

**OKLAHOMA BOARD OF CORRECTIONS
REGULAR MEETING**

Oklahoma Department of Corrections
Administration
3400 N Martin Luther King Ave
Oklahoma City, Oklahoma
January 9, 2014

1. Roll Call

Kevin Gross, Chair

Chair Gross called the regular meeting of the Oklahoma Board of Corrections (BOC) to order at 9:00 a.m. at the Oklahoma Department of Corrections Administration on Thursday, January 9, 2014. Chair Gross asked the clerk to call the roll:

Steve Burrage, Secretary	Present	Linda Neal, Member	Present
Kevin Gross, Chair	Present	Michael Roach, Vice Chair	Present
Gene Haynes, Member	Present	Earnest Ware, Member	Present
Frazier Henke, Member	Present		

Calling of the roll reflected a quorum was present.

2. Approval to Adjourn for Executive Session

Mike Oakley, General Counsel

- Interviews of Applicants for Director of Corrections

Mr. Oakley advised the Board of the need to adjourn to Executive Session for interviews of the applicants under consideration for Director of Corrections.

Motion: Mr. Roach made a motion to adjourn for Executive Session and Mr. Haynes seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. Haynes – yes; Mr. Henke – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes.

The adjournment was approved by majority vote and the Board adjourned at 9:03 a.m. to Executive Session.

3. Approval to Return from Executive Session for Lunch Break

Mike Oakley, General Counsel

The Board returned to the meeting room at 12:38 p.m. Mr. Oakley advised the Board of the approval needed to return from Executive Session.

Motion: Mr. Henke made a motion to return from Executive Session and Mr. Burrage seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. Haynes – yes; Mr. Henke – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes.

The return was approved by majority vote and the Board resumed the meeting at 12:39 p.m. to eat lunch.

4. Roll Call

Kevin Gross, Chair

The Board returned from eating lunch and Chair Gross called the meeting to order. He asked the clerk to call the roll:

Steve Burrage, Secretary	Present	Linda Neal, Member	Present
Kevin Gross, Chair	Present	Michael Roach, Vice Chair	Present
Gene Haynes, Member	Present	Earnest Ware, Member	Present
Frazier Henke, Member	Present		

Calling of the roll reflected a quorum was present.

5. Approval of Board Meeting Minutes

Kevin Gross, Chair

- November 21, 2013, Special Meeting Minutes
- November 22, 2013, Regular Meeting Minutes

Chair Gross stated prior to the meeting, the Board had received the Special Meeting minutes from November 21, 2013, and the Regular Meeting minutes from November 22, 2013.

Motion: Ms. Neal made a motion to approve the minutes from both meetings and Mr. Henke seconded the motion. The results of the roll call were: Mr. Burrage – abstain from November 21 but yes on November 22; Mr. Gross – yes; Mr. Haynes – yes; Mr. Henke – abstain; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes.

The minutes for both meetings were approved by majority vote.

6. Interim Director's Comments

Edward L. Evans, Interim Director

Interim Director Evans provided the following update:

- In accordance with Title 74, Central Purchasing Act Emergency Acquisitions, Interim Director Evans authorized an emergency purchase on December 6, 2013. Howard McLeod Correctional Center and Mack Alford Correctional Center experienced power outages during an ice storm. Due to the extreme temperatures and loss of power, the facilities were authorized to purchase propane heaters and generators for \$12,586. Because the equipment could not be delivered in time, they were also authorized under Title 61, Construction and Properties, the rental of two (2) phase 3 generators for \$8,077.
- In accordance with Title 61 and Title 74, Interim Director Evans authorized an emergency purchase on December 11, 2013, at Union City Community Corrections Center. Three housing units were without heat due to broken heater exchanges. Due to the extreme temperatures, the facility was authorized to replace the heater exchanges at a cost of \$15,360 in accordance with Title 74. They were also authorized to rent a crane in accordance with Title 61 to assist with placing the heater exchanges on the roof of the building for \$5,000.
- Throughout 2013, several medium and minimum security facilities have hosted Major General Rita Aragon, secretary of Oklahoma's Military and Veterans Affairs, and the volunteers with Battle Buddies of Oklahoma, which provides re-entry assistance for incarcerated veterans who are discharging their sentences.
- On November 4, 2013, Deputy Director David Parker met with the City of McAlester to discuss the prison rodeo which used to be held at Oklahoma State Penitentiary. The City of McAlester requested the agency's consideration of beginning the prison rodeo again and allowing advertisements of the rodeo to include the name of the facility in conjunction with the Professional Bull Riders event. Deputy Director Parker advised the City of McAlester of the severely inadequate staffing to supervise rodeo offenders and facilities sending contestants as well as the cost prohibitive repairs and upkeep of the rodeo grounds.
- On November 21, 2013, Northeast Oklahoma Correctional Facility kicked off a food drive for the Craig County Backpack Program which is sponsored by the Salvation Army. The program provides food for after school and weekends to children who have been identified by their school as needing assistance.
- Joseph Harp Correctional Center Warden Mike Addison, Lexington Assessment and Reception Center Warden Jim Farris, and staff from both facilities met with Lieutenant Governor Todd Lamb and Representatives Lisa Billy and Bobby Cleveland on December 5, 2013, to discuss rural communities and to highlight ODOC pay and lack of funding.
- Interim Director Evans attended the John Lilley Correctional Center's 30th Anniversary ceremony on December 18, 2013.
- During the wardens' and administrators' meeting on January 7, 2014, Interim Director Evans provided an update on the agency's budget needs, proposed payroll request and supplemental funding request. Also discussed was the recent Oklahoma Corrections Professionals correspondence to staff which advised them to file a grievance against ODOC.
- Agri-services vegetable production in 2013 was approximately 797,000 pounds. The produce, valued at \$489,500, was distributed to facility kitchens throughout the year.
- Kenneth Hogan #171894 is scheduled for execution on Thursday, January 23, 2014.

7. Approval of Board Policy

Edward L. Evans, Interim Director

- P-010100, System of Manuals, Handbooks, and Monitoring Procedures
- P-020700, Oklahoma Department of Corrections Information System

- P-030200, Offender Housing, Job and Program Integration
- P-040100, Security Standards for the Oklahoma Department of Corrections
- P-080100, Mission and Management of Correctional Industries
- P-090100, Provisions of Programs
- P-140100, Offender Medical, Mental Health, and Dental Care
- P-160100, Purpose and Function of Probation and Parole

Interim Director Evans stated there were eight Board of Corrections' policies in annual review this date. The most significant change is to Policy 010100, System of Manuals, Handbooks, and Monitoring Procedures. Language was changed in Section II.A., titled Board Policy, which will read, "Upon the approval of the Board and the Signature of the chairperson, the department ensures distribution and accessibility of policy." The change to the language in Section II.A., removes the signature line for vice chair on all Board policies, including the remaining policies presented this date.

Interim Director Evans stated it was his assessment that changes to the other policies were sentence structure and grammatical changes which would not change the operational practice of the agency. He recommended approval of the eight policies.

Motion: Mr. Burrage made a motion to approve all of the policies with one vote and Mr. Roach seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. Haynes – yes; Mr. Henke – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes.

The policies were approved by majority vote.

8. Budget Update

**Ashlee Clemmons, Acting Chief
Business Operations**

Ms. Clemmons provided the following budget update as of November 30, 2013:

FY2014 Budget Work Program		
Appropriated		\$471,443,633
200 Fund		\$18,757,331
205 Fund		\$2,957,068
Total – BWP		\$493,158,032*
<i>*Excludes Prison Industries and Community Sentencing and Federal Funds</i>		
Y-T-D Expenditures		\$(183,033,259)
Appropriated	\$(181,195,953)	
200 Fund FY 14	\$(1,420,857)	
205 Fund FY 14	\$(416,449)	
Encumbrances		\$(126,423,189)
Committed		\$(2,181,516)
Remaining Payroll		\$(146,097,220)
Available Balance		\$35,422,848
Appropriated Operating Funds		
Budgeted		\$471,443,633
Expenditures Y-T-D		\$(181,195,953)
Encumbrance Y-T-D		\$(118,124,244)
Total Committed Y-T-D		\$(738,337)
Available Balance		\$171,385,099
Less:		
Payroll		\$(146,097,220)
Available Balance		\$25,287,879
200 Revolving Fund		
Beginning Cash Balance 7/1/2013		\$8,847,121
Revenue Received Y-T-D		\$7,466,693

Expenditures Y-T-D	\$(14,884,433)
Adjustments Y-T-D	\$(500)
Ending Balance	\$1,428,881

205 Revolving Fund	
Beginning Cash Balance 7/1/2013	\$1,100,947
Revenue Received Y-T-D	\$3,357,767
Expenditures Y-T-D	\$(3,692,543)
Adjustments Y-T-D	\$0.00
Ending Balance	\$766,171

280 Revolving Fund	
Beginning Cash Balance 7/1/2013	\$4,307,972
Revenue Received Y-T-D	\$10,851,690
Expenditures Y-T-D	\$(9,312,635)
Adjustments Y-T-D	\$(4,751)
Ending Balance	\$5,842,276

No further questions or comments were made.

9. Approval of Revised FY 2015 Budget Request

**Ashlee Clemmons, Acting Chief
Business Operations**

Ms. Clemmons stated the department is requesting approval for Priority B on the FY 2015 Appropriation Request. This request includes \$14,234,371 for additional funds for staffing pay adjustments. These adjustments are necessary to facilitate the agency's ability to recruit and retain staff. The documentation provided to the Board shows the breakdown of the staffing pay adjustments. It includes the following:

- 7% salary increase for all levels of Correctional Officer and increase the hiring rates for Correctional Officer from \$11.83 per hour to \$14.00 per hour.
- 5% salary and hiring rate increase for all other classified employees
- 5% salary increase for all unclassified employees

Mr. Burrage queried if Priority A would also be approved by the Board at this time. Ms. Clemmons stated Priority A was previously approved by the Board in October 2013 and the approval this date was to include Priority B in the appropriations request.

Motion: Mr. Burrage made a motion to approve the FY 2015 Budget Request to include Priority B and Mr. Haynes seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. Haynes – yes; Mr. Henke – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes.

No further questions or comments were made.

10. Approval of FY 2014 Supplemental Budget Request

**Ashlee Clemmons, Acting Chief
Business Operations**

Ms. Clemmons stated the agency is requesting approval for a supplemental appropriations request for FY 2014. The amount requested is \$13,317,746 and will fully fund contracted beds for FY 2014. Ms. Clemmons stated the department's current population growth requires additional funding to adequately house more offenders. The breakdown for the request is as follows:

Current contract services deficit	\$10,702,166
Growth of male offenders into halfway houses	\$1,334,580
Growth of male offenders into private prisons	\$1,281,000
Total Contract Offender Growth	\$13,317,746

Mr. Burrage noted there is full disclosure of the balances held in any of the revolving funds and as of November 30, 2013, there is \$8 million available.

Motion: Mr. Burrage made a motion to approve the supplemental FY 2014 Budget Request and Mr. Roach seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. Haynes – yes; Mr. Henke – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes.

No further questions or comments were made.

11. Approval of Average Daily Rate Per Inmate

**Ashlee Clemmons, Acting Chief
Business Operations**

Ms. Clemmons stated the agency is required by statute to provide to the Board the actual daily cost per inmate. Operational costs are required at each major category: maximum, medium, minimum, and community. Per the statute, the Board shall adopt the average daily cost per inmate per facility category each January for the immediately preceding year.

Public Only			
Facility Type	FY 2013 Budgeted	FY 2013 Actual	FY 2014 Budgeted
Maximum Security	\$68.93	\$87.01	\$82.68
Medium Security – Male	\$40.60	\$40.50	\$42.05
Medium Security – Female	\$36.95	\$38.21	\$38.64
Medium Security – Combined Average	\$40.07	\$40.17	\$41.56
Minimum Security – Male	\$37.82	\$38.50	\$38.31
Minimum Security – Female	\$34.74	\$36.23	\$36.27
Minimum Security – Combined Average	\$37.47	\$38.25	\$38.08
Community Correction Centers	\$33.87	\$40.67	\$38.00
Community Work Centers	\$30.66	\$35.12	\$31.05

Motion: Mr. Burrage made a motion to approve the rates as presented and Mr. Henke seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. Haynes – yes; Mr. Henke – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes.

No further questions or comments were made.

12. Population Update

**Laura Pitman, Ph.D., Deputy Director
Institutions, Division I**

Dr. Pitman provided the population update as of December 2, 2013:

Total System Offender Population = 26,854	EMP = 15
DOC Facilities = 18,082	PPCS = 1
Private Prisons = 5,811	Probation Supervision = 21,203
County Jails with Contracts = 594	Parole Supervision Offenders = 3,157
Halfway Houses = 1,143	Total System Population = 51,214
Out Count (jails, hospitals, etc.) = 663	County Jail Backup = 1,649
GPS = 545	

Dr. Pitman stated the total system offender growth has been 1,041 over the previous year and the majority of that growth has been housed in private prisons. No further questions or comments were made.

13. Approval of Facility Capacity Increase

**Laura Pitman, Ph.D., Deputy Director
Institutions, Division I**

- Idabel Community Work Center

Dr. Pitman stated the Idabel Community Work Center recently moved into a new location and it has the capability of housing ten (10) more offenders than the previous location. Per OP-150205, the Board must approve any

modifications of facility capacities.

Motion: Mr. Burrage made a motion to approve the capacity increase and Mr. Ware seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. Haynes – yes; Mr. Henke – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes.

The facility capacity increase was approved by majority vote.

14. Approval of Request for Proposal on Contract Private Prison Beds

**Greg Williams, Administrator
Private Prisons and Jail Administration**

Mr. Williams stated Dr. Pitman’s report shows the agency is experiencing growth and the projected growth over the next year will exceed the state’s resources currently available. He recommended the Board approve a Request for Proposal (RFP) for additional private prison beds.

Chair Gross queried about the number of beds the RFP will be requesting. Mr. Williams stated they will request rates on 350 – 2,000 beds.

Motion: Mr. Roach made a motion to approve the Request for Proposal and Mr. Henke seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. Haynes – yes; Mr. Henke – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – no.

The Request for Proposal was approved by majority vote. No further questions or comments were made.

15. Approval of Evaluation Criteria for Request for Proposal on Contract Private Prison Beds

**Greg Williams, Administrator
Private Prisons and Jail Administration**

Mr. Williams stated the Board is required by state statute to approve the evaluation criteria for the Request for Proposal on private prison beds. The criteria under consideration were provided to the Board prior to the meeting.

Motion: Mr. Roach made a motion to approve the evaluation criteria and Mr. Burrage seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. Haynes – yes; Mr. Henke – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes.

The evaluation criteria were approved by majority vote.

16. Committee Reports

Committee Chairs

Chair Gross asked the committee chairs for their reports.

- **Budget Committee**
Mr. Burrage stated the agency is working on proper utilization of resources and still requires more funding.
- **Female Offender Committee**
Ms. Neal stated there was no report from the committee.
- **Public Policy/Public Affairs Committee**
Mr. Ware stated there was nothing to report from the committee.
- **Population/Private Prisons Committee**
Ms. Neal stated the committee met on January 8, 2014, and Dr. Pitman had already provided everything the committee discussed during the meeting.
- **Executive Committee**
Chair Gross stated the committee met via telephone on December 30, 2013, to discuss the agenda for the meetings on January 8, 2014, as well as this date.
- **Ad Hoc – Director Search Committee**
Chair Gross stated the committee had been working for several months to find the next Director of Corrections. Applicants were interviewed on January 8, 2014, and this date. Background investigations will be completed and it is hoped the committee will have a proposal for the Director of Corrections at the meeting in February.

17. New Business

Kevin Gross, Chair

Chair Gross queried if Interim Director Evans would like to comment on the recent publicity about the agency, the justice reinvestment initiative, and the reaction of the staff in terms of how it is being perceived. He wondered if there was anything the Board needed to do to assist Interim Director Evans with some of the issues.

Interim Director Evans stated he appreciated Chair Gross allowing him to address the issues during the Board meeting. He stated he believes the staff has always understood ODOC provides secure, safe and constitutional care for the offenders entrusted to the agency’s supervision. Interim Director Evans stated he is responding to the negative things being said in the media by putting together a comprehensive list of the agency’s accomplishments. One of the most disturbing comments to him was the agency does not have the security of the staff in mind. He believes there have been a number of things the managers in the agency have been able to accomplish with hard work and without funding which have made the department successful. He stated he is proud to say the staff of ODOC stands among all state corrections agencies across the nation as one of the top in performances and accountabilities. He stated the majority of staff knows the management style of the agency and what has been practiced over the years shows the care and concern for the employees.

Interim Director Evans stated he believes the Board can be most helpful when giving the staff an opportunity to speak about the issues during their meetings. He stated the Board also shows support when they provide the resources needed for the agency. Interim Director Evans stated he felt the agency has improved but will need additional funding if the state continues to incarcerate more offenders. He stated the agency will continue to utilize the funds available as efficiently and as accountably as possible to ensure the environment for the staff is safe.

Chair Gross expressed his support and stated the Board is aware of the problems with capacity and budget issues. He believes the actions taken at the meeting this date is a sign of the support the agency has from the Board.

18. Announcements

Kevin Gross, Chair

No announcements were made.

19. Adjournment

Kevin Gross, Chair

There being no further business to come before the Board, Chair Gross requested a motion to adjourn the meeting.

Motion: Mr. Roach made a motion to adjourn the meeting and Mr. Burrage seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. Haynes – yes; Mr. Henke – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes.

The adjournment was approved by majority vote and the meeting ended at 1:34 p.m.

Submitted to the Board of Corrections by:

[signature on file]
Kimberley Owen, Minutes Clerk

Date

I hereby certify that these minutes were duly approved by the Board on the thirteenth day of February 2014 in which a quorum was present and voting.

Approved by:

[signature on file]
B. Steve Burrage, Secretary of the Board

Date