

**BOARD OF CORRECTIONS**  
**January 6, 2009**  
**Atlanta, Georgia**

**MEMBERS PRESENT:**

Mr. Robert Jones, Chairman  
Mr. Bill Acuff  
Mr. Wayne Dasher  
Mr. Carl Franklin  
Sheriff Roger Garrison  
Mr. Bruce Hudson  
Sheriff Bill Masee  
Mr. Kris Nordholz  
Sheriff Carlton Powell  
Mr. Tommy Rouse  
Mr. Tom Salter  
Mr. Roger Waldrop  
Ms. Rose Williams  
Mr. Jim Whitehead, Sr.  
Mr. Larry Wynn

**MEMBERS ABSENT:**

Sheriff Cecil Nobles  
Mr. John Mayes

**ATTORNEY GENERAL'S OFFICE:**

Mr. Joe Drolet, Senior Assistant Attorney General

**DEPARTMENT OF CORRECTIONS:**

Commissioner James E. Donald  
Ms. Laura Jones, Board Liaison  
Ms. Diane Avery, Confidential Assistant  
Mr. Brian Owens, Assistant Commissioner  
Ms. Yurie Bae, Legal Services  
Mr. David Clark, Engineering and Construction Services  
Ms. Becky East, Division Director of Administration Division  
Mr. Danny Horne, Director of Chaplaincy Services  
Ms. Joan Heath, Director of Public Affairs  
Mr. Harris Hodges, Division Director of Corrections  
Ms. Patricia Smith, Executive Assistant  
Mr. Mark Guzzi, Legal Services  
Mr. Mark Waldron, Director of Planning and Analysis  
Mr. Michael Nail, Assistant Division Director of Corrections Division

Ms. Lori Lane, Office of Investigations & Compliance

**VISITORS:**

Mr. Jim Lientz, Chief Operating Officer for Governor Perdue

Ms. Mica Doctoroff, Southern Center For Human Rights

Warden Wayne Morris, Screven County Prison

Deputy Warden Stephen Scroggins, Screven County Prison

Mr. Bernard Reynolds, Reynolds PA

Chairman Robert E. Jones called to order the first meeting of the new year for the Board of Corrections. Chairman Jones welcomed everyone and stated he hoped everyone had a great Christmas and a good New Year's holiday. Chairman Jones requested Chaplain Horne to open with prayer.

Chairman Robert E. Jones requested the visitors to stand up and introduce themselves; this is done so the Board members know who are attending.

Chairman Jones stated that he called many Board members last night; but not able to reach Mr. Tom Salter, Mr. Bruce Hudson, and Mr. Kris Nordholz. Chairman Jones stated he managed to speak with the other Board members with the news. Chairman Jones stated they all are disappointed that Commissioner Donald will be leaving and going to the State Board of Pardons & Paroles. Chairman Jones stated Commissioner Donald has done an outstanding job for a number of years; serving the nation and the state for 39 years; doing a fantastic job in the Department of Corrections. Chairman Jones stated that Governor Perdue recommends that Mr. Brian Owens be selected and appointed by this Board to serve in the role as Commissioner for Department of Corrections.

Chairman Jones requested to address the January Agenda because it has been modified. Chairman stated an item has been added to the agenda, with adding Executive Session to the agenda. Mr. Roger Waldrop made the motion to approve the Amended Agenda, which was seconded by Mr. Carl Franklin and voted approval by the Board. Chairman Jones stated there are two questions to address in Executive Session; to discuss the appointment of Mr. Owens and the approval of Deputy Warden Stephen Scroggins.

Mr. Bill Acuff made the motion to go into Executive Session, which was seconded by Mr. Jim Whitehead, Sr., and affirmatively voted approval by all Board members present at this Board meeting.

The Board of Corrections went into Executive Session. Following Executive Session, the Board of Corrections reconvened into regular Board session.

Mr. Wayne Dasher stated that it is his honor to make a motion that Brian Owens be appointed with Governor's recommendation. Mr. Dasher stated that as Chairman he worked very closely with Mr. Owens; he is an excellent choice and Mr. Dasher would like to put his name up as new Commissioner. Several members seconded the motion. Chairman Jones called for a vote on the motion to approve Governor's recommendation of Mr. Owens as new Commissioner for the Department of Corrections, and, the Board members unanimously voted approval. Chairman Jones stated there will be a ceremony on Thursday, January 8<sup>th</sup>. At the same time, there will be a swearing-in ceremony for Commissioner Donald as new member of Board of Pardons and Paroles.

Mr. Bill Acuff made the motion that the Operations Committee recommends that Stephen Scroggins be approved as Deputy Warden at Screven County Prison. The motion was seconded by Sheriff Roger Garrison and voted approval by the Board members. Chairman Jones congratulated Deputy Warden Scroggins in the new role; stating the Board looks forward to his continued growth and development. Deputy Warden Scroggins thanked the Board for the opportunity.

Chairman Robert E. Jones requested approval of the December Minutes. Mr. Tommy Rouse motioned approval, which was seconded by Mr. Kris Nordholz, and voted approval by the Board members.

## **COMMISSIONER'S REPORT**

Commissioner James E. Donald began with describing that when he was a young lieutenant colonel in the Pentagon, and that he made the cut to go out and command a brigade in the 101<sup>st</sup> Airborne Division, there were a lot of people who were competing for that great honor. Commissioner Donald stated he confesses that he was feeling pretty good about himself when a colleague handed him a verse out of the bible, Micah 6:8. Commissioner Donald stated the verse simply states: "What does the Lord require us but to do justly, to love mercy, and to walk humbly." Commissioner Donald stated that he is humbled by the opportunity to continue to serve. He continued with stating that January 1<sup>st</sup> marks the 39<sup>th</sup> year of continuous public service. Commissioner Donald stated his thanks to Governor Perdue and to Mr. Jim Lientz for the opportunity to continue to serve by serving on the State Board of Pardons and Paroles.

Commissioner Donald stated that it is a distinct honor to wake up every morning and know that it is about the people of Georgia; it is about others.

Commissioner Donald continued with thanking the Board members; stating he has learned a lot from the Board. Commissioner Donald stated he and Mr. Bruce Hudson discussed this morning about when Commissioner first came to Corrections; about hearing a general officer coming from military. There was a lot of skepticism. Commissioner stated he has been in many battles and has been baptized under fire very quickly. Commissioner Donald stated he reached out to many Board members and they provided mentorship and counsel that has allowed him to be successful. Commissioner Donald stated that his hero, George S. Patton, was heard to have said, "I am just a soldier. I go when I am told and do what I am told, but I win when I get there." Commissioner Donald stated that the most appropriate word is "we;" he tried all his life not to use the "I" word. Commissioner Donald stated he leaves with the Board members his prayers for them in this operation.

Commissioner Donald then began his Commissioner's Report with showing a video of Channel 2's news report. Commissioner stated that one of the things is to always go back to the core mission and look at the people that the Department serves. It has been hard for some people to understand that a convict can also be someone that is a ward of the state and must also be taken care of. Commissioner Donald stated the video speaks volumes to what this Department is about and what it is trying to become in terms of ability to rehabilitate folks in the prison system.

Commissioner Donald continued with Upcoming Events. The powerpoint slide showed what is on the calendar. There are a lot of events to invite the Board members to consider attending; if events are in their areas. The fast track dorm, a 256 bed dorm, will be opened at Smith State Prison; the ceremony will be held January 13<sup>th</sup>. On the 27<sup>th</sup>, the ribbon cutting ceremony will be held at the Rouse Day Reporting Center. Commissioner Donald explained that resources are saved with the probation office moving inside a facility the Department owns. Commissioner Donald stated there will be a ribbon cutting event at Walker State Prison; it is a 200-bed Residential Substance Abuse Treatment facility for the people in the prison system who are probationers. The most consistent request that Judges ask of the Department is to have more substance abuse beds. The Department has a backlog of about 180. With the opening of this facility at Walker State Prison, it will eat away the backlog. Commissioner Donald stated another event will be a hearing before Joint Appropriations Committee on January 22<sup>nd</sup>.

Commissioner Donald continued with the Jail Backlog slide. Again, the Department is opening four fast track dorms before the end of the fiscal year. In addition, the Department is poised to put in another 216 triple bunks. Commissioner Donald requested the Board members to go out in their communities and look at triple bunks. By the end of the fiscal year, the Department will have triple bunked 1800 inmates. Commissioner Donald stated that if the Department were to have built those 1800 beds, the cost would be considered in excess of \$180 million to tax payers. Commissioner Donald stated he looked to the Board members to help with the concept because people do not understand on how the Department can triple bunk. The Department does not

bunk them in individual rooms; there are about 36 beds added to the periphery of dorms. The Department considered the safety issues; there is a limit of the 36 beds based on safety issues. The Department takes good care of inmates; they are safe and they are supervised; and, this will save taxpayers money. Commissioner Donald stated that the Department has bid out for a prison expansion; money in the budget has been appropriated for those expansion beds. The Department has an opportunity to pick up additional beds with private partners. Commissioner Donald stated that today's prison population has gone down; it had been up to 105% capacity but now down to 101% capacity.

Commissioner Donald continued with the next slide, Commitments to Prison System, which shows tracking the numbers of past performance and what it has been like. There is a lag in numbers, so looking at about five spikes back gives a clear indication of where the trend line is going.

With the slide, County Transfers, Commissioner Donald stated he has gotten a call from Sheriff of Cobb County. Commissioner stated that Mr. Michael Nail and his staff will be working with Ms. Linda Coker in the Sheriff's office about processing paperwork. The Department believes the major issue is processing paperwork; but with the Department's diagnostic process, the Department will be able to pick up 50 per week out of Cobb County. Corrections and Cobb County Sheriff have an agreement to keep that number of inmates in Cobb County under 200.

Commissioner Donald gave quick updates on the slide, Operational Update. Commissioner Donald stated he has already talked about Day Reporting Centers; there are a total of 11 day reporting centers on line. A Day Reporting Centers is the alternative to a diversion center. Commissioner Donald stated that a ribbon cutting ceremony has been held at the Gainesville Day Reporting Center and at the Atlanta Day Reporting Center. Next year, there will be five more day reporting centers. This is the more efficient cost option for diverting people from the prison system.

As an update on the Headquarters Relocation, Commissioner Donald stated there is a copy of the *Impact Newsletter* in each notebook. The copy used to be in color; but with saving costs, the copy is now black and white. In this month's newsletter, there is an article on the Public Protectors, Educators and Nurses (P.E.N.) loan. Commissioner Donald stated the Department was approved by DCA to have a special consideration for staff, who are moving to Forsyth, to be able to have P.E.N. loans be re-established. Those members who bought a house previously and were no longer eligible to have the P.E.N. loan, then that down payment money is now being given back to those who choose to move to Forsyth. This will impact at least 60+ people who might potentially move south with the Department. The Department is excited about DCA approving that program.

Commissioner Donald stated the Department is ready to move to Phase II. Commissioner invited Mr. David Clark, who is with Engineering and Construction, to explain further. Mr. Clark stated that the project is tracking very nicely; the project is in Phase II under construction

which is completion of the academy late this year. The project is heavily in design at this point with Phase III, which is the Headquarters project. That complete design is expected in April, and, the project will proceed into some construction at that point. Mr. Clark stated training should be moved in by this time next year; and, Headquarters will be moved in around a year behind that.

Commissioner Donald asked Ms. Becky East to come forward and give an update on what the General Assembly looks like. Ms. East, Director of Administration, stated there are a couple of key dates as far as the budget is concerned. On January 14<sup>th</sup>, Governor Perdue will give his State of the State Address. On that day, the Department will receive the Governor's Recommendation for the Department. Ms. East stated the Department believes that it is at, or slightly above, the 6% mark, which is where it is thought the Recommendation would be. The next key date is January 22<sup>nd</sup>, in which the Department will give the presentation to Joint Appropriations Committee on that day. Ms. East stated that is when the Department will be able to talk about strategy for FY 09 and FY 10 in dealing with the budget reductions. Ms. East addressed several questions; one of which was about energy costs. Ms. East responded that the Department is tracking on items of medical and utilities. Ms. East stated that Commissioner Donald engaged the management team and key staff, and, they are staying right on top of all the issues that are potential areas of crisis during the year. The wardens and staff stayed on top of their utilities and put in conservation methods; also, medical staff are staying on top of their costs. Ms. East responded to a question of furloughs; wherein, Ms. East stated the Department has moved forward with a plan to do furloughs. The process is for the Department to notify State Personnel Administration and that has been put in place; the options being two days for security staff and additional days for non-security. Commissioner Donald stated the Department feels pretty good about where the budget is going. Commissioner Donald stated that nine counselor positions were reduced, and, all those nine have accepted other positions in the Department. Commissioner Donald stated that with the medical budget, that unit has met the budget targets for five consecutive months. Governor Perdue has indicated the Department of Corrections will stay at the 6% level. Commissioner Donald stated that on the issue of bed situation of whether the Department is going to close any more beds, he stated that because of beds coming on line, it looks favorable and will not have to close any beds.

In response to a question of pay raises for officers, Commissioner Donald stated that as the state recovers from the economic challenges now, that issue will be put back on the table. He stated there is a strong commitment from the leadership to do that; but for now, it is difficult to consider that when looking at furloughing.

Commissioner Donald stated he wanted to say one final thing. He stated that Mr. Brian Owens has been his right arm; has been the guy behind Commissioner with most of the intellectual work that has gone into all the things the Department has done more efficiently. Commissioner Donald strongly endorses Mr. Owens for the job, and, Commissioner is pleased the Board approved the selection to be next Commissioner. Commissioner Donald thanked the Board members for all their great work.

Chairman Robert Jones stated that when thinking of the things Commissioner Donald had accomplished, such as Choose Freedom Initiative; better training of Wardens and Sergeants; putting inmates to work so they could benefit not only putting in a hard day's work but also having savings when they get out of prison so they can support their families; working diligently to help close inefficient facilities; that Commissioner Donald truly did a great service to the Department, the employees, and to the taxpayers of the state. Chairman Jones told Commissioner Donald that his service of the last 39 years as a soldier and in the Department is something that the Board could never thank sufficiently for. The Board truly appreciates Commissioner Donald's leadership. Chairman Jones stated that a test of a great leader is when leaving someone to replace them and the operations still continue. Chairman Jones told Commissioner Donald that he has brought Mr. Owens right along and Mr. Owens will do a fantastic job for the Board.

### **CHAIRMAN'S REPORT**

Chairman Robert E. Jones began his report with stating there is so much talent on this Board. He looks to the Board members to help him and help the Department do things better and more efficiently. Chairman Jones stated that as the Board moves forward, he would like on a rotating basis to have a designated committee to provide the Board with a briefing of what is going in their operational area; so that during the year to hear what course the committee is proceeding. Chairman Jones requested the Board members to fill out a form and express an interest of what committee each Board member would like to serve on.

Chairman Jones stated that he would like to do one thing that former Chairman Charles Hudson had implemented, which was to have a Board member report at each meeting about a visit to a prison. A Board member will tour a prison and comes back and talk to the Board members about that particular facility. Chairman Jones requested Mr. Bill Acuff to visit a local visit and report back at the next Board meeting.

Chairman Jones stated that obviously the Department is in a very tight and unusual and difficult budget situation. He stated that he thinks that as a Board need to show leadership in that area also; look to clarification about the roles and responsibilities of Board members but also about payments of travel expenses and per diem expenses. Chairman Jones stated that the Department is in a situation where the correctional officers will not get a pay raise and there is potential look at furloughs. Chairman Jones stated he suggests and he made a motion that there not be any reimbursement of per diem expenses through the next Board meeting until this can be addressed again. There will be per diem and expenses for this Board meeting and the next Board meeting; however, no per diem expense reimbursement through the next month until the opportunity to address this issue more closely. Chairman Jones requested Sheriff Powell, Mr. Bruce Hudson,

Mr. Wayne Dasher, and Mr. Jim Whitehead to meet and talk about recommendations for the Board about not only reimbursement of members' per diem expenses, but when those should and should not be submitted. The members are not in this to make money but here to serve. Chairman Jones requested the committee to discuss this and come back with a proposal for the Board on how to proceed.

Chairman Robert Jones called on Mr. Mark Guzzi, Legal Services, to present Resolutions to the Board members. Mr. Guzzi stated he is presenting three Resolutions for consideration today; two of which are property transfers from the Department to other government entities. The third Resolution relates to authorizing the Commissioner to enter into necessary agreement for Request for Proposal that is currently out.

The first Resolution involves property that is currently Milan State Prison. Mr. Guzzi stated the Department shut down that prison. The City of Milan has expressed an interest in obtaining that property in order for them to operate a local jail facility and quite possibly some municipal administrative offices out of that facility. This is an interesting property transfer in that over the years, the Department acquired the total lot through several transactions, some of which required the Department to pay money, other funds were donated to Department. As the process goes through, there will be some discussion with the State Properties Commission about what compensation that the Department should receive in exchange for that property from the City.

The second Resolution involves the Rockdale-DeKalb Probation Detention Center. The Department is looking to transfer that over to the Department of Juvenile Justice, who has expressed an interest in running a youth detention center at that facility.

The third Resolution grants the Commissioner authority to enter into contracts with the Georgia Building Authority for a long-term ground lease for property that is located in Milledgeville. In the Request for Proposal for a new private prison, the Department has offered the vendors the possibility of leasing state-owned property on a long-term basis, and, then building a facility on that property and the Department pays for the operation of that facility over long term; looking at 25 to 30 years. In order for the Commissioner to enter into such agreement, he needs the authority from this Board to enter into that agreement.

Mr. Guzzi addressed questions on the three Resolutions and requested the Board's approval for the Resolutions. Sheriff Roger Garrison made the motion to approve all three Resolutions, which was seconded by Mr. Wayne Dasher, and voted approval by the Board members.

### **OLD/NEW BUSINESS**

Chairman Robert Jones asked if there were any items to bring before the Board or any comments about the departure of Commissioner James Donald. Chairman Jones stated the Board is looking forward to Commissioner Donald assisting on the State Board of Pardons and Paroles.

Mr. Bruce Hudson told Commissioner Donald that he has served on this Board with five different Commissioners. Mr. Hudson stated that Commissioner Donald is the finest of the group. Mr. Hudson told Commissioner Donald that we will miss him; that Commissioner Donald stands head and shoulder above the next guy in line.

Sheriff Carlton Powell told Commissioner Donald that he has enjoyed Commissioner Donald's tenure. Sheriff Powell told Commissioner Donald that as he has stated before that when Commissioner Donald thought he was right on issues, Commissioner Donald kept his team headed in that direction. Sheriff Powell stated there have been some tough calls and seen some tough times, but Commissioner Donald provided leadership. Sheriff Powell stated he personally appreciates what Commissioner Donald has done for the State of Georgia and this Department. Sheriff Powell stated that when Commissioner Donald first came on, Sheriff said here is a General coming out of military but Commissioner Donald is getting into a real battle of his life when goes across the street with the legislators. Sheriff Powell stated Commissioner Donald has done well with that, also. Sheriff Powell thanked Commissioner Donald for the direction he has given this Department.

Mr. Roger Waldrop told the Board members that, as a new member, he has been around to some of the facilities. Mr. Waldrop stated that he saw in the faces of staff and inmates reflecting the leadership of Commissioner Donald. Their attitude and professionalism is so unusual based on Mr. Waldrop's experience; not only in banking but back in the military for twenty years. One of the jobs Mr. Waldrop had was to visit institutions; in the military, in a stockade or correctional facility. A training brigade and disciplinary barracks are hard core inmates in the military. Mr. Waldrop stated this system reflects so much brighter and current contemporary approach to corrections and a progressive approach to leadership and modern management techniques. Mr. Waldrop stated he is out there looking and wondering what happened from the leadership. The boss gets credit for what goes good and also gets credit for what goes bad. Mr. Waldrop stated he wanted to say again and he has told the places he has been and had the opportunity to see what a great leader had in Commissioner Donald. Mr. Waldrop stated he is sure Mr. Owens will do a great job because he comes from Corrections staff. Mr. Waldrop stated Mr. Owens also has an immense amount of knowledge and experience that we could all learn from. Mr. Waldrop stated that what he wanted to say is to sit and talk a little bit about this morning, which is insignificant to the problems that he has shared. Mr. Waldrop stated he experienced coming out poor circumstances when he was growing up; Commissioner Donald came out of the cotton fields of Mississippi. Commissioner Donald jumped more hurdles than we ever can imagine. Mr. Waldrop stated for that he respects Jim Donald immensely. Mr. Waldrop stated we are all proud of Commissioner Donald and proud to have served with him.

Ms. Rose Williams stated she is speaking as a retired warden. She stated she wanted to congratulate Commissioner Donald for his appointment to the Parole Board. Ms. Williams also congratulated Mr. Owens for his appointment; she is looking forward to working with Mr. Owens. Ms. Williams stated that she has worked several Commissioners, and, she has enjoyed working with every Commissioner while working for the agency. Ms. Williams thanked Commissioner Donald for forcing her to grow, and, thanked him on behalf on all the wardens for forcing them to grow and for moving the agency up to a higher standard. Ms. Williams stated she enjoyed working with Commissioner Donald and look forward to continuing the relationship.

Mr. Tom Salter stated that he is not disagreeing with a single comment made today; he agrees with them all except for personal comments that each Board member brings. Mr. Salter stated that Chairman Rob Jones brought out the fact that it is the person who is able to select a good staff that will train people to take over after them; Commissioner Donald has certainly done that. Mr. Salter congratulated Mr. Owens and congratulated Commissioner Donald for his selection of personnel support. Mr. Salter stated that most of the time the efforts of staff are not well known with their efforts in Georgia communities. Mr. Salter brought out examples such as Department of Transportation holding its Board meeting at Callaway Gardens and a news article was written about that meeting. However, the leadership of Commissioner Donald trickled down the organization with his standards. Mr. Salter stated there is a distinct reflection on people whose ethics are sought and reinforced. Mr. Salter thanked Commissioner Donald for the opportunity to work professionally with him. Mr. Salter updated everyone that he is a year ahead of things on his timeline; nearly died a couple of times. He stated that he is ready and willing and able to work, even with physical problems. Chairman Jones thanked Mr. Salter for reminding the Board what a great honor and responsibility this is.

Mr. Wayne Dasher stated that he really appreciates Commissioner Donald for the past two years. Commissioner is a team player, and, Mr. Owens will be in the same position. Mr. Dasher stated that one good that Commissioner Donald did was keep the Board in the loop. If something happened in Mr. Dasher's area, Commissioner would call at night or on a Saturday to let him know what was going on. Mr. Dasher stated that when getting on the Board, it was supposedly just the position to be held but the Board has helped Commissioner Donald because a lot of things have changed since Mr. Dasher came on five years ago. Mr. Dasher stated he appreciates the friendship and hopes it will continue on. Mr. Dasher stated he looks forward to working with Mr. Owens.

Chairman Jones mentioned that the February meeting will be back on the first Thursday of the month, February 5<sup>th</sup>. Chairman Jones stated that Mr. Bradley Carver regrettably resigned from the Board and is not able to continue to serve with the Board.

There being no further business, the meeting was adjourned.

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Robert E. Jones, Chairman

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James L. Whitehead, Sr., Secretary

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Laura Jones, Board Liaison