



MEMO

TO: Board Members

FROM: John J. Talaber, Esq.  
Board Secretary

DATE: January 23, 2018

RE: Minutes – Board Meeting  
December 13, 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 November 15, 2017, of the Pennsylvania Board of Probation and Parole.

The meeting convened at 9:00 a.m. on December 13, 2017, with Chairman Dunn presiding.

Board Members Linda Rosenberg, Ed Burke, Ted Johnson, Everett Gillison and Mark Koch were present. Board Members Mike Potteiger, Leslie Grey and Tony Moscato arrived at 9:04 a.m.

Also in attendance were Alan Robinson, Chief Counsel, Office of Chief Counsel; Chad Allensworth, Chief Hearing Examiner, Office of Hearing Examiners; Maria Finn, Press Secretary, Office of Communications; Laura Treaster, Director, Office of Communications; John J. Talaber, Board Secretary, Office of Board Secretary; Deborah Carpenter, Executive Assistant to the Chairman; Victor Wills, Director, Office of Policy and Legislative Affairs; Meghan Dade, Executive Director, Sexual Offenders Assessment Board (SOAB); George Little, DOC Chief Deputy Secretary for Community Corrections and Reentry; and Dr. Brett Bucklen, DOC Director of Planning, Research as Statistics. Jennifer Storm, Victim Advocate, Office of Victim Advocate (OVA) was not present at the meeting.

Pennsylvania Sentencing Commission Dr. Diane Shoop also attended the meeting. Director of Public Safety for Homeland Security in Pennsylvania, Marcus Brown also attended the meeting arriving at 9:34 a.m.

I. APPROVAL OF NOVEMBER 15, 2017 BOARD MEETING MINUTES

Board Member Burke made a motion to approve the board minutes as written. Board Member Johnson seconded the motion. There was no further discussion and the board quorum unanimously approved the minutes.

II. STAFF REPORTS

All reports referenced in public session were previously disseminated to the Chairman and will be made available upon request. Chairman Dunn expects senior staff to highlight two or three things in their staff reports at the board meeting since the board will no longer receive the reports in writing.

A. Office of Communications

Director Treaster reported that her Office was updating the Juvenile Lifer Frequently Asked Questions pamphlet. The Board did not have any questions for Director Treaster.

B. Office of Policy and Legislative Affairs

Director Victor Wills reported on the SORNA legislation updates. The Board did not have any questions for Director Wills.

C. Office of Chief Counsel

Chief Counsel Alan Robinson stated he had nothing to report, and was available to the board as needed. The Board did not have any questions for Chief Counsel Robinson.

D. Office of Board Secretary

Board Secretary shared updated statistics on the Juvenile Lifer population. Board Member Burke asked if there were any recommitments, and Board Secretary Talaber reported "no." Board Member Grey asked if there were and sanctions on the Juvenile Lifer offenders. There was a brief discussion on the one case in which there was a sanction. Board Secretary Talaber reported that additional information would be provided to the board members.

Board Secretary Talaber reported that as of that date, there were approximately 2,500 files remaining in the file room to be indexed and sent to the Department of Revenue as part of the OnBase project. Board Secretary Talaber reported that staff was on-track to have them completed by the December 31, 2017 deadline, and that the file room needed to be emptied so that the DOC Records Office could relocate to the Riverfront Office Center. Board Secretary Talaber reported that it will take a least a month at Department of Revenue (DOR) to complete the scanning project. The Board did not have any questions for Secretary Talaber.

E. Hearing Examiners Office

Chief Hearing Examiner Chad Allensworth reported that all the dockets have been covered for the month, and that he was in the process of hiring another hearing examiner to replace Mr. Barone due to his retirement. Board Member Johnson asked if the new hire is a minority candidate. Chairman

Dunn replied that they did not know yet. The Board did not have any further questions for Chief Hearing Examiner Allensworth.

F. Office of Victim Advocate

Victim Advocate Storm could not attend the meeting. Chairman Dunn stated that Victim Advocate Storm recently sent an email updating the board on the activities and projects of the office.

G. Sexual Offenders Assessment Board

Executive Director Meghan Dade reported that there is draft legislation in the House concerning SORNA; and that SOAB is still receiving SVP court orders from about half the counties. There were no questions for Executive Director Dade.

The Chairman recognized the attendance of DOC Chief Deputy Secretary for Community Corrections and Reentry, George Little, and Dr. Shoop from the Pennsylvania Sentencing Commission.

III. OLD BUSINESS

Data Reports and Dashboard Discussion

Dr. Bucklen reported there were 10 staff vacancies since the consolidation of the Board's and DOC's research offices, and his staff is having a hard time handling the requests for data and reports. Dr. Bucklen reported that the board's reducing the number of reports requested (from 61 to 30 reports) is helping with the workload, but it is still labor intensive. Dr. Bucklen noted that his office is working with the Bureau of Information Technology (BIT) to automate as many reports as they can; however it may take up to a year to get many of the reports automated. Chairman Dunn asked if automating the reports would allow the board to see the information in near time, and Dr. Bucklen replied that the data would still be on a monthly basis. Dr. Bucklen noted that all of his Offices reports are on a monthly cycle of two to three weeks into the new month for the last month's data. Dr. Bucklen explained the process of when the data is collected.

Board Member Johnson asked if his office looked into internships to help with the workload. Dr. Bucklen explained the efforts his staff utilized to get paid and unpaid internships. There was a brief discussion among the board members and Dr. Bucklen about obtaining "grad students" to help.

Board Member Potteiger asked Dr. Bucklen about how often the dashboard gets updated. Board Member Gillison noted that it was recently updated but there were a few months where it was not. Dr. Bucklen said it will be updated each month. Board Member Gillison shared his concerns with obtaining timely data so that the board could make the necessary adjustments in its decision-making process. There was a general discussion among the board members and Dr. Bucklen on the need

to attract good people in a timely manner. Dr. Bucklen noted that civil service rules limit how and who he can recruit for the positions. There was then a general discussion among the board members about how the data interacts with the general operation of the criminal justice system.

Board Member Rosenberg volunteered to assist with combining reports into a comprehensive document. The board agreed by general consensus that Chairman Dunn and Board Member Rosenberg could take the lead on this project, with Dr. Bucklen returning at the February 2018 meeting to discuss. Board Member Potteiger asked for any data related to the effectiveness of Vivitrol. Dr. Bucklen said he would provide that information to the board. Board Member Grey asked about the scope of the Vivitrol study. Board Member Koch asked Dr. Bucklen to relay to whomever at the DOC that statistics are very important to the board. Chairman Dunn suggested that further conversation would be appropriate for the next board meeting, some of which will be discussed at the January 2018 retreat. There was general discussion among the board members on topics for the January 2018 retreat, as well as topics related to assessment tools, data gathering, and BIT automation of the assessment tools. Dr. Bucklen emphasized that the board remains a primary customer of his office, and the board stated it appreciated his efforts.

#### IV. NEW BUSINESS

##### A. PCL-R Discussion

Chief Counsel Robinson reported on the status of the committee working together to develop policy and procedures to implement the board's wishes. Chief Counsel Robinson requested a board member to assist the committee's questions. For example: (1) What type of case meets the criteria? (2) Who gets to decide that the PCL-R is needed? (3) How is the PCL-R is requested? Chief Counsel Robinson will email the board members with more specific questions for consideration at a later board meeting. Chairman Dunn and Executive Director Dade stated we are looking at thousands of dollars in cost per each PCL-R.

Board Member Gillison asked Chief Counsel Robinson to provide information in how the PCL-R is currently generated. The board members and staff discussed the SOAB's role in the current process and what is being requested. Executive Director Dade noted that this process proposed would be outside of the scope of the SOAB functions. Chairman Dunn stated he is taking it back to the board for further input. Chairman Dunn asked that board members send their email response to Chief Counsel Robinson. This item will be discussed again at a later board meeting.

##### B. DOC PBPP MOU and Steering Committee Discussion

Executive Assistant Carpenter provided a report on behalf of the Steering Committee and how the consolidation committees are designed to work.

Chairman Dunn noted Executive Assistant Carpenter's email last week. Board Member Rosenberg asked for a list of all the committees. Ms. Carpenter stated she would provide it. Board Member Grey asked about "in-scope" and "out-of-scope" terms. Ms. Carpenter explained the terms, and how the "out-of-scope" areas will be supported operationally. Board Member Johnson noted it will be chaotic at first, but once the organization is in place, it will give staff the opportunity for input and communicate. There was a general discussion on what remains with the board, and what are overlapping functions that could be consolidated.

- C. Board Member Signature on Cancel Delinquency and Continue on Supervision Cases.

Board Member Koch presented a draft resolution providing for the cancellation of delinquency actions by field supervision staff, without the need for board approval; and if approved, the resolution would be effective January 1, 2018. The board generally discussed the proposed resolution. Board Member Koch made a motion to approve the resolution. Board Member Potteiger seconded the motion. The board approved the motion and resolution. Board Secretary Talaber directed that this would be Board Resolution 2017-06.

- D. Pa. Sentencing Commission Report

The Chairman asked Dr. Shoop from the Pennsylvania Sentencing Commission if she had anything she would like to report, and she mentioned a change in the sentencing commission guidelines.

- E. Board Members and Teaching

Board Member Johnson asked what needed to be done to allow board members to teach in colleges. Chairman Dunn noted that it needed to be placed in legislation. Chairman Dunn indicated that the Governor's Policy Office, at this point, has made the decision is not to present it now. Chairman Dunn indicated he would take it to the Governor's Policy Office again.

- F. Outside People Sitting-In On Board Interviews

Chairman Dunn indicated there was a request from a District Attorney to sit-in on a parole interview. Chairman Dunn explained past practices, and suggested that the board develop a policy on this matter. There was a general conversation among the board members on this topic.

Board Member Gillison made a motion to adjourn the meeting, which Board Member Johnson seconded. The board unanimously approved the motion and the meeting was adjourned.