

BOARD OF CORRECTIONS
November 5, 2009
Atlanta, Georgia

MEMBERS PRESENT:

Mr. Robert Jones, Chairman
Mr. Carl Franklin
Sheriff Roger Garrison
Mr. Bruce Hudson
Mr. John Mayes
Sheriff Carlton Powell
Mr. Jim Whitehead, Sr.
Mr. Justin Wiedeman
Ms. Rose Williams

MEMBERS ABSENT:

Mr. Tommy Rouse
Mr. Kris Nordholz
Mr. Larry Wynn
Chief George Potter

VIA TELEPHONE CONFERENCE:

Mr. Bill Acuff
Mr. Wayne Dasher
Sheriff Cecil Nobles
Mr. Roger Waldrop

ATTORNEY GENERAL'S OFFICE:

Mr. Joe Drolet, Senior Assistant Attorney General

DEPARTMENT OF CORRECTIONS:

Commissioner Brian Owens
Assistant Commissioner Derrick Schofield
Mr. Adam Baswell, Executive Assistant
Ms. Laura Jones, Board Liaison
Mr. Mark Guzzi, Acting General Counsel
Mr. Harris Hodges, Division Director of Corrections Division
Mr. Danny Horne, Director of Chaplaincy Services
Mr. Larry Latimer, Engineering and Construction Services
Mr. David Rousell, Office of Investigations and Compliance

Deputy Warden Marvin Foster, III, Harris County Prison
Warden Alex Haden, Harris County Prison
Deputy Warden Michael Haynes, Carroll County Prison

VISITORS:

Ms. Diane Avery, Liaison from State Board of Pardons and Paroles
Mr. Bob Keller, Vice Chairman of State Board of Pardons and Paroles
Mr. Terry Norris, Executive Director of Sheriffs Association
Mr. Jim Lee Scott, citizen
Ms. Sara Totonchi, Southern Center For Human Rights
Mr. Dave Williams, Atlanta Business Chronicle
Mr. Walter Jones, Morris News Service
Mr. John Clayton, CCA

Chairman Robert E. Jones called to order the November meeting of the Board of Corrections. Chairman welcomed everyone, stating he appreciated everyone being here. He stated he wanted to apologize in advance for an unstructured nature of portions of today's meeting. Chairman Jones stated that one of the good things is that the Board asks Chaplain Danny Horne to open the meetings with a word of prayer. Following prayer, Chairman Jones welcomed back Sheriff Cecil Nobles, who was on the conference call, hoping that he is doing well. Also, an email had been received that Mr. Larry Wynn's oldest daughter was having gall bladder surgery today.

Chairman Jones stated he appreciates visitors being here today, recognizing Mr. Bob Keller, who is from the State Board of Pardons and Paroles. Chairman thanked Mr. Keller's interest in joining the Board of Corrections today. Chairman Jones asked all visitors to introduce themselves.

Chairman Jones stated there are a number of Board members participating today. But to insure there is a quorum, he requested a roll call on those on the conference call. Mr. Wayne Dasher, Sheriff Cecil Nobles, Mr. Bill Acuff, and Mr. Roger Waldrop were connected on the conference phone.

Chairman Rob Jones requested approval of the November Agenda. Mr. Jim Whitehead, Sr. made the motion to approve the Agenda, which was seconded by Ms. Rose Williams, and voted approval by the Board members.

Chairman Rob Jones requested approval of the Minutes of the October meeting. Mr. Bruce Hudson made the motion to approve the Minutes, which was seconded by Mr. John Mayes, and voted approval by the Board.

Chairman Rob Jones requested approval of the Minutes of the October called meeting, which was held on October 30, 2009. Mr. Jim Whitehead, Sr. made the motion to approve the Minutes, which was seconded by Ms. Rose Williams, and approved by the Board.

Chairman Rob Jones called on Commissioner Brian Owens to present his report.

COMMISSIONER'S REPORT

Commissioner Brian Owens stated his report would be brief in order to allow the Board members to give suggestions on how to move forward. Commissioner Owens began with thanking several Board members for their activities this month. Commissioner thanked Mr. Dasher for arranging a get-together with Mayor Bridges of Glennville; there will be ongoing discussions about rates being charged for water. Commissioner Owens thanked Chief Potter in advance for a big day tomorrow; looking forward to the event of the dedication of Grace Village, which is an apartment complex for homeless women and children and was built by inmate labor; the funding for the materials was provided by volunteers in Perry. Commissioner Owens thanked Mr. Acuff, Chief Potter, and Sheriff Garrison for their committee work concerning appointments of county wardens and deputy wardens. In each Board member's notebook is a letter from Clayton County Chairman Eldrin Bell thanking the Department of Corrections for that change in policy; he believes this will be a much better process.

With a powerpoint presentation, Commissioner Brian Owens began with explaining that the Commissioner's Update will have two brief reports. One will be Assistant Commissioner Schofield giving a briefing on COMPSTAT, which is a model used to hold wardens and chiefs accountable in the field. Second, Mr. Larry Latimer has a good news story of receiving a federal grant that will yield plenty of savings in terms of utilities.

With the Upcoming Events calendar, Commissioner Owens pointed to the dedication ceremony to be held tomorrow at Grace Village in Perry. November 24th is the budget meeting with Governor Perdue to go over the Department's budget request. In January, the General Assembly session will begin on the 11th. Other than that, the calendar is primarily routine with the exception of a date in December. Commissioner Owens proudly announced the graduation ceremony of the New Orleans Baptist Theological Seminary (NOBTS) program at Phillips State Prison. This will be the first class of graduates with associate degrees.

Commissioner Owens turned to the Jail Backlog slide. The total backlog, to include probation and prison, sits at 4,271. Commissioner Owens included in each Board notebook an update of the beds that are coming on line with the Department of Corrections. He stated that as everyone knows, the Department closed old infrastructure, while at the same time adding additional capacity. The Department is not losing capacity in the prison system, just creating far more efficient fasttrack units, which will save taxpayers significant money. As the holiday season

rolls around in November and December, the courts become less active and the number typically goes down. Of course, the numbers will go back up when the courts go back into session in January.

Commissioner Owens stated the last comment he is going to make is there are 150 people actively deployed with serving the nation in the United States military around the world. The bulk of these individuals are over in Afghanistan. Commissioner Owens stated he appreciates the card writing and efforts done as Board and as individuals. Next week there is the Veterans Day celebration to support the men and women in the armed services that are protecting the nation.

Commissioner Owens concluded his report, asking if Board members had questions. Commissioner Owens called up Assistant Commissioner Derrick Schofield for his briefing.

Assistant Commissioner Schofield began with stating this will be a quick update on what the Department does with COMPSTAT. By definition, Mr. Schofield explained it is an acronym that can be used as Comparative Statistics or Computer Statistics (COMPSTAT). The Department of Corrections chose to utilize Comparative Statistics, because it is not just about pulling numbers. COMPSTAT is also what is done with the numbers and how to compare those numbers with like facilities and like probation circuits and day reporting centers.

By way of background, Mr. Schofield explained this started with the New York City Police Department in 1990. The then Police Chief Barrington wanted a way to get things back down to the field. So, he and his deputies decided that it is not up to headquarters to know what is going on but to find a way to make the field leaders responsible for accountability, and to be able to provide some information and compare to what is going on within the city.

The Department of Corrections took the same model and put it to test to Accountability, Communication, Teamwork (ACT) and developed the Department's COMPSTAT model from there. This is being done at all levels; not just for headquarters and executive leadership. It is an instrument designed for the wardens and chief probation officers to use at their level to hold their people accountable in a similar and like measurement.

With a powerpoint presentation, Mr. Schofield stated it starts at the field with the warden or probation chief and is done on a monthly basis with the Field Operations Managers (FOMs). The FOMs will call their groups together, whether they are probation offices or prisons or centers, and the groups go through a process to ask questions and get interactions from their peers. On a quarterly basis, executive leadership is engaged; which generally, is the Assistant Commissioner or Commissioner and the Corrections Division Director.

Mr. Schofield continued with explaining there are three key components. Each one relates to accountability. With the next powerpoint slide, Mr. Schofield pointed to the first key; that being

that leaders become accountable for knowing what is going on in their facility or in their judicial circuit. With the communications that is brought to the COMPSTAT process, it gives the opportunity to interact and have dialog about what is best practices and what is going on with their peers. With the next key point, Mr. Schofield stated it builds teamwork which gives opportunities to address areas of concern. With any issue brought to the table, someone might already have an answer. More than that, it not only holds the people at the local level accountable but it holds leadership accountable to get things done as well.

Mr. Schofield showed the next three slides which were demonstrations of how it is done. The first slide looks at six key areas for facilities, specific to wardens. With the key areas numbered, Mr. Schofield pointed to number 1, which is Population Indicators; number 2 is Security Indicators; number 3 is Program Indicators; number 4 is Administration Indicators; number 5 is Health Care Indicators; and number 6 is Personnel Indicators.

Mr. Schofield further explained this is automated; there are numbers to plug in but the facilities are dealing with the same information that is captured through database system of Scribe. It is a data instrument in terms of numbers of how to compare. Mr. Schofield pointed to a red indicator, stating this is based on guidance in criteria put there. This particular slide is Telfair State Prison, a close security prison. Mr. Schofield stated the goal is to keep it at about 80% close security population there. The Department spends a lot of resources in the close security facilities, so the purpose is to maximize that and make sure to have the right offenders with not too many medium or minimum security offenders there.

Mr. Schofield explained that also what happens is the warden comes in, along with six or seven other wardens, for the day to brief on the indicators. It is about hearing from them so they can tell what is going on their facilities based on particular indicators that are important. Mr. Schofield stated that the warden would talk about population and working with Classification Section to get more offenders in the prison. At the same time, there is a list of questions that Mr. Schofield might have. As an example, with the indicators of Disciplinary Reports, he would ask about the number from last month, the number this month, and ask about the difference. On this particular facility, the warden talked about implementing tighter guidelines. What is good is that as the warden talks about procedures, peers are there to challenge the warden. This brings on dialogue and peer interaction and brings on communication to build teamwork.

Mr. Schofield pointed to indicators of contraband found, grievances filed; which give a snapshot to compare with other facilities. Mr. Schofield pointed to more indicators, i.e., number of inmates with Tentative Parole Month (TPM) of 60 days past. Mr. Schofield pointed to Program Capacity Utilization, explaining the Department pays for the capacity, whether someone is in that seat or not. The Department wants to make sure that if someone is not in that seat, then give an explanation of why.

Mr. Schofield pointed to Administrator Indictors, with looking at month to month in terms of Utilities. Mr. Schofield stated one big indicator that is focused on is what is done in terms of

Personnel. Often is heard that wardens talk about need for more people. The warden can hire up to the 6% - 8% lapse. The question is where does the warden go to get more people on board. With the opportunity of looking at indicators, this puts the responsibility back on the warden to have the visibility to see what is going on.

With the second of the three slides, Mr. Schofield stated the process is the same thing for Day Reporting Centers (DRC). There are nine indicators. In looking at Program Capacity indicator, the number is 100. This particular facility, Augusta Day Reporting Center, only has 71 participants. A day reporting center Administrator would know that his/her peers are going to look at that number and ask why. The Administrator would have to explain what the problem is and what is being done to get the number up. To compare, Augusta DRC could look at Clayton DRC to ask how they manage at 100% all the time. In terms of Programs indicators, the Department invests a lot in keeping those seats filled. The system is built on programs and if people are not in the programs, it is a waste of resources. COMPSTAT gives a good look at what is happening and forces management to respond. This slide also shows Employment Rate indicators; this is based on number that are employable and the number that are employed.

Mr. Schofield went to the third one of the three slides, the Probation Accountability Report. This slide reflects information from Coweta Circuit. This helps look at what is happening in terms of different probation caseloads. This helps look at the numbers showing employed and compare that to the number that are employable. Mr. Schofield explained that employable simply means those people who are capable of working, taking into all considerations in terms of aid and disabilities they may have, then coming up with the actual number. Mr. Schofield pointed to green, red, yellow categories and pointed to the scale explaining those categories. Mr. Schofield pointed to numbers at the Case Notes indicator. That is always important because Case Notes tell the picture about what is happening with the offender. When looking at Case Notes, if they are not great, there are issues because either the officer is not seeing the offender or not documenting when seeing the offender, which is not acceptable. The officer needs to justify and show what is going on with the offender. Mr. Schofield continued with the indicator of Court Financials, of paying Fines and Restitution; along with Enrolled In Programs indicator.

Mr. Schofield finished with stating this was an overview of what the Department does in terms of COMPSTAT. It starting with doing this over a conference call, but did not get what was needed. About a month ago, the Department brought in wardens to hold the overview in a conference room, which has worked better. Mr. Schofield stated executive staff is open for suggestions and invited the Board members to come out and participate in COMPSTAT overviews. Mr. Schofield answered questions and comments and completed his report.

Mr. Larry Latimer, Director of Engineering and Construction, started with stating that the grant funds is a great news story for the Department. As everyone is aware, the federal government earmarked \$700 billion for use in stimulus money throughout the country. Mr. Latimer stated one of those earmarks was satisfied for energy projects; projects that would glean savings to

continue to pay items for small investments that have been on the front end. Back in spring of this year, the federal government announced they were giving to State of Georgia \$65 million of those energy monies out of the American Recovery and Reinvestment Act (ARRA). That \$65 million was assigned to Georgia Environmental Facilities Authority (GEFA) for the distribution of those dollars. The amount of \$34 million was earmarked for agencies to compete in an attempt to build their own coffer of projects that would pay the state back. The Department of Corrections, with the help of a consultant, put together a list of projects that would be strong candidates for the use of that \$34 million. The Department submitted \$21,244,000 worth of energy projects. Mr. Latimer reported the Department was very pleased to find out that it was awarded \$16.5 million.

With a powerpoint slide, Mr. Latimer showed why the Department was received so favorably by the committee elected to award those dollars. The first project on the list is called Real Time Sub-Metering. Mr. Latimer explained the Department of Corrections owns over 2,200 buildings throughout the state in 122 facilities. With trying to grapple with the energy costs of those 2,200 buildings, the Department is following an example of what the Corrections Department in Missouri did, when they began a similar project three to four years ago. In that particular state, Corrections thought they could meter every utility on every building and get that information in real time back to the people who manage their utilities. They believed it would have a dramatic effect on behavior of their staff and also on the cost of utilities. In the first year that Missouri operated, they saved over 10% in cost of utilities. A big part of their first year of savings was finding out they were paying a lot of bills that did not need to be paid; they had been double billed. Missouri did not realize this until they started getting real time data.

Mr. Latimer stated another thing discovered was there were a lot of behavioral practices that were negatively impacting Missouri Corrections use of utilities. Mr. Latimer gave an example from a local contractor, who does this same type of thing for Federated Department stores. Federated Department stores is a huge nationwide operation, using a realm more than the Georgia Department of Corrections in utilities. One of the problems they were having was how to regulate the use of utilities in their stores. Notoriously, lights were left on in the store all night; that was an issue Federated was concerned about. Federated installed sub-meter and meters on every utility in every building across the nation. Then they began to bring that information back in real time to governing managers to set a threshold. If the normal utility cost were a particular number, and if the threshold went above it, by time of day, then that set off an alarm and somebody would get a page, when this involved a particular store. A few phone calls would be made and would realize that somebody left the lights on in the department store. Then, the maintenance guy would have to go out in the middle of the night and turn off the lights. After this happened for several months, it was realized that it did not have an affect on behavior. It was decided that the next time the utilities spiked up over the monitoring line, the store manager would be sent in the middle of the night to the store to turn off the lights. Very soon after that, the behavior changed and no more lights were left on. That experience tells that with doing real time sub-metering of all utilities by building, that it can be used to compare with like facilities.

Mr. Latimer stated most facilities are prototypes; such as comparing Hancock State Prison to Washington State Prison because those prototypes are the same design. Mr. Latimer explained it would be to watch those trends that could have a dramatic effect on use of utilities. The Department can take Best Practices, which is being observed during COMPSTAT briefing, of one institution and applying those practices to other institutions. Mr. Latimer stated the Department is very excited about the possibilities of what will happen as it instills this real time sub-metering into the facilities. The first project will be \$8 million.

Mr. Latimer pointed to the list on the powerpoint slide, wherein Retro Commissioning is another project the Department is excited about. Mr. Latimer explained that Retro Commissioning is the taking of a building and looking at all the equipment that affects energy; in going through with the eye of an engineer and asking if the equipment is being operated correctly. Commissioning is a process that normally happens when completing a building. Mr. Latimer stated it is looking at and questioning are all the buildings synchronized to each other; are they all operating correctly. These are the kinds of things the federal government has studied and proved that by Retro Commissioning existing facilities, the savings can be anywhere from 10% to 25% on utility bills. The funds of \$5.7 million will not go statewide, but rather, will go to selected facilities, with taking one prototype and retro commissioning it and learning from that and taking the experience to other prototypes.

Mr. Latimer continued with stating that the rest of the projects that were approved are also site specific projects; such as, Chiller Replacements at Pulaski State Prison and Georgia State Prison and Telfair State Prison, in addition to Telfair State Prison Hot Water System Redesign, Natural Gas Distribution and a Heat Recovery Unit and Cannery Steam Renovations at Georgia State Prison. All projects are \$16 million worth of approved projects; the annual savings projected are \$4 million a year, and about a \$30 million budget for utilities statewide. The average payback, return investment is only four years. Mr. Latimer stated the Department is very excited about this project.

The next powerpoint slide showed the next steps. The Georgia Environmental Facility Authority (GEFA), which is the entity holding the money, will manage all these contracts directly, because there are serious reporting requirements with ARRA funds. GEFA will soon enter into an agreement with Georgia State Financing and Investment Commission (GSFIC), because it is the largest construction manager in the state. GSFIC will set it up as a program manager for all these projects. GEFA will then write, with GSFIC's help, procurement procedures and policies that the agencies will use. When that is completed, they will distribute those to the agencies. In the meantime, the Department of Corrections is going ahead and looking for consultants and contractors that like this type of work and take this kind of work and try to build a contracting pool and consultant pool so that when given the go ahead, the Department of Corrections will be ready to proceed. Mr. Latimer responded to questions and comments and completed his report.

Ms. Rose Williams took the opportunity to thank Mr. Latimer and his staff for everything they are doing. All this is involved and while working with the Utilities Committee, Mr. Latimer shared information with the committee to try and bring them up to speed. Ms. Williams stated she appreciates that; what the staff is doing is overwhelming and so involved. It has taken years to pull things together and to get where the Department is today. She stated she appreciates what Mr. Latimer and staff are doing.

Commissioner Owens completed his report and briefings.

Chairman Rob Jones stated there are Board members who may need to leave early, therefore, requested Mr. Mark Guzzi to come forward with the property Resolutions for Board approval.

Mr. Mark Guzzi, Acting General Counsel, stated he is bringing two Resolutions for consideration. First one is regarding property on which the Homerville State Prison is located. That facility is currently non operational and the Department of Corrections had a request to transfer that 16 acre property to Clinch County for purposes of operating a regional jail facility in conjunction with Lanier County. This requires authorizing Commissioner of Corrections to take necessary steps with the State Properties Commission to have that property transferred over to Clinch County. The second Resolution relates to a very small parcel of property at Emanuel Probation Detention Center. Georgia Power has requested that they be granted a temporary and permanent easement to upgrade some transmission lines that run across that property. The purpose is to increase the reliability and capacity of electricity that flows through those lines, which will benefit the facility as well. Mr. Guzzi stated that is a small piece of .05 acres for temporary easement to do the necessary construction, and, then make it a permanent easement for Georgia Power to come in and maintain the line as needed.

Sheriff Roger Garrison made a motion to approve the Resolution of easement at Emanuel Probation Detention Center, seconded by Mr. Bruce Hudson, and approved by the Board members.

Mr. Bruce Hudson made a motion to approve the Resolution to transfer 16 acres at Homerville State Prison to Clinch County, seconded by Sheriff Carlton Powell, and approved by the Board members.

Permission was given by the Board Members on the conference call to sign their names to both property Resolutions.

Mr. Jim Whitehead, Sr. made the motion for the Board to go into Executive Session, Mr. Bill Acuff seconded the motion, and members present affirmatively approved moving into Executive Session.

Following Executive Session, the Board of Corrections went back into Regular Session.

Mr. Bill Acuff made a motion that the Operations Committee recommends approval of the appointment of Michael Haynes as Deputy Warden of Carroll County Prison, which was seconded by Sheriff Roger Garrison and voted approval by the Board members.

Mr. Bill Acuff made a motion that the Operations Committee recommends approval of the appointment of Marvin Foster, III as Deputy Warden of Harris County Prison, which was seconded by Sheriff Roger Garrison. Chairman Rob Jones called for a vote, wherein twelve members voted approval and one member voted to not approve.

Chairman Rob Jones congratulated both gentlemen and wished them well; stating the Board appreciates their work and knows each gentleman has a difficult job with tough circumstances. Chairman stated the Board members wished the absolute best of success.

CHAIRMAN'S REPORT

Chairman Rob Jones began with explaining that it is important that the Board be in the position to offer suggestions and bring their expertise to allow the Department to function more properly. Chairman Jones stated that specifically what he would like to do is discuss those areas of concern that the members have as a Board. With those concerns, Chairman stated he would like the Board members to discuss and provide Commissioner Owens a list of the top three issues for the Department to address. Chairman Jones stated that the Board members could come up with data and some way to explain what the concerns are and ask for reporting and data to address whether or not the Department is achieving or failing in that particular area. Chairman Jones stated he would go around the table and ask everyone for comments and concerns. Chairman Jones stated he had asked the committees to meet and bring the issues to today's meeting, starting Mr. Jim Whitehead.

Mr. Jim Whitehead, Sr., chair of Budget Committee, began with stating he had spoken with the other committee members and they are very concerned of budget constraints that are being put on the Department, and the handling of what is going in the institutions as far as where the Department stands on the budget cuts. In what has been seen and the things looked at, the Department is doing a great job, but there are concerns about down the road if having to keep budget constraints. Mr. Whitehead will meet with Ms. Becky East and get some input on what will happen next year. In talking with Representative Harbin, 2010 may have deeper cuts. Mr. Whitehead stated they cannot continue asking the Board of Corrections as an entity to keep doing the job they are doing with no way of having it funded.

Chairman Jones asked Commissioner Owens what were the highest budget numbers and how much is the Department down now from top budget number. Commissioner Owens responded

that the cut went from \$1.2 billion to \$1.1 billion; actual number for last fiscal year was \$71 million. That is deceiving because with the 2010 budget and 2011 budget, there is \$97 million in stabilization funds placed in Personal Services. Commissioner Owens stated that just as Mr. Whitehead said, there may be more cuts in 2010, but 2011 and 2012 will be difficult because in FY 2012 that \$97 million goes away. The General Assembly spread the stabilization funds throughout the agencies, particularly in payroll, so there will be hole in FY 2012, of \$97 million in Personal Services.

Sheriff Carlton Powell stated that everybody recognizes that the economy has not turned around, and, governmental agencies are the last to feel it when it comes on and the last to recover from it when it goes off. Sheriff Powell stated he looks for state government to have severe cuts next year as was this past year. At some point, there will be some tough decisions on whether everybody has the same cuts or whether to prioritize. Sheriff Powell stated he did not know if they would leave that decision to this Board, but hoping some of the people would have discretion about across-the-board cuts. Sheriff Powell stated it will not get any better in the near future.

Mr. Whitehead added that he called Representative Ben Harbin, and, the picture he is painting to Mr. Whitehead is not pretty. Mr. Whitehead stated that with the figures seen today, maybe the state is holding its own but that is misconstrued by what is going to happen during December and January. Mr. Whitehead stated he did not know if the Board of Corrections has any say so, other than what is in the gold dome. This Board is all represented by senators and house members. Mr. Whitehead stated the members have a job to do as a Board to make contact with legislators. The Board members have to give real facts, but they can only cut so much; the Department has already closed prisons and adapted prisons with three-bed cells. When that move is over with and it cannot be done any more, the Department has to have a plan on where to go after that. Mr. Whitehead stated that however it is looked at, whether it is looked at as a cut or just don't have it, it will be serious.

Chairman Jones was given a note from Commissioner Owens that the Department will be down 10% of the budget in the 2011 Fiscal Year. The monies the federal government bestowed upon the Department will be taken back with interest.

Mr. Roger Waldrop, over the conference call, requested that Mr. Whitehead ask the Department to develop a plan that would take into consideration the cuts and where those cuts would occur by priority; and, then at what impact would those cuts be at that level; and if cuts go down further, what impact would that be. Mr. Waldrop stated he knows that Sheriff Powell is thinking about the ratio of correctional officers to prisoners; there has to be the crunch point there. Mr. Waldrop recommended at least a consideration of some sort of contingency plan by the Department of what to do to meet certain level cuts.

Chairman Rob Jones added that the Department has had outstanding plans that have been in place for a number of years to be prepared for further budget cuts.

Commissioner Owens responded that the Department knew that and this will be shared with Governor Perdue on November 24th. Governor has asked all state agencies to submit the impact of 4%, 6%, and 8% additional cuts this coming fiscal year. Commissioner Owens stated this is something the Department takes very seriously; there is a detailed plan to include the impact those reductions would have on the Department.

Mr. Waldrop stated that even though that has been briefed at Board meetings, asked if things changed in any way. Commissioner Owens stated that the only thing that has changed is that all state agencies were having a 5% cash allotment withheld from their budgets. With the Department of Corrections, that is \$5 million a month being withheld for the first two months of the fiscal year. The Department very quickly realized that this would have a serious cash flow in the 3rd Quarter of this fiscal year. The Department then went back to Office of Planning and Budget and made a case to them. Then OPB reduced the Department's reduction from 5% to 2% so that the Department will not run into a cash flow problem in the 3rd Quarter.

Mr. Waldrop stated he likes Mr. Whitehead's suggestion that the Board members communicate with elected representatives; stating that there should be something measured to communicate to the legislators.

Commissioner Owens stated that the Department of Corrections will have a discussion of the budget with Governor Perdue in November. During the second week of the General Assembly, Governor Perdue will do his joint address to the General Assembly to present his budget recommendations. At that point, the Department will know what the Governor's Recommendations for the Department of Corrections will be. Commissioner Owens stated that the time to get involved will be after the Governor's presentation.

Chairman Rob Jones called on Mr. John Mayes, chair of Health Services Committee. Mr. Mayes stated that the committee consists of him, Chairman Jones and Mr. Wayne Dasher. The Department of Corrections Health Services section is required to provide a constitutional and community standard of care to inmates. There are three distinct services to provide; medical, dental, and mental health. Mr. Mayes stated that Dr. Sharon Lewis, Medical Director, and, Dr. Jim DeGroot, Mental Health Director, have several initiatives they are working on to improve medical care for inmates. Mr. Mayes stated they are working to complete mental health consolidation and improve the medical reprieve process. These are recommendations that the Board members will want to support. One recommendation is to secure funding for electronic medical records. Mr. Mayes stated that he serves on a management board of a large hospital and the electronic medical records process started years ago; now is expecting to get stimulus dollars. Mr. Mayes thought the Department of Correction might qualify; the Department being literally one of the biggest hospitals in the state. Commissioner Owens responded that Governor Perdue has requested to think bigger on that initiative and has asked Dr. Ronda Meadows of the Georgia Department of Community Health to take the lead on that initiative. This will be to have standardized electronic medical records throughout state service rather than each state agency

coming up with separate ones. Mr. John Mayes stated another recommendation is to develop geriatric and mental health facilities. Mr. Mayes stated there are a lot of benefits to that, when looking at infrastructure or accommodating the aged and disabled population; this would also decrease transportation of mentally ill between facilities and enhance specialized clinical services. Mr. Mayes stated there needs to be coordination between Department of Corrections and other agencies, because other communities have a mental health facility. Their budgets have been cut tremendously, therefore, a lot of the people end up in the correctional system. Commissioner Owens stated the communication between agencies occurs almost every day. Mr. Mayes stated the other recommendation, which is ongoing, is to collaborate with the State Board of Pardons and Paroles in identifying the placement of medical reprieve inmates and problem residential candidates. Mr. Mayes understands this is ongoing but is it moving as fast as the Board would like. Mr. Mayes stated Health Services is a big section; imagine that it takes up substantial part of the budget. Commissioner Owens responded it is \$207 million of the Department's budget.

Commissioner Owens added that the Department has made a decision on tobacco use in facilities. It turns out the majority of county jails do not allow tobacco use. What happens is the inmate gets off tobacco, then they come into the state diagnostic facility. While there, they might get back on tobacco. Commissioner Owens announced that effective January 1, 2010, both diagnostic facilities will be tobacco free. Staff members have been told about this so that when inmates come to state prison system, staff will help keep inmates off tobacco. Effective December 1, 2010, the whole prison system will go tobacco free.

Sheriff Carlton Powell added that he wished the whole Department would start January 1 of next year. Sheriff Powell stated he had been a tobacco farmer when he was a kid; it was a way of life. He stated there comes a time when making a tough decision. Sheriff stated he thinks this is something that needs to be addressed. Mr. John Mayes added that the decision has to be weighed against majority of the people who have some kind of dependency problem; that tobacco is the last frontier. Sheriff Garrison stated that Cherokee County Jail has been tobacco free since 1993.

Sheriff Garrison stated that everybody needs to take in mind, that for the most part it is not the Department of Corrections. Sheriff Garrison stated he did not think the Department could look for any more money any time soon; the bottom line is there just is no more money and no one wants a tax increase. Sheriff Garrison stated he personally is one for building more jails; he does not want more people released. With that said, the Board needs to be careful in passing too much on to Commissioner Owens and too much on the employees; with the Department already stretched to the max in doing what they have to do. Sheriff Garrison stated he has confidence in Chairman and Board members giving reports today; but the Board needs to look for efficiencies inside the prison operation. To get any relief in the near future is just to continue to be creative; and, COMPSTAT is a good idea because the Department is forcing accountability further down the level of the workings closest to the problem. Sheriff Garrison stated that Commissioner Owens' challenge is going to look for those efficiencies within the organization.

Mr. Whitehead stated Sheriff Garrison is exactly right; there is not any more money. But what the Board is trying to do is make it known that the Department does not need any more cuts. Mr. Whitehead stated further that in talking about health services, that recently the insurance company was in Mr. Whitehead's office to state they are going up 32% on insurance.

Chairman Jones stated he knows Commissioner Owens is concerned with all Board concerns. The number one concern in the Department is safety. Keeping inmates in these prisons and keeping the public safe is number one. Keeping employees safe when they work there and keeping inmates safe from one another; that really is the critical budgetary factor. Chairman Jones stated the Department will run into staffing issues and run into safety concerns; the ratio is running 1: 90 right now in some prisons. The Department needs to be sure there are enough bodies there to secure the facilities.

Chairman Jones stated this discussion is informal. He stated he wanted to ask each Board member about their principal concern and what suggestions they might have on how the Department can better operate.

Mr. Bruce Hudson stated he wanted to mention Industries, since he is Chair of Georgia Correctional Industries Committee. Industries is making money; doing well. The concern is that the state is coming in and taking the Industries money. Mr. Hudson stated he thinks Commissioner Owens needs to fight and put a stop to that. Industries is now responsible for Food and Farm Services. There is equipment that is worn out; tractors, trucks. Mr. Hudson stated he heard criticism that Industries could not get enough inmate help at times.

Sheriff Carlton Powell added his concerns of Food and Farm Services. He stated that Food and Farm has proven to be a valuable asset to the prison system with the cost of food. The cost of food would be a tremendous cost in these economic times. It behooves the Department to keep the Food and Farm viable and needs to recognize to not let equipment get antiquated. Sheriff Powell stated it behooves the Department to do the best job it can and maintain with what equipment they have. But the Department will have to make certain purchases if they continue to have Food and Farm provide services. Sheriff stated it is a great operation; it has a great management and has good people in place doing that.

Chairman Jones stated that his thoughts are the concerns he heard from wardens about safety behind the wire; concerns about female employees who work in the back areas by themselves. He has a concern about security. Chairman stated that there are cell phones and drugs inside prisons; that actually happens. Chairman Jones stated it is a grave concern of his that that happens. He understands it is a factor of financial concern and the employees participation in facilitating contraband inside the facilities. With there being a shakedown at Hancock State Prison today, Chairman Jones would like to hear how that went. He stated the safety of the employee is a great concern. Chairman Jones stated the recidivism rate is also a tremendous concern. Data tells that vocational training is the number one way to keep offenders from

coming back. If the recidivism rate could be cut by 1% to 2% through vocational training, that is a huge payoff and huge savings; millions of dollars each year saved by doing that. Chairman Jones stated that if more inmates are worked in GCI and on the farm and give them a skill, so much the better. Inmates need a work ethic. This does cost money; costs money to have an officer take inmates outside the wire to work and go out on a city/county detail. Chairman Jones stated it is critically important to do so to try and reduce recidivism.

Ms. Rose Williams began her concerns with asking the question of whether there has been an increase of sexual allegations. Assistant Commissioner Schofield responded the Department has not seen any unusual increase in those types of investigations. Ms. Williams stated her concern about that is keeping drugs and cell phones out of the prisons; it is something that everybody would love to say that with the shakedown at Hancock that the squads did not find any drugs nor find any cell phones.

Ms. Williams, as chair of the Utilities Committee, stated she appreciates Mr. Larry Latimer coming in this morning and briefing the Board about stimulus energy funds. She was hoping that Mr. Latimer would talk about the Energy Performance Contracting; that at some point could he come back and brief the Board about the contracting. Ms. Williams stated the Utilities Committee consists of Mr. John Mayes, Mr. Justin Wiedeman, Mr. Roger Waldrop, and herself. She stated that after many hours of discussion about what to recommend to the Board and recommendations from Mr. Latimer about what he thought to recommend to the Board, that there is one recommendation. Ms. Williams stated that what the committee realized is that Georgia is the only state whose agencies cannot participate in energy performance contracting. Therefore, the Utilities Committee recommends that Governor Perdue address Senate Bill 187 amendment, which is to modify Georgia Code § 50-5-77, which is the energy performance contracting. Ms. Williams explained this was submitted last year by GEFA, and, the committee asks that this be addressed again this year to get this bill passed. The committee would also like for Mr. Larry Latimer to come back at another time to brief the Board about energy performance contracting so the Board could have a better understanding in terms of where the Department is going with this. Chairman Jones thanked Ms. Williams for the committee taking this seriously and focusing on finding ways to improve operations and cut expenses. Ms. Williams stated it is involved, and, she cannot thank Engineering enough in terms of what they are doing and the approach they are taking.

Mr. Wayne Dasher and Sheriff Cecil Nobles, through conference call, stated they have the same feelings that the Board members. They requested to be excused because of a prior commitment at this time. Mr. Wayne Dasher stated one thing the Board could do is have a workshop to put together the ideas and everybody could have more time to discuss.

Mr. Bill Acuff requested to be excused because of a prior commitment at this time.

Mr. Justin Wiedeman stated Ms. Williams summarized the committee report very well. He stated he will be touring a prison tomorrow and that will tell him more about the energy use in

the facilities. He stated he might have more to add to the process. Mr. Wiedeman stated he is impressed with Engineering staff. Chairman Jones added that he and Mr. Wiedeman met to talk recently; stating that Mr. Wiedeman has a lot of experience and will be a tremendous asset in addressing procurement issues and utility issues.

Mr. Whitehead stated he wanted to talk about one more thing; one thing bothering him out of recent news. Recently, with an offender up north, eleven skeletons have been found on the property of this sexual offender. Mr. Whitehead and his wife got to reading about that on the internet. This morning as Mr. Whitehead drove up, he heard the news that yesterday a grand jury met on an offender who had held a young lady in a back building on that offender's property for years. The young lady even mothered two of his children. That offender was a former sexual offender. Mr. Whitehead stated that what gets him is the fact that the one up north, with the eleven skeletons at this time and probably more, that he had been in prison for fifteen years. Immediately upon being paroled, the offender came out and evidently started right back because some of these skeletons are going back to the time he was released from prison. Mr. Whitehead keeps hearing the thing that the probation officers many times visited these houses; and, in the case of the one in the back yard those probation officers did not know. Mr. Whitehead stated he wanted to make sure that this Board does not have to be asked about Georgia probation officers about those kinds of cases. Mr. Whitehead commended Commissioner Owens for the great job of the probation officers. But it has concerned Mr. Whitehead that within the last two weeks these situations happened twice now. If the Department doesn't do due diligence and probation officers have a heavy schedule and a lot of people to watch, the Department needs to make sure that does not slip through the cracks. Mr. Whitehead stated he just wanted to vent. Commissioner Owens commented that it goes back to the laws and the philosophies of criminal justice over last thirty years. A national PEW Report is a study done every so many years on per capita, correctional population, probation population. United States has the highest incarceration in the world. Georgia has the highest per capita people under correctional supervision than any other state in the nation. One in 31 adults across the nation is either in jail or prison or probation or parole today. Georgia's ratio is 1 in 13. Because of the nature of the laws, the problem is enormous in Georgia because of statutes and policies and it takes enormous resources. When looking at money issues, safety issues, sex offender issues, it is because of a system so enormous that it consumes over \$1 billion worth of the \$16 billion state budget.

Chairman Rob Jones stated that what Sheriff Roger Garrison previously noted, the sheriff has one of the wealthier counties in the entire state, there are plenty of people he does not want on his streets. One can only imagine what poorer counties face; whether south Fulton County or Clayton County where demographically the income level is much lower; the crime rate can be higher in many instances.

Chairman Jones stated that he had the opportunity to ride with probation officers to run the sexual offender beat in southwest Atlanta in the zip code areas where there are the highest crime rates in the entire state. He stated those are some fine probation officers. He agreed with Mr. Whitehead's concern. The probation officers are going out and visiting these places of offenders

and the officers do not have radios to call for backup if needed. The probation officers use their personal cell phones. The probation officers carry two-way radios with them when they go places they know will be bad. The officers do not have huge salaries either. Chairman Jones stated that to give an idea of how the probation officers recognize that they are not on a safe beat, it is noted that officers have a second weapon. The state provides a Glock, but the probation officers have a second weapon strapped to their legs. The second weapon was paid for out of their own pocket. Chairman Jones stated a high percentage of their take home pay is used to buy a second weapon.

Chairman Jones asked if Mr. Roger Waldrop had any other thoughts or comments. Mr. Waldrop stated that he recently talked about coordination among various elements of criminal justice system; i.e., police, fire, corrections, the courts; so that all agencies are working in coordination when reaching times like now. This would help with coordinating programs and funding appropriately in various areas. Mr. Waldrop stated that is something to look at in the future; not something to look at right now. Mr. Waldrop stated the Department has to be better prepared to tell someone when the Department reaches the crunch point. He stated this has been a very fruitful discussion today and proud to have been able to listen; sorry he was unable to attend.

Chairman Rob Jones thanked the Board members for their participation. He stated if there are other thoughts and guidance for the Department, please let him know. Board members are here to provide advice and suggestions on how to better check the system in the state and do the best to reform folks while the Department has them.

Chairman Jones questioned what were the results of the shakedown at Hancock State Prison. Commissioner Owens stated he had just received a message that at the shakedown there were four cell phones, nine shanks, an ounce of marijuana, and thirteen positive drug tests; no injuries and no incidents. Chairman Jones questioned how that compares to what has been seen before. Assistant Commissioner Schofield responded that the shakedowns are compared to each other, as well as with COMPSTAT across-the-board close security prisons. Today's results are very low for a close security prison. Mr. Schofield stated the Department picks those places based on incidents and what is happening; the squads know what they are looking for when getting to the prison. If there is an increase of positive drug screens, the squads go in expecting to find drugs. Mr. Schofield stated cell phones are always an issue. At the end of the shakedown, shanks are exhibited on a table; this is to tell staff this is why squads come in. It is not about pointing at someone but making it a safer facility once bringing resources in. Mr. Schofield stated this was a great shakedown; this had been a great search by folks who were not from Hancock State Prison. If a shakedown is done every day, a lot is found but a lot is also missed. Such as, Mr. Schofield sees things that a warden does not see; it is not that the warden is not looking for these things but that different eyes see different things. Mr. Schofield stated that if finding just one shank and just one cell phone, then it is a great day. Ms. Rose Williams, a former warden, added that prison staff would look at the shank to see how it was made or what it was made out of, and, that is very important to tell if there is a breach in security. A shank can be made out of an ink pen. But, if it is made from a metal file, then there are issues with tools accountability.

Ms. Williams stated it is as just as Mr. Schofield said, that today's shakedown is a good shakedown because there was not much found. This means there is improvement at Hancock State Prison right now and that is outstanding. Chairman Jones stated when he went down to the previous Hancock State Prison shakedown there may have been 12 cell phones and 20 shanks found. Today's report is a much better report.

Chairman Rob Jones asked if there were any other issues to discuss before adjournment. There being no further business, Chairman Jones accepted a motion to adjourn, which was given by Ms. Rose Williams, seconded by Mr. Whitehead, and voted approval by the Board members.

Robert E. Jones, Chairman

James L. Whitehead, Sr., Secretary

Laura Jones, Board Liaison