

**OKLAHOMA BOARD OF CORRECTIONS  
REGULAR MEETING**

Northwestern Oklahoma State University – Enid Campus  
2929 E Randolph  
Enid, Oklahoma  
September 25, 2014

**1. Opening and Roll Call**

**Kevin Gross, Chair**

Chair Gross called the regular meeting of the Oklahoma Board of Corrections (BOC) to order at 1:00 p.m. at the Northwestern Oklahoma State University (NWOSU) Enid Campus on Thursday, September 25, 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	Absent
Frazier Henke, Member	Present		

Calling of the roll reflected a quorum was present.

**2. Welcome/Remarks**

**Mike Carr, District Supervisor  
Northwest District Community Corrections**

District Supervisor (DS) Mike Carr greeted and welcomed the Board to NWOSU-Enid Campus and to the Enid Community Corrections Center. He expressed his appreciation to the NWOSU leadership – Dr. Janet Cunningham, President; Dr. Wayne McMillin, Dean; Katie Botts, Administrative Assistant - for their hospitality in allowing Enid CCC to host the Board of Corrections meeting on their campus. DS Carr noted Enid is also home to the administrative offices of Northwest District Community Corrections and the Enid Probation and Parole Sub-office. DS Carr stated the mission of Northwest District Community Corrections (NWDCC) is to support the staff in the field. NWDCC operates nineteen probation and parole offices, two community corrections centers, five community work centers, and hosts three community contracts at halfway houses. Enid CCC was established in 1974 as an adult male community treatment center and is currently accredited by the American Correctional Association. The facility maintains a housing capacity of ninety-nine beds and the primary mission of Enid CCC is offender reintegration. Enid CCC offers programs to the offenders, including adult basic education, welding through CareerTech, public works programs, work release and the STAR (substance abuse treatment) program.

Ms. Neal noted she had been impressed by the meticulously maintained grounds at Enid CCC. DS Carr expressed his appreciation to his staff, including his assistant John Lipsey, for their efforts in preparing for the Board meeting this date.

**3. Old Business**

**Kevin Gross, Chair**

There was no old business to be discussed.

**4. Approval of Board of Corrections Meeting Minutes**

**Kevin Gross, Chair**

- Regular Meeting on July 10, 2014

Chair Gross stated the minutes from the regular meeting on July 10, 2014, were provided to the Board prior to the meeting this date. He requested a motion to approve the minutes as presented to the Board.

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

The minutes were approved by majority vote.

## 5. Director's Comments

**Robert Patton, Director**

Director Patton stated he authorized an emergency purchase on July 22, 2014, in accordance with Title 74 for the purchase of construction materials and products for the renovation of the execution room at the Oklahoma State Penitentiary. The items purchased were custom fabricated windows with frames and pre-hung doors which totaled approximately \$12,000.

In addition, Director Patton noted the following:

- Toured and met staff at Dick Conner Correctional Center, Community Corrections administrative offices and Community Sentencing offices.
- Attended the Southwest District Citizens Advisory Council meeting on August 5 and spoke about reentry.
- Represented the Oklahoma Department of Corrections at the Hearings on Sexual Victimization in United States Correctional Facilities on August 28 which were held in Washington, DC. Director Patton, Warden Emma Watts (Jackie Brannon Correctional Center) and Warden Rickey Moham (Mabel Bassett Correctional Center) testified on the agency's efforts to become compliant with the Prison Rape Elimination Act (PREA). Director Patton stated the panel was very impressed with the progress the agency has made and he looks forward to working with the Department of Justice moving forward.
- Attended the Association of State Correctional Administrators symposium September 10-13, 2014, in Phoenix, Arizona.
- The agency has been working hard on the staffing analysis and the results will be provided to the Board at the next meeting.

## 6. Approval of Board Policy

**Robert Patton, Director**

- P-010100, System of Manuals, Handbooks and Monitoring Procedures
- P-010200, Operating Procedures and Policies of the Oklahoma Board of Corrections
- P-010300, Mission and Organization of the Oklahoma Department of Corrections
- P-020100, Management of Oklahoma Department of Corrections Information
- P-020600, Legislative Initiative Process
- 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-090100, Provisions of Programs
- P-130100, Department of Corrections Annual Inspections and Monitoring
- P-150100, Physical Plant Standards and Long-Range Plant Development for Correctional Facilities
- P-160100, Purpose and Function of Probation and Parole
- P-170100, Community Sentencing

Director Patton stated there were thirteen Board of Corrections policies in annual review today. Director Patton noted the following for the various policies:

- There were not any changes to Policies 020700, 040100, and 170100.
- Policies 010100, 030200, 090100, and P-160100 contained wording changes throughout each policy for clarification but these changes did not alter the intent of the policy. For example, the word "department" was changed to "agency" when referring to the Department of Corrections in the policy.
- Changes in Policies 010300, 020100, 020600, 130100, and 150100 removed the signature line for the vice chair and also contained wording changes throughout each policy for clarification. These wording changes did not alter the intent of the policy
- Policy 010200 contained the most changes:
  - Updates the name of the Chair and removes the signature line for the vice chair.
  - Several wording changes throughout the policy for clarification but these changes do not change the intent of the policy.
  - Section 2.B – deleted *"the chair of the Board will function as ex officio of all committees and attend*

*meetings in compliance with the Open Meeting Act.”*

- Section 2.B.1.b.3 – will now read *“Performing Board self-assessments by developing performance targets and assessing annually their achievement using a survey, interviews, or by other methods the Board deems appropriate.”*
- Section 2.B.2 – changes the name of the *Budget Committee* to the *Audit/Finance Committee*. It also adds more responsibilities to the committee with the following:
  - Reviewing and analyzing the DOC’s annual budget request;
  - Recommending to the Board the type and scope of the audits to be performed for the agency, the Oklahoma Correctional Industries and Agri-Services;
  - Recommending to the Board the entity, firm or person to perform audits;
  - Determining the type, content and frequency of financial reports to fulfil proper financial oversight and compliance with Oklahoma Statutes; and
  - Ensuring controls are in place to safeguard the assets of the agency as well as controls for proper financial reporting.

Director Patton recommended the Board approve all of the policies as presented.

**Motion:** Mr. Henke made a motion to approve all policies as presented 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.

The policies were approved by majority vote.

**7. Discussion of Performance Audit of the Oklahoma Department of Corrections Conducted by Oklahoma State Auditor and Inspector**

**Kevin Gross, Chair**

- July 1, 2007 through June 30, 2013

Chair Gross noted the Board members had received a copy of the report prior to the meeting this date. He called their attention to page ten of the report where three specific recommendations were given to the Board for consideration. Chair Gross requested Mr. Burrage to speak about the first two recommendations.

Mr. Burrage stated the director had summarized the changes made in P-010200 which related directly to the Board fulfilling its financial oversight of the agency as recommended in the report. The policy was changed to include reviewing the agency’s financial reports and internal auditing. Mr. Burrage stated the Budget Committee had met a few weeks prior and again on this date to discuss these changes. He stated he was pleased that the staff is working diligently and embracing the changes set forth in this policy. Mr. Burrage stated there were already policies and procedures in place and this policy simply changes some things to provide more oversight by the Board.

Chair Gross stated the Executive Committee has been tasked with developing tools and/or an instrument to conduct an annual survey of the Board’s performance. He stated this would occur in the next few months.

No further questions or comments were noted.

**8. Discussion of Oklahoma Department of Public Safety Investigation 14-0189SI**

**Robert Patton, Director**

- Execution of Clayton D. Lockett

Director Patton stated the Department of Public Safety’s investigative report had been released and listed several recommendations for the agency to implement in regards to the execution process. Director Patton noted the agency has fully adopted the recommendations and consider them to be mandates with the exception of one over which the agency has no control.

Director Patton stated the agency began addressing obvious items which needed correction immediately following the execution of offender Lockett. One of those, the reconstruction of the execution chamber at Oklahoma State Penitentiary, is nearly completed and is expected to be finished by the first week of October 2014. Director Patton stated the media and Board members will be allowed to tour the renovated chamber after its completion. In

reference to the protocol, Director Patton was notified by the general counsel that there were some minor changes to the protocol as recommended by an expert. Once those changes have been completed, the policy will be signed and posted on the website. Director Patton stated all of the recommendations from the investigation revolved around the training of staff, supplies that are required and the steps for carrying out the execution. All of those recommendations were fully adopted by the agency and will be included in the new policy. Training for the new protocol will begin immediately after the policy is signed and effective and is expected for the first scheduled execution in November.

No further questions or comments were noted.

**9. Approval/Confirmation of Appointment**

**David Parker, Division Manager  
East Institutions**

- Arthur Lightle, Warden  
Jess Dunn Correctional Center

Mr. Parker stated it was his pleasure to introduce Arthur Lightle to the Board for consideration and approval as warden of Jess Dunn Correctional Center (JDCC). Mr. Parker provided Mr. Lightle’s career highlights beginning with his first position as a correctional officer at Jackie Brannon in 1987 and ending with his latest position as deputy warden at Mack Alford Correctional Center. Mr. Parker also noted agency recognition Mr. Lightle had received during his career including the Medal of Valor and Agency Correctional Officer of the Year.

**Motion:** Ms. Neal made a motion to approve the appointment of Arthur Lightle as warden at Jess Dunn Correctional Center 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.

The appointment was approved by majority vote. Mr. Lightle thanked the Board and Director Patton for the opportunity to serve as warden at JDCC. He also thanked his wife, present in the audience, for supporting him in his career during the last twenty-seven years.

**10. Budget Update**

**Ashlee Clemmons, Acting Chief Administrator  
Business Services**

Ms. Clemmons provided the following budget update as of August 31, 2014:

FY2014 Budget Work Program		
Appropriated		\$470,900,943
200 Fund		\$17,021,881
205 Fund		\$4,642,977
Total – BWP		\$492,565,801*
 <i>*Excludes Prison Industries and Community Sentencing and Federal Funds</i>		
Y-T-D Expenditures		\$(52,015,989)
Appropriated	\$(51,661,682)	
200 Fund FY 14	\$(257,234)	
205 Fund FY 14	\$(97,073)	
Encumbrances		\$(127,745,578)
Committed		\$(513,585)
Remaining Payroll		\$(207,901,875)
<b>Available Balance</b>		<b>\$104,388,774</b>
 Appropriated Operating Funds		
Budgeted		\$470,900,943
Expenditures Y-T-D		\$(51,661,682)
Encumbrance Y-T-D		\$(119,576,277)
Total Committed Y-T-D		\$(36,639)
Available Balance		\$299,626,345
Less:		
Payroll		\$(207,901,875)
Available Balance		\$91,724,470

200 Revolving Fund	
Beginning Cash Balance 7/1/2013	\$180,636
Revenue Received Y-T-D	\$2,719,070
Expenditures Y-T-D	\$(2,439,614)
Adjustments Y-T-D	\$0.00
Ending Balance	<u>\$460,092</u>

205 Revolving Fund	
Beginning Cash Balance 7/1/2013	\$1,721,954
Revenue Received Y-T-D	\$1,911,510
Expenditures Y-T-D	\$(3,195,305)
Adjustments Y-T-D	\$0.00
Ending Balance	<u>\$438,159</u>

280 Revolving Fund	
Beginning Cash Balance 7/1/2013	\$3,972,741
Revenue Received Y-T-D	\$4,211,472
Expenditures Y-T-D	\$(5,247,842)
Adjustments Y-T-D	\$0.00
Ending Balance	<u>\$2,936,371</u>

No further questions or comments were made.

**11. Approval of Private Prison Contract**

**David Cincotta, General Counsel**

- GEO Group, Inc. – Annual Renewal of five-year contract

Mr. Cincotta stated approval was needed by the Board for the annual renewal of the five-year contract with the GEO Group, Inc. The five-year contract was effective July 1, 2013. Although the annual renewal includes some minor changes, none of the changes are significant.

**Motion:** Mr. Roach made a motion to approve the contract and Ms. Neal 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.

The contract was approved by majority vote.

**12. Approval of Private Prison Contract**

**David Cincotta, General Counsel**

- Corrections Corporation of America (CCA) – Five-year contract

Mr. Cincotta stated approval was needed by the Board for a new five-year contract with the Corrections Corporation of America. Mr. Cincotta stated several changes were made; however, none of the changes are significant.

**Motion:** Ms. Neal made a motion to approve the contract 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.

The contract was approved by majority vote.

**13. Population Update**

**Laura Pitman, Ph.D., Division Manager  
Field Support**

Dr. Pitman provided the population update as of August 29, 2014:

Total System Offender Population = 28,270	EMP = 15
DOC Facilities = 19,242	PPCS = 1
Private Prisons = 5,812	Probation Supervision = 21,548
County Jails with Contracts = 549	Parole Supervision Offenders = 3,212
Halfway Houses = 1,296	Total System Population = 53,030
Out Count (jails, hospitals, etc.) = 705	County Jail Backup = 184
GPS = 650	

No further comments or questions were made.

#### 14. Committee Reports

Committee Chairs

Chair Gross asked the committee chairs for their reports.

- **Audit/Finance Committee**

Mr. Burrage stated the committee met this date and the Board had approved the policy which changes the name of the committee. He stated the committee, along with staff, is developing periodic statements from Oklahoma Correctional Industries and Agri-Services which will eventually be presented to the Board.

- **Female Offender Committee**

Ms. Neal stated the committee met this date and the Board will receive an update at the meeting in October 2014.

- **Public Policy/Public Affairs Committee**

Mr. Haynes stated there was no report.

- **Population/Private Prisons Committee**

Ms. Neal stated there was no report.

- **Executive Committee**

Chair Gross stated the committee met on September 15, 2014, to review the agenda for the meeting this date.

#### 15. New Business

Kevin Gross, Chair

There was no new business.

#### 16. Announcements

Kevin Gross, Chair

There were no announcements.

#### 17. Approval to Adjourn for Executive Session

David Cincotta, General Counsel

- Discussion of Investigation Regarding Death of Matthew Morrow #106452
- Discussion of Pending Litigation:
  - *Warner et al v. Gross et al*, Oklahoma Western District Court, case number 2014-CV-00665
  - *Oklahoma Observer et al v. Patton et al*, Western District Court, case number 2014-CV-00905
  - *Glass v. The GEO Group Inc. et al*, Comanche County District Court, case number CJ-2014-563

Mr. Cincotta advised the next items on the agenda would require adjournment to Executive Session for engaging in confidential communication between the Board and its attorney. He recommended Chair Gross entertain motions to adjourn.

**Motion:** Mr. Roach made a motion to adjourn for Executive Session 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.

The adjournment was approved by majority vote and the Board adjourned at 1:26 p.m. to Executive Session.

#### 18. Approval to Return from Executive Session

David Cincotta, General Counsel

The Board returned to the meeting room at 2:28 p.m. Mr. Cincotta advised the Board of the approval needed to return from Executive Session.

**Motion:** Mr. Roach made a motion to return from Executive Session 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.

The return was approved by majority vote and the Board resumed the meeting at 2:28 p.m. Chair Gross advised there was not any actions to take after Executive Session.

**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. Henke 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.

The adjournment was approved by majority vote and the meeting ended at 2:29 p.m. The next Board meeting is scheduled for 1:00 p.m. on Thursday, October 23, 2014, at the Renaissance Convention Center in Oklahoma City, Oklahoma.

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 twenty-third day of October 2014 in which a quorum was present and voting.

Approved by:

**[signature on file]**

\_\_\_\_\_  
B. Steve Burrage, Secretary of the Board

\_\_\_\_\_  
Date