



Oregon Board of Parole

& POST-PRISON SUPERVISION

Board Business Meeting Minutes Monday April 25, 2011

Call to Order and Note of Attendance: The meeting was called to order at 9:08 a.m., and note of attendance made: Aaron Felton, Jeremiah Stromberg, Darcey Baker, Michelle Mooney, DOC Community Corrections Chief Mark Cadotte, and guests Lynda Beecher, Diana Janowski, and Christina Torres. Excused from the meeting Candace Wheeler, and DOC Director Max Williams.

Meeting Minutes: Minutes from the meetings held on February 28, 2011, March 14, 2011, and March 25, 2011, were reviewed. It was noted that the title on the minutes for all of these meetings was incorrect. Minutes adopted with the noted corrections to titles.

Chairperson Comments –

- **Budget:** The Board made its presentation last week in front of the Legislature's Ways and Means sub-committee on public safety. Aaron thought the presentation went really well and the committee members only had a few questions of the Board. Aaron wanted to thank Jeremiah and other Board staff for all of the time and work put into preparing the presentation.
- **Training:** Last month Aaron attended the NIC New Chairs Conference held in St Louis. Aaron thought that the conference was successful and was pleased that he was able to meet with many professionals from other states and share information.
- **Executive Director Recruitment:** The recruitment has closed and interviews will be held some time in the next few weeks.
- **Legislature:** SB63 is the bill initiated by the Board regarding the residence county of inmates releasing onto supervision. The bill has been passed in the Senate and is moving into House Judiciary tomorrow. Aaron will attend and make a statement.

DOC Update –

- **Budget:** Doc has finished with their presentation to the Public Safety Ways and Means subcommittee. SB75 is in front of the House Judiciary and Mark will be testifying this afternoon. SB75 requests that local control inactive status be continued; this aligns local

control practice with the Board's practice and does create a savings of about 1 million per biennium.

Executive Director's Update

- **End of Biennium:** Jeremiah is beginning the process of preparing our contracts for the next biennium. Darcey would like to see language added to the hearings officer IGA contracts that they must attend the Board's hearings officer training annually.
- **HO Training:** Michelle Mooney will begin training as a hearings officer to provide back-up coverage to Tami Jarnport.

Old Business:

- **Administrative Review Request:** The Board had asked Mark Cadotte to follow up with the jail inspectors on what materials the inmates/offenders are allowed in local county jails. Offenders are allowed variety of paper sizes if for the purpose for legal mail. However, some jails do not allow inmates the use of pens, only pencils. The Board will suspend the use of this rule as it applies to county jails and will revisit the rule in the future to make amendments. Follow up with county jail law libraries and send them current Exhibit O and rules.
- **SVDO/PSO:** The Board is moving forward with adopting the use of the STATIC-99R form. Darcey has been communicating with DOJ, seeking advice on amending the Board's rules and how to implement the use of the STATIC-99R. Darcey will request that Steve Wolf, the Board's general counsel, prepare a formal statement of advice relating to offenders that refuse to participate in the hearing or evaluation process. The Board will review the formal advice at the next meeting.

New Business:

- **Requests to Leave Country:** The Board has seen an increase in requests from the counties, asking for consideration about whether an offender should be allowed to travel out of the country. Darcey would like to know if the Board wants to develop a policy, or if these decisions should be deferred to the counties. Aaron and Jeremiah will take the topic to OACCD for input.
- **OAR 255 Division 60 Predatory Designations:** The Board is moving forward to adopt the use of the new STATIC-99R. In order for the Board to use this form the Board's rules need to be amended and notice provided to the institutions. Darcey presented an amended draft of division 60 that includes the amendments to the sections that apply to predatory designations. She would like the Board to review the rule in its entirety so if there are other amendments they can be made at the same time. The draft will be reviewed and

- **HO Training:** The annual training is scheduled for June 3, 2011, at DPSST. Training will be from 9 a.m., to 4 p.m. There are approximately 55 registered attendees with an average experience of 2.3 years.
- **Temp Rules for Prison Term Hearings Implementing Supreme Court's decisions in *Janowski/Fleming* and *Wilson/Severy*:** Aaron prepared a draft of the new rules. The rules will be placed in division 32 and will become 255-032-0036. The Board adopted the proposed rule.

255-032-0036 Prison Term Hearings for Inmates Found Likely to be rehabilitated.

(1) An adult inmate convicted of murder as defined in ORS 163.115 or Aggravated Murder as defined in ORS 163.095 committed on or before October 22, 1999, whose sentence has been converted to life with the possibility of parole based on the Board's determination that the inmate is likely to be rehabilitated within a reasonable period of time.

(2) The Board will conduct the hearing under the provisions of Division 030 in place at the time the hearing is conducted, and will establish the prison term or take other action authorized under the law and administrative rules in place at the time the inmate committed the crime.

- **Predatory Designation Review:** Darcey has been working on a clean up project reviewing all of the predatory designations made by the Board. She is almost a quarter of the way through the list, and has been assisted by Debra and Abbie. The project point is to review and document how the designation was made and under what rule(s) so future members or staff will have the information available to them.

Future Board Meetings:

May 9, 2011

May 23, 2011

June 27, 2011

Meeting adjourned at 10:57