



Oregon Board of Parole & Post-Prison Supervision

**Joint Ways & Means
Public Safety Subcommittee**

2017 – 2019

Agency Presentation

Michael Wu, Chair

Brenda Carney, Executive Director



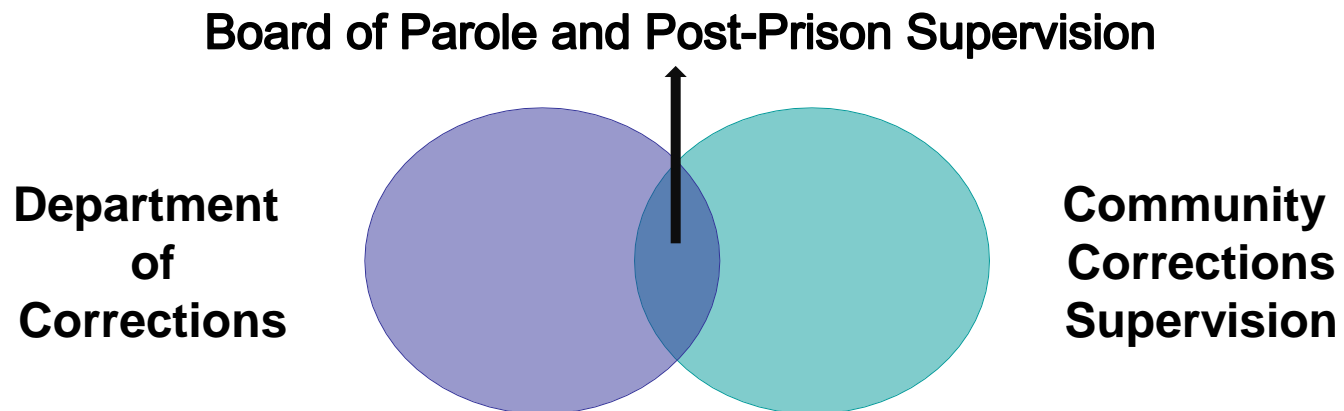
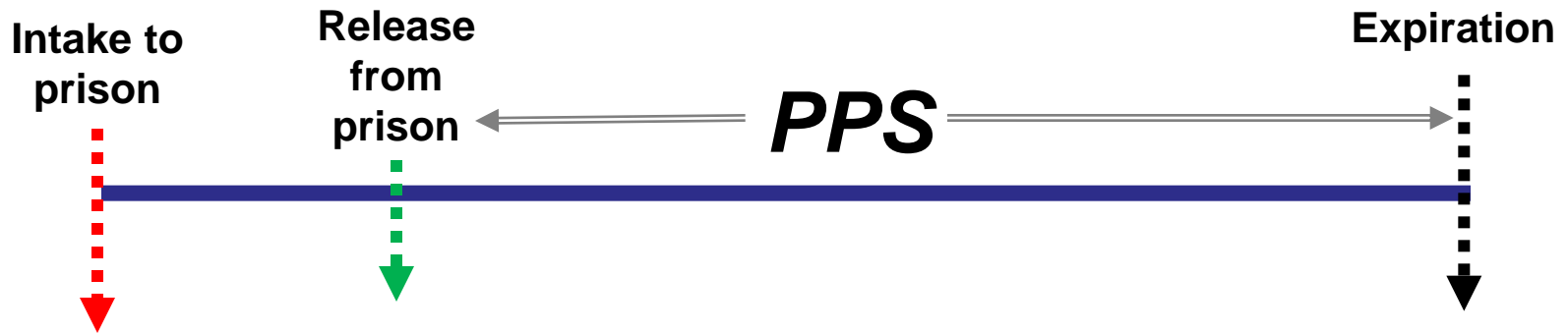


The Board's Mission and Goals

- To protect the public and reduce the risk of repeat criminal behavior through incarceration and community supervision decisions based on applicable laws, victims' interests, public safety, and recognized principles of offender behavior change.
- Improve the success and safety of incarceration-to-community transition through evidence-based decisions and supervision and intervention methods.



Board's Missions and Goals





Board's Missions and Goals (SONL)

- Ensure accurate and meaningful assessments
- Ensure due process is met
- Comply with statutory requirements



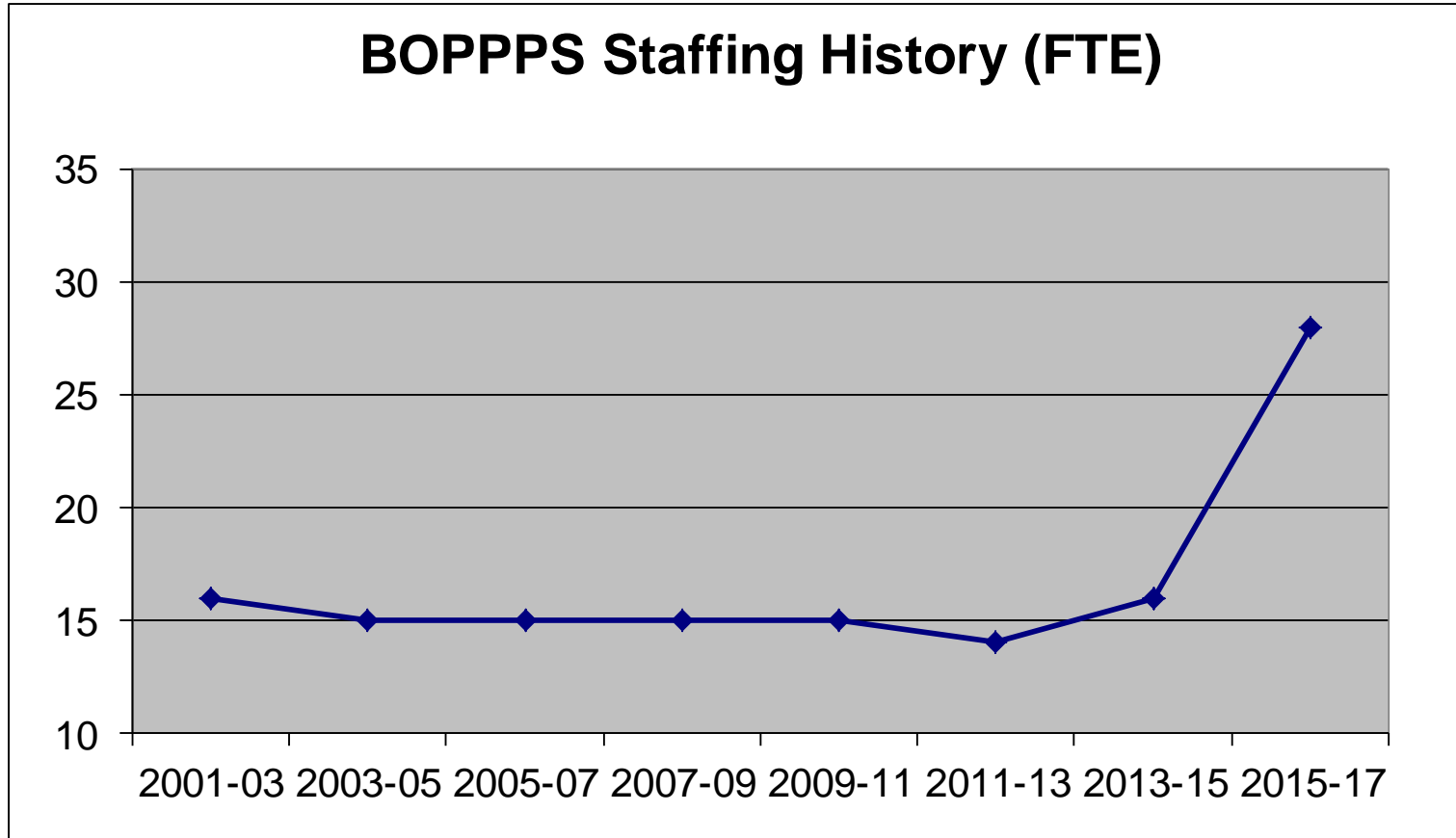


Board History

- **Statutory authority found in Oregon Revised Statutes (ORS) Chapters 144 and 163A, and Oregon Administrative Rules (OAR) Chapter 255.**
- Statute allows for five (5) members appointed to four-year terms by the Governor and confirmed by the Oregon Senate. Board members cannot serve more than two (2) terms under the current Governor's policy.
- The Board is currently composed of 28 FTE: 5 Board members, an Executive Director, a Supervising Executive Assistant, and 21 support staff.

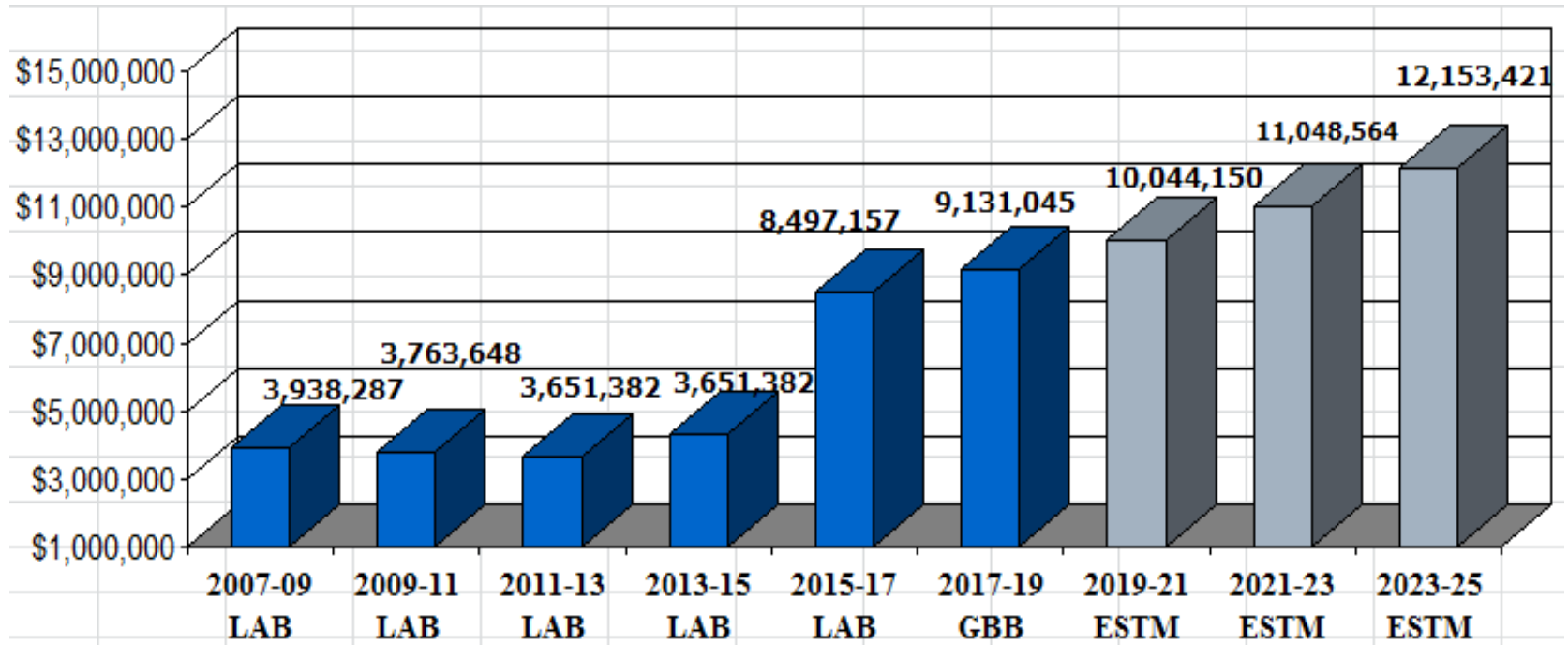


Board History





Board History





Summary of Board Programs

- The Board is one program, primarily funded by the General Fund.

PROGRAM PRIORITIES

- Parole Release and Community Supervision
- Administrative Review, Appeals, and Legal Action
- Policies, Rules, and Operations
- Sex Offender Notification Levels



Summary of Board Programs

Parole Release and Post-Prison Supervision

- ❖ Board Hearings (*Parole only* - 20/mo.)
- ❖ Orders of Supervision (350+/mo.)
- ❖ Warrants (500+/mo.)
- ❖ Sanctions/Revocations (650+/mo.)
- ❖ Discharges (300+/mo.)
- ❖ Morrissey Hearings (violations – 60+/mo.)
- ❖ Victim Notifications (50+/mo.)
- ❖ Assess and classify sex offenders for notification levels

Administrative Review, Appeals, and Legal Action

- ❖ Receive 25+/mo.; review and respond within 60 days
- ❖ Review Court decisions and impact on agency; implement as required

Policies, Rules, and Operations

- ❖ Maintain Agency compliance with statute, rules, and authority

Sex Offender Notification Levels

- ❖ Classify registered sex offenders to a notification level based on their risk to reoffend



Summary of Board Programs

➤ **PAROLE: Determine Release Date *and* Supervisory Authority**

- Matrix offenders (Crime committed prior to Nov. 1, 1989) (370 inmates)
 - Those sentenced as “Dangerous Offenders” by trial courts (140 inmates)
 - Those convicted of **Murder** and **Aggravated Murder** with life sentences and are eligible to be considered for parole
 - Board decisions are based on the laws in place at the time the crime was *committed* – not when offender was convicted
- ❖ These populations constitute approximately 8% of today’s prison inmates (1221 inmates)



Summary of Board Programs

➤ **POST-PRISON SUPERVISION: Supervisory Authority Only**

- The Board has no role in determining release dates
- Sentencing Guidelines offenders (Crime committed on/after Nov. 1, 1989)

❖ **There are over 14,500 offenders in the community who are on Parole or Post-Prison Supervision**

➤ **350+ Orders of Supervision issued per month**



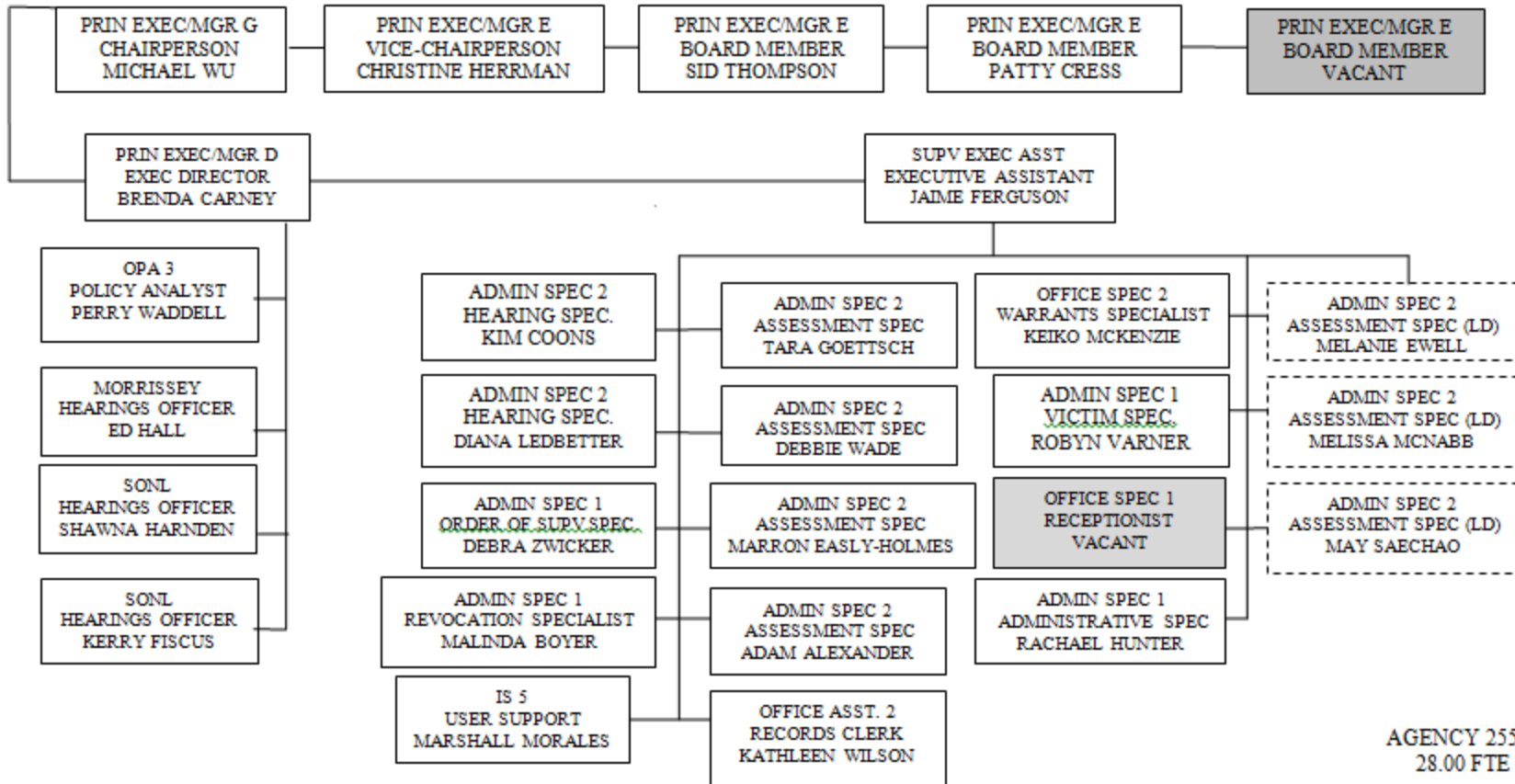
Summary of Board Programs

➤ **SEX OFFENDER ASSESSMENT AND CLASSIFICATION (ORS 163A.100 et seq; HB2549, 2013; HB2320, 2015)**

- The Board is responsible for assessing and classifying over 27,000 registered sex offenders by December 1, 2018.
- The Board is also responsible for assessing and classifying new out-of-state registrants.
- As of January 1, 2019, the Board will be responsible for reviewing petitions for reclassification and relief from registration, as well as conducting hearings for those who meet the eligibility criteria.
 - ❖ **There are over 29,000 registered sex offenders in Oregon**
 - **If classified, approximately 6500 (22%) will be eligible to petition the Board in 2019.**



Board Organization

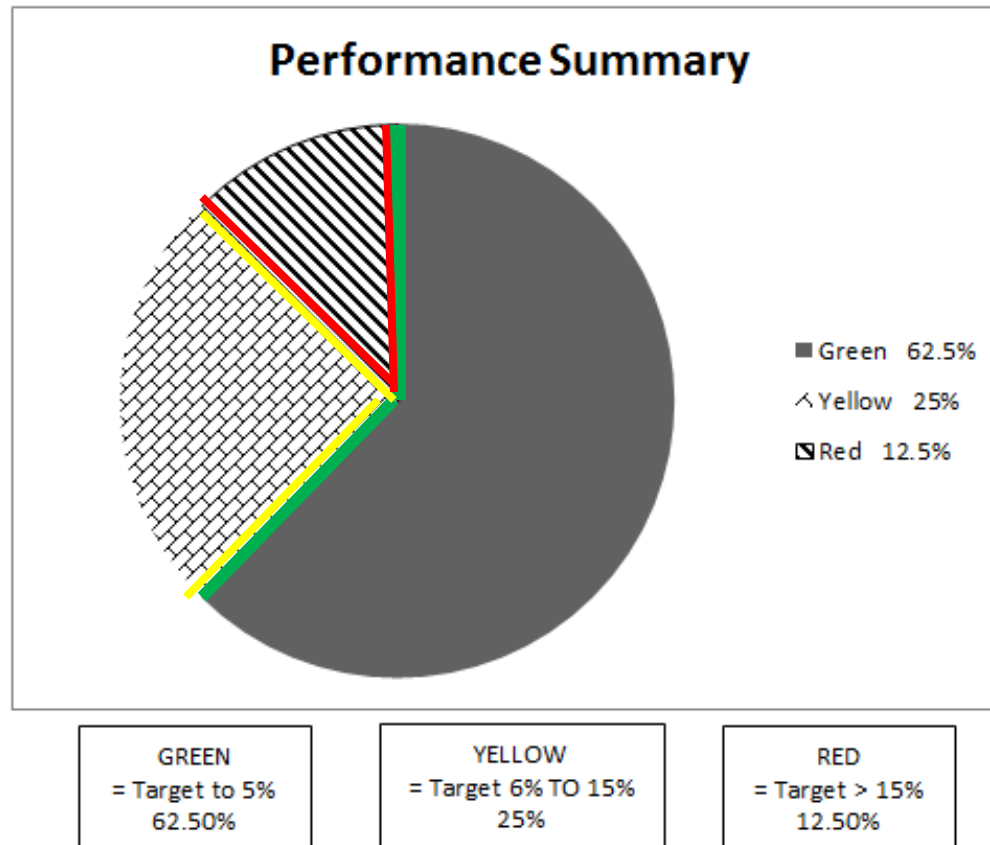


AGENCY 25500
28.00 FTE

LIMITED DURATION
10/15 – 06/17



Board Performance and Outcome Measures



Overall, the Board is meeting or within target of the majority of its performance measures, despite increasing workloads.

**At the time of report (June 2016), the Board was nearly 9 months behind in responding to Administrative Reviews. As of February 2017, the Board is at a 60-day backlog, a significant improvement achieved primarily by the increase of Board members.*



Board Performance & Outcome Measures

Report Year	2012	2013	2014	2015	2016
PAROLE RECIDIVISM					
Actual	7.41%	3.33%	No Data	6.90%	0%
Target	8.50%	8.50%	8.50%	8.50%	8.50%
ORDER OF SUPERVISION					
Actual	93.20%	94.70%	No Data	99.70%	91.40%
Target	97.10%	97.10%	99%	99%	99%
VICTIM NOTIFICATION					
Actual	No Data	91.30%	No Data	91%	89%
Target	90.10%	90.10%	91%	91%	91%
ARREST WARRANT					
Actual	90.30%	88.40%	No Data	92.60%	93.30%
Target	94.20%	94.20%	94.20%	94.20%	94.20%
REVOCAION					
Actual	7.50%	7.50%	No Data	6.63%	5.83%
Target	10%	10%	10%	10%	10%
DISCHARGE OF SUPERVISION					
Actual	92.50%	91.80%	No Data	95.90%	96.40%
Target	91.50%	91.50%	91.50%	91.50%	91.50%
ADMINISTRATIVE REVIEW					
Actual	0%	0%	No Data	0%	0%
Target	70%	70%	70%	70%	70%
Overall Customer Service					
Actual	No Data	96.08%	No Data	94.41%	93.90%
Target	TBD	100%	TBD	100%	100%



Board Performance & Outcome Measures

KPM #1: PAROLE RECIDIVISM

According to statistics pulled from the Department of Corrections, the 21 offenders who released to Parole between 2010 and 2013 have maintained a zero (0) % recidivism rate (no felony convictions within three (3) years of release).

This performance measure is based only on those offenders who were paroled by Board vote; it does not include post-prison offenders for whom the Board has no releasing authority.

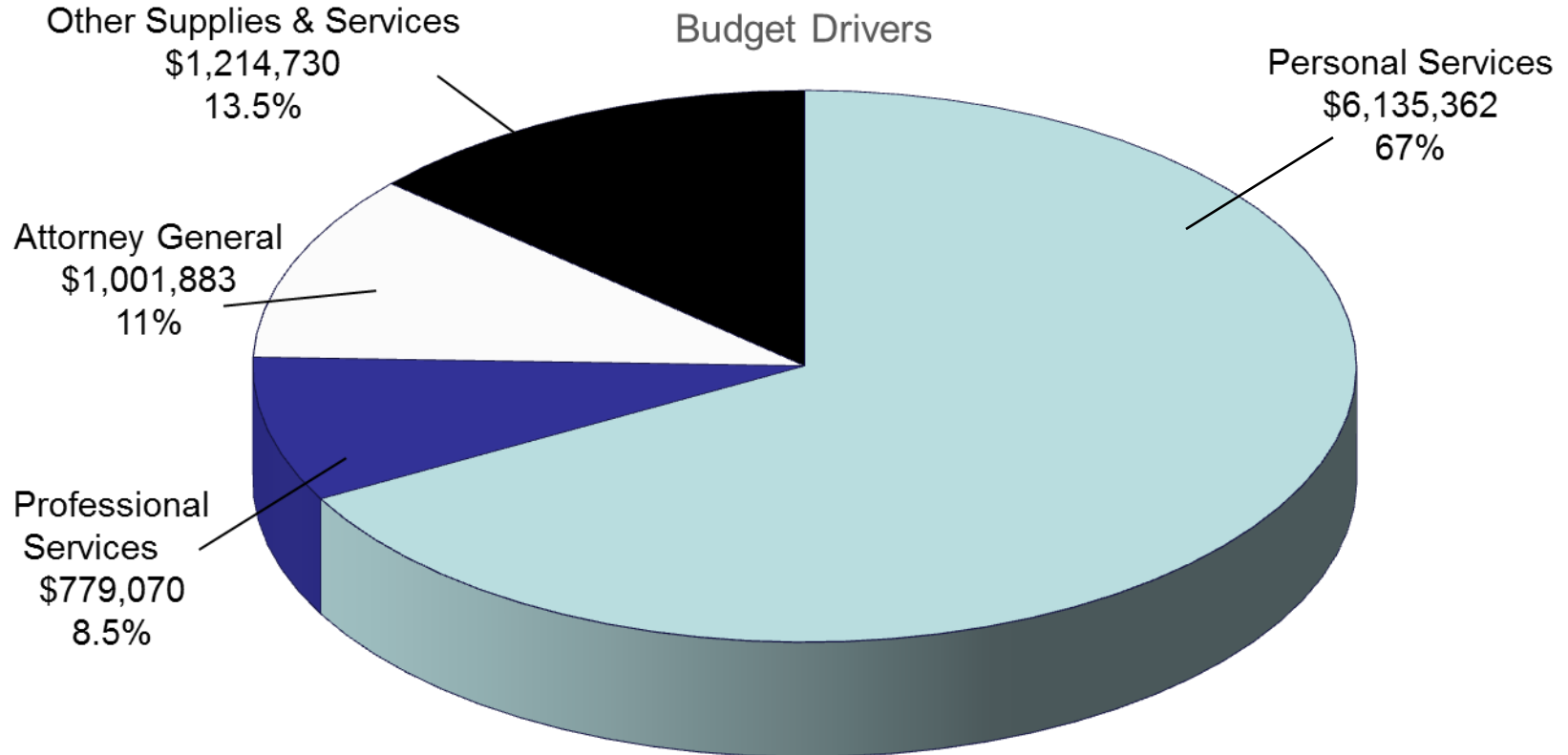
KPM #3: VICTIM NOTIFICATION

The Board is proposing a change to more accurately reflect the Board's statutory requirement for victim notification.

Proposal	Proposed Key Performance Measures (KPMs)
Delete	VICTIM NOTIFICATION - Percentage of active registered victims for which the Board has an accurate point of contact for notification of hearings and of an offender's release.
New	VICTIM NOTIFICATION - Percentage of notifications sent to active registered victims no later than 30 days before any hearing conducted by the Board.



Primary Budget Drivers





Program Changes

The Board has had only one major program change in the last six (6) years with the implementation of the Sex Offender Notification Level program (SONL).

HB2549 (2013) and HB2320 (2015) established a notification level system for all registered sex offenders in Oregon. Registrants are assessed and classified to a community notification level based on their risk to reoffend sexually (Level I, Low; Level II, Moderate; Level III, High)

Major impacts for the Board:

- Development and implementation of rules and processes for new program
- Revisions to multiple OARs
- Significant increase in staff: 15 FTE to 28 FTE
- Delays in recruitment and training of program staff

– *Cont'd*



Program Changes

Major impacts for the Board cont'd:

- Research and procurement of contracts with qualified providers for special evaluations
- Procuring additional office space to house new program staff
- Increase in program responsibility



Environmental Factors

- **Implementation of HB 2549 (2013) AND HB 2320 (2015)**

The Board is currently mandated to assess and classify sex offenders to a notification level; however, we are not adequately staffed to become fully compliant with the law.

- **Implementation of HB 3194 (2013)**

While there was no direct fiscal impact from HB 3194, there were increases in workload for staff and Board members, including change in processes and documents in order to accommodate new short-term transitional leave requirements.

- **Implementation of sentencing guidelines in 1989**

Focus changed from the number of inmate release decisions to Post-Prison Supervision requirements.



Environmental Factors

- **Implementation of SB 1145 in 1995**

Shift responsibility to counties for incarceration and supervisory authority for certain sentences.

- **Increases in inmate and offender populations**

As inmate and supervised offender numbers increase, so do the duties of Board members and staff.



Environmental Factors

- **Increases in, and results of, inmate and offender judicial appeals**

In addition to the workload to review administrative appeals submitted to the Board by inmates/offenders, the Board must change rules and processes when Court decisions require it.

- **Increases in victim and stakeholder participation in post-sentencing matters**

As victims' rights expand, the Board members and staff have greater demands to address victim, DA, and community concerns about the release and supervision of certain offenders. Board members and staff have daily contact with DOC counselors, parole officers, and DOJ staff to discuss individual cases and coordinate appropriate resources.



Environmental Factors

- **Biennial statutory changes**

With legislative and budgetary changes, the Board has increased from three (3) members in 2013, to five (5) today; and, the number of support staff has increased from 10 FTE in 2013 to 21 FTE today.

The increased workload from the Sex Offender Notification Level program is managed by minimal staff at this time.



Agency Efforts for Cost Savings

- The Board currently shares services with the Department of Corrections for the following:
 - Human Resources
 - Budget Analysis
 - Accounting
 - Payroll
 - Data Services (Telephone, Email, Data Server)
 - IT services
 - Procurement/Contracts
 - Facilities (Office space and maintenance)



Agency Efforts for Cost Savings

- The Board does not have a contracted amount for these services; however, we distribute an agreed upon amount to DOC at the end of the biennium.
 - 2009-11: \$50,000
 - 2011-13: \$50,000
 - 2013-15: \$50,000

- The Board is moving into the 21st century with more frequent use of electronic process:
 - Rewrite of the Board's information system, which included making most processes virtually paper free
 - Electronic (PDF) hearing packets for Board hearings
 - Pilot project for electronic offender file storage and maintenance



Agency Efforts for Cost Savings

- Shared Services:
 - Based on similar-sized agencies that are serviced by DAS, the Board estimates a savings of approximately \$160,000/year for administrative functions and \$42,000/year in rents and maintenance fees.

- Electronic process:
 - The Board has saved approximately 49% in paper costs with new electronic processes and by implementing electronic hearing packets for Board hearings.
 - As we begin the pilot project for electronic offender file storage and maintenance, we anticipate savings of over \$1200/mo (\$14,000/year) in classification folders *alone* once we fully implement the system.



Policy Option Packages

POP 101 <u>Agency Request Budget</u>	POP 101 <u>Governor's Budget</u>
<p>Reclassification of Positions</p> <ul style="list-style-type: none">• OS1 to AS1 (Victims Specialist)• AS1 to AS2 (Hearings Specialist) <p>Fiscal Impact: \$0</p>	<p>RECOMMENDED</p> <p>Fiscal Impact: \$0</p>



Policy Option Packages

POP 102 <u>Agency Request Budget</u>	POP 102 <u>Governor's Budget</u>
<p>Establish seven (7) limited duration Assessment Specialist (AS2) positions.</p> <p>Fiscal Impact: \$1,207,865</p>	<p>RECOMMENDED AS MODIFIED:</p> <p>Establish three (3) permanent positions.</p> <p>Fiscal Impact: \$517,656</p>



Historical vs Projected Spending

<u>Service Area</u>	<u>Historical Funding</u>	<u>Historical Expenditures</u>	<u>Projected Funding</u>	<u>Projected Expenditures</u>
Medical Services (Psych Evals)	2013-15: \$96,821 2015-17: \$134,726	2013-15: \$112,773 2015-17: ~ \$318,839	2017-19: \$209,711	2017-19: \$210,000
Facility Rent	Pre-2015: \$0 2015-17: \$420,000	Pre-2015: \$0 2015-17: ~ \$178,100	2017-19: \$315,000	2017-19: \$315,000



PROPOSED LEGISLATION

#	Bill	Effect	Hearing Date
1	HB 2021 SVDO Sentencing.	Effect on Board: Minimal Fiscal Impact: Minimal to none	No
2	HB 2218 Traffickers and compelling prostitution offenders on website.	Effect on Board: None Fiscal Impact: None	No
3	HB 2250 Shorter time for release plan deadline.	Effect on Board: None Fiscal Impact: None	No
4	HB 2579 OYA would supervise certain offenders instead of Board.	Effect on Board: Minimal Fiscal Impact: Minimal to none	No



PROPOSED LEGISLATION

#	Bill	Title	Hearing Date
5	SB 24 120 days to complete sex offender assessments instead of 60.	Effect on Board: Moderately beneficial Fiscal Impact: None	No
6	SB 132 Fitness to proceed.	Effect on Board: Unknown Fiscal Impact: Minimal to Moderate	No
7	HB 2424 Offenders on supervision can petition for driving or professional licenses.	Effect on Board: None Fiscal Impact: None	No
8	SB 360 Community service in exchange for fines.	Effect on Board: Minimal Fiscal Impact: Minimal	No



10% Reductions

ACTIVITY OR PROGRAM	DESCRIBE REDUCTION	AMOUNT AND FUND TYPE	RANK AND JUSTIFICATION
(WHICH PROGRAM OR ACTIVITY WILL NOT BE UNDERTAKEN)	(DESCRIBE THE EFFECTS OF THIS REDUCTION. INCLUDE POSITIONS AND FTE IN 2017-19 AND 2019-21)	(GF, LF, OF, FF. IDENTIFY REVENUE SOURCE FOR OF, FF)	(RANK THE ACTIVITIES OR PROGRAMS NOT UNDERTAKEN IN ORDER OF LOWEST COST FOR BENEFIT OBTAINED)
<p style="text-align: center;">1 Package 031: Standard Inflation</p>	<p>IMPACTS ABILITY TO PAY COSTS FOR GOODS AND SERVICES, INCLUDING CONTRACTED SERVICES FOR PSYCHOLOGICAL EVALUATIONS, SEX OFFENDER ASSESSMENTS, ATTORNEY GENERAL SERVICES AND INTER-GOVERNMENTAL AGREEMENTS FOR HEARINGS OFFICERS. LIMITS OFFICE SUPPLIES, EQUIPMENT AND TECHNOLOGY NECESSARY TO COMPLETE CORE FUNCTIONS.</p>	<p style="text-align: center;">GF -\$285,821</p>	<p style="text-align: center;">1</p> <p>WHILE A REDUCTION IN INFLATION WOULD FURTHER REDUCE THOSE DESCRIBED SERVICES, IT WOULD NOT CEASE PROGRAM ACTIVITIES. <i>(NO LEGISLATIVE CONCEPT HAS BEEN FILED)</i></p>
<p style="text-align: center;">2 Professional Services</p>	<p>REDUCTION IN PROFESSIONAL SERVICES WILL INHIBIT THE BOARD'S ABILITY TO MAINTAIN EFFECTIVE CONTRACTED SERVICES FOR STATUTORILY REQUIRED PSYCHOLOGICAL AND SEX OFFENDER EVALUATIONS; INTER-GOVERNMENTAL AGREEMENTS, AND OTHER NECESSARY BUSINESS SERVICES.</p>	<p style="text-align: center;">GF - \$310,741</p>	<p style="text-align: center;">2</p> <p>REDUCTION IN PROFESSIONAL SERVICES WILL INHIBIT THE BOARD'S ABILITY TO COMPLETE CERTAIN STATUTORY DUTIES AND MAINTAIN SOME CONTRACTED SERVICES, BUT IT WILL NOT CEASE PROGRAM ACTIVITIES. <i>(NO LEGISLATIVE CONCEPT HAS BEEN FILED)</i></p>
<p style="text-align: center;">3 Personal Services Office Specialist 1 Receptionist (4000029)</p>	<p>REMOVAL OF THIS POSITION WILL REDUCE THE BOARD'S ABILITY TO PROMPTLY RESPOND TO CUSTOMERS AND STAKEHOLDERS WHO MAY CALL OR VISIT THE BOARD. CERTAIN DUTIES FROM THIS DESK WILL BE SHIFTED TO OTHER POSITIONS, CREATING INCREASED WORKLOADS FOR STAFF.</p>	<p style="text-align: center;">GF - \$117,019</p>	<p style="text-align: center;">3</p> <p>REMOVAL OF POSITION WILL PRODUCE REDUCED RESPONSE TIME TO CUSTOMERS AND STAKEHOLDERS, AND WILL AFFECT OTHER PROGRAM ACTIVITIES DUE TO INCREASING WORKLOADS, BUT IT WILL NOT CEASE PROGRAM ACTIVITIES. <i>(NO LEGISLATIVE CONCEPT HAS BEEN FILED)</i></p>



10% Reductions

ACTIVITY OR PROGRAM	DESCRIBE REDUCTION	AMOUNT AND FUND TYPE	RANK AND JUSTIFICATION
(WHICH PROGRAM OR ACTIVITY WILL NOT BE UNDERTAKEN)	(DESCRIBE THE EFFECTS OF THIS REDUCTION. INCLUDE POSITIONS AND FTE IN 2017-19 AND 2019-21)	(GF, LF, OF, FF. IDENTIFY REVENUE SOURCE FOR OF, FF)	(RANK THE ACTIVITIES OR PROGRAMS NOT UNDERTAKEN IN ORDER OF LOWEST COST FOR BENEFIT OBTAINED)
<p style="text-align: center;">4 Personal Services Administrative Spec 2 Assessment Specialist (4170044, 4170045)</p>	<p>REDUCTION OF THESE POSITIONS TO .5 FTE WILL INHIBIT THE BOARD'S ABILITY TO EFFECTIVELY COMPLETE STATUTORILY REQUIRED ASSESSMENTS BY THE PRESCRIBED DEADLINE OF DECEMBER 1, 2018 (ORS 163A.100). WORK WOULD BE SHIFTED TO OTHER STAFF, RESULTING IN ADDITIONAL DELAYS.</p>	<p style="text-align: center;">GF - \$155,616</p>	<p style="text-align: center;">4</p> <p>REDUCTION OF POSITIONS WILL INHIBIT THE BOARD'S ABILITY TO COMPLY WITH STATUTORY DUTIES AND DEADLINES, BUT IT WILL NOT CEASE PROGRAM ACTIVITIES. <i>(NO LEGISLATIVE CONCEPT HAS BEEN FILED)</i></p>



15% Reductions

5	6	12	13	14	15
Program Unit/Activity Description	GF	TOTAL FUNDS	Pos.	FTE	Impact of Reduction on Services and Outcomes
1 - Package 031: Standard Inflation	285,821	285,821	0	0.00	Impacts ability to pay costs for goods and services, including contracted services for psychological evaluations, sex offender assessments, Attorney General services and inter-governmental agreements for hearings officers. Limits office supplies, equipment and technology necessary to complete core functions.
2- Professional Services	402,690	402,690	0	0.00	Reduction in Professional Services will inhibit the Board's ability to maintain effective contracted services for statutorily required psychological and sex offender evaluations, inter-governmental agreements, and other necessary business services.
3 - Personal Services	615,286	615,286	5	4.00	Cut OS2-Reception (1 FTE): Reduce the Board's ability to promptly respond to customers and stakeholders who may call or visit the board. certain duties from this desk will be shifted to other positions, creating increased workloads for staff.
(cont'd)					(cont'd)



15% Reductions

5	6	12	13	14	15
Program Unit/Activity Description	GF	TOTAL FUNDS	Pos.	FTE	Impact of Reduction on Services and Outcomes
<i>(cont'd)</i>					<i>(cont'd)</i>
3-Personal Services		-			Cut two AS2-Assessment Specialist positions (2 FTE): Cutting these positions will inhibit the Board's ability to effectively complete statutorily required assessments by the prescribed deadline of December 1, 2018 (ORS 163A.100). Work would be shifted to other staff, resulting in additional delays.
		-			Reduce one Hearings Officer to .5 FTE: Reduction of this position to .5 FTE will delay the Board's ability to schedule and complete Morrissey Hearings for offenders in custody for violations of Parole/Post-Prison Supervision, which could lead to legal action due to unmet due process requirements.
		-			Reduce AS1-Victim Specialist to .5 FTE: Reduction of this position to .5 FTE will reduce services provided to Board-registered victims, including assistance with parole and sex offender notification hearings.
	1,303,797	1,303,797	5	4.00	



Long-Term Vacancies

As a small agency, the Board does not typically incur any long-term vacancies.

There is only one staff person assigned per duty, except for assessment staff; therefore, when vacancies occur, recruitment and hiring is immediate.

2015-17: The Board has had a vacancy for the fifth (5th) Board member position since January 2014, when funding was established.



APPENDIX

- ❖ Results of agency audits by SOS (297.070)
- ❖ Recent changes to agency budget and/or management flexibility – N/A
- ❖ Summary of proposed technology projects – N/A
- ❖ Other Funds ending balance form



APPENDIX

Results of agency audits by SOS (297.070)

297.070 Criteria for performance and program audits; rules; contracts with private auditors; audit expenses. (1)
Performance and program audits of all state departments, boards, commissions, institutions and state-aided institutions and agencies shall be conducted on the basis of risk assessment and on standards established by national recognized entities including, but not limited to, the United States Government Accountability Office and the National Association of State Auditors.



APPENDIX

Results of agency audits by SOS (297.070)

In 2015, the Secretary of State (SOS) conducted an audit of how State agencies responded to and completed public records requests, as well as how they adhered to record retention schedules.

- The Board is working toward adopting a more consistent fee schedule and has referenced DAS policy.
- The Board's networking and data services are shared and maintained by the Department of Corrections. We adhere to their current policies related to public records requests for such material.



APPENDIX

Results of agency audits by SOS (297.070)

- The Board is in the process of obtaining permissions for the Oregon Records Management System through shared resources with the Department of Corrections. This system will streamline the Board's voluminous collection of offender records, which will lend itself to locating information more quickly and responding to requests in a timelier manner. It will also assist with adherence to the Board's retention schedule by allowing an auto-purge option for specific documents.
- The Board has made improvements to its records request log, which includes tracking the length of time it takes to fulfill records requests, as well as the type of information requested.
- The Board is making an effort to improve transparency, and is considering posting certain records online when available.



APPENDIX

Ending Balance Form

UPDATED OTHER FUNDS ENDING BALANCES FOR THE 2015-17 & 2017-19 BIENNIA									
Agency: 25500 Board of Parole and Post Prison Supervision									
Contact Person: Brenda Carney 503-945-0919									
(a)	(b)	(c)	(d)	(e)	(f)		(g)		(i)
Other Fund Type	Program Area (SCR)	Treasury Fund #/Name	Category/ Description	Constitutional and/or Statutory reference	2015-17 Ending Balance		2017-19 Ending Balance		Comments
					In LAB	Revised	In CSL	Revised	
Limited	013	00401/GF(Other Funds)	Operations/Fines and Copy Fees to be used for the payment of expenses	SB 5529, Chapter 502, Section 2	27,549	29,439	35,637	38,432	Base budget adjustments have not been done for Other Funds Revenue. Will be addressed for 2019-21 biennium.