



State of Oklahoma
PARDON AND PAROLE BOARD

PARDON AND PAROLE BOARD
Business Meeting Minutes

Monday, September 13, 2021
9:00 a.m.

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

MEMBERS ABSENT: None

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 9:00 a.m. by Acting Chairman Adam Luck, on Monday, September 13, 2021.

A. Roll Call

The members attending were Richard Smothermon, Larry Morris, Adam Luck, Kelly Doyle and Scott Williams. The voting order was announced as Adam Luck, Larry Morris, Kelly Doyle, Richard Smothermon, Scott Williams.

B. Assurance of Compliance with Open Meeting Act

General Counsel Kyle Counts provided assurance of compliance with the Open Meeting Act. The business meeting of the Pardon and Parole Board was convened in accordance with the Oklahoma Open Meeting Act. This meeting was preceded by an advance notice of the date, time, and place filed with the Oklahoma Secretary of State on November 17, 2020. 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 September 9, 2021, on the Pardon and Parole Board's website, www.ok.gov/ppb. The meeting is in compliance with the Open Meeting Act.

II. Business Meeting –Tom Bates, Executive Director, Melinda Romero, Deputy Director, Leroy Long, Field Director, and Kyle Counts, General Counsel

A. Discussion and Possible Action on August Business Meeting Minutes

The August business meeting minutes were provided to the Board for review. Richard Smothermon made a motion to approve the August business meeting minutes, Scott Williams seconded. The Board approved the motion 5-0.

B. Discussion and Possible Action on August Parole Meeting Minutes

The August parole meeting minutes were provided to the Board for review. Scott

Williams made a motion to approve the August parole meeting minutes, Kelly Doyle seconded. The Board approved the motion 5-0.

C. Discussion and Possible Action on August Special Meeting Minutes

The August special meeting minutes were provided to the Board for review. Larry Morris made a motion to approve the August special meeting minutes, Richard Smothermon seconded. The Board approved the motion 5-0.

D. Discussion and Possible Action on Agency Updates:

1. Personnel Updates – New Hires and Separations

Melinda Romero reported there were no new hires and one separation, and that she planned to fill the vacancy by the next Board meeting.

2. Field Updates

Field Director Leroy Long reported that his team has completed the October docket and is now working on the November docket. Mr. Long talked about the numbers in personal appearances under the old rule. There are currently 38 personal appearances, if the old rule was effective for this meeting, there would have been 76 personal appearances.

3. Director's Update

Executive Director Tom Bates had no new updates to report.

III. Discussion and Possible Action on Tied Votes from December 2020 through March 2021 – Adam Luck

Chairman Adam Luck stated that the discussion regarding the tied votes from December 2020-March 2021 has been ongoing and was discussed at last month's meeting when it was decided that the Board would be prepared at this meeting to vote.

General Counsel Kyle Counts reminded the Board there are three categories with tied votes that they can take action on: nonviolent paroles, pardons, and stage I commutations.

Chairman Luck moved to reconsider nonviolent paroles with tied votes from December 2020 through March 2021, Mr. Smothermon seconded, and the motion was approved 5-0. Chairman Luck moved to reconsider pardons with tied votes from December 2020 through March 2021, Mr. Smothermon seconded, and the motion was approved 5-0. For commutations, the only way they can be reconsidered under the PPB's is after three years, if there is a change in the law, or if the Governor recommends that they be reconsidered. Chairman Luck moved to request that Governor Stitt recommend that commutations with tied votes from December 2020 through March 2021 be reconsidered, Mr. Smothermon seconded, and the motion was approved 5-0.

IV. Discussion and Possible Action on Revised Forms and Instructions – Kyle Counts

General Counsel Kyle Counts reported that the new rules went into effect on September 11, 2021. The applications have been updated to be consistent with the rules and the forms are now fillable PDF files. Mr. Counts explained that the application instructions have also been corrected to state that a misconduct results in a commutation being considered as a jacket review to be consistent with the administrative rule. Chairman Adam Luck made a motion to approve the revised forms and instructions, Scott Williams seconded. The Board carried the motion 5-0.

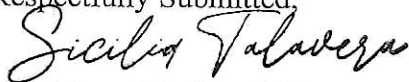
V. New Business Not Known or Which Could Not Have Been Reasonably Foreseen Before the Posting of the Agenda – Adam Luck

Chairman Adam Luck stated there was one item that was received after the posting of the agenda, an additional recusal request from the Oklahoma County District Attorney's office for Board Member Scott Williams. Mr. Williams gave a statement on the request and explained that he is in compliance with the Board's ethics policy, there is not a conflict of interest, but that he will recuse on the Julius Jones commutation hearing out of an abundance of caution.

VI. Adjournment of the Business Meeting – Adam Luck

The meeting was adjourned at 9:31 a.m.

Respectfully Submitted,



Sicilia Talavera

Executive Assistant

The minutes for the September 2021 Pardon and Parole Board Business Meeting were approved by a majority vote on the 11th day of October 2021.