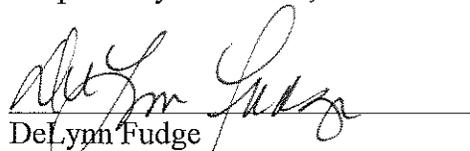
**XII. New Business Not Known or Which Could Not Have Been Reasonably Foreseen Before the Posting of the Agenda – Tom Gillert**

There was no new business.

**XIII. Adjournment of the Business Meeting – Tom Gillert**

The meeting was adjourned at 11:03 a.m. by Chairman Gillert.

Respectfully Submitted,



DeLynn Fudge  
Executive Director

The minutes for the January 2018 Pardon and Parole Board Business Meeting were approved by a majority vote on the 2<sup>nd</sup> day of February 2018.

