TO:    Board Members
FROM:  John J. Talaber, Esq.  
       Board Secretary
DATE:  April 10, 2017
RE:    Minutes – Board Meeting 
       February 15, 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 February 15, 2017 of the Pennsylvania Board of Probation and Parole.

The meeting convened at 9:01 a.m. on February 15, 2017 with Chairman Dunn presiding.

Board Members Linda Rosenberg, Mark Koch, Ed Burke, Craig McKay, Leslie 
Grey, Everett Gillison, and Mike Potteiger were present. Board Member Ted 
Johnson was not present. Also in attendance were Edie Letherby, Director, 
Office of Administrative Services; Alan Robinson, Chief Counsel, Office of Chief 
Counsel; Laura Treaster, Director, Office of Communications; Victor Wills, 
Director, Office of Policy and Legislative Affairs; Chad Allensworth, Chief 
Hearing Examiner, Hearing Examiners Office; John J. Talaber, Board Secretary, 
Office of Board Secretary, Michele Heister, Acting Director, Statistical Reporting 
and Evidence-Based Program Evaluation Office; Christian Stephens, Director, 
Office of Field Probation and Parole Supervision, 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; and Jennifer Storm, Victim Advocate, Office of the Victim 
Advocate.

I. APPROVAL OF JANUARY 25 AND 26, 2017 BOARD MEETING MINUTES

Board Member Burke made a motion to approve the board minutes as written, which 
was seconded by Board Member Koch. The Board unanimously approved the 
minutes as submitted.

II. 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

Victim Advocate Jennifer Storm noted the Crime Victims' Rights rally at the Capitol on Monday, April 3, 2017 at 11:00 a.m. Victim Advocate Storm also introduced her new Executive Assistant, Diane Moyer. Victim Advocate Storm thanked the Board for their time and service to the victim community. Victim Advocate Storm noted that March Face to Face was getting full, and there was a possibility of needing a second day of testimony. Victim Advocate Storm 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, and was available to the Board as needed.

D. Office of Board Secretary

Board Secretary John Talaber had no additional information to report other than what was submitted, and he was available to the Board as needed.

E. 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.

F. Statistical Reporting and Evidence-Based Program Evaluation Office

Acting Director Michelle Heister, in addition to her submitted report, reported that the office would be consolidated with the Department of Corrections on February 27, 2017, and would become DOC employees at that time. Chairman Dunn thanked the office for their service to the Board, and noted Executive Assistant to the Chairman, Brad Biren, would be the in-house liaison on statistics. Board Member Burke requested Mr. Biren to inform him of any “bumps in the road” with this new arrangement. Chairman Dunn noted that Department of Correction’s statistical office Director Dr. Brett Bucklin, would be reporting to him and Secretary Wetzel. Acting Director Heister stated she was available to the Board as needed.

G. Office of Administrative Services

Director Edie Letherby had no additional information to report other than what was submitted, and he was available to the Board as needed.
H. Office of Field Probation and Parole Supervision

Director Christian Stephens had no additional information to report other than what was submitted, and he was available to the Board as needed.

I. Office of Re-Entry and Quality Assurance

Director Luis Rosa had no additional information to report other than what was submitted, and he was available to the Board as needed.

J. Communications Office

Director Laura Treaster noted that while she is on extended leave, Press Secretary Maria Finn was in charge of the office. Director Treaster had nothing further to submit other than what was already provided, and was available to the Board as needed.

K. Policy and Legislative Affairs Office

Director Victor Wills had no additional information to report other than what was submitted, and he was available to the Board as needed.

L. Internal Affairs and Special Services Office

Director Scott Woolf had no additional information to report other than what was submitted, and he was available to the Board as needed. The Chairman asked him about CAPTOR CaseNotes deployment. Director Woolf noted that some of the data needed to be scrubbed in order to go into the system, and there was a statewide outage on February 14, 2017. Otherwise, the deployment was fine.

Staff reports were completed at 9:08 a.m. Chairman Dunn noted that the Governor’s Office confirmed that they would be at the Board Meeting later in the morning, and that he would move to Old Business.

III. OLD BUSINESS

A. Video Conference Technology and Canceling of Interviews – Resolution 2017-02

Board Secretary Talaber presented the revised draft resolution to the board with the noted changes from the January 25, 2017 board meeting. Board Member Gillison moved to adopt the resolution, and his motion was seconded by Board Member Poletteiger. There was no discussion. The Chairman called for a vote to adopt the resolution, and the Board unanimously adopted it. Board Member Rosenberg asked if the Board could revisit the resolution in 6 months to see how often it was used, and how it
was working. Chairman Dunn directed the Board Secretary to place it on the agenda for September or October 2017 to review how it was working.

B. Outreach Packet Presentation [Director Rosa]

Director Rosa provided the Board Members via email with an example of resource guides that are useful for in providing county services. Board Member Grey inquired if the ASCRAs can keep this updated, and Director Rosa noted that they now can call “411” and get the information that is updated regularly. Director Rosa also noted that there are Spanish versions in some of the counties. Board Member Rosenberg inquired if there would be additional information provided for when the Board Members attend their local citizens advisory council meetings. Director Rosa stated that a list of resources to be utilized by Board Members attending citizen advisory council meeting was in development. Board Member Burke noted that the ASCRA agent in his area was doing an excellent job. Chairman Dunn and Board Member Grey also stated they thought the ASCRAs do a wonderful job. Board Member Burke asked how many ASCRA agents are there, and Director Rosa stated there are 20 and they meet as a group two times a year. The next meeting of the ASCRAs is in May 2017 in Harrisburg, and Board Member Burke requested Director Rosa to notify him so that he can attend.

C. Board 361 and Public Document Resolution – Draft

This resolution remains tabled until the completion of the Robina study, and changes to the Board’s 361 instrument.

IV. NEW BUSINESS

A. Recirculation of Cases

Chairman Dunn added this to the agenda based on Board Member Gillison’s question concerning the same. Chairman Dunn asked the Board Secretary for additional information on the recirculation process that can be shared with the board members one week prior to the Board Meeting in March 2017. Discussion of the issue occurred. Board Secretary Talaber and Victim Advocate Storm are meeting to discuss any ways to lawfully minimize the recirculation of cases and present it at the March 2017 board meeting.

B. Juvenile Lifer Cases

Chairman Dunn added this to the agenda, and asked Board Secretary Talaber to provide an update on “where we are at” with the juvenile lifer cases. Board Secretary Talaber reported that the levels of cases seen will likely stay at the level we currently have due to the resentencing process, primarily in Philadelphia County. Board Secretary Talaber stated we are still in the first 100 cases group (of the 300 juvenile lifers that need to be
resentenced in Philadelphia County). Discussion among the Board Members occurred concerning possibly counting juvenile lifer cases as “two” cases of the 14 interviews for a particular day based on the need to spend more time on the preparation of the case. It was noted that is similar to what happens on panel hearing days. The consensus among the board members was that the days they have two or three juvenile lifer interviews are long days. Ideas suggested include moving the juvenile lifer cases to the end of the day so that after they are completed the decision makers could leave for the day; we could leave it to individual board member preference as to whether they would like them scheduled earlier or later in the day; and that since there was “non-violent” cases also included, the Hearing Examiner could handle those interviews. It was also suggested that perhaps, after the first 100 cases are complete, we could just put juvenile lifers on the regular docket and not fast-track them. Chairman Dunn directed Board Secretary Talaber to look at the numbers and see if we can avoid “rolling” cases, while taking into account the individual preferences of the Board Members on how they like to do interviews. The Chairman directed the Board Secretary to gather information from the past few months, and see how often they discussed items occur, and to provide the Board with options to address their concerns at the March 2017 Board meeting.

C. Enhanced Reentry Update

Chairman Dunn added this to agenda so the Board Member Koch could provide the Board with an update. Board Member Koch noted there is one case circulating this month for the Board to review and decide. Board Member Koch stated that he did get mental health housing for the inmate at an unsecured facility.

D. Invitation to Law Enforcement Groups

Chairman Dunn added this to the agenda, and notified the Board that he was inviting various law enforcement groups to come to the Board to address their perception on how our agencies can work together better. The group will include the district attorneys and chiefs of police with the hope that it will build our communications.

E. Community Corrections Summit

Board Member Potteiger asked the Chairman for follow-up information concerning the February 13, 2017 summit with the Department of Corrections. The Chairman explained that he asked Board Secretary Talaber to have a room set aside for us after the March, April, and May Board meetings in the afternoon so meet with the Department. The Chairman noted that there would not be a joint meeting in June, July or August, but we would start meeting with the Department again (and every three months thereafter) in the afternoon of the September 2017 board meeting.
F. Children of Incarcerated Parents

Board Member McKay inquired what the board is doing to assist on this topic. The Chairman noted that we do the truancy project in Erie. Director Stephens stated that it depends on the resources available in the specific district. The Department of Corrections BCC provides family counseling services. Director Stephens noted that at SCI-Chester they utilized a character from Sesame Street who had a parent incarcerated along with a family reunification project. Director Stephens noted his office has asked the Department to expand the family reunification lot. Director Rosa noted this is also an issue with juvenile lifer families. The Chairman noted that when the board implements ACES it will help too.

G. Opioid Committee Report

The Chairman asked Board Members Burke and Grey to provide an update on the opioid committee. Board Members Burke and Grey referenced a memorandum provided in January 2017, with a recommendation to support the Governor’s desire to combat the opioid epidemic. Other recommendations included: (1) encouraging all parolees to obtain health insurance; (2) have parolees sign HIPPA release forms before they leave the prison so that parole staff can look at their medical background when they are released; (3) require all service providers to accept the validity of HIPPA waivers (i.e. through use of contracts require them to accept it); (4) encourage field agents to consider offender’s history of drug and alcohol use during the home plan investigation and approval process; (5) make changes to the violation sanctioning grid for future consideration using community resources; (6) have district directors receive more training and education related to family issues inherent with the opioid epidemic; (7) encourage our staff that may have opioid issues to reach out and seek treatment (i.e. through the use of SEAP); (8) recommend that the field seek out the full panoply of treatment options; and (9) to forge a working relationship with the Office of Attorney General’s health law section to ensure parolees are receiving benefits to which they are entitled. Chairman Dunn directed Board Secretary Talaber to work with Executive Assistant Brad Biren to draft a resolution for the March 2017 meeting on the recommendations.

H. TPV Committee Report

The Chairman asked Board Members Potteiger and Gillison to provide an update on the committee. Board Member Potteiger noted that due to the increase in the parole population, there has also been an increase in absconders. The committee is working on project “safe return” with other law enforcement entities which will allow absconders to turn themselves in and at the same time, allow the Board to provide resources to them in an effort that they not abscond again. The target date for the project is the beginning of May 2017 (a Thursday through Saturday), with offices in Philadelphia and Dauphin County. The location is tentatively a church in Harrisburg and
Philadelphia. Board Member Gillison noted there is a lot of support for the project and they are working on various issues to make it happen. Board Member Gillison stated that they are using social media, the regular media, and "heat maps" to assist in the project. Board Member Potteiger noted that there will be Board Members and Hearing Examiners at each location so that cases can be processed while at the location. The committee will continue to work on the details of this project.

Board Member Potteiger also stated the committee is looking at ways to provide an incentive for the offender to do well, and truncation of parole is being reviewed. The goal is to provide them with incentives to do well when they are first released. Board member Grey asked what we are doing about the pardon's process, and Chairman Dunn indicated that Director Ryan Smith is working closely with the Pardon's Board. The Chairman noted that right now the pardon's process is taking up to 4 years, and they are working on trying to streamline the process.

Board Member Potteiger noted that we supervise at the LSI-R level. The committee is reviewing the assessments (such as the ACE assessment) to utilize at different time periods when the parolee is released with the use of different assessment tools. The committee is looking at the offender having greater involvement at the institution level to create their home plan.

Board Member Potteiger also stated that they are looking at agents and hiring people who want to work with mental health offenders, by getting the right individuals to work with this population. Board Member Potteiger said the committee discussed restructuring the 361 with the help of the Robina Institute. The committee is also looking at gender specific programs for our offenders. Finally, the committee wants to look at the Act 122 language for identifiable threats to see if it needs to be modified, changed, or kept the same and bring it before the Board for a decision.

Board Member Rosenberg asked the committee if there were specific goals in returning offenders to prison. Chairman Dunn asked the committee to provide a 10 year picture of where we were and where we are concerning the population. Chairman Dunn would like to use charts and graphs to relay to the outside world why we are making the decisions we are making concerning the TPV population. The report should include how many a person gets sanctioned before we have a recommitment action. The Chairman noted that the Violation Sanctioning Grid (VSG) came into existence around 2007, and that we also need to look at the types of sanctions that occurred.

Victim Advocate Storm asked what is the difference between the VSG and the swift and certain sanction proposal discussed at the summit. Director Stephens discussed the differences, and how research on each supports one or the other. Chairman Dunn noted that the board had a 48 hour detainer, but Act 122 took that power away from the board, however, this power might
be returned at some point. Discussion occurred among the board members with the consensus being that this area needed to be further researched as to its viability and effectiveness.

Chairman Dunn called for a recess with the Board reconvening in ten minutes.

I. Office of the Governor Presentation and Discussion

Chairman Dunn introduced Deputy Chief of Staff for Public Safety Robert Ghormoz; Secretary of Policy and Planning Sarah Galbally; and Policy Analyst Catherine McKeon to the board. The Board Members and staff introduced themselves to the aforementioned guests.

Acting Director Hiester provided a handout on GIS analytics and discussed the agent to offender ratio. The ratio of agent to offender went from 1:80 to 1:58.4. The data indicated that since we improved the agent to offender ratio our absconder rate lowered.

Deputy Chief Ghormoz mentioned the prison closure and the reduction of the inmate population, and thanked the room for their efforts. Deputy Chief Ghormoz discussed budget saving measures, the merger with the Department of Corrections, and the structure of that merger. Deputy Chief Ghormoz emphasized that his office was there as a resource, and that the board input in various matters would be very helpful.

Secretary Galbally appreciated the opportunity to be at the meeting, and explained the Governor’s vision to utilize our resources wisely; we are moving people out of the corrections system as soon as we can while maintaining public safety; and that we rehabilitate individuals as evidenced from the recommendations of the JRI II bill. The Governor’s idea for a merger is to provide better services to Pennsylvania residents as set-forth in his proposed budget. The role of the Board in the merger is to remain completely independent in making parole decisions, the mission remains the same, parole conditions will remain, and the agency will have support staff to perform its functions. Secretary Galbally noted the administrative changes with the stats, HR and BIT offices. The goal is to have discussions and to work toward a more unified package.

Policy Analyst McKeon stated that OVA and SOAB, like the board will be independent offices, with their own line items in the budget, while maintaining their respective missions. Secretary Galbally feels the merger will better address the needs of the individuals in the system. Deputy Chief Ghormoz noted that the Department of Criminal Justice will allow the board to focus on its parole decision making mission.

Board Member Burke asked about the structure of the Board to the Department of Corrections. Policy Analyst McKeon noted the organization chart in the budget book, and that the Board would not be reporting to the
Secretary. Board Member Burke asked if the budget would be determined by the Secretary, and Secretary Galbally noted that the budget would be overseen by the Governor’s budget office. Chairman Dunn stated that the board would have a separate line item under the Department of Criminal Justice. Board member Burke noted that the Board has an excellent reputation and our agents on the cutting edge.

Secretary Galbally stated the merger is not punitive, rather, it is about how we can improve the process. Secretary Galbally noted the IT and HR department mergers are affecting other agencies too. The goal is to accelerate the good work that is being done in both agencies, and to better build the relationships between the agencies. Deputy Chief Ghormoz agreed with Secretary Galbally. The goal is to breakdown silos between the agencies.

Victim Advocate Storm asked about the staffing of the agencies. Secretary Galbally noted that they are currently looking into the staffing. Board Member Grey asked if the legislation has already been drafted. Secretary Galbally noted that Senator Greenleaf has the current draft of the legislation, and the Governor’s Office is in consultation with his staff as well as staff from the House. Deputy Chief Ghormoz stated there is currently no piece of legislation right now. Secretary Galbally noted that the Senate was not back in session until the end of March, and they will continue to work with Senator Greenleaf’s office. The administration is hoping to make same changes to the language based on stakeholder feedback.

Board Member Rosenberg thanked the guests for coming over and encouraged the administration to work with the Board throughout the process. Board Member McKay also appreciated the guests from coming over, and inquired if the Board would remain legislatively “independent” rather than just a departmental Board. Secretary Galbally noted that her staff would look at that issue in the legislation.

Policy Analyst McKeon noted that even with the merger, the great work that Directors Stephens and Rosa are doing will continue.

Board Member Potteiger asked if the Board’s hearing examiners would fall under the Secretary or the Board, and what will the Board’s role in the recommitment process. Chairman Dunn noted that in the budget book the Office of Board Secretary and Hearing Examiners would remain with parole. Board Member Burke inquired who will decide the recommitment, and Chairman Dunn noted that parole decision making will stay with the board.

Victim Advocate Storm asked why the PCCD is not under the umbrella of the Department of Criminal Justice? Secretary Galbally is not sure if they looked at PCCD. Board Member Rosenberg noted that from prior conversations with Secretary Wetzel that it would be better for PCCD to remain independent due to the variety of stakeholders involved.
Board Member Potteiger noted the need for a "Commonwealth" definition of recidivism. The Chairman noted that the DOC and Board are working on it. Chairman Dunn asked Board Members to provide input into what recidivism means to them. Secretary Galbally noted that the DOC is working on a joint definition with the Board. There was a consensus among the Board that we need one common definition. Policy Analyst McKeon encouraged Board members to work with Director Wills to provide input and thoughts on an appropriate definition.

Board Member Rosenberg inquired if there was something that the administration wanted from the Board. Secretary Galbally stated it would be great if we could find a way that everyone feels good about the merger, and reiterated the importance of keeping the lines of communication open between the administration's staff and the Board.

Board Member Grey asked if the board would be able to continue to require conditions in their parole decisions, noting that in the past legislation there was a proviso that limited the board's discretion through the Secretary in six months. Secretary Galbally and Victim Advocate Storm noted that it was taken out of the bill. Chairman Dunn stated we could also revisit the issue when the actual bill becomes public. Chairman Dunn directed Director Wills to email the old version of the merger bill to the board members.

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