



State of Oklahoma
PARDON AND PAROLE BOARD

PARDON AND PAROLE BOARD
Business Meeting Minutes

Monday, August 10, 2020
9:00 a.m.

MEMBERS PRESENT: Allen McCall, Larry Morris, Kelly Doyle, and Adam Luck. All Board Members appeared remotely via Zoom Webinar as panelist as authorized under HB 661.

MEMBERS ABSENT: Chairman Robert Gilliland – Excused

STAFF: Melinda Romero and Kyle Counts. All staff appeared remotely as panelists via Zoom Webinar.

GUESTS: None

I. Call to Order – Vice-Chairman Adam Luck

The Business Meeting of the Pardon and Parole Board (PPB) was called to order at 9:00 a.m. by Vice-Chairman Adam Luck, serving as Acting Chair, on Monday, August 10, 2020, on the Zoom Webinar ID#95001528144.

A. Roll Call

The members attending as panelists via Zoom Webinar were Allen McCall, Larry Morris, Kelly Doyle, and Adam Luck. The voting order was announced as Adam Luck, Allen McCall, Larry Morris, Kelly Doyle. Robert Gilliland was out with an excused absence for medical reasons.

B. Pledge of Allegiance

Since the meeting was virtual and no flag was present, there was no Pledge of Allegiance.

C. Assurance of Compliance with Open Meeting Act

General Counsel Kyle Counts provided assurance of compliance with the Open Meeting Act. The business meeting of the Pardon and Parole Board was convened via Zoom Webinar in accordance with the Oklahoma Open Meeting Act as amended under HB 661. This meeting was preceded by advance notice of the date, time, and place filed with the Oklahoma Secretary of State on November 13, 2019. 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, virtual meeting place, and agenda of the meeting at 12:50 PM. on August 6, 2020, on our website, www.ok.gov/ppb. The meeting is in compliance with the Open Meeting Act.

II. Business Meeting

A. Discussion and Possible Action on July Business Meeting Minutes

The July business meeting minutes were provided to the Board for review. Allen McCall made a motion to approve the July business meeting minutes, Larry Morris seconded. The Board approved the motion 4-0.

B. Discussion and Possible Action on July Parole Meeting Minutes

The July parole meeting minutes were provided to the Board for review. Mr. McCall made a motion to approve the July parole meeting minutes, Mr. Morris seconded. The board approved the motion 4-0.

C. Discussion and Possible Action on FY21 Budget

The FY21 budget was provided to the Board for review. Mr. McCall made a motion to approve the FY21 Budget, Mr. Morris seconded. The board approved the budget 4-0.

D. Discussion and Possible Action on Operational Audit Report

The Operational Audit Report requested by Chairman Gilliland to the Board for review. The Board discussed the recommendation in the report that absences be reflected in the minutes as excused or unexcused. Mr. McCall made a motion to approve the recommendation in the audit report, Larry Morris seconded. The board approved the motion 4-0.

E. Discussion and Possible Action on Agency Updates

1. Personnel Updates: New Hires and Separations– Deputy Director, Melinda Romero

Ms. Romero shared that there had been two separations since the last Board meeting, that of Director Steven Bickley and the Field Investigator, Brittany King.

2. Administrative Staff Activities – Deputy Director, Melinda Romero

Ms. Romero informed the Board that the Executive Directors position had been posted and that she would send a weekly list of applicants to them all until the position is closed. The Board discussed the appropriate amount of cases to docket for Stage I commutation review. Ms. Romero advised that we had 400-450 docketed per month to get caught up. The Board agreed to reduce the volume to 150 for 1-2 months to make sure the process is improved, applications are complete, and proper notifications are going out. Mr. Luck proposed adding an agenda item to the September meeting to update on the status of Stage I docketing. The Board discussed communication issues between the Department of Corrections and the Pardon and Parole Board, and agreed to compile a list of issues to discuss with DOC. The Board leadership will reach out to DOC for a meeting and report back to the rest of the Board on the results of the meeting.

3. Field Updates – Field Director, Leroy Long

Mr. Long reported that the agency currently has 10 investigators and one supervisor, and is in the process of hiring a new investigator for Mabel Bassett. The field has completed 1924 paroles and commutations since January 2020. The field has completed two docketing audits in February and April to ensure all inmates have parole dates; roughly 24,336 inmates. Mr. Long reported that Lexington is receiving inmates again. The current issues involve DOC shutting down several prisons and transferring inmates. This and COVID is making it difficult to complete interviews. All DOC facilities in Tulsa have closed, OSR work center is moving inmates by the end of August, and Kate Barnard is closing. CCF is also closing which will change investigators' workloads after the approximately 1,500 inmates are distributed to different facilities. Mr. Long stated he will discuss with the new Executive Director the possibility of hiring a new investigator once all the moves are complete. Ms. Doyle asked if the investigators are able to complete their work remotely, and Mr. Long

explained the process since COVID hit. The Board discussed addressing human resource issues going forward and improving communication between the staff and the Board. Vice-Chairman Luck expressed the Board's appreciation for Mr. Long's work and the work of the investigators. Mr. McCall confirmed that Kate Barnard was closing, and Vice-Chairman Luck suggested adding that as an item to discuss with DOC in case the Board needs to move its future meetings elsewhere.

4. Legal Update – General Counsel, Kyle Counts


General Counsel Kyle Counts provided an update on outstanding Open Records Act requests, reporting that there are two outstanding and that of the two he is waiting on the requestor to advise on how to proceed, as the original request was problematic in terms of scope and volume. Mr. Counts updated the Board on the status of the emergency rulemaking, advising that he had begun going through the relevant chapters but would hold off on further work until a new Director is in place to steer that process. Mr. Counts reported that the certificate process has been greatly improved with far fewer errors than in previous months before work began to improve the process. Mr. Counts concurred with Ms. Romero that improvements will be made on the internal processes and procedures regarding commutations and that his focus would be on legal compliance with notifications. Mr. Counts reported that revocation hearings resumed in July and the agency is now up-to-date on all of them. Mr. McCall expressed concern that some people are receiving special treatment on commutation requests and delegates. Mr. McCall would like the Board to be notified of whom is asking for or receiving special treatment outside our rules regarding commutation. Mr. Morris concurred and said that the entire Board should be aware of who is requesting or receiving special consideration. Vice-Chairman Luck suggested that Mr. Counts discuss the common types of requests in the next legal update so that the Board may discuss how to address those moving forward.

III. Discussion and Possible Action on Resolution in Appreciation of Distinguished Service by Steven Bickley – Vice-Chairman Adam Luck

Vice-Chairman Luck read a resolution that Chairman Gilliland prepared in appreciation of Director Steven Bickley. The Board discussed the contents of the resolution. Mr. McCall stated that while he appreciated Dir. Bickley's service, he disagreed with the entire statement based on the letters the Board received concerning various personnel issues during Dir. Bickley's tenure. Mr. Morris appreciated Dir. Bickley's service, but disagreed with the substance of the statement and the Board's taking credit for lowering the incarceration rate or achieving the goals of the Governor's office. Vice-Chairman Luck concurred with these concerns and suggested formalizing the way in which the Board receives feedback on the Director before a new one is in place. Vice-Chairman Luck suggested tabling the agenda item to the September meeting so that the language could be changed to something more agreeable to a majority of the Board members. Mr. McCall agreed with this but expressed his displeasure with the content of the personnel letters that were shared with the Board and would not agree to anything similar to what is in the current resolution. The Board discussed the proper way to address similar concerns in the future and improving communication with staff. Vice-Chairman Luck suggested methods of improving the feedback the Board receives from staff regarding the performance of the Executive Director. The agenda item was passed to the September meeting.

- IV. Discussion and Possible Action on Appointment of Melinda Romero as Interim Director – Vice-Chairman Adam Luck**
Vice-Chairman Luck explained that it is the practice of the Board to appoint the Deputy Director as Interim Director in the absence of an Executive Director and moved to appoint Ms. Romero as Interim Director. Mr. McCall seconded the motion, and the Board approved the motion 4-0. Vice-Chairman Luck expressed the Board's appreciation for Ms. Romero stepping into the role until the position is filled. The Board discussed the process for conducting interviews and reviewing applications.
- V. Discussion and Possible Action on Election of a Chairperson – Vice-Chairman Adam Luck**
Vice-Chairman Luck explained that the election is past due as it is supposed to be annual and the current leadership had been in place since March 2019. The Board discussed the current leadership and whether they should remain for another term or whether it should be changed. Ms. Doyle nominated Vice-Chairman Luck for Chairperson and Mr. Morris for Vice-Chairman. Mr. Morris suggested tabling the agenda item until September when Chairman Gilliland would be present to state whether he wants to remain in the position and also advised he was not interested in the Vice-Chairman position. Mr. Counts advised a vote was not necessary to table the agenda item to the September meeting. The Board agreed to table the agenda item until the September meeting.
- VI. Discussion and Possible Action on Election of a Vice-Chairperson – Vice-Chairman Adam Luck**
Vice-Chairman Luck tabled this agenda item based on the preceding conversation regarding the election of leadership.
- VII. New Business Not Known or Which Could Not Have Been Reasonably Foreseen Before the Posting of the Agenda – Vice-Chairman Adam Luck**
Vice-Chairman Luck asked if the Board had any items to discuss and hearing none, moved to adjourn the business meeting.
- VIII. Adjournment of Business Meeting – Vice-Chairman Adam Luck**
The meeting was adjourned at 10:15 a.m.

Respectfully Submitted,



Kyle Counts
General Counsel

The minutes for the August 2020 Pardon and Parole Board Business Meeting were approved by a majority vote on the ____ day of September 2020.