

**OKLAHOMA BOARD OF CORRECTIONS  
REGULAR MEETING MINUTES**

Kate Barnard Community Corrections Center  
3300 N Martin Luther King Ave  
Oklahoma City, Oklahoma  
June 27, 2017

- |   |  |                         |
|---|--|-------------------------|
| <b>ITEM</b>   |  | <b>PRESENTER</b>        |
| 1. Call to Order  |  | Michael W. Roach, Chair |
| Chair Roach called the regular meeting of the Oklahoma Board of Corrections (BOC) to order at 1:00 p.m. on Tuesday, June 27, 2017, at the Kate Barnard Community Corrections Center (KBCCC) 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 November 30, 2016. An amendment to the location of the meeting was filed with the Oklahoma Secretary of State on May 30, 2017.

The final agenda was posted at 3:08 p.m. on June 22, 2017, at the Oklahoma Department of Corrections (ODOC), 3400 N Martin Luther King Avenue, in Oklahoma City, which is at least twenty-four hours prior to the commencement of the meeting.

- |   |  |                         |
|---|--|-------------------------|
| 2. Pledge of Allegiance   |  | Gene Haynes, BOC Member |
| Mr. Haynes led the BOC members, Director Allbaugh and meeting attendees in reciting the Pledge of Allegiance to the United States Flag. |  |                         |

- |   |  |                         |
|---|--|-------------------------|
| 3. Roll Call                                  |  | Michael W. Roach, Chair |
| Chair Roach asked the clerk to call the roll: |  |                         |

Kevin Gross, Member	Present	Adam Luck, Member	Present
Gene Haynes, Member	Present	Irma Newburn, Member	Present
Frazier Henke, Vice-Chair	Absent	Michael Roach, Chair	Present
Todd Holder, Secretary	Present		

Calling of the roll reflected a quorum was present.

- |  |  |  |
|--|--|--|
| 4. Welcome/Opening Remarks   |  | Aboutanaa Elhabti, Director<br>Kate Barnard Community Corrections Center |
| Director Elhabti welcomed all attendees to the facility and provided historical information on the facility. He noted the facility does not currently have an inmate population due to the restructuring into a female minimum security facility. All community correction female inmates previously at KBCCC were transferred to the Oklahoma City Community Corrections Center in preparation for the security-level change at the facility. |  |  |

There was no further discussion or questions.

5. Approval of Board of Corrections Meeting Minutes from Regular Meeting on May 23, 2017 Michael W. Roach, Chair

Chair Roach stated the BOC had previously received the meeting minutes from May 23, 2017 for review and he would entertain a motion to approve. A copy of the meeting minutes was included in the BOC Packet for June 27, 2017.

Motion: Mr. Gross made a motion to approve the minutes 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 – abstain; Mr. Roach – yes.

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

6. Director's Comments Joe M. Allbaugh, Director  
Director Allbaugh provided the following comments to the BOC Members:

- On June 6, 2017, several compressors failed on the NE pod of H-Unit at the Oklahoma State Penitentiary (OSP). With the lack of adequate airflow and outside temperatures in the high 80s to low 90s, temperatures in the individual cells could pose a threat to the health and safety of inmates and staff. A Title 61 emergency purchase was authorized by Director Allbaugh and work was completed by McKinney Heat and Air for a total cost of \$12,347.
- On Wednesday, June 21, 2017, the HVAC unit that supplies air to the second floor of the old OSP administration building went down making working conditions intolerable and unsafe for staff. An emergency was declared under Title 61 to purchase and install a new 15-ton HVAC unit with air handlers. The estimated cost of this emergency purchase is \$25,500. The contractor, McKinney Heat and Air has ordered the new unit and it is expected that the work will be completed by June 30, 2017.
- The ODOC was recently approved by the legislature and the Oklahoma Tax Commission to receive branded vehicle license plates. 1,000 tags have been produced as of this date by the Oklahoma Correctional Industries and the agency is deploying the new tags to all ODOC units.
- The Joseph Harp Correctional Center (JHCC) conversion of G Unit to a Mental Health unit is nearing completion. The project will allow inmates with serious mental health issues to be moved from OSP to JHCC so they may be housed in one location. To accommodate these changes, 120 general population inmates will be moved from JHCC to the North Fork Correctional Center in July 2017.
- Construction on the new chapel at the John Lilley Correctional Center is expected to begin in July 2017. World Mission Builders is constructing the chapel at no cost to the agency.

- The OSP Boiler/Chiller Replacement Project continues to move forward. While work is ongoing, a commercial chiller has been rented and installed to maintain acceptable temperatures on one of the units.
- The agency is taking heat precautions and in an effort to minimize some of the impacts associated with the heat, portable air conditioners and fans were purchased and deployed across the agency for emergency needs.
- Director Allbaugh commended Dr. Laura Pitman and other staff who assisted with preparing the population presentation for the meeting this date.

There was no further discussion.

7. Approval to Change Kate Barnard Community Corrections Center to Kate Barnard Correctional Center, Minimum Security Joe M. Allbaugh, Director

Mr. Monday presented and requested approval from the BOC to change the name and security level of the Kate Barnard Community Corrections Center to the Kate Barnard Correctional Center. The facility will be restructured to house minimum-security female inmates and will no longer house community corrections-security inmates.

Motion: Mr. Gross made a motion to approve changing the security level and renaming the facility the Kate Barnard Correctional Center 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 security level and name change of the facility was approved by majority vote. There was no further discussion.

8. Approval/Confirmation of Appointment: William Monday, Director  
Region II
- Lonnie Lawson, Warden  
William Key Correctional Center
  - Aboutanaa Elhabti, Warden  
Kate Barnard Correctional Center

Mr. Monday presented and requested approval from the BOC for appointment of Lonnie Lawson as warden of the William Key Correctional Center. A copy of Mr. Lawson's résumé was included in the BOC Packet for June 27, 2017.

Motion: Mr. Haynes made a motion to approve the appointment of Jimmy Martin as warden of the NFCC 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 appointment was approved by majority vote. Mr. Lawson thanked the BOC members and Director Allbaugh for their support. There was no further discussion.

Mr. Monday then presented and requested approval from the BOC for appointment of Aboutanaa Elhabti as warden of the Kate Barnard Correctional Center (KBCC). A copy of Mr. Elhabti's résumé was included in the BOC Packet for June 27, 2017.

Motion: Mr. Gross made a motion to approve the appointment of Aboutanaa Elhabti as warden of the KBCC 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 appointment was approved by majority vote. Mr. Elhabti was invited to make a statement; he thanked the BOC members and Director Allbaugh for their approval of his appointment. There was no further discussion.

9. Approval of Board of Corrections Policies: Penny Lewis, Director  
Auditing and Compliance
- P-120100 Management of State Funds and Assets
  - P-150500 Eight Year, System-wide Capital Improvement Program

Ms. Lewis presented and requested approval from the BOC for of the policies as presented. A copy of the policies was included in the BOC Packet for June 27, 2017.

Motion: Mr. Holder made a motion to approve the policies 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 policies were approved by majority vote. There was no further discussion.

10. Monthly Update of FY 2017 Agency Budget Ashlee Clemmons, Director  
Business Services

Ms. Clemmons provided the agency's FY 2017 budget update as of May 2017, explaining increases and decreases over the fiscal year. A copy of the update was included in the BOC Packet for June 27, 2017. There was no further discussion.

11. Presentation on Inmate Population Laura Pitman, Ph.D., Director  
Population, Programs, and Strategic Planning

Dr. Pitman presented information to the BOC regarding concerns of the agency if the appropriate criminal justice reform or funding of the agency is not accomplished. Speakers and topics covered during the presentation included:

- Dr. Pitman provided statistical data on incarceration rates, capacity of the agency's institutions, and prison population projections.
- Marilyn Davidson discussed the Justice Reform Task Force recommendations; none of the reforms passed that would have affected the population. She noted that even if all of the reforms with an impact on the prison population had passed, they would address future growth but not the overuse of prison beds in the agency.

- Dr. Pitman outlined actions taken by the agency over the last several years to manage the growing inmate population. Included was information related to leasing the North Fork Correctional Center.
- Greg Williams discussed the consolidation of community work centers and elimination of county jail contract beds.
- Jason Bryant and Kameron Harvanek discussed the impacts on their facilities – James Crabtree Correctional Center and Mack Alford Correctional Center, respectively – when temporary beds were removed from program space.

*NOTE: At approximately 1:56 p.m., Director Allbaugh exited the meeting room; he returned to the meeting at approximately 1:58 p.m.*

- Dr. Pitman further discussed current actions being taken within the agency:
  - Changes to community correction centers (CCC), specifically Oklahoma City CCC and Kate Barnard CCC. Oklahoma City CCC will house female inmates and the male inmates housed there will be moved to the Oklahoma State Reformatory. Kate Barnard CCC will be transformed into a minimum-security facility for female inmates.
  - Expanding the capacity at Bill Johnson Correctional Center for Intermediate Revocation Facility (IRF) inmates. IRFs were to include intensive services for probationers who violated the terms or conditions of their probation. Violators would be sentenced to a term of six months in an IRF.
  - Consolidation of the OSP and JHCC Mental Health units.
- Dr. Pitman provided information on program needs of the inmate population as well as expansions of substance abuse treatment services, transition workshops, IRF programs, Phase program at OSP, and implementation of a cosmetology program at the Mabel Bassett Correctional Center as well as CareerTech programs at the Oklahoma State Reformatory.
- Ashlee Clemmons discussed the history of appropriations given to the agency, providing information on the FY 2017 budget work program by fund as well as by division category. She also discussed contract bed expenditures and the population and also yearly appropriation changes since FY 2012. Budget takeaways was also discussed.
- Tina Hicks provided information on the staffing challenges faced by the agency including hiring and retention as well as starting pay for correctional officers.
- Clint Castleberry discussed the aging inmate population and how it affects the rising medical costs for treatment.
- Dr. Pitman provided information on parole statistics since FY 2007 which shows a dramatic decrease in the number of inmates paroled each year since that time.
- Scott Crow discussed the deferred and ignored maintenance needs of the agency as well as the top twenty FY 2019 Capital Outlay Requests recently submitted.

Director Allbaugh addressed the BOC members in closing and discussed the obligations of the agency to protect the public, the employees and the inmates while providing constitutional conditions of confinement and level of care within the appropriations allocated by the legislature. He also outlined the agency's plan moving forward, including continuing to ask for

the funding the agency needs. He also stated the agency will continue asking for funding to build new prisons.

*NOTE: Director Allbaugh exited the meeting at 2:53 p.m.*

The floor was opened for discussion by Chair Roach and BOC members asked about information presented including other avenues to accommodate growth, costs to house inmates per year, concerns over inmate and employee safety, etc. BOC members also discussed their frustration with the Justice Reform Task Force recommendations failing to make an impact with legislators. Representative Bobby Cleveland was invited to make comments and he thanked the BOC for their continued guidance of the agency.

There was no further discussion.

- |   |                         |
|---|-------------------------|
| 12. Committee Reports   | Committee Chairs        |
| Chair Roach asked the committee chairs for their reports.   |                         |
| <ul style="list-style-type: none"><li>• Audit/Finance Committee<br/>The committee met on June 21, 2017, to discuss items presented this date but there was nothing further to report.</li><li>• Corrections/Criminal Justice Reform Committee<br/>The committee did not meet.</li><li>• Public Policy/Public Affairs Committee<br/>The committee did not meet.</li><li>• Population/Private Prisons Committee<br/>The committee met on June 20, 2017, to discuss items presented this date but there was nothing further to report.</li><li>• Executive Committee<br/>The committee met on June 21, 2017 to set the agenda for the meeting this date but there was nothing further to report.</li></ul> |                         |
| 13. Old Business  | Michael W. Roach, Chair |
| There was no old business to discuss.   |                         |
| 14. New Business  | Michael W. Roach, Chair |
| There was no new business to discuss.   |                         |
| 15. Announcements   | Michael W. Roach, Chair |
| There were no announcements.  |                         |

16. Approval to Adjourn for Executive Session for: David Cincotta, General Counsel
- Discussion of Lawsuits:
    - Estate of Randall Charles Peterson, et al. v. Creek County, et al. (*McIntosh County District Court, case number CJ-2017-46*)
    - Estate of Clayton Lockett v. Fallin, et al. (*Oklahoma Western District Court, case number CIV-14-1119-HE; 10th Circuit, case number 15-6134; US Supreme Court, case number 16A744*)
    - GTL v. FCC, et al. (*D.C. Circuit Court of Appeals, case number 15-1461*)
    - Anticipated litigation and anticipated/pending claims regarding Section 37 of Title 57 (the “three-day rule”) in light of Attorney General Opinion 2017 OK AG 3

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. 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 to Executive Session was approved by majority vote and the BOC adjourned at 3:09 p.m.

*NOTE: Director Allbaugh rejoined the meeting during Executive Session at 3:09 p.m.*

17. Approval to Return from Executive Session David Cincotta, General Counsel  
The BOC returned to the meeting room at 4:07 p.m. and Mr. Cincotta advised the BOC of the approval needed to return from Executive Session.

**Motion:** Mr. Gross 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. 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 4:07 p.m.

18. 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 4:07 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 twenty-fifth day of July 2017, in which a quorum was present and voting.

Approved by:

**[signature on file]**

\_\_\_\_\_  
John T. Holder, Secretary  
Board of Corrections

\_\_\_\_\_  
Date