



State of Oklahoma
PARDON AND PAROLE BOARD

PARDON AND PAROLE BOARD
Business Meeting Minutes
April 15, 2019

Monday, April 15, 2019
9:00 a.m.

MEMBERS PRESENT: Robert Gilliland, Allen McCall, Larry Morris, Kelly Doyle, and Adam Luck

MEMBERS ABSENT: None

STAFF: DeLynn Fudge, Melinda Romero, Justin Wolf, and Amber Briggs-Spell

GUESTS: Alina Sorrell, Office of the Governor (4/15/19 and 4/17/19)

I. Call to Order – Chairman Robert Gilliland

The Business Meeting of the Pardon and Parole Board (PPB) was called to order at 9:00 a.m. by Chairman Robert Gilliland on Monday, April 15, 2019, at Kate Barnard Correctional Center (KBCC) in Oklahoma City.

A. Roll Call

The members attending were Robert Gilliland, Allen McCall, Larry Morris, Kelly Doyle, and Adam Luck. The voting order was announced as Adam Luck, Larry Morris, Allen McCall, Robert Gilliland and Kelly Doyle.

B. Pledge of Allegiance

Chairman Gilliland led the Pledge of Allegiance.

C. 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 November 9, 2018. 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 11:15 a.m. on April 10, 2019, at the principal office of the Pardon and Parole Board, located at 2915 N. Classen, Suite 405, Oklahoma City, OK. The Board is in compliance with the Open Meeting Act.

II. Presentation, Discussion, and Possible Action on the Interstate Compact – Frank Mesarick, Oklahoma Interstate Compliance Administrator, Department of Corrections

Mr. Mesarick provided a handout and then an overview on the Interstate Compact of Adult Supervision (ICOAS) in which every state participates. He addressed the number of inmates who are incoming into Oklahoma and outgoing to other states. General discussion was held and the Board had an opportunity to ask questions.

III. Business Meeting – DeLynn Fudge, Executive Director

A. Discussion and Possible Action on March Business Meeting Minutes

The March Business meeting minutes were provided to the Board for review. Kelly Doyle requested additional information to Items VII and X. General discussion was held on the wording to be added. Director Fudge requested that the approval of the minutes be tabled until next meeting. A motion was made by Allen McCall and seconded by Robert Gilliland to table the approval of the March Business minutes until the April meeting. Adam Luck, Larry Morris, Allen McCall, Robert Gilliland and Kelly Doyle voted in favor of the motion. The motion passed. There were no votes against the motion.

B. Discussion and Possible Action on March Parole Meeting Minutes

The March Parole meeting minutes were provided to the Board for review. A motion was made by Allen McCall and seconded by Larry Morris to approve the Parole meeting minutes as presented. Adam Luck, Larry Morris, Allen McCall, Robert Gilliland and Kelly Doyle voted in favor of the motion. The motion passed. There were no votes against the motion.

C. Discussion and Possible Action on Agency Updates

1. Personnel Updates – New Hires and Separations

Since the last meeting, the Field Director position has been filled. Director Fudge indicated that Mr. Long served as the Western District field supervisor and has been with the agency since 2007. His position in the Western District will need to be backfilled. Updates on the three remaining vacancies were provided.

2. Legislative Update

A legislative report was provided and discussed. SB0027 which was a request bill to allow victim notification via email in lieu of snail mail failed deadline.

SB0028 which removes references to a sentencing matrix that was never adopted by the legislature is still alive. HB2273 remains active which requires the Pardon and Parole Board to provide a reason for denial, a course of remediation if a parole is denied, and to aggregate sentences. The bills related to expungements which were not request bills also failed deadline.

3. Administrative Staff Activities

Director Fudge last month the Board requested communication specific to three inmates be conveyed and field staff did communicate the Board's information regarding programming and application through the Aging Prisoners. Part of the month was dedicated to identifying the issues with the Vidyo Conferencing system seemed to crash last month. Two meetings were held with OMES and DOC and test was completed with every site. A number of issues were identified but these are related to DOC equipment, training, and identifying contact persons for each facility.

PPB staff worked with OAG on the VINE notifications. Collaboration with DOC on the administrative parole process occurred. Discussion was held on why the agency has not received another list from the DOC. Staff was asked to request this information from DOC. They are trying to refine their query so that PPB staff are not required to spend as much time researching to ensure eligibility. Collaborative efforts also occurred on accommodating DOC needs with the aging prisoner's parole application.

General discussion was held on attendance at the Association of Paroling Authorities International (APAI) Conference. Ms. Doyle, Mr. Wolf, and Director Fudge attended. Each provided a summary of the takeaways from the conference. Ms. Doyle indicated that she would like to see the Board incorporate a structured decision-making tool. She indicated that she had used one during the April docket review and it was very helpful. She'd like to see further action on this item. Director Fudge will add an item to next month's agenda.

Director Fudge indicated that from time to time investigators will attend a part of the Board meeting in order to have an opportunity to see the process through the Board's lens. Finally, an update was provided on Mr. Macy's presentation at Davis Correctional Center. Mr. Grant, the Principal at that facility indicated that the next graduation will be on September 25th, at which Governor's Office may also be in attendance. Ms. Doyle indicated that she would be able to present.

IV. Discussion and Possible Action on FY2019 Third Quarter Budget Report – Melinda Romero, Deputy Director

Deputy Director Romero presented the FY19 Third Quarter Budget Report. She provided a brief overview of the budget and stated that the agency is fiscally on track. General discussion was held. A motion was made by Allen McCall and seconded by Robert Gilliland to approve the Third Quarter Budget Report as presented. Adam Luck, Larry Morris, Allen McCall, Robert Gilliland and Kelly Doyle voted in favor of the motion. The motion passed. There were no votes against the motion.

V. Presentation, Discussion and Possible Action on FY2018 Statistics Overview – DeLynn Fudge, Executive Director

Director Fudge provided a handout on the 2018 statistics which reviewed the agency's budget, savings, vacancies, and statistical information on the paroles, commutations, and pardons. Waivers and revocations for FY2018 were also reviewed. General discussion was held. There was no action on this item.

VI. Discussion and Possible Action on Monthly Statistical Information for January and February 2019 – DeLynn Fudge, Executive Director

This statistics for January and February were provided. For non-violent offenses for January, the Board had a release rate of 33.1% and for violent offenses, it was 11.6%. In February, for non-violent offenses, the Board had a release rate of 39.1% and for violent offenses, it was 21.8%. To make a comparison, the average last year was 33.3% and 6.4%. In the two months, 101 non-violent inmates were granted parole and 616 waived their hearing. For both months, UAs, substance abuse treatment, and mental health evaluations were the top three special conditions. There were no questions and no action was taken.

VII. Discussion and Possible Action on Revisions to March 2019 Aging Prisoner's Application – DeLynn Fudge, Executive Director

Director Fudge indicated that the Department of Corrections requested a change in the process of the eligibility determination which impacted the Aging Prisoner's Parole applications. The requested changes were incorporated into the March 2019 revised application. A motion was made by Allen McCall and seconded by Larry Morris to approve the revised Aging Prisoner's Application as presented. Adam Luck, Larry Morris, Allen McCall, Robert Gilliland and Kelly Doyle voted in favor of the motion. The motion passed. There were no votes against the motion.

VIII. Presentation, Discussion, and Possible Action on Policy 101 – Duties and Responsibilities of the Pardon and Parole Board and Procedure 101 for Board Attendance Absences – Justin Wolf, General Counsel

General Counsel Wolf presented information regarding Policy 101. He covered the policy regarding Officers, Terms, and Qualifications. He discussed the meeting attendance procedures to be followed in the event that a Board member had to miss one or more meetings. General discussion was held, no action was taken.

IX. Presentation, Discussion, and Possible Action on Types of Dockets and Eligibility Criteria – Melinda Romero, Deputy Director

Deputy Director Romero referred the Board to a handout in their packet on various docket types. She gave a brief presentation on the docket types and the criteria that an offender must meet to be considered on that docket. She provided the board criteria to be considered by personal appearance or jacket review. Mr. Luck asked that criteria for Administrative Parole and Aging Prisoners parole be added to this document as well. General discussion was held on who sets the criteria for the dockets which is the Board. Ms. Doyle indicated she might want to visit this issue in the future. No action was taken.

X. Presentation, Discussion, and Possible Action Inmate Releasing Process - Melinda Romero, Deputy Director

Deputy Director Romero gave a brief presentation on the process that takes place after an offender has received a favorable vote from the Board. She reported on the various steps in the parole process that take place before an inmate is released as well as how pending paroles are tracked. General discussion was held. No action was taken.

XI. Discussion and Possible Action on Proposed Legislation to Eliminate the Use of Waivers – Chairman Gilliland and DeLynn Fudge

Director Fudge reported that before the board was appointed, the issue of waivers was discussed in a meeting with General Counsel Burget. Monthly, the Board reviews approximately 200 paroles but nearly 400 inmates waive per month. General Counsel Burget asked for a proposal on the impact to the agency if waivers were eliminated. The proposal was subsequently provided in a meeting with Secretary Keating and Secretary Rogers and a copy was provided to the Board. Director Fudge reported that there has been discussion about potential legislation but she was not aware of any that had been filed which would eliminate the ability to waive. Discussion was held on inmates that are on GPS who by statute cannot waive their parole hearing. General discussion was held on ensuring legislators hear from the Board on this matter. Adam Luck indicated that he thought there needed to be a pause on this issue and review the data to find determine the optimum course moving forward. He suggested that the Board express their concerns about the waiver proposal. No action was taken.

XII. Update, Discussion, and Possible Action on Criminal Justice Reclassification Coordination Council – Justin Wolf, General Counsel

General Counsel Wolf provided an update report on the activities of the CJRCC. He explained that the committee had met again as a group and compiled data. The consensus of the group was to begin classifying felonies into appropriate categories and to have the Oklahoma Law Subcommittee and the Other States' Laws Subcommittee meet within the within the next 30 days. General discussion was held. No action was taken.

XIII. New Business Not Known or Which Could Not Have Been Reasonably Foreseen Before the Posting of the Agenda – Robert Gilliland, Chairman

There was no new business.

XIV. Adjournment of Business Meeting – Robert Gilliland, Chairman

The meeting was adjourned at 11:27 a.m.

Respectfully Submitted,



Melinda Romero
Interim Executive Director

The minutes for the April 2019 Pardon and Parole Board Business Meeting were approved by a majority vote on the 14 day of May 2019.