

**OKLAHOMA BOARD OF CORRECTIONS
REGULAR MEETING**

Oklahoma Department of Corrections
3400 N Martin Luther King Avenue
Oklahoma City, Oklahoma
March 3, 2016

1. Call to Order and Roll Call

Kevin Gross, Chair

Chair Gross called the regular meeting of the Oklahoma Board of Corrections (BOC) to order at 1:01 p.m. on Thursday, March 3, 2016, at the Oklahoma Department of Corrections (ODOC). The final agenda was posted at 1:00 p.m. on Tuesday, March 1, 2016, at the ODOC, which is at least twenty-four hours prior to the commencement of the meeting.

Chair Gross asked the clerk to call the roll:

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

Calling of the roll reflected a quorum was present.

2. Old Business

Kevin Gross, Chair

There was no old business to discuss.

3. Approval of Board of Corrections Meeting Minutes

Kevin Gross, Chair

- Regular Meeting on February 4, 2016

Chair Gross stated the BOC had previously received the meeting minutes from February 4, 2016, for review and he would entertain a motion to approve. A copy of the meeting minutes is included in the BOC Packet for March 3, 2016.

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

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

4. Interim Director's Comments

Joe M. Allbaugh, Interim Director

Interim Director Allbaugh stated it was announced earlier in the day that there would be another four (4) percent cut to state agency appropriations. After applying another budget cut, the original \$23 million supplemental request on the agenda for the BOC to approve would have to be increased to support the change in funding. This request is to ensure the agency survives and continues providing safety to the public, the employees and the inmates. He stated a request for an additional increase in the supplemental appropriation would be sent later this date to the

governor as well as the legislative leadership. Interim Director Allbaugh stated the agency had already taken steps to restrict spending and purchases for emergency purposes only. He also stated that furloughs were a possibility but it would always be his choice of last resort as the agency already struggles with employing enough staff to cover shifts at the various facilities.

Facility tours continue around the state and the interim director continues to learn more about the deterioration of the agency's infrastructures which cannot be addressed any time soon. He stated Oklahoma has to find a way to slow the growth of incarceration through criminal justice reform. The ODOC cannot stop or control the flow of inmates into the corrections system. He noted there were 848 inmates backed up in county jails waiting for transport to the ODOC as of this date.

Interim Director Allbaugh stated he was encouraged, though, because the temperature of the population seems to be good and the employees understand the challenges ahead. Staff are addressing their local issues the best they can with energy and positive attitudes. He stated the agency has much to be proud of and staff should hold their heads high.

5. Recognition of Staff

**Terri Watkins, Director
Internal/External Communications**

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

Ms. Watkins presented Helping Hands Certificates of Appreciation to Probation and Parole Officers Megan Hicks and Susie Barnes, both from the Jeffery McCoy Central District. As Officer Barnes was unable to attend, her supervisor, Officer Jennifer Elledge, accepted the certificate on her behalf. Ms. Watkins advised the BOC members of an incident where Officer Hicks and Officer Barnes intervened in a domestic violence situation, protecting the female victim from her male assailant until police could arrive. Police officers who arrived at the scene expressed their appreciation to both probation and parole officers over their handling of the situation and assisting the victim.

6. Monthly Update of FY 2016 Agency Budget

**Ashlee Clemmons, Chief Administrator
Business Services**

Ms. Clemmons provided the agency's budget update as of January 31, 2016. A copy of the update is included in the BOC Packet for March 3, 2016. After her presentation, there were no further questions or comments.

7. Approval of FY 2016 Agency Supplemental Budget Request

**Ashlee Clemmons, Chief Administrator
Business Services**

Ms. Clemmons stated a revenue shortfall was declared in January 2016 which reduced the agency's appropriated general revenue funds by three (3) percent. Earlier this date, the agency received notification of an additional four (4) percent cut with both cuts combining to equal a \$27.5 million budget reduction for the ODOC. The original request prepared for approval this date by the BOC will be amended to include the additional four percent cut. Ms. Clemmons stated the ODOC requests the approval of the BOC to seek a supplemental appropriation of \$38.7 million for FY 2016.

Mr. Henke noted the Audit/Finance Committee met earlier this date to discuss the item and the committee fully supports the amended supplemental budget request as discussed.

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

The supplemental budget request was approved by majority vote and there was no further discussion.

8. Approval of Budget Fund Transfer

**Ashlee Clemmons, Chief Administrator
Business Services**

Ms. Clemmons stated the initial payroll budget is based on the number of filled full-time employees (FTE) per division. Due to fluctuations in the staffing levels, a rebalancing of the payroll budget is necessary. In accordance with policy statement regarding Management of State Funds and Assets, the BOC must approve the transfer request. This transfer of funds will redistribute payroll funding to provide necessary payroll and operating funds from divisions of surplus to divisions of deficit. A copy of the transfer of funds documentation is included in the BOC Packet for March 3, 2016.

Mr. Henke stated this item was discussed during the Audit/Finance Committee meeting held earlier this date and the committee fully supports the request.

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

The budget fund transfer was approved by majority vote and there was no further discussion.

9. Quarterly Update of Oklahoma Correctional Industries and Agri-Services Budget

**Charles Groves, Business Services Coordinator
Oklahoma Correctional Industries and Agri-Services**

- FY 2016, 2nd Quarter

Mr. Groves provided the Oklahoma Correctional Industries (OCI) and Agri-Services Budget update as of December 31, 2015. A copy of the update is included in the BOC Packet for March 3, 2016.

Mr. Henke noted the Audit/Finance Committee was advised earlier this date by Mr. Groves of the impact the budget cuts are having on OCI. Mr. Groves noted that OCI sales are down as of this date and 82 percent of their sales during this fiscal year have been to other state agencies who will receive budget cuts. There were no further questions or comments.

10. Quarterly Update of Financial Internal Audits

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

- FY 2016, 2nd Quarter

Mr. Baksh provided the Financial Internal Audit summary as of December 31, 2015. A copy of the summary is included in the BOC Packet for March 3, 2016. Mr. Henke noted the Audit/Finance

Committee had reviewed the summary during their meeting early this date and were pleased with the findings. There were no further questions or comments.

11. Update of Offender Population

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

Dr. Pitman provided the population update as of December 31, 2015. A copy of the update is included in the BOC Packet for March 3, 2016. Mr. Roach advised that the Population/Private Prisons Committee met earlier this date with ODOC staff to discuss options to manage the growing population. The committee learned after their meeting of the additional four percent cut and how it would impact the inmate population. The committee will continue to work with ODOC staff to find management solutions for the overcrowding.

The BOC discussed whether private prisons within Oklahoma could be contracted to house more inmates. Dr. Pitman stated it would be possible but it would require funding to pay for the additional beds. Interim Director Allbaugh noted he was also focusing on an improved relationship with the Pardon and Parole Board to review and recommend more inmates for parole to assist with the overcrowding issue. The BOC discussed a portion of the population update which referenced the Pardon and Parole Board results for January 2016.

The BOC discussed the decrease in halfway houses as compared to the prior year. Dr. Pitman explained that policy changes over the last year to award more program credits for those inmates at lower security had affected how quickly the inmates move through the system so they can return to their communities.

The BOC discussed the effect in the population based on changes in 85 percent policy after the Governor's Gubernatorial Memorandum was issued in July 2015. Dr. Pitman stated implementing the policy changes in September 2015 resulted in releasing approximately 800 inmates due to awarding accrued earned credits when they reached their 85 percent date.

There were no further questions or comments.

12. Update of Legislative Initiatives

Marilyn Davidson, Legislative Liaison

Ms. Davidson updated the BOC on recent legislative actions affecting the ODOC. Lawmakers passed the first deadline of 2016 Session, narrowing down the list of bills that are eligible for consideration. Of the six bills the agency requested, the following information was provided:

- SB946 increases the limit the director can authorize for an expenditure in an emergency situation to \$250,000; passed on the Senate floor on March 2, 2016 and will move to the House.
- SB1001 gives the ODOC the authority to issue a current warrant to arrest an inmate who has escaped; passed on the Senate floor on February 29, 2016 and will move to the House.
- SB1218 originally addressed the eligibility criteria for electronic monitoring by the ODOC and makes the program available to more non-violent offenders. However, the same language was also included in HB2836 which is doing well. SB1218 was replaced with cleanup language to remove facilities no longer in the ODOC and updated the location of

the Mabel Bassett Correctional Center in statute. SB1212 passed the Senate committee with the new language and is eligible to be voted on in the full Senate.

- HB2836 (as indicated in SB1218) addresses the eligibility criteria for electronic monitoring by the ODOC and makes the program available to more non-violent offenders; passed the Senate committee and is eligible for full vote by in the full Senate.
- SB884 removes barriers in statute preventing the ODOC from registering with the Oklahoma Bureau of Narcotics and Dangerous Drugs; passed the Senate floor on February 23, 2016 and is now eligible to be heard by the House.
- SB1152 restores previous statutory language that allows the ODOC to start collecting workers compensation payments from inmates; was not granted a hearing by the Senate Judiciary chairman so it is inactive for the remainder of the session.
- SB961 exempts the ODOC from provisions in the Central Purchasing Act in regards to the Canteen Operations; was voted down on the Senate floor.

The next deadline is March 10, 2016 for all of the bills to be passed out of chamber of origin. There were no further questions or comments.

13. Committee Reports

Committee Chairs

Chair Gross asked the committee chairs for their reports.

- **Audit/Finance Committee**

The committee met and updates from their meeting was provided this date to the BOC during various agenda items. The committee is meeting on a regular basis through conference calls and remain focused on working closely with staff during the budget issues.

- **Female Offender Committee**

The committee had nothing to report other than two members had toured the Mabel Bassett Correctional Center on February 15, 2016.

- **Public Policy/Public Affairs Committee**

The committee had not met but had received updates on Legislative action from Ms. Davidson.

- **Population/Private Prisons Committee**

The committee had nothing further to report.

- **Executive Committee**

The committee met on January 24, 2016 to review and approve the agenda for the meeting this date.

14. New Business

Kevin Gross, Chair

There was no new business to discuss.

15. Announcements

Kevin Gross, Chair

There was no announcements to make.

16. Adjournment

Kevin Gross, Chair

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

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

The adjournment was approved by majority vote and the meeting ended at 1:34 p.m.

Submitted to the Board of Corrections by:

[signature on file]

Kimberley Owen, Minutes Clerk

Date

I hereby certify that these minutes were duly approved by the Board of Corrections on the seventh day of April 2016, in which a quorum was present and voting.

Approved by:

[Signature on file]

Frank X. Henke IV, Secretary
Board of Corrections

Date