

# FAUG AGENDA

## Clatsop County

August 20, 2014 - 1:00 p.m. to 5:00 p.m.

August 21, 2014 - 8:30 a.m. to 12:00 p.m.

### Meeting Location:

Judge Guy Boyington Building

857 Commercial St.

Astoria, OR 97103

## DAY ONE

**PRESENT:** Justin Hecht (Clatsop); Andie Cortes (Douglas); Michael Elkinton (Jackson); Denise Easterling (Jefferson); Lily Morgan (Josephine); Larry Evenson (Lane); Gina Courson (Marion); Charles Adler (Multnomah); Tina Potter (Tri-County); Glenda McDaniel (Union); Christopher Swayzee (Washington); Betti Spencer (Yamhill); Natalie Reyes (Multnomah); Angel Harp (Multnomah); Kristen Hanthom (Clatsop); Shawna Harnden (Parole Board); Mark Patterson (DOC-Compact); Chris Christy (DOC-STTL); Larry Bennett (DOC-CCD); Denise Sitler (DOC-CCD).

### **Minute Review**

Minutes approved.

### **Group**

### **Short-Term Trans Leave**

### **Larry Bennett/Chris Christy (DOC)**

STTL is an opportunity for offenders to release early. Not all offenders are eligible for STTL. Only about 20 to 25% of the releasing population actually release to STTL. Some of those who don't go out on STTL are actually eligible but choosing not to participate. Previously, offenders could release up to 30 days early -- until HB3194 came out -- and it is now 90 day early release. The process can be difficult and DOC is aware of this. The STTL Office is in the process to establish more effective system for identifying and releasing the offenders on STTL. A couple of changes and updates to note:

- New process will bring all info on the offender to DOC and to the PO. Avoids offenders leaving information off of the application that might render them ineligible for release.
- Smoothing out timelines to allow the Release Counselor time to be thorough and the investigating PO time to do a thorough investigation.
- Dates will show in the system to advise when the offender is eligible by statute to release on STTL.
- Look at notable issues section to see if the person is eligible.
- Moving to different type of condition. Used to be that AIP and STTL shared same conditions. AIP has treatment oriented and relapse-prevention conditions integral to that program...not necessarily the same as would be on STTL. The conditions will be coded differently in the system. The conditions on STTL would more closely match those the offender will have when they post out on PostPrison Supervision. STTL staff have worked with Parole Board to vote conditions early as a courtesy so that the conditions would be the same when the offender posts out on PostPrison Supervision. STTL conditions will be coded as "ST" conditions, rather than "SC".

- Previously, when there was enough of a violation, the PO would do a violation report and it would be reviewed. With warrants/abscond, when picked up, the offender would go straight back to the institution. Now, the PO would interview the offender to see if any mitigating circumstances exist and the PO can make recommendations for sanctions other than return to the institution.
  - Violation Reports – please send reports in the STTL format with recommendations for jail or returns. These forms can be obtained from the STTL Office by emailing Chris or Larry.
  - Warrant Reports – please send reports in the STTL format for warrant request upon abscond. Upon apprehension, please send the violation report (STTL format). These forms can be obtained from the STTL Office by emailing Chris or Larry.
- DOC staff are open to suggestions on how to improve process.
- Don't send the warrants to the Parole Board. Best to scan them and email to Short Term Trans Leave inbox.
- When offender is in custody and switches from STTL to PPS, important to change them in the system. STTL staff is working on a clean up report.
- PPO is responsible for PPS conditions. The Release Counselor will have the offender sign STTL conditions prior to release. After posting to PPS, the PPO will need to go over PPS conditions with the offender & have the offender sign them.
- Cannot go past their PPS date on sanctions. If offender commits violation and is 2 days before his PPS date, cannot give over 2 days on the sanction. Parole Board cannot do anything because the offender did not violate the PPS conditions. PPO can call STTL staff to discuss.
- Can call Chris Christy to staff situations – (office) 503.947.2357 or (cell) 971 304 4904. [Shorttermtransleave@DOC.state.or.us](mailto:Shorttermtransleave@DOC.state.or.us) - include offender's name/SID and include key words, such as warrant, violation report, etc. Chris Christy's email is [Chris.r.christy@DOC.state.or.us](mailto:Chris.r.christy@DOC.state.or.us) but she is backed up with the volume of emails – so include key words to help her search for important issues. Cherie Jackson is being trained as the new person processing the inbox. Please call her for approvals or other daily issues (work – 503 945 2905). Please call Chris to staff issues.
- Escape during STTL is misconduct, but has not been charged as a crime.
- A PPO can staff cases where it is believed there is a serious safety concern by that offender releasing the offender to that county. It could be determined that the PPO does not have to take that case in their county.

### **Budget Building Presentation**

**Denise Sitler**

Staff changes – Mark Patterson is new Deputy Compact Administrator – taking over Dawn Persels' duties. Mark wants to get to each county in the next few months to better understand where the offices are coming from and can address concerns, as well.

Budget Building Presentation – In May (at OACCD), Denise was asked to show how the budget is built. She presented this PPT presentation to FAUG to help PPOs understand how the work we do impacts the budget. The primary impact is by PPOs completing the PSC and Proxy promptly. Denise will send out the PPT presentation to FAUG Reps.

Some notes on the budget: The budget is built including the community caseload snapshot. It only includes CMPO outcounts in the snapshot of community caseloads. (Oct 1, Nov 1 and Dec 1 of odd-numbered years) – no other outcounts are included. The caseloads are then broken down by risk level – making the risk assessment very important. If the assessment is not done within the first 60 days, the case falls out of all reports (funding, research, etc) for that budget cycle. The last budget cycle was impacted due to late risk assessments; creating a loss of around \$5M. After the caseload is reviewed, the budgeted amount is calculated based on time/cost studies to determine how much each risk level is budgeted. The Local Control offenders are rated at about the same as DOC inmates. The cost per day is calculated based on number of cases to determine the cost per day per offender – averaged out. CMPO cases are paid at LOW rate. The final cost/count is usually not known until the last day of the legislative session. “Allocation” is about how much of the budget is given to an individual county. A similar process is done to determine allocation. A snapshot is done at same time as in budget-building. The EDIS cases are counted throughout their original term – funded at same rate as an active case. Cases closed out to EARL and BNPB have been funded as “incentive cases” – but would be better funded if they are closed EDIS (if eligible). A percentage of the money spent by inmates in the institution is funneled to treatment programming, victim assistance, etc. (Inmate Welfare Fund). Statute requires that SVDO cases are supervised as “intensive”, so those cases are funded with an additional per-day rate.

Earned Discharge – Denise answered questions about the EDIS process.

Washington County Judges do not agree with the interpretation of the EDIS statute. They have interpreted the statute to read that the offender is discharged from “supervision” and that is NOT being discharged from “Probation”...so they will move the cases to Bench Probation when notified of “discharge”. Washington County Probation/Parole sent this issue on to Washington County County-Council; who upheld the Judges’ interpretation. Afterward, this has been sent to the Oregon Attorney General for an official interpretation. Washington County is waiting for a response before instituting the EDIS process in that county. This may impact other counties if their Judges adopt a similar interpretation. Some other counties have already chosen to wait for the AG’s ruling before starting the EDIS process in their counties. Some counties’ Judges have simply stated they will refuse to acknowledge the EDIS process altogether and so those counties may not implement the process at all.

The workgroup has revised the form to make it more clear on the calculation part; including when re-review is due, etc. Some counties have revised the form to better suit their practices. It would be recommended that the form be as close to the “statewide” form as possible to alleviate issues, especially with transfers from county to county. The workgroup will send the new form out soon.

The workgroup will be sending out FAQs to help PPOs in completing this process. Denise will check on status of this. It is possible that it will be a “living document” that FAUG will maintain.

Question asked whether the workgroup could send out examples of EDIS cases. Denise agrees that this would be a good idea.

The “Temp-Adopt” status of EDIS ends in November, but it is still unknown what responses/concerns will be raised about EDIS.

## OACCD

## Tanner Wark/John Watson

Tanner/John could not make this meeting, but Mike E. brought updates on their behalf.

- John Watson still working with eCourts on issues previously brought up.
- It is common for DOC to take DOC400 down for updates each week and this seems to occur during times that POs in Jackson Co are doing sweeps. A request may be made to have the updates done at a different time.

## Parole Board

## Shawna Harnden

Staff changes – Pat Ziegler has retired about a month ago (Expirations/Reception). A temp-hire is currently occupying that position. The position is being evaluated before a permanent hire is brought on. Afterward, Shawna will send out a new roster. Kathleen Wilson, Records Specialist, is about to have her baby, so she will be out soon. Adam Alexander, Records Specialist, will work full time schedule until Kathleen returns. Records requests should be sent to the Parole Board email ([Paroleboardrecords@doc.state.or.us](mailto:Paroleboardrecords@doc.state.or.us)).

The Board has three general email addresses. Any documentation or questions for the Hearings Officer should be directed to [ParoleBoardHearingsO@doc.state.or.us](mailto:ParoleBoardHearingsO@doc.state.or.us). Any record requests or copies of documents on offenders should be directed to our Records staff at [ParoleBoardRecords@doc.state.or.us](mailto:ParoleBoardRecords@doc.state.or.us). Any information, inquiries or requests regarding warrants should be directed to our Warrants Specialist at [ParoleBoardWarrants@doc.state.or.us](mailto:ParoleBoardWarrants@doc.state.or.us).

Request was made to have a “cheat sheet” that would give PPOs guidance on who to email for certain types of questions. Shawna has been working on this and will try to get one out soon.

PBMS rewrite – The Board was notified that their information system will crash w/in a year if not replaced or rewritten. The current system will no longer be compatible as DOC upgrades their systems. Since there is no source code to do any types of repairs to the current PBMS system, our only options were to either replace or have the system rewritten. After discussions with DOC IT, they advised they could do the rewrite into a web based system, similar to the OMS. Legislation approved to provide funds for the rewrite of the program. DOC have started working on the rewrite and the warrant module has been started and is in the testing stages. Information has started to be compiled to begin working on the sanctions module, as well. Accommodations for DOC400 are being considered (i.e. when offenders picked up on warrant, there would be an auto-chrono on the case and an OTTO notification to flag the notice to the PPO). Shawna said that FAUG Reps can give requests (“wish-list”) but she is also asking for input on any past issues related to PBMS not being able to interface with AS400. As they work through this rewrite, it will allow them to review the problems to determine if the new web based system will be able to resolve any past issues or if it needs to be considered as a service request once the rewrite is completed. Suggestion was given that Angela Boyer (Polk Co) be involved in the “wish-list”, since she knows a lot of the issues that took place in the past. Shawna will contact Angela. Lee Cummins and Laura Metcalf are also involved in this rewrite and are familiar with DOC400 and past issues.

Shawna advised that Mark Patterson (Deputy Compact Administrator) – met with the Parole Board. It was determined that if a Compact Offender picks up a new conviction in their receiving state, there could be an auto-revoke done by the Board. The Board *may* be able to auto-revoke those offenders, but may not. The receiving state must close the compact; thereby giving Oregon the authority back.

The Board will need the sentencing document as verification that the offender was sentenced to a state or federal facility and not to a county facility or release program. The auto-revoke must be done whilst the offender is still serving that sentence and prior to their being released. Send the info to the Revocation Specialist, Malinda Boyer, or to the Hearings Specialist, Kim Coons.

Shawna wanted to provide a quick reminder of the difference between an auto-revoke and revocation. Auto-revoke is an administrative action which lifts the Board warrant/hold off of the offender and allows the supervision time to run while they serve on the new conviction. In order for the Board to consider an auto-revocation, the offender must be serving a new conviction in a state or federal facility and a copy of the sentencing documents must be provided. The Board does not do an auto-revoke with every offender that receives a new conviction; it is on a case by case basis. A revocation stops the supervision time and is the equivalent of the offender doing time in the institution, even though they serve their time in the county jail. If the offender has not reached their maximum indeterminate date, the expiration date may be pushed out the length of the revocation. Revocations cannot be released early as they are technically not on supervision. Once the Board makes the determination to impose a revocation, the PO needs to submit a release plan to the Orders of Supervision Specialist, Debra Zwicker prior to the offender being released. The Board will issue a new order for the offender to sign with updated information. If the jails release on a Friday when the revocation time ends on a Saturday, the whole thing has to be re-voted by the Board and the process has to be completely redone. If the offender is released early, they are NOT on supervision until the next order is created. The workaround is that the Hearings Officer can calculate when the release date is and what day of the week it falls on. They can provide in the Hearings Officer text field that they are recommending a different amount of days to allow the offender to be released prior to the weekend. The PO's can also make that part of their recommendation as well. Shawna advised if you see that the Hearings Officer or Board override your recommendation, which may be the reason. The reason for the override when done by the Board is provided in the Board text.

**Compact**

Ruby was unable to make this meeting.

**Ruby McClorey**

**DAY TWO**

**DOC Update**

Lee/Mary were unable to attend this meeting.

**Lee Cummins/Mary Hunt**

**SOON Issues**

Lee/Mary were unable to attend this meeting.

**Lee Cummins/Mary Hunt**

**Roundtable**

Betti S. (Yamhill Co) – Gave copy of FAQs for the Community Mental Health Program Information. Christopher Swayzee will scan and send them out; attached to these minutes. \*\*\*

**Group**

Betti S. – In Sanction Module, if not using the text editor, the “insert” and “delete” keys are not working properly – makes the system repeat lines. Others have noticed this issue as well.

Glenda M. (Union Co) – Got email regarding the inmates incarcerated in Oregon on other states' cases (witness protection, etc). We should refer the callers to the institution for those questions.

Gina C. (Marion Co) – Request a code for No Contact that isn't specifically victim or witness. Mike E. will email Lee Cummins to see if this is an option to add to the table.

Andie C. (Douglas Co) – Asked if PO should have ability to change trackable conditions to non-trackable. This can cause problems. Should this be a support-staff/FAUG permission only? Mike E. will take this to Lee Cummins/Mary Hunt to find out.

Denise E. (Jefferson Co) – Their office is migrating to Windows7 – and noticed that it has affected printing abilities. Their IT is saying it is a DOC issue – that the printers were not compatible with DOC400. Other counties had similar issues and had to go through DOC to get a list of compatible printers.

Justin H. (Clatsop Co) – this may be his last meeting as he is leaving Clatsop Co and moving to Columbia Co. He does not know if he is going to be FAUG Rep in Columbia Co.

Shawna H. (Parole Board) – Sent a list of who to email for which issues to Chris Bell to review. She will distribute that list when she returns to her office.

Lily M. (Josephine Co) – Having issues with approving LC Warrants in DOC. Some are status-switching to Board Warrants. She's had to send them to Lee Cummins to switch them back.

Lily M. – In county-to-county transfers, it has been noticed that other counties put different labels on the files to discern what type of cases they are. Question is whether there should be consistency across the state. This may be a SOON question/issue. SOON may see it as a FAUG question/issue, as the labels are more for PPO use than clerical/admin staff use.

Lily M. – With regards to the inter-rater-reliability test, there were some statewide errors. There are trainings for those who missed over 7 questions (2-day training). They believe that everyone should do the 1-day booster. Some counties are not doing that and only doing the 1-day booster for those who missed 3-7 questions. The 2-day booster is incorporating the Case Planning training.

Questions raised about sanctions and release plans that were done in error. Those that FAUG Reps cannot correct must be sent to Lee Cummins to correct/delete.

Next meeting (Nov.) will be in Jackson Co. The Feb. meeting will be in Yamhill Co.

**NEXT MEETING –**  
Jackson Co.  
November 20-21, 2014