



State of Oklahoma  
PARDON AND PAROLE BOARD

PARDON AND PAROLE BOARD  
Business Meeting Minutes  
October 10, 2016  
9:00 a.m.

**MEMBERS PRESENT:** Tom Gillert, Chairman, Patricia High, Vice-Chairman, Vanessa Price, Brett Macy, and William Latimer

**MEMBERS ABSENT:** None

**STAFF:** DeLynn Fudge, Melinda Romero, Melissa Blanton, and Amy Coker

**I. Opening of Meeting – Tom Gillert, Chairman**

The Business Meeting of the Pardon and Parole Board (hereinafter referred to as PPB) was called to order at 9:00 a.m. on Monday, October 10, 2016, at Kate Barnard Corrections Center (KBCC) in Oklahoma City by Chairman Tom Gillert.

**A. Roll Call**

Melinda Romero, Deputy Director, announced the members attending and that a quorum was present. The voting order was set as Patricia High, Tom Gillert, Vanessa Price, Brett Macy, and William Latimer.

**B. Moment of Silence/Prayer**

Chairman Gillert requested a moment of silence/prayer indicating that no one was obligated to participate. Ms. Price 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**

DeLynn Fudge confirmed that the PPB was in compliance with the Open Meeting Act. The meeting agenda was posted at 8:20 a.m. on October 6, 2016. Notice was previously given to the Secretary of State and an agenda was posted at the Board's Administrative Office in advance of the twenty-four hours of notice required prior to the meeting, pursuant to Title 25 O.S. § 301, et seq.

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

**A. Discussion and Possible Action on September Regular Business Meeting Minutes**

Ms. Fudge provided the September Regular Business Meeting minutes for review and approval. A motion was made by Vanessa Price and seconded by Brett Macy to approve the minutes as presented. Patricia High, Tom Gillert, Vanessa Price, and William Latimer voted in favor of the motion. Brett Macy abstained. There were no votes against the motion. The motion passed.

**B. Discussion and Possible Action on September Regular Parole Meeting Minutes**

Ms. Fudge provided the September Regular Parole Meeting minutes for review and approval. A motion was made by Vanessa Price and seconded by William Latimer to approve the minutes as presented. Patricia

High, Tom Gillert, Vanessa Price, and William Latimer voted in favor of the motion. Brett Macy abstained. There were no votes against the motion. The motion passed.

**C. Discussion and Possible Action on FY2017 Budget and Expenditures**

DeLynn Fudge reminded the Board that since the Pardon and Parole Board is a consolidated agency, the financial reports prepared by the OMES are received retroactively. A quarterly financial report will be provided to the Board on the expenditures of the agency for July, August, and September at the November meeting. Ms. Fudge reported that the budget is on track.

**D. Discussion and Possible Action on Agency Updates**

**1. Legislative Updates**

There are no legislative updates at this time.

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

There were no new hires or separations this past month.

**3. Administrative Staff Activities**

Ms. Fudge provided a report of the activities of the agency during this short month. She acknowledged and commended Kim Cain, the district supervisors, the investigators, and Amy Coker, who worked together to review and ensure that each inmate had a parole date in the Offender Management System through the docketing worksheet. With the bed-space driven process utilized by the Department of Corrections (DOC), situations occurred where an inmate could be processed at LARC and transferred out to a facility before the investigator ever processed a docketing worksheet. The PPB obtained a list from the DOC for those inmates that didn't have a docket date entered in the system. Updated docketing worksheets were completed. Another scan will be completed in case there was anyone that was not caught during the first effort. In other areas, Melissa Blanton continues to work with the DOC on monthly revocation hearings and the pardons and commutations are current.

The primary focus for this month has been the preparation of the Administrative Rules for Commutation which will be presented later on the agenda. Ms. Fudge has been working on the required training hours for the Board. Today, Clint Castleberry from the Department of Corrections will be presenting on medical paroles. Next month the Office of the Attorney General will be providing information on the Batterer's Intervention Program and a Victim's Perspective in coming before the PPB. In December, the DAC will be making a presentation to the Board. Each member's current hours were identified and Ms. Fudge indicated that these presentations should fulfill the required hours for the year.

**III. Discussion and Possible Action on Approval of 2017 Pardon and Parole Board Meeting Dates – Melinda Romero**

Ms. Romero previously provided the proposed dates for the 2017 Pardon and Parole Board meetings. Ms. High had requested changes which are incorporated into the document currently presented to the Board. A motion was made by Brett Macy and seconded by Vanessa Price to approve the meeting dates as presented. Patricia High, Tom Gillert, Vanessa Price, Brett Macy, and William Latimer voted in favor of the motion. There were no votes against the motion. The motion passed.

**IV. Discussion and Possible Action on Approval of Commutation Frequently Asked Questions – DeLynn Fudge**

Ms. Fudge summarized the process by which offenders obtain a Commutation application. The idea for Commutation Frequently Asked Questions (FAQs) came from the DOC after the offenders at one facility requested more than 700 copies which represented a full quarter of that facility's population. The cost of complying with this request was \$600. In working with the DOC on how to adequately provide applications to offenders, but at the same time reduce the number of copies provided for offenders who choose not to apply

after reviewing the application, DOC suggested that a copy of the application be available for review in each facility and to develop these FAQs. The FAQs will be added to the website and provided to each facility. The FAQs are based on the current eligibility and commutation review processes. If Administrative Rules are approved, these questions will be edited to reflect any changes. General discussion was held. A motion was made by Brett Macy and seconded by Vanessa Price to approve the Commutation FAQs as presented. Patricia High, Tom Gillert, Vanessa Price, Brett Macy, and William Latimer voted in favor of the motion. There were no votes against the motion. The motion passed.

**V. Discussion and Possible Action on Approval of Proposed Administrative Rules for Commutation – Melissa Blanton, Staff Attorney, and DeLynn Fudge**

Ms. Fudge reported that last year being new to the position and administrative rules, the PPB embarked on an unsuccessful attempt to promulgate administrative rules for commutation. After fully considering and incorporating much of the feedback from the Governor's office and the written public comments, the rules have been amended. Ms. Fudge indicated that the rules are necessary because a considerable amount of time is dedicated to processing and reviewing commutation applications. She provided a general summary of the number of applications reviewed in FY2016, along with the number passed for further review and investigation, and the favorable votes from the Second Stage reviews.

Ms. Blanton provided an update on discussions she had with the Governor's Office which helped guide the current draft. Ms. Fudge provided an overview of each subchapter of the proposed rules. General discussion was held. Ms. Fudge requested approval from the Board to proceed to the next step in the process. If the Board approves, we will meet with the Governor's Office. If any feedback is provided or changes made, the revisions will be presented to the Board next month. Mr. Macy discussed his concern with the statutorily required 10-day initial notification to the victims and the often unnecessary stress placed on them when there is such a low Stage I Board approval. He asked staff to explore legislative changes which would lessen this burden on victims.

A motion was made by Brett Macy and seconded by Vanessa Price to approve the proposed draft of the Commutation Rules and proceed with the next steps in the rulemaking process. Patricia High, Tom Gillert, Vanessa Price, Brett Macy, and William Latimer voted in favor of the motion. There were no votes against the motion. The motion passed.

**VI. Update, Discussion, and Possible Action on House Interim Studies – DeLynn Fudge**

DeLynn Fudge provided an update on two House Interim Studies pertaining to the PPB. The first Interim study, held on October 3<sup>rd</sup>, was regarding HB3159, on the 85% post-incarceration supervision which was passed by the House and Senate and vetoed by the Governor in the previous legislative session. Vice-Chairman Patricia High attended along with DeLynn Fudge, Melinda Romero, and Melissa Blanton to represent the PPB. The agenda included presentations from the District Attorneys Council, the Department of Corrections, TEEM, the Administrative Office of the Courts and the PPB. Ms. Fudge presented the PPB's perspective during the study, including that the PPB already meets the targeted docketing timeline proposed in the bill and that generally the Board members place a priority on offenders receiving supervision along with conditions when they are paroled to better ensure success after release. Ms. Fudge also presented PPB statistical information for review. Ms. High and Ms. Blanton provided their take aways from the meeting. General discussion was held regarding the concerns about post-imprisonment supervision addressed during the study. The second Interim Study on the DOC structure and procedures, which may also relate to the PPB, has been scheduled for October 19<sup>th</sup>. No action was taken.

Being ahead of schedule, the Board took a break at 9:46 a.m. and re-convened at 10:02 a.m.

**VII. Presentation, Discussion, and Possible Action on Medical Overview and Medical Parole Process – Clint Castleberry, Division Manager, Health Services, Oklahoma Department of Corrections**

Clint Castleberry presented to the Board on the DOC's procedures for the submission of a medical parole request. Mr. Castleberry provided an overview of the process, including the medical unit's gathering of

information on the diagnosis and prognosis for applicable inmates, obtaining all appropriate releases from the inmate, the completion and review of the Medical Parole Evaluation form, and the determination that all parole processing requirements are completed prior to the request being forwarded to the PPB. The DOC policy as well as the Medical Parole Evaluation Form have been updated to streamline the process and to avoid any ineligible inmates from being considered for medical parole. Handouts, including a copy of the DOC's policy, the Medical Parole Evaluation form, and the Medical Parole Algorithm, were provided to the Board members during the presentation. Mr. Gillert asked about the language in the medical parole statute that refers to medical parole and compassionate parole and whether DOC considers those as separate types of parole to be requested by DOC and considered by the Board. Mr. Castleberry indicated that currently there is only one DOC process and procedure governing medical parole, but that he would discuss the inquiry further with others within the DOC. General discussion was had. No action was taken.

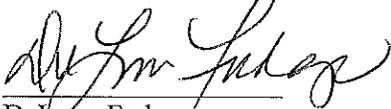
**VIII. New Business Not Known or Which Could Not Have Been Reasonably Foreseen Before the Posting of the Agenda – Tom Gillert**

There was no new business.

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

The business meeting was adjourned at 10:27 a.m. by Chairman Gillert.

Respectfully Submitted,



Delynn Fudge

Executive Director

The minutes for the October 2016 Pardon and Parole Board Business Meeting were approved by a majority vote on the 17<sup>th</sup> day of November 2016.