

OKLAHOMA BOARD OF CORRECTIONS MEETING MINUTES

Location: Department of Corrections
3400 Martin Luther King
Oklahoma City, Oklahoma
Date/Time: Friday, April 27, 2007 – 1:30 p.m.

1. OPENING AND ROLL CALL

Chairman Robert Rainey of the Oklahoma Board of Corrections called the March 30, 2007, meeting to order at 1:35 p.m. and welcomed those in attendance. The clerk was asked to call roll. Members present at roll call reflected a quorum was present.

Ernest Godlove
Robert Rainey
Beverly Young

Ted Logan
Earnest Ware

David C. Henneke
Mark Luttrull

2. APPROVAL OF MARCH 30, 2007, BOARD MEETING MINUTES

Chairman Rainey sought a motion for approval of the March 30, 2007, Board meeting minutes. Mr. Logan made the motion with a second by Mr. Godlove. Results of roll call: Mr. Godlove, yes; Mr. Henneke, yes; Mr. Logan, yes; Mr. Luttrull, abstain; Mr. Rainey, yes; Mr. Ware, yes; and Ms. Young, abstain.

3. OLD BUSINESS

None reported on agenda.

4. DIRECTOR'S COMMENTS

- Director Jones thanked Pam Ramsey for coordinating the "Take Your Sons and Daughters to Work Day," that was held on April 26.
- Oklahoma State Penitentiary successfully completed their ACA re-accreditation audit with the outstanding scores of 100% on mandatory standards and 99.3% on non-mandatory standards. This is the highest score the facility has ever achieved.
- The agency conducted an emergency drill on April 16, to determine our readiness should a situation arise. Director expressed his appreciation to staff for their after hours participation.
- The Oklahoma Correctional Memorial Dedication and Groundbreaking will be held on May 18, at 11:00 a.m. Director Jones invited everyone in attendance.
- Director reported they had asked the Pardon and Parole Board to do a Commutation Docket. It has been carried over until next month. This would be for the deportable detainees that are serving short and non-violent sentences. The agency has roughly 140 offenders that qualify. On average, the agency has on any given day, 400 detainees that are deportable. Approximately 300 of those are serving violent crimes or crimes that would not be worthy of commutation. The agency spends approximately \$8 million a year to house these offenders, and we get reimbursed about 600,000 per year.
- Director Jones wished to publicly thank District Attorney Prater for allowing 15 of his young assistant District Attorneys to tour OSP this week. This will hopefully help them with the prosecution aspect of their job.

- The State Fire Marshal gave 100% approval for the renovation of the Burdick Building at WSKCC with an occupancy rate of 175 inmates. That unit is full now.
- The construction unit has completed the Oklahoma State Reformatory Segregated Housing Unit. This was the last of the VOITIS grant money.
- Through the recommendation of the Quality Assurance review of Victim Services, an Advisory Board was established to act as a resource to the department. Deputy Director Debbie Mahaffey will serve as the Oklahoma Victims Involved with Corrections Services advisor. This will be made part of our policy at the next board meeting.
- Director Jones attended the Tulsa County Drug Court graduation held on April 24. Thirty-seven people completed the diversion program. He encouraged staff to attend future graduations as Tulsa's graduations were unique.
- On a five-year analysis upon completion, Enid Community Corrections Center Addiction Treatment Program has a 90 plus % success rate for those graduates compared to a non-treatment control group which indicated a 40.69% success rate. Director expressed his appreciation to Mike Carr and his staff for their hard work.
- The Parenting Class at Hillside began January 22 and is a twelve week long course. The residents will graduate in May, 2007. There are currently twelve participants in this course. Director expressed his appreciation to Reggie Hines and Ruby Cooper for setting up that program.
- The Howard McLeod Correctional Center planted 20,000 pounds of seed potatoes, 1,500 tomato plants, and 105 flats of onions containing 1,200 to 1,500 onions per flat.
- Director noted the passing of former DOC employee, Les Crabtree, whose funeral is this afternoon. He believed Mr. Crabtree was the first male correctional officer to ever work at a female facility.

As chair, Mr. Rainey asked to exercise the privilege of allowing a change in the agenda and welcomed Senator Constance Johnson to the podium for comments. Senator Johnson appreciated the invitation to the BOC meeting and having the Board of Juvenile Affairs present was an added bonus for her. The legislature has been working on issues related to gang violence. She distributed copies of a draft report that addresses gang violence issues and identifies the reality that there are a significant number of gang involved people in DOC custody; more so than in the custody of Juvenile Affairs. This is a new concept they are wanting to address to get people to think how agencies in the state can work together to bring some solutions to the problem of gang violence. The report is a work in progress. Her goal today was just to make the Board aware of the concept, to encourage the review of the report, and obtain feedback. Along with the report is also an article that reflects the testimony of David Kennedy, Director, Center for Crime Prevention and Control, which summaries how to address gang violence in Oklahoma. There are three bills currently still alive, all of which will go to conference. They are hoping to roll all those bills into one and get some action this year from the legislature. Funding is a factor.

5. REMARKS - ROBERT E. "GENE" CHRISTIAN

Juvenile Affairs Executive Director Gene Christian introduced Charlie Jackson, Chairman of the Oklahoma Juvenile Affairs (OJA) Board, and the Honorable George Lindley, Vice Chair. He thanked the Board of Corrections for extending their invitation to the OJA Board. Mr. Christian expressed that he now has a new understanding of the issues of criminal justice, moving from the field of prosecution for many years into this new field, and how difficult this job is. He has a great respect for the work DOC does and if OJA does their job then he is hopeful it should make DOC's task a little easier. Mr. Christian has known Director Jones for years and considers him a mentor. Recently three individuals escaped from one of their facilities. He contacted Director Jones, who offered assistance without hesitation. It was refreshing to receive assistance from another agency, which does not happen often. They look forward to working with DOC and plan to return the favor by inviting the Board of Corrections to one of the OJA Board meetings soon.

6. REMARKS - TERRI WHITE

Department of Mental Health and Substance Abuse Services (DMHSAS) Commissioner Terri White voiced her appreciation to come and speak. Based on DOC data, 8,340 inmates in DOC have a severe mental illness. Of those, almost 60% are in for a non-violent offense. This information tells her Oklahoma has failed to provide treatment and early intervention. She has a waiting list of anywhere between 600-900 individuals, children and adults waiting for substance abuse treatment beds that she does not have the resources to help and so they end up in prison. Ms. White has known the director for years and was thrilled when he was selected as director because he is someone who understands that while there is a place for prisons to house violent offenders there is a whole other system that needs to be created for those who aren't violent. DMHSAS has placed three individuals inside three of DOC's largest prisons to do discharge planning to connect individuals with services who are leaving the prison system. They are also working to place therapists who specialize in individuals with both a mental illness and addiction issues. Ms. White considers DMHSAS the key to addressing the corrections issue.

7. BUDGET UPDATE

Chief Financial Officer Jim Harris provided the budget update. The department has within the last 30 days received two supplemental appropriations totaling \$32,664,573. The trending report in this month's board package dated April 23, 2007, does include the impact of the first supplemental appropriation and provides comparative information on current trended expenditures as of the end of March. As normal, this month's report continues to focus on the three major expenditure categories of personnel costs, contract beds and offender medical services because combined they represent 80% of all department expenditures. He referred the Board to the summary on page 4 of this month's report in the Board packet.

Payroll - As of March 31, 2007, there were 4,687 filled FTE positions. The continued effect of having filled FTE below budgeted levels has allowed the department to internally fund the cost of the October 1, 2006, 5% employee pay raise. After adjusting for reserves to support continued hiring towards our targeted FTE level of 82%, and adjusting for below than originally projected collections in the department's revolving fund, a trended net payroll budget excess of \$3,969,678 is projected.

Contract Beds - The draw down of offenders from Great Plains Correctional Facility (GPCF) was completed on April 4th. Offender populations at GPCF averaged over 800 offenders until November when population reductions first occurred. In November GPCF offender counts dropped to around 600 inmates and stayed relatively steady until the first of the year. In January a gradual depopulation of GPCF again occurred with daily counts dropping to slightly over 500 offenders by the end of February. In March significant depopulation efforts occurred to meet the exit date deadline. This three phased depopulation effort had a net effect of decreasing the trended contract bed deficit by \$1.5 million. After adjusting for the first supplemental of \$9.7 million, the contract bed deficit became \$26,458,246.

Medical and Mental Health Services - Both medical units continue to experience savings from a general decline in the number of inmates receiving prescription medications. This month those trended savings again increased. Outside medical care and Lindsay Hospital are still experiencing budgetary deficits. However when combined with the other budgetary surpluses, he can report that overall medical and mental health year to date expenditure trends are still showing a net expenditure surplus trend over budget of \$839,149.

Summary - With nine months of expenditure data actual cost trends were indicating a net FY 2007 funding deficit of approximately \$22,310,612 before the second supplemental. With the enactment of HB 1162 on April 25th, the department was provided a second supplemental appropriation of \$23 million.

That second supplemental should allow the department to meet all its fiscal year obligations – assuming no major surprises.

8. POPULATION UPDATE

Chief of Operational Services Ken Klingler presented the population update as of April 2, 2007. As of April 27, 2007, the agency is at 98.11% capacity and eight facilities are over capacity. The current system inmate population is 24,821. At this same time last year it was 24,105; an increase of 636. Total incarcerated population currently is 23,978. This same time last year was 23,475; an increase of 503. At DOC facilities population is 17,517. This same time last year was 17,120; an increase of 397. Private prison population is 4,622. This same time last year was 4,638; a decrease of 16. Total system population is 56,185. This same time last year was 58,819; a decrease of 2,634. County jail population is 602. This time last year was 494; an increase of 108. County jail inmate backup population is 1,198. This same time last year was 1,168; an increase of 30. Halfway house population is 1,237. This same time last year was 1,220; an increase of 17. Clients on probation supervision are 27,604. Clients on parole supervision are 3,760. For paroles in the month of March, the Governor reviewed 128, approved 127, and denied one, which is 99.22%.

When asked what it meant to be over capacity, Director Jones commented that per policy if DOC is asking for a permanent capacity change it goes before the Board, but to allow him the flexibility in case of emergency we have facilities where additional beds are added in non-traditional areas with the Fire Marshal's approval. Fire Marshal's approval is temporary meaning that in 6 months we have to move those beds again. At 90% capacity the agency is considered full. A look at the count sheet will show beds available. However, this doesn't mean that there is an empty cell anywhere in the system. It means on any given day there will be 100-125 beds because of mental health issues, separate issues, or inmates out to court. Director reported DOC will probably within about 14 days be forced to shut the doors at Lexington until enough inmates discharge the system to open it back up. He mentioned we are doing overrides on female offenders because we have some community beds available. The director assured the Board that state leadership was being kept apprised on our population situation. When asked what happened to the commutation docket, Director Jones replied that we focused on the immigration docket because we thought it'd be something that would be acceptable to all parties. We may look at a commutation docket for those getting close to discharging. The Parole Board carried over the commutation docket on immigration to their next month's meeting. DOC identified approximately 200 inmates that would be a good candidate for commutation. Ken Klingler made the clarification that in 18 days he'd fill those 200 beds. A&R is processing 220 inmates on an average week and it only holds 418 inmates. When asked what historical precedence was there with respect to halting receptions, Director Jones said it had never been done before but does not see any other option but to close the doors. Mr. Henneke asked if any private prisons have beds available. Director Jones said they'd discussed with two private prison partnerships, the possibility of add on construction. They are willing but the per diem rate would be much higher than what's been authorized by the legislators at this point. He will meet next week with other private prisons. Great Plains remains an option but the rate would also be higher than legislatively provided for. Oklahoma has the 40th cheapest per diem rate in US, which makes it difficult to negotiate outside the state. Oklahoma private prisons houses approximately 3,000 out of state offenders.

9. PROGRAM UPDATE - SUBSTANCE ABUSE TREATMENT PROGRAM

Enid Community Corrections Center Case Manager Supervisor Mitzi Maddox provided an update on their Substance Abuse Treatment program. The program has been in operation since December 2001 and is designed to address substance abuse treatment for male community corrections offenders identified with a need. The goal is to change attitudes and beliefs that result in criminal misconduct; therefore,

reducing recidivism. Treatment services are provided by Oklahoma Addiction Specialists Incorporated Services (OASIS) located in Enid and owned and operated by Bill Robinson. The offenders participate in a minimum of 9 hours of group per week for a 6 month period. There are 2 classes of approximately 10 offenders each, serving approximately 40 offenders in a year. The program is unique in that it is held off Center at the OASIS offices. The offenders are working in the community while attending treatment, which is unique in comparison to institutional programs.

The Survival Analysis conducted for fiscal year 2002-2006 shows that offenders identified with a need for treatment that completed the program at Enid Community Corrections Center had a 92% success rate compared to a matched population with an identified need that did not received treatment.

In addition to the Substance Abuse Treatment program, they have the Literacy Lab, CareerTech, and Work Release. Advanced Foods in Enid employs 20 work release offenders. Advanced Food will give offenders \$10,000 when they get out to buy their first home. They have many success stories in their program. What they lack in Enid are places that will rent to ex-offenders. Probation and Parole Officer Vera Porter has put together an organization called "Community Reentry Committee One Life at a Time." The idea is acquire a transitional house where offenders upon release could stay for three months to have more structure and community resources.

Elk City Community Work Center Administrative Programs Officer Sherry Bull provided an update on the Elk City Substance Abuse Treatment program. Their services are provided through New Hope of Mangum and is recognized by the Department of Mental Health and Substance Abuse Services. When offenders receive a certificate of completion it satisfies the requirement needed for Department of Public Safety for DUI schools and substance abuse counseling to reinstate driving privileges upon release. Most offenders come to Elk City with about 2,000 days remaining and they do their best to get them into a program within six months prior to release. At that time the offenders are under the care of New Hope of Mangum, which is an intensive cognitive based treatment. Their program is similar to Enid's. They start the offenders in GED/ABE should the need be there. They have a constructional Vo-tech if the offender needs a skill. They also provide Life Skill classes, Thinking for a Change and work release. The offenders that stay at Elk City for work release have completed the program and attend after care treatment. Many of the offenders who have completed the program like the Elk City area and the City of Elk City has been receptive. There are several companies that give them a job and help with their treatment, allowing them to go to work and class. Elk City has an average of 90 offenders with an average stay of approximately 1 ½ to 2 years.

10. APPROVAL OF CAPACITY CHANGE-WILLIAM S. KEY CORRECTIONAL CENTER

Mr. Klingler reported that the Oklahoma State Fire Marshal approved the Burdick Building at WSKCC for an occupancy load of 175 and approved an increase of 25 for General Population. He asked the Board to consider making those 200 inmates part of the permanent count. The count at WSKCC currently stands at 887. Adding the 200 would make the count 1,087.

Chairman Rainey sought a motion for approval of the capacity change. Mr. Henneke made the motion with a second by Mr. Young. Results of roll call: Mr. Godlove, yes; Mr. Henneke, yes; Mr. Logan, yes; Mr. Luttrull, yes; Mr. Rainey, yes; Mr. Ware, yes; and Ms. Young, yes.

11. APPROVAL OF RESOLUTIONS

- **Correctional Officer of the Year - Sergeant Steven M. Paul, Joseph Harp Correctional Center**

- **Correctional Supervisor of the Year -Chief of Security Eddie A. Bell, Muskogee Community Corrections Center**
- **Public Service Recognition Week - May 7-13**

Human Resources Administrator Linda Parish reported there were three resolutions for Board approval: 1) Sergeant Steven Paul for Correctional Officer of the Year, 2) Chief of Security Eddie Bell for Correctional Officer Supervisor of the Year, and 3) Public Service Recognition Week. The two officers will be recognized at the State Capitol on May 8 and asked that reading the resolution be waived. See resolutions below:

Correctional Officer of the Year Resolution

WHEREAS, correctional officers are trained professionals who unselfishly provide humane conditions of confinement while ensuring security of the state’s correctional institutions and contributing to the rehabilitation of offenders, and

WHEREAS, the Oklahoma Department of Corrections is extremely fortunate to have correctional officers who are conscientious, dedicated, and committed to performing their duties in a professional manner; and

WHEREAS, each year one correctional officer is selected as the outstanding officer for his or her facility as well as his or her division; and

WHEREAS, the Oklahoma Department of Corrections conducts a comprehensive interview process and selects an Agency Correctional Officer of the Year who exemplifies high standards and serves as a role model for others to follow in fulfilling the agency’s mission of “Protecting the Public, the Employee and the Offender”:

BE IT THEREFORE RESOLVED, that the Oklahoma Board of Corrections does hereby announce and proclaim to all its recognition of SERGEANT STEVEN M. PAUL, Joseph Harp Correctional Center, as the 2006 Agency Correctional Officer of the Year.

ADOPTED this 27th day of April 2007.

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***Correctional Officer Supervisor of the Year Resolution***

*WHEREAS, correctional officers are trained professionals who unselfishly provide humane conditions of confinement while ensuring security of the state’s correctional institutions and contributing to the rehabilitation of offenders, and*

*WHEREAS, the Oklahoma Department of Corrections is extremely fortunate to have correctional officers who are conscientious, dedicated, and committed to performing their duties in a professional manner; and*

*WHEREAS, each year one correctional officer supervisor is selected as the outstanding officer for his or her facility as well as his or her division; and*

*WHEREAS, the Oklahoma Department of Corrections conducts a comprehensive interview process and selects an Agency Correctional Officer Supervisor of the Year who exemplifies high standards and serves as a role model for others to follow in fulfilling the agency's mission of "Protecting the Public, the Employee and the Offender":*

*BE IT THEREFORE RESOLVED, that the Oklahoma Board of Corrections does hereby announce and proclaim to all its recognition of CHIEF OF SECURITY EDDIE A. BELL, Muskogee Community Corrections Center, as the 2006 Agency Correctional Officer Supervisor of the Year.*

*ADOPTED this 27<sup>th</sup> day of April 2007.*

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Public Service Recognition Week Resolution

WHEREAS, May 7-13, 2007, is Public Service Recognition Week; and

WHEREAS, the Oklahoma Department of Corrections has over 4,600 employees who dedicate themselves to providing countless hours of essential services to the citizens of the state of Oklahoma; and

WHEREAS, these employees provide these services with the highest degree of professionalism, proficiency, honor, and dedication and are committed to fulfilling the Department of Corrections mission of "Protecting the Public, the Employees, and the Offenders," 24 hours a day, 365 days a year; and

WHEREAS, this dedication and commitment to serve and the value of the services provided is worthy of the highest form of recognition and commendation:

BE IT THEREFORE RESOLVED, that the Oklahoma Board of Corrections does hereby announce and proclaim to all its recognition of the employees of the Oklahoma Department of Corrections for the essential services they perform on a daily basis.

ADOPTED this 27th day of April 2007.

Chairman Rainey entertained a motion for approval of all three resolutions. Mr. Ware made the motion with a second by Ms. Young. Results of roll call: Mr. Godlove, yes; Mr. Henneke, yes; Mr. Logan, yes; Mr. Luttrull, yes; Mr. Rainey, yes; Mr. Ware, yes; and Ms. Young, yes.

12. APPROVAL OF RESOLUTION

- **Nurses Appreciation Week - May 6-12**

Dr. Michael Jackson asked the nurses present to stand and read the following resolution for Board approval.

WHEREAS, the Department of Corrections employs 159 professional nurses across the state who work tirelessly, 365 days per year to provide nursing services to our inmates; and

***WHEREAS**, these dedicated staff are called to provide nursing care to an underserved and challenging population, and respond to that calling selflessly; and*

***WHEREAS**, a February, 2006 study published in the journal Health Affairs clearly demonstrates that professional nursing care saves thousands of lives and millions of dollars nationally each year; and*

***WHEREAS**, the cost-effective, safe and quality services provided by nurses will continue to be a critical component of the Oklahoma Department of Corrections health care delivery system for the future; and*

***WHEREAS**, the week of May 6-12 has been declared National Nurses Week, with the theme “Nursing: A Profession and a Passion” in celebration of the importance of nurses in the lives of all U.S. citizens:*

***BE IT THEREFORE RESOLVED** that we, the Oklahoma Board of Corrections, ask that all Oklahomans join us in honoring the strength, commitment, and compassion of the nursing staff of the Oklahoma Department of Corrections.*

***BE IT FURTHER RESOLVED** that we, the Oklahoma Board of Corrections, affirm our appreciation for the accomplishments and efforts of our professional nursing staff to improve the lives and health of the offenders under their care.*

***ADOPTED** this 27th day of April, 2007.*

Chairman Rainey entertained a motion for approval of the Nurses Appreciation Week resolution. Mr. Godlove made the motion with a second by Ms. Young. Results of roll call: Mr. Godlove, yes; Mr. Henneke, yes; Mr. Logan, yes; Mr. Luttrull, yes; Mr. Rainey, yes; Mr. Ware, yes; and Ms. Young, yes.

13. INTRODUCTIONS OF STAFF

- **Renee Watkins, Administrator, Private Prisons**

Associate Director Ed Evans reported that interviews were held and that they had selected a well qualified applicant to serve as administrator of the Private Prison, Jails and Safety unit. He introduced Renee Watkins, who has extensive work experience in corrections to include Deputy Warden of Mabel Bassett Correctional Center and Eddie Warrior Correctional Center, Deputy Warden at CCA’s Cimarron Correctional Facility in Cushing, and Warden at the CCA’s Whiteville Correctional Facility in Whiteville, Tennessee. Ms. Watkins said it was her hope that her experience in both the public and private sector will bring a new idea to private corrections monitoring in the state. She is happy to be serving Oklahoma again.

14. CONFIRMATION OF APPOINTMENT

- **Greg Province, Warden, Mack Alford Correctional Center**

Deputy Director Bobby Boone recommended Greg Province for consideration as Warden of the Mack Alford Correctional Center. Mr. Province started his career in 1980 as a Case Manager at Dick Conner Correctional Center. He’s held positions of Probation and Parole Officer, Team Supervisor, Correctional Case Manager Supervisor, Assistant Superintendent, District Supervisor, Warden at Jackie Brannon Correctional Center, and more recently Interim Warden at Mack Alford Correctional Center. Mr. Province was appreciative for the opportunity.

Chairman Rainey sought a motion for approval to confirm Greg Province as Warden of MACC. Mr. Henneke made the motion with a second by Ms. Young. Results of roll call: Mr. Godlove, yes; Mr. Henneke, yes; Mr. Logan, yes; Mr. Luttrull, yes; Mr. Rainey, yes; Mr. Ware, yes; and Ms. Young, yes.

15. APPROVAL OF BOARD POLICIES

Director Jones reported that P-010600, "Quality Assurance System" and P-100100, "Training and Staff Development" were reviewed earlier in the week by the Executive Committee. There are no significant changes and asked for the Board's approval on both policies.

Chairman Rainey sought a motion to approve both policies. Mr. Young made the motion followed with a second by Mr. Henneke. Results of roll call: Mr. Godlove, yes; Mr. Henneke, yes; Mr. Logan, yes; Mr. Luttrull, yes; Mr. Rainey, yes; Mr. Ware, yes; and Ms. Young, yes.

16. COMMITTEE REPORTS

The following committee reports were provided.

- Private Prisons – No report
- State Boards Interface – Ms. Young reported they met via teleconference on April 25, at which time the director advised the Office of Juvenile Affairs Director, the OJA Board members, and Commissioner White with the Department of Mental Health and Substance Abuse Services would be in attendance at this month's BOC meeting. All were present at a luncheon today offering time to meet them on a more personal basis. The plan is to meet with the Department of Mental Health and Substance Abuse Services at the September meeting and to interface with the Altus Group at the July meeting.
- Legislative – Mr. Ware reported that three bills had been signed by the Governor: 1) SB 633, Lethal Fence Bill; HB 1618, clarified psychological exam for CLEET certification; and HB 1707, giving director authority to designate unmarked vehicles. The effective date on these bills will be November 1st. The remaining active initiatives are moving through the process for consideration. HB 1162, the agency's second supplemental of \$23 million, passed both houses and has been signed by the Governor. Mr. Ware and Chairman Rainey thanked Neville Massie for a job well done and for getting legislators to meet with the Board.
- Female Offender – Mr. Logan asked Ms. Mahaffey to brief the group on the last Female Offender Management Meeting. Altus is a great supporter of the center and the female offenders housed there. The District Judge there has been doing Thinking for a Change for the inmates for many years and she gave a talk about expanding the center. Acres of Diamonds, a group from Lawton, gave a presentation. A National Institute of Corrections Technical Assistance grant was awarded for mapping out women offender processes to fully address the needs of women offenders. The Faith and Character Community open house will be held at Mabel Bassett Correctional Center on May 17.
- Budget – Mr. Henneke reported that two supplementals were approved. He complimented Jim Harris, his staff and the director for working so hard to get funding. Ms. Young wanted to thank the Governor and legislators for their attention to this matter and for understanding the urgent position DOC was in. Chairman Rainey is hopeful we can cut the cycle of the supplemental and get an appropriate appropriation for the agency. The Board will work hard to advocate this process.
- Population – No report
- Public Affairs – No report
- Executive – Chairman Rainey reported minutes were distributed to the Board for their review.

- 17. A. CONSIDERATION OF MOTION TO ADJOURN TO EXECUTIVE SESSION PURSUANT TO “TITLE 25, 307.B” FOR THE FOLLOWING REASONS:**
1) Confidential communications between a public body and its attorney concerning pending investigation(s) or an action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public
B. Adjourn to Executive Session
C. Return from Executive Session
D. Announcement by the Chair as to the necessity of any Board action, if necessary, as a result of the Executive Session
E. Vote, if necessary

General Counsel Mike Oakley stated the item for discussion was a qualifying item for exception to the Open Meetings Act and it was the advice of counsel that the Board vote to adjourn into Executive Session.

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

The Board returned and Chairman Rainey 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 Rainey entertained a motion to return from Executive Session. Mr. Henneke made the motion followed with a second by Ms. Young. Results of roll call: Mr. Godlove, yes; Mr. Henneke, yes; Mr. Logan, yes; Mr. Luttrull, yes; Mr. Rainey, yes; Mr. Ware, yes; and Ms. Young, yes.

Chairman Rainey reported there was no action taken in Executive Session that would require a vote of the Board.

18. NEW BUSINESS

Mr. Godlove asked if the agenda item he requested regarding the consideration of cancelling all private prison contracts if not fully funded was removed from the agenda for April because DOC received a supplemental. Director Jones indicated that was the reason.

19. ANNOUNCEMENTS

None

20. ADJOURNMENT

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

Meeting adjourned at 3:50 p.m.

I hereby certify that these minutes were duly approved by the Board on this 18th day of May, 2007, in which a quorum was present and voting.

Approved by:

Secretary of the Board

Date: May 18, 2007

Submitted by: _____
Minutes Clerk