

**OKLAHOMA BOARD OF CORRECTIONS  
REGULAR MEETING MINUTES**

**October 27, 2021**

**1. Call to Order**

Chairman Hastings Siegfried called the meeting of the Oklahoma Board of Corrections (BOC) to order at 1:00 p.m., on Wednesday, October 27, 2021, at Oklahoma Department of Corrections, 3400 North Martin Luther King Ave., Oklahoma City, Oklahoma 73111.

The meeting was preceded by advance notice of the date, time, and place, filed with the Oklahoma Secretary of State on Wednesday, October 21, 2020. An amended meeting notice changing the date and location was posted with the Oklahoma Secretary of State on May 26, 2021. An announcement was also given at least twenty-four (24) hours in advance by posting notice of the date, time, place, and agenda of the meeting at 11:26 p.m., on Tuesday, October 26, 2021, at the principal office of the Oklahoma Department of Corrections (ODOC), located at 3400 North Martin Luther King Avenue in Oklahoma City, Oklahoma.

**A. Pledge of Allegiance**

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

**B. Roll Call**

Chairman Siegfried asked the clerk to call roll:

Randy Chandler	Present	Stephan Moore	Present
Betty Gesell	Present	Calvin Prince	Present
Erick Harris	Present	T. Hastings Siegfried	Present
Lynn Haueter	Absent	Daryl Woodard	Absent
Dr. Kathryn LaFortune	Present		

Calling of the roll reflected a quorum was present.

**2. Approval of Board of Corrections Meeting Minutes**

Chairman Siegfried requested approval of the meeting minutes as presented to members in the BOC packet for October 27, 2021.

**A. September 29, 2021**

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

Randy Chandler	Approve	Stephan Moore	Approve
Betty Gesell	Approve	Calvin Prince	Approve
Erick Harris	Abstain	T. Hastings Siegfried	Approve
Lynn Haueter	Absent	Daryl Woodard	Absent
Dr. Kathryn LaFortune	Approve		

Meeting minutes for September 29, 2021, were approved by majority vote.

There was no further discussion.

### **3. Chairman's Comments**

#### **A. Introduction of New Board of Corrections Member Erick Harris**

Chairman Siegfried welcomed and introduced new board member Erick Harris to the Oklahoma Board of Corrections. Member Harris thanked everyone and stated he looks forward to working with everyone during his time with the Oklahoma Board of Corrections

### **4. Director's Comments**

Director Crow welcomed everyone and provided the following updates:

#### **A. Introduction of Chief of Staff Penny Lewis**

Penny Lewis began her career with the agency in 1989 as a correctional officer at Eddie Warrior Correctional Center. Since that time Ms. Lewis has held many positions within the agency and has experience in many divisions to include Institutions, Private Prisons, Probation and Parole, and Auditing and Compliance. Ms. Lewis led the agency through its first accreditation with the American Correctional Association and under her leadership facilities and administration achieved 100% compliance. With 32 years of experience, Ms. Lewis has a wealth of knowledge, and the agency is excited to announce Penny Lewis as Chief of Staff.

#### **B. Recognition of the Seminary Program at Baptist Convention**

In May 2021, Dr. Perkins with Oklahoma Baptist University (OBU) presented to the Oklahoma Board of Corrections information regarding the Divinity Program located at the Lexington Assessment and Reception Center (LARC). Participants of this program are provided the opportunity to earn a bachelor's degree and may enter into a two-year internship with the chaplain.

This program was implemented in March of 2020, which coincides with the time period the Oklahoma Department of Corrections (ODOC) was dealing with effects of the pandemic. Given the circumstances, it was a huge achievement for LARC and ODOC to implement this program. On October 8, 2021, ODOC was recognized at the Prison Seminaries Foundation Conference for implementation of the Divinity Program during the COVID-19 pandemic.

Director Crow stated it was an honor to be recognized and ODOC is pleased to be able to offer such a worthy program.

#### **C. Oklahoma State Reformatory (OSR) Transition to Medium Security**

In 2020, an assessment conducted by ODOC determined there was a higher need for medium security bed space versus minimum security. Based on that assessment, a process was initiated at the beginning of 2021, to transition OSR to a medium security facility. The process included installing a new fence alarm system, high-mast lighting, and electric gate controls; enhancing the facility armory; and updating doors, locks, post orders, and field memorandums. These requirements will be completed by the end of October and the facility will officially return to a medium-security facility November 1, 2021.

To provide OSR the opportunity to be successful the Classification and Population unit has selected offenders at level three or four, over 36 years of age, and no negative behavior history. Director Crow reported the first group of offenders will be transferred to OSR on November 2, with transfers continuing weekly through November. This will allow security to be heightened while not overwhelming the facility or disrupting offender transports system wide.

**D. William S. Key Correctional Center Closure Update**

The agency has been working with Oklahoma Management Enterprise Services Real Estate and Leasing Services (OMES REALS) and is on track to vacate the property by January 2022.

As of today, the facility has 24 support staff, 24 security staff, and 6 offenders remaining on-site. All inmates, except four, will be relocated by November 1; the remaining four inmates will assist with Construction and Maintenance projects until November 15. On November 1 the relocation of CareerTech to Jim E. Hamilton Correctional Center and Bill Johnson Correctional Center will be complete. A property surplus letter has been submitted to OMES REALS; all inventory counts have been completed, and work continues on the determination of facility needs so disbursement of facility inventory may begin.

**E. Emergency Purchase**

Pursuant to 61 O.S. § 130, the chief administrative officer of a public agency with a governing body shall notify the governing body within ten (10) days of the declaration of an emergency if the governing body did not approve the emergency. The notification shall contain a statement of the reasons for the action and shall be recorded in the official minutes of the governing body.

- I. Emergency purchase to repair booster station pumps at Mack Alford Correctional Center (MACC) on August 25, 2021.

Director Crow reports on August 25, 2021, he declared an emergency at Mack Alford Correctional Center (MACC) in response to issues with wastewater booster pumps.

In May of 2021, MACC's wastewater booster pumps were not maintaining the facility's demand, which caused water to rise above Department of Environmental Quality (DEQ) standards. Several attempts were made to correct the issue and a vacuum pump was rented to assist with the load and maintain facility operations.

After repeated attempts to correct the issue, it was determined there was a flaw in the design of the system. The cost to correct the issue was \$154,587. The purchase of this item was necessary to prevent health hazards that directly affect staff and offenders.

There was no further discussion.

## 5. Legislative Update

### A. Legislative Initiatives

Chief Administrator of Communications and Government Relations Justin Wolf provided an overview of the proposed legislative initiatives for the agency for the FY22 legislative session. These initiatives were formed by both, initiatives that failed in previous years and by staff throughout the agency. The first four initiatives were carry-overs from previous years that failed.

- Staff who are commissioned peace officers will retain their commission if moved to a non-commissioned position
- Sarah Stitt Act edits including birth certificate access
- Create authority to hire 18-year-olds in a job classification with limited job duties (detention officer)
- Correct language on appointing authority for ODOC Director.
- Create authority for a hospice and CNA training program
- Authorize ODOC to hold its own CLEET Academy
- Expand community sentencing to include misdemeanors and deferred sentences
- County Jail reimbursement
- Correctional Teacher pay scale in statue
- Update the list of prisons/community correction centers in the state

Mr. Wolf requested the board approval of the proposed legislative initiatives.

**Motion:** Ms. Gesell made the motion to approve the minutes. Dr. LaFortune seconded the motion.

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

The legislative initiatives were approved by majority vote.

There was no further discussion.

## 6. Inmate/Offender Population Update

Administrator of Classification and Population Travis Gray provided an overview of the inmate/offender population as of September 30, 2021. A copy of the overview was included in the BOC packet for October 27, 2021.

There was no further discussion.

## 7. Agency Budget Update

Chief Financial Officer (CFO) Ashlee Clemmons welcomed everyone and provided the following overview:

### A. FY2021 BOC Budget Reports

CFO Clemmons provided an overview of the FY2021 BOC Budget. A copy of the overview was included in the BOC packet for October 27, 2021.

There was no further discussion.

**8. Approval of Fixed and Uniform Rates Currently Approved and Established by the Oklahoma Department of Mental Health and Substance Abuse Services (ODMHSAS)**

Chief Administrator James Rudek introduced Administrator of Community Sentencing Melinda Guilfoyle to the board members. Administrator Guilfoyle provided an overview of the DOC fixed rate increase that will be presented for approval for October’s meetings. The rate increases are as follows:

- A. Residential Treatment for Women with Dependent Children – Substance Abuse – current rate is \$100/day and the proposed rate is \$180/day.
- B. Medically Supervised Withdraw Management – current rate is \$144/day and the proposed rate is \$200/day.
- C. Halfway House Services for Women with Dependent Children – current rate is \$63/day and the proposed rate is \$117/day.
- D. Intensive Residential Substance Use Disorder Treatment - \$160/day.
- E. Intensive Residential Treatment for Women with Dependent Children/Pregnant Women - \$250/day.

The intensive residential substance use disorder treatment and the intensive residential treatment for women with dependent children/pregnant women are new programmatic services for female inmates this year. Administrator Guilfoyle requested the board approval for the fixed and uniform rates currently approved and established by ODMHSAS.

**Motion:** Mr. Siegfried made the motion to approve the fixed and uniform rates currently approved and established by ODMHSAS. Dr. LaFortune seconded the motion.

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

Approval of the fixed and uniform rates currently approved by ODMHSAS was approved by majority vote.

There was no further discussion.

**9. Unit Spotlight**

**A. Community Sentencing**

Administrator Melinda Guilfoyle provided the following overview of the Community Sentencing unit.

The Oklahoma Community Sentencing Act was signed into law in 1999, (Title 22, § 988 Chapters 1-25). This act created the Community Sentencing unit within the Oklahoma Department of Corrections (ODOC). It is an integral part of criminal justice reform which was seen as a necessary component to address the offenders' needs to divert them from the prison system. A community sentence is a punishment imposed by the court as a condition of a deferred or a suspended sentence for an eligible offender. It is hoped through collaboration with the supervising entity, the treatment provider, and the local administrator, the behavior of the offender can be re-directed in a positive direction and ultimately reduce recidivism.

The purposes of the Community Sentencing Act are to:

- Protect the public.
- Establish a statewide community sentencing system.
- Adequately supervise felony offenders punished under a court-ordered community sentence.
- Provide a series of sanctions to the court for eligible felony offenders sentenced to a community sentence within the community sentencing system.
- Increase availability of punishment and treatment programs to eligible felony offenders.
- Improve the criminal justice system within this state through public/private partnerships, reciprocal and inter-local governmental agreements and the interagency cooperation and collaboration.
- Operate effectively within the allocation of state and local resources for the criminal justice system.

The local Community Sentencing system means the use of public and private entities to deliver services to the sentencing court for the punishment of eligible felony offenders under the authority of a community sentence. Community Sentencing uses incentives, sanctions, and disciplinary sanctions. Non-compliance is addressed immediately to have the most effect on the behavior. Examples of sanctions are:

- Community service
- Writing an essay pertaining to their non-compliance
- Increased reporting
- Increased urinalysis testing
- Attending additional treatment sessions
- Jail sanctions.

The statute clearly outlines who makes up a Community Sentencing Planning Council and the duties performed. Each council is subject to the provisions of the Open Meeting Act and the Oklahoma Open Records Act.

An eligible offender is a felony offender who has been convicted of or who has entered a plea other than not guilty to a felony offense; who upon completion of a risk and needs assessment has been found to be in a range other than the low range; who is not otherwise prohibited by law; has not plead guilty to a violent offense (the DA may consent to eligibility). The assessments currently used to determine that eligibility is the Level of Service Inventory-Revised (LSI) and the Ohio Risk Assessment System (ORAS).

Funding for the Community Sentencing Act is outlined in 988.7 and requires that a detailed plan be submitted to the Community Sentencing Unit within the DOC requested funding. Offenders in the community sentencing program are required to pay a supervision fee. The supervising agency will establish the amount of the fee, but it cannot exceed \$40 per month. For eligible offenders, they must also pay an administrative fee not to exceed \$20 per month. Supervision fees are paid directly to the agency providing the service and no agency can deny supervision services for the sole basis of an offender being indigent. Administrative fees are collected and placed into a 210 account. This money is deposited into the local community sentencing system and is considered that council's money. These funds can be used to assist with transportation costs, incentives, alcohol monitoring, hair follicle testing for drug use, employment specialists, ODOC training costs for private supervision staff and office supplies directly relating to supervisory duties. These costs must be approved by the planning council and signed off by 48 of 49 the chairperson of the council. Each council has their own fund, but the expenditures and balance are maintained by the ODOC.

Community Sentencing currently has 31 active planning councils across the state. There are 9 local administrators assigned to his/her respective areas/councils. There are currently 2 administrators located in Oklahoma City, 2 in the Tulsa area, Muskogee, Stillwater, Norman, McAlester, and Alva. One local administrator is assigned to the Female Diversion Program and works in both Oklahoma City and Tulsa. The current number of participants in the Community Sentencing Program is 2,449. The local administrators are involved in all aspects of the system and attend all planning council meetings, court dockets, and meetings with treatment providers and supervising entities. Their collaboration is constant. Supervision for community sentencing is completed by both Probation and Parole and private providers. Community Sentencing has entered into contracts to pay for services by specific providers identified as a need. Community Sentencing pays for offenders to attend outpatient and inpatient substance abuse services, mental health services, co-occurring treatment which addresses both substance abuse and mental health, cognitive and behavior skills programs and the Female Opportunity Group. Offenders are also given access to education and employment assistance they might not otherwise have. Community Sentencing also includes services such as assessments and offender case management. From the time the offender is sentenced into the program, they are monitored and given the resources and assistance they need to succeed to ensure they become productive members of society. Community sentencing staff work with the sentencing judge, the district attorney, the defense attorney, the supervising entity, and the treatment provider so there are no secrets as to how the offender is doing and what steps can be taken to reward or sanction if the behavior is non-compliant.

The Female Diversion Program focuses on the unique needs of the female and has specific providers with treatment groups specifically for them. They have their own docket and team of professionals who work together for the goal of helping them to realize they are not alone and can get the help and resources they need. The females assigned to the program are seen by a specific probation officer who meets with the offender, attends staffing twice per month and attends the court docket with the offender. The treatment provider is present for all meetings as well to ensure all information about

the offender's attendance in treatment and compliance with treatment is openly discussed. The treatment focuses on substance use, mental health, parenting, cognitive/behavioral, and trauma. Everything the offender has completed, and all positive aspects of their participation are addressed in each meeting and court date. All obstacles the offender is facing are discussed during these meetings and addressed by all involved parties. The judge meets with the diversion team prior to the court docket and is apprised as to who will be receiving an incentive or who will be receiving a sanction. When an offender successfully completes the program, the judge provides a certificate, and the team comes together to congratulate her on completion and that this is an extremely important occasion. The collaboration and communication in this program is critical and it works. We currently have 59 active participants in the program in Oklahoma and Tulsa Counties. There are several offenders waiting to plead into the program within the next few months so it is hoped the program will continue to grow.

Administrator Guilfoyle stated she has been the administrator of the Community Sentencing Program since the end of May 2021. Since that time, I have found there are judges and district attorneys who may not understand all the program has to offer. My goal is to reach as many jurisdictions for the inactive counties in the state to ensure they have all the facts regarding Community Sentencing and can see what a benefit this program is. I have attended numerous planning council meetings and have seen graduations that are incredible to watch. Judges who support the program are positive with the offenders who are participating, and I can see that it makes a difference to the offenders. My goal is to make these programs thrive.

There was no further discussion.

#### **10. Committee Reports – Standing Committees:**

##### **A. Executive**

**Chairman** Hastings Siegfried

**Members** Calvin Prince and Dr. Kathryn LaFortune

Members in this committee discussed the proposed agenda for the board meeting and 2022 proposed BOC meeting dates and locations.

There was no further discussion.

##### **B. Population/ Security/ Private Prisons**

**Chairman** Calvin Prince

**Members** Hastings Siegfried and Lynn Haueter

Members in this committee discussed the population update, OIG statistics update, and WSKCC update.

There was no further discussion.

##### **C. Public Policy/ Affairs/ Criminal Justice**

**Chairwoman** Betty Gesell

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

Members in this committee discussed Legislative & Roundtable updates, Medical updates and Program updates.



There was no further discussion.

**D. Audit and Finance**

**Chairman** Randy Chandler

**Members** Hastings Siegfried, Lynn Haueter, and Daryl Woodard  
Members in this meeting discussed the BOC budget report, DOC Fixed Rate, FY22 Smart Goals and update on pay scales.

There was no further discussion.

**E. FY22 Focus Committee**

**Chairman** Hastings Siegfried

**Members** Calvin Prince and Randy Chandler

No meeting was held for this committee. There was no further discussion.

There was no further discussion.

**11. Approval to Enter into Executive Session**

Pursuant to 25 O.S. § 307(B)(4), discussion regarding Glossip v. Chandler, CIV 14-665 OKWD and Stouffer v. Crow, CIV 21-1000 OKWD.

**Motion:** Mr. Siegfried made the motion to approve entering into Executive Session. Dr. LaFortune seconded the motion.

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

Approval to enter into Executive Session was approved by majority vote.

**12. Approval to Return from Executive Session**

**Motion:** Mr. Prince made the motion to approve returning from Executive Session. Dr. LaFortune seconded the motion.

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

Approval to return from Executive Session was approved by majority vote.

**13. New Business**

There was no new business.

**14. Adjournment**

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

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

There being no further business to discuss, adjournment of the meeting was approved by majority vote at 3:32 p.m.

Submitted to the Board of Corrections By:

Signature on File \_\_\_\_\_  
Kim Rotelli, Minutes Clerk

12/01/2021 \_\_\_\_\_  
Date

I hereby certify that these minutes were duly approved by the Board of Corrections on December 1, 2021, in which a quorum was present and voting.

**X** Signature on File

Dr. Kathryn LaFortune,  
Secretary Board of  
Corrections