



# Oregon Board of Parole

## & POST-PRISON SUPERVISION

### Board Business Meeting Minutes Monday, March 30, 2015

**Call to Order and Note of Attendance:** The meeting was called to order at 10:03 a.m., and note of attendance made: Board Chair, Kristin Wings-Yanez; Board member, Sid Thompson; Board member, Michael Wu; Department of Corrections (DOC), Assistant Director Community Corrections, Jeremiah Stromberg; Board Executive Director, Brenda Carney; Board staff, Shawna Harnden. .

**Meeting Minutes:** Minutes from February 23, 2015, edits previously suggested. Wings-Yanez moved to adopt, Thompson seconded.

#### Chairperson Comments:

- Legislative session has been busy. House bills (HB) 3036 and 3436 came out of the Parole Board workgroup and have had hearings. HB 3036 does not present a fiscal to the Board and has been approved by the committee to move forward in the process. HB 3436 talks about having five Board members and for all hearings to be conducted by panel of three members. A work session on this bill was held last Friday, March 27, 2015, where amendments were made to clarify what a unanimous vote would mean for panel process. On cases that resulted in a death, a unanimous vote would only necessitate unanimous vote of three members and not unanimous of all five members. The Chair would have authority to override and decide the case needs to be heard by a full board of all members, where the decision would be made by majority or unanimous vote depending on the type of case. The bill also states the Board should issue written decisions and post the decisions on the website; the Board has expressed some concerns over that provision.
- Sex Offender Level Notification clean-up bill has not dropped. The affected agencies have identified approximately nine proposed changes to clean up the legal issues identified in the original bill. Wings-Yanez expects to see it inserted into another bill. . April 10<sup>th</sup> is deadline for hearings to be scheduled for bills.
- Senate Bill (SB)199 – Notifying victims when the Board considers a medical parole release decision. Due to the eligibility requirements, medical release requests do not occur often. The bill proposes the victim should be given 30 days to provide information or opinions to the Board about the medical release. Amendments have been made that remove the number of days and only states under ORS 144.750 that we have to make a reasonable effort to notify victims. There is a work session scheduled for this Thursday, April 2, 2015 that Wings-Yanez is planning on attending.
- Budget phase 2 hearing is scheduled for April 9th.

### **Executive Director's Update:**

- Currently working on the intergovernmental agreements (IGA) for Hearings Officers for Community Corrections. Carney has been working with individual counties as there will be completely new formula developed to determine the funding for the IGA payouts. If counties opt to conduct the hearings on behalf of the Board, rather than have the Board Hearings Officer, the Board pays those counties for that function. Some counties will be looking at huge cuts in the funding.
- Carney has submitted new drafts for the psychological evaluation contracts to the contract departments and will be working to get them finalized. Current contracts have been extended for 6 months until the new final contracts are drawn up. The pay amount has been raised to \$800 - \$850 from the \$425 which doubles past contract payments but still significantly less than the market rate.
- Position reclassifications are still pending. Carney is checking with HR department regularly. Victims Specialist employee, Debbie Wojciechowski, has decided to retire at end of April. We are unable to recruit for this position until the reclassification process is done. We have two part-time temporary employees that are assisting with the position to keep the work flowing until we can hire permanent position.
- PBMIS – Legislative fiscal office has stated the remaining balance requested of approximately \$33,000 will not have to be requested before the E-. The progress on the development is going well. Several aspects are in the latter parts of development. Currently looking at the little daily functions to make sure we have captured everything.
- 2015 Governor's Food Drive – Our agency brought in 1500lbs of food

### **DOC Update:**

- VINE system went down and ended up sending over 8700 notices to victims regarding the release of 1800 inmates, including all those on death row. There were some safeguards in place that prevented over 60,000 notices to be sent out. This occurred on 5 o'clock on Friday. The State Data Center shut the system down for maintenance the same time the VINE system was scheduled to do its transfer of data, creating this situation. DOC is working with the vendor to get secure safeguards in place to prevent this from occurring.
- Monday, April 6th, is the Justice Reinvestment Conference. The conference will be discussing all items of HB3194; funding, rules and the application process. Wings-Yanez advised she would be attending.
- HB3503 directs DOC to establish the Family Sentencing Alternative Program. There are two sections to this bill. Program is focused on keeping kids out of foster care system and would require Community Corrections and Department of Human Services to work collaboratively. The first section of the bill would allow the courts to do a departure to probation for certain crimes when that person is the primary custodian of a minor child. The second section would expand the short term transitional leave program out to about 6 month early release for those that are the primary custodian of a minor child. The last

sentence of the bill states the Board of Parole & Post-Prison Supervision and Department of Corrections shall adopt and maintain the rules for this program. Representative Williamson is modeling this after a similar program that is already established in Washington State. Stromberg will be attending a meeting today and testimony tomorrow on this bill. He will be working to get the Board removed from the bill since it would be addressing probation and transitional leave which is an inmate program under DOC's authority, not the Parole Board's.

- New separate standalone sanction database is under consideration. It would allow better tracking for evidence based practices. Stromberg will keep the Board informed as new information becomes available and as things progress.

### **Old Business:**

- OAR 255-005-0005 (59) Definition of Victim: The issue of what individuals fall under our definition of a victim was brought to the Board over a year ago. This topic was discussed with the Parole Board workgroup as well. Wings-Yanez is hopeful to conclude our review next month.
- Sex Offender Level System: The Board expects changes to this system and the rule authority during this legislative session. We will discuss when the bill comes out.
- OAR 255-030-0013-Notification of Hearing/Exhibit NOR-1; OAR 255-032-0022-Murder Review Hearing Notice/Exhibit NOR-3MR: One public comment was received from a legal assistant from Public Defender Services of Lane County stating it is unfair the inmate receive less time than the victim to prepare for the hearing. Clarification, we notify both victim and inmate at the same time, 90 days from the hearing. The inmate does not need the packet to submit submissions. This really isn't a change of the rules, this only change the exhibits, to reflect what is already required by rule. Wings-Yanez moved to permanently adopt these changes; Thompson and Wu agreed.

### **New Business:**

- Nothing to report.

### **Future Board Meetings:**

- Monday, April 27 @ 10:00 a.m.
- Tuesday, May 26 @ 10:00 a.m.

Meeting adjourned at 10:52 a.m.