



MEMO

TO: Board Members

FROM: John J. Talaber, Esq.
Board Secretary

DATE: October 15, 2018

RE: Minutes – Board Meeting
September 19, 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 9, 2018, of the Pennsylvania Board of Probation and Parole. The meeting took place at the Pennsylvania's Governor's Residence located at 2035 North Front Street, Harrisburg, Pennsylvania 17102.

The meeting convened at 9:00 a.m. on September 19, 2018, with Chairman Dunn presiding.

Board Members Maureen Barden, Everett Gillison, Leslie Grey, Ted Johnson, Tony Moscato, and Mark Koch attended the meeting in person. Board Member Linda Rosenberg was not present.

Also in attendance were Chad Allensworth, Chief Hearing Examiner, Hearing Examiner Office; Meghan Dade, Executive Director, Sexual Offenders Assessment Board (SOAB); Janaki Theivakumaran, Executive Assistant to Director Dade; Alan Robinson, Chief Counsel, Office of Chief Counsel; Christian Stephens, DOC Deputy Secretary for Office of Field Services; Jennifer Storm, Victim Advocate, Office of Victim Advocate (OVA); John J. Talaber, Board Secretary, Office of Board Secretary (OBS); Victor Wills, Director of Policy and Legislation; Laura Treaster, Special Assistant to the Chairman; Neal Kokatay, Executive Assistant to the Chairman; Kaitlyn Romiski, Executive Assistant to the Chairman; Farrah Conjar, Executive Secretary to the Chairman.

I. APPROVAL OF AUGUST 15, 2018 BOARD MEETING MINUTES

Board Member Barden moved to approve the August 15, 2018, board minutes. Board Member Moscato seconded the motion. There was no discussion on the motion and the board unanimously approved the minutes.

Board Member Koch moved to approve the 2019 Board Meeting and Face-to-Face schedule. Board Member Johnson seconded the motion. There was no discussion on the motion, and the board unanimously approved the 2019 Board Meeting and Face-to-Face schedule.

The Chairman recognized public guests Marcus Brown, Director of Public Safety for Homeland Security in Pennsylvania; Andrew Barnes, Deputy Secretary for Policy, Governor's Office; Mark Bergstrom, Executive Director of the Pennsylvania Sentencing Commission, and Dr. Diane Shoop, Executive and Policy Support Manager of the Pennsylvania Sentencing Commission.

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. SOAB

Director Dade reported that the next SOAB training will be held Friday, November 30, 2018, at the Harrisburg Sheraton Hotel on the topic of internet pornography. There were no further questions or discussion about this report.

B. Hearing Examiners Office

Chief Hearing Examiner Chad Allensworth reported that interviews will be underway for the deputy chief hearing examiner position, beginning in October 2018, and that an administrative officer position was recently posted for his office. Chief Hearing Examiner Allensworth reported that by the end 2018 the hearing examiners will be part of the e361 process. There were no further questions or discussion about this report.

C. OBS

Board Secretary John Talaber reported that his staff continues to adapt to the OnBase Recommit workflow, as they work through a backlog of paper files (about 200) that are still floating through the system. Board Secretary Talaber reported that parole decisions are being processed within a week of the interview, and in some cases, quicker.

Board Secretary Talaber explained that for purposes of the DOC inmate mail system, parole board decisions are not considered legal mail. Board Secretary Talaber is working with DOC Deputy Secretary for Reentry Services Kelly Evans on an alternative plan that utilizes OnBase, so that parole board decisions will be provided through the system for institutional parole staff to deliver to the inmates. Board Secretary Talaber noted that OBS would like to work with judge and district attorney offices to see if they would work with OBS to accept parole decisions in an email. There was discussion among the board members and senior staff concerning process improvement, reviewing the process for delivering board actions to inmates and the handling of board mail, as it relates to inmate decisions. Board

Secretary Talaber noted that in the future there may be a process to allow for decision information to be sent by email to public defenders. All of this is preliminary and will need to be revisited and potentially piloted before implementation.

Board Secretary Talaber reported interviews were completed, and a tentative offer was made to a candidate concerning the administrative assistant position that does board scheduling. The candidate is in the "background investigation" phase, and he hopes that she could start in October 2018. There were no further questions or discussion about this report.

D. Office of Chief Counsel

Chief Counsel Alan Robinson stated that he is continuing to work with the DOC legal office to transfer knowledge as part of the consolidation transition. Chief Counsel Robinson noted that the DOC legal office will formally offer training to parole agents to address issues that are continuing concerning parole hearings. Chief Counsel Robinson invited board members to email him examples of issues that feel need to be addressed through the training.

There was discussion among the board members and DOC Deputy Secretary for the Office of Field Services about bringing parole agents up to speed for preparation and presentation at hearings. Chairman Dunn proposed a two-prong approach to getting agents up to speed: (1) Have a corps of experts well trained on how to present at a hearing while; (2) Others are being trained and brought more fully on board to the process of conducting parole hearings. Board Member Gillison stressed the importance of training the supervising agents, and noted that proper training and file preparation will contribute to a more efficient way for fewer agents to present cases at parole hearings. Chairman Dunn ended the discussion by indicating Deputy Secretary Christian Stephens will work with Chief Hearing Examiner Allensworth to devise a training plan. There were no further questions or discussion about this report.

E. Office of Policy and Legislative Affairs

Director Victor Wills had nothing to report to the board. There were no questions from the board members.

F. Chairman's Assistants

Special Assistant Laura Treaster reported that the first draft of the annual report has been submitted to the governor's office for approval. Special Assistant Treaster is working on a project to ensure forms needed are captured in OnBase. Special Assistant Treaster suggested considering email as an alternative solution to mailing home and employment plans via U.S. mail to avoid delays with approval. Executive Assistant William Otis was not present at the meeting. Executive Assistants Neal Kokatay and

Kaitlyn Romiski had nothing to report to the board. The board members did not have any questions for the chairman's assistants.

G. OVA

Victim Advocate Storm reported that three regional SORNA trainings are planned for: (1) Pittsburgh on October 4, 2018; (2) Harrisburg on October 30, 2018; and (3) Philadelphia on November 7, 2018. The topics for the SORNA training will include the OVA and Pennsylvania State Police partnership and changes with sex offender notifications and registrations. Victim Advocate Storm noted that October is "National Domestic Violence Awareness Month." A speaker will be coming into to discuss issues and the dates will be provided.

Victim Advocate Storm reported that the Pennsylvania Commission on Crime and Delinquency's (PCCD) invitation to participate in a stock grant is on hold due to PCCD being inundated with work. OVA anticipates the advisory committee to start in early 2019. Victim Advocate Storm noted that two position statements have been placed on the OVA website: (1) one is on statute of limitations reform; and (2) one is on Justice Reinvestment Reform II. Victim Advocate Storm reported that new victim assistance coordinator position launched at the Attorney General's office this summer, and another three open OVA positions have been recently posted. The board members did not have any questions for Victim Advocate Storm.

III. OLD BUSINESS

A. Ignition Interlock

DOC Deputy Secretary Christian Stephens reported that a case has been identified to serve as a pilot for how to work with PENNDOT and the Pennsylvania State Police on this initiative. Deputy Secretary Stephens asked the board to consider the time frame for application of the ignition interlock, for example, will the condition extend beyond the required 12 months? More questions will arise as the pilot gets underway.

Chairman Dunn called for a recess at 9:47 a.m. Chairman Dunn reconvened the board meeting at 9:59 a.m.

B. Re-Entry Program

DOC Deputy Secretary Stephens informed the board that evidence and data show that the reentry program is not working, and the DOC recommendation is to phase out the program and replace it with some other program. Deputy Secretary Stephens noted that the success rate of individuals going through the program show no greater level of success. Board Member Johnson commented about some concerns and the only people benefiting would be where reentry courts exist. The board members and senior staff discussed

their concerns about the current program, and the discussion moved to what would replace the reentry program. Chairman Dunn asked Deputy Secretary Stephens to provide a timeline of phase out to be communicated to the board within approximately two weeks. Deputy Secretary Stephens was able to offer that new referrals would cease as an initial progress toward phase out. Also, some current reentry participants meet the criteria to transition into AOD caseloads. The DOC is considering some of its cognitive behavioral groups for moving participants to an in-house program. The idea is that board members would meet in person with the individual at appointed times (i.e. graduation). The DOC is still working out the processes.

Board Member Grey asked a question about additional training for AOD and other agents. Deputy Secretary Stephens stated that the Department of Corrections works closely with Pennsylvania Department of Drug and Alcohol Programs (DDAP) to provide specialized training for all AOD agents. The conversation moved into general questions about the formats, types, and duration of specialized trainings for sex offender and mental health training. Deputy Secretary Stephens advised that at the next board meeting he will provide information on what trainings are available.

IV. NEW BUSINESS

A. Rescission of Resolution 2016-03

Chairman Dunn introduced Board Secretary Talaber's proposal to rescind resolution 2016-03, designating regional institutional parole directors (RIPDs) as decision-makers in certain cases involving RRRI. A copy of the resolution was handed out to the board members. Board Secretary Talaber explained the proposed rescission is due to: (1) Decision making transitioning from the RIPDs back to the hearing examiners; and (2) the DOC and PBPP memorandum of understanding provides that the RIPDs are no longer under board's supervision. Chairman asked for a motion to rescind the resolution. Board Member Moscato moved to rescind resolution 2016-03, and Board Member Johnson seconded the motion. There was no further discussion on the issue, and the board unanimously approved to rescind resolution 2016-03.

B. Discussion on Videoconferencing

Chairman Dunn stated that he wanted to have a discussion with the board based on JRI II and the potential to increase videoconference needs for parole, as well as a potential transition to increase video conferencing for parole hearings. Chairman Dunn indicated that there was some inconsistencies with video conference equipment and settings that would need to be addressed before a pilot program could be considered. Executive Assistant Neal Kokatay will be in contact with board members to gather feedback about video conferencing experiences, issues, and best practices.

C. Face-to-Face Anniversary

Board Secretary Talaber commented that September 2018 marks the five year anniversary of the PBPP and OVA face-to-face process.

D. SECA

Chairman Dunn reminded everyone that the campaign is underway. He encouraged board members to contribute at the governor circle level to the charity of their choice.

Board Member Koch moved to adjourn the public session and Board Member Johnson seconded the motion. The board unanimously voted to adjourn the meeting at 10:37 a.m.

JJT/sst