

TO: Board Members

FROM: John J. Talaber, Esq.
Board Secretary

DATE: September 18, 2018

RE: Minutes – Board Meeting
August 15, 2018

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 August 15, 2018, of the Pennsylvania Board of Probation and Parole.

The meeting convened at 9:04 a.m. on August 15, 2018, with Chairman Dunn presiding.

Board Members Maureen Barden, Everett Gillison, Leslie Grey, Tony Moscato, and Linda Rosenberg attended the meeting, in person. Board Member Ted Johnson participated by phone. Board Member Mark Koch was unable to participate.

Also in attendance were John C. Manning, Deputy Chief Counsel, Office of Chief Counsel; John J. Talaber, Board Secretary, Office of Board Secretary; Victor Wills, Director of Policy and Legislation; Michele Hiester, DOC Statistical Office; Meghan Dade, Executive Director, Sexual Offenders Assessment Board (SOAB); Janaki Theivakumaran; Executive Assistant to Director of SOAB; Laura Treaster, Special Assistant to the Chairman, Bill Otis, Executive Assistant to the Chairman, Kaitlyn Romiski, Executive Assistant to the Chairman; Neal Kokatay, Executive Assistant to the Chairman; Farrah Conjar, Executive Secretary to the Chairman; and Melissa Repsher, DOC Re-Entry Program Director.

I. APPROVAL OF JULY 18, 2018, BOARD MEETING MINUTES

Board Member Barden moved to approve the July 2018 board minutes, which was seconded by Board Member Grey. There was no discussion on the motion, and the board unanimously approved the minutes.

Chairman Dunn acknowledged there were no public guests in attendance.

II. STAFF REPORTS

All reports referenced in public session were previously disseminated to the Chairman and will be made available upon request. Chairman Dunn expects senior

staff to highlight two or three things in their staff reports at the board meeting since the board will no longer receive the reports in writing.

A. Press, Media, Website

Special Assistant Treasurer is sorting through data documents and images for the creation of the board's annual report for fiscal year 2017/2018. Last month she sent an email about including the absconder web application in the annual report. Special Assistant Treasurer noted that this is still a work in progress, and for the end of the fiscal year 2017/2018, it had over 1,600 hits from the general public, which led to 57 arrests. Special Assistant Treasurer reported that the "newness" of the report seems to have worn off, and the tips are being pushed out to agents who are not always responding to whether or not the capture was related to the tip, which affects the accuracy of the reporting. There were no further questions or discussion about this report.

B. Sexual Offenders Assessment Board (SOAB)

Director Dade reported that the next SOAB training is Friday, September 14, 2018, in Harrisburg from 8:30 a.m. to 3:30 p.m. The presenter will be David Prescott, providing a general training on sex offender treatment issues. Director Dade stated she will be on vacation from August 16, 2018, until Friday, August 24, 2018. In her absence, board members and staff should contact her Executive Assistant Janaki Theivakumaran. There were no further questions or discussion about this report.

C. Hearing Examiners Office

Chief Hearing Examiner Chad Allensworth was unable to attend the board meeting. In his absence, Board Secretary John Talaber reported that laptop computers are being handed out to all the Hearing Examiners, who are now all "home-based." The hearing examiners are working hard at adapting to OnBase recommit workflow, with about half of them submitting reports through OnBase at this point. Board Secretary Talaber noted that the Chief Hearing Examiners Office is currently working with half of the hearing coordinators (i.e. one coordinator is on an extended leave of absence, and the other due to a retirement, is being upgraded from an administrative assistant to an administrative officer). There were no further questions or discussion about this report.

D. Office of the Board Secretary (OBS)

Board Secretary John Talaber reported that his staff are getting trained on the OnBase Recommit workflow, and are getting used to seeing the reports electronically. Board Member Rosenberg expressed accolades to the OnBase project and the OBS staff. There was discussion among the board

members and staff concerning ongoing board member OnBase training. There were no further questions or discussion about this report.

E. Office of Chief Counsel

Chief Counsel Alan Robinson was unable to attend the board meeting. In his absence, Deputy Chief Counsel John Manning reported that his office filed a petition for allowance of appeal in the *Young* case, and they are waiting to see if the Pennsylvania Supreme Court accepts the appeal. Deputy Chief Counsel Manning reported that most legal issues the office now sees involve sentence calculations, and that 17 certified records were sent to Commonwealth Court this month. Deputy Chief Counsel Manning expressed his appreciation to the OBS for their help with addressing the petitions for administrative review, and he has expectations that OnBase recommitment process will help. There were no further questions or discussion about this report.

F. Office of Policy and Legislative Affairs

Director Victor Wills reported that no name has been provided to him for the replacement of the vacant board member position; however, administration intends to try to get them confirmed along with the Chairman's reappointment by the end of October 2018. There were no further questions or discussion about this report.

G. Executive Assistant to the Chairman

Chairman Dunn formally introduced Kaitlyn Romiski, who is replacing Ms. Deb Carpenter as the Executive Assistant to the Chairman, for purposes of the MOU between DOC and the board on administrative matters. Executive Assistant Romiski provided an overview of projects she has been working on since her start four weeks ago, including working with OBS regarding the recommit process and the 361 project. Executive Assistant Romiski offered her assistance as point of contact for training on the e361 project. Executive Assistant Romiski reported that physical building updates at the Riverfront Office Center (ROC) are planned in January 2019 for the employee entrance downstairs. Building management will be implementing security turnstiles. Staff will enter the building by swiping a security card. Also, new tile, carpeting and other updates are planned. There were no further questions or discussion about this report.

III. OLD BUSINESS

A. 361 Update

Executive Assistant Neal Kokatay provided the board with the 361 project update. Executive Assistant Kokatay will be meeting with OVA for their

input, questions, comments, concerns concerning the 361 project; and he will also meet with Chairman Dunn and Christian Stephens to discuss disagreement between field staff and hearing examiners regarding 338 when there are board imposed conditions. Executive Assistant Kokatay reported that last month he met with Board Member Gillison to review historical data on the 361. He also spoke with Board Secretary Talaber and received additional historical information and materials. Mr. Kokatay provided a general overview of a seven-page document he handed out to the board members. The overview included items such as the timeline and evolution of the 361 from 1978 to 2009, goals of past boards, why changes were made. This exercise was done in order to develop some guidance for the future design and use of the 361.

Board Member Rosenberg asked about next steps in the project. Executive Assistant Kokatay reported that he participates on the assessment committee, meeting Friday, August 17th, and that expectations are that we could have the risk assessment tool approximately January 2019. Executive Assistant Kokatay stated that the results from the Robina project are still pending. Board Member Rosenberg made the suggestion to reach out to other states to see what input they may have regarding guidelines.

Chairman Dunn offered that Executive Assistant Kokatay is involved in updating the board member training handbook. Board members were encouraged to provide input. Board Member Rosenberg asked about the creation of a SharePoint location to exchange relevant documents. Special Assistant Treasurer was named by Chairman Dunn as the point of contact for this suggestion. There were no further questions or discussion about this report.

B. Ignition Interlock Cases

Executive Assistant Bill Otis reported that he emailed board members responses to questions that were posed to the PADUI organization. There was discussion among the board members and senior staff about whether or not the board would like to consider ignition interlock cases as possible special conditions, as well as the parameters that would need set for cases where there have been multiple DUIs. Chairman Dunn stated that he has been in contact with DOC Executive Deputy Secretary George Little and Deputy Secretary Christian Stephens, and they would support a relatively narrow procedure that ensures these conditions are not extended too broadly. Board members were asked to provide their input to Executive Assistant Otis as to when it would be appropriate (i.e. what types of cases would apply). Board Members were asked to flag current cases that may be suitable for this for discussion at the next board meeting. There were no further questions or discussion about this report.

C. Data Reports and Dashboard Discussion – Michele Hiester, Statistical Office

Chief Michele Hiester reported that the statistical office has been working on the decision maker board recommitment rates. This includes talking with Board Secretary Talaber about the voting process in order to completely understand it. Chief Hiester introduced the idea of using video for inmate interview preparation. She talked about a research organization called "betagov" and how her office is leveraging their work, at no charge, to refine evidence-based practices. Chairman Dunn spoke to a similar process under discussion now. Some discussion took place regarding a way to pilot this or potentially move it forward. Chief Hiester suggested, and Chairman Dunn agreed, that the Stats office could be helpful in evaluating the approach, how/if the preparation videos are helping. Chief Hiester will follow up on this.

Chairman Dunn asked for a firm date for when Dr. Bucklen is expected to have information (voting rates, 361) in order to include adequate time in an upcoming board meeting. There was further discussion and clarifications about what information or details are available from the statistics office. Chief Hiester initiated some of this questioning to ensure data is collected and reported in a meaningful way and for the development of the 361. Chief Hiester will also follow up with a date. There were no further questions or discussion about this report.

IV. NEW BUSINESS

A. Reentry Program

Chairman Dunn raised the question about what to do with the reentry program. This is prompted after re-evaluating recidivism rates coming out of the reentry program and the small numbers of participating parolees. Chairman Dunn presented some options: (1) Continue the program; (2) Stop the program; or (3) Reformat the program so that it would offer the same positive skill sets outside of the court setting. Director Melissa Repsher provided input from a field perspective. She proposed taking the skills that have been learned from the reentry program and move it into the ARD environment to be able to reach a larger population. This is not been laid all out yet. Discussion about considerations, opportunities, benefits and ideas continued. Chairman Dunn requested Director Repsher to put together one or two structure formats of a proposed replacement to the reentry program. She should consider the retention of the positive aspects of the current program, what would get more people involved, a structure that has less of an adverse impact to the number of schedule hours required of participants.

There was a general discussion around the delegation of field supervision and board purview.

Chairman Dunn called for a brief recess at 10:31 a.m. The meeting reconvened at 10:45 a.m.

Chairman Dunn, in regards to the previous general discussion, clarified that if the board is actually reviewing a particular individual's parole case and actually helping to make the decision as to what happened in that case, this equates to the role of supervision. This activity is not within the decision-maker role. Chairman Dunn added that if the reentry program were reformatted it should not involve the board in the individual case decisions, sanctions, decision making, rather the board should be in a support role. Board Member Gillison proposed the board have a round table with the reentry court agents to strategize and brainstorm about a format. More discussion took place about next steps, in what format meetings and communication should take place. There were no further questions or discussion about this report.

B. Juvenile Lifers (JL)

Chairman Dunn opened the discussion regarding recent JL interviews where a board member was not physically at the institution. He reminded the board that they made the decision that at least one board member should appear in person. Chairman wanted each member's input if a change is to be proposed, and asked each for feedback on the following: (1) keeping it the way it is with one board member in the institution, another by VC; (2) having two board members video conference in to the SCI; (3) on rare occasions, have two board members at the institution; or, (4) doing juvenile lifer cases in the same way that other violent cases are done.

Board Member Rosenberg suggested the board do JL cases like other violent cases since we are no longer in the initial stages of interviewing juvenile lifer cases, and there are not as many remaining we can put them on the docket. Board Member Grey suggested the board continue with one board member in person and one board members participating by videoconference, since they are "violent" cases. Board Member Moscato agreed with Board Member Grey, and added there is the advantage of having two board members if issues arise. Board Member Johnson suggested that it should be up to the individual board members to decide it attend in person, or attend by videoconference, and that the policy should be that two board members are required. Board Member Gillison suggested that one board member attend in person, and one person attend by videoconference, to keep parameters the same in order to preserve experiment integrity for research and future evaluation of the process and parolees. Board Member Barden suggested that the cases should be placed on the docket like others, and this change will broaden the scope for research and evaluation / statistical purposes. Chairman Dunn suggested that it remain the same, with one person in attendance and one videoconferencing into the interview.

Chairman Dunn added that once all juvenile lifers have had an initial interview with the board that perhaps the board would revisit the proposal to

change the process. Board Member Rosenberg further added her preference to have two board members scheduled on the entire day; may occasionally call in, as needed. All the board members responded favorably to this suggestion. It was decided by consensus that interviews will continue with one board member onsite and one by videoconference, and Board Members will be scheduled for the entire docket when a JL is on the list.

C. Scheduling Matters

Board Secretary Talaber noted that the October 17, 2018, board meeting will start at 1:30 p.m. so to accommodate the Chairman's schedule. Board Secretary Talaber referenced the proposed 2019 board meeting and face-to-face schedule. Chairman Dunn suggested instead of doing a retreat and board meeting in April 2019 in Erie, we move the meeting to the end of September 2019. This will mean combining September/October in Erie, incorporating Board Member Grey's retirement party. A revised 2019 schedule will be presented at the September 19, 2018, board meeting. Board Secretary Talaber reminded all in attendances that the September 19, 2018, board meeting will be held at the Governor's Residence, followed by the Employee Awards Luncheon.

Board Member Gillison moved to adjourn the public session. Board Member Grey seconded the motion. The board unanimously voted to adjourn the meeting at approximately 11:24 a.m.

JJT/sst