

OKLAHOMA BOARD OF CORRECTIONS MEETING MINUTES

Location: Holiday Inn

6200 North Robinson

Grand Ballroom, C

Oklahoma City, Oklahoma

Date/Time: Thursday, September 20, 2007 – 2:00 p.m.

1. OPENING AND ROLL CALL

Chairman David Henneke of the Oklahoma Board of Corrections called the September 20, 2007, meeting to order at 2:05 p.m. and welcomed those in attendance. The clerk was asked to call roll. Members present at roll call reflected a quorum was present.

Robert Rainey

Ted Logan

David Henneke

Earnest Ware

Matthew McBee

Jerry Smith

Absent: Ernest Godlove

2. APPROVAL OF JULY 26, 2007, BOARD MEETING MINUTES

Chairman Henneke sought a motion for approval of the July 26, 2007, board meeting minutes. Mr. Logan made the motion with a second by Mr. McBee. Results of roll call: Mr. Godlove, absent; Mr. Henneke, yes; Mr. Logan, yes; Mr. Rainey, yes; Mr. Ware, yes; Mr. McBee, yes; and Mr. Smith, yes.

3. OLD BUSINESS

None reported on agenda.

Chairman Henneke presented former BOC Chair Robert Rainey with a plaque and gavel honoring his two years of chairmanship on the board.

4. DIRECTOR'S COMMENTS

- Great Plains Correctional Facility reopened September 13, 2007, receiving 50 Arizona inmates. The facility will continue to receive Arizona inmates at a rate of 50-100 a week through November 27, 2007, until they reach 916. They continue with construction plans for 1,000 more beds for their Arizona contract. The Private Prisons, Jails and Safety Unit continues to monitor them as required by statute (screening inmate files and security issues).
- The Private Prisons, Jails and Safety Unit has been screening inmate files for North Fork Correctional Facility, who has received new inmates from Idaho and Washington State. The facility now has inmates from Colorado, Vermont, Wyoming, Idaho and Washington State. They expect to receive 1,000 California inmates as soon as their new units are completed in late November.
- All Hawaii inmates are being removed from Diamondback Correctional Facility and moved to a new CCA facility in Arizona. The inmates should vacate the facility by September 17, 2007. Diamondback Correctional Facility will then house only Arizona Mexican National inmates.
- To expand the agency's ability to offer Thinking for a Change, the Programs Unit applied for and received technical assistance from the National Institute of Corrections to train additional trainers. Training was conducted September 10-13, 2007, at the Employee Training and Development Center in Stillwater, Oklahoma.

- During August ODOC received notice of a 2008 allocation of \$247,229.73 under Title 1, Part D, Subpart 1, of the Elementary and Secondary Education Act of 1965 as amended by the No Child Left Behind Act of 2001 from the Oklahoma State Department of Education. This is a significant reduction from last year's funding level. (*Awarded \$371,079.72 last year, difference of \$123,849.99*).
- On August 20, 2007, the Creek Nation held a meeting with the Native American population at the Oklahoma City Community Corrections Center on re-entry.
- A mentoring program will be presented by Prison Fellowship at the Enid Community Corrections Center on September 22, 2007. These mentors will be utilized to assist probationers and inmates with their re-entry into society.
- Southwest District Community Corrections received two FEMA trailers. A plan is being developed to effectively use these trailers and expand office and program space at the Lawton Community Corrections Center.
- The board packets contain a brochure from the Oklahoma Employee Correctional Memorial Foundation. The foundation is going to build a memorial for correctional employees that have given their lives in the line of duty. It is a 501(c)3 organization. A membership application is included. There is also a booth in the hall for anyone in the audience who would like to become a member. The foundation plans to start construction the later part of this year.

Chairman Henneke presented a certificate to Director Jones signed by Governor Brad Henry, honoring his 30 years of service to the DOC. When Chairman Henneke asked how many DOC employees had that length of service, Ms. Overstreet guessed that it would be less than 100 but will check on the accuracy of that number.

5. REMARKS – SUZANNE MCCLAIN-ATWOOD

Chairman Henneke thanked Executive Coordinator Suzanne McClain Atwood of the Oklahoma District Attorneys Council for allowing members of her council to have lunch and discuss topics of mutual interest with the BOC. He felt it was a good opportunity to learn from each other. Ms. Atwood thanked the board for opportunity to share issues and ideas. When she took over as director of the council, one of the things she preached to the legislature was that all law enforcement and public safety agencies were competing for the same pot of money. Leadership tells her they are spending this money on education and corrections; when in fact, a breakdown shows 56% is spent on education, 11% on all of public safety, and only 7% on corrections. She asked for the board's support in communicating to legislators that public safety is a collaborative effort and all law enforcement need additional resources. Recently, Ms. Atwood came across meeting minutes that were 17 years old. After reading through them she noticed that not much had changed and that they are still dealing with the same issues. She challenged the board to come up with two or three more innovations so that DOC does not find itself in the same situation 17 years from now. Ms. Atwood again thanked the board and looks forward to future collaboration. Chairman Henneke accepted the challenges mentioned by Ms. Atwood; feeling we all want the same thing.

6. REMARKS – DENNIS SMITH

Chairman Dennis Smith of the District Attorneys Council thanked Director Jones for the invitation to meet with the BOC. He enjoyed the conversation with board members at lunch. Through these conversations, he was able to confirm some things he thought to be true, but to discredit some as well. Getting the correct information is the important thing to him. He learned things that he did not know which will be very valuable. As a prosecuting attorney his oath of office is seeking justice. He also feels he has a responsibility to the people who put him in office to protect them. We are all on the same team.

Communication is key and he feels that there has been a lack of communication between law enforcement agencies. That is one of the things that he is going to try to emphasize, while he's in office. He appreciates the opportunity to come together and communicate with one another, support each other and learn from each other. We each have ideas that can help the other and they will be willing to visit or meet with us on any areas of mutual concern. Chairman Henneke conveyed to Mr. Smith not to hesitate to contact Director Jones or the board for any assistance.

7. POPULATION UPDATE

Chief of Operational Services Ken Klingler presented the following population update as of September 4, 2007: Total System Inmate Population = 25,224; Total Incarcerated Population = 24,333; DOC Facility Population = 17,814; Private Prison Population = 4,571; Total System Population = 56,232; County Jails with Contracts = 643; County Jail Backup = 1,020 - Last year at this time it was 1,193 for a reduction for 173; Halfway House Population = 1,305; Probation = 27,363; and Parole = 3,645.

Mr. Klingler reported private prison beds will be full when out of state inmates arrive. DOC contract beds are all filled at the private prisons. Director Jones reported the facilities at Holdenville and Davis are building on. However, those add-ons have not been dedicated to Oklahoma. They will be available on open market in approximately 16 to 18 months. Director Jones indicated that right now, beds that are currently vacant in Oklahoma in the private sector have all been accounted for by out of state inmates. All the contracts have been signed at higher per diem rates. We may be able to contract for a few additional county jail backup beds. There are currently no private prison beds in the United States available to contract with.

8. BUDGET UPDATE

Chief Financial Officer Jim Harris provided the budget update.

The trending report in the board packets today is the first expenditure trend analysis for FY 2008. As with prior fiscal years, FY 2008 monthly expenditure reports will focus on the three major expenditure categories that historically represent 80% of all department costs. Those categories are: payroll, contract beds, and offender medical services.

Payroll

The FY 2008 Budget Work Program (BWP) budgeted staff at 4,833.5 filled positions. Actual filled positions as of August 31, 2007, were 4,717.9 FTE. Therefore, a slight budget surplus for July and August staffing is now identified. Two months in payroll savings due to lower than budgeted FTE levels has resulted in a \$1.8 million savings now being identified. The Employee Benefits Council (EBC) on August 17, 2007, released its CY 2008 health and dental insurance plan rates. Rate increases were approximately \$3 million below the cost growth initially budgeted in the FY 2008 BWP. This budgetary savings is now available for other operating needs. As a result of the above two budgetary savings, the payroll budget now reflects a \$4.7 million surplus which can be redirected to help meet the initial FY 2008 budget shortfall for contract beds.

Contract Beds

At the start of the fiscal year the FY 2008 BWP identified a projected deficit of \$40,295,871 for contract beds. In computing this deficit we based our original estimate on the difference between budgeted contract beds (based on contract capacities) and the amount of remaining appropriation available to cover these projected costs after meeting all other budgetary needs. It is important to note, the FY 2008 BWP contract bed shortfall did not identify any funding requirement (other than a higher average jail backup bed population) to accommodate the Criminal Justice Resource Center FY 2008 net growth projection of

900 offenders. Actual system offender net growth for FY 2007 was 712 inmates. The reason for not including this population growth funding need in either the original contract bed shortfall estimate or the current trending shortfall estimate is solely based on the reality that no known additional private prison beds are available in the state to meet population growth demands. As of August 31, 2007, actual expenditure trends reflect an annual projected cost of approximately \$118.6 million for private prisons, halfway houses, and county jails compared to the initially estimated \$120.7 million. The FY 2008 BWP has only \$80.4 million budgeted for these costs. A revised FY 2008 funding deficit of \$38.2 million versus the initially identified deficit of \$40.3 million is now indicated.

Medical and Mental Health Offender Services

SB 523, enacted during the 2007 legislative session, set the reimbursement rate for inpatient medical care for outside medical providers to either network rates or non-network rates based upon the Oklahoma Medicaid Fee Schedule. Outside medical care payments paid through the Harrington contract are currently indicating a trended savings below budget of around \$755,000 with additional savings still to be realized. However, due to an overall FY 2008 medical operating budget decrease of \$2.1 million, other budget categories are feeling the effects of a reduced operating budget. Whether sufficient savings will materialize to form the changes that SB 523 brought about in outside medical care reimbursement rates will be sufficient to offset this trended FY 2008 medical operating budget reduction is still uncertain.

Summary

Based upon current expenditure trends the initial identified shortfall in filed FY 2008 BWP can now be reduced from \$40.3 million to \$34.2 million. This revised FY 2008 shortfall estimate assumes that net offender growth will not be economically greater than those amounts currently identified in the originally filed BWP and can be absorbed using existing available bed space.

Chairman Henneke commented that the agency appears to be trending an 80% fill rate and asked what the department was doing to hire more staff and get them to stay on. If we meet the 82% rate, would that be a deficiency of the \$1.8 million dollar savings? Mr. Harris responded that when the BWP was filed it was based upon 4,833 budgeted positions. The \$1.8 million dollar savings available right now reflects only two months worth of staffing below that level. The agency reserved enough money to get up to the 82% rate. Director Jones said J'me Overstreet and her staff are doing a wonderful job in recruitment and getting staff hired. The issue is being able to keep them because the economy in Oklahoma is fairly robust. The agency is looking at creative ways to keep staff, one of which is offering reimbursement to those people with college tuition loans. Also, with medical being the competitive market that it is, the agency is looking at possible shift differentials and/or one time bonuses that are allowed by the Office of Personnel Management. The two biggest things driving our vacancy rate are entry level COs and turnover rate with medical staff. Chairman Henneke asked on average how many retirees the agency has. Director Jones did not have exact figures but will find out. When the 20 year retirement for POs/COs passed, it was retroactive and grandfathered in some staff. Staff in this category are finding they can make more money by retiring after 20 years and going to work elsewhere, often times as security at a casino.

9. APPROVAL OF 2009 BUDGET PROPOSAL

Chief Financial Officer Jim Harris requested board approval of the FY 2009 budget proposal.

The FY 2009 budget request proposal has two major components:

1. A request for an FY 2008 supplemental
2. A requested funding level for the FY 2009 budget

FY 2008 Supplemental

As reported in the current trending report, when the department filed its FY 2008 BWP on July 12, 2007, with the Office of State Finance we notified them of an estimated fiscal year deficit of \$40.3 million. Based on current expenditure trends this proposed FY 2009 request now identifies a revised FY 2008 shortfall estimate of \$34.2 million. Mr. Harris requested the board approve this updated shortfall as the supplemental funding needs to be filed with the Office of State Finance as part of the FY 2009 budget request.

FY 2009 Budget Request

The FY 2009 budget proposal identifies a needed funding level of \$572,994,397. This represents an appropriation growth above FY 2008 appropriations of \$90,374,399; an 18.7% budgetary increase.

Contract beds are again a significant cost in this year's funding growth request of \$56.6 million. The recurring failure to fully fund these costs have caused the department to annually reduce budgeted staff, severely constrain facility operating budgets, and defer facility, security, technology and communications infrastructure, maintenance, equipment upgrades and replacement needs.

Funding \$8.7 million is requested to increase budgeted staffing to 4,989 FTE to accommodate the reopening of the Clara Waters Community Corrections Center and address staffing requirements to handle higher offender populations in our public facilities. Funding \$5.1 million is requested for targeted market rate adjustments to address medical staff recruitment and retention needs and for student loan reimbursements and tuition assistance as already legislatively authorized to allow the department to remain competitive in the recruitment process. An additional \$4.6 million is identified for employer cost growth related to higher employee benefit costs since the recurring failure to fund this cost growth in prior years has adversely impacted funded FTE levels.

Field Operations, Community Corrections and Treatment and Rehabilitative Services operating cost increases are also requesting \$7.8 million. These funds are needed due to:

- larger offender populations housed in state operated facilities;
- the reopening of the Clara Waters Community Corrections Center in early FY 2009;
- the national rise in energy costs impacting everything the department purchases on the open market; and
- needed offender program expansions for mental health services and increased offender reentry services.

Structured Bond Package

A 5, 10, and 25 year structured bond package with infrastructure needs grouped by useful economic life is also a significant portion of this year's budget request. This bond package is designed to provide a reasonable funding approach to address critically needed improvements that combined have an estimated cost of \$327,839,444. This structured bond approach allows the department to meet these needs with a FY 2009 requested amount of \$7.3 million with annual debt service payments beyond FY 2009 projected at \$23.7 million.

Summary

This budget request was designed to establish a solid foundation and direction for the department to meet its mission of protecting the public, employees and the offender. At the same time this budget request recognizes that society is best served when those offenders sentenced to the Department of Corrections return to society better equipped to lead law abiding lives. The FY 2008 supplemental funding request and the FY 2009 budget request together identify \$124.6 million in needed 2008 legislative

appropriations. Approval is requested of the proposed FY 2008 supplemental and the FY 2009 budget request for filing with the Office of State Finance on October 1, 2007.

Chairman Henneke inquired about how we budget projected net inmate growth. Mr. Harris advised that we look at Criminal Justice Resource Center projections, however, legislators have never funded projected growth. Chairman Henneke asked if the bond package was prioritized. Director responded that it was not, but if we were to prioritize, especially on the 25 year bond issue, the OSP expansion/renovation would be our priority project, followed by Bill Johnson Correctional Center. Mr. Harris explained that it takes approximately 6 months from the time we get authorization to do a bond to get it through the bond oversight council and approved through the channels. The \$7.3 million represents a half year's worth of interest payment, with principal and interest coming due in the second year. The annual debt service of \$23.7 million would be for the first five years and then would start decreasing after the first bond is paid off.

Mr. Rainey stated that the Budget Committee met via teleconference in which they did not review the actual budget but discussed it in detail with the director and the committee recommended approval of the FY 2009 budget request. Mr. Rainey noted that the committee report needed a date change from May 16, 2007, to September 19, 2007, in the title section. The summary outlined their discussion and recommendations. Last year the board recommended stand-alone facilities. The board is instead this year, given the political realities and scarce resources, recommending add-ons to existing facilities. Director said the most significant change in this year's budget proposal was not requesting a stand-alone 2,500 medium security facility. One of the main reasons for that was to do some consensus building with the leadership as the support from key people to build a new facility was not apparent. Feedback from the leadership would however support adding on to facilities where the infrastructure didn't have to be radically changed. As a result, facilities have been chosen that could be added on to.

Mr. Ware asked if the projected growth was included in the proposed budget request. Mr. Harris indicated there was funding for additional contract beds for FY 2009 growth. That funding was based upon the idea of how many of the offenders from the combined FY 2008 and FY 2009 growth would need secure beds. Director said some of the difference in what we are discussing here is the 2008 supplemental. There was a net growth of 712 as of the end of June 30. A majority of the net growth was absorbed between private prisons and state facilities. Some were backed up in county jails. Some state facilities went over count by getting temporary approval to absorb those inmates from the Fire Marshal. Any continued growth through FY 08 will cause a problem. We have been maintaining a little over 98% on average capacity. We are looking at some creative things within the agency if we were to have continued net growth. For right now to alleviate any confusion we didn't add any continued net growth to the FY 08 supplemental, but we did in 2009 because we know that we have some private contractors that are going to have additional beds ready in 2009 and we also have construction projects within the agency, but these beds are not categorized as secure beds. Mr. Ware asked about the per diem rate for private beds for FY 2009. Mr. Harris said there was a separate per diem rate for private prison "growth beds only" that differs from what we currently pay. Director said our providers of private prison beds have advised that any new constructed beds would be at a significantly higher per diem rate than any existing beds. They have no intension of retroactively making those increases. That has been factored into the budget to try to be competitive with the states we are competing with who have traditionally had a higher per diem state rate. One of the things we have done well that has now put us at a disadvantage, is that we still have one of the lowest per diem rates in the nation, so it's hard for us to compete on the open market. You don't want to pay too much more than what you can do it yourself. Mr. Ware said this is what raises his concern. He can't imagine a business paying a contractor more. It doesn't make sense. When you contract with a vendor, it's to have savings and he can't help but feel this will be counterproductive later on in the legislative session.

Mr. Rainey stated that the Budget Committee had asked and was assured by the director that the change from stand alone facilities in Oklahoma to a series of add-ons was not inappropriate. The agency would continue to operate without violating ACA standards or the mission and any construction would continue to require the approval of ACA, Fire Marshal, inspections, etc.

Chairman Henneke entertained a motion to approve the FY 2009 budget proposal. Mr. Rainey made the motion followed with a second by Mr. Smith. Results of roll call: Mr. Godlove, absent; Mr. Henneke, yes; Mr. Logan, yes; Mr. Rainey, yes; Mr. Ware, no; Mr. McBee, yes; and Mr. Smith, yes.

It should be noted that the board members present were all in agreement with the FY 2008 supplemental.

10. QUALITY ASSURANCE UPDATE

Quality Assurance Administrator Debbie Boyer provided an update. The quality assurance system establishes a strategy for continuous improvement throughout the organization in an effort to ensure a better allocation of resources, more effective and efficient operations, and the creation and delivery of best practices and results driven programs and services to better fulfill our vision and mission. The quality assurance system is composed of two primary components. The first component is the organizational review process, which utilizes panels of subject matter experts to conduct comprehensive examinations of our operations in an effort to identify functions that may be misplaced or duplications as well as opportunities for short-term and long-term improvements. These panels also identify a desired state or a vision for the area that is under review and they ensure that performance outcome measurements are established. The second component is the quality councils, which chart and process action teams to take a look at programs, issues or work processes. Since the unit's creation, accomplishments include: development of a business plan, with an appendix listing the agency's core functions, development of a Board of Corrections policy statement and an agency operations memorandum, and development and implementation of marketing a communications plan. They also have a web site which includes a communications section, where they post progress reports, communication bulletins, and executive summaries of the organizational review reports in an effort to ensure organizational transparency. The following four organizational reviews have been completed: 1) Employee Assistance Program - 11 recommendations were made and all were approved. Cost savings upon implementation were estimated by the panel to be approximately \$50,000; 2) Volunteer Services Operation - 32 recommendations were made and all were approved; 3) Tulsa Correctional Emergency Response Team - 9 recommendations were made and approved. Cost savings were estimated at approximately \$14,000; and 4) Victim Services - 17 recommendations were submitted and all approved. The Classification audit process review is midway through the process. Thirteen of the panel's 15 initial recommendations were approved. A review of Financial and Business Services operations is midway through the process, with approval of 170 of the panel's initial 196 recommendations. For the first time they have two reviews that include panel members from outside the state of Oklahoma, with meetings being held via videoconference. The Maintenance Review Panel include members from the Missouri Department of Corrections and the Missouri Office of Administration. The Offender Education Panel includes a panel member from the Ohio Department of Rehabilitation and Corrections. Initial meetings of the site representatives have been held, and information has been collected to begin reviews of Medical Services, Programs, Procedures and Accreditation and Sex Offender Treatment. They are in the process of identifying panel members to serve for these reviews. Numerous action teams have been chartered and are studying a variety of issues including case management, unit management, recruitment and retention of nursing staff, etc. These efforts are supported by Quality Assurance through ongoing training, delivery related to quality awareness teams, tools, and techniques and facilitation skills. In conclusion, the quality assurance system includes organizational reviews, quality counseling, process action team, training delivery, and provides the agency an opportunity to examine its operations in terms of continuous improvement in performance measurement.

Chairman Henneke asked if the people assisting us from Missouri were being compensated. Ms. Boyer indicated they were not, that they were doing it out of courtesy to the agency. He asked if there had been enough time since inception of the unit to have accurate reporting that might be provided to the auditors. Ms. Boyer indicated they had provided the auditors with several documents and they are in the midst of preparing a progress report. She reported meeting with one of the auditors and talking at length about the process so that they would have a good understanding. Director Jones indicated that some of the senior partners of MGT were extremely impressed with Ms. Boyer and her staff. Ms. Boyer also did a lot of work on the agency's self report card, which was given to MGT prior to the audit. Chairman Henneke applauded Ms. Boyer, her team and the director for coming up with this new program.

Mr. Rainey asked if two full-time employees were all that were assigned to this unit. Mr. Boyer responded she and Cindy Gill were the only staff assigned to Quality Assurance. However, she also oversees other functions in their division. Mr. Rainey felt it important to note when we send a report that we have two full-time employees who have other duties aside from Quality Assurance. He would hate for the auditors to think DOC is able to do this job with just two employees who have no other duties. Chairman Henneke felt it was also important to make note of the participants and panel members outside of the agency that are helping quantify what DOC does.

11. COMMUNITY SENTENCING UPDATE

Community Sentencing Deputy Director Sharon Neumann stated that a copy of the FY 06 Annual Report of the Community Sentencing Act had previously been provided to board members and an executive summary is contained in today's board packets. The Oklahoma Community Sentencing Act is the only remaining piece of 1997's omnibus crime bill. Senator Smith was active in getting the legislation passed, which was ultimately repealed. Director Jones was the first Deputy Director of Community Sentencing and was responsible for its implementation. Board member Ted Logan is currently involved in one of the councils. The Oklahoma Community Sentencing Act tasked the DOC with administering the provisions of that piece of legislation. Community Sentencing is an alternative sentencing program for non-violent offenders. It is an optional program in several ways. County participation is optional and the numbers of counties involved vary on an annual basis. Even if a county is participating in the program, offenders are sentenced to the program on an optional basis. No one is mandatorily required to participate in Community Sentencing. Community Sentencing staff are responsible for marketing, administering, and for accountability. They have responsibility but no real authority. The primary feature of the Community Sentencing Act is a consistent assessment process that identifies criminogenic need, that are then followed-up with treatment. Community Sentencing has reached a point where studies can be conducted to determine long term success rates. The first study shows that three years after offenders have successfully completed the program, 88% were still in the community. The success rate can be attributed to consistent assessment process and identification of the criminogenic needs followed by treatment. To be qualified for the program, an offender must be non-violent and score in the moderate range of the LSI, unless they have a co-occurring mental health and substance abuse disorder and then they can fall anywhere on the LSI. An offender cannot participate in Community Sentencing if they are serving time for an 85% percent crime. Community Sentencing has a number of programs available with funding to help offenders so they don't have to pay out of their pockets. If offenders have financial stability they are required to make a co-pay, but it is rare that an offender has the resources. Ms. Neumann stated that it was because of Community Sentencing and its involvement with the LSI instrument that the rest of the agency became involved with the LSI. When they looked at the FY 06 average LSI score for receptions to prison at LARC, the number was 26; the average LSI score of Community Sentencing participants was 24; and new probationers was 16.

Chairman Henneke spoke of the cost savings attributed to the Community Sentencing. The agency spends \$18,000/year/offender to incarcerate, whereas the cost for Community Sentencing is \$1,711/offender. When asked what Ms. Neumann felt was the biggest vulnerability to the program over the next six years, she replied it was being able to maintain the 88% success rate and the survival of Community Sentencing because it is not very well known. Chairman Henneke asked if there was anything they could do to bolster the Community Sentencing program. Ms. Neumann asked that they use the name and talk about it. OETA ran a feature of the program and they are working on an article for the Oklahoman.

12. APPROVAL OF BOARD POLICY

- **P-130100, Department Of Corrections Annual Inspection And Monitoring**

Associate Director Edward L. Evans reported that the annual review had been conducted on P-130100 as required and is before the board for approval. This policy establishes the DOC to maintain constitutional conditions of confinement for offenders in the care and custody of the DOC and to ensure a healthy and safe work environment for employees. The only change to this policy was the name change for chairperson and vice-chair.

Chairman Henneke entertained a motion to approve the board policy. Mr. Rainey made the motion followed with a second by Mr. McBee. Results of roll call: Mr. Godlove, absent; Mr. Henneke, yes; Mr. Logan, yes; Mr. Rainey, yes; Mr. Ware, yes; Mr. McBee, yes; and Mr. Smith, yes.

13. ANNOUNCEMENT OF COMMITTEE ASSIGNMENTS

Chairman Henneke reported that board members received their new committee assignments as listed below, with the committee chair being listed first.

Executive Committee: Mr. Henneke, Mr. Ware and Mr. Rainey

Budget Committee: Mr. Rainey, Mr. Logan and Mr. Smith

Legislative Committee: Mr. Ware, Mr. McBee and Mr. Smith

Population and Private Prison Committee: Mr. McBee, Mr. Godlove and Mr. Logan

Public Affairs and State Boards Interface Committee: Mr. Godlove, Mr. McBee and Mr. Rainey

Female Offender Committee: Mr. Logan, Mr. Ware and Mr. Smith

Mr. Rainey suggested the Executive Committee look at board SOP's to ensure that committee names are accurate between now and the year's end. Pam Ramsey will gather that information so they can be verified.

14. COMMITTEE REPORTS

Mr. Logan reported that the Female Offender Mapping project had been completed and that there would be a report forthcoming in the near future.

15. NEW BUSINESS (“ANY MATTER NOT KNOWN ABOUT OR WHICH COULD NOT HAVE BEEN REASONABLY FORSEEN PRIOR TO THE TIME OF POSTING.” 25 O.S. § 311)

None

16. ANNOUNCEMENTS

Chairman Henneke announced that the Board Retreat would be held October 4-5, at Quartz Mountain and that the next board meeting had been rescheduled for November 2, at Jim E. Hamilton Correctional Center.

17. A. CONSIDERATION OF MOTION TO ADJOURN TO EXECUTIVE SESSION PURSUANT TO "TITLE 25, 307.B" FOR THE FOLLOWING REASONS:

General Counsel Mike Oakley stated this agenda item qualified for exception to the Open Meetings Act and it was the advice of counsel that the board vote to adjourn into Executive Session.

Chairman Henneke entertained a motion to adjourn to Executive Session. Mr. Smith made the motion followed with a second by Mr. Rainey. Results of roll call: Mr. Godlove, absent; Mr. Henneke, yes; Mr. Logan, yes; Mr. Rainey, yes; Mr. Ware, yes; Mr. McBee, yes; and Mr. Smith, yes.

The board returned and Chairman Henneke called the meeting to order. Mr. Oakley stated that statute requires after returning from Executive Session that the board vote to come out of Executive Session and if there is a matter to be voted on, the board vote on that publicly also.

Chairman Henneke sought a motion to return from Executive Session. Mr. Logan made the motion followed with a second by Mr. Rainey. Results of roll call: Mr. Godlove, absent; Mr. Henneke, yes; Mr. Logan, yes; Mr. Rainey, yes; Mr. Ware, yes; Mr. McBee, yes; and Mr. Smith, yes.

Chairman Henneke reported there was nothing to vote on as a result of what took place during Executive Session.

18. ADJOURNMENT

Chairman Henneke sought a motion to adjourn. Mr. Smith made the motion followed with a second by Mr. Logan. Results of roll call: Mr. Godlove, absent; Mr. Henneke, yes; Mr. Logan, yes; Mr. Rainey, yes; Mr. Ware, yes; Mr. McBee, yes; and Mr. Smith, yes.

Meeting adjourned at 4:05 pm.

I hereby certify that these minutes were duly approved by the board on this 30th day of November, 2007, in which a quorum was present and voting.

Approved by:

Secretary of the Board

Date: November 30, 2007

Submitted by: _____
Minutes Clerk