

**OKLAHOMA BOARD OF CORRECTIONS  
REGULAR MEETING**

Lawton Correctional Facility  
8607 SE Flower Mound Road  
Lawton, Oklahoma  
February 4, 2016

**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 1:03 p.m. on Thursday, February 4, 2016, at the Lawton Correctional Facility (LCF). The final agenda was posted at 1:00 p.m. on Tuesday, February 2, 2016, at the Oklahoma Department of Corrections (ODOC), which is at least twenty-four hours prior to the commencement of the meeting. Chair Gross introduced and welcomed Mr. Adam Luck as a newly appointed member to the BOC. Chair Gross also introduced and welcomed Mr. Joe M. Allbaugh who was appointed as the interim director during the previous month's BOC meeting.

Chair Gross then asked the clerk to call the roll:

Kevin Gross, 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**

**Hector Rios, Warden  
Lawton Correctional Facility**

Warden Rios greeted and welcomed all attendees to the LCF as well as the BOC and Director Allbaugh. He thanked the LCF staff for all of their hard work in preparation for the BOC meeting this date. Chair Gross thanked Warden Rios for hosting the BOC Meeting and noted the LCF was a great facility with great staff.

**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 January 7, 2016

Chair Gross stated the BOC had previously received the meeting minutes from January 7, 2016, for review and he would entertain a motion to approve.

***Motion:*** Mr. Henke made a motion to approve the minutes and Mr. Haynes seconded the motion. The results of the roll call were: Mr. Gross – yes; Mr. Haynes – yes; Mr. Henke – yes; 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. Comments from Director with Possible Discussion**

**Joe M. Allbaugh, Director**

Director Allbaugh greeted the BOC and audience stating the first twenty-eight days with the agency had been interesting. He advised the BOC that he had visited several facilities and would continue traveling throughout the month to visit more of them. He stated that on January 6, 2016, he had visited the Lexington Assessment and Reception Center to witness the reception process. Director Allbaugh directed attention to an inmate field file which was approximately four inches thick with paperwork. He stated paper files would not survive a fire nor can the agency rely on the offender management system (OMS) computer software to contain the same information as a paper file. Director Allbaugh stated the agency's computer software needs are over thirty years old and the agency is at risk. He stated this was just one item that he would attempt to fix but noted it would take help from everyone to accomplish this goal. Director Allbaugh stated the agency serves the taxpayer and the number one job is to protect the citizens of Oklahoma, the staff, and the public as well as taking care of the inmate population. He stated there are a multitude of issues and it will require the assistance of everyone to insure the mission is met, including the members of the BOC.

Director Allbaugh stated the legislative session had begun on Monday, February 1, 2016. The agency has a request for a \$20 million supplemental which will be discussed later in the meeting. He noted that Governor Fallin had offered the supplemental and he will make his presence known during this session to insure the agency receives the funding it needs. Director Allbaugh stated the agency's story needs to be told not just to the legislators but also to the general public so they are aware these needs are a society issue.

Director Allbaugh expressed his appreciation to the BOC for their vote of confidence by appointing him as the interim director in January. Chair Gross once again welcomed him to the agency.

**6. Recognition of Staff**

**Terri Watkins, Director**

**Internal/External Communications**

- Susie Barnes  
Helping Hands, Certificate of Appreciation
- Megan Hicks  
Helping Hands, Certificate of Appreciation

Chair Gross advised this item would be tabled and added to the agenda for the BOC meeting in March.

**7. Discussion and Approval of Board of Corrections Policy**

**Joe M. Allbaugh, Director**

- P-100100, Employee Development Standards

Director Allbaugh stated the policy changes had been provided to the BOC members prior to this date. Wording changes were made to the policy to make it more direct and understandable by the BOC and staff. Director Allbaugh recommended the members approve the policy changes as presented.

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

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

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

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

FY2016 Budget Work Program	
Appropriated	\$487,515,570
200 Fund	\$15,010,643
205 Fund	\$4,642,977
280 Fund	\$1,500,000
Total – Budget Work Program	\$508,669,190*

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

Y-T-D Expenditures	\$(225,919,300)
Appropriated	\$(221,256,319)
200 Fund FY 16	\$(3,807,740)
205 Fund FY 16	\$(855,241)
280 Fund FY 16	-
Encumbrances	\$(127,547,697)
Committed	\$(560,041)
Remaining Payroll	\$(125,416,845)
<b>Available Balance</b>	<b>\$29,225,307</b>

Appropriated Operating Funds	
Budgeted	\$487,515,570
Expenditures Y-T-D	\$(221,256,319)
Encumbrance Y-T-D	\$(122,025,198)
Total Committed Y-T-D	\$(47,365)
Available Balance	\$144,186,688
Less:	
Payroll	\$(125,416,845)
Available Balance	\$18,769,843

200 Revolving Fund	
Beginning Cash Balance 7/1/2015	\$754,680
Revenue Received Y-T-D	\$7,720,350
Expenditures Y-T-D	\$(6,531,565)
Adjustments Y-T-D	\$(121,903)
Ending Balance	\$1,822,372

205 Revolving Fund	
Beginning Cash Balance 7/1/2015	\$1,070,058
Revenue Received Y-T-D	\$1,984,865

Expenditures Y-T-D	\$(2,117,626)
Adjustments Y-T-D	\$(23,948)
Ending Balance	<u>\$913,349</u>

280 Revolving Fund	
Beginning Cash Balance 7/1/2015	\$2,462,065
Revenue Received Y-T-D	\$14,997,115
Expenditures Y-T-D	\$(11,535,678)
Adjustments Y-T-D	\$(190,333)
Ending Balance	<u>\$5,733,169</u>

There were no further questions or comments.

**9. Quarterly Update and Discussion of Financial Internal Audits**

**Gharzuddin Baksh, Auditor IV  
Auditing and Compliance**

- FY 2016, 1<sup>st</sup> Quarter

Mr. Baksh stated the internal audit team closed and submitted eight (8) audit reports to the director during the first quarter of fiscal year 2016 and, after his approval, those reports were submitted to the State Auditor and Inspector office. The units/facilities audited were:

1. Bill Johnson Correctional Center
2. Oklahoma Correctional Industries (OCI) at Joseph Harp Correctional Center
3. James Crabtree Correctional Center
4. Jim E. Hamilton Correctional Center
5. Agri-Services at Northeast Oklahoma Correctional Center
6. Northeast Oklahoma Correctional Center
7. Mack Alford Correctional Center
8. William S. Key Correctional Center

The Fiscal Management compliance and Internal Controls over the following financial activities were examined, to include Accounts Payables, Accounts Receivables (Prisoner Public Works Projects and Private Industry Enterprises), Purchasing, Receiving, Purchase Cards, Express Checks, Debit Cards, Canteen (OBS and Inventory), Trust Fund, Warehouse Inventory, OCI Factory Inventory, Agri-Services Livestock, Feedstock, Woodstock and Fixed Assets Management System.

All non-compliant and internal deficiencies reported in the areas of Canteen, Trust Fund, Express Checks, Warehouse, and Food Services inventories were properly addressed and plans of corrective actions were put in place. These plans will be tested during the next audit cycle. The detailed findings are contained in the summary report included in the packets given to the BOC members.

Mr. Baksh stated the safeguarding and accountability of the agency's fixed assets started in FY14 and continues into FY16. The Internal Audit Team continues to complete a 100% inventory of weapons, vehicles, vests and radios as part of our audit procedures, as well as a large sampling of other inventory.

Mr. Henke thanked Mr. Baksh on behalf of the Audit/Finance Committee for his hard work. He noted this item had been tabled during the BOC Regular Meeting in January due to some requests

from the committee for additional information. Mr. Henke stated the committee had received the information requested and were satisfied with the response from Mr. Evans and his team. Mr. Henke stated as a member of the Audit/Finance Committee, he received assurances that the corrective actions mentioned in the report had been taken immediately after the audits were completed in the first quarter of FY16.

There were no further questions or comments.

**10. Update and Discussion of Offender Population**

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

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

<b>Committed Offender Population</b>	<b>Community Supervised Offender Population</b>
Total System Population = 28,150	Total System Population = 27,200
DOC Facilities = 19,859	Probation Supervision = 23,685
Private Prisons = 5,924	Parole Supervision Offenders = 2,759
County Jails with Contracts = 598	GPS = 683
Halfway Houses = 1,355	EMP = 8
Out Count (jails, hospitals, etc.) = 414	PPCS = 1
	Community Program Failures = 64
<b>TOTAL SYSTEM POPULATION = 55,350</b>	
County Jail Backup = 745	

<b>State Facility Capacity Percentages</b>	
Assessment & Reception Centers	96%
Institutions	122%
Community Corrections Centers	99%
Community Work Centers	105%
<b>TOTAL STATE BEDS</b>	<b>118%</b>

There were no further questions or comments.

**11. Update and Discussion of Legislative Initiatives**

**Marilyn Davidson, Legislative Liaison**

Ms. Davidson stated the legislative session began on Monday, February 1, 2016, with the governor's State of the State Address. She stated there were a few bills starting to be heard in committees this week with most of the Appropriations sub-committees meeting with their assigned agencies. The ODOC is scheduled to present to the House sub-committee on Public Safety on February 11, 2016.

Ms. Davidson stated the agency has requested six bills during this session:

- SB946, which increases the limit the director can authorize for an expenditure in an emergency situation to \$250,000
- SB1001, which gives the ODOC the authority to issue a current warrant to arrest an inmate who has escaped
- SB1218, which addresses the eligibility criteria for electronic monitoring by the ODOC and makes the program available to more non-violent offenders

- SB884, which removes barriers in statute preventing the ODOC from registering with the Oklahoma Bureau of Narcotics and Dangerous Drugs
- SB1152, which restores previous language in statute that allows the ODOC to start collecting workers compensation payments from inmates

The deadlines for those bills to be heard in their Senate committees is February 25, 2016. Ms. Davidson stated she was also tracking approximately eighty bills which directly affect or potentially affect the ODOC. She noted there are many sentencing reform bills which falls in line with the governor's statements in her State of the State Address.

There were no further questions or comments.

## 12. Committee Reports

**Committee Chairs**

Chair Gross asked the committee chairs for their reports.

- **Audit/Finance Committee**

Mr. Henke stated the committee met by teleconference but there was nothing further to report.

- **Female Offender Committee**

Nothing to report.

- **Public Policy/Public Affairs Committee**

Mr. Haynes stated the committee did not meet but he had discussed the legislative initiatives report with Ms. Davidson and there was nothing further to report.

- **Population/Private Prisons Committee**

Mr. Roach stated the committee had met with Dr. Pitman during the last week of January 2016, to introduce Mr. Luck and update him on the concerns of the committee. Mr. Roach stated he felt Mr. Luck had been well-advised by Dr. Pitman of the population issues facing the agency. There was nothing further to report.

- **Executive Committee**

Chair Gross stated the committee met in January to review and approve the agenda for the meeting this date.

## 13. New Business

**Kevin Gross, Chair**

There was no new business to discuss.

## 14. Announcements

**Kevin Gross, Chair**

There was no announcements to make.

## 15. Approval to Adjourn for Executive Session

**David Cincotta, General Counsel**

- Discussion of Pending Litigation:
  - *State of Oklahoma, et al. v. FCC, et al.,* US Court of Appeals for the Tenth Circuit, case number 16-9503

Mr. Cincotta advised the item listed 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. Roach made a motion to adjourn to Executive Session and Mr. Henke seconded the motion. The results of the roll call were: Mr. Gross – yes; Mr. Haynes – yes; Mr. Henke – 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 1:25 p.m.

- 16. Approval to Return from Executive Session** **David Cincotta, General Counsel**  
The BOC returned to the meeting room at 1:43 p.m. Mr. Cincotta advised the BOC of the approval needed to return from Executive Session.

**Motion:** Mr. Roach made a motion to return from Executive Session and Mr. Holder seconded the motion. The results of the roll call were: Mr. Gross – yes; Mr. Haynes – yes; Mr. Henke – 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 1:46 p.m.

- 17. 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. Henke made a motion to adjourn the meeting and Mr. Holder seconded the motion. The results of the roll call were: Mr. Gross – yes; Mr. Haynes – yes; Mr. Henke – 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 1:46 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 third day of March 2016, in which a quorum was present and voting.

Approved by:

**[signature on file]**

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Frank X. Henke IV, Secretary  
Board of Corrections

\_\_\_\_\_  
Date