

MINUTES  
Psychiatric Security Review Board  
Administrative Meeting  
Juvenile Panel  
December 12, 2016  
*Approved June 21, 2017*

An administrative meeting was convened on December 12, 2016 at 11:05 a.m. in the fourth floor conference room of the Psychiatric Security Review Board offices, 610 S.W. Alder, Suite 420, Portland, Oregon. Juvenile Panel Board members present were Shelly Casteel, Chair; Bob McKelvey, M.D.; and Cathy Miller, Ph.D. Board members Kate Kuenzi, J.C.C., and Charles Kochlachs, J.D. attended via telephone. PSRB staff present in person included Juliet Britton, J.D., Executive Director; Sid Moore, Deputy Director; and Jane Bigler, Executive Secretary, as note taker.

The meeting was called to order by Shelly Casteel, Board Chairperson. Ms. Casteel noted that there were no members of the public present so she would skip the “public comment” portion of the agenda and move on to the review and possible adoption of the Administrative Meeting Minutes from May 4, 2015. The Juvenile Panel reviewed the minutes. Ms. Kuenzi moved to approve the minutes as written and Ms. Casteel seconded the motion. The motion passed with one abstention from Mr. Kochlachs.

Next, Ms. Britton noted that it was time to elect a new chairperson for the Juvenile Panel. After a brief discussion regarding the relative newness of most of the panel, Ms. Casteel agreed to continue as the chairperson for the Juvenile Panel. Dr. McKelvey moved to have Ms. Casteel continue as the chairperson and Dr. Miller seconded the motion. The motion was approved unanimously.

Ms. Britton moved on to the Executive Director Update:

- Budget Update – the Agency Requested Budget has been submitted. There were no significant changes requested and the current submission is very similar to what had been approved for the 2015-17 biennium, with no special requests for additional funding. The Department of Administrative Services (DAS) and other stakeholders are in agreement with what has been submitted. One of the Board members inquired about funding for some type of alternative to using Sugarsync and Document Mall for secure file transfers. However, Ms. Britton noted that staff is still seeking an appropriate solution with the required security.

- Legislative Concepts –

- Development of a Restorative Justice (RJ) Program – there are currently no formal RJ programs in the country for forensic mental health systems and the Board would need statutory authority due to various confidentiality constraints. Mr. Moore further noted that the PSRB would not be running the RJ program and any records created from the RJ program would not be included in the PSRB records.
- Notifications – this concept would extend the current notification of the outcome of hearings from 15 to 30 days. In addition, the requirement to notify the original judge/court would be removed, but would allow a judge to still ask to be notified. At this point, there has been no opposition to this concept.
- Renaming of “mental disease or defect” – the terminology is antiquated and offensive. The change in name would not change the

definition and the effect of the change would be limited to PSRB only. The current replacement is “psychiatric disorder or cognitive limitation.” The administrative rules are there to specify/define what the language means. Currently the DSM 5 uses the term “disorder.” The majority of the comments from stakeholders are in support of this change.

- Sex Offender Registration and Prohibition to own/possess a Firearm
  - This concept would require that the court notify the defendant when he/she is required to register as a sex offender (defendants placed under the adult panel only), as well as the prohibition for PSRB clients to own or possess a firearm. This would result in an informed decision by the defendant at the time of adjudication.

Ms. Britton further noted that there is no expected fiscal impact for any of the proposed concepts.

- Best Practices Survey/Key Performance Measures (KPMs) – Board members can expect to receive another survey once the budget is finalized.

Next was a discussion of Issues and Possible Board Action:

- Dr. McKelvey’s term is expiring. Dr. McKelvey is the last of the original 5 Juvenile Panel members. Ms. Britton thanked him for his service. Ms. Britton indicated that a prior Adult Panel member may be interested in filling the position.
- Hearings – March 6<sup>th</sup> is the next full hearings day unless there is a revocation. There are currently only 8 youth under jurisdiction of the PSRB.

- Delegation to Sid Moore, Deputy Director – Ms. Britton stated that recently the adult panel authorized Mr. Moore to make changes/updates to regulatory language, such as when the DSM changes, but no substantive changes. Mr. Moore will continue to notify Board members that a change was made. Ms. Casteel moved to delegate the “house-keeping” language changes to the rules to Mr. Moore. Dr. Miller seconded the motion. The motion was approved unanimously.

Ms. Britton inquired if Board members had any concerns regarding hearings, process, rules, etc. Ms. Casteel noted that she would like notification when issues such as the recent incident at the Children’s Farm Home occur. Ms. Britton assured the members that she would continue to keep them apprised of any similar significant incidents. Dr. Miller noted that she was not comfortable with the current hearing script.

Lastly, Ms. Britton noted that the Adult Panel holds Administrative meetings quarterly, but considering the caseload of the Juvenile Panel, she believes that twice a year would be sufficient. Ms. Britton stated that the next meeting will be a joint meeting with the Adult Panel; it is scheduled to be held on Wednesday, June 21, 2017 at 10:00 a.m. The second Juvenile Panel meeting is scheduled for December 8, 2017. Ms. Kuenzi asked if the Board could explore holding hearings on a different day of the week. After an informal poll of the members, it seemed best to continue with the Juvenile Panel hearings on Mondays.

The Juvenile Panel Administrative Meeting adjourned to Executive Session at 11:50 a.m.