

Date/Time: September 24, 2:00 – 4:00pm

Meeting Summary: The Victims' Issues Rules Advisory Committee (RAC) convened on September 24, 2026, via Microsoft Teams. The RAC considered a new approach to the process to reinstate victim contact and draft language for the corresponding rule.

RAC Members & Attendance

Name	Affiliation	Present
Members		
Bailey Squires-Moody	Lane Public Defender Services	X
Cheryl Meyers	Oregon State Hospital	X
Claire Graves	Polk County DA Office	
Dana Goetz	Oregon Health Authority Forensic Evaluator Certification Program	X
Della Hoffman	Oregon State Hospital	X
Elisabeth Waner	Oregon DOJ Appellate Advocacy Program	X
Emily La Brecque	Oregon Crime Victims Law Center	X
Jennifer Braaten	Oregon DOJ Appellate Advocacy Program	X
Harris Matarazzo	Defense Attorney	
Nathan Frommer	Oregon State Hospital	
Reid Kajikawa	Lane Public Defenders Services	
Sandi Flowers	Oregon State Hospital	X
Shannon Sivell	Oregon DOJ Crime Victim Survivor Services	
Stephanie Stocks	Oregon DOJ Appellate Advocacy Program	
Rules Coordinators		
Alysson Bocciolatt	PSRB	X
Alison Bort	PSRB	X
Katrina Elison	PSRB	

Welcome & Introductions

Link to Presentation: [RAC 4](#)

Alysson Bocciolatt opened the meeting at 2:01pm and indicated that the meeting was being recorded and would be shared according to Public Meeting Law. RAC members and participants from the PSRB introduced themselves. Alysson presented the agenda for the meeting.

Updates

Alysson shared actions that the PSRB has taken since the previous RAC meeting in June, including the adoption of two of the three rules considered by the RAC earlier this year relating to the treatment of victim-safety concerns and preferences for conditional release planning, placement, and modifications.

The two rules were effect September 2, 2026. The third rule, regarding reinstating victim contact required further consideration, which is the reason this meeting was convened.

Analysis and Advice from Counsel

Alysson provided an overview of how the PSRB has been reflecting on the proposed process for victims to request to reinstate contact or update contact preferences when a person under the Board's jurisdiction resides at the Oregon State Hospital (OSH). Key questions included:

1. Have we identified the best solution to the problem?
2. Have we identified the correct problem?
3. What is the Board's role and authority for handling requests?
4. Is the no-contact provision serving its intended purpose?
5. What is the best process that would support support victims when contact preferences change?

PSRB consulted with legal counsel about central questions related to reinstating contact. Alysson summarized the legal advice:

1. PSRB has exclusive jurisdiction once an individual is placed under the Board through the Guilty Except for Insanity (GEI) order. Because of this, no-contact provisions in the judgment are not enforceable or modifiable by PSRB or OSH.
2. OSH can impose restrictions under its own administrative authority but PSRB cannot impose conditions on OSH patients. PSRB can imposed conditions when a person is conditionally released.
3. Courts retain authority over separate protective orders, which are enforceable and supersede GEI judgment language.

Discussion

- A RAC member asked for the statutory or regulatory authority that allows OSH to manage or impose conditions relating specifically to victim contact, and whether OSH's authority to manage patient safety and visitation necessarily extends to victim-specific contact, which may involve unique risks (domestic violence, child victims).
 - Agency Response (Alison): OSH's authority arises from its own administrative rules, hospital policies, and its responsibility to manage treatment, monitoring, visiting rules, phone restrictions, and safety. OSH's role is *not* to assess victim preference or modify court judgments, but to manage safety, clinical appropriateness and harm prevention. Under new process, OSH would implement contact only after a victim expresses their preference to the PSRB.
- A RAC member questioned the conclusion that no-contact provisions in GEI orders are not enforceable and not modifiable, indicating that this contradicts the court's practice and expectations regarding contact when the provision is included in the order.
 - Agency Response (Alysson, Alison): PSRB legal counsel advised that courts' jurisdiction ends once GEI adjudication occurs, making the GEI judgment's no-contact language a non-binding condition for PSRB or OSH. PSRB acknowledges this is a shift from historical

understanding of the no-contact provision and clarified that the provision, at this time, is going to remain in the order template for continuity. Requested additional feedback from DOJ about the issue.

- A RAC member questioned why courts are not using separate protective orders and instead relying on no-contact provisions. RAC members responded, clarifying that many victims do not qualify for restraining orders due to statutory requirements. Protective orders, such as stalking orders, put the burden on the victim to go through a civil process.
 - Agency response (Alison): Expressed that this process is meant to reduce burdens on victims who wish to have contact while a person is at OSH to start healing and repair while the person is in a supportive environment. Emphasized that the process has always been envisioned as being victim-driven and meant to offer a means for them to reunite with an individual at the hospital, should both the victim and client wish to do so.
- A RAC member questioned the conclusion that the no-contact provision has no bearing on the PSRB because the court expects the order to be enforced and indicated that it seems the PSRB would be able to modify a no-contact provision.
 - Agency response (Alysson): Expressed that the proposed solution would retain the no-contact provision, and that PSRB administrative rules state that the provision in the judgment is the default unless and until a victim reaches out to the PSRB requesting to change contact preferences.

Proposed Administrative Process

Alysson presented the new concept for this process, based on legal advice, summarized as:

1. Victim completes a contact preference form (online).
2. PSRB documents and transmits the preference to OSH.
3. OSH determines whether and how contact occurs under its policies.

Alysson explained that with this streamlined process, the PSRB would not conduct a review or consultations or issue a decision. The administrative process would allow victims to change their preferences when the GEI judgment includes a no-contact provision. This preserves previous practice while enabling victims who want contact to initiate it safely. This would be mechanism to collect and transmit victim preferences to OSH while a person is at the hospital. If the client is on conditional release, modification proceeds through existing PSRB rules, including the two that recently passed about victim-safety considerations.

Discussion

- A RAC member asked how the form will be made available and at what point victims may request to change preferences.
 - Agency Response (Alysson, Alison): Form can be accessed anytime online and is applicable once the person is placed under the PSRB's jurisdiction.
- A RAC member raised the issue of access to the form because some victims may have limited tech literacy, and how victims will be informed of the new process. Recommended a paper form and secure methods for transmitting information online. RAC members recommended making

printed forms available at the OSH ombuds office, DOJ, PSRB, and mailed to victims upon request.

- Agency Response (Alison, Alysson): Victims can request assistance filling out the form and a paper form can be created and distributed on request. Cautioned against mailing notice of the change to victims to avoid causing distress.

Rule Text Review

The RAC reviewed the draft rule language together.

- A RAC member questioned how PSRB will prevent impersonation or fraudulent requests made on behalf of victims using the online version, specifically.
 - Agency response (Alison, Alysson): Acknowledged this is a real risk and that this process previously considered verifying identification of the victim, but that seemed burdensome and complicated. PSRB will consider verification options.
- A RAC member asked whether state and defense would be notified that a victim reinstated contact or changed contact preferences. Express concern about parties being caught unaware of changes, public safety implications and case strategy issues.
 - Agency response (Alison): Clarified that the proposed process does not include notice, but PSRB will consider including notice to parties, even though there would be no hearing if there is objection because this applies only when the person is at the hospital.
- A RAC member asked whether the same process would apply when a victim wants to make the no-contact provision more or less restrictive.
 - Agency response (Alysson, Alison): Confirmed that this is true and similar to the previous iteration of this process in that the same form can be used to change preferences or revoke contact as needed. If the person is on conditional release, restrictions can be increased right away through a modified order.
- A RAC member asked whether victim contact will be reconsidered at the time of conditional release.
 - Agency response (Alison): Affirmed that the Board will continue current practice of considering victim contact when making determinations for conditional release. Reminded RAC members that the rules recently adopted by the Board require outpatient supervisors to consider victim safety considerations, including contact, as part of conditional release planning.
- A RAC member asked how process works when patient declines contact or treatment team determines contact is not clinically appropriate. Another RAC member clarified that units document clinical rationale and patient preference.
 - Agency response (Alysson): Clarified that a victim's preference does not create a requirement for patient to have contact. Patients have a choice whether to have contact and treatment team will assess whether contact is appropriate.

Next Steps & Anticipated Dates

RAC members discussed meeting again to get additional perspective from defense counsel about unresolved concerns regarding no-contact provisions being non-binding, notice requirements, and

potential consequences for clients and counsel. PSRB agreed to reach out to Mr. Matarazzo to consult about availability.

- Next meeting: Monday, September 28, at 11am or 3pm. Alysson will confirm.
- Alysson will post minutes and recording to the Rulemaking [website](#) by 9/28.

Adjourn

Alysson thanked RAC members for their contributions and time and adjourned the meeting at 3:15pm.

For additional information, contact: Alysson Bocciolatt, Alysson.Bocciolatt@psrb.oregon.gov