

**OKLAHOMA BOARD OF CORRECTIONS
REGULAR MEETING MINUTES**

January 20, 2021

1. Call to Order

Chairman Hastings Siegfried called the Regular meeting of the Oklahoma Board of Corrections (BOC) to order at 1:15 p.m., on Wednesday, January 20, 2021, at Joseph Harp Correctional Center (JHCC), 16161 Moffat Rd. Lexington, OK 73051

The meeting was preceded by advance notice of the date, time and place, filed with the Oklahoma Secretary of State on Wednesday, October 21, 2020. 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 4:15 PM, on Friday, January 15, 2021, at the principal office of the Oklahoma Department of Corrections (ODOC), located at 3400 North Martin Luther King Avenue in Oklahoma City, Oklahoma and at JHCC, 16161 Moffat Rd. Lexington, Oklahoma.

A. Pledge of Allegiance

Chairman Siegfried led the meeting attendees in reciting the pledge of allegiance to the United States Flag.

B. Roll Call

Chairman Siegfried asked the clerk to call roll:

| | | | |
|-----------------------|---------|-----------------------|---------|
| Randy Chandler | Absent | Stephan Moore | Present |
| Betty Gesell | Present | Calvin Prince | Present |
| Joseph Griffin | Absent | T. Hastings Siegfried | Present |
| Lynn Haueter | Absent | Daryl Woodard | Absent |
| Dr. Kathryn LaFortune | Present | | |

Calling of the roll reflected a quorum was present.

2. Approval of Board of Corrections Meeting Minutes

Chairman Siegfried requested approval of the meeting minutes as presented to members in the BOC packet for January 20, 2021.

A. November 18, 2020

Motion: Mr. Prince made the motion to approve the minutes. Dr. LaFortune seconded the motion.

| | | | |
|-----------------------|---------|-----------------------|---------|
| Randy Chandler | Absent | Stephan Moore | Approve |
| Betty Gesell | Approve | Calvin Prince | Approve |
| Joseph Griffin | Absent | T. Hastings Siegfried | Approve |
| Lynn Haueter | Absent | Daryl Woodard | Absent |
| Dr. Kathryn LaFortune | Approve | | |

Meeting minutes for November 18, 2020 were approved by majority vote. There was no further discussion.

3. Facility Warden Welcome

JHCC Warden Luke Pettigrew welcomed the Board Members, Director Crow and attendees then provided the following overview:

JHCC opened in the year of September 1978. The facility was named in honor of Joseph Harp. Mr. Harp served as warden at Oklahoma State Reformatory from 1949-1969. Warden Joseph Harp was the first Warden to establish a fully accredited GED program behind prison walls.

Our maximum capacity at the facility is one thousand three hundred and forty-five (1,345) inmates consisting of a four hundred (400) bed mental health program which consists of three different units. In 2017, it was determined that JHCC would be selected to be the host facility for the mental health program for the state of Oklahoma. That same year, approximately one hundred (100) inmates from OSP, and additional staff were transferred to JHCC to begin the program. JHCC mental health program reached out to the National Institution of Corrections (NIC) for technical assistance on building the program. In conclusion, the NIC reported our mental health program would rate in the top mental health programs in the United States. In 2019, NIC made plans to host their 2020 Annual conventions in Oklahoma City to bring in other state mental health directors to tour JHCC Mental Health program. However, due to COVID-19, the NIC Convention was cancelled.

Other Facets of JHCC include:

- Youthful Offender Program-Education is our primary focus.
- Medical-long term care unit, approximately two hundred and fifty (250) inmates.
- OCI employee approximately three hundred and fifty (350) inmates. The average monthly pay for OCI inmates is one hundred and twenty dollars (\$120.00).
- Other programs include education; we currently have three (3) inmates beginning college course this semester.
- SAT-Substance Abuse Treatment program is a six to nine (6-9) month program.

Joseph Harp currently has seven (7) bond projects being conducted. The facility is forty-three (43) years old and we are improving the facility by repairs and replacement of water and electrical lines, new roofing on five (5) units, repairing the lagoons and water wells.

4. Director's Comments

Director Crow welcomed everyone and commended staff on their continued dedication during the pandemic. Director Crow provided the following updates:

A. Statewide Lockdown Update

- State and Private facilities are reporting no issues or tension.
- All facilities with the exception of NFCC, OSP medium and DCF have returned to COVID Phase III. The UAB, Paisa, and Sureno STG groups at all facilities remain on lockdown.

COVID Phase III includes:

- Unrestricted access to unit yards and dayrooms
- Ballfield and other extracurricular activity areas open and able to be utilized by unit.

- Work sites reopened with 100% social distancing and PPE.
- Canteen access being returned to the canteen by unit.
- Food service to be open by unit serving in a to-go fashion.
- Education, Career Tech, and other programs access as staff in these areas return with 100% social distancing and PPE.
- The only remaining step to take would be to allow unrestricted access to facility areas with social distancing and PPE.

Board Members stated lockdown status places increased pressure not only on inmates, but staff as well. Lockdown status makes simple tasks more labor intensive.

B. COVID-19 Vaccine Status

- A total of 52 medical staff across the 6 facilities (LARC, JHCC, JCCC, DCCC, MBCC, and OSP) determined to be long-term care facilities have received the vaccinations with the assistance of the OSDH Strike Team. In addition, there is currently no data on staff that have received vaccinations on their own.
- Information has been made available for staff to sign up to receive the vaccination at the existing PODS via the vaccine registration portal link: <https://vaccinate.oklahoma.gov/>
- Director Millicent Newton-Embry is currently gathering information via the survey sent out on DOC broadcast to poll staff, in effort to determine who would like to receive the vaccination. Today was the final day for staff to submit responses.
- All facility locations at this point have submitted vaccine plans. These plans cover who will be vaccinated, where they'll be vaccinated, and the general plan for each facility.
- DOC is still waiting on the OSDH for vaccine allocation numbers.

Board Members asked if the agency had a vaccine plan.

Director Crow returned the question to Millicent Newton-Embry.

Ms. Newton-Embry indicated the Health Services Unit has worked with Oklahoma State Department of Health (OSDH) to receive permission to allow each facility to handle the disbursement of vaccines. OSDH also offered their assistance.

Board Members asked if the agency's first responders were considered for phase one of the vaccine release.

Director Crow indicated he was hopeful that they would be, however they were placed in phase two. He followed up by indicating that OSDH has worked great with the agency and have done their best to provide for the agency's needs.

Ms. Newton-Embry indicated she spoke with OSDH and they have provided her with an estimate of how many vaccines the agency will be receiving. Ms. Newton-Embry indicated she has a follow-up meeting later today to determine final numbers and to ensure the agency will be able to receive the second dose.

C. ODOC Award Recipients

Director Crow commended the Chief of Strategic Engagement Team for their efforts on trying to provide an award ceremony for 2020. Unfortunately, 2020 did not allow for the normal award ceremony, nevertheless the team was creative and tried their best to still make the award presentations memorable.

Director Crow then acknowledged the following award recipients:

- Communications Specialist Lance West received Employee of the Year
- WKCC Nurse Tammy Foster received Nurse of the Year.
- OKCCCC Corporal Michael Sackey received Correctional Officer of the Year.
- CTU Chief Glenna Frawner received Correctional Officer Supervisor of the Year.
- Anadarko Probation and Parole Officer Colt Moore received Probation and Parole Officer of the Year.
- Tulsa Probation and Parole Supervisor Kenny Erfurdt received Probation and Parole Supervisor of the Year.
- Awarded Posthumously – JEHCC volunteer Gerald Sickler received Volunteer of the Year.
- JDCC employee Shirley James received the Life Saving Award.
- Director's Award of Excellence - This award encompasses individuals spanning multiple divisions who helped the Comanche County Detention Center work through a COVID-19 outbreak.
- Team Awards - DOC also presented team awards to our Criminal Interdiction Unit, COVID-19 Task Force, Business Services Unit, Populations Office staff, and to those who helped augment staffing at the Oklahoma County Jail.

There was no further discussion.

5. Introduction of the Director of Institutions

Chief of Operations Mike Carpenter introduced the new Director of Institutions Jason Bryant.

Jason started his career in 1995 as a correctional officer. Throughout his career he has been case manager, records manager, case manager IV, program director, deputy warden, warden, and most recently director of classification and population. The agency is appreciative of the skill he brings to the table.

Jason Bryant thanked everyone for trusting him to provide leadership and guidance within the division of institutions. He stated he would be dedicated to developing strategies to continue progress and meet the mission of the agency. Mr. Bryant indicated he was very hopeful that the pandemic was coming to an end and he would like to continue to focus his attention to providing a safe environment for employees to work in and the inmates to live. Mr. Bryant stated he is excited to begin refocusing attention on items that will assist employees in their work sites and areas and assist inmates in making better decisions for themselves.

6. Chief of Strategic Engagement Update

Chief of Strategic Engagement (COSE) provided the following update:

A. ODOC Roundtable

Several months ago, the agency began hosting roundtables. The objective of the roundtable is to open the lines of communication and provide accurate and timely information to legislators and interest groups involved in criminal justice. The roundtable is offered as a one-hour session and is divided into two sessions, one for legislators and one for stakeholders.

As of today, the agency has held two roundtables. One in November and one in December. Each roundtable consists of two sessions one at 10AM for legislatures and one at 2PM for stakeholders. Stakeholders include, but are not limited to, the District Attorney's Council, Administrative Office of the Courts, Attorney General's Office, Oklahoma Indigent Defense System, OK County Public Defenders' Office, Tulsa County Public Defenders' Office, Oklahomans for Criminal Justice Reform, Oklahoma Policy Institute, Americans for Prosperity, Oklahoma Council of Public Affairs, Open Justice Oklahoma, Right on Crime, Forward Us, ACLU, and OK Cure.

COSE Brown indicated that the November session had a good attendee response, the December session did not have as many attendees, but did have more interaction/questions, and the January session has a high number of anticipated attendees. COSE Brown indicated she was pleased with the participation response the agency has received for this initiative.

The November session was titled "The Reality of Today's Prisons" and the agency went back to 2005 because that is as far back as the agency could go to find accurate data.

One topic was the Top five (5) controlling offenses from 2005-2020. In 2005, the first two (2) were possession of controlled dangerous substance and distribution of controlled substance. In 2020, fifteen years later, the top two (2) were robbery with a dangerous weapon and murder in the first degree. This shows the agency is seeing a different type of population. Also, the age has changed. In 2005, the average age was twenty (20) to thirty-nine (39). In 2020, it went from thirty (30) to forty-nine (49). The population is getting a little older.

Another topic was annual receptions. In 2005, the agency received twenty-three thousand four hundred and seventy-eight (23,478) inmates compared to 2020, the agency received twenty-one thousand six hundred and seventy-five (21,675) inmates. At the moment the agency is seeing a reduction in population.

The December session was titled "Getting with the Programs" and covered the following topics:

- How the agency assesses an inmate's programs needs
- Types of programs offered to inmates
- Process and challenges surrounding creating/offering programs

The January session is scheduled for Friday, January 22, 2021, and is titled "Corrections' response to COVID-19". The topics of this roundtable will include a timeline of the agency's response and highlights of actions taken by the agency.

At the end of each session the COSE requests proposed topics for the next roundtable.

Board Members asked what the common question during the roundtables. COSE Brown indicated it really depends on the topics presented. She went on to state that they would ask how certain bills affect the agency and how COVID has affected operations, specifically programs.

Board Members and Director Crow commended COSE Brown for her efforts on this initiative and requested the video link to review past roundtables and an invite to future roundtables.

There was no further discussion.

7. Inmate/Offender Population Update

Population Coordinator Justin HySmith provided an overview of the inmate/offender population as of December 31, 2020. A copy of the overview was included in the BOC packet for January 20, 2021.

There was no further discussion.

8. Health and Offender Services Update:

Health and Offender Services Director Millicent Newton-Embry provided the following update:

A. COVID-19 Update:

As of Tuesday, January 19, 2021, ODOC has tested a total of twenty-seven thousand and fifty-two (27,052) inmates with a total of six thousand nine hundred and thirty-nine (6,939) positives. Four hundred and ten (410) were symptomatic.

- Current inmate positive: Fifty-nine (59)
- Nine thousand two hundred seventy-three (9,273) total staff have been tested with a total of nine hundred and fifteen (915) positives
- Current staff positive is one hundred and sixteen (116)

Hot Spots

The use of hot spots continues to be utilized as a method to monitor spikes in cases and to reduce transmission within the facilities. Hot spot monitoring has been an important factor especially in monitoring our vulnerable populations.

Current Hot Spot

There are currently no facilities with the designation of "HOT" status. Additionally, there is no facility on the hotspot watch list. Director Newton-Embry shared a story about a staff member's dedication to ensuring her facility was safe and following protocols. Ms. Newton-Embry commended the staff member on her dedication to ensuring her facility was safe and did not become a hot spot.

COVID-19 Rapid Strike Team

The COVID-19 Rapid Strike Team continues to respond to facilities within twenty-four (24) hours of being declared "HOT" with reports due three (3) days after the assessment in order to address any identified needs of the facility.

Influenza (Flu) Immunizations

Every effort has been implemented to protect the health and safety of staff, inmates and the community and to ward against a spike or resurgence within our facilities, to include annual statewide flu clinics with the assistance of the State Health Department.

From September 2020 through January 2021, seven thousand three hundred and seventy-eight (7,378) inmates accepted the flu vaccine and four thousand five hundred and seventy-nine (4,579) inmates waived the flu vaccine. However, the flu season carries on through March and vaccines will continue to be available. The agency also ensures inmates received into the assessment and reception centers receive the opportunity to obtain the vaccine.

COVID-19 Vaccinations

Approximately fifty-two (52) medical staff have received vaccination in our six (6) long term care facilities (Dick Conner Correctional Center, James Crabtree Correctional Center, Joseph Harp Correctional Center, Lexington Assessment and Reception Center, Mabel Basset Correctional Center, and Oklahoma State Penitentiary) with the assistance of the OSDH Strike Team.

Medical staff also report receiving vaccinations from the state pods set up by the OSDH.

Hospitalizations

There are currently seven (7) COVID related inmate hospitalizations. A total of one hundred and five (105) have been discharged from the hospital.

Possible COVID-19 Related Deaths

Regrettably, with regard to COVID related deaths, the agency reports a total of forty-four (44) listed as probable related to COVID-19. Twenty-seven (27) have now been confirmed by the State Medical Examiner as COVID related.

CDC Guidelines

We continue to follow CDC and other public health measures. Health and Safety precautions including screening of staff, visitors and inmates; mask coverings, temperature monitoring, hand washing, physical distancing and all other CDC guidelines will continue, especially during the flu season.

We continue all COVID responses as we also work to pivot towards planning with our Oklahoma State Department of Health partners for inmate COVID vaccinations and will update you on all of these efforts as we move forward.

There was no further discussion.

9. Agency Budget Update

A. FY 2021 BOC Budget Overview

Chief Financial Officer (CFO) Ashlee Clemmons provided an overview of the FY 2021 BOC Budget. A copy of the overview was included in the BOC packet for January 20, 2021.

B. Cost of Incarceration

CFO Ashlee Clemmons provided an overview of the cost of incarceration. A copy of the Cost of Incarceration was included in the BOC packet for January 20, 2021.

Statutory Requirement Title 57 § 561.1 ¶ E. "At the beginning of each fiscal year, the Department of Corrections shall determine the budgeted average daily cost per inmate. The budgeted average daily cost per inmate shall include all direct and indirect costs incurred by the Department. There shall be a separate computation of budgeted average daily cost for maximum security, medium security, minimum security, and community facilities. This information shall be presented to the State Board of Corrections for informational purposes only. After the close of each fiscal year, the Department shall determine the actual average daily cost per inmate for the operational costs at each major category of correctional facility. The actual average daily cost per inmate shall include all direct and indirect costs incurred by the Department. There shall be a separate computation of the average daily rate for maximum security, medium security, minimum security, and community facilities. The Department shall present to the Board of Corrections at its January meeting comparative data on budgeted daily cost versus actual daily cost, and, after appropriate review and analysis, the Board shall adopt as a final action of the Board an average daily cost per inmate by facility category for the immediately preceding fiscal year."

Approval of Cost of Incarceration

Motion: Chairman Siegfried made the motion to approve the Cost of Incarceration. Mr. Prince seconded the motion.

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|-----------------------|---------|-----------------------|---------|
| Randy Chandler | Absent | Stephan Moore | Approve |
| Betty Gesell | Approve | Calvin Prince | Approve |
| Joseph Griffin | Absent | T. Hastings Siegfried | Approve |
| Lynn Haueter | Absent | Daryl Woodard | Absent |
| Dr. Kathryn LaFortune | Approve | | |

The Cost of Incarceration was approved by majority vote. There was no further discussion.

10. Unit Spotlight:

A. Mental Health and Programming Services

Chief Mental Health Officer Dr. Jana Morgan provided the following overview:

Mental Health in corrections is much different than what you see or what is thought of in the community. Mental Health consists of psychiatrists, psychologists, advanced practice nurses, behavioral clinicians, and social workers. The clinical staff work closely with facility staff to carry out the mental health mission.

At the end of FY2020, approximately sixty-four percent (64%) or a little over fifteen thousand (15,000) of the inmate population have a history or are currently receiving mental health services and approximately thirty-eight percent (38%) eight thousand seven hundred and eighty-seven (8,787) were currently receiving mental health treatment.

Mental Health staff provide individual sessions, group counseling, and screen inmates at the reception centers.

Mental Health offers crisis intervention, most facilities have safe cells where inmates are placed if they are in need of a higher-level treatment with the goal being to stabilize the inmate to get them back out to the regular population.

Mental Health also provides medication management, suicide prevention, restrictive housing evaluations, lower security recommendations, misconduct reviews to ensure the inmate's mental health is stable enough to handle the recommended discipline. The unit also has a reentry program that includes a partnership with Oklahoma Department of Mental Health and Substance Abuse Services (ODMHSAS). This program involves ODMHSAS staff being officed in some facilities. At the present time ODMHSAS office at JHCC, MBCC, North Fork Correctional Center, OSP, and one staff that split their time between Eddie Warrior Correctional Center and Jess Dunn Correctional Center. This program develops discharge plans for inmates with the highest need. The discharge plans usually begin when an inmate is six (6) months from discharging. The plan involves mental health needs, medical needs, housing needs, social security, and disability. The goal is for the plan to be complete upon discharge, so the inmate is able to receive services immediately.

At JHCC, mental health offers inpatient level of care, step down unit which is similar to an intensive outpatient level of care, and the rehabilitation program. The rehabilitation program is designed for inmates with intellectual disabilities and assists these inmates adapt to the correctional settings.

During the pandemic the mental health work has been more strained the workload has increased as mental health staff have been making regular rounds at the facilities to ensure all inmates are coping with the all the changes and pressure associated with the pandemic.

Dr. Morgan indicated that despite the challenges which the biggest challenge continues to be staffing, she is proud of the work her team is doing.

Board Members asked who was counted in the sixty-four percent (64%) number. Dr. Morgan indicated this was any inmate who at some point had interaction with a mental health professional. The thirty-eight percent (38%) is the number of inmates currently receiving ongoing mental health care (this includes mental health diagnosis).

Board Members asked mental health used the Adverse Childhood Experience Scale (ACE)

Dr. Morgan stated no.

Board Members asked how many additional staff are needed.

Dr. Morgan indicated at the present time, there is an overall thirty-six percent (36%) vacancy rate and that includes thirty-two and a half (32 and 1/2) vacant positions. Twenty-two (22) of the vacancies are psychologists. The psychologists are critical to the unit. Psychiatrists and Psychologists are the unit's greatest need right now.

Board Members asked how they could be beneficial to Dr. Morgan and her staff.

Dr. Morgan stated the biggest challenge is being competitive with pay.

Board Members and Director Crow asked for a comparison in pay.

Dr. Morgan indicated the Veteran Affairs psychologists pay around ninety-five thousand dollars (\$95,000) and have step raises whereas the agency pays around seventy-eight thousand dollars (\$78,000).

Director Crow asked what about psychiatrists.

Dr. Morgan indicated it was about the same, but probably a higher discrepancy.

Board Members asked about virtual sessions

Dr. Morgan indicated the unit does a lot of tele-psychiatry, but it is much harder to conduct tele-psychology inside corrections.

Board Members asked about mouth swab tests for psychotropic medications. The test provides insight on what might work best for the patient.

Dr. Morgan stated she would have to research that.

Board Members asked about the screening tool used at reception centers.

Dr. Morgan indicated that the agency has developed a highly structured interview. Once an inmate is determined to need a higher level of care, they are sent to the mental health unit where they receive higher level evaluations and testing.

Board Members commended Dr. Morgan and her staff.

There was no further discussion.

11. Committee Reports – Standing Committees:

C. Executive

Chairman Hastings Siegfried

Members Lynn Haueter and Dr. Kathryn LaFortune

Members in this committee discussed the proposed agenda for the board meeting, the lockdown status, upcoming legislative budget presentations, and the continued COVID-19 efforts.

There was no further discussion.

D. Population/ Security/ Private Prisons

Chairman Calvin Prince

Members Hastings Siegfried and Lynn Haueter

Members in this committee discussed the private prison contracts, population update, county jail waiting numbers, and virtual hearings, the seriousness of inmate deaths, and the pressure of lockdown statuses.

There was no further discussion.

E. Public Policy/ Affairs/ Criminal Justice

Chairwoman Betty Gesell

Members Joe Griffin, Dr. Kathryn LaFortune, and Stephan Moore

Members in this committee did not have an update.

There was no further discussion.

F. Audit and Finance

Chairman Randy Chandler

Members Hastings Siegfried, Lynn Haueter, and Daryl Woodard

Members in this meeting discussed the BOC budget reports, Cost of Incarceration information, and Establishing priority budget area reviews.

There was no further discussion.

12. Adjournment

Motion: Chairman Siegfried made a motion to adjourn the meeting. Mr. Prince seconded the motion.

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| Randy Chandler | Absent | Stephan Moore | Approve |
| Betty Gesell | Approve | Calvin Prince | Approve |
| Joseph Griffin | Absent | T. Hastings Siegfried | Approve |
| Lynn Haueter | Absent | Daryl Woodard | Absent |
| Dr. Kathryn LaFortune | Approve | | |

There being no further business to discuss, adjournment of the meeting was approved by majority vote at 2:38 PM

Submitted to the Board of Corrections By:

Signature on File

Tasha Parker, Minutes Clerk

03/17/2021

Date

I hereby certify that these minutes were duly approved by the Board of Corrections on March 17, 2021 in which a quorum was present and voting.

X Signature on File

Dr. Kathryn LaFortune, Secretary
Board of Corrections