



TO: Pennsylvania Parole Board Members

FROM: Farrah Conjar
Executive Secretary II to the Chairman

DATE: July 13, 2021

RE: Board Meeting Minutes
June 16, 2021

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 June 16, 2021, of the Pennsylvania Parole Board.

The public meeting convened at 9:00 AM at Riverfront Office Center in Harrisburg, PA with Chairman Theodore Johnson presiding. A quorum of Board Members was present.

Attendance

- | | | |
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| <input checked="" type="checkbox"/> Chairman Ted Johnson | <input checked="" type="checkbox"/> BD Member Leo Dunn | <input checked="" type="checkbox"/> BD Member Tony Moscato |
| <input checked="" type="checkbox"/> BD Member Maureen Barden | <input checked="" type="checkbox"/> BD Member Jim Fox | <input checked="" type="checkbox"/> BD Member Linda Rosenberg |
| <input checked="" type="checkbox"/> Alan Robinson, Chief Counsel | <input checked="" type="checkbox"/> Deb Carpenter, Board Secretary | |
| <input checked="" type="checkbox"/> Chad Allensworth, Chief Hearing Officer | <input checked="" type="checkbox"/> Scott Woolf, Director – Office of Board Secretary | |
| <input checked="" type="checkbox"/> Neil Malady, Policy/Legislative Affairs | <input checked="" type="checkbox"/> Laura Treaster, Special Assistant | |
| <input checked="" type="checkbox"/> Morgan Davis, Assistant Chief Counsel | <input checked="" type="checkbox"/> Meghan Dade, SOAB Executive Director | |
| <input checked="" type="checkbox"/> Marianne Garner, Legal Intern | <input checked="" type="checkbox"/> Suzanne Estrella, Office of Victim Advocate | |

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

APPROVAL OF MAY BOARD MEETING MINUTES

Board Member Rosenberg motioned to approve the Parole Board minutes. Board Member Moscato seconded the motion. The Parole Board unanimously approved the minutes.

OFFICE AND STAFF REPORTS

Office of Victim Advocate (OVA) Report

- Suzanne Estrella presented on trauma and how it relates to victim testimony and how it relates to the decision makers hearing the case. OVA revised a new form in addition to the summary sheet which has three topics/questions:
 - Safety concerns
 - Impact if this person is paroled
 - Economic concerns that you have
- OVA requested, if possible, to reserve questions to the end. Questioning during the testimony could make the victim lose their train of thought.
 - OVA recommend reviewing the OVA case file on the crime prior to interview.
- Deb and Pennie will work together to ensure the process is effective and victim centered, along with ensuring the Board has what they require to prepare for the victim testimony, e.g. summary, schedule, script.
- Board asked that Deb and Scott have access to the F2F videos and OVA to assist all Board members if questions arise.
- Chairman asked for a status update on the link to the F2F video within OnBase. The Board feels it is more effective if they could review the video when they are in the process of reviewing the case for a decision.

Sexual Offenders Assessment Board (SOAB)

Sexual Offenders Assessment Board Executive Director Meghan Dade

- There was nothing to report from the Sexual Offenders Assessment Board.

Communications/Media Report

Special Assistant Laura Treaster

- Received and responded to several inquiries from media about the denial of Bill Cosby's parole.

Policy and Legislative Affairs Report

Policy and Legislative Affairs Director Neil Malady

- Senate Bill 411, Senator Brown's merger bill, is in House Judiciary Committee. The House Judiciary Committee is expected to be voted out of committee next week, and possibly be included along with the budget before the General Assembly breaks the summer.
- Marcus Brown's name was nominated as a Board member and submitted to the Senate for confirmation. The visitation process will be expedited and an anticipated vote will be June 25, 2021.

Office of Chief Counsel Report

Chief Counsel Alan Robinson

- Marianne Gardner is the Parole Board's virtual legal intern from New Jersey, if anyone has questions or research that needs to be done, should send email request to John Manning and Alan Robinson.
Scott v. Parole Board was decided on preliminary objections. This was the case that was brought by second degree murderers, who alleged a portion of our statute was unconstitutional, it prevented the Parole Board from paroling people convicted of second-degree murder. The Commonwealth Court ruled individuals cannot challenge a sentence in Commonwealth Court. This same group is attempting to appeal to the Supreme Court.
- Chief Counsel Robinson will take the 2016-02 resolution and create a new resolution to accurately reflect what was voted on during the May Board meeting. This will address Board Member Fox's concern regarding how it was listed in the May meeting minutes.

Office of Hearing Examiners Report

Chief Hearing Examiner Chad Allensworth

- Thomas Williams from Interstate Parole will be the Administrative Assistant. He will be taking over the Board's scheduling. He has been with the Parole Board for six years.
- The Hearing Examiner's meeting last week covered all topics on the agenda, if anyone has questions please feel free to reach out to him.
 - Chief Hearing Examiner Allensworth explained the Miranda issue listed on the agenda was regarding prior Board procedures. Hearing Examiners would let the parolee know what was said could be used against them in their criminal case. He advised the Hearing Examiners, if the parolee is represented by counsel to let the counsel address that legal concern. Beyond this, the Hearing Examiners will advise the person if the offender does not have legal counsel, anything the person says could be included into their criminal case.

Board Secretary Report

Board Secretary Deb Carpenter

- Nothing to report at this time.

Board Secretary Office Report

Board Secretary Office Director Scott Woolf

- The decision makers were alerted that if they choose continue on parole, Decision Makers should be identifying mitigating reasons on the hearing report or decision document as to why they chose to continue on parole. The Parole Technicians will take what the Decision Maker put on there as the reasons to continue on parole. It was also noted there have been some inconsistencies with putting the reasons behind why the Parole Board has chosen to continue on parole. All reasons will be included on the final Board Action, which is a public document.

- Board Member Dunn asked if on the decision he were concurring with someone else would that be put on the Board Action? Director Wolf advised if you concur with another Decision Maker, then it would say whatever the Decision Maker wrote the mitigating reason as to why to continue on parole. It would not say Board Member Dunn concurs. The Board Action would only list the reason.

ADJOURNMENT

At 09:50 AM Board Member Moscato made a motion to adjourn the public session. The motion was seconded by Board Member Diggs. The Board Members voted unanimously to adjourn the public session.

SAW/FC