



TO: Pennsylvania Parole Board Members

FROM: Farrah Conjar
Executive Secretary II to the Chairperson

DATE: October 4, 2021

RE: Board Meeting Minutes
September 15, 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 September 15, 2021 of the Pennsylvania Parole Board.

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

Attendance

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Chairperson Ted Johnson | <input checked="" type="checkbox"/> BD Member Leo Dunn | <input checked="" type="checkbox"/> BD Member Tony Moscato |
| <input checked="" type="checkbox"/> BD Member Marcus Brown | <input checked="" type="checkbox"/> BD Member Jim Fox | <input checked="" type="checkbox"/> BD Member Linda Rosenberg |
| <input checked="" type="checkbox"/> BD Member Khadija Diggs | <input checked="" type="checkbox"/> BD Member Mark Koch | |
| <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 Counsel | <input checked="" type="checkbox"/> Meghan Dade, SOAB Executive Director | |
| <input checked="" type="checkbox"/> Megan Isherwood, Legal Intern | <input checked="" type="checkbox"/> Suzanne Estrella, Office of Victim Advocate | |
| <input checked="" type="checkbox"/> Janaki Theivakumaran, SOAB Exec. Asst. | <input checked="" type="checkbox"/> John Manning, Deputy Chief Counsel | |

Chairperson Johnson recognized public guests:
Mark Bergstrom, Pennsylvania Sentencing Commission
Dianna Shoop, Pennsylvania Sentencing Commission

APPROVAL OF JULY BOARD MEETING MINUTES

Board Member Fox motioned to approve the July 2021 Parole Board minutes. Board Member Brown seconded the motion. The Parole Board unanimously approved the minutes.

OFFICE AND STAFF REPORTS

Office of Victim Advocate (OVA) Report

Suzanne Estrella, Victim Advocate

- All in person testimony days will remain via Zoom for the remainder of this year, and then reassess the situation at a later time.
- Chairperson Johnson advised if there are any victims that want to be in person on victim testimony days to notify him.
- Board Secretary Deb Carpenter asked all Board Members if they were all able to access the documents on the shared drive for victim testimony. They all said yes and it was a big improvement.

Sexual Offenders Assessment Board (SOAB)

Meghan Dade, Executive Director

- Meghan Dade reported that Dr. Valliere, an SOAB Board Member, is doing a virtual training on October 6, 2021 on a variety of sex offender issues, especially technology with regard to internet use. If anyone is interested in attending, they should let her or Janaki Theivakumaran to be registered.
- SOAB is short staffed administratively. Staff complement should be back to normal within the next month or two.

Communications/Media Report

Special Assistant Laura Treaster

- After the passage of Act 59 of 2021, work has been ongoing with the Department of Corrections (DOC) to rebrand all of the parole forms that will be under the administration of the DOC along with other projects that are within the scope of the rebranding project. The anticipated completion date is mid October 2021.

Policy and Legislative Affairs Report

Policy and Legislative Affairs Director Neil Malady

- Legislature is on recess for summer. Senate will return on September 20, 2021, and the House on September 27, 2021.
- The Parole Board continues to have one Board Member vacancy and the Governor's Office is looking to fill the ninth and final Board Member position.

Office of Chief Counsel Report

Chief Counsel Alan Robinson

- Meghan Isherwood is the new legal intern. She will be in the office on Mondays and Tuesdays. If you have any questions regarding her please email John Manning or Alan Robinson. She is currently helping Laura Treaster with updating various items on the public website.
- No major court cases since the last Board Meeting.

- On Monday, September 20, 2021, I will be arguing a case in Commonwealth Court. At issue is an individual who violated the DOC reprieve order, then requested a parole revocation hearing and his request was denied. I am going to argue before the court that this individual was not on parole.

Office of Hearing Examiners Report

Chief Hearing Examiner Chad Allensworth

- No Hearing Examiner meeting in September 2021.
- Hearing Examiner's Office is under staffed administratively. There are three people scheduling for the entire state. I am hopeful to fill a vacancy soon.
- Number of county panel hearings has increased because of the decrease in the waiver of hearings by inmates/parolees
- Chairperson Johnson stated in reference to the hearings, Board Members will be doing a round-robin, which means when your name comes up, you will be called to see if you are available. If you are not at that time, keep in mind you will be called again the next time you are needed to pick up other hearings in the future.
- We currently have a Hearing Examiner position to be filled. The Parole Board is looking at making this position a Deputy Hearing Officer position in the west (Pittsburgh).

Board Secretary Report

Board Secretary Deb Carpenter

- Currently working with DOC Administration on the 2022-2023 budget submission that is due next week.
- Working with DOC Deputy Secretary Evans and staff on transitioning the docket to handle the panel cases versus majority vote offenses. It is a change for them on how they docket the cases, but it's nothing we cannot work through.
- Recently Chief Counsel Alan Robinson and I met with DOC psychology and reentry services on individuals who were not convicted of a sex crime, but the crime is sexual in nature, or the person may have admitted to a sex crime during the course of the interview. Typically, if the Parole Board would order treatment or an evaluation for those individuals, DOC policy prohibits that because they were never convicted of a sex crime ever throughout their criminal history. These cases are referred to the Joint Resolution Committee (JRC) and are never resolved. These cases will no longer be referred to JRC for a resolution.
- Previously, the Parole Board talked about note convictions and note arrests and moving those decisions back to the field. Board staff is going to meet with the parole field staff later this month to talk about the concerns they have regarding those decisions. After this discussion takes place with DOC, the issue will come back to the Board Members in October for a final vote for a decision.
- DOC has made the decision that the final model for the new assessment will pull in convictions not arrests.

- Mark Bergstrom advised he has been involved in multiple conversations with DOC and the contracted service provider, and as he understands it, they are moving forward with using conviction offenses for both the input and output.

Board Secretary Office Report

Board Secretary Office Director Scott Woolf

- There were some questions in the past from Board Members regarding DOC treatment programs, specifically the differences for Thinking for a Change and Violence Prevention. Last week I met with DOC treatment staff, trying to get a better understanding and they agreed to put together a better list of the program components and their differences.
 - Chairperson Johnson asked if someone from DOC treatment staff could come to the next Board Meeting and provide descriptions so questions can be asked.
- Working on increasing the notifications for the Judge and DA for every parole interview. BSO staff has done some planning on what needs to be done for the subsequent letter to the Judges and DAs. The target completion date is January 2022.
- The spreadsheet of the review of cases for individuals that were in excess of two years were given to Board Members. There was a total of 13 cases over the past six months.
 - Chairperson Johnson would like to continue to monitor these cases.

Board Vote - Vote required on finalizing case processing for offenders who refuse parole interview

- *Board Member Fox made a motion for cases where institutional parole staff verify that an inmate does not want to be interviewed for parole, the case will be removed from the docket and reviewed upon the filing of a valid application. The motion was not approved 4 Yes votes and 4 No votes.*
 - Board Members had a discussion of what the issue is and what Senior Staff believed the resolution should be, which was done in collaboration with the DOC parole staff.
 - Board Member Dunn agreed to work on revision to the motion language for the next Board Meeting.

ADJOURNMENT

At 10:00 AM Board Member Moscato made a motion to adjourn the public session. The motion was seconded by Board Member Dunn. The Board Members voted unanimously to adjourn the public session.