

BOARD OF CORRECTIONS
January 7, 2010
Atlanta, Georgia

MEMBERS PRESENT:

Mr. Larry Wynn, Chairman
Mr. Wayne Dasher
Mr. Carl Franklin
Sheriff Roger Garrison
Mr. Bruce Hudson
Mr. Robert E. Jones
Sheriff Cecil Nobles
Chief George Potter
Sheriff Carlton Powell
Mr. Tommy Rouse
Mr. Roger Waldrop
Mr. Jim Whitehead, Sr.
Mr. Justin Wiedeman
Ms. Rose Williams

MEMBERS ABSENT:

Mr. Bill Acuff

PRESENT VIA CONFERENCE PHONE:

Mr. John Mayes

ATTORNEY GENERAL'S OFFICE:

Mr. Joe Drolet, Senior Assistant Attorney General

DEPARTMENT OF CORRECTIONS:

Commissioner Brian Owens
Assistant Commissioner Derrick Schofield
Ms. Laura Jones, Board Liaison
Ms. Becky East, Division Director of Administration Division
Mr. Harris Hodges, Division Director of Corrections Division
Mr. Michael Nail, Assistant Division Director of Corrections Division
Mr. David Roussell, Office of Investigations and Compliance
Mr. Mark Guzzi, Legal Services
Mr. Tim Williams, Operations, Planning and Training Division

VISITORS:

Ms. Diane Avery, Liaison from State Board of Pardons and Paroles

Mr. John Clayton, Piedmont Public Affairs

Mr. Chuck McMullen, Piedmont Public Affairs

Ms. Sara Totonchi, Southern Center for Human Right

Ms. Kathryn Hammondah, Southern Center for Human Rights

Warden Bill McKenzie, Coweta County Correctional Institute

Deputy Warden David Albrecht, Coweta County Correctional Institute

Deputy Warden Darrell Johnson, Gwinnett County Correctional Institute

Warden David Peek, Gwinnett County Correctional Institute

Chairman Larry Wynn called to order the meeting of the Board of Corrections. Chairman stated he trusted everyone had a great Christmas season and a great new year; that he is looking forward to a good year with the Board. Chairman Wynn stated he will try to somewhat fill the shoes of former Chairman Rob Jones for his excellent job as chairman last year. Chairman Wynn stated he will be relying heavily on Mr. Jones for his leadership.

Chairman Wynn stated there are two Board members returning this morning; welcoming back Sheriff Cecil Nobles and also welcoming back Mr. John Mayes who was joining by phone. Chairman Wynn called on Chaplain Danny Horne for prayer. Chairman Wynn welcomed all visitors and staff and asked them to introduce themselves.

Chairman Larry Wynn requested approval of the January Agenda. Mr. Wayne Dasher made the motion to approve the Agenda, which was seconded by Ms. Rose Williams, and voted approval by the Board members.

Chairman Larry Wynn requested approval of the Minutes of the December meeting. Mr. Roger Waldrop made the motion to approve the Minutes, which was seconded by Chief George Potter, and voted approval by the Board.

Chairman Larry Wynn called on Commissioner Brian Owens to present his report.

COMMISSIONER'S REPORT

Commissioner Brian Owens stated his report will be very brief. He started with thanking Board members for their support. Commissioner Owens thanked Mr. Roger Waldrop for speaking at

the ribbon cutting ceremony at the Department's newest day reporting center, Northwest Day Reporting Center; that Mr. Waldrop was quoted in the newspaper. Commissioner Owens thanked Ms. Rose Williams for hosting a luncheon for Department staff in Milledgeville. Commissioner thanked the Board members for sending care packages and letters to Corrections employees who are deployed. Commissioner Owens thanked Mr. Roger Waldrop for setting up a meeting at North Georgia College to help begin a relationship and perhaps help with recruiting at the college.

With the powerpoint slide of Commissioner's Report, Commissioner Owens stated that effective January 1st, the facilities of Georgia Diagnostic Classification Prison, Metro State Prison, and Coastal State Prison went tobacco free. Commissioner Owens stated those three institutions were chosen for a reason; wherein, Coastal is where short sentences are placed when coming right out of the jail. Commissioner explained that as Sheriff Garrison had stated two months ago, most county jails do not allow smoking, do not allow tobacco there. The Department started this process in the two diagnostic prisons and in the short term prison, so that when the inmates come to the prison system tobacco free, then the inmates will remain tobacco free. Commissioner Owens stated the Department will slowly phase in the remaining prisons throughout the year. The institutions will be complete with the initiative effective December 1, 2010 in getting tobacco totally out of the institutions.

Commissioner Owens stated that next Monday the General Assembly comes back to town. This will be an interesting year, particularly with the budget reductions that will be taken. Commissioner Owens stated he is pleased to announce that on January 18th, the first official training class will begin at the new Tift Campus, with 150 to 200 cadets training, sleeping, and eating there. In continuing with his report, Commissioner Owens stated the Monthly Rollup and visit by wardens will be held on January 19th. By way of explanation, Commissioner Owens stated for those who do not know, the Department brings in four wardens or four probation chiefs every month from the field; spending a day at central office and visiting offices throughout the day. As part of the day, he and Assistant Commissioner have an informal lunch with the wardens or probation chiefs; great ideas come from the field.

Mr. Wayne Dasher stated that the Board members who missed last month's tour at Tift Campus really missed a treat. He stated that the renovation is really coming along and is very impressed, and, that Mr. Larry Latimer did a very good job. Mr. Dasher stated he was proud to have had that opportunity.

Commissioner Owens reported that the Joint Appropriations Committee will be held on January 20th. Also, next week Governor Perdue will give his State of The State Address, and, the Governor will lay out what his recommendations are with the General Assembly. Commissioner stated that at that point the Department will know what Governor's Recommendations are for the Department of Corrections. Commissioner Owens will give the Board members an interim brief via email, and then a full brief at the February Board meeting. Commissioner Owens stated Governor Perdue will give the keynote address on Friday, January 22nd for an Open House at Tift

Campus. Governor Perdue will land by helicopter on the campus and be there at 2:30 for a tour and then give a keynote speech at the 600-seat Roberts Chapel. Commissioner Owens invited Board members to the Open House. Commissioner stated the Department is very pleased with Lord, Aeck and Sargeant for their masterful job; this project is expected to come in under budget and will be in on time by October of 2010. As part of the upcoming events on the calendar, the first Basic Correctional Officer Training graduation will be held at the Tift Academy. Commissioner Owens also noted that on February 15th, four Probation Chiefs will visit central office.

Reporting on jail backlog, Commissioner Owens stated the Department is working hard on the backlog. As it sits today, there are 2,636 state sentenced inmates waiting for pickup in the county jails; there are about 740 on probation backlog; so the total backlog is around 3,376. The Department's goal is to come in under 2,500 when the General Assembly starts. Mr. Michael Nail confirmed that this morning's backlog number is 2,570. Commissioner Owens stated the sheriffs have Commissioner's personal cell number. The other day the Paulding County Sheriff had an inmate they could not handle; so, Department of Corrections had the inmate picked up within three hours by the tactical squad and placed in prison system. Commissioner Owens stated the Department will continue to deliver that level of service to those difficult cases.

Commissioner Owens reported that the Department has 145 individuals activated fighting the war; 69 of those remain in the 48th Brigade in Afghanistan. The Department looks forward to those individuals coming back this spring or this summer. A reception will be held for the 48th when they come back home for the great work they have done.

Commissioner Owens stated Governor Perdue does want to merge probation operations and parole field operations. A meeting with Governor Perdue will be held to get his specific guidance. A full briefing will be given to the Board members at the February Board meeting.

Commissioner Owens reported that the Department applied for and received a federal grant for \$500,000, which is being used by Department to stand with U.S. Marshal service and other law enforcement agencies to track down absconded sex offenders. Commissioner stated this will help with putting additional officers on the street to look for sex offenders and protect the public.

Sheriff Roger Garrison requested Commissioner Owens give an overview of what is going on at the prison in Jackson with death row situation that has had media coverage. Commissioner Owens responded that it is a constant struggle to keep up with inmates. The Department had gotten information that inmates were formulating a plan and the Department acted on that information, preventing any further planning. The Department knows that contraband comes into the system; cell phones come in, drugs come in; sometimes by staff and sometimes dropped on the side of the road for work details. The Department has clamped down even further on the death row population with having no contact visitation and other internal measures. Sheriff Garrison stated that he was talking about the deaths the Department had; the suicides. Commissioner Owens responded that the Department had two suicides and both of them are

under investigation. Commissioner Owens stated one of them may not be a suicide. Sheriff Garrison asked if the GBI has that under investigation, wherein Commissioner Owens responded yes.

Sheriff Garrison stated that at one point notification had been given to the Board for deaths like that. He requested if it is possible to do again, so the Board members do not get blindsided. Sheriff stated they know the good things being done but would like to stay in the loop on the bad things so they are not blindsided by media. Commissioner stated it will be handled.

Mr. Wayne Dasher questioned about the new prisons coming on board with the Coffee Correctional prison and Wheeler Correctional prison and the new stand alone prison. Commissioner Owens responded that the new beds at Coffee and Wheeler have been awarded and are under construction and will come on line in July. With the new private prison, the process was put out and bids were received; one of the bids was predicated on a local bond agreement but that fell through. The Department of Administrative Services re-issued that process and the bids will come back in by January 11th.

Mr. Justin Wiedeman questioned about a procurement process, wherein Atlanta Journal Constitution reported on the process. Mr. Wiedeman asked if Commissioner could clarify the issue about the procurement process that Department of Administrative Services did and what Department of Corrections went through about the procurement process for Electronic Medical Records. Commissioner Owens explained that procurements of any size go through the Department of Administrative Services, which actually ran that procurement process for the Department of Corrections. Once the bid is out on the street, it is not discussed until the bids come back. The Department cannot meet with vendors; any point of contact is done through DOAS. Commissioner Owens found out after the award was decided, that the individual in the Department of Corrections who was leading the procurement process, retired from the Department, and was then subsequently hired by the apparent winning bidder. Commissioner Owens did not sign that contract; that contract has not been awarded and will not be awarded. The Department does not plan to continue with handling an individual procurement offer because the Department of Community Health is doing a consolidated statewide contract on Electronic Medical Records.

Sheriff Cecil Nobles complimented Ms. Celeste Jones for her assistance in picking up an inmate, who has health issues, from Long County. Ms. Jones worked all morning to get that inmate picked up and placed in the system; she was very helpful.

CHAIRMAN'S REPORT

Chairman Larry Wynn stated that next month the Board will talk about the committees. He stated that various committee reports throughout the year keep the Board updated on what is going on in different areas.

Chairman Wynn thanked Corrections staff for the tour of the Tift campus. That was a great experience, learned a lot, and, it was an excellent tour for the Board members to go through.

Mr. Wayne Dasher questioned if Commissioner will cover the budget. Commissioner Owens stated that to provide background on the budget is to explain the way the process works. In September, the Department got the budget instructions from Office of Planning and Budget. Following that, the Department had the meeting with Governor Perdue to discuss the budget requirements. Commissioner Owens stated the Department will not find out what Governor's Recommendations are until he delivers the State of The State Address. The Department will know what the recommendations are next Wednesday. Commissioner stated that Department financial staff has a very good relationship with Office of Planning and Budget, so they are well informed of what the implications are with the budget reductions for the Department. He stated that once Governor Perdue gives the State of The State, Commissioner will email to the Board members the highlights of what Governor's Recommendations are and will give a full report at the February meeting. Mr. Dasher stated that in his area of the state the rumor is possibly a statewide employee cut in pay. Neither Commissioner Owens nor Ms. Becky East knew of that rumor.

Chief George Potter made a motion to go into Executive Session, which was seconded by Mr. Wayne Dasher, and everyone present voted affirmatively to go into Executive Session.

Following Executive Session, the Board of Corrections reconvened into Regular Session.

Chief George Potter made a motion that the Operations Committee recommended approval by the full Board for the appointment of Darrell Johnson as Deputy Warden of Gwinnett County Correctional Institute, and David Albrecht as Deputy Warden of Coweta County Correctional Institute. The motion was seconded by Mr. Roger Waldrop and voted approval by the Board members. Deputy Warden Albrecht thanked Warden McKenzie for trusting Mr. Albrecht to be the deputy, thanked the County Commissioners for their recommendation to Board of Corrections, and will give 100% to the position. Deputy Warden Johnson gave honor to God in seeing fit to let Mr. Johnson be here today; thanked Warden Peek for having confidence that Mr. Johnson can serve as Deputy Warden for Gwinnett County; thanked Mr. Cliff Taggett for doing the investigation background; thanked the Operations Committee and the Board for giving opportunity to serve as Deputy Warden for Gwinnett County; and will not let anyone down. Chairman Wynn thanked both gentlemen, stating they will do an excellent job.

OLD/NEW BUSINESS

Chairman Larry Wynn called on Mr. Carl Franklin, chair of Nominating Committee, who, in turn, thanked the committee members: Mr. Acuff, Mr. Jones, Mr. Waldrop. Mr. Franklin stated the nomination for Secretary came from the committee. The committee recommends Mr. Larry

Wynn as Chairman, Mr. Jim Whitehead as Vice Chairman, and Mr. Tommy Rouse as Secretary. Chairman Wynn stated that the only officer to vote on today is Mr. Rouse as Secretary, because the other two were voted on last month. Mr. Franklin stated that is his motion, which was seconded by Mr. Wayne Dasher. Sheriff Carlton Powell questioned if the Board opens the nomination for anyone else who the Board might want to make a recommendation; does parliamentary procedure allow for that. Mr. Wayne Dasher made the motion that the nominations be closed, which was seconded by Mr. Roger Waldrop, and voted approval by the Board members. Chairman Wynn requested a Board vote on the first motion, which was voted approval by the Board members.

Chairman Wynn stated one thing to talk about was that this is a new year, and at the end of last year, the Board made a decision to forego the Per Diem. Chairman requested if the Board needed to do something with that; to either continue as has been handled the past three months, or, to reinstate Per Diem. Mr. Rob Jones responded that at the end of last year, the Board agreed to stop receiving Per Diem the last three Board meetings; and that it is automatically reinstated now. Chairman Wynn then stated the Per Diem is reinstated unless the Board chooses otherwise today. There being no discussion, Per Deim is reinstated.

Mr. Tommy Rouse made the motion to move the April meeting date to Glennville to coincide with the Law Enforcement Supper. Chief George Potter seconded the motion. For discussion, Sheriff Roger Garrison stated the Board should consider foregoing Per Diem for the April meeting. Sheriff Garrison stated this is a great trip and great hospitality, but it is one meeting that personally does not think should be on taxpayer's dime. Sheriff Garrison stated he intends to take the option to not request Per Diem.

Chairman Wynn requested discussion. Ms. Williams stated it is a working trip, in that the Board accomplishes a lot with seeing facilities in that area; that this is a great opportunity for the Board members. Sheriff Carlton Powell stated he has thoughts both ways on this issue and that his travel to Atlanta is 250 miles. He stated that having said that, Board members need to be attentive to the economic situation. Sheriff Powell stated he would be willing to make a motion to use a day, such as the trip to Glennville, to not charge Per Diem. Sheriff Powell made a motion that for this particular meeting in Glennville, he suggested the Board not charge travel or Per Diem for this trip. Sheriff Roger Garrison seconded the motion.

Chairman Wynn asked for discussion. Mr. Wayne Dasher stated that as Sheriff Powell says, there are Board members who will be driving a good distance and he would hate to see Board members not get reimbursed for their travel. He stated that last night he came up last night, so the Per Diem he gets today will go to pay for expenses. Mr. Dasher stated it is a nominal fee but that it covers some of the expenses.

Sheriff Garrison stated it will be the pleasure of the Board; he stated he is just saying that in times of public scrutiny, the media will be at this Law Enforcement Supper in Glennville. Mr. Rob Jones stated that he thinks, with the last three months where the Board did not take Per

Diem for those Board meetings, that the motion and vote of the Board had been just to forego the Per Diem.

Chairman Wynn stated there is a motion on the floor to be dealt with. He stated the Board can approve it as it stands; or, can vote to not approve it; or, make an amendment to make it Per Diem only and reimburse mileage; or, make a motion to defer the motion to the next meeting.

Chief George Potter stated he would like to hear from Commissioner Owens about what the Legislature plans to do about the budget. Chief stated he would rather hear from that than vote on the motion now. Chief Potter made the motion to defer the original motion, which was seconded by Mr. Roger Waldrop.

Chairman Larry Wynn asked if there was any discussion on this aspect of the motion. Sheriff Roger Garrison stated he can assure the Board that Commissioner Owens is not going to bring any information in the next thirty days that the Legislature will change the budget situation.

Sheriff Carlton Powell stated he would like to see the Board take action, based upon not what the Board can do; but that whatever the Board does that it be because it is what is in the Board's heart to do the right thing. And not predicated on what the budget will be.

Chairman Wynn requested if there was any further discussion or if the Board was ready to vote. Mr. Justin Wiedeman stated his personal situation is that he does not ask for reimbursement of expenses or per diem given the budget constraints. Mr. Wiedeman stated he prefers for the Board to not receive the Per Diem, however, he does not want to speak for others. He stated that it should be just expenses; the Board members are here to do civic duty and help where the Board can.

Chairman Wynn asked for a vote on the motion to defer to the February Board meeting. Chairman Wynn asked for those voting in favor of deferring and three Board members voted yes. Chairman Wynn asked for those voting against deferring the motion, and, the remaining Board members voted no to the motion to defer.

Chairman Wynn stated the Board is back to the original motion. The original motion can be dealt with in three ways, which are either to accept it, reject it, or amend it to include Per Diem only.

Mr. Rob Jones made a motion to amend the original motion to allow submission of travel expenses, which was seconded by Mr. Roger Waldrop. Chairman Wynn asked if there was any discussion. There being no further discussion, the Board members voted approval of this amended motion.

Mr. Wayne Dasher requested the Board members donate to the gift fund and flower fund with giving \$20 today.

Sheriff Carlton Powell requested Chairman Wynn to ask the Board members to go through the Chairman to bring up discussions being held across the table. Sheriff Powell stated that would be an appropriate thing to do. Chairman Wynn responded that it is noted.

There being no further business, the meeting was adjourned.

Larry Wynn, Chairman

Tommy Rouse, Secretary

Laura Jones, Board Liaison