



# Oregon

Kate Brown, Governor

## Psychiatric Security Review Board

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March 28, 2019

TO: Co-Chair Beyer, Co-Chair Nosse, and Members of the Joint Committee on Ways and Means Subcommittee on Human Services

FROM: Alison Bort, Ph.D./J.D., Executive Director  
Psychiatric Security Review Board

SUBJECT: March 13, 2019, Committee Questions

Thank you for the opportunity to present before the Joint Committee on Ways and Means Subcommittee on Human Services on March 13, 2019, regarding the Oregon Psychiatric Security Review Board. Please find below responses to questions raised during that presentation, and please do not hesitate to contact me or my office if there is additional clarification I can provide.

**1. Representative Stark asked for the average time to complete a sex offender classification using the Static-99R, and further asked for the classifications and salaries of those staff members who performed the Static 99-R analyses.**

Between June 7, 2016 and November 2, 2018, our agency classified all living sex offenders in Oregon who had ever been under the jurisdiction of the Psychiatric Security Review Board. To complete this project, our agency trained three, full-time PSRB staff members on how to administer the Static 99-R protocol. Those positions and salaries are provided the following table:

Job Title	Classification Title	Salary Range
Research Analyst	Research Analyst 2	\$41,916-\$61,008/year
Hearings Lead	Paralegal	\$41,916-\$61,008/year
Deputy Director	Operations and Policy Analyst 3	\$63,396-\$89,112/year

In addition to the information in the table, PSRB's office specialist (salary range \$30,036 to \$41,916) and an additional paralegal tracked down necessary files from various jurisdictions.

Based on reports from these staff members, the average protocol took between four and ten, non-continuous hours to complete, depending on the availability of the necessary information. Factors affecting the quality of the information and the amount to time it took to receive it included:

- Age of the record in question
- The jurisdiction's cooperation in sharing the relevant files/information

- Geographic location of the relevant jurisdiction
- The jurisdiction's practices, demands, and retention timelines

Tools we implemented to increase our success in completing this project:

- The number one resource we had that accelerated our process was an existing database and exhibit files on all of the clients we assessed.
- Allowing staff to use telecommute/telework opportunities to reduce distractions.
- Assigning one person to enter criminal history information and answer questions based on the adjudication, and the other to answer victim focused questions.
- Review process (2<sup>nd</sup> layer of review) of all of our protocols to ensure inter-rater reliability.
- Temporarily delegating assignments to other staff and/or putting a hold on some of our other long-term projects.
- Developing a flexible timeline that allowed us to identify the average number of protocols needed to be completed per week to meet our deadline.
- Consultation with Katie Gotch on LS/CMI evaluations, which require a face-to-face and differently, and are necessary because the Static 99-R is normed only for adult men. Dr. Gotch was also available to consult with on questions we had about the Static 99-R.

The STATIC-99R could not be used to classify women or minors; therefore, our agency established a contract with another professional who was trained and certified to administer that tool (i.e. LS/CMI). To date, we have referred out 22 evaluations. The LS/CMI evaluations required a face-to-face interview and took significantly more time compared to the STATIC-99R to complete.

PSRB admits approximately 48 new clients per year, and only 4 to 7 of those new clients require classification. Currently, we have 9 PSRB clients who are awaiting their classification as they approach the triggering event, which is conditional release or discharge.

## **2. Senator Beyer asked for the average period PSRB clients spend under the Board's jurisdiction.**

For the 1301 PSRB terms discharged since January 1, 2000, the average time spent under Board jurisdiction was 14.36 years for A felonies; 8.88 years for B felonies; and 5.05 years for C felonies. The average term for an individual placed under the Board for an unclassified felony (murder) over the same period was 17.35 years. Individuals convicted only of misdemeanors are no longer placed under the Board, but for the period between January 1, 2000 and December 31, 2011, the average length of placement for someone whose only offense(s) were misdemeanors was 1.65 years. The 1301 reported discharges during this period include discharges for all reasons, including end of term, discharge for no Qualifying Mental Disorder or no danger, a change in law mandating discharge, and the client's death.



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### **3. Director Bort provided statistics from a preliminary study of PSRB post-jurisdiction.**

Director Bort planned to submit this document to the Committee; however, since the Committee convened, the PSRB and Criminal Justice Commission (CJC) Data Use Agreement has officially been signed and activated. Rather than submit these numbers in their current form (i.e. preliminary data), the PSRB requests permission from the Committee to submit that document after CJC has used their database and operational definitions of recidivism to corroborate these numbers. This will allow for a more accurate comparison between the PSRB and DOC (Parole and Post-Prison Supervision) recidivism rates. We expect to have those numbers prepared by the end of April 2019.