



Oregon Board of Parole

& POST-PRISON SUPERVISION

Board Business Meeting Minutes Thursday, July 31, 2014

Call to Order and Note of Attendance: The meeting was called to order at 11:05 a.m., and note of attendance made: Board Chair, Kristin Wings-Yanez; Board member, Sid Thompson; Board member, Michael Wu; Executive Director, Brenda Carney; Board staff, Shawna Harnden; Department of Corrections Release Services Manager, Hank Harris.

Meeting Minutes: Minutes from June 23, 2014, edits previously suggested. Wings-Yanez moved to adopt, Wu seconded.

Chairperson Comments:

- Wings-Yanez, Harnden and Board Warrant Specialist, Marron Easley-Holmes met with Deputy Compact Administrator, Mark Patterson, Compact Coordinator Ruby McClorey and Extradition Officer, Nicole Kellogg. The Compact rules have changed. It is no longer mandatory to retake a violent offender, based solely on them being deemed a violent offender with one violation. We discussed current processes with Compact and Extradition cases and specific topic of auto revoking. We cannot auto revoke when they are an active Compact case. Once Compact closes interest, the Board gets back our full authority and can then review the case to determine the appropriate action.
- On Monday, attended the quarterly Crime Victim Task Force meeting. Brad Berry, Yamhill County District Attorney, is piloting a program with a therapy dog named Marybeth. Marybeth is trained as a therapy dog to assist with crime victims. She has her own twitter feed and passed out her business cards to everyone at the meeting. There will be new legislation proposed at the next Legislative Session regarding revenge porn, more accurately termed as Improper Use of Sexually Explicit Materials, and classified with Harassment. It is when images are originally created with consent but then later is displayed publicly without consent. There currently are no laws in place specifically for these types of behaviors. An ongoing discussion with the task force is the creation of a non-compliance Board regarding victims' rights. Wings-Yanez will continue to follow as it progresses.
- District Attorney's Association will be holding their summer conference August 14th. Wu and Wings-Yanez will be doing a presentation.

Executive Director's Update:

- HB2549, Sex Offender Notification Tier System: DOC Transition and Reentry Administrator, Cindy Booth, advised rules have been drafted but she is waiting for them to be approved.
- Attended Oregon Association of Community Corrections Directors (OACCD) and Sex Offender Supervision Network (SOSN) conferences this month. No significant updates for the Board at this time.
- Hired a new Records Specialist, Adam Alexander and a temporary Receptionist, Alysha Gonzales. They are both in the process of training and cross training. Supervisor Harnden and Carney are looking at all the desks for basic clerical duties that can be taken on by the reception desk and assist with alleviating other desks of those tasks. Carney will be working on the review and possible reclassification of the Records Specialist and Receptionist positions. It appears the last update on either of these positions was in the 1990s and the duties that these desks are currently performing exceed their current classifications. The Agency Request Budget is completed and has been delivered. Carney and Harnden will be working on the key performance measures and the annual performance progress review. Wings-Yanez advised that Carney went into great detail on the justification for the policy packages requested.
- Currently working on the letter to the E-Board, to formally request the funds needed regarding the PBMIS rewrite. While it was approved and money was reserved for this project back in February, the formal request still needs to be submitted. This letter is due on Monday.
- Department of Public Safety Standards & Training (DPSST) is launching their new curriculum with the basic academy in September. Carney is reviewing the Parole Board section of the training to ensure the information is as updated as possible. Unfortunately, DPSST has scheduled the Parole Board training during a time when Carney & Wings-Yanez will both be unavailable to attend. The old curriculum allowed sections to be moved around as long as the topic was covered. The new curriculum is fashioned in a manner of how the work actually flows for the POs from beginning to end. This new curriculum prevents the classes from moving into a different order. Carney will be working on scheduling time for the training or recruiting someone else to train on behalf of the Board

DOC Update:

- Harris advised his team is working to update the housing section in the release plan document. One of DOC's key performance measures is the tracking of the type of housing the inmates are releasing to. They are looking at creating a drop down menu to allow the proper type of housing to be selected. This will allow DOC to pull accurate data on statistics on offenders releasing to private permanent housing or subsidy housing options.

Old Business:

- OAR 255-062-0011: Type of Hearing Eligible for a Deferral of More than Two Years. The rule as written does not encompass post 1989 convictions. This rule revision simplifies the language of our rule by following the statutory language more closely. ORS 144.125(2) and 144.228. The Board's current practice as to murder review hearings, exit interview for pre-1989 crimes, and parole consideration hearings for dangerous offenders will not change. The change clarifies that extended deferral is available for all hearings on inmates convicted of aggravated murder (regardless of crime commitment date), which is clear in statute but formerly unclear in our rules. In most cases, the Board will continue to set new parole release dates from the current projected parole release date or parole consideration date. What this rule language means is that the new projected release date must fall within the parameters of between 2 and 10 years from the date of the hearing. The notice went out June 23rd, with last date for public comment being August 22, 2014. Further action can be taken at the next Board Business Meeting on August 25, 2014.
- 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. Wings-Yanez continues to await further feedback from victims' rights advocates and legal organizations. The Board continues to hold these discussions, and there is no update at this time.
- OAR 255-080-0008; 0011: Notice was filed March 27, 2014. Temporary rule was also adopted. Public comment was received by one individual advising they did not agree with changes. This rule change makes it clear that everybody's requests will be treated the same. The full argument needs to be submitted in the Administrative Review and any additional pages submitted are exhibits only and not considered additional arguments. For the requests that fail to comply with the rules, the language will now state the Board shall deny review. This will allow the Board to be fair, concise and consistent with all requests. Wings-Yanez moved to permanently adopt; Wu and Thompson seconded.
- Sex Offender Level System: Our agency is currently waiting for DOC to move forward with their rules on this topic. We have exhibits that will need to be included with our rule adoption when that time comes. Currently our Division 60, section 16 is where we have the predatory sex offender rules. These rules will need to be flagged for future amendments but those will come at a later date and we will not put them on the agenda at this time. Wings-Yanez stated a new division will need to be adopted for the Sex Offender Notification Levels. She proposes creating these rules in in Division 85 and labeling it Sex Offender Notification Levels (SONL). Harnden advised when adopting these new rules to space the numbers in increments of at least five to allow for additions to the rules. Wu and Thompson agree to creation of Division 85 as SONL rules are developed.
- The notice of rights for our hearings and its language regarding timelines for submissions for hearings has been on the agenda in earlier months. No update at this time for this topic.

New Business:

- Nothing to report.

Future Board Meetings:

- August 25th @ 10:00 a.m.
- September 29th @ 10:00 a.m.

Meeting adjourned at 11:44 a.m.