



State of Oklahoma  
**PARDON AND PAROLE BOARD**

**PARDON AND PAROLE BOARD**  
**Special Meeting Minutes**

**Tuesday, August 31, 2021**  
**1:30 P.M.**

**MEMBERS PRESENT:** Adam Luck, Larry Morris, Richard Smothermon, and Scott Williams

**MEMBERS ABSENT:** Kelly Doyle (excused)

**STAFF:** Tom Bates, Melinda Romero, Leroy Long, and Kyle Counts

**GUESTS:** None

**I. Call to Order – Adam Luck, Acting Chairman**

The Business Meeting of the Pardon and Parole Board (PPB) was called to order at 1:31 P.M. by Chairman Adam Luck, on Tuesday, August 31, 2021.

**A. Roll Call**

The members attending were Adam Luck, Larry Morris, Richard Smothermon, and Scott Williams. Kelly Doyle had an excused absence.

**B. Assurance of Compliance with Open Meeting Act**

General Counsel Kyle Counts provided assurance of compliance with the Open Meeting Act. The special meeting of the Pardon and Parole Board was convened via Zoom Webinar in accordance with the Oklahoma Open Meeting Act as amended under SB 1031. This special meeting was preceded by an amended advance notice of the date, time, and place filed with the Oklahoma Secretary of State on August 26, 2021. Notice of this meeting was also given at least twenty-four (24) hours in advance of the meeting by posting notice of the date, time, virtual meeting place, and agenda of the meeting on August 27, 2021, on our website, [www.ok.gov/ppb](http://www.ok.gov/ppb). The meeting is in compliance with the Open Meeting Act.

**II. Update on Attorney General Requesting Execution Dates for Seven Inmates – Tom Bates, Director**

Director Bates reported that on Wednesday, August 25, the Attorney General requested that execution dates be scheduled for seven inmates. The first of these was requested for Thursday, October 7, with six more scheduled three weeks apart, each. The Pardon and Parole Board is required to have a clemency hearing at least three weeks prior to the scheduled execution date, meaning the first clemency hearing would need to be held no later than Thursday, September 16. Director Bates also explained that notice would have to go out to all interested parties within three days of the Oklahoma Court of Criminal Appeals issuing the orders that set execution

dates. Director Bates said the purpose of the meeting was to discuss tentative clemency hearing dates, how the clemency hearing would affect a scheduled commutation hearing for inmate Julius Jones, and to provide a brief training on the procedures of a clemency hearing.

**III. Discussion and Possible Action on Setting of Clemency Hearing Dates – Adam Luck**

The Board discussed possible dates for clemency hearings and, based on the execution dates requested by the Attorney General, set the following tentative dates for clemency hearings:

John Grant - 9/16/2021 - 10:00 AM  
Julius Jones - 10/5/2021 - 9:00 AM  
Bigler Stouffer - 10/27/2021 - 9:00 AM  
Wade Lay - 11/17/2021 - 9:00 AM  
Donald Grant - 11/30/2021 - 9:00 AM  
Gilbert Postell - 12/1/2021 - 9:00 AM  
James Coddington - 1/19/2022 - 9:00 AM

**IV. Discussion and Possible Action on Commutation Consideration for Inmates with Pending Clemency Hearing Dates – Adam Luck**

General Counsel Kyle Counts explained that commutation relief is considered at a clemency hearing if an inmate is recommended for clemency. Mr. Counts further explained that at a clemency hearing, a death row inmate can address the Board for 20 minutes, while death row inmates would not have a personal appearance at a commutation hearing due to being in maximum security. Mr. Counts further explained that a clemency hearing is more robust, allowing for a greater amount of time for all parties to address the Board. Mr. Counts recommended that the Board defer consideration of commutation for an inmate to their clemency hearing if an execution date has been set. The Board discussed the issue of an inmate being set for both a standard commutation hearing and a clemency hearing simultaneously, and deliberated Policy 125:

It is the policy of the Pardon and Parole Board (PPB) if an inmate is scheduled for execution while a commutation application is pending before the Board, such application will be considered under the rules governing clemency. Furthermore, if a commutation hearing has been scheduled during a regularly scheduled meeting of this board, such hearing shall be stricken and a clemency hearing promptly scheduled as required by rule.

Chairman Luck moved to adopt Policy 125 and Vice-Chairman Morris seconded the motion. The motion was carried by a vote of 4-0.

**V. Training: Clemency Hearing Rules and Procedures – Kyle Counts**

Mr. Counts conducted a brief training over the policies and procedures surrounding clemency hearings, including a PowerPoint presentation that was shared via Zoom.

**VI. Adjournment of the Special Meeting – Adam Luck**

Chairman Luck thanked the Board and the staff, and the meeting was adjourned at 2:15 P.M.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Kyle Counts", written over a horizontal line.

Kyle Counts  
General Counsel

The minutes for the August 31, 2021 Pardon and Parole Board Special Meeting were approved by a majority vote on the 13th day of September 2021.