

**OKLAHOMA BOARD OF CORRECTIONS
REGULAR MEETING**

Jess Dunn Correctional Center
601 South 124th Street W
Taft, Oklahoma
September 13, 2016

1. Call to Order and Roll Call

Michael W. Roach, Chair

Chair Roach called the regular meeting of the Oklahoma Board of Corrections (BOC) to order at 1:05 p.m. on Tuesday, September 13, 2016, at the Jess Dunn Correctional Center in Taft, Oklahoma. The final agenda was posted at 11:33 a.m. on September 12, 2016 at the Oklahoma Department of Corrections (ODOC), which is at least twenty-four hours prior to the commencement of the meeting.

Chair Roach asked the clerk to call the roll:

Michael W. Roach, Chair	Present	Adam Luck, Member	Present
Gene Haynes, Member	Present	Irma Newburn, Member	Present
Frazier Henke, Secretary	Present	Michael Roach, Vice Chair	Present
Todd Holder, Member	Present		

Calling of the roll reflected a quorum was present.

2. Welcome/Remarks

**David Parker, Division Manager
East Institutions**

Mr. Parker greeted the BOC members and thanked all present for attending, noting his appreciation to the staff for their hard work in preparing for the meeting. Mr. Parker provided general information and historical data about the facility. There were no questions or comments from the members.

3. Old Business

Michael W. Roach, Chair

There was no old business to discuss.

**4. Approval of Board of Corrections Meeting Minutes from
Regular Meeting on July 7, 2016**

Michael W. Roach, Chair

Chair Roach stated the BOC had previously received the meeting minutes from July 7, 2016, for review and he would entertain a motion to approve. A copy of the meeting minutes is included in the BOC Packet for September 13, 2016.

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

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

5. Special Presentation and Recognition of Former Chair, Kevin J. Gross **Michael W. Roach, Chair**

Chair Roach provided historical information on Mr. Gross during his tenure with the BOC which included the past three year term as the BOC Chair. On behalf of the members, Chair Roach expressed his appreciation to Mr. Gross for his service to the BOC as well as to the ODOC. Mr. Gross was then presented with a gavel plaque to commemorate his dedication to and service as Chair of the Board of Corrections.

6. Special Presentation and Recognition of Department of Corrections Staff: **Carl Gene Stewart, Resident Agent in Charge**
U.S. Department of Justice

- **Kenneth Yott, Fugitive Apprehension Agent, Office of Inspector General**
- **Tim Coppick, Fugitive Apprehension Agent, Office of Inspector General**
- **Chad Gilley, Chief of Security, Oklahoma State Penitentiary**
- **Michael Sudduth, Captain, Oklahoma State Penitentiary**
- **Shawn Horvat, Lieutenant, Oklahoma State Penitentiary**
- **Thomas McClellan, Lieutenant, Oklahoma State Penitentiary**
- **Kevin Major, Lieutenant, Oklahoma State Penitentiary**
- **Daniel Dixon, Sergeant, Oklahoma State Penitentiary**
- **Bruce Fry, Sergeant, Oklahoma State Penitentiary**
- **Kendall Ballew, Fugitive Apprehension Manager, Office of Inspector General**
- **Johnny Blevins, General Inspector**

On behalf of the Drug Enforcement Administration (DEA) in McAlester, Mr. Stewart recognized and thanked Director Allbaugh as well as multiple ODOC employees for their assistance and support of the DEA's mission. In August 2015, the DEA had identified an organization that was trafficking methamphetamine in southeastern Oklahoma but was being coordinated from inside the Oklahoma State Penitentiary. Once the identities of the individuals involved had been made, it took the coordinated efforts of fourteen law enforcement entities to put a case together which resulted in the successful dismantling of the organization.

The ODOC and each employee listed received a Certificate of Appreciation from the DEA for their cooperation and support during the endeavor.

7. Approval of Board of Corrections Policies: **Michael W. Roach, Chair**

- **P-010200, Operating Procedures and Policies for the Oklahoma Board of Corrections**
- **P-010300, Mission and Organization of the Oklahoma Department of Corrections**
- **P-020600, Legislative Initiative Process**

- **P-030100, Provisions of Services/Inmate Rights and Responsibilities**
- **P-040100, Security Standards for the Oklahoma Department of Corrections**
- **P-090100, Provisions of Programs**
- **P-110300, Drug Free Workplace Program**
- **P-170100, Community Sentencing**

Chair Roach stated the BOC had previously received the policies for review and he would entertain a motion to approve. A copy of the policies are included in the BOC Packet for September 13, 2016.

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

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

8. Approval of Appointment of Terry Royal as Warden of the Oklahoma State Penitentiary **David Parker, Division Manager
East Institutions**

Mr. Parker presented summary on career and education of Mr. Royal before requesting approval from the BOC to appoint him as the warden of the Oklahoma State Penitentiary (OSP).

Motion: Mr. Gross made a motion to approve Terry Royal as warden of OSP and Mr. Holder seconded the motion. The results of the roll call were: Mr. Gross – yes; Mr. Haynes – yes; Mr. Holder – yes; Mr. Luck – yes; Ms. Newburn – yes; Mr. Roach – yes.

The appointment was approved by majority vote. Warden Royal thanked the director and members of the BOC for their approval and support of his appointment. There was no further discussion.

9. Notification to Board of Corrections of Emergency Purchase Under \$75,000 **Joe M. Allbaugh, Director**

- **Purchase of Materials to Cover Roof Damage Caused by Severe Storm at Jess Dunn Correctional Center**
- **Purchase of Materials to Repair Downed Power Lines Caused by Severe Storm at Eddie Warrior Correctional Center**
- **Repairs of Air Conditioning Units at Lawton Community Corrections Center**

Director Allbaugh notified the BOC of his authorization for emergency purchases at three separate locations. Due to roof damage and downed power lines caused by severe storms at the Jess Dunn Correctional Center and Eddie Warrior Correctional Center, respectively, Director Allbaugh has authorized emergency purchases to be made for repairs. Costs at this time are

unknown but are expected to be under \$75,000 for each facility. Director Allbaugh has also authorized emergency purchases to repair the air conditioning units at the Lawton Community Corrections Center. Estimated costs are also expected to be under \$75,000.

There was no further discussion.

10. Approval of Emergency Declaration Allowing the Director of Corrections to Request to Substitute an Emergency Project for any Other Project or Projects on the Approved Current Fiscal Year's Capital Improvement Plan List **Joe M. Allbaugh, Director**

- **Replacement of Chiller/Boiler System for A and C Units at Oklahoma State Penitentiary**
- **Replacement of Water Treatment Plant at Mack Alford Correctional Center**

Director Allbaugh requests the approval of the BOC for an emergency declaration to amend the agency's list which was already submitted to the Capital Improvement Board. This would allow for the replacement of the chiller/boiler system on A and C Units at Oklahoma State Penitentiary and replacement of the water treatment plant at Mack Alford Correctional Center to be substituted as priority capital improvement request items.

Motion: Mr. Haynes made a motion to approve the emergency declaration as presented and Mr. Holder seconded the motion. The results of the roll call were: Mr. Gross – yes; Mr. Haynes – yes; Mr. Holder – yes; Mr. Luck – yes; Ms. Newburn – yes; Mr. Roach – yes.

The emergency declaration was approved by majority vote. There was no further discussion.

11. Monthly Update of Agency Budget **Ashlee Clemmons, Chief Administrator**
FY 2016 (Final Report) **Business Services**
FY 2017

Ms. Clemmons provided the agency's final FY 2016 budget update as of June 30, 2016 and the FY 2017 budget update as of July 31, 2016. A copy of the updates are included in the BOC Packet for September 13, 2016. Director Allbaugh noted that State leadership had recently returned \$10.1 million to the agency. Director Allbaugh advised the BOC members that he and staff will be researching how to distribute the funds that would be beneficial to ODOC employees and he will present a final recommendation at the BOC meeting in October 2016. There was no further discussion.

12. Quarterly Update of FY 2016 Oklahoma Correctional Industries and Agri-Services Budget (April 1 – June 30, 2016) **La Nita Hilgenfeld, Business Services**
Coordinator
Oklahoma Correctional Industries and
Agri-Services

Ms. Hilgenfeld provided the final quarterly FY2016 budget update for the Oklahoma Correctional Industries and Agri-Services as of June 30, 2016. A copy of the updates are included in the BOC Packet for September 13, 2016. There was no further discussion.

13. Monthly Update of Offender Population

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

Dr. Pitman provided the agency's population update as of July 29, 2016. A copy of the update is included in the BOC Packet for September 13, 2016. There was no further discussion.

14. Update on North Fork Correctional Center Transition

**Edward L. Evans, Associate Director
Field Operations**

Mr. Evans was unable to attend the meeting and Dr. Pitman provided the update on his behalf. She advised the BOC members of the current North Fork Correctional Center (NFCC) inmate population and staffing as well as changes throughout the system with the removal of temporary beds from several facilities. Efforts are ongoing to move inmates out of day rooms and unsecure housing areas.

Dr. Pitman noted she was pleased with the progress of the movements and getting programs into place. The BOC members also expressed their appreciation for efforts of staff in this matter. Director Allbaugh commended the division managers, Greg Williams and David Parker, and their staff for their assistance with the inmate movements from the now-closed work centers to the Oklahoma State Reformatory (OSR) as well as from the OSR to NFCC.

15. Committee Reports

Committee Chairs

Chair Roach asked the committee chairs for their reports.

- **Audit/Finance Committee**

The committee met on September 13, 2016 and reviewed the reports presented this date for the budgets. There was nothing further to add to those reports.

- **Corrections/Criminal Justice Reform Committee**

The committee met to discuss changing the focus of the Female Offender Committee to the Criminal Justice Reform Committee. The committee agreed that the needs of the female offenders within the ODOC are being met by the members of the Population/Private Prisons Committee. The committee also agreed on the new language presented in P-010200, Operating Procedures and Policies for the Oklahoma Board of Corrections, which details the responsibilities of this committee.

Director Allbaugh noted that the committee Chair, Ms. Newburn, will also serve on Governor Fallin's Criminal Justice Reform Taskforce.

- **Public Policy/Public Affairs Committee**

The committee did not meet this month.

- **Population/Private Prisons Committee**

The committee met on September 1, 2016, but there was nothing further to add from this meeting.

- **Executive Committee**

The committee met on September 23, 2016 to set the agenda for the meeting this date. There was nothing further to report from this meeting.

16. New Business

Michael W. Roach, Chair

There was no new business to discuss.

17. Announcements

Michael W. Roach, Chair

Director Allbaugh thanked the warden and staff at JDCC for hosting the meeting this date and providing a tour to the BOC members prior to the meeting.

18. Approval to Adjourn for Executive Session for:

David Cincotta, General Counsel

- **Discussion of Pending Investigations:**
 - *Unattended death of inmate Chad Coffey #232211 at Oklahoma State Penitentiary (Case number IG 16-0094)*
 - *Suicide of inmate James Frosig #202868 at Lexington Assessment and Reception Center (Case number IG 16-0100)*
 - *Homicide of inmate Gregory Smith #518433 at Mack Alford Correctional Center (Case number IG 16-0108)*

Mr. Cincotta advised 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 Roach entertain a motion to adjourn.

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

The adjournment to Executive Session was approved by majority vote and the BOC adjourned at 1:54 p.m.

19. Approval to Return from Executive Session

David Cincotta, General Counsel

The BOC returned to the meeting room at 2:22 p.m. and Mr. Cincotta advised the BOC of the approval needed to return from Executive Session.

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

The return was approved by majority vote and the BOC resumed the meeting at 2:22 p.m.

20. Adjournment

Michael W. Roach, Chair

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

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

The adjournment was approved by majority vote and the meeting ended at 2:25 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 eighteenth day of October 2016, in which a quorum was present and voting.

Approved by:

[signature on file]

John T. Holder, Secretary
Board of Corrections

Date