



Attorney General's Task Force on Victims' Rights Enforcement
Meeting Minutes
July 30, 2018; 1:30 to 3:40 pm
DPSST Board Room

Committee:	<u>Task Force on Victims' Rights Enforcement</u>
Attendees:	Ashley Anstett, Hon. Brad Berry, Alison Bort, Deb Bridges, , Hon. David Delsman, Saydyie DeRosia, Amy Guyer, Christine Herrman, Jeff Howes, Debbi Martin, Sarah Ohlsen
Phone Attendees:	Rosemary Brewer, Marc Brown, Steve Doell, Matt English, Chanpone Sinlapasai, John Stein
CVSSD Staff Attendees:	Helen O'Brien, Stephanie Hoskins, Sherree Rodriguez

Introductions, Appointment Updates and Welcome – Helen O'Brien

The group welcomed the following new members: Alison Bort, the new Executive Director for the Psychiatric Security Review Board (PSRB), replacing Juliet Britton. Ashley Anstett, of the Oregon Sexual Assault Task Force will serve as the new representative replacing Suzanne Gray. Amy Guyer is the District Attorney Victim Assistance Program (DAVAP) Director from Linn County. Amy will serve as the DAVAP appointee replacing Kim Larson. Sarah Ohlsen will serve as the appointee from Multnomah County Department of Community Justice, replacing Denise Peña. Saydyie DeRosia is the Department of Corrections appointee, replacing Dennis Holmes.

Minutes - The group reviewed and adopted the April 30, 2018 minutes.

Discussion

Post-Conviction Update – Stephanie Hoskins

The Post-Conviction Program at Department of Justice (DOJ) has two full-time advocates and one part-time staff person. The program provides support to crime victims in the Post-Conviction process, similar to DAVAP programs. They also provide support in the appeals process and at the PSRB.

In the last year, Stephanie has visited each county in the state, meeting with VAP Directors and staff in an effort to create a seamless process between the counties and DOJ. The Post-Conviction Advocacy Network is currently working on a sentencing review checklist and will be asking the taskforce for feedback in the future.

PSRB Civil Commitment Program Overview – Alison Bort

A District Attorney may petition the court to initiate commitment proceedings if there is reason to believe that a person is an "extremely dangerous mentally ill person" (EDMIP). This will be most utilized when a criminal defendant who committed one of a number of very serious acts is permanently unable to aid and assist in his defense. Commitment under this section is for two years, and the EDMIP is supervised by the PSRB. The EDMIP may be recommitted indefinitely every two years if the court finds they continue to meet jurisdictional criteria. There are currently twelve people with an EDMIP designation under PSRB supervision.



A group is being formed to evaluate the feasibility of using a facilitated dialogue model within the Oregon State Hospital setting.

Steve Doell stated his concerns regarding the facilitated dialogue that occurs in the Restorative Justice Program, especially regarding expense and effectiveness. He has concerns about the psychological and emotional impact on victims' families who do not participate in the dialogue and the fallout on family relationships and dynamics that sometimes result. He stated his understanding from an earlier meeting with the Director of Department of Corrections that the department planned to diminish this program rather than continue it. Saydyie DeRosia clarified that the program is not being scaled back and that it is only used when a victim requests it and program information is available. She noted that as the manager of the Facilitated Dialogue Program, she regularly markets the program to victims' advocates.

Steve further expressed that given the profile and complexities involved with guilty but insane offenders, he does not understand why the facilitated dialogue model is being given consideration to be expanded to the Oregon State Hospital.

U Visa Updates/ Legislation and Policy – Chanpone Sinlapasai

The federal government recently released a new notice to appear policy. Chanpone discussed the potential effects this policy may have on an immigrant crime victim's desire to engage with law enforcement. At the last subcommittee meeting a representative from the Multnomah County Sheriff's office attended and informed the group that they have updated their U Visa protocol. An immigration Judge may be attending a future meeting.

Changes to Juvenile Sex Offender Registration – Debbi Martin

Because of a change to state law in 2015, youth no longer register as sex offenders at the time of adjudication, or at any time during supervision. A hearing is held six months prior to termination of jurisdiction to determine if a youth will be required to register. For there to be a requirement of registration, the court must enter an order. The youth's attorney must provide proof of rehabilitation and that there is no threat to public safety in order to avoid registration.

Updates and Goals: Task Force and Subcommittees

Immigrant Crime Victims' Rights – Chanpone Sinlapasai

Chanpone gave an update about current concerns regarding immigrant victims' rights.

Juvenile Justice – Debbi Martin

The Juvenile Justice Subcommittee will be presenting for the second time at the upcoming Oregon Juvenile Department Conference in Bend. They will focus on the juvenile sex offender registration changes and how those changes impact victims' rights.

Post-Conviction – Helen O'Brien

The Post-Conviction group has developed a tool kit with resources for partner agencies. They are very close to releasing it publically. *Additionally, see Stephanie's update above.*

Bench Guides – Helen O'Brien

The group hopes to have the Bench cards ready for the October judicial conference.

Best Practice – On Hold



Sex Offender HIV Test Results

The task force is seeking clarity and a solution regarding a backlog of sex offender HIV test results, as they have no clear recipient. This is a problem with several counties statewide.

ACTIONS:

- Saydyie DeRosia will compose a short message explaining that HIV tests should only be ordered upon a victims' request and that when requested a recipient of the results should be identified. She will reach out to Kimberly Dailey for help in communicating to judges.
- Brad Berry and Jeff Howes will email the District Attorney list serve, asking that HIV test is only ordered upon a victims' request and that when requested a recipient of the results should be identified. Brad Berry will determine whether or not HIV testing has erroneously become part of a "sentencing package" of general conditions.
- Helen will make announcement regarding the HIV issue at ODAA.

Meeting adjourned at 3:40 pm

Next Meeting: October 29