

Date/Time: October 2, 2026, 11:00am - 12:30pm

Meeting Summary: The Victims' Issues Rules Advisory Committee (RAC) convened on October 2, 2026, via Microsoft Teams. The RAC discussed the proposed process for victims to request to reinstate 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	
Claire Graves	Polk County DA Office	X
Dana Goetz	Oregon Health Authority Forensic Evaluator Certification Program	
Della Hoffman	Oregon State Hospital	
Elisabeth Waner	Oregon DOJ Trial Services	X
Emily La Brecque	Oregon Crime Victims Law Center	
James Aaron	Oregon DOJ Trial Services	X
Jennifer Braaten	Oregon DOJ Appellate Advocacy Program	X
Harris Matarazzo	Defense Attorney	X
Nathan Frommer	Oregon State Hospital	X
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 (AAP)	X
Rules Coordinators		
Alysson Bocciolatt	PSRB	X
Alison Bort	PSRB	X
Katrina Elison	PSRB	X

Welcome & Introductions

Link to Presentation: [RAC 4](#) (no new material for this meeting)

Alysson Bocciolatt opened the meeting at 11:01am 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.

Overview of Proposed Process

PSRB consulted with legal counsel about central questions related to reinstating contact. Alysson summarized the PSRB's interpretation of the law based on legal advice (see presentation and recording for greater detail):

1. Once an individual is placed under PSRB jurisdiction through a Guilty Except for Insanity (GEI) judgment, PSRB's interpretation is that the circuit court no longer has continuing jurisdiction to enforce or modify a victim-contact provision contained within that GEI judgment. The no-contact preference reflected in the judgment remains the default unless the victim requests a change.¹
2. OSH can impose restrictions under its own administrative authority, but PSRB cannot impose conditions on OSH patients. PSRB can impose conditions when a person is conditionally released.
3. Separate protective or restraining orders issued under other legal authority remain valid and are distinguishable from a no-contact provision contained within the GEI judgment. Those orders may be modified only by the court with continuing jurisdiction over them.

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 the current practice while enabling victims who want contact while patients are at OSH 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.

Alysson also identified implementation work that would accompany the rule, including updating information provided to the Oregon Judicial Department (OJD), revising victim information and the victim-contact form, and developing a clear internal PSRB procedure for processing requests.

Discussion

- A RAC member expressed support for the substantially simplified proposed rule, but remained concerned that PSRB would become an “information-gathering hub” by interacting directly with victims regarding reinstated contact. Believes this is inappropriate and that counsel should be involved. Raised concern that current GEI plea/judgment forms may result in victim preferences being incorporated more routinely and suggested victims might instead work with prosecutors regarding separate enforceable orders. Also questioned why OSH cannot continue handling victim-contact issues directly, as historically done.
 - Agency Response (Alysson & Alison): Confirmed the updated process is intentionally limited and would not involve investigation. Clarified PSRB's administrative role: receiving victim preferences, documenting them, and transmitting them to OSH. OSH then determines whether contact occurs. Clarified that the practice of including no-contact language in GEI judgment materials was not a recent development and referenced guidance issued by former PSRB Director Britton approximately eight years earlier.

¹ Post RAC, PSRB sought clarification on this point. It appears possible a court can decide it wants to try to enforce such a no contact provision (or a DA can seek a contempt); however, it is unclear what authority they would rely on to do so.

- A RAC member responded that prosecutors routinely discuss contact preferences with victims and questioned the suggestion that no-contact provisions were being included without individualized consideration. The member also expressed concern that requiring victims to obtain a separate protective or restraining order would be inefficient and, for some victims, legally unavailable because they may not meet the statutory criteria for those civil remedies. The member emphasized the importance of clearly communicating to victims and OJD what a no-contact provision in a GEI judgment means after PSRB jurisdiction begins. The member expressed concern that victims could reasonably believe the provision provides a level of enforceability or protection that may not exist once jurisdiction has transferred and stated that victims should understand where limitations in the system may exist.
 - Agency Response (Alison & Alysson): Alysson explained PSRB's interpretation that the circuit court's jurisdiction over the GEI matter ends when PSRB jurisdiction begins and that a victim-contact provision contained in the GEI judgment does not operate as a separate, independently enforceable protective order against a hospitalized patient. Alison emphasized that this limitation exists under the current process and is not created by the proposed rule. The proposed rule is intended to formalize the existing process for victims who affirmatively want contact while an individual is hospitalized. Alison further explained that PSRB had drafted information for OJD describing its interpretation of GEI no-contact provisions and the proposed process, but that the draft would need to be updated as the rule and process were finalized. DOJ expressed interest in providing additional input on victim-facing and court-facing messaging.
- The RAC discussed how no-contact provisions contained in GEI judgments are currently treated by OSH.
 - OSH Response: OSH reported that no-contact provisions contained in GEI judgments are entered into its system and taken seriously. When contact is requested, the treatment team documents whether contact is clinically appropriate; when unwanted contact occurs, OSH has mechanisms, including communication restrictions, that may be used when supported under its policies and patient-rights requirements.
- A RAC member asked how victims should report unwanted contact when OSH cannot impose blanket restrictions on patient communications without sufficient justification. The member sought clarity about how a victim could alert OSH or PSRB that unwanted contact was occurring. RAC members identified several existing avenues. OSH described its Ombuds Office, Family Services, and other internal reporting routes. DOJ victim advocates explained that victims also contact DOJ or PSRB and that DOJ and PSRB may coordinate with OSH when unwanted contact is reported.
- RAC members discussed recent examples involving unwanted contact from OSH patients. One example involved a GEI judgment containing a no-contact provision, after which PSRB, DOJ AAP, and OSH coordinated regarding communications received by the victim and OSH implemented restrictions under its own authority. A separate example involved an independently enforceable restraining order, which allowed a more direct law-enforcement response. The discussion highlighted that restricting patient communication can be more difficult when there is no separate protective order and OSH must rely on its own policies and patient-rights framework.
 - Agency Response (Alison): Alison noted that PSRB was aware of only a small number of such cases over approximately eight years, although two had occurred recently. She invited RAC members to provide additional information if unwanted victim contact was occurring more frequently. Alison also

emphasized that the difficulties identified in the recent cases arose under the existing process and were not created by the proposed rule.

- A RAC member suggested considering language in administrative rule or other guidance expressing an expectation that OSH make reasonable efforts to honor a victim's expressed preference for no contact.
 - Agency Response (Alison & Alysson): Alison stated that the concept sounded consistent with the Board's expectations but noted the limits of PSRB's authority to promulgate rules governing OSH. She noted that PSRB rules sometimes use language describing what the Board "expects," "encourages," or "understands" another entity will do. Alysson similarly noted that PSRB could not write a rule for OSH but that the discussion raised a potential issue for further consideration regarding how no-contact provisions are operationalized by OSH.
 - OSH Response: An OSH representative stated that treatment teams respond based on what they determine is clinically appropriate and necessary. He was not prepared to take a position at the meeting regarding additional OSH rulemaking and indicated that further internal consultation would be necessary
- A RAC member questioned PSRB's authority to establish a process allowing contact when the GEI judgment contains a judicial no-contact provision. The member asked whether allowing contact would effectively permit OSH to act contrary to a judicial order and whether a party instead would need to return to circuit court to seek modification.
 - Agency Response (Alison & Alysson): Alison explained that PSRB's interpretation is based on the governing statutes and case law addressing transfer of jurisdiction following a GEI adjudication. Under that interpretation, full jurisdiction over the GEI matter transfers to PSRB, and the no-contact provision contained in the GEI judgment does not continue as an independently enforceable circuit-court order against a hospitalized patient.²

The RAC also discussed how no-contact conditions operate when an individual is on conditional release. Alison explained that when a court initially places an individual directly on conditional release, supervisory conditions operate during the period before the Board's initial hearing. Thereafter, PSRB may impose, modify, and enforce the initial no-contact conditions through its conditional-release authority. Enforcement occurs through PSRB's supervision and authority to intervene, modify conditions, or revoke conditional release rather than through prosecution for violation of the original GEI judgment.

Rule Text Review

Alysson reviewed the draft rule language with the RAC. The draft provided that:

- the process applies only to victim-contact preferences contained in the GEI judgment placing the individual under PSRB jurisdiction;
- the process does not modify, supersede, or otherwise affect a separate active court order governing contact;
- a victim may use the process either to request reinstatement of contact or to revoke a previously expressed preference for contact;

² Similar to above footnote, post-RAC, PSRB sought clarification on this point. It appears possible a court can decide it wants to try to enforce such a no contact provision (or a DA can seek a contempt); however, it is unclear what authority they would rely on to do so.

- a request on behalf of a minor must be submitted by the minor's legal guardian;
- the victim's expressed contact preference will become part of the exhibit record;
- when the individual is at OSH, PSRB will provide the updated preference to OSH, with any contact remaining subject to OSH policies and applicable court orders; and
- when the individual is on conditional release, PSRB will address the request under the conditional-release order and applicable administrative rules.

A RAC member asked that the rule also require notice to the parties when a victim submits a request to change their contact preference.

- Agency Response (Alysson & Alison): Alysson agreed to add notice to the rule. Alison clarified that notice would occur when PSRB receives the victim's request, rather than after OSH acts on it, because the ultimate decision regarding whether and how contact occurs at OSH is left to the hospital and PSRB may not know the outcome.

Next Steps & Anticipated Dates

- PSRB will update OJD guidance and victim-facing information to reflect the finalized process and rule.
- DOJ requested an opportunity to provide additional input on messaging, particularly the victim-contact information sheet; PSRB welcomed that participation.
- RAC members were invited to assist in reviewing and formatting information sheets so they are understandable to their intended audiences, including victims and the Judicial Department.
- PSRB will develop a clear internal procedure for receiving, documenting, and transmitting victim-contact preference requests.
- RAC members expressed interest in continued discussion regarding how OSH construes and operationalizes no-contact provisions contained in GEI judgments and what processes may be available under OSH's authority to address related victim-safety concerns. Members acknowledged that this discussion may be more appropriate in a separate forum.
- Alysson will update the PSRB Rulemaking website with the meeting summary and make the recording available.
- Alysson anticipated presenting the proposed rule to the Board on October 7, 2026, for consideration and possible adoption.
- RAC members were invited to provide final comments to Alysson or Alison before the October 7 Board meeting so they could be considered before the Board vote.
- If adopted by the Board on October 7, PSRB anticipated an effective date of November 1, 2026.

Adjourn

Alysson thanked RAC members for their contributions and time and adjourned the meeting at 11:59am.