

Oregon Association of Community Corrections Directors

Bi-Monthly Committee Meeting

Date: July 14th, 2021

Location: Zoom

Attendees: Aaron Hartman, ROBBINS, Ryan Downing, Donovan Dumire, Dale Primmer, Jamie Hepner, Brett Lind, Tanner Wark, BECKERM, Mark Patterson, Judy Bell, Lee Cummins, Malcolm McDonald, Travis Miller, Eric Guyer, Kristen Hanthorn, Tony Campa, Maureen Robb, Kelly Church, Ahnie Seaholm, Dylan Arthur, Stu Walker, John Bailey, Andrew Watson, Gina Wilson, Kurt Symons, Nate Gaoiran, Parm Kaur, Larry Evenson, Larry Bennett, Lisa Lewis, Brian Rucker, Jay Scroggin, Chris Enquist, J. StMichell, Denise Pena, Denise Sitler, Tina Potter, Hank Harris, Fritz Bachman, Erin Welch, Lodi Presley, Jay Garcia, Traci Hubler, Steve Berger, Jake Greer, Kathryn Sofich, Kevin Karvandi, Matt Meier, Mike Hartford, 503-428-0079, Alicia Robinson

Welcome and approve the May meeting minutes. Zoom poll opened to voting members: unanimously approved.

County System Requirements. Parm Kaur with DOC talked about the working document they are creating with the county requirements. They captured the old requirements from DOC and new requirements from five different counties, are taking notes on those to determine if a new POP should be submitted to meet the requirements or if they can be done with a service request. In 19-21 they did get some money from the policy option package and got a new tool for a web-based frontend. They will be piloting Community Corrections first with this tool. It should be released before June 2022. Lee Cummins and Judy Bell will call for testers when it gets to that stage. It will essentially be a web-based frontend for what is already in DOC400. Eventually the goal is to make it a combination of DOC400 and OMS so users don't have to go to two different programs.

Tanner Wark gave a background on this project. The goal is to make CIS, the DOC400 side, more user friendly and update the program. If there is anything not listed on the County Requirements 2021 spreadsheet that counties would like to see potentially addressed, send the recommendation to Wark and he will pass it on to the team.

[DOC County Requirements](#)

[County Requirements 2021](#)

CCR Work Group. Aaron Hartman talked about putting together a small work group for this. CCRs will be coming back in about a year. The OACCD data group has been making some pretty large strides in projects they are working on that will be helpful with this. Eric Guyer will be spearheading putting this group together.

Guyer added that he thinks OACCD is going to need a robust CCR process to provide assurances to the legislature as they continue to fully fund OACCD, that they are getting the work that they are contracting for. This is something that has been continuously asked for in the legislative settings and if counties are able to measure on a local level through the dashboard project, then it will be an easier process in showing progress towards goals.

Larry Bennett said one of DOC's goals is to get as much of the CCR reports into a live interaction dashboard format so directors can get a more in-depth view of the information.

Hartman agreed with Guyer and said that this is leading up to those larger conversations such as equity and reform. He said it's imperative to develop a robust system and look at ways it can be supported through counties own processes, values, and standards.

Parole Board Updates. Dylan Arthur gave a few updates. They were able to add back four positions that they had to cut a few months ago and have three of those posted. They are also beginning the process of hiring a fifth board member and hopefully that position will be posted soon. This position may have a telecommute opportunity in order to open the position statewide and get more geographic diversity in the board.

SB 41, the bill that would allow individuals to keep their certification if they come from Community Corrections to the board, passed.

SB 42, which allowed board members and certain positions to qualify for police and fire benefits, died in ways and means. However, they are trying to bring it back in the short session as a modified version. If you are a certified PPO and you maintain that certification at the board, then you would qualify for the police and fire benefits.

HB 2036, the early medical release from post prison supervision, is being put together. This would allow the board to terminate post prison supervision early if a JII needed 24/7 medical care such as a care facility and their supervision was preventing them from accessing that.

Over the last couple months the board has come across a few sanctions, specifically for weapons charge, where the parole officer was recommending an inadequate amount of time based on the level of the violation in the board's view. The board is going to start giving those a little extra scrutiny. They would like the PO to articulate in the report why they are going so low or so high in these particular kinds of cases. The board recognizes that with 36 different counties and COVID and everything going on there are going to be different circumstances for all and they are just asking for a few sentences describing what the reason was.

Wark volunteered that Deschutes County has had several cases like this and for them it was because of the COVID19 situation in the jail.

John Bailey added that they are now going to have two board members review a potential override and make a decision together. Part of that process is to reach out to the PO and request additional information if needed. He wants to be able to talk to the PO, find out the situation and be able to make decisions from there. He said to reach out for further conversation if anyone would like too.

The Parole Board are hiring two additional assessment specialists to help with the current sex offender registry backlog. There are about 22,000 registrants that are currently not leveled now. Arthur will be scheduling a check in with the counties who have been working on this as well and see how it's going. They've also implemented another level for historic registrants, 10 years or more, and have been able to complete about 800 of these over the last few months.

Legislative Updates. Lara Smith and Betsy Jones will give a more detailed update in September.

Eric Guyer gave a shout out to the legislative team and all those who were so involved in the process over the course of the last session and the immense, incredible amount of work that they did with this tough session. He believes it was so successful because they were able to show that some of the tools that are in place and the approaches that have been adopted far outpace many, if not all, of the national endeavors to try and create reform. He said, "now is the time to prove we really are providing cutting edge progressive evidence based approaches in our communities, because with Aaron and new team gets to the long session they are going to have to speak to how we performed in this biennium."

Hartman agreed and said "we need to pay attention and develop some strategy, but also a realization that there were some things we could likely change and probably should change." He spoke to the amount of positive work and voice Jeremiah Stromberg was in moving the concepts of Community Corrections forward to get full funding.

Malcolm McDonald also gave a shout out to the legislative team, Guyer, Stromberg, and Lara and the strong work done over the last three years.

DOC Updates. Denise Sitler gave a budget presentation. The grant-in-aid incorporates the current service level, \$7 million for SB 497, \$10 million for supervision fee backfill, and \$32 million for the personal services inflation. The \$1 million transitional funding is what replaced the inmate welfare fund.

Larry Bennett gave an update on SB 620 – both Linn and Douglas are stopping collecting supervision fees August 1. They are requesting information from DOJ as to what fees are included with supervision fees and will share that once they get it.

They have formed a work group tasked with drafting new rules for EDIS, including statewide standards around what compliance is so there is consistency in determining

who is eligible or not, what compliance looks like for specialized case types such as DV and SOs, and will be creating a process for early and ongoing communication and notification with client about potential eligibility.

Judy Bell talked about community agencies not getting any appellate orders from the appeals court or the Supreme Court, causing JIs being supervised who shouldn't have been or warrants being issued on supervision that didn't exist. She's creating a process for receiving and reviewing appeal orders and will be sending that out to the SOON reps. Counties will now get appellate orders as they are generated.

The manual work group will be doing an appeal chapter and Bell encourages counties to send staff to the next meeting to learn more about how to deal with appeals. Contact her for more information.

Conditional Waivers / Transfer Rule Update. Denise Sitler gave an update on the transfer rule work: it reads a bit more simply, moved things around to make more sense such as moving to the front cases that didn't qualify so you don't have to go through the whole rule to figure out how didn't need to be transferred, separated out the SO population, and created a section for transitional leave.

She would like feedback from OACCD on the changes. She would also like to know if the conditional waiver process should be incorporated into the transfer rule or leave it as a separate process.

Aaron Hartman said it would be a good idea to decide if the conditional waiver should be codified in rule or left as just an agreement between directors. And to take a look and make sure it is still meeting all the current tenets of equity and what not.

Jay Scroggin thinks the conditional waiver and the transfer rule should be kept separate so they can be differentiated between.

Tanner Wark likes the idea of having the condition written down and defined in order to reference when need be.

Malcolm McDonald made a motion to keep the conditional waiver out of administrative rule, update the letter, and posted on the OACCD website. Nate Gairan seconded the motion. Unanimous vote for approval.

The transfer rule will be sent out as a shared document for the counties to review and comment on and then be returned to Sitler in two weeks to send to DOJ.

The case management rule and the sex offender special provisions rule still need to be updated.

DPSST Updates. Chris Enquist has been checking in with agencies around the upcoming academy. It's currently set for October and there are only five students

registered. He would like to know if people are going to be able to get through the background process by October. The class needs to be closer to 20 registrants in order to run in October otherwise it will get pushed to January 2022.

The internal structure of the academy has been changed. Some classes have been renamed and the timeline of some concepts have been rearranged. Also looking to put together a work group to build a virtual recorded webinar on PSI writing.

Federal Grant Application (Certified Training) “Restricted Airway”. Erika Preuitt has a scheduling conflict so this will be discussed at a different meeting.

Pending PV Cases (When Expired). Aaron Hartman opened this up for discussion.

Malcolm McDonald said an issue they’ve come up with was that when a JII expires while in custody and they get released or cited to appear, the court still has authority, but Community Corrections has lost the authority to supervise until the court extends their supervision. Clackamas is working on a process to handle this, such as extending supervision to the PV date at arraignment.

Jay Scroggin said Multnomah has been doing the same thing as Clackamas.

Denise Sitler said they have a request out to DOJ also on this issue and will share the information when they get it.

SB 620 Discussion, policies moving forward. Dale Primmer asked what counties are doing with stopping the collection of supervision fees. The bill goes into effect January 1, 2022 and the backfill funding has been added to the 21-23 DOC GIA. Primmer feels there is an ethical issue with continuing to collect fees between now and January and would like feedback from the group on what other counties decided to do.

Malcolm McDonald asked his county council to review what fees are actually effected by this bill, as they collect many different types of fees. He is not sending supervision fees to collection at this point but is unsure about whether or not to let people continue to pay on those fees.

Jay Scroggin said his advice is to not count of any of the other fees to balance your budget. He believes that since the law doesn’t go into effect until January and current law stipulates you must collect fees, you would be breaking the law to stop. Multnomah changed their supervision fee to \$1 a month and then waives that at the end of the month to stay in compliance. They have also shut down their DOR and did away with fees that were funding specific monitoring programs.

Primmer stated that the law actually only applies to those convicted on or after January 1st, but to try and split out those individuals from the rest would be very complicated.

Joe Garcia said he discussed this with Jeremiah Stromberg and Douglas County will not be collecting as of August 1st. They will still bill for past months until there is further guidance. They are also trying to decide what to do with the DOR.

Judy Bell said the \$10 million number is only accounting for supervision fees, not treatment or polygraphs, etc.

Aaron Hartman encouraged everyone to check with county council as making decisions on what do to.

Judy Bell brought up checking to see if the ability to waive fees will go away when the ORS does.

Donovan Dumire says his county doesn't receive any county general dollars and so relies on supervision fees to meet their operations so there are going to be some challenges for them to meet these requirements.

Subgroup Updates.

SOSN – Nothing to report.

Case Management – Larry Evenson gave a report. The WRNA IRR is scheduled for October 4th. Jeff Hansen has been going around training on the BCP and to get a hold of him if any county wants a specific training. There was an update from institutional counselors that there will be some AICs releasing from the institute without risk assessments due to quick turn around times and low staffing numbers. September 23rd and 24th is the next Case Management meeting in either Astoria or Lincoln City.

FVSN – Denise Pena gave a report. The committee has continued to meet virtually. There will be a DV advanced academy probably in October with a training every Tuesday afternoon.

Supportive Housing – Nothing to report.

FAUG – Lee Cummins brought up talking about the evaluation treatment code. This may be brought up in September.

Mental Health – Nothing to report.

Pretrial – Nothing to report.

Alcohol and Drug Policy Commission – Nate Gaoiran talked about the work they've done on SB 755. One thing they discovered was a lack of citations statewide on BM 110 PCS cases that are now E violations. He suggested working with law enforcement members to engage that clientele and get them cited as it is a pathway into treatment even though it is an E violation. He also talked about how the OHA budget has

increased and there is a significant amount of money that's available to people through OHA for social services and engagement into a life of recovery.

Joe Garcia asked if there's any tracking related to JIIs getting cited and referred to treatment for these E violations. Gaoiran says there are but they aren't very promising as there are not a lot of citations going out.

Jake Greer said he had a conversation locally and the statewide numbers he was given were that there used to be between 1200 – 1300 citations for PCS and now it's between 300 – 400. Of those about 10% are actually following up.

CCAN – Nothing to report.

DOJ BIP – Nothing to report.

SOON – Judy Bell gave an update. They are doing a monthly manual work group which puts on trainings at each meeting.

FSN – Nothing to report.

[OHA 2021 – 2023 Budget](#)

[OJD BM 110 Update](#)

[SB 755 Executive Summary](#)

[AOC PSSC Staff Memo](#)

Closing. Aaron Hartman let everyone know that the September OACCD meeting will be hosted as a hybrid meeting at the Running Y in Klamath Falls. He closed the meeting to all those who were not a director or a director's delegate.

Telework Policies and Practices. Jay Scroggin opened a “round table” discussion on the kinds of telework policies and practices in the different counties and what supervision looks like now in the COVID era. The points he wanted to cover were if counties are going to be fully back in person, continuing to telework, or if they are going to a hybrid model, why each county decided to go that direction, and any concerns that anyone might have.

Donovan Dumire shared his experience with FOPPO and telework. FOPPO hasn't been able to come to a consensus yet but they are having the conversation and looking at it as a requirement. The county also has come out with their own policy on what telework looks like.

Nate Gaoiran, Josephine County, said that they are back to being fully in person, but still using PPE and social distancing as needed. Josephine is completely set up to be

virtual, but as of right now most staff members want to be in person and there have been many telework questions still to be figured out with HR and legal.

Dale Primmer said his county never went to work from home and are still operating as before COVID.

Joe Garcia, Douglas County, said his staff all came back in June. His staff was not productive while teleworking – they said there were too many distractions and no work performance standards. He believes that unless there is the data to support working from home this is an in person profession.

Eric Guyer, Jackson County, agrees with Garcia but said he's had to be open to the telework possibility due to staff members looking for jobs elsewhere that are allowing working from home.

Kurt Symons said Jefferson County never went to work from home and never will.

Malcolm McDonald said Clackamas County fully opened in July. They had some staff working from home who were given notice to come back. They have social distancing areas available in case POs want to meet with clients in a social distancing environment. They will not be doing telework although they do have a one day a week for their PSI writer that's under county policy. His data analyst also does a hybrid schedule. The difference here though is that they don't see clients. He doesn't think POs working from home is as effective.

Scroggin, Multnomah County, said for him it's about being task oriented versus the hours you put in in a day. For a PO if they get all their reports done in a few hours they should be spending the rest of the day out in the field. If they are working from home there is no one making sure that's happening.

Maureen Robb, Linn County, said they are required to wear masks if they can't physically distance so she hasn't brought staff back fully yet. She was curious if anyone has actually started the telework conversation with FOPPO yet.

Steve Berger said Washington County has always had a telecommute policy. They aren't changing the policy, and now that they are back open they are enforcing contact standards. Telecommute is an option for staff but it is performance based.

Jake Greer, Lake County, said they didn't really do telecommute because they didn't have remote access and staff wanted to work from the office, so for them nothing really changed.

Aaron Hartman, Klamath County, said they did telework in the beginning, then moved to a floating schedule, and came back to being fully open in February. The county developed a telework policy during this time and have left it up to the department heads

to allow it or not. Klamath is also almost completely paperwork and is fully mobile so POs don't really have to be in the office.

Lisa Lewis, Multnomah County, brought up their concern on being able to ask an employee on their telework day to come into the office. Or if they get scheduled for court on a telework day does the County now have to pay for the car or fuel, etc.

Joe Garcia said it'd be the equivalent of a day off and you would not be allowed to ask them to come in. He said a problem comes in when you are trying to get a hold of a PO on their telework day and no one can get a hold of them.

Tanner Wark said to make sure to document things like that and use it as substantiation of why it's a bad practice when working with the bargaining unit. Deschutes County is currently teleworking part time and their staff are wanting to come back.

Kevin Karvandi said Marion County has been doing telecommuting, they came back full time in May. He's not interested in having a telecommute option moving forward.

Joe Scroggin asked if anyone has thought about moving to exempt employees instead of allowing telework as a full hourly employee.

Eric Guyer asked if we need to do another time study on working from home.

Aaron Hartman ended the meeting thanking everyone for staying and participating. He acknowledged that the telecommute option is something every county will have to deal with and in a way it's more difficult to argue as technology has helped out in aspects never before considered.