



TO: Pennsylvania Parole Board Members

FROM: Deborah Carpenter
PA Board Secretary

DATE: November 30, 2022

RE: Board Meeting Minutes
November 16, 2022

In compliance with *Act 175*, known as the *Sunshine Law*, effective September 17, 1976, the Pennsylvania Parole Board provided notification to the public of the scheduled meeting on October 28, 2021 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 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 Jack Daneri | <input checked="" type="checkbox"/> BD Member Elizabeth Bolton
Penna |
| <input checked="" type="checkbox"/> Alan Robinson, Chief Counsel | <input checked="" type="checkbox"/> Deb Carpenter, Board Secretary | |
| <input checked="" type="checkbox"/> Neil Malady, Policy/Legislative Affairs | <input checked="" type="checkbox"/> Scott Woolf, Director – Office of Board Secretary | |
| <input checked="" type="checkbox"/> Michael Potteiger, Chief Hearing Examiner | <input type="checkbox"/> Janaki Theivakumaran, Special Assistant | |
| <input checked="" type="checkbox"/> Morgan Davis, Assistant Counsel | <input checked="" type="checkbox"/> Alison Patrick, SOAB Executive Assistant | |
| <input checked="" type="checkbox"/> Meghan Dade, SOAB Executive Director | <input checked="" type="checkbox"/> Suzanne Estrella, Victim Advocate | |

Chairperson Johnson recognized public guests:

Mark Bergstrom, Pennsylvania Sentencing Commission
John Manning, Deputy Chief Counsel DOC

APPROVAL OF AUGUST BOARD MEETING MINUTES

Board Member Fox motioned to approve the September 20, 2022 Parole Board minutes. Board Member Bolton Penna seconded the motion. The Parole Board unanimously approved the minutes.

OFFICE AND STAFF REPORTS

Office of Victim Advocate (OVA)

Victim Advocate Suzanne Estrella

- No updates to report.

Sexual Offenders Assessment Board (SOAB)

Executive Director Meghan Dade

- Ms. Dade reminded the Board of an upcoming training on December 2nd that will feature David Prescott, a leader in the field for sex offender treatment. Space is limited for the December training, please let Ms. Dade or Ms. Patrick know if any Decision Maker would like to attend.
- Introduced Alison Patrick, she was recently promoted to the Executive Assistant.

Board Secretary Office Report

Board Secretary Office Director, Scott Woolf

- No updates to report.

Communications/Media Report

Board Secretary Deb Carpenter (Janaki Theivakumaran was on vacation)

- Overall survey results from the Erie Decision Maker retreat were good. Another retreat is in the planning stages for Spring of 2023. Survey results will be shared with the Board.
- The Board was asked to present at the Pennsylvania Conference of State Trial Judges in February 2023. Senior Staff will work on putting together that presentation.

Board Secretary Report

Board Secretary Deb Carpenter

- Provided a reminder of the DOC corrective action plan regarding the premature successful graduation from SOP. Decision Maker's need to continue reporting any issues they identify during case review.
- Provided an update on the current Zoom issues. Issue will not be resolved until Zoom releases the application update. In the meantime, the web version needs to be used.
 - Hearing Examiner's will be reminded of the temporary solution.
- SCI Parole staff has reached out for clarification on board action language regarding release planning.
 - For ease of understanding and explanation to the inmate, if the plans exist please do not select failure to develop a parole release plan. If the plan contradicts something that was said in the interview or in your opinion is not a viable plan then please explain that in other factors.

Policy and Legislative Affairs Report

Policy and Legislative Affairs Director Neil Malady

- House last day of session is today, Senate ended earlier this week.

Office of Chief Counsel Report

Chief Counsel Alan Robinson

- The Scott case was decided by the PA Supreme Court. The case was brought by the Abolitionist Law Center, who claimed that Section 6137 of our statute, which states that the Board cannot release life-sentenced inmates, is unconstitutional. Commonwealth Court dismissed the case for lack of jurisdiction. The Supreme Court affirmed, holding that parole ineligibility was part of a life sentence.
- Circulated several cases to the Board for awareness.

Office of Hearing Examiners Report

Chief Hearing Examiner Michael Potteiger

- Gary Holland, Deputy Chief Hearing Examiner is retiring at the end of December.
- There were five applicants for the specialized Hearing Examiner position.
 - Over the last two months we have been directing as many second level hearing to the specialized positions.
- The new hearing waiver process began on November 1, 2022. The new process eliminates the resubmission of waiver packets.

Public Comment – Pennsylvania Sentencing Commission

Mark Bergstrom updated the Board on recommitment ranges. The goal is to provide the Commission with a rough draft in December 2022 and have public hearings next year which will allow the Commission to work towards implementation in January of 2024. The Board will set up a meeting for later this month to provide Mark with feedback to assist with his draft to the Commission.

ADJOURNMENT

At 10:22 AM Board Member Moscato made a motion to adjourn the public session. The motion was seconded by Board Member Bolton Penna. The Board Members voted unanimously to adjourn the public session.