



MEMO

**TO:** Board Members  
**FROM:** Scott Woolf  
Acting Board Secretary  
**DATE:** August 7, 2020  
**RE:** Minutes – Board Meeting  
July 15, 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 July 15, 2020, of the Pennsylvania Board of Probation and Parole.

The public meeting convened at 9:03 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, Board Members Maureen Barden, Jim Fox, Anthony Moscato, Khadija Diggs, Linda Rosenberg (V/C) and Mark Koch (V/C).

Also in attendance were Chad Allensworth, Chief Hearing Examiner, Hearing Division; Alan Robinson, Chief Counsel; Morgan Davis, Attorney; Jennifer Storm, Office of Victim Advocate (OVA); Meghan Dade, Executive Director, PA Sexual Offenders Assessment Board (SOAB); Janaki Theivakumaran, 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; Doug Hammond, Legal Intern, Everett Gillison and Leslie Grey.

The Chairman recognized public guests Mark Bergstrom, Pennsylvania Sentencing Commission.

**I. APPROVAL OF March 11, 2020 BOARD MEETING MINUTES**

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

**II. STAFF REPORTS**

**A. Pennsylvania Sentencing Commission**

- The Commission is required to adopt parole guidelines and recommitment ranges that must be considered by the Board. So the Commission approved these proposals for public hearings during our June meeting, and during the September

meeting has an opportunity to adopt (including any modifications based on public comment) and submit to the General Assembly. The General Assembly has a 90-day review period (legislative veto). If not rejected the guidelines take effect. We built in a 6-month delay in implementation.

**B. Office of Victim Advocate (OVA)**

- In person testimony feedback was good with all the safety precautions put in place.
- Monitoring future months to ensure the safety and security of all involved while maintaining compliance with the law
- OVA is encouraging all victims to provide testimony virtually.

**C. Sexual Offenders Assessment Board (SOAB)**

- Operation have continued through this pandemic.
- Supreme Court ruled the sexual violent predator and juvenile assessments are constitutional.
- Zoom training with treatment providers coming up.
- November training will be open for Board Members.

**D. Communication Update (Laura Treaster)**

- Laura Treaster reported out as the project manager of the Parole Dashboard on the demo of the dashboard. Developer put out a great demonstration of what they can do with data. Everett Gillison will be provided the demo as well to view.
- Answering multiple questions on the lawsuit against the Board
- Completed the form project with all updates.
- Working on the intranet and focus on our website with explanations on current process.
- Working with Board Member Barden on her upcoming presentation at the chaplain conference.

**E. Special Assistant to the Chairman (Deb Carpenter)**

- Parole Delayed Release – Chairman motioned if a Board Member wants to grant parole w/ a delayed release beyond one year those cased are to be reviewed by the entire Board during a future Executive session. Board Member Koch second the motion. The board unanimously approved.

**F. Hearing Division**

- Chief Hearing Examiner advised they have resumed hearings in the counties. It is problematic due to readiness of county or field, it will all flush its way out. Started with over 400 down to 120. The hope is to be caught up by September 2020. Philadelphia is problematic, Board Members have offered to assist with

meeting with any county that has scheduling and/or connectivity problems. Work with field services and counties to resolve all issues as a team.

- Legal advised that he believes the Board should handle all scheduling.
  - Chairman recommended a meeting to resolve the challenge surrounding the scheduling.
- Legal advised regarding deadlines and excludable times.
- Testing for the Hearing Examiner position has resumed. Hopefully review will be done remotely.
- Decision makers are not to go back into the facilities at this time. Further discussion will happen to see if it should be mandated.

#### **G. Policy and Legislative Affairs**

- House and Senate is still meeting.
- Merger bill has not moved.
- 5-month Budget approved.
- Working on all Board processes/procedures.

#### **H. Office of Chief Counsel**

- Introduced Doug Hammond, legal intern (virtually on Zoom).
- Law suit against the Board filed July 8<sup>th</sup>; challenge under the Constitution, that it violates against cruel punishment
- Supreme court ruled the county probation court cannot preclude or sanction someone from using medical marijuana. That does not mean you can use medical marijuana unlawfully.

#### **I. Office of the Board Secretary**

- Board Member Diggs asked if the room set up could allow for social distancing so the inmate can remove the mask.
  - Decision maker can ask the inmate if they can remove the mask.
- Board Member Fox has received a lot of cancel delinquency and close the case. Questioning what is the field's policy for these cases.
  - Scott advised a lot of the requests are pandemic driven.
  - Board Member Fox request Scott research with the field so we can find out what their policy is around these cases so we can work towards consistency.
- Judge/DA letters – Request the Board review the revisions and approve letters for another meeting.
- Max Out Memos – Board Member Fox motioned to have max out requests come to the board via memo with two options: Max out request approved or denied place on docket.
  - No Board Action is needed; OBS will work with Reentry services to stop the Board Action process and issue a memo. Ensure the case is memorialized in Onbase.

- Max out requests approved will only be placed on the docket if the inmate files an application.
- 5 Board Member approved and 2 denied. Motion passed.

At 11:16 a.m. Board Member Johnson made a motion to adjourn the public session. The motion was seconded by Board Member Rosenberg. The Board voted unanimously to adjourn public session.

SAW