

**Nebraska Board of Parole
Board Business Meeting**

April 20, 2021

1:30 pm

Nebraska Board of Parole / Division of Parole Supervision

421 S. 9th St., Lincoln NE

2nd Floor Shared Conference Room

The business meeting convened at 1:30 on April, 20, 2021. The following persons were present. Rosalyn Cotton, Chair; Layne Gissler, Vice Chair; Virgil Patlan, Member; Robert Twiss, Member; Mark Langan, Member; Nicole Miller, Legal Counsel; Julie Micek, Director of Parole Supervision; and Sue Olson, Reporter.

I. The business meeting was called to order at 1:30 by Chair Rosalyn Cotton.

II. Roll Call

Chair Rosalyn Cotton	Present
Vice Chair Layne Gissler	Present
Member Virgil Patlan	Present
Member Robert Twiss	Present
Member Mark Langan	Present

III. Chair Cotton announced the following information had been posted regarding this meeting.

a. Notice of Publication

Lincoln Journal Star – 4/8/2021; website 4/13/2021

Chair Cotton announced that:

b. Open Meetings Act information was available at this location.

IV. Approval of Agenda

A motion was made by Chair Rosalyn Cotton, and seconded by Member Mark Langan to approve the agenda.

Motion carried – vote 5 – 0. Voting -

Chair Rosalyn Cotton	Yes
Vice Chair Layne Gissler	Yes
Member Virgil Patlan	Yes
Member Robert Twiss	Yes
Member Mark Langan	Yes

V. Approval of Minutes (October 6, 2020)

Chairperson or Vice-Chairperson

Motion: No motion was made for approval of October 6, 2020 minutes.

Second:

Voting----

Chair Rosalyn Cotton
Vice Chair Layne Gissler
Member Virgil Patlan
Member Robert Twiss
Member Mark Langan

- VI. Public Comment Period
- a. Public comments must relate to specific agenda items only and will be limited to 3 minutes per person, or fifteen minutes total, on an agenda item, unless otherwise announced by the Chair or Vice-Chair at the beginning of the public comment period.
 - b. Persons wishing to offer oral public comments will be asked to provide their name and address.

- VII. Board of Parole Annual Report Rosalyn Cotton

Chair Rosalyn Cotton reported that a copy of the Annual Report has been received and it is posted on our website. The Board had received a request of this information and with this report posted to the website; it provides a good option for those type of inquiries. Member Virgil Patlan was interested in quarterly information. Parole does have access to that and can provide to the Board. Quarterly reports were provided prior to the Annual report being available. Monthly reports are available to Board if needed. Information is being sent to the Crime Commission. A vote is not required by the Board to approve Annual Report. The Annual Report was provided to all Members and time given for comments. The question was asked if the Annual Report was required by Legislation and clarified that it is not. Mandatory discharge reports are required.

- VIII. Overcrowding Emergency Act Legislative Report Rosalyn Cotton
Legislation requires this report.

- IX. Legislation Tracking Chart Rosalyn Cotton

Chair Rosalyn Cotton reported that there was nothing significant to report.

Information on Legislation 334 and 56 regarding status was requested by Mr. Twiss. LB83 passed – this deals with open meeting act and allows for virtual meeting. Hearings are not subject of that.

Updated information noted from email prior from Ms. Miller.

- X. Division of Parole Supervision Update Julie Micek

Phase III and Operations Update (including staffing overview)

Ms. Micek reported that Parole Supervision is currently in stage III with most everyone back in the office. Some Virtual will continue in parts of the State. June 7th is date to start some group classes again in person. The majority of staff have received vaccinations. Staff are working in person but still using social distance. The plan will be to go back to normal operations when it is safe. Clients will be seen in the field and officers are setting meetings in social distance areas that have been set up. We will be moving toward in person group staff meetings. Western has been trying to meet one on one also. Drug testing is back but clients are not yet in office spaces or groups. High risk and moderate clients will be met in person and low risk over video. We are using iLobby as a screening tool for COVID symptoms and notification in Lincoln and Omaha.

- a. DPS Code of Ethics

A Code of Ethics has been a project for several years but was delayed with the other demands to forming a new agency. Parole is now working on a Code of Ethics with a committee working on details and when complete, it will be forwarded to the Board. It deals with the ethical principles of being an officer and boundaries working with clients.

- XI. Proposed Amended Rule § 10-102. Public Records Nicole Miller

Ms. Miller reported that this legislation addresses changes to our fee structure and seeks the structure to be reviewed. We are in line with other agencies. It has been left as it was previously.

A change was requested by Member Twiss that under subcategory (E) copies be provided to the members of the Board of Parole.

Copies will be provided at no cost to the requester when ordered by the court. Copies will be provided at no cost to criminal justice agencies or other government agencies.

XII. Legislative Update – Bills Introduced (from January 2021 agenda) Bob Twiss

Mr. Twiss commented that some updates were covered earlier in this meeting. Mr. Twiss would like the Legislative committee to meet to discuss bills. There was discussion regarding the existence of the Legislative committee and if the committee is needed. It was asked who the Legislative committee is and what do they do? Clarification was provided that previously with prior members, there were committees but as Board Chair, Ms. Cotton would prefer to have legal review and bring to Board items that require additional discussion. Further discussion was provided by Mr. Twiss regarding that the committee does exist. Mr. Patlan requested that we discuss this issue and resolve this procedure. Further discussion requested by Vice Chair Layne Gissler, prior to vote, clarified that if the legislative committee was abolished, that the Legal counsel Nicole Miller, would track all legislation for items that needed to be brought to the Board for additional discussion and it was agreed that this was the case.

A motion was made by Member Mark Langan and seconded by Chair Rosalyn Cotton to abolish the legislative committee.

Motion carried – vote 3 – 2. Voting -

Chair Rosalyn Cotton Yes

Vice Chair Layne Gissler Yes

Member Virgil Patlan No

Member Robert Twiss No

Member Mark Langan Yes

XIII. Legislative Communication (deferred from August and October 2020) Bob Twiss

Member Robert Twiss requested this item on the agenda be carried to the next meeting. Chair Rosalyn Cotton made note that several of these agenda items have been held over through earlier meetings since August of last year and asked if they could not be brought to discussion at this meeting rather than carrying over. Member Robert Twiss declined to discuss at this time.

XIV. BOP Rules / Policies (deferred from August and October 2020) Bob Twiss

Member Robert Twiss requested this item on the agenda be carried to the next meeting.

XV. AG Report / Inquiry 17-005 (deferred from August and October 2020) Bob Twiss

Member Robert Twiss requested this item on the agenda be carried to the next meeting.

XVI. BOP / Staff Interactions (deferred from August and October 2020) Bob Twiss

Member Robert Twiss requested this item on the agenda be carried to the next meeting.

Chair Rosalyn Cotton made note that as these items carried forward today have been carried through various Agendas with no discussion, that the addition to the next agenda may be denied.

XVII. BOP pre-meeting packets (deferred from August and October 2020) Bob Twiss

Member Robert Twiss remarked that he believed this has been covered and it has been better.

Member Robert Twiss requested information and discussion regarding the budget. Chair Rosalyn Cotton noted that a copy of the budget was provided in July 2020 and forwarded to all and she was happy to provide an additional copy of that budget for review. Receiving the budget was confirmed by other Board members with a note that it was a while ago. Member Virgil Patlan asked if something more current was available and Ms. Micek provided that an informal report that is current could be provided by our business manager and Ms. Micek could provide a review of the budget at the next meeting.

XVIII. BOP Training/Retreat in lieu of annual national training meetings

Bob Twiss

Chair Rosalyn Cotton had requested ideas in regard to training. Member Robert Twiss provided the information that Jeff Davis from Sarpy County is available to talk on subject matter. Chair Rosalyn Cotton reviewed that an Internal training schedule is going to be provided by NDCS. Submitted topics are external training options and are on hold due to COVID. When this changes, updates will be provided. Peer to peer trainings are being considered working with the University of Nebraska. These would be one on one meetings with a facilitator concerning discussions pertaining to Board positions. Member Patlan wondered about checking into training options and passing along any information that he might find to the other Board members. This was noted as ok to provide information to the Board.

XIX. Board Member Round Table

Member Virgil Patlan mentioned that it is his hope to see a pay increase possible on behalf of Parole officers.

Member Robert Twiss queried how does someone get an item for the agenda approved if Chair rejects that item as an addition to the agenda. This topic was discussed and it was determined that a discussion of the item can be brought to the round table and if it is decided by the Board that this item should be added to the next meeting agenda. It would have to wait until the next meeting so that the public receives notice prior to any further discussion or action taken. If an agenda item is rejected by Chair, it takes 3 Board members voting yes to put it back on a future agenda.

Chair Cotton brought up the Revocation process and what is coming back. Chair Cotton mentioned considering the idea of our own transition living facility as a topic that may be discussed at our next business meeting.

Member Twiss brought up that he feels the 1:1 is not working, and felt all Board members need have communication at the same time. Member Langan mentioned that he feels that 1:1 are working for him and felt the comment was made for the group and he wanted to clarify that was he was not in agreement. Member Twiss repeated that they do not work for him and he is not going to attend an illegal meeting that he is asked to attend.

XX. Announce Next Board Business Meeting

Chair Rosalyn Cotton announced that the next meeting is scheduled July 20, 2021 at 1:30 in the Shared conference room located at Heritage Square.

XXI. Adjourn

A motion was made by Chair Rosalyn Cotton, and seconded by Member Mark Langan to adjourn at 2:25 p.m..

Motion carried – vote 4 – 1. Voting -

Chair Rosalyn Cotton	Yes
Vice Chair Layne Gissler	Yes
Member Virgil Patlan	Yes
Member Robert Twiss	No
Member Mark Langan	Yes

Sue Olson, Reporter