



# Oregon Board of Parole

## & POST-PRISON SUPERVISION

### Board Business Meeting Minutes Monday, December 30, 2013

**Call to Order and Note of Attendance:** The meeting was called to order at 10:07 a.m., and note of attendance made: Board Chair, Kristin Wings-Yanez; Vice-Chair, Candace Wheeler; Board member, Sid Thompson; Executive Director, Brenda Carney; Department of Corrections Transitional Releasing Manager, Hank Harris; Board staff, Shawna Harnden. Also in attendance were members of the public; Karen Cain, Doris Mercier and Catherine Meyers.

**Meeting Minutes:** November minutes previously reviewed, edits suggested. Wings-Yanez moved to approve minutes. Wheeler seconded. Passed.

#### Chairperson Comments:

- Wings-Yanez attended the District Attorneys Conference in Salishan and gave a presentation. The main focus was regarding the record the Board has before it at hearings and what district attorneys can do to provide information to the Board. A suggestion was made that when there is a murder case, the assigned district attorney could send the Board a detailed report of the crime. Discussion with the Governor's Office regarding the vacancy coming up in February for the Board has taken place.

#### Executive Director's Update:

- All three positions have been permanently filled. Fay Stetz-Waters was offered and accepted the Hearings Officer position. Debbie Wade and Cindy Rogers were offered and accepted the Administrative Specialist 2 – Assessment Specialist positions. They will begin on January 6, 2014.
- The mandatory training on December 6<sup>th</sup> went really well. The overall feedback from everyone seemed to be positive. Carney advised the staff met for their staff meeting last Thursday, December 19<sup>th</sup> and they provided additional suggestions on how to continue with the items learned at the training. Wheeler suggested a formal evaluation be done for any future training. Wings-Yanez and Carney agreed.
- The final affirmative action plan has been completed and is posted on the website.
- Information regarding HB2549 Sex Offender Notification Level System has been posted on the website. This is just general information advising of the breakdown on what the process will be over the next couple of years.

- Carney advised she was able to complete and extend our psychological contracts thru June 2014, for our current evaluators. She is currently working with our contracts department on the process to attempt to recruit for new doctors.
- A draft letter and questionnaire has been created for the individuals that will be affected by the passing of HB2549. These items will be sent out to the approximately 4,000 registered sex offenders that have not had a Static99R assessment done on them. The letter will advise them of what the HB means for them and what steps they will need to take. This bill will not take effect until January 2017. Department of Corrections will be doing the Static99R for all offenders currently in their custody. Any sex offender on supervision will have their assessments done by Community Corrections, with the exception of women and juveniles. Wings-Yanez advised this will be an on-going agenda item as we start to work on drafting rules for this bill. Harnden advised that since it will involve DOC, it is considered a joint rule and DOC's Rule Coordinator, Birdie Worley, will need to be included.
- Board met with DOC to discuss the backlog on receiving PSR's (post-sentence reports). Carney is working with staff Kim Coons to develop a standardized PSR format. The PSR is needed if no PSI is received. DOC is responsible for doing the PSR's but there has been a several year backlog.

#### **DOC Update:**

- Harris inquired on the status of the Short Term Transitional Leave emergency releases. Wings-Yanez advised the process is working as normal just on a quicker timeline. Our Victim Specialist, Debbie Wojciechowski, has been keeping up with the releases and notifying the victims accordingly.

#### **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. The statute does state those offenders are eligible for a deferral; however, as it is written, the statute anticipates the Board will defer 2 to 10 years from the date of the hearing.. The Board's practice is to defer for 2 to 10 years from the current projected release date. This will need further review to ensure our rules and practices are in line with the statute. Wings-Yanez advised it may need a statutory change along with a revision of the rule. The deferral should be from the current projected release date not the hearing date.
- Division 75 – Return to prison for certain offenders, those convicted of murder under the sentencing guidelines from 1989 – 1995. We are still completing our review of the legal issues involved before we draft any proposed changes to this rule.

#### **New Business:**

- OAR 255-070-0003: Offender Return to County of Residence. – Rule states the offender shall reside in the county where the offender resided at the time of the conviction unless a waiver is granted. Statute says if the offender was already on supervision, the offender goes back to the county where they were being supervised, whether the offender resided there or not. Our rule doesn't specifically capture that

piece. Wings-Yanez wants to amend the rule to be in line with the Board's practice and statute. This amendment will be discussed at the next Board meeting.

- Wheeler advised there has been discussion in the past regarding the need of a statutory fix for the second Exhibit R hearing which currently requires Morrissey rights. Wings-Yanez advised this will be an item for her and Carney to bring forward to Legislature.

**Future Board Meetings:**

- January 27<sup>th</sup> @ 10:00 a.m.
- February 24<sup>th</sup> @ 10:00 a.m.

Meeting adjourned at 10:53 a.m.