

CRIME VICTIMS' SERVICES DIVISION * CRIME VICTIMS' RIGHTS SECTION
TASK FORCE ON VICTIMS' RIGHTS ENFORCEMENT
MEETING MINUTES



Date: April 28, 2014

Committee: *Task Force on Victims' Rights Enforcement*

Attendees: Shannon Sivell - chair, Brad Berry, Johanna Costa, Kimberly Dailey, Steve Doell, Meg Garvin, Seantel Heisel, Nancy Howton, Lt. Thomas Hunt, Lt. Jeff Kosmicki, Denise Pena, Michele Roland-Schwartz, John Stein, Terry Thompson, Rod Underhill, Kristin Wings-Yanez

Teleconference Attendees: Rosemary Brewer, Sheriff Matt English, Juliet Follansbee, Chanpone Sinlapasai-Okamura, Shawn Wiley

Guests: Mike Schmidt, Liaison: Oregon Criminal Justice Commission
Zach Erdman, Government Task Force Administrator: DOC

Staff Attendees: Helen O'Brien, Ronelle Shankle, Rozlyn Finfrock (*note taker*)

Introductions – Shannon started off the meeting by welcoming and thanking everyone for attending after the cancellation of the January meeting. Shannon introduced CVSD's new Crime Victims' Rights Coordinator, Helen O'Brien, who previously was the Director for the Multnomah County District Attorney's Office Victim's Assistance Program.

Feedback on Crime Victims' Rights Week (CVRW) Events – Johanna shared that the Washington Co DA's Office held their 8th Annual CVRW BBQ for the community which is attended by all the local Police Chiefs. The county collects donations from the community during this time to fund emergency victim assistance services. This year the event raised 9,000.

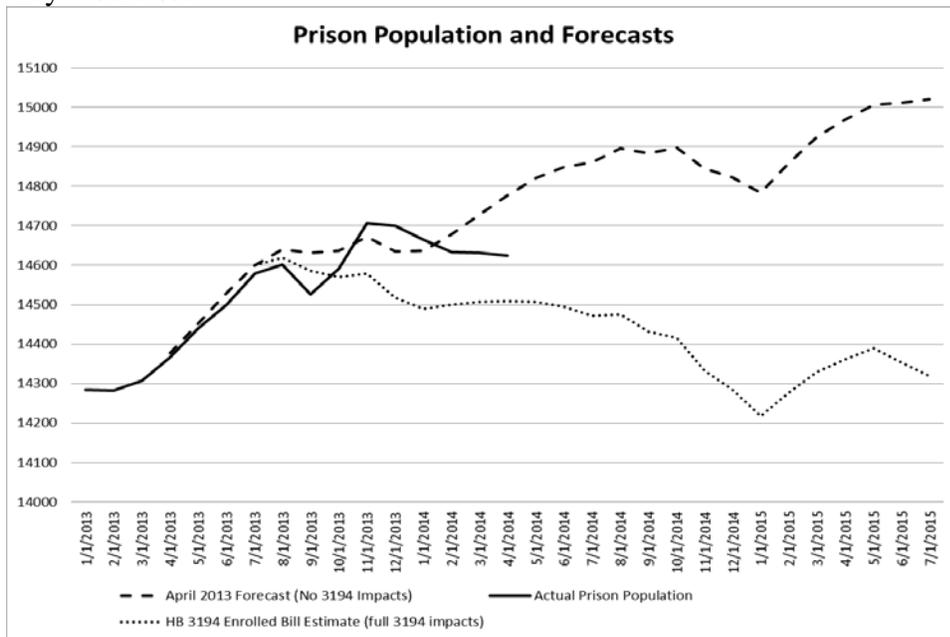
Helen shared that DOJ CVSD held a commemoration ceremony and event with the theme of "Restoring the Balance of Justice". Additionally the event hosted a panel focused on Human Trafficking. The panel consisted of Chanpone Sinlapasai-Okamura, Immigration Attorney Mandy Davis, Clinical Director of the Trauma Informed Care Project and Terry Campos Attorney with NCVLI. Based on the presentation/topic, Mandy Davis has been asked by the ODA president to speak at the summer conference. Task Force members who attended thought it was a great event.

The ceremony honored Mickie Ebert, a survivor who began volunteering at Domestic Violence Services (DVS) in Morrow County and is now a co-located advocate with DVS and DHS. Micki has been working with DVS for 9 years and was nominated for recognition by Morrow Co VAP advocate Deona Siex.

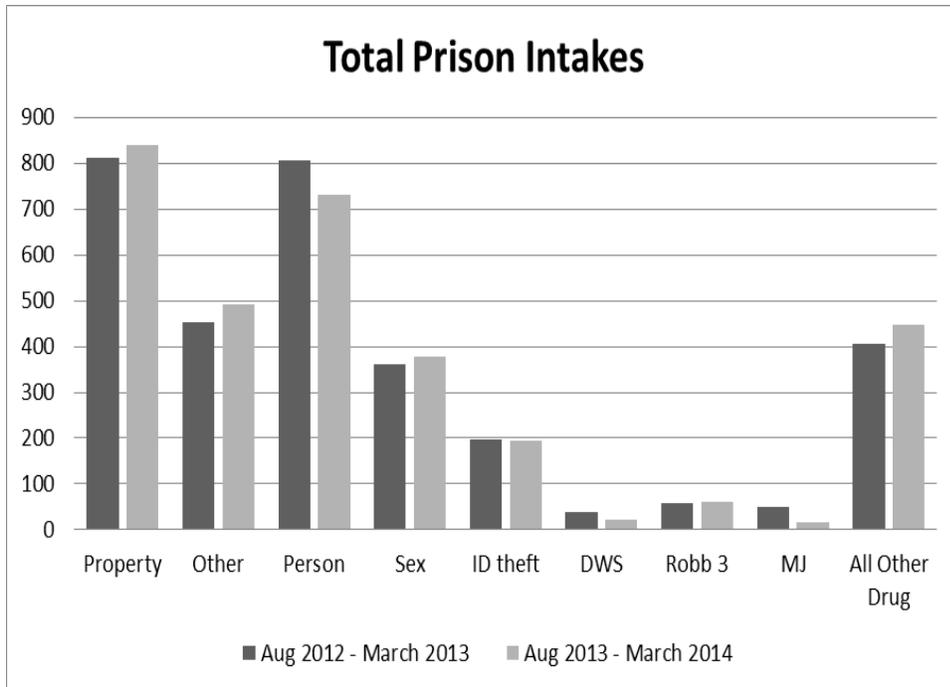
CVSD also honored Detective Keith Bickford from the Multnomah County Sheriff's Office for his collaborative and victim-informed work toward eliminating human trafficking in Oregon. Detective Bickford is a deputized U.S. Marshall, serves as Director of the Oregon Human Trafficking Task Force, is a member of the Immigrant Subcommittee and the Human Rights Commission's Human Trafficking Task Force. Chanpone Sinlapasai-Okamura nominated Detective Bickford for this recognition.

Denise shared that she and Rosemary Brewer had worked with survivor Susan Kuhnhausen in preparation for an Oregonian article that was printed in conjunction with CVRW.

Justice Reinvestment Update – Mike Schmidt started by stating that more recent articles regarding the Reinvestment Program have been more positive than they were at the beginning of 2014. He has been traveling around to counties discussing prison usage in the particular county he is in and where the Reinvestment Committee have and have not seen the impacts they thought they would see.



Bed impact savings can be measured by the difference between the two dotted lines. There were avoided costs factored in such as not building a prison. The solid line is cutting between the two dotted lines and is following the line of enrolled HB 3194 (what was expected to see with the sentencing changes) more so than what was forecasted without the HB 3194 impacts. While the actual is higher than the estimated full impact, the program is still on target to realize forecasted savings. There is no building of a new prison in the horizon in the next 10-20 years.



Over all, prison intakes are flat. Person crimes have seen a drop but property crime and all other drugs have seen a slight increase. This increase was not expected so when out talking with the counties Mike is trying to get a feel if this is a new crime trend or something that was not accounted for.

Shannon asked how the process was going to look for the money to be used in the next biennium. Mike state that he is not sure. They are currently in the grant rule writing phase which will address that 10%. While this time the funds were evenly distribute, next biennium will have new criteria attached. The next meeting of the committee where funding will be discussed is May 28th.

Rod asked Mike to talk a bit about length of stay versus intake. Mike explained that HB 3194 changed the length of stay for some crimes from 24 months to 18 months. For Robbery III, the average sentence has been 3 ½ months shorter after HB 3194 while sentences for ID Theft have increased by about 1 ½ months. This is most likely because ID Theft typically comes with more than one charge.

Brad asked about the reduction in prison beds and length of stay that was previously discussed. He explained that Yamhill Co lawyers are already making lower sentence recommendations. Mike explained that specific number reduction in prison beds or length of stay that had been discussed was not completely accurate because cases are not identical year to year in any county. That is why in committee meetings preparing for the grant rule writing process conversation is getting further from a set number decrease and focusing on programs and impact on recidivism. A great example of why it is very difficult to have a hard fast reduction number is that some counties have already doubled their number in ID theft based on the size of their county.

Review of minutes – October 28, 2013 meeting minutes were reviewed. John Stein moved to approve the minutes with the understanding that Chanpone and Roz will complete the Immigrant Subcommittee update. Shannon Sivell seconded the motion. Minutes were approved with no changes subject to the completion of the Immigrant Subcommittee update paragraph.

Sex Offender Tier System Update – Kristin Wings-Yanez updated members on developments regarding the BOPPPS’ understanding of bill (2013 HB 2549), which has changed even within the last month. Registered sex offenders in Oregon will be classified under tiers 1, 2, 3. BOOPPPS is already looking at legislative changes for the bill that will go up for the 2015 Legislative session. The tier system will go into effect in 2017, the last read of the revision however, is interpreted as DOC having a tier classification process and tool in place by January 1, 2014. At this time there has not been an agreed upon process or tool.

HB 2549 replaces the “predatory” definition of sex offender (ORS 181.800) with the designation of high risk level 3 offender. Offenders previously designated as predatory will not necessarily have that designation removed. The board will no longer classify an offender as predatory instead they will get the highest tier designation of 3 along with their classification score. A high risk Tier 3 offender will never be eligible for relief from reporting for sex offender registration however they can get reclassified from a level 3 to a level 2, which would reduce the notifications being done.

Predatory = level 3 Level 3 ≠ predatory It is easier to be a level 3 than it is to be predatory. Level is based on classification score.

The BOPPPS is currently working on a victim notification process. There will not be a hearing regarding the classification score because it is clearly a number defined by an agreed upon tool. DOC is the agency who is charged with adopting the tool. There has been discussion from the beginning that the Static 99R will be used. Members of the TF noted that it is not valid for certain youth offenders or female offenders however; the tool is still used in some of those situations.

There may be some adopted rules by the next time the TF meets so Kristin will give another update at the next meeting.

Discussion: Task Force and Subcommittees –

- **Recommended subcommittees to continue –**
 - **Legislative** – This committee will not convene unless and until there is need. Shannon will continue to bring any victims’ services related bills forward to the entire TF.
 - **Immigrant Crime Victims’ Rights** – There is an invitation to all TF members to attend the next Immigrant Subcommittee meeting which will be held at the ICE facilities. There is a new contact at the federal level for the Foreign-born Task Force, Sgt Mike Geiger of the Portland Police Bureau. He will be invited to a future meeting to give a presentation. There is now a protocol for U Visas that has been sent out to AILA and all members of the ICVRSC to share with anyone who

may need it. It will also be posted on the DOJ website. One issue is that the contacts are constantly changing as people take new jobs and leave positions. The subcommittee continues to work with DHS (CPS) on signing U Visas certification and there were many contacts made after the panel presentation done at DOJ's CVRW. The ICVRSC in collaboration with AILA, Human Rights Commission, OATH, and other non-profits put on a free clinic in Sauvie Island where they identified 7 victims of trafficking and serious crimes. The subcommittee will continue to conduct clinics in the future. Another free legal clinic will be held in Woodburn, OR in August during the berry picking season and November in Hillsboro, OR for the Christmas tree harvesting season.

- **Juvenile Justice** – Has not met since about last summer. Chair, Terry Thompson plans to gather the committee together before the next TF meeting.
- **Non-Compliance** – Helen will meet with Doug Hanson in the near future to discuss the prior proposal. The plan is to get the documents to the TF prior to the next meeting so the entire TF can work on this issue rather than a sub-committee.

Helen is working with Greg Rios on updating the Practitioner's guide. The plan is to have it ready for release at the August ODAA meeting.

Brad offered to bring Mary Beth (court advocacy dog) to a TF meeting.

Adjourn

Next meeting of the Task Force is Monday July 28, 2014 – 1:30.

Agenda items: Justice Reinvestment Update – Mike Schmidt
Sex Offender Tier Rule Adoption Update – Kristin Wingez-Yanez
Role of a Courthouse Dog, case law – Brad Berry & Mary Beth (dog)
DOJ Legislation – Shannon Sivell