



STATE OF IDAHO

COMMISSION OF PARDONS AND PAROLE

C.L. "Butch" Otter
Governor

Sandy Jones
Executive Director

Quarterly Business Meeting
July 24, 2015
Commission of Pardons and Parole
Conference Room
3056 Elder, Boise, ID

Commissioners Present:

Lisa Bostaph
Janie Dressen
Mike Matthews
R. David Moore
Gary Scheihing

Commission Staff Present:

Sandy Jones, Executive Director 
Jarod Cash, Hearing Officer Manager
Jack Carpenter, Business Operations Manager
Connie Morgan, Hearings Manager
James Keller, Parole Hearing Officer
Mary Schoeler, Legal Assistant
Maria Young, Administrative Assistant

Others Present:

Ashley Dowell, IDOC Deputy Chief, Prisons Division
Allison Berger, Council of State Governments
Bree Derrick, Council of State Governments

- I. Executive Director Jones called the meeting to order at 13:00.
 - Welcome guests

- II. Justice Program Assessment (JPA) Update – Allison Berger, Bree Derrick and Ashley Dowell
 - IDOC sees the Parole Commission as a customer
 - Concerns:
 - Entrances across the board
 - Detainers
 - a. Those with detainers cannot program
 - b. Hesitate to release to detainer without program
 - Specifying programs creates difficulty for IDOC
 - CSG has a group of national experts looking at some concerns

- Pathways model
 - Complicated and core elements are all the same
 - Cannot move between facilities and remain at the same place in the same programs
 - Commission is being asked to grant a date for high risk offenders that are not yet in programs
 - Pathways and programs create a significant amount of movement
 - There are only a limited number of beds for both TC and SOTP
- JPA is designed to ensure resources are allocated appropriately for the highest risk offenders
 - Adhering to evidence-based best practice
 - Quality of programs
 - Parole Violator program
 - Some states have already implemented
 - Importance of assessments
 - Parole Commission needs more updated assessments
 - IDOC does not currently reassess, but are working through the backlog
 - Programs
 - Substance Abuse Primary Treatment
 - Relapse Prevention should follow a primary and it currently does not
 - Pathways are all very similar
 - High risk offenders would also get cognitive programming
 - Several programs like the RDAP
 - Outpatient services are available
 - Moving toward intensive outpatient services
 - a. Smaller communities do not have the availability
 - b. Commission will not release to a community with no treatment options
 - SUDS is restricted to substance abuse programming
Currently IDOC is housing violators for a 3 – 4 month intensive treatment, then another 5 months to “monitor behavior”; Cognitive programs only take 5 – 6 weeks
 - Mental Health
 - Co-occurring percentages are above 50%
 - JPA has not focused on mental health
 - No pathways currently exist for mental health
 - Community providers must be co-occurring capable
 - Some offenders are not capable of functioning in society
 - Some offenders will eventually be released and they are dangerous
 - IDOC does do Civil Commitments from IMSI
 - Must be done within 2 weeks of release
 - Expires if the offender is not released
 - Delicate choreography

- Like to have options available
- No Civil Commitment for sexual offenders
- Ms. Derrick will follow up on mental health treatment**
- Sex Offender Treatment
 - Difference between low risk treatment and high risk treatment
 - Offenders passed one year may or may not complete treatment based on their risk level
- Sex Offender Risk Assessments (SORA) and Mental Health Evaluations (MHE)
 - Only completed for the Parole Commission
 - Some clinicians are not meeting with the offender but are completing the SORA
 - a. Commission needs to know if there are deviant sexual behaviors and if the offender gives an accurate rendition of the crime
 - i. Can usually just say, in the report, that the offenders rendition of the offense matches the police report
 - b. Do not need all the evaluations, but do need the explanation of the variations
 - c. IDOC will review extending a contract for psychosexual evaluations with a Ph.D. for high risk sexual offenders
 - d. May be useful to be able to review the psychosexual evaluation completed for the court then use current assessments to determine the risk
- Continuity of treatment between facilities
 - If an offender begins, for example Substance Abuse treatment, at one facility, they should be able to continue at the next facility
 - Currently that offender must often restart every time a move is made
- IDOC Case Manager polices need to be updated
 - Case Managers did not know they were authorized to speak to the Commissioners thinking the Commission had everything they needed
 - a. At some point it was viewed that the case managers were advocating
 - b. The Commission requests relevant information (DOR's, incidences, daily behavior, and any other relevant information)
- It is noted that the dynamic between IDOC and the Parole Commission has changed
 - IDOC and Parole Commission converse daily
 - Intend to continue keeping Commissioners updated

- III. Executive Session
Commissioner Matthews motioned to move into executive session at 15:40 citing § I.C. 67-2345 (1)(g). Motion was seconded by Commissioner Bostaph. All Commissioners present voted aye.
- IV. Regular Session
Commissioner Matthews motioned to return to regular session at 15:50 p.m. Seconded by Commissioner Scheihing; all Commissioners present voted aye.
- V. Review of Minutes
Commissioner Scheihing motioned to approve the minutes from the April 24, 2015 Business Meeting. Commissioner Moore seconded; all Commissioners present voted aye.
- VI. Executive Director's Report and General Commission Business
- Upcoming legislation
 - Additional Commissioner(s) discussion
 - Add days to monthly hearing calendar
 - a. Strain on staff to turn around hearings
 - Longer days with more offenders
 - a. Strain on staff and Commissioners
 - Could request a former Commissioner
 - a. Judges and some boards have this option available
 - b. The individual unable to attend will make that known to all parties that the alternate will be in attendance
 - Concerns from public and offenders
 - Letters, telephone calls; complaints about minutes
 - No way to capture 100% of the minutes 100% of the time
 - Governmental agencies looking at the authority of parole commissions
 - Need transparency
 - a. In working with the Guidelines, the Commission is already moving toward transparency
 - b. Colorado records hearings
 - i. No transcription
 - ii. Summary includes hearing date, parole decision, reason – no narrative
 - iii. Recording can be sent to requester
 - iv. Work through the Attorney General's office
 - Courts already record everything
 - Some states do not even allow anyone to attend

- Recording hearings would allow for an additional layer of transparency, benefiting the agency and the public.
- Those requesting a copy of the hearing would send in a request as they already do
- Cost is a factor
- At least one state senator has expressed concern that there is no more information available to give constituents

Commission voted unanimously to proceed with proposal to record hearings. The Parole Commission Business Operations Manager will pursue options and prepare a cost analysis.

- Special conditions of parole
 - IDOC DAG proposed a single document combining the IDOC agreement of supervision with the parole agreement
 - This is not an option that can currently be implemented, however could be a future collaboration
 - IDOC and Community treatment options.
 - DOC is asking that we consider some offenders for community treatment as opposed to staying in prison to finish, due to bed space concerns.
 - a. Large number of low risk offenders
 - i. Consider looking at a list of offenders that can complete programs in the community
 - ii. Consider seeing all those offenders in one week; propose:
 1. IDOC to consider paying for the Commission to hear those cases and make informed decisions on a case by case basis
 2. Hearing Officer Report Review-type hearing
 3. Need updated LSI-R
 4. Need updated programming
 5. Must be parole eligible
 6. Must currently be enrolled into programming and classified as low risk
 7. Remainder of the pathway must be available in the community to which release is planned

Executive Director Jones will speak with IDOC Deputy Director Atencio

- Schedule for remainder of 2015
 - Schedule for 2016 has been drafted
- Concerns with a computer program used on tablets
 - Remove

➤ Guidelines

- Figuring criminal history into guidelines – new LSI-R
- VRAG is not ready to be figured in to data
- Guidelines are best practice for all crimes
- Reasons for deviation need to be revisited

Commissioner Scheihing motioned to adjourn the meeting at 17:06. Commissioner Bostaph seconded the motion. All commissioners present voted aye.

Meeting adjourned at 17:06

Prepared by M. Young, Administrative Assistant