



Oregon Board of Parole

& POST-PRISON SUPERVISION

Board Business Meeting Minutes Monday June 16, 2008

1. **Call to Order and Note of Attendance:** The meeting was called to order at 9:02 a.m. and a note of attendance was made.

Steven Powers, Darcey Baker, Candace Wheeler, Nancy Sellers, Susan Deschler, DOC Community Corrections Chief Mark Cadotte.

Guest: Laurie Wilson

2. **Approval of May 19, 2008 minutes.** Steve had a question regarding budget presentation where it stated that it was helpful to talk with our trial attorney whereas we talked to our appellate attorneys. There were a few people from trial there. Also in the last sentence of the budget presentation portion where it states "Two new lead attorneys will be invited to a regular Board meeting." ... Steve would like to strike the word "regular" from the minutes because we do not know if it will be a regular Board meeting or a special one, so just a Board meeting and to have a special meeting to discuss the litigation. Darcey asked for the record who the two new attorneys are. Steve stated that they are Greg Rios and Jeremy Rice. Erin Lagesen will still be one of the Board's contact attorneys and the two new attorneys' leader. Candace moved that the changes be accepted in the minutes and they were adopted.

3. **Chairperson's comments:**

- **Eastside Board trip May 27-30:** Steve felt the eastside trip was a good trip and thanked Susan and especially Nancy for coordinating and participating in the trip. He reported that it was nice to be on the eastside holding hearings for the first time in 20 years and to have the full Board meeting with our partners. One follow-up from the trip was a talk with Jeff Lichtenberg, Director of Jefferson County Community Corrections, who said that Warm Springs is now honoring Board warrants. This is a positive outcome from connecting with other criminal justice folks and sovereign nations. Steve also talked with the chief prosecutor at Warm Springs, asking how the discussions went, and he stated everything went fine and thanked us for clarifying what Board warrants are. The only question Steve was not clear on is if they will honor local control warrants. Mark asked if Jeff commented on the local control warrants and Steve said Jeff wasn't sure if it covered both of our warrants in our discussion and we explained that all the warrants are valid warrants even though some are signed by a Judge or LSA. Steve asked who signed his

warrants, and he stated that everyone in the office could sign on behalf of him or the sheriff.

- Steve updated the Board on federal fund timber payments to counties, which is not looking optimistic. There is a state taskforce reporting this month as things develop, including possible impacts on jail space.
- Next month we expect to have the draft murder review rules; still struggling with parts of those, so will send around a draft with a commentary, but implement SB 288.
- Steve would like to review the Board's mission statement and have any revisions in place before the 2009 legislative session.
- Victim notification discussion and update: Steve and Nancy will talk with Attorney General Hardy Myers on victim notification best practices, particularly around what the Board does with victim services globally, and not just our rules. There is a new division at DOJ the Crime Victims Services division headed by Cynthia Stenson. Steve wants feedback from Board members, to have a meeting with AG Myers and discuss how to look at this globally and to set up a process so that we can have an involving look and work together at victim services, will need to involve our general counsel in this meeting as well, but also involve their experts so that we talk about what is legal and permissible and enacting and continuing to do the best practices. Darcey thinks we should reach out to the district attorneys. Steve also wants to reach out to Hardy Myers' successor.

4. Executive Director's Comments:

- **Staff:** Nancy reported on staffing, and the three temporary employees with the agency: Shawn Forsythe, Malinda Wilson, and Susan Deschler. Shawn has been working half-time with BJ Foster in the records office and is doing a good job. We remain unsure about the status of Nicole Kellogg with DOC and if she will be coming back to work at BOPPPS. Either way, there will be opportunities for job rotations and cross-training of BOPPPS staff. The Board would have to have an open recruitment on both Records Clerk and Malinda's position if they become available. Steve asked if both Eric and Tami would be working on the hearings officer training since it will be in October. Steve suggested putting together a planning group from Mark's unit. The hearings officer will be housed in the main office. Darcey suggested doing a train the trainer with the hearings officer like with the structured sanctions training.
- **Media:** Nancy stated that the victim notification guest opinion in the Statesman Journal was well received. She has been working with DOC and the media preparing for the Gillmore hearing.
- **Outreach/Education:** Nancy and Steve are reaching out to key legislators to discuss current topics and future legislative possibilities. Priority are discussions with legislative leadership prior to the session. Nancy and Steve will also continue meeting with other stakeholders and media representatives.

- **Budget:** Nancy is working with Steve and others on preparing the budget for the 2009-11 biennium and also looking at the rest of this biennium. We don't know what is happening with the salary pot money that the legislature has held back hoping to get back at least a portion to cover the shortfall in personnel cost. The Board will go before the E-Board in September to cover higher-than-budgeted Attorney General costs. Nancy is working with DOC to develop the price tags for IP 40 and SB 1087. Nancy will get a list out to the Board Members on the policy option packages. BOPPPS sole legislative concept for Police & Fire status for Board members is at Legislative Counsel. If it receives final approval, it will move forward be filed as a pre-session bill for the January session.
- DOC is moving forward with policy action package to do the planning for the CIS rewrite and Mitch Morrow agreed that the Board should be included in the same policy option package instead of in a separate one. Darcey asked if we should continue the PBMS rewrite separately to try to make it work. Nancy advised no, but if the system fails we will need to request funding for programming to repair it.

5. Old Business:

- **Roundtable Discussion on the Eastside Trip:**
 - Steve was impressed with all the tour guides at the institutions. Steve was also impressed with Jean Hill meeting with each offender as they are being released from PRCF. Ideally, Steve would like to have a Board member meet with offenders who are being released and this could be done either on the phone or in person with the offender regarding any concerns about parole. This would be a one-on-one contact between the Board member and the offender. This could be done after the offender talks with their release counselor. We could get feedback on how the release plan process is going. Another idea related on hearings, is to have a nondisclosure green sheet in the packet, as this is done for the murder review hearings but not for other hearings. This way, everyone will know what documents are confidential beforehand. It would not be signed but it would be identifying documents.
 - Steve would like to do this kind of a trip at least once a biennium. Steve would also like to have a southern trip and possibly making it a day trip this fall. Mark could arrange to have Douglas County host that particular meeting.
 - Candace stated it was a great experience touring PRCF, and EOCI was so positive. The inmate rehabilitation was very positive also. It was a good experience to have the hearings at SRCI and the counselors being there. It gives a more realistic view of what the Board does in the hearings.
 - Darcey had an opportunity to talk with participants over the following week and had positive feedback. In the future it would be nice to have a larger meeting area where more people could attend. Nancy suggested another room which is a former hearing room at SRCI next time the Board goes east to have more people accommodated. It was valuable to have the Community Corrections people there.

- Steve is planning on attending the Community Corrections Directors meeting next month and would like to get on their agenda. Candace stated one thing in Jefferson County regarding a PO talking about a matrix case, which had to do with victim issues and what kind of impact does a victim input have on a matrix hearing. Candace felt with there is still education to be done in terms how the Board is hemmed in with its rules and laws, that the Board doesn't have as many options as folks seems to perceive. Mark said a lot of POs were not around during the matrix cases. Steve stated it is a challenge in explaining our release authority and defining it while not limiting us. The Board needs to better explain that parole is not "early release."
- Nancy took notes on communications which she would like to post on the Web. Overall, the efforts to build relationships was outstanding. Candace advocates doing teleconferences and other outreach to county and prison-based stakeholders. Nancy suggested even doing video conferences. Mark stated that every Monday morning DOS has Transitional Services Managers meetings, and on the first Monday of each month the release counselors participate in person or by teleconference. He suggested a Board member could attend one of those meetings. Nancy will arrange to have one of the Board members to attend an upcoming meeting and either have a Q&A session or some topics to talk about.

- **Medical Marijuana Policy:**

Steve had a handout on the medical marijuana policy memo dated June 9, 2008, which will become finalized policy.

- **Victim notification discussion:**

Much media attention has been focused on victim notification issues. In developing a comprehensive review strategy, Nancy is having conversations with stakeholders at many levels. She recently talked with Mary Elledge of Parents with Murdered Children and they are including in their newsletter an article and survey of notification preferences. Nancy feels we need to have these conversations well in advance of the legislative session. Nancy has contacted Steve Doell of Crime Victims United. He reported that he does want to be part of conversations of victim notifications after the Gillmore hearing. Darcey suggested that district attorneys also be contacted. Nancy will meet with Nancy Cosine of OJD to talk about what they are doing. Nancy also has talked with Keith Benefiel regarding VINE and there will be a VINE presentation at the next Board meeting. Darcey suggested contacting Arwen Bird who might have a different perspective. Mark stated that Multnomah, Marion, Washington, and Clackamas have their own victims' advocates. Nancy would like to have on central website for people to go to register for different purposes to make it easy for people to use. As stated earlier, Steve and Nancy will seek advice from the Attorney General regarding best practices for victim notification.

6. New Business:

▪ **Gillmore hearing:**

▪

Discussion of the logistics of the hearing. There was some discussion about media statements. Nancy will have a script to read to attendees. Steve does not want anything outside of fact or any extra statements out there as the record will remain open seven days for rebuttal documents from the parties. Candace questioned decorum in the audience. There will be three correctional officers, two assistant superintendents, and other DOC staff on hand to assist.

7. Next Board Business Meeting

- July 21, 2008, featuring a presentation on the VINE system.
- Nancy requested that Board members provide her with topics of interest for future presentations. Steve requested a follow up on the FD hearings. Darcey requested someone from ICE.

8. Additional Items:

- Darcey stated that structured sanctions training went well. DOC is in the process of putting the structured sanctions on their Web site, and then the Board can link to it. Encourage to connect with all counties.
- Steve, Mark and Nancy will meet with Lane County Community Corrections leadership after June 28.
- Darcey trains on sex offender supervision tomorrow. Transition network will be next Wednesday.

Meeting adjourned at 10:41 a.m.

Minutes submitted by Susan Deschler, Executive Assistant