

**TO:** Board Members

**FROM:** John J. Talaber, Esq.  
Board Secretary

**DATE:** August 10, 2018

**RE:** Minutes – Board Meeting  
July 18, 2018

In compliance with *Act 175*, known as the *Sunshine Law*, effective September 17, 1976, the Office of Board Secretary provided notification to the public of the scheduled meeting on July 18, 2018 of the Pennsylvania Board of Probation and Parole.

The meeting convened at 9:00 a.m. on July 18, 2018, with Chairman Dunn presiding.

Board Members Maureen Barden, Everett Gillison, Leslie Grey, Ted Johnson, Mark Koch and Tony Moscato attended the meeting, in person. Board Member Linda Rosenberg participated by phone.

Also in attendance were Alan Robinson, Chief Counsel, Office of Chief Counsel; Chad Allensworth, Chief Hearing Examiner, Office of Hearing Examiners; John J. Talaber, Board Secretary, Office of Board Secretary; Victor Wills, Director of Policy and Legislation; Dr. Brett Bucklen, DOC Statistical Office; Meghan Dade, Executive Director, Sexual Offenders Assessment Board (SOAB); Janaki Theivakumaran, Executive Assistant to Director Dade; Jennifer Storm, Victim Advocate, Office of Victim Advocate; Bill Otis, Executive Assistant to the Chairman, Neal Kokatay, Executive Assistant to the Chairman; Farrah Conjar, Executive Secretary to the Chairman.

The Chairman recognized public guests Mark Bergstrom, Executive Director of the Pennsylvania Sentencing Commission, and Dr. Diane Shoop, Executive and Policy Support Manager of the Pennsylvania Sentencing Commission.

I. APPROVAL OF JUNE 20, 2018 BOARD MEETING MINUTES

Board Member Koch moved to approve the June 2018 board minutes, which was seconded by Board Member Barden. There was no discussion on the motion and the board 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 Victim Advocate - Jennifer Storm, Victim Advocate

- Marcy's law has passed unanimously in both the Pennsylvania Senate and the House. OVA will be putting this into public notice for Constitutional Amendment requirements during the summer, revisiting it in January 2019.
- The Pennsylvania Commission on Crime and Delinquency (PCCD) asked OVA to be a partner in their *stop violence against women* initiative. Every state is supposed to have a coordinated plan. OVA will be an applicant, and part of the plan. The primary focus is to educate parole agents, decision makers, and corrections officers about the dynamics of domestic violence and supervision of domestic violence offenders. An advisory committee will be assembled. Victim Advocate Storm asked for a board representative to volunteer for a place on the committee. The timeframe to make the application is approximately one month. November 2018 is the timeframe to have established the committee and to start the training. There is \$100,000 available for two years for symposiums and trainings for the field.
- Common questions are arising from field staff regarding DV protocol. There seems to be a move from mandatory to imposed conditions. In the past this was always seen as mandatory conditions, holding the offender accountable. Some discussion took place regarding the guidance provided to agents to help with their ability to hold offenders accountable. Chairman Dunn noted his intent to follow up with George Little, Executive Deputy Secretary (DOC). Chairman Dunn offered some clarifications between imposed and mandatory conditions. With imposed conditions, it may be removed at the discretion of the agent and the supervisor, with Deputy District Director involvement. Mandatory conditions cannot be removed without it going back to the board as a memo.
- Victim Advocate Storm also offered feedback from a recent district attorney conference. She informed that the board should expect to see some guidance from district attorneys on why and when they seek guilty pleas. Ms. Storm stated she encouraged the district attorneys to be more assertive in their responses to judge/DA letters. Discussion continued around judge and district attorney responses. Victim Advocate Storm requested statistics about judge and district attorney responses per county.

- B. Sexual Offenders Assessment Board (SOAB) - Meghan Dade, Executive Director
- SOAB is physically moving location within the building, and will also overtaking front reception desk duties. This move should be completed by July 19<sup>th</sup>. The next quarterly training with SOAB will be September 14<sup>th</sup>. An email with details will be forthcoming. SOAB will be collaborating with DOC on training for sex offender agents.
- C. Hearing Examiners Office - Chief Hearing Examiner, Chad Allensworth
- The hearing examiners will be home headquartered beginning August 1st.
  - The hearing examiner office will be short administrative staff, due to a retirement and an indefinite medical leave. Two hearing coordinators will manage the shortage through the use of overtime.
  - OnBase recommit testing is almost complete as far as the new hearing report. Chief Hearing Examiner Allensworth will be inviting groups of hearing examiner's to upcoming board meetings in order to help increase dialogue between hearing examiners and board members.
- D. Office of Board Secretary (OBS) - Board Secretary John Talaber
- The OnBase recommitment rollout is anticipated for August 2, 2018. Board Secretary Talaber asked board members to make known any requests they might have for additional training.
  - The administrative assistant position for board member scheduling has been posted and we are waiting for candidates.
- E. Office of Chief Counsel - Chief Counsel, Alan Robinson
- The office is continuing to define roles due to the MOU consolidation. Annual 'do's and don'ts' of political activity communication will be forthcoming from the Office of Administration/General Counsel. Chief Counsel Robinson reminded the board of their obligations under the prisons and parole code regarding political activity.
- F. Office of Policy and Legislative Affairs - Victor Wills, Director of Policy and Legislation,
- We are still awaiting names for Mr. Burke's replacement. JRI bills are stuck in the House. Director Wills is not expecting the JRI bills to move in the fall of 2018, but will likely move starting in January 2019.
- G. Press, Media, Website - Laura Treaster, Special Assistant

- Special Assistant Treasurer was not present at the meeting but her report was submitted to the board on July 17, 2018.
- Special Assistant Treasurer submitted the board member's OP ED to both the Philadelphia Inquirer and the author of the Columbia University report. Both received the OP ED and the Inquirer ran it online and the author acknowledged receiving it.
- Special Assistant Treasurer met with a project manager from PAI, the commonwealth contractor for state agency websites and web apps. The absconder web app that was developed by the Board and PAI and is linked to both the PBPP and DOC websites is going to become a part of a new app PAI is creating called "Gov To Go." This particular app will feature key services or other programs in Pennsylvania. This project is in the very early stages. There are more details to be worked out in the coming weeks.

Chairman Dunn informed the board that he selected a replacement for Deb Carpenter as his executive assistant. Kaitlyn Romiski will start on Monday, July 23, 2018. Kate is coming from Luzerne County where she was a prison administrator, assisting the warden.

### III. OLD BUSINESS

#### A. Chairman Dunn's Executive Assistants

1. Mr. Neal Kokatay
  - 361 update – Mr. Kokatay requested the return of board member surveys he sent out.
  - Mr. Kokatay will be meeting with OVA for their input, questions, comments, and concerns on the 361. He will also meet with Chairman Dunn and Christian Stephens to discuss disagreement between field staff and hearing examiners regarding 338 forms when there are board imposed conditions.
2. Mr. Bill Otis
  - Mr. Otis provided an update about the Pennsylvania interlock law. Board Member Gillison posed open questions from a prior meeting regarding cost and who bears the cost. Mr. Otis confirmed that the cost would be incurred by the offender. The cost will involve a monthly lease and installation fees ranging from approximately \$75 to \$105 for device installation. A question and answer session continued regarding the cost, logistics/procedures, and legality of implementing interlock devices as a condition of

parole. Chairman Dunn has suggested that an invitation to a PENNDOT representative be extended to an upcoming session, including DOC. Board Member Gillison suggested PENNDOT provide general data to assess volume and establish criteria. Board Members asked to see procedures Mr. Otis has for Texas. A general discussion followed.

B. Data Reports and Dashboard Discussion - Dr. Brett Bucklen, Statistical Office (DOC)

The office is on target for the report in September that will show recidivism rates by decision and other factors. The office will be posting program analyst positions to address staffing needs.

IV. NEW BUSINESS

- A. Parole Manager Rachel McNamara, provided a brief background and overview on deportation orders. The objective was to gain clarification for when there is a question about decision-maker intent on the 361. In order to parole to deportation order the DOC Info screen will show a detainer was lodged for possible deportation. However, notating the possibility of deportation is not indication of actual deportation. For that, there should be an actual order of removal that shows within OnBase. Mrs. MacNamara provided examples of removal orders and a detainer. Discussion ensued regarding notations, decision-maker intent, and clarifications were provided.

Board Member Moscato moved to adjourn the public session, Board Member Johnson seconded. The board unanimously voted to adjourn the public meeting at approximately 10:03 a.m.

- B. Chairman Dunn called the board into executive session at 10:15 a.m. for the purpose of discussing two parole cases. The executive session was adjourned at 11:55 a.m.

JJT/SST