

FINAL MINUTES
PSYCHIATRIC SECURITY REVIEW BOARD
ADMINISTRATIVE MEETING
JOINT PANEL
JUNE 8TH, 2022

An administrative meeting of the Psychiatric Security Review Board Joint Panel was convened on Wednesday, June 8th, 2022, at 8:30a.m. via Microsoft Teams and teleconference. Board members, PSRB Staff, and members of the public present via Teams and phone were:

Adult Panel- Scott Reichlin, M.D. (Chair, psychiatrist member), Pamela Buchanan, Psy.D. (psychologist member), Anne Nichol, J.D. (attorney member), Trisha Elmer, P.P.O. (probation member), and Julie Duke (public member).

Juvenile Panel- Stewart Newman, M.D., DFAPA, DFAACAP (Chair, psychiatrist member), Kathryn Kuenzi P.P.O (probation member), Marisha Childs, J.D. (attorney member), Catherine Miller, Ph.D. APBB (psychologist member). Cari Boyd (public member) did not attend.

PSRB Staff- Executive Director, Alison Bort, J.D., PhD., Deputy Director, Mandy Standiford, Executive Support Specialist, Justin Hendrick (taking minutes), Hearings Officer, Maria McCormack, Hearings Support Specialist, Megan Carpenter, Hearings Support Specialist Brady Lambert, Conditional Release Monitor, Maria McCormack, and Hearings Support Specialist, Sharon Hall.

Public Present- Ryan Stafford, Stephanie Stocks, Christopher Hamilton, Harris Matarazzo, Kamaile Luke, KC Lewis, and Karey Casebier.

Dr. Reichlin began board meeting with introductions.

Dr. Reichlin opened for public comments. No Comments were made.

Dr Reichlin moved to topic of approving board meeting minutes. The Board reviewed meeting minutes from April 13th Joint Panel minutes. Dr. Newman moved to approve the meeting minutes, which were passed unanimously.

Next, Dr. Bort introduced Karey Casebier, who will officially begin her first term as the JPSRBs parole/probation member on July 1, 2022. Ms. Casebier introduced herself and spoke to her involvement with JPSRB since it was started in 2008 and her work with defense attorneys to help guide kids to the right treatment. She stated looking forward to getting started and being a part of the board.

Next, Ms. Standiford announced changes to agency staff:

- Dawn Anderson was hired and will be starting on June 21st as the new case monitor/paralegal. Ms. Standiford spoke to Ms. Anderson's 20 years serving at the Multnomah DA's Office.
- Sharon Hall has been promoted from Office Specialist to Administrative Specialist.
- Office Specialist applicants were being reviewed and interviewed in the coming weeks.

Next, Dr. Bort discussed updates/changes to the Juvenile Panel:

- This was Ms. Kuenzi's final Board meeting. Ms. Kuenzi stated that the last 8 years had been a privilege and an honor. She wished Ms. Casebier well in taking over the position. Office Specialist applicants were being reviewed and interviewed in the coming weeks.
- Dr. Newman is the new Chair of the JPSRB and congratulated him on his new position.
- Dr. Miller's term is technically ending on June 30th; however, the position is still vacant, and she has agreed to remain on the panel until the position is filled. Dr. Bort continues to work on the recruitment, stating the earliest possible date it could be filled would be in September, when the next Senate confirmation hearing would be scheduled. Board members were encouraged to assist with recruiting potential applicants who met criteria as licensed psychologists with experience working with the juvenile population.

Next, Dr. Reichlin moved to the topic of the best practice memo and survey. Dr. Bort explained the purpose of the survey and its relation to the agency's Key Performance Measures, which are reported to the legislature. Dr. Bort explained that historically the survey was completed biannually, but starting in 2019, it's administered annually. Board members were provided a best practice survey memo, and the survey was anonymously administered in real time.

Next, Dr. Bort provided a brief summary of the *Mink* case, which relates to the time limits by which individuals deemed unable to aid and assist must be admitted to the Oregon State Hospital. Dr. Bort reminded Board members that the COVID-19 pandemic led to a similar lawsuit, Bowman-Douglas, involving hospital admissions for individuals found Guilty Except for Insanity. The judge in this lawsuit appointed Debra Pinals as a neutral evaluator to develop short- and long-term recommendations. The short-term recommendations were previously provided to the Board at a previous administrative meeting. Dr. Pinals long term recommendation report had been submitted Sunday, but a copy had not been sent to Dr. Bort yet. KC Lewis of Disability Rights Oregon was observing the meeting, and sent an electronic copy to Dr. Bort, which was subsequently disseminated to Board members.

The overarching goal stemming from these lawsuits is to ensure timely admissions to the Oregon State Hospital. Related to that goal, is ensuring that individuals are being discharged from OSH. Dr. Bort explained how PSRB is involved with this goal, namely through its conditional release process. Dr. Bort provided an overview of the agency's internal concept of B+ commitments. This label designates that an individual has been legally determined as appropriate for conditional release by the Board; however, some condition precedent must occur before the release can take place. Dr. Bort explained that the condition precedent is almost always that a program is full (i.e. the individual can be conditionally released once there is a bed available), and shared that there are approximately 7 individuals who fit into this category.

Dr. Bort shared there were two other categories of individuals that the agency and the OSH social work team are actively following to ensure ongoing progress toward conditional release. One category is individuals who had been accepted to community placement through

the community evaluation process. Upon receipt of an application for hearing, agency staff prioritize these on the docket, especially if there is a vacancy, to ensure the individual can be conditionally released as soon as possible. Dr. Bort reported there are approximately five individuals with pending hearings.

Dr. Bort shared the third category consists of individuals who have been identified by OSH as “conditional release ready,” who have pending community evaluations that were ordered by the Board, and who have been offered a verbal acceptance or some other indication that they would be accepted to a community placement. Typically, the Board and the hospital are awaiting the final written community evaluation and proposed conditional release plan in order in order to schedule a hearing before the Board. Dr. Bort approximated there are approximately five individuals in this category.

Next, Dr. Bort turned to the topic of a lease update. Dr. Bort summarized that the agency is actively working with a broker from the DAS Lease Office to secure office space. Dr. Bort shared that it is possible that the office remains at the current location; however, the agency is exploring smaller spaces with the changes to remote hearings as well as extended opportunities for agency staff to work remotely. Dr. Bort further spoke to safety concerns related to the surrounding area of the current office location as well as potential opportunities to rent space with other state agencies.

Dr. Bort then moved to the topic of planning of the Fall Board retreat. First, Dr. Bort proposed skipping the quarterly meeting given the length of the retreat and that the agency staff is planning for the PSRB Forensic Conference toward the end of the year. Board members were in agreement of scheduling the retreat as the final meeting for 2022. Dr. Bort anticipated the retreat would take place between September and December of 2022 and will review the availability results of the Doodle Poll to select a date. Board members brainstormed potential topics for the next retreat:

- Ms. Childs asked if the retreat counted towards CLE credits. Possibly ethics credits. Dr. Bort stated she would reach out to the State BAR to see if there was a possibility of awarding other credits.
- Dr. Reichlin stated it would be helpful to go over civil commitments procedures and statute during the retreat.
- Ms. Elmer asked if we anticipate an increase in gun relief cases. Dr. Bort stated that we did not anticipate an increase and that since 2009 PSRB had approximately 10 cases. Dr. Bort highlighted that Ms. Standiford had created a process guide to streamline the gun relief application process. One topic the PSRB was interested in exploring is why more people were not accessing the gun relief program or the JPSRB. Hundreds of people have their gun rights removed every year. There is speculation that there is possibly not enough public education on the programs. Ms. Standiford stated that PSRB receives 5 to 10 calls a month inquiring about the gun relief program, but most are not eligible for the program.
- Dr. Newman suggested topics regarding the rights of juveniles to refuse medications, the difference between medical and psychiatric help as it applied to juveniles, and the

competency of juveniles receiving psychiatric care. His focus question was to what degree can children consent to their own treatment. Dr. Newman stated he would like to have juvenile attorneys provide expertise on this topic. Dr. Bort asked if anyone knew any attorneys with expertise in this area? Dr. Newman stated he did not. Ms. Childs stated she did not know of an attorney with that degree of expertise but can reach out within her network to find attorneys who could speak to that topic.

Dr. Bort addressed whether the Board had any interest in meeting in-person for future administrative meetings. After discussion, including the benefit that remote meetings provided increased access for the public, the Board unanimously voted to maintain administrative meetings using remote means.

Dr. Reichlin opened meeting to public comments. No comments were made.

Dr. Reichlin asked if there were any other comments. No comments were made.

Meeting Adjourned at 9:48 a.m.