



State of Oklahoma  
PARDON AND PAROLE BOARD

**PARDON AND PAROLE BOARD**  
**Business Meeting Minutes**  
**April 18, 2016**  
**9:00 a.m.**

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

**MEMBERS ABSENT:** Brett Macy

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

**I. Opening of Meeting – Vanessa Price, 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 Monday, April 18, 2016, at Kate Bernard Community Correctional Center (KBCCC) in Oklahoma City by Chairman Vanessa Price. Melinda Romero announced the members attending and a quorum was present.

**A. Moment of Silence/Prayer**

Chairman Price conducted a moment of silence/prayer indicating that no one was obligated to participate.

**B. Pledge of Allegiance**

Chairman Price invited all attendees to participate in the Pledge of Allegiance. Ms. Price indicated that no one was obligated to participate.

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

DeLynn Fudge confirmed that the meeting was posted at 3:10 p.m. on April 12, 2016, in compliance with the Open Meeting Act. Notice was 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. Presentation, Discussion, and Possible Action on a Department of Corrections Overview – Interim Director Joe Allbaugh, Oklahoma Department of Corrections**

Director Allbaugh provided a PowerPoint presentation on an overview of the Department of Corrections, which included a historical and current budget of the agency by division, a review of population types and various data sets, and information on medical paroles. Director Allbaugh indicated he wanted to work with the Pardon and Parole Board. General discussion was held to clarify the information provided on the needs of inmates for programmatic stipulations and conditions as well as how the DOC can work with the PPB on medical paroles.

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

#### **A. Discussion and Possible Action on Approval of March Regular Business Meeting Minutes**

Ms. Fudge provided the March Regular Business Meeting minutes for review and approval. A motion to approve the minutes as presented was made by Mr. Gillert and seconded by Mr. Latimer. Mr. Gillert, Ms. High, Mr. Latimer, and Ms. Price voted in favor of the motion. The motion passed.

#### **B. Discussion and Possible Action on Approval of March Regular Parole Meeting Minutes**

Ms. Fudge provided the March Regular Parole Meeting minutes for review and approval. A motion to approve the minutes as amended was made by Ms. High and seconded by Mr. Gillert. Mr. Gillert, Ms. High, Mr. Latimer, and Ms. Price voted in favor of the motion. The motion passed.

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

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

The Board was previously provided with a mid-year legislative report. In the packet, a more current update of the bills that the PPB is following was provided. The bills are related to expungements, criminal procedure, and criminal penalties. There are no bills that negatively impact the PPB. Ms. Fudge offered to follow any bills that the Board might be interested in. Ms. Price inquired if Mr. Gillert if the report was sufficient to meet his needs as requested last month and he replied that it was.

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

There have been no new hires and no separations this month.

##### **3. Budget Update**

The PPB budget continues to be on track and expenditures are made with caution. The PPB is proceeding with some projects that have previously been budgeted, including: 1) purchasing scanners for field staff which will increase efficiency; 2) upgrading the PPB Reporting System which will increase efficiency for the field staff and provide additional information to the Board; and, 3) a second upgrade to the PPB Reporting System which will improve processes at the administrative office.

##### **4. Administrative Staff Activities**

Ms. Fudge reminded the Board that financial disclosure forms need to be filed with the Ethics Commission by May 15<sup>th</sup>. It is a short process that typically takes less than 5 minutes. Ms. Romero will be following up with those that have not yet filed.

Last month it was reported that due to the second budget revenue failure, the training for investigators/supervisors scheduled for April 28-29, 2016, was cancelled. The cost to provide the training as planned was too prohibitive; however, a training is rescheduled for a date in June from 10:00 a.m. to 3:00 p.m., which will significantly reduce costs. Only travel costs will be required. The training will include training on Sexual Harassment and Discrimination and How to Read NCIC, OSBI, and JOLTS reports.

The PPB is working with the Department of Public Safety on getting an ORI number in order to directly obtain NCIC reports which will be used for out-of-state pardons, in absentia paroles, and employment applications. Ms. Fudge reported that field staff and the administrative office are working to eliminate the out of state pardon backlog.

Ms. Fudge thanked Kim Cain for her efforts on surplusing the furniture. She worked with the Warden at William S. Key Correctional Facility so the facility could receive the surplus furniture.

Finally, the PPB has met with District Attorney Richard Smothermon regarding a revision to the DA Narrative form. It is hoped that the future form will be used by all District Attorneys to provide consistency of information provided that is more beneficial to the Board.

**IV. Update, Discussion, and Possible Action on Title 57 O.S., Section 332.7: Review of Project on Non-Violent Offender Release Criteria when DOC is at 95% Capacity – DeLynn Fudge**

Ms. Fudge reported that the staff have been working with the Department of Corrections (DOC) toward the possibility of implementing the provisions in Title 57 O.S., Section 332.7(G) that allows non-violent offenders that are within six months of release to be considered by the Pardon and Parole Board when the DOC is at 95% capacity. As of April 11, 2016, the DOC is at 122% capacity. When looking at prisons, contracted prisons, halfway houses, correctional centers, and contracted jail beds, the capacity is at 112%. Ms. Askins and Ms. Price had begun to address this issue with the DOC about a year ago. Implementing the statute provisions will require determining the appropriate criteria in order to ensure a manageable number of offenders are considered each month. Ms. Fudge is working with the DOC to identify those with the criteria listed on the summary document provided to the Board. Ms. Fudge indicated that this would be a four-month pilot project then the project would be re-evaluated and the impact determined. After general discussion was held, Mr. Gillert made a motion to proceed with the examination of criteria to obtain a manageable number of eligible offenders to implement the provisions of Title 57 O. S., Section 332.7(G). The motion was seconded by Ms. High. Mr. Gillert, Ms. High, Mr. Latimer, and Ms. Price voted in favor of the motion. The motion passed.

**V. Discussion and Possible Action on Favorable Recommendations for Commutations – Melissa Blanton**

Ms. Blanton presented information to the Board concerning the laws surrounding the Board's consideration and recommendations for commutation of an offender's sentence. A written compilation of the governing law was distributed to the members present. Although the governing law on the issue is limited, Ms. Blanton encouraged the Board when reviewing and voting on commutation applications to not only consider whether a commutation is proper, but also to make a recommendation for an appropriate sentence term. General discussion was held concerning the need for a majority vote on the recommendation of a commutation and whether a majority vote was necessary for the recommended sentence term. It was determined that if commutation is recommended, but here is no majority vote for a recommended sentence term, the Governor will receive a copy of the ballot indicating each Board member's vote for consideration. No action was taken.

**VI. Discussion and Possible Action on Revising the Rules and Conditions on Parole Certificates – Melinda Romero**

Mrs. Romero reported to the Board that the Governor's Office informed our Office that the previous Board had changed the Rules and Conditions on the back of the parole certificates from a very specific 19 rules and conditions to a very broad six (6) rules and conditions. In a meeting with the Department of Corrections (DOC), the DOC preferred to go back to using the original 19 rules and conditions. General discussion was held. A motion was made by Mr. Gillert to amend the current parole Rules and Conditions to the proposed and expanded Rules and Conditions as provided. Mr. Latimer seconded the motion. Ms. High, Mr. Gillert, Ms. High, Mr. Latimer, and Ms. Price voted in favor of the motion. The motion passed.

**VII. Discussion and Possible Action on Approval of Pardon Application and Frequently Asked Questions – DeLynn Fudge**

Ms. Fudge reported that she has been working on updating the pardon application. Research on other state's applications as well as seeking input from Mr. Michael Risley and Ms. Debbie Hampton, attorneys who frequently comes before the Board. Mr. Risley provided some very good input which was incorporated. Ms. Fudge reviewed a detailed list of changes for the Board. General discussion was held and requested amendments were made by the Board. Mr. Gillert made a motion to approve the pardon application and the Frequently Asked Questions as amended. The motion was seconded by Ms. High. Mr. Gillert, Ms. High, Mr. Latimer, and Ms. Price voted in favor of the motion. The motion passed.

**VIII. Discussion and Possible Action on Quarterly Field Staff Award Presentation – Vanessa Price and Kim Cain**

Ms. Price presented the Western District with the 1st Quarter of 2016 Excellence Award. This district is supervised by Leroy Long and includes Gina Gibson, Erika Denton, Malenda Brooks, Patty Lanier, Randall Gollhofer, Regina Lawson, and Robert Williams. Ms. Price provided an overview of the reasons why this district received the award, which included covering other district caseloads on a regular basis, demonstrating team efforts to accomplish goals, and offering ideas to benefit the agency. The PPB appreciates their dedication.

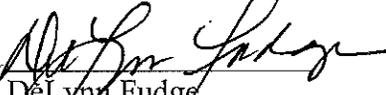
**IX. New Business Not Known or Which Could Not Have Been Reasonably Foreseen Before the Posting of the Agenda – Vanessa Price**

There was no new business.

**X. Adjournment of the Business Meeting – Vanessa Price**

The business meeting was adjourned at 11:59 a.m. by Chairman Price.

Respectfully Submitted,



DeLynn Fudge  
Executive Director

The minutes for the April 2016 Pardon and Parole Board Business Meeting were approved by a majority vote on the 13<sup>th</sup> day of May 2016.