



State of Oklahoma  
PARDON AND PAROLE BOARD

PARDON AND PAROLE BOARD  
Business Meeting Minutes  
January 17, 2017  
9:00 a.m.

**MEMBERS PRESENT:** Tom Gillert, Chairman, Vanessa Price, Brett Macy, and William Latimer

**MEMBERS ABSENT:** Patricia High

**STAFF:** DeLynn Fudge, Melinda Romero, Melissa Blanton, Kim Cain, 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 9:02 a.m. on Tuesday, January 17, 2017, 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 announced as Brett Macy, William Latimer, Vanessa Price, and Tom Gillert.

**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**

The regularly scheduled meeting of the Pardon and Parole Board has been 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 October 13, 2016. 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, place, and agenda of the meeting at 8:25 a.m. on January 12, 2017, 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 was in compliance with the Open Meeting Act.

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

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

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

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

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

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

**1) Legislative Updates**

There are no legislative updates at this time. The Legislative session will convene on February 6, 2017. Staff have begun tracking legislation. There are not currently any bills that have been filed that are related to the Pardon and Parole Board. Staff will continue to inform the Board as the session proceeds.

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

John Penix, Investigator at Eddie Warrior Correctional Center, retired as of December 29, 2016. The Board will recognize his service to the PPB at today's meeting. The vacant administrative position has been posted but due to few responses, the position will be reposted. The position vacated by John Penix will also be posted.

**3) Administrative Staff Activities**

Last month, Ms. Fudge reported that the staff were in the process of working with the Department of Corrections (DOC) to ensure that status changes were received. Status changes influence docketing and subsequent research to ensure that no one is missing from the docket. Ms. Fudge met with Dr. Pitman, who contacted the appropriate DOC staff to ensure status changes were sent to the administrative office. It was also determined that some investigators received status changes while others did not. The investigators were asked to make contact with their facilities to ensure status changes are being forwarded. Because of these efforts, status changes have increased. This will help with the staffs' research time each month and increase efficiency.

Ms. Fudge conveyed that staff met to discuss the Commutation Application. The application was revised in June 2016; however, there was some transition time from the use of the old application to the new application. The Board should now be reviewing only new applications. As the Board knows, staff reviews the applications to determine completeness. There appear to be some questions that consistently cause difficulties for the inmate applicant. Staff met to reword and clarify those specific questions. An opportunity was provided to four law firms who frequently submit commutation applications on behalf of their clients to provide input on the revisions, if they so choose. Staff will bring revisions for review and approval next month.

A connection with NCIC has finally been established. There were some computer barriers and it took six months to work out the solution. Amy Coker is our primary contact point to run the NCIC reports. The staff were able to run about twenty (20)

reports for pardon applications. Prior to our access, DOC was running reports on our behalf but it would take two (2) weeks to get the reports returned. The staff can now retrieve them in one day – thus increasing efficiency.

A new form has been instituted for investigators to request interpreters for the Board when they interview an inmate and learn that an interpreter is needed. A discussion item will be on next month's agenda to discuss any other options when an interpreter is needed. One item that Ms. Fudge would like to institute is recording the name of the interpreter on the ballot. Ms. Coker has been instructed to ask if she does not get the name.

There is a national and state trend to use a Risk Assessment Tool in evaluations – not just in paroles but other areas, such as mental health, corrections, etc. Information from APAI indicated that 75% of the parole boards use some sort of a risk assessment tool and thirteen (13) other parole boards use the LSI-R. DOC is implementing the LSI-R again and the information can then be used by the Board in parole considerations. Prior to utilization, the DOC will provide training to the Board on the LSI-R. Technical assistance can also be obtained through the Center for Effective Public Policy.

The Senate Budget Hearing has been scheduled for January 31, 2017 at 2:45 p.m. at the Capitol. Judge Gillert has indicated that he will be able to attend.

General discussion was held. Judge Gillert expressed interest in training on the chronology and process of a when a person becomes eligible for parole, including the discharge process. Ms. Fudge indicated that she would add that to the topics for Board training.

**III. Discussion and Possible Action on the FY2017 Budget Expenditures – Melinda Romero**

Melinda Romero presented the second quarter's Budget to Actual Expenditure Report as well as the Six Digit Object of Expenditure Report from the OMES, which ties to the expenditures. As of December 31, 2016, the following was provided:

<b>FY2017</b>	<b>Budgeted</b>	<b>Actual</b>
<b>Personnel Expenses</b>		
Salary	\$1,317,963.00	\$705,024.90
Benefits	\$752,003.00	\$394,796.44
<b>Total Personnel</b>	<b>\$2,069,966.00</b>	<b>\$1,099,821.34</b>
<b>Operating Expenses</b>		
Professional Services	\$82,914.00	\$27,197.11
Travel	\$47,000.00	\$17,102.40
Operating Expenses	\$93,133.00	\$91,199.94
<b>Total Operating Expenses</b>	<b>\$224,047.00</b>	<b>\$135,499.45</b>
<b>Total</b>	<b>\$2,294,013.00</b>	<b>\$1,235,320.79</b>

She indicated that the budget is on track and within targeted expectations. No discussion was held.

**IV. Discussion and Possible Action on Invitation to Visit DOC's Lexington Assessment and Reception Center – DeLynn Fudge**

After visiting with Dr. Pitman, Ms. Fudge indicated that the morning is the best time to see the

receptions and assessments at LARC. DOC would provide a tour and training for the Board members at the facility. General discussion was held on the best time. The preference is to incorporate such a visit into the normal course of business during the Board meeting week. Ms. Fudge is looking at a timetable when the weather is more predictable, likely April or after.

**V. Discussion and Possible Action on Technical Assistance from the National Parole Resource Center on Strategic Planning – DeLynn Fudge**

The Board was provided with information regarding an opportunity for technical assistance from the National Parole Resource Center (NPRC) on Strategic Planning. Through a grant, NPRC will assist the Board in looking at assessment tools, developing new approaches to the imposition of conditions, exploring alternatives to revocation, creating performance measures, and improving collaboration with key criminal justice partners. The costs associated with the technical assistance will be provided by NPRC. Ms. Fudge expressed that it could be an excellent opportunity if the Board is interested and willing to participate. If interested, a letter would need to be submitted with the all Board members' signatures. The due date is January 20<sup>th</sup>. General discussion was held.

A motion was made by Brett Macy and seconded by Vanessa Price to support the submission of the letter and the technical assistance from NPRC if Oklahoma is selected. Brett Macy, William Latimer, Vanessa Price, and Tom Gillert voted in favor of the motion. There were no votes against the motion. The motion passed.

**VI. Update, Discussion, and Possible Action on 95% Capacity Pilot Project – DeLynn Fudge**

For some time, the DOC and the PPB have been looking at a part of statute, Title 57 Section 332.7(G), which states that "whenever the population of the prison system exceeds ninety-five percent (95%) of the capacity as certified by the State Board of Corrections, the Pardon and Parole Board may, at its discretion, recommend to the Governor for parole any person who is incarcerated for a nonviolent offense not involving injury to a person and who is within six (6) months of his or her statutory parole eligibility date."

Ms. Fudge indicated that according to an employee who has worked for the agency for almost 30 years is that this type of project has been implemented intermittently over the last 15 years, depending on the Board and the Governor in office.

In collaboration with DOC, several medium security facilities, both men and women's, would be targeted. Offenders meeting the following criteria could be reviewed: 1) Includes offenders serving sentences for non-violent offenses who are going to supervision; 2) Excludes current active violent offenders and offenders serve time for an 85% crime; 3) Excludes offenders that have ever served time for a violent offense; 4) Excludes offenders on GPS, EMP, or PPCS; 5) Excludes offenders that have a consecutive case; 6) Excludes offenders that have parole hearing dates within the next 6-9 months; 7) Offenders that are within 9 months of discharge; 8) Offenders with no misconducts in the last 24 months; 9) Offenders that are Level III or IV; and, 10) Offenders with no consecutive sentences with time to serve.

It is anticipated that the pilot would increase the docket by an additional 75 – 120 jacket reviews per month. In April, the Board voted to proceed with the examination of criteria to obtain a manageable number of eligible offenders to implement the provisions of Title 57 Section 332.7(G). Ms. Fudge is requesting that the Board review the criteria and approve moving forward to work with DOC to implement this pilot project. General discussion was held.

A motion was made by Brett Macy and seconded by Vanessa Price to support the pilot project with the criteria as presented. Brett Macy, William Latimer, Vanessa Price, and Tom Gillert voted in favor of the motion. There were no votes against the motion. The motion passed.

**VII. Presentation, Discussion, and Possible Action on Female Offenders in Oklahoma – Dr. Laura Pitman, Division Manager, Field Support, Oklahoma Department of Corrections**

Dr. Laura Pitman introduced herself to the Board and shared her background in corrections with the Board. She provided a PowerPoint presentation, "Incarceration of Women in Oklahoma". Dr. Pitman reviewed the imprisonment rates from 1984 to 2014 for women in Oklahoma and compared that to the national average. She reviewed types of admission, recidivism rates for women, and releases versus discharges. Dr. Pitman discussed various critical issues pertaining to women. She discussed core programs, which are available at various facilities, as well as reentry needs. General discussion was held. No action was taken.

**VIII. Discussion and Possible Action on Field Staff Award Presentation – Tom Gillert and Kim Cain**

Chairman Gillert presented the quarterly Field Staff Award to Lisa Reading for her unselfish attitude and dedication to the team. Ms. Reading took the leadership in developing the Investigator Handbook and numerous other projects that have helped the agency move in a positive direction. Ms. Price made note that previous awards were given to the team but this was an individual award. The Board thanked her for her work and dedication.

**IX. Presentation to John Penix Recognizing Years of Service to the Pardon and Parole Board – Tom Gillert**

Chairman Gillert recognized John Penix for his twenty-seven years of service to the Pardon and Parole Board and thirty-five years of service to the State of Oklahoma. John retired as of December 29, 2016, where he served as the Investigator for Eddie Warrior Correctional Center. The Board thanked him for his loyal and dedicated service.

**X. 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.

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

The meeting was adjourned at 10:17 a.m. by Chairman Gillert.

Respectfully Submitted,

  
DeLynn Fudge  
Executive Director

The minutes for the January 2017 Pardon and Parole Board Business Meeting were approved by a majority vote on the 14th day of February 2017.

