



Oregon Board of Parole

& POST-PRISON SUPERVISION

Board Business Meeting Minutes

Monday, November 28, 2016

Call to Order and Note of Attendance: The meeting was called to order at 10:02 a.m., and note of attendance made: Board Chair, Michael Wu; Board Member, Patty Cress; Board Member Sid Thompson; Board Policy Analyst, Perry Waddell; Department of Corrections Assistant Director, Jeremiah Stromberg; Brenda Carney, Executive Director; Keiko McKenzie, Administrative Assistant; Department of Corrections Rehabilitation Manager, Hank Harris; No public attendees.

Meeting Minutes: Minutes from Monday, October 31, 2016; move to accept into record. Herrman moved to accept them, Cress second the motion. With no objections, Wu accepted the minutes.

Chairperson Comments:

Wu advised there are not a lot updates at this time. There are some personnel changes, which our Executive Director will get into in terms of departures, and rotations. The Board is soliciting new interest forms for the vacant Board position. There has been interest; the Vice Chair Herrman and Chair Wu are in the process of informational meetings with interested candidates. Cress was very gracious enough to meet with one particular person so far as well.

With the legislative session starting up in 2017, the Board is hopeful to have the 5th board member in place during 2017. The other major update is that Board members Cress and Wu did attend the Oregon Association of Community Corrections Directors (OACCD) in Eugene. They were given the opportunity to give an update on the upcoming changes to the Board's medical marijuana policy. A draft copy of what the new policy might look like was circulated and the Board invited feedback from OACCD. As of yet no feedback has been received. Next week the Board will begin the process of having the draft policy vetted by the Department of Justice for their input.

The other update, the Board has spent some time discussing the possible changes to the Board's approach regarding directives under GC13. New case law has called into question the legal basis for some of the GC13 orders the Board has received. The Department of Justice continues to work on that legal advice. Some of it is coming down to: What is a condition? What is a directive? The Board has proposed to OACCD to attempt set up a time with some content experts from OACCD and Department of Justice, this would allow the Board to get direct information for DOJ and OACCD about what concerns both parties have and what, if any changes might need to be made in order to deal with that case. At Stromberg's invitation, Wu was able to an earlier session of OACCD that the Criminal Justice Commissioner conducted regarding prison usage,

and he thanked Stromberg for the invitation. Wu asked Cress if she had anything to add. Cress advised nothing to add.

Wu added that Board Victim's Specialist Robyn Masella did participate at OACCD regarding the post-conviction support network. Wu is happy that post-conviction victims' advocates are working with OACCD, and will be positive for victims in the system. The Board is glad that Robyn Masella was able to be a part of that. The other item the Board will put on the upcoming legislative agenda, will be the Sex Offender Notification Leveling System. End of updates from Wu.

Executive Director's Update:

Carney advised there is not a long list this month. The Board has had some employees move on to permanent or job rotation positions with DOC. Currently the Board has job rotation recruitments out for two Office Specialist 2 positions. One of those rotations will be as an assistant at the annex and the other will be to cover the current vacancy at the warrants desk. There also are two job rotation recruitments for two additional Assessment Specialists. They are Administrative Specialist 2 classifications. The Board has one permanent recruitment for an Office Specialist 2 position in the records office. This position was reclassified last week by DAS. It was formally an Office Assistant 2. This agency was the only in the state that still had this classification. The Reception position was filled with a temporary employee that begins today with the opportunity to continue employment for up to a year. The rotation for the permanent employee has been extended for about a year. Carney will be taking leave of absence from December 12th, 2016 through January 13th, 2017. Board members and management have been discussing about how those work duties will be distributed during that time. With regards to budget, we are waiting for the governor's budget. There is a director's meeting on December 1st to discuss the statewide outlook and waiting on an update. Lastly, there is a basic Parole & Probation class at the academy that begins in January. Carney would normally co-facilitate this class. An inquiry with DPSST has been made to have a board member co-facilitate the class. Carney advised no news on the legislative concept with regards to extending the timelines. Carney stated that there is a lot more work that is being done and that could potentially get changed. No updates on legislation. End of updates. DOC Update:

Stromberg advised he has two quick updates and asked Hank Harris for his updates. Harris advised that he met with Shawna Harnden regarding the PBMIS piece and moving forward with electronic Release Packets. There will be another meeting this week. Stromberg advised they spent some time with OACCD discussing the structured sanctions grid. Stromberg rolled out the new grid draft to start receiving feedback from the directors. Overall it was perceived very positively. There were a few minor things, edits and questions that OACCD had. Stromberg is working to edit that draft before the next phase begins, which would be a period of review and testing. This will be an ongoing development. Stromberg will be sending the work group minor edits at the suggestion of OACCD and since Board member Cress is in on the work group the Board will receive them too. Stromberg advised they should be minor changes and will then start to look at what the testing would look like. A few counties have already contacted Stromberg to adopt it now. He noted if they wanted to make it their own county grid it does fall within the confines of the current state grid. The hope is by the January, OACCD would have some sort of pilot review process working. Stromberg is working with a few different individuals and the work group on what that might look like. Stromberg reported that DOC and the counties have begun

working to clean up local detainers and holds that are on inmates. 200 female inmates and 2000 male inmates have county holds on them while incarcerated at DOC. This has had an impact in a variety of ways. First and foremost, inmates are not eligible for any sort of early release program so no, Transleave, and no AIP. Second, it limits flexibility for housing options as well as, and work options. Inmates cannot work outside the fence, cannot be in an unfenced minimum, just a variety of things that having a hold is going to impact. Probably, most importantly, upon release from DOC the inmate is being detained, and transported to a county jail. That's how they are beginning re-entry and transition back into the county due to the hold that needs cleared up. Stromberg states they have identified the 2200 inmates that have county holds and are begun to provide the counties, including the DA, Presiding Judge, the Jail Commander, the Sherriff, Community Corrections Director, and the Defense Bar or someone closely related to the defense side with in the county, a list of who has a hold and what it is. . DOC is providing information about the holds and is not advocating that they should be dropped, but they are leaving that to the local authorities. Some of those holds should remain in place. Others of them can be cleared while the person is in DOC custody and others of them are actually old, outdated and should not be there in the first place. Clackamas County cleaned up 12 just through their Sheriff's office's efforts. Some of them were sanction holds, and old Post-Prison and Probation holds that are irrelevant. Action had been taken and a decision had been made, but the hold remained in place while they came to DOC. Harris has attempted to clean these up throughout the course of a person's incarceration. A list of all the new holds will be provided to each county every 30 days for all new inmates that have come into custody. DOC is looking into this issue, regarding holds, in the context of the ongoing discussions regarding bed space at Coffee Creek Correctional Facility. Also if there are eligible participants for AIP and Transleave and the hold is the only thing preventing release DOC wants to be able to move them forward. The Board will be kept updated on this issue. Stromberg advised hopefully what will result are less release plans that involve there being a local county hold in place. Especially if it is irrelevant, or could have been cleaned up during their stay with DOC. Stromberg asked Harris if he anything to add. Harris was wondering if some of the holds were for just notification purposes. Stromberg advised that that a lot of the holds are coming out of the municipal courts for minor violations but they didn't show most like due to being in custody. The municipal courts do not use the same Odyssey System as the State Courts, which do not use the same system as DOC. There is just a lack of communication and so some of the inmates have holds for community service they failed to show to because they were already in custody. They are serving 90 more days of prison because of it in some cases. Wu asked if counties and courts have the capability to video conferencing avoiding transport. Stromberg and Harris stated that is unknown and the equipment is outside a secure perimeter, which could be an issue for having inmates within the unsecured area. The Sheriff's Office and Jail Commanders have been reminded to maximize the option of video conferencing. Goal is to have the court appearances as easy and quickly as possible. End of updates.

Old Business:

New Business:

N/A

Future Board Meetings:

- Tuesday, December 27, 2016

Meeting adjourned at 10:22 a.m.

