

## **OKLAHOMA BOARD OF CORRECTIONS MEETING MINUTES**

Department of Corrections

Location: Oklahoma Department of Corrections  
3400 Martin Luther King  
Oklahoma City, Oklahoma

Date/Time: Thursday, July 27, 2006 – 1:00 p.m.

### **1. OPENING AND ROLL CALL**

Chairman Robert Rainey of the Oklahoma Board of Corrections called the July 27, 2006, meeting to order at 1:05 p.m. and welcomed those in attendance. The clerk was asked to call roll. Members present at roll call reflected a quorum was present.

Ernest Godlove  
David C. Henneke  
Beverly Young

Ted Logan  
Robert Rainey

Mark Luttrull  
Earnest Ware

### **2. APPROVAL OF JUNE 22, 2006, BOARD MEETING MINUTES**

Chairman Rainey sought a motion for approval of the June 22, 2006, Board Meeting Minutes which had been previously circulated to all Board members. 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.

### **3. OLD BUSINESS**

None reported on agenda.

### **4. DIRECTOR'S COMMENTS**

- Director Jones recognized Robin Trail from the Office of State Finance and thanked her for attending.
- Tragically for the second time within the last six months another correctional officer in Maryland lost their life in the line of duty.
- The Family Justice Institute from New York was recently in Oklahoma. Oklahoma was chosen by the National Institute of Corrections as one of five states in the country to work on a relationship assessment tool for families of offenders that will focus on children of incarcerated parents and develop an assessment instrument to better serve reintegration purposes. Director Jones shared his appreciation to Reginald Hines and Ann Toyer for their work on this project.
- Executive and senior staff met to work on a new vision statement for the agency. Sometime in late fall the new vision will be presented to the Board of Corrections. It will also be posted on our new and updated web site which is currently under construction.
- Director and Debbie Mahaffey toured the Mental Health Unit at Joseph Harp Correctional Center with Dr. Cline, Commissioner of the Department of Mental Health and Substance Abuse Services, to look at mental health issues in correctional settings. Dr. Cline's care and concern for the department's needs are appreciated. They will also be touring the Mental Health Unit at Mabel Bassett Correctional Center in the near future.

- William S. Key Correctional Center has entered into a partnership with Wheatland Resource Conservation Development out of Enid and are in the process of planting trees. The project is called, "Power of Trees." The intension is to grow up to 20,000 trees that can be planted in cities, towns, tribal lands and other public areas. This program will employ up to one hundred inmates.
- Associate Director Ed Evans and Deputy Director Bobby Boone held their first warden's retreat since the reorganization that placed all institutions under one chain of command. They spent two days reviewing current policies, budgetary and security issues and best practices. Director appreciated their efforts for making this meeting successful and informative for all in attendance.
- Total orders received by Oklahoma Correctional Industries since ending a fiscal year and starting a new one, was \$15.2 million. Customer satisfaction surveys and measurements with OCI products are conducted mostly by schools, universities and other state agencies; exceeding 98% in customer service satisfaction.
- The North Fork Correctional facility in Sayre is now operational again. Oklahoma does not house inmates there, but per statute are responsible for monitoring and ensuring that those inmates that are transferring into the State of Oklahoma from other states to go into correctional facilities meet the statutory requirements. There are currently 321 inmates from Wyoming at that facility and 89 inmates from Vermont.
- The Department of Corrections assisted the Governor's office with an application and was selected as one of four states to participate in the National Governor's Association for Best Practices Prisoner Reentry State Policy Academy. He and Ms. Mahaffey have a conference call tomorrow with the Center for Effective Public Policy to start the operational aspects of that grant.
- Work has started on an expansion project at the Idabel Work Center to add up to 14 beds.
- Oklahoma City Community Corrections Center is supplying support to the Military Department by providing inmate labor to assist with food service operations at the Army Reserve Training Institute from July 15-30.
- Board members Mr. Ware and Mr. Logan, District Supervisor Karen White, and Wayne Thompson with All of Us or None, attended Drug Court sessions with Judge Paddleford in Oklahoma County. That district is also looking at expanding GED programs for those people on probation and parole.

## **5. BOC COMMITTEE ASSIGNMENTS FOR FY 2007**

Chairman Rainey directed members to the tab in their handout labeled BOC Committee Assignments for July 2007, which identified the proposed committee assignments as drafted by the Executive Committee. This reflects six committees and two ad hoc committees for both the chair positions and members.

Mr. Henneke made the motion to approve the committee assignments as outlined in the packet with a second by Mr. Godlove. 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.

## **6. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES (DMHSAS) TRANSFORMATION IN OKLAHOMA**

Katie Henson, an agent with the DMHSAS Transformation Team, addressed the Board. Ms. Henson provided a quick overview of the transformation incentive grant. Improving access and delivery of mental health and substance abuse services to both rule areas and underserved populations is the

primary goal. Oklahoma is the only state that has chosen to combine mental health and substance abuse services, primarily because of the crisis in this state with regard to the number of incarcerated men and women for drug-related offenses. Chickasaw Nation Governor Anoatubby was voted their group chair and the group has been divided into four work groups: Children Services, Adult Services, Criminal Justice, and Workforce Development. Ms. Henson will be the liaison for Workforce Development. The Department of Corrections is their largest partner with regard to reentry issues. Ms. Henson is part of a small group dedicated to making sure that every state agency that contributed to writing the grant application is fully and wholly represented. Wendy Normandin, another agent with the DMHSAS Transformation Team, addressed the Board. She is in charge of the Criminal Justice workgroup. Once the grant was received, Advocates for Human Potential out of New York were hired to conduct focus groups across the state. Over one hundred focus groups have been conducted as well as visiting of prisons, which was Phase I of the project. Phase II will be to take the data and develop workgroups. The work groups consist of a number of distinguished members as well as 6 members from DOC: Director Jones, Dr. Powitzky, Dr. Pittman, Debbie Mahaffey, Neville Massie and Bob Mann. Their first meeting was held yesterday and they are expected to meet at least once more on August 9, with perhaps some follow-up meetings. The group has been asked to make recommendations in which a comprehensive health plan will be developed. This plan will be submitted to the Governor by October and then to the federal government. The next four years of this grant will be implementing those recommendations. They are trying to implement therapeutic jurisprudence, which means blending treatment with law. Ms. Normandin brought brochures and business cards and is in the process of recruiting new members for anyone interested.

#### **7. APPROVAL OF BOARD POLICY P-130100, "DEPARTMENT OF CORRECTIONS ANNUAL INSPECTION AND MONITORING"**

Associate Director Ed Evans addressed the Board to request approval of P-130100, "DOC Annual Inspections and Monitoring." This policy directs the department to establish and maintain constitutional conditions of confinement for offenders in the care and custody of the Department of Corrections. If approved, this policy will replace policy statement 130200, which is Environmental Health and Occupational Safety and change the previous policy statement title of 130100. The Division of Environmental Health and Occupational Safety has been dissolved and there is no requirement to have the policy. Chairman Rainey reported the Executive Committee met earlier that morning, reviewed the policy and recommended it for approval by the Board.

Ms. Young made the motion to approve P-130100 with a second by Mr. Logan. 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.

#### **8. GLOBAL POSITIONING SATELLITE (GPS) PROGRAM UPDATE**

GPS Coordinator James Rudek provided the Board with an update on the GPS program, which was started in June of 2004. Since that time, over 1200 offenders have been placed on the program, 466 have been placed on the program in 2006. The average stay is 135 days. Legislations allows for them to be on the program for up to one year. The department continues to work on getting offenders out earlier allowing for more opportunity to address their needs. During 2006, 234 offenders were removed or released from the program for the following reasons: 157 discharged; 52 paroled; 23 had violations and returned to higher security; and 2 lost their homes and had no place to live. The discharges are up 16% from the 2005 report and down 7% on the paroles. The success rate has been constant since inception, at 90%. Mr. Rudek referred to Chart B of the handout that reflected the rule violations resulting in removal from the program. Of 23 removed, 14 were due to continued substance abuse, 3 were escapees, 3 were ongoing technical violations, and 3 were new law violations. Chart C

provides a breakdown by gender who is released to GPS; 66% males and 34 % females. Ensuring that there is a pool of eligible offenders to choose from for the program continues to be an issue as legislation sets very tough criteria. The most common reasons for GPS denials include: violent crimes, escapes, past program failures, domestic abuses, misconducts, and lack of home offer. About 50% of offenders that go to a work release are not eligible for GPS. In June of this year the Director signed an addendum to our policy waiving the 60 day work rule and allowed for offenders at work centers and community corrections centers to be eligible as long as they met the remaining criteria of the program. This action allowed 192 offenders to be released to the GPS program for the month of June. The monthly average for the year prior to June was 55 offenders per month. Consideration will need to be given to determine if the exception needs to be made a permanent part of the GPS policy to allow for a broader pool of GPS applicants as well as allowing offenders to go on work release status earlier.

In response to a question asked by Chairman Rainey, Mr. Rudek said the agency currently has 412 units at a cost of \$4.50 per day. Cost studies show an approximate \$28.50 per day savings from community to GPS. It is an offender pay program with a collection rate of about 90%. The vendor will be happy to supply us with any number of GPS units we ask for.

Mr. Rudek explained that offender movement and restrictions are up to each individual officer. The officers have the software on their computer and have been trained in the program. The offender has a curfew time and must put their unit into a charger which shows us they are at home. The officers are in charge of keeping an eye on where they have been. To keep offenders from running when they are charging up their unit, they wear an ankle bracelet that communicates with the global positioning satellite tracking device. If the offender gets 25 feet from that device it activates a violation and the officer is made aware.

Chairman Rainey asked if a year end report could be provided to include additional information in terms of recommendations that could be utilized to work with legislators on initiatives that might enhance and improve the program. Mr. Rudek acknowledged this could be accomplished. He added he would like to keep the numbers on GPS at a level where the officers are not overwhelmed, otherwise it will be strictly a monitoring program.

Mr. Luttrull said he had heard people in the community talk about offenders weren't allowed to go within so many feet of schools and asked if the vendor provided updated maps? Mr. Rudek replied that the officers set the exclusion zones. Director Jones clarified that the report presented by Mr. Rudek was the GPS Inmate Program, not the program on GPS for Life for Sex Offenders.

## **9. POPULATION UPDATE**

Chief of Operations Services Ken Klingler presented the population update as of July 3. The current system inmate population is 24,377. At this same time last year it was 23,885; an increase of 492.

Total incarcerated population currently is 23,534. This same time last year was 23,235; an increase of 299. At DOC facilities population is 17,101. This same time last year was 17,073; an increase of 28. Private prison population is 4,636. This same time last year was 4,637; a decrease of 1. Total system population is 56,185. This same time last year was 57,821; a decrease of 1,636. The reason for the decrease is due to best practices being implemented by Probation and Parole. County jail population is 559. This time last year was 405; an increase of 154. County jail inmate backup population is 1,475. This same time last year was 1,078; an increase of 397. Halfway house population is 1,238. This same time last year was 1,120; an increase of 118. Client numbers on probation supervision are 27,625. Clients on parole supervision are 4,183. In the month of June the Pardon and Parole Board

considered 588, denied 415 and recommended 173; for a 29.42% average. The Governor reviewed 76 paroles, approved 64 and denied 12; for an 84.21% average.

## **10. BUDGET UPDATE**

Chief Financial Officer Jim Harris reported that based upon end of month trended expenditures for June 30, 2006, the agency will finish the fiscal year in payroll, contract beds, and medical with a surplus of \$298,913. He referred the Board to page 4 of the trending report in their packets. Payroll ended the fiscal year trending \$1,762,754. Reserves of \$1,136,000 were subtracted to pay overtime for June, which left a net surplus of payroll totaling \$626,754. Contract beds trended a \$42,653 deficit due mostly to jail back up. Medical Services last month trended a \$928,819 deficit, mostly in outside medical care. Other expenditure trends in this area revealed a lesser amount so Medical Services is now trending a \$285,188 deficit.

The agency filed its FY 2007 Budget Work Program (BWP) on July 19, 2006, with the Office of State Finance. For the first time Corrections exceeded ½ billion dollars in the BWP. In addition, the agency filed a supplemental request for \$41,478,232. The BWP now funds an estimated 4833.5 FTE. That represents an approximate 82% funded level, slightly up over what the agency had last year at the end of the fiscal year. When filing the supplemental we identified that our expenditures were expected to grow approximately \$88 million over last year and \$24.9 million of that was payroll related. DOC appropriations went up this year about \$46.5 million. The BWP assumes no net growth of our current offender population.

Director Jones reported that to understand what constitutes the agency's \$42 million dollar deficit; one must go back to pre and post 911. Last year was the first time we had gotten back to pre 911 funding levels. The problem is not just this last year, the special session and the under funding of net growth in the past 12 months. It includes all the budget cuts suffered by the agency since 911. Oklahoma DOC is the only state agency Director Jones is aware of that has had to maintain a 20% vacancy rate during the past five years. He wanted to be on the record that the agency was only responsible for contributing to \$4.7 million dollars of its deficit. This was due to hiring an additional 84 correctional officers, taking us to an 82% funded level.

## **11. COMMITTEE REPORTS**

Chairman Rainey provided the Executive Committee update.

- The Board will be attending the ACA Conference being held August 12-17, 2006, in Charlotte, North Carolina, and will participate in a panel workshop. The panelists will be: Director of Iowa DOC and President of ACA Gary Maynard; Director of Washington State DOC Harold Clark; Director of Oklahoma DOC Justin Jones; Iowa BOC Chairman Robyn Mills; Oklahoma BOC Member Beverly Young, and BOC Chairman Rob Rainey. Pam Ramsey will serve as moderator and Penny Brooksher as evaluator. He complemented Ms. Ramsey and J'me Overstreet for their excellent work in preparing handouts for the workshop.
- The Oklahoma Correctional Association has invited the Board to attend their conference in Oklahoma City October 18-20. The Executive Committee recommended the BOC meeting be held October 18, and encouraged Board members to attend OCA workshops October 19 & 20.
- The Director's performance evaluation will be discussed in executive session.

- The Executive Committee recommended as a trial run to include as an appendix in each Board packet, the BOC policy on Functions of the Board, Performance Expectations of the Board and the Committee Assignments. Attendees at the meeting will have access to those documents as well. Hopefully having this documentation available will address questions and concerns that come up and lessen the need to call upon DOC's General Counsel.

There were no other committee reports.

Chairman Rainey asked Beverly Young to join him in making a special presentation. Mr. Rainey read a certificate of appreciation designated for Pam Ramsey. "For her tireless dedication, excellent attention to detail, professionalism, efficiency, wonderful sense of humor, and "can do" attitude in her service to the Board of Corrections." Ms. Ramsey came forward to receive her certificate/plaque. Ms. Young conveyed that the Board wanted to give Pam something in addition to the recognition plaque and presented her with a gift certificate for a 3-day stay at the Quartz Mountain Lodge.

**12. APPROVAL OF CONTRACT EXTENSION OF CORRECTIONAL SERVICES AGREEMENT INTO FY 2007**

**-Corrections Corporation of America**

- **Cimarron Correctional Facility, Cushing, OK**
- **Davis Correctional Facility, Holdenville, OK**

**-Geo Group, Inc**

- **Lawton Correctional Facility, Lawton, OK**

**-Hinton Economic Development Authority/Cornell Companies**

- **Great Plains Correctional Facility, Hinton, OK**

General Counsel Richard Kirby addressed the Board. There are three contract extensions for the four private prisons DOC is currently under contract with. It was discussed in the Private Prison Committee meeting that the department is still in negotiations with regards to the FY 2007 contract. The current contract the department is under will expire prior to the next Board meeting. In order for the department to continue negotiations and submit a contract for Board consideration in September, approval from the BOC is needed to extend the contract.

Mr. Godlove said it was the Private Prison Committee's recommendation that the extension be approved as submitted and made the motion with a second by Mr. Logan. Results of roll call: Mr. Godlove, yes; Mr. Henneke, yes; Mr. Logan, yes; Mr. Luttrull, yes; Mr. Rainey, yes; Mr. Ware, no; and Ms. Young, yes.

**13. A. CONSIDERATION OF MOTION TO ADJOURN TO EXECUTIVE SESSION**

Chairman Rainey sought a motion to adjourn into executive session. Mr. Godlove made the motion 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.

Topic of discussion in executive session was the director's bi-annual performance evaluation.

Chairman Rainey sought a motion to reconvene from executive session. 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, absent; Mr. Rainey, yes; Mr. Ware, yes; and Ms. Young, yes.

Chairman Rainey stated there was no reason for the Board to take any official action by vote as a consequence of the executive session.

**14. NEW BUSINESS**

None

**15. ANNOUNCEMENTS**

Pam Ramsey reported that since two Board members would be unavailable in October for the Board Retreat, she will be getting with members about their schedules to look at dates in November instead.

**16. ADJOURNMENT**

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

Meeting adjourned at 4:10 p.m.

I hereby certify that these minutes were duly approved by the Board on this 28th day of September, 2006, in which a quorum was present and voting.

Approved by:

\_\_\_\_\_  
Secretary of the Board

Date: September 28, 2006

Submitted by: \_\_\_\_\_  
Minutes Clerk