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# Psychiatric Security Review Board

2025-2027 AFFIRMATIVE ACTION PLAN

PSRB | 6400 SE Lake Rd, PORTLAND, OR 97222 | 503-229-5596

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## AGENCY DESCRIPTION

### Mission & Values

The Psychiatric Security Review Board's mission is to protect the public by working with partnering agencies to ensure persons under its jurisdiction receive the necessary services and support to reduce the risk of future dangerous behavior using recognized principles of risk assessment, victims' interest, and person-centered care.

The PSRB's values are rooted in our legislative mandate to protect the public. We achieve maximum levels of public safety through our four core values:

#### Due Process

Observing individuals' legal rights and adhering to principles of procedural fairness.

#### Research

Decision making and organizational practices driven and influenced by the best available data.

#### Recovery

Clients understand and receive treatment for the psychiatric and comorbid conditions that contributed to their past criminal offenses and have opportunities to achieve health, home, purpose, and community.<sup>1</sup>

#### Partnership

Promoting active communication and collaboration within and between the systems serving PSRB clients and the community at large.

Please visit the PSRB's website to view our [2024-2027 Strategic Plan](#), including our vision and objectives for the next three years.

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<sup>1</sup> PSRB endorses the Substance Abuse and Mental Health Administration's (SAMHSA) definition of recovery.

## PSRB Overview

### History & Functioning of the PSRB

The Psychiatric Security Review Board was originally established in 1977 to supervise those individuals who successfully asserted Oregon's insanity defense (known today as Guilty Except for Insanity or GEI) to a criminal charge. Recognizing that individuals diagnosed with a persistent mental illness have achievable, rehabilitative needs and should be treated differently from convicted defendants, Oregon invested in a robust mental health system specifically designed for this population. With public safety and rehabilitation driving its mission, the Board, in partnership with a variety of stakeholders, has an exceptional record of supporting client recovery while maintaining community safety.

With a demonstrable public safety record, the legislature has expanded the Board's responsibilities over the past several decades. In 2007, the legislature created a juvenile panel within the PSRB to monitor youth found responsible except for insanity (REI) of an offense.

The 2009 legislature again expanded the Board's duties; adding a firearms restoration program for those previously barred from purchasing or possessing a firearm due to a mental health determination. The Board holds hearings for individuals in this situation to determine whether to restore their state and federal gun rights.

As of 2013, the Board's legislatively-mandated duties include supervising and monitoring civil commitment of those individuals found to be extremely dangerous due to a persistent mental illness that is resistant to treatment. In addition, that same year, the legislature mandated that the Board assign risk ratings to its GEI clients who are required to register as sex offenders.

Pursuant to this new responsibility, the Board created a procedure to allow eligible clients to apply either for reclassification to a lower level, or to relief from the sex offender registration process, depending on their circumstances. The reclassification/relief hearings process has been in place since January 2019.

By statute, the Board's 10 members are appointed by the governor and confirmed by the senate for a four-year term. The adult PSRB panel consists of a psychiatrist and a psychologist experienced in the criminal justice system, an experienced parole and probation officer, an attorney experienced in criminal trial practice, and a member of the public. Similarly, the juvenile PSRB Panel is comprised of a child psychiatrist, child psychologist, an attorney experienced in juvenile law, a juvenile parole or probation officer, and a member of the public. Each panel elects a chair, who serves a one-year, renewable term.

The Board's support and agency operations staff consists of an executive director, deputy director, three paralegals, four administrative assistants, a research analyst, an office specialist, and an executive assistant. The executive director oversees the agency's overall operations, including monitoring PSRB's conditional release clients, preparing Board affidavits and orders

from hearings and for revocations of conditional release. In addition, the executive director prepares and presents the budget and other matters before the legislature, and serves as agency spokesperson, maintaining a collaborative partnership with multiple agencies within Oregon's forensic mental health system and beyond.

### National Acclaim

The Psychiatric Security Review Board has been the focus of international attention and study. An NBC white paper on "Crime and Insanity," shown on television in April 1983, focused on Oregon as a model system. In addition, the December 1983 American Psychiatric Association statement on the insanity defense recommends the model system presently in operation in the State of Oregon under the aegis of the Psychiatric Security Review Board. The APA was impressed that:

*Confinement and release decisions for acquittals are made by an experienced body that is not naive about the nature of violent behavior committed by mental clients and that allows a quasi-criminal approach for managing such persons. Psychiatrists participate in the work of the Oregon Board, but they do not have primary responsibility. The Association believes that this is as it should be since the decision to confine and release persons who have done violence to society involves more than psychiatric considerations. The interest of society, the interest of the criminal justice system and the interest of those who have been or might be victimized by violence must also be addressed in confinement and release decisions.*

A report of the National Commission on the Insanity Defense issued in March 1983 and entitled "Myths and Realities", sponsored by the National Mental Health Association, recommends the adoption of a special statute to address the disposition of the acquitted after a finding of not responsible by reason of insanity of a violent crime. In that report, the National Commission also discusses the Oregon code creating the Psychiatric Security Review Board.

In 1989 the National Alliance for the Mentally Ill set goals and priorities which included passing statutes that provide improved systems for insanity acquitees, citing the Oregon Psychiatric Security Review Board as a model for such a statute.

In 1994, the Psychiatric Security Review Board was named the APA's Hospital and Community Psychiatry's Gold Achievement Award winner. The award was given in recognition of the program's commitment to improved integration of mental health services within the criminal justice system and its responsibility to individual, community, and societal values.

Oregon remains one of the states currently in the forefront of legal process in this area. Connecticut is the only other state with a similar agency, having adopted the Oregon model years ago. Most recently, in 2010, Washington state created and enacted a version of this model. Other states, including Florida, Kentucky, Michigan, New Hampshire, California, and South Carolina have expressed an interest in this successful approach.

The insanity defense population will continue to be a part of our society. Oregon chose to create the Psychiatric Security Review Board, offering a specialized, multidisciplinary method of decision-making. By statute, the Board's primary concern is the protection of society. The system works well because of the Board's ability to respond quickly to community emergencies and the system's ability to balance the public's concern for safety, the treatment of persons in the community, and the rights of the clients.

There have been several articles and books written and research studies performed on the insanity acquittee population. Please visit our [website](#) for a snapshot of publications on this topic.

## Adult Panel Programs

### Guilty Except for Insanity

When an adult commits a felony and is found by the courts to be Guilty Except for Insanity (GEI), the judge places the individual under Oregon Psychiatric Security Review Board (PSRB) jurisdiction. Typically, courts place these individuals under the Board's jurisdiction for the maximum period they could have received had they been found guilty of the offense. When an individual successfully pleads GEI, sentencing guidelines do not apply.

The Psychiatric Security Review Board's statutory functions are to protect the public by:

1. Accepting jurisdiction over Guilty Except for Insanity clients.
2. Balancing the public's concern for safety with clients' rights.
3. Conducting hearings, making findings, and issuing orders.
4. Monitoring the progress of each client under its jurisdiction.
5. Revoking conditional release, when necessary, if clients violate their conditional release terms.
6. Maintaining up-to-date histories on all clients.

The Board carries out these functions by conducting hearings and monitoring clients on conditional release. In making decisions, the Board's primary concern is the protection of the public.

While under the Board's jurisdiction, an adult can be committed to the Oregon State Hospital or conditionally released to a lower level of care, ranging from secure residential treatment facilities to independent living. Most clients placed under the PSRB under a GEI plea begin their PSRB term at Oregon State Hospital, with the goal of conditional release as they progress through treatment. The Board determines the appropriate type of facility based on clinical and risk assessments, including the level of treatment, care and supervision required by the client. The Board grants conditional release to clients once it determines that he or she can be adequately controlled with supervision and treatment in the community and that the necessary

supervision and treatment are available.

The Board assesses readiness for conditional release planning by:

1. Reviewing exhibit files, which contain reports and evaluations by the client's providers of various disciplines.
2. Listening to witness testimony, including cross examination when the Board needs additional information.
3. Cross examining witnesses to obtain additional information.
4. Considering the risk to society that the client may pose if returned to the community, using:
  - a. Clinical judgment of professional staff;
  - b. Results of psychological testing and risk assessments;
  - c. Recommendations of the Oregon State Hospital's Risk Review Panel; and
  - d. The availability of resources in the community to compensate for any residual risk.

When release is appropriate and the Board approves a verified plan, the Board orders the client released from the state hospital subject to the Board's specific conditions. An overview of these conditions includes:

1. An appropriate housing situation;
2. Mental health treatment and supervision;
3. The designation of a person who agrees to report on a monthly basis to the Board concerning the released person's progress and who also agrees to notify the Board's director immediately of any violations of the release conditions; and
4. Any other special conditions deemed appropriate and/or necessary such as abstaining from alcohol and drugs or submitting to random drug screen tests.

Strong evidence of Board's effective decision-making lies in clients' ability to succeed while on supervised conditional release: in 2019, more than 99% of PSRB's conditional release clients remained in the community on a monthly basis. In accordance with ORS 161.336, a change in mental health status causing a client to pose a risk of substantial danger to others or a violation of the terms of conditional release may result in immediate revocation of the conditional release and return to Oregon State Hospital. Though typically, treatment team members intervene at the earliest stages possible to mitigate risk and create safety plans to avoid a revocation if possible, there are times when revocations are still necessary, the grounds for which include:

1. Violation of conditional release plan terms.

2. A significant change in mental health status.
3. Absconding from supervision.
4. Loss of the availability of appropriate community resources

#### Extremely Dangerous Persons with Mental Illness Commitment

All individuals charged with a crime have the constitutional right to assist in their own defense. If a court believes a mental disability may prevent someone from assisting in their own defense, the court suspends the criminal case and orders an evaluation to determine whether the person is competent under ORS 161.370. If the court finds that the person is not competent to aid and assist in their own defense, it also determines whether they need treatment to restore competency. In some cases, a court may find, in light of an evaluation conducted under ORS 161.370, that there is no substantial probability that the defendant will gain or regain the capacity to stand trial in the foreseeable future.

In response to this finding, a court or district attorney may dismiss the charges and/or initiate commitment proceedings. Oregon Revised Statute 426.701—known as a PSRB Civil Commitment—is available when there is reason to believe that a person is extremely dangerous due to a qualifying mental disorder that is also resistant to treatment. Such a finding requires the judge to appoint a qualified examiner to evaluate the individual. Commitment under this statute is for two years, and the individual remains under PSRB jurisdiction for the entire commitment period. The individual may be recommitted indefinitely, in two-year intervals, if the court finds each time that he or she continues to meet jurisdictional criteria. As with the GEI population, Conditional Release is permitted under the Civil Commitment program.

In some limited circumstances, a district attorney may initiate a PSRB Civil Commitment in cases in which the individual's GEI or prison sentence is coming to an end, but there is evidence supporting the necessary criteria under this statute.

#### Gun Relief Program

The Oregon legislature established the PSRB's Gun Relief program as a direct result of the investigation arising from the Virginia Tech tragedy, which revealed that most states, including Oregon, were not sending the names of people barred from purchasing firearms to the federal National Instant Criminal Background Check System (NICS) database. All federally licensed firearm dealers and law enforcement agencies use NICS to conduct background checks when individuals apply to purchase firearms.

Congress passed legislation requiring states to provide those names for inclusion in the federal database or risk losing some federal criminal justice grant funding. To address various concerns, Congress included a provision requiring states to establish "relief" programs whereby individuals previously barred from purchasing or possessing firearms could petition to have that right restored and their names removed from the NICS database.

As a result, the 2009 Oregon Legislature enacted HB 2853 (amending portions of ORS Chapter

166) which, in part, directed the Oregon State Police to submit the names of firearm-disqualified individuals to the NICS database. The bill also directed the Psychiatric Security Review Board to conduct relief hearings, given the mental health expertise of its Board members. The Board only hears relief petitions from individuals barred from purchasing or possessing a firearm due to an Oregon mental health determination. Relevant mental health determinations include civil commits, persons found guilty except for insanity (GEI), and persons who were found unable to aid and assist in a criminal proceeding.

Persons who previously received judicial relief under ORS 166.274 remain barred from possessing a firearm under federal law. However, the PSRB's relief program is certified by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF); federal law gives the PSRB the authority to lift a federal mental health prohibitor.

#### [Sex Offender Reclassification and Relief Program](#)

In 2013, the Oregon legislature established PSRB's Sex Offender Classification/Reclassification/Relief program. The early phase of this program required the Board classify all adults under its jurisdiction who: 1) have successfully asserted the Guilty Except for Insanity defense (GEI); and 2) are required to register as sex offenders. Beginning in January 2019, the agency launched a reclassification and relief program to allow those persons whose sex offense was also their GEI offense the opportunity to be reclassified or relieved from their sex offender registration requirement.

Youths convicted or found Responsible Except for Insanity (REI) of a sex crime do not register as sex offenders while under PSRB or Oregon Youth Authority supervision; the juvenile court determines their registration obligation. The PSRB notifies the juvenile court six months prior to a youth's pending end of jurisdiction or—when a youth's PSRB hearing results in early discharge from Board jurisdiction—no later than three days following the hearing. At that point, the court sets a hearing, at which it determines whether to require the youth to register as a sex offender or to grant relief from the registration requirement. The PSRB notifies the parties' attorneys and the youth's treatment team of the hearing once it becomes aware.

#### [Juvenile Panel Programs](#)

##### [Responsible Except for Insanity](#)

When the court finds a youth courts Responsible Except for Insanity (REI) of an offense, the judge places the individual under Psychiatric Security Review Board (PSRB) jurisdiction if the court finds that:

1. The juvenile has a serious mental condition (defined as major depression, bipolar disorder or psychotic disorder); or
2. The young person has a qualifying mental disorder other than a serious mental condition and represents a substantial danger to others, requiring conditional release or commitment to a hospital or facility.

Individuals found REI are placed under Board jurisdiction for the maximum sentence they could have received if found guilty of the crime. As with the adult panel, sentencing guidelines do not apply.

With respect to juvenile clients, the Psychiatric Security Review Board's statutory functions protect the public because the Board:

1. Accepts jurisdiction over REI clients.
2. Balances the public's concern for safety with the client's rights.
3. Conducts hearings, makes findings, and issues orders.
4. Monitors each client's progress while the client is under its jurisdiction.
5. Revokes conditional release, as necessary, if the client violates his or her terms.
6. Maintains up-to-date histories on all clients.

While under Board jurisdiction, youth can be committed to the Secure Adolescent Intensive Program (SAIP) for those with a mental illness or Secure Children's In-client Treatment Program (ITP) for those with developmental disabilities. When juvenile clients turn 18 years old, they are transferred from SAIP/ITP to the Oregon State Hospital for care and treatment if the Board determines they need hospital level of care. Individuals can also be conditionally released and placed at a variety of lower levels of care, ranging from residential treatment facilities to independent living. The Board determines the appropriate type of facility based on both clinical and risk assessments, including the level of treatment, care and supervision required by the client. The Board places clients on conditional release once it determines that he or she can be adequately controlled with supervision and treatment in the community and that the necessary supervision and treatment are available.

The Juvenile Panel uses the same methods as the Adult Panel to assess clients' readiness for conditional release planning. Conditions of release and grounds for revocation also are substantially similar to those used for the Board's adult clients.

## Key Diversity & Inclusion Personnel

### **Executive Director**

Alison Bort, J.D., Ph.D.

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### **Deputy Director / Agency Affirmative Action Representative**

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### **Governor's Policy Advisor, Behavioral Health Initiative Director**

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# AFFIRMATIVE ACTION PLAN

## Affirmative Action Plan Implementation Roles

The agency is committed to using Affirmative Action and equity precepts to enhance the agency's diversity, with respect to staff and the Board itself. The agency will continue its implementation of the Affirmative Action Plan by recognizing potential bias individually and within the process by utilizing persons outside of the agency and other subject matter experts in fields related to the positions the agency is hiring for and encouraging continued learning in order to help reduce bias and discrimination in the hiring process, as well as enhancing employment opportunities for applicants who do not originate from the dominant culture.

### Executive Director

The Board entrusts and delegates to the executive director the responsibility for implementing and adhering to the affirmative action and equity goals to which the Board is committed.

The executive director meets with the Psychiatric Security Review Board's chair at least once per month, and with the full Board on no less than a quarterly basis. The full Board—which reports to the governor—conducts the executive director's annual performance appraisal, which includes a section on diversity and equity principles. The Board holds the executive director responsible for enhancing the agency's diversity and for pursuing a fair and equitable workplace that appreciates those of all races, genders, and gender expressions, physical or psychological disability, and veterans' status. In turn, the executive director expects the deputy director to support and enhance diversity, equity, and affirmative action principles in all aspects of his work.

The executive director has overall responsibility for complying with policy and achieving the Affirmative Action goals to which the Board is committed. They also monitor agency progress toward the inclusion goals and objectives in the [PSRB's Strategic Plan](#). In addition, the executive director ensures compliance with applicable federal and state laws, rules, regulations, and executive orders.

As mentioned above, and consistent with [ORS 659A.012\(1\)](#), the executive director's annual performance evaluation includes evaluation of their effectiveness in achieving affirmative action objectives as a key consideration of her performance.

### Management Staff

The executive director and the deputy director are responsible for expanding the Board's reach into communities outside the traditional places the Board has looked for new employees in the past. These positions are also responsible for equitable treatment of all staff and Board members and for providing a safe work environment for staff. Such an environment includes the psychological safety produced by a respectful workplace. In compliance with [ORS 659A.012\(1\)](#),

the deputy director's quarterly check-ins include evaluations of their effectiveness in achieving affirmative action objectives as a key consideration of her performance. The deputy director serves as the affirmative action officer and is responsible for:

- Developing and communicating agency policies and procedures related to AA/EEO, equity, diversity, and inclusion, and for preparing and disseminating affirmative action information.
- Coordinating activities consistently with the Affirmative Action Plan and monitoring progress toward affirmative action goals.
- Identifying solutions to barriers preventing achievement of the Board's affirmative action goals.
- Ensuring that the agency embraces AA/EEO goals in recruiting.
- Applying affirmative action precepts in day-to-day work and in relations with fellow employees, job applicants, and the public.
- Receiving and investigating—or referring to the Board—discrimination complaints.
- Attending equal opportunity, affirmative action, and diversity training in order to be informed of current affirmative action laws and issues and develop knowledge and skill for working with a diverse workplace.

## PSRB Employees

The Psychiatric Security Review Board expects each of its staff members to support equity, affirmative action, and equal opportunity: for each other, for clients, and for community stakeholders. Each staff member can contribute to these ideals in several ways. Examples include:

- Serving on hiring panels when internal needs arise and when agency partner agencies request assistance.
- Interrupting and/or reporting discriminatory comments or behavior.
- Holding themselves accountable for any of their own inadvertent discrimination.
- Understanding and engaging in self-reflective practices to minimize the negative impact of confirmation bias.
- Learning about institutional racism and its effect on those to whom it is directed and applying those lessons to the workplace.
- Engaging in DEI trainings to further strengthen teamwork, programming, and communication with colleagues, agency partners and stakeholders, and the Oregonians we serve.

## Affirmative Action Policy Statement

The Psychiatric Security Review Board is committed to achieving a workforce that represents Oregon's diversity and being a leader in providing its current employees and applicants with fair and equal employment opportunities regardless of race, religion, color, national origin, marital status, sex, sexual orientation, gender identity, age, veteran's status, or mental or physical disability. The PSRB will engage in employment practices that follow the state's Affirmative Action Guidelines and state and federal laws. The PSRB is committed to providing reasonable accommodations to employees whenever able.

The PSRB believes that it is everyone's responsibility to create and contribute to an inclusive, professional, and safe work environment. The PSRB management team is committed to meeting with all employees to discuss, review, and modify the agency's Affirmative Action Plan on a quarterly basis. The management team is also committed to ensure that all staff can work in an environment that is free from discrimination, harassment, and retaliation for filing a complaint related to workplace concerns and that complaints that are brought to management are addressed with immediacy and that resolution is provided to the complainant.

The PSRB will implement this 2025-2027 Affirmative Action Plan and make it widely known through recruitment postings and the agency website that equal employment opportunities are available based on an individual's merit and that the PSRB does not engage in discriminatory practices. The PSRB will:

- Endeavor to recruit, promote, and retain qualified members of protected groups across all levels of the agency, including Board member positions.
- Create an environment that allows for open communication regarding differences and empowers all individuals to do their best work in serving our community partners, the public, and persons under the jurisdiction of the Board.
- Value and endeavor to sustain a culture of collaboration within the agency where staff at all levels are aligned and working together towards the agency mission with the agency's values in mind.

## Diversity & Inclusion Statement

The Psychiatric Security Review Board acknowledges our responsibility to serve all Oregonians by interrupting systemic inequities and upholding human rights. We strive for an environment where one's race/ethnicity, class, gender, sexual orientation, ability, veteran's status and other identities do not predict life outcomes within our programs. We strive to have the humility to acknowledge our mistakes and actively work to correct them. We will include the voices of communities we serve and work to integrate diversity, equity, and inclusion into everything we do.

The Psychiatric Security Review Board will continue to work with the Oregon Office of Cultural

Change to ensure that the PSRB continues to serve the public with the State of Oregon's DEI Action Plan in the forefront of our minds.

### Executive Order 22-11 Update

[Executive Order 22-11](#) relates to affirmative action, equal employment opportunity, diversity, equity, and inclusion. Governor Kulongoski originally issued the order in 2005 (EO 05-01).

Subsequent amendments were EO 08-18, 16-09, 17-11, and currently, EO 22-11. The following information addresses the key points in EO 22-11:

### Learning and development

Agency management has encouraged all staff to participate in state-sponsored diversity trainings when available. This includes trainings available in the learning portal as well as the statewide diversity conference. The executive director also gifted employees a shared self-care corner in the breakroom, which contains multiple books with an emphasis on diversity, equity, and inclusion.

The deputy director serves as the agency's affirmative action representative and has attended all meetings conducted by the Office of Cultural Change.

### Management performance evaluations

The agency has implemented the Department of Administrative Services' Performance, Accountability, and Feedback (PAF) quarterly check-ins with all non-management employees and the deputy director. The agency has a 100% completion rate on PAF check-ins, where this is opportunity for the executive director to discuss with the deputy director feedback and ideas related to diversity, equity, and inclusion. As mentioned in detail below, the executive director has a performance appraisal that includes feedback provided by agency employees and community partners. This appraisal is reviewed by the adult panel chairperson with the executive director.

### Affirmative Action Plan availability

The Affirmative Action Plan is available on the agency's shared drive, due to most staff working remotely for more than half the work week.

### Status of Contracts to Minority Businesses (ORS 659A.015)

The agency has very few contracts in place. Currently, there are four contracts in place, two of which are with companies owned by women. Many of the PSRB's services are provided under interagency agreements or memorandums of understanding with other state agencies (e.g., DAS-IT, DAS Human Resources, DAS Shared Financial Services, etc.)

## PROGRESS: JULY 1, 2023 – JUNE 30, 2024

In the agency's 2023-2025 Affirmative Action Plan, the PSRB has the following goals:

**Goal #1:** Identify and utilize recruitment strategies that increase diversity on the Board and within PSRB staff.

The goal to increase diversity on the Board and within the PSRB staff was carried over from the 2021-2023 biennium. Board member terms are four years, and Board members may serve a total of two terms. Given this, turnover amongst the 10 Board member positions is limited however there is a somewhat unique opportunity for progress to be made in this area during this (2023-2025) biennium, as many of the Board member terms are expiring. Here is a summary of upcoming term expirations:

- Adult probation officer as of June 30, 2024
- Adult psychiatrist as of June 30, 2025
- Adult attorney as of June 30, 2025
- Adult public member as of June 30, 2025
- Juvenile psychiatrist as of June 30, 2025
- Juvenile attorney as of June 30, 2025
- Juvenile public member as of June 30, 2025

The PSRB agency also has limited turnover given its small staff of 13 FTE and the longevity of many of its employees. That said, there have been some staffing changes over the first half of the 2023-2025 biennium; the role of deputy director was vacated and then filled, an administrative specialist position was vacated and then filled, and a temporary, half-time office assistant position was underfilled for an office specialist.

The most recent guidelines for State of Oregon Agencies completing Affirmative Action Plans indicates that agencies with fewer than 100 employees should not collect or utilize demographic data for their employees. Given the PSRB's 13 employees and 10 Board members, the agency falls well below the level that would indicate the inclusion of demographic data. In light of this, the agency, and respective Affirmative Action Plan, have shifted away from utilizing demographic data as a means to analyze or measure outcomes in terms of staff and Board diversity. Efforts in this area have remained focused on recruitment process, and success has been measured by the degree to which those efforts have been realized.

It is important to note that that recruitment efforts for PSRB staff are largely driven by the processes utilized by DAS, which the PSRB contracts recruitment through. To this end, recruitment efforts in this area, including as they relate to equity, diversity, and inclusion are determined by DAS.

The executive director for the PSRB is largely responsible for the recruitment efforts as they

relate to the recruitment of new Board members. Previously, the executive director has submitted recruitment flyers for the Board member positions and has had them reviewed by the Governor's Diversity, Equity, & Inclusion office. Thereafter, the executive director widely distributed the flyers to an array of agencies including the state boards that oversee psychiatrists, psychologists, and attorneys; Oregon Judicial Department; over 300 statewide providers and stakeholders; OHA's Office of Equity and Inclusion and other leadership officials; DAS CHRO; current Board members; Partners in Diversity; Disability Rights Oregon; Department of Consumer and Business Services; and countless others with a request to further spread the word to their networks. Despite the large net cast for Board member recruitment, the response of interested parties is generally minimal. Ongoing challenges, including the expectations of Board member availability and the limited stipend provided, limit the number of qualified professionals who could fulfill the obligations of a Board member.

### Leadership Evaluation Report (ORS 659A.012)

Due to the small size of the agency, DAS CHRO is utilized for HR related policies, including anti-discrimination policy. As such, all agency personnel are required to review the Discrimination and Harassment Policy, and complete a training in this area, annually. The PSRB staff have a 100% completion rate for timely review of this policy and successful completion of the training.

Management personnel at the PSRB consist of the deputy director and executive director. Quarterly Performance, Action, and Feedback reviews (PAFs) are performed for the deputy director during which progress towards the Affirmative Action Plan objectives is assessed and reviewed, and developments for further DEI action is discussed.

The executive director receives an annual review of performance by the Board members which includes the DEI statement, Affirmative Action Plan, and ways in which diversity, equity, and inclusion is being promoted and fostered within the agency and with stakeholders.

## NEXT BIENNIUM AFFIRMATIVE ACTION PLAN: JULY 1, 2025 – JUNE 30, 2027

### Goals

The PSRBs overarching goals for the 2025-2027 biennium are consistent with Strategy 8 of the State of Oregon's DEI Action Plan: Diversifying the Workforce and Creating an Inclusive Workplace.

**Goal #1:** Diversifying the workforce and fostering an inclusive workplace

The agency aims to focus on continuing to diversify the workforce, specifically in terms of Board member recruitment and staff hiring, and on fostering an inclusive workplace within the agency.

In the upcoming year there will be an unusually high number of Board appointments, as outlined previously. There are 6 Board member terms ending before the end of the 2023-2025 biennium, which creates a unique opportunity to diversify our Board members through expansive recruitment strategies implemented by the executive director. While no staff turnover within the agency is expected within the biennium, it is understood that often staff turnover is not predictable and change is likely. Given this, the

agency will continue to work closely with the Board's human resource recruiter and, as appropriate, the Oregon Office of Cultural Change to help identify and eradicate barriers that hinder equitable recruiting and hiring practices.

Additionally, the Board will focus efforts on fostering an inclusive workplace environment by providing opportunities for trainings and professional development, specifically as they relate to diversity, equity, and inclusion.

### Outcomes

The executive director will continue to expand recruitment efforts as available to encourage a wide and diverse applicant pool for the upcoming Board member positions. It must also be noted that factors beyond recruitment, such as the availability requirements of Board appointments and limited stipend, have a potentially significant impact on the pool of interested individuals, and the diversity of that pool.

The deputy director will work with the executive director to identify DEI-related trainings and opportunities for professional growth that can be made available to agency staff. Additionally, DEI topics will be identified and discussed at a minimum of once per quarter during all-staff meetings.

### Measures

In order to accomplish this goal, the executive director will identify strategies available to the expansion of Board member recruitment and will implement them as appropriate and applicable. The deputy director will work with the executive director to identify DEI-related trainings as well as DEI topics for all-staff meetings a minimum of one time per quarter.

### Implementation

The executive director and deputy director are responsible for the implementation of the Affirmative Action Plan. Progress will be reviewed at quarterly PAF reviews. As the Psychiatric Security Review Board is a small agency with 13 staff, the internal responsibility for these initiatives is limited to the executive director and deputy director.

### Strategies

#### Recruitment

##### Targeted outreach and engagement

As outlined above, at 12 full-time employees, the PSRB experiences very few vacancies amongst staff. With few opportunities to diversify agency staff, PSRB must make the most of recruiting opportunities.

##### DEI presentations, training, or activities

The executive director leads the PSRB's statewide community providers' meetings, meets with the Board's chair, and the Oregon State Hospital's director of legal affairs at a minimum of monthly. Such meetings present opportunities to open the pipeline of potential candidates Board members and any staff vacancies that might occur. The executive director also conducts monthly PSRB trainings for community mental health providers, allowing them to learn more about best practices when working with the Board.

## Application process

The PSRB's application process follows the state's general one, using the Workday platform to announce and process applications. The Department of Administrative Services has assigned the PSRB a dedicated recruiter. Working closely with agency leadership, this recruiter has learned a great deal about the Psychiatric Security Review Board and its specific needs. PSRB leadership will continue to work closely with DAS as recruitment needs arise, and look for ways to minimize barriers for members of underrepresented populations to apply and compete for agency positions through the position postings.

## Internship/mentorship opportunities

In the past, the PSRB has at times hosted interns with great success. Due to staff turnover and the COVID-19 pandemic in the previous biennium, there are currently no interns at the PSRB. The agency hopes to re-introduce internship opportunities over the next biennium, through partnerships with state universities.

Additionally, the executive director has served as a mentor to graduate students seeking their master's or doctoral degrees, providing didactic trainings, guidance on research/projects, and on expanding their ideas about potential career paths.

## Selection

### Hiring process

Agency leadership engages actively with its human resources business partner, meeting with them twice per month to discuss human resources matters, including equity and inclusion and possible vacancies. These ongoing discussions help the agency's business partner understand the PSRB's priorities well ahead of any need it might have to fill a position. When a vacancy occurs, the executive and deputy directors engage immediately with the agency's human resources business partner and its recruiter, asking them for assistance in developing a diverse applicant pool. In addition, the executive director asks for assistance from PSRB stakeholders in finding candidates with diverse candidates. These efforts to recruit widely most often arise during the monthly provider meeting the executive director leads, and which all counties' representatives attend. In addition to broadening the applicant pool, the PSRB must also consider a broad base of skills when looking for candidates in order to create more diversity in skills within the agency.

### Hiring panels

The PSRB uses hiring panels that include staff, management, agency partners, and human resources representation whenever able with the goal of including individuals representing diverse backgrounds. Because Oregon's demographics can make this challenging, agency leadership will continue to ask for assistance from human resources and agency partners to find panel members from diverse backgrounds and/or with training in cultural competence to add additional perspectives to PSRB's hiring process, alerting leadership to potential pitfalls associated with unconscious bias.

### Interview process

Given its small size, the agency has limited internal individuals from whom to draw from when assembling an interview panel. Because of this limitation, the PSRB will partner with its HR Business Partner, its

recruiter, and (to the extent appropriate/necessary) the Office of Cultural Change to recruit both panel members from diverse perspectives and those with experience and training in cultural sensitivity to assist in the interview process.

## Retention

### Mentorship program

With only 13 FTE on staff, the PSRB has very few employees when compared to many other state agencies. On one hand, this means the agency has a limited number of existing employees to serve as mentors; on the other, nearly every initiative involves all staff and managers. The deputy director meets with each direct report at least monthly in order to discuss what support each needs. Each of these meetings covers topics such as training—PSRB-related or not—or career opportunities they might wish to pursue. To the extent that someone in the agency can provide training or mentorship to another individual at the PSRB, the agency pursues those opportunities. If, on the other hand, someone outside the agency would be better positioned to serve as mentor, management would facilitate that relationship.

### Diversity, equity, and inclusion training

Given the nature of the PSRB's functions, some aspects of diversity, equity, and inclusion permeate the agency. By definition, Board clients are individuals with disabilities. Every staff member interacts daily with information associated with clients, to include mental health records and other information contained within a client's case file. PSRB management, paralegals, and other administrative staff hold regular weekly meetings to discuss, among other things, clients who may be struggling and at risk of revocation to the Oregon State Hospital.

This meeting provides employees with the opportunity to discuss how best to support the treatment providers who work with the clients as well as ways to avoid revoking a client on conditional release to the Oregon State Hospital that takes into consideration the specific needs of the client.

In addition to regular discussion of the struggles faced by individuals with disabilities, the executive and deputy directors address equity issues affirmatively during staff meetings, allowing for feedback and discussion about individuals' feelings while making the agency's— and the State's—support for diversity, equity, and inclusion clear.

In addition to making equity a regular work topic and the fact that some aspects of diversity occur naturally in the agency, PSRB leadership supports diversity initiatives, including staff members' attendance at the State's annual diversity conference in Salem.

### Career development

With 13 FTE of staff, movement within the agency is rare. For that reason, any assistance the PSRB can give to its employees typically involves helping staff members gain skills that would help them find positions outside the agency. The deputy director has raised this with all staff members during their one-on-one meetings and follows up at least monthly with staff who show interest. In the past, management has made relevant training available to staff, and has facilitated connections between current PSRB staff and others who might be well-positioned to provide advice and assistance with the staff member's career

advancement. Going forward, the agency will continue to offer these opportunities to staff and will continue to inquire about staff interest in advancement: within the agency or without.

The agency also supports a hybrid remote work model for 12 out of the 13 FTE positions. The agency plans on continuing this practice and has been told that the ability to work remotely with the hybrid model has allowed for better work-life balance, reduced burnout, and has led to better morale.

## Employee engagement

### Employee-led diversity, equity, and inclusion councils, committees, and other groups

Due to its small size, the PSRB has no employee-led committees designated specifically to support diversity, equity, and inclusion.

### Employee resource groups and affinity groups

Similarly, with only 13 FTE, the agency is hardly larger than the average affinity group at other state agencies. In several categories, a PSRB affinity group or an Employee Resource Group would contain two or fewer employees. This being the case, the agency has no affinity or Employee Resource Groups.

### Employee surveys

The agency has conducted few formal surveys among its entire staff. However, the executive director's performance appraisal questionnaire is sent to all staff and contains a section on diversity, equity, and inclusion. Employees are allowed to fill out this survey anonymously, which is then reviewed in conjunction with input that has been solicited from community partners by the adult panel chairperson. Agency leadership continues to look at new ways to increase the response rate to ensure that meaningful data can be compiled and subsequently acted upon.

The executive director has also created space for anonymous feedback following regular staff meetings through an online resource, with an emphasis on how the management team can better support each employee's ability to thrive in the office environment.

In May of 2024 the executive director opted to engage a Gallup poll developed to assess employee satisfaction. The PSRB is proud to report an answer range of 4.11-4.8 for all survey questions (scale being 1-5, with 5 being "strongly agree") and a 100% response rate. This put the PSRB in the 84<sup>th</sup> percentile out of all statewide agencies who participated in the poll. Further, agency leadership have utilized the results of the survey to provide direction for additional staff training and team building.

### Succession planning

The PSRB's Succession Plan was submitted on January 1, 2024. Given that succession planning is a dynamic and evolving processes, this plan will be reviewed and updated at a minimum of annually. This goal is outlined as Goal 3.1 in the PSRB's Strategic Plan.

## APPENDIX

PSRB Complaint Process

State Policy Documentation

2025-27 Organizational Chart

## PSRB Complaint Process

### Formal Complaint Options

Employees with complaints regarding other employees' behavior or conduct may lodge formal complaints with the following personnel:

- The deputy director
- The executive director
- The PSRB's human resources business partner
- The Oregon Bureau of Labor & Industries

Employees with complaints regarding the deputy director's behavior or conduct may lodge formal complaints with the following personnel:

- The executive director
- The PSRB's human resources business partner
- The Oregon Bureau of Labor & Industries

Employees with complaints regarding the executive director's behavior or conduct may lodge formal complaints with the following personnel:

- The PSRB's human resources business partner
- The PSRB's adult panel chairperson
- The Oregon Bureau of Labor & Industries

### Contact Information

#### Executive Director

Alison Bort, J.D., PhD

6400 SE Lake Rd, Ste 375, Portland, 97222

503-229-5596

[alison.bort@psrb.oregon.gov](mailto:alison.bort@psrb.oregon.gov)

#### Deputy Director

Katrina Tonsfeldt, LCSW

6400 SE Lake Rd, Ste 375, Portland, 97222

503-229-5596

[katrina.tonsfeldt@psrb.oregon.gov](mailto:katrina.tonsfeldt@psrb.oregon.gov)

#### PSRB Human Resources Business Partner

Rebecca Avila

Department of Administrative Services

155 Cottage St NE, Salem, OR 97301

[rebecca.avila@das.oregon.gov](mailto:rebecca.avila@das.oregon.gov)

#### PSRB Adult Panel Chairperson

Anne Nichol, J.D.

[anne.nichol@psrb.oregon.gov](mailto:anne.nichol@psrb.oregon.gov)

#### Oregon Bureau of Labor & Industries

800 NE Oregon St, Ste 1045, Portland, OR 97232

971-245-3844

[help@boli.oregon.gov](mailto:help@boli.oregon.gov)

#### Complaint Procedure

1. When employees file formal complaints alleging discriminatory or harassing behavior, the official accepting the complaint will meet with the employee to obtain an account of the alleged conduct, including relevant time(s) and place(s), along with the respondent's identity and that of any potential witnesses.
2. If the complainant has not reduced the complaint to writing (letter, e-mail, agency-approved form), the official accepting the complaint will request that the complainant do so.
3. The official accepting the complaint will alert other officials, as appropriate, including the DAS human resources office or the PSRB's chairperson
4. The agency will respect the complainant's rights, but agency officials must follow up on all complaints. Agency officials will use discretion and respect the complainant's privacy, but they cannot promise the complainant absolute confidentiality.
5. The PSRB takes all complaints against its staff, management, and Board members seriously.
  - Formal complaints may generate a fact-finding inquiry in which officials will interview witnesses and collect written and physical documentation, as necessary. If agency officials determine by a preponderance of the evidence that the alleged behavior occurred and constituted discrimination and/or harassment, the officials will issue findings to that effect. Upon

substantiating a complaint in this way, the investigating officials will take or recommend appropriate corrective action.

- Typically, informal complaints will result in follow-up with the respondent(s) leading to a mutually agreed-upon solution. Based on the nature of the conduct, it is possible that agency officials might need to conduct a fact-finding inquiry and apply corrective action. Should PSRB officials find a fact-finding inquiry necessary, they will discuss the reasons for this with the complainant and consider any objections the complainant makes prior to proceeding.
6. Appropriate agency officials will contact the complainant within 24 hours of having received a complaint alleging discrimination or harassment. When the agency conducts a fact-finding inquiry, the PSRB shall complete such inquiry within 45 calendar days after receiving the complaint. Should the PSRB official(s) conducting the inquiry find that it requires more time to complete due to witness availability or case complexity, these officials may extend the completion deadline an additional 15 calendar days past the original deadline.

### Accessing the Complaint Process

Employees may file formal or informal complaints in writing, via letter, email, or on an agency-approved hard copy or web-based form. The official accepting the complaint will document oral complaints in writing.

## State Policy Documentation

### State HR Policies

- [50.020.10](#): ADA & Reasonable Accommodation in Employment
- [50.010.01](#): Discrimination & Harassment Free Workplace
- [50.035.01](#): Performance Management Process
- [40.055.04](#): Candidate Preference in Employment

Additional HR policies can be found on the Statewide Human Resources Policies [webpage](#).

### Administrative Rules

- [Equal Opportunity and Affirmative Action Rule](#)

### Executive Orders

- [Executive Order 22-11](#): Relating to Affirmative Action, Equal Employment Opportunity, Diversity, Equity, and Inclusion

## Federal Documentation

- [Title VII of the Civil Rights Act of 1964](#)
- [The Pregnancy Discrimination Act](#)
- [The Equal Pay Act of 1963](#)
- [The Age Discrimination in Employment Act of 1967](#)
- [Title I of the American's with Disabilities Act of 1990](#)
- [Sections 102 & 103 of the Civil Rights Act of 1991](#)
- [Sections 501 & 505 of the Rehabilitation Act of 1973](#)
- [The Genetic Information Nondiscrimination Act of 2008](#)

# 2025 - 2027 Organizational Chart

**Governor**

**Adult Panel**

**Psychiatric Security Review Board**

**Juvenile Panel**

**Executive Director**

Alison Bort

Principal Executive/Manager F; 1.0 FTE

**Deputy Director**

Katrina Tonsfeldt

Business Operations Manager 1; 1.0 FTE

**Executive Support**

Laura O'Meara

Executive Support Specialist 2; 1.0 FTE

**Hearings Officer (Lead)**

Maria McCormack

Paralegal; 1.0 FTE

**\*Research Analyst**

Shelley Banfe

Research Analyst 2; 1.0 FTE

**Information Systems Specialist**

Priya Tripathi

ISS-4; 1.0 FTE

**Conditional Release Monitor**

Dawn Anderson

Paralegal; 1.0 FTE

**Case Summarizer**

Karen Hoeschler

Administrative Specialist 2; 1.0 FTE

**Hearings Support Specialist**

Kelsey Taylor

Administrative Specialist 2; 1.0 FTE

**\*Office Specialist**

Vacant

Office Specialist 2; 1.0 FTE

**Conditional Release Monitor**

Matthew Berndt

Paralegal; 1.0 FTE

**Hearings Support Specialist**

Sharon Hall

Administrative Specialist 2; 1.0 FTE

**Hearings Support Specialist**

Bethany Quist

Administrative Specialist 2; 1.0 FTE

\* Positions under review