MEMO

TO: Board Members

FROM: John J. Talaber, Esq.
       Board Secretary

DATE: May 18, 2017

RE: Minutes – Board Meeting
    April 19, 2017

In compliance with Act 175, known as the Sunshine Law, effective September 17, 1976, the Office of Chief Counsel provided notification to the public of the scheduled meeting on April 19, 2017 of the Pennsylvania Board of Probation and Parole.

The meeting convened at 9:00 a.m. on April 19, 2017 with Chairman Dunn presiding.

Board Members Linda Rosenberg, Mark Koch, Ed Burke, Everett Gillison, Ted Johnson, and Mike Potteiger were present. Board Member Leslie Grey was not in attendance.

Also in attendance were Alan Robinson, Chief Counsel, Office of Chief Counsel; Laura Treaster, Director, Office of Communications; Chad Allensworth, Chief Hearing Examiner, Hearing Examiners Office; John J. Talaber, Board Secretary, Office of Board Secretary; Luis Rosa, Director, Office of Re-Entry and Quality Assurance; Scott Woolf, Director, Internal Affairs and Special Services Office; Meghan Dade, Executive Director, Sexual Offenders Assessment Board (SOAB) and Jennifer Storm, Victim Advocate, Office of the Victim Advocate (OVA). Not attending were Edie Letherby, Director, Office of Administrative Services; Victor Wills, Director, Office of Policy and Legislative Affairs; and Christian Stephens, Director, Office of Field Probation and Parole Supervision.

Pennsylvania Sentencing Commission Executive Director Mark Bergstrom was in attendance from the general public.

I. APPROVAL OF FEBRUARY 15, 2017 BOARD MEETING MINUTES

Board Member Burke made a motion to approve the board minutes as written, which was seconded by Board Member Johnson. No discussion, and the Board unanimously approved the minutes as submitted.

II. STAFF AWARDS

The Board honored Mary Kelly, Parole Staff Technician, and Office of Board Secretary for her 35 years of service to the Board with a pin. The Board also
honored Meghan Dade and Kevin Snell with certificates recognizing their outstanding performance with the development and implementation of the Integrated Sex Offender Assessment Tracking System database.

III. STAFF REPORTS

All reports referenced in public session were previously disseminated to board members and senior staff for review and will be made available upon request.

A. Office of the Victim Advocate

Director of Victim Services Pennie Hockenberry reported OVA had nothing to report, and was available to the Board as needed.

B. Sexual Offenders Assessment Board

Executive Director Meghan Dade had nothing to report other than what was already submitted, and was available to the Board as needed.

C. Office of Chief Counsel

Chief Counsel Alan Robinson had nothing to report other than what was already submitted. Chief Counsel Robinson introduced Assistant Counsel Khadija Diggs, Morgan Davis, and Tim Keating to the Board. Chief Counsel Robinson reported that there are two significant cases pending in the courts: Young v. Pa. Bd. of Prob. & Parole, Pa. Cmwlth. Ct. on the issue of sentence credit for time at liberty on parole and awarding and taking away credit; and Smith v. Pa. Bd. of Prob. & Parole, Pa. Supreme Court, oral argument on May 10, 2017 on sentence credit for cases where the offender is incarcerated in federal custody. Chief Counsel Robinson was available to the Board as needed.

D. Hearing Examiners Office

Chief Hearing Examiner Chad Allensworth had no additional information to report other than what was submitted, and he was available to the Board as needed.

E. Statistical Reporting and Evidence-Based Program Evaluation Office

Chairman’s Executive Assistant Brad Biren reported that DOC is working on numerous data requests for the Board, he had nothing else to report, and was available to the Board as needed.
F. Office of Administrative Services

Director of Office Services Deb Carpenter had no additional information to report other than what was submitted, and she was available to the Board as needed.

G. Office of Field Probation and Parole Supervision

Executive Assistant to Director Christian Stephens, Grace Franks, had no additional information to report other than what was submitted, and she was available to the Board as needed.

H. Office of Re-Entry and Quality Assurance

Director Luis Rosa reported that Director Stephens and he held an Operations meeting the prior week for two days. Director Rosa indicated that his office continues to train county staff on motivational interviewing. Director Rosa noted that in terms of the “cases not seen report” the numbers are at a low not reached since 2004. The Diversity Counsel had its first meeting, with the next meeting on May 3, 2017, with training on cultural dependence and cultural awareness. Director Rosa noted that on April 20, 2017 his Office is participating in a training on workforce development in Philadelphia. Director Rosa noted ongoing projects working with the ASCRA and Citizens Advisory Committee. Board Member Rosenberg suggested that we hold monthly meetings of the Juvenile Lifer populations so that they could discuss challenges; and noted that the Juvenile Lifer community would like to give back, and suggested we reach out to an academic institution to develop a mentor curriculum to share with other Juvenile Lifers. The Chairman suggested that Board Member Rosenberg discuss the matter with Director Stephens, and have him take the lead on it. There was a general discussion among the Board Members and senior staff on ways to accomplish this suggestion. Board Member Johnson requested Executive Assistant Grace Franks to email him the list of parole agents that work directly with the Juvenile Lifer population. Board Member Johnson also noted that as we discuss workforce development and diversity, he would like to see the hiring of former offenders as part of the process. Director Rosa had no additional information to report, and he was available to the Board as needed.

I. Communications Office

Director Laura Treaster had nothing further to submit other than what was already provided, and was available to the Board as needed.
J. Policy and Legislative Affairs Office

Intern Cameron Eisenhauer for Director Victor Wills had no additional information to report other than what was submitted, and he was available to the Board as needed. Board Member Rosenberg asked for copies of the JRI Bill when it is introduced, and Chairman Dunn indicated that would occur.

K. Internal Affairs and Special Services Office

Director Scott Woolf noted that there is a big push to move iPads out to the field. There will be a pre-demonstration of OnBase recommitment workflow after the Board Meeting. Director Woolf had no additional information and was available to the Board as needed.

L. Office of Board Secretary

Board Secretary John Talaber announced the retirements of OBS Director of Case Management, John Koontz and Parole Staff Technician, Sharon Thomas on April 28, 2017. Board Secretary reported that there was a second enhanced reentry positive parole decision to the program that Board Member Koch is heading. Board Secretary Talaber noted the chart that will show progress on how quickly the file room files are being scanned, and explained the scanning process with the goal of having the file room emptied by the end of 2017 (if not sooner). Board Member Potteiger and the Chairman noted that the fact that the “cases not seen” report for files not being available from OBS is directly attributable to the OnBase’s positive impact in the process.

Staff reports were completed at 9:37 a.m.

IV. OLD BUSINESS

A. Recirculation of Cases

Board Secretary Talaber provided a summary handout to the Board Members with the numbers and types of cases that get recirculated. Board Secretary Talaber noted that we can cut the amount of recirculation of the “minimum sentence unit and violator unit issues” type of cases. Board Secretary Talaber suggested the following as ways we can cut the number of cases needed to be recirculated: (1) better communication between Board Member, Board staff, and DOC through tightening our terminology and through education of what programs are currently available; (2) Onbase will be developed to address the issues such as conflicting conditions, failure to sign documents, etc.; (3) working on solutions to breakdowns the administrative process with better electronic information (connecting with AOPC information); and (4) working with the President Judges to share information with the sentencing judge. Board Secretary Talaber also noted that the Joint Resolution Committee (JRC) cases amount to about 34 cases per month, when considering the number of Board decisions we make (3000
or more per month) are less than 1% of the Board decisions, take a substantial amount of decision maker time on recirculation. Chairman Dunn suggested that this be a subject of conversation with DOC Executive Deputy Secretary Shirley Moore Smeal at the May 2017 meeting. Board Secretary Talaber noted that many cases are clear that the Board decision makers are not going to change their decision.

The Board Members generally discussed the cases that they have had involving the JRC recirculation process. Chairman Dunn noted that we are in the process of updating assessments that the Board and DOC utilizes after the May 2017 Board Meeting. Board Member Potteiger noted that there are a lot less of JRC cases than what there were 5 years ago. Board Secretary Talaber noted that some JRC decisions are reconciled without further Board decision maker involvement just by sharing, at the institution level and higher, excerpts of the 361 notes on why the decision maker is requiring the program. Board Member Gillison noted that some situations are recommendations and not directives, and that the shared information should help in the process. Board Secretary Talaber also suggested more involvement at the institution level would decrease the number of cases that make it to the JRC. Board Member Burke noted that when he worked in the institution the dialogue at the institutional level was very beneficial; and Chairman Dunn noted that he and Hearing Examiner Hamm do something similar with their cases.

Board Secretary noted that some cases, in particular cases coming from OVA, have to be recirculated as new information comes available. The Board had no further questions about the recirculation report.

B. Juvenile Lifer Cases

Board Secretary Talaber handed out the “Juvenile Lifer” snapshot as of April 19, 2017 for the Board to review. Board Secretary Talaber noted that Administrative Officer Belinda Nester has done an outstanding job of monitoring the Juvenile Lifer cases who on a daily basis coordinates the process and keeps the list up to the moment. Board Secretary Talaber noted the high parole rate of 96%. Board Member Potteiger asked for additional information on: (1) How many juvenile lifers have been released into the community; and (2) What is the release time from Board decision to actual release back into the community. Chairman Dunn requested Directors Rosa and Stephens to assist with the numbers. The Board had no further questions about juvenile lifers.

C. Opioid Resolution 2017-03

Chairman Dunn noted the draft of the resolution for the creation and adoption of the Board’s public policy that supports the Governor’s desire to combat the opioid epidemic. Board Member Potteiger made a motion to adopt resolution 2017-03. Board Member Koch seconded the motion. There was no discussion. The Board unanimously adopted the resolution.
Chairman Dunn noted that Director Stephens brought to his attention the parole agent safety issue of overdoses of police officers because of fentanyl and their touching the drug. Chairman Dunn is mandating that parole agents carry naloxone with them for this reason too.

D. BTA Training Committee Report

Board Member Koch reported that the Committee developed a 24 week program that has not been implemented yet because of budgetary concerns. The agency processes will be enhanced in the revised curriculum. Also included will be two, 2 week terms (one in the field and one in the institution) so that the student can see first-hand what it is like working in that environment and return to the academy environment to ask questions. Board Member Johnson noted that because of the budget there may need to be a plan "b" or a plan "c" that would modify the aforementioned plan. The Board had no questions.

E. Board Training Committee Report

Board Member Rosenberg noted the survey, and stated the following items on the list: (1) JRI; (2) Merger Information; (3) Mental Health Information; (4) Opioid; (5) Assessments; and (6) SOP. The Committee will be meeting and put together the schedule to share with the Board at the May 2017 Meeting. Board Member Rosenberg encouraged people to keep submitting ideas. There was discussion about how many retreats we have, with a large training in September or October 2017.

V. NEW BUSINESS

Community Corrections Center Report

In Director Stephens' absence, Executive Assistant Grace Franks provided a handout to update the Community Corrections Center situation and decisions after the February 13, 2017 CCC Summit. Chairman Dunn noted that the decision was made with the Centers by Secretary Wetzel, but due to scheduling conflict, could not come back to address the Board. Executive Assistant Franks noted that 1,500 beds needed to be eliminated by July 1, 2017. The beds that were cut come from the Community Corrections Facilities and no female, specialized beds, drug or alcohol or dual diagnosis beds were affected. Group home beds are to be utilized for home releases. Halfway back beds will be designated in each region at the CCF for this population. The Halfway back bed usage will be reduced utilizing GPS. The Parole Violation Centers were contracted by the DOC for 738 PVC beds while the Board was only utilizing 520. The field reviewed bed usage for the PVC work releases, halfway back, and the Board’s offender population (where they are living) and where they are being released to (what districts) and tried to determine where the offenders are located in each region. DOC Bureau of Community Corrections (BCC) realigned their regions to match the Board’s regions and determine the
reductions as shown on Chart 2. Executive Assistant Franks noted that the process is almost complete. Board Member Burke asked how they were determining the centers, and Executive Assistant Franks noted that it was by compliance with the contracts. The Board’s interest in the process was based on locations with more in the west.

Executive Assistant Franks noted that there are bi-weekly meetings with DOC to review this information and determine ways to address needed changes. The Board Members discussed the numbers that were presented and the anticipated increase to the parole pending list. The Board Members are interested in obtaining numbers about the recidivism rates at the parole violation centers. Chairman Dunn directed Executive Assistant Biren to request from DOC (Brett Bucklin) what the 1 to 2 year recidivism rates are for parole violator centers since the beginning of parole violator centers.

There was discussion among the Board Members and staff about the use of the “voucher system” and the problems with the landlords not wanting to take a chance on the offender. Director Rosa noted that the providers are not signing-up for the program.

There was discussion among the Board Members and staff about the use of active GPS to assist with managing offender issues and approving home plans that might not in the past have been approved.

Board Member Potteiger asked if the population of offenders just being paroled and offenders who are recommitted are being mixed in the Centers? Executive Assistant Franks noted that there will be designated specific facilities for the differing populations after July 1, 2017. Board Member Burke asked if there are any Centers taking SVPs? Executive Assistant Grace Franks will find the specific answer and report back. Board Member Burke noted that Director Rosa’s staff should encourage home plans with aunts, uncles and other relatives to increase the number of home plans available. Director Rosa reported that his staff is working on that.

There was general discussion among the Board Members of revising the decisional instruments the Board utilizes in the 361. Chairman Dunn reported that at upcoming meetings we would be discussing the available assessments when we revise the 361. Board Member Rosenberg suggested that we include the counties when we consider an LSR1 statewide license. Various Board Members noted that they do not regularly receive the Burke forecast. Board Secretary Talaber and Director Woolf will check into whether there is a technical problem in OnBase that Board Members are not receiving the Burke forecast.

Chairman Dunn directed Executive Assistants Franks and Biren to obtain the numbers of offenders that are sent to the PVC; what does the population look like; and why were they sent there. The Board Members would like to obtain more information on the offender population that is returning and why they are returning. The Chairman reiterated that the Board needs to obtain the recidivism rates at the
PVCs; however, there is a lot of manual digging for the data to update this type information.

Board Member Potteiger moved to adjourn the meeting, which was seconded by Board Member Burke. The board unanimously voted to adjourn the meeting.

JJT