



Oregon

Kate Brown, Governor

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February 9, 2017

TO: Senator Prozanski, Chair
Senate Judiciary Committee, State of Oregon

FR: Juliet Britton, J.D.
Executive Director
Psychiatric Security Review Board (PSRB)

RE: Written Comment for February 9, 2017, Hearing on SB 63

Good morning, Chair Floyd Prozanski, Vice-Chair Thatcher, Senators Dembrow, Linthicum, and Manning. Thank you for the opportunity to speak to you this morning. My name is Juliet Britton; I am the executive director of the Oregon Psychiatric Security Review Board.

Senate Bill 63 will streamline PSRB's hearing notification process and provide the Board and staff a more realistic timeline to complete its final orders.

Notices to the Court

Prior to 1978, the courts had the responsibility of supervising those adjudicated GEI. In 1978, the PSRB was created and given the responsibility of supervising and monitoring all GEI cases. These cases do not return to the court and are instead exclusively under PSRB jurisdiction. Presumably, the 1977 Legislature assumed that the courts would have an interest in the GEI cases they previously adjudicated. In the last seven years at the PSRB, I have never been contacted by a judge regarding a case as a result of the court having received a notice of hearing or final order. Do note that victims and district attorneys of the GEI county receive notices and this bill would not eliminate that requirement.

Last year, the Board conducted over 600 hearings. Under current law, notification to a court occurs twice when one hearing is scheduled. First, the hearing notice is mailed prior to the hearing followed by the final board order after the hearing. Notifying courts alone required 1200 mailings in the last year.

Aside from the obvious benefit of eliminating administrative costs associated with notifying the courts, SB 63 would free up more staff time to conduct their other job duties.

This bill has been vetted with our legislative stakeholder workgroup and the Oregon Judicial Department and there does not appear to be any opposition to this proposal. Finally, if a judge wanted to opt-in to receive notification on any GEI or REI hearing, this bill would not prevent the Board from accommodating that request.

Extending the Time to Complete Board Orders

Current Board practice is to deliberate after a hearing is conducted then immediately announce the findings on the record. The verbal order goes into effect immediately and the final written order is currently required to be distributed within 15 days. SB 63 would extend the time to distribute the written order to 30 days.

PSRB Board Members are part-time and typically meet two to three times per month to conduct hearings. All Board orders require the Board to review and sign the final order. Depending on the complexity of the legal issues for a particular hearing, drafting a legally sufficient order and allowing time for staff and Board edit and review is difficult to complete within the current statutory timeline. SB 63 would allow more time to complete orders in a timely manner and ensure all Board orders meet the legal standards required.

This bill has been vetted with our legislative stakeholder workgroup and there does not appear to be any opposition to this proposal. Finally, SB 63 should not affect anyone under PSRB supervision since the findings go into effect on the day the verbal decision is announced.