



Oregon Board of Parole

& POST-PRISON SUPERVISION

Board Business Meeting Minutes Monday, July 21, 2008

1. **Call to Order and Note of Attendance:** The meeting was called to order at 9:08 a.m. and a note of attendance was made: Steven Powers, Darcey Baker, Candace Wheeler, DOC Director Max Williams, Nancy Sellers, Susan Deschler, DOC Community Corrections Chief Mark Cadotte

Guest: Laurie Wilson, Lori Tribett

2. **Approval of the June 16, 2008 minutes.** The Board reviewed and adopted the meeting minutes of June 16, 2008.

3. **Chairperson comments:**

- Steve read the following quote: “These are the times that try men’s souls: The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of their country; but he that stands it now, deserves the love and thanks of man and woman. Tyranny, like hell, is not easily conquered; yet we have this consolation with us, that the harder the conflict, then more glorious the triumph. What we obtain too cheap, we esteem too lightly; it is dearness only that gives everything its value.”

– Thomas Paine, *The Crisis* (pamphlet published December 23, 1776).

- **Coordination with AG Myers on victim issues:** Steve met with Attorney General Hardy Myers to begin a comprehensive review of all of the Board’s victim services. In so doing, the Board will engage the Department of Justice’s new Crime Victims’ Services Division and review our policies, procedures, and rules associated with Board victim services. It the hope that not only will we have a legal review of all of our practices, but also benefit by a best-practices review of our services and continue our collaboration with all of the criminal justice agencies in this area.
- **Collecting money on judgments:** This past month, the Board has worked with DOC and its counsel and our counsel to strengthen our collection practices for monetary awards associated with litigation. ORS 144.335(10) allows DOC, upon request from the Board, to draw from or charge inmate trust account for costs or attorney fees awarded to the Board. DOC now has a temporary rule to implement this statutory authority and Susan Deschler is in the process of refining the system to collect money owed to the Board from the inmates owing while they are incarcerated.

- **Meeting with legislators:** Steve and Nancy previously met with Senator Prozanski and with Representative Shields to update them on Board issues. Meetings with additional legislators will be scheduled for later summer/early fall.

4. **Executive Director's update:**

- Nancy reported she is working with Oregon State Police regarding a specific security threat and on a general safety plan for the Board and Dome Building. The Dome Building remains on heightened security.
- Staffing changes: Eric Rosentreter retired end of June and is working for the rest of the year as a temp. June Starkey accepted a job with Legislative Fiscal and will leave August 1. The SAIF claim for BJ Foster has been accepted and she is still working half-time. Shawn Forsythe is interested on staying on with BOPPPS. Following conversation with Mark Cadotte, Nicole Kellogg will likely come back to the Board following the end of her job rotation to DOC and her maternity leave, pending reclass of the extraditions position and recruitment by DOC. Nancy is evaluating options for meeting agency workload needs with internal job rotations, job shares and hiring.
- Nancy discussed the common misperception that parole has been “abolished” in Oregon, as recently announced in an Albany Democrat Herald editorial. She and the Board will continue ongoing education efforts.
- Budget update: Nancy is working closely with DAS and Legislative Fiscal in preparing the Board's 2009-11 agency request budget, which will include policy option packages.
- Nancy worked on the IP40 and SB 1087 “price tags” with DOC. A recent time study shows that each 100 inmate entering DOC require the Board to do 155 hours of work over the life of those offenders' sentences, from entry to expiration. Applying this to IP40 projected populations would add the workload of 4.5 FTE positions by the end of 2013. This time study also will be used to capture prior growth in the Board's workload as we prepare for the 2009-11 budgeting process, as staff are already operating at peak capacity.
- The Board is confirmed to go before the Emergency Board in September regarding Attorney General cost overages.
- Inmate savings account – Nancy met with Heidi Steward, who reports there are security issues with formal savings accounts held by inmates in outside banks, including extortion by other inmates and fraud. DOC is moving carefully on what they want to do with savings accounts. Inmates are not restricted on how much they can keep in their trust accounts, and often can earn more in interest through the trust account than in most savings accounts on the outside. Inmates can spend money anytime they like through their trust account. There is one prison doing a pilot project to bring an outside bank in to do a forced savings account in which the money is not available to the inmates until release. DOC is working on rules regarding the garnishment of savings accounts to pay for fines and other obligations.
- Diane Downs' first parole hearing will be scheduled for December, and Nancy is working with DOC to coordinate. Inmate Downs is housed in California and DOC will not be returning her to Oregon for the hearing.

- Nancy needs to finalize a hearing officer training date for October. The Board set the date for October 16 in Salem.

4. DOC Director Max Williams update:

DOC is working to appropriately identify and price the potential impact of IP40 and SB 1087. Some numbers were identified over the weekend and sent to DAS. The last meeting on the price tag committee will be at the end of the week, July 25. As soon as DOC receives, those numbers they will get them out to everyone.

5. Presentation: VINE System history and status:

DOC's Tom O'Connor, Karen Roddy, and Keith Benefiel presented the history and status of the VINE (Victim Information Notification Everyday) system. VINE came to Oregon in 2001 with DOC and DOJ funding. Oregon was the first state to provide community notification of events to registered victims including when offenders go on abscond status. Every jail in the state is on the VINE system. Victims can be notified by e-mail, phone, or U.S. mail. It is an open system and anyone may register for notification whether they are a victim or not. Support enforcement and law enforcement also can use it to check in the system if offenders are in jail or have been released.

Karen stated that Oregon has the highest per-capita usage. There are over 50,000 active registrants, and that increases by about 2,000 users every month. The majority of people prefer to use VINE link. Last year they had the first stakeholders' meeting including police chiefs, community corrections, DAs and others who were very supportive. VINE gave updates and talked about funding. One main thing about VINE is it is anonymous and confidential.

Tom reported that DOC pays for VINE primarily from inmate assessments on PRAS awards and earnings. The VINE contract was recently renegotiated at a more favorable rate that will keep the system solvent for six years.

Karen is also heading up DOC's Facilitated Dialog Program for victims, which was started in 2004. A group of volunteers completed a week of intense training and work in the victim field. This program is for a victim who requests to talk to his or her offender. Both sides must agree to have the dialogue. There have been five dialogues to date, and they have been very positive. This can only be done at the request of the victim. There is a rule that was temporarily adopted in May and will be permanently adopted next month to protect the confidentiality of the victims in the facilitated dialogue program. There is a brochure and DOJ will talk with DA advocates and let them know it is available. Max had made a public announcement two years ago on the facilitated dialogue program. Tom suggested the Board might want to consider meeting with the victim who had dialogue with the offender in which she stated how she got her life back.

Steve asked about VINE notification for Board hearings and whether it is possible to have notification on revocation hearings. Keith stated it is not a problem in an automated system. Six times a day DOC sends information out and PBMIS information is merged

into the system. The one difficulty is with Morrisey hearings in jails, as OJIN is not set up well for timely notifications.

Nancy and Tom met about two weeks ago to talk about the issue raised by two Board members that when offender families come to hearings there is no process in place to assist or support them. Tom suggested using trained volunteers, as with the facilitated dialog program. He has already discussed the idea with a woman who is working on her Ph.D., who is looking for a project to work on inside the prison. Tom is exploring this project.

Steve would like to tie in VINE to what DOC has on notifications, written and oral. Consider registering ourselves or have some sort of confirmation that the system is working.

7. Old Business:

- Steve, Mark, and Nancy met with Lane County Community Corrections. Susan McFarland, Joan Copperwheat and Doug Hooley talked about the sanctions and bed space and stated it is dire. The jail has 94 beds, with 12 beds in the alternative custody unit. The group agreed to not do revocations, except in extraordinary circumstances. Lane County staff are looking creatively at their sanctions in terms of community service and other options, but has direct authority over only three jail beds. Darcey asked about the structured sanction training and evidence based practices and it was suggested to send an e-mail on training the trainer on evidence-based practices. Mark will send the e-mail. There was discussion on pending criminal charges; Steve will look at the deferrals on the 90 days.

8. New Business:

- **Mission statement:** Steve would like to have a new Board mission statement adopted at the December Board meeting. Mark suggested including the entire staff to work on the Mission Statement. Nancy will discuss this at the next staff meeting and perhaps have a staff retreat with Board members in October or November.
- **Special Conditions Review:** May 8 was the last revision of the special conditions package presented by Candace, which she will finalize with Darcey. Mark suggested contacting Richard Stroker who will be at Community Corrections training in October. Steve brought up “per PO” designation assessment and potential liability issues for POs. This will not go out on the Website since it is undergoing a review. This is a time if anyone wants to have input on this document such as special conditions versus general condition even though they are active at all times. Steve suggested the Board review all conditions annually, placing the next review on the agenda for June 2009.
- **Handling requests to Lift Warrants for Medical Reasons:** There is a policy on what the Board looks at, but the issue is how it is handled in the office. They requests

come in all different ways so there needs to be a procedure on how to handle these requests. Candace sends a response back to the requester and asks how they want to proceed to the warrant as the Board does not lift warrants. Candace would like to have this regularized in the agency. It was suggested the warrants desk will do this process. Nancy will schedule time with Candace, Malinda, Michelle and Abbie to figure out the process and have it formalized. The policy was adopted August 17, 2006. Some issues to discuss are who can request the lift of a warrant and what the appropriate response should be back to the requester.

- **BOPPPS Workgroup:** Steve is convening a workgroup to look at the hearings process generally and Board rules, procedures and statutory requirements. The kickoff will be the beginning of August and will have recommendations by November for the Board to consider. There will be written report. If there are legislative changes, the Board is working closely with Gov's office. There will be more information at each Board meeting. There will be about 12 involved in the workgroup, which will include two district attorney representatives, DOC, two criminal defense representatives, community corrections, DOJ, Crime Victims United, Parents of Murdered Children, Partnership for Safety and Justice, county victim services, and Judiciary Committee counsel.

9. Future Board Meetings:

- August 18, 2008
- September 15, 2008
- October 20, 2008

10. Additional Items for Consideration:

- Darcey would like to have the Notice of Rights at next month's agenda.

Meeting adjourned at 11:20 a.m.

Minutes submitted by Susan Deschler, Executive Assistant