



MEMO

TO: Board Members

FROM: Scott Woolf
Acting Board Secretary

DATE: March 6, 2020

RE: Minutes – Board Meeting
February 12, 2020.

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 February 12, 2020, of the Pennsylvania Board of Probation and Parole.

The public meeting convened at 9:00 a.m. at Riverfront Office Center in Harrisburg, PA with Chairman Ted Johnson presiding. A quorum of Board Members was established.

In attendance were Chairman Johnson (V/C), Board Members Maureen Barden, Anthony Moscato, Leo Dunn and Mark Koch (V/C)

Also in attendance were Chad Allensworth, Chief Hearing Examiner, Hearing Division; Alan Robinson, Chief Counsel; Tara Gross, OVA; Director of Victim Services; Janaki Theivakumaran, Executive Assistant, PA Sexual Offenders Assessment Board (SOAB); Stacy Jennison, Clinical Director, SOAB; Deb Carpenter, Special Assistant to the Chairman; Laura Treaster, Special Assistant to the Chairman (Board Communications/Press); Scott Woolf, Acting Board Secretary, Office of Board Secretary (OBS); Neil Malady, Legislative and Policy Director; Farrah Conjar, Executive Secretary to the Chairman; Jim Fox.

I. APPROVAL OF January 15, 2020 BOARD MEETING MINUTES

Board Member Barden moved to approve the Board minutes, and Board Member Koch second the motion. The board unanimously approved the minutes.

II. STAFF REPORTS

A. Office of Victim Advocate (OVA)

- Tara Gross reported she started her new role as Director of Victim Services.
- Nothing really to report.
- In person testimony went smoothly. Some technical issues, but overall went very well.

B. Sexual Offenders Assessment Board (SOAB)

- Janaki Theivakumaran reported that the next SOAB training is scheduled for Friday March 6, 2020. The training will be presented by Liam Marshall on generic treating of sex offenders. Board members can attend, there are already a few hearing examiners attending.
- Starting in March, training of sex offender parole agents will begin. Treatment providers, polygraphs, and what to look for will be the topics of their training. It will start in Philadelphia and gradually move throughout the state. They hope to have the entire state trained by Summer 2020. This will be ongoing training and not a “one and done”.
- Vacant SOAB investigator position in Scranton, PA. If anyone has any good candidates, please have them apply.

C. Special Assistant to the Chairman (Deb Carpenter)

- Budget for 2020/21 – The Governor’s budget office cut the Board’s budget by approximately \$500,000. A pre-meet was held at the Governor’s budget office with Chairman Johnson, Deb Carpenter and Neil Malady. Concerns were expressed about the cuts in funding due to higher level positions being vacant (such as Board Members, Hearing Examiners). The budget office indicated they would release money from reserve to fund those positions. Chairman Johnson wanted to share the budget with the Board. Once SharePoint site is up and running, it will be uploaded monthly to SharePoint.
- Parole Board dashboard – it is now a project, and has been approved by the information technology steering committee. They are gathering requirements, and people from DOC stats department will also be working on the project as well. Deb will continually update the Board on the progress of this project.
- Max out requests – Deb met with SCI staff. Previously the Board would not honor max out requests by inmates on min cases. The specific reason was unknown. It may have been that previous Boards wanted the inmate to be talked out of maxing out. It takes up staff resources to staff those cases only for them to max out. Does the Board want to continue to see the max out cases or have the inmate max out and not have the Board see them.
 - BM Dunn – With being down Board members. Not just for min case, but for everyone who wants to max out, no need to be on docket. The Board should honor this by whatever means needed (memo etc.). BM Koch raised the question on how many individuals the Board would actually deny this request. If they have a longer sentence, they can come back. BM Barden inquired if there was a number known of how many inmates request max out. Deb Carpenter indicated no number was known. BM Dunn made a motion that all max out requests from inmates be taken care of in memo form, and those inmates are not to be put on hearing examiner or Board Member

docket to be interviewed. Clarification by Chairman Johnson and BM Barden said this would not only be for min cases, but for all cases. CC Robinson suggested no Board Action in this matter. BM Dunn thought this may cause confusion not having a Board Action. He suggested that a memo be done and a Board Action be done for documentation. This would document the request. CC Robinson was fine with that if the Board wanted this, but indicated we are trying to stop using the Board Action to communicate with the Board or institution due to legacy program issues. Using the Board action as a public document to communicate is not recommended. Chairman Johnson wanted to know the chances of having the case getting lost. Deb Carpenter indicated there is a max out form that is uploaded to Onbase. The institution takes that and applies a stat code in ICMA to memorialize what took place. BM Dunn agreed that as long as it is documented and not getting lost that would be fine. Chairman Johnson inquired further discussion was needed. BM Dunn wants interview spots to be for people who want to be paroled and not for people who want to max out. Chairman Johnson asked BM Dunn to restate his motion.

- ***BM Dunn moved all requests for max out regardless of the sentence type be processed such that they do not appear on the interview docket. They are documented that they requested max out, and would have to reapply for parole if their sentence warranted.*** BM Barden seconded the motion. The motion was unanimously approved by the Board. BM Moscato clarified that this would allow the inmate to max out.
- Jim Fox clarified that it is not an actual Board decision. If in say 3 months from now, the inmate wants to apply for parole, he may do so. In turn the institution would put the inmate back on the docket. The Board agreed this would be the case.

D. Communication Update (Laura Treaster)

- She intended the initial kick off of Pittsburgh Safe Return. The official dates for this are August 6-8, 2020. There are over 9,000 outstanding warrants. Will be a busy 3 days. Early planning stages are being worked out.
- Logo update – designer will go back to the drawing board and come back with more samples.
- Chairman Johnson said he feels we will be very successful with safe return in Pittsburgh. The new Judge, Judge Clark in Pittsburgh is very much behind the project. The FBI will do all the identification via fingerprint that will not be kept.

E. Hearing Division

- Chief Hearing Examiner Allensworth advised the RFP committee for the new assessment tool has voted. One vendor met the requirements and DOC is in

the negotiating phase with them. The goal is to have this tool in place for customization by September.

- HR to finalize the work simulation for the hearing examiner positions. They are hoping to have the test posted by March 2nd, and scoring will occur in April. Chad explained after scoring, civil service takes the top three scores and that is the list. Chairman has some concerns and would like to have a further discussion regarding scores over 100 and other areas of scoring and qualifying individuals.
- Hearing examiner meeting is scheduled for March 4th, the primary focus will be JRI2 and preparing the staff for those changes.

F. Policy and Legislative Affairs

- House and Senate is in recess to hold Budget hearings, the Board's budget hearing is February 19th and 20th in conjunction with Department of Corrections.
- No news on Board Member vacancies; Senate is back in session starting March 16th. The hope is we will have nominations then.
- Working on the merger bill with Senator Brown, the bill will be reported out of the appropriation committee when they are back in session. The expectation is it will be part of the Budget package.

G. Office of Chief Counsel

- Introduction of paralegal intern, Katie Burch, who will be working in the legal office.

H. Office of the Board Secretary

- 361/Memo process – Testing is going well. Our plan is to do Board Member training at the next Board meeting in March and roll it out thereafter. Preliminary testing has demonstrated benefits with circulation of cases. The impact will be the lack of circulation through mailings and faster decisions on min/review cases.

Jim Fox has reported he is assisting with the implementation of JRI2 and hopefully that policy will be in draft form soon. Also, working on a two other projects:

- Board action language so decisions are more readable to the average user.
- Murder convictions since 2015, reviewing all the information received/reviewed for these cases. A comparative sample will be provided from the 53 people convicted of murder since 2015 while on parole. Murder is defined as Murder 1,2,3 and voluntary manslaughter. Looking for anything that may improve the decision making process.

Chairman Johnson advised during a recent presentation he did, he was not comfortable discussing the assessment piece due to the fact he is not comfortable with the assessments used. He would like

further discussion regarding the assessment and an update on that status of retooling the Berk forecast.

Chairman Johnson and Jim Fox met with the District Attorneys (DA) and advised even though the Board is providing them with additional information they still need the DA's to advise the Board on items they do not know about the case. They should not be making their yes/no vote on the information the Board already has. The Board need the DA's to advise the Board on information about the particular case, sentencing, etc. not about their DOC history.

At 9:37 a.m. Board Member Dunn made a motion to adjourn the public session. The motion was seconded by Board Member Koch. The Board voted unanimously to adjourn public session.

SAW