

BOARD OF CORRECTIONS

February 7, 2013

Atlanta, Georgia

MEMBERS PRESENT:

Mr. John Mayes, Chairman
Mr. Wayne Dasher
Mr. Carl Franklin
Sheriff Roger Garrison
Mr. Bruce Hudson
Sheriff Stacy Jarrard
Tommy M. Rouse
Mr. Roger Waldrop
Mr. Jerry Willis
Ms. Rose Williams

MEMBERS ABSENT:

Mr. Ashley Paulk, Jr.
Chief George Potter

CONFERENCE CALL:

Mr. Bill Acuff

ATTORNEY GENERAL'S OFFICE:

Mr. Joseph Drolet, Senior Assistant Attorney General

DEPARTMENT OF CORRECTIONS:

Mr. Brian Owens, Commissioner
Mr. Gregory C. Dozier, Assistant Commissioner
Mr. Timothy C. Ward, Assistant Commissioner
Ms. Susan Bishop, Chaplain
Ms. Becky East, Director Administration Division
Mr. Robert E. Jones, General Counsel
Ms. Simone Juhmi-Green, Board Liaison
Mr. John Laurence, Investigations Unit
Mr. Kenneth Mantle, Executive Assistant
Mr. William M. Terry, Mitchell County Warden

VISITORS:

Ms. Kathryn Hamoudah, Southern Center for Human Rights
Mr. Brandon Hembree, Massey, Watson, Bowers & Hembree LLC.
Ms. Joy Lukachick, Times Free Press
Mr. David Pratt, Southern Strategy Group
Ms. Sara Totonchi, Southern Center for Human Rights

Chairman Tommy M. Rouse called the February meeting of the Board of Corrections to order at 10:00 a.m. and Board Liaison Simone Juhmi-Green recorded the minutes. Chairman Rouse asked Chaplain Susan Bishop to give the invocation.

Chairman Rouse welcomed all visitors to the Board of Corrections and confirmed Mr. Bill Acuff was connected via conference call, and the Board meeting, having been duly convened, was ready to proceed to business.

Chairman Rouse stated the Board needs to address the issue of Nomination of Officers for the 2013 year.

Mr. Wayne Dasher, chair of the Nominations Committee, spoke on the redistricting of the State in regards to Board members. The Nominations Committee requested a proposal for the incoming Chairman, Vice Chairman and Secretarial position in 2012 and recommended Mr. John Mayes as Chairman, Ms. Rose Williams as Vice Chairman and Mr. Carl Franklin as Secretary. Mr. Dasher made the motion, which was seconded by Mr. Bruce Hudson. Chairman Rouse asked if there were any discussions at this time. There was no discussion on the nominations. Chairman Rouse moved that the nominations be closed, which was seconded by Mr. Wayne Dasher. The Board members voted approval of the three offices of Chairman, Vice Chairman and Secretary.

Chairman Mayes asked the Board to look at the Synopsis of Committee sheet in their folders so that the members can request what committee they would like to be assigned to. Chairman Mayes stated he will take the members committee request into consideration and assign each member to a committee team.

Chairman Mayes next presented to the Board the February Agenda for approval. Mr. Wayne Dasher and Ms. Rose Williams made the motion to approve, which was then seconded by Sheriff Roger Garrison, and was voted approved by the Board as presented.

Chairman Mayes presented to the Board the January Minutes for approval. Sheriff Roger Garrison made the motion to approve, which was seconded by Mr. Bruce Hudson, and the Minutes were voted approved by the Board as presented.

COMMISSIONER'S REPORT

Commissioner Brian Owens began his report by asking Board Attorney, Mr. Joseph Drolet to give an update on the execution stay from last summer/fall. Mr. Drolet briefed the Board on the Supreme Court case which held that the Department was not required to comply with the Administrative Procedures Act in carrying out the execution.

Mr. Drolet stated there was an execution scheduled last July 2012 for Warren Hill and at that time, we had a challenge claiming that the Administrative Procedure Act required this Board to actually approve the procedure used on the night of an execution; which has never been done by a rule and is not a policy but is the carrying out of a statutory requirement by the Commissioner and by the Department. We previously had three challenges that have never gone to the Georgia Supreme Courts and at this time the Georgia Supreme Court stayed the execution until the issue could be resolved. Mr. Drolet argued the case on November 5th, and on the morning of February 4th the Supreme Court unanimously upheld the Department's current lethal injection procedure that has long been used in the State of Georgia. As a result, executions in the State of Georgia can resume. The Court has set two executions coming up in February 2013 for Warren Hill and Andrew Cook.

Next, Commissioner Owens gave the Board a brief update on Hays State Prison. Commissioner Owens thanked the Georgia Bureau of Investigations for responding so quickly and getting things done. Commissioner Owens stated he visited the facility unannounced by himself and reviewed the conditions of the inmates, staff, infrastructure and buildings. Commissioner Owens also sent the Assistant Commissioner, Chief of Operations, Mr. Timothy C. Ward to Hays State Prison for a week to assess the facility. Commissioner Owens stated that the Department has put together a comprehensive plan for the facility and the facility does remain on lock down with around 256 close security inmates out of Hays State Prison. Commissioner Owens spoke about the changes the Department is making by changing the living units and improving the infrastructure. Other items mentioned were Mr. Rick Jacobs as interim Warden at Hays State Prison, the facility going back to the basics, Special Management Units at other close security facilities, and Criminal Justice Reform in the Georgia prison system.

In addition, Ms. Becky East informed the Board that two types of stab resistant vests are being evaluated by staff at Hays and Telfair State Prison to see which is best for staff use. The vests were issued to the second shift staff for a 30 day trial period. Then, GCI will produce the vests for staff within 30-45 days from that decision. Commissioner Owens closed with stating that our mission is to protect and serve the public; to ensure the bad guys don't get outside the wire and hurt the public. We make sure the probationers (to the best of our ability) are doing the right thing, but we also have an obligation to protect the staff and we look at all options to protect the staff. In addition, we also have an obligation (to the best of our ability) to protect inmates from inmates. That sometimes is the most challenging part of our business; protecting inmates from inmates. But, it is our obligation, it is our mission; it is our duty; to get that done and ultimately that responsibility lies on the agency.

Subsequently, Commissioner Owens presented the Upcoming Events for February, March and April 2013. Significantly mentioned were the Georgia Probation Association Winter

Conference, the Tift Alumnae Weekend and Forsythia Festival, the Military Job Fair, the Law Enforcement Appreciation-Joint Board Meeting, and the Golf Tournament.

Commissioner Owens reported on the Jail Backlog count, which is at 1,534. The Probation Awaiting count is at 200; the total count is 1734 state inmates in the jail system across the state. Commissioner Owens stated the Sheriff's count is at 3,525; both counts are correct.

Commissioner Owens asked Ms. Becky East to present the Budget Update on the Governor's Recommendations for Fiscal Year 2013 and 2014.

Ms. East started with an overview of the FY2013 budget. Ms. East discussed the budget process and trends.

This concluded Commissioner Owens' report.

CHAIRMAN'S REPORT

Chairman Mayes began his report by asking the members to sign resolutions for Sheriff R. Carlton Powell, Dr. Henrie Treadwell, Mr. Jim Whitehead, Sr. and Mr. Justin Wiedeman to honor these previous members for their service on the Board of Corrections.

Chairman Mayes reminded the Board that the next meeting would be in Atlanta on March 7, 2013. In addition, Chairman Mayes reminded the Board that the location of the May 2013 Board Workshop would be in Rome, Georgia. Chairman Mayes stated he is working with staff to gather more information for the two-day training.

Chairman Mayes gave a brief update on the Scholarship Fund for the Georgia Prison Warden's Association (GPWA). Chairman Mayes stated that the Board members have until June 2013 to contribute to the fund so we can reach our \$1000.00 goal. Currently, the total collected is \$656.00. The GPWA conference is at Brasstown Valley Resort in Youngharris, Georgia on June 2-5, 2013. The Board of Corrections Scholarship Fund will be presented at the Award Ceremony Banquet on Monday, June 3, 2013 at 7:00 p.m. Plus, Chairman Mayes stated the Board of Corrections Flower Fund still stands at \$317.10 from the past year. Members were asked to contribute to both funds if they wish to do so.

Furthermore, Chairman Mayes asked Mr. Wayne Dasher to give a brief update on the Joint Board Meeting & Law Enforcement Appreciation Dinner in Glennville, Georgia on April 18th. Mr. Dasher distributed a flyer and stated he is still confirming sponsors and gathering information for the event. Next, Chairman Mayes reminded the members they could still order the Department of Corrections board member jacket for \$32.00 from Georgia Correctional Industries. The deadline to order is February 13, 2013 and checks could be made payable to the Georgia Correctional Industries.

To follow, Chairman Mayes asked if the Board needed to go into Executive Session. The Board agreed no Executive Session was needed; therefore, the Board proceeded to move into Regular Session to approve County Warden, William M. Terry from Mitchell County Correctional Institution. Chairman Mayes called upon Mr. Wayne Dasher, Chair of the Operations Committee to update the Board on their decisions.

Mr. Wayne Dasher stated that the Operations Committee has received the report of Mr. William M. Terry for consideration of the position of Warden of Mitchell County Correctional Institution. The Operations Committee has reviewed this candidate's report and the Committee is recommending approval and requesting the Board's full approval on his appointment.

Mr. Wayne Dasher made the motion to approve, which was seconded by Sheriff Roger Garrison and voted approved by the Board.

Chairman Mayes called on Mr. Robert E. Jones, General Counsel from the Office of Legal Services to present three property resolutions for Board approval.

The first resolution Mr. Jones presented is for the Terrell Probation Detention Center in Terrell County, Dawson, Georgia. The Georgia Department of Corrections is willing to transfer custody of this property to the Georgia Department of Juvenile Justice. The Georgia Department of Juvenile Justice desires to use this property as a Regional Youth Detention Center.

The second resolution is for the Columbus Regional Youth Detention Center in Muscogee County, Columbus, Georgia. The Georgia Department of Corrections currently utilizes this property as the Columbus Transitional Center per an Interagency Agreement with the Georgia Department of Juvenile Justice. The Georgia Department of Corrections desires a custody transfer of the property to continue operating the Columbus Transitional Center on that property.

The last resolution is for Putnam State Prison Surplus Request. The City of Eatonton has expressed interest in the unused property given that it is located within their state approved redevelopment zone and requests the conveyance of this property to the City of Eatonton. The Georgia Department of Corrections is willing to surplus and relinquishes custody of the property to the State Properties Commission for appropriate disposition. Mr. Jones stated we are asking for the Board to approve all three property resolutions.

Mr. Roger Waldrop made the motion to approve, which was then seconded by Mr. Wayne Dasher, and all three property resolutions were voted approved by the Board.

Chairman Mayes asked the Board if there was any old or new business and Mr. Jerry Willis expressed that he would like to start saying the Pledge of Alliance at every Board of Corrections meeting and permanently place this item on the agenda. Mr. Willis made the motion to approve, which was then seconded by Sheriff Roger Garrison, and voted approved by the Board.

There being no further business, the meeting was adjourned.

John Mayes, Chairman

Carl L. Franklin, Secretary

Simone Juhmi-Green, Board Liaison