

**OKLAHOMA BOARD OF CORRECTIONS**  
**REGULAR MEETING MINUTES**  
June 12, 2019

**1. Call to Order**

Director Joe M. Allbaugh called the regular meeting of the Oklahoma Board of Corrections (BOC) to order at 1:00 PM on Wednesday, June 12, 2019, at the Oklahoma Department of Corrections (ODOC), 3400 North Martin Luther King Avenue, in Oklahoma City, Oklahoma.

The meeting was preceded by advance notice of the date, time, and place, filed with the Oklahoma Secretary of State on October 31, 2018. An amended meeting notice changing the time was posted with the Oklahoma Secretary of State on May 1, 2019. An announcement was also given at least twenty-four (24) hours in advance by posting notice of the date, time, place, and agenda of the meeting at 3:00 PM on Monday, June 10, 2019, at the principal office of the ODOC, located at 3400 North Martin Luther King Avenue in Oklahoma City, Oklahoma. An amended agenda was posted at 11:30 AM on Tuesday, June 11, 2019, at the principal office of the Oklahoma Department of Corrections, located at 3400 North Martin Luther King Avenue in Oklahoma City, Oklahoma.

**A. Pledge of Allegiance**

Director Allbaugh led the meeting attendees in reciting the pledge of allegiance to the United States Flag.

**B. Roll Call**

Director Allbaugh asked the clerk to call the roll:

Betty Gesell	Present	Michael W. Roach	Present
Joseph Griffin	Present	T. Hastings Siegfried	Present
Steven Harpe	Present	Rodney Thornton	Present
Reginald Hines	Present	Daryl Woodward	Present
Dr. Kathryn LaFortune	Present		

Calling of the roll reflected a quorum was present.

**2. Election of Officers**

Director Allbaugh requested nominations for the position of chair of the BOC.

**Motion:**

Mr. Thornton moved to nominate Mr. Harpe as chair; motion seconded by Mr. Griffin.

Mr. Hines moved to nominate Mr. Siegfried as chair; motion seconded by Mr. Woodard.

Mr. Harpe and Mr. Siegfried were each given a few moments to address the BOC members, seeking support for their election.

**Results (for Mr. Harpe, Chair):**

Ms. Gesell – yes; Mr. Griffin – yes; Mr. Harpe – yes; Mr. Hines – no; Ms. LaFortune – yes; Mr. Roach – no; Mr. Siegfried – abstain; Mr. Thornton – yes; Mr. Woodard – no.

Mr. Harpe elected as chair by majority vote so no additional votes taken. Mr. Harpe thanked the BOC members and noted he looks forward to working with them as well as the ODOC staff. Director Allbaugh turned the meeting over to Chair Harpe, then requested audience with the BOC and was granted approval by Chair Harpe. Addressing the BOC members, Director Allbaugh noted the hard work of ODOC staff and commended them for their commitment to the agency. He then stated he was resigning effective immediately and exited the meeting room at 1:12 PM.

After a momentary pause, Chair Harpe requested nominations for the position of vice chair of the BOC.

**Motion:**

Mr. Hines moved to nominate Mr. Siegfried as vice chair; motion seconded by Mr. Woodard.

Mr. Harpe moved to nominate Mr. Thornton as vice chair; motion seconded by Mr. Woodard.

**Results (for Mr. Siegfried, Vice Chair):**

Ms. Gesell – no; Mr. Griffin – no; Mr. Harpe – no; Mr. Hines – yes; Ms. LaFortune – yes; Mr. Roach – yes; Mr. Siegfried – abstain; Mr. Thornton – no; Mr. Woodard – yes.

A vice-chair was not elected due to a tie-vote. The election of vice-chair will be added to the agenda at a later date.

Chair Harpe requested nominations for the position of secretary of the BOC.

**Motion:**

Mr. Siegfried moved to nominate Mr. Roach as secretary; motion seconded by Mr. Hines.

Mr. Thornton moved to nominate Ms. Gesell as secretary; motion seconded by Mr. Harpe.

**Results (for Mr. Roach, Secretary):**

Ms. Gesell – no; Mr. Griffin – yes; Mr. Harpe – no; Mr. Hines – yes; Ms. LaFortune – yes; Mr. Roach – abstain; Mr. Siegfried – yes; Mr. Thornton – no; Mr. Woodard – yes.

Mr. Roach elected as secretary by majority vote so no additional votes taken.

### 3. Consideration and Approval of Standing Board of Corrections Committee

This item was tabled until later in the meeting.

### 4. Approval of Board of Corrections Regular Meeting Minutes

Chair Harpe requested approval of the meeting minutes as presented to members in the BOC Packet for June 12, 2019.

#### A. February 13, 2019

#### B. May 15, 2019

**Motion:** Mr. Roach made a motion to approve the minutes of both meetings as presented; Mr. Woodard seconded the motion. **Results:** Ms. Gesell – yes; Mr. Griffin – yes; Mr. Harpe – yes; Mr. Hines – yes; Ms. LaFortune – yes; Mr. Roach – yes; Mr. Siegfried – yes (for May 15, 2019, minutes), abstain (for February 13, 2019, minutes); Mr. Thornton – yes; Mr. Woodard – yes.

Meeting minutes for both months were approved by majority vote. There was no further discussion.

### 5. Approval of Appointments

#### A. Sharon McCoy as Warden of the Jess Dunn Correctional Center

Ms. Newton-Embry introduced Ms. McCoy to the BOC members, providing Warden McCoy's career progression and history within the agency. A copy of Ms. McCoy's résumé was included in the BOC Packet for June 12, 2019. BOC members inquired about position openings and process for considering applicants. Ms. Newton-Embry responded to their inquiries. BOC members then inquired if Ms. McCoy was ready for the assignment, as well as commending her for her career with the agency. Ms. McCoy responded to their questions. Chair Harpe then requested a motion to approve Ms. McCoy as warden of the Jess Dunn Correctional Center (JDCC).

**Motion:** Mr. Woodard made a motion to approve Sharon McCoy as warden of JDCC; Mr. Thornton seconded the motion. **Results:** Ms. Gesell – yes; Mr. Griffin – yes; Mr. Harpe – yes; Mr. Hines – yes; Ms. LaFortune – yes; Mr. Roach – yes; Mr. Siegfried – yes; Mr. Thornton – yes; Mr. Woodard – yes.

The appointment was approved by majority vote.

#### B. Natalie Cooper as Warden of the Dr. Eddie Warrior Correctional Center

Ms. Newton-Embry introduced Ms. Cooper to the BOC members, providing her career progression and history within the agency. A copy of Ms. Cooper's résumé was included in the BOC Packet for June 12, 2019. BOC members familiar with Ms. Cooper noted her long history with the ODOC, thanking her for her service to the agency. BOC members encouraged Ms. Cooper to continue expanding the treatment programs available to the female inmates at EWCC. Chair Harpe requested a motion to approve Ms. Cooper as warden of the Dr. Eddie Warrior Correctional Center (EWCC).

**Motion:** Mr. Woodard made a motion to approve Natalie Cooper as warden of EWCC; Ms. LaFortune seconded the motion. **Results:** Ms. Gesell – yes; Mr. Griffin – yes; Mr. Harpe – yes; Mr. Hines – yes; Ms. LaFortune – yes; Mr. Roach – yes; Mr. Siegfried – yes; Mr. Thornton – yes; Mr. Woodard – yes.

The appointment was approved by majority vote.

**C. Blaine Nelson as Warden of the Jim E. Hamilton Correctional Center**

Ms. Newton-Embry introduced Mr. Nelson to the BOC members, providing his career progression and history within the agency. A copy of Mr. Nelson’s résumé was included in the BOC Packet for June 12, 2019. BOC members inquired about Mr. Nelson’s family who were in attendance at the meeting. Mr. Nelson introduced them and thanked them for their support. Chair Harpe requested a motion to approve Mr. Nelson as warden of the Jim E. Hamilton Correctional Center (JEHCC).

**Motion:** Mr. Roach made a motion to approve Blaine Nelson as warden of JEHCC; Mr. Thornton seconded the motion. **Results:** Ms. Gesell – yes; Mr. Griffin – yes; Mr. Harpe – yes; Mr. Hines – yes; Ms. LaFortune – yes; Mr. Roach – yes; Mr. Siegfried – yes; Mr. Thornton – yes; Mr. Woodard – yes.

The appointment was approved by majority vote.

There was no further discussion.

**6. Discussion and approval of the adoption of uniform and fixed rates established by the Department of Mental Health and Substance Abuse Services previously approved by the Oklahoma Management and Enterprise Services pursuant to 74 O.S. § 85.7(A)(11)**

Mr. Cincotta stated the BOC members had received a copy of the rates with the BOC Packets for June 12, 2019. He noted the rates approved by Department of Mental Health and Substance Abuse Services (ODMHSAS) were higher than those set by ODOC. By approving the fixed rates, the agency will match those set by ODMHSAS. Cincotta outlined how the rates approval came for presentation to the Office of Management Enterprise and Services and should now be approved by the full BOC. Chair Harpe requested a motion to approve the adoption of uniform and fixed rates.

**Motion:** Ms. LaFortune made a motion to approve the adoption of uniform and fixed rates set by ODMHSAS; Mr. Roach seconded the motion. **Results:** Ms. Gesell – yes; Mr. Griffin – yes; Mr. Harpe – yes; Mr. Hines – yes; Ms. LaFortune – yes; Mr. Roach – yes; Mr. Siegfried – yes; Mr. Thornton – yes; Mr. Woodard – yes.

The adoption of uniform and fixed rates was approved by majority vote. There was no further discussion.

**7. Director’s Comments**

*Pursuant to 61 O.S. § 130, the chief administrative officer of a public agency with a governing body shall notify the governing body within ten (10) days of the declaration*

*of an emergency if the governing body did not approve the emergency. The notification shall contain a statement of the reasons for the action, and shall be recorded in the official minutes of the governing body.*

**A. Emergency purchase authorization to repair electrical transformers at the William Key Correctional Center on March 13, 2019**

Due to the earlier departure of Director Allbaugh, Mr. Crow provided information on the emergency purchase authorizations. He stated that three electrical transformers at the William Key Correctional Center (WKCC) received severe wind damage causing one of the transformers to slide off the platform, thus requiring a replacement platform to prevent a major power outage. Northwest Electric Cooperative assessed the scene identifying it as an emergency. As the transformers belonged to WKCC not NWEC, an emergency purchase was authorized to repair the platform. The cost to date is \$15,000. Repairs are continuing as the vendor is waiting on remaining parts to complete the emergency repairs.

**B. Emergency purchase authorization to repair lift station pumps at the Lawton Community Corrections Center on March 22, 2019**

Mr. Crow stated that both lift station pumps failed at the Lawton Community Corrections Center and without the pumps, wastewater would overflow and contaminate the surrounding ground, thus resulting in \$10,000 fine from DEQ. The estimated cost at that time for the pumps was \$20,000 and an emergency purchase was authorized to repair them. While repairs were being made, Lawton Septic Tank Company was called out to pump out the lift station into a tank truck every four hours at a cost of \$300 per trip. The repairs were completed with a total cost of \$36,072.15.

Member inquired if bond monies covered these repairs. Mr. Crow stated these repairs were unexpected and therefore were not included on the list for bond projects. There was no further discussion.

**8. New Business**

BOC members discussed the appointment of a new or interim director due to the resignation of Director Allbaugh. Mr. Cincotta responded that the governor is now responsible for appointing the director of Corrections due to changes in the law after the last legislative session. BOC members inquired if they could discuss the director's position during Executive Session with Mr. Cincotta responding it was not included on the agenda for discussion during Executive Session. Members then discussed holding a special meeting and concerns with selecting a director. Several references were made as to prior processes, but the new law gives all authority to the governor on appointing a director. Mr. Cincotta recommended tabling further discussion of this topic until after Executive Session which would allow him time to discuss next steps with the governor's office. Chair Harpe granted a short recess of meeting at 1:47 PM to allow time for ODOC staff to contact the governor's office.

**3. Consideration and Approval of Standing Board of Corrections Committee**

**A. Technology and Systems Oversight Committee**

The meeting resumed at 2:05 PM and Chair Harpe returned to this item on the agenda. He outlined his thoughts on creation of this committee to focus on the agency's technology needs. Members inquired how the committee members are selected for the various committees. Ms. Owen noted the current policy gives the BOC chair authority to appoint the committee members. BOC members discussed the various committees and current policy. BOC members recommended consideration by the chair to create the following committees:

- Contraband Committee
- Health Services Committee
- Operations Committee, which would focus on oversight of facilities

BOC members then discussed the contraband cell phone issues facing the agency. After discussion, Chair Harpe requested approval of the standing committee.

**Motion:** Mr. Thornton made a motion to approve the Technology and Systems Oversight Committee; Ms. LaFortune seconded the motion. **Results:** Ms. Gesell – yes; Mr. Griffin – yes; Mr. Harpe – yes; Mr. Hines – yes; Ms. LaFortune – yes; Mr. Roach – yes; Mr. Siegfried – yes; Mr. Thornton – yes; Mr. Woodard – yes.

The committee was approved by majority vote. There was no further discussion.

#### **9. Announcements**

At 2:22 PM, Mr. Chip Keating, Cabinet Secretary of Public Safety, arrived at the meeting and requested to address the BOC. He was given permission to address the BOC by Chair Harpe. Secretary Keating stated that Governor Stitt had appointed Mr. Scott Crow as the interim director of the ODOC. BOC members thanked Secretary Keating for attending the meeting to share the information. There was no further discussion.

#### **10. Approval to Enter Into Executive Session**

*Pursuant to 25 O.S. § 307(B)(9), discussing matters involving safety and security at state penal institutions or correctional facilities used to house state inmates.*

##### **A. Discussion of security strategies being used and considered by the agency in combatting the introduction of contraband at penal institutions**

*Pursuant to 25 O.S. § 307(B)(10), discussing contract negotiations involving contracts requiring approval of the Board of Corrections, which shall be limited to members of the public body, the attorney for the public body, and the immediate staff of the public body. No person who may profit directly or indirectly by a proposed transaction which is under consideration may be present or participate in the executive session.*

##### **B. Discussion of contract negotiations involving a new Correctional Services Contract with CoreCivic (previously Corrections Corporation of America) and amendment of the current Correctional Services Contract.**

*Pursuant to 25 O.S. § 307(B)(4), for confidential communications between a public body and its attorney concerning the pending investigation and litigation of the items listed below if the public body, with the advice of its attorney, determines that disclosure will*

*seriously impair the ability of the public body to conduct a pending investigation, litigation, or proceeding in the public interest.*

- C. **Suicide of John Cheetham #448376 at the Joseph Harp Correctional Center (case number IG 19-0057)**
- D. **Board of County Commissioners of the County of Tulsa, Oklahoma, et al. vs. The State of Oklahoma ex rel. DOC, et al. (case number CV-2017-684, Oklahoma County District Court)**
- E. **Smith v. Allbaugh, et al. (case number CIV-19-470-G, U.S. District Court - Western District of Oklahoma)**

Mr. Cincotta advised that the items listed on the agenda would require adjournment to Executive Session for engaging in confidential communications between the BOC and its attorney. He recommended Chair Harpe entertain a motion to enter into Executive Session.

**Motion:** Mr. Roach made a motion to enter into Executive Session; Mr. Siegfried seconded the motion. **Results:** Ms. Gesell – yes; Mr. Griffin – yes; Mr. Harpe – yes; Mr. Hines – yes; Ms. LaFortune – yes; Mr. Roach – yes; Mr. Siegfried – yes; Mr. Thornton – yes; Mr. Woodard – yes.

By majority vote, the BOC entered into Executive Session at 2:26 PM. Mr. Siegfried had a prior commitment and left the meeting at this time.

#### **11. Approval to Return from Executive Session**

The BOC returned to the meeting room at 4:31 PM and Mr. Cincotta advised of the approval needed to return from Executive Session. The chair advised there would be a short recess before the BOC approved returning from Executive Session. After the break, Chair Harpe requested a motion to return from Executive Session. Mr. Woodard had a prior commitment and left the meeting at this time.

**Motion:** Mr. Roach made a motion to return from Executive Session; Mr. Thornton seconded the motion. **Results:** Ms. Gesell – yes; Mr. Griffin – yes; Mr. Harpe – yes; Mr. Hines – yes; Ms. LaFortune – yes; Mr. Roach – yes; Mr. Thornton – yes.

The return from Executive Session was approved by majority vote and the meeting resumed at 4:39 PM.

#### **12. Discussion and Approval of Amendment #1 Correctional Services Contract with GEO Group, Inc. to amend Appendix C, Liquidated Damages.**

Mr. Cincotta presented and requested approval from the BOC for an amendment to the services contract with GEO Group, Inc., specifically Appendix C, Liquidated Damages. A copy of the amended appendix as well as the original contract was included in the BOC Packet for June 12, 2019. Chair Harpe requested a motion to approve the amendment.

**Motion:** Mr. Thornton made a motion to approve Amendment #1; Mr. Roach seconded the motion. **Results:** Ms. Gesell – yes; Mr. Griffin – yes; Mr. Harpe – yes; Mr. Hines – yes; Ms. LaFortune – yes; Mr. Roach – yes; Mr. Thornton – yes.

Amendment #1 to amend Appendix C was approved by majority vote. There was no further discussion.

**13. Discussion and Approval of Amendment #4 Correctional Services Contract with Corrections Corporation of America (CoreCivic) to amend the term of the Contract by extending it for one year.**

Mr. Cincotta presented and requested approval from the BOC for an amendment to the services contract with Corrections Corporation of America (CoreCivic) and extend the terms of the contract for one year. A copy of the amendment as well as the original contract was included in the BOC Packet for June 12, 2019. Chair Harpe requested a motion to approve the amendment.

**Motion:** Mr. Thornton made a motion to approve Amendment #4; Mr. Griffin seconded the motion. **Results:** Ms. Gesell – yes; Mr. Griffin – yes; Mr. Harpe – yes; Mr. Hines – yes; Ms. LaFortune – yes; Mr. Roach – yes; Mr. Thornton – yes.

Amendment #4 to amend the term of the contract by extending it for one year was approved by majority vote. There was no further discussion.

**14. Adjournment**

There being no further business to discuss, the meeting was adjourned at 4:41 PM.

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 August 14, 2019, in which a quorum was present and voting.

**[signature on file]**

Michael W. Roach, Secretary  
Board of Corrections