

**OKLAHOMA BOARD OF CORRECTIONS
REGULAR MEETING**

Jackie Brannon Correctional Center
900 N West Street
McAlester, Oklahoma
October 1, 2015

1. Call to Order and Roll Call

Kevin Gross, Chair

Chair Gross called the regular meeting of the Oklahoma Board of Corrections (BOC) to order at 1:08 p.m. on Thursday, October 1, 2015, in the Jackie Brannon Correctional Center (JBCC). The final agenda was posted at 5:00 p.m. on Monday, September 28, 2015, at the Oklahoma Department of Corrections (ODOC), which is at least twenty-four hours prior to the commencement of the meeting. Chair Gross asked the clerk to call the roll:

Kevin Gross, Chair	Present	Irma Newburn, Member	Present
Gene Haynes, Member	Present	Michael Roach, Vice Chair	Present
Frazier Henke, Secretary	Present	Matt Tilly, Member	Present
Todd Holder, Member	Absent		

Calling of the roll reflected a quorum was present.

2. Welcome/Remarks

Jerry Chrisman, Warden

Jackie Brannon Correctional Center

Division Manager David Parker spoke on behalf of Warden Jerry Chrisman who was out of the office this date due to a family emergency. Mr. Parker welcomed the BOC and guests to the JBCC. He stated the JBCC separated from the Oklahoma State Penitentiary (OSP) in 1985 to become a stand-alone minimum security facility. The facility was named after former deputy warden, Jackie Brannon. He noted the facility had actually been in operation since 1927 in support of the OSP as a trustee unit.

Mr. Parker stated the average population at the JBCC is approximately 736 offenders. He noted the facility encompasses approximately two square miles and is comprised of forty structures. The facility provides eight Prisoner Public Works Program (PPWP) work crews in support of local city, county and state government agencies. The JBCC Agri-Services operates a 200-head beef cow/calf herd which produces over 600,000 gallons of milk distributed throughout the agency's facilities to provide a cost savings. The Oklahoma Correctional Industries (OCI) Meat Processing Center at JBCC produces over three million pounds of consumable goods every year to feed the state's incarcerated population.

Mr. Parker stated in addition to the work crews/programs, the JBCC offers several other programs including substance abuse treatment, cognitive behavior treatment, education, plus multiple religious programs provided by dedicated volunteers.

Mr. Parker thanked the BOC for allowing the JBCC to host the meeting stating the facility's staff had done an outstanding job preparing for it. Chair Gross stated the BOC appreciated the hospitality and conveyed his best wishes to Warden Chrisman.

3. Old Business **Kevin Gross, Chair**

There was no old business to discuss.

4. Discussion and Approval of Board of Corrections Meeting Minutes **Kevin Gross, Chair**

- Regular Meeting on September 10, 2015

Chair Gross stated the BOC had previously received the meeting minutes from September 10, 2015, for review.

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

The minutes were approved by majority vote and there was no further discussion.

5. Director's Comments with possible discussion on the following: **Robert Patton, Director**

- Restrictive Housing Update
- Staffing Update
- Executions

Director Patton stated his first update was on the Restrictive Housing Program at the OSP which was discussed at the meeting in September 2015 as a four-phase pilot program. He stated sixteen offenders have been approved and entered the program and currently, ten offenders are successfully participating in the program. The program is designed to provide ten hours of structured and ten hours of unstructured out-of-cell time per week which has been achieved.

Beginning this date, October 1, ten additional offenders will begin Phase III. These offenders have been screened, assessed, and moved to the A unit quad 4, which is known as the Phase III quad. On October 19, 2015 ten more offenders will begin Phase III and will be moved to A unit quad 4. The remaining 26 offenders on A unit quad 4 will begin Phase II on October 19, 2015. The offenders will begin with in-cell programs.

The offenders are eating as a group for the lunch and evening meal. Dining tables are being refurbished at the Dick Conner Correctional Center OCI factory. These tables will be utilized for a small dining hall as well as placed strategically in the day rooms on the units for out-of-cell time. The offenders are attending the Thinking for a Change program five days a week and they are working as quad orderlies.

The Restrictive Housing Program will continue to grow as the offenders transition through the various phases. All new arrivals are screened for Phase I placement. Phase I offenders will be placed on H unit.

Director Patton stated he spoke with Warden Anita Trammell the day prior to the meeting about the program and she communicated the offenders currently participating are doing well and looking forward to moving out of maximum custody into general population.

Director Patton stated the ODOC, working in conjunction with the Office of Human Capital Management, implemented a model project plan for the expedited recruitment and hiring of correctional officer cadets effective October 1, 2014. In addition, in July 2015, the ODOC hired Don Grigsby as the new recruitment, retention, and recognition coordinator. Mr. Grigsby is a retired recruiter for the United States Army and is now providing outstanding service to the agency.

During the last six months, the ODOC has hired a total of 522 correctional officers for an average of 87 per month. In comparison to the same time period in 2014, there were a total of 240 correctional officers hired for an average of forty per month. As a result of these efforts, the total number of filled correctional officer positions has increased by 13 percent from 1,550 on April 30, 2015, to 1,752 on September 29, 2015.

Director Patton stated the ODOC has increased recruitment efforts by conducting individual interviews with wardens and Human Resources staff throughout the state to determine specific needs of each facility, identifying facilities with the most need and targeting efforts, such as career fairs, in those areas. Forty-three career fairs were attended during the last twelve months. In addition, ODOC staff spoke to nursing classes at colleges and CareerTech schools. The ODOC also met with outside agencies such as the Osage Indian Nation, American Jobs for American Heroes, and the Oklahoma Employment Security Commission for assistance with job postings and publicity for jobs that are available.

Director Patton stated the challenge continues to be retaining the new correctional officers the agency has worked so hard to recruit. He stated he has developed a large working group of correctional staff and the main goal is how to retain staff. The group is working very hard and recently met in September to discuss more ideas on retention.

Director Patton stated he would be available after the meeting this date to respond to questions from the media about the execution of Richard Glossip. He stated offender Glossip's execution was reset to November 6 by a stay from the governor; offender Benjamin Cole is scheduled for execution on October 7; and offender John Grant is scheduled for execution on October 28.

There were no comments or questions from the BOC.

6. Monthly Update and Discussion of FY 2016 Agency Budget **Ashlee Clemmons, Chief Administrator**
Business Services

Ms. Clemmons provided the following budget update as of August 31, 2015:

FY2016 Budget Work Program	
Appropriated	\$484,900,943
200 Fund	\$14,935,314
205 Fund	\$4,642,977
280 Fund	\$1,500,000
Total – Budget Work Program	<u>\$505,979,234*</u>

**Excludes Prison Industries funds not part of the ODOC operating budget, Community Sentencing and Federal funds*

Y-T-D Expenditures		\$ (61,931,205)
Appropriated	\$ (61,416,952)	
200 Fund FY 16	\$ (411,388)	
205 Fund FY 16	\$ (102,865)	
280 Fund FY 16	-	
Encumbrances		\$ (125,867,310)
Committed		\$ (150,199)
Remaining Payroll		\$ (210,905,903)
Available Balance		\$ 107,124,617

Appropriated Operating Funds

Budgeted		\$ 484,900,943
Expenditures Y-T-D		\$ (61,416,952)
Encumbrance Y-T-D		\$ (120,335,839)
Total Committed Y-T-D		\$ (140,099)
Available Balance		\$ 303,008,053
Less:		
Payroll		\$ (210,905,903)
Available Balance		\$ 92,102,150

200 Revolving Fund

Beginning Cash Balance 7/1/2015		\$ 754,680
Revenue Received Y-T-D		\$ 2,701,121
Expenditures Y-T-D		\$ (2,153,182)
Adjustments Y-T-D		\$ (120,989)
Ending Balance		\$ 1,181,630

205 Revolving Fund

Beginning Cash Balance 7/1/2015		\$ 1,070,058
Revenue Received Y-T-D		\$ 991,325
Expenditures Y-T-D		\$ (1,051,565)
Adjustments Y-T-D		\$ (23,948)
Ending Balance		\$ 985,870

280 Revolving Fund

Beginning Cash Balance 7/1/2015		\$ 2,462,065
Revenue Received Y-T-D		\$ 4,115,374
Expenditures Y-T-D		\$ (3,421,257)
Adjustments Y-T-D		\$ (190,333)
Ending Balance		\$ 2,965,849

There were no comments or questions from the BOC.

7. Update and Discussion of Offender Population

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

Dr. Pitman provided the population update as of August 31, 2015:

Committed Offender Population

Total System Population = 28,164
 DOC Facilities = 19,775
 Private Prisons = 5,844
 County Jails with Contracts = 700
 Halfway Houses = 1,409
 Out Count (jails, hospitals, etc.) = 436

Community Supervised Offender Population

Total System Population = 26,881
 Probation Supervision = 23,144
 Parole Supervision Offenders = 2,906
 GPS = 755
 EMP = 18
 PPCS = 1
 Community Program Failures = 57

TOTAL SYSTEM POPULATION = 55,045

County Jail Backup = 322

State Facility Capacity Percentages

Assessment & Reception Centers	96%
Institutions	122%
Community Corrections Centers	99%
Community Work Centers	105%
TOTAL STATE BEDS	118%

There were no comments or questions from the BOC.

8. Discussion and Approval of CY 2016 Legislative Initiatives Marilyn Davidson, Legislative Liaison

Ms. Davidson stated the BOC had received a listing of the proposed legislative initiatives for the 2016 legislative session. Ms. Davidson state the initiatives include:

1. Amending statute to allow the ODOC to issue warrants for escapes and walk-aways.
2. Updating statutes related to executions in Oklahoma.
3. Increasing financial limits for emergency discretionary expenditures within the ODOC.
4. Exempting the ODOC from registering as a hospital with the Department of Health.
5. Expanding the list of crimes which qualify an offender for the Global Positioning Satellite program.
6. Restoring a provision in statute which allows the ODOC to collect an offender's workers compensation pay while they are incarcerated.

Motion: Ms. Newburn made a motion to approve the legislative initiatives and Mr. Roach seconded the motion. The results of the roll call were: Mr. Gross – yes; Mr. Haynes – yes; Mr. Henke – yes; Ms. Newburn – yes; Mr. Roach – yes; Mr. Tilly – yes.

The legislative initiatives were approved by majority vote and there was no further discussion.

9. Committee Reports**Committee Chairs**

Chair Gross asked the committee chairs for their reports.

- **Audit/Finance Committee**
Nothing to report.
- **Female Offender Committee**
Nothing to report.
- **Public Policy/Public Affairs Committee**

Mr. Haynes stated the committee met earlier this date to discuss and approve the legislative proposals as put forward by Ms. Davidson.

- **Population/Private Prisons Committee**

Nothing to report.

- **Executive Committee**

Chair Gross stated the committee met on September 24, 2015, to review and approve the agenda for the meeting this date.

10. New Business

Kevin Gross, Chair

There was no new business to discuss.

11. Announcements

Kevin Gross, Chair

There was no announcements to make.

12. Approval to Adjourn for Executive Session

David Cincotta, General Counsel

- Discussion of Pending Investigation:
 - Suicide of Michael Black #725074 at Lexington Assessment and Reception Center (Case number IG 15-0160)
 - Homicides of Fulwilder #452600, Mayden #628166, Tiffie #657391, and Tignor #631266 at Cimarron Correctional Facility (Case number IG 15-0157)
- Discussion of Pending Litigation:
 - *Glossip et al v. Gross et al, Oklahoma Western District Court, case number 2014-CV-00665*

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

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

The adjournment to Executive Session was approved by majority vote and the BOC adjourned at 1:25 p.m. Prior to exiting, Chair Gross addressed the media present to remind them that Director Patton would be responding to their questions regarding Glossip's execution after the meeting was concluded. He stated the BOC would move as quickly and judiciously as possible through the Executive Session so as to not keep the media waiting.

13. Approval to Return from Executive Session

David Cincotta, General Counsel

The BOC returned to the meeting room at 2:52 p.m. Mr. Cincotta advised the BOC of the approval needed to return from Executive Session.

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

The return was approved by majority vote and the BOC resumed the meeting at 2:53 p.m. Chair Gross advised there were not any actions to take after Executive Session.

14. Adjournment

Kevin Gross, Chair

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

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

The adjournment was approved by majority vote and the meeting ended at 2:53 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 of Corrections on the fifth day of November 2015, in which a quorum was present and voting.

Approved by:

[signature on file]

Frank X. Henke IV, Secretary
Board of Corrections

Date