



Psychiatric Security Review Board

Presentation to the Oregon Senate and House Judiciary Committees

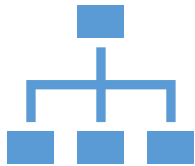
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PSRB Executive Director*

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March 16, 2023

Partnership*Recovery*Research*Due Process

Today's Presentation



Summary of PSRB Programs,
Services & Structure



Agency performance &
outcome measures



Proposed budget

PSRB Established in 1978

Why Then?

- Developed for Insanity Acquittes
- ~140+ circuit and district court judges
- Variation in decision quality
- Function of hospital leading to premature releases
- Lack of continuity of care upon and follow-up after release

Why Now?

- Demonstrated public safety record
- Well-versed in decision-making based on risk assessment
- Cost-effective: ~\$0.41 per Oregonian/year

PSRB Organization

- 5 members each panel:
 - Psychiatrist
 - Psychologist
 - Attorney experienced in criminal practice
 - Parole/Probation Officer
 - Member of General Public
- Appointed by Governor, confirmed by Senate
- Part-Time
- 2-4 Year Term Limits Apply
- 11 FTE Support Staff



The primary purpose of the PSRB is to protect the public by working with partnering agencies to ensure persons under its jurisdiction receive the necessary services and support to reduce the risk of future dangerous behavior using recognized principles of risk assessment, victims' interest and person-centered care.

PSRB Mission Statement

PSRB Programs Overview

Petition Review

- **Firearm Restoration;**
 - ORS 166.273
- **Sex Offender Reclassification/Relief;**
 - ORS 163A

Continuous Jurisdiction

- **Extremely Dangerous Persons with Mental Illness;**
 - ORS 426.701-2
- **Responsible Except for Insanity;**
 - ORS 419C.520- 419C.544
- **Guilty Except for Insanity;**
 - ORS 161.295-161.351

Sex Offender Classification

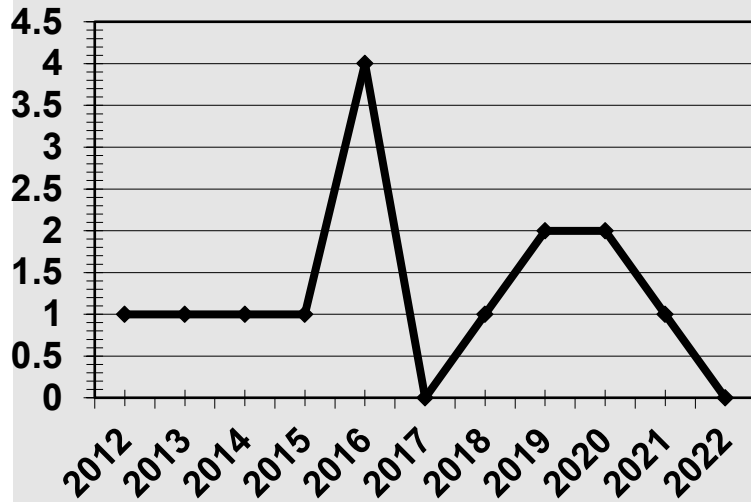
- Classifications began in **2015**.
- PSRB maintains training to classify when person's jurisdictional offense is a sex crime. STATIC 99R; LSCMI (contract)
- Each registrant designated with a 1, 2 or 3 level, 3 being the highest risk of reoffending.
- Signed order.
- Registrants provided 60-day period to submit written objections to the assessment score.
- **Outcomes:** 2015-2018=183;
2019=10; 2020=7;
2021= 1; 2022=0;
2023=21

Sex Offender Reclassification/Relief

- Program launched **January 2019**.
- Level 1: May apply for relief.
- Level 2: May reclassify to Level 1.
- Level 3: May only reclassify to Level 2
- Petition for Reclass or Relief.
- Full hearing before the Board.
- If petition is denied, may reapply every 24 months.
- **Outcomes:** 2021=1 Hearing;
2022=0 Hearings
- **Outcomes: 21 Classifications**

Firearm Restoration

Petitions Received



2022	0
2021	1
2020	2
2019	2
2018	1
2017	0
2016	4
2015	1
2014	1
2013	1
2012	1

Program launched in 2010

Two Mandates

- Entry into NICS following an *Oregon* mental health determination
 - Civil Commitment
 - GEI Conviction
 - Inability to aid and assist in a criminal proceeding
- Restoration/Relief Program
 - Petition & Full Hearing

*Training & Education**

Outcomes

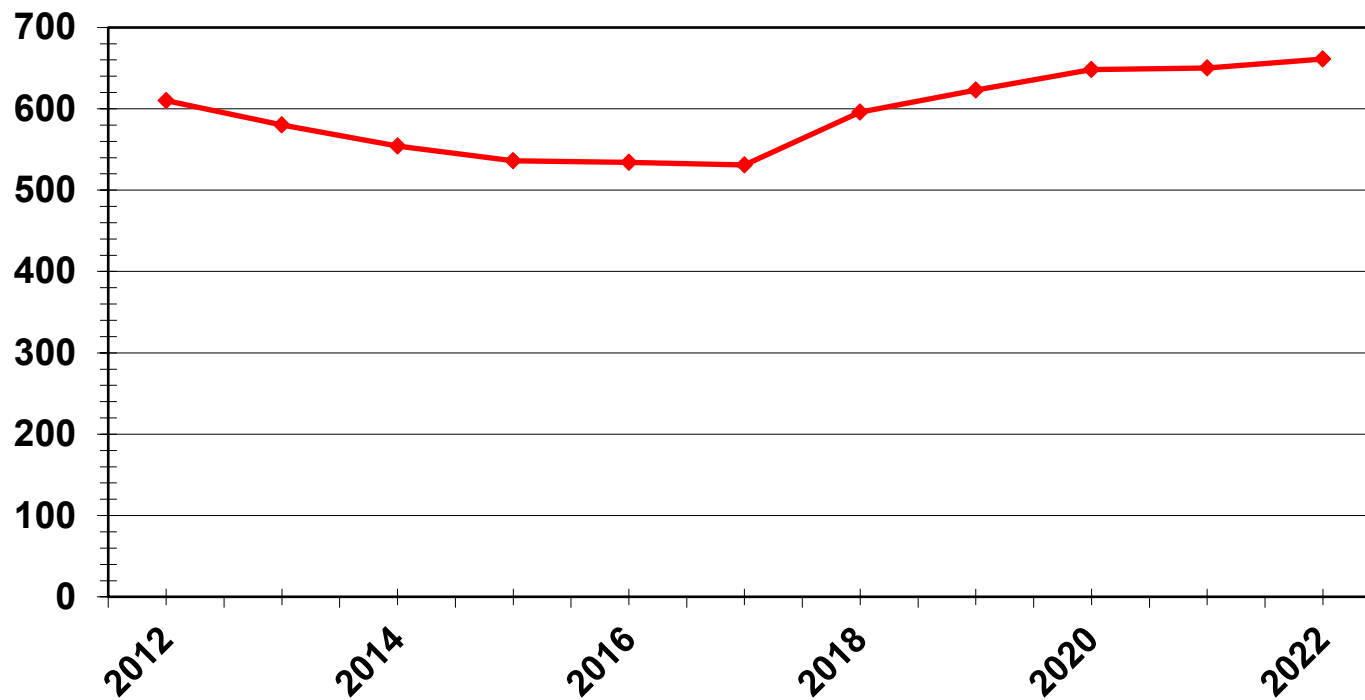
10 Granted

4 Denied

4 Withdrawn

Total Clients under PSRB

(as of 12/31 of given year)



2022	661
2021	650
2020	648
2019	623
2018	596
2017	531
2016	534
2015	536
2014	554
2013	580
2012	610

PSRB Civil Commitment Snapshot

Extremely dangerous
persons; resistant to
treatment

24-month commitment

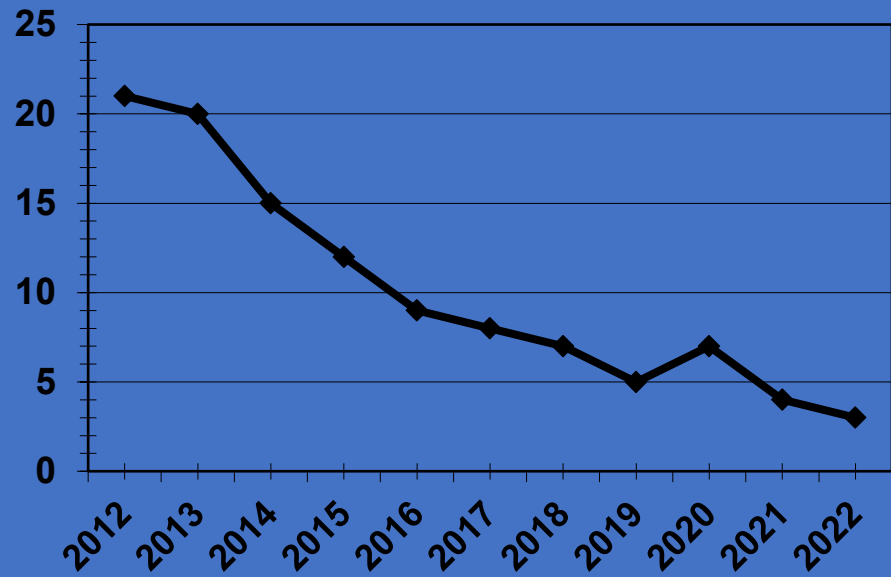
27% on conditional release

Caseload Increase	
2017	7
2019	13
2021	22
2023	29

	Initial	Certify	Total
2022	16	10	26
2021	17	11	29
2020	6	7	13
2019	11	7	17
2018	10	2	12
2017	6	0	6
2016	8	1	9
2015	1	1	2

Juvenile REI Snapshot

- Responsible Except for Insanity
- EOJ at 25 years or max sentence (less)
- 0 new cases since 2020
- 33% on Conditional Release
- 15 hearings in 2021-2022
- Exploring sunseting options



Adult GEI Snapshot

- 629: Total active clients (01/01/2021)
- 366: Conditionally released (60%)
- 255: Committed at OSH (40%)

Adult Client Demographics (as of 1/1/2021)

Clients: In OSH 255
On CR 366
Other 7

Gender: Male 82.3 %
Female 16.4 %
Trans 1.3%

Average Age: 45.73 years old

Ethnicity: Asian 1.81 %
Black 6.58 %
Hispanic 7.07 %
Native American 2.63 %
White 80.59 %
Other 1.32 %

Primary Diagnoses: Schizophrenia / Bi-Polar Disorder

Secondary Diagnoses: Substance Abuse / Developmental Disabilities

100% for Felony Offenses

- A Felony – 51.8%
- B Felony – 16.9%
- C Felony – 17.2%
- Unclassified – 14.2%

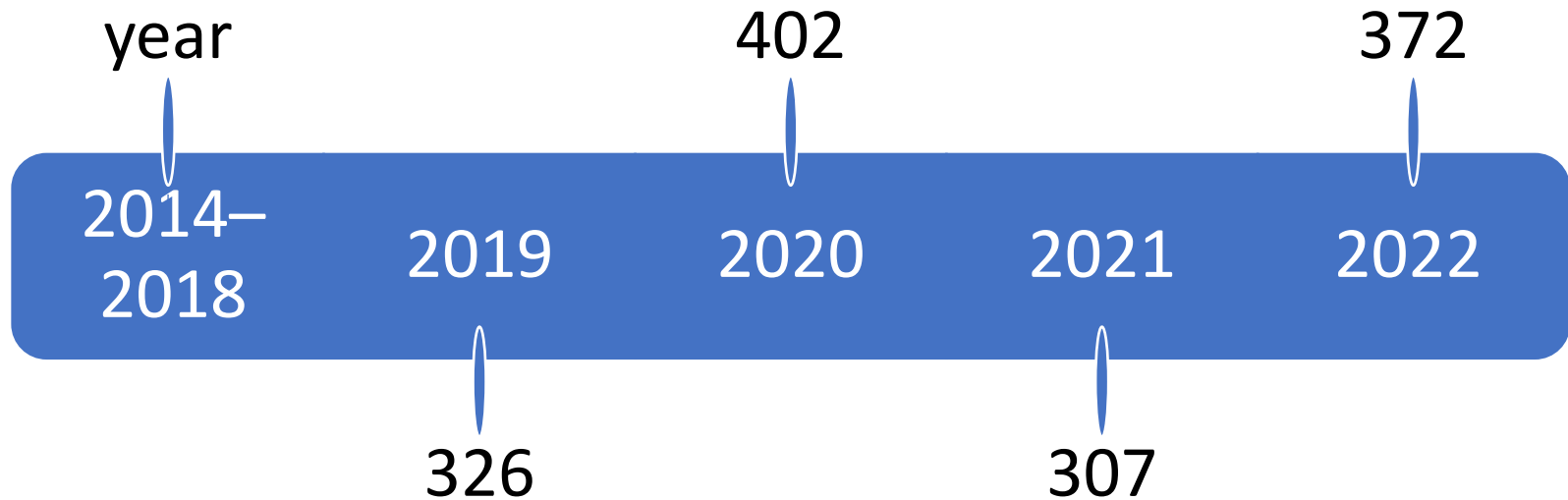
0.0% for Misdemeanor Offenses

Adult Clients
by Crime Categories
(as of 1/1/2023)

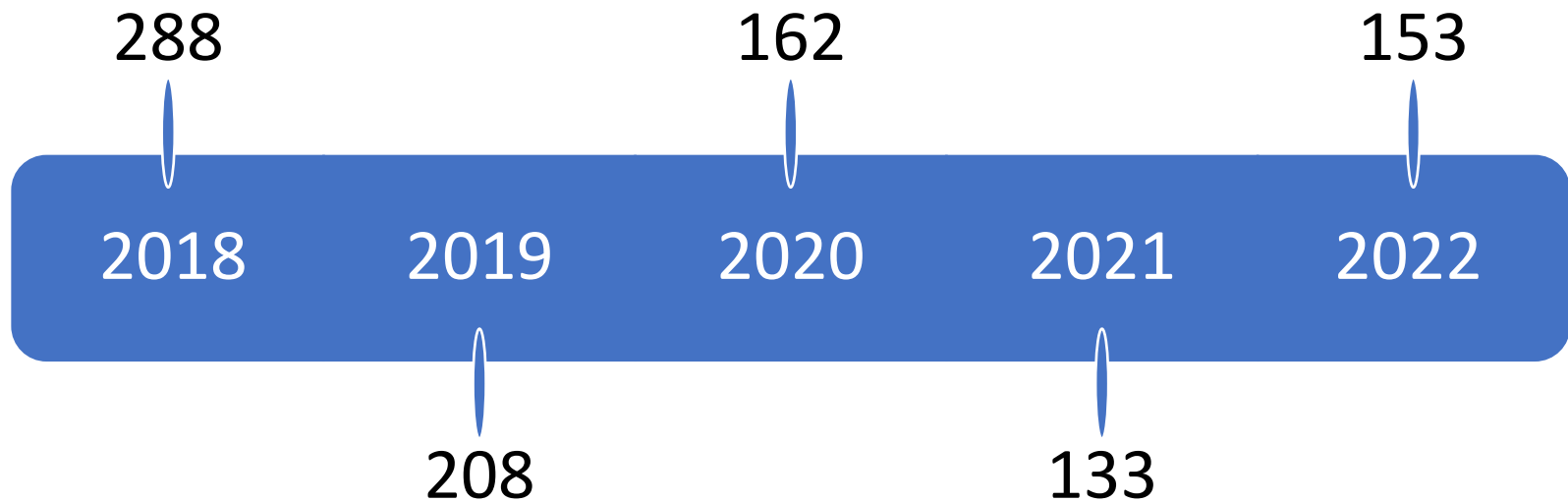
** As of 1/1/2012,
misdemeanors no
longer eligible for
PSRB jurisdiction.*

Full Hearings Scheduled

Average 296.8 /
year

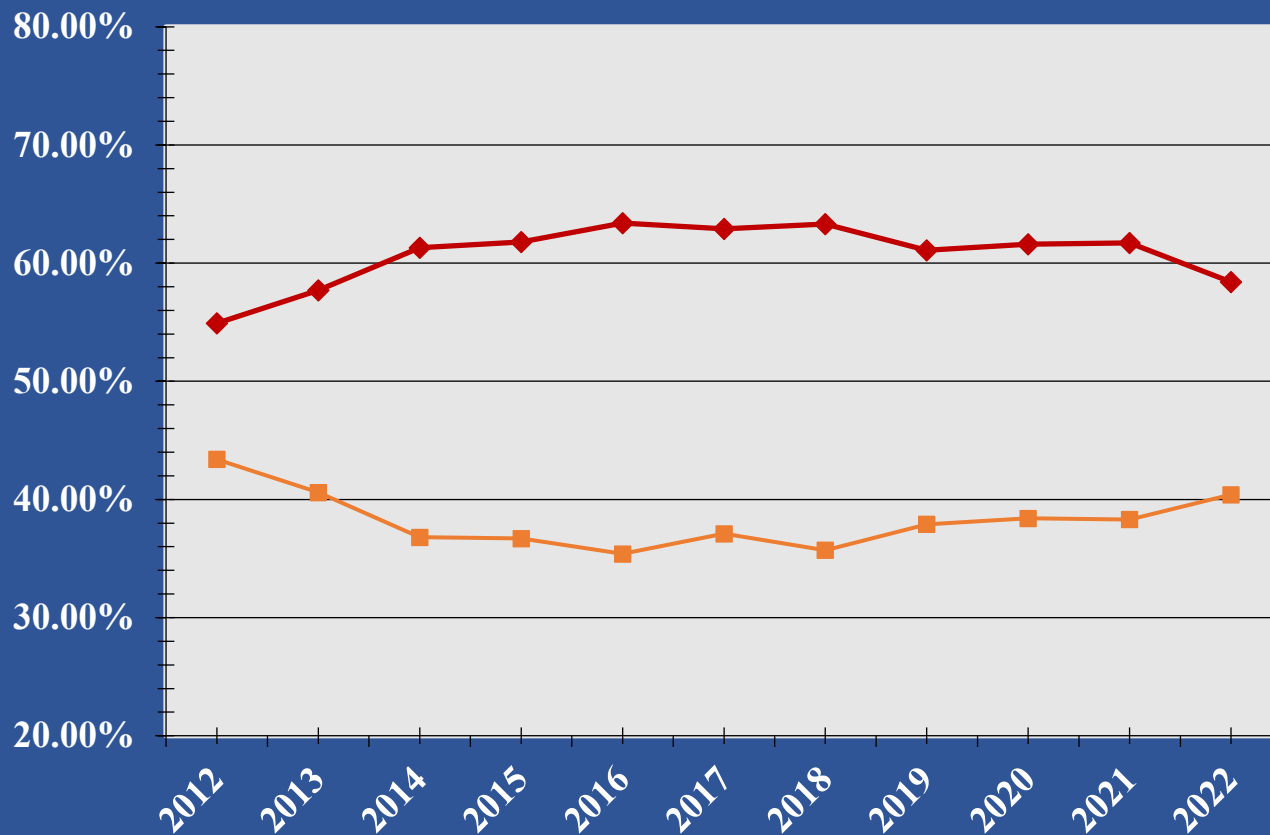


Administrative Hearings Scheduled



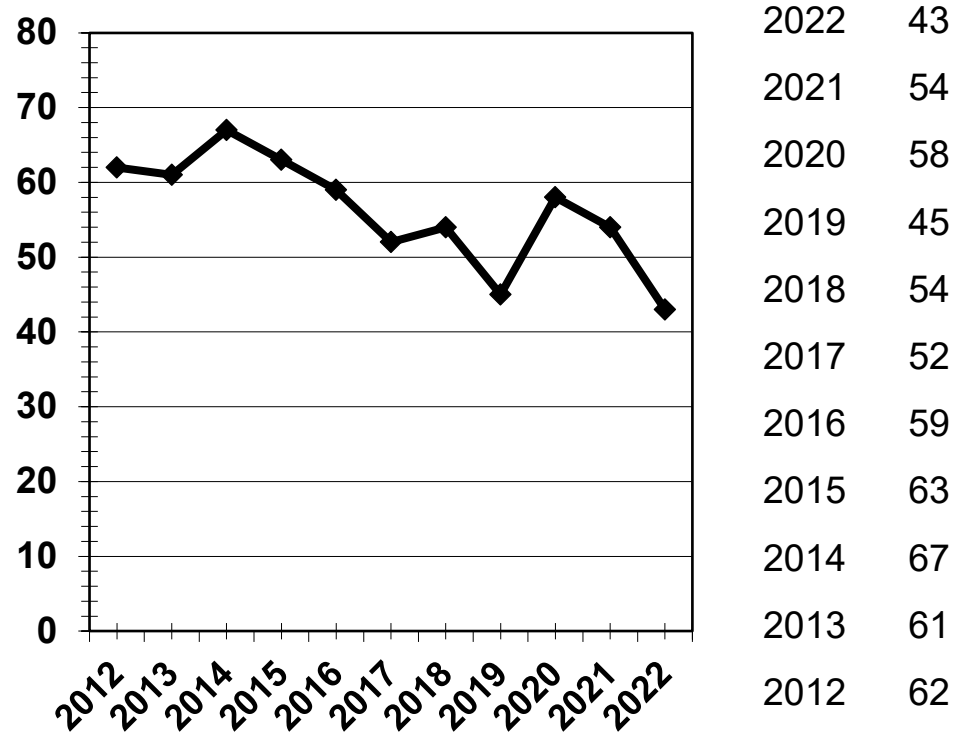
Percentage of GEI Clients on Conditional Release vs in OSH

(approximate as of 12/31 of given year)



	On CR	At OSH	Total
2022	58.4	40.4	366
2021	61.7	38.3	382
2020	61.6	38.4	375
2019	61.1	38.9	367
2018	63.3	35.7	364
2017	62.9	37.1	365
2016	63.4	35.4	374
2015	61.8	36.7	369
2014	61.3	36.8	380
2013	57.7	40.6	385
2012	54.9	43.4	385

Adult Clients Placed on Conditional Release by PSRB/SHRP (by Year)



1/1/2012 - GEI clients split between PSRB and SHRP
6/30/2018 - All GEI clients returned to PSRB jurisdiction

Residential Placements on CR

Secure residential treatment facility (SRTF) – 12.6%

Residential treatment home/facility (RTH/F) – 22.6%

Adult Foster Homes – 2.7%

Supported Housing (SH) - 4.9%

Independent living - 14.4%

Other (e.g., DOC) – 2.4%



Public
Safety
Goals of
PSRB
*Reduce
Risk of*

Recidivism

Relapse

Re-hospitalization

Revocation

Public Safety Through Monitoring, Supervision, and Treatment

Treatment & Supports

- Medication management
- Individual/group therapy
- Specialty tx (MAT, DBT, SO)
- SUD tx and self-help
- Peer support
- Skills training
- Community connection
- Housing
- Public Benefits
- Cultural service connections
- Supported Employment/Edu.
- Money Management

Monitoring & Supervision

- No contact with victim(s)
- Level system
- Medication oversight/supervision
- Driving/Travel limitations
- Payee Assigned
- Random, observed UA's
- See our "Special Conditions" Handbook

PSRB Oversight

- Immediate consultation with case managers during crises;
- Access to LEDS terminal;
- Monthly Progress Reports/ Incident Reports;
- Review and approve all modifications to conditional release plans;
- Revocation Authority—to local and state hospital

PSRB

Recidivism Rate *as of 1/1/2022*

*CRs in effect during
the calendar year

Percentage of Adult and
Juvenile Clients
Convicted of a New
Felony or Misdemeanor
Committed while on
Conditional Release

	Adults on CR*	Juveniles on CR*	New Felonies or Misdemeanors	Percentage
2011	483	10	4	0.81%
2012	485	15	7	1.40%
2013	457	14	9	1.91%
2014	458	13	4	0.85%
2015	446	12	3	0.66%
2016	442	11	1	0.22%
2017	436	8	3	0.68%
2018	424	6	2	0.47%
2019	415	2	2	0.48%
2020	434	3	1	0.23%
2021	434	4	0	0
				Average = .61%

2021-23 Performance

- Fulfilled our mandate to protect the public as evidenced by a cumulative 0.61% adult recidivism rate since 2012 through 2021; (0% 2021).
- Conditionally released 97 individuals from the Oregon State Hospital and maintained 99% of them safely in the community despite ongoing barriers related to the COVID-19 pandemic and community workforce shortages.
- Avoided approximately 97 revocations to the Oregon State Hospital thorough excellent coordination of care with community providers.
- Scheduled 995 hearings for adult clients across 81 hearing days in 2021-22 and held all adult hearings within statutory time limits 99.4% of the time.
- Made progress in several goal areas established in our strategic plan.
- Transitioned to a Remote Hearings Model and maintained statutory hearings deadlines.
- Developed a wide-range of training webinars and conducted 2022 PSRB Forensic Statewide Conference.
- Implemented 2021 legislation (SB 205; SB 206)
- Launched phase 1 of our technology plan with the implementation of File Cloud.
- Fully onboarded and supported by DAS-IT.



PSRB Budget Drivers



Caseload

Increased Clients
Increased Hearings
Increased Monitoring



Training/ Outreach/ Education

Legal Community
Community Providers
Public
Taskforces/ Workgroups



Technology Upgrades

Phase Out Dying Technology
Streamline Processes
Enhance Cybersecurity
Increase Data
Output/Program Evaluation
Investment in IT Support



Legal Services

Appeals
Lawsuits
Tort Claims
Legal Advice

Risks for the Board

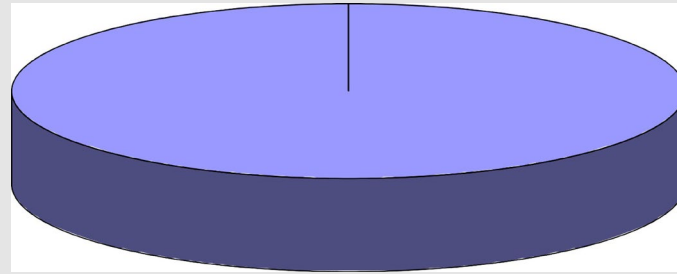
- Software supporting our database (ACCESS) phasing out and reduced technical support.
- Workforce crisis and staffing shortages effect the timeliness and quality of community providers reporting to the Board.
- Inadequate funding for the monitoring and supervision services provided by community programs (i.e., non-Medicaid services).
- Lack of affordable, permanent housing creates bottlenecks in the system of care.
- Lawsuits

Major Initiatives/Changes in 2023-25

- Commitment to the Governor's Budget Priorities
- Establish a Written Interagency Strategic Plan with OHA
- Continue solid public safety record through a commitment to our mission and values
- Technology Upgrades
- Implement 2023 Legislation (if passed)
- Office Relocation
- Sunset JPSRB
- Commit to viewing all initiatives through a lens that enhances diversity, inclusion, and equity principles and eradicates racial injustice.
- Comply with the Governor's Agency Director expectations

2023-25
Governor's
Recommended
Budget

100% General Fund



- \$4.4 million
- 7.5% increase from 2021-23
- 13 FTE
- POP 100: DAS-IT Transition
- POP 101: ISS-4, 1.0 FTE

15% Reduction Options

- Requires a 23% reduction in workforce (3.0 FTE)
 - 2 Administrative Specialist-2
 - 1 Office Support Specialist
- Remaining reductions would be taken from multiple line items:
 - Training
 - Services and Supplies,
 - Recruitment
 - IT Equipment
 - Travel
 - State Government Charges
 - Dues & Subscriptions
 - Office Expenses



Psychiatric Security Review Board

Due Process * Research * Recovery * Partnership

Background

When someone commits a crime and is found by the Courts to be "guilty except for insanity," he or she is placed under the jurisdiction of the Oregon Psychiatric Security Review Board (PSRB).

Individuals found guilty except for insanity are typically placed under the jurisdiction of the PSRB for the maximum sentence length provided by statute for the crime. Depending on the offense, that is 5 years, 10 years, 20 years, or life.

Historically, PSRB authority over an individual has lasted longer than Department of Corrections' system authority.

While under PSRB jurisdiction, an individual can be housed in the Oregon State Hospital or in a variety of residential treatment settings, ranging from Secure Residential Treatment Facilities to independent living. The PSRB determines what kind of facility is appropriate based on the level of treatment, care and supervision the individual requires.

Mission of the Psychiatric Review Board – Public Safety

Oregon State law is explicit that PSRB must put public safety first. ORS 161.351(3) states: "In determining whether a person should be committed to a state hospital or secure intensive community inpatient facility, conditionally released or discharged, the board shall have as its primary concern the protection of society."

Conditional release under PSRB authority – Proven Public Safety Record

The PSRB has been successful in carrying out its mission. From January 2011 through December 2021, the PSRB placed individuals on conditional release more than 1,160 times. During that same time frame, those individuals who were living in the community on conditional release were convicted of new felonies or misdemeanors only 35 times.

The cumulative recidivism rate for the PSRB from 2011 through 2021 is less than one percent. By comparison, the recidivism rate for individuals on Parole or Post-Pardon Supervision was 10% and on Probation was 14% (CJC, 2019) after being on parole or probation for three years.

Most PSRB clients begin their treatment at the Oregon State Hospital. When clients are conditionally released they are carefully monitored by the PSRB. They are subject to immediate return to the state hospital if they violate the terms of their conditional release order.

PSRB SNAPSHOT (as of January 1, 2023)

623 Number of people currently under PSRB jurisdiction.

254 Number of people under PSRB jurisdiction in Oregon State Hospitals.

385 Number of people under PSRB jurisdiction who are on conditional release from the state hospital.

SAFETY RECORD (January 1, 2011 to December 31, 2021)

1,164 Number of people on conditional release during the intervening 11 years.

35 Number of times those 1,164 people committed a felony or misdemeanor while on conditional release and were subsequently convicted of that crime.

0.81% Cumulative annual recidivism rate for PSRB clients since 2011.

99.4% Percent of adult conditional releases maintained in the community per month in 2022.

Psychiatric Security Review Board

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2019-2024 Strategic Plan



Psychiatric Security Review Board
Due Process - Research - Recovery - Partnership

Thank you!

- [PSRB Website](#)
- [PSRB Strategic Plan](#)