TO: Board Members

FROM: John J. Talaber, Esq.
       Board Secretary

DATE: November 12, 2017

RE: Minutes – Board Meeting
    October 18, 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 October 18, 2017 of the Pennsylvania Board of Probation and Parole.

The meeting convened at the Pennsylvania Department of Corrections (DOC) Training Academy, 141 North Market Street, Elizabethtown, Pennsylvania at 9:03 a.m. on October 18, 2017 with Chairman Dunn presiding.

Board Members Leslie Grey, Mark Koch, Ed Burke, Everett Gillison, Ted Johnson, Mike Potteiger, Linda Rosenberg and Anthony Moscato were present. Board Secretary John Talaber was also present.

I. EXECUTIVE SESSION

The Board and Board Secretary immediately went into executive session to discuss specific parole cases, and remained in executive session until 10:10 a.m.

II. PUBLIC SESSION

The public session of the meeting began at 10:10 a.m. with Chairman Dunn presiding. Board Members Mark Koch, Ed Burke, Everett Gillison, Ted Johnson, Mike Potteiger, and Linda Rosenberg were present. Board Member Leslie Grey and Anthony Moscato arrived at 10:14 a.m.

In attendance were Press Secretary Maria Finn, Office of Communications; 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; Jennifer Storm, Victim Advocate, Office of the Victim Advocate (OVA); Edie Letherby, Director, Office of Administrative Services; Victor Wills, Director, Office of Policy and Legislative Affairs; Christian Stephens, Director, Office of Field Probation and Parole Supervision; and Meghan Dade, Executive Director, Sexual Offenders Assessment Board (SOAB). Alan Robinson, Chief Counsel, Office of Chief Counsel, was not in attendance at the meeting.
Minutes-October 18, 2017 Board Meeting
Page 2

Director of Public Safety for Homeland Security in Pennsylvania, Marcus Brown also attended the public session of the meeting.

III. APPROVAL OF SEPTEMBER 20, 2017 BOARD MEETING MINUTES

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

IV. 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 Victim Advocate

Victim Advocate Jennifer Storm provided a verbal report from the Face-to-Face (F2F) committee. Victim Advocate Storm stated the committee discussed how the F2F process is going since we have 3 months under our belt of two days of F2F. Victim Advocate Storm noted that it appears no additional days will need to be added over the next few months. Victim Advocate Storm stated she thinks the process is working, and the committee is working towards a comprehensive document memorializing the F2F practices and procedures, as well as providing a timeline.

Victim Advocate Storm mentioned that the regional pilot of F2F in Pittsburgh went phenomenally well, but she does not think it will need to be done every month; only when the stars align and warrant the need to go to a particular region. Victim Advocate Storm noted that Chief Hearing Examiner Allensworth provide excellent feedback from his staff. Board Member Grey stated that the facility was suitable at the Pittsburgh Crime Victims Center, Board Member Johnson was able to visit the event. Board Member Grey reported that, to a person, the victims were thrilled to have a real face-to-face not through a screen, and without having to travel all the way to Harrisburg. BM Grey thanked the OVA staff for being open-minded, and she was willing to do this type of F2F again.

Victim Advocate Storm noted that there may be another regional F2F in December 2017, depending on the scheduling puzzle. Victim Advocate Storm encouraged everyone to share their thoughts and comments with herself, as well as Board Member Potteiger, Board Member Gillison, or Board Member Grey, all who sit on the F2F committee. There were no further questions for Victim Advocate Storm.
B. Sexual Offenders Assessment Board

Executive Director Meghan Dade mentioned the training on the PCL-R that would occur in the afternoon, and encouraged board members to ask questions. Board Member Potteiger asked Executive Director Dade how a board member could request a PCL-R. Executive Director Dade stated that SOAB will do one in every case they are able to do one, typically stating in the assessment report if they were able to do a PCL-R. Executive Director Dade explained that in some cases there is not enough information available to provide a PCL-R. Executive Director Dade stated that the board members could email her and request one directly, and they will look into the situation and do their best. There were no further questions for Executive Director Dade.

C. Office of Administrative Services

Director of Administrative Services Edie Letherby mentioned about an open enrollment email for health benefits, and that employees had until November 3, 2017 to make any changes if they so desired. Director Letherby also mentioned the Public Service Internship program, noting that she sent information out to various schools and the Civil Service test closing date. Director Letherby reported that they are looking at expanded training opportunities for Parole Agent I. There were no questions for Director Letherby.

D. Hearing Examiners Office

Chief Hearing Examiner Chad Allensworth reported that Hearing Examiner Barone had retired; Hearing Examiner McCormick is on military leave; and Mr. Martinez is now employed as an annuitant hearing examiner working primarily in the SCI-Frackville and SCI-Mahanoy area. Chief Hearing Examiner Allensworth reported that the number of hearings processed are holding steady, as were the interview numbers. Chief Hearing Examiner Allensworth reported on a project with the county prisons for first level hearings; specifically, instead of the hearing examiner driving to the prison, Chief Hearing Examiner Allensworth is working to find out the counties that have videoconferencing capability, with a likely pilot starting at the York Prison. Chief Hearing Examiner Allensworth noted that this would save time in hearing examiner travel, and if it works there, they would consider it for other jails and prisons. Board Member Johnson offered to assist Chief Hearing Examiner Allensworth with Allegheny County Prison.

Board Member Potteiger stated that over the past several months he noticed that the hearing examiners are putting down the reasons for providing or denying sentence credit on a consistent basis, and the information how it helps the board. There were no further questions for Chief Hearing Examiner Allensworth.
E. Office of Policy and Legislative Affairs

Director Victor Wills reported that the house passed a revenue plan the prior evening that was on its way to the senate. Director Wills reported that there was nothing else in terms of policy and legislation. Board Member Burke asked Director Wills about seeing in the news about "mergers" other than the DOC and PBPP. Director Wills replied that there has been no discussion about the DOC and PBPP merger since in June 2017. There were no further questions for Director Wills.

F. Internal Affairs and Special Services Office

Director Scott Woolf noted some additional training for board members due to the enhancements to the OnBase program this year. Director Woolf said the training would involve personalized pages and future trainings for other enhancements. The board members had no questions for Director Woolf.

G. Office of Communications

Press Secretary Maria Finn had nothing to add to her report. Board Member Rosenberg noted recent press on juvenile lifers, and asked Press Secretary Finn how we can get the press to report on the great job parole staff are doing the Philadelphia area concerning the juvenile lifer population. Press Secretary Finn stated that juvenile lifers need to agree to be part of the article, and they do not always do so. Press Secretary Finn indicated that the Communications Office does reach out, but they do not always get cooperation from the media.

Board Member Johnson requested to discuss the safe return program for Allegheny County with Press Secretary Finn after the meeting. Press Secretary Finn reported that "peaceful surrender" in Philadelphia has been tabled. The board members did not have any further questions for Press Secretary Finn.

H. Statistical Reporting and Evidence-Based Program Evaluation Office

Executive Assistant William Otis, in his capacity as agency statistics liaison, had nothing to report. Board Member Rosenberg asked about GPS statistics. Director Christian Stephens replied that they are working on obtaining the statistics, but right now the only statistic available would be the use of GPS. Director Stephens noted they are working on a comprehensive report. Board Member Rosenberg stated she would take whatever they had available. The board members did not have any further questions for Mr. Otis.
Office of Re-Entry and Quality Assurance

Director Luis Rosa reported that there was an ASCRA and RPA statewide meeting two weeks ago. Director Rosa stated it was the first time the two groups met together and touched base on reentry issues. Director Rosa noted that the participants also got training from NCTI. Director Rosa stated that before they were based more in central office, now they are more involved out in the field. Board Member Rosenberg stated she had concerns that there was a “disconnect” between community groups and the ASCRA agents.

Board Member Rosenberg would like to see more structure when outreaching to community groups, and thinks that board members could add value to the process. Director Rosa noted that this was why the chairman had assigned each board member to a Citizens Advisory Council (CAC) committee that would also involve interaction with the ASRCAs. Board Member Rosenberg clarified that she meant a more structured approach in terms of coordination of services. Board Member Rosenberg and Director Rosa had a general discussion about the services ASCRA agents provide and how they interact with the parolee.

Board Member Johnson asked if we are working with federal and state entities; and is there a coordination with the employers so that are not saturated by all the government entities? Director Stephens replied that that is where the coalitions come in on the reentry side.

Board Member Potteiger asked if they can give statistics on how they tripled. Director Rosa explained that when he said tripled, he is referencing being out of the office and in the field. The board members did not have any additional questions for Director Rosa.

Office of Field Probation and Parole Supervision

Director Christian Stephens had nothing to add, and that he would be providing additional information later in the afternoon regarding community correction center beds. The board members did not have any additional questions for Director Stephens.

Office of Board Secretary and Office of Chief Counsel

Board Secretary Talaber reported that 26,621 files remained to be scanned in the filing room. Chairman Dunn and other board members thanked the Board Secretary’s staff for their work on this project.

Board Secretary Talaber, due to Chief Counsel Robinson’s absence, reported that a favorable decision was issued in Smith v. Pa. Bd. of Prob. & Parole, Pa. Supreme Court, on sentence credit for cases where the offender
is incarcerated in federal custody. Board Secretary Talaber had nothing else to report and was available to the board as needed.

Staff reports were completed 10:40 a.m.

Chairman Dunn handed out certificates of appreciation for employee participation and their hard work in Operation Safe Return in Harrisburg. Chairman Dunn thanked all the board members for their involvement. Board Member Potteiger reported that he gave certificates to the volunteers from the church who helped make the program so successful.

V. OLD BUSINESS

A. Requesting Block Reports

Board Secretary Talaber noted that a motion to request block reports was tabled at the September 20, 2017 board meeting, so that additional information from DOC Executive Deputy Secretary Shirley Moore Smeal could be provided. Board Secretary Talaber provided the board members (via email) with a copy of Executive Deputy Moore Smeal’s memorandum on October 11, 2017. Chairman Dunn asked the board members if they wanted to keep the motion tabled.

Board Member Burke made a motion to request block reports for swift, certain and fair misconducts. Board Member Grey seconded the motion. In discussing the motion, Board Member Grey stated that the board members should have access to the block reports to see how they are conducting themselves in prison. Board Member Burke stated he felt that DOC could provide that information to board members. Board Member Rosenberg sought clarification on what exactly is a “block report?” There was a general discussion describing the contents of a block report among the board members. Chairman Dunn summarized the DOC misconduct system to Board Member Rosenberg, since she was absent from the September 2017 meeting, and noted that Executive Deputy Secretary Moore Smeal did not think the board would find the block report useful. Board Member Koch did not feel the need to see the block report. Board Member Burke emphasized that he thinks it is really important to see the block report.

Board Member Potteiger called the question. Chairman Dunn asked for a vote. Board Members Moscato, Burke, Grey, and Rosenberg were in favor of receiving the block reports, and Board Members Koch, Potteiger, Johnson, Gillison, and Chairman Dunn were not in favor of receiving the block report. The motion was denied. Board Member Gillison encouraged his fellow board members to read the materials provided by Executive Deputy Secretary Moore Smeal.

Chairman Dunn recessed the meeting at 10:55 a.m., and advised that he would reconvene the public session at 3:00 p.m., or earlier if the board’s training finished prior to 3:00 p.m.
Minutes—October 18, 2017 Board Meeting
Page 7

Chairman Dunn reconvened the public session of the meeting at 3:08 p.m.

B. Data report discussion

Board Member Rosenberg asked about the status on the data reports? Chairman Dunn explained that at the September 2017 meeting, it was decided that there were nine reports that the board members would receive (some quarterly, some annually), and we are trying to get the "dashboard" updated. Chairman Dunn noted that the board decided it did not need the board meeting binders with the reports. Chairman stated that the reports will be based on the fiscal year.

VI. NEW BUSINESS

Director Stephens provided an update report on Community Corrections placements. Director Stephens provided a handout on the reductions of CCC beds from the DOC Bureau of Community Corrections. Director Stephens noted that, because of budgetary reasons, Community Correctional Facilities (CCF) would be reduced to 909 beds; and CCC beds would be reduced to 906 beds. The CCF beds are the vendor provided beds. The 909 CCF beds encompasses AOD, Mental Health, PVC, and Male Group Home beds. Director Stephens stated the remaining beds are available for both males and females.

Director Stephens stated that on November 1, 2017, BCC will stop with referrals so that by December 1, 2017 the target numbers can be reached. Director Stephens referenced the handout and specifically provided what was and was not available. Director Stephens reiterated that this was required for budgetary reasons. Chairman Dunn stated that this will affect the release process because the inmate does not have a bed date yet. Director Stephens reported that there were approximately 1,200 parole release pending inmates still in the state correctional institutions waiting for a bed date. There was a discussion among the board members and Director Stephens about the specifics of how this will affect board decision making process, and the overall flow through the system.

Board Member Koch moved to adjourn the meeting at 3:58 p.m., which was seconded by Board Member Johnson. The board voted unanimously to adjourn the meeting.

JJT