

Nebraska Board of Parole
Business Meeting Minutes
Nebraska Department of Correctional Services Central Office
Folsom & West Prospector Place, Bldg. 1
Lincoln, NE 68509

Tuesday
October 3, 2017
2:30 pm

The business meeting convened at 2:30 p.m. on October 3, 2017 with following persons present: Rosalyn Cotton, Chair; Rex Richard, Vice Chair; Teresa Bittinger, Member; Layne Gissler, Member; Virgil Patlan, Member; Nicole Miller, Legal Counsel; Julie Micek, Director of Supervision and Services; Jennifer Miller, Parole Board Program Analyst; and Sonya Fauver, Administrative Assistant – Pardons Board.

I. The business meeting was called to order at 2:30 p.m. by Chair Rosalyn Cotton.

II. Roll Call:

Chair Rosalyn Cotton	Present
Vice Chair Rex Richard	Present
Member Teresa Bittinger	Present
Member Layne Gissler	Present
Member Virgil Patlan	Present

a. Chair Cotton announced the notice of this public meeting was placed on the Board of Parole website on September 22, 2017; and notice of publication was placed in the Lincoln Journal Star on September 22, 2017.

b. Chair Cotton announced the Open Meeting Act information is available in the room.

III. A motion was made by Chair Rosalyn Cotton and seconded by Board Member Virgil Patlan to approve the agenda. Motion Carried - Vote: 5-0

Chair Rosalyn Cotton	Yes
Vice Chair Rex Richard	Yes
Member Teresa Bittinger	Yes
Member Layne Gissler	Yes
Member Virgil Patlan	Yes

IV. A motion was made by Chair Rosalyn Cotton and seconded by Vice Chair Rex Richard to approve the business meeting minutes from September 12, 2017. Motion Carried - Vote: 5-0

Chair Rosalyn Cotton	Yes
Vice Chair Rex Richard	Yes
Member Teresa Bittinger	Yes
Member Layne Gissler	Yes
Member Virgil Patlan	Yes

V. The floor was opened for public comments on items listed on the agenda. No public comments were posed.

VI. Chairperson Updates:

a. National Governor's Association Parole Working Group:

Chair Rosalyn Cotton reported that the group is putting together a project for the State of Nebraska. The project will consist of the Nebraska Board of Parole and Parole Supervision and Services working as one unit. The members of the team are Rosalyn Cotton, Parole Board Chair, Denny Vaggalis, Policy and Research – Governor's Office; Julie Micek, Director – Parole Supervision and Services; and Jennifer Miller, Parole Board Program Analyst. There are five states involved in this project: Nebraska, Colorado, Texas, North Carolina, and Kentucky. Each state has been assigned a facilitator of the project and Nebraska's facilitator will be visiting sometime in November 2017. The project is slated to be completed by September 2018.

b. Follow up on Custodial Sanctions:

Chair Rosalyn Cotton indicated that she was putting this on hold for future questions. Things to consider are: Where are the sanctions at and moving forward; when is the parole Board going to start working on them; what does the Board want to do with the custodial sanctions; is the Board ready to move forward; and is there other topics needed.

c. Board Member Training:

Chair Rosalyn Cotton will be working up a curriculum for Board Members. Board Member Teresa Bittinger is working on guidelines and is requesting input from others regarding the curriculum. Chair Cotton is looking at having Board Member training every six months to one year.

d. Annual Report:

Chair Rosalyn Cotton reported that the Parole Board's annual report is ready for publication. It will be posted on the Parole Board's website and Legal Counsel will research how and where additional places it should be published.

e. ABC 20/20:

Chair Cotton reported that Mr. Tom Berman of the news show 20/20 of the ABC network has made contact with the Nebraska Parole Board and is interested in this states process of parole hearings. Chair Cotton would like to consider the options at this time and determine if the Board wants to proceed with this venture now or at a later time.

f. Revisit Psychological Evaluation Policy:

A motion was made by Chair Rosalyn Cotton and seconded by Vice Chair Member Rex Richard to revisit the psychological evaluation policy. Motion Carried - Vote: 5-0

Chair Rosalyn Cotton	Yes
Vice Chair Rex Richard	Yes
Member Teresa Bittinger	Yes
Member Layne Gissler	Yes
Member Virgil Patlan	Yes

A sub-committee of Chair Rosalyn Cotton and Vice Chair Rex Richard was created to discuss this policy.

g. Revise Media Policy:

A motion was made by Chair Rosalyn Cotton and seconded by Board Member Layne Gissler to revisit the media policy. Motion Carried - Vote: 5-0

Chair Rosalyn Cotton	Yes
Vice Chair Rex Richard	Yes
Member Teresa Bittinger	Yes
Member Layne Gissler	Yes
Member Virgil Patlan	Yes

A sub-committee of Legal Counsel Nicole Miller and Director Julie Micek was created to research the media policy.

h. NDCS Cell Phone Policy:

Chair Cotton put this agenda item on hold and will revisit this topic at another Board meeting in the future.

VII. Office of Parole Administration Update:

a. STRONG – R Update:

Currently waiting for the report and it should be available October 23, 2017.

b. MOU with Nebraska Crime Commission regarding NCJIS Administrator:

Parole Administration and Services will no longer share services for tele-type with DCS Special Services Department. A MOU was done so Parole Administration can perform their own tele-type services and perform background checks regarding parole clients and new employees. During off hours of the work day and weekends, the Department of Correctional Services (D and E) will perform backup for warrants. This will require that a Parole Board member be on call. This will go live on November 1, 2017.

A motion was made by Chair Rosalyn Cotton and seconded by Board Member Teresa Bittinger to approve the MOU with the Nebraska Crime Commission regarding NCJIS Administrator as being Parole Administration. Motion Carried - Vote: 5-0

Chair Rosalyn Cotton	Yes
Vice Chair Rex Richard	Yes
Member Teresa Bittinger	Yes
Member Layne Gissler	Yes
Member Virgil Patlan	Yes

A motion was made by Board Member Teresa Bittinger and seconded by Chair Rosalyn Cotton to adopt a 10-minute window for issuing warrants regarding after hours of the work day warrants. Motion Carried - Vote: 5-0

Chair Rosalyn Cotton	Yes
Vice Chair Rex Richard	Yes
Member Teresa Bittinger	Yes
Member Layne Gissler	Yes
Member Virgil Patlan	Yes

c. New Hires – Division of Parole:

Parole Administration and Services is currently fully staffed.

d. Update on Custodial Sanctions:

There are eight county jails that have signed contracts. This will go live October 20, 2017. Training for staff and the county jails will be done by Webinar training.

e. Yellow Belt Training for Parole Division:

All leadership team members of Parole Administration and Services have completed the Yellow Belt Training program.

f. Budget:

Ms. Micek indicated that the information was not ready to compile at the beginning of the month and she will report on the budget to the Board at the last meeting of each month.

VIII. Legal Counsel Updates:

a. Proposed Rule on Board Members Leave:

Ms. Nicole Miller, Legal Counsel, indicated that the sub-committee of Vice Chair Rex Richard, Board Member Teresa Bittinger, and herself researched this topic and believes a standard policy regarding Board Member leave is appropriate.

A motion was made by Chair Rosalyn Cotton and seconded by Board Member Virgil Patlan to approve the proposed rules of Board Member Leave. Motion Carried - Vote: 5-0.

Chair Rosalyn Cotton	Yes
Vice Chair Rex Richard	Yes
Member Teresa Bittinger	Yes
Member Layne Gissler	Yes
Member Virgil Patlan	Yes

b. Proposed Amendment to LB 366:

Ms. Nicole Miller, Legal Counsel, indicated that this is still an undefined issue and held discussions of the background of this concern. The topic of discussion is regarding work release applications and what is the responsibility of the Parole Board. By her research this has statutory regulations. The matter is, how does the Board want to proceed and do they want to pursue statutory changes or procedural changes. It was determined that this should be a priority item with the Board and should research and pursue an amendment to the introduced bill. The issue will be discussed further at a future Board meeting.

IX. Subcommittee Updates:

Subcommittee – Transitional Living Facilities: Board Member Teresa Bittinger and Board Member Virgil Patlan reported that they visited transitional living homes in Omaha, Nebraska. They have some concerns with some of the homes possibly meeting code, but pretty well were impressed with the facilities. They are requesting that the Board make it a standard to have conversations with the inmate at their review meetings to discuss their choice of transitional living, why they chose a certain facility, and encourage them to do a lot of research before they make a final decision on a placement home. The re-entry team will also be working with the Parole Board and the inmate on the discussion, assistant in choosing a facility, and how the inmate may be successful or unsuccessful in a chosen facility.

X. Plan Next Board Business Meeting:

Chair Rosalyn Cotton scheduled Tuesday, October 24, 2017 at 2:30 pm for the next Parole Board Business meeting.

XI. Adjournment:

Chair Rosalyn Cotton made a motion to adjourn the meeting at 3:31 pm and it was seconded by Board Member Teresa Bittinger. Motion Carried 5-0.

Chair Rosalyn Cotton	Yes
Vice Chair Rex Richard	Yes
Member Teresa Bittinger	Yes
Member Layne Gissler	Yes
Member Virgil Patlan	Yes

Minutes prepared by Reporter / Assistant on 10-04-2017