

# FAUG MEETING MINUTES

## Jackson County

November 19, 2014 - 1:00 p.m. to 5:00 p.m.

November 20, 2014 - 8:30 a.m. to 12:00 p.m.

### Meeting Location:

Community Justice Juvenile Services Center  
609 W. 10<sup>th</sup> St.  
Medford, OR 97501

### **Day One:**

#### **Introductions/Welcome/Housekeeping**

**Michael/John/Group**

In attendance: Michael Elkinton (Jackson); Patty Cress (Lead Release Counselor – DOC); Hank Harris (Release Services Manager – DOC); Mary Hunt (DOC); Lee Cummins (DOC); Shawna Harnden (Parole Board); Lily Morgan (Josephine); Larry Evenson (Lane); Charles Adler (Multnomah); Justin Bendele (Deschutes); Allen Bergstrom (Klamath); Berry Hazel (Clatsop); Marne Pringle (Clackamas); Dona Dotson (Curry); Gina Courson (Marion); Natalie Reyes (Multnomah); Christopher Swayzee (Washington); Angel Harp (Multnomah).

#### **Release Plan Changes**

**Hank Harris/Patty Cress**

Some changes are proposed in DOC400 and brought to FAUG for approval. DOC is unable to rewrite the whole Release Plan module at this time, so some updates are being proposed in the Option 46 (W/W Offender Release Plans) module. This Service Request came from the Institutions. The proposed changes include:

- On the first page, the “Release Counselor” and “Caseload Number” area is being proposed to read “Plan Prepared By” and also “Current Release Counselor” to reflect if the Offender changes Release Counselors during the process.
- On the second page (address screen), a proposed change (next to “Waiver Y/N”) will be to add a drop-down box to specify a “housing type” (for data collection persons). One of the options will be required to be entered in order to move on to the next page.
- A change would be a slight expansion of the residential concerns area.
- A change will allow for 3<sup>rd</sup> or 4<sup>th</sup> addresses as backup options for the releasing Offender.
- On the transport line (currently reads “to comm.” and “in comm.”). Proposal that it read “Release Transportation”. An option box would be included to indicate the options (Private/Public/Transport/Direct) available. “Direct” transport would be used if the

Offender has such MH needs that would prevent him/her from being able to maneuver public transportation on their own. Transportation would be provided directly to the PO Office.

\*\*\* FAUG approves the proposed changes. \*\*\*

DOC is trying to get to each county to discuss Release Services and options. They have visited Coos, Lane, Jackson and Josephine Counties to date.

Reminder to select "2" to update the plan; choose "Accept/Deny" on each option proposed. Then select "6" to send it to the Institution. Without choosing "Accept/Deny", the Release Counselor is not notified that the plan is either accepted or denied. Counselors are automatically sent an email when the process is followed correctly. This, ideally, should be back to DOC 75 days prior to release. Plans which are not in "Parole Board Print" or "Completed" status can still be edited. Suggestion made to have DOC train at the PO Academy at DPSST to help in training in regards to Release Plans.

There should not be an instance where a PO would send a Release Plan directly to the Board. The flow intends to have Community Corrections investigate the proposed plan and send it back to DOC. DOC will then send it to the Parole Board.

Request made that if packages/conditions are recommended, that they identify themselves. This helps the Parole Board to contact them to get info on why the package/condition is being recommended to be added. SC10 does cover the largest amount of conditions needed, but the Board can assign specific conditions under certain circumstances. SC7 (Restitution) can be added to order the Offender to pay unpaid Restitution balances on closed cases.

Recommended by FAUG that Trish Michaelson (Shutter Creek) come to FAUG to give training. The last training was quite informative.

Patty and Hank invite recommendations for improvements to the process.

Issues with a Release Plan – Hierarchy of resolution:

1. Release Counselor
2. Patty Cress (Lead) (for training issues on the process)
3. Hank Harris (Manager) (for issues with Release Counselor)

**OACCD**

**Tanner Wark/John Watson**

eCourt issues are still being addressed in OACCD.

**Parole Board**

**Shawna Harnden**

The Board has been working with DOC Release Team and STTL Team. When the Offender posts off of STTL or AIP, the PO should have the Offender sign the PPS Order and the PO should then scan the signed order and send it to [Orders.BOPPPS@DOC.state.or.us](mailto:Orders.BOPPPS@DOC.state.or.us).

No new Parole Board roster is available at this time.

Reminder that on an expired Board case where a LC case still remains active, the field can request that the Board relinquish their authority over the LC case. It will not be done automatically.

PBMS rewrite. The Warrants Module is mostly done. Lee Cummins is assisting with the Sanction Module. Request for PO Testers for testing in the Sanctions Module. Larry Evenson (Lane), Michael Elkinton (Jackson) and Gina Courson (Marion) have volunteered. Shawna will see if they can test in the Warrants Module, as well. The "Send" functions are most problematic at this time. It is hoped this will be fixed with the new PBMS system. A small Hearings Module is being worked on (internally). A group will be prepared for the Orders and Release Plans soon.

Decision Date field. A PO emailed Brenda Carney asking for clarification in the Sanction Module regarding the "Decision Date" field. Who fills that in? What date should be used? Brenda asked Shawna about the history behind that field, as that date does not show up anywhere in the Board's Sanction Module in current PBMS system. Shawna reached out to Lee Cummins to see what the history is on this field. Lee found notes from a FAUG Meeting in Nov. 2008. OISC had come to FAUG to ask that the field be entered for time-credit calculation reasons. If they could not find decision date, they would send a form to the PO to get the date. The decision about the "Decision Date" field was raised to OACCD level and approved at that level.

The following info taken from the November 2008 FAUG Meeting Minutes:

### **OISC (Offender Information & Sentence Computation) BETHANY**

Bethany Smith from OISC/DOC was invited to the meeting to help clear up the ongoing confusion regarding the decision date on the structured sanction forms. Her hope coming in is to learn more about our processes to help her better understand the issues relating to this topic, and then to take the discussion back to their legal counsel to help resolve any pending issues. It is hoped that a consensus can be reached soon about how this should be working.

The relevance of the decision date for the purpose of OISC is the impact it has on time served credits for inmates sitting in a county jail on pending charges that later become DOC sentences. Inmates are ineligible per statute for any pre-sentence time served credit if, while sitting in the county jail, they are serving a previously imposed sentence. For OISC's purposes, a previously imposed sentence are the obvious things where the offender goes to court and the judge gives them so many days in jail, or the parole board revokes the offender and gives them so many days in jail. But it also includes the

probation jail sanctions and the local supervisory authority post-prison supervision revocations.

When an inmate comes through intake, it is OISC's process to take a look at the information in CIS to see if there are any structured sanctions that reflect a probation jail sanction or an LSA PPS revocation, and if there are, do they fall during relevant time periods. If they do, then the structured sanction form is printed out and if the decision date is included on the document then OISC simply uses that information and will deny credit for time served as appropriate for incoming inmates.

If there is no decision date provided on the structured sanction form, or if there are questions because sometimes the narrative of the sanction might reflect something that seems to contradict the decision date provided, then OISC will need to obtain further information from the field. This is done by sending a form requesting the decision date to the SOON rep in the last supervising county who is then requested to forward this to the last supervising PO. OISC then waits for that response to come back from the field. At times there has been confusion by OISC about the information that gets returned on those forms.

Q: If the issue revolves around credit for time served, why would the decision date not just be the custody begin date?

A: Because the way the statute reads, it very specifically says if they are '*serving a sentence*' then they can't get pre-sentence credit for another case. When an offender is just taken in on an arrest, they are not yet serving a sentence. If the DOC sentence is consecutive to that jail sanction or PPS revocation, then any days applied to it would also be denied which would include that arrest time. If it is a concurrent sentence, then OISC could only deny the days from when it became a sentence and that would be from when it was officially ordered.

Q: It is generally the case in the field that the offender will get any credit for time served since initial arrest and placement into custody. Is it true that OISC does not give an offender credit for time served since their arrest, even if the court does?

A: The relevant date for OISC is the date that he was sentenced. The county and OISC calculate sentences differently. The county calculates the sentence from the arrest day and OISC is not involved in this calculation. Where it is relevant to OISC is once the offender is serving a DOC sentence, they cannot apply pre-sentence credit to the DOC sentence.

Q: If a PO is doing a basic sanction for say 5 days and it is not served until the third day, would the decision date be the first day that the PO decided to sanction the offender or the third day when the offender accepts the sanction?

A: This is the big question. When an offender is brought in on a violation, at some point a decision is made that the offender will serve a certain sanction. What OISC needs to know is at what point it is official. Is it official when he accepts it, or what if he does not agree and challenges it? At some point the jail has to be notified that the offender is doing so many jail days so that they know when to let him out.

Q: Each county has different levels of where a PO can impose a sanction and when it has to go higher up for approval. If it has to go to a supervisor for approval, would the decision date be when the offender says that he will accept the sanction or would it be when the supervisor approves the sanction?

A: It should be when the supervisor approves the sanction. This would be the official date.

***FAUG's recommendations regarding decision date:***

- When the PO has the authority to impose sanction, the decision date will be the date the offender accepts the sanction and it is officially imposed.
- When an offender accepts a sanction but supervisor approval is required, the decision date will be the date the supervisor approves the sanction.

- When the supervisor approves the sanction prior to the offender accepting it, the decision date would be the date that the offender accepts the sanction and the PO officially imposes it.
- When it is a local post-prison revocation case and the offender has a hearing in front of the hearings officer, the decision date will be the date that the LSA approves the decision of the hearings officer.
- If a PO has the authority to impose a sanction and the offender does not accept it, it would then go before the hearings officer and the decision date would be the date that the hearings officer approved the sanction.
- If a sanction is sent to the board or the judge and it gets overridden, the decision date would be the date that the final authority imposes the sanction, either the court or the board.
- In a nutshell, the decision date is the very *final* date when the sanction is officially approved; no matter how many people or steps that it has to go through in the review process; and fully completed.

In the Board cases, the Board is still the deciding factor. The date the Board votes and makes the decision, that is the decision date. In Board cases, do not enter any date in the decision date field. Proposal to have it included in the PBMS rewrite that PBMS will populate that field; based on the date the Board votes/approves the sanction.

Question asked regarding the Sanction Module. If the PO enters a "Sanction Recommended" and the sanction is denied by the Court, what should be put in the "Sanction Given" section? If the sanction was not given to the Offender because the Court did not approve it, the "Sanction Given" section may be left blank and the disposition of the sanction is to be entered in the "Override" section. In cases where part of the sanction or all of the sanction was served before the Court denied the sanction, the "Sanction Given" section should be filled out with the sanction that was given/served and if anything different is ordered by the Court, that info should be put into the "Override" section.

When sending a sanction, send it to the USERID of BOARDHO in the "Send to Supv UserID" field and put "N" for "No" on "Send SRF to Board" field BOARDHO (when Offender has asked for Hearing, for sanctions of 60 days or above or when recommending revocation).

Betti Spencer (Yamhill) found a bug in Sanction Module (Text Editor), which will repeat lines on the printed sanction. Another bug found in the NOR date field -- will allow invalid dates (e.g. 80/12/14). These will go on the bug list.

FYI – Structured Sanction Workgroup (including Becky Nevi, DOC, Comm. Corr. at PO and Supv level) met and are looking at an existing sanction rule – re: when sanctioning absconded offenders – historically, we would sanction them at risk level the Offender was supervised at time of absconding. EBP is to sanction at level they are when they are returned. They are also looking at an incentive portion. The rule must be rewritten to reflect these changes. This could affect automation. FAUG will be involved if so.

Question asked if an edit could be added to prevent a new sanction being created if a sanction exists in RETU status. The warning/notice exists, but POs can F7 past that and create a new one. This could be addressed in the PBMS rewrite process (however, all coding is frozen during the rewrite process). Nothing can be done at this time.

Issue raised that Board Members are sometimes “too picky” about requirements they want to see in a sanction before approving it. Those sanctions are returned to the PO in RETU status. Reminder that the issue (lacking information or issue with the sanction) will be reflected in the “Board Notes” (option 18) in the sanction. **THOSE ISSUES MUST BE RESOLVED AND THE SANCTION RETURNED TO THE BOARD.** Any questions that POs may have about what Board Members are requesting on RETU sanctions must be addressed with the Board. Reminder that the Board has the final say in what is needed in order to finalize a sanction. If an issue seems to be truly unrealistic, contact Shawna to see if she can assist. If the sanction is in RETU due to an incorrect sending (i.e. sending LC sanctions to Board), send request to Lee to move it out of RETU status.

When a PO needs to complete a sanction on an Offender in PPS/Board status, send an email to Malinda first and then to Lee. Lee needs to know that the Board has reviewed the sanction and see the Board Notes before she completes the sanction.

To check for open warrants by USERID, from PPO Main Menu, select 14.

To check for open sanctions, select 16, 3, 2 (this is a print-report, not a view-report).

Question asked whether an Offender absconding prior to ASR date could be made to prevent the case from going INAC. Shawna will check to see if the Parole Board would approve this and if it could be changed in the PBMS rewrite.

**Compact**

**Ruby McClorey**

Ruby was unable to attend this meeting.

## **Day Two:**

### **Minute Review**

### **Group**

Updates to action items on Aug 2014 Minutes:

- Andie's issue re: trackable conditions and POs' abilities to change them (should that be taken away from POs' authorities?). Some problems have resulted from POs changing the "Trackable" status to "No". Those conditions with outcome measures (REST, COMP, CSWK, SC7) must remain as trackable at time of case closure or it won't count. And, POs can change the "Trackable – Y" to "Trackable – N". Mary feels this is more of a training issue within the counties. There are no statewide requirements...it is all county-by-county.

Suggestion is to lock it from POs. Another suggestion is to lock it for everyone; including Support Staff. Locking it from Support Staff is not ideal, based on some practices. Mary will take the recommendation to SOON next month to lock it from POs, but not from Support Staff and see if they agree.

- Lily's issue re: inconsistency in file label colors from County-to-County. Mary will need to review OPS manual but believes SOON left it as a County-by-County decision. It appears to be an outdated practice, now that all POs use computers. FAUG agrees to leave it as a County-by-County decision. No further action needed in this issue.

### **DOC Update**

### **Lee Cummins/Mary Hunt**

Community Corrections Support Staff Academy was made possible by the SMART Grant – Told SOON, incl. WebLEDS, HIPAA, confidentiality, CCHs, PO perspectives, Sanctions, Warrants, Release Plans, IRTs, STTL people presented about STTL, John Hanson came to show OMS and Case Plans. Some POs came. All worked out well. If another grant is awarded, could do another academy. All has to be paid for by December.

MHCT condition has been added (Mental Health Court).

Lily had sent an email with questions re: auto-emails when someone enters a chrono on your caseload. We do get chronos when a person adds the Offender as a secondary to their caseload. We also get chronos when a person adds a chrono on your Offender's record w/o adding them as a secondary to their caseload. We do NOT get chronos when another PO (either listed as secondary on Caseload Maintenance on that caseload ... or if the Offender's record was already added as a secondary to another PO's caseload) enters a chrono on that record. Discussion had and it was determined that this is working as designed ... and the rules on when notification emails are/aren't being sent to primary PO are as desired by FAUG.

Multnomah Co found that treatment records in the Treatment Module were added after the Offender was discharged. The question was raised whether an edit could be added to prevent this type of change after discharge. It would take a Service Request.

\*\*\* FAUG agreed to author a Service Request. \*\*\*

Chris Bell (Deschutes) had raised an issue to Lee about a glitch in the Treatment Module.

\*\*\*FAUG agreed to add it to the SR mentioned above.\*\*\*

An issue was discovered regarding PSC levels on absconders who have been out over 5 months. When admin staff is readmitting case from ABSC, it wipes out the risk level info on the Caseload View, it is showing the tool, but not the level. Denise Sitler is assisting in a report. Diane is implementing a fix that may prevent most of these from happening. Temp remedy is to do another PSC. Meanwhile, a Service Request is being entered to fix the system.

### **SOON Issues**

**Lee Cummins/Mary Hunt**

Nothing very recent from SOON (they did not meet in Oct due to the Support Staff Academy).

Mary has been working with the State Police Forensic Lab cleaning up old DNA collection records. Many samples have been sent to the lab that should not have been. Additionally, there were a lot of bad samples. Mary worked on cleanup efforts to remove the collection data from DOC 400. State Police is removing the info from the Offenders' CCH records. Most were on discharged Offenders. Some are on current Offenders. If it is noticed that an Offender's record now shows now as "REQ", but the Offender is not qualifying for DNA collection, notify Mary and she will correct that Offender's record. If it showed as "REQ" and the Offender is qualifying, then the DNA collection must be done. From now on, if a sample is submitted that is a bad sample, Heidi Stetson will contact the SOON Rep in that county to remove the info from DOC400 and they will notify the PO that this is being done. Heidi is willing to go to individual counties to train on proper DNA collection.

Pacific Islander "race code" previously did not work with LEDS/WebLEDS, so the code is in the system, but is discontinued at this time.

Similar to "H" (Hispanic) code – technically is not a race, but an ethnicity. It is automatically changed to "W" (White) in LEDS/WebLEDS. FAUG did not object that a Service Request (authored by SOON) be entered to make a similar set up to allow the "P" code, but it would automatically change to "A" (Asian).

### **Roundtable**

**Group**

Larry (Lane): Support Staff want to add to the "W/W Conditions" conditions table the following conditions:

- Interlock Device
- Not Enter Location
- Comply with DHS

Suggestion made for next meeting to review the Conditions Table and determine which conditions are no longer used/needed.

\*\*\*Lee will print/scan the master list and will send it to FAUG DL\*\*\*

\*\*\*Larry will get further details on the “Not Enter Location” condition requested by Lane Co Support Staff and will email FAUG DL\*\*\*

Justin (Deschutes): The code for ALEM – does it use custody units? FAUG agrees that this is a question for OACCD.

Marne (Clackamas): List of sanctions where level has dropped (not appearing). Lee answered question in discussion about ABSC Offenders (see above). Any Offenders on the list that don't fit that category will be sent to Lee and/or Denise to review.

Marne (Clackamas): Are STTL and AIP Offenders (on LV status) are being charged SUPV Fees. Should they (as they are technically Inmates)? Mary believes that the Fee Network set it up do so; that the office is supervising the Offender. \*\*\* Mary will check with the Fee Network to verify and send findings to FAUG DL\*\*\*

Lily (Josephine): Any way to create an edit that prevents a case being moved to Outcount if a PSC has not created (i.e. if the Offender absconds right away)? As funding is tied to the PSC, a completed PSC is all-important. Mary added that if an Offender is released to an office on PPS, but the Offender is sent elsewhere (ICE Hold or Compact), there was a need to have the PSC done before closing those cases to Outcounts. \*\*\*Mary will be taking this issue to SOON for that reason and advise FAUG.\*\*\*

Lily (Josephine): One employee is not receiving emails on the CCB ALL distribution list. Lee found that Josephine Co has not included that PO on their own DL. Lily will address that with their IT Dept.

Lily (Josephine): Case closures – is it a county-by-county decision on doing Closing Summary v in-house closure? Yes, except for final Closing Summary on any Felony case or Misd. Sex Offense case...that still has to be done for OISC. Question raised whether a Felony that expires and leave running Misd cases would make a difference. Mary said this is going to be discussed at the next SOON Meeting.

Lily (Josephine): They have learned that there is a reason why access is restricted on eCourts info. It has to do with the developer, not with the Courts administration. This is being reviewed.

Gina (Marion): Can add OTTO to do Earned Discharge reminders? Due to variables in each case and the system's inability to know all details of that case, it is not likely that OTTO can be used for that. \*\*\*Mary will check with Denise to see if this is possible and report back to FAUG.\*\*\*

May 2015 Meeting will be in Deschutes Co.

**NEXT MEETING –**  
Deschutes Co.  
May -19, 2015