



# Oregon Psychiatric Security Review Board

## Human Services Joint Ways & Means Committee Psychiatric Security Review Board Agency Presentation 2021 - 23

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# Oregon Psychiatric Security Review Board

## Agency Mission, Goals, and Historical Perspective

### Mission Statement

The Psychiatric Security Review Board's mission 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. To accomplish this, the Board and its partners use recognized principles of risk assessment, victims' interest and person-centered care.*

The PSRB's mission and values are rooted in its legislative mandate to protect the public. We achieve maximum levels of public safety through:

- Due Process:** Observing individuals' legal rights and adhering to principles of procedural fairness.
- Research:** Decision-making and organizational practices driven and influenced by the best available data.
- Recovery:** Clients understand and receive treatment for the psychiatric and comorbid conditions that contributed to their past criminal offenses and have opportunities to achieve health, home, purpose, and community.
- Partnership:** Promoting active communication and collaboration within and between the systems serving PSRB clients and the community at large.

### Historical Perspective

The Psychiatric Security Review Board was created by the legislature in 1977 to supervise those adults who successfully assert the "guilty except for insanity" (GEI) defense in criminal proceedings. The 2005 Legislature expanded the Board's responsibilities when it established a juvenile panel and created a youth insanity defense, "responsible except for insanity" (REI). The Legislature gave the Board additional duties in 2009 and 2013, involving the following responsibilities: firearm records reconciliation/relief; sex offender classification/relief; and supervision and monitoring of certain civil commitments.

# How the Requested Budget Will Achieve Desired Program Results

Please refer to the agency's 2019-24 Strategic Plan found in [Appendix A](#) for further details.



## Strategic Plan 2019-2024

### MISSION

The Psychiatric Security Review Board's protects 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.

### VALUES

The PSRB's values are rooted in our legislative mandate to protect the public. We achieve maximum levels of public safety through:

- DUE PROCESS**  
Observing individuals' legal rights and adhering to principles of procedural fairness.
- RESEARCH**  
Decision making and organizational practices driven and influenced by the best available data.
- RECOVERY**  
Clients understand and receive treatment for the psychiatric and comorbid conditions that contributed to their past criminal offenses and have opportunities to achieve health, home, purpose, and community.
- PARTNERSHIP**  
Promoting active communication and collaboration within and between the systems serving PSRB clients and the community at large.

### INITIATIVES

- INITIATIVE 1**  
Use research and best practices to develop legislative and program changes that improve and standardize how clients enter and lapse or discharge from the PSRB system and how the PSRB system treats victims. 
- INITIATIVE 2**  
Influence identification and adoption of best practices for working with PSRB clients across the State. 
- INITIATIVE 3**  
Equip Board members with the tools, training, and support to help them make consistent, reasoned decisions while promoting procedural fairness and due process in a trauma-informed environment. 
- INITIATIVE 4**  
Help stakeholders/partners (e.g. counties, law enforcement, district attorneys, local criminal courts, local hospitals) increase their understanding of their rights and roles when working with PSRB clients. 
- INITIATIVE 5**  
Provide PSRB staff with an inclusive, collaborative, and safe office environment, where they have the training, resources, and communication necessary to effectively perform their job duties; receive timely, constructive feedback and praise; and have opportunities for professional development and growth. 
- INITIATIVE 6**  
Expand, streamline, and make the PSRB's programs, research, and business needs more efficient by adopting secure, mature technology that is consistent with the State Chief Information Office's vision and adheres to requisite compliance standards. 



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

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## Overview of Agency Performance and Outcome Measures

The PSRB initially established its key performance measures in 1992 when the State first required implementation of this concept. During that process, the Board developed its mission statement, which it amended in 2014 to better reflect its current responsibilities and practices. From the original mission statement, the Board created six performance measures to gauge its success in achieving its mission. Three of the measures were designed to demonstrate the Board's effectiveness; the other three were to reflect its efficiency. Further, although the PSRB is consolidated into one program unit, there are five distinct arenas within it. The first two are Adult GEI and Juvenile REI operations, each of which has two elements: holding hearings and monitoring those on conditional release. The Board ensured that there were outcomes relating to both of those functions and tracked and used that data on a quarterly basis through the end of the 2015-2017 biennium. Because meaningful statistical comparisons became impossible with so few remaining juvenile clients, the 2017 Legislature eliminated the KPM for the Juvenile panel, beginning with the 2017-2019 biennium.

When performance measures became an integral part of the State's budgetary process in 2001, the agency reviewed its mission statement to identify the key measures and intermediate goals it wanted to meet and report. In so doing, the Board noted its fundamental mission and goals had changed little since 1992, so the performance measures developed then remain in effect. The Board members most recently reviewed their key performance measures in February 2020 and found that they continue to effectively capture the Board's core responsibilities. Each measures the Board's progress towards achieving its goals and is based on accurate and reliable data as the agency independently collects the necessary data on a monthly basis.

### **KPM #1: Recidivism**

Since 2011, the Psychiatric Security Review Board (PSRB) has tracked the recidivism rate of adults and juveniles adjudicated GEI and REI, respectively. The recidivism rate reflects the number of individuals under PSRB supervision and on conditional release who are convicted or found GEI of a new felony or misdemeanor within a calendar year. Lower recidivism rates indicate a higher level of public safety associated with the PSRB's conditional release program. The PSRB's recidivism rate offers the legislature and the public assurance that individuals under the Board's jurisdiction are being safely managed in the community setting.

The Board used to track separately the same measures for juvenile clients as it does for its adults: recidivism, conditional releases maintained, and timely hearings. Given the small number of juvenile clients who remain under the Board's supervision, the 2017 Legislature eliminated the need to report these statistics as discrete measures. Therefore, the Board presently incorporates the juvenile recidivism data into the adult recidivism data to arrive at its cumulative average recidivism rate.

Using the Criminal Justice Commission's recalculation of the Board's cumulative recidivism average between 2011-2018 and the Board's analysis for 2019, the Board estimates the cumulative average recidivism rate to be 0.83%.

### **KPM #2: Timeliness of Hearings**

Consistent with past practice, the data for this measure comes from the 2019 calendar year and reflects that the Board is exceeding its targets on this measure, both for adult and juvenile hearings

(which are now combined into one statistic--reported under "adults"). The Board's 309 adult hearings took place on time 98.06% of the time during 2019, and all three juvenile hearings met their deadlines. The PSRB and its staff take this measure seriously. It involves due process rights, and affects others as well, including victims and clients' family members. It is worth noting, as it has been in years past, that the small number of juvenile clients—and, consequently, hearings—can affect their timeliness rate radically.

### **KPM #3: Maintenance of Released Clients**

The Board has met this goal consistently over the years, maintaining adult clients on conditional release at a minimum rate of 99% every year. In 2019, the Board averaged nearly 366 GEI clients on conditional release each month and maintained just under 364 on conditional release, for a 99.43% maintenance rate, exceeding its 99% goal under which there is little margin for error. In 2019, the Board had two juvenile clients on conditional release, and maintained both in that status for every month of the year, resulting in a 100% maintenance rate on a 97% goal. Occasionally, of course, a revocation is a necessary measure to keep the public safe; however, the PSRB continues to partner proactively with our community treatment providers to anticipate and intervene in a timely fashion and in the least restrictive way possible to stabilize the client while also ensuring public safety.

### **KPM #4: Customer Service**

The Board's overall score on its last customer service survey (reported for the 2019 cycle) was 91.3%. For 2019, the Board achieved a score of 92.63% with 95 responses to its survey. Notably, in 2019 PSRB began surveying its clients more consistently, enclosing customer service surveys with all Board orders, regardless of outcome. Given that some significant portion of the Board's clients are either unhappy generally with the PSRB or were unhappy with the decision memorialized in the order, there is a certain degree to which it is reasonable to expect negative responses. Despite this, the responses were overwhelmingly positive, and have continued the upward trend over the past two years (from 87.27% positive responses two cycles ago). In order to complete the return to 95% satisfaction or above, the Board has once again redoubled its efforts to train and provide information to its stakeholders, including social workers, case managers, attorneys, treatment providers, and law enforcement members.

### **KPM #5: Best Practices**

The Board compiles and reports this performance measure on a biennial basis, surveying the Board in the fall of each even-numbered year. The Board reached its goal on this performance measure in 2016 and 2018 and expects to find it has done so again when it surveys the Board members at its annual meeting in September 2020. As of the 2018 survey, PSRB performance on this measure was 97.33%, which exceeded its 95% goal. The agency believes it will be able to exceed the goal again by fall 2020 and the subsequent, early 2021 report. The Board's values, as outlined in its strategic plan, include due process, research, and partnership, all three of which will enhance the Board's ability to develop and adhere to best practices.

The remaining arenas are the gun relief operations/records reconciliation, civil commitment and the sex offender classification/relief operations; all relatively new responsibilities. At this point, the Board



has still not held enough hearings in these arenas to warrant a dedicated performance measure. For example, since 2010, the Board has received 14 petitions and conducted 11 hearings for the restoration of firearm privileges (9 granted; 2 denied). The civil commitment responsibilities have existed since 2013, with 83 hearings occurring as of January 1, 2020. Only one sex offender relief hearing has been requested and completed. Data availability for those will depend on the number of affected clients and former clients who avail themselves of the opportunity to petition.

## Key Performance Measure Charts

Please refer to the agency's approved key performance measures report found in [Appendix B](#).

## Proposing KPM Target Changes

The Board is not proposing any changes to the target measures at this time.

## Summary of Programs

The PSRB is one program unit containing five distinct programs within it, described below in more detail. As one program unit, the Board's base budget reflects the costs from the State's General Fund of performing the two primary aspects of its program: conducting hearings and monitoring and supervision; as well as responsibilities associated with gun relief, sex offender designation/relief, and supervising and monitoring PSRB's civil commitment clients.

### [Adult PSRB: Adults found Guilty by Reason of Insanity \(GEI\)](#)

The Board's largest and longest-running program serves adult clients who were adjudicated Guilty Except for Insanity for a felony. The length of jurisdiction for GEI clients is typically equal to the maximum period they could have received if found guilty. As of January 1, 2021, there are 620 individuals in this program, of whom 375 are on conditional release status in the community. The Board's Adult Panel provides the judicial decision-making for this program, which is supported by the Board's staff. Under this program, the Adult Panel is responsible for monitoring the psychiatric and physical health and treatment of the GEI population. These duties include: (1) holding hearings as required by law to determine the appropriate status of persons under Board jurisdiction; (2) overseeing the supervision of persons placed on conditional release in the community; (3) modifying or terminating conditional release plans; (4) maintaining and keeping current medical, social, and criminal histories of all persons under the Board's jurisdiction; (5) observing the confidentiality of records as required by law.

The primary way in which the Board delivers services to its population is by conducting hearings. The various types of hearings and required timeframes are set out in statute. Except in extraordinary cases, only three of five members sit as a panel to hear a particular day's docket. Issues considered at hearings include whether: the individual continues to suffer from a qualifying mental disorder; the individual continues to present a substantial danger to others; and the individual is appropriate for conditional release. On each hearing day, the Board also handles administrative review hearings for which the client is not present, but which require staff preparation and the Board's review and deliberation. In making its decisions, the Board's primary purpose is to protect society. Clients may



appeal the Board's decision directly to the Court of Appeals which accounts for most of the Board's "Attorney General Costs" line item.

The Board is also responsible for monitoring clients on conditional release. Managing this workload requires PSRB staff to have robust knowledge of the available resources across the state to assist treatment providers in identifying a placement where a client will be the safest and most successful in the community setting. This includes everything from housing options across the continuum of care to specialty or culturally-specific treatment services, and requires an understanding of how these resources can be funded. The other aspect of this is managing the public safety concerns. For instance, PSRB staff members are keenly aware of each client's instant offense and they stay abreast of the types of environments that may increase a client's risk for recidivism (e.g. proximity to negative influences, a place where a victim frequents, overly stimulating neighborhoods). In addition, PSRB staff actively monitor for warning signs of psychiatric instability through reviews of monthly reports, use of the Law Enforcement Data System (which provides staff with an immediate report when police personnel run a PSRB client's name), and proactive discussions with treatment providers about individual risk factors such as medication changes or non-adherence, changes in mental status, violations of conditional release requirements, relapses, or other significant stressors.

Embedded within the Adult PSRB program is the Board's Restorative Justice Program. In 2017, Senate Bill 65 passed, providing the PSRB with the authority to develop a restorative justice program to assist the recovery of crime victims when a person is found guilty except for insanity of a crime or responsible except for insanity for an act. The legislation permits the Board to enter into a contract with a non-profit educational institution or other nonprofit organization with the ability to administer a restorative justice program. It also permits the Board to adopt rules to carry out the provisions of this section. This has the potential to be a massive undertaking, particularly in the beginning during the program's development. The responsibilities for setting up the program will fall primarily to the Executive Director.

#### [Juvenile PSRB: Juveniles found Responsible Except for Insanity \(REI\)](#)

Like the Board's Adult Panel, the Juvenile Panel is multi-disciplinary, with five members with the same professions as the Adult Panel, but with a required focus on juvenile experience, practice and law. Its enabling statutes contemplate similar themes in terms of operation with mandated—but more frequent—hearings and required monitoring of youths placed in the community. The Juvenile Panel currently has seven young persons under its jurisdiction, three of whom are on conditional release. The length of jurisdiction for these clients is the maximum sentence for the crime in which they could have been found guilty or until they are 25 years of age, whichever is smallest. The Juvenile Panel has the same responsibilities to conduct hearings and monitor the youth on conditional release as the Adult Panel has for adults.

#### [Gun Relief](#)

The 2009 session's HB 2853 contained two provisions that expanded the PSRB's duties. The bill set up PSRB's Gun Relief Program for persons with a "mental health determination;" the program began conducting hearings in 2011. In the short term, the Board's focus is to conduct fair and full hearings for its Gun Relief petitioners. The bill required the Board to provide Oregon State Police the names and dates of birth of persons found GEI and REI of an offense in Oregon over the preceding 20 years

and who were therefore barred from possessing and/or purchasing firearms. The PSRB completed the required Records Reconciliation during the first half of the 2013- 2015 biennium. When an individual is prohibited from possessing or purchasing firearms due to a mental health adjudication, the PSRB gives the person's name to the Oregon State Police, which transmits the information to federal officials, who include the information in the national firearm-prohibited persons database (called "NICS"). Firearms sellers then query NICS to verify that a prospective gun purchaser may legally purchase. According to OSP, there are approximately 30,000 Oregon "mental health determinations" currently in the national database. In the future, the PSRB will submit names of new clients within 48 hours after the client is assigned to the Board. Since its inception, the PSRB has conducted 12 Gun Relief hearings. The Adult Panel currently conducts these hearings.

### [Civil Commitment](#)

The 2013 Oregon Legislature assigned the Board responsibility for supervising and monitoring the civil commitments of those found to be "extremely dangerous persons with mental illness" under ORS 426.701 and 426.702. The statute authorizes district attorneys to petition the courts to initiate commitment proceedings for persons who have committed an extremely dangerous act and who continue to present a danger due to their mental illness. These persons may reside at Oregon State Hospital or be placed on conditional release in the community. The Board is required to hold periodic hearings for these clients in a manner similar to GEI and REI hearings and at a minimum of two hearings per 24-month commitment period. This commitment period may be extended indefinitely so long as the person continues to meet jurisdictional criteria. There are currently 22 individuals under PSRB jurisdiction who were civilly committed under ORS 426.701 and 426.702, five of whom were placed under the Board's jurisdiction in 2019 and four of whom were placed under the Board's jurisdiction in 2020. Of the 22, five are living in the community on conditional release. Current staffing can effectively manage this caseload; however, the workload has increased over time. Since 2015, the Board has held 78 hearings on civil commitment matters, 37 of which took place in 2019-2020, indicating a larger and growing caseload for the Board and its staff. The Adult Panel conducts these hearings.

### [Sex Offender Classification, Reclassification, and Relief](#)

ORS 163A.105, requires all PSRB sex offenders to be classified with a risk determination. The Board is in the process of classifying all current and former GEI clients required to register and has eliminated the classification backlog. As of January 1, 2019, the Board established, as required by this statute, a hearings process for registrants to request reclassification or relief from registration. Since that time, the Board has conducted three such hearings. Similar to ORS 426.701 and 426.702, it is too soon to determine the long-term demand for hearings under this law, but the Board believes it is sufficiently staffed and trained to efficiently manage the hearing demands during the 2021-23 biennium. The Adult Panel conducts the reclassification and relief hearings.

## Agency Organizational Information

The Board is currently approved for 10 Board members who are appointed by the Governor and confirmed by the Senate to 4-year terms.

### Adult Panel

**Psychiatrist:** Scott Reichlin, M.D. originally appointed 6/8/2015, current term expires 6/30/2021

**Psychologist:** Catherine Miller, Ph.D., ABPP originally appointed 1/1/2015, current term expires 6/30/2022

**Attorney:** Anne Nichol, J.D. originally appointed 7/1/2017, current term expires 6/30/2021

**Parole and Probation:** Trisha Elmer P.P.O. originally appointed 9/22/2016, current term expires 6/30/24

**Public Member:** John Swetnam, originally appointed 3/10/15, current term expires 6/30/2021

### Juvenile Panel

**Psychiatrist:** Vacant

**Psychologist:** Catherine Miller, Ph.D., ABPP originally appointed 1/1/2015, current term expires 6/30/2022

**Attorney:** Vacant

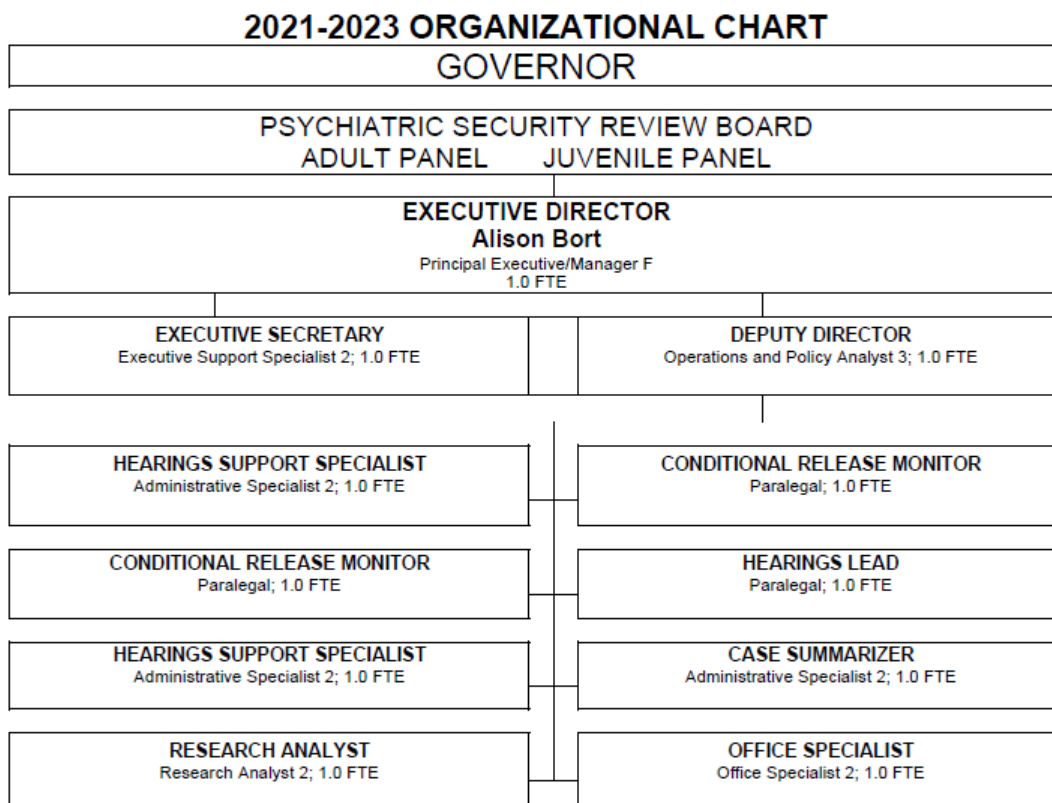
**Parole and Probation:** Kathryn Kuenzi, J.C.C. originally appointed 1/1/2015, current term expires 6/30/2022

**Public Member:** Shelly Casteel originally appointed 3/1/2014, current term expires 6/30/2021

### 11 Permanent, FTE

The Board currently has 11 FTEs: Executive Director, Deputy Director (OPA-3), 3 Paralegals, 1 Research Analyst, 3 Administrative Assistant-2s, 1 Office Support Specialist, and 1 Executive Support.

### Organizational chart



## Significant Changes, Budget Drivers, Risks, and Information Technology

### Sunset of the State Hospital Review Panel (2018)

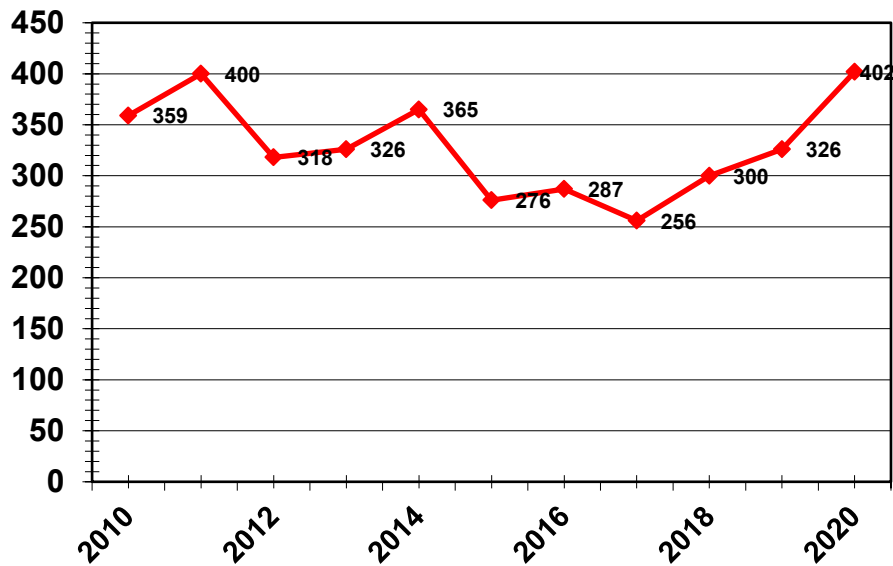
The PSRB has maintained its current staffing level of 11 full time staff since 2013, when it voluntarily surrendered one full-time position that the legislature approved based on the anticipated increased workload associated with the passing of Senate Bill 420 (2011). SB 420 (2011) changed the jurisdiction of certain GEI offenders by placing those who committed a “tier one” (higher-level, typically “Measure 11”) offense under the PSRB’s jurisdiction and those who committed a “tier two” offense under the jurisdiction of the Oregon State Hospital Review Panel (SHRP). In effect, the bill actually reduced the PSRB’s workload and was the reason PSRB surrendered the additional position at that time. Senate Bill 65 (2017) eliminated SHRP and consolidated the oversight of all GEI persons to the PSRB as of July 1, 2018. This resulted in the transfer of 75 individuals to the PSRB’s jurisdiction, as well as any future GEI individuals who would otherwise have been placed under State Hospital Review Panel jurisdiction, increasing the number of hearings that needed to be scheduled within statutory timelines and the workload associated with coordinating, monitoring, and supervising conditional releases. Therefore, this request supports the agency’s increased body of work related to a growth of the agency’s programs, internal and system-wide challenges, and implementation of the agency’s strategic plan.

### Increased Caseload across All Programs (2019-21)

In the 2019-21 biennium (thus far), the Board has experienced increases in caseload across all five of its programs. The most significant increase driving our budget relate to our GEI and Civil Commitment caseloads:

GEI Caseload Increase		Civil Commitment Caseload Increase	
2014-2018	Average of 15.6 new GEI admissions/year	2017	7
2019	27 new GEI admissions 13	2019	13
2021	37 new GEI admissions	2021	22

Increases in caseload primarily impact increases in the number of hearing days and the number of hearings the agency must hold each hearing day in order to meet statutory timelines. This graph illustrates the increased number of full hearings scheduled by year.



### Steps taken to reduce costs

Increases in caseload involve factors that are beyond the control of the Board. The Board accommodates these increases by adding additional hearings to the docket. The outcome is an increase in workload to prepare for any given hearings-day as well as the length of time Board members work on that day. The Board currently averages 8 full hearings per hearings day (plus 6-8 administrative matters), and it is not uncommon for the Board, its staff, attorneys, and OSH to work past regular business hours. The Board considered adding hearings days; however, this increases the costs to Board member stipends and would require Board members, many who have other work/personal commitments outside of the agency to commit an additional day of a work during the week. This could also be a challenge for the Oregon State Hospital and the attorneys. The Board has also stopped its practice of substituting Board members when there is a conflict. The Board requested additional funding for a permanent, 1.0 Administrative Support Specialist-2 position during the 2020 short session to support the increased caseload as well as to support other agency needs outlined in its strategic plan. The main risk of an increased caseload is that hearings would not be set withing statutory timeframes. This occurred in the agency's history. In addition, an increased workload in the absence of staffing contributes to staff burnout as well as other agency priorities that must be put aside to ensure that statutory hearing timelines are met. For example, the Executive Director has had limited ability to engage in outreach, training and education efforts due to assistance needed to attend to the day to day operations of the agency. For the subcommittee's convenience, further support for staffing needs is included in [Appendix C and D](#).

### Technology Upgrades

Please refer to [Appendix E](#) for information related to the agency's risks, challenges, and other steps taken related to technology upgrades.

### Training/Outreach/Education

One of Executive Director's essential duties is to provide training, outreach and education to partners, stakeholders, and the public. An overview of the extent of Agency Interactions is

included in [Appendix F](#). Please note, that this slide was discovered in preparation of these written materials and requires some updating; however, provides a suitable overview. The necessity of the PSRB's training, outreach, education and collaboration was a common theme discussed during the PSRB Legislative Workgroup, and many recommendations from that report relate to these types of efforts. This section is included as a budget driver because as the caseload has increased over the past year, the Executive Director is increasingly pulled from this important external role to handle internal workload and provide support to Board staff. For the subcommittee's convenience, challenges and further support for additional staffing is included in [Appendix C](#).

### Legal Services

All Psychiatric Security Review Board decisions are subject to appellate review and the Board pays DOJ out of its own budget to defend the agency on appeal. Currently, 12 of the Board's decisions are being appealed.

In addition, the PSRB is involved in four lawsuits. Two of these cases stem from a related tort liability claim. The two courts dismissed the PSRB from the matter; however, at least one of those cases is being appealed. The legal costs are covered by DAS risk rather than the PSRB's budget. The third lawsuit is also pending and stems from a tort liability claim and is also covered by DAS risk. The fourth lawsuit relates to a contempt claim, and legal expenses are provided by the DOJ and are covered by the Board's budget.

The Board must also consult with the DOJ on complex legal matters to ensure legal integrity, a consistent application of the law, and avoid future legal dispute and costs. The Board's DOJ costs are approximately \$275,000 per biennium.

### *Steps taken to reduce costs*

Board staff with law-related backgrounds are utilized to answer legal questions. In addition, Board staff utilize templates and staff with law-related backgrounds to draft Board orders. Board members review and approve all orders. The Board postpones non-urgent projects that require legal advice when possible.

### Board Launched Sex Offender Reclassification and Relief Program (January 2019)

Please refer to the [program summary](#) for additional information.

### Board Launched Agency Strategic Plan (September 2019)

Please refer to [Appendix A](#) for additional information.

## Summary of Proposed Legislation Affecting Agency Operations

- **SB 200:** Requires district attorney of each county to adopt written policies concerning guilty except for insanity cases. This bill contemplates the PSRB (Executive Director and Deputy Director) providing consultation and education related to the course of a GEI acquittee to assist DA's in developing policies at the front door.
- **SB 205:** This bill provides an array of legislative changes to improve statutes related to individuals who are committed to the PSRB pursuant to ORS 426.701 (Extremely Dangerous Persons with Mental Illness). The budgetary impact of this bill on the agency is minimal, and mainly limited to updating manuals and implementing the information into future training.
- **SB 206:** This bill modifies procedures when court orders conditional release of person found guilty except for insanity. The budgetary impact of this bill on the agency is minimal; however, could have a more a significant fiscal impact to the extent courts more routinely contemplate placing GEI aquitees directly on conditional release.

## Program or Service Reductions Included in the Governor's Budget

Due to mandatory costs associated with running an agency, that 76% of our budget supports personal services, and that the agency is requesting additional staffing to support an increased workload, further cuts to the agency's budget would be of significant detriment because they would largely impact personal services. The proposed cuts would result in the Board being unable to fulfill many statutory obligations, including meeting statutory hearing timelines. In addition, it would result in a reduction to the level of monitoring and supervision necessary to avoid revocations to the Oregon State Hospital and maintain low recidivism and increased public safety. In addition, customer service ratings would likely decrease as Board staff become less available to respond to inquiries from our closest partners.

See **Appendix G** for more details.

## Long-Term Vacancies

As a small agency with 11 staff members, the Board does not typically incur and has no current long-term vacancies. The Board does have two vacancies on the juvenile panel; however, this does not result in any significant savings since hearings always require three Board members.

## Discussion of Coronavirus Relief Fund

From a budgetary perspective, COVID-19 has had a negligible impact on the Board's day to day operations. The most significant impact has been accruing the technology, namely computers, to



enable staff to work remotely consistent with Governor Kate Brown's Executive Order (currently 20-67) and statewide leadership. During the 2020 budgetary rebalance by the legislature, the Board is on track to save approximately \$100,000 by cutting costs associated with travel, training, office expenses, technology upgrades, and recruitment.

Link to the agency's Governor's Budget to be published on Board's website:  
[https://www.oregon.gov/prb/Documents/2021-23\\_PSRB\\_GRB\\_FINAL.pdf](https://www.oregon.gov/prb/Documents/2021-23_PSRB_GRB_FINAL.pdf)

# Appendices

## Appendix A: PSRB 2019-24 Strategic Plan

# 2019-2024 Strategic Plan



**Psychiatric Security Review Board**

Due Process - Research - Recovery - Partnership



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# MISSION

The Psychiatric Security Review Board protects 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.

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# VALUES

The PSRB's values are rooted in our legislative mandate to protect the public. We achieve maximum levels of public safety through:

## DUE PROCESS

Observing individuals' legal rights and adhering to principles of procedural fairness.

## RESEARCH

Decision making and organizational practices driven and influenced by the best available data.

## RECOVERY

Clients understand and receive treatment for the psychiatric and comorbid conditions that contributed to their past criminal offenses and have opportunities to achieve health, home, purpose, and community.<sup>1</sup>

## PARTNERSHIP

Promoting active communication and collaboration within and between the systems serving PSRB clients and the community at large.

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<sup>1</sup> PSRB endorses the Substance Abuse and Mental Health Administration's (SAMHSA) definition of recovery.



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## 5-YEAR VISION

In 2024, the Psychiatric Security Review Board (PSRB) maintains a positive reputation with the public, the legislature, and the legal community and serves as a model for local and national agencies working to enhance the recovery of justice-involved individuals with mental health challenges. We define public safety in terms, not only of reduced recidivism, but also in terms of the PSRB's ability to enhance the health, well-being, and re-connection of the individuals under our jurisdiction with their natural supports and communities. Healthier clients and confidence in PSRB monitoring help victims in their own recovery process.

The Board uses the “problem-solving” philosophy promoted by specialty courts—such as mental health and drug courts—and the most recent research to address recidivism and promote long-term recovery. Consistent with this philosophy, the PSRB develops a best practice guide to support our valued community and hospital treatment providers and conditional release monitors. The professionals working with individuals under the PSRB are adept at using forensically oriented, evidence-based assessment and treatment practices and are equipped with the tools necessary to identify and address

the underlying biopsychosocial issues and criminogenic factors that contributed to an individual's instant offense. They use an inclusive, multi-disciplinary, and team-oriented approach to decision making. Providers feel they can communicate candidly with the PSRB and consult with the Board's staff to address issues that might enrich a client's current or potential conditional release or prevent an unnecessary revocation.

Principles of trauma-informed care and procedural fairness are ingrained in PSRB culture and apply to our interactions with clients, victims, and the public, minimizing the stress associated with hearings and maintaining confidence that the justice system is trustworthy and fair for individuals under PSRB jurisdiction and the victims of their instant offenses. Individuals under the PSRB have a clear understanding of how to progress, and the Board's decision making process is perceived as fair and consistent. Due to the PSRB's open communication channels with the Department of Justice's victims' advocate, victims feel heard and safe. Victim-centered programs are established and made available to victims interested in alternative opportunities for healing and recovery.





A mental health peer-alumni group exists, enhancing long-term community support and providing several types of opportunities for individuals who have completed their PSRB jurisdiction (or are in advanced phases of their treatment) to inspire hope and share their successes, challenges and recommendations with individuals who are still under the PSRB. The PSRB maintains other opportunities to hear peer voices, such as during PSRB's rule-making process.

The PSRB has expanded its outreach to the legal and law enforcement communities around the state, routinely providing trainings regarding laws, programs, and best practices concerning people under the PSRB. Law enforcement better understands its role in supporting the PSRB when an individual under our jurisdiction is in crisis and needs to be returned to the Oregon State Hospital. The legal community understands the consequences of a GEI plea, allowing for effective representation of and communication with defendants, victims, and the state. The judicial community better understands the laws, procedures, and potential outcomes related to adjudicating an individual Guilty Except for Insanity, conditionally releasing individuals they find GEI directly into the community, and effectively uses the PSRB's clear and streamlined civil commitment process.

The PSRB, in collaboration with stakeholders, is actively engaged in the legislative process to educate lawmakers and propose legislation that advances our mission and repairs deficiencies in the forensic system.

Legislative changes may also serve to decriminalize and destigmatize individuals challenged by mental health and substance use issues.

The public is well-versed on the PSRB's conditional release program, diminishing the fear associated with PSRB clients' placement in their communities. An informed legislature and public have improved the funding and development of housing and treatment resources in the community setting, providing greater flexibility in conditional release decision making and eliminating costly and unnecessary commitments to the State Hospital. By the time individuals reach the end of their jurisdiction, they have reintegrated into the community, have attained permanent housing, and are well-connected to the treatment and other resources necessary to sustain their recovery, leading to a reduction in post-jurisdiction recidivism.

The public and our partners have increased awareness of PSRB's Gun Relief and Sex Offender Reclassification and Relief programs. Potential petitioners of these programs are not blocked unnecessarily from access due to financial limitations, logistical obstacles, or other unintended, oppressive practices.

A workplace using trauma-informed care principles promotes a culture of trust, inclusion and teamwork that optimizes both staff and Board effectiveness and addresses the impact of secondary trauma and burnout. PSRB staff work in a collaborative environment,



where opportunities for teamwork strengthen morale and distribute the workload fairly. PSRB staff are comfortable sharing their ideas and actively participate in problem-solving and agency improvements. Management, the public, and other staff acknowledge and value staff's contributions. PSRB staff endorse high rates of job satisfaction and ample opportunities to grow professionally.

The PSRB has clear policies and procedures that simplify work, improve workflow, and enable our valued staff members to provide excellent customer service to our stakeholders and clients and support to our Board members. The documentation the PSRB expects of our providers is manageable, reducing unnecessary paperwork and increasing the quality of information the Board receives to make informed decisions. Technological advances such as an integrated client database, case tracking, and other mature software streamline our docketing and hearings processes, secure document sharing with our stakeholders, and enhance workload efficiencies. Increased efficiency further promotes procedural fairness for both the individuals under our jurisdiction and victims.

New Board members receive a comprehensive onboarding module and all Board members receive ongoing training consistent with the principles outlined in this vision. The Board's administrative rules are updated, clarified, and ultimately, manualized into a practice guide that enhances decision making and ensures the Board's accountability to the public. The Board is regularly briefed on applicable laws to ensure consistency of decision making.

The PSRB continues to improve by proactively soliciting feedback from the current and former clients we serve, our direct partner organizations, affected stakeholders, and the public. PSRB leadership provides education to these groups on a routine basis through trainings, system/community meetings, our website, handbooks, or through other methods that enhance opportunities for informed and constructive feedback. The PSRB has also improved itself by establishing partnerships with academic and other institutions that can develop research questions, analyze our available data, and publish professional papers that evaluate and inform our approach to this valuable work.






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# FIVE-YEAR INITIATIVES AND GOALS

**INITIATIVE 1:** Use research and best practices to develop legislative and program changes that improve and standardize how clients enter and lapse or discharge from the PSRB system and how the PSRB system treats victims.

 **Goal 1.1:** Form a collaborative legislative workgroup to examine system challenges and make comprehensive, system-fixing recommendations.


*Outcomes Endorsing Success<sup>2</sup>—PSRB has:*

- Developed a scope document for the workgroup that addresses:
  - Pre-jurisdiction/Front Door: Issues related to inappropriate GEI adjudications
  - Discharge/Back Door: Issues related to clients who are still deemed to have a qualifying mental disorder and are a danger to others at their discharge date or clients who no longer meet jurisdictional criteria, but are nevertheless deemed dangerous by virtue of a non-qualifying mental disorder.
  - Post-jurisdiction: Examining data related to recidivism post-PSRB jurisdiction
- Developed and maintains a document that captures potential legislative and rules changes that may refer to other workgroups.

 **Goal 1.2:** Examine procedural fairness and implement trauma-informed practices for victims of those adjudicated GEI/REI.


*Outcomes Endorsing Success—PSRB has:*

- Established a victim-centered process toward healing consistent with our legislative mandate under ORS 161.398.
- Partnered with the Attorney General’s Victim Task Force to develop clearer policies and procedures related to victim impact statements, victim requests, no-contact orders, and fair treatment for both victims and clients.

 **Goal 1.3:** Streamline policies and procedures associated with the PSRB Civil Commitment.

*Outcomes Endorsing Success<sup>2</sup>—PSRB has:*

- Developed legislative concepts to fix challenges associated with PSRB Civil Commitments.
- Developed a protocol to approach PSRB Civil Commitment cases systematically and consistently.
- Hired new staff to lead the PSRB Civil Commitment program.
- Examined the OARs associated with the PSRB Civil Commitment program and recommended rule changes.
- Improved information-sharing process to assist with initiating PSRB Civil Commitment petitions.


 **Goal 1.4:** In February 2020, present to the Legislature revised Key Performance Measures that measure agency effectiveness accurately.

- PSRB has examined and adopted Key Performance Measures.

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2 A more extensive list of legislative concepts and goals will be incorporated into this goal.

## INITIATIVE 2: Influence identification and adoption of best practices for working with PSRB clients across the State.

 **Goal 2.1:** Examine Oregon’s Specialty Court Standards, other criminal justice/behavioral health models, and research to strengthen standards of practice for monitoring, supervising, and treating PSRB clients.


*Outcomes Endorsing Success—PSRB has:*

- Developed a key component guide for community-based PSRB programs.
- Revised and kept current its Conditional Release Handbook for case monitors.

 **Goal 2.2:** Ensure that all case monitors and treatment providers servicing GEI clients have a basic minimum competence in the areas of risk assessment and forensic mental health.

*Outcomes Endorsing Success—PSRB has:*

- Developed an onboarding training manual—to be completed within 6 months of hire—that includes training on the following key topics:
  - Key Components for a successful PSRB program (once developed in Goal 2.1)
  - Trauma-Informed Care
  - Criminogenic Factors
  - Risk Needs Responsibility Model
  - Correct Use and Interpretation of START and Other Risk Instruments
  - Feedback-Informed Treatment
- Developed webinars on advanced training topics.
- Completed annual site visits (director, deputy, key partners from Oregon Health Authority) to provide site training and support leading to shared understanding, application of best practices, and strengthened partnerships.
- Developed a training handbook, and also coordinates collaboration opportunities (e.g. with OSH prescribers) for community prescribers.
- Held annual or biannual PSRB forensic conferences for OSH and community providers.


 **Goal 2.3:** Enhance opportunities for feedback, collaboration, and understanding of program practices across the State.

*Outcomes Endorsing Success—PSRB has:*

- Regularly highlighted, featured, or acknowledged (via website or statewide meetings) positive program accomplishments or practices happening in PSRB programs and/or the state hospital.
- Established a voluntary “open hours” consultation group for providers to enhance shared learning, problem-solving, and support.
- Established a peer-alumni group or other resource for the Board to obtain feedback from the clients it oversees.
- Revised and expanded the Conditional Release Guide to include more information about community-based residences and programs.
- Collaborated with the Oregon State Hospital to put on a conditional release fair for clients to learn more about conditional release placements.
- Developed bench cards for judicial officers.
- Increased JPSRB admissions<sup>3</sup> and petitions of relief.


3 PSRB will be examining the significant decreases in admissions for JPSRB over the past 5 years.

**INITIATIVE 3:** Equip Board members with the tools, training, and support to help them make consistent, reasoned decisions while promoting procedural fairness and due process in a trauma-informed environment.

 **Goal 3.1:** Formalize Board member on-boarding and create opportunities for ongoing professional development.

*Outcomes Endorsing Success—PSRB has:*

- Developed a comprehensive onboarding protocol for new Board members.
- Developed, deployed, and kept current a comprehensive practice manual that incorporates past legal advice.
- Developed, deployed, and kept current a policy handbook for hearings that incorporates both statutes and applicable case law.
- Provided periodic (at least annually) Board refreshers and new topic trainings including, but not limited to: new laws, judicial ethics, unconscious bias, and case law updates, as needed by the Board.
- Developed a peer mentor program connecting newer Board members with more experienced Board members.


 **Goal 3.2:** Integrate Trauma-Informed Care principles into hearing proceedings.

*Outcomes Endorsing Success—PSRB has:*

- Engaged Board members and staff in trauma-informed care training.
- Used a Trauma Informed Care screening tool to assess and establish a baseline from which to make improvements to PSRB hearings and other agency practices.
- Identified changes that will increase Board and staff trauma-informed care practices and develop a timeline for implementation.




**INITIATIVE 4:** Help stakeholders/partners (e.g. counties, law enforcement, district attorneys, local criminal courts, local hospitals) understand their rights and roles when working with PSRB clients.

 **Goal 4.1:** The executive director or designee will establish a systematic approach to reach out routinely to legal communities and law enforcement across the State to strengthen collaboration and provide updated information, education, or other training related to agency operations.

*Outcomes Endorsing Success—PSRB has:*

- Identified venues, conferences, or other settings to provide PSRB 101 trainings to legal professionals.
- Developed a contact list of statewide legal professionals to which to send important legal updates, fact sheets, or other information relevant to the PSRB and legal community partnership.
- Revised and kept current templates, fact sheets, and handbooks for use by those in the legal community.
- Developed inter-agency protocols to enhance effective communication with law enforcement and the legal communities.
- Established a protocol to enhance communication and better collaborate with the criminal courts to ensure that new clients are effectively transitioned to PSRB’s jurisdiction.

 **Goal 4.2:** Increase understanding of PSRB’s “revocation of conditional release” protocol among our community providers, law enforcement, county crisis teams, and local hospitals.


*Outcomes Endorsing Success—PSRB has:*

- Developed accessible, routinely reviewed and updated inter-agency protocols.
- Developed contingency plans for when a client’s immediate transportation to a specified placement cannot be executed.






**Initiative 5:** Provide PSRB staff with an inclusive, collaborative, and safe office environment, where they have the training, resources, and communication necessary to effectively perform their job duties; receive timely, constructive feedback and praise; and have opportunities for professional development and growth.

 **Goal 5.1:** Develop, deploy, and keep current internal policies and procedures.


*Outcomes Endorsing Success—PSRB has:*

- Compiled a table of contents of all current internal policies and procedures.
- Examined the need for additional internal policies and procedures and developed a plan for creating those deemed necessary.
- Developed a timeline for reviewing, updating, adding, and removing policies and procedures.
- Created and maintained a shared office binder that can be easily accessed and used (e.g. in staff meetings, workgroups) by all staff.

 **Goal 5.2:** Implement a PSRB succession plan.


*Outcomes Endorsing Success—PSRB has:*

- Developed a succession planning strategy that assesses and forecasts workforce needs by identifying critical positions and developing competencies to meet those needs.<sup>4</sup>

 **Goal 5.3:** Provide timely, constructive feedback about employee performance from supervisors, opportunities for professional development, and clear expectations about their job duties.

*Outcomes Endorsing Success—PSRB has:*

- Examined and revised the agency’s performance appraisal process to improve opportunities for goal setting, constructive feedback, praise, and training/skill building needs.
- Identified and used a (not yet identified) tool periodically to assess employee satisfaction and provide management with employee feedback.
- Employees provide feedback via a (not yet identified) tool indicating that they are satisfied and have the tools necessary to do their jobs well.


 **Goal 5.4:** Promote wellness, self-care, and safety in the PSRB ‘s office environment.

*Outcomes Endorsing Success—PSRB has:*

- Team building and self-care/wellness integrated into weekly staff meetings.
- A Trauma-Informed Care (or similar) tool it uses to assess the workplace environment and determine what changes could improve workplace comfort and safety.
- An employee wellness committee that is actively represented at team meetings.

<sup>4</sup> The PSRB will develop a succession plan consistent with the State of Oregon’s Secretary of State’s Audit Division’s 2017 Report and Department of Administrative Services recommendations.

**Initiative 6:** Expand, streamline, and make the PSRB’s programs, research, and business needs more efficient by adopting secure, mature technology that is consistent with the State Chief Information Office’s vision and adheres to requisite compliance standards.

 **Goal 6.1:** Develop and implement an agency-specific Information Technology Plan.


*Outcomes Endorsing Success—PSRB has:*

- Completed a technological needs assessment.
- Developed a timeline and budget proposal for purchasing and implementing new technology.
- Implemented the use of secure email in its regular business practices.
- Developed, deployed, and kept current a process for ensuring compliance with security/confidentiality mandates and best practices.

 **Goal 6.2:** Streamline the PSRB hearings process by identifying and implementing hearings management software.


*Outcomes Endorsing Success—PSRB has:*

- Automated our docketing process.
- Streamlined our witness identification and coordination efforts.
- Set up a process that allows us to complete the majority of orders within 48 hours of Board decisions.

 **Goal 6.3:** Invest in software that increases efficiencies, uses secure and electronic storage and communications, and reduces waste.


*Outcomes Endorsing Success—PSRB has:*

- Implemented ORMS (Oregon Records Management Solution) technology.
- Implemented remote access to the shared network, reducing reliance on email, use of flash drives, and printing otherwise-available files; increased efficiency by working on/saving documents to one place.
- Centralized electronic storage systems to eliminate superfluous programs (e.g. Document Mall) and reduced costs.
- Reduced on-site space required for storing paper files.
- Provided electronic interfaces with partners to simplify and speed up document sharing.

 **Goal 6.4:** Modernize our database to allow for more complex system communications, case tracking capabilities, and streamlining/more effective preparation for hearings.

*Outcomes Endorsing Success —PSRB has:*

- Completed a cost-benefit analysis of our current Access database and other comparable systems.
- Expanded data that can be used to recommend legislative and programmatic changes.
- Decreased emails from providers through a centralized, electronic method of submitting monthly reports, incident reports, and other documentation.

 **Goal 6.5:** Establish partnerships with academic or other institutions to expand opportunities for data analysis and system improvements.

*Outcomes Endorsing Success—PSRB has:*

- Established a shared vision, mutual goals and objectives with an academic institution.
- Developed a research plan that outlines our research interests, action plan, and timelines for action.
- Integrated research interests and research findings into PSRB presentations.
- Submitted posters, papers, or panel presentations to professional conferences.



## Psychiatric Security Review Board

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## Appendix B: Annual Performance Progress Report

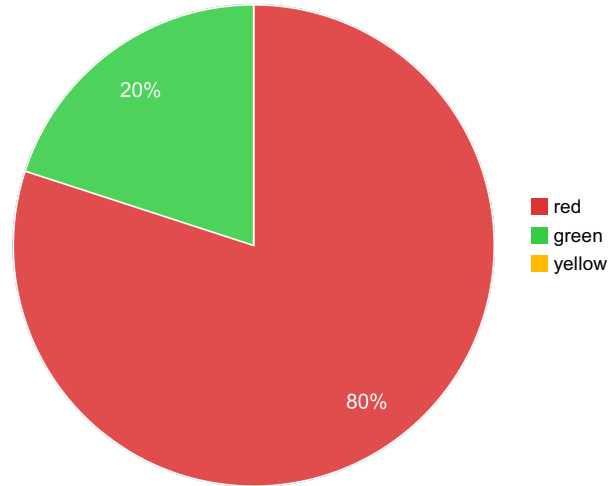
# Psychiatric Security Review Board

Annual Performance Progress Report

Reporting Year 2020

Published: 9/29/2020 1:28:24 PM

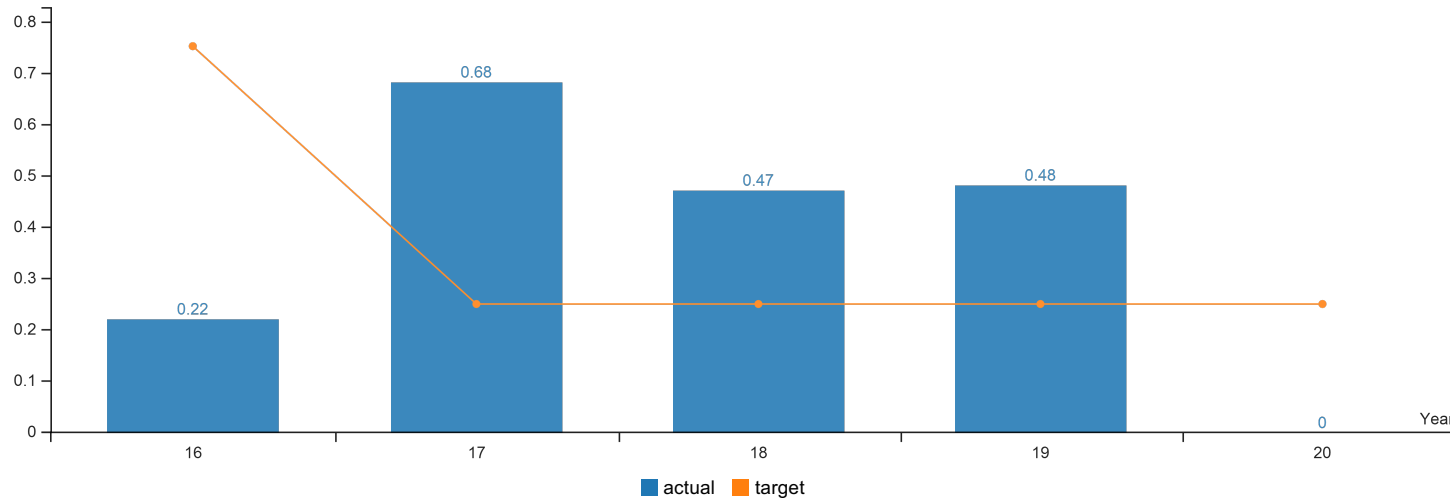
KPM #	Approved Key Performance Measures (KPMs)
1	RECIDIVISM RATE - Percentage of clients on conditional release per year convicted of a new felony or misdemeanor.
2	TIMELINESS OF HEARINGS - Percentage of hearings scheduled within statutory timeframes.
3	MAINTENANCE OF RELEASED CLIENTS - Percentage of conditional releases maintained in community per month.
4	CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.
5	BEST PRACTICES - Percent of total best practices met by the Board.



Performance Summary	Green	Yellow	Red
	= Target to -5%	= Target -5% to -15%	= Target > -15%
Summary Stats:	20%	0%	80%

KPM #1	RECIDIVISM RATE - Percentage of clients on conditional release per year convicted of a new felony or misdemeanor.
	Data Collection Period: Jan 01 - Dec 31

\* Upward Trend = positive result



Report Year	2016	2017	2018	2019	2020
<b>Adults</b>					
Actual	0.22%	0.68%	0.47%	0.48%	No Data
Target	0.75%	0.25%	0.25%	0.25%	0.25%

### How Are We Doing

The Psychiatric Security Review Board has tracked recidivism since 1992, adopting its current definition in 2014. Using the updated definition, the Board calculated its adult and juvenile recidivism rates retroactively to 2011. The recidivism rate reflects the number of individuals under PSRB supervision and on conditional release who are convicted or found GEI of a new felony or misdemeanor committed during the reported calendar year. Lower recidivism rates indicate a higher level of public safety associated with the PSRB's conditional release program. The PSRB's recidivism rate offers the legislature and the public assurance that individuals under the Board's jurisdiction are being managed safely in the community setting.

Calculating an accurate recidivism rate depends on both finding out an arrest occurred and obtaining the final disposition of that arrest. For example, an arrest occurring in 2017 would not be reflected in the recidivism rate until the case reaches a conviction or Guilty Except for Insanity (GEI) adjudication. In most cases, the final disposition will occur within the same year; however, in cases with complex trial issues, it may take more time. Accordingly, the recidivism rate from a previous year can potentially fluctuate as the courts adjudicate new cases.

Considering potentially fluctuating numbers, the PSRB reports two measures of recidivism. One measure is based on the number of new felony or misdemeanor convictions that occurred in a specific calendar year. The second and more robust measure is a cumulative average recidivism rate: the sum of the PSRB's known annual percentage rates (currently 2011-2019) divided by the number of years included in that sum (currently 9). Due to the single-digit number of juveniles under the PSRB for the past several years, the PSRB combines adult and juvenile insanity acquitees into the same analysis, yielding a .49% recidivism rate for 2019, the Board's last full reporting year.

In 2019, the PSRB re-examined its definition of recidivism and the way in which it tracks and reports this data. Because the PSRB is not permitted to track former clients through the Law Enforcement Data System, we consulted and entered into an inter-agency agreement with the Criminal Justice Commission (CJC) for that data. Using their expertise in analyzing and reporting recidivism for other

criminal justice agencies, the CJC developed a method to collect raw PSRB data more widely and efficiently, to help corroborate past calculations of recidivism. Moving forward, the PSRB will continue to use this methodology to calculate its future recidivism rates.

#### *Annual Recidivism Rate*

In August, CJC's arrest data became available following a technical delay in spring 2020. During summer 2020, PSRB staff analyzed the new figures and discovered that of the 417 individuals placed on conditional release in the community in 2019, two had been convicted of a misdemeanor or felony committed that year, resulting in an annual recidivism rate of 0.48%.

PSRB's annual recidivism rate was .22% in 2016 (one new adjudication). Accordingly, the legislature re-set the agency's 2017 goal to .25% from .75%. Though above it, the Board's 0.48% 2019 recidivism rate compares favorably to its 0.25% goal on this measure. Indeed, the Board continues to welcome this ambitious recidivism rate goal, making every attempt to achieve zero recidivism. It is important to note, however, that each year this statistic comes with a caveat: should a year occur in which more than one individual commits a new offense, the Board would fail to reach this goal. This occurred in 2019 despite what continues to be an extremely low recidivism rate. Although not an exact comparison, the PSRB's recidivism rate consistently falls well below the average 20-30% recidivism rate reported typically by the states' Department of Corrections.

As mentioned above, based on Criminal Justice Commission-provided arrest records, Board staff were able to re-examine PSRB's annual recidivism rates going back to 2011, the period representing PSRB's use of its current recidivism definition. The CJC's analysis revealed an average number of misdemeanor and felony convictions of 3.89 per year; annual recidivism rates between 2011 and 2019 have fallen between 0.22% and 1.91%.

#### *Cumulative Recidivism Rate*

As previously mentioned, technological issues suspended temporarily CJC's ability to provide arrest data for former PSRB clients' cumulative average recidivism rate in 2019. However, the Commission did provide the figures once they were able and staff found that PSRB's 2011-2019 cumulative average recidivism rate was 0.83%. By any measure of recidivism, this rate illustrates the PSRB's remarkable safety record and effective oversight of PSRB clients on conditional release.

#### **Factors Affecting Results**

First and foremost, the PSRB's recidivism rate is predicated on its close partnership and communication with the larger forensic mental health system, including the Oregon Health Authority (OHA), Department of Human Services (DHS), the Oregon State Hospital (OSH), county and community behavioral health providers, and law enforcement across the state. Second, the rate depends on delivering effective treatment that targets factors associated with recidivism. The following sections provide examples of how these two factors interrelate to mitigate recidivism risk and promote long-term recovery.

#### *Partnering for Effective and Efficacious Monitoring, Supervision and Treatment Practices*

Recidivism rates can be mitigated in the short-term using external measures such as restricted, controlled environments and mandated treatment. While effective in the short-term, particularly when persons are deemed to be a danger to themselves or others, the potential risk of recidivism rises as these *external* measures are lifted. Accordingly, a major factor affecting recidivism rates—not only while individuals are under PSRB, but also after their jurisdiction expires—is the availability and delivery of efficacious, evidence-based monitoring, supervision, and treatment practices that teach clients to *internalize* the coping skills necessary to manage their mental health and other inherent stressors, particularly when living in more independent settings.

In its strategic plan, the PSRB re-committed to partnering with its stakeholders to develop a best practice guide and ensure that our approach to monitoring, supervising and treating PSRB clients living both at OSH and in the community contributes to their long-term recovery. This includes efforts to identify and eliminate practices that may inadvertently reinforce factors associated with increasing recidivism, such as providing too much—or the wrong type—of treatment. The PSRB's approach to mitigating recidivism includes providing trauma-informed services that promote recovery and community connection to the individuals under its jurisdiction.

#### *Partnering for Effective Conditional Release Plans*

By statute, the PSRB may only conditionally release a client into the community if the client can be “adequately controlled and given proper care and treatment” and those resources are available. The PSRB garners evidence that a client has met this threshold through a community evaluation and proposed conditional release plan. More effective conditional release plans contribute to decreased recidivism risk. Current and prospective treatment teams develop conditional release plans and submit them to the PSRB. Such plans use information the client provides, as well as data from a variety of sources such as risk assessments, mental health progress notes, criminal histories, and collateral reports. The PSRB partners with the Oregon Health Authority, Department of Human Services,

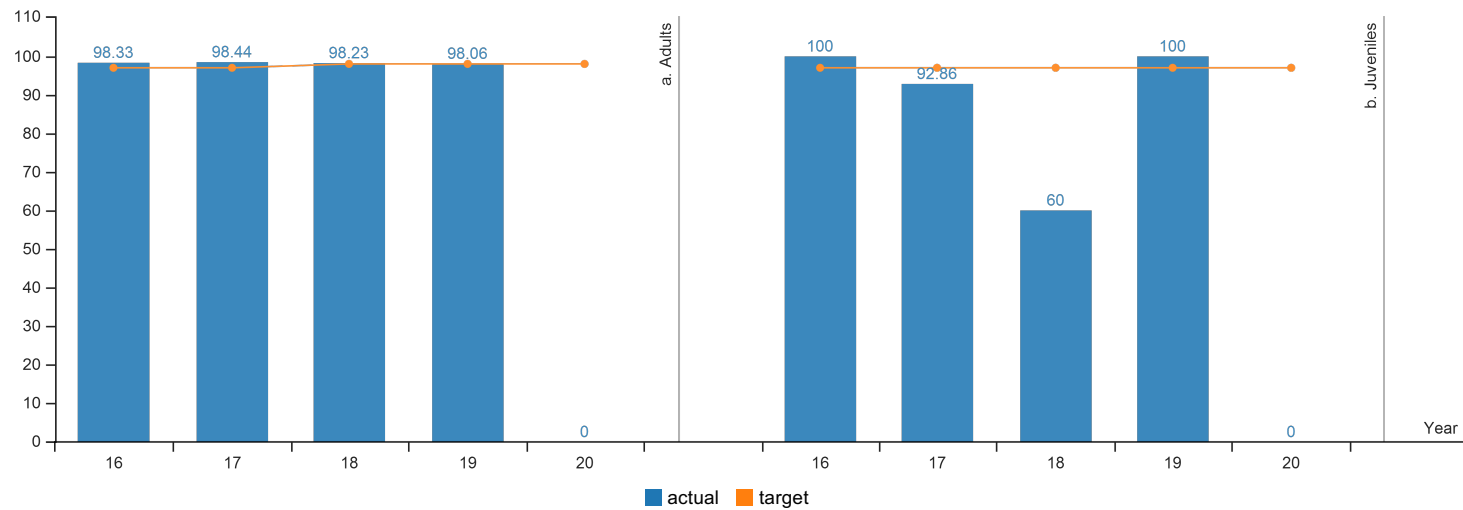
and other stakeholders to identify and deliver the training and resources necessary to support providers in creating conditional release plans that effectively identify and mitigate recidivism risk factors, enable the PSRB to make informed decisions regarding conditional release, and engender public confidence and safety. The high turnover of community providers makes it even more important for the PSRB and its partners to have the resources necessary to deliver these types of trainings on a regular basis.

*Partnering for Proactive and Timely Communication*

Each client on conditional release has an assigned case manager, who is responsible for ensuring that the client receives the monitoring, supervision, and treatment services outlined in the conditional release plan. At a minimum, the case manager reports client progress on a monthly basis. In addition, the PSRB expects timely and proactive communication about potential and current safety or serious non-compliance incidents, to enable swift intervention (e.g. increased services, local hospitalization, or revocation of conditional release), mitigate recidivism, and ensure public and client safety. The PSRB continues to develop resources, deliver trainings, and be available 24-7 to ensure that conditional release case monitors have adequate support to anticipate challenges proactively and intervene effectively to mitigate recidivism risk.

An additional resource the PSRB uses to enhance its ability to monitor its conditional release clients effectively is the Oregon State Police Department's Law Enforcement Data System (LEDS). Access to this system enables real-time communication and opportunity for intervention when a client on conditional release has any police contact whatsoever, even when the client is a victim of an alleged crime.

KPM #2	TIMELINESS OF HEARINGS - Percentage of hearings scheduled within statutory timeframes.
	Data Collection Period: Jan 01 - Dec 31



Report Year	2016	2017	2018	2019	2020
<b>a. Adults</b>					
Actual	98.33%	98.44%	98.23%	98.06%	No Data
Target	97%	97%	98%	98%	98%
<b>b. Juveniles</b>					
Actual	100%	92.86%	60%	100%	No Data
Target	97%	97%	97%	97%	97%

### How Are We Doing

Consistent with past practice, the data for this measure comes from the 2019 calendar year and reflects that the Board is exceeding its targets in this area, both for adult and juvenile hearings. The Board's 309 adult hearings took place on time 98.06% of the time during 2019, and all three juvenile hearings met their deadlines. The PSRB and its staff take this measure seriously. It involves due process rights, and affects others as well, including victims and clients' family members. It is worth noting, as it has been in years past, that the small number of juvenile clients—and, consequently, hearings—can affect their timeliness rate radically.

Only Connecticut and Arizona have a similarly-run Board, and the Oregon PSRB is unaware of any comparable public or private industry standards because this model is a government function and is exceedingly rare.

### Factors Affecting Results

Hearings timeliness relates directly to the number of individuals under Board jurisdiction. PSRB can easily calculate the minimum number of two-year and five-year hearings we need to hold each year based on the number of individuals currently under our jurisdiction. However, the PSRB also holds hearings whenever a provider or client (up to every six months) requests one, within 90 days of a new adjudication, and within 20 days of a revoked conditional release. Indeed, almost 80% of the 491 hearings (statutorily and non-statutorily required) the PSRB held in 2019 fell into these more unpredictable categories. The PSRB uses continuances judiciously to effectively manage full dockets and prioritize statutorily-prescribed hearings.

In 2019, the Board continued to re-integrate former clients of the State Hospital Review Panel (SHRP) into its hearing dockets but was still able to hold nearly all its hearings on time. By July 2020, all



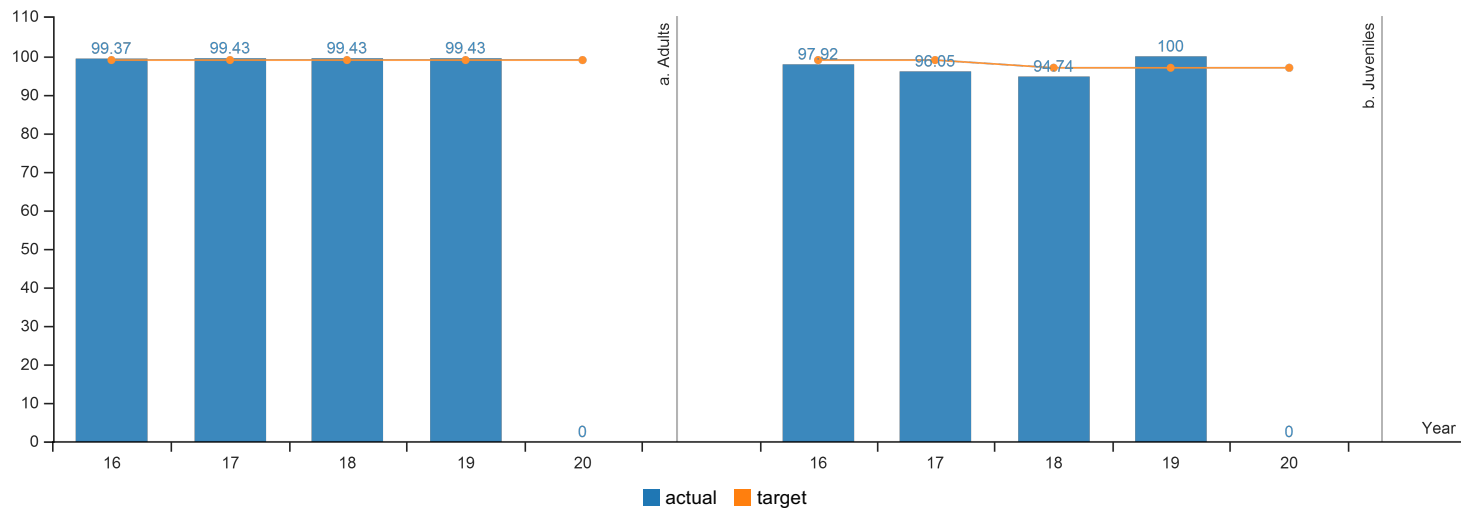
clients formerly under SHRP's jurisdiction will have had at least one hearing, so that population of roughly 80 clients will be completely re-integrated into the PSRB population.

Funding and technology play a significant role in hearing timeliness. Currently, the PSRB employs 11 FTE, and each member of our team plays a role in ensuring hearings are held on time. The PSRB anticipates that with more mature and efficient software, several of our processes could be more effectively and efficiently streamlined. Reductions to PSRB's staff size without significant technological advances would hamper--possibly severely--the agency's ability to hold hearings on time.

Witness and attorney availability can also affect hearings timeliness. PSRB staff mitigate any negative impact by anticipating issues and developing contingency plans. It is worth mentioning that the PSRB coordinates all witnesses' availability; typically, attorneys have this responsibility in other types of courts. In addition, this coordination occurs without dedicated docketing software, and involves multiple phone calls and emails to multiple individuals to prepare for any one hearing. Given the necessarily labor-intensive process involved in organizing hearings, any reduction in PSRB's staffing level would diminish significantly our ability to hold them on time.

For the juvenile panel, Board member availability can make for fewer possible hearing days, a major factor given the small number of clients. If the Board members are unavailable during potential hearing days, it can be difficult to empanel them. As with the other factors mentioned above, juvenile Board member availability did not affect this measure in a negative way, but the possibility still bears mention.

KPM #3	MAINTENANCE OF RELEASED CLIENTS - Percentage of conditional releases maintained in community per month.
	Data Collection Period: Jan 01 - Dec 31



Report Year	2016	2017	2018	2019	2020
<b>a. Adults</b>					
Actual	99.37%	99.43%	99.43%	99.43%	No Data
Target	99%	99%	99%	99%	99%
<b>b. Juveniles</b>					
Actual	97.92%	96.05%	94.74%	100%	No Data
Target	99%	99%	97%	97%	97%

**How Are We Doing**

The Board has met this goal ten of the last eleven years, maintaining adult clients on conditional release at a minimum rate of 99% every year. In 2019, the Board averaged nearly 366 GEI clients on conditional release each month and maintained just under 364 on conditional release, for a 99.43% maintenance rate, exceeding its 99% goal, under which there is little margin for error.

In 2019, the Board had two juvenile clients on conditional release, and maintained both in that status for every month of the year, resulting in a 100% maintenance rate on a 97% goal.

Occasionally, of course, a revocation is a necessary measure to keep the public safe; however, the PSRB continues to partner proactively with our community treatment providers to anticipate and intervene in a timely fashion and in the least restrictive way possible to stabilize the client while ensuring public safety.

**Factors Affecting Results**

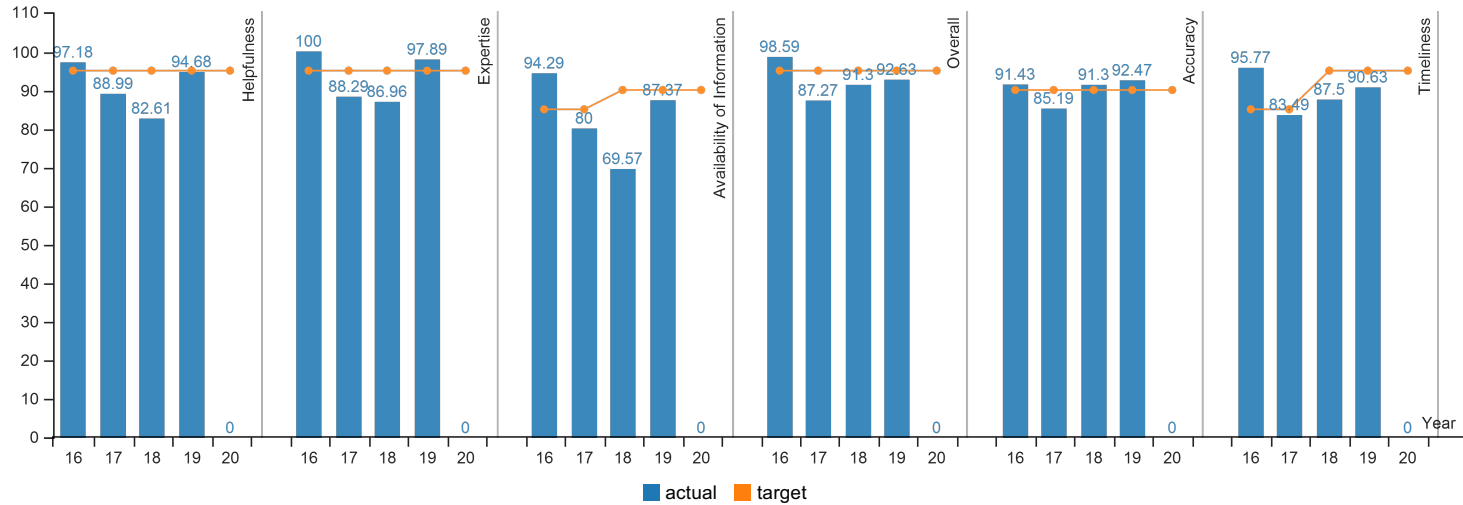
The factors affecting the PSRB's ability to safely maintain clients on conditional release are largely similar to those affecting our recidivism rate: partnership and community resources.

Regarding partnership, the PSRB relies heavily on the collaboration between the Oregon State Hospital and community providers to devise effective conditional release plans to manage clients safely while on conditional release. In accordance with the governing statutes, the PSRB approves conditional release for only those clients it believes can be safely managed in the community. The Board receives evidence that clients are meeting this standard through full hearings, during which Oregon State Hospital and community treatment providers are available to testify about the conditional release plan they created. Leading up to this hearing, PSRB clients participate in a five-layer review process before they can be approved for conditional release from Oregon State Hospital. Crucial to

this process is the Oregon State Hospital's access to the training and resources to evaluate effectively each client's recidivism, relapse, and psychiatric decompensation risk, so it can recommend the commensurate levels of monitoring, supervision, and treatment, to be executed subsequently by the community providers. A similar process takes place as clients continue with their recovery and transition to lower levels of care. A decrease in the PSRB's ability to access information from our partners, or of our partners' ability to obtain training and resources to effectively develop conditional release plans, would lead to less effective plans and diminished likelihood that case managers could detect early signs of decompensation. These potential problems would certainly affect the measure of maintaining clients on conditional release in a negative way.

The availability of community resources also affects the PSRB's ability to safely maintain clients on conditional release. For example, when a client on conditional release experiences significant changes in psychiatric stability, we rely on the availability of local hospitals, crisis stabilization centers, and other placements of respite when appropriate, rather than a revocation to the Oregon State Hospital. Similarly, when providers see early warning signs of decompensation, a client can be temporarily or permanently "stepped up" to a higher level of care—such as a residential treatment home—rather than revoked. The availability and access to specific types and dosages of treatment modalities are also important factors in maintaining conditional releases. For instance, the PSRB may be able to identify a residential vacancy quickly, but in order to accept the client, the program would also need to have the requisite treatment supports such as substance abuse treatment or support for a medical condition. When community mental health and housing resources are funded fully, the Board can use these as an alternative to sending the client to Oregon State Hospital, reserving state hospital resources for those who truly require that level of care. Were current community mental health and housing resources to diminish in number, it would leave fewer options available for clients when and if they experience a recurrence or increase in symptoms. Indeed, the PSRB might have been able to avoid some of the revocations that took place over the past year had more of these resources been available.

KPM #4 CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.  
 Data Collection Period: Jan 01 - Dec 31



Report Year	2016	2017	2018	2019	2020
<b>Helpfulness</b>					
Actual	97.18%	88.99%	82.61%	94.68%	No Data
Target	95%	95%	95%	95%	95%
<b>Expertise</b>					
Actual	100%	88.29%	86.96%	97.89%	No Data
Target	95%	95%	95%	95%	95%
<b>Availability of Information</b>					
Actual	94.29%	80%	69.57%	87.37%	No Data
Target	85%	85%	90%	90%	90%
<b>Overall</b>					
Actual	98.59%	87.27%	91.30%	92.63%	No Data
Target	95%	95%	95%	95%	95%
<b>Accuracy</b>					
Actual	91.43%	85.19%	91.30%	92.47%	No Data
Target	90%	90%	90%	90%	90%
<b>Timeliness</b>					
Actual	95.77%	83.49%	87.50%	90.63%	No Data
Target	85%	85%	95%	95%	95%

How Are We Doing

The PSRB's overall score on its last customer service survey (reported for the 2019 cycle) was 91.3%. For 2019, the Board achieved a score of 92.63% with 95 responses. Notably, in 2019 PSRB began surveying its clients consistently, enclosing customer service surveys with all Board orders, regardless of outcome. Given that some significant portion of the Board's clients are either unhappy generally with the PSRB or were unhappy with the decision memorialized in the order, there is a certain degree to which it is reasonable to expect negative responses. Despite this, the responses were overwhelmingly positive, and have continued the upward trend over the past two years (from 87.27% positive responses two cycles ago). In order to complete the return to 95% satisfaction or above, the Board has once again redoubled its efforts to train and provide information to its stakeholders, including social workers, case managers, attorneys, treatment providers, and law enforcement members. The agency is continuing these efforts, even as responses to the COVID 19 pandemic complicate them.

In addition to outside trainings, in 2019, the Board launched a new strategic plan designed to give the PSRB and its staff a vision for the future, direction, and increased agency over their work and careers. The plan went into effect officially in September 2019, calling for: increased staff and Board member training; best practices based on research and data; a safe, inclusive, and collaborative work environment for staff; and increased efficiency and information availability through strategic technological upgrades. The plan also contemplates how to garner and incorporate more feedback directly from clients beyond their experience at a particular hearing. The PSRB expects the direction and initiatives suggested in the plan to lead to more positive outcomes as it becomes more ingrained in the Board's and staff's culture.

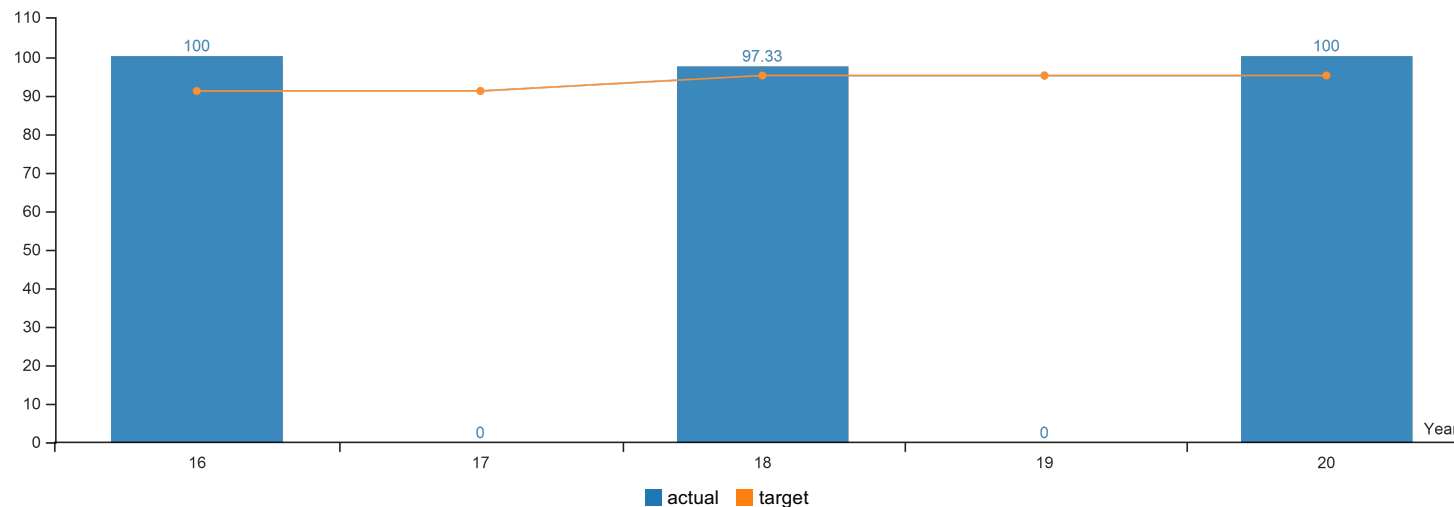
#### **Factors Affecting Results**

The Board's customers, mentioned above, have diverse perspectives on its programs and methods. Satisfying such a broad set of stakeholders can be challenging, but the agency believes that educating and training its staff and external stakeholders through PSRB conferences, personal appearances by the executive director (when possible), and in-person and online courses, will continue to produce positive results.

As mentioned above, by their nature some of the Board's decisions are unpopular with stakeholders. In cases with active victims or other members of the community, either the client or the community is likely to emerge unhappy from the hearing. When individuals do not like the Board's decisions, that feeling can sometimes affect satisfaction with the Board overall. Nevertheless, the Board believes that legally correct decisions resulting from sound evidence and careful and thorough deliberation demonstrate and fulfill the Board's commitment to public safety and recovery. Well-trained and healthy staff provide more consistent and correct information, raising scores in expertise, helpfulness, and knowledge. In accordance with its strategic plan, the Board intends to continue providing the training, information, and environment that contributes to everyone's satisfaction, even when the outcomes are not what an individual stakeholder might prefer.

KPM #5	BEST PRACTICES - Percent of total best practices met by the Board.
	Data Collection Period: Jan 01 - Dec 31

\* Upward Trend = positive result



Report Year	2016	2017	2018	2019	2020
<b>Percentage of Best Practices Met</b>					
Actual	100%	No Data	97.33%	No Data	100%
Target	91%	91%	95%	95%	95%

#### How Are We Doing

The Psychiatric Security Review Board compiles and reports this performance measure on a biennial basis, surveying the Board in the fall of each even-numbered year. The Board reached its goal on this performance measure in 2016, 2018 and again in 2020. The agency surveyed the Board's current members in September, producing an overall rating of 100%. As of this 2020 survey, PSRB performance on this measure exceeded its 95% goal and the 97.33% score from the 2018 survey. The Board's values, as outlined in its strategic plan, include due process, research, and partnership, all three of which will enhance the Board's ability to develop and adhere to best practices.

As in past years, the Board is unaware of any comparable public or private industry standards to which to compare these results. Irrespective of the unavailability of comparable agencies, 100% would compare favorably with any similar organizations subject to the same Key Performance Measure.

#### Factors Affecting Results

As in past years, the executive director keeps the Board members informed about matters of significance, including the agency's best practices and how the agency uses them. The key component of this performance measure is the open and deliberate communication between the executive director and the Board. The Psychiatric Security Review Board consists largely of professionals with full-time jobs, practices, or other professional interests, so they depend on the executive director's reports of staff accomplishments and methods. Quarterly administrative meetings and regular consulting between Board staff and the Board chair supports the Board's continued consistent achievement of best practices.

One factor that could affect this result in the future is Board member transition at the ends of terms. Initially, new Board members' knowledge is, of necessity, limited. To mitigate this knowledge gap, the agency provides individual training, information, and updates to new and returning Board members before distributing the best practices survey. As mentioned above, the executive director

provides regular updates, with special attention to the type of information that the agency believes will be most helpful to new Board members as they settle into their new roles.



## Appendix C: Policy Option Package Supporting Request for 1.0 FTE



# Oregon

Kate Brown, Governor

## Psychiatric Security Review Board

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psrb@oregon.gov

June 29, 2020

The Honorable Representative Dan Rayfield, Co-Chair  
The Honorable Senator Betsy Johnson, Co-Chair  
The Honorable Senator Elizabeth Steiner Hayward, Co-Chair  
Joint Committee on Ways and Means  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301-4048

Dear Co-Chairpersons:

### **Nature of the Request**

The Psychiatric Security Review Board is requesting support for an additional 1.0 FTE position to staff the agency at the level and in the manner required in order to meet its statutory responsibilities and agency initiatives. The request is supported by agency's increased body of work related to a growth of the agency's programs, internal and system-wide challenges, and implantation of the agency's strategic plan.

### **Agency Action**

The PSRB has maintained its current staffing level of 11 full time staff since 2013, when it voluntarily surrendered one full-time position that the legislature approved based on the anticipated increased workload associated with the passing of Senate Bill 420 (2011). SB 420 (2011) changed the jurisdiction of certain GEI offenders by placing those who committed a "tier one" (higher-level, typically "Measure 11") offense under the PSRB's jurisdiction and those who committed a "tier two" offense under the jurisdiction of the Oregon State Hospital Review Panel (SHRP). In effect, the bill actually *reduced* the PSRB's workload and was the reason PSRB surrendered the additional position at that time. Senate Bill 65 (2017) eliminated SHRP and consolidated the oversight of all GEI persons to the PSRB as of July 1, 2018. This resulted in the transfer of 75 individuals to the PSRB's jurisdiction, as well as any future GEI individuals who would otherwise have been placed under State Hospital Review Panel jurisdiction, increasing the number of hearings that needed to be scheduled within statutory timelines and the workload associated with coordinating, monitoring, and supervising conditional releases.

Another change driving this request is the increased workload associated with the passing of SB 421 (2013), which created a new type of civil commitment for those who adjudicated "extremely dangerous persons with mental illness." The statute allows a district attorney to request that a judge place these individuals under the Board's jurisdiction for supervision and monitoring. The Board currently serves 15 clients under this program, double the population from 2017. The Board expects this population to continue to expand. Each case requires significant tracking, oversight, and active collaboration, not only with the Oregon State Hospital and community treatment providers, but also with the circuit courts and county DA's offices to ensure the Board is meeting its statutorily-prescribed responsibilities.

A smaller, but still relevant, change driving this request is HB 2549 (2013), which resulted in the Board launching its Sex Offender Reclassification and Relief Program on January 1, 2019. Thus far, we have received 3 applications, and expect this number to expand as more former PSRB clients become eligible for reclassification and relief. In addition, after a lengthy period of not receiving any gun relief applications, the Board has received 3 within the last 6 months of 2019. All applicants for each of these programs must have full hearings before the Board rather than administrative, pleadings-only reviews, further taxing the Board's hearings schedule.

In 2018, the PSRB underwent a change in executive leadership, which provided an opportunity to assess the strengths and growing areas of the agency. As a result of that assessment, the agency launched a comprehensive strategic plan that identifies six initiatives deemed necessary to improve the effectiveness of agency operations and Board decision-making. A copy of our strategic plan has been provided for your consideration.

A major initiative under the strategic plan incorporates the public safety concerns brought to the attention of the Oregon Legislature and the public through a series of newspaper articles in 2018. To address those concerns and underscore our agency's commitment to public safety and system improvement, the agency approached the legislature to develop a legislative workgroup, which launched in August 2019. The agency has engaged in several additional hours each month to compile research and data to present to the workgroup participants toward developing comprehensive and coordinated legislation to effectively address systemwide concerns. An outline of our workplan is provided to further demonstrate the breadth and depth of the work associated with this initiative.

A second major initiative expanding our agency's body of work is related to identifying and adopting best practices for the community providers we rely on to assess risk and provide treatment to individuals under our jurisdiction. This initiative includes several goals related to the research and development of effective conditional release models, a topic that is of national interest. This includes developing trainings and increasing standardized and best practices to ensure individuals under our jurisdiction are not just being housed, but rather achieve long-term recovery and stability. This initiative aims to not only enhance public safety while individuals are under the jurisdiction of the PSRB, but also following their sentence completion.

A third major agency initiative is to improve the tools, training and support that Board members receive to effectively carry out their legislative duties as decision-makers. Currently, Board members do not have access to any agency-specific<sup>1</sup> standardized training to carry out their duties. Informal training has included a review of the statutes and case law, one-on-ones with Board staff, and more recently, the development of a Board member handbook. In addition, Board members were exposed to and provided support on the issue du jour through quarterly Board meetings. Through our strategic planning process, Board members identified the need for a more robust on-boarding process, more frequent and specialized trainings as well as a practice guide as possible solutions to achieve our goal.

To mitigate the need for emergency action, the agency has used every position to offset the heavy and time-consuming administrative responsibilities inherent in our daily work and necessary for effective operations. For example, the Executive Support Specialist (ESS) has been assigned administrative tasks such as drafting and sending hearing notices and generating Board Orders while our Paralegals have been assigned to schedule and coordinate witnesses, prepare files, track timelines, identify community turnover, vet files for missing documents, calculate terms of jurisdiction, and prepare indigency determinations.

Although it is expected that all positions will carry out some form of administrative duties, the exorbitant quantity of purely administrative duties covered by our Paralegals and ESS prevents the agency from engaging in the higher level, complex tasks necessary to advance the agency's mission and implement

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<sup>1</sup> Board members do receive the general training required of all individuals who serve on Boards in the State of Oregon

its strategic plan while also keeping up with program growth. Additional administrative support will enable our agency to effectively utilize the valuable and specialized skill sets of our Paralegals and Executive Support Specialist to meet these agency initiatives and statutory mandates and progress the agency forward.

We have some direct evidence that an additional Administrative Specialist 2 position would support our proposal for an additional 1.0 FTE. In September 2019, the Board hired a part-time, temporary, Administrative Specialist 2 position for a 3-month period. Having this employee at the agency provided an opportunity to assess how the workload could be redistributed to better support the Executive Director and the staff as a whole. The support provided one of our Paralegals with additional time to engage in projects associated with the strategic plan and improving agency operations. The temporary employee also provided an outsider perspective on PSRB's workflow that informed this POP request. For a more thorough explanation of the types of agency improvement projects we are planning, please refer to the PSRB's 2019-2024 Strategic Plan.

### **Action Requested**

The PSRB requests funding and position authority for one new permanent full-time staff, effective as early as April 1, 2020. This position would be classified as an Administrative Support Specialist 2. The funding necessary to support this position through the 2021-2023 biennium would be \$331,468. This figure reflects salary costs as well as the services and supports costs necessary to accommodate this position.

### **Legislation Affected**

Oregon Laws 2019, chapter 524, section 1

## Appendix D: Policy Option Package Supporting Request for Board Stipend Increase



# Oregon

Kate Brown, Governor

## Psychiatric Security Review Board

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June 16, 2020

The Honorable Representative Dan Rayfield, Co-Chair  
The Honorable Senator Betsy Johnson, Co-Chair  
The Honorable Senator Elizabeth Steiner Hayward, Co-Chair  
Joint Committee on Ways and Means  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301-4048

Dear Co-Chairpersons:

This policy option package seeks to double the number of stipends paid to Board members for each hearing day. ORS 161.385(4) states that a Board member should be paid “on a per diem basis... for each day during which the member is engaged in the performance of official duties...”

### **Justification of the Request**

In reviewing the agency history on this topic, I identified at least three times within the last seven budget cycles that the agency has requested a similar increase in funding: 2007-09; 2009-11; and 2015-17. The agency’s support for this request is largely based in statutory authority, specifically, ORS 161.385(4), which requires that members be paid “for each day during which the member is engaged in the performance of official duties...” This section explains why this funding continues to be necessary.

### *Approved Funding has not Incorporated COLAs for Board Members*

By statute, the Board stipend amount is set by ORS 161.385(4) which indicates that the stipend is \$289.22, adjusted according to the executive pay plan for the biennium. Unlike most Boards, PSRB members are entitled to cost of living adjustments (COLAs). Currently, Board members currently earn \$369.61 per stipend payment, which will increase to \$380.70 starting October 2020. When engaging in the budget process each biennium, information procured through the PICS freeze is used to calculate the agency’s current service level and proposed budget. While the PICS freeze evaluates the necessary funding increases related to *employee* COLAs, there is no mechanism to calculate funding increases related to Board member COLAs. Therefore, the agency’s budget continues to be based on the original stipend amount of \$289.22 set in 1978.



### *Increased Caseload*

When the legislature created the Board, it was anticipated that members would spend approximately half a day preparing for the hearings and another half day in attendance conducting the hearings. Thus, they were funded for one stipend for the total of a day's work. Initially and for a number of years thereafter, there were only five or six cases scheduled per hearing day and a few administrative matters. However, over the past 15 years, the hearing workload has increased. A ten-year-average reveals that on any given hearing day, Board members oversee eight full hearings and eight administrative matters. To effectively prepare for each hearing, members report spending close to a full day, and sometimes more, reviewing the voluminous files for each case, which include risk assessments, treatment plans, incident reports and progress notes. While this workload has expanded to at least two days' work for each hearing day, the legislatively approved budget only provides funding for one.

Another factor contributing to the Board's increased caseload in recent years was the Attorney General's opinion requiring the Board to hold full hearings in cases in which clients used to be allowed to waive their hearing if desired. This is known as a "two-year hearing," which the Board must provide to all clients residing at the Oregon State Hospital. While the Board steadfastly agrees that such hearings are important and necessary to mitigate the risks of institutionalization and warehousing and provide opportunities to identify barriers to conditional release, each two-year hearing requires the Board to docket these as full hearings and to review the client's file in its entirety in preparation for these hearings, even if the client stipulates to Board jurisdiction (or, historically, waives the hearing entirely).

### *Increased Time Preparing for Hearings*

The actual time it takes Board members to prepare for each hearing has also increased significantly over time. Approximately 63% of the 617 individuals adjudicated guilty except for insanity have been under the Board's jurisdiction for more than 5 years, and 41% have been under jurisdiction for 10 or more years. As these exhibit files grow over the years, so does the amount of time each Board member must spend reviewing the entire file in preparation for each hearing.

### *Business Outside of Hearings*

Currently, the agency holds Board meetings with its adult panel four times per year. Because of the limited budget to pay for stipends, these meetings are incorporated into days when the Board is already planning to sit for hearings. Essentially, this translates to providing the Board with two hours per quarter to discuss challenges, set and make progress on goals, and otherwise strengthen agency operations in accordance with our strategic plan and public safety mission. Additional Board stipend funding would enable the Board to meet for a lengthier period on a non-hearing day to focus on important agency-related improvements. In addition, it would increase the frequency with which our constituents could engage in these public meetings and provide feedback and collaboration.

### *Retaining and Recruitment Issues*

The agency has previously surveyed the three specialized Board Member disciplines to gather an approximate hourly rate each member is forfeiting by sitting for PSRB hearings instead of billing their private practice. This is evidence that our Board members are dedicated public servants who apply for appointment to the PSRB despite the minimal compensation. Billable hourly rates include:

- Psychiatrist in private practice: \$260-\$300 per hour; \$150 per hour if employed by community mental health agency.
- Attorney in private practice: \$242 per hour (or higher depending on position in a firm).
- Psychologist in private practice - \$150 per hour for indigent work; higher in private cases.

While through the years our Board members have shown—and continue to show—their commitment to serving Oregonians through their important role, the prospect of taking on the current workload for a single stipend per week when they are engaged in official business at least two full days per week gives rise to challenges in retaining current Board members and recruiting future members.

### *Promoting Diversity in All of Its Forms*

The agency seeks to achieve a diverse representation of its members. Four of the five Board members are required to have specific expertise; three positions require a professional degree and specific experience. As outlined in this memo, current Board members average two full days of work during weeks in which they sit for hearings. By giving up one day of professional work, Board members forgo their commensurate earning potential. Board members would agree that this cost is outweighed by the numerous benefits of serving Oregonians in such an important and meaningful way. However, by forgoing two full days per week with compensation for only one of those days, some members risk financial hardship. Consequently, the Board begins to run the risk of only being able to recruit professionals with the privilege of economic advantage. Although unintentional, this limits the membership opportunities of an array of experts who would otherwise strengthen the Board's diversity in all of its forms. .

### **Agency Action**

Previously, the Board looked at alternative actions to offset or otherwise mitigate this request for additional funding. For example, the Board considered requesting funding for additional hearing days. This means that we would hold more than our standard one hearing day per week. . The rationale was that this could reduce the number of hearings scheduled for each particular day, allowing Board members to return to the structure of half a day preparing and half a day of hearing cases. Unfortunately, this is not a viable option for two major reasons. First, the part-time nature of the Board's employment renders it necessary for most members to engage in full-time employment or assume other family caretaking roles to make their financial ends meet. Asking Board members to commit to two eight-hour days per week introduces a heightened

expectation that would be difficult, if not impossible, for most members to meet. With a paid preparation day, Board members have the flexibility to choose the day and time on which they perform the additional hours of work. Second, planning a second day of hearings each week doubles the workload of staff not only within the agency, but also at the Oregon State Hospital, where the majority of hearings are held. It also requires the attorneys to make themselves available for a second day each week.

Another strategy examined to offset or mitigate this request was to decrease the number of hearing days per year. Under this structure, the funding saved by reducing the number of hearing days could be used to support a preparation day. This strategy has resulted in unintended, negative outcomes. For instance, when the agency holds fewer hearings in any given month, it becomes more difficult to accommodate the various schedules of necessary professionals, participants, witnesses and victims, causing increased need for continuances and increased risk of missing statutory timeframes. In addition, hearings are timed with factors such as an available placement in the community setting. Offering weekly hearings provides the agency and its constituents the ability to effectuate timely discharges from the Oregon State Hospital and step-downs from higher levels of care, which are not only consistent with the *Olmstead v. L.C.*, 527 U.S. 581 decision, but also vital to prevent system bottlenecks that impact admissions. Lastly, while a certain number of hearings can be predicted, there is a subset of hearings that are less predictable, including initial hearings (set within 90 days of placement at OSH; revocation hearings (set within 20 days of a revoked conditional release); hospital requests (set within 60 days of a hospital support for discharge or conditional release); and patient-request hearings (which clients are allowed to request up to every six months). Even those hearings that are predictable can widely vary in the amount of time necessary to hear them. Within a structure in which there are fewer hearing days available, these uncertainties lend themselves to overly packed dockets and lengthy hearing days, giving rise to problems such as decision-making fatigue, more frequent continuances, and missed statutory deadlines.

Currently, the agency's strategy to support Board members in being paid for each day they engage in official business is to use agency savings. This began in 2015, when the previous director identified sufficient agency savings to support paying Board members for the additional day of work members engaged in to prepare for each week's hearings. The director cautioned that the prep day stipend could be supported only so long as these savings could be identified and achieved. In recognizing the significant fiscal impact of COVID-19, economic downturn, and the likely necessity for agencies to cut their budgets, it is more than likely that this short-term approach will not be sustainable in the fiscal years ahead. Accordingly, it is prudent that we resubmit this request for this committee's reconsideration.

### **Action Requested**

The Board might decide to request a legislative concept to amend the stipend amount at a future legislative session. In the meantime, the law does allow Board members to be paid for the "prep" hearing day. The total amount the agency requires each biennium to support paying Board members for all of the days they conduct Board business is \$276,230. The Board's current service

level for Board stipends is \$138,011. Therefore, if approved by this committee, an additional **\$138,219** for the biennium would compensate the Board members for all of the days they conduct Board business. This would include the stipend and the associated social security funding. This package would result in the agency's ability to adhere to its own statutory requirement that members be paid "for each day during which the member is engaged in the performance of official duties..." ORS 161.385(4).

### **Legislation Affected**

The Psychiatric Security Review Board proposes this policy option package in its interpretation of ORS 161.385(4). At this time, the agency does not believe a legislative change would be necessary to carry out this request.

## Appendix E: Policy Option Package Supporting Request for Technology Upgrades



# Oregon

Kate Brown, Governor

## Psychiatric Security Review Board

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June 18, 2020

The Honorable Representative Dan Rayfield, Co-Chair  
The Honorable Senator Betsy Johnson, Co-Chair  
The Honorable Senator Elizabeth Steiner Hayward, Co-Chair  
Joint Committee on Ways and Means  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301-4048

Dear Chairpersons:

With this letter, the Psychiatric Security Review Board requests \$241,000 in funding above current service level for the 2021-2023 biennium. If granted, the agency plans to use these funds to begin a phased upgrade of its client database and its capabilities.

### **Nature of the Request**

The Psychiatric Security Review Board monitors more than 600 clients, working closely with the mental health community to ensure public safety while safeguarding clients' legal rights. Accomplishing this requires close communication with community stakeholders about clients' well-being and actions. Typically, community providers submit written reports about clients, both monthly and as behavioral incidents arise. The PSRB provides online templates for these reports, but at the moment, providers must still print and mail or FAX them back to the PSRB office, where staff members spend hours sorting, reviewing, and filing them manually.

Current practice involves staff using file-sharing software to share client files with the Board and the parties in preparation for the Board's weekly hearings. While mostly effective, this system can be complicated by stakeholders using different platforms, and could, potentially, be compromised by data breaches.

The Board's clients include those adults found Guilty Except for Insanity, juveniles found Responsible Except for Insanity, and individuals determined to be "Extremely Dangerous Persons with Mental Illness"—that is, accused of certain types of serious felonies and found permanently unable to aid and assist in their own defense. In order to ensure public safety while safeguarding clients' legal rights, the PSRB houses data for each of these client groups—in addition to petitioners under its gun relief program—in separate Microsoft Access-based databases. The PSRB has an outstanding staff member

and a contract with the databases' builder: currently an effective arrangement, but vulnerable should either of those individuals move on from their responsibilities with PSRB. In addition, Microsoft's plans to end mainstream support for the current version of Access in October 2023 would curtail the agency's ability to rebound in case of a catastrophic program failure.

### **Agency Action**

In 2019, the PSRB ratified its five-year strategic plan. Initiative six of the plan is to "expand, streamline, and make the PSRB's programs. . . more efficient by adopting secure, mature technology" consistent with the state Chief Information Office's vision, to help carry out its mission. Due to the existing and potential vulnerabilities mentioned above, the PSRB believes it best to begin upgrading its reporting, file-sharing, and database capabilities in a thoughtful, measured manner, before being forced to make a change on short notice due to disaster or a sudden lack of technical support. Given the varying levels of urgency and complexity associated with the above-stated needs, the PSRB believes a multi-phase implementation is best: phase 1 would streamline the reports process and upgrade our file sharing with the parties; while phase 3 would involve upgrading the agency's database's capabilities.

In phase 1, PSRB proposes to purchase or subscribe to a confidential, CJIS-compliant software system (e.g. Microsoft Azure, Google Firebase, IBM Cloud) on which stakeholders would log into a portal and be able to share client documents—including monthly reports and incident reports—with PSRB staff. Staff would then be able to process such reports more quickly, speeding the agency's response to both client emergencies and relatively routine questions that arise from monthly reports and gaining additional time for staff to concentrate on other matters. In addition, a streamlined reporting system would ease the reporting process for PSRB's public and private providers, freeing these vital community mental health resources to spend more time actively providing mental health treatment. Over time, this approach will allow counties and cities to devote fewer law enforcement resources to acute mental health incidents.

Phase 1's software solution would allow the PSRB to engage in confidential file sharing as well, so attorneys, the Board members, and others who need ready access may have it. Using current software, Board staff spend more than three hours each week uploading files, requiring them to sit at their computers to monitor the process in case the upload fails. Once finished, staff send links to the parties to grant them access. Upgraded software would allow for faster uploads—freeing staff to work on projects that do not require them to be at their desks—and Board members and parties can log in at their convenience, without waiting for staff to send a link to the files.

The agency's proposed phase 2 action involves adopting new database software to replace Microsoft Access, whose support Microsoft plans to sunset in October 2023, without an announced replacement. Because currently, the PSRB depends primarily on two people: its outstanding research analyst and the independent contractor who wrote the database's code. If the PSRB is still using Access when support for the program ends, the agency would be left with a two person support team and no manufacturer backup just over three months into the 2023-2025 biennium: an avoidable position in which the agency



hopes not to find itself. Phase 2's short implementation timeline underscores the urgency of starting phase 1 during the 2021-2023 biennium, so it can implement its plan to replace its databases before losing part or all of the data and/or its site support in October 2023.

The PSRB's database replacement would allow the agency to maintain secure client data, help it streamline the process of generating the hearings docket each week, and would be capable of generating hearing notices, orders, and other documents automatically based on built-in calendars. The agency believes it can achieve this undertaking for no more than \$241,000 during the 2021-2023 biennium, including: an estimated \$140,000 in one-time, up-front costs; \$86,000 in subscription fees per biennium; and \$15,000 in anticipated variable costs per biennium.

The agency has identified, on a tentative basis, its internal task force, but will likely need outside assistance to ensure we remain on track to purchase appropriate, functional software that fits within the CIO's vision, and to account for it properly in our budget.

### **Action Requested**

For the foregoing reasons, the Psychiatric Security Review Board respectfully requests that the 2021 Oregon Legislature allocate \$241,000 in general funds to allow it to increase its operational efficiency and improve outcomes for those under its jurisdiction, and in turn, to enhance the safety of all Oregonians, regardless of their relationship to the PSRB and its clients.

### **Legislation Affected**

The Psychiatric Security Review Board proposes this policy option package by virtue of its authority under ORS 161.385 and 161.387. Since this policy package would not affect any aspect of the agency's authority over its subject matter, it would not affect any legislation of which the agency is aware.

## Appendix F: Key Stakeholders/Agency Interactions

685 Clients	GEI	REI	CC	GR	SOC&R
665 Victims	GEI	REI	CC		
Parents / Guardians	GEI	REI	CC		SOC&R

**Client Counsel**

Primary	GEI	REI	CC		
Secondary	GEI				
Others	GEI			GR	
Youth Rights Justice		REI			

**State**

Legislature	GEI	REI	CC	GR	SOC&R
BOPPPS					SOC&R
Oregon State Police	GEI	REI	CC	GR	SOC&R
Dept of Corrections	GEI	REI	CC		

**Department of Justice**

AAGs	GEI	REI			
Victim's Advocates	GEI	REI	CC		
Liaison	GEI	REI			

**Oregon Health Authority**

Fiscal and Operations Division	GEI	REI	CC	GR	SOC&R
External Relations	GEI	REI	CC	GR	SOC&R
Health Systems Division	GEI	REI	CC	GR	SOC&R
Health Policy and Analytics	GEI	REI	CC	GR	SOC&R
Public Health Division	GEI	REI	CC	GR	SOC&R

**Oregon State Hospital**

Administration	GEI	REI	CC		
Legal Department	GEI	REI	CC		SOC&R
State Hospital Review Panel	GEI				SOC&R
Liaison	GEI	REI	CC	GR	
Psychiatrists	GEI	REI	CC		
Psychologists	GEI	REI	CC		
Social Workers	GEI	REI	CC		
Security	GEI	REI	CC	GR	

**Children's Farm Home**

Liaison		REI			
Clinicians		REI			

**Albertina Kerr**

Liaison		REI			
Clinicians		REI			

**36 Counties**

Judges	GEI	REI	CC		
DAs	GEI	REI	CC	GR	
Juvenile Court Counselors		REI			
Defense Attorneys	GEI	REI	CC	GR	
Victim's Assistance	GEI	REI	CC		
Sheriffs	GEI	REI	CC	GR	

**County Mental Health**

Administration	GEI	REI	CC		
65 Case Managers	GEI	REI	CC		

**County DD**

Administration	GEI	REI	CC		
10 Case Managers	GEI	REI	CC		

**Dozens of Cities**

Chiefs of Police	GEI	REI	CC	GR	
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**Treatment Providers**

Co MH Agencies	GEI	REI	CC		
Private Non-Profits	GEI	REI	CC		

**100 Residences**

SRTF / State-Ops	GEI	REI	CC	GR	
RTH/F	GEI	REI			
ECF	GEI				
AFH	GEI				
Group Homes		REI			
Proctor Home		REI			
Supported Housing	GEI	REI			

**Out-of-State**

DAs				GR	
Sheriffs				GR	
Chiefs of Police				GR	

**Federal**

NICS				GR	
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**Program Key**

GEI=Guilty Except for Insanity  
 REI=Responsible Except for Insanity  
 CC=Civil Commitment  
 GR=Gun Relief  
 SOC&R=Sex Offender Classification and Relief

## Appendix G: Agency Reduction Options

**Agency Name (PSRB)**  
**2021 - 2023 Biennium**

**Detail of Reductions to 2021-23 Current Service Level Budget**

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Priority (ranked most to least preferred)	Agency	SCR or Activity Initials	Program Unit/Activity Description	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	Used in Gov. Budget Yes / No	Impact of Reduction on Services and Outcomes	
Dept	Prgm/ Div														
	General Program	39900	010-00-00-00000	Expendable Property	15,000						\$ 15,000			Yes	PSRB would need to refrain from purchasing durable equipment it might otherwise have purchased. PSRB cannot predict the exact nature of durable goods it would not purchase if asked to make this reduction, but the agency would have to continue to use old, and perhaps obsolete, equipment under those circumstances. Items that come to mind on this subject include filing cabinets office furniture, microphones used during PSRB hearings.
	General Program	39900	010-00-00-00000	Office Expenses	20,903						\$ 20,903			Yes	The impact of this reduction will be in the limitation of the agency's purchase of office supplies. The agency underspent its allotted funding for this line item during the 2019-21. We attribute this reduction to our efforts to limit spending, but moreover, to a reduction in office supply use with the significant expansion of remote work since the onset of the COVID-19 pandemic.
	General Program	39900	010-00-00-00000	Recruitment	1,450						\$ 1,450				Should the Board experience a departure in a fillable position, this reduction could limit the Board's options in terms of advertising to potential candidates and/or methods of identifying the best qualified candidate for an open position. If the Board's staff remains static—as it has tended to do over the past two to three biennia—it will need only limited funds for staff recruitment. With respect to Board members, two have terms ending the last day of the 2019-2021 biennium and two positions are currently vacant. We are finding cost-effective ways to recruit for these positions. In the 2021-23 biennium, two Board members will reach their term limits halfway through the biennium, and the agency will continue to use the cost-effective practices it is currently using. By reducing this funding, the agency would be limited to using its internal workforce to review prospective candidates and unable to take advantage of recruiting services, such as vidcruiter or platforms that could more effectively and fairly screen for the most qualified candidates.

**Agency Name (PSRB)**  
**2021 - 2023 Biennium**

**Detail of Reductions to 2021-23 Current Service Level Budget**

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Priority (ranked most to least preferred)	Agency	SCR or Activity Initials	Program Unit/Activity Description	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	Used in Gov. Budget Yes / No	Impact of Reduction on Services and Outcomes	
Dept	Prgm/ Div														
	General Program	39900	010-00-00-00000	Telecommunications	3,806						\$ 3,806				The PSRB's polycom system, which is the audio/video conferencing system used to ensure quality recordings of our hearings has fully depreciated. While it continues to work today, we have experienced some technical issues over the recent six months and anticipate that we may need to replace it during the 2021-23 biennium. A reduction of this funding may limit our options for replacing this equipment.
	General Program	39900	010-00-00-00000	Professional Services	3,760						\$ 3,760				The PSRB has three primary professional services contracts: one to maintain its client databases; one to assist in classifying sex offenders under the Board's sex offender classification, reclassification, and relief program; one and one to outsource transcription services when Board decisions are appealed. The Board expects a reduction in sex offender classifications because it achieved classifying almost all sex offenders currently or previously under its jurisdiction in the last biennium. The Board will still need to outsource juvenile and female cases; however, these populations are low. The Board outsources transcription based on a cost-benefit analysis that results in this work being more efficiently and accurately conducted by our contractor. The Board has staff who can provide this service as the limits to the budget require. Regarding the Access database, the Board employs one staff with some expertise with this database. A major break in the database will require outsourcing to a contractor. Fortunately, such problems did not occur in the 2019-21 biennium. However, a reduction in this funding also reduces the Board's ability to make any significant improvements to its database. There is low-impact here, based on the Board's decision to not invest more in the current database given its active pursuit of securing funding for an improved case tracking system in the near future.

**Agency Name (PSRB)**  
**2021 - 2023 Biennium**

**Detail of Reductions to 2021-23 Current Service Level Budget**

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Priority (ranked most to least preferred)	Agency	SCR or Activity Initials	Program Unit/Activity Description	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	Used in Gov. Budget Yes / No	Impact of Reduction on Services and Outcomes	
Dept	Prgm/ Div														
	General Program	39900	010-00-00-00000	Other Services and Supplies	6,081						\$ 6,081				These reductions limit the Board's ability to lease a State vehicle, which has historically been necessary for travel to and from hearings as well as providing statewide training, education and outreach to partners and stakeholders. During the COVID-19 pandemic, the Board has significantly reduced the need for a State vehicle. The impact of not having a State vehicle is increased costs associated with employee mileage. We expect that to remain minimal while COVID-19 restrictions are in effect, and to increase when we are expected to hold in-person hearings in the future. We will continue to restrict travel associated with training and outreach (see explanation in next line item, In-State Travel).
	General Program	39900	010-00-00-00000	IT Expendable Property	13,561						\$ 13,561			Yes	The PSRB replaces desktops/laptops every other biennium. The PSRB last replaced their desktops/laptops in the 2017-19 biennium, and had planned to do so in the 2021-23 biennium. Losing this funding may restrict our options for replacing these resources. In addition, the PSRB does not currently have a sufficient number of computers (desktops/laptops) to support all of its staff and Board members to work remotely. Some board staff and board members are currently sharing this equipment. A reduction in this funding would limit remote work opportunities.
	General Program	39900	010-00-00-00000	Employee Training	5,000						\$ 5,000				The agency would need to cut staff training and development activities in order to make this reduction. As the agency moves toward using software to improve efficiencies, a reduction to this funding limits employees from attending trainings that improve their skills with software such as Excel and Adobe Pro. The Board is also recruiting and will hire a new Deputy Director shortly. Opportunities for leadership and project management trainings will be limited.



**Agency Name (PSRB)**  
**2021 - 2023 Biennium**

**Detail of Reductions to 2021-23 Current Service Level Budget**

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Priority (ranked most to least preferred)	Agency	SCR or Activity Initials	Program Unit/Activity Description	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	Used in Gov. Budget Yes / No	Impact of Reduction on Services and Outcomes	
Dept	Prgm/ Div														
	General Program	39900	010-00-00-00000	In-State Travel	5,399						\$ 5,399				Should this reduction be necessary, Board staff would minimize travel to the greatest extent possible. At a minimum, the Board and its staff may be expected to travel to/from Salem for in-person hearings. During COVID-19, we held these hearings remotely; however, it is likely that in-person hearings will be expected to resume once COVID-related restrictions are lifted. The ED would need to significantly reduce travel to partner/stakeholder sites and organizations for training and educational purposes, and limit those interactions to phone/videoconferencing.
	General Program	39900	010-00-00-00000	Admin Specialist 2 position	109,620						\$ 109,620	0	0.58		Administrative Specialist-2 position reduced by 0.58 FTE. Should the Board be required to absorb this reduction, it would mean the loss of one third of the Board's hearings team, the team responsible for the PSRB's most visible and vital function. The Board would be forced to reassign the current incumbent's duties, making the process significantly less efficient, while also risking due process violations for clients and— potentially—public safety. This position's incumbent has a wealth of knowledge about Board hearings, especially the preparation necessary for administrative hearings. This staff member also is one of only four who run the agency's LEDS terminal. The terminal has to stay in the office, so it is important given COVID-19-related restrictions that the PSRB have enough trained staff available to run the terminal in case of emergencies. Cuts to the agency's staff will undoubtedly delay or limit any efforts in the agency's goals related to technology (e.g. Package 104: Technology Upgrades).
				1st 5% Reductions	184,580						\$ 184,580				
											\$ -				
	General Program	39900	010-00-00-00000	Professional Services	11,616						\$ 11,616				Reduce this funding further (see above)
	General Program	39900	010-00-00-00000	Admin Specialist 2 position	78,300						\$ 78,300	1	0.42		Fully eliminate the Administrative Specialist-2 position. This position was reduced by .58 to make up the first 5% reduction. This additional funding would eliminate the position in its entirety.

**Agency Name (PSRB)**  
**2021 - 2023 Biennium**

**Detail of Reductions to 2021-23 Current Service Level Budget**

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Priority (ranked most to least preferred)	Agency	SCR or Activity Initials	Program Unit/Activity Description	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	Used in Gov. Budget Yes / No	Impact of Reduction on Services and Outcomes	
Dept	Prgm/ Div														
	General Program	39900	010-00-00-00000	Office Specialist 2 position	94,664						\$ 94,664		0.58		Reduce staff expenditures by reducing the Board's OS 2 position from 1.0 to .42 FTE. The PSRB's office specialist is a vital part of ensuring that the PSRB keeps the public safe while maintaining clients' rights (on-time hearings, the opportunity to live in the least restrictive environment possible under the Olmstead decision, etc. The OS 2 position organizes client files, answers front-desk phone, and processes correspondence in a timely fashion in order to keep everyone—community mental health partners, attorneys, victims, law enforcement personnel, and judges—informed of their rights and responsibilities. Reducing this position would curtail significantly timely responses to outside communication and the internal hearings process.
				2nd 5% Reductions	184,580						\$ 184,580				
				Total 10% Reductions	369,160	-	-	-	-	-	\$ 369,160	1	1.58		

Target \$ 369,160  
Difference \$ -

## Appendix H: Program prioritization for 2021-23 (form 107BF23)

# BUDGET NARRATIVE

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3. Program Prioritization for 2021-23: Not applicable.