



# Oregon Board of Parole

## & POST-PRISON SUPERVISION

### Board Business Meeting Minutes Monday, June 9, 2014

**Call to Order and Note of Attendance:** The meeting was called to order at 10:03 a.m., and note of attendance made: Board Chair, Kristin Wings-Yanez; Board member, Michael Wu; Board member, Sid Thompson; Executive Director, Brenda Carney; Board staff, Shawna Harnden.

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

#### Chairperson Comments:

- Notes that May 27, 2014 meeting was rescheduled to today due to technical difficulties.
- Wings-Yanez and Thompson attended the Association of Paroling Authorities International (APAI) yearly conference and an additional seminar on sex offender risk and needs put on by the National Parole Resource Center (NPRC). Both received scholarships to attend, keeping the agency costs to a minimum. The conference had great topics to cover, and having the ability to network with colleagues is such an asset. Thompson advised the state of Georgia transferred their entire parole system to an electronic process within a year and hopes to use some of their ideas in our office. Wings-Yanez is hopeful that Board members will continue to be able to attend these conferences in the future.
- Wings-Yanez will be reaching out to our fellow stakeholders to continue to build upon our relationships. This will be a major focus of the Board management team.
- Wings-Yanez and Wu will be attending the Oregon District Attorney Association (ODAA) conference in August.

#### Executive Director's Update:

- Two positions became vacant in April; one of the assessment positions and one of the records positions. The assessment position was offered and accepted by Tara Goettsch and our records position was just offered to and accepted by Adam Alexander.
- PBMIS rewrite project has started the beginning stages. DOC was approved by Legislature to use their staff to do the project and just bill the Board. DOC posted for a business analyst position and two developer positions. The business analyst was hired; however, no qualified applications were received for the developer positions. They have re-opened the position, listing it as job rotation opportunity. They are hopeful to get these positions filled quickly.

## DOC Update:

- No updates to report.

## 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. Wings-Yanez advised there is no change or update on this. Review continues.
- Division 75 – Return to prison for certain offenders convicted of murder under the sentencing guidelines from 1989 – 1997. The Court’s decision in *Hostetter v. Board*, holds those offenders cannot be returned to prison as a sanction. Wings-Yanez stressed that the intent of the Board in the revision is to reflect the case’s decision in our administrative rule. The Board reads the decision as applying only to those convicted to determinate sentences (for murder) in the time period the CJC rule in question was in place. This means offenders who received a set term of years (typically 10) and then were released without a Board hearing and then were to serve lifetime PPS. This does *not* apply to individuals who received an indeterminate sentence—a life sentence with a minimum (such as for aggravated murder). Those individuals continue to be eligible for return to prison. Wings-Yanez moved to vote the rule as permanent. Wu seconded.
- 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 255-070-0003 Offender Return to County of Residence: As discussed at earlier meetings, this rule does not specifically provide that if an offender was on supervision at the time of the instant offense, he/she will be returned to the county where they were being supervised, as outlined in statute. This is the Board’s practice; however, it is not clearly outlined in our rules. Wings-Yanez will discuss with DOC, as this will be a joint rule, and will bring changes to a future meeting. Review continues.
- Sex Offender Level System: Over the next month, DOC will be drafting a rule that adopts the risk assessment tool that will be used for this system. The Board is going to be adopting the exhibits that will be used for offenders to object to their risk assessment score. A process will also need to be created for PSRB offenders and out-of-state registrants entering Oregon.
- The notice of rights for our hearings and its language regarding timelines for submissions for hearings has been on the agenda in earlier months. The current notice of rights form states to get the documents to the Board within 7 days, where the rule states to get your documents to the Board within 14 days. Our agency has not held people to the 14 day requirement, because that is not what it states on the notice of rights form. The Board wants as much information as they can obtain, so it is rare for them to deny anybody their submission of documents. We are working on a revised notice of rights form and will discuss at a future meeting. Will move this item on the priority list for this summer.

**New Business:**

- No new business, covered above.

**Future Board Meetings:**

- June 23th @ 10:00 a.m.
- July 28<sup>th</sup> @ 10:00 a.m.

Meeting adjourned at 10:23a.m.