

MINUTES  
Psychiatric Security Review Board  
Administrative Meeting  
Joint Panel  
June 23, 2021  
*Approved November 18, 2021*

An administrative meeting of the Psychiatric Security Review Board convened on Wednesday, June 23, 2021 at 8:30a.m. via zoom in the Psychiatric Security Review Board's conference room at 610 SW Alder Street, Portland, Oregon, 97205. Board members present via zoom and telephone were:

- Adult Panel: Scott Reichlin, M.D. (psychiatrist member); Pamela Buchanan, PsyD (psychologist member); John Swetnam (public member); Anne Nichol (attorney member); and Trisha Elmer, P.P.O. (probation member)
- Juvenile Panel: Kate Kuenzi, J.C.C (probation member) and Cathy Miller, Ph.D, APBB (psychologist member)

Psychiatric Security Review Board Staff present were Alison Bort, Executive Director; Mandy Standiford, Deputy Director; Megan Carpenter, Executive Support; and Christine Forbes; Hearings Officer.

Members of the public present were Marisha Childs, Stewart S. Newman, Julie Duke, Tom Gerding, Kamaile Luke, Ryan Stafford, Harris Matarazzo, Debra Maryanov, and Chri[stopher Ha]—possible spelling error.

All participants, including Board Members, staff, and members of the public were appearing remotely due to the restriction brought about by COVID- 19. Dr. Reichlin called the joint meeting to order at 8:42 a.m. on Wednesday, June 23, 2021.

Alison Bort led the introduction of new and potential board members. Dr. Newman is on the JPSRB officially July 1 as the psychiatrist member. Marisha Childs is the potential JPSRB attorney member. Julie Duke has been recommended for adult public member and will be replacing John Swetnam.

Dr. Reichlin opened the meeting to the new board members. Ms. Childs stated she is excited to join the juvenile panel and has experience related to juveniles. She is excited to work with the group and see what the state does to support this youth population.

Dr. Newman stated he was the first forensic fellow at the Oregon State Hospital. He has worked at Mind Matters in Hillsboro. He stated he has the advantage of being trained by Dr. Reichlin at the State hospital and has some forensic work history. He is excited to be appointed to the Board and is interested in working with other members on the Board.

Julie Duke is excited to serve as the public member. She comes from a background in health care and is looking forward to working in the Oregon System and working with everyone.

Dr. Reichlin then turned it over to Alison Bort to introduce Christine Forbes. She comes to the position after months of recruitment and has replaced Laura Moeller. She has large shoes to fill but is doing very well. She is well rounded and perfect fit for the staff at the Psychiatric Security Review Board. Christine wanted to say hello to everyone and is excited to get to know everyone. She has spent the last 15 years or so in criminal prosecution and is excited for this new position.

Dr. Reichlin then moved onto the minutes of joint panel of March 31, 2021. He opened it up for additions or corrections for the minutes. There were minor details to fix that were corrected.

Dr. Reichlin opened to vote on the adoption of the minutes on zoom. He asked the Board Members to raise hands in favor of adopting the minutes. All raised hands and the minutes were adopted.

Dr. Reichlin moved the meeting onto the rules package topics. Mandy Standiford led this discussion. Some topics that were discussed were:

- The requirement of advance notice of discharge requested to aid in hearings day predictability and docketing.
- Discharge and CR plans: presently the Board requires evaluations at 5-Year hearings at which discharge is at issue. The rules are not very direct and clear on timelines and we would like to provide clarification. Clarification would include the definition of the evaluation itself.
- Client moves in emergency situations: we want to look at the language to explore other options. This type of situation was brought up last year during the wildfires.
- Notification of victims when a client absconds: It would clarify the rights of victims and when they would be notified of certain client activities.
- JPSRB and PSRB Panel substitutions: This rule is temporary until later this year and we are working on deciding whether this is permanent or not.
- The removal of 859-070-0035 which allows for out-of-state CR. There will be more discussion on this later this year
- JPSRB rule to clarify that CFH has the authority to administer its own pass system
- Reconsidering Board actions to provide a step-by-step action

Mandy Standiford stated to the Board that if there was anything else she missed on rules to let her know. The list will be finalized in December.

Dr. Reichlin opened the floor for questions and comments. Dr. Reichlin asked what RAC was (Rules Advisory Committee). He stated our rules already dictate who should be invited on RAC. He is curious about background on out of state conditional released. Alison Bort answered Dr. Reichlin's questions; she stated there is no way to monitor and supervise out of state clients and that might be a very nuanced type of situation. She stated this issue comes up with revocations as there is no interstate agreement on that. If someone were to not respond to a case monitor, for example, then that might effectuate Revocation order. Revocations cannot be enforced across state lines. If Oregon clients leave the state then law enforcement can only execute that warrant by charging them with Escape. Mandy Standiford added this would remove the option of out of state CR entirely.

No one had any other comments of proposed rules. Thus, Dr. Reichlin moved the next topic to Alison regarding Executive Director Updates. Dr. Bort discussed the Board transition plans- in interim has some vacancies on juvenile panel. She has been able to check in with Shelly Casteel and John Swetnam to have them remain in positions until those positions are filled. When Julie is actually confirmed, John would remain in that position. Similarly, Shelly has also agreed to that. This won't be as problematic because they have less hearings. In the event that that would happen Shelly can come in if Dr. Newman can't. Her agreement was that she does not have to Chair. John Swetnam has been thinking of a retrospective statement and wants to talk to Julie about that- but will leave everyone in suspense, but not ready right now. Karri Boyd will likely take Shelly's spot in September. She was not able to come to this meeting.

Dr. Bort then moved onto Legislative Session Updates- Three bills proposed were passed. They have not been signed by the Governor yet, but made it through all other processes. Senate Bill 200 is a District Attorney (DA) specific bill on written policy on handling GEIs. It provides some opportunities for DAs to develop policies with respect to handling cases where GEI is a defense. Mandy Standiford alluded to Senate Bills 205 and 206. They require additional rules for us to make. Will be separate RACs. 205 is focused on 426.701 population (Civil Commits). This allows someone who is mentally ill to remain in the hospital while a petition is pending instead of going back to jail. When there have been concerns at the backend when someone is going to lapse, the Adult Panel holds a certification hearing. Allows the venue of the hearings to be held in original county of commitment. Allows for the clients who are a party to those hearings to appear remotely.

Senate Bill 206 is about court conditional releases. This really ties into the section of evaluations. This authorizes PSRB to create rules around evaluations that the original court must have to place a person on court conditional release. This also provides a notice requirement.

Dr. Reichlin had a question on 426.701 parts. He was wondering if there will be a problem with courts responding when they don't have incentive to respond. Dr. Bort stated this has been taken into account and they are working on embedding time frames into the statute. For example, a 60-day timeline. Then the backup plan would be to transfer the client back to jail after 60 days.

Dr. Bort, after no other questions, moved onto the 2021-23 Budget Update: Begins July 1<sup>st</sup>. Big highlights for the Budget are:

- Stipends for prep days. Trying to build a foundation of how much prep time is needed.
- Additional finances for technology. Access Database will be phased out eventually and we are looking to move to a more web-based platform. Started looking ahead to keep current data and also what do we do to ease the burden of staff and stakeholders when submitting documents to us.
- New ASS2 (Administrative Support Specialist) position. There is a current internal candidate, Megan Carpenter. At this point the ASS2 position has been recruited and there will be an offer made within a couple of days. After this, we will be opening a recruitment for the Executive Support position. Hopefully will have a full staff by the end of the summer.

Dr. Bort turned the meeting over to Mandy Standiford for the reopening plan. DAS workgroup to go over plan and framework to modify plan. Around September 1<sup>st</sup>, we plan to open office back up to the public. This can change to September 7<sup>th</sup>. Our thinking is the staff would be expected to work in the office at least three days a week and telework two days a week. We are in the process to go back to in person hearings but will require more coordination with hospital.

Alison Bort then led the discussion on Board Retreat Dates. She is not seeing a Wednesday that would allow us to have a Board retreat without impacting our docket. We are going to take a look at that and send a doodle poll to get their availability on all days in October. The plan presently is to have it in person together. We are also working on collecting information on topics that are good for us this year. We are looking to have at the next meeting

an in-depth training on 426.701 as it is becoming more used. There will be four new members of the Board during the next Board Retreat.

Dr. Reichlin then opened it up for Public Comment. Hearing none, Dr. Reichlin closed the meeting at 9:44am to retire to Executive Session. [No Executive Session held].