



Oklahoma Board of Corrections

REGULAR MEETING

January 15, 2020

Mabel Bassett Correctional Center
McLoud, Oklahoma

**OKLAHOMA BOARD OF CORRECTIONS
REGULAR MEETING AGENDA**

Mabel Bassett Correctional Center
29501 Kickapoo Road
McLoud, OK 74851-8339

1:00 PM on January 15, 2020

Members of the Board of Corrections will be dining together before the Board meeting.
No business will be conducted during this time period.

- | ITEM | PRESENTER |
|---|---|
| 1. Call to Order
A. Pledge of Allegiance
B. Roll Call | T. Hastings Siegfried, Chair |
| 2. Introduction of Calvin Prince, Board of Corrections Member | T. Hastings Siegfried, Chair |
| 3. Approval of Board of Corrections Regular Meeting Minutes for:
A. November 13, 2019 | T. Hastings Siegfried, Chair |
| 4. Director's Comments
A. Governor's Leadership Summit Award for Cross Collaboration
B. Second Annual ODOC Public Safety Forum
C. New Offender Management System Update
D. County Jail Tours
E. ASCIIS Implementation | Scott Crow, Director |
| 5. Inmate/Offender Population Update | Millicent Newton Embry, Director
Offender Services |
| 6. Agency Budget Update
A. FY 2019 ODOC Budget Monthly Update
B. Approval of Average Daily Cost Per Inmate by Facility Category
for FY 2019 in accordance with 57 OS § 561.1 ¶E.
<i>"At the beginning of each fiscal year, the Department of Corrections shall determine the budgeted average daily cost per inmate. 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. 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." 57 OS § 561.1 ¶E.</i> | Ashlee Clemmons, Director
Business Services |
| 7. Legislative Update | Jessica Brown
Chief of Strategic Engagement |
| 8. Approval of ODOC Administrative Rules Proposal | Justin Wolfe, Legislative Liaison |

- | | |
|--|---|
| <p>9. Approval of Board of Corrections Policy:</p> <p style="margin-left: 20px;">A. P-010200, Operating Procedures and Policies for the Oklahoma Board of Corrections</p> <p style="margin-left: 20px;">B. Announcement of BOC Committees</p> <p style="margin-left: 40px;">a. Executive</p> <p style="margin-left: 40px;">b. Audit/Finance/Technology</p> <p style="margin-left: 40px;">c. Population/Security/Private Prison</p> <p style="margin-left: 40px;">d. Public Policy/Affairs/Criminal Justice</p> | <p>Penny Lewis
Chief Compliance Officer</p> <p>T. Hastings Siegfried, Chair</p> |
| <p>10. Approval of Board of Corrections Policy:</p> <p style="margin-left: 20px;">A. P-090200, Public Works Programs of the Oklahoma Department of Corrections</p> | <p>Penny Lewis
Chief Compliance Officer</p> |
| <p>11. Approval of Board of Corrections Policy:</p> <p style="margin-left: 20px;">A. P-100100, Training and Staff Development Standards</p> | <p>Penny Lewis
Chief Compliance Officer</p> |
| <p>12. Approval of Board of Corrections Policy:</p> <p style="margin-left: 20px;">A. P-130100, Oklahoma Department of Corrections Annual Inspections and Monitoring</p> | <p>Penny Lewis
Chief Compliance Officer</p> |
| <p>13. Approval of Board of Corrections Policy:</p> <p style="margin-left: 20px;">A. P-140100, Inmate Medical, Mental Health and Dental Care</p> | <p>Penny Lewis
Chief Compliance Officer</p> |
| <p>14. Approval of Board of Corrections Policy:</p> <p style="margin-left: 20px;">A. P-160100, Purpose and Function of Probation and Parole</p> | <p>Penny Lewis
Chief Compliance Officer</p> |
| <p>15. Approval to Delete Board of Corrections Policy</p> <p style="margin-left: 20px;">A. P-010700, ODOC Victim Justice Advisory Council</p> | <p>Penny Lewis
Chief Compliance Officer</p> |
| <p>16. New Business</p> | <p>T. Hastings Siegfried, Chair</p> |
| <p>17. Adjournment</p> | <p>T. Hastings Siegfried, Chair</p> |

The next regular meeting of the Board of Corrections will be held at 1:00 PM on Wednesday, February 13, 2020 at the Oklahoma Department of Corrections in Oklahoma City, Oklahoma.

Updated on 1/14/2020 7:25:53 AM

Item #3
Approval of 11-13-19 BOC Minutes

**OKLAHOMA BOARD OF CORRECTIONS
REGULAR MEETING MINUTES
November 13, 2019**

1. Call to Order

Interim Director Scott Crow called the regular meeting of the Oklahoma Board of Corrections (BOC) to order at 1:00 p.m. on Wednesday, November 13, 2019, at the Administration Building of the Oklahoma Department of Corrections (ODOC), located at 3400 North Martin Luther King Avenue, 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 made at least twenty-four (24) hours in advance by posting notice of the date, time, place, and agenda of the meeting at 10:50 a.m. on Tuesday, November 12, 2019, at the principal office of the ODOC, located at 3400 North Martin Luther King Avenue in Oklahoma City, Oklahoma.

A. Pledge of Allegiance

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

B. Roll Call

Interim Director Crow asked the clerk to call the roll:

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

Calling of the roll reflected a quorum was present.

2. Introduction of Randy Chandler, Board of Corrections Member

Interim Director Crow introduced and welcomed Mr. Chandler to the Board.

3. Introduction of Stephan Moore, Board of Corrections Member

Interim Director Crow introduced and welcomed Mr. Moore to the Board.

4. Election of Officers

The Board of Corrections has three officer positions to fill. The positions include Chair, Vice Chair and Secretary.

Motion for Chair:

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

Mr. Griffin moved to nominate Mr. Haueter as chair; motion seconded by Ms. Gesell.

Results for Siegfried:

Randy Chandler	Nay	Stephan Moore	Aye
Betty Gesell	Nay	T. Hastings Siegfried	Aye
Joseph Griffin	Nay	Daryl Woodard	Aye
Lynn Haueter	Nay		
Dr. Kathryn LaFortune	Aye		

Interim Director Crow was summoned to break the tie. Interim Director Crow voted for Mr. Siegfried. Mr. Siegfried was elected as chair; no additional votes were taken.

Motion for Vice Chair:

Mr. Woodard moved to nominate Mr. Haueter as vice chair; motion seconded by Mr. Griffin.

Results:

Randy Chandler	Aye	Stephan Moore	Aye
Betty Gesell	Aye	T. Hastings Siegfried	Aye
Joseph Griffin	Aye	Daryl Woodard	Aye
Lynn Haueter	Abstain		
Dr. Kathryn LaFortune	Aye		

Mr. Haueter was elected as vice chair; no additional votes were taken.

Motion for Secretary:

Mr. Haueter moved to nominate Mr. Griffin as secretary; motion declined by Mr. Griffin.

Mr. Siegfried moved to nominate Dr. LaFortune as secretary; motion seconded by Mr. Woodard.

Results for Dr. LaFortune:

Randy Chandler	Aye	Stephan Moore	Aye
Betty Gesell	Aye	T. Hastings Siegfried	Aye
Joseph Griffin	Aye	Daryl Woodard	Aye
Lynn Haueter	Aye		
Dr. Kathryn LaFortune	Aye		

Dr. LaFortune was elected as Secretary; no additional votes were taken.

5. Chair Comments

Chair Siegfried thanked the Board of Corrections for their service, welcomed the new members and announced there was still one board position vacant.

Mr. Siegfried acknowledged the many changes surrounding the Board and Department of Corrections. Mr. Siegfried indicated the new focus would be to stabilize and he encouraged the Board Members to focus on each other’s strengths and work together to prioritize goals.

There was no further discussion. Chair Siegfried requested Interim Director Crow to announce the sixth item on the agenda.

6. Approval of Board of Corrections Regular Meeting Minutes

Interim Director Crow requested approval of the meeting minutes as presented to members in the BOC packet for November 13, 2019.

A. September 4, 2019

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

Results:

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

Meeting minutes for September 4, 2019 were approved by majority vote. There was no further discussion.

7. Director's Comments

Interim Director Crow provided updates on the following topics:

A. FY2021 Budget Request

Interim Director Crow stated he and a small group of staff members presented the agency's FY 2021 Budget Request to the Budget Sub-Committee on November 7, 2019. Interim Director Crow indicated that the agency requested a 2% increase in budget and indicated Ms. Ashlee Clemmons, Director of Business Services, would discuss further.

B. Commutations

Interim Director Crow indicated that a week ago this past Monday (November 4, 2019), the agency, the Pardon and Parole Board and many other external partners went through a commutation process where approximately 450 inmates were released. The commutation was part of HB 780 and SB1269 which allowed for the individuals to be released retroactively. Interim Director Crow said it was a huge event for the agency and he attended the release at Eddie Warrior Correctional Center in Taft. Interim Director Crow indicated the agency will continue to monitor the individuals that were released and thanked all internal and external resources involved in the commutation process.

Mr. Woodard asked if the recent commutation would offset any of the requested 2% increase in the budget.

Interim Director Crow indicated he believed it was too early to determine the impact the commutations will have on the budget. It is important to remember that although approximately 450 individuals were released, there are more individuals waiting in county jail to be brought into the system.

Dr. LaFortune asked if the agency had a long term projection of incarceration rates increasing.

Interim Director Crow indicated they do have projections but he was not prepared to speak about them today.

Dr. LaFortune asked if the agency would take those projections into consideration when determining budget and cost savings.

Interim Director Crow responded yes.

C. Organizational Chart

Interim Director Crow stated a week ago he released the revised organizational chart for the agency and took a moment to introduce staff to BOC members. The following Positions/staff were introduced:

Chief of Staff Clint Castleberry: Mr. Castleberry has a background in programs and was most recently Director of Health Services.

Chief of Operations Justin Farris: Mr. Farris has a background in security and facility operations and was most recently Director of Oklahoma Correctional Industries.

General Services Director Kelly Wilkey: Mr. Wilkey has a background in security and most recently was Chief of Security for the agency's Central Transportation Unit.

Inspector General Donnie Anderson: Mr. Anderson is new to the Oklahoma Department of Corrections Team but has years of experience in criminal investigations.

Offender Services Director Millicent Newton-Embry: Ms. Newton-Embry has served in many different areas throughout the agency and most recently was Regional Director overseeing state institutions.

General Counsel Gary Elliott (Acting): Mr. Elliott has worked in our legal division for 30+ years and is doing a great job acting as General Counsel in a very busy role.

Chief Financial Officer (Vacant/Recruiting)

Chief Technical Officer (Vacant/Recruiting)

Interim Director Crow provided an opportunity for the Board to ask questions concerning organizational changes. No further discussion.

D. Governor's Executive Order

Interim Director Crow referred to Executive Order 2019-41 which was filed on September 27, 2019. The Executive Order called for the interdiction of contraband cellphones by means of technology. One of the key pieces in the order was to look at technology that may "jam" cellphone signals and/or capture the signals. Interim Director Crow indicated that the jamming technology is the direction the agency is taking but of course there are some legal challenges with respect to jamming cellphone signals. Interim Director Crow stated the agency is currently working with the Federal Communications Commission (FCC) to address such challenges and the agency is looking at several different jamming technologies. Interim Director Crow stated the September 14, 2019 disturbance progressed due to the use of contraband cellphones and stressed the importance of eliminating contraband cellphones.

Dr. LaFortune: Is there any data or research on what percentage of contraband cellphones used for violence or gang activity versus used for family communications?

Interim Director Crow referred to Donnie Anderson.

Donnie Anderson: Indicated there was not any data.

Interim Director Crow: Indicated the number of confiscated contraband cellphones is huge and the amount of criminal enterprise as a result of the cellphones was vast.

E. Employee Awards and Recognition Ceremony

Interim Director Crow announced that the annual awards ceremony is scheduled for November 19, 2019 at 11:00 a.m., at the Will Rogers Theatre, located at 4322 N. Western Avenue in Oklahoma City. Interim Director Crow stated that this event would be celebrating some of the agency's staff that have gone above and beyond. Interim Director Crow invited the Board to join the celebration.

F. Hiring and Retention Impact of Legislative Raise

Interim Director Crow stated that since the \$2.00 per hour raise was provided by the legislature, the agency has seen an average increase of 63 officer applicants per month. Interim Director Crow indicated this was a welcomed trend and that the agency is most appreciative. Interim Director Crow indicated the agency will continue to look for ways to increase salaries of staff of all levels.

G. BOC Meeting Schedule for 2020

Interim Director Crow referred to the 2020 board meeting schedule provided in the director's update hand out. Interim Director Crow stated the proposed schedule placed meetings at different facilities across the state. Interim Director Crow indicated this would allow the Board Members to tour facilities throughout the agency. Interim Director Crow requested the Board's thoughts on traveling to different facilities to hold meetings.

Mr. Woodard and Mr. Siegfried approved of the idea and liked the thought of viewing all the facilities and meeting staff.

Mr. Haueter and several other board members voiced concern over hectic schedules and drive times.

Interim Director Crow encouraged the Board to allow facilities to host the meetings as it allowed the Board to see the facilities, meet staff and boost morale.

Mr. Chandler requested if it was possible to use video technology for meetings.

Mr. Griffin indicated he believed you could for regular meetings but not for executive session.

Mr. Elliott agreed with Mr. Griffin's statement but, stated he would confirm.

Kathi Sappington stated she was required to have dates registered with the Secretary of State by December 10, 2019 and any time a change is required, notice must be recorded on the Secretary of State's website.

Final decision was made to leave the proposed 2020 schedule as is and reevaluate later.

H. Orientation Manual

Interim Director Crow stated his office was in the process of revamping the orientation manual given to board members and anticipates the orientation manual to be complete in December. Interim Director Crow indicated the orientation would not only contain general agency information, but also major obstacles the agency faces.

Mr. Haueter requested to schedule time to go over the orientation manual.
Interim Director Crow agreed to do so.

I. Facility Demographic Brochures

Interim Director Crow stated the communications unit was working to update facility brochures, which will be disseminated to you and available for the public and other agency staff. Interim Director Crow indicated the brochures are expected to be complete in December.

J. January Public Safety Forum

Interim Director Crow stated plans are underway for the 2nd Annual Public Safety Forum, hosted by the Department of Corrections, which will be held January 23, 2020, at the Oklahoma History Center in Oklahoma City. Invitations will be mailed out no later than the First week in January.

No further discussion.

Mr. Haueter exited 1:41 p.m.
Mr. Haueter returned 1:44 p.m.

8. Approval of Board of Corrections Policy

Chief Compliance Officer Penny Lewis requested approval of the Board of Corrections Policy as presented to members in the BOC packet for November 13, 2019.

A. P-010200, Operating Procedures and Policies for the Oklahoma Department of Corrections.

Revisions include: *Paragraph 1 and Section I.A, to include items 1 and 2 - revisions consistent with language in HB2480. Section I.C. item 2 - removed language regarding officer qualification and eligibility. Other items were renumbered sequentially. Section I.D. item 4. - Removed paragraph 2 which provided guidelines for limiting voting for newly appointed members. Section II. A and C. 1 item b. - Revisions/deletion consistent with HB2480. Section II.C. - Addition of item 6. Entitled "Technology Committee." This was a result of a previous BOC decision to create this committee. Attachment A - revisions were made to ensure the language in the attachment were consistent with changes to policy.*

Motion: Mr. Woodard made motion to approve the P-010200. Mr. Griffin seconded the motion.

Results:

Randy Chandler	Approve	Stephan Moore	Approve
Betty Gesell	Approve	T. Hastings Siegfried	Approve

Joseph Griffin Approve
Lynn Haueter Approve
Dr. Kathryn LaFortune Approve

Daryl Woodard Approve

P-010200 was approved by majority vote. There was no further discussion.

9. FY 2019 Internal Financial Audit Quarterly Update

Chief Compliance Officer Penny Lewis provided update to internal audits as presented in the BOC packet for November 13, 2019.

A. BOC Internal Audit Summary Report – 4th Quarter FY 19.

The internal financial audit team conducted 18 audits in the 4th quarter of FY19, reviewing fiscal management compliance and internal controls. Of the 18 facilities/units audited, four had reportable noncompliance of internal control findings. Findings include:

PPWP

Probation and Parole – Region I: Findings related to valid contracts, billing and deposits.

Canteen Purchasing

Joseph Harp Correctional Center: Compliance with purchase order processing, adjustments to inventories consistent with agency policy, inventories not in agreement with closing inventory balance.

Lexington Assessment and Reception Center: Compliance with purchase order processing, adjustments to inventories consistent with agency policy, inventories not in agreement with closing inventory balance.

Warehouse Inventory

Kate Bernard Correctional Center: Inventory not in agreement with closing inventory balances.

Lexington Assessment and Reception center: Inventory not in agreement with closing inventory balances.

Action Taken

In all instances where findings were reported; plans of corrective action were submitted to include follow up or procedural changes to ensure future compliance.

Mr. Chandler requested information related to recommended action pertaining to the new hire.

Ms. Lewis referred question to Auditor Pat Donnelly.

Mr. Donnelly indicated new hire was not using spreadsheet and was provided guidance on how to utilize spreadsheet as well as conduct spot checks.

Mr. Haueter asked how risk is assessed.

Mr. Donnelly indicated follow up audits are conducted and if there is no improvement a 100% audit will be conducted.

Mr. Chandler asked if there was "follow up" on discrepancies.

Mr. Donnelly defined follow up procedures, indicating all discrepancies are addressed with the warden and the warden is responsible for creating a corrective action plan to prevent further discrepancies.

Ms. Gesell asked why scope appeared differently at some facilities.

Ms. Lewis indicated state facilities scope were the same but at times privates varied due to contract.

Mr. Haueter asked how audits were rated such as past and current audits.

Mr. Donnelly This year we had 18 audits and of the 18 audits only 4 findings, in the past, the discrepancies have been much higher sometimes 15-16 findings. It appears discrepancies have decreased.

Ms. Lewis the audit scope has changed. It is less derogatory and more solution based.

Mr. Siegfried indicated that forming Committees such as the Audit and Finance Committee will provide strength and allow the Board to really dive into some of the topics such as this.

No further discussion.

Mr. Griffin exited at 1:56 p.m.

10. GEO Contract Changes for PC Beds

Community Corrections Director James Rudek requested approval of the GEO Contract Changes for PC Beds as presented in the BOC packet for November 13, 2019.

A. GEO Correctional Services Contract 11-4-19 Amendment 2.

Mr. Rudek stated currently the agency houses up to 360 protective custody inmates that are at North Fork Correctional Center (NFCC). Protective custody housing is very labor intensive; currently it takes five officers to run the protective housing unit at NFCC; general population runs with two. NFCC also struggles with staffing. Therefore, today, the agency is requesting to amend the GEO contract and allow the agency to transfer protective custody housing from NFCC to the Lawton Correctional Facility (LCF). This will allow North Fork Correctional Center to operate all units as general population and alleviate some of the staffing issues. The agency has housed protective custody inmates at LCF in the past and did well. The proposed contract will provide 2,226 medium security beds at \$43.30 and 360 protective custody beds at \$50.00 with no guarantees.

Mr. Woodard asked how protective custody was determined.

Mr. Rudek explained process.

Mr. Siegfried verified number of beds.

Mr. Rudek confirmed.

Mr. Siegfried asked if this had an impact on OSP.

Mr. Rudek responded no.

Mr. Siegfried asked about the contract length.

Mr. Rudek indicated it is a 1 year with a 5 year renewal and ODOC is in year 2.

Mr. Haueter is this to balance and create more cost savings within operations.

Mr. Rudek responded yes.

Motion: Mr. Woodard made motion to approve the GEO Contract Amendment 2. Dr. LaFortune seconded the motion.

Results:

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

Geo Contract Amendment 2 was approved by majority vote. There was no further discussion.

11. Legislative Updates

Communications Director Jessica Brown provided legislative updates and requested approval of staff's suggested legislative requests as presented in the BOC packet for November 13, 2019.

A. Staff's suggested legislative requests for the 2020 Session

- 1) Remove Medicaid Reimbursement Fee Schedule – Clean up language (O.S. 57 Ch. 1. Sec 38.3)
- 2) Remove outdated language on HIPPA Notifications – Clean up language (O.S. 63 Sec 1-523)
- 3) Change post imprisonment supervision to give P&P more latitude. (Title 22, 991a-21)

Ms. Gesell: Why did it fail last year?

Ms. Brown: indicated it did not fail it just did not make it over to the capitol last year.

- 4) Clarify the entity to file statement with court – the supervising agency ODOC or contracted provider – Clean up language (Title 22-988.22 (B))
- 5) Lessen statutory requirements for P&P Officers to only a bachelor’s degree – deleting 24 hours of specialized courses. Add language to supplement experience for education to broaden pool of applicants. (Title 57, Sec. 515)

Mr. Woodard asked if the agency was having difficulty filling positions.

Ms. Brown responded yes.

Dr. LaFortune asked about the courses in question.

Ms. Brown referred to Mr. Duckworth.

Mr. Duckworth defined the courses in reference and indicated that P&P would like to remove the mandatory courses from statute but incorporate the same material into the training program P&P officers must attend.

Mr. Siegfried agreed with this initiative.

- 6) Expand age for which an offender can qualify for delayed sentencing program from 18-21 to 18-25.
- 7) Reduce correctional officer age limit from 20 to 18 to broaden the pool of applicants. (O.S. 57 510(A)(2)(a))

Woodard asked how the agency felt about the change.

Interim Director Crow Believes this could provide a broader pool and referred to Texas as an example of success.

Ms. Gesell spoke about concerns she heard.

Mr. Siegfried and Dr. LaFortune made positive comments about the initiative.

Mr. Chandler asked if the agency could place younger officers into “safer” roles.

Interim Director Crow referred to Institutional Director Mike Carpenter to discuss officer “shadowing” training.

Mr. Carpenter Correctional Officers receive a 2 week “shadowing” training from an experienced officer and are not allowed to work in certain areas until all official training is completed such as firearms.

- 8) Allow commissioned peace officers the ability to keep their commission if moved to a non-commissioned position. (O.S 57 510)

Mr. Haueter asked if training must be maintained.

Mr. Siegfried and Interim Director Crow confirmed training must be maintained and indicated this would be good for emergency situations.

Mr. Haueter asked about the annual cost.

Interim Director Crow referred to Inspector General Donnie Anderson.

Mr. Anderson indicated there is very little cost associated to maintaining commission. Most training is able to be completed in house and CLEET offers most of the training for free.

- 9) Clean up language in conflicting statutes regarding who appoints and affixes the salary of the director. (O.S. 57 504)

Mr. Siegfried verified request.

Ms. Brown confirmed it was just clean up.

- 10) Standardize sentencing paperwork

Ms. Gesell asked why the paperwork is not standardized.

Ms. Brown indicated that is due to the courts and we do not have control over.

- 11) Identify positions that encompass those assigned to work inside prisons who were not included in last session's bill to increase pay by \$2 per hour. (Title 57, 528.7)

Mr. Siegfried asked if we had a plan in the budget if it does get approved and asked if the \$2 followed the employee if they changed jobs.

Ms. Brown referred to Mr. Elliott on second question.

Mr. Elliott indicated that the \$2 would follow employee.

Mr. Siegfried raised concern over bill and how it was written and how it had the potential to be used improperly by staff in the form of position jumping to earn the \$2 raise.

Interim Director Crow stated this is a very complicated issue. There were 432 employees who were left off and in retrospect a better way to have provided the raise would have been to identify all positions that were in facilities. The problem with our classification system is that in some instances the secretary position that works inside a facility is the same secretary position that works in administration and there is no classification difference between a secretary that works inside a facility or outside a facility. Furthermore, ODOC uses the same classification of positions as other state agencies. Interim Director Crow indicated as he was working to fix the issue it was reviewed by legal and the recommendation was given to not move forward due to concerns that it could cause discrimination lawsuits. HCM legal also reviewed and came to the same conclusion. The new proposed legislation would correct the issue and provides appropriations to do so.

Mr. Woodard and Mr. Siegfried agrees with the legislative initiative.

Mr. Haueter asked if it would change job descriptions.

Interim Director Crow responded with yes.

Mr. Woodard asked Chairman Siegfried if the Board was to be approving the initiatives.

Mr. Siegfried referred back to Ms. Brown who referred to Mr. Elliott.

Mr. Elliott stated first it is informational but at some point the agency would like to have your approval.

Mr. Siegfried asked if these were statutes that must be approved through legislation.

Ms. Brown responded yes.

Mr. Siegfried asked what the time line was on completing and preparing/submitting legislative initiatives.

Ms. Brown indicated the deadline is in December.

Motion: Mr. Woodard made motion to approve 2020 Legislative Initiatives. Ms. Gesell seconded the motion.

Results:

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

2020 Legislative Initiatives were approved by majority vote. There was no further discussion.

12. Inmate/Offender Population update

Offender Services Director Millicent Newton-Embry provided BOC Population Analysis 10-31-19 as presented in the BOC packet for November 13, 2019.

A. provided BOC Populations Analysis 10-31-19

Director Newton-Embry provided a summary of Population Analysis; no further discussion.

13. Budget Updates

Business Services Director Ashlee Clemmons provided an overview of the following documents/reports as presented in the BOC packet for November 13, 2019.

A. Clemmons Board Reports Sept. 20

Director Clemmons provided a summary and explained the “Three Year Expenditure Comparison,” “September/August Expenditure Comparison,” “Three Year Revolving Fund Comparison,” and the “FY 2020 Budget Work Program” documents as presented in BOC Packet for November 13, 2019.

Three Year Expenditure Comparison (questions and answers)

Mr. Woodard asked if the agency received federal funding.

Ms. Clemmons stated the agency does receive some federal matching funds for certain positions then OCI and Agri-services are self-sufficient but outside of that, the agency's budget is all appropriated.

Mr. Woodard questioned amount listed for health insurance.

Ms. Clemmons confirmed amount and explained retirement plan.

Mr. Haueter asked about the IT budget it appeared low.

Ms. Clemmons indicated that the agency payment is backlogged. Some of the transactions might not have hit at the time the report was generated.

Dr. LaFortune requested information about program costs.

Ms. Clemmons indicated program costs come from career tech and some of our providers for programs such as substance abuse. Some of the career tech invoices will not reflect until the next month.

Three Year Revolving Fund Comparison (questions and answers)

Dr. LaFortune asked if the county jail transport number included inmate court transports or if it was just intake.

Ms. Clemmons indicated it was just intake.

FY 2020 Budget Work Program (questions and answers)

Mr. Woodard asked for the fiscal year period.

Ms. Clemmons indicated July 1.

B. FY 2020 Appropriated Operating Budget 9-30-19 Detailed

Director Clemmons provided a summary and explained the "FY 2020 Appropriated Operating Budget 9-30-19 Detailed" document as presented in BOC Packet for November 13, 2019.

Mr. Chandler asked if the agency had funds left from last year.

Ms. Clemmons responded yes, approximately \$9.5 million. Of that, the agency has Offender Management System funds that was appropriated the year before and the agency will carry forward leaving approximately \$3 million to work with on the salary deficit.

C. Copy of Statement of Federal Funds July-September FY20

Director Clemmons provided a summary and explained the "Copy of Statement of Federal Funds July-September FY20" as presented in BOC Packet for November 13, 2019.

Mr. Woodard asked if the agency had a balance sheet.

Ms. Clemmons indicated the agency did not have a balance sheet but one could be created.

Mr. Siegfried indicated that the Audit and Finance Committee could review and determine reports and possibly include a balance sheet into the necessary reports Business Services provides.

Mr. Haueter requested a cheat sheet for codes.

Ms. Clemmons indicated she would provide him the sheet.

D. Copy of Statement Revolving Funds July-September FY 20

Director Clemmons provided a summary and explained the “Copy of Statement Revolving Funds July-September FY 20” document as presented in BOC Packet for November 13, 2019.

No further discussion.

14. FY 2021 Budget Requests

Director Clemmons provided a summary and explained the FY2021 Budget Requests as presented in BOC Packet for November 13, 2019.

Mr. Haueter the Persimmons Group was brought in by OMES?

Ms. Clemmons responded yes.

Mr. Chandler The agency used to have 17 IT staff members before the move.

Ms. Clemmons Yes the agency had the staff and paid the salaries until the decision was made to consolidate IT services for the state.

Mr. Haueter I believe over time, especially with Mr. Harpe being at OMES, the agency will see more transparency. Mr. Haueter went on to state that he is concerned there are services the agency is paying for and not receiving at all or in a limited capacity. He also wanted to know how the agency could challenge the cost OMES is presenting to the agency.

Ms. Clemmons indicated the number of staff the agency requests is optional.

Mr. Siegfried asked if the 2.4 was hardware and 2.3 was staffing.

Ms. Clemmons responded yes.

Mr. Haueter indicated that he would like to see the support OMES is providing to several of our IT related projects.

Mr. Woodard would like to know what is included in the OMES staff salary.

Mr. Siegfried asked if we pay for unavailable resources.

Ms. Clemmons indicated that if resources are not available they will be deducted from the invoice.

Dr. LaFortune asked if the listed fees apply to every agency.

Ms. Clemmons indicated yes and you can select which services you want.

Interim Director Crow referred to the process as a catalog selection. OMES provides a list of services with associated prices and agencies choose from the list.

Dr. LaFortune asked if the Persimmon Group told the agency what services were recommended for ODOC.

Ms. Clemmons and Interim Director Crow responded no.

Mr. Siegfried indicated we are where we are with the 2021 requests but in the future this will be a great area for the Audit and Finance Committee to discuss.

Mr. Chandler asked if the agency was receiving IT assistance on the Aciss or the new OMS project.

Interim Director Crow referred to Mr. Carpenter.

Mr. Carpenter indicated that ODOC would be responsible for the implementation of the OMS system with support from OMES.

Mr. Anderson Indicated that Aciss will be implementing the program and the Inspector General's staff will assist.

Mr. Craig indicated OMES has very little involvement in the Aciss implementation and would only be providing a VPN.

Mr. Haueter indicated the agency was able to remove OMES from Aciss due to it being cloud based and he would assume the cost would have increased if OMES had to be involved.

Interim Director Crow and Board voiced positive remarks about Mr. Harpe and look forward to seeing what he brings to the table at OMES.

Mr. Chandler requested to know what year the Core Civic Contract is in.

Mr. Rudek indicated the contract has expired and the agency is in a one year extension.

Mr. Siegfried confirmed that the GEO contract is a five year contract and the agency is in year two of that contract.

Interim Director Crow the C&M number of \$158,462 listed on page 169 of the BOC packet is an increase request not the full budget of C&M.

Mr. Haueter asked if Mr. Crow was comfortable with the number.

Interim Director Crow indicated he was, especially with the Bond money that is being utilized to fix several failing infrastructures across the state.

Ms. Clemmons Carry over money was utilized to support the Contraband Interdiction Unit start up. The amount requested (\$1,368,328) is the amount needed for staffing.

Interim Director Crow indicated that it is important to note that the agency was asked to keep their increases within 2% and ODOC successfully did so.

Mr. Siegfried and the Board recognizes the budget has already been submitted due to the unusual circumstances that occurred with the Board but decided to still put it through the approval process to avoid a potential issue at a later date.

Motion: Mr. Woodard made a motion to approve FY 2021 Budget Requests. Mr. Haueter seconded the motion.

Results:

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

The FY2021 Budget Requests were approved by majority vote. There was no further discussion.

15. Commutation Project Updates

Chief of Staff Clint Castleberry provided updates from the Commutation Project.

Chief of Staff Clint Castleberry stated House Bill (HB) 1269 directed the Pardon and Parole Board (PPB) to hold an accelerated single stage commutation review of sentences for select felony drug possession and property crimes that were reclassified by State Question (SQ) 780 as misdemeanors.

On August 12, 2019, ODOC provided an electronic list of inmates convicted of possession and property crimes as defined by HB 1269 totaling a little over 5,000 inmates who were potentially eligible for commutation consideration. ODOC worked with the PPB on data exchanges to review and refine list.

Following the initial exchange of information, PPB staff began reviewing the list focusing priority on those with possession only and property only crimes. The list was returned to ODOC with 947 possession only and 102 property only inmates with those types of crimes. It is important to note that through this process time moves on, and as time moves forward the refining of the list continues and some individuals identified on the list as eligible serve their time before commutation date, causing the list to become smaller.

In early September through the duration of the commutation project, ODOC and PPB staff conducted weekly conference calls to monitor, discuss and refine the screening process.

ODOC Assessment and Reception Center staff ran updated rap sheets on the possession only and property only populations to ensure current warrant and detainer information was provided. Sex and Violent offender registration requirements were noted, along with supervision requirements and VINE notification information.

On September 12, DOC staff held a video conference with all facilities and provided direction to facility staff regarding review of the information contained in the master eligibility file for accuracy. The PPB provided a letter for each inmate informing them of their eligibility for potential commutation on the 1269 special docket. A draft commutation certificate for each potentially eligible inmate was reviewed by facility staff to for accuracy. All findings from facility staff were documented and compiled into a master list that was provided back to the PPB on October 1 (per statute) for continued PPB eligibility consideration.

Immediately following the review of eligible inmates by facilities, case management staff began pre-release planning. In October, facility based Transition Fairs were designed and implemented. Twenty-eight transition fairs were conducted with over 200 community partners and volunteer groups representing over 45 organizations and state entities. Transition fairs focused on providing information to inmates on housing, jobs, medical and mental health assistance available after incarceration.

On November 1, 2019, the PPB held special meeting to review and vote on the list of inmates eligible for commutation. Of the 892 inmates docketed for consideration, 527

received a favorable recommendation from the PPB to the Governor for commutation. The PPB denied commutation for those with certain active misconducts, the presence of a PPB registered victim or a victim's protests, DA protests, and those who would have to register as a sex or violent offender.

Of the 527 Inmates who received a favorable vote from the PPB, ODOC received 523 commutation certificates from the Governor's office.

A breakdown of the 527 is as follows

- Discharged from Facility – lists the 422 inmates that discharged from a facility as a result of commutation on 11/4/2019.
- Commuted but still in ODOC – lists the 41 inmates that are still in ODOC custody following commutation on 11/4/2019. Most are serving consecutive (CS) or Staggered Concurrent (CSS) cases. Some have not yet served the one-year their sentence has been commuted to.
- Commuted but still in custody – lists the 29 individuals who were commuted and released to another jurisdiction on a warrant or detainer.
- GPS – lists the 25 individuals that were on GPS at the time they commuted.
- Commuted after Discharge – lists the 6 individuals that discharged their sentence prior to commutation on 11/4/2019 during the week of 10/28/2019 – 11/1/2019.
- Denials – 4 individuals were denied by the Governor following the PPB vote. Those include one late victim protest, one inmate discovered as having a requirement to register as a sex offender, and two with last minute misconducts.

Following receipt of the signed commutation certificates and denial letters, ODOC staff worked through the weekend to ensure all documentation was correct in preparation for release on November 4, 2019. The Governor and state leadership participated in a release event at Eddie Warrior Correctional Center (EWCC) on November 4, 2019 with community partners and inmate families.

ODOC will be running checks on those who released due to commutation on a monthly basis to monitor recidivism.

ODOC is currently working with the PPB on another round of data exchange, as the PPB will now move on to those received with only possession and property crimes that were received after the July 31 date of the original data extract.

Mr. Woodard asked if the PPB was part of the ODOC, if they had a large staff and if they had a Board.

Mr. Castleberry responded no, they were not part of ODOC, very small staff and yes they have a Board.

Interim Director Crow spoke about the tremendous effort ODOC and PPB made to accomplish the commutation Project.

Mr. Siegfried exited 3:32 p.m.
Mr. Siegfried returned 3:34 p.m.
Dr. LaFortune exited at 3:36 p.m.
Dr. LaFortune returned 3:39 p.m.

No further discussion.

16. New Business

No discussion.

17. 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.

Pursuant to 25 O.S. § 307(B) (4), the Board of Corrections may have confidential communications with its attorney concerning a pending investigation, claim, or action if the Board of Corrections, with the advice of its attorney, determines that disclosure will seriously impair the ability of the Board of Corrections to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest.

- A. Homicide and Assault and Battery with Dangerous Weapon at Dick Conner Correctional Center on September 15, 2019 (Case Number IG 19-0245)
- B. Homicide of inmate Mark Lawhead 481394 at Oklahoma State Penitentiary on October 19, 2019 (Case Number IG 19-0271)
- C. Update on Homicide of Rosco Craig 737554 at Davis Correctional Facility on June 24, 2019 (Case Number IG 19-0144)

Mr. Elliott advised the items listed on the agenda would require adjournment to Executive Session for engaging in confidential communications and recommended Chair Siegfried entertain a motion to enter into Executive Session.

Motion: Mr. Siegfried made motion to enter into Executive Session. Mr. Woodard seconded the motion.

Results:

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

By majority vote, the BOC entered into Executive Session at 3:40 p.m.

18. Approval to Return from Executive Session

Motion: Mr. Woodard made motion to return from Executive Session. Dr. LaFortune seconded the motion.

Results:

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

The return from Executive Session was approved by majority vote and the regular meeting resumed at 4:18 p.m.

19. Adjournment

Motion: Mr. Woodard made a motion to adjourn the regular meeting. Dr. LaFortune seconded the motion.

Results:

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

The adjournment of regular meeting was approved by majority vote.

There being no further business to discuss, the meeting was adjourned at 4:19 p.m.

Submitted to the Board of Corrections by:

Tasha Parker, Minutes Clerk

Date

I hereby certify that these minutes were duly approved by the Board of Corrections on January 15, 2020 in which a quorum was present and voting.

Dr. Kathryn LaFortune, Secretary
Board of Corrections

DRAFT



**Item #5.
Inmate/Offender Population Update**

Incarcerated Inmate Grand Total	Females	Males	Total
Current Population	2,625	22,423	25,048
Population Last Year	3,086	23,857	26,943
Change from last year	(461)	(1,434)	(1,895)

State Facilities	Females	Males	Total
Current Population	2,594	15,993	18,587
Population Last Year	2,862	16,819	19,681
Change	(268)	(826)	(1,094)

Private Prisons	Females	Males	Total
Current Population	0	5,552	5,552
Population Last Year	0	5,876	5,876
Change	0	(324)	(324)

County Jail Contracts	Females	Males	Total
Current Population	0	9	9
Population Last Year	0	13	13
Change	0	(4)	(4)

Halfway Houses	Females	Males	Total
Current Population	0	604	604
Population Last Year	195	871	1,066
Change	(195)	(267)	(462)

Out Count	Females	Males	Total
Current Population	31	265	296
Population Last Year	29	278	307
Change	2	(13)	(11)

Community Supervision Offender Grand Total	Females	Males	Total
Current Population	7,568	24,192	31,760
Population Last Year	8,034	25,074	33,108
Change from last year	(466)	(882)	(1,348)

Probation Supervision	Females	Males	Total
Current Population	5,882	18,941	24,823
Population Last Year	6,486	20,219	26,705
Change	(604)	(1,278)	(1,882)

Parole Supervision	Females	Males	Total
Current Population	466	2,150	2,616
Population Last Year	412	2,010	2,422
Change	54	140	194

GPS	Females	Males	Total
Current Population	289	668	957
Population Last Year	247	506	753
Change	42	162	204

Community Sentencing	Females	Males	Total
Current Population	930	2,422	3,352
Population Last Year	886	2,325	3,211
Change	44	97	141

EMP	Females	Males	Total
Current Population	0	0	0
Population Last Year	0	2	2
Change	0	(2)	(2)

PPCS	Females	Males	Total
Current Population	0	1	1
Population Last Year	0	1	1
Change	0	0	0

CSP	Females	Males	Total
Current Population	0	0	0
Population Last Year	1	4	5
Change	(1)	(4)	(5)

Community Program Failures	Females	Males	Total
Current Population	1	10	11
Population Last Year	2	7	9
Change	(1)	3	2

County Jail Transfers Pending	Females	Males	Total
December 31, 2019	46	600	646
Population Last Year	60	693	753
Change	(14)	(93)	(107)

Total System Population	Females	Males	Total
Current System Population	10,239	47,215	57,454
Population Last Year	11,180	49,624	60,804
Change	(941)	(2,409)	(3,350)

Facility Type	Rated Operating Capacity	Inside Total Incarcerated Inmate Population	Inside Total as a Percent of Rated Operating Capacity
Assessment & Reception Centers	620	500	81%
In Transit	N/A	21	N/A
Institutions	14,967	16,401	110%
Community Corrections Centers	1,962	1,665	85%
Total State	17,549	18,587	106%
Private Prisons	5,950	5,552	93%
Contracted County Jails	18	9	50%
Halfway Houses	921	604	66%
Total Contract	6,889	6,165	89%
System Total	24,438	24,752	101%

**OK Department of Corrections
Incarcerated Inmates and Community Supervision Offenders Daily Count Sheet**

12/31/2019 9:55:21 AM			OPERATING CAPACITY						INMATE COMMITTED POPULATION												
			RATED			TEMPORARY		R+T	SPECIAL USE			RATED		TEMPORARY		TOTAL	INSIDE	OUTSIDE	GRAND		
Custody		Use	G.P.	M/MH	Total	GP	M/MH	TOTAL	RHU	TDU	TOTAL	G.P.	M/MH	GP	M/MH	TOTAL	RHU/TDU	TOTAL	TOTAL	TOTAL	
ASSESSMENT AND RECEPTION																					
MAX	LARC	GP	518		518			518				466				466		466	12	478	
MAX	MBARC	GP	102		102	6		108				34				34		34	1	35	
TOTAL ASSESSMENT AND RECEPTION			620		620	6		626				500				500		500	13	513	
In Transit																					
In Transit	Females													5		5		5		5	
In Transit	Males													16		16		16		16	
TOTAL In Transit														21		21		21		21	
STATE INSTITUTION																					
MIN	BJCC	GP	464		464	120		584				383				383		383	6	389	
MIN	BJCC RH	RH							16		16						11	11		11	
MED	DCCC	GP	960		960			960				957				957		957	14	971	
MED	DCCC RH	RH							43		43						40	40		40	
MED	DCCC Infirmary	M		9	9			9					7			7		7		7	
MIN	DCCC MU	GP	198		198			198				191				191		191	1	192	
MIN	EWCC	GP	580		580	408		988				580		324		904		904	14	918	
MIN	EWCC RH	RH							11		11						9	9		9	
MIN	HMCC	GP	313		313	336		649				313		323		636		636		636	
MIN	HMCC RH	RH							42		42						34	34		34	
MIN	JBCC	GP	620		620	117		737				620		88		708		708	8	716	
MED	JCCC	GP	751		751	158		909				751		157		908		908	9	917	
MED	JCCC RH	RH							42		42						38	38		38	
MIN	JCCC MU	GP	166		166	58		224				166		52		218		218	2	220	
MIN	JDCC	GP	886		886	161		1047				886		145		1031		1031	10	1041	
MIN	JDCC RH	RH							42		42						42	42		42	
MIN	JDCC Medical Unit	M		40	40			40					38			38		38		38	
MIN	JEHCC	GP	668		668	41		709				668		29		697		697	5	702	
MIN	JEHCC RH	RH							21		21						17	17		17	
MED	JHCC	GP	800		800			800				786				786		786	8	794	
MED	JHCC RH	RH							27		27						22	22		22	
MED	JHCC Mental Health	MH		246	246			246					224			224		224		224	
MED	JHCC Medical Unit	M		258	258			258					247			247		247		247	
MED	JHCC YO	GP	14		14			14				3				3		3		3	
MIN	JLCC	GP	636		636	186		822				636		175		811		811	5	816	
MIN	JLCC RH	RH							14		14						6	6		6	
MIN	KBCCC	GP	250		250			250				230				230		230	1	231	
MIN	KBCCC RH	RH							10		10									0	
MED	LCC	GP	614		614	12		626				614		6		620		620	11	631	
MED	LCC RH	RH							39		39						34	34		34	
MED	LCC Infirmary	M		12	12			12					7			7		7		7	
MIN	LCC MU	GP	182		182	85		267				182		82		264		264	1	265	
MED	MACC	GP	497		497			497				490				490		490	4	494	
MED	MACC RH	RH							45		45						43	43		43	
MIN	MACC MU	GP	263		263			263				252				252		252	5	257	
MED	MBCC	GP	646		646	122		768				646		19		665		665	9	674	
MED	MBCC RH	RH							33		33						23	23		23	
MED	MBCC Mental Health	MH		45	45			45					36			36		36		36	
MED	MBCC Medical Unit	M		89	89			89					78			78		78		78	
MED	MBCC Infirmary	M		11	11			11					6			6		6		6	
MED	MBCC DR	Max	2		2			2				1				1		1		1	
MED	MBCC YO	GP	5		5			5												0	
MIN	MBCC MU	GP	264		264	96		360				264		89		353		353	5	358	
MIN	NEOCC	GP	412		412	105		517				412		74		486		486	6	492	
MIN	NEOCC RH	RH							8		8						7	7		7	
MED	NFCC **	GP	2160		2160			2160				2045				2045		2045	24	2069	
MED	NFCC RH	RH							70		70						69	69		69	
MAX	OSP	GP	448		448			448				407				407		407	30	437	
MED	OSP	GP	160		160			160				96				96		96		96	
MAX	OSP Admin Seg/RHU	GP	158		158			158				158		16		174		174		174	
MAX	OSP Infirmary	M		17	17			17					13			13		13		13	
MAX	OSP High Max	Max	2		2			2												0	
MAX	OSP DR	Max	49		49			49	4		4	10				10		10		10	
MIN	WKCC	GP	1072		1072			1072				1009				1009		1009	16	1025	
MIN	WKCC RH	RH							15		15						15	15		15	
TOTAL STATE INSTITUTION			14240	727	14967	2005		16972	482		482	13756	656	1579		15991	410	16401	194	16595	

**OK Department of Corrections
Incarcerated Inmates and Community Supervision Offenders Daily Count Sheet**

12/31/2019 9:55:21 AM			OPERATING CAPACITY							INMATE COMMITTED POPULATION										
Custody	Use	RATED			TEMPORARY		R+T	SPECIAL USE			RATED		TEMPORARY		TOTAL		INSIDE	OUTSIDE	GRAND	
		G.P.	M/MH	Total	GP	M/MH	TOTAL	RHU	TDU	TOTAL	G.P.	M/MH	GP	M/MH	TOTAL	RHU/TDU	TOTAL	TOTAL	TOTAL	
COMMUNITY CORRECTIONS CENTER																				
COM	CWCCC	GP	276		276	12		288							224			224	1	225
COM	CWCCC TD	TD							16	16						9	9			9
COM	ECCC	GP	98		98			98							91			91	1	92
COM	ECCC TD	TD							1	1										0
COM	LCCC	GP	153		153			153							146			146	2	148
COM	LCCC TD	TD							4	4										0
COM	OKCCCC	GP	220		220	42		262							220	30		250	1	251
COM	OSR	GP	999		999			999							708			708	4	712
COM	OSR TD	TD							43	43								36	36	36
COM	UCCCC	GP	216		216			216							200			200	1	201
COM	UCCCC TD	TD							8	8								1	1	1
TOTAL COMMUNITY CORRECTIONS CENTER			1962		1962	54		2016	72	72	1589	30		1619	46	1665	10	1675		
TOTAL STATE			16822	727	17549	2065		19614	482	72	554	15845	656	1630	18131	456	18587	217	18804	
PRIVATE PRISON																				
MED	Cimarron CF-CoreCivic	GP	1646		1646			1646							1507			1507	19	1526
MIN	Cimarron CF-CoreCivic	GP	4		4			4							1			1		1
MAX	Davis CF-CoreCivic	GP	360		360			360							357			357	5	362
MED	Davis CF-CoreCivic	GP	1306		1306			1306							1219			1219	6	1225
MIN	Davis CF-CoreCivic	GP	8		8			8							5			5		5
MED	Lawton CF-GEO	GP	2318		2318			2318							2197			2197	36	2233
MIN	Lawton CF-GEO	GP	4		4			4												0
MED	Lawton CF-GEO PC	GP	304		304			304							266			266		266
TOTAL PRIVATE PRISON			5950		5950			5950			5552			5552	5552	5552	66	5618		
COUNTY JAIL PROGRAM																				
MIN	MARSHALL CO JAIL	GP	18		18			18							9			9		9
TOTAL COUNTY JAIL PROGRAM			18		18			18			9			9	9	9	9	9		
HALFWAY HOUSE																				
COM	Bridgeway HWH	GP	121		121			121							80			80	3	83
COM	Carver TC	GP	300		300			300							148			148	5	153
COM	OKC TC	GP	200		200			200							156			156		156
COM	Tulsa TC	GP	300		300			300							220			220	5	225
TOTAL HALFWAY HOUSE			921		921			921			604			604	604	604	13	617		
TOTAL CONTRACT			6889		6889			6889			6165			6165	6165	6165	79	6244		

**OK Department of Corrections
Incarcerated Inmates and Community Supervision Offenders Daily Count Sheet**

	OPERATING CAPACITY						INMATE COMMITTED POPULATION											
	RATED			TEMPORARY		R+T	SPECIAL USE			RATED		TEMPORARY		TOTAL	INSIDE	OUTSIDE	GRAND	
	G.P.	M/MH	Total	GP	M/MH	TOTAL	RHU	TDU	TOTAL	G.P.	M/MH	GP	M/MH					TOTAL
TOTAL STATE	16822	727	17549	2065		19614	482	72	554	15845	656	1630		18131	456	18587	217	18804
TOTAL CONTRACT	6889		6889			6889				6165				6165		6165	79	6244
Grand Total	23711	727	24438	2065		26503	482	72	554	22010	656	1630		24296	456	24752	296	25048
TOTAL STATE Male	14753	582	15335	1391		16726	428	72	500	13870	536	1163		15569	424	15993	186	16179
TOTAL CONTRACT Male	6889		6889			6889				6165				6165		6165	79	6244
TOTAL Male	21642	582	22224	1391		23615	428	72	500	20035	536	1163		21734	424	22158	265	22423
TOTAL STATE Female	2069	145	2214	674		2888	54		54	1975	120	467		2562	32	2594	31	2625
TOTAL Female	2069	145	2214	674		2888	54		54	1975	120	467		2562	32	2594	31	2625
Grand Total	23711	727	24438	2065		26503	482	72	554	22010	656	1630		24296	456	24752	296	25048

STATE Male	Total Operating	Population *	Vacancies
COMMUNITY	1754	1424	330
MINIMUM	7129	6921	208
MEDIUM	6651	6706	-55
MAXIMUM	674	634	40
In Transit	0	16	-16
MAXIMUM RECEPTION	518	478	40
TOTAL STATE Male	16726	16179	547
CONTRACT Male	Total Operating	Population *	Vacancies
COMMUNITY	921	617	304
MINIMUM	34	15	19
MEDIUM	5574	5250	324
MAXIMUM	360	362	-2
TOTAL CONTRACT Male	6889	6244	645
STATE Female	Total Operating	Population *	Vacancies
COMMUNITY	262	251	11
MINIMUM	1598	1516	82
MEDIUM	920	818	102
In Transit	0	5	-5
MAXIMUM RECEPTION	108	35	73
TOTAL STATE Female	2888	2625	263
Grand Total	26503	25048	1455

Rated beds plus Temporary beds = Operating Capacity (R+T=OC)
Special Use beds are not included in Operating Capacity
*Population equals Grand Total and includes Special Use and Outside Total.

There are an additional 359 general population (medium security) beds at NFCC that are not reflected in the rated-operating capacity. These beds are not in use due to staff shortages.

Summary	Male	Female	Total
Inside Count	22158	2594	24752
Outside Count	265	31	296
Official Daily Count	22423	2625	25048
County Jail Transfers Pending	600	46	646

Community Supervision Offenders						
Community Programs, EMP, GPS, PPCs, CSP	Male	Female	Total	Out-M	Out-F	Total
GPS	668	289	957	8	1	966
PPCS	1	0	1	2	0	3
Community Sentencing	2422	930	3352	0	0	3352
Parole	2150	466	2616	0	0	2616
Probation	18941	5882	24823	0	0	24823
Daily Total	24182	7567	31749	10	1	31760

Facility Type	Rated Operating Capacity	Inside Total Inmate Committed Population	Inside Total as a Percent of Rated Operating Capacity
ASSESSMENT AND RECEPTION	620	500	81%
In Transit	N/A	21	N/A
STATE INSTITUTION	14967	16401	110%
COMMUNITY CORRECTIONS CENTER	1962	1665	85%
TOTAL STATE	17549	18587	106%
PRIVATE PRISON	5950	5552	93%
COUNTY JAIL PROGRAM	18	9	50%
HALFWAY HOUSE	921	604	66%
TOTAL CONTRACT	6889	6165	89%
SYSTEM TOTAL	24438	24752	101%

Inmate Committed Grand Total	25048
County Jail Transfers Pending	646
Community Supervision Daily Total	31760
Total System Population	57454

**OK Department of Corrections
Incarcerated Inmates and Community Supervision Offenders Daily Count Sheet**

12/31/2018 9:55:15 AM			OPERATING CAPACITY									INMATE COMMITTED POPULATION									
Custody	Use	G.P.	RATED			TEMPORARY		R+T	SPECIAL USE			RATED		TEMPORARY		TOTAL RHU/TDU	INSIDE TOTAL	OUTSIDE TOTAL	GRAND TOTAL		
			M/MH	Total	GP	M/MH	TOTAL	RHU	TDU	TOTAL	G.P.	M/MH	GP	M/MH	TOTAL						
ASSESSMENT AND RECEPTION																					
MAX	LARC	GP	518		518			518							501			501	501	10	511
MAX	MBARC	GP	102		102	6		108							102			102	102	3	105
TOTAL ASSESSMENT AND RECEPTION			620		620	6		626							603			603	603	13	616
In Transit																					
In Transit	Females													1		1			1		1
In Transit	Males													11		11			11		11
TOTAL In Transit														12		12			12		12
STATE INSTITUTION																					
MIN	BJCC	GP	464		464	120		584						464	61		525		525	8	533
MIN	BJCC RH	RH							16								15		15		15
MED	DCCC	GP	960		960			960						946			946		946	11	957
MED	DCCC RH	RH							43								42		42		42
MED	DCCC Infirmary	M		9	9			9						8			8		8		8
MIN	DCCC MU	GP	198		198			198						191			191		191		191
MIN	EWCC	GP	580		580	408		988						580	396		976		976	10	986
MIN	EWCC RH	RH							11								10		10		10
MIN	HMCC	GP	313		313	336		649						313	330		643		643	5	648
MIN	HMCC RH	RH							42								23		23		23
MIN	JBCC	GP	620		620	117		737						620	107		727		727	10	737
MED	JCCC	GP	751		751	158		909						751	152		903		903	5	908
MED	JCCC RH	RH							42								40		40		40
MIN	JCCC MU	GP	166		166	58		224						166	55		221		221	1	222
MIN	JDCC	GP	886		886	161		1047						886	149		1035		1035	10	1045
MIN	JDCC RH	RH							42								41		41		41
MIN	JDCC Medical Unit	M		40	40			40						38			38		38		38
MIN	JEHCC	GP	668		668	41		709						668	25		693		693	7	700
MIN	JEHCC RH	RH							21								20		20		20
MED	JHCC	GP	800		800			800						794			794		794	6	800
MED	JHCC RH	RH							27								17		17		17
MED	JHCC Mental Health	MH		246	246			246						217			217		217		217
MED	JHCC Medical Unit	M		258	258			258						251			251		251		251
MED	JHCC YO	GP	14		14			14						10			10		10		10
MIN	JLCC	GP	636		636	186		822						636	177		813		813	2	815
MIN	JLCC RH	RH							14								12		12		12
MIN	KBCCC	GP	250		250			250						246			246		246	3	249
MIN	KBCCC RH	RH							10												0
MED	LCC	GP	614		614	12		626						614	8		622		622	11	633
MED	LCC RH	RH							39								32		32		32
MED	LCC Infirmary	M		12	12			12						8			8		8		8
MIN	LCC MU	GP	182		182	85		267						182	75		257		257	4	261
MED	MACC	GP	497		497			497						488			488		488	7	495
MED	MACC RH	RH							45								40		40		40
MIN	MACC MU	GP	263		263			263						252			252		252	3	255
MED	MBCC	GP	646		646	122		768						646	113		759		759	8	767
MED	MBCC RH	RH							33								22		22		22
MED	MBCC Mental Health	MH		45	45			45						42			42		42		42
MED	MBCC Medical Unit	M		89	89			89						82			82		82		82
MED	MBCC Infirmary	M		11	11			11						8			8		8		8
MED	MBCC DR	Max	2		2			2						1			1		1		1
MED	MBCC YO	GP	5		5			5													0
MIN	MBCC MU	GP	264		264	96		360						264	96		360		360	1	361
MIN	NEOCC	GP	412		412	105		517						412	90		502		502	4	506
MIN	NEOCC RH	RH							8								8		8		8
MED	NFCC **	GP	1800		1800			1800						1784			1784		1784	18	1802
MED	NFCC RH	RH							70								63		63		63
MED	NFCC PC	GP	360		360			360						345			345		345		345
MAX	OSP	GP	448		448			448						430			430		430	21	451
MED	OSP	GP	160		160			160						157			157		157		157
MAX	OSP Admin Seg/RHU	GP	158		158			158						158	31		189		189		189
MAX	OSP Infirmary	M		17	17			17						16			16		16		16
MAX	OSP High Max	Max	2		2			2						1			1		1		1
MAX	OSP DR	Max	49		49			49	4					44			44		44		44
MIN	WKCC	GP	1072		1072			1072						1054			1054		1054	10	1064
MIN	WKCC RH	RH							15								14		14		14
TOTAL STATE INSTITUTION			14240	727	14967	2005		16972	482					14103	670	1865	16638	399	17037	165	17202

**OK Department of Corrections
Incarcerated Inmates and Community Supervision Offenders Daily Count Sheet**

12/31/2018 9:55:15 AM			OPERATING CAPACITY							INMATE COMMITTED POPULATION										
Custody	Use	G.P.	RATED		TEMPORARY		R+T	SPECIAL USE			RATED		TEMPORARY		TOTAL		INSIDE	OUTSIDE	GRAND	
			M/MH	Total	GP	M/MH	TOTAL	RHU	TDU	TOTAL	G.P.	M/MH	GP	M/MH	TOTAL	RHU/TDU	TOTAL	TOTAL	TOTAL	
COMMUNITY CORRECTIONS CENTER																				
COM	CWCCC	GP	276		276	12		288				276		6		282		282		282
COM	CWCCC TD	TD							16	16						15	15			15
COM	ECCC	GP	98		98			98				96				96		96	1	97
COM	ECCC TD	TD							1	1										0
COM	LCCC	GP	153		153			153				150				150		150	2	152
COM	LCCC TD	TD							4	4						1	1			1
COM	OKCCCC	GP	220		220	42		262				220		33		253		253		253
COM	OSR	GP	999		999			999				979				979		979	6	985
COM	OSR TD	TD							43	43						40	40			40
COM	UCCCC	GP	216		216			216				209				209		209	3	212
COM	UCCCC TD	TD							8	8						4	4			4
TOTAL COMMUNITY CORRECTIONS CENTER			1962		1962	54		2016		72	72	1930		39		1969	60	2029	12	2041
TOTAL STATE			16822	727	17549	2065		19614	482	72	554	16636	670	1916		19222	459	19681	190	19871
PRIVATE PRISON																				
MED	Cimarron CF-CoreCivic	GP	1646		1646			1646				1632				1632		1632	18	1650
MIN	Cimarron CF-CoreCivic	GP	4		4			4												0
MAX	Davis CF-CoreCivic	GP	360		360			360				343				343		343	6	349
MED	Davis CF-CoreCivic	GP	1306		1306			1306				1296				1296		1296	9	1305
MIN	Davis CF-CoreCivic	GP	8		8			8				2			2		2			2
MAX	Lawton CF-GEO	GP	78		78			78				74				74		74		74
MED	Lawton CF-GEO	GP	2544		2544			2544				2527				2527		2527	33	2560
MIN	Lawton CF-GEO	GP	4		4			4				2			2		2			2
TOTAL PRIVATE PRISON			5950		5950			5950				5876				5876	5876	5876	66	5942
COUNTY JAIL PROGRAM																				
MIN	MARSHALL CO JAIL	GP	18		18			18				13				13		13		13
TOTAL COUNTY JAIL PROGRAM			18		18			18				13				13		13		13
HALFWAY HOUSE																				
COM	Bridgeway HWH	GP	121		121			121				111				111		111	3	114
COM	Carver TC	GP	300		300			300				253				253		253	36	289
COM	Catalyst - Enid - F	GP	130		130			130				79				79		79		79
COM	OKC TC	GP	200		200			200				188				188		188		188
COM	Oklahoma HWH	GP	50		50			50				46				46		46		46
COM	Tulsa TC	GP	300		300			300				273				273		273	8	281
COM	Turley HWH - F	GP	180		180			180				116				116		116	4	120
TOTAL HALFWAY HOUSE			1281		1281			1281				1066				1066	1066	1066	51	1117
TOTAL CONTRACT			7249		7249			7249				6955				6955	6955	6955	117	7072

**OK Department of Corrections
Incarcerated Inmates and Community Supervision Offenders Daily Count Sheet**

	OPERATING CAPACITY						INMATE COMMITTED POPULATION											
	RATED			TEMPORARY		R+T	SPECIAL USE			RATED		TEMPORARY		TOTAL	INSIDE	OUTSIDE	GRAND	
	G.P.	M/MH	Total	GP	M/MH	TOTAL	RHU	TDU	TOTAL	G.P.	M/MH	GP	M/MH					TOTAL
TOTAL STATE	16822	727	17549	2065		19614	482	72	554	16636	670	1916		19222	459	19681	190	19871
TOTAL CONTRACT	7249		7249			7249				6955				6955		6955	117	7072
Grand Total	24071	727	24798	2065		26863	482	72	554	23591	670	1916		26177	459	26636	307	26943
TOTAL STATE Male	14753	582	15335	1391		16726	428	72	500	14577	538	1277		16392	427	16819	165	16984
TOTAL CONTRACT Male	6939		6939			6939				6760				6760		6760	113	6873
TOTAL Male	21692	582	22274	1391		23665	428	72	500	21337	538	1277		23152	427	23579	278	23857
TOTAL STATE Female	2069	145	2214	674		2888	54		54	2059	132	639		2830	32	2862	25	2887
TOTAL CONTRACT Female	310		310			310				195				195		195	4	199
TOTAL Female	2379	145	2524	674		3198	54		54	2254	132	639		3025	32	3057	29	3086
Grand Total	24071	727	24798	2065		26863	482	72	554	23591	670	1916		26177	459	26636	307	26943

STATE Male	Total Operating	Population *	Vacancies
COMMUNITY	1754	1788	-34
MINIMUM	7129	7148	-19
MEDIUM	6651	6825	-174
MAXIMUM	674	701	-27
In Transit	0	11	-11
MAXIMUM RECEPTION	518	511	7
TOTAL STATE Male	16726	16984	-258
CONTRACT Male	Total Operating	Population *	Vacancies
COMMUNITY	971	918	53
MINIMUM	34	17	17
MEDIUM	5496	5515	-19
MAXIMUM	438	423	15
TOTAL CONTRACT Male	6939	6873	66
STATE Female	Total Operating	Population *	Vacancies
COMMUNITY	262	253	9
MINIMUM	1598	1606	-8
MEDIUM	920	922	-2
In Transit	0	1	-1
MAXIMUM RECEPTION	108	105	3
TOTAL STATE Female	2888	2887	1
CONTRACT Female	Total Operating	Population *	Vacancies
COMMUNITY	310	199	111
TOTAL CONTRACT Female	310	199	111
Grand Total	26863	26943	-80

Rated beds plus Temporary beds = Operating Capacity (R+T=OC)
Special Use beds are not included in Operating Capacity
*Population equals Grand Total and includes Special Use and Outside Total.

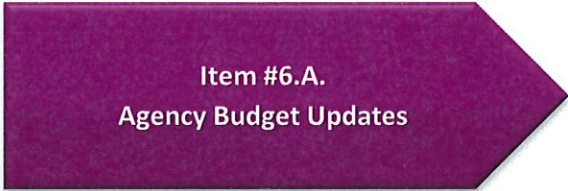
There are an additional 360 general population (medium security) beds at NFCC that are not reflected in the rated-operating capacity. These beds are not in use due to staff shortages.

Summary	Male	Female	Total
Inside Count	23579	3057	26636
Outside Count	278	29	307
Official Daily Count	23857	3086	26943
County Jail Transfers Pending	693	60	753

Community Supervision Offenders						
Community Programs, EMP, GPS, PPCs, CSP	Male	Female	Total	Out-M	Out-F	Total
CSP	4	1	5	0	0	5
EMP	2	0	2	0	0	2
GPS	506	247	753	5	2	760
PPCS	1	0	1	2	0	3
Community Sentencing	2325	886	3211	0	0	3211
Parole	2010	412	2422	0	0	2422
Probation	20219	6486	26705	0	0	26705
Daily Total	25067	8032	33099	7	2	33108

Facility Type	Rated Operating Capacity	Inside Total Inmate Committed Population	Inside Total as a Percent of Rated Operating Capacity
ASSESSMENT AND RECEPTION	620	603	97%
In Transit	N/A	12	N/A
STATE INSTITUTION	14967	17037	114%
COMMUNITY CORRECTIONS CENTER	1962	2029	103%
TOTAL STATE	17549	19681	112%
PRIVATE PRISON	5950	5876	99%
COUNTY JAIL PROGRAM	18	13	72%
HALFWAY HOUSE	1281	1066	83%
TOTAL CONTRACT	7249	6955	96%
SYSTEM TOTAL	24798	26636	107%

Inmate Committed Grand Total	26943
County Jail Transfers Pending	753
Community Supervision Daily Total	33108
Total System Population	60804



Item #6.A.
Agency Budget Updates

Board of Corrections

Audit Finance Committee



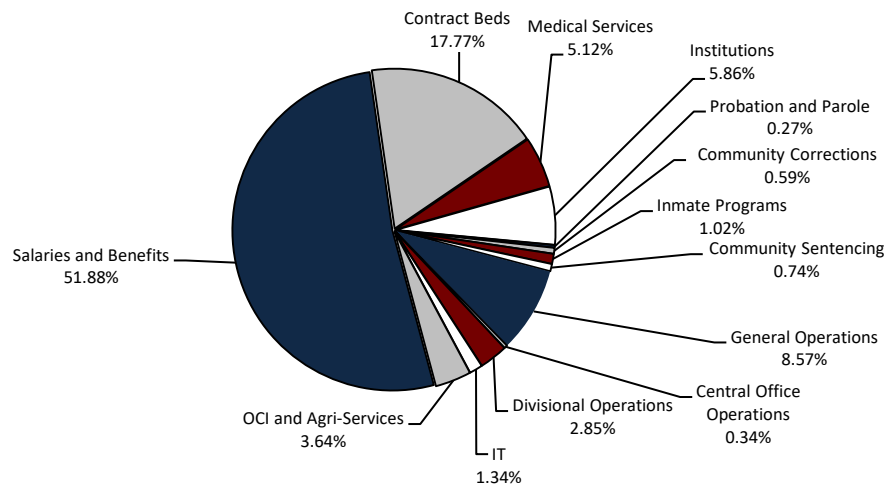
Three Year Expenditure Comparison

	FY 20 July-December	% Change from FY 19	FY 19 July-December	% Change from FY 18	FY 18 July-December
Salaries and Benefits					
Salaries	95,168,045	10.09%	86,444,914	3.94%	83,167,901
Overtime	9,553,893	20.99%	7,896,329	22.91%	6,424,250
Insurance	26,358,592	0.20%	26,306,389	-1.72%	26,766,391
Retirement	23,322,879	10.40%	21,125,340	4.35%	20,244,690
Contract Beds	12,041	-30.60%	17,351	31.58%	13,186
Private Prisons	39,673,223	-1.38%	40,230,019	3.25%	38,964,736
Halfway Houses	3,834,004	-38.34%	6,218,411	-7.58%	6,728,448
Contracted County Jails	35,613	0.00%	35,613	-39.79%	59,150
Jail Backup	2,001,159	-38.47%	3,252,339	-29.94%	4,642,380
Jail Backup Transportation Reim	145,260				-
Medical Services	16,832,255	9.57%	15,361,525	1.79%	15,091,625
Hep C Treatment	5,475,557		-		-
Institutions	12,366,497	-1.86%	12,601,344	1.36%	12,432,810
Probation and Parole	703,818	1.37%	694,334	0.86%	688,426
Community Corrections	1,203,409	-3.74%	1,250,151	-5.25%	1,319,377
Inmate Programs	1,711,417	-16.73%	2,055,260	35.19%	1,520,284
Community Sentencing	1,172,469	9.09%	1,074,819	-18.88%	1,325,004
General Operations	5,783,554	69.70%	3,408,131	-10.45%	3,805,766
NFCC Lease	5,500,000	10.00%	5,000,000	122.22%	2,250,000
Central Office Operations	754,720	18.14%	638,857	8.70%	587,734
Divisional Operations	6,507,703	-3.00%	6,708,966	7.28%	6,253,937
IT	3,419,269	44.29%	2,369,657	-26.53%	3,225,209
Offender Management System	64,206		-	0.00%	-
OCI and Agri-Services	7,248,716	7.40%	6,749,531	-10.65%	7,553,702
	<u>\$ 268,848,299</u>	<u>7.78%</u>	<u>\$ 249,439,280</u>	<u>2.62%</u>	<u>\$ 243,065,006</u>

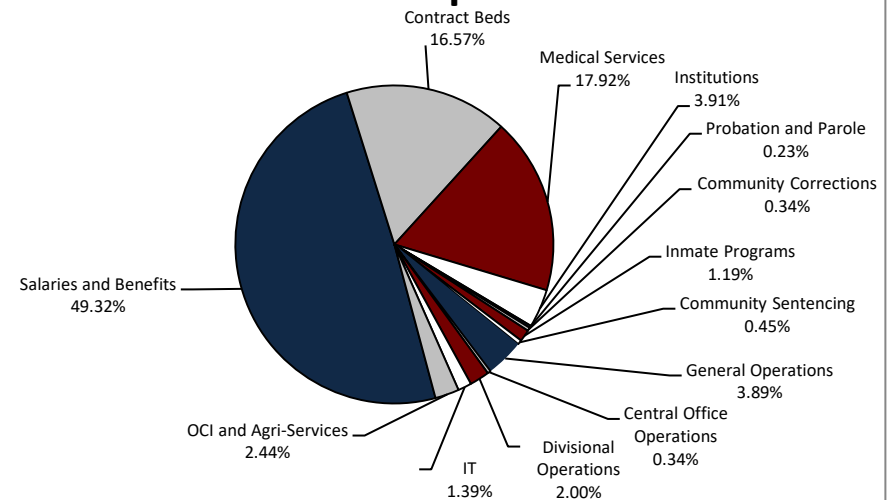
December/November Expenditure Comparison

	FY 20 December	FY 20 November	\$ Net Change
Salaries and Benefits	\$ 26,006,921	\$ 27,256,413	\$ (1,249,492)
Contract Beds	8,907,699	9,157,773	(250,074)
Medical Services	1,770,298	6,643,119	(4,872,822)
Hep C Treatment	798,431	3,260,574	(2,462,143)
Institutions	2,938,331	2,161,708	776,623
Probation and Parole	137,130	129,362	7,767
Community Corrections	297,578	188,440	109,138
Inmate Programs	509,994	659,897	(149,903)
Community Sentencing	369,409	251,097	118,312
General Operations	4,296,538	2,147,084	2,149,454
Central Office Operations	168,837	187,704	(18,867)
Divisional Operations	1,430,085	1,105,483	324,602
IT	669,327	766,407	(97,080)
OCI and Agri-Services	1,823,885	1,346,217	477,668
	<u>\$ 50,124,463</u>	<u>\$ 55,261,278</u>	<u>\$ (5,136,816)</u>

December Expenditures

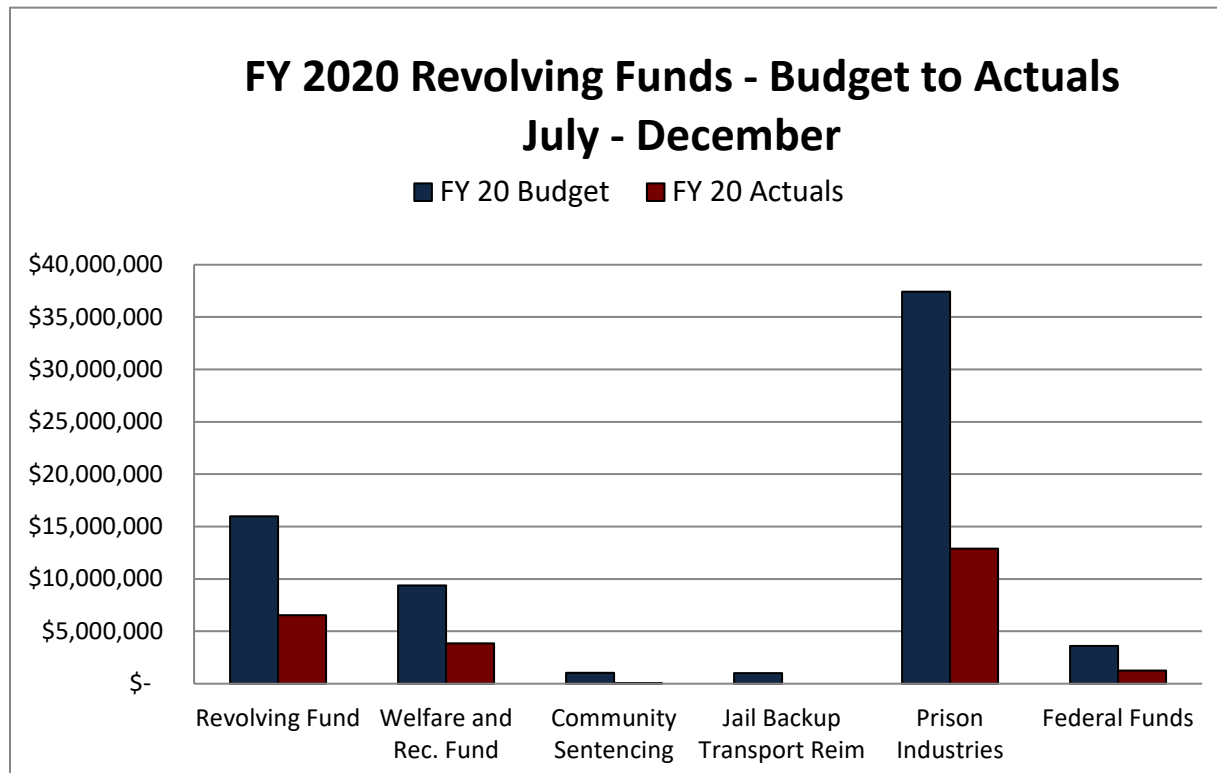


November Expenditures



Three Year Revolving Fund Comparison

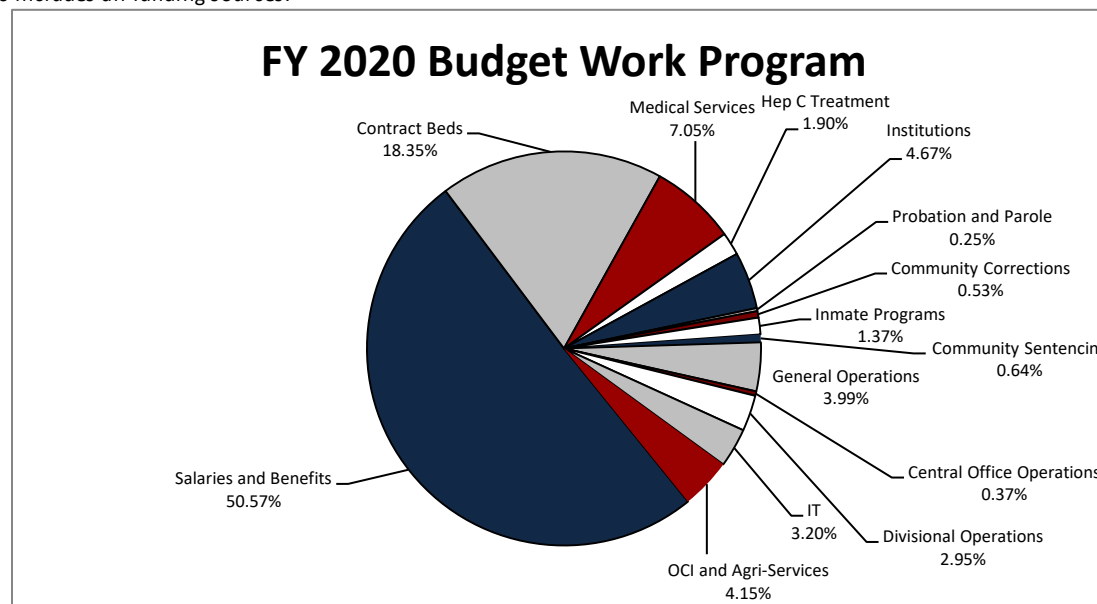
	FY 2020 Budget	FY 20 July - December	% Change from FY 19	FY 19 July - December	% Change from FY 18	FY 18 July - December
200 Revolving Fund	\$ 15,971,193	\$ 6,552,342	7.84%	\$ 6,075,951	-0.45%	\$ 6,103,134
205 Welfare and Rec. Fund	9,367,250	3,852,933	0.26%	3,843,130	18.62%	3,239,884
210 Community Sentencing	1,045,591	62,046	-30.93%	89,835	59.20%	56,429
225 County Jail Transport Reim	1,000,000	-		-		-
280 Prison Industries	37,434,185	12,882,600	-8.47%	14,074,295	1.91%	13,810,300
410 & 430 Federal Funds	3,619,987	1,270,728	-13.09%	1,462,079	91.45%	763,701
	<u>\$ 68,438,206</u>	<u>\$ 24,620,649</u>		<u>\$ 25,545,291</u>		<u>\$ 23,973,447</u>



FY 2020 Budget Work Program

	Current Budget	Expenditures	Encumbrances	Balance
Salaries and Benefits	\$ 320,075,841	\$ 154,403,409	\$ 2,069,683	\$ (1,522,875)
Contract Beds	116,139,866	45,701,300	69,659,680	\$ 1,286,900
Medical Services	44,645,500	16,832,255	23,182,571	\$ (5,136,947)
Hep C Treatment	12,000,000	5,475,557	1,396,443	\$ -
Institutions	29,579,789	12,366,497	15,686,672	\$ 1,526,620
Probation and Parole	1,586,940	703,818	766,733	\$ 116,389
Community Corrections	3,368,868	1,203,409	2,044,882	\$ 120,577
Inmate Programs	8,674,433	1,711,417	4,604,773	\$ 2,358,243
Community Sentencing	4,053,786	1,172,469	1,203,787	\$ 1,677,530
General Operations	25,273,675	11,283,554	13,168,468	\$ 821,653
Central Office Operations	2,321,629	754,720	912,112	\$ 654,797
Divisional Operations	18,653,925	6,507,703	9,867,452	\$ 2,278,770
IT	11,735,297	3,419,269	6,294,615	\$ 2,021,413
OMS	8,536,000	64,206	742,442	\$ -
OCI and Agri-Services	26,269,099	7,248,716	13,627,615	\$ 5,392,768
Grand Total	\$ 632,914,648	\$ 268,848,299	\$ 165,227,929	\$ 11,595,837

FY 2020 Budget Work Programs includes all funding sources.



Oklahoma Department of Corrections
FY 2020 Appropriated Operating Budget through December 2019

Account Code	Budgeted	Expenditures	Encumbered	Pre-Encumbered	Committed	Total Balance
11,12,13 Payroll, Insurance, FICA and Retirement	\$ 310,339,322.61	\$ 150,118,832.33	\$ 2,069,683.34	\$ -	\$ 152,188,515.67	\$ 158,150,806.94
15 Professional Services	121,817,276.00	50,219,513.15	73,667,684.50	-	123,887,197.65	(2,069,921.65)
17 Moving Expenses	-	-	-	-	-	-
19 Flexible Benefits	270,000.00	132,919.70	177,080.30	-	310,000.00	(40,000.00)
21, 22 Travel	1,127,076.00	227,352.31	113,645.23	-	340,997.54	786,078.46
31 Miscellaneous Administrative Expenses	15,717,067.00	6,817,662.92	8,337,721.07	-	15,155,383.99	561,683.01
32 Rent Expense	14,958,561.00	7,106,075.62	7,287,324.25	50,000.01	14,443,399.88	515,161.12
33 Maintenance & Repair Expense	12,671,088.00	2,402,500.74	1,282,344.85	52,685.28	3,737,530.87	8,933,557.13
34 Specialized Supplies and Materials	40,939,825.00	19,991,694.82	19,753,725.82	-	39,745,420.64	1,194,404.36
35 Production, Safety and Security	1,815,635.00	348,853.02	1,032,368.49	-	1,381,221.51	434,413.49
36 General Operating Expenses	657,893.00	232,281.53	31,454.49	-	263,736.02	394,156.98
37 Shop Supplies	7,780,370.00	1,223,602.24	817,482.99	-	2,041,085.23	5,739,284.77
41 Property Furniture and Equipment	3,607,154.00	725,532.77	258,727.23	1,564.00	985,824.00	2,621,330.00
42 Library Equipment and Resources	2,650.00	1,269.73	-	-	1,269.73	1,380.27
43 Lease Purchase	673,900.00	81,848.36	78,026.38	-	159,874.74	514,025.26
44 Live Stock – Poultry	-	-	-	-	-	-
45,46,47 Building Construction and Renovation	1,000.00	-	-	-	-	1,000.00
48 Bond Payment	9,721,625.00	4,109,044.80	6,048,043.76	-	10,157,088.56	(435,463.56)
49 Inter-Agency Payments	-	-	-	-	-	-
51 Inmate Pay and Health Services	765,000.00	40,168.50	802,000.02	-	842,168.52	(77,168.52)
52 Scholarships, Tuition and other incentives	5,900.00	-	-	-	-	5,900.00
53 Refunds, Indemnities, and Restitution	300,000.00	16,675.28	-	-	16,675.28	283,324.72
54 Jail Back Up and others	8,405,000.00	2,002,559.00	6,402,341.00	-	8,404,900.00	100.00
55,59 Assistance Payments to Agencies	-	-	-	-	-	-
60 Authority Orders	-	-	4,983,762.00	-	4,983,762.00	(4,983,762.00)
61 Loans, Taxes, and other Disbursements	11,100.00	2,211.40	558.57	-	2,769.97	8,330.03
62 Transfers – Inmate Medical Payments	12,889,000.00	5,594,118.23	3,405,881.77	-	9,000,000.00	3,889,000.00
64 Merchandise for Resale	-	-	-	-	-	-
TOTAL	\$ 564,476,442.61	\$ 251,394,716.45	\$ 136,549,856.06	\$ 104,249.29	\$ 388,048,821.80	\$ 176,427,620.81

Funding	Budgeted	Expenditures	Encumbered	Pre-Encumbered	Committed	Total Balance
19001 GRF - Duties	553,418,360.00	250,021,835.84	136,334,263.81	104,249.29	386,460,348.94	166,958,011.06
19902 Duties	1,141,464.00	1,141,464.00	-	-	1,141,464.00	-
19911 FY 19 Carryover	9,916,618.61	231,416.61	215,592.25	-	447,008.86	9,469,609.75
TOTAL	\$ 564,476,442.61	\$ 251,394,716.45	\$ 136,549,856.06	\$ 104,249.29	\$ 388,048,821.80	\$ 176,427,620.81
					Remaining Payroll	158,150,806.94
						\$ 18,276,813.87

Oklahoma Department of Corrections
Statement of Revenues, Expenditures and Changes in Fund Balances
Federal Funding
July 1, 2019 through December 31, 2019

Revenue	Revenues	410 Fund	430 Fund	Funds
<u>Code</u>	Current:			
556	Federal Funds Rec'd from Non-Gov. Ag.	\$ 296,321.80	\$ -	\$ 296,321.80
561	Private Grants and Donations for Opns.	-	974,406.63	974,406.63
581	Reimbursements	-	-	-
	<i>Total Revenues</i>	<u>296,321.80</u>	<u>974,406.63</u>	<u>1,270,728.43</u>
<u>Account</u>	Expenditures			
<u>Code</u>	Current:			
11,12,13	Payroll	119,770.65	124,629.44	244,400.09
15	Professional Services	-	772,701.64	772,701.64
21, 22	Travel	51,083.98	-	51,083.98
31	Misc. Admin. Expenses	-	712.00	712.00
32	Rent	87,185.26	-	87,185.26
33	Maintenance and Repair	9,211.07	-	9,211.07
34	Specialized Supplies and Materials	-	-	-
35	Production, Safety and Security	-	4,521.97	4,521.97
36	General Operating Expenses	32,941.38	4,328.79	37,270.17
37	Shop Expense	-	14,723.75	14,723.75
41	Furniture and Equipment	448.20	41,563.62	42,011.82
42	Library Equipment and Resources	-	-	-
43	Lease Purchases	-	-	-
44	Livestock and Poultry	-	-	-
45	Land and Right-of-way	-	-	-
46	Building, Construction and Renovation	-	5,734.93	5,734.93
48	Debt Service	-	-	-
51	Inmate Pay and Health Services	-	-	-
52	Tuitions, Awards and Incentives	-	-	-
53	Refunds and Restitutions	-	-	-
54	Jail Backup, County Jails and Other	-	-	-
55	Payment to Gov. Sub-Division	-	-	-
59	Assistance Payments to Agencies	-	-	-
61	Loans, Taxes and Other Disbursements	-	-	-
62	Transfers - Out Sourced Health Care	-	-	-
64	Merchandise for Resale	-	-	-
	<i>Total Expenditures</i>	<u>300,640.54</u>	<u>968,916.14</u>	<u>1,269,556.68</u>
	<i>Excess of Revenues Over (Under) Expenditures</i>	<u>(4,318.74)</u>	<u>5,490.49</u>	<u>1,171.75</u>
	Cash			
	Beginning Cash Balance	199,628.99	167,725.31	367,354.30
	Revenue Received this Year	296,321.80	974,406.63	1,270,728.43
	Expenditures made this Year	(300,640.54)	(968,916.14)	(1,269,556.68)
	Beginning Change in Liabilities	-	-	-
	Transfers	-	-	-
	Adjustments	-	-	-
	<i>Ending Cash Balance</i>	<u>\$ 195,310.25</u>	<u>\$ 173,215.80</u>	<u>\$ 368,526.05</u>

Oklahoma Department of Corrections
Statement of Revenues, Expenditures and Changes in Fund Balances
Federal Funding
For the Month of December 2019

		410 Fund	430 Fund	Funds
Revenue Revenues				
<u>Code</u>	Current:			
556	Federal Funds Rec'd from Non-Gov. Ag.	\$ -	\$ -	-
561	Private Grants and Donations for Opns.	-	72,423.65	72,423.65
581	Reimbursements	-	-	-
	<i>Total Revenues</i>	<u>-</u>	<u>72,423.65</u>	<u>72,423.65</u>
Account Expenditures				
<u>Code</u>	Current:			
11,12,13	Payroll	21,147.15	14,762.31	35,909.46
15	Professional Services	-	23,110.61	23,110.61
21, 22	Travel	8,234.05	-	8,234.05
31	Misc. Admin. Expenses	-	-	-
32	Rent	553.00	-	553.00
33	Maintenance and Repair	345.01	-	345.01
34	Specialized Supplies and Materials	-	-	-
35	Production, Safety and Security	-	-	-
36	General Operating Expenses	7,437.07	-	7,437.07
37	Shop Expense	-	-	-
41	Furniture and Equipment	195.95	-	195.95
42	Library Equipment and Resources	-	-	-
43	Lease Purchases	-	-	-
44	Livestock and Poultry	-	-	-
45	Land and Right-of-way	-	-	-
46	Building, Construction and Renovation	-	-	-
48	Debt Service	-	-	-
51	Inmate Pay and Health Services	-	-	-
52	Tuitions, Awards and Incentives	-	-	-
53	Refunds and Restitutions	-	-	-
54	Jail Backup, County Jails and Other	-	-	-
55	Payment to Gov. Sub-Division	-	-	-
59	Assistance Payments to Agencies	-	-	-
61	Loans, Taxes and Other Disbursements	-	-	-
62	Transfers - Out Sourced Health Care	-	-	-
64	Merchandise for Resale	-	-	-
	<i>Total Expenditures</i>	<u>37,912.23</u>	<u>37,872.92</u>	<u>75,785.15</u>
	<i>Excess of Revenues Over (Under) Expenditures</i>	<u>(37,912.23)</u>	<u>34,550.73</u>	<u>(3,361.50)</u>
Cash				
	Beginning Cash Balance	233,222.48	138,665.07	371,887.55
	Revenue Received this Month	-	72,423.65	72,423.65
	Expenditures made this Month	(37,912.23)	(37,872.92)	(75,785.15)
	Beginning Change in Liabilities	-	-	-
	Transfers	-	-	-
	Adjustments	-	-	-
	<i>Ending Cash Balance</i>	<u>\$ 195,310.25</u>	<u>\$ 173,215.80</u>	<u>\$ 368,526.05</u>

Oklahoma Department of Corrections
Statement of Revenues, Expenditures and Changes in Fund Balances
Federal Funding
For the Month of November 2019

		410 Fund	430 Fund	Funds
Revenue Revenues				
<u>Code</u>	Current:			
556	Federal Funds Rec'd from Non-Gov. Ag.	\$ 156,617.51	\$ -	156,617.51
561	Private Grants and Donations for Opns.	-	301,552.97	301,552.97
581	Reimbursements	-	-	-
	<i>Total Revenues</i>	<u>156,617.51</u>	<u>301,552.97</u>	<u>458,170.48</u>
Account Expenditures				
<u>Code</u>	Current:			
11,12,13	Payroll	19,972.49	19,264.71	39,237.20
15	Professional Services	-	195,410.77	195,410.77
21, 22	Travel	13,503.57	-	13,503.57
31	Misc. Admin. Expenses	-	-	-
32	Rent	83,125.50	-	83,125.50
33	Maintenance and Repair	3,688.84	-	3,688.84
34	Specialized Supplies and Materials	-	-	-
35	Production, Safety and Security	-	-	-
36	General Operating Expenses	7,313.28	-	7,313.28
37	Shop Expense	-	-	-
41	Furniture and Equipment	-	859.48	859.48
42	Library Equipment and Resources	-	-	-
43	Lease Purchases	-	-	-
44	Livestock and Poultry	-	-	-
45	Land and Right-of-way	-	-	-
46	Building, Construction and Renovation	-	-	-
48	Debt Service	-	-	-
51	Inmate Pay and Health Services	-	-	-
52	Tuitions, Awards and Incentives	-	-	-
53	Refunds and Restitutions	-	-	-
54	Jail Backup, County Jails and Other	-	-	-
55	Payment to Gov. Sub-Division	-	-	-
59	Assistance Payments to Agencies	-	-	-
61	Loans, Taxes and Other Disbursements	-	-	-
62	Transfers - Out Sourced Health Care	-	-	-
64	Merchandise for Resale	-	-	-
	<i>Total Expenditures</i>	<u>127,603.68</u>	<u>215,534.96</u>	<u>343,138.64</u>
	<i>Excess of Revenues Over (Under) Expenditures</i>	<u>29,013.83</u>	<u>86,018.01</u>	<u>115,031.84</u>
Cash				
	Beginning Cash Balance	204,208.65	52,647.06	256,855.71
	Revenue Received this Month	156,617.51	301,552.97	458,170.48
	Expenditures made this Month	(127,603.68)	(215,534.96)	(343,138.64)
	Beginning Change in Liabilities	-	-	-
	Transfers	-	-	-
	Adjustments	-	-	-
	<i>Ending Cash Balance</i>	<u>\$ 233,222.48</u>	<u>\$ 138,665.07</u>	<u>\$ 371,887.55</u>

Oklahoma Department of Corrections
Statement of Revenues, Expenditures and Changes in Fund Balances
Federal Funding
For the Month of October 2019

		410 Fund	430 Fund	Funds
Revenue Revenues				
<u>Code</u>	Current:			
556	Federal Funds Rec'd from Non-Gov. Ag.	\$ -	\$ -	\$ -
561	Private Grants and Donations for Opns.	-	65,554.42	65,554.42
581	Reimbursements	-	-	-
	<i>Total Revenues</i>	-	65,554.42	65,554.42
Account Expenditures				
<u>Code</u>	Current:			
11,12,13	Payroll	19,910.51	19,085.89	38,996.40
15	Professional Services	-	338,571.34	338,571.34
21, 22	Travel	8,626.14	-	8,626.14
31	Misc. Admin. Expenses	-	-	-
32	Rent	-	-	-
33	Maintenance and Repair	-	-	-
34	Specialized Supplies and Materials	-	-	-
35	Production, Safety and Security	-	-	-
36	General Operating Expenses	-	-	-
37	Shop Expense	-	14,723.75	14,723.75
41	Furniture and Equipment	-	23,129.00	23,129.00
42	Library Equipment and Resources	-	-	-
43	Lease Purchases	-	-	-
44	Livestock and Poultry	-	-	-
45	Land and Right-of-way	-	-	-
46	Building, Construction and Renovation	-	-	-
48	Debt Service	-	-	-
51	Inmate Pay and Health Services	-	-	-
52	Tuitions, Awards and Incentives	-	-	-
53	Refunds and Restitutions	-	-	-
54	Jail Backup, County Jails and Other	-	-	-
55	Payment to Gov. Sub-Division	-	-	-
59	Assistance Payments to Agencies	-	-	-
61	Loans, Taxes and Other Disbursements	-	-	-
62	Transfers - Out Sourced Health Care	-	-	-
64	Merchandise for Resale	-	-	-
	<i>Total Expenditures</i>	28,536.65	395,509.98	424,046.63
	<i>Excess of Revenues Over (Under) Expenditures</i>	(28,536.65)	(329,955.56)	(358,492.21)
Cash				
	Beginning Cash Balance	232,745.30	382,602.62	615,347.92
	Revenue Received this Month	-	65,554.42	65,554.42
	Expenditures made this Month	(28,536.65)	(395,509.98)	(424,046.63)
	Beginning Change in Liabilities	-	-	-
	Transfers	-	-	-
	Adjustments	-	-	-
	<i>Ending Cash Balance</i>	\$ 204,208.65	\$ 52,647.06	\$ 256,855.71

Oklahoma Department of Corrections
Statement of Revenues, Expenditures and Changes in Fund Balances
Non- Appropriated Funds
July 1, 2019 through December 31, 2019

Revenue Code	Revenues	200 Fund	205 Fund	210 Fund	225 Fund	280 Fund	Funds
428199	Disbursement Fees	\$ 6,829.90	\$ -	\$ -	\$ -	\$ -	\$ 6,829.90
433147	Bank Charge Back / Returned Check Fee	1,738.90	-	-	-	-	1,738.90
433199	Other Fines, Forfeits, Penalties (Admin. Fees, Inst. Debts)	105,650.30	-	62,046.13	-	-	167,696.43
443103	Rent from Land	27,007.01	-	-	-	-	27,007.01
451101	Insurance and Other Reimbursement for Damages	5,668.29	-	-	-	-	5,668.29
452005	Reimbursement for Administrative Expense (PPWP)	245,722.72	-	-	-	-	245,722.72
452117	Reimbursement of Data Processing Fees	-	-	-	-	-	-
453003	Reimbursement for Travel Expense	-	-	-	-	-	-
456101	Federal Funds Rec'd from Non-Gov. Ag.	-	-	-	-	-	-
458105	Reimbursement for Funds Expended (Refunds - Payroll Reim.)	2,355,412.98	-	-	-	-	2,355,412.98
459199	Other Grants, Refunds and Reimbursements (P-card Rebate)	-	-	-	-	-	-
471122	Farm Products General	-	-	-	-	5,101,462.01	5,101,462.01
473105	Charge for Service - (Water Treatment Plant)	13,968.00	-	-	-	-	13,968.00
473176	Laboratory and Medical Services	106,069.42	-	-	-	-	106,069.42
474105	Sale of Documents (Copies)	5,721.70	-	-	-	-	5,721.70
474131	Sale of Merchandise	-	-	-	-	7,724,878.07	7,724,878.07
474124	Canteen and Concession Income	-	3,852,932.52	-	-	-	3,852,932.52
478105	Registration Fees	2,200.00	-	-	-	-	2,200.00
479121	Paper & Other Recyclable Materials	26.36	-	-	-	-	26.36
481102	Contributions - Patients & Inmates	22,843.21	-	-	-	-	22,843.21
481121	Probation & Parole Fees, DNA Fees, GPS Fees, Restitution Fees	1,389,612.24	-	-	-	-	1,389,612.24
482101	Deposits by Patients and Offenders (Program Fees - Work Rele)	2,254,652.92	-	-	-	56,260.07	2,310,912.99
483607	Sale of Salvage	9,218.25	-	-	-	-	9,218.25
488191	Purchase Card Refunds	-	-	-	-	-	-
Total Revenues		6,552,342.20	3,852,932.52	62,046.13	-	12,882,600.15	23,349,921.00
Account Code	Expenditures						
11,12,13	Payroll	34,075.58	-	-	-	4,034,590.08	4,068,665.66
15	Professional Services	4,794,251.95	1,040,284.70	3,962.94	-	350,637.38	6,189,136.97
21, 22	Travel	11,237.09	12,468.20	3,445.84	-	51,937.24	79,088.37
31	Misc. Admin. Expenses	4,983.38	177,638.41	754.98	-	421,300.91	604,677.68
32	Rent	79,269.27	79,867.73	-	-	115,863.56	275,000.56
33	Maintenance and Repair	384,151.83	197,994.24	-	-	555,033.51	1,137,179.58
34	Specialized Supplies and Materials	650,431.01	274,549.56	-	-	226,861.30	1,151,841.87
35	Production, Safety and Security	25,032.33	23,897.70	-	-	383,330.04	432,260.07
36	General Operating Expenses	5,301.93	137,070.08	-	-	52,962.60	195,334.61
37	Shop Expense	56,635.37	11,010.96	341.01	-	470,077.24	538,064.58
41	Furniture and Equipment	261,491.80	215,348.58	-	-	1,237,286.54	1,714,126.92
42	Library Equipment and Resources	-	63.35	-	-	45.41	108.76
43	Lease Purchases	-	-	-	-	-	-
44	Livestock and Poultry	-	-	-	-	-	-
45	Land and Right-of-way	57,096.75	-	-	-	-	57,096.75
46, 47	Building, Construction and Renovation	15,582.00	981.53	-	-	439.00	17,002.53
48	Debt Service	-	-	-	-	-	-
51	Inmate Pay and Health Services	30,950.49	1,393,065.12	-	-	1,112,327.21	2,536,342.82
52	Tuitions, Awards and Incentives	-	83.50	200.00	-	103.50	387.00
53	Refunds and Restitutions	2,124.00	-	53,400.46	-	628.00	56,152.46
54	Jail Backup, County Jails and Other	(29,120.12)	-	-	145,260.42	-	116,140.30
55	Payment to Gov. Sub-Division	-	-	-	-	-	-
59	Assistance Payments to Agencies	-	-	-	-	-	-
61	Loans, Taxes and other Disbursements	18,073.50	-	-	-	223.24	18,296.74
62	Transfers - Out Sourced Health Care	61,174.90	69,272.12	-	-	-	130,447.02
64	Merchandise for Resale	1,494.85	-	-	-	5,724,888.86	5,726,383.71
Total Expenditures		6,464,237.91	3,633,595.78	62,105.23	145,260.42	14,738,535.62	25,043,734.96
Excess of Revenues Over (Under) Expenditures		88,104.29	219,336.74	(59.10)	(145,260.42)	(1,855,935.47)	(1,693,813.96)
Cash							
Beginning Cash Balance		9,117,438.49	869,920.20	1,076,675.07	-	8,800,549.69	19,864,583.45
Revenue Received this Year		6,552,342.20	3,852,932.52	62,046.13	-	12,882,600.15	23,349,921.00
Expenditures made this Year		(6,464,237.91)	(3,633,595.78)	(62,105.23)	(145,260.42)	(14,738,535.62)	(25,043,734.96)
Beginning Change in Liabilities		(197,479.84)	(13,318.96)	-	-	(138,459.67)	(349,258.47)
Transfers		-	-	-	1,000,000.00	-	1,000,000.00
Adjustments		(1,627.45)	-	-	-	-	(1,627.45)
Ending Cash Balance		\$ 9,006,435.49	\$ 1,075,937.98	\$ 1,076,615.97	\$ 854,739.58	\$ 6,806,154.55	\$ 18,819,883.57

Oklahoma Department of Corrections
Statement of Revenues, Expenditures and Changes in Fund Balances
Non- Appropriated Funds
For the Month of December 2019

Revenue Code	Revenues	200 Fund	205 Fund	210 Fund	225 Fund	280 Fund	Funds
Current:							
428199	Disbursement Fees	\$ 1,308.75	\$ -	\$ -	\$ -	\$ -	\$ 1,308.75
433147	Bank Charge Back / Returned Check Fee	-	-	-	-	-	-
433199	Other Fines, Forfeits, Penalties (Admin. Fees, Inst. Debts)	3,306.06	-	7,508.00	-	-	10,814.06
443103	Rent from Land	4,401.83	-	-	-	-	4,401.83
451101	Insurance and Other Reimbursement for Damages	1,851.65	-	-	-	-	1,851.65
452005	Reimbursement for Administrative Expense (PPWP)	1,984.91	-	-	-	-	1,984.91
453003	Reimbursement for Travel Expense	-	-	-	-	-	-
456101	Federal Funds Rec'd from Non-Gov. Ag.	-	-	-	-	-	-
458105	Reimbursement for Funds Expended (Refunds - Payroll Reim.)	493.74	-	-	-	-	493.74
459199	Other Grants, Refunds and Reimbursements (P-card Rebate)	-	-	-	-	-	-
471122	Farm Products General	-	-	-	-	842,780.14	842,780.14
473105	Charge for Service - (Water Treatment Plant)	-	-	-	-	-	-
473176	Laboratory and Medical Services	11,076.14	-	-	-	-	11,076.14
474105	Sale of Documents (Copies)	458.21	-	-	-	-	458.21
474131	Sale of Merchandise	-	-	-	-	720,395.74	720,395.74
474124	Canteen and Concession Income	-	770,499.24	-	-	-	770,499.24
478105	Registration Fees	650.00	-	-	-	-	650.00
481102	Contributions - Patients & Inmates	1,840.38	-	-	-	-	1,840.38
481121	Probation & Parole Fees, DNA Fees, GPS Fees, Restitution Fees	237,244.13	-	-	-	-	237,244.13
482101	Deposits by Patients and Offenders (Program Fees - Work Releas	333,313.53	-	-	-	6,542.07	339,855.60
483607	Sale of Salvage	3,740.41	-	-	-	-	3,740.41
488191	Purchase Card Refunds	-	-	-	-	-	-
Total Revenues		601,669.74	770,499.24	7,508.00	-	1,569,717.95	2,949,394.93
Expenditures							
Current:							
11,12,13	Payroll	5,570.88	-	-	-	685,248.86	690,819.74
15	Professional Services	703,901.97	52,360.00	-	-	47,399.01	803,660.98
21, 22	Travel	621.26	3,730.50	1,960.00	-	4,438.05	10,749.81
31	Misc. Admin. Expenses	545.32	29,190.98	218.72	-	67,272.90	97,227.92
32	Rent	37,086.81	14,015.00	-	-	78,604.58	129,706.39
33	Maintenance and Repair	17,949.26	34,754.58	-	-	76,495.86	129,199.70
34	Specialized Supplies and Materials	9,554.09	48,480.07	-	-	34,676.65	92,710.81
35	Production, Safety and Security	235.44	539.95	-	-	57,445.24	58,220.63
36	General Operating Expenses	756.56	26,780.66	-	-	11,658.07	39,195.29
37	Shop Expense	1,407.57	644.45	-	-	162,678.58	164,730.60
41	Furniture and Equipment	148,814.17	22,753.20	-	-	99,625.01	271,192.38
42	Library Equipment and Resources	-	-	-	-	5.31	5.31
43	Lease Purchases	-	-	-	-	-	-
44	Livestock and Poultry	-	-	-	-	-	-
45	Land and Right-of-way	14,746.75	-	-	-	-	14,746.75
46, 47	Building, Construction and Renovation	-	-	-	-	439.00	439.00
48	Debt Service	-	-	-	-	-	-
51	Inmate Pay and Health Services	3,738.21	237,749.48	-	-	191,091.10	432,578.79
52	Tuitions, Awards and Incentives	-	-	-	-	-	-
53	Refunds and Restitutions	-	-	53,400.46	-	-	53,400.46
54	Jail Backup, County Jails and Other	1,955.00	-	-	38,604.02	-	40,559.02
55	Payment to Gov. Sub-Division	-	-	-	-	-	-
59	Assistance Payments to Agencies	-	-	-	-	-	-
61	Loans, Taxes and other Disbursements	-	-	-	-	129.28	129.28
62	Transfers - Out Sourced Health Care	38,408.00	2,509.85	-	-	-	40,917.85
64	Merchandise for Resale	-	-	-	-	1,072,111.33	1,072,111.33
Total Expenditures		985,291.29	473,508.72	55,579.18	38,604.02	2,589,318.83	4,142,302.04
Excess of Revenues Over (Under) Expenditures		(383,621.55)	296,990.52	(48,071.18)	(38,604.02)	(1,019,600.88)	(1,192,907.11)
Cash							
	Beginning Cash Balance	9,410,493.26	819,215.83	1,124,887.15	893,343.60	7,875,621.47	20,123,561.31
	Revenue Received this Month	601,669.74	770,499.24	7,508.00	-	1,569,717.95	2,949,394.93
	Expenditures made this Month	(985,291.29)	(473,508.72)	(55,579.18)	(38,604.02)	(2,589,318.83)	(4,142,302.04)
	Beginning Change in Liabilities	(20,114.53)	(40,268.37)	-	-	(49,866.04)	(110,248.94)
	Transfers	-	-	-	-	-	-
	Adjustments	(321.69)	-	-	-	-	(321.69)
Ending Cash Balance		\$ 9,006,435.49	\$ 1,075,937.98	\$ 1,076,815.97	\$ 854,739.58	\$ 6,806,154.55	\$ 18,820,083.57

Oklahoma Department of Corrections
Statement of Revenues, Expenditures and Changes in Fund Balances
Non- Appropriated Funds
For the Month of November 2019

		200 Fund	205 Fund	210 Fund	225 Fund	280 Fund	Funds
Revenue Code	Revenues						
	Current:						
428199	Disbursement Fees	\$ 1,121.05	\$ -	\$ -	\$ -	\$ -	1,121.05
433147	Bank Charge Back / Returned Check Fee	1,215.90	-	-	-	-	1,215.90
433199	Other Fines, Forfeits, Penalties (Admin. Fees, Inst. Debts)	23,497.26	-	7,301.00	-	-	30,798.26
443103	Rent from Land	4,419.50	-	-	-	-	4,419.50
451101	Insurance and Other Reimbursement for Damages	3,325.73	-	-	-	-	3,325.73
452005	Reimbursement for Administrative Expense (PPWP)	48,315.99	-	-	-	-	48,315.99
453003	Reimbursement for Travel Expense	-	-	-	-	-	-
456101	Federal Funds Rec'd from Non-Gov. Ag.	-	-	-	-	-	-
458105	Reimbursement for Funds Expended (Refunds - Payroll Reim.)	1,334,049.07	-	-	-	-	1,334,049.07
459199	Other Grants, Refunds and Reimbursements (P-card Rebate)	-	-	-	-	-	-
471122	Farm Products General	-	-	-	-	921,079.53	921,079.53
473105	Charge for Service - (Water Treatment Plant)	3,163.88	-	-	-	-	3,163.88
473176	Laboratory and Medical Services	18,226.55	-	-	-	-	18,226.55
474105	Sale of Documents (Copies)	687.40	-	-	-	-	687.40
474131	Sale of Merchandise	-	-	-	-	1,249,116.90	1,249,116.90
474124	Canteen and Concession Income	-	774,632.72	-	-	-	774,632.72
478105	Registration Fees	1,550.00	-	-	-	-	1,550.00
481102	Contributions - Patients & Inmates	8,234.60	-	-	-	-	8,234.60
481121	Probation & Parole Fees, DNA Fees, GPS Fees, Restitution Fees	259,656.40	-	-	-	-	259,656.40
482101	Deposits by Patients and Offenders (Program Fees - Work Relea	469,765.02	-	-	-	3,594.35	473,359.37
483607	Sale of Salvage	239.23	-	-	-	-	239.23
488191	Purchase Card Refunds	-	-	-	-	-	-
	Total Revenues	2,177,467.58	774,632.72	7,301.00	-	2,173,790.78	5,133,192.08
Account Code	Expenditures						
	Current:						
11,12,13	Payroll	5,570.55	-	-	-	683,603.36	689,173.91
15	Professional Services	293,547.10	521,563.50	-	-	50,982.42	866,093.02
21, 22	Travel	924.95	6,610.20	642.00	-	10,510.31	18,687.46
31	Misc. Admin. Expenses	1,119.83	14,808.01	-	-	45,880.32	61,808.16
32	Rent	945.00	6,978.34	-	-	10,222.64	18,145.98
33	Maintenance and Repair	45,215.49	9,868.44	-	-	89,628.24	144,712.17
34	Specialized Supplies and Materials	33,446.03	25,324.74	-	-	63,545.99	122,316.76
35	Production, Safety and Security	489.38	509.25	-	-	91,244.11	92,242.74
36	General Operating Expenses	219.00	32,972.77	-	-	7,019.42	40,211.19
37	Shop Expense	7,294.67	1,861.53	-	-	83,767.88	92,924.08
41	Furniture and Equipment	6,200.03	5,840.70	-	-	68,001.88	80,042.61
42	Library Equipment and Resources	-	-	-	-	-	-
43	Lease Purchases	-	-	-	-	-	-
44	Livestock and Poultry	-	-	-	-	-	-
45	Land and Right-of-way	42,350.00	-	-	-	-	42,350.00
46, 47	Building, Construction and Renovation	-	-	-	-	-	-
48	Debt Service	-	-	-	-	-	-
51	Inmate Pay and Health Services	12,384.53	218,931.85	-	-	129,612.94	360,929.32
52	Tuitions, Awards and Incentives	-	-	-	-	103.50	103.50
53	Refunds and Restitutions	-	-	-	-	-	-
54	Jail Backup, County Jails and Other	-	-	-	23,665.03	-	23,665.03
55	Payment to Gov. Sub-Division	-	-	-	-	-	-
59	Assistance Payments to Agencies	-	-	-	-	-	-
61	Loans, Taxes and other Disbursements	-	-	-	-	17.52	17.52
62	Transfers - Out Sourced Health Care	22,766.90	19,068.20	-	-	-	41,835.10
64	Merchandise for Resale	-	-	-	-	919,284.13	919,284.13
	Total Expenditures	472,473.46	864,337.53	642.00	23,665.03	2,253,424.66	3,614,542.68
	Excess of Revenues Over (Under) Expenditures	1,704,994.12	(89,704.81)	6,659.00	(23,665.03)	(79,633.88)	1,518,649.40
	Cash						
	Beginning Cash Balance	7,703,286.09	879,339.40	1,118,028.15	922,967.69	7,971,864.63	18,595,485.96
	Revenue Received this Month	2,177,467.58	774,632.72	7,301.00	-	2,173,790.78	5,133,192.08
	Expenditures made this Month	(472,473.46)	(864,337.53)	(642.00)	(23,665.03)	(2,253,424.66)	(3,614,542.68)
	Beginning Change in Liabilities	(16,595.88)	(10,687.13)	-	(5,959.06)	(66,475.32)	(99,717.39)
	Transfers	-	-	-	-	-	-
	Adjustments	(1,305.76)	-	-	-	-	(1,305.76)
	Ending Cash Balance	\$ 9,390,378.57	\$ 778,947.46	\$ 1,124,687.15	\$ 893,343.60	\$ 7,825,755.43	\$ 20,013,112.21

Oklahoma Department of Corrections
Statement of Revenues, Expenditures and Changes in Fund Balances
Non- Appropriated Funds
For the Month of October 2019

Revenue Code	Revenues	200 Fund	205 Fund	210 Fund	225 Fund	280 Fund	Funds
Current:							
428199	Disbursement Fees	\$ 1,032.27	\$ -	\$ -	\$ -	\$ -	\$ 1,032.27
433147	Bank Charge Back / Returned Check Fee	-	-	-	-	-	-
433199	Other Fines, Forfeits, Penalties (Admin. Fees, Inst. Debts)	20,498.54	-	13,412.00	-	-	33,910.54
443103	Rent from Land	5,243.91	-	-	-	-	5,243.91
451101	Insurance and Other Reimbursement for Damages	-	-	-	-	-	-
452005	Reimbursement for Administrative Expense (PPWP)	46,912.95	-	-	-	-	46,912.95
453003	Reimbursement for Travel Expense	-	-	-	-	-	-
456101	Federal Funds Rec'd from Non-Gov. Ag.	-	-	-	-	-	-
458105	Reimbursement for Funds Expended (Refunds - Payroll Reim.)	1,313.61	-	-	-	-	1,313.61
459199	Other Grants, Refunds and Reimbursements (P-card Rebate)	-	-	-	-	-	-
471122	Farm Products General	-	-	-	-	804,916.82	804,916.82
473105	Charge for Service - (Water Treatment Plant)	2,890.25	-	-	-	-	2,890.25
473176	Laboratory and Medical Services	20,052.47	-	-	-	-	20,052.47
474105	Sale of Documents (Copies)	1,094.30	-	-	-	-	1,094.30
474131	Sale of Merchandise	-	-	-	-	1,560,950.03	1,560,950.03
474124	Canteen and Concession Income	-	817,991.42	-	-	-	817,991.42
481102	Contributions - Patients & Inmates	4,335.32	-	-	-	-	4,335.32
481121	Probation & Parole Fees, DNA Fees, GPS Fees, Restitution Fees	264,231.74	-	-	-	-	264,231.74
482101	Deposits by Patients and Offenders (Program Fees - Work Relea	384,725.70	-	-	-	-	384,725.70
483607	Sale of Salvage	191.82	-	-	-	-	191.82
488191	Purchase Card Refunds	-	-	-	-	-	-
Total Revenues		752,522.88	817,991.42	13,412.00	-	2,365,866.85	3,949,793.15
Expenditures							
Current:							
11,12,13	Payroll	5,570.71	-	-	-	658,664.38	664,235.09
15	Professional Services	558,725.59	107,290.99	83.79	-	78,092.18	744,192.55
21, 22	Travel	3,459.04	380.00	140.99	-	9,666.32	13,646.35
31	Misc. Admin. Expenses	1,038.12	48,279.04	109.28	-	81,010.35	130,436.79
32	Rent	8,298.20	32,873.55	-	-	9,649.36	50,821.11
33	Maintenance and Repair	104,155.07	19,930.23	-	-	76,016.18	200,101.48
34	Specialized Supplies and Materials	(75,316.99)	22,124.86	-	-	13,199.60	(39,992.53)
35	Production, Safety and Security	1,417.27	739.78	-	-	68,827.15	70,984.20
36	General Operating Expenses	1,100.00	22,154.32	-	-	6,564.74	29,819.06
37	Shop Expense	15,811.80	306.09	-	-	104,443.53	120,561.42
41	Furniture and Equipment	-	20,342.13	-	-	12,766.32	33,108.45
42	Library Equipment and Resources	-	-	-	-	(29.99)	(29.99)
43	Lease Purchases	-	-	-	-	-	-
44	Livestock and Poultry	-	-	-	-	-	-
45	Land and Right-of-way	-	-	-	-	-	-
46, 47	Building, Construction and Renovation	-	-	-	-	-	-
48	Debt Service	-	-	-	-	-	-
51	Inmate Pay and Health Services	2,625.62	224,525.33	-	-	199,437.60	426,588.55
52	Tuitions, Awards and Incentives	-	83.50	200.00	-	-	283.50
53	Refunds and Restitutions	-	-	-	-	-	-
54	Jail Backup, County Jails and Other	(1,063.60)	-	-	24,636.75	-	23,573.15
55	Payment to Gov. Sub-Division	-	-	-	-	-	-
59	Assistance Payments to Agencies	-	-	-	-	-	-
61	Loans, Taxes and other Disbursements	-	-	-	-	76.44	76.44
62	Transfers - Out Sourced Health Care	-	29,699.83	-	-	-	29,699.83
64	Merchandise for Resale	-	-	-	-	929,310.24	929,310.24
Total Expenditures		625,820.83	528,729.65	534.06	24,636.75	2,247,694.40	3,427,415.69
Excess of Revenues Over (Under) Expenditures		126,702.05	289,261.77	12,877.94	(24,636.75)	118,172.45	522,377.46
Cash							
Beginning Cash Balance		7,616,365.99	589,653.24	1,105,150.21	941,645.38	7,861,600.75	18,114,415.57
Revenue Received this Month		752,522.88	817,991.42	13,412.00	-	2,365,866.85	3,949,793.15
Expenditures made this Month		(625,820.83)	(528,729.65)	(534.06)	(24,636.75)	(2,247,694.40)	(3,427,415.69)
Beginning Change in Liabilities		(56,377.67)	(10,262.74)	-	2,554.87	(74,383.89)	(138,469.43)
Transfers		-	-	-	-	-	-
Adjustments		-	-	-	-	-	-
Ending Cash Balance		\$ 7,686,690.37	\$ 868,652.27	\$ 1,118,028.15	\$ 919,563.50	\$ 7,905,389.31	\$ 18,498,323.60

Item #6.B.
Approval of Average Daily Cost/Inmate

Cost of Incarceration

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.”

Public Only			
Facility Type	FY 2019 Budgeted	FY 2019 Actual	FY 2020 Budgeted
Maximum Security	\$81.58	\$90.48	\$97.71
Medium Security – Combined Average	\$50.53	\$52.35	\$56.86
Minimum Security – Combined Average	\$48.15	\$48.19	\$53.30
Community Correction Centers - Average	\$44.81	\$49.41	\$54.46

Item #7.
Legislative Update

Department of Corrections



Legislation for the 2020 Session

#	Subject	Progress	Page #
20-01	Topic: Medicaid Reimbursement Fee Schedule Author: Representative Roe	Author secured	3-5
20-02	Topic: Cleanup on HIPPA Notifications Author: Representative Roe	Author secured	6-7
20-03	Topic: Repeal or amend Title 22, 991a-21 – changing Post Imprisonment supervision to give P&P more latitude Author: Representative Humphrey	Author secured	8-9
20-04	Topic: Community Sentence cleanup to clarifying the entity to file statement w/ court - the supervising agency (DOC) or contracted provider. Authors: Sen. Weaver and Representative Humphrey	Author secured	10
20-05	Lessen statutory requirements for P&P Officers to only a bachelor's degree – deleting 24 hours of specialized courses.	Abandoned	11-12
20-06	Topic: Expanding age for which an offender can qualify for the Delayed Sentencing Program from 18-21 to 18-25. Author: Representative Newton	Author secured	13-15
20-07	CO age limit reduced from 20 to 18 years old.	Abandoned	16
20-08	Topic: COs who are Commissioned Peace Officers able to keep commission if moved to non-commissioned position. Author: Representative Conley	Author secured	17-21
20-09	Topic: Conflicting statutes regarding who appoints and affixes the salary of the director. Author: Senator Thompson and Representative Steagall	Author secured	22
20-10	Topic: Standardize Sentencing Paperwork Amended Sec. 37 of Title 57 to eliminate the Notice of J&S since courts no longer have a deadline. Author: Senator Paxton	Author secured	23-26
20-11	Topic: Identify positions that encompass those assigned to work inside prisons who were not included in last session's bill to increase pay by \$2/hr Author: Senator Hall	Author secured	27-29
20-12	Topic: Exclude Community Sentencing program Administrative fees from the Central Purchasing Act to enable compliance with best-practices regarding incentives and services Author: Senator Shaw	Author secured	30-31
20-13	Topic: Eliminate language requiring specific organizational structure and allow the Director to have the necessary authority to organize the agency as he sees fit with approval of the Board of Corrections Author: Senator Shaw	Author secured	32
SB 1172	Topic: Dissolves the Board of Corrections and transfers all relevant authority to the Director of the Department of Corrections Author: Senator Thompson	Bill Filed	33-END

2020 DOC Legislative Proposal Survey

NAME: Clint Castleberry	TITLE/DIVISION: Director, Health Services
LOCATION: OKC	
PHONE: 405-962-6105	EMAIL: clint.castleberry@doc.ok.gov

QUESTION	RESPONSE
1. Briefly describe the issue/problem that you want to address. Remember, this must be something that can be addressed in the Oklahoma statutes.	Contains language referring to Medicaid reimbursement fee schedule specifying that reimbursement will be no less than the fee structure in effect Jan 1, 2007. The Employee Group Insurance Division says that they don't keep the old fee schedules, making the current fee schedule the only fee schedule relevant. This change would then mirror what is in O.S. 57 Section 627.
2. List the statutory reference. Current statutes can be viewed online at http://www.oklegislature.gov/osStatutesTitle.aspx	O.S. 57. Chapter 1. Section 38.3. http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=453351
3. Include the recommended language if you have it. If you need to attach it on a separate piece of paper or provide a link to a website, please do so.	See attached.
4. Why is this issue important to the Oklahoma Department of Corrections? What are the agency wide implications of the recommendation? How does it affect all departments?	Clean up language. Possible that a network medical provider could contest network fees, if EGID establish reimbursement fees lower than they were Jan. 1, 2007. However, EGID reports they do not keep rate records back that far.
5. Expected cost to implement this recommendation, OR expected savings if this recommendation is implemented.	No cost savings, should be cost negligible unless an instance were to occur as described under #4.
6. To the best of your knowledge, has this legislative change been attempted previously? If so, when and what was the outcome?	No
7. What are the consequences if this is not addressed during the 2020 legislative session?	Unknown
8. Is there anything else we should know when we consider this proposal?	Language has been submitted to EGID to determine if they will support

Oklahoma Statutes Citationized Title 57. Prisons and Reformatories Chapter 1 - General Provisions

Section 38.3 - Medical, Dental, and Mental Health Care for Inmates Cite as: O.S. §, ___

A. As used in this section:

1. "Emergency care" means the medical or surgical care necessary to treat the sudden onset of a potentially life- or limb-threatening condition or symptom;
2. "Dental emergency" means acute problems in the mouth exhibiting symptoms of pain, swelling, bleeding or elevation of temperature; and
3. "Mental health emergency" means a person exhibiting behavior due to mental illness that may be an immediate threat to others or himself or herself that renders the person incapable of caring for himself or herself.

B. The Department of Corrections shall reimburse health care providers for medical care and treatment for inmates retained in county jails after a certified copy of a judgment and sentence has been entered pursuant to the provisions of Section 980 of Title 22 of the Oklahoma Statutes or pursuant to the provisions of Section 988.12 or 991a-2 of Title 22 of the Oklahoma Statutes. Health care providers that are in the network established by the Department of Corrections in conjunction with the State and Education Employees Group Insurance Board shall be reimbursed according to the current fee schedule established for that network; ~~provided, that reimbursement will be no less than the fee structure that was in effect January 1, 2007, or the current fee schedule, whichever is greater.~~ Health care providers that are out of network shall be reimbursed according to the current Oklahoma Medicaid Fee Schedule; ~~provided, that reimbursement shall be no less than the fee structure that was in effect January 1, 2007, or the current fee schedule, whichever is greater.~~ Prior to obtaining nonemergency care outside the county jail facility, authorization must be received from the Department of Corrections. For any emergency care, dental emergency or mental health emergency care obtained outside the county jail facility, the Department of Corrections must be notified within twenty-four (24) hours. The Department of Corrections is hereby authorized to reject claims if proper notification has not been provided.

C. The sheriff shall be responsible for providing and paying for medical, dental and mental health care screening when an inmate is admitted, routine sick calls within the county jail and access to on-site physician services as is routinely provided for all inmates in the custody of the sheriff and as provided by Section 52 of Title 57 of the Oklahoma Statutes.

D. The Department of Corrections shall pay the pharmacy provider for medications provided to inmates retained in county jails after a certified copy of a judgment and sentence has been entered pursuant to the provisions of Section 980 of Title 22 of the Oklahoma Statutes or pursuant to the provisions of Section 988.12 or 991a-2 of Title 22 of the Oklahoma Statutes. If the pharmacy provider is a Medicaid provider, the pharmacy provider must bill the Department at Medicaid rates. The county jail shall be responsible for paying for any medications that are not listed on the Department of Corrections formulary, unless the county jail receives a written exception from the Department.

E. Dental and mental health care ~~shall~~ may be provided through the designated host facility of the Department of Corrections for inmates retained in county jails after a certified copy of a judgment and sentence has been entered pursuant to the provisions of Section 980 of Title 22 of the Oklahoma Statutes or pursuant to the provisions of Section 988.12 or 991a-2 of Title 22 of the Oklahoma Statutes. Each county jail is encouraged to work with local community mental health centers to provide necessary medications and emergency services that would be reimbursed pursuant to the provisions of this subsection.

F. The sheriff shall be responsible for transportation and security of inmates to all outside health care appointments including host facilities of the Department of Corrections.

G. Neither the Department of Corrections nor the sheriff shall be responsible for the cost of health care while an inmate is on escape status or for any injury incurred while on escape status.

H. The Department of Corrections shall not be responsible for payment of health care of inmates housed in the county jail under the following circumstances:

1. Prior to entry of a certified judgment and sentence pursuant to the provisions of Section 980 of Title 22 of the Oklahoma Statutes;
2. When an inmate is detained in the county jail pursuant to a writ of habeas corpus;
3. When an inmate is detained in the county jail for additional cases pending after a certified copy of the judgment and sentence has been entered;
4. When an inmate is detained in the county jail and his or her status is on hold for another jurisdiction; or
5. When an inmate is detained in the county jail and the inmate is sentenced to county jail time only.

Historical Data

Laws 2008, HB 3336, c. 366, § 8, emerg. eff. June 3, 2008.

Citationizer® Summary of

Name

Level

Documents Citing This Document

Cite

Oklahoma Attorney General's Opinions

Cite

2011 OK AG 19,

Name

Question Submitted by: The Honorable Jeff
Hickman, Speaker Pro Tempore, State
Representative, District 58

Level

Discussed at Length

2020 DOC Legislative Proposal Survey

NAME: Clint Castleberry	TITLE/DIVISION: Health Services
LOCATION: 2901 N. Classen, Suite 200	
PHONE: 405-962-6084	EMAIL: clint.castleberry@doc.ok.gov

QUESTION	RESPONSE
1. Briefly describe the issue/problem that you want to address. Remember, this must be something that can be addressed in the Oklahoma statutes.	Removes outdated language from statute regarding sharing of HIPAA protected information related to HIV/AIDS infected patients.
2. List the statutory reference. Current statutes can be viewed online at http://www.oklegislature.gov/osStatutesTitle.aspx	O.S. 63. Section 1-523
3. Include the recommended language if you have it. If you need to attach it on a separate piece of paper or provide a link to a website, please do so.	See attached
4. Why is this issue important to the Oklahoma Department of Corrections? What are the agency wide implications of the recommendation? How does it affect all departments?	Clean up language
5. Expected cost to implement this recommendation, OR expected savings if this recommendation is implemented.	Cost neutral
6. To the best of your knowledge, has this legislative change been attempted previously? If so, when and what was the outcome?	No
7. What are the consequences if this is not addressed during the 2019 legislative session?	Unknown
8. Is there anything else we should know when we consider this proposal?	Unsure if county jails will or won't support

Oklahoma Statutes Citationized Title 63. Public Health and Safety Chapter 1 - Oklahoma Public Health Code Venereal Disease Article Article 5 - Prevention and Control of Disease Section 1-523 - Institutions - Treatment of Infected Inmates Cite as: O.S. §, ___

- A. 1. Any and all institutions in this state, whether penal or eleemosynary, public or private, and free or for pay, shall make, and preserve for a period of at least one (1) year, a record showing the name, age, sex, race, nationality and place of residence of any infected inmate of such institution who may come to their knowledge.
2. The institution shall make available such record at all reasonable hours for inspection by the State Commissioner of Health or the local health officer.
3. Such institutions shall further furnish a physician and all proper medicines, instruments and apparatus for the proper treatment of such infected inmate.
- ~~B. Each institution and each Department of Corrections district office, and each county or municipal jail shall notify their correctional officers, probation and parole officers, and any jailor, or other employee or any employee of the Pardon and Parole Board, who has or will have direct contact with an inmate, when such inmate is infected with the human immunodeficiency virus (HIV) or has the Acquired Immune Deficiency Syndrome (AIDS) disease.~~
- C. 1. If an officer or employee of the State of Oklahoma, or any other person comes into contact with the bodily fluids of an inmate in a state correctional facility, the Director of the Department of Corrections or designee, under such rules as the Director shall promulgate to carry out the provisions of this section, shall cause such inmate to be tested for such disease, if no prior record of the existence of such disease exists. If an officer or employee of a county jail, or any other person, comes into contact with the bodily fluids of an inmate in a county jail, the sheriff or designee, under policies the sheriff shall promulgate to carry out the provisions of this section, shall cause the inmate to be tested for such disease, if no prior record of the existence of such disease exists.
2. The Director or designee shall promptly communicate in writing the results of the test to the person so exposed and refer the employee to the Department of Correction's Employee Assistance Program for appropriate referrals for counseling, health care, and support services for the person so exposed. If the exposure occurs within a county jail, the sheriff or designee shall promptly communicate in writing the results of the test to the person so exposed and refer the employee to the employee assistance program of the county for appropriate referrals for counseling, health care, and support services for the person so exposed.
3. As used in this section, the term "serious transmissible disease" means the Human Immunodeficiency Virus (HIV) and hepatitis.

Historical Data

Laws 1963, SB 26, c. 325, art. 5, § 523, emerg. eff. July 1, 1963; Amended by Laws 1992, SB 845, c. 45, § 1, emerg. eff. April 3, 1992; Amended by Laws 1994, HB 2111, c. 58, § 1, emerg. eff. April 15, 1994; Amended by Laws 1998, SB 886, c. 148, § 1, emerg. eff. April 22, 1998 (superseded document available); Amended by Laws 2008, SB 3336, c. 366, § 9, emerg. eff. June 3, 2008 (superseded document available).

Citationizer® Summary of Documents Citing Name Level

This Document cite

None Found.

2020 DOC Legislative Proposal Survey

NAME: Probation and Parole Services	TITLE/DIVISION: Probation and Parole Services
LOCATION: Probation and Parole Services	
PHONE: 405-425-2658	EMAIL:

QUESTION	RESPONSE
1. Briefly describe the issue/problem that you want to address. Remember, this must be something that can be addressed in the Oklahoma statutes.	Repeal or major revision of the Post-Imprisonment statute.
2. List the statutory reference. Current statutes can be viewed online at http://www.oklegislature.gov/osStatuesTitle.aspx	22 O.S. 991a-21
3. Include the recommended language if you have it. If you need to attach it on a separate piece of paper or provide a link to a website, please do so.	Repeal. If choosing to revise, the language in paragraph (A) needs to be changed allowing rules and conditions as set forth by the court (not DOC) be signed in open court at sentencing. This is why many DAs and courts will not intervene with violations of rules and conditions.
4. Why is this issue important to the Oklahoma Department of Corrections? What are the agency wide implications of the recommendation? How does it affect all departments?	A great deal of resources is being devoted to Post-Imprisonment supervision in the Division of Probation and Parole Services, with little recourse for officers when offenders refuse supervision; or experience problems during supervision.
5. Expected cost to implement this recommendation, OR expected savings if this recommendation is implemented.	There is no expected cost to implement the recommendation.
6. To the best of your knowledge, has this legislative change been attempted previously? If so, when and what was the outcome?	P&P services attempted to make this change last year. The proposal or change failed.
7. What are the consequences if this is not addressed during the 2020 legislative session?	Staff will continue to be frustrated with supervision that is not backed up by the courts. It does and will continue to take supervision resources away from lawfully sentenced probationers, parolees, and OPS offenders.

We are unable to secure a warrant for offenders on PIS that leave the state. This places the public at risk and the state of Oklahoma responsible for the offender's behavior. The Interstate Commission for Adult Offender Supervision can fine Oklahoma for failing to retake offenders in other states.

8. Is there anything else we should know when we consider this proposal?

Offenders released to Post-imprisonment Supervision fail to report after release and are not held accountable for supervision because the controlling jurisdiction refuses to issue warrants or applications. District attorneys and judges do not think they have the authority under the current law to act.

Title 22. Criminal Procedure

§22-991a-21. Post-imprisonment supervision.

Universal Citation: 22 OK Stat § 22-991a-21 (2014)

A. For persons convicted and sentenced on or after November 1, 2012, the court shall include in the sentence of any person who is convicted of a felony and sentenced to a term of confinement with the Department of Corrections, as provided in Section 991a of Title 22 of the Oklahoma Statutes or any other provision of the Oklahoma Statutes, a term of post-imprisonment supervision. The post-imprisonment supervision shall be for a period of not less than nine (9) months nor more than one (1) year following confinement of the person and shall be served under conditions prescribed by the ~~Department of Corrections~~ court. In no event shall the post-imprisonment supervision be a reason to reduce the term of confinement for a person.

B. The court shall not include a term of post-imprisonment supervision for any person who has been sentenced to life without parole.

C. Should the offender fail to comply with the terms of post-imprisonment supervision, the offender may be sanctioned to serve a term of confinement of six (6) months in an intermediate revocation facility.

D. Nothing in this section shall prevent the state from revoking, in whole or in part, the post-imprisonment supervision, ~~probation or parole~~ of a person for committing any misdemeanor or felony ~~or absconding~~ while under such supervision, ~~probation or parole~~.

Added by Laws 2012, c. 228, § 4, eff. Nov. 1, 2012.

2020 DOC Legislative Proposal Survey

NAME: Probation and Parole Services	TITLE/DIVISION: Probation and Parole Services
LOCATION: Probation and Parole Services	
PHONE: 405-425-2658	EMAIL:

QUESTION	RESPONSE
1. Briefly describe the issue/problem that you want to address. Remember, this must be something that can be addressed in the Oklahoma statutes.	Clean-up – clarification
2. List the statutory reference. Current statutes can be viewed online at http://www.oklegislature.gov/osStatutesTitle.aspx	Title 22-988.22 (B)
3. Include the recommended language if you have it. If you need to attach it on a separate piece of paper or provide a link to a website, please do so.	B. Upon completion of any court-ordered provision, pursuant to the Oklahoma Community Sentencing Act, the administrator of the local system shall <u>supervising agency or contracted provider</u> shall file a statement with the court defining the provision which has been successfully completed. When all court-ordered provisions have been successfully completed, the defendant shall be deemed to have completed the community punishment.
4. Why is this issue important to the Oklahoma Department of Corrections? What are the agency wide implications of the recommendation? How does it affect all departments?	Provides clarification
5. Expected cost to implement this recommendation, OR expected savings if this recommendation is implemented.	There are no costs associated with implementation.
6. To the best of your knowledge, has this legislative change been attempted previously? If so, when and what was the outcome?	No
7. What are the consequences if this is not addressed during the 2020 legislative session?	
8. Is there anything else we should know when we consider this proposal?	No

2020 DOC Legislative Proposal Survey

NAME: Probation and Parole Services	TITLE/DIVISION: Probation and Parole Services
LOCATION: Probation and Parole Services	
PHONE: 405-425-2658	EMAIL:

QUESTION	RESPONSE
<p>1. Briefly describe the issue/problem that you want to address. Remember, this must be something that can be addressed in the Oklahoma statutes.</p>	<p>Broadening applicant opportunities and retention efforts.</p>
<p>2. List the statutory reference. Current statutes can be viewed online at http://www.oklegislature.gov/osStatutesTitle.aspx</p>	<p>Title 57, Section 515</p>
<p>3. Include the recommended language if you have it.</p> <p>If you need to attach it on a separate piece of paper or provide a link to a website, please do so.</p>	<p>Currently, statute requires P&P Officers to have a bachelor degree with 24 hours of specialized courses. Removing the 24 hours of specialized course would open the job market to anyone with a bachelor's degree. Additionally, add language making individuals eligible with applicable experience; substituting 1 year of experience for every year of education. Applicable experience would include correctional experience which involved the security, classification, assessment or field supervision of probationers, parolees, and/or inmates.</p>
<p>4. Why is this issue important to the Oklahoma Department of Corrections? What are the agency wide implications of the recommendation? How does it affect all departments?</p>	<p>Our agency applicant pool has declined in certain areas. There are many qualified applicants externally and within our agency who were unable to attend college. This would provide additional job opportunities for external applicants and more promotional options for internal employees.</p> <p>This could also have a positive impact on retention. As a state agency, we cannot compete with other factions of law enforcement and private businesses regarding salary. Many other agencies and businesses require less education and pay more. Although this will not affect internal pay scales at current positions, by loosening the education requirement and allowing substitution of experience; it will broaden initial appointment lists and assist with career progression within the agency.</p>
<p>5. Expected cost to implement this recommendation, OR expected savings if this recommendation is implemented.</p>	<p>Should not accrue costs to implement.</p> <p>Has potential to provide cost saving measures. Less time/man hours utilized with hiring process if additional internal applicants qualify with experience.</p>

<p>6. To the best of your knowledge, has this legislative change been attempted previously? If so, when and what was the outcome?</p>	<p>Unknown</p>
<p>7. What are the consequences if this is not addressed during the 2020 legislative session?</p>	<p>Potential negative effects with retention and available applicants continuing.</p>
<p>8. Is there anything else we should know when we consider this proposal?</p>	<p>Not at this time.</p>

2020 DOC Legislative Proposal Survey

NAME: Becky Guffy	TITLE/DIVISION: Warden/Division II
LOCATION: Bill Johnson CC	
PHONE: 580-327-8000	EMAIL: becky.guffy@doc.ok.gov

QUESTION	RESPONSE
1. Briefly describe the issue/problem that you want to address. Remember, this must be something that can be addressed in the Oklahoma statutes.	Over the last year we have noticed a decline in the number of offenders being ordered to the Delayed Sentencing Program for young adults. We believe this is due to SQ780 changing what will qualify an offender for the program.
2. List the statutory reference. Current statutes can be viewed online at http://www.oklegislature.gov/osStatuesTitle.aspx	
3. Include the recommended language if you have it. If you need to attach it on a separate piece of paper or provide a link to a website, please do so.	
4. Why is this issue important to the Oklahoma Department of Corrections? What are the agency wide implications of the recommendation? How does it affect all departments?	It is hoped that the judicial system will choose delayed sentencing as opposed to lengthy straight-time sentences.
5. Expected cost to implement this recommendation, OR expected savings if this recommendation is implemented.	No cost to implement. Savings is unknown at this time as it depends on judiciary system implementation.
6. To the best of your knowledge, has this legislative change been attempted previously? If so, when and what was the outcome?	To my knowledge this kind of change has not been previously proposed.
7. What are the consequences if this is not addressed during the 2020 legislative session?	The judiciary system will impose longer sentences due to certain crime categories disqualifying offenders from the program.
8. Is there anything else we should know when we consider this proposal?	None at this time.

SECTION 1. AMENDATORY 22 O.S. 2011, Section 996.1, as last amended by Section 1, Chapter 157, O.S.L. 2018 (22 O.S. Supp. 2019, Section 996.1), is amended to read as follows:

Section 996.1. As used in the Delayed Sentencing Program for Young Adults:

"Offender" means any adult eighteen (18) through twenty-one (21) twenty-five (25) years of age as of the date of a verdict of guilty or a plea of guilty or nolo contendere for a nonviolent felony offense or a juvenile who has been certified to stand trial as an adult for a nonviolent felony offense, who has no charges pending for a violent offense and who has not been convicted, or adjudicated as a juvenile delinquent or youthful offender, of:

1. Assault, battery, or assault and battery with a dangerous or deadly weapon as defined by Sections 645 and subsection C of 652 of Title 21 of the Oklahoma Statutes, or Section 2-219 of Title 43A of the Oklahoma Statutes;
2. Aggravated assault and battery on a police officer, sheriff, highway patrolman, or any other officer of the law as defined by Sections 650, subsection C of 650.2, 650.5, subsection B of 650.6, or subsection C of 650.7 of Title 21 of the Oklahoma Statutes;
3. Poisoning with intent to kill as defined by Section 651 of Title 21 of the Oklahoma Statutes;
4. Shooting with intent to kill as defined by Section 652 of Title 21 of the Oklahoma Statutes;
5. Assault with intent to kill as defined by Section 653 of Title 21 of the Oklahoma Statutes;
6. Using a vehicle to facilitate the intentional discharge of any kind of firearm in violation of Section 652 of Title 21 of the Oklahoma Statutes;
7. Discharging any firearm or other deadly weapon at or into any dwelling as defined in Section 1289.17A of Title 21 of the Oklahoma Statutes;
8. Assault with intent to commit a felony as defined by Section 681 of Title 21 of the Oklahoma Statutes;
9. Assaults while masked or disguised as defined by Section 1303 of Title 21 of the Oklahoma Statutes;
10. Murder in the first degree as defined by Section 701.7 of Title 21 of the Oklahoma Statutes;
11. Murder in the second degree as defined by Section 701.8 of Title 21 of the Oklahoma Statutes;
12. Manslaughter in the first degree as defined by Sections 711, 712, 713 or 714 of Title 21 of the Oklahoma Statutes;
13. Manslaughter in the second degree as defined by Sections 716 or 717 of Title 21 of the Oklahoma Statutes;
14. Kidnapping as defined by Section 741 of Title 21 of the Oklahoma Statutes;
15. Burglary in the first degree as defined by Section 1431 of Title 21 of the Oklahoma Statutes;
16. Kidnapping for extortion as defined by Section 745 of Title 21 of the Oklahoma Statutes;
17. Maiming as defined by Section 751 of Title 21 of the Oklahoma Statutes;
18. Robbery as defined by Section 791 of Title 21 of the Oklahoma Statutes;

19. Robbery in the first degree as defined by Section 797 of Title 21 of the Oklahoma Statutes;
20. Robbery in the second degree as defined by Section 797 of Title 21 of the Oklahoma Statutes;
21. Armed robbery as defined by Section 801 of Title 21 of the Oklahoma Statutes;
22. Robbery by two (2) or more persons as defined by Section 800 of Title 21 of the Oklahoma Statutes;
23. Robbery with dangerous weapon or imitation firearm as defined by Section 801 of Title 21 of the Oklahoma Statutes;
24. Any crime against a child provided for in Section 843.5 of Title 21 of the Oklahoma Statutes;
25. Wiring equipment, vehicle or structure with explosives as defined by Section 849 of Title 21 of the Oklahoma Statutes;
26. Forcible sodomy as defined by Section 888 of Title 21 of the Oklahoma Statutes;
27. Rape in the first degree as defined by Sections 1111 and 1114 of Title 21 of the Oklahoma Statutes;
28. Rape by instrumentation as defined by Section 1111.1 of Title 21 of the Oklahoma Statutes;
29. Lewd or indecent proposition or lewd or indecent act with a child as defined by Section 1123 of Title 21 of the Oklahoma Statutes;
30. Use of a firearm or offensive weapon to commit or attempt to commit a felony as defined by Section 1287 of Title 21 of the Oklahoma Statutes;
31. Pointing firearms as defined by Section 1289.16 of Title 21 of the Oklahoma Statutes;
32. Rioting as defined by Sections 1311 or 1321.8 of Title 21 of the Oklahoma Statutes;
33. Inciting to riot as defined by Section 1320.2 of Title 21 of the Oklahoma Statutes;
34. Arson in the first degree as defined by Section 1401 of Title 21 of the Oklahoma Statutes;
35. Endangering human life during arson as defined by Section 1405 of Title 21 of the Oklahoma Statutes;
36. Procure, produce, distribute, or possess juvenile pornography as defined by Section 1021.2 of Title 21 of the Oklahoma Statutes;
37. Parental consent to juvenile pornography as defined by Section 1021.3 of Title 21 of the Oklahoma Statutes;
38. Distributing obscene material or child pornography as defined by Section 1040.13 of Title 21 of the Oklahoma Statutes;
39. Unlawful manufacturing, attempting to unlawfully manufacture or aggravated manufacturing of any controlled dangerous substance as defined by subsection G of Section 2-401 and paragraph 3 of subsection G of Section 2-401 of Title 63 of the Oklahoma Statutes; or
40. Any violation of the Trafficking in Illegal Drugs Act as defined by Section 2-415 of Title 63 of the Oklahoma Statutes.

SECTION 2. This act shall become effective November 1, 2020.

2020 DOC Legislative Proposal Survey

NAME: Greg Williams	TITLE/DIVISION:
LOCATION: Admin.	
PHONE:	EMAIL: gary.elliott@doc.ok.gov

QUESTION	RESPONSE
1. Briefly describe the issue/problem that you want to address. Remember, this must be something that can be addressed in the Oklahoma statutes.	Shortage of correctional officers.
2. List the statutory reference. Current statutes can be viewed online at http://www.oklegislature.gov/osStatutesTitle.aspx	57 O.S. 510(A)(2)(a)
3. Include the recommended language if you have it. If you need to attach it on a separate piece of paper or provide a link to a website, please do so.	A. The Director of the Department of Corrections shall have the following specific powers and duties relating to the penal institutions: 1. To appoint, subject to the approval of the State Board of Corrections, a warden for each penal institution; 2. To fix the duties of the wardens and to appoint and fix the duties and compensation of such other personnel for each penal institution as may be necessary for the proper operation thereof. However, correctional officers hired after November 1, 1995, shall be subject to the following qualifications: a. the minimum age for service shall be <u>eighteen (18) years of age</u> . The Director shall have the authority to establish the maximum age for correctional officers entering service.
4. Why is this issue important to the Oklahoma Department of Corrections? What are the agency wide implications of the recommendation? How does it affect all departments?	We need more correctional officers.
5. Expected cost to implement this recommendation, OR expected savings if this recommendation is implemented.	None expected.
6. To the best of your knowledge, has this legislative change been attempted previously? If so, when and what was the outcome?	No.
7. What are the consequences if this is not addressed during the 2020 legislative session?	The potential to attract a new age group of correctional officers will be lost.
8. Is there anything else we should know when we consider this proposal?	No.

2020 DOC Legislative Proposal Survey

NAME: Robert Hert	TITLE/DIVISION: Auditing and Compliance
LOCATION: Tulsa, OK	
PHONE: 918/295-3202	EMAIL: robert.hert@doc.ok.gov

QUESTION	RESPONSE
1. Briefly describe the issue/problem that you want to address. Remember, this must be something that can be addressed in the Oklahoma statutes.	Grant Director of OK DOC authority to allow employees who are commissioned as Peace Officers or have been commissioned as Peace Officers within the past year by the agency to maintain their commission as a Peace Officer if the employee voluntarily moves to a position within the agency that does not require a commission.
2. List the statutory reference. Current statutes can be viewed online at http://www.oklegislature.gov/osStatutesTitle.aspx	Title 57 O.S. 510
3. Include the recommended language if you have it. If you need to attach it on a separate piece of paper or provide a link to a website, please do so.	See attached
4. Why is this issue important to the Oklahoma Department of Corrections? What are the agency wide implications of the recommendation? How does it affect all departments?	In case of an emergency, the agency may have more commissioned Peace Officers to call upon for assistance. Implications: Possibly more personnel throughout the state with a higher level of training. May also aid in retaining personnel.
5. Expected cost to implement this recommendation, OR expected savings if this recommendation is implemented.	Unknown
6. To the best of your knowledge, has this legislative change been attempted previously? If so, when and what was the outcome?	Unknown
7. What are the consequences if this is not addressed during the 2020 legislative session?	Unknown
8. Is there anything else we should know when we consider this proposal?	No

A. The Director of the Department of Corrections shall have the following specific powers and duties relating to the penal institutions:

1. To appoint, subject to the approval of the State Board of Corrections, a warden for each penal institution;
2. To fix the duties of the wardens and to appoint and fix the duties and compensation of such other personnel for each penal institution as may be necessary for the proper operation thereof. However, correctional officers hired after November 1, 1995, shall be subject to the following qualifications:
 - a. the minimum age for service shall be twenty (20) years of age. The Director shall have the authority to establish the maximum age for correctional officers entering service,
 - b. possession of a minimum of thirty (30) semester hours from an accredited college or university, or possession of a high school diploma acquired from an accredited high school or GED equivalent testing program,
 - c. satisfactory completion of minimum testing or professional evaluation through the Merit System of Personnel Administration to determine the fitness of the individual to serve in the position. All written evaluations shall be submitted to the Department of Corrections, and
 - d. satisfactory completion of a physical in keeping with the conditions of the job description on an annual basis and along the guidelines as established by the Department of Corrections;
3. The Director shall designate as correctional peace officers, correctional officers who are employed in job classifications of correctional security officer, correctional security manager, correctional chief of security and chief of security upon satisfactory completion of a basic course of instruction for correctional officers, as provided for in paragraph 4 of this subsection. The peace officer authority of employees designated as correctional peace officers shall be limited to: maintaining custody of prisoners; preventing attempted escapes; pursuing, recapturing and incarcerating escapees and parole or probation violators and arresting such escapees, parole or probation violators; serving warrants; carrying firearms; preventing contraband from entering any penal institutions; arresting individuals who commit crimes at any penal institution; and performing any duties specifically required for the job descriptions. Such powers and duties of correctional peace officers may be exercised for the purpose of maintaining custody, security, and control of any prisoner being transported inside and outside this state as authorized by the Uniform Criminal Extradition Act and the Interstate Corrections Compact. The Director may implement policies that place additional limitations on the authority of correctional peace officers. The Director shall issue an identification card to each correctional peace officer that identifies the person as a correctional peace officer and grants the person the authority to carry a firearm and make arrests pursuant to this paragraph. Should a correctional peace officer terminate employment for any reason, fail to remain qualified as a correctional peace officer or for reasons stated in policies of the Department, the correctional peace officer shall return the identification card to the supervisor of the correctional peace officer immediately;
4. To develop and implement, upon approval of the State Board of Corrections, a basic course of instruction for correctional officers that consists of a training academy that provides not less than two hundred (200) hours of core curriculum instruction and a firearms training program that provides not less than twenty (20) hours of instruction. The basic course of instruction shall be subject to the following:
 - a. the minimum qualifying score that must be shot to pass the firearms training program shall be equal to the minimum qualifying score required by the Council on Law Enforcement Education and Training for peace officers, and

- b. the Director may waive any number of hours or courses required to complete the basic course of instruction for any person who, in the opinion of the Director, has received sufficient training or experience that such hours of instruction would be unduly burdensome or duplicative; however, completion of the firearms training program shall not be waived;
5. To develop and implement annual in-service training for correctional officers that consists of at least forty (40) hours of continued corrections education and annual recertification of firearms proficiency. The minimum qualifying score that must be shot to requalify for recertification of firearms proficiency shall be equal to the minimum qualifying score required by the Council on Law Enforcement Education and Training for the requalification of peace officers;
6. To require any person employed as a correctional security officer, correctional security manager, correctional chief of security and chief of security to remain qualified as a correctional peace officer. Any correctional peace officer who is unable to remain qualified as a correctional peace officer may be offered an available position within the Department in the same or lesser pay grade for which the employee is eligible, or the employee may be terminated;. When an employee who is commissioned as a peace officer by the department voluntarily moves into a position which does not require peace officer status, the Director may allow the employee to maintain their peace office status;
7. To authorize other employees of the Department to carry firearms anywhere in the state to use for self-defense pursuant to and consistent with policies developed by the Department upon satisfactory completion of the firearms training program provided for in paragraph 4 of this subsection. The Director shall issue an identification card to each authorized employee that grants the employee the authority to carry a firearm pursuant to the provisions of this paragraph. Should an authorized employee terminate employment for any reason, fail to remain qualified to carry a firearm, or for reasons stated in the policies of the Department, the authorized employee shall immediately return the identification card to the supervisor of the employee and shall no longer be authorized to carry firearms under the authority of this paragraph;
8. To maintain such industries, factories, plants, shops, farms, and other enterprises and operations, hereinafter referred to as prison industries, at each penal institution as the State Board of Corrections deems necessary or appropriate to employ the prisoners or teach skills, or to sustain the penal institution; and as provided for by policies established by the State Board of Corrections, to allow compensation for the work of the prisoners, and to provide for apportionment of inmate wages, the amounts thus allowed to be kept in accounts by the Board for the prisoners and given to the inmates upon discharge from the penal institution, or upon an order paid to their families or dependents or used for the personal needs of the prisoners. Any industry that employs prisoners shall be deemed a "State Prison Industry" if the prisoners are paid from state funds including the proceeds of goods sold as authorized by Section 123f of Title 74 of the Oklahoma Statutes. Any industry in which wages of prisoners are paid by a nongovernmental person, group, or corporation, except those industries employing prisoners in work-release centers under the authority of the Department of Corrections shall be deemed a "Private Prison Industry";
9. To assign residences at each penal institution to penal institutional personnel and their families;
10. To provide for the education, training, vocational education, rehabilitation, and recreation of prisoners;
11. To regulate the operation of canteens for prisoners;
12. To prescribe rules for the conduct, management, and operation of each penal institution, including rules for the demeanor of prisoners, the punishment of recalcitrant prisoners, the treatment of incorrigible prisoners, and the disposal of property or contraband seized from inmates or offenders under the supervision of the Department;

13. To transfer prisoners from one penal institution to another;
14. To establish procedures that ensure inmates are educated and provided with the opportunity to execute advance directives for health care in compliance with Section 3101.2 of Title 63 of the Oklahoma Statutes. The procedures shall ensure that any inmate executing an advance directive for health care is competent and executes the directive with informed consent;
15. To maintain courses of training and instruction for employees of the Department;
16. To maintain a program of research and statistics;
17. To provide for the periodic audit, at least once annually, of all funds and accounts of each penal institution and the funds of each prisoner;
18. To provide, subject to rules established by the State Board of Corrections, for the utilization of inmate labor for any agency of the state, city, town, or subdivision of this state, upon the duly authorized request for such labor by the agency. The inmate labor shall not be used to reduce employees or replace regular maintenance or operations of the agency. The inmate labor shall be used solely for public or state purposes. No inmate labor shall be used for private use or purpose. Insofar as it is practicable, all inmate labor shall be of such a nature and designed to assist and aid in the rehabilitation of inmates performing the labor;
19. To provide clerical services for, and keep and preserve the files and records of, the Pardon and Parole Board; make investigations and inquiries as to prisoners at the penal institutions who are to be, or who might be, considered for parole or other clemency; assist prisoners who are to be, or who might be, considered for parole or discharge in obtaining suitable employment in the event of parole or discharge; report to the Pardon and Parole Board, for recommendation to the Governor, violations of terms and conditions of paroles; upon request of the Governor, make investigations and inquiries as to persons who are to be, or who might be, considered for reprieves or leaves of absence; report to the Pardon and Parole Board, for recommendation to the Governor, whether a parolee is entitled to a pardon, when the terms and conditions of the parole have been completed; make presentence investigations for, and make reports thereof to, trial judges in criminal cases consistent with other laws of the state; supervise persons on felony probation or parole; and develop and operate, subject to the policies and guidelines of the Board, work-release centers, community treatment facilities or prerelease programs at appropriate sites throughout this state;
20. To establish an employee tuition assistance program and promulgate rules in accordance with the Administrative Procedures Act for the operation of the program. The rules shall include, but not be limited to, program purposes, eligibility requirements, use of tuition assistance, service commitment to the Department, reimbursement of tuition assistance funds for failure to complete course work or service commitment, amounts of tuition assistance and limitations, and record keeping;
21. To establish an employee recruitment and referral incentive program and promulgate rules in accordance with the Administrative Procedures Act for the operation of the program. The rules shall include, but not be limited to, program purposes, pay incentives for employees, eligibility requirements, payment conditions and amounts, payment methods, and record keeping;
22. To provide reintegration referral services to any person discharged from the state custody who has volunteered to receive reintegration referral services. The Director may assign staff to refer persons discharged from state custody to services. The Director shall promulgate rules for the referral process. All reintegration referral services shall be subject to the availability of funds;
23. To conduct continual planning and research and periodically evaluate the effectiveness of the various correctional programs instituted by the Department; manage the designing, building, and maintaining of all the capital improvements of the Department; establish and maintain current and

efficient business, bookkeeping, and accounting practices and procedures for the operations of all penal institutions and facilities, and for the Department's fiscal affairs; conduct initial orientation and continuing in-service training for the Department employees; provide public information services; inspect and examine the condition and management of state penal and correctional institutions; investigate complaints concerning the management of prisons or alleged mistreatment of inmates thereof; and hear and investigate complaints as to misfeasance or nonfeasance of employees of the Department;

24. To authorize any division of the Department to sell advertising in any Department-approved publication, media production or other informational material produced by the Department; provided, that such advertising shall be approved by the Director or designee prior to acceptance for publication. The sale of advertising and negotiation of rates for the advertising shall not be subject to The Oklahoma Central Purchasing Act or the Administrative Procedures Act. The Department shall promulgate rules establishing criteria for accepting or using advertisements as authorized in this paragraph;

25. To issue subpoenas to assist or further investigations into allegations of crimes committed in public or private prisons within the State of Oklahoma. Subpoenas issued by the Director shall be enforced by the District Court in Oklahoma County, Oklahoma;

26. To authorize award of the badge of an employee who dies while employed by the Department to the spouse or next of kin of the deceased employee;

27. To establish, in conjunction with the Information Services Division of the Office of Management and Enterprise Services, an emergency alert notification system for the public, capable of distributing notifications of facility emergencies or prisoner escapes for all facilities and each facility of the Department of Corrections;

28. To declare an emergency when, due to shortage of staff, correctional officers at a facility are required to work more than two double shifts in a seven-day period. As used in this paragraph, "double shift" means two eight-hour shifts in a twenty-four-hour period; and

29. To enter into contracts with media or film production companies to allow the Department to authorize a media or film production company to shoot commercial films at penal institutions and other property under the control of the Department. Any funds received pursuant to said contracts shall be deposited into the Department of Corrections Revolving Fund.

B. When an employee of the Department of Corrections has been charged with a violation of the rules of the Department or with a felony pursuant to the provisions of a state or federal statute, the Director may, in the Director's discretion, suspend the charged employee, in accordance with the Oklahoma Personnel Act and/or the Merit System of Personnel Administration Rules, pending the hearing and final determination of the charges. Notice of suspension shall be given by the Director, in accordance with the provisions of the Oklahoma Personnel Act. If after completion of the investigation of the charges, it is determined that such charges are without merit or are not sustained before the Oklahoma Merit Protection Commission or in a court of law, the employee shall be reinstated and shall be entitled to receive all lost pay and benefits.

This subsection shall in no way deprive an employee of the right of appeal according to the Oklahoma Personnel Act.

2020 DOC Legislative Proposal Survey

NAME: Gary Elliott	TITLE/DIVISION: Acting General Counsel
LOCATION: Legal	
PHONE: 425-2517	EMAIL: gary.elliott@doc.ok.gov

QUESTION	RESPONSE
1. Briefly describe the issue/problem that you want to address. Remember, this must be something that can be addressed in the Oklahoma statutes.	Currently there are conflicting statutes regarding who appoints and affixes the salary of the director.
2. List the statutory reference. Current statutes can be viewed online at http://www.oklegislature.gov/osStatutesTitle.aspx	57 O.S. 504 BOC Powers and Duties
3. Include the recommended language if you have it. If you need to attach it on a separate piece of paper or provide a link to a website, please do so.	The following language would simply be deleted from the statute: (6) To appoint and fix the salary of the Director;
4. Why is this issue important to the Oklahoma Department of Corrections? What are the agency wide implications of the recommendation? How does it affect all departments?	Conflicting statutes are confusing. There are no implications other than reducing confusion. It will have no effect on any department.
5. Expected cost to implement this recommendation, OR expected savings if this recommendation is implemented.	None.
6. To the best of your knowledge, has this legislative change been attempted previously? If so, when and what was the outcome?	No.
7. What are the consequences if this is not addressed during the 2020 legislative session?	The confusion will remain.
8. Is there anything else we should know when we consider this proposal?	No

2020 DOC Legislative Proposal Survey

NAME: Jesse Davis	TITLE/DIVISION: CRO I
LOCATION: JLCC	
PHONE: 918-667-4268	EMAIL: jesse.davis@doc.ok.gov

QUESTION	RESPONSE
1. Briefly describe the issue/problem that you want to address. Remember, this must be something that can be addressed in the Oklahoma statutes.	Inmates arrive at LARC with paperwork from the sentencing county that is often incomplete to one degree or another. Often inmates have pending cases in another Oklahoma county that have not been tried when delivered to LARC. Sentencing paperwork is not standardized uniformly across all counties in Oklahoma. Jail time statements are not standardized uniformly across all counties in Oklahoma, and statements such as those prepared in Okmulgee County are nearly impossible to understand because they tell when the inmate was out, not when he/she was incarcerated. The Notice of J&S (only intended for scheduling purposes) often does not agree with the J&S that is prepared later, if the county prepares a J&S at all. Some counties only want to prepare the notice. Sometimes the language listed by the county does not match the state statute for the crime listed.
2. List the statutory reference. Current statutes can be viewed online at http://www.oklegislature.gov/osStatutesTitle.aspx	
3. Include the recommended language if you have it. If you need to attach it on a separate piece of paper or provide a link to a website, please do so.	Delete the Notice of J&S since there is now no time limitation in statute requiring them be sent to DOC for scheduling purposes.
4. Why is this issue important to the Oklahoma Department of Corrections? What are the agency wide implications of the recommendation? How does it affect all departments?	Reduces any confusion caused by the J&S and Notice of J&S.
5. Expected cost to implement this recommendation, OR expected savings if this recommendation is implemented.	None
6. To the best of your knowledge, has this legislative change been attempted previously? If so, when and what was the outcome?	I do not know.
7. What are the consequences if this is not addressed during the 2019 legislative session?	
8. Is there anything else we should know when we consider this proposal?	

A. If all correctional facilities reach maximum capacity and the Department of Corrections is required to contract for bed space to house state inmates:

1. The Pardon and Parole Board shall consider all nonviolent offenders for parole who are within six (6) months of their scheduled release from a penal facility; and
2. Prior to contracting with a private prison operator to provide housing for state inmates, the Department shall send notification to all county jails in this state that bed space is required to house the overflow population of state inmates. Upon receiving notification, the sheriff of a county jail is authorized to enter into agreements with the Department to provide housing for the inmates. Reimbursement for the cost of housing the inmates shall be a negotiated per diem rate for each inmate as contracted but shall in no event be less than the per diem rate provided for in Section 38 of this title.

B. No inmate may be received by a penal facility from a county jail without first scheduling a transfer with the Department. Within five (5) business days after the court orders the judgment and sentence, the court clerk shall transmit to the Department by facsimile, electronic mail, or actual delivery a certified copy of:

- ~~1. The judgment and sentence certifying that the inmate is sentenced to the Department of Corrections;~~
- ~~2. A notice of judgment and sentence signed by the sentencing judge or court clerk. The notice shall include the name of the defendant, date of birth, case number, county of conviction, name of the sentencing judge, the crime for which the defendant was convicted, the sentence imposed, if multiple sentences whether the sentences run concurrently or consecutively, and whether the defendant is to receive credit for any time served. The notice of judgment and sentence shall be substantially in the form provided for in subsection F of this section; or~~
- ~~3. Plea paperwork, Summary of Facts and Sentence on Plea or Sentencing After Jury Trial Summary of Facts may be used as sentencing documents.~~

C. The receipt of the certified copy of the judgment and sentence shall be certification that the sentencing court has entered a judgment and sentence and all other necessary commitment documents. The Department of Corrections is authorized to determine the appropriate method of delivery from each county based on electronic or other capabilities, and establish a method for issuing receipts certifying that the Department has received the judgment and sentence document. The Department shall establish a dedicated electronic address location for receipt of all electronically submitted judgment and sentence documents. The electronic address location shall provide written receipt verification of each received judgment and sentence document. Once an appropriate judgment and sentence document, ~~as listed in subsection B of this section,~~ is received by the Department of Corrections, the Department shall contact the sheriff when bed space is available to schedule the transfer and reception of the inmate into the Department. ~~The Department shall assume custody of an inmate from a county prior to receiving the certified copy of the judgment and sentence upon receipt by the Department of any of the appropriate judgment and sentence documents as listed in subsection B of this section.~~

D. If the Department receives a judgment and sentence document from a county that includes inaccurate information from the sentencing court the Department shall notify the county within a timely manner.

E. When a county jail has reached its capacity of inmates as provided in the standards set forth in Section 192 of Title 74 of the Oklahoma Statutes, then the county sheriff shall notify the Director of the Oklahoma Department of Corrections, or the Director's designated representative, by facsimile,

electronic mail, or actual delivery, that the county jail has reached or exceeded its capacity to hold inmates. The notification shall include copies of any judgment and sentences not previously delivered as required by subsection B of this section. Then within seventy-two (72) hours following such notification, the county sheriff shall transport the designated excess inmate or inmates to a penal facility designated by the Department. The sheriff shall notify the Department of the transport of the inmate prior to the reception of the inmate. The Department shall schedule the reception date and receive the inmate within seventy-two (72) hours of notification that the county jail is at capacity, unless other arrangements can be made with the sheriff.

F. The Department will be responsible for the cost of housing the inmate in the county jail including costs of medical care provided from the date the judgment and sentence was ordered by the court until the date of transfer of the inmate from the county jail. The Department shall implement a policy for determination of scheduled dates on which an inmate or multiple inmates are to be transferred from county jails. The policy shall allow for no less than three alternative dates from which the sheriff of a county jail may select and shall provide for weather-related occurrences or other emergencies that may prevent or delay transfers on the scheduled date. The policy shall be available for review upon request by any sheriff of a county jail. The cost of housing shall be the per diem rate specified in Section 38 of this title. In the event the inmate has one or more criminal charges pending in the same Oklahoma jurisdiction and the county jail refuses to transfer the inmate to the Department because of the pending charges, the Department shall not be responsible for the housing costs of the inmate while the inmate remains in the county jail with pending charges. Once the inmate no longer has pending charges in the jurisdiction, the Department shall be responsible for the housing costs of the inmate for the period beginning on the date the judgment and sentence or final order was ordered by the Court. In the event the inmate has other criminal charges pending in another Oklahoma jurisdiction, the Department shall be responsible for the housing costs while the inmate remains in the county jail awaiting transfer to another jurisdiction or until the date the inmate is scheduled to be transferred to the Department, whichever is earlier. Once the inmate is transferred to another jurisdiction, the Department is not responsible for the housing cost of the inmate until such time that another judgment and sentence is received by the Department from another Oklahoma jurisdiction.

The sheriff may submit invoices for the cost of housing the inmate on a monthly basis. Final payment for housing an offender will be made only after the official judgment and sentence is received by the Department of Corrections.

~~G. Form for Notice of Judgment and Sentencing.~~

In the District Court of _____ County

~~The State of Oklahoma~~

State of Oklahoma, _____)

_____)

Plaintiff _____)

_____)

vs. _____) Case No. _____

_____) The Honorable Judge _____

Defendant _____)

D.O.B. _____)

~~NOTICE OF JUDGMENT AND SENTENCE~~

On this _____ day of _____, _____, to the best knowledge and belief of the undersigned, the conviction(s) and sentence(s) of the above-captioned defendant was/were announced and ordered as follow:

Count 1: _____ O.S. _____

Count 1 Sentence: _____

Count 2: _____ O.S. _____

Count 2 Sentence: _____

Running Concurrently _____ or Running Consecutively _____

With Count _____

Count 3: _____ O.S. _____

Count 3 Sentence: _____

Running Concurrently _____ or Running Consecutively _____

With Count _____

Count 4: _____ O.S. _____

Count 4 Sentence: _____

Running Concurrently _____ or Running Consecutively _____

With Count _____

Credit for time served: _____

_____ Judge of the District Court

_____ or

_____ Clerk of the District Court

2020 DOC Legislative Proposal Survey

NAME:	TITLE/DIVISION:
LOCATION:	
PHONE:	EMAIL:

QUESTION	RESPONSE
1. Briefly describe the issue/problem that you want to address. Remember, this must be something that can be addressed in the Oklahoma statutes.	Identify positions that encompass those assigned to work inside prisons who were not included in last session's bill to increase pay by \$2/hour
2. List the statutory reference. Current statutes can be viewed online at http://www.oklegislature.gov/osStatutesTitle.aspx	Title 57, 528.7
3. Include the recommended language if you have it. If you need to attach it on a separate piece of paper or provide a link to a website, please do so.	
4. Why is this issue important to the Oklahoma Department of Corrections? What are the agency wide implications of the recommendation? How does it affect all departments?	432 DOC staff who work inside prisons were inadvertently left off a bill last year to provide a \$2/hour pay raise.
5. Expected cost to implement this recommendation, OR expected savings if this recommendation is implemented.	\$1,584,076
6. To the best of your knowledge, has this legislative change been attempted previously? If so, when and what was the outcome?	No
7. What are the consequences if this is not addressed during the 2020 legislative session?	
8. Is there anything else we should know when we consider this proposal?	

Effective July 1, 2020, all personnel of the Department of Corrections in the below specified job classifications who were employed by the state on the last working day of June 2020 shall be awarded an increase of up to Two Dollars (\$2.00) per hour over their current hourly wage, or an equivalent amount if not receiving an hourly wage. The Two Dollars (\$2.00) per hour raise will be reduced by a per hour amount proportional to the raise any Department of Corrections employee received in accordance with HB 2771, (2019). In order to qualify for the raise, the employee's assigned work location on the last working day of June 2020, must be either North Fork Correctional Center, Oklahoma City Community Correctional Center or a facility listed in Section 509, Title 57, Oklahoma Statutes.

1. Accountant;
2. Accounting Technician;
3. Administrative Assistant;
4. Administrative Programs Officer;
5. Administrative Specialist;
6. Administrative Technician;
7. Alcohol and Drug Counselor;
8. Business Manager;
9. Business Process Analyst;
10. Chaplain;
11. Chief Dental Officer;
12. Community Corrections Center Director;
13. Correctional Activities Officer;
14. Correctional Training Officer;
15. Deputy Warden;
16. Director of Classification/Population;
17. Electrician;
18. Executive Secretary;
19. Facility Classification Manager;
20. Fleet Specialist;
21. Human Resources Management Specialist;

22. Maintenance Technician;
23. Mechanical Systems Technician;
24. Offender Program Coordinator;
25. Physical Plant Operator;
26. Population Coordinator;
27. Program Facilitator;
28. Program Manager;
29. Secretary;
30. Substance Abuse Program Coordinator;
31. Temporary;
32. Transition Coordinator;
33. Warden;
34. Wastewater Treatment Operator.

NAME: Probation and Parole Services	TITLE/DIVISION: Probation and Parole Services
LOCATION:	
PHONE: 405-425-2690	EMAIL:

QUESTION	RESPONSE
<p>1. Briefly describe the issue/problem that you want to address. Remember, this must be something that can be addressed in the Oklahoma statutes.</p>	<p>Since inception of the Community Sentencing program, Administrative fees have been expended without the constructs of the Oklahoma Central Purchasing Act. The restrictions therein prevent the program from providing services and incentives to participants as a part of the best practices model.</p>
<p>2. List the statutory reference. Current statutes can be viewed online at http://www.oklegislature.gov/osStatuesTitle.aspx</p>	<p>Title 57 Section 557.2</p>
<p>3. Include the recommended language if you have it.</p> <p>If you need to attach it on a separate piece of paper or provide a link to a website, please do so.</p>	<p>There is hereby created in the State Treasury a revolving fund for the Community Sentencing Division within the Department of Corrections to be designated the "Oklahoma Community Sentencing Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all funds appropriated to it by the Legislature, grants, gifts, bequests and any other lawful money received for the benefit of the statewide community sentencing system. All funds received shall be deposited to the fund. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Division for state funding to approved community sentencing systems established pursuant to the provisions of the Oklahoma Community Sentencing Act. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment and are exempt from the Oklahoma Central Purchasing Act.</p>
<p>4. Why is this issue important to the Oklahoma Department of Corrections? What are the agency wide implications of the recommendation? How does it affect all departments?</p>	<p>This changes allows the Department to expend funds from the Community Sentencing Revolving Fund that is line with best practices for community supervision and diversionary programs.</p>
<p>5. Expected cost to implement this recommendation, OR expected savings if this recommendation is implemented.</p>	<p>There are no cost associated with implementation.</p>

6. To the best of your knowledge, has this legislative change been attempted previously? If so, when and what was the outcome?	No
7. What are the consequences if this is not addressed during the 2020 legislative session?	The Department will not be able to properly provide the much needed incentives for Community Sentencing.
8. Is there anything else we should know when we consider this proposal?	No.

Title 57
Section 557.2

There is hereby created in the State Treasury a revolving fund for the Community Sentencing Division within the Department of Corrections to be designated the "Oklahoma Community Sentencing Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all funds appropriated to it by the Legislature, grants, gifts, bequests and any other lawful money received for the benefit of the statewide community sentencing system. All funds received shall be deposited to the fund. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Division for state funding to approved community sentencing systems established pursuant to the provisions of the Oklahoma Community Sentencing Act. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment and are exempt from the Oklahoma Central Purchasing Act.

2020 DOC Legislative Proposal Survey

NAME: Gary Elliott	TITLE/DIVISION: Legal Division
LOCATION: Admin	
PHONE: 425-2517	EMAIL: gary.elliott@doc.ok.gov

QUESTION	RESPONSE
<p>1. Briefly describe the issue/problem that you want to address. Remember, this must be something that can be addressed in the Oklahoma statutes.</p>	<p>57 O.S. 508, dictates an organizational structure that is not strictly followed by the agency and hasn't been for many years. Additionally, it sets certain educational and experience requirements for Deputy Directors that must report directly to the Director. The statute is unduly restrictive and outdated. 57 O.S. 505, provides the Director with the necessary authority to organize the agency as he sees fit with the approval of the</p>
<p>2. List the statutory reference. Current statutes can be viewed online at http://www.oklegislature.gov/osStatutesTitle.aspx</p>	<p>57 O.S. 508</p>
<p>3. Include the recommended language if you have it.</p> <p>If you need to attach it on a separate piece of paper or provide a link to a website, please do so.</p>	<p>I recommend repealing 57 O.S. 508.</p>
<p>4. Why is this issue important to the Oklahoma Department of Corrections? What are the agency wide implications of the recommendation? How does it affect all departments?</p>	<p>Implementing the recommended change allows the agency to move forward with organizational changes without violating the law. There are no agency wide implications. It will not affect and department.</p>
<p>5. Expected cost to implement this recommendation, OR expected savings if this recommendation is implemented.</p>	<p>No cost are associated with this proposal.</p>
<p>6. To the best of your knowledge, has this legislative change been attempted previously? If so, when and what was the outcome?</p>	<p>No.</p>
<p>7. What are the consequences if this is not addressed during the 2020 legislative session?</p>	<p>We would continue to operate organized in a manner that is somewhat inconsistent with the statute.</p>
<p>8. Is there anything else we should know when we consider this proposal?</p>	<p>No.</p>

2020 Legislation of Interest

Bill: SB 1772	House of Origin: Senate
Impact: This bill proposes dissolving the Board of Corrections	
Author: Senator Roger Thompson	

Bill Language:

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1172

By: Thompson

4
5
6 AS INTRODUCED

7 An Act relating to the State Board of Corrections;
8 amending 57 O.S. 2011, Section 502, as last amended
9 by Section 1, Chapter 259, O.S.L. 2016 (57 O.S. Supp.
10 2019, Section 502); which relates to definitions;
11 amending 57 O.S. 2011, Section 505, which relates to
12 the Department of Corrections; amending 57 O.S. 2011,
13 Section 507, which relates to the powers and duties
14 of the Director; amending 57 O.S. 2011, Section 508,
15 as amended by Section 2, Chapter 267, O.S.L. 2012 (57
16 O.S. Supp. 2019, Section 508), which relates to
17 divisions and deputy directors; amending 57 O.S.
18 2011, Section 508.1, which relates to the legal
19 division; amending 57 O.S. 2011, Section 508.3, which
20 relates to the construction division; amending 57
21 O.S. 2011, Section 510, as last amended by Section 1,
22 Chapter 279, O.S.L. 2018 (59 O.S. Supp. 2019, Section
23 510), which relates to the Director's specific powers
24 and duties; amending 57 O.S. 2011, Sections 525, 528,
543 and 545, which relate to offices and residences
for wardens, duties of employees, work release
centers and employment of inmates; amending 57 O.S.
2011, Section 549, as amended by Section 1, Chapter
265, O.S.L. 2014 (57 O.S. Supp. 2019, Section 549),
which relates to the powers and duties of the Board
of Corrections; amending 57 O.S. 2011, Section 549.1,
as last amended by Section 2, Chapter 197, O.S.L.
2018 (59 O.S. Supp. 2019, Section 549.1), which
relates to purchase of prison industries goods and
services; amending 57 O.S. 2011, Section 561, as
amended by Section 255, Chapter 304, O.S.L. 2012 (57
O.S. Supp. 2019, Section 561), which relates to
private prison contractors; modifying statutory
references; modifying entities; updating statutory
language; repealing 57 O.S. 2011, Section 503, as
amended by Section 1, Chapter 3, O.S.L. 2019 (57 O.S.

1 Supp. 2019, Section 503), which relates to the
2 creation of the State Board of Corrections; repealing
3 57 O.S. 2011, Section 504, which relates to the
4 powers and duties of the board; repealing 57 O.S.
5 2011, Section 550, which relates to designation of
6 persons to act on behalf of the Board; and providing
7 an effective date.

8 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

9 SECTION 1. AMENDATORY 57 O.S. 2011, Section 502, as last
10 amended by Section 1, Chapter 259, O.S.L. 2016 (57 O.S. Supp. 2019,
11 Section 502), is amended to read as follows:

12 Section 502. As used in this title, unless the context
13 otherwise requires:

14 1. ~~"Board" means the State Board of Corrections;~~

15 ~~2.~~ "Department" means the Department of Corrections of this
16 state;

17 ~~3.~~ 2. "Director" means the Director of the Department of
18 Corrections;

19 ~~4.~~ 3. "Halfway house" means a private facility for the
20 placement of inmates in a community setting for the purpose of
21 reintegrating into the community inmates who are nearing their
22 release dates. The term shall not include private prisons;

23 ~~5.~~ 4. "Institutions" means the Oklahoma State Penitentiary
24 located at McAlester, Oklahoma; the Oklahoma State Reformatory
located at Granite, Oklahoma; the Lexington Assessment and Reception

1 Center located at Lexington, Oklahoma; the Joseph Harp Correctional
2 Center located at Lexington, Oklahoma; the Jackie Brannon
3 Correctional Center located at McAlester, Oklahoma; the Howard C.
4 McLeod Correctional Center located at Farris, Oklahoma; the Mack H.
5 Alford Correctional Center located at Stringtown, Oklahoma; the Jim
6 E. Hamilton Correctional Center located at Hodgen, Oklahoma; the
7 Mabel Bassett Correctional Center located at McLoud, Oklahoma; the
8 R.B. "Dick" Conner Correctional Center located at Hominy, Oklahoma;
9 the James Crabtree Correctional Center located at Helena, Oklahoma;
10 the Jess Dunn Correctional Center located at Taft, Oklahoma; the
11 John Lilley Correctional Center located at Boley, Oklahoma; the
12 William S. Key Correctional Center located at Fort Supply, Oklahoma;
13 the Dr. Eddie Walter Warrior Correctional Center located at Taft,
14 Oklahoma; the Northeast Oklahoma Correctional Center located at
15 Vinita, Oklahoma; the Clara Waters and Kate Barnard Community
16 Corrections Centers located at Oklahoma City, Oklahoma; the
17 Community Corrections Centers located at Lawton, Enid, Oklahoma City
18 and Union City; the Charles E. "Bill" Johnson Correctional Center,
19 located east of Alva, Oklahoma; the Southern Oklahoma Resource
20 Center located at Pauls Valley, Oklahoma; and other facilities under
21 the jurisdiction and control of the Department of Corrections or
22 hereafter established by the Department of Corrections;

23 ~~6.~~ 5. "Intermediate revocation facility" means a corrections
24 center operated by the Department of Corrections or a private
25

1 facility or public trust operating pursuant to contract with the
2 Department of Corrections which provides housing and intensive
3 programmatic services for offenders who have violated the terms or
4 conditions of probation as determined by a supervising probation
5 officer. "Intensive programmatic services" offered by the
6 Department of Corrections includes, but shall not be limited to,
7 alcohol and substance abuse counseling and treatment, mental health
8 counseling and treatment and domestic violence courses and treatment
9 programs;

10 ~~7.~~ 6. "Intermediate sanctions facility" means a community
11 corrections center operated by the Department of Corrections or a
12 private facility or public trust operating pursuant to contract with
13 the Department of Corrections which provides for the housing and
14 programmatic services of offenders such as probation or parole
15 violators or community sentenced offenders placed in the facility
16 for disciplinary sanctions, work release offenders, offenders who
17 need intensive programmatic services, or offenders who have
18 demonstrated positive adjustment while in an institutional setting
19 who need additional programmatic services to enhance their reentry
20 into society upon release from a prison term; and

21 ~~8.~~ 7. "Private prison contractor" means:

- 22 a. a nongovernmental entity or public trust which,
23 pursuant to a contract with the Department of
24 Corrections, operates an institution within the

1 Department other than a halfway house or intermediate
2 sanctions facility, or provides for the housing, care,
3 and control of inmates and performs other functions
4 related to these responsibilities within a minimum,
5 medium, or maximum security level facility not owned
6 by the Department but operated by the contractor, or
7 b. a nongovernmental entity or public trust which,
8 pursuant to a contract with the United States or
9 another state, provides for the housing, care, and
10 control of minimum or medium security inmates in the
11 custody of the United States or another state, and
12 performs other functions related to these
13 responsibilities other than a halfway house or
14 intermediate sanctions facility within a facility
15 owned or operated by the contractor.

16 SECTION 2. AMENDATORY 57 O.S. 2011, Section 505, is
17 amended to read as follows:

18 Section 505. There is hereby created the Department of
19 Corrections which shall consist of divisions, subdivisions,
20 institutions, and such sections, offices and positions as may be
21 established by the Director, ~~subject to the approval of the Board,~~
22 or by law.

23 SECTION 3. AMENDATORY 57 O.S. 2011, Section 507, is
24 amended to read as follows:

1 Section 507. The Director shall be the executive officer of the
2 Department and shall have the following general powers and duties:

3 ~~(a)~~ A. To supervise the activities of the Department and
4 ~~subject to the policies established by the Board,~~ to act for the
5 Department in all matters, except as may be otherwise provided in
6 ~~this act~~ the Oklahoma Corrections Act of 1967.

7 ~~(b)~~ B. To prescribe rules and regulations for the operation of
8 the Department, ~~consistent with the general policies established by~~
9 ~~the Board.~~

10 ~~(c)~~ C. To appoint and fix the duties and salaries of such
11 personnel for the Department as may be necessary to administer and
12 carry out the provisions of ~~this act~~ the Oklahoma Corrections Act of
13 1967. The Department and the employees thereof, except ~~the members~~
14 ~~of the Board~~ and the Director shall be subject to the provisions of
15 the State Merit System of Personnel Administration, but the Governor
16 may by Executive Order exempt positions therefrom as authorized by
17 Section 802 of Title 74 of the Oklahoma Statutes, except as may be
18 otherwise provided in ~~this act~~ the Oklahoma Corrections Act of 1967.

19 ~~(d)~~ D. To accept, use, disburse and administer grants,
20 allotments, gifts, devises, bequests, appropriations and other
21 monies and property offered or given to the Department, or any
22 component or agency thereof, by any agency of the federal government
23 or any corporation or individual for the use of the Department.
24
25

1 SECTION 4. AMENDATORY 57 O.S. 2011, Section 508, as
2 amended by Section 2, Chapter 267, O.S.L. 2012 (57 O.S. Supp. 2018,
3 Section 508), is amended to read as follows:

4 Section 508. The Director, ~~subject to the approval of the~~
5 ~~Board,~~ is hereby authorized to create divisions within the
6 Department of Corrections as he may deem appropriate to effectively
7 manage the Department. The divisions shall be under the immediate
8 supervision and control of the Director. The Director is hereby
9 authorized to appoint Deputy Directors for the divisions of the
10 Department, who shall be exempt from the Merit System of Personnel
11 Administration Act, and to fix the salaries and duties thereof;
12 provided, the salary ranges of ~~said~~ the Deputy Directors shall be
13 set by the Legislature in the Department's annual appropriation.
14 The Deputy Directors shall have at least a master's degree from an
15 accredited college or university and at least four (4) years of
16 professional level work experience in corrections; or a bachelor's
17 degree and at least five (5) years of work experience in
18 corrections. Provided, however, that for the position of Deputy
19 Director of administrative services, professional level
20 administrative experience may be substituted for work experience in
21 corrections. The provisions of ~~this act~~ the Oklahoma Corrections
22 Act of 1967 shall not apply to those presently serving as Deputy
23 Director as herein defined.
24
25

1 SECTION 5. AMENDATORY 57 O.S. 2011, Section 508.1, is
2 amended to read as follows:

3 Section 508.1. There is hereby created within the Department of
4 Corrections a Legal Division. The Director may employ or contract
5 with attorneys as needed and determine their salaries. These
6 attorneys may advise the Director, ~~the Board of Corrections,~~
7 administrative supervisors of facilities and Department personnel on
8 legal matters and may appear for and represent the Director, ~~the~~
9 ~~Board of Corrections,~~ administrative supervisors of facilities and
10 Department personnel in administrative hearings and other legal
11 actions and proceedings.

12 SECTION 6. AMENDATORY 57 O.S. 2011, Section 508.3, is
13 amended to read as follows:

14 Section 508.3. A. There is hereby created the Construction
15 Division within the Department of Corrections. The purpose of the
16 division shall be to provide inmate construction crews for
17 construction projects of the Department of Corrections.

18 B. The Director of the Department of Corrections shall adopt
19 and promulgate such rules as may be necessary to carry out the
20 duties of the Construction Division and shall appoint a Director of
21 the division who shall administer the activities of the division.

22 C. 1. An inmate working for the Construction Division of the
23 Department of Corrections shall be subject to all rules established
24 for inmate work ~~by the State Board of Corrections~~ and subject to all
25

1 statutes governing the operation of the Construction Division of the
2 Department of Corrections.

3 2. Inmates working for the Construction Division are not state
4 employees, and are specifically forbidden from organizing into
5 unions or other associations in connection with their work or from
6 engaging in any strike, work stoppage, slowdown or collective
7 bargaining process. This prohibition applies to any inmates forming
8 a union local or similar organization at any Construction Division
9 project or location; provided, however, it shall not prohibit any
10 inmate from otherwise achieving or retaining status as a union
11 member.

12 3. The claims of the state against an inmate to cover the costs
13 of incarceration of an inmate shall be prior to the unsecured claims
14 of any creditor.

15 4. The authorization for an inmate to work for the Construction
16 Division is a privilege granted to the inmate by the state which may
17 be revoked by the Director of the Department of Corrections.

18 5. As used in paragraph 3 of this subsection, "costs of
19 incarceration" shall include all costs associated with maintaining
20 an inmate in the custody of the Department of Corrections and shall
21 include costs paid by the state for medical care for the inmate.

22 SECTION 7. AMENDATORY 57 O.S. 2011, Section 510, as last
23 amended by Section 1, Chapter 279, O.S.L. 2018 (57 O.S. Supp. 2019,
24 Section 510), is amended to read as follows:
25

1 Section 510. A. The Director of the Department of Corrections
2 shall have the following specific powers and duties relating to the
3 penal institutions:

4 1. To appoint, ~~subject to the approval of the State Board of~~
5 ~~Corrections,~~ a warden for each penal institution;

6 2. To fix the duties of the wardens and to appoint and fix the
7 duties and compensation of such other personnel for each penal
8 institution as may be necessary for the proper operation thereof.

9 However, correctional officers hired after November 1, 1995, shall
10 be subject to the following qualifications:

11 a. the minimum age for service shall be twenty (20) years
12 of age. The Director shall have the authority to
13 establish the maximum age for correctional officers
14 entering service,

15 b. possession of a minimum of thirty (30) semester hours
16 from an accredited college or university, or
17 possession of a high school diploma acquired from an
18 accredited high school or GED equivalent testing
19 program,

20 c. satisfactory completion of minimum testing or
21 professional evaluation through the Merit System of
22 Personnel Administration to determine the fitness of
23 the individual to serve in the position. All written
24

1 evaluations shall be submitted to the Department of
2 Corrections, and

3 d. satisfactory completion of a physical in keeping with
4 the conditions of the job description on an annual
5 basis and along the guidelines as established by the
6 Department of Corrections;

7 3. The Director shall designate as correctional peace officers,
8 correctional officers who are employed in job classifications of
9 correctional security officer, correctional security manager,
10 correctional chief of security and chief of security upon
11 satisfactory completion of a basic course of instruction for
12 correctional officers, as provided for in paragraph 4 of this
13 subsection. The peace officer authority of employees designated as
14 correctional peace officers shall be limited to: maintaining
15 custody of prisoners; preventing attempted escapes; pursuing,
16 recapturing and incarcerating escapees and parole or probation
17 violators and arresting such escapees, parole or probation
18 violators; serving warrants; carrying firearms; preventing
19 contraband from entering any penal institutions; arresting
20 individuals who commit crimes at any penal institution; and
21 performing any duties specifically required for the job
22 descriptions. Such powers and duties of correctional peace officers
23 may be exercised for the purpose of maintaining custody, security,
24 and control of any prisoner being transported inside and outside

1 this state as authorized by the Uniform Criminal Extradition Act and
2 the Interstate Corrections Compact. The Director may implement
3 policies that place additional limitations on the authority of
4 correctional peace officers. The Director shall issue an
5 identification card to each correctional peace officer that
6 identifies the person as a correctional peace officer and grants the
7 person the authority to carry a firearm and make arrests pursuant to
8 this paragraph. Should a correctional peace officer terminate
9 employment for any reason, fail to remain qualified as a
10 correctional peace officer or for reasons stated in policies of the
11 Department, the correctional peace officer shall return the
12 identification card to the supervisor of the correctional peace
13 officer immediately;

14 4. To develop and implement, ~~upon approval of the State Board~~
15 ~~of Corrections,~~ a basic course of instruction for correctional
16 officers that consists of a training academy that provides not less
17 than two hundred (200) hours of core curriculum instruction and a
18 firearms training program that provides not less than twenty (20)
19 hours of instruction. The basic course of instruction shall be
20 subject to the following:

- 21 a. the minimum qualifying score that must be shot to pass
22 the firearms training program shall be equal to the
23 minimum qualifying score required by the Council on
24

1 Law Enforcement Education and Training for peace
2 officers, and

3 b. the Director may waive any number of hours or courses
4 required to complete the basic course of instruction
5 for any person who, in the opinion of the Director,
6 has received sufficient training or experience that
7 such hours of instruction would be unduly burdensome
8 or duplicative; however, completion of the firearms
9 training program shall not be waived;

10 5. To develop and implement annual in-service training for
11 correctional officers that consists of at least forty (40) hours of
12 continued corrections education and annual recertification of
13 firearms proficiency. The minimum qualifying score that must be
14 shot to requalify for recertification of firearms proficiency shall
15 be equal to the minimum qualifying score required by the Council on
16 Law Enforcement Education and Training for the requalification of
17 peace officers;

18 6. To require any person employed as a correctional security
19 officer, correctional security manager, correctional chief of
20 security and chief of security to remain qualified as a correctional
21 peace officer. Any correctional peace officer who is unable to
22 remain qualified as a correctional peace officer may be offered an
23 available position within the Department in the same or lesser pay
24

1 grade for which the employee is eligible, or the employee may be
2 terminated;

3 7. To authorize other employees of the Department to carry
4 firearms anywhere in the state to use for self-defense pursuant to
5 and consistent with policies developed by the Department upon
6 satisfactory completion of the firearms training program provided
7 for in paragraph 4 of this subsection. The Director shall issue an
8 identification card to each authorized employee that grants the
9 employee the authority to carry a firearm pursuant to the provisions
10 of this paragraph. Should an authorized employee terminate
11 employment for any reason, fail to remain qualified to carry a
12 firearm, or for reasons stated in the policies of the Department,
13 the authorized employee shall immediately return the identification
14 card to the supervisor of the employee and shall no longer be
15 authorized to carry firearms under the authority of this paragraph;

16 8. To maintain such industries, factories, plants, shops,
17 farms, and other enterprises and operations, hereinafter referred to
18 as prison industries, at each penal institution as the ~~State Board~~
19 Department of Corrections deems necessary or appropriate to employ
20 the prisoners or teach skills, or to sustain the penal institution,
21 ~~and as provided for by policies established by the State Board of~~
22 ~~Corrections,~~ to allow compensation for the work of the prisoners,
23 and to provide for apportionment of inmate wages, the amounts thus
24 allowed to be kept in accounts ~~by the Board~~ for the prisoners and
25

1 given to, the inmates upon discharge from the penal institution, or
2 upon an order paid to their families or dependents or used for the
3 personal needs of the prisoners. Any industry that employs
4 prisoners shall be deemed a "State Prison Industry" if the prisoners
5 are paid from state funds including the proceeds of goods sold as
6 authorized by Section 123f of Title 74 of the Oklahoma Statutes.
7 Any industry in which wages of prisoners are paid by a
8 nongovernmental person, group, or corporation, except those
9 industries employing prisoners in work-release centers under the
10 authority of the Department of Corrections shall be deemed a
11 "Private Prison Industry";

12 9. To assign residences at each penal institution to penal
13 institutional personnel and their families;

14 10. To provide for the education, training, vocational
15 education, rehabilitation, and recreation of prisoners;

16 11. To regulate the operation of canteens for prisoners;

17 12. To prescribe rules for the conduct, management, and
18 operation of each penal institution, including rules for the
19 demeanor of prisoners, the punishment of recalcitrant prisoners, the
20 treatment of incorrigible prisoners, and the disposal of property or
21 contraband seized from inmates or offenders under the supervision of
22 the Department;

23 13. To transfer prisoners from one penal institution to
24 another;

1 14. To establish procedures that ensure inmates are educated
2 and provided with the opportunity to execute advance directives for
3 health care in compliance with Section 3101.2 of Title 63 of the
4 Oklahoma Statutes. The procedures shall ensure that any inmate
5 executing an advance directive for health care is competent and
6 executes the directive with informed consent;

7 15. To maintain courses of training and instruction for
8 employees of the Department;

9 16. To maintain a program of research and statistics;

10 17. To provide for the periodic audit, at least once annually,
11 of all funds and accounts of each penal institution and the funds of
12 each prisoner;

13 18. To provide, ~~subject to rules established by the State Board~~
14 ~~of Corrections,~~ for the utilization of inmate labor for any agency
15 of the state, city, town, or subdivision of this state, upon the
16 duly authorized request for such labor by the agency. The inmate
17 labor shall not be used to reduce employees or replace regular
18 maintenance or operations of the agency. The inmate labor shall be
19 used solely for public or state purposes. No inmate labor shall be
20 used for private use or purpose. Insofar as it is practicable, all
21 inmate labor shall be of such a nature and designed to assist and
22 aid in the rehabilitation of inmates performing the labor;

23 19. To provide clerical services for, and keep and preserve the
24 files and records of, the Pardon and Parole Board; make
25

1 investigations and inquiries as to prisoners at the penal
2 institutions who are to be, or who might be, considered for parole
3 or other clemency; assist prisoners who are to be, or who might be,
4 considered for parole or discharge in obtaining suitable employment
5 in the event of parole or discharge; report to the Pardon and Parole
6 Board, for recommendation to the Governor, violations of terms and
7 conditions of paroles; upon request of the Governor, make
8 investigations and inquiries as to persons who are to be, or who
9 might be, considered for reprieves or leaves of absence; report to
10 the Pardon and Parole Board, for recommendation to the Governor,
11 whether a parolee is entitled to a pardon, when the terms and
12 conditions of the parole have been completed; make presentence
13 investigations for, and make reports thereof to, trial judges in
14 criminal cases consistent with other laws of the state; supervise
15 persons on felony probation or parole; and develop and operate,
16 ~~subject to the policies and guidelines of the Board,~~ work-release
17 centers, community treatment facilities or prerelease programs at
18 appropriate sites throughout this state;

19 20. To establish an employee tuition assistance program and
20 promulgate rules in accordance with the Administrative Procedures
21 Act for the operation of the program. The rules shall include, but
22 not be limited to, program purposes, eligibility requirements, use
23 of tuition assistance, service commitment to the Department,
24 reimbursement of tuition assistance funds for failure to complete

1 course work or service commitment, amounts of tuition assistance and
2 limitations, and record keeping;

3 21. To establish an employee recruitment and referral incentive
4 program and promulgate rules in accordance with the Administrative
5 Procedures Act for the operation of the program. The rules shall
6 include, but not be limited to, program purposes, pay incentives for
7 employees, eligibility requirements, payment conditions and amounts,
8 payment methods, and record keeping;

9 22. To provide reintegration referral services to any person
10 discharged from the state custody who has volunteered to receive
11 reintegration referral services. The Director may assign staff to
12 refer persons discharged from state custody to services. The
13 Director shall promulgate rules for the referral process. All
14 reintegration referral services shall be subject to the availability
15 of funds;

16 23. To conduct continual planning and research and periodically
17 evaluate the effectiveness of the various correctional programs
18 instituted by the Department; manage the designing, building, and
19 maintaining of all the capital improvements of the Department;
20 establish and maintain current and efficient business, bookkeeping,
21 and accounting practices and procedures for the operations of all
22 penal institutions and facilities, and for the Department's fiscal
23 affairs; conduct initial orientation and continuing in-service
24 training for the Department employees; provide public information

1 services; inspect and examine the condition and management of state
2 penal and correctional institutions; investigate complaints
3 concerning the management of prisons or alleged mistreatment of
4 inmates thereof; and hear and investigate complaints as to
5 misfeasance or nonfeasance of employees of the Department;

6 24. To authorize any division of the Department to sell
7 advertising in any Department-approved publication, media production
8 or other informational material produced by the Department;
9 provided, that such advertising shall be approved by the Director or
10 designee prior to acceptance for publication. The sale of
11 advertising and negotiation of rates for the advertising shall not
12 be subject to The Oklahoma Central Purchasing Act or the
13 Administrative Procedures Act. The Department shall promulgate
14 rules establishing criteria for accepting or using advertisements as
15 authorized in this paragraph;

16 25. To issue subpoenas to assist or further investigations into
17 allegations of crimes committed in public or private prisons within
18 the State of Oklahoma. Subpoenas issued by the Director shall be
19 enforced by the District Court in Oklahoma County, Oklahoma;

20 26. To authorize award of the badge of an employee who dies
21 while employed by the Department to the spouse or next of kin of the
22 deceased employee;

23 27. To establish, in conjunction with the Information Services
24 Division of the Office of Management and Enterprise Services, an
25

1 emergency alert notification system for the public, capable of
2 distributing notifications of facility emergencies or prisoner
3 escapes for all facilities and each facility of the Department of
4 Corrections;

5 28. To declare an emergency when, due to shortage of staff,
6 correctional officers at a facility are required to work more than
7 two double shifts in a seven-day period. As used in this paragraph,
8 "double shift" means two eight-hour shifts in a twenty-four-hour
9 period; and

10 29. To enter into contracts with media or film production
11 companies to allow the Department to authorize a media or film
12 production company to shoot commercial films at penal institutions
13 and other property under the control of the Department. Any funds
14 received pursuant to ~~said~~ the contracts shall be deposited into the
15 Department of Corrections Revolving Fund.

16 B. When an employee of the Department of Corrections has been
17 charged with a violation of the rules of the Department or with a
18 felony pursuant to the provisions of a state or federal statute, the
19 Director may, in the Director's discretion, suspend the charged
20 employee, in accordance with the Oklahoma Personnel Act and/or the
21 Merit System of Personnel Administration Rules, pending the hearing
22 and final determination of the charges. Notice of suspension shall
23 be given by the Director, in accordance with the provisions of the
24 Oklahoma Personnel Act. If after completion of the investigation of

1 the charges, it is determined that such charges are without merit or
2 are not sustained before the Oklahoma Merit Protection Commission or
3 in a court of law, the employee shall be reinstated and shall be
4 entitled to receive all lost pay and benefits.

5 This subsection shall in no way deprive an employee of the right
6 of appeal according to the Oklahoma Personnel Act.

7 SECTION 8. AMENDATORY 57 O.S. 2011, Section 525, is
8 amended to read as follows:

9 Section 525. On and after October 1, 1982, the ~~Board~~ Department
10 of Corrections shall provide offices and residences for the wardens
11 at the Oklahoma State Penitentiary and the Oklahoma State
12 Reformatory and shall furnish and maintain them but shall not
13 provide allowance for actual subsistence expenses for their families
14 and guests therein, out of appropriated funds.

15 SECTION 9. AMENDATORY 57 O.S. 2011, Section 528, is
16 amended to read as follows:

17 Section 528. The Director of the Department of Corrections
18 shall appoint and fix the duties and compensation of employees
19 necessary to carry out the duties imposed upon the Department of
20 Corrections by law. ~~The State Board of Corrections shall appoint~~
21 ~~the Director of the Department of Corrections with the advice and~~
22 ~~consent of the Senate. The salary of the Director shall be set by~~
23 ~~the Legislature in the annual appropriation bill.~~

1 SECTION 10. AMENDATORY 57 O.S. 2011, Section 543, is
2 amended to read as follows:

3 Section 543. The Department of Corrections, if authorized by
4 the Legislature, may establish and operate work release centers or
5 community treatment centers, under appropriate statutory authority,
6 and in accordance with rules and regulations as promulgated by the
7 ~~Board of Corrections~~ Department.

8 SECTION 11. AMENDATORY 57 O.S. 2011, Section 545, is
9 amended to read as follows:

10 Section 545. A. Any inmate employed by any prison industry
11 shall be subject to all rules established for his employment ~~by the~~
12 ~~State Board of Corrections~~ and to all statutes governing the
13 operation of state prison industries as well as by all laws
14 generally governing employment, wages and working conditions except
15 as provided for herein.

16 B. Inmates employed by prison industries are not state
17 employees, and they are specifically forbidden from organizing into
18 unions or other associations in connection with their employment or
19 from engaging in any strike, work stoppage, slowdown or collective
20 bargaining process. This prohibition applies to any inmates forming
21 a union local or similar organization at any prison industry but it
22 shall not prohibit any inmate from otherwise achieving or retaining
23 status as a union member.

1 C. The claims of the state against an inmate to cover the costs
2 of incarceration of an inmate shall be prior to the unsecured claims
3 of any creditor.

4 D. The employment of any inmate by any prison industry is a
5 privilege granted by the state which may be revoked by the Director
6 of the Department of Corrections.

7 E. As used in subsection C of this section, "costs of
8 incarceration" shall include all costs associated with maintaining
9 an inmate in the custody of the Department of Corrections and shall
10 include costs paid by the state for medical care for the inmate.

11 SECTION 12. AMENDATORY 57 O.S. 2011, Section 549, as
12 amended by Section 1, Chapter 265, O.S.L. 2014 (57 O.S. Supp. 2019,
13 Section 549), is amended to read as follows:

14 Section 549. A. The ~~State Board~~ Department of Corrections
15 shall have the following powers and duties with respect to the
16 operation of prison industries, the Construction Division, and
17 administration of inmate trust funds:

18 1. The power to make leases or other contracts consistent with
19 the operation of prison industries, and to set aside land or
20 facilities for the use of such industry;

21 2. The power to establish conditions for expenditures by the
22 Department of Corrections from the Industries Revolving Fund;

23 3. The power to negotiate wages and working conditions on
24 behalf of prisoners working in prison industries or prisoners
25

1 working in the Construction Division. Pay grades for the
2 Construction Division "on-the-job training" inmate crews shall be as
3 follows:

- 4 a. Pay Grade "A" - Inmate Worker,
- 5 b. Pay Grade "B" - Inmate Worker,
- 6 c. Pay Grade "C" - Apprentice,
- 7 d. Pay Grade "D" - Skilled Craft;

8 4. The power to collect wages and other receipted funds on
9 behalf of the inmate, to apportion inmate wages and funds in
10 accordance with the law; and the duty to preserve those wages and
11 funds reserved for the inmate in an account for his or her benefit,
12 and to establish procedures by which the inmate can draw funds from
13 this account under the conditions and limitations and for the
14 purposes allowed by law;

15 5. The duty to establish the percentages of such wages which
16 shall be available for apportionment to inmate mandatory savings; to
17 the inmate for his or her personal use; to the lawful dependents of
18 the inmate, if any; to the victim of the inmate's crime; for payment
19 of creditors; for payment of costs and expenses for criminal actions
20 against such inmate; and to the Department of Corrections for costs
21 of incarceration. Provided, that not less than twenty percent (20%)
22 of such wages shall be placed in an account, and shall be payable to
23 the prisoner upon his or her discharge; however, inmates with a
24 sentence of life without the possibility of parole shall be exempt

1 from this provision. Funds from this account may be used by the
2 inmate for fees or costs in filing a civil or criminal action as
3 defined in Section 151 et seq. of Title 28 of the Oklahoma Statutes
4 or for federal action as defined in Section 1911 et seq. of Title 28
5 of the United States Code, 28 U.S.C., Section 1911 et seq.;

6 6. The power to invest funds held by the Department of
7 Corrections on behalf of each inmate in an interest-bearing account
8 with the interest accruing and payable to the Crime Victims
9 Compensation Revolving Fund, as provided in Section 142.17 of Title
10 21 of the Oklahoma Statutes. The interest from each inmate's
11 savings account shall be payable to the Crime Victims Compensation
12 Revolving Fund, at such intervals as may be determined by the ~~Board~~
13 Department, in addition to any other payments to such fund required
14 by the inmate's sentence or otherwise by law. An inmate shall not
15 have the right, use or control of any interest derived from any
16 funds placed in a mandatory savings account;

17 7. The power to invest funds held by the Department of
18 Corrections on behalf of each inmate in a commingled offender
19 interest-bearing account held by the Office of the State Treasurer.
20 The State Treasurer shall post interest to this account monthly.
21 The Department of Corrections, ~~at such intervals as may be~~
22 ~~determined by the Board~~, will credit interest to the inmate based on
23 the pro rata account balance of the inmate. Deposits into the
24 inmate interest-bearing account will only be allowed when the trust

1 fund draw account of the inmate has a balance in excess of One
2 Hundred Dollars (\$100.00). Inmate mandatory savings account
3 balances will not be used to determine the eligibility of the inmate
4 to participate in the interest-bearing savings account. Inmates who
5 participate in the interest-bearing account will only be allowed to
6 transfer funds from their interest-bearing account to their draw
7 account once every ninety (90) days. All inmate transfers from the
8 interest-bearing account of the inmate to the draw account of the
9 inmate must be approved by appropriate Department staff prior to
10 transfer. All transfers of funds from an inmate interest-bearing
11 account to external recipients must be reviewed and approved by
12 appropriate Department staff prior to transfer. The Department will
13 define in policy those rules and procedures that govern inmate
14 interest-bearing account deposits and funds transfers; and

15 8. The power to invest canteen system, offender restitution and
16 other offender-related collections by the Department of Corrections
17 in a commingled interest-bearing account held by the Office of the
18 State Treasurer and invested as prescribed by Section 89.2 of Title
19 62 of the Oklahoma Statutes. The State Treasurer shall post
20 interest to this account monthly. By the fifteenth day of each
21 month, the proportionate share of the interest from the canteen
22 system, offender restitution and other offender-related collections,
23 excluding that portion of the interest payable to the Victims
24 Compensation Revolving Fund and any interest payable to inmates for

1 the inmate interest-bearing account, shall be remitted to the State
2 Treasurer from the Department of Corrections for deposit into the
3 General Revenue Fund.

4 B. The ~~State Board~~ Department of Corrections shall cause to be
5 placed in an account income from the inmate's employment and any
6 other income or benefits accruing to or payable to and for the
7 benefit of ~~said~~ the inmate, including any workers' compensation or
8 Social Security benefits.

9 1. From this account the ~~State Board~~ Department of Corrections
10 may charge for costs of incarceration any inmate working in private
11 prison industries or any other inmate for costs of incarceration not
12 to exceed fifty percent (50%) of any deposits made to ~~said~~ the
13 account, unless ~~said~~ the deposits were from a workers' compensation
14 benefit.

15 2. From this account, the ~~State Board~~ Department of Corrections
16 may charge any inmate for costs of incarceration, an amount
17 equivalent to one hundred percent (100%) of any deposits from a
18 workers' compensation benefit to ~~said~~ the account.

19 3. The Department of Corrections shall pay into the Crime
20 Victims Compensation Revolving Fund, Section 142.17 of Title 21 of
21 the Oklahoma Statutes, an amount equal to five percent (5%) of the
22 gross wages earned by inmates working in a private prison industries
23 program, ~~said~~ the amount to be paid from the amount deducted for
24 cost of incarceration.

1 4. Withdrawals and deposits shall be made according to rules
2 and regulations established by the ~~State Board~~ Department of
3 Corrections.

4 C. The Department of Corrections may assess costs of
5 incarceration against all inmates beginning on September 1, 1992.
6 Such costs shall be a debt of the inmate owed to the Department of
7 Corrections and may be collected as provided by law for collection
8 of any other civil debt. In addition to the provisions of this
9 section authorizing expenditure of inmate trust funds for costs of
10 incarceration, any monies received for costs of incarceration shall
11 be deposited in the Department of Corrections Revolving Fund.

12 SECTION 13. AMENDATORY 57 O.S. 2011, Section 549.1, as
13 last amended by Section 2, Chapter 197, O.S.L. 2018 (57 O.S. Supp.
14 2019, Section 549.1), is amended to read as follows:

15 Section 549.1. A. The Department of Corrections is authorized
16 to purchase in the manner prescribed by law, facilities, equipment,
17 raw materials and supplies, and to engage the supervisory personnel
18 necessary to establish and maintain for this state at the penal
19 institutions, ~~now or hereafter under the control of the State Board~~
20 ~~of Corrections~~, industries and agricultural programs for the
21 utilization of services of prisoners in the manufacture, production,
22 processing or assembly of the articles or products as may be needed
23 for the construction, operation, maintenance or use of any office,
24 department, institution or agency supported in whole or in part by

1 this state and the political subdivisions thereof. Upon the request
2 of the Oklahoma Historical Society or the Oklahoma Tourism and
3 Recreation Department, the Department of Corrections shall provide
4 labor for and shall produce or manufacture articles, products or
5 materials needed for the repair, construction and maintenance of
6 historical sites and state parks including, but not limited to, the
7 production of materials and products needed for the reconstruction
8 of historic forts in the state.

9 B. All articles and services provided by the Department of
10 Corrections in the state correctional institutions, and not required
11 for use therein, shall be purchased as required by all offices,
12 departments, institutions, agencies, counties, schools, colleges,
13 universities, or political subdivisions or any agency thereof of
14 this state which are supported in whole or in part by this state, if
15 such article or service is the lowest and best bid, and no such
16 article or product may be purchased by any such office, department,
17 institution, agency, county, school, college, university, or
18 political subdivisions or agency thereof from any other source
19 unless excepted from the provisions as hereinafter provided.

20 Purchases made by the above-described state agencies may be made by
21 submitting the proper requisition through the Office of Management
22 and Enterprise Services or by direct order to the prison industries
23 program of the Department of Corrections.

1 C. If a requisition is received by the Office of Management and
2 Enterprise Services or a direct order is received by the Prison
3 Industries Program of the Department of Corrections from a state
4 agency for any product or service provided by the Department of
5 Corrections and such product or service is also available from a
6 severely handicapped person or a qualified nonprofit agency for the
7 severely handicapped as provided in Section 3001 et seq. of Title 74
8 of the Oklahoma Statutes at a comparable price, then the product or
9 service shall be purchased from such severely handicapped person or
10 qualified nonprofit agency for the severely handicapped. If the
11 product or service is not available within the time period required
12 by the purchasing state agency, then such product or service shall
13 be purchased from the Department of Corrections under the provisions
14 of this section.

15 D. All offices, departments, institutions, agencies, counties,
16 cities, districts or political subdivisions, schools, colleges, or
17 universities, or any agency thereof, or any agencies of the state,
18 which are supported in whole or in part by this state, may purchase
19 the goods or services manufactured, produced, processed or assembled
20 by the prison industries of the Department of Corrections through
21 their properly authorized purchasing authority, or they may place a
22 direct order without competitive bid, with the prison industries of
23 the Department of Corrections.

1 E. Not-for-profit corporations or charitable agencies chartered
2 in Oklahoma or other states may purchase such goods and services.
3 Units of the federal government and units of government in other
4 states may also purchase such goods and services. All entities
5 which contract with the state, its political units, its agencies,
6 its public institutions, not-for-profit corporations or charitable
7 agencies chartered in Oklahoma may purchase goods or services from
8 the Department of Corrections which are used in the performance of
9 such contracts. Any church located in the State of Oklahoma may
10 also purchase goods and services manufactured, produced, processed
11 or assembled by the prison industries of the Department of
12 Corrections. Any community action agency or council of governments
13 within this state may purchase housing components produced by the
14 prison industries of the Department of Corrections. Nothing shall
15 prohibit the Department from bidding on portions of a state contract
16 which are subcontracted by the primary contractor.

17 F. Others are prohibited from purchasing such goods and
18 services, with the exception that all surplus agricultural products
19 may be sold on the open market or bartered and exchanged for other
20 food, feed or seed products of comparable value. The Department of
21 Corrections shall keep complete and accurate records of any such
22 barter or exchanges in such form and manner as the Office of
23 Management and Enterprise Services may prescribe. A copy of such
24 records shall be filed with the Office of Management and Enterprise
25

1 Services no later than March 1 of each year for all barters or
2 exchanges occurring in the previous calendar year. When
3 practicable, the Department of Corrections may accept and process
4 agricultural products from the public and may export the resulting
5 products to foreign markets.

6 G. Products manufactured, produced, processed or assembled by
7 the Department of Corrections shall be of styles, patterns, designs
8 and quantities specified by the Department of Corrections except
9 where the same have been or may be specified by the Office of
10 Management and Enterprise Services. Products shall be provided at a
11 fair market price for comparable quality.

12 H. State agencies shall make maximum utilization of such
13 products and no similar products shall be purchased by state
14 agencies from any other source than the Department of Corrections
15 except as provided in subsection C of this section, unless the
16 Department of Corrections certifies to the State Purchasing Director
17 that it is not able to provide products, and no claim therefor shall
18 be paid without such certification.

19 I. Exceptions from the mandatory provisions hereof may be made
20 in any case where, in the opinion of the Office of Management and
21 Enterprise Services, the article or product does not meet the
22 reasonable requirements of or for such offices, departments,
23 institutions or agencies, or in any case where the requisitions made
24 cannot be reasonably complied with. No such offices, departments,

1 institutions or agencies, shall be allowed to evade the intent and
2 meaning of this section by slight variations from standards adopted
3 by the Office of Management and Enterprise Services, when the
4 articles, services or products produced, manufactured, processed or
5 assembled by the Department of Corrections, in accordance with
6 established standards, are reasonably adapted to the actual needs of
7 such offices, departments, institutions or agencies.

8 J. In the event of disagreement between the Department of
9 Corrections and the State Purchasing Director on fairness of price,
10 ability to comply to specifications, reasonableness of
11 specifications and timeliness of delivery of products the matter
12 will be resolved by the Purchasing Director of the Office of
13 Management and Enterprise Services.

14 K. The Office of Management and Enterprise Services shall
15 cooperate with the Department of Corrections in seeking to promote
16 for use in state agencies and by all other eligible customers, the
17 products manufactured and services provided by the prison
18 industries.

19 L. The Department of Corrections shall prepare catalogs
20 containing the description of all goods and services provided, with
21 the pricing of each item. Copies of such catalog shall be sent by
22 the Department of Corrections to all offices, departments,
23 institutions and agencies of this state, and shall be available for
24 distribution to all other eligible customers. In lieu of preparing

1 and distributing catalogs, the Department of Corrections may
2 maintain a website that contains a description of all goods and
3 services provided, with the pricing of each item.

4 M. The Department of Corrections may keep confidential:

5 1. Business plans, feasibility studies, financing proposals,
6 marketing plans, financial statements or trade secrets submitted by
7 a person or entity seeking a corrections industries partnership with
8 the Department of Corrections;

9 2. Proprietary information of the business submitted to the
10 Department for the purposes of a corrections industries partnership,
11 and related confidentiality agreements detailing the information or
12 records designated as confidential; and

13 3. The Department of Corrections may not keep confidential
14 information when and to the extent that the person or entity
15 submitting the information consents to disclosure.

16 SECTION 14. AMENDATORY 57 O.S. 2011, Section 561, as
17 amended by Section 255, Chapter 304, O.S.L. 2012 (57 O.S. Supp.
18 2019, Section 561), is amended to read as follows:

19 Section 561. A. The Department of Corrections is hereby
20 authorized to provide for incarceration, supervision, and
21 residential treatment at facilities other than those operated by the
22 Department of Corrections. Services offered for persons under the
23 custody or supervision of the Department are to include, but not be
24 limited to, housing, alcoholism or drug treatment, mental health

1 services, nursing home care, or halfway house placement. Such
2 services must meet standards prescribed and established by the State
3 ~~Board~~ Department of Corrections for implementing such a program,
4 including but not limited to standards concerning internal and
5 perimeter security, discipline of inmates, educational and
6 vocational training programs, employment of inmates, and proper
7 food, clothing, housing, and medical care. Such services must be
8 contracted for in accordance with Section 85.7 of Title 74 of the
9 Oklahoma Statutes. Such services, if provided by private prison
10 contractors, shall be contracted for as required by this section.

11 B. The Department of Corrections is authorized to lease
12 existing facilities or portions thereof from private prison
13 contractors, counties or other governmental entities and operate
14 such facilities or portions thereof in the same manner as other
15 state owned and operated prison facilities. All lease agreements
16 entered into pursuant to this section shall be negotiated between
17 the Department and the lessor. The Office of Management and
18 Enterprise Services shall assist in the negotiations if requested by
19 the Department of Corrections.

20 C. Subject to the requirements of this section and Section
21 561.1 of this title, the Department of Corrections is hereby
22 authorized to provide for the construction or operation or both
23 construction and operation of correctional institutions of the
24 Department of Corrections by private prison contractors. Such

1 operation shall meet standards prescribed by the ~~State Board~~
2 Department of Corrections, including but not limited to, standards
3 concerning internal and perimeter security, discipline of inmates,
4 educational and vocational training programs, and proper food,
5 clothing, housing, transportation, and medical care. Such services
6 shall be contracted for in accordance with the provisions of Section
7 561.1 of this title and the provisions of this section.

8 D. A comprehensive file for all private prison contractors
9 interested in and capable of operating an institution within the
10 Department of Corrections or providing for the housing, care, and
11 control of inmates in a facility owned and operated by the
12 contractor shall be maintained by the Department. These files shall
13 include:

- 14 1. A completed application form;
- 15 2. A resume of the contractor's staff and capability;
- 16 3. A completed performance evaluation form for past projects on
17 which the contractor has provided private prison services;
- 18 4. A list of past contracts with this state;
- 19 5. A list of contracts to provide similar services to other
20 states or to the United States; and
- 21 6. The mailing address of each private prison contractor.

22 Any person or firm wishing to be a private prison contractor may
23 request at any time to be included in the comprehensive file, and
24 shall be provided necessary forms within twenty (20) days of the

1 request and the Department shall add such contractor to the list
2 within twenty (20) days of receipt of a properly completed
3 application.

4 The Department may solicit evaluation of work done by private
5 prison contractors from members of the private sector, which
6 evaluation shall be part of the comprehensive file.

7 E. If the Department intends to secure the services of a
8 private prison contractor, all persons and firms included in the
9 file shall be notified through the mail of such intent. Such
10 notification shall contain the following information:

- 11 1. Description and scope of the project or projects;
- 12 2. Estimated time schedule for project;
- 13 3. Last date for submitting notice of interest in performing
14 services to the Director; and
- 15 4. Other pertinent data.

16 Private prison contractors desiring consideration shall meet the
17 requirements of this section and to be considered shall submit a
18 letter expressing interest in the project to the Department within
19 thirty (30) days of the postmark date of the letter of notification
20 mailed by the Department. Contractors shall file an updated
21 application form at the request of the Department.

22 F. The Department shall define the scope of a proposed project,
23 determine the various project components, phases and timetables, and
24 prepare detailed project descriptions to guide prospective
25

1 contractors. Before the Department awards a contract to a private
2 prison contractor, the plans shall be approved by the ~~State Board~~
3 Department of Corrections.

4 G. The Department shall review the files of the private prison
5 contractors desiring consideration for the project. After
6 performing the analysis required by Section 561.1 of this title, the
7 Department shall select no less than three and no more than five
8 contractors for more detailed consideration. In the event
9 interviews for more than one contract are being considered at the
10 same time, the number of contractors selected for more detailed
11 consideration should be at least twice the number of contracts
12 contemplated. This initial screening should consider the
13 requirements of the project, as well as the following factors to be
14 determined from the comprehensive file, and replies to inquiries to
15 former clients:

- 16 1. Specialized experience in the type of work contemplated;
- 17 2. Capacity of the contractor to accomplish the work in the
18 required time; and
- 19 3. Past performance, from the performance evaluation form.

20 H. A full report of the evaluation procedures and
21 recommendations of the Department shall be prepared by the
22 Department and submitted to the ~~State Board of Corrections~~ Director
23 for the independent review of the entire process.

1 I. 1. The Department shall select the contractor whose
2 qualifications and project proposal most substantially meet the
3 criteria of the project description.

4 2. The Department shall execute the contract with the selected
5 contractor, which contract shall include a fair and reasonable fee.

6 3. The negotiated scope and fee shall be reported to the ~~Board~~
7 Director for the approval of the award of the contract.

8 J. The Office of Management and Enterprise Services shall
9 render assistance to the Department of Corrections in implementing
10 the contracting procedures provided for in this section. The Office
11 of Management and Enterprise Services may have a representative at
12 any meeting involving negotiations of a contract between the
13 Department and a private prison contractor. Before submission of
14 the proposed contract to the Council on Bond Oversight, and prior to
15 the date as of which the proposed contract is executed by the ~~State~~
16 Board Department of Corrections, the Attorney General and the
17 Director of the Office of Management and Enterprise Services shall
18 review the proposed final version of the contract. The Attorney
19 General and the Director of the Office of Management and Enterprise
20 Services shall have a period of fifteen (15) days from receipt of
21 the proposed final version of the contract to approve the contract
22 and execute the document. If either the Attorney General or the
23 Director of the Office of Management and Enterprise Services has
24 objections to the proposed contract, the objections shall be

1 | communicated in writing to the Department of Corrections. The
2 | Department of Corrections shall take appropriate action regarding
3 | the objections and shall resubmit the proposed contract for
4 | additional review. The Attorney General and the Office of
5 | Management and Enterprise Services shall have an additional fifteen-
6 | day period to approve the proposed contract and to execute the
7 | document. Failure of the Attorney General or the Director of the
8 | Office of Management and Enterprise Services, respectively, to act
9 | within the fifteen-day period shall constitute approval of the
10 | respective official to the proposed final version of the contract.
11 | The contract shall contain a separate signature block or line for
12 | signature by the Attorney General and the Office of Management and
13 | Enterprise Services. The contract shall contain a statement to be
14 | executed by the Attorney General and the Director of the Office of
15 | Management and Enterprise Services that each one of them,
16 | respectively, has reviewed the proposed contract for compliance with
17 | the provisions of this section and Section 561.1 of this title, and
18 | all other applicable provisions of law and that the contract
19 | conforms with those requirements. Neither the private prison
20 | contractor nor the ~~State Board of Corrections~~ Director of the
21 | Department of Corrections shall execute the contract until the
22 | document has been executed by the Attorney General and the Director
23 | of the Office of Management and Enterprise Services as required by
24 | this subsection unless the approval of the respective official has

1 been made as a result of failure to take action within the fifteen-
2 day period prescribed by this subsection.

3 K. The Director of the Office of Management and Enterprise
4 Services is authorized to lease real property and improvements
5 thereon to a private prison contractor in conjunction with a
6 contract for private management of a state correctional institution
7 located or to be built on the property. ~~Said~~ The lease may be
8 entered into for one (1) year periods, renewable at the sole option
9 of the State of Oklahoma, but not to exceed a cumulative period of
10 fifty (50) years.

11 L. Contracts awarded to private prison contractors pursuant to
12 the provisions of this section shall be entered into for a period
13 specified in each contract, subject to availability of funds
14 annually appropriated by the Legislature for that purpose. No
15 contract awarded pursuant to this section shall provide for the
16 encumbrance of funds beyond the amount available for a fiscal year.

17 M. No contract authorized by the provisions of this section
18 shall be awarded until the private prison contractor demonstrates to
19 the satisfaction of the ~~State Board~~ Director of the Department of
20 Corrections:

21 1. That the contractor possesses the necessary qualifications
22 and experience to provide the services specified in the contract;

23 2. That the contractor can provide the necessary qualified
24 personnel to implement the terms of the contract;

1 3. That the financial condition of the contractor is such that
2 the terms of the contract can be fulfilled;

3 4. That the contractor has the ability to comply with
4 applicable court orders and corrections standards; and

5 5. That, in the case of a contractor who will be providing the
6 services in a nondepartmental facility operated by ~~said~~ the
7 contractor, the contractor shall be able to meet accreditation
8 standards and receive accreditation, as required by the terms of the
9 contract pursuant to subsection C of Section 561.1 of this title.

10 N. No contract authorized by the provisions of this section
11 shall be awarded until the private prison contractor demonstrates to
12 the satisfaction of the ~~Board~~ Director that the contractor can
13 obtain insurance or provide self-insurance to:

14 1. Indemnify the state against possible lawsuits arising from
15 the operation of prison facilities by the contractor; and

16 2. Compensate the state for any property damage or expenses
17 incurred due to the operation of prison facilities.

18 O. A private prison contractor shall not be bound by state laws
19 or other legislative enactments governing the appointment,
20 qualifications, duties, salaries, or benefits of wardens,
21 superintendents, or other correctional employees, except that any
22 personnel authorized to carry and use firearms shall comply with the
23 certification standards required by the provisions of Section 3311
24 of Title 70 of the Oklahoma Statutes and be authorized to use

1 firearms only to prevent a felony, to prevent escape from custody,
2 or to prevent an act which would cause death or serious bodily
3 injury to the personnel or to another person.

4 P. Any offense which would be a crime if committed within a
5 state correctional institution also shall be a crime if committed in
6 an institution or facility operated by a private prison contractor.

7 Q. The Director or his designee shall monitor the performance
8 of the contractor.

9 SECTION 15. REPEALER 57 O.S. 2011, Section 503, as
10 amended by Section 1, Chapter 3, O.S.L. 2019 (57 O.S. Supp. 2019,
11 Section 503), is hereby repealed.

12 SECTION 16. REPEALER 57 O.S. 2011, Section 504, is
13 hereby repealed.

14 SECTION 17. REPEALER 57 O.S. 2011, Section 550, is
15 hereby repealed.

16 SECTION 18. This act shall become effective November 1, 2020.

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Item #8.
**Approval of ODOC Administrative
Rules Proposal**

Board of Corrections Members,

We recently began a review of the Administrative Rules. The rules have not been updated for some time and we wanted to clean up any outdated language or defunct provisions. The following are the chapters and subsections that contain changes. Where we have proposed revoking the current rule, the entire subsection will be struck through. Where edits are appropriate, they have been marked in red on the table of contents and highlighted in yellow within the text of the rule itself. We are seeking Board approval for staff to pursue permanent rule changes which will go into effect by September of this year. I am available to answer questions as needed.

Respectfully,
Justin Wolf
Legislative Liaison
405.425.7121

Oklahoma

Administrative Code

Title 170: Department of Corrections

TITLE 170. DEPARTMENT OF CORRECTIONS

Chapter Section

1. Organization	170:1-1-1	EDITS
10. Prisoner Public Works Contracts	170:10-1-1	EDITS
15. Private Prison Contractor Compliance Monitoring	170:15-1-1	EDITS
20. Community Work Centers	170:20-1-1	
25. Community Sentencing	170:25-1-1	
30. Tuition Assistance Program	170:30-1-1	
35. Employee Recruitment Referral Incentive Program	170:35-1-1	

CHAPTER 1. ORGANIZATION

Section

170:1-1-1. Purpose	
170:1-1-2. Oklahoma Department of Corrections	
170:1-1-3. Oklahoma Board of Corrections	
170:1-1-4. Director	
170:1-1-5. Chief of Staff [REVOKED]	
170:1-1-6. Chief of Operations [REVOKED]	
170:1-1-7. Divisions, subdivisions, institutions, units, sections, offices, and positions	EDITS
170:1-1-8. Penal institutions	
170:1-1-9. Community corrections centers	
170:1-1-10. Community work centers	
170:1-1-11. Community corrections districts	

- 170:1-1-12. Agri-Services and Oklahoma Correctional Industries
- 170:1-1-13. Oklahoma Criminal Justice Resource Center [REVOKED]
- ~~170:1-1-14. Public access to public information~~
- 170:1-1-15. Principal office **EDITS**
- 170:1-1-16. Rulemaking authority [EXPIRED]

170:1-1-1. Purpose

The rules in this Chapter establish the current organizational structure of the Oklahoma Department of Corrections.
[Source: Added at 10 Ok Reg 2663, eff 7-1-93]

170:1-1-2. Oklahoma Department of Corrections

The Oklahoma Department of Corrections is a law enforcement agency created by statute in 57 O. S. § 505. The department consists of divisions, subdivisions, institutions, centers, and such units, sections, offices, and positions as may be established by the director, subject to the approval of the Board of Corrections, or by law, as described below. A description of the current organizational structure of the department shall be maintained by the administrator of Personnel and shall be available at the principal office of the Oklahoma Department of Corrections. The organizational structure shall also be reflected on the department's website.

[Source: Added at 10 Ok Reg 2663, eff 7-1-93; Amended at 24 Ok Reg 2705, eff 7-26-07]

170:1-1-3. Oklahoma Board of Corrections

The Oklahoma Board of Corrections shall adopt rules and regulations for its internal government, and shall hold meetings in accordance with the Oklahoma Open Meeting Act. The Board of Corrections shall establish policies for the operation of the department and shall have the powers set forth in 57 O.S. § 504, as amended from time to time.

[Source: Added at 10 Ok Reg 2663, eff 7-1-93; Amended at 24 Ok Reg 2705, eff 7-26-07]

170:1-1-4. Director

~~The Oklahoma Department of Corrections shall be governed and managed by a director who is appointed by the Board of Corrections with the advice and consent of the Oklahoma Senate. Qualifications and removal of the director shall be as provided in 57 O.S. § 506. The powers and duties of the director shall be as set forth in 57 O.S. § 507 and § 510 as amended from time to time.~~

[Source: Added at 10 Ok Reg 2663, eff 7-1-93; Amended at 24 Ok Reg 2705, eff 7-26-07]

170:1-1-5. Chief of Staff [REVOKED]

[Source: Added at 10 Ok Reg 2663, eff 7-1-93; Revoked at 11 Ok Reg 3135, eff 7-1-94]

170:1-1-6. Chief of Operations [REVOKED]

[Source: Added at 10 Ok Reg 2663, eff 7-1-93; Amended at 11 Ok Reg 3135, eff 7-1-94; Revoked at 24 Ok Reg 2705, eff 7-26-07]

170:1-1-7. Divisions, subdivisions, institutions, units, sections, offices, and positions

The Oklahoma Department of Corrections, as determined by the director, subject to the approval of the Board of Corrections, shall consist of a sufficient number of divisions, subdivisions, institutions, centers, units, sections, offices, and positions as deemed appropriate to effectively manage the department, all under the supervision and control of the director and Board of Corrections. (1) There shall be an Administrative Services Division; Community Corrections Division; Community Sentencing and Offender Information Division; Field Operations Division; and a Treatment and Rehabilitative Services Division. (2) As required by law, there shall be the Affirmative Action Officer who shall be responsible to the director. (3) There shall be an associate director, Administrative Services, who shall be responsible to the director. (4) There shall be an associate director, Field Operations, who shall be responsible to the director. (5) There shall be a deputy director, Community Corrections, who shall be responsible to the director. (6) There shall be a deputy director, Community Sentencing and Offender Information Services, who shall be responsible to the director. (7) There shall be a deputy director, Treatment and Rehabilitative Services, who shall be responsible to the director. (8) There shall be a General Counsel, who shall be responsible to the associate director, Administrative Services. The director shall employ or contract with attorneys as needed to advise and represent the director, Board of Corrections, and facility and administrative supervisors, in all legal proceedings and actions when required. (10) As required by law, there shall be an Internal Affairs

~~Unit to conduct investigations, which shall be responsible to the associate director, Administrative Services.~~

[Source: Added at 10 Ok Reg 2663, eff 7-1-93; Amended at 11 Ok Reg 3135, eff 7-1-94; Amended at 24 Ok Reg 2705, eff 7-26-07]

170:1-1-8. Penal institutions

~~The Oklahoma Department of Corrections shall operate, administer, and manage the following penal institutions: (1) R. B. "Dick" Conner Correctional Center, located in Hominy, Oklahoma; (2) Dr. Eddie Warrior Correctional Center, located in Taft, Oklahoma; (3) Jess Dunn Correctional Center, located in Taft, Oklahoma; (4) John Lilley Correctional Center, located in Boley, Oklahoma; (5) Howard McLeod Correctional Center, located in Atoka, Oklahoma; (6) Jackie Brannon Correctional Center, located in McAlester, Oklahoma; (7) Mack Alford Correctional Center, located in Stringtown, Oklahoma; (8) Oklahoma State Penitentiary, located in McAlester, Oklahoma; (9) Jim E. Hamilton Correctional Center, located in Hodgen, Oklahoma; (10) James Crabtree Correctional Center, located in Helena, Oklahoma; (11) William S. Key Correctional Center, located in Fort Supply, Oklahoma; (12) Oklahoma State Reformatory, located in Granite, Oklahoma; (13) Joseph Harp Correctional Center, located in Lexington, Oklahoma; (14) Lexington Assessment and Reception Center, located in Lexington, Oklahoma; (15) Mabel Bassett Correctional Center, located in McLoud, Oklahoma; (16) Charles E. "Bill" Johnson Correctional Center, located in Alva, Oklahoma; (17) Northeast Oklahoma Correctional Center, located in Vinita, Oklahoma; and (18) Other penal institutions approved by statute.~~

[Source: Added at 10 Ok Reg 2663, eff 7-1-93; Amended at 24 Ok Reg 2705, eff 7-26-07]

170:1-1-9. Community corrections centers

~~The Oklahoma Department of Corrections shall operate, administer, and manage the following community corrections centers: (1) Muskogee Community Corrections Center, located in Muskogee, Oklahoma; (2) Enid Community Corrections Center, located in Enid, Oklahoma; (3) Lawton Community Corrections Center, located in Lawton, Oklahoma; (4) Clara Waters Community Corrections Center, located in Oklahoma City, Oklahoma; (5) Oklahoma City Community Corrections Center, located in Oklahoma City, Oklahoma; (6) Kate Barnard Community Corrections Center, located in Oklahoma City, Oklahoma; (7) Hillside Community Corrections Center, located in Oklahoma City, Oklahoma; (8) Union City Community Corrections Center, located in Union City, Oklahoma; and (9) Other community corrections centers approved by statute.~~

[Source: Added at 10 Ok Reg 2663, eff 7-1-93; Amended at 11 Ok Reg 3135, eff 7-1-94; Amended at 24 Ok Reg 2705, eff 7-26-07]

170:1-1-10. Community work centers

The director, pursuant to 57 O.S. § 563(B), is authorized to establish inmate work centers in locations where a need for labor to conduct public work projects is determined.

[Source: Added at 10 Ok Reg 2663, eff 7-1-93; Amended at 24 Ok Reg 2705, eff 7-26-07]

170:1-1-11. Community corrections districts

~~(a) The Oklahoma Department of Corrections shall operate, administer, and manage the following community corrections districts: (1) Central District, located in Oklahoma City, Oklahoma; (2) Northeast District, located in Muskogee, Oklahoma; (3) Northwest District, located in Enid, Oklahoma; (4) Oklahoma County Residential Services, located in Oklahoma City, Oklahoma;~~

Oklahoma Administrative Code / 2016

170:1-1-12. Agri-Services and Oklahoma Correctional Industries

The Oklahoma Department of Corrections shall operate prison agricultural and manufacturing and products industries to be known as Agri-Services and Oklahoma Correctional Industries, respectively. (1) Funds earned from the operation of Agri-Services and Oklahoma Correctional Industries shall be placed in an Industries Revolving Fund with the Oklahoma State Treasury for the Department of Corrections. (2) The Oklahoma Department of Corrections is authorized to purchase, in a manner prescribed by law, facilities, equipment, raw materials, and supplies, and to engage necessary personnel to establish and maintain at the penal institutions, under the control of the Department of Corrections, industries, and agricultural programs for the utilization of services of prisoners in the manufacture or production of such articles or products as may be needed for the construction, operation, maintenance, or the use of any office, department, or agency supported in whole or in part by the state or political subdivisions thereof.

[Source: Added at 10 Ok Reg 2663, eff 7-1-93; Amended at 24 Ok Reg 2705, eff 7-26-07]

170:1-1-13. Oklahoma Criminal Justice Resource Center [REVOKED]

[Source: Added at 10 Ok Reg 2663, eff 7-1-93; Revoked at 24 Ok Reg 2705, eff 7-26-07]

170:1-1-14. Public access to public information

All official records, not privileged or protected from public access or publication shall be available to the public for inspection during regular business hours Monday through Friday at the principal office and headquarters of the department. Internal Affairs investigations and supporting documents shall be excluded from public and employee access. (1) Notice. Ten days' notice shall be required without which the information may not be readily made available. Any inconvenience or disruption may result in loss of the inspection privilege. Any record or information deemed an unwarranted invasion of privacy may be restricted. If the information requested cannot be gathered and forwarded to the requestor within ten days, the requestor will be informed that the request has been received and will be provided an estimated completion date. (2) Copying. All records and information listed in paragraph (1) of this section, not privileged or protected from public access or publication, shall be available to the public for copying at a cost of \$.25 per page, subject to the same restrictions contained in paragraph (1) of this section. (3) The Department of Corrections website maintains publicly accessible information, including offender and sex offender lookup functions and the agency policy and procedures manual.

[Source: Added at 10 Ok Reg 2663, eff 7-1-93; Amended at 24 Ok Reg 2705, eff 7-26-07]

170:1-1-15. Principal office

(a) The principal office of the Oklahoma Department of Corrections is located at 3400 Martin Luther King Avenue, Oklahoma City, Oklahoma 73111. (b) An additional mailing address is P.O. Box 11400, Oklahoma City, OK 73136-0400. (c) The main telephone number is (405) 425-2500. (d) The website address is <http://www.doc.state-ok.us.gov> (e) The regular business and office hours for the principal office shall be 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding state recognized holidays.

[Source: Added at 10 Ok Reg 2663, eff 7-15-93; Amended at 24Ok Reg 2705,eff 7-26-07]

170:1-1-16. Rulemaking authority [EXPIRED]

[Source: Added at 10 Ok Reg 2137, eff 5-5-93 through 7-15-94 (emergency)]

CHAPTER 10. PRISONER PUBLICWORKS CONTRACTS

Subchapter Section

1. General Provisions 170:10-1-1
3. Application and Approval 170:10-3-1
5. Project Administration 170:10-5-1

[Authority: 57 O.S., § 215 et seq.; 57 O.S., § 510(15)]

[Source: Codified 7-1-93]

SUBCHAPTER 1. GENERAL PROVISIONS

Section

- 170:10-1-1. Purpose
- 170:10-1-2. Scope
- 170:10-1-3. Definitions

170:10-1-1. Purpose

The rules of this Chapter establish the procedures for public works agencies requesting to obtain prisoner labor for public works projects.

[Source: Added at 10 Ok Reg 2667, eff 7-1-93]

170:10-1-2. Scope

The Prisoner Public Works Act, 57 O.S., Section 215 et seq, provides that the Oklahoma Department of Corrections may provide prisoner labor by contract to political subdivisions and agencies of the state and federal government. The purpose and scope of the rules and regulations of this Chapter are to provide standardized procedures whereby the contracting process is implemented and to provide guidelines and criteria for establishing the base costs between the department and the requesting public works agency.

[Source: Added at 10 Ok Reg 2667, eff 7-1-93]

170:10-1-3. Definitions

The following words or terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise: "**Director**" means the director of the Oklahoma Department of Corrections or designee. "**Department**" means the Oklahoma Department of Corrections, its facilities, divisions, offices, and institutions. "**Fiscal year**" means the state of Oklahoma's fiscal year beginning July 1, and ending June 30 of every year. "**Public works agency**" means any state agency or subdivision thereof, municipality, county, town, the United States or any subdivision or agency thereof, whose governing body or empowered authority has requested in writing that the Board or designee adopt their submitted project as a public works project. "**Public purpose**" means a purpose affecting the inhabitants of the state or political subdivision utilizing the inmate labor, as a group, working on projects in the public interest and whose work shall not be on other than public property except that inmates may be assigned to projects on private property if it is for benefit of the public or for the exercise of a governmental function. "**Public works project**" means a work project that has been determined by the Board or designee to be of necessity for the public well-being conducive to rehabilitation of participating prisoners. "**Prisoner**" means any person who is under the custody and control of the Oklahoma Department of Corrections who is not a threat to public safety nor who has escaped or has attempted to escape from a correctional institution or facility within the last ten years, as affirmed by the department. "**Base costs**" mean those costs actually agreed to between the department and the public works agency pursuant to this Chapter.

[Source: Added at 10 Ok Reg 2667, eff 7-1-93; Amended at 11 Ok Reg 3137, eff 7-1-94]

SUBCHAPTER 3. APPLICATION AND APPROVAL

Section

170:10-3-1. Application process

170:10-3-2. Base costs

170:10-3-3. Approval process **EDITS**

170:10-3-4. Central processing for statewide agencies

170:10-3-1. Application process

The public works agency shall submit a written request for a prisoner public works project contract to the department on or before March 31 of the current fiscal year for contracting the ensuing fiscal year. The request, at a minimum, shall contain the following: (1) A brief description of the public works project and the anticipated public benefit (2) The number of prisoners required for the project, any preferred special skills, and the kind of work the prisoners will perform (3) The location of each project work site and the duration of the project, transportation and security requirements if any, and whether the project will involve work on private property. (4) Certification that prisoner labor shall not displace any employment opportunities for private citizens of the state (5) Certification that the applicant has insufficient funds available to perform the work set forth in the application (6) The contact person's name, address, and phone number of the local official who shall be the primary spokesperson between the public agency and the Department of Corrections. (7) The amount of the project.

[Source: Added at 10 Ok Reg 2667, eff 7-1-93]

170:10-3-2. Base costs

(a) The department shall be reimbursed for its base costs plus ten percent for the provision of prisoner labor to the public works agency. The base costs may include, but are not limited to, the following, as agreed to between the parties: (1) The cost of the wages of the prisoner based on the highest level authorized by the department regardless of the actual prisoner wage level (2) The provision of meals by the department (3) The daily cost of transporting the inmates to and from the work site, based on the current mileage rate under state travel regulations (4) The salary and benefits of department employees assigned to the public works project (5) The cost of equipment, clothing, tools, materials and supplies, if any, provided by the department for use by the prisoner, or public works project, including any replacement (6) Other miscellaneous costs (b) These costs shall be contained in the Appendix to the contract between the parties and incorporated by reference.

[Source: Added at 10 Ok Reg 2667, eff 7-1-93]

170:10-3-3. Approval process

The department shall ~~determine-approve or deny the application~~, according to the location of the project, the availability of prisoner labor, the department's costs, and the suitability of the project for inmate labor. The term of the contract shall not extend beyond the fiscal year. A standard contract shall be maintained by the general counsel

for the Oklahoma Department of Corrections and shall be available at the principal office of the Oklahoma Department of Corrections. All contracts and leases shall be approved by the general counsel for the Oklahoma Department of Corrections.

[Source: Added at 10 Ok Reg 2667, eff 7-1-93]

170:10-3-4. Central processing for statewide agencies

All state agencies may submit requests for public works contracts to the principal office located in Oklahoma City. All other public works agencies shall work with their local area facilities or regional offices.

[Source: Added at 10 Ok Reg 2667, eff 7-1-93; Amended at 11 Ok Reg 3137, eff 7-1-94]

SUBCHAPTER 5. PROJECT ADMINISTRATION

Section

170:10-5-1. Calculation of the monthly invoice **EDITS**

170:10-5-2. Billing and reimbursement

170:10-5-3. Workers' compensation and control

170:10-5-4. Miscellaneous requirements

170:10-5-5. Medical and dental care

170:10-5-6. Mediation and venue

170:10-5-7. Governmental disclaimer

170:10-5-8. Public immunity

170:10-5-9. Community work centers and prisoner public works contracts

170:10-5-10. Service and maintenance work for other state agencies, counties, and municipalities

170:10-5-1. Calculation of the monthly invoice

(a) The facility business manager or designee-department shall maintain time sheets and records of prisoners who work on public works projects on a daily basis and shall prepare a monthly invoice. (b) Prisoner wages shall be calculated on a work month of 20 work days and in half-day increments. (c) The calculated monthly invoice shall be the total of the base costs times the number of prisoners provided, times the number of days worked, times 10 percent.

[Source: Added at 10 Ok Reg 2667, eff 7-1-93]

170:10-5-2. Billing and reimbursement

(a) The facility where the prisoners are housed shall be responsible for monthly billing and the deposit into the proper accounts of all reimbursements received. (b) Upon receipt of the monthly invoice, the public works agency shall promptly reimburse the department accordingly.

[Source: Added at 10 Ok Reg 2667, eff 7-1-93]

170:10-5-3. Workers' compensation and control

(a) Neither the department nor the public works agency shall be required to provide workers' compensation to any prisoner. (b) The prisoner shall not be considered an employee under the supervision and control of the public works agency or its employees, but shall at all times be under the jurisdiction and supervisory control of the department. (c) Civil rights of prisoners are not restored, and when any prisoner violates rules or regulations, or is unable or unwilling to adequately perform their work, they may be returned without cause to the department.

[Source: Added at 10 Ok Reg 2667, eff 7-1-93]

170:10-5-4. Miscellaneous requirements

(a) A prisoner may be terminated for any reason or no reason. Wages earned are considered a gratuity from the department. No prisoner has any property interest in the position or work being performed. (b) Prisoners assigned to a public works project shall be considered on trusty status for purposes of escape. The limits of the place of commitment are extended under the special conditions of the prisoner public works project contract pursuant to 57 O.S., Section 510.1(A)(4). (c) Public works agencies shall not be liable nor responsible for any tort liability or damages caused by the prisoners while working on the project. Sovereign immunity shall not be waived by any public works agency nor by the department. (d) Technical supervision shall be provided by public works employees, and security supervision shall be provided by department personnel as designated by the facility head.

[Source: Added at 10 Ok Reg 2667, eff 7-1-93; Amended at 11 Ok Reg 3137, eff 7-1-94]

170:10-5-5. Medical and dental care

The department shall be responsible for the cost of medical and dental health care needs of the prisoners including emergencies while assigned to the public works project.

[Source: Added at 10 Ok Reg 2667, eff 7-1-93]

170:10-5-6. Mediation and venue

If any disputes or conflicts arise between the department and public works agency the parties may agree to mediation under the Oklahoma Dispute Resolution Act, 12 O.S., Section 1801 et seq, as amended. The parties shall agree to use reasonable diligence to resolve any dispute or conflict between them. Oklahoma County shall be the proper venue of any action which may be filed between the parties.

[Source: Added at 10 Ok Reg 2667, eff 7-1-93]

170:10-5-7. Governmental disclaimer

No member of or delegate to the Oklahoma Senate or House of Representatives nor any member or delegate to the United States Congress, or officer of the state or federal government shall be admitted to nor personally benefit from any part of public works contracts.

[Source: Added at 10 Ok Reg 2667, eff 7-1-93]

170:10-5-8. Public immunity

(a) The laws of the state of Oklahoma shall be applicable, and the state courts shall be the proper forum in which to resolve any legal action if mediation has failed. (b) The Oklahoma Governmental Torts Claims Act Title 51 O. S., Section 151 et seq, shall be applicable to the contracts and agencies shall not be held responsible for the actions or inactions resulting in tortious conduct of prisoners in any forum or for the decision to place any person in any public works project as defined in 57 O.S., Sections 227 and 228.

[Source: Added at 10 Ok Reg 2667, eff 7-1-93]

170:10-5-9. Community work centers and prisoner public works contracts

Community work centers created under 57 O. S., Section 563(B) shall be governed by this Chapter in the provision of prisoner labor.

[Source: Added at 10 Ok Reg 2667, eff 7-1-93]

170:10-5-10. Service and maintenance work for other state agencies, counties, and municipalities

Inmates assigned to a state agency, or to county or municipal jail for service and maintenance work in which inmates are provided lodging, food, and personal expense money, shall be governed by this Chapter in the provision of such prisoner labor.

[Source: Added at 10 Ok Reg 2667, eff 7-1-93]

CHAPTER 15. PRIVATE PRISON CONTRACTOR COMPLIANCE MONITORING

Subchapter Section

1. General Provisions	170:15-1-1
3. Monitoring Process	170:15-3-1
5. Appeal of Audits	170:15-5-1
7. Costs	170:15-7-1
9. Private Prison Custody	170:15-9-1
11. Private Prison Contract Application	170:15-11-1
13. Private Prison Emergency Plans	170:15-13-1
15. Indemnification and Insurance	170:15-15-1

[Authority: 57 O.S., § 563.3]

[Source: Codified 7-1-93]

SUBCHAPTER 1. GENERAL PROVISIONS

Section

170:15-1-1. Purpose

170:15-1-2. Scope: initial point of contact **EDITS**

170:15-1-3. Definitions

170:15-1-1. Purpose

The rules in this Chapter establish the procedures and standards for the Oklahoma Department of Corrections to monitor and evaluate private prison contractors operating in the state who house inmates under the custody of the Oklahoma Department of Corrections, inmates from out of state jurisdictions and inmates in federal custody who are housed in private prisons.

[Source: Added at 10 Ok Reg 2669, eff 7-1-93; Amended at 22 Ok Reg 2350, eff 7-11-05]

170:15-1-2. Scope: initial point of contact

Section E of 57 O.S., Section 563.3 requires the Oklahoma Department of Corrections to promulgate and adopt rules for the implementation of this section. (1) This Chapter is concerned with: (A) Approval by the department of internal and perimeter security; (B) Adequate food, housing, and medical care in the private prisons; (C) Financial condition of the private contractor; (D) The ability of the private prison contractor to comply with American Correctional Association standards; and (E) Adequate insurance coverage to indemnify the state, its political subdivisions, and its officers, agents, and employees for expenses or losses incurred in intervening in the operation of the private prison, and to indemnify and hold harmless the state, its political subdivisions, its officers and employees for acts resulting in liability by inmates, officers, and employees of the private contractor or stockholders; (F) Requirement to obtain written authorization for operation of a private prison from the governing board of the municipality in which the facility is located or from the county commissioners if the facility is located outside a municipality; (G) Conducting FBI and OSBI felony record searches of all employees; (H) Provision for regular on site monitoring by the Oklahoma Department of Corrections Private Prison Administration unit for statutory, contractual and operational compliance. Access shall be unrestricted; (I) Collection of fees for monitoring compliance with statutory requirements; (J) The creation of a continuing compliance process and a process for closing the private facility for noncompliance. (2) ~~The initial point of contact for prospective private prison contractors shall be the Private Prison Administration Office, 2901 Classen Blvd., Suite 200, Oklahoma City, Oklahoma, 73106; (405) 962-6080.~~

[Source: Added at 10 Ok Reg 2669, eff 7-1-93; Amended at 22 Ok Reg 2350, eff 7-11-05]

170:15-1-3. Definitions

The following words or terms, when used in this Chapter, shall have the following meanings, unless the context clearly indicates otherwise:

"Audit team" means those persons who have been appointed to evaluate the private prison contractor on a quarterly and annual basis pursuant to these rules.

"Contract Monitor" means those persons who have been assigned to monitor compliance of the private prison contractors and to coordinate actions and communication between the department and the operator.

"Department" means the Oklahoma Department of Corrections, its facilities, divisions, offices, and institutions.

"Director" means the director of the Oklahoma Department of Corrections or designee.

"Operating Standards" means applicable federal, state and local laws, codes, regulations constitutional requirements, court orders, American Correctional Association and local standards, applicable Department of Corrections Policies.

"Prisoner, offender, inmate, or supervisee" means: (A) Any person who has been convicted of a felony and contracted to the housing, care, and control of a private prison contractor; and (B) Out of state or federal inmates who do not have a history of escape from maximum or medium security for adult facilities, as defined by Oklahoma law, and who do not have histories of rioting, and have not been convicted of a crime which would be a capital offense if committed in this state, or a sex-related offense, or who are sentenced to federal or state facilities for conviction of a misdemeanor, other than a sex-related offense, or who are under arrest or detained for federal felony or misdemeanor violations, or detained for a violation of immigration laws, within a facility owned or operated by the private prison contractor unless such incarceration in the facility is consistent with American Correctional Association requirements relating to incarceration of inmates convicted of more serious offenses, or unless subject to the exception made in 170:15-3-2 (1).

"Private prison administration" means the unit within the Oklahoma Department of Corrections assigned to exercise regulatory oversight of private prisons and private prison contractors.

"Private prison contractor" means: (A) A non-governmental entity or public trust, which pursuant to a contract with the Oklahoma Department of Corrections, operates an institution within the department or provides for the housing, care, and control of medium and or minimum security inmates and performs other functions related to said responsibilities within a minimum or medium security level facility not owned by the department, but operated by the contractor, or from other state jurisdictions; or (B) A non-governmental entity or public trust,

which pursuant to a contract with the United States Government or another state, provides for the housing, care, and control of minimum or medium security inmates in the custody of the United States Government or another state, and performs other functions related to said responsibilities within a facility owned or operated by the contractor.
[Source: Added at 10 Ok Reg 2669, eff 7-1-93; Amended at 22 Ok Reg 2350, eff 7-11-05]

SUBCHAPTER 13. PRIVATE PRISON EMERGENCY PLANS

Section

170:15-13-1. Development of emergency plans

170:15-13-2. Emergency response

170:15-13-3. Departmental emergency response reimbursement **EDITS**

[Source: Codified 7-11-05]

170:15-13-1. Development of emergency plans

Each private prison contractor shall prepare emergency plans that address facility riots, disturbances, natural disasters, escapes, hostage situations, job actions or walkouts, and utility failures. The emergency plans must be submitted for review and approval to the private prison administration unit thirty (30) days prior to the date that the contract is signed. Revisions, if required, must be enacted before commencement of operations.

[Source: Added at 22 Ok Reg 2350, eff 7-11-05]

170:15-13-2. Emergency response

(a) In the event of a serious incident as defined by the Department of Corrections policy, personnel from the facility shall immediately inform the Department of Corrections if there is any riot or other serious incident, or if an inmate escapes. The Department of Corrections shall be directed to respond on behalf of the public safety of this state.

(b) The Department shall charge the private prison contractor for the costs incurred as a result of investigation and responding to serious incidents at private prisons. (c) Reasonable force may be used as required and as authorized by applicable law and pursuant to applicable Department procedures. (1) The contractor will comply with department policy regarding use of force and serious incidents as to the definition of serious incident notification, and reporting. (2) The contractor will notify the private prison administration duty officer immediately by telephone of all serious incidents and will e-mail or fax copies of all serious incident reports prepared as required by department policy. (3) The contractor shall establish a serious incident report log that shall reflect every serious incident report number, incident date, and a brief summary of the contents of the incident reports. A copy of the incident log will be provided to the private prison administrator monthly. The private prison administrator will have access to all investigative reports in regard to serious incidents. (d) All private prisons in Oklahoma shall prepare a written mutual aid agreement between the private prison facility and state and local entities to include the Department of Corrections. Specific Department of Corrections facilities shall be designated to provide support in the event of a riot, escape, other serious incident, and emergency situation.

[Source: Added at 22 Ok Reg 2350, eff 7-11-05]

170:15-13-3. Departmental emergency response reimbursement

Any emergency response, to include serious incident investigation, provided by the Oklahoma Department of Corrections and/or state and/or local law enforcement agencies will be **at** the sole expense of the private prison contractor/operator. Each responding agency will submit a written invoice detailing costs incurred which will be paid within 30 days of receipt by the private prison contractor/operator.

[Source: Added at 22 Ok Reg 2350, eff 7-11-05]

Item #9.A.
Approval of BOC Policy P-010200

Section-01 Organization	Page: 1	P-010200	Effective Date: draft11/13/2019
Board Operating Procedures	ACA Standards: 2-CO-1A-10, 5-ACI-1A-01, 4-APPFS-3D-01		
T. Hastings Siegfried, Chair Oklahoma Board of Corrections			

Operating Procedures and Policies for the Oklahoma Board of Corrections

The Oklahoma Board of Corrections (BOC) will establish and maintain written policies for the operation of the Oklahoma Department of Corrections (ODOC) pursuant to Section 504 of Title 57 of the Oklahoma Statutes. (5-ACI-1A-01, 4-APPFS-3D-01)

I. Operating Procedures

A. Duties and Responsibilities

Upon selection by the Governor, the Oklahoma State Senate, or the Oklahoma House of Representatives to the BOC, the prospective new BOC member(s) shall promptly receive a copy of these Operating Procedures and Policies and its attachments, including the “Performance Expectations for Members of the Oklahoma Board of Corrections” which is incorporated by reference ([Attachment A](#), attached).

The Governor will appoint five members to the BOC, with the President Pro Tempore of the Senate and the Speaker of the House of Representatives each appointing two members.

The duties and responsibilities outlined in these Operating Procedures and Policies will be reviewed annually by the BOC and the ODOC director. The BOC will have the following powers and duties:

1. Establishment of Policies

The BOC will establish policies for the operation of the ODOC.

2. Approval of Personnel Matters (2-CO-1A-10)

a. The BOC may require the agency director and any other ODOC personnel, when deemed necessary by the BOC, to give bond for the faithful performance of their duties (57 O.S. 504(5)).

b. The BOC will consider for confirmation and vote on the appointments of positions to be determined by the BOC.

3. Approval of Contracts and Budgets

a. The BOC will be involved in the selection of architectural firms for projects when the architect's fee is over \$200,000. The BOC will also approve requisitions for construction

contracts for projects where estimated construction costs are greater than \$500,000. Approval of construction documents must occur before acceptance of a bid.

- b. The BOC will be involved in the selection of sites for new institutions and community corrections centers, and select and approve relocation of existing correctional facilities.
- c. The BOC will review and approve the proposed ODOC budget request before it is submitted to the Office of Management and Enterprise Services (OMES) in October of each year for review by the Governor.
- d. The BOC will review and approve the ODOC budget work program before it is submitted to OMES on June 1 or as soon thereafter as possible.
- e. The BOC will review and approve all emergency expenditures of money that exceed the agency director's authority as allowed by law.

4. Private Prison Construction or Operation

- a. If ODOC proposes to enter into a contract for the construction or the operation, or both, of a private prison, ODOC shall compare both the capital costs and the operating costs for the facility to the imputed capital costs and the projected operating costs of a comparable facility constructed and operated by ODOC (57 O.S. 561, 561.1D-4 &G).
- b. ODOC shall then deliver to the BOC the top three qualified prospective private prison contractors identified pursuant to law together with the information reviewed and analyzed by ODOC during analysis of the proposals. The BOC shall evaluate the information provided and shall make a final decision selecting the contractor within 15 days of receipt of the information (57 O.S.561.1.H).
- c. Should ODOC choose to negotiate with current private prison contractors for a new contract for the operation, lease, or lease/purchase of a private prison, ODOC shall compare both the capital costs and the operating costs for the facility to the imputed capital costs and the projected operating costs of a comparable facility constructed and operated by ODOC. The BOC shall evaluate the information provided and shall make a final decision selecting the contractor within 15 days of receipt of the information. Additional time may be provided, when necessary (57 O.S. 561, 561.1).

B. Orientation

Within three months of their appointment, all newly appointed BOC members shall attend an orientation to become familiar with ODOC operations.

C. Officers, Terms of Office, and Qualifications

1. The BOC, composed of nine members, will have the following offices: a chair, vice chair, and secretary. These offices will be filled by BOC election at the regular meeting held annually in June.
2. An incumbent officer may be re-elected as often as such officer receives the necessary votes. Newly elected officers will assume their offices at the conclusion of the BOC meeting in which they were elected.

D. BOC Vacancies and Succession

1. If a vacancy occurs in the office of the chair, the vice chair will automatically succeed to the office of the chair and complete the remaining term of office.
2. Upon assuming the office of chair, the office of vice chair will become vacant through succession, and the chair may appoint a vice chair to complete the remaining term of office.
3. Any vacancy occurring in the office of vice chair or secretary may be filled by the chair by appointment for the remaining term of office.
4. A newly appointed officer will assume office at the conclusion of the BOC meeting in which they were elected.

E. Facility/Office Tours

Besides the tours or inspections, which may be taken during the regular BOC meetings, each BOC member is encouraged to conduct at least one visit of an ODOC institution, community corrections center and probation and parole office per year.

F. Inquiries

Any inquiries regarding ODOC's operations, actions, or policies received by BOC members from the public, employees, or inmates/offenders will be referred to the agency director or designee for response. If those inquiries are of such a nature that referral to the agency director may be inappropriate, then referral should be made to the chair of the BOC for appropriate disposition.

II. Administration of BOC Functions

A. Rules of Order

1. The *Modern Rules of Order* shall act as a guide to the BOC in the transaction of business during meetings, unless otherwise provided by law or these BOC operating policies.
2. A quorum of the BOC consists of five BOC members.
3. A roll-call vote of the BOC is taken on the following:
 - a. All actions requiring BOC approval or confirmation as identified in this policy;
 - b. Convening an executive session of the BOC; and/or
 - c. On any other action at the request of any BOC member or upon the advice of legal counsel.

B. BOC Meetings

The BOC will normally meet with the agency director at least monthly to review the administration and activities of the ODOC to include reports on the operation and performance of facilities and units, review BOC policies as needed, and other appropriate matters.(4-ACRS-7D-34)

1. The chair will preside over BOC meetings. The vice chair will preside in the absence of the chair.
2. The monthly meetings will be conducted at a time and place designated by the chair (or vice chair in the chair's absence), and published by ODOC.
 - a. Members who know that they will be unable to attend will notify the ODOC of their intended absence at least one week before the scheduled meeting.
 - b. A majority of affirmative votes of a quorum will be required to conduct and transact the business of the BOC.
3. ODOC support staff will be responsible for the following:
 - a. Recording the minutes of every BOC meeting;
 - b. The certification of the approval of the minutes;
 - c. Ensuring whenever possible, all documents and information relevant to the BOC meeting is provided to the BOC in

electronic form, no less than five days prior to the scheduled BOC meeting; and

d. Maintaining the official records of the BOC as required by law.

4. Upon approval of the minutes, the BOC Secretary will execute the following:

Certificate of Approval

I hereby certify that these minutes were duly approved by the Oklahoma Board of Corrections on _____, 20____, in which a quorum was present and voting.

Date: _____ Secretary of the Oklahoma Board of Corrections

5. All meetings of the BOC will be conducted according to the Oklahoma Open Meeting Act (25 O.S. § 301-314).

a. The agency director will ensure that notice is given in writing to the Secretary of State, by December 15 of each calendar year, of the regularly scheduled meetings of the BOC for the next calendar year.

b. The agency director will ensure that the proposed agenda is posted at least 24 hours before each meeting. The agenda will be posted in prominent public view at ODOC Administration, 3400 North Martin Luther King Avenue in Oklahoma City.

c. If any change is to be made in the date, time, or place of the regularly scheduled meeting, then notice in writing will be given to the Secretary of State not less than ten days before the implementation of the change.

d. The agency director shall certify, prior to the beginning of each meeting, that all requirements under the open meetings act were completed.

6. BOC executive sessions are authorized only under the circumstances provided by Oklahoma law.

7. Any vote or action must be taken in public meeting with the vote of each member publicly cast and recorded. At the end of each executive session, a public announcement will be made memorializing the executive session discussion and announcing whether a vote is necessary.

8. Special meetings may be called by the chair or by a majority of the BOC as necessary and according to the Oklahoma Open Meeting Act.
9. In the event any meeting is to be continued or reconvened, public notice of the action, including date, time, and place of continued meeting, will be given by announcement at the original meeting. Only matters appearing on the agenda of the meeting that is continued will be discussed at the continued or reconvened meeting.
10. An emergency meeting of the BOC as permitted by the Oklahoma Open Meeting Act may be held without public notice. The person calling an emergency meeting will give as much advance public notice as is reasonable and possible under the existing circumstances.
11. Matters of business that require further investigation or detailed study may be delegated to an ad hoc BOC committee appointed by the chair with the advice and consent of the Executive Committee.
12. At each meeting, the chair may provide an opportunity for any relevant business to be introduced by any BOC member, the agency director or any citizen attending the meeting, however, business may not be transacted unless such business constitutes “new business” within the meaning of the Open Meeting Act.
13. Every meeting of the BOC will be electronically taped (except executive session) from which minutes will be transcribed in summary form. A copy of the minutes will be forwarded to the BOC before the next meeting for their review. After formal approval of the minutes, as submitted or as amended, the taped recordings shall be destroyed, unless the BOC or the Executive Committee requests that the tape recording not be destroyed. A certified copy of the approved minutes will constitute the official record of the BOC.
14. Members of the BOC will be reimbursed for travel expenses, as provided by law for other state officers and employees, while attending meetings of the BOC or performing other official duties.

C. BOC Committees

The chair of the BOC shall appoint or reappoint up to ~~three~~four members of the BOC to a standing committee at the beginning of a fiscal year. Any BOC member may offer a motion to create a standing or ad hoc committee, which shall include the proposed committee’s specific tasks and/or goals. If approved, the chair shall appoint up to ~~four~~three members

to the committee and name a member to act as chair of the newly created committee.

Each committee may meet as required by the respective chair of the committee and report their findings and recommendations to the full BOC for formal approval and action. After each meeting of any committee, a report will be made during the next regular or special BOC meeting as required. Committee meetings will be coordinated with the agency director and staff schedules.

The following committees are standing committees:

1. Executive Committee

a. The Executive Committee shall consist of the following BOC members:

- (1) Chair of the BOC;
- (2) Vice chair of the BOC; and
- (3) The immediate past chair of the BOC. In the event the past chair is no longer serving as a BOC member, the secretary of the BOC shall succeed to the Executive Committee.

b. Duties of the Executive Committee shall include:

- (1) Developing, reviewing, and approving the monthly BOC agenda;
- (2) Performing BOC self-assessments by developing performance targets and assessing annually their achievement using a survey, interviews, or by other methods the BOC deems appropriate;
- (3) Reviewing BOC policies and recommending changes to be presented to the BOC; and
- (4) Any matter referred to it by the BOC chair or agency director.

2. Audit/Finance/Technology Committee

a. The Audit/Finance/Technology Committee will meet with the agency director and designated staff to conduct business, including but not limited to:

- (1) Reviewing and analyzing the ODOC's annual budget request and budget work program;
- (2) Recommending to the BOC the type and scope of the audits to be performed for the agency, the Oklahoma Correctional Industries and Agri-Services;
- (3) Recommending to the BOC the entity, firm or person to perform audits;
- (4) Determining the type, content and frequency of financial reports to fulfil proper financial oversight and compliance with Oklahoma Statutes; and
- (5) Ensuring controls are in place to safeguard the assets of the agency as well as controls for proper financial reporting.

(6) Development of a strategic modernization plan that encompasses the needs of the agency and its functioning divisions, departments, and groups.

(7) Maintaining the strategic plan as a living document that encompasses changes in needs, budget availability, growth, and maintains technological currency.

~~(5)~~(8) Provide insight and direction in strategic partnerships with legacy stakeholders and the development of new opportunities in information sharing.

b. The Audit/Finance/Technology Committee will meet as needed to review the budget request due in October of each fiscal year.

c. The Audit/Finance/Technology Committee will meet as needed to review the budget work program due June 1 or as soon thereafter as possible of each fiscal year.

d. ~~d.~~—The Audit/Finance/Technology Committee chair or a designee will report to the BOC and request formal approval of the budget request and budget work program.

e. The Audit/Finance/Technology Committee, the agency director and the CIO will communicate as necessary with Oklahoma Management and Enterprise Services (OMES), Information Services Division, to propagate working relationships.

~~d.f.~~ The Audit/Finance/Technology Committee will hear reports of new initiatives modernizing the agency or selected portions and carry this information forward to the general board for discussion and/or approval as necessary.

3. Population/Security/Private Prison Committee

a. The Population/Security/Private Prison Committee will meet as needed with the agency director and designated staff to conduct business, including but not limited to:

(1) Reviewing the ODOC's population status, operating procedures, and the review and approval of facilities' authorized capacity.

(2) Reviewing and approving requests for proposals, determining contract performance standards, proposing rules and regulations, reviewing and approving proposed per diem costs for the ensuing fiscal year, and reviewing the cost benefit analysis required by law.

(3) Reviewing ODOC policies and procedures which may affect female inmates/offenders to ensure a level of parity that avoids and/or minimizes any discrimination.

(4) Reviewing security operations that enhance the safety and security of the agency's staff and facilities.

~~(3)~~(5) Reviewing internal reports or investigations related to inmate deaths, suicides, or non-routine security matters.

The Population/Security/Private Prison Committee chair or a designee will report to the full BOC their recommendations and request formal approval thereof.

4. Public Policy/Affairs/Criminal Justice Committee

a. The Public Policy/Affairs/Criminal Justice Committee will meet with the agency director and designated and appropriate staff to conduct business, including but not limited to the review and approval of the specific language of the legislative initiatives of the ODOC.

b. The Public Policy/Affairs/Criminal Justice Committee will meet prior to each legislative session, and from time to time during the legislative session, to review and discuss any necessary changes.

c. The Public Policy/Affairs/Criminal Justice Committee, the agency director and designated staff will interface, as necessary, with members of other state boards, associations, organizations, agencies and designated appropriate staff to coordinate activities relating to the above named entities.

~~d. d.—The Public Policy/Affairs/Criminal Justice Committee chair or a designee will report to the BOC their recommendations and request formal approval thereof.~~

~~e. The Public Policy/Affairs/Criminal Justice Committee will review policies and make recommendations to support criminal justice reform.~~

~~f. The Public Policy/Affairs/Criminal Justice Committee will explore opportunities for cooperative efforts to promote awareness of ODOC policies and procedures as it relates to criminal justice reform.~~

~~d.g. _____~~

~~5. Criminal Justice Reform Committee~~

~~a. The Criminal Justice Reform Committee will meet as necessary with the agency director and designated staff to conduct business, including but not limited to:~~

~~(1) Reviewing, developing and updating current ODOC policies and procedures to support criminal justice reform.~~

~~(2) Exploring opportunities for cooperative efforts and to promote awareness of ODOC policies and procedures as it relates to criminal justice reform.~~

~~(3) Providing direction and guidance to facilitate long-term objectives of the agency.~~

~~b. The Criminal Justice Reform Committee, the agency director and designated staff will interface, as necessary, with members of other state boards, associations, organizations, agencies and designated appropriate staff to coordinate activities relating to the above named entities.—~~

~~c. The Criminal Justice Reform Committee chair or a designee will report to the BOC their recommendations and request formal approval thereof.~~

~~6. Technology Committee~~

~~a. The Technology Committee will meet as necessary with the agency director and designated staff to conduct business, including but not limited to:~~

~~(1) Developing a budget request due in October of each year.~~

~~(2) Development of a strategic modernization plan that encompasses the needs of the agency and its functioning divisions, departments, and groups.~~

~~(3) Maintaining the strategic plan as a living document that encompasses changes in needs, budget availability, growth, and maintains technological currency.~~

~~(4) Provide insight and direction in strategic partnerships with legacy stakeholders and the development of new opportunities in information sharing.~~

~~b. The Technology Committee, the agency director and the CIO will communicate as necessary with Oklahoma Management and Enterprise Services (OMES), Information Services Division, to propagate working relationships.~~

~~c. The Technology Committee will hear reports of new initiatives modernizing the agency or selected portions and carry this information forward to the general board for discussion and/or approval as necessary.~~

D. Committee Sunset Provision

All committees not designated as a standing committee shall expire after one calendar year from the date of the committee's inception, unless the BOC approves the committee's continued existence.

E. BOC Agenda

The chair and/or the Executive Committee shall be contacted in order for any item to be placed on the BOC agenda for a regular or special BOC meeting. Proposed agendas will be prepared and posted approximately seven days prior to any BOC meeting. A final agenda will be posted at least 24 hours in advance of any BOC meeting. After final posting, no additions to the agenda will be considered unless it falls under the item of new business in compliance with the Oklahoma Open Meeting Act. The decision of the chair will be final for placing items on the agenda for the next meeting unless requested by three members of the BOC in a timely manner.

F. Requests for Information by BOC Members

Any BOC member or committee may request information from ODOC that is within the BOC's statutory authority, provided such request is presented to the agency director who may refer the request to the appropriate member of the ODOC staff. Copies of such information shall be provided to all members of the BOC, as deemed appropriate by the agency director

and/or the BOC Executive Committee. Any requests that cause significant increases in workload for the agency director or ODOC staff should be referred to the BOC Executive Committee for approval or placed on the next BOC meeting's agenda for consideration by the BOC. The agency director will determine whether the request presents a significant increase in workload and the time required responding to the request. If required, the agency director will request that the BOC member contact the BOC chair to place the item on the agenda for the next BOC meeting.

III. Public Access

The ODOC and its BOC share the responsibility to provide information concerning ODOC to Oklahoma citizens. The BOC will allow public and press inquiry of each BOC member after each BOC meeting, as each individual BOC member's schedule permits. All requests for information from BOC members shall be referred to the agency director for appropriate response.

A. Requests for Information

Requests for information from the public regarding an individual inmate must meet the following requirements:

1. The request must comply with [OP-060212](#) entitled "Maintenance and Access of Inmate/Offender Records" and "Authorization to Release Department of Corrections Record Information" form ([DOC 060212F](#)).
2. If the request is regarding questionable policy practices or possible criminal behavior by staff or an inmate, specific facts must be provided by the requesting party prior to any response.

For any request that does not involve possible criminal behavior by the inmate or that places the requesting party in jeopardy, the information gathered for the response shall be provided to the inmate by the unit staff. The inmate shall then have the opportunity to forward the information to the requesting party. The inmate shall be encouraged to utilize the grievance procedure, when appropriate.

This section will not apply to open records requests or requests by an inmate's attorney of record or elected public officials.

Unless otherwise provided by the Oklahoma Open Meeting Act, all BOC meetings will be open and accessible by the public. All members of the public attending BOC meetings shall be subject to any security procedures deemed necessary by the ODOC. Any person who has been denied access to any ODOC facility or institution may be allowed to attend a BOC meeting, provided the person meets all security concerns, and shall be limited to the specific room where the meeting is held, and shall be required to arrive within a reasonable time before the meeting and leave

within a reasonable time after the adjournment of the meeting.

IV. Members Representing the BOC

Only members or committees authorized by the chair and/or the Executive Committee or pursuant to a duly adopted BOC resolution may represent the BOC before the executive or legislative branch or before any other branch or agency of the state or federal government or before any private entity, including the press. Except as noted above, media comments may be made stating only the personal views or positions of the member on matters that may come before the BOC. Members may express their personal views on any proposed legislation affecting the ODOC.

V. References

OP-060212 entitled "Maintenance and Access of Inmate/Offender Records"

25 O.S. 301-314

57 O.S. 503, 504, 506, 510, 561, 561.1

74 O.S. 2.2

577 P. 2nd 1310 (Okla. 1978)

VI. Action

The agency director is responsible for compliance with this policy.

The agency director and the Board of Corrections are responsible for the annual review and revisions.

Any exceptions to this policy statement will require prior written approval of the Board of Corrections.

This policy is effective as indicated.

Replaced: Policy Statement No. P-010200 entitled "Operating Procedures and Policies for the Oklahoma Board of Corrections" dated [May 9, 2018](#)
[November 13, 2019](#)

Distribution: Policy and Operations Manuals
Agency Website (Public)
Board Website (Private)

<u>Referenced Forms</u>	<u>Title</u>	<u>Location</u>
DOC 060212F	“Authorization to Release Department of Corrections Record Information”	OP-060212

<u>Attachments</u>	<u>Title</u>	<u>Location</u>
Attachment A	“Performance Expectations for Members of the Oklahoma Board of Corrections”	Attached

Section-01 Organization	Page: 1	P-010200	Effective Date: 01/27/2020
Board Operating Procedures	ACA Standards: 2-CO-1A-10, 5-ACI-1A-01, 4-APPFS-3D-01		
T. Hastings Siegfried, Chair Oklahoma Board of Corrections			

Operating Procedures and Policies for the Oklahoma Board of Corrections

The Oklahoma Board of Corrections (BOC) will establish and maintain written policies for the operation of the Oklahoma Department of Corrections (ODOC) pursuant to Section 504 of Title 57 of the Oklahoma Statutes. (5-ACI-1A-01, 4-APPFS-3D-01)

I. Operating Procedures

A. Duties and Responsibilities

Upon selection by the Governor, the Oklahoma State Senate, or the Oklahoma House of Representatives to the BOC, the prospective new BOC member(s) shall promptly receive a copy of these Operating Procedures and Policies and its attachments, including the "Performance Expectations for Members of the Oklahoma Board of Corrections" which is incorporated by reference ([Attachment A](#), attached).

The Governor will appoint five members to the BOC, with the President Pro Tempore of the Senate and the Speaker of the House of Representatives each appointing two members.

The duties and responsibilities outlined in these Operating Procedures and Policies will be reviewed annually by the BOC and the ODOC director. The BOC will have the following powers and duties:

1. Establishment of Policies

The BOC will establish policies for the operation of the ODOC.

2. Approval of Personnel Matters (2-CO-1A-10)

a. The BOC may require the agency director and any other ODOC personnel, when deemed necessary by the BOC, to give bond for the faithful performance of their duties (57 O.S. 504(5)).

b. The BOC will consider for confirmation and vote on the appointments of positions to be determined by the BOC.

3. Approval of Contracts and Budgets

a. The BOC will be involved in the selection of architectural firms for projects when the architect's fee is over \$200,000. The BOC will also approve requisitions for construction

contracts for projects where estimated construction costs are greater than \$500,000. Approval of construction documents must occur before acceptance of a bid.

- b. The BOC will be involved in the selection of sites for new institutions and community corrections centers, and select and approve relocation of existing correctional facilities.
- c. The BOC will review and approve the proposed ODOC budget request before it is submitted to the Office of Management and Enterprise Services (OMES) in October of each year for review by the Governor.
- d. The BOC will review and approve the ODOC budget work program before it is submitted to OMES on June 1 or as soon thereafter as possible.
- e. The BOC will review and approve all emergency expenditures of money that exceed the agency director's authority as allowed by law.

4. Private Prison Construction or Operation

- a. If ODOC proposes to enter into a contract for the construction or the operation, or both, of a private prison, ODOC shall compare both the capital costs and the operating costs for the facility to the imputed capital costs and the projected operating costs of a comparable facility constructed and operated by ODOC (57 O.S. 561, 561.1D-4 &G).
- b. ODOC shall then deliver to the BOC the top three qualified prospective private prison contractors identified pursuant to law together with the information reviewed and analyzed by ODOC during analysis of the proposals. The BOC shall evaluate the information provided and shall make a final decision selecting the contractor within 15 days of receipt of the information (57 O.S.561.1.H).
- c. Should ODOC choose to negotiate with current private prison contractors for a new contract for the operation, lease, or lease/purchase of a private prison, ODOC shall compare both the capital costs and the operating costs for the facility to the imputed capital costs and the projected operating costs of a comparable facility constructed and operated by ODOC. The BOC shall evaluate the information provided and shall make a final decision selecting the contractor within 15 days of receipt of the information. Additional time may be provided, when necessary (57 O.S. 561, 561.1).

B. Orientation

Within three months of their appointment, all newly appointed BOC members shall attend an orientation to become familiar with ODOC operations.

C. Officers, Terms of Office, and Qualifications

1. The BOC, composed of nine members, will have the following offices: a chair, vice chair, and secretary. These offices will be filled by BOC election at the regular meeting held annually in June.
2. An incumbent officer may be re-elected as often as such officer receives the necessary votes. Newly elected officers will assume their offices at the conclusion of the BOC meeting in which they were elected.

D. BOC Vacancies and Succession

1. If a vacancy occurs in the office of the chair, the vice chair will automatically succeed to the office of the chair and complete the remaining term of office.
2. Upon assuming the office of chair, the office of vice chair will become vacant through succession, and the chair may appoint a vice chair to complete the remaining term of office.
3. Any vacancy occurring in the office of vice chair or secretary may be filled by the chair by appointment for the remaining term of office.
4. A newly appointed officer will assume office at the conclusion of the BOC meeting in which they were elected.

E. Facility/Office Tours

Besides the tours or inspections, which may be taken during the regular BOC meetings, each BOC member is encouraged to conduct at least one visit of an ODOC institution, community corrections center and probation and parole office per year.

F. Inquiries

Any inquiries regarding ODOC's operations, actions, or policies received by BOC members from the public, employees, or inmates/offenders will be referred to the agency director or designee for response. If those inquiries are of such a nature that referral to the agency director may be inappropriate, then referral should be made to the chair of the BOC for appropriate disposition.

II. Administration of BOC Functions

A. Rules of Order

1. The *Modern Rules of Order* shall act as a guide to the BOC in the transaction of business during meetings, unless otherwise provided by law or these BOC operating policies.
2. A quorum of the BOC consists of five BOC members.
3. A roll-call vote of the BOC is taken on the following:
 - a. All actions requiring BOC approval or confirmation as identified in this policy;
 - b. Convening an executive session of the BOC; and/or
 - c. On any other action at the request of any BOC member or upon the advice of legal counsel.

B. BOC Meetings

The BOC will normally meet with the agency director at least monthly to review the administration and activities of the ODOC to include reports on the operation and performance of facilities and units, review BOC policies as needed, and other appropriate matters.(4-ACRS-7D-34)

1. The chair will preside over BOC meetings. The vice chair will preside in the absence of the chair.
2. The monthly meetings will be conducted at a time and place designated by the chair (or vice chair in the chair's absence), and published by ODOC.
 - a. Members who know that they will be unable to attend will notify the ODOC of their intended absence at least one week before the scheduled meeting.
 - b. A majority of affirmative votes of a quorum will be required to conduct and transact the business of the BOC.
3. ODOC support staff will be responsible for the following:
 - a. Recording the minutes of every BOC meeting;
 - b. The certification of the approval of the minutes;
 - c. Ensuring whenever possible, all documents and information relevant to the BOC meeting is provided to the BOC in

electronic form, no less than five days prior to the scheduled BOC meeting; and

d. Maintaining the official records of the BOC as required by law.

4. Upon approval of the minutes, the BOC Secretary will execute the following:

Certificate of Approval

I hereby certify that these minutes were duly approved by the Oklahoma Board of Corrections on _____, 20____, in which a quorum was present and voting.

Date: _____ Secretary of the Oklahoma Board of Corrections

5. All meetings of the BOC will be conducted according to the Oklahoma Open Meeting Act (25 O.S. § 301-314).

a. The agency director will ensure that notice is given in writing to the Secretary of State, by December 15 of each calendar year, of the regularly scheduled meetings of the BOC for the next calendar year.

b. The agency director will ensure that the proposed agenda is posted at least 24 hours before each meeting. The agenda will be posted in prominent public view at ODOC Administration, 3400 North Martin Luther King Avenue in Oklahoma City.

c. If any change is to be made in the date, time, or place of the regularly scheduled meeting, then notice in writing will be given to the Secretary of State not less than ten days before the implementation of the change.

d. The agency director shall certify, prior to the beginning of each meeting, that all requirements under the open meetings act were completed.

6. BOC executive sessions are authorized only under the circumstances provided by Oklahoma law.

7. Any vote or action must be taken in public meeting with the vote of each member publicly cast and recorded. At the end of each executive session, a public announcement will be made memorializing the executive session discussion and announcing whether a vote is necessary.

8. Special meetings may be called by the chair or by a majority of the BOC as necessary and according to the Oklahoma Open Meeting Act.
9. In the event any meeting is to be continued or reconvened, public notice of the action, including date, time, and place of continued meeting, will be given by announcement at the original meeting. Only matters appearing on the agenda of the meeting that is continued will be discussed at the continued or reconvened meeting.
10. An emergency meeting of the BOC as permitted by the Oklahoma Open Meeting Act may be held without public notice. The person calling an emergency meeting will give as much advance public notice as is reasonable and possible under the existing circumstances.
11. Matters of business that require further investigation or detailed study may be delegated to an ad hoc BOC committee appointed by the chair with the advice and consent of the Executive Committee.
12. At each meeting, the chair may provide an opportunity for any relevant business to be introduced by any BOC member, the agency director or any citizen attending the meeting, however, business may not be transacted unless such business constitutes "new business" within the meaning of the Open Meeting Act.
13. Every meeting of the BOC will be electronically taped (except executive session) from which minutes will be transcribed in summary form. A copy of the minutes will be forwarded to the BOC before the next meeting for their review. After formal approval of the minutes, as submitted or as amended, the taped recordings shall be destroyed, unless the BOC or the Executive Committee requests that the tape recording not be destroyed. A certified copy of the approved minutes will constitute the official record of the BOC.
14. Members of the BOC will be reimbursed for travel expenses, as provided by law for other state officers and employees, while attending meetings of the BOC or performing other official duties.

C. BOC Committees

The chair of the BOC shall appoint or reappoint up to four members of the BOC to a standing committee at the beginning of a fiscal year. Any BOC member may offer a motion to create a standing or ad hoc committee, which shall include the proposed committee's specific tasks and/or goals. If approved, the chair shall appoint up to four members to the committee and name a member to act as chair of the newly created committee.

Each committee may meet as required by the respective chair of the committee and report their findings and recommendations to the full BOC for formal approval and action. After each meeting of any committee, a report will be made during the next regular or special BOC meeting as required. Committee meetings will be coordinated with the agency director and staff schedules.

The following committees are standing committees:

1. Executive Committee

a. The Executive Committee shall consist of the following BOC members:

- (1) Chair of the BOC;
- (2) Vice chair of the BOC; and
- (3) The immediate past chair of the BOC. In the event the past chair is no longer serving as a BOC member, the secretary of the BOC shall succeed to the Executive Committee.

b. Duties of the Executive Committee shall include:

- (1) Developing, reviewing, and approving the monthly BOC agenda;
- (2) Performing BOC self-assessments by developing performance targets and assessing annually their achievement using a survey, interviews, or by other methods the BOC deems appropriate;
- (3) Reviewing BOC policies and recommending changes to be presented to the BOC; and
- (4) Any matter referred to it by the BOC chair or agency director.

2. Audit/Finance/Technology Committee

a. The Audit/Finance/Technology Committee will meet with the agency director and designated staff to conduct business, including but not limited to:

- (1) Reviewing and analyzing the ODOC's annual budget request and budget work program;

- (2) Recommending to the BOC the type and scope of the audits to be performed for the agency, the Oklahoma Correctional Industries and Agri-Services;
 - (3) Recommending to the BOC the entity, firm or person to perform audits;
 - (4) Determining the type, content and frequency of financial reports to fulfil proper financial oversight and compliance with Oklahoma Statutes;
 - (5) Ensuring controls are in place to safeguard the assets of the agency as well as controls for proper financial reporting;
 - (6) Development of a strategic modernization plan that encompasses the needs of the agency and its functioning divisions, departments, and groups;
 - (7) Maintaining the strategic plan as a living document that encompasses changes in needs, budget availability, growth, and maintains technological currency; and
 - (8) Provide insight and direction in strategic partnerships with legacy stakeholders and the development of new opportunities in information sharing.
- b. The Audit/Finance/Technology Committee will meet as needed to review the budget request due in October of each fiscal year.
 - c. The Audit/Finance/Technology Committee will meet as needed to review the budget work program due June 1 or as soon thereafter as possible of each fiscal year.
 - d. The Audit/Finance/Technology Committee chair or a designee will report to the BOC and request formal approval of the budget request and budget work program.
 - e. The Audit/Finance/Technology Committee, the agency director and the CIO will communicate as necessary with Oklahoma Management and Enterprise Services (OMES), Information Services Division, to propagate working relationships.
 - f. The Audit/Finance/Technology Committee will hear reports of new initiatives modernizing the agency or selected

portions and carry this information forward to the general board for discussion and/or approval as necessary.

3. Population/Security/Private Prison Committee

a. The Population/Security/Private Prison Committee will meet as needed with the agency director and designated staff to conduct business, including but not limited to:

- (1) Reviewing the ODOC's population status, operating procedures, and the review and approval of facilities' authorized capacity.
- (2) Reviewing and approving requests for proposals, determining contract performance standards, proposing rules and regulations, reviewing and approving proposed per diem costs for the ensuing fiscal year, and reviewing the cost benefit analysis required by law.
- (3) Reviewing ODOC policies and procedures which may affect female inmates/offenders to ensure a level of parity that avoids and/or minimizes any discrimination.
- (4) Reviewing security operations that enhance the safety and security of the agency's staff and facilities.
- (5) Reviewing internal reports or investigations related to inmate deaths, suicides, or non-routine security matters.

The Population/Security/Private Prison Committee chair or a designee will report to the full BOC their recommendations and request formal approval thereof.

4. Public Policy/Affairs/Criminal Justice Committee

a. The Public Policy/Affairs/Criminal Justice Committee will meet with the agency director and designated and appropriate staff to conduct business, including but not limited to the review and approval of the specific language of the legislative initiatives of the ODOC.

b. The Public Policy/Affairs/Criminal Justice Committee will meet prior to each legislative session, and from time to time during the legislative session, to review and discuss any necessary changes.

- c. The Public Policy/Affairs/Criminal Justice Committee, the agency director and designated staff will interface, as necessary, with members of other state boards, associations, organizations, agencies and designated appropriate staff to coordinate activities relating to the above named entities.
- d. The Public Policy/Affairs/Criminal Justice Committee chair or a designee will report to the BOC their recommendations and request formal approval thereof.
- e. The Public Policy/Affairs/Criminal Justice Committee will review policies and make recommendations to support criminal justice reform.
- f. The Public Policy/Affairs/Criminal Justice Committee will explore opportunities for cooperative efforts to promote awareness of ODOC policies and procedures as it relates to criminal justice reform.

D. Committee Sunset Provision

All committees not designated as a standing committee shall expire after one calendar year from the date of the committee's inception, unless the BOC approves the committee's continued existence.

E. BOC Agenda

The chair and/or the Executive Committee shall be contacted in order for any item to be placed on the BOC agenda for a regular or special BOC meeting. Proposed agendas will be prepared and posted approximately seven days prior to any BOC meeting. A final agenda will be posted at least 24 hours in advance of any BOC meeting. After final posting, no additions to the agenda will be considered unless it falls under the item of new business in compliance with the Oklahoma Open Meeting Act. The decision of the chair will be final for placing items on the agenda for the next meeting unless requested by three members of the BOC in a timely manner.

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Any BOC member or committee may request information from ODOC that is within the BOC's statutory authority, provided such request is presented to the agency director who may refer the request to the appropriate member of the ODOC staff. Copies of such information shall be provided to all members of the BOC, as deemed appropriate by the agency director and/or the BOC Executive Committee. Any requests that cause significant increases in workload for the agency director or ODOC staff should be referred to the BOC Executive Committee for approval or placed on the

next BOC meeting's agenda for consideration by the BOC. The agency director will determine whether the request presents a significant increase in workload and the time required responding to the request. If required, the agency director will request that the BOC member contact the BOC chair to place the item on the agenda for the next BOC meeting.

III. Public Access

The ODOC and its BOC share the responsibility to provide information concerning ODOC to Oklahoma citizens. The BOC will allow public and press inquiry of each BOC member after each BOC meeting, as each individual BOC member's schedule permits. All requests for information from BOC members shall be referred to the agency director for appropriate response.

A. Requests for Information

Requests for information from the public regarding an individual inmate must meet the following requirements:

1. The request must comply with [OP-060212](#) entitled "Maintenance and Access of Inmate/Offender Records" and "Authorization to Release Department of Corrections Record Information" form ([DOC 060212F](#)).
2. If the request is regarding questionable policy practices or possible criminal behavior by staff or an inmate, specific facts must be provided by the requesting party prior to any response.

For any request that does not involve possible criminal behavior by the inmate or that places the requesting party in jeopardy, the information gathered for the response shall be provided to the inmate by the unit staff. The inmate shall then have the opportunity to forward the information to the requesting party. The inmate shall be encouraged to utilize the grievance procedure, when appropriate.

This section will not apply to open records requests or requests by an inmate's attorney of record or elected public officials.

Unless otherwise provided by the Oklahoma Open Meeting Act, all BOC meetings will be open and accessible by the public. All members of the public attending BOC meetings shall be subject to any security procedures deemed necessary by the ODOC. Any person who has been denied access to any ODOC facility or institution may be allowed to attend a BOC meeting, provided the person meets all security concerns, and shall be limited to the specific room where the meeting is held, and shall be required to arrive within a reasonable time before the meeting and leave within a reasonable time after the adjournment of the meeting.

IV. Members Representing the BOC

Only members or committees authorized by the chair and/or the Executive Committee or pursuant to a duly adopted BOC resolution may represent the BOC before the executive or legislative branch or before any other branch or agency of the state or federal government or before any private entity, including the press. Except as noted above, media comments may be made stating only the personal views or positions of the member on matters that may come before the BOC. Members may express their personal views on any proposed legislation affecting the ODOC.

V. References

OP-060212 entitled "Maintenance and Access of Inmate/Offender Records"

25 O.S. 301-314

57 O.S. 503, 504, 506, 510, 561, 561.1

74 O.S. 2.2

577 P. 2nd 1310 (Okla. 1978)

VI. Action

The agency director is responsible for compliance with this policy.

The agency director and the Board of Corrections are responsible for the annual review and revisions.

Any exceptions to this policy statement will require prior written approval of the Board of Corrections.

This policy is effective as indicated.

Replaced: Policy Statement No. P-010200 entitled "Operating Procedures and Policies for the Oklahoma Board of Corrections" dated November 13, 2019

Distribution: Policy and Operations Manuals
Agency Website (Public)
Board Website (Private)

<u>Referenced Forms</u>	<u>Title</u>	<u>Location</u>
DOC 060212F	“Authorization to Release Department of Corrections Record Information”	OP-060212

<u>Attachments</u>	<u>Title</u>	<u>Location</u>
Attachment A	“Performance Expectations for Members of the Oklahoma Board of Corrections”	Attached

**Item #9.B.
Announcement of BOC Committees**

By Committee:

<p style="text-align: center;">Executive</p> <p>Hastings Siegfried - Chair Lynn Haueter - Vice Chair Kathryn LaFortune - Secretary</p>	<p style="text-align: center;">Audit/Finance/Technology</p> <p>Lynn Haueter - Chair Randy Chandler Daryl Woodard</p>	<p style="text-align: center;">Population/Security/Private Prisons</p> <p>Hastings Siegfried - Chair Kathryn LaFortune Stephan Moore Calvin Prince</p>	
<table border="1" style="width: 100%;"> <tr> <td data-bbox="87 646 561 949"> <p style="text-align: center;">Public Policy/Affairs/Criminal Justice</p> <p>Betty Gesell - Chair Joe Griffin Kathryn LaFortune</p> </td> </tr> </table>			<p style="text-align: center;">Public Policy/Affairs/Criminal Justice</p> <p>Betty Gesell - Chair Joe Griffin Kathryn LaFortune</p>
<p style="text-align: center;">Public Policy/Affairs/Criminal Justice</p> <p>Betty Gesell - Chair Joe Griffin Kathryn LaFortune</p>			

By Member:

<p style="text-align: center;">Chandler</p> <p>Audit/Finance/Technology</p>	<p style="text-align: center;">Gesell</p> <p>Public Policy/Affairs/Criminal Justice</p>	<p style="text-align: center;">Griffin</p> <p>Public Policy/Affairs/Criminal Justice</p>
<p style="text-align: center;">Haueter</p> <p>Executive Audit/Finance/Technology</p>	<p style="text-align: center;">LaFortune</p> <p>Executive Population/Security/Private Prisons Public Policy/Affairs/Criminal Justice</p>	<p style="text-align: center;">Moore</p> <p>Population/Security/Private Prisons</p>
<p style="text-align: center;">Prince</p> <p>Population/Security/Private Prisons</p>	<p style="text-align: center;">Siegfried</p> <p>Executive Population/Security/Private Prisons</p>	<p style="text-align: center;">Woodard</p> <p>Audit/Finance/Technology</p>

Item #10
Approval of BOC Policy P-090200

Section-09 Programs	P-090200	Page: 1	Effective Date: draft05/09/2018
Public Works Programs of the Oklahoma Department of Corrections	ACA Standards: 2-CO-5A-01, 5-ACI-7A-044-4452 , 4-ACRS-6D-01		
Steven Harpe Frank X. Henke, IV T. Hastings Siegfried , Chair			
Oklahoma Board of Corrections			

Public Works Programs of the Oklahoma Department of Corrections

The Oklahoma Department of Corrections (ODOC) may pursue public works programs consistent with state statute by engaging in public service activities and projects that serve and benefit a public purpose. These activities may require the utilization of state resources and inmate labor. Projects may take place on public property or on private land as provided by law. Any projects on private land must serve a public purpose benefiting the public as a whole. The director of the Oklahoma Department of Corrections will ensure that written policies and procedures are maintained for the proper utilization of state resources and that all approved activities are for the purpose of a public benefit. (2-CO-5A-01, [5-ACI-7A-04 4-4452](#), 4-ACRS-6D-01)

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I. Prisoner Public Works Projects (PPWP)

A. Assignment of Inmates

As authorized by state law, inmates under the custody of the Oklahoma Department of Corrections may be assigned to municipalities, counties, or other state agencies or political subdivisions, and the federal government and its agencies for the purpose of working on projects that benefit a public purpose.

B. Procedures

Procedures governing this process address and include the following:

1. Contract agreements for Public Works Programs;
2. Criteria for selection and exclusion of inmates to be assigned; and
3. Monitoring and accountability measures to ensure contract compliance and proper utilization of the state's resources.

II. References

57 O.S. § 510A (15)

57 O.S. § 215 et. seq.

74 O.S. § 1001 et. seq.

Title 170, O.A.C. Chapter 10

III. Action

The agency director is responsible for compliance with this policy.

The agency director is responsible for the annual review and revisions.

Any exceptions to this policy statement will require prior written approval of the Board of Corrections.

This policy is effective as indicated.

Replaced: Policy Statement No. P-090200 entitled "Public Works Programs of the Oklahoma Department of Corrections" dated ~~May 9, 2018~~ ~~rch 7, 2017~~

Distribution: Policy and Operations Manual
Agency Website

AR 1/30/19 CR

SR 2/4/19 CR

Ready for Proofing 2/20/19 CR

Section-09 Programs	P-090200	Page: 1	Effective Date: 01/27/2020
Public Works Programs of the Oklahoma Department of Corrections	ACA Standards: 2-CO-5A-01, 5-ACI-7A-04, 4-ACRS-6D-01		
T. Hastings Siegfried, Chair Oklahoma Board of Corrections			

Public Works Programs of the Oklahoma Department of Corrections

The Oklahoma Department of Corrections (ODOC) may pursue public works programs consistent with state statute by engaging in public service activities and projects that serve and benefit a public purpose. These activities may require the utilization of state resources and inmate labor. Projects may take place on public property or on private land as provided by law. Any projects on private land must serve a public purpose benefiting the public as a whole. The director of the Oklahoma Department of Corrections will ensure that written policies and procedures are maintained for the proper utilization of state resources and that all approved activities are for the purpose of a public benefit. (2-CO-5A-01, 5-ACI-7A-04, 4-ACRS-6D-01)

I. Prisoner Public Works Projects (PPWP)

A. Assignment of Inmates

As authorized by state law, inmates under the custody of the Oklahoma Department of Corrections may be assigned to municipalities, counties, or other state agencies or political subdivisions, and the federal government and its agencies for the purpose of working on projects that benefit a public purpose.

B. Procedures

Procedures governing this process address and include the following:

1. Contract agreements for Public Works Programs;
2. Criteria for selection and exclusion of inmates to be assigned; and
3. Monitoring and accountability measures to ensure contract compliance and proper utilization of the state's resources.

II. References

57 O.S. § 510A (15)

57 O.S. § 215 et. seq.

74 O.S. § 1001 et. seq.

Title 170, O.A.C. Chapter 10

III. Action

The agency director is responsible for compliance with this policy.

The agency director is responsible for the annual review and revisions.

Any exceptions to this policy statement will require prior written approval of the Board of Corrections.

This policy is effective as indicated.

Replaced: Policy Statement No. P-090200 entitled "Public Works Programs of the Oklahoma Department of Corrections" dated May 9, 2018

Distribution: Policy and Operations Manual
Agency Website

Item #11
Approval of BOC Policy P-100100

Section-10 Training and Staff Development	P-100100	Page: 1	Effective Date: <u>draft 04/04/2018</u>
Training and Staff Development	ACA Standards: 2-CO-1C-14, 2-CO-1D-01, 2-CO-1D-03, 2-CO-1D-04, 2-CO-1D-05, 2-CO-2D-10, 5-ACI-1D-03 , 5-ACI-1D-05 , 5-ACI-1D-07 , 5-ACI-1D-5-1D4-4073 , 5-1D4-4075 , 5-1D4-4077 , 5-1D4-4079 , 45-1D-4088 , 4-4094		
Michael W. Roach Frank X. Henke, IV , T. Hastings Siegfried , Chair			
Oklahoma Board of Corrections			

Training and Staff Development Standards

I. Training and Staff Development

The Oklahoma Department of Corrections (ODOC) will provide employees with the opportunity for training and staff development necessary to develop job related expertise, foster professional growth, and encourage the pursuit of career goals. (2-CO-1C-14)

Qualified staff will plan, coordinate, and supervise the training program. (2-CO-1D-01, [5-ACI-1D-014-4073](#))

A. Orientation

Orientation standards will be developed for the training of new staff. All new employees, part-time and contract staff and volunteers will receive orientation prior to job assignment. (2-CO-1D-05, [5-ACI-1D-015-1D4-4088](#))

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B. Job Specific Training

The ODOC will provide job specific training that is oriented toward specific learning objectives designed to prepare new employees to perform their jobs in a professional, safe, and effective manner.

C. In-Service Training

Employees will be provided with mandatory and elective training opportunities that meet statutory requirements and foster continuing professional development.

D. Leadership/Management Training

Employees will be provided with the training necessary and required to develop supervisory and managerial capabilities that meet statutory requirements and foster continuing professional development. (2-CO-1C-14)

E. Succession Planning

The ODOC will develop a program to provide a systematic approach to ensure leadership continuity, develop potential successors in ways that best fit their strengths, and identify the best candidates for categories of positions.

F. Professional Seminars and Conferences

Employees will be provided opportunities to attend professionally related seminars and conferences that enhance professionalism and job knowledge. (2-CO-1D-10, ~~4-4094~~) Resources of other public and private agencies may be utilized as available. (2-CO-1D-04, ~~5-ACI-1D-075-1D4-4079, 4-4094~~)

II. Annual Review

The agency's training plan will provide for ongoing evaluation of all orientation, job specific, and in-service training. Specialized training programs will be re-evaluated at least annually. (2-CO-1D-03, ~~5-ACI-1D-01, 5-ACI-1D-03, 5-ACI-1D-0545-1D-4073, 5-1D4-4075, 5-1D4-4077~~)

III. References

74 O.S. § 840-3.1 "Supervisory Personnel - Training Programs"

Merit Rule 260:25-17-90 through 97 "Mandatory Supervisory Training"

IV. Action

The agency director is responsible for compliance with this policy.

The agency director is responsible for the annual review and revisions.

Any exceptions to this policy statement will require prior written approval of the Board of Corrections.

This policy is effective as indicated.

Replaced: Policy Statement No. P-100100 entitled "~~Training and Staff~~~~Employee~~ Development Standards" dated ~~April 4, 2018~~~~March 3, 2017~~

Distribution: Policy and Operations Manuals
Agency Website

~~AR 11/30/18 CR~~
~~SR 1/9/19 CR~~

Section-10 Training	P-100100	Page: 1	Effective Date: 01/27/2020
Training and Staff Development	ACA Standards: 2-CO-1C-14, 2-CO-1D-01, 2-CO-1D-03, 2-CO-1D-04, 2-CO-1D-05, 2-CO-2D-10, 5-ACI-1D-01, 5-ACI-1D-03, 5-ACI-1D-05, 5-ACI-1D-07, 5-ACI-1D-17		
T. Hastings Siegfried, Chair Oklahoma Board of Corrections			

Training and Staff Development Standards

I. Training and Staff Development

The Oklahoma Department of Corrections (ODOC) will provide employees with the opportunity for training and staff development necessary to develop job related expertise, foster professional growth, and encourage the pursuit of career goals. (2-CO-1C-14)

Qualified staff will plan, coordinate, and supervise the training program. (2-CO-1D-01, 5-ACI-1D-01)

A. Orientation

Orientation standards will be developed for the training of new staff. All new employees, part-time and contract staff and volunteers will receive orientation prior to job assignment. (2-CO-1D-05, 5-ACI-1D-17)

B. Job Specific Training

The ODOC will provide job specific training that is oriented toward specific learning objectives designed to prepare new employees to perform their jobs in a professional, safe, and effective manner.

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Employees will be provided with the training necessary and required to develop supervisory and managerial capabilities that meet statutory requirements and foster continuing professional development. (2-CO-1C-14)

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Employees will be provided opportunities to attend professionally related seminars and conferences that enhance professionalism and job knowledge. (2-CO-1D-10) Resources of other public and private agencies may be utilized as available. (2-CO-1D-04, 5-ACI-1D-07)

II. Annual Review

The agency's training plan will provide for ongoing evaluation of all orientation, job specific, and in-service training. Specialized training programs will be re-evaluated at least annually. (2-CO-1D-03, 5-ACI-1D-01, 5-ACI-1D-03, 5-ACI-1D-05)

III. References

74 O.S. § 840-3.1 "Supervisory Personnel - Training Programs"

Merit Rule 260:25-17-90 through 97 "Mandatory Supervisory Training"

IV. Action

The agency director is responsible for compliance with this policy.

The agency director is responsible for the annual review and revisions.

Any exceptions to this policy statement will require prior written approval of the Board of Corrections.

This policy is effective as indicated.

Replaced: Policy Statement No. P-100100 entitled "Training and Staff Development Standards" dated April 4, 2018

Distribution: Policy and Operations Manuals
Agency Website

Item #12
Approval of BOC Policy P-130100

Section-13 Inspections	P-130100	Page: 1	Effective Date: draft 03/13/2018
Annual Inspections and Monitoring	ACA Standards: 2-CO-1A-21, 2-CO-1A-22, 2-CO-2A-01, 2-CO-2A-02, 2-CO-3B-01, 2-CO-4D-01, 5-ACI-1A-17 , 5-ACI-2A-02M , 5-ACI-3B-01M , 5-ACI-5D-01M , 4-4017 , 4-4123 , 4-4124M , 4-4211M , 4-4329M , 4-ACRS-1A-02M, 4-ACRS-1A-09, 4-ACRS-1C-08M, 4-APPFS-3D-08, 4-APPFS-3D-09, 4-APPFS-3F-03M		
Michael W. Roach Frank X. Henke, IV , T. Hastings Siegfried , Chair			
Oklahoma Board of Corrections			

Oklahoma Department of Corrections Annual Inspections and Monitoring

The Oklahoma Board of Corrections (BOC) has established and maintains constitutional conditions of confinement for inmates in the care and custody of the agency and ensures a healthy and safe working environment for employees. The Oklahoma Department of Corrections (ODOC) shall be in compliance with applicable environmental health, safety and sanitation codes, agency policy, and national [accreditation](#) standards ([American Correctional Association](#)) and, at a minimum, ensures statutory compliance in the quality of life, environmental health, sanitation, and the safety of staff and inmates in meeting the mission of the agency. (2-CO-1A-21, 2-CO-2A-01, 2-CO-3B-01, 2-CO-4D-01, [5-ACI-2A-02M](#), [5-ACI-5D-01M](#), ~~4-4124M~~, 4-ACRS-1C-08, 4-APPFS-3F-03M)

I. Annual Inspections

Annual inspections shall be conducted at all ODOC facilities, community corrections centers, ~~probation and parole regions~~~~districts~~, administrative offices, and private contract facilities to provide a method whereby policy and operational procedures, national standards, and/or health and safety codes are monitored to ensure effective and efficient operations. (2-CO-1A-22, 2-CO-2A-02, [5-ACI-1A-17](#), [4-ACI-3B-01M](#), ~~4-4017~~, 4-ACRS-7D-02, 4-APPFS-3D-08, 4-APPFS-3D-09)

II. Monitoring

A systematic review will be established to ensure continued practices and plans for corrective action are developed and monitored.

III. Action

The agency director is responsible for compliance with this policy.

The agency director is responsible for the annual review and revisions.

Any exceptions to this policy statement will require prior written approval of the Board of Corrections.

This policy is effective as indicated.

Replaced: Policy Statement No. P-130100 entitled "Department of Corrections Annual Inspections and Monitoring" dated March ~~13~~~~7~~, 2018~~7~~

Distribution: Policy and Operations Manual
Agency Website

AR 12/3/18 CR

SR 1/9/19 CR

Section-13 Inspections	P-130100	Page: 1	Effective Date: 01/27/2019
Annual Inspections and Monitoring	ACA Standards: 2-CO-1A-21, 2-CO-1A-22, 2-CO-2A-01, 2-CO-2A-02, 2-CO-3B-01, 2-CO-4D-01, 5-ACI-1A-17, 5-ACI-2A-02M, 5-ACI-3B-01M, 5-ACI-5D-01M, 4-ACRS-1A-02M, 4-ACRS-1A-09, 4-ACRS-1C-08M, 4-APPFS-3D-08, 4-APPFS-3D-09, 4-APPFS-3F-03M		
T. Hastings Siegfried, Chair Oklahoma Board of Corrections			

Oklahoma Department of Corrections Annual Inspections and Monitoring

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I. Annual Inspections

Annual inspections shall be conducted at all ODOC facilities, community corrections centers, probation and parole regions, administrative offices and private contract facilities to provide a method whereby policy and operational procedures, national standards, and/or health and safety codes are monitored to ensure effective and efficient operations. (2-CO-1A-22, 2-CO-2A-02, 5-ACI-1A-17, 4-ACI-3B-01M, 4-ACRS-7D-02, 4-APPFS-3D-08, 4-APPFS-3D-09)

II. Monitoring

A systematic review will be established to ensure continued practices and plans for corrective action are developed and monitored.

III. Action

The agency director is responsible for compliance with this policy.

The agency director is responsible for the annual review and revisions.

Any exceptions to this policy statement will require prior written approval of the Board of Corrections.

This policy is effective as indicated.

Replaced: Policy Statement No. P-130100 entitled "Department of Corrections Annual Inspections and Monitoring" dated March 13, 2018

Distribution: Policy and Operations Manual
Agency Website

Item #13
Approval of BOC Policy P-140100

Section-14 Health Services	P-140100	Page: 1	Effective Date: <u>draft03/07/2017</u>
Inmate Medical, Mental Health and Dental Care	ACA Standards: 2-CO-4E-01 , 5-ACI-6A-02 , 5-ACI-6A-03 , 5-ACI-6A-05 , 5-ACI-6A-08M , 5-ACI-6A-18M , 5-ACI-6A-25M , 5-ACI-6A-25 , 5-ACI-6A-27 , 5-ACI-6A-28M , 5-ACI-6A-43M , 5-ACI-6B-03M , 5-ACI-6C-03M , 4-4345 , 4-4346 , 4-4348 , 4-4351M , 4-4359M , 4-4365M , 4-4367 , 4-4368M , 4-4378M , 4-4382M , 4-4396M , 4-ACRS-4C-01M , 4-ACRS-4C-03M , 4-ACRS-4C-04M , 4-ACRS-4C-11 , 4-ACRS-4C-12 , 4-ACRS-4C-15 , 4-ACRS-4C-18 , 4-ACRS-4C-22 , 4-ACRS-7B-02M		
Michael W. Roach , Frank X. Henke, IV , T. Hastings Siegfried , Chair			
Oklahoma Board of Corrections			

Inmate Medical, Mental Health and Dental Care

I. Medical, Mental Health and Dental Care

The Oklahoma Department of Corrections (ODOC) has established written standards for the delivery, maintenance, and improvement of medical, mental health, and dental care services for inmates. (2-CO-4E-01) The term “healthcare” encompasses all three disciplines for standards of healthcare services.

A. Purpose

The purposes of health standards are to:

1. Provide constitutionally required health care for inmates;
2. Coordinate and standardize health care delivery in each facility; and
3. Enable inmates to obtain specialized health care when constitutionally required.

B. Definition

Healthcare is defined as the summary of all action taken, that is preventative and therapeutic, to provide for the physical and mental well-being of the inmate population. Such care includes medical, dental and mental health services, nursing, personal hygiene, dietary services and health education. (4-ACRS-4C-01M, 4-ACRS-4C-11, 4-ACRS-4C-15)

II. Compliance with Licensure Requirements

All clinical staff employed by the agency for the purpose of providing inmate health care services will be licensed, certified or registered as required by Oklahoma state licensing laws and regulations. (2-CO-4E-01, 4-4368M, 4-4382M, 4-ACRS-4C-18, 4-ACRS-7B-02M)

III. Standards for Provision of Health Services (2-CO-4E-01)

Appropriate healthcare will be provided as required by the United States and Oklahoma constitutions to all inmates in the custody of the Oklahoma Department of Corrections facilities and/or contract facilities housing Oklahoma inmates.

Services will be provided in an equitable manner. Qualified health care professionals will be available to serve inmates' needs and provide medical referrals as appropriate.

A. Chronic, Convalescent and Infirmity Care (4-4359M)

Chronic, convalescent and infirmity care will be provided at designated facilities.

1. Facility infirmaries will be operated 24 hours a day for the purpose of providing skilled nursing care, chronic and convalescent care and special housing of inmates who do not need hospitalization as designated by the medical authority.
2. Inmates that cannot be appropriately cared for within an ODOC facility will be transferred to another appropriate medical facility equipped to provide the necessary service. (4-4348)

B. Routine Health Care (4-4346, 4-ACRS-4C-01)

1. -Inmates can initiate requests for health services on a daily basis. Sick call requests will be triaged daily by ~~qualified healthcare professionals~~ registered nurse (RN)/licensed practical nurse (LPN) and clinic appointments will be scheduled utilizing a priority system. Clinical services in a clinical setting are available to inmates at least five days a week and are performed by qualified healthcare professionals.
2. Community corrections centers will provide health care services on site or at a designated nearby ODOC facility.

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C. Emergency Care (4-4351M, 4-ACRS-4C-03M)

Emergency services will be available to all inmates 24 hours per day, seven days per week.

D. Pharmaceutical Services (4-4378M, 4-ACRS-4C-12)

Appropriate management of pharmaceutical services will be available to all inmates.

1. A formulary will be available and utilized for inmate pharmaceuticals.
2. A formalized process will be established for obtaining non-formulary medications.
3. Facilities will provide secure storage and daily inventory of all controlled substances, syringes and needles.

4. The proper management of pharmaceuticals is administered in accordance with state and federal law.

IV. Cost of Health Care (4-4345)

The agency has established guidelines for inmate health care co-payments. Upon their initial arrival, inmates are advised of the co-payment and are not refused health care because of their financial status.

V. Healthcare Records (2-CO-4E-01)

A. Health Assessments

A health assessment is completed on each inmate upon reception into the system, periodically as required by the inmate's health status and age and as appropriate upon transfer between facilities. (4-4365M, 4-4367, 4-ACRS-4C-04M)

B. Healthcare Records

The Oklahoma Department of Corrections will maintain comprehensive, confidential healthcare records regarding all health care services provided to inmates. (4-4396M, 4-ACRS-4C-22)

VI. References

57 O.S. § 504 (b) (1)

The 8th Amendment to the United States Constitution

Section 9 of Article 2 of the Oklahoma Constitution

VII. Action

The [aAgency](#) director is responsible for compliance with this policy.

The [aAgency](#) director is responsible for the annual review and revisions.

Any exceptions to this policy statement will require prior written approval of the Board of Corrections.

This policy is effective as indicated.

Replaced: Policy Statement No. P-140100 entitled "Inmate Medical, Mental Health and Dental Care" dated ~~March 7, 2017~~ ~~July 17, 2014~~

Distribution: Policy and Operations Manual
Agency Website

[AR 12/3/18 CR](#)
[SR 12/19/18 CR](#)

Section-14 Health Services	P-140100	Page: 1	Effective Date: 01/27/2020
Inmate Medical, Mental Health and Dental Care	ACA Standards: 2-CO-4E-01, 5-ACI-6A-02, 5-ACI-6A-03, 5-ACI-6A-05, 5-ACI-6A-08M, 5-ACI-6A-18M, 5-ACI-6A-25M, 5-ACI-6A-25, 5-ACI-6A-27, 5-ACI-6A-28M, 5-ACI-6A-43M, 5-ACI-6B-03M, 5-ACI-6C-03M, 4-ACRS-4C-01M, 4-ACRS-4C-03M, 4-ACRS-4C-04M, 4-ACRS-4C-11, 4-ACRS-4C-12, 4-ACRS-4C-15, 4-ACRS-4C-18, 4-ACRS-4C-22, 4-ACRS-7B-02M		
T. Hastings Siegfried, Chair Oklahoma Board of Corrections			

Inmate Medical, Mental Health and Dental Care

I. Medical, Mental Health and Dental Care

The Oklahoma Department of Corrections (ODOC) has established written standards for the delivery, maintenance, and improvement of medical, mental health, and dental care services for inmates. (2-CO-4E-01) The term “healthcare” encompasses all three disciplines for standards of healthcare services.

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The purposes of health standards are to:

1. Provide constitutionally required health care for inmates;
2. Coordinate and standardize health care delivery in each facility; and
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B. Definition

Healthcare is defined as the summary of all action taken, that is preventative and therapeutic, to provide for the physical and mental well-being of the inmate population. Such care includes medical, dental and mental health services, nursing, personal hygiene, dietary services and health education. (4-ACRS-4C-01M, 4-ACRS-4C-11, 4-ACRS-4C-15)

II. Compliance with Licensure Requirements

All clinical staff employed by the agency for the purpose of providing inmate health care services will be licensed, certified or registered as required by Oklahoma state licensing laws and regulations. (2-CO-4E-01, 5-ACI-6A-28M, 5-ACI-6B-03M, 4-ACRS-4C-18, 4-ACRS-7B-02M)

III. Standards for Provision of Health Services (2-CO-4E-01)

Appropriate healthcare will be provided as required by the United States and Oklahoma constitutions to all inmates in the custody of the Oklahoma Department of Corrections facilities and/or contract facilities housing Oklahoma inmates. Services will be provided in an equitable manner. Qualified health care professionals will be available to serve inmates’ needs and provide medical referrals

as appropriate.

A. Chronic, Convalescent and Infirmiry Care (5-ACI-6A-18M)

Chronic, convalescent and infirmiry care will be provided at designated facilities.

1. Facility infirmiries will be operated 24 hours a day for the purpose of providing skilled nursing care, chronic and convalescent care and special housing of inmates who do not need hospitalization as designated by the medical authority.
2. Inmates that cannot be appropriately cared for within an ODOC facility will be transferred to another appropriate medical facility equipped to provide the necessary service. (5-ACI-6A-05)

B. Routine Health Care (5-ACI-6A-03, 4-ACRS-4C-01)

1. Inmates can initiate requests for health services on a daily basis. Sick call requests will be triaged daily by registered nurse (RN)/licensed practical nurse (LPN) and clinic appointments will be scheduled utilizing a priority system. Clinical services in a clinical setting are available to inmates at least five days a week and are performed by qualified healthcare professionals.
2. Community corrections centers will provide health care services on site or at a designated nearby ODOC facility.

C. Emergency Care (5-ACI-6A-08M, 4-ACRS-4C-03M)

Emergency services will be available to all inmates 24 hours per day, seven days per week.

D. Pharmaceutical Services (5-ACI-6A-43M, 4-ACRS-4C-12)

Appropriate management of pharmaceutical services will be available to all inmates.

1. A formulary will be available and utilized for inmate pharmaceuticals.
2. A formalized process will be established for obtaining non-formulary medications.
3. Facilities will provide secure storage and daily inventory of all controlled substances, syringes and needles.
4. The proper management of pharmaceuticals is administered in accordance with state and federal law.

IV. Cost of Health Care (5-ACI-6A-02)

The agency has established guidelines for inmate health care co-payments. Upon their initial arrival, inmates are advised of the co-payment and are not refused health care because of their financial status.

V. Healthcare Records (2-CO-4E-01)

A. Health Assessments

A health assessment is completed on each inmate upon reception into the system, periodically as required by the inmate's health status and age and as appropriate upon transfer between facilities. (5-ACI-6A-25M, 5-ACI-6A-25, 5-ACI-6A-27, 4-ACRS-4C-04M)

B. Healthcare Records

The Oklahoma Department of Corrections will maintain comprehensive, confidential healthcare records regarding all health care services provided to inmates. (5-ACI-6C-03M, 4-ACRS-4C-22)

VI. References

57 O.S. § 504 (b) (1)

The 8th Amendment to the United States Constitution

Section 9 of Article 2 of the Oklahoma Constitution

VII. Action

The agency director is responsible for compliance with this policy.

The agency director is responsible for the annual review and revisions.

Any exceptions to this policy statement will require prior written approval of the Board of Corrections.

This policy is effective as indicated.

Replaced: Policy Statement No. P-140100 entitled "Inmate Medical, Mental Health and Dental Care" dated March 7, 2017

Distribution: Policy and Operations Manual
Agency Website

Item #14
Approval of BOC Policy P-160100

Section-16 Probation and Parole	P-160100	Page: 1	Effective Date: <u>draft08/22/2017</u>
Purpose and Function of Probation and Parole	ACA Standards: 4-APPFS-2A-01, 4-APPFS-3D-01		
<u>T. Hastings Siegfried</u> Frank X. Henke, IV , Chair			
Oklahoma Board of Corrections			

Purpose and Function of Probation and Parole

It is the policy of the Oklahoma Board of Corrections (BOC) that the purpose and function of Probation and Parole is to facilitate the pro-social adjustment of offenders under supervision to prevent further criminal behavior and to ensure successful compliance with the terms and conditions of probation as determined by the courts, or of parole as determined by the Oklahoma Pardon and Parole Board, the governor or the Oklahoma Department of Corrections (ODOC). (4-APPFS-3D-01)

Persons on community supervision will be appropriately classified and supervised as authorized by state law and consistent with the best interests of the public, the employees and the offenders. It is the policy of the ODOC that all offenders under community supervision are supervised in a manner that optimizes the opportunity for the offender to engage in pro-social behavior. (4-APPFS-2A-01)

I. Director's Authority

The director or designee will commission probation and parole officers and will determine how the peace officer authority of probation and parole officers will be exercised within the scope of employment and the mission of the agency.

II. Peace Officer Authority

It is the policy of the BOC that the director or designee will commission eligible and qualified persons as probation and parole officers.

III. Responsibility of Probation and Parole

A. Probation and parole officers will perform duties as prescribed by the director and set forth in their job description as approved by the Human Capital Division of Office Management and Enterprise Services (OMES). It is the responsibility of probation and parole officers to protect the public, the employees and the offenders entrusted in their supervision and custody. This is accomplished through effective utilization of a continuum of supervision strategies and interventions. Staff will assess and review all offenders on community supervision in accordance with the needs of the offender and the best interest of the community.

B. The ODOC will:

1. Utilize a risk-based classification system that classifies offenders based on criminogenic risk and needs, and establish supervision strategies that address those needs. The classification system will provide supervision, which can decrease as the offender resolves

identified needs, or may increase as new needs are identified.

2. Ensure offender assessment procedures are developed and implemented which identify an offender's criminogenic risk factors and needs.
3. Ensure transition plans are developed to assist offenders in addressing those needs.

IV. Operations Memoranda

The director is authorized and is responsible for the adoption of operational procedures which ensure compliance with this policy. The procedure will specifically outline the scope of authority and employment of probation and parole officers in the performance of duties and responsibilities in meeting the mission of the agency.

V. References

22 O.S. 991a

57 O.S. § 515

57 O.S. § 512

VI. Action

The agency director is responsible for compliance with this policy.

The agency director is responsible for the annual review and revisions.

Any exceptions to this policy will require prior written approval of the Board of Corrections.

This policy statement is effective as indicated.

Replaced: Policy Statement No. P-160100 entitled "Purpose and Function of Probation and Parole" dated ~~August 22, 2017~~ July 14, 2016

Distribution: Policy and Operations Manual
Agency Website

AR 2/19/19 CR

SR 3/11/19 CR

Ready for Proofing 3/26/19 CR

Section-16 Probation and Parole	P-160100	Page: 1	Effective Date: 01/27/2020
Purpose and Function of Probation and Parole	ACA Standards: 4-APPFS-2A-01, 4-APPFS-3D-01		
T. Hastings Siegfried, Chair Oklahoma Board of Corrections			

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Persons on community supervision will be appropriately classified and supervised as authorized by state law and consistent with the best interests of the public, the employees and the offenders. It is the policy of the ODOC that all offenders under community supervision are supervised in a manner that optimizes the opportunity for the offender to engage in pro-social behavior. (4-APPFS-2A-01)

I. Director's Authority

The director or designee will commission probation and parole officers and will determine how the peace officer authority of probation and parole officers will be exercised within the scope of employment and the mission of the agency.

II. Peace Officer Authority

It is the policy of the BOC that the director or designee will commission eligible and qualified persons as probation and parole officers.

III. Responsibility of Probation and Parole

A. Probation and parole officers will perform duties as prescribed by the director and set forth in their job description as approved by the Human Capital Division of Office Management and Enterprise Services (OMES). It is the responsibility of probation and parole officers to protect the public, the employees and the offenders entrusted in their supervision and custody. This is accomplished through effective utilization of a continuum of supervision strategies and interventions. Staff will assess and review all offenders on community supervision in accordance with the needs of the offender and the best interest of the community.

B. The ODOC will:

1. Utilize a risk-based classification system that classifies offenders based on criminogenic risk and needs, and establish supervision strategies that address those needs. The classification system will provide supervision, which can decrease as the offender resolves identified needs, or may increase as new needs are identified.

2. Ensure offender assessment procedures are developed and implemented which identify an offender's criminogenic risk factors and needs.
3. Ensure transition plans are developed to assist offenders in addressing those needs.

IV. Operations Memoranda

The director is authorized and is responsible for the adoption of operational procedures which ensure compliance with this policy. The procedure will specifically outline the scope of authority and employment of probation and parole officers in the performance of duties and responsibilities in meeting the mission of the agency.

V. References

22 O.S. 991a

57 O.S. § 515

57 O.S. § 512

VI. Action

The agency director is responsible for compliance with this policy.

The agency director is responsible for the annual review and revisions.

Any exceptions to this policy will require prior written approval of the Board of Corrections.

This policy statement is effective as indicated.

Replaced: Policy Statement No. P-160100 entitled "Purpose and Function of Probation and Parole" dated August 22, 2017

Distribution: Policy and Operations Manual
Agency Website

Item #15
Approval to Delete BOC Policy
P-010700

INTEROFFICE MEMORANDUM
Auditing and Compliance

DATE: December 23, 2019

TO: Scott Crow, Director
Oklahoma Department of Corrections

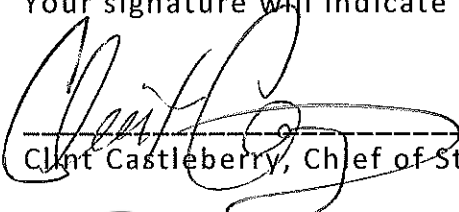
THRU: Clint Castleberry, Chief of Staff

FROM: Penny Lewis, Chief Compliance Officer

SUBJECT: Deletion of P-010700 entitled "Oklahoma Department of Corrections Victim Justice Advisory Council"

The attached policy has been submitted for deletion. The policy is obsolete. I am recommending this policy be deleted.

Your signature will indicate authorization for deletion.



Clint Castleberry, Chief of Staff

12/26/19

Date



Scott Crow, Director

12-26-19

Date

Section-01 Organization	P-010700	Page: 1	Effective Date: 10/10/2018
Victim Justice Advisory Council	ACA Standards: 2-CO-1A-15, 2-CO-4G-02, 4-4447-1, 4-4461-1		
Frank X. Henke, IV, Chair Oklahoma Board of Corrections			

Oklahoma Department of Corrections Victim Justice Advisory Council

It is the policy of the Oklahoma Board of Corrections that the Oklahoma Department of Corrections (ODOC) establish a Victim Justice Advisory Council. This council will serve as a resource to the agency's interfacing with victims of crime.

I. Mission Statement (2-CO-1A-15, 4-4447-1, 4-4461-1)

The mission of the Victim Justice Advisory Council will be to serve as a resource to the agency in ensuring operational decisions regarding victim related issues are made with consideration of the needs and perspective of victims.

II. Council Membership

The agency will develop criteria for appointment of council members, ensuring a diverse group of interested individuals are represented, and will develop operational guidelines for the council.

III. Goals (2-CO-4G-02, 4-4447-1, 4-4461-1)

The goals of the council are to:

- A. Serve as a resource in the development of the agency's strategic plan for supporting victims as they interface with the agency.
- B. Provide information and insight as to the perspective of victims in the on-going development and operation of the agency's Victim Services Unit to include:
 - 1. Victim/inmate/offender mediation and dialogue;
 - 2. Victim coordination and support during executions;
 - 3. Victim notification and information;
 - 4. Staff education, awareness and training;
 - 5. Inmate/offender education, awareness and training;
 - 6. Restitution advocacy;
 - 7. Community outreach and education; and

8. Victim reentry programs for victims as offenders are released to probation/parole.
- C. Facilitate communication between victims of crime, the department, the community and inmates and/or offenders.

IV. Action

The agency director is responsible for compliance with this policy.

The agency director is responsible for the annual review and revisions.

Any exceptions to this policy statement will require prior written approval of the Board of Corrections.

This policy is effective as indicated

Replaced: Policy Statement No. P-010700 entitled "Oklahoma Department of Corrections Victim Justice Advisory Council" dated March 7, 2017

Distribution: Policy and Operations Manuals
Agency Website