

2021 Safety and Justice Challenge Sustainability Narrative

1. SUMMARY OF PROJECT OR FUNDED ACTIVITIES (2,000-character limit; Currently 1993)

a. Please summarize your proposal for the next two years and how it successfully prepares your jurisdiction for long-term sustainability after the grant period, including by addressing your two-year jail population reduction target and qualitative and/or quantitative targets for reducing racial and ethnic disparities. Please also include your plans for ongoing data tracking, analysis, and reporting, reflection and decision-making, and strengthening local partnerships.

a) Multnomah County is well positioned to ensure long-term sustainability of justice reform efforts funded and accelerated by its designation as a SJC implementation site. Local justice partners have a shared commitment to build on successes and lessons learned to maintain jail population and disparities targets by continuing implementation of four primary strategies and three infrastructure/capacity elements:

Implementation strategies:

- **Implement and validate pretrial reform process**
The SJC-funded Pretrial Reform assessment and planning process has positioned the jurisdiction for sustainable and equitable pretrial reform without increasing on-going operational costs over pre-reform levels. The jurisdiction will also complete a local PSA validation study following implementation.
- **Institutionalize successful and sustainable SJC and COVID jail reduction strategies**
SJC involvement, combined with COVID-related jail management strategies, successfully and significantly reduced the local jail population. An analysis of the jurisdiction's COVID response is underway to provide leadership the data needed to identify and maintain successful and sustainable strategies.
- **Conduct deeper RED analysis to pinpoint disparities**
The jurisdiction's efforts to better understand disparities will include a deeper dive into a 2019 Decision Point Analysis by the Burns Institute, a partnership with PSU, and the DA office's Prosecutorial Performance Indicators work.
- **Convene reconfigured RED Committee**
Building on lessons learned, a new RED Committee that includes community and criminal justice members will be supported by the SJC-funded Justice Fellowship, which will prepare community and criminal justice members to share power.

Reform Infrastructure/Capacity Activities:

- Support and expand system-wide collaboration
- Maintain LPSCC project management and data analysis capacity to complete, sustain and collect/analyze data to monitor and evaluate strategies
- Complete pretrial system reform IT projects

2. ORGANIZATION OVERVIEW (1,000-character limit; currently 941)

a. Please briefly describe the lead agency for this grant and all of the additional partner agencies or organizations essential to implementation.

a) The project lead, the Local Public Safety Coordinating Council (LPSCC), will continue to champion the strategies outlined in this proposal as part of broader and ongoing system reform efforts. LPSCC is a statutorily created collaboration made up of key local public safety partners. The Executive Committee, which meets monthly, oversees the SJC Policy Team.

b) The LPSCC Executive Committee and SJC Policy Team includes members essential to implementation: the District Attorney, Sheriff, Presiding and Chief Criminal Judges, public defenders, and the Directors of the Health/Behavioral Health and Community Justice (probation and pretrial) Departments, Portland and Gresham Police, behavioral health agencies, victim services, and community members, all of whom contributed to, and approved, this application. Additional community input was solicited through community advisory boards and listening sessions outlined in this application.

3. CONTEXT (4,000-character limit; currently 3974)

(Overview of the jurisdiction's reform environment)

a. How has your jurisdiction's jail population changed since the baseline measurement, and why?

i. In your response, please indicate changes to jail population pre-COVID and how it has been impacted as a result of the pandemic.

ii. Distinguish the lowest ADP you achieved pre-COVID and the lowest recorded ADP as a result of the pandemic.

iii. Indicate the percentage reduction since the baseline period and how it compares to lowest ADP achieved to date.

iv. Please explain and demonstrate with data what local efforts have contributed to changes in the jail population.

v. As helpful, please feel free to seek consultation and advice from CUNY ISLG in developing this analysis.

a) As of February 2020 (pre-COVID), the jurisdiction's ADP had decreased by 7.63% from baseline. The lowest pre-COVID ADP since joining SJC was 1,057 in December 2019 and the lowest ADP post-COVID was 610 (August 2020), a drop of 50.6% from baseline. As of August 31, 2021, the ADP is 775, a 36% reduction.

Three factors contributed to the reductions:

- **Dorm closures**: Since 2016, the Board of County Commissioners closed three dorms; 193 beds. These reductions heightened leadership's determination to revise jail use policies, setting the stage for implementing other strategies.
- **COVID response**: Multnomah County quickly reduced ADP, reaching a low of 610 in August 2020. This rapid reduction was the result, in part, of SJC strategies discussed in 2017: decrease use of

Jail Sanctions, and increase use of citations in lieu of booking. The courts also began some remote hearings.

- Response to George Floyd murder: Portland experienced nightly protests through summer and early fall 2020, requiring an evolving law enforcement response. The redeployment of officers to manage protest behavior resulted in fewer officers responding to other calls for service and fewer jail bookings. Jail numbers increased in October 2020 to 744 as the protests waned and law enforcement returned to regular patrols, remaining relatively stable since that time. In addition, the protests prompted criminal justice leadership to engage in meaningful conversations about justice policy, racism, and reckoning, further honing decarceration values.

b. Describe how systems change has manifested in your jurisdiction to date, whether as part of the Safety and Justice Challenge or through other, complementary efforts.

b) Multnomah County's SJC designation launched focused and meaningful system change and reduced jail use. Initial discussions identified discreet strategies that improved programming, policy, and outcomes without a major impact on jail use. Inability to adequately move the needle prompted the Policy Team to request a pre-trial assessment by Justice System Partners, which revealed embedded disparities and inefficiencies in the existing pretrial system and the need for an overhaul. This effort, funded by the 2019 SJC grant, has broad support and is prompting a total reassessment of practices and assumptions.

Even more overarching system change was launched in 2020 with the Transforming Justice initiative, designed to align and implement system change strategies by engaging criminal system leaders, health/housing system leaders, elected officials, providers, victims of crime, community members, and individuals with lived experience to ask hard questions and, together, reimagine the future of justice policy. Clearly, these major undertakings would not exist without SJC, which galvanized leadership to find solutions to long-standing problems.

c. Describe the efforts you have taken to reduce racial and/or ethnic disparities in your local justice system.

i. How specifically have you incorporated SJC's guidance on reducing racial and ethnic disparities (see attachment)?

ii. What successes and/or challenges have you experienced?

c) Since 2016, Multnomah County has implemented disparity-related SJC strategies, including opening a culturally specific transitional house for justice-involved Black women, staffing expanded community efforts, and utilizing data to identify and impact systemic disparities, consistent with SJC's guidance document. Successes and challenges prompted an updated Decision Point Analysis in 2019 by the Burns Institute, resulting in more nuanced approaches and analyses. Recognizing the importance of consistent race data, partners now ensure all analyses are disaggregated by race, facilitating evaluation of reform strategies.

Repeated attempts to reinvigorate the existing Racial and Ethnic Disparities (RED) Committee led leadership to call for a complete overhaul and at least 50% community representation. A planned 2020

relaunch was complicated by COVID and ongoing challenges to recruit and retain meaningful stakeholder engagement. In response, staff from the County's LPSCC and Offices of Community Involvement and Diversity and Equity have developed a Justice Fellowship to launch in 2022 that will prepare 'Fellows' and public safety leaders to co-create policy.

d. Does your jurisdiction have a criminal justice system strategic plan? If yes, describe whether and how your SJC work is integrated into the plan. If no, describe whether and how you plan to engage in a strategic planning process in the near future?

d) Transforming Justice will create a comprehensive vision for the future of justice policy and an accompanying strategic plan.

4. DESCRIPTION OF FUNDED ACTIVITIES (8,000-character limit; currently 7996):

(Descriptive narrative of what your jurisdiction seeks to achieve during the next grant period)

a. What is your jail population reduction target for the next two years?

i. How does it compare to the lowest level you have achieved over the last five Years?

ii. How will you sustain this proposed jail population reduction target?

iii. Please include the metrics you will track to monitor the effectiveness of your jail population strategies.

a) The SJC Policy Team has set a 35% reduction target (783 ADP), 173 higher than the jurisdiction's lowest pandemic ADP of 610. As detailed in the attached Implementation Plans (#1: Pretrial Reform, and #2: Institutionalize Jail Reduction Strategies), the SJC Policy Team will use an analysis of COVID strategies to guide policy discussions and permanently enact those proven effective while maintaining public and victim safety. Further efforts will focus on Pretrial Reform implementation initiated during the previous grant period.

Concurrently, criminal justice partners are focused on disposing cases languishing in the system due to a pandemic-related backlog, using short term case processing practices to adjudicate cases and alleviate stress on the jail. The backlog of high-level person felonies has increased length of stay averages dramatically, further complicating predicting future ADP. Finally, strategies #3 and 4 will impact overall ADP, though the actual impact cannot be estimated due to the focus on reducing disparities rather than ADP.

The SJC Policy Team will continue to monitor jail usage as pandemic operations continue throughout the grant period. Monthly reports will allow continuous quality improvement approaches to assess jail reduction strategies, overall jail usage, demographic information (including race and ethnicity), Virginia Pretrial Risk Assessment score and PSA score, length of stay, sanction length, cite-in-lieu and bookings. Other metrics will be added as they are identified by the Policy Team.

B. What are your qualitative and quantitative ethnic and racial disparity reduction targets or goals?

i. Please indicate a specified process goal or an explicit numerical target that has been identified through the use of the SJC's guidance on setting qualitative and quantitative targets for ethnic and racial disparities work

b) Strategies to reduce ethnic and racial disparities are detailed in Implementation Plans (#3: Conduct deeper disparity analysis, and #4: Convene reconfigured RED Committee). In addition, a RED analysis will be incorporated into strategies # 1 and 2, allowing the SJC and RED Committees to prioritize reducing disparities and avoid policies that may increase it. Together, these, and efforts outlined above, will be used to identify and achieve specific and measurable quantitative goals.

Process goals include:

- Increase the number of people with lived justice system experience who participate in decision making (RED committee, TJ)
- Launch the Justice Fellowship to increase community participation in criminal justice policy discussions
- Use the FIU prosecutorial performance indicators process to conduct qualitative and quantitative analysis to measure changes in disparities via public dashboards

Other research has exposed disparities that cannot yet be quantified, including:

- Initial analysis revealed a disparate impact of fines and fees; a PSU partnership to research these findings will identify potential solutions.
- As informed by the Burns analysis, disaggregate community court-eligible non-person misdemeanor charging practices by race to identify areas for policy and practice change.
- New Oregon legislation opened up restorative justice alternatives in the adult system statewide. The jurisdiction proposes to use SJC funds to support advocacy at the state level for local flexibility to target violent felonies, which disproportionately impact BIPOC communities, for pre-plea/pre-charge restorative alternatives to prosecution and incarceration.
- Although the number of jail sanctions by DCJ staff was reduced, the disparity increased. This data is being used to explore methods to reverse that trend.

c. How does your jurisdiction plan to center principles of racial equity and justice and reduce racial and ethnic disparities moving forward?

i. In your response, please address how your efforts will align with and uplift the commitments contained in the SJC's value statement.

ii. Please include the metrics or methods you will track to monitor the progress and effectiveness of your racial justice strategies.

c) In 2019, Multnomah County adopted a countywide initiative "Leading with Race", recognizing that racial inequities have been baked into American culture and that racial inequities are deep and pervasive across all indicators for success. In response, the jurisdiction is focused on identifying disparities and evaluating strategies' potential impact on disparities through training, tools, and partnerships. In order to implement strategies in this application, the jurisdiction has:

- Used race data to change and enhance policies and programs

- Embraced use of the Equity and Empowerment Lens to mitigate negative impact of pretrial reform strategies on BIPOC communities, e.g. improve the PSA court report and identify negative impacts of the PSA grid. The Operations Team will use the Lens in other areas, such as intake processes and the Presiding Judge Order.
- Expanded partnerships with the Offices of Community Involvement and Diversity and Equity to integrate their voices into decision making processes
- Launched the Transforming Justice Initiative, grounded in reckoning concepts, to uplift the voices of BIPOC communities in the visioning process and impact implementation during the grant period and beyond.

Planned SJC-specific metrics and analysis include:

- A qualitative analysis of Justice Fellows and Justice Leadership engaged in the redesigned RED Committee, including demographics, attitudes, and satisfaction with processes.
- A quantitative analysis of RED policy areas and probable impacts on racial disparities.
- Outcomes monitored by MCDA's PPI project, 55 specific measures developed under three categories: Capacity and Efficiency, Community Safety and Well-being, and Fairness and Justice.
- Measures to monitor other policy changes and impact on disparities, e.g. the PSA validation study, pretrial length of stay, etc.

d. How does the plan you are proposing position your jurisdiction to sustain and build on your criminal justice reform efforts to date?

d) Two pillars of work will have an outsized impact on the jurisdiction's ability to sustain and build on criminal justice efforts.

- Pretrial Reform: Pretrial reform is at the core of the jurisdiction's effort to sustainably move SJC work forward without increasing costs. Launched in 2018 with a pretrial assessment, the project will build a risk-informed pretrial system that increases pretrial release while maximizing victim safety, public safety and court appearance; reduce racial and ethnic disparities, and; maintain a reduced jail population. Efforts to date are detailed below, but include critical milestones such as selection of the PSA tool, creating workgroups for operationalizing efforts, and scoping IT projects to monitor and automate the system.
- Transforming Justice: While not technically a part of SJC, Transforming Justice will advance SJC's vision of a transparent, equitable and fair justice system, ensuring sustainability of Multnomah County's reformed system over time. TJ is designed to align and advance a shared, reinvented and implementable vision of public safety informed by community and criminal system stakeholders. Launched in 2020, TJ is a long-term project that requires broad participation from criminal, housing, medical, and behavioral health systems using a human centered design approach and focusing on a racial reckoning. TJ is conducting broad outreach to several hundred providers, individuals with lived experience, advocates, and policy-makers to share the task of building a fully realized vision and strategic plan across public safety systems that outlasts turnover and election cycles. Once the vision is created, transformation begins.

In addition, each proposed strategy is designed to advance and sustain criminal justice reform efforts, largely without on-going resources:

- By the end of the grant period, pretrial reform strategies will be implemented and the PSA tool validated, providing LPSCC with a customized and effective pretrial system that supports the jurisdiction's vision of a fair and equitable justice system. As designed, it will provide leadership with the data and infrastructure needed to continue monitoring without additional expense.
- Similarly, successful SJC and COVID jail reduction strategies will be institutionalized, with data-driven tracking mechanisms to ensure ongoing oversight.
- Grant resources will be used to establish protocols and approaches that allow ongoing monitoring and analysis of disparities after the grant period using leveraged staffing and resources.
- The newly developed Justice Fellowship will continue post-award using existing county funds - a partnership that will both sustain the RED Committee and ensure engaged community members with lived experience have a voice throughout the criminal justice system.

5. RESULTS (8,000-character limit; currently 7980)

(Concrete data that builds on the narrative from the previous section that shows what you expect to achieve and what infrastructural changes you will make during the grant period)

a. How does your jurisdiction plan to advance data-driven decision-making between system actors, community members, and political leaders?

a) The jurisdiction is well versed in collaborative, data-driven decision-making. Several successful initiatives and reform efforts (e.g. justice reinvestment, which cut prison sentence rates by 40%), required meaningful policy negotiations, all of which were deeply informed by data.

The pretrial reform work at the center of this proposal was launched in response to an assessment completed by JSP in January 2019 that detailed areas for reform based on analysis of the County's pretrial data. The resulting overhaul requires significant investment of time and resources across all partners with the shared goal of ensuring justice and equity at each decision-point. Activities completed to date include:

- Hired three new SJC-funded FTE
- Launched working groups to improve: pretrial monitoring, operations, data-collection, and administrative/policy needs
- Began implementation of the Public Safety Assessment (PSA), to replace the existing modified Virginia Pretrial Risk Assessment Instrument
 - Created violence list to establish local definitions within the PSA
 - Drafted PSA Court report
 - Gained consensus to remove booking photos from court reports to avoid bias in decision making
 - Completed a retrospective study comparing PSA to Virginia tool results for over 2,400 bookings to confirm PSA is the right local tool

- Hired staff to develop IT business processes for automation of the PSA and launch development of pretrial case management system
- Created PSA scoring grid and accompanying release conditions and violations grids
- Decided to track, but not actively use, the PSA violence flag as this practice would have disparate impacts on BIPOC communities
- Convened group of victim services providers to provide input and perspective.
- Drafted an updated Presiding Judge Order, a tool to collaboratively determine release decisions, including: reducing the number of charges requiring defendants to be held until release decision by a judge; creating a decision-making framework; and establishing updated bail criteria. The final draft will be voted on by partners.
- A proposal was approved by leadership that will significantly improve the quality of arraignments, with the goal of increasing meaningful representation and informed release decisions.
- Established consensus to create a streamlined/risk-based pretrial monitoring program that allows people released pretrial to change monitoring level as needed, which is a dramatic shift from the current charge-based, supervision-driven approach.

Work remaining to fully implement this data-driven system reform includes:

- Training for judges, recognizance unit, attorneys, and others
- Complete PSA report
- Develop local PSA scoring manual
- Determine if pretrial interview is needed
- Conduct recognizance staffing analysis
- Develop quality assurance plan to monitor use of the PSA
- Implement new arraignment process
- Finalize and launch IT systems
- Monitor and address continued organizational development and change needs
- Develop and finalize pretrial monitoring program policies and procedures
- Conduct stakeholder meetings and create communications plan, including the development of a public facing educational video on pretrial reform components
- Conduct PSA validation study

The County's SJC involvement has played an instrumental role in the jurisdiction's progress towards embedding data-driven decision-making into all aspects of pretrial planning, collaboration, and implementation. The SJC-funded Data Analyst has been key to this work, liaising with agencies to ensure data-centered collaboration and work towards data integration, multi-system analyses and evaluations. In addition, the Data Analyst conducted the retrospective analysis to guide the pretrial reform effort, which was illustrated in a Tableau dashboard, allowing policy-makers real-time data to facilitate decision making. In addition, the PSA tool will be validated locally after a 12 month implementation period, an effort that will be completed in the upcoming grant cycle by the Data Analyst. This pivot to data-driven decision-making and transparency across partners is exemplified by the DA's office engagement with the

Prosecutorial Performance Indicators (PPI) project, another SJC related initiative, staffed by a new Data Analyst/Researcher position in the DA's office funded by County General Funds.

The IT components of this project are significant and essential in advancing the data infrastructure needed to institutionalize data-driven decision making across all stakeholders. IT is developing ways to ensure the PSA is highly automated to reduce the staff time (and possible human error) needed to generate a score and court report. IT is also building a comprehensive case management system for the entire pretrial system, allowing easy tracking and evaluation of participants as they move from one pretrial program to another. Lastly, the IT infrastructure will allow for comprehensive pretrial system evaluation from booking to release.

Key to maintaining a focus on data-driven decision-making is a jurisdiction-wide commitment to regular data reporting, which includes a monthly jail report, quarterly SJC reports, the Justice Reinvestment Program quarterly report, and departmental-specific internal tracking. The SJC Policy Team, which includes system partners implementing strategies outlined in this application, is overseen by the LPSCC Executive Committee (which includes elected officials, public safety leadership, community-based organizations and members of the community). The reconfigured RED Committee is also a part of the LPSCC structure and will be responsible for endorsing policies that reduce disparities and adopt a similarly transparent data reporting standard.

b. What data infrastructure is needed to support your two-year plan?

c. What infrastructure is already in place and how do you plan to fill gaps in data capacity locally?

b,c) For the most part, the jurisdiction has the human data infrastructure in place to implement its vision: the data team is staffed, LPSCC's accountability structure is in place, and the SJC Policy Team has a shared vision for pretrial reform. The upcoming grant period will provide the resources necessary to build up remaining infrastructure needs to fully implement the reforms envisioned, as follows:

- Dashboards to evaluate real time and long-term outcomes
- Complete IT projects that facilitate efficiencies and transparency, such as the pretrial case management system, and the automated pretrial assessment tool
- Create and finalize pretrial reform policies, procedures and associated training, to support transparency and sustainability across staff and functions.
- Integrating community members into data-driven decision-making structures.

In addition, the strategies underway will engage other partners and local resources, such as Portland State University, further cementing the relationships, expanding local ownership of justice reform and enhancing data capacity beyond internal resources funded by SJC and/or justice-specific partners.

d. How do you see your proposed plan supporting your jurisdiction's broader goals for the criminal justice system beyond the grant period and after SJC funding has concluded?

d) As outlined above, SJC's pretrial system reform project, complemented by Community Engagement efforts to expand and operationalize the jurisdiction's commitment to address disparities, directly

informs the TJ initiative's broader effort to reimagine the future of justice policy. The collaborative SJC work was instrumental in solidifying the multi-sector (including physical and behavioral health and housing) and multi-jurisdictional understanding of the breadth of individual needs that need to be addressed to avoid jail through a project that matched health and booking data. This illuminated the deep connection between health and justice sectors. Subsequently, the FUSE (Frequent User Systems Engagement) analysis added housing data to show what many have hypothesized -- often, being booked into jail is an indicator of insufficient treatment and housing for the jurisdiction's sickest community members.

In sum, the jurisdiction's pretrial reform efforts are the foundation of systemic changes that will result in the release of more people at earlier decision points, decrease jail populations, and create a more fair system for years to come.

6. LEADERSHIP (4,000-character limit; currently 3913)

(Community engagement and stakeholder buy-in)

a. How do you anticipate working with city, state, and county officials over the next two years and beyond the grant period after SJC funding has concluded?

a) The Local Public Safety Coordinating Council's long-standing role has been to facilitate and strengthen collaboration between city, state and county officials, a role that has been core to the jurisdiction's success. LPSCC's unique structure, co-chaired by the County's elected Chair and an elected Portland Commissioner, includes Executive Committee voting members from the state-run judicial branch, the County's Sheriff, other local law enforcement officials, the District Attorney, the Director of Community Justice, behavioral and physical health leaders, defense and victim services leaders, and community providers. These strong collaborative structures, networks and relationships will continue after SJC funding has concluded.

b. How does your jurisdiction plan to continue engaging the community and directly-impacted individuals in local system reform over the next two years and beyond the grant period after SJC funding has concluded?

i. In your response, please address how your efforts will align with and uplift the commitments contained in the SJC's value statement.

b) While Multnomah County's efforts to fully engage the community and directly impacted individuals in local system reform were thwarted during the last grant cycle by unanticipated staffing changes and the pandemic, the challenges prompted a growing understanding that community outreach conducted in partnership *with* LPSCC rather than *by* LPSCC is a more effective avenue to long-term success. That realization prompted LPSCC to forge a strong partnership with other entities with expertise in community engagement and equity, led LPSCC members to embrace the importance of power sharing, and fully align the community engagement strategy with the Transforming Justice Initiative, the SJC Value Statement, and the County's "leading with race" initiative. SJC funding will allow this new approach to be fully implemented and create a responsive and flexible infrastructure to support and expand community engagement beyond the grant period.

c. How have you integrated community members, including formerly incarcerated people and community members of color, into key decision-making bodies?

c) Efforts to integrate community members into key decision making bodies included hiring a community member with lived experience to engage community groups active in criminal justice reform and activism as well as facilitate creation of various advisory roles for community members, such as: representation on the Law Enforcement Assisted Diversion (LEAD) Steering Committee; creation of the Diane Wade House's Community Advisory Board, which was developed to amplify community voice and participation in program components and comprised primarily of women of color with lived justice expertise, and; set aside three slots on LPSCC's Executive Committee dedicated to community members. While these efforts had some success, it was clear more needed to be done. In addition to the efforts outlined above, the newly formed Transforming Justice Initiative integrates and prioritizes individuals with lived experience at every level of planning.

d. What efforts to build relationships and coalitions between agencies and/or community partners do you anticipate coordinating or participating in?

d) As the jurisdiction pivots to a new approach to staff and sustain community engagement, the path forward is not yet fully defined. Planning for a transparent procurement process is underway to identify a community-based partner to conduct outreach and co-create curriculum for the Justice Fellowship with the focus on expanding community trust rather than breaking it; the procurement will be completed and a partner identified in early 2022. That partnership will also be the nexus for further collaboration and outreach as Justice Fellows are identified and their own community linkages represented in the growing coalitions. In addition, the PPI project will launch a series of community listening sessions involving over 50 organizations and community members (including those with lived experience) in fall 2021 to gather community input into prosecutorial standards. Finally the Transforming Justice Initiative will have dozens of community organizations represented in various capacities, representing individuals with lived experience in the criminal justice system as well as recovery community, providers and housing partners. These organizations are the core of an expanding network of relationships and coalitions that will enrich planning and implementation across programs.

7. LEARNING AND EVALUATION (6,000-character limit; currently 5724)

(Descriptive narrative of what has been most helpful about your participation in SJC and what support—technical assistance or other resources—do you need moving forward to be successful)

a. What have you learned over your participation in the Safety and Justice Challenge about what has worked to achieve the goals of the SJC in your jurisdiction and catalyze systems change?

a) Multnomah County's justice system has gained both expected and unexpected benefits from being an SJC implementation site. Aside from the structured approach to identifying and implementing specific strategies with a focus on reducing jail use and disparities, the jurisdiction now has a vastly expanded view of justice reform, a shared vision, and a data-driven approach to identifying and implementing change. Examples include:

- After six years of working to identify and implement jail reduction strategies, COVID provided a wholesale opportunity to quickly pivot to drastic jail reduction measures that would never have

gained traction under ‘normal’ circumstances. The cross-jurisdictional coalition forged in the previous years successfully reduced jail use over the course of days - and learned that, while cracks emerged, the system did not fall apart - and collaborative problem solving continued as changes continued and emergencies mounted. The resulting experience had a net effect of increasing political will for change and introducing new options for reform.

- Summer 2020’s ongoing COVID emergency combined with daily protests posed an ongoing challenge - and a new District Attorney that had not planned to take office for another six months. The policy and practice discussions in response to these external events had an immediate impact on jail use and served as a reminder that the politics of justice reform matters.
- Similarly, challenging the status quo raised the jurisdiction’s public profile, particularly during a community-wide crisis like COVID and the protests for racial justice. Throughout, the jurisdiction’s alignment with a high profile initiative such as the SJC network encouraged leadership’s willingness and ability to explore change and take risks that resulted in positive change.
- In addition to the internal focus, SJC’s cohort model offered multiple opportunities to share successes and challenges and increase learnings. Examples include the DA’s attendance at national meetings, Judges’ attending judicial workshops, and the resulting cross-jurisdictional dialogs and relationship-building that resulted in more justice reform strategies and positive impact on legal practice and justice-involved individuals.
- Finally, the above circumstances and on-going dialog allowed criminal justice leadership and elected officials to lean into change and the discomfort that comes with it, to rely on data, and continue to ask hard questions, such as ‘why not?’, about proposed changes that challenged the status quo.

b. What have you learned over your participation in the Safety and Justice Challenge about what has not worked to achieve the goals of the SJC in your jurisdiction and catalyze systems change?

b) Participation in the Safety and Justice Challenge has taught local criminal justice leaders many lessons. In addition to the ‘what works’ lessons outlined above, lessons about ‘what doesn’t work’ have proven equally valuable.

- Change, particularly public-facing policy, is hard. Reducing jail use, which can be perceived by the general public as a threat to public safety, is harder than most: ‘just because’ is not sufficient to motivate decision makers to act. Data and tracking emerging best practices served to focus discussions towards change, such as the unconstitutionality of the existing pretrial system, and the ‘three days’ campaign that illuminated the negative impact of jail systems on recidivism and success.
- The jurisdiction’s initial jail reduction strategies largely focused on identifying ‘low-hanging fruit’ in the system, resulting in a 2017 SJC proposal to implement 13 strategies, many with less than an expected 1% jail reduction. While in many cases these strategies improved programs and policies, they did not achieve the stated goal of reducing reliance on jail use.

- As outlined at length elsewhere, the jurisdiction's attempts to implement effective community engagement strategies and reduce disparities has resulted in a string of learnings, and a new approach that builds on those lessons.

c. What additional skills and expertise do you hope to acquire through continued participation in the Safety and Justice Challenge?

i. How will this learning support your proposed plan?

c) All members of the reconfigured RED Committee, both community members with lived experience and public safety leadership, as well as project partners and facilitators leading the effort will benefit from on-going skill building as they create this new collaboration and approach. While internal supports from the Offices of Community Involvement and Diversity and Equity will be essential in the success of this project, additional supports from the procured community partner and other SJC partners who have faced similar challenges and experienced a range of successes will be used to continue the ongoing process of improving the plan and advancing overall goals.

In addition, on-going relationships and problem-solving opportunities with other SJC jurisdictions will help Multnomah County partners continue to expand their vision and embrace additional change that will further advance criminal justice reform.

d. What technical assistance would most support the success of your sustainability plan?

d) Justice System Partners has been an essential partner in Multnomah County's SJC efforts; their perspective has been essential in realizing the successes outlined above and transforming the lessons learned into action. While JSP's continued support is needed to continue brainstorming unexpected challenges, their expertise in development of the PSA validation study planned for the grant period is, perhaps, most critical. As the authors of the report that launched the pretrial reform process and co-facilitators of the planning process, no Technical Assistance provider is similarly positioned to provide support.

Similarly, Michael Finley from the Burns Institute has been a critical thought partner in examining lessons from the jurisdictions previous community engagement efforts and the development of the Justice Fellowship outlined in this application. Ongoing work with him would be essential in the revised approach's success.

8. SUSTAINABILITY AND NEXT STAGES (4,000-character limit; currently 3580)

(Preparing for sustainability post-SJC involvement)

a. How do you anticipate your jurisdiction's efforts will shift following the conclusion of the two-year sustainability grant period?

i. Is your work funded exclusively through the SJC grant or is it a mix of funding streams? Where do you anticipate the biggest gaps in funding to be once the grant concludes? How do you plan to address these gaps?

1. In your response, please reference and leverage sections 4 and 5 of

the Council of State Government's Guidebook for Sustainability and Scaling.

ii. How do you plan to track the progress and impact of your continued work?

iii. What are your jurisdiction's plans for further criminal justice strategic planning? How do you propose coordinating with these efforts to support the sustainability of your reductions?

a) As justice reform is aligned and embedded into broader efforts, the lens and advances SJC introduced into Multnomah County's criminal justice system will remain. Specifically:

- The jurisdiction's pretrial system will be complete and the pretrial assessment locally validated, serving as a model for other jurisdictions working to align their systems with best practice.
- Transforming Justice will move forward using the SJC - built infrastructure: robust community engagement, data-driven decision making, a transparent and equitable RED Committee, a cooperative approach to data tracking that includes Decision-Point RED data, and jail usage and other metrics to assess overall progress.
- As outlined above, this infrastructure is by and large, self-sustaining; on-going maintenance of reform efforts will be folded into existing funding streams and/or a focus for new funding identified using skills and tools gained through participation in CSG's Financial Sustainability Learning Community fall/winter of 2020/21. Specifically, the project manager and data analyst hired and maintained by SJC funding have proven to be successful at facilitating collaborative planning and implementation. Building on those successes, state, local and/or new grant funds will be sought to maintain them. In addition, the IT infrastructure investment will be maintained through the county IT's annual departmental budget allocation.

Given the integral role the SJC Policy Team plays in monitoring justice reform efforts, their work will be on-going to ensure all reform efforts are fully aligned. The Policy Team will continue to review data at least quarterly on all metrics related to system reform using the dashboards developed using SJC funds. Given LPSCC's unique and overarching role in Multnomah County's criminal justice system, this transition will be seamless; necessary alignment and collaboration has been in place since the beginning.

b. What challenges do you anticipate emerging and how will you address them?

b) Despite the alignment and solid reform foundation, this work will not proceed without its challenges. If there is an overarching lesson of the last two years, it is that no level of planning can anticipate barriers and opportunities ahead. LPSCC partners are adept at continuous quality improvement methods, which will be facilitated and led by LPSCC and the Chair's office with all impacted agencies and processes. Ultimately, however, communicating the reform vision beyond staff, programs, and individuals directly involved in the effort will be an ongoing challenge, particularly in light of the highly politicized nature of criminal justice today, a challenge that will be addressed using internal communication resources within the context in which these concerns arise.

c. Have you identified any new strategies to maintain reductions in jail population resulting from your jurisdiction's COVID-19 response, to eliminate ethnic and racial disparities, or to more meaningfully engage the community?

c) As outlined above, multiple untested strategies were employed in response to the COVID crisis, which will be the focus of a data analysis in the coming grant cycle. Ironically, most of the strategies used had been previously discussed, but inadequately implemented until COVID created urgency. Perhaps the most unexpected strategy resulting from the crisis is the partnership between LPSCC and the Offices of Community Involvement and Diversity and Equity and the new Justice Fellowship. While not a direct link to COVID, it was the result of COVID delays and the need to reimagine outreach in a changed environment. Metropolitan Public Defender began to provide cell phones to defendants in need during the pandemic to ensure communications and remote court hearing attendance (via Webex, which is loaded on the phones). The program improved engagement with the legal process, and will be continued in the upcoming grant period. Other COVID-related strategies included: increasing use of cite-in-lieu of booking, increased DA support for motions of release, delaying incarceration sentences, postponement of Turn Self in dates, and reducing use of jail for sanction violations.

9. PAST PERFORMANCE (8,000-character limit; currently 7327)

(A self-evaluation of the efficacy of previous reform efforts)

a. Which of your jurisdiction's Safety and Justice Challenge strategies have most successfully reduced the jail population?

i. Please explain and demonstrate with data what strategies have contributed to changes in the jail population, including the policies and practices implemented in response to COVID-19.

ii. Where possible, please distinguish impacts on the jail population that occurred prior to the onset of the COVID-19 pandemic.

a) Since its first SJC implementation grant, Multnomah County has proposed a total of 18 jail reduction strategies with a stated goal of reducing jail usage by a total of 13.7%: 3 in the initial 2016 application; 13 in the 2017 application, and; 2 in 2019. Of these, six from the 2017 application were implemented with varying levels of success and several rolled into the ongoing pretrial reform effort that was the focus of the 2019 proposal. In addition to pretrial reform discussed throughout this proposal, those implemented include:

- Decrease DCJ Administrative Sanction Length: in 2019, individuals sanctioned to jail accounted for 11.4% of the total jail population; in February 2020 (before COVID restrictions) that percentage had shrunk to 7.3%. Following COVID, however, the percentage rose back up to prior levels; with fewer people being sanctioned, the severity of the sanctions increased and sanction length has returned to pre-strategy levels. Unfortunately, data clearly shows that this 'success' had the unintended consequence of increasing disparities, a result now being examined by DCJ's data and leadership teams.
- Discontinue charging for Interfering with Public Transportation: MCDA policy now ensures IPT will no longer be charged,, but the policy's impact on jail use is negligible. As a charge that disproportionately impacted BIPOC communities, however, the policy change will remain in effect.

- Reduce time to Probation Violation Hearing: Prior to the pandemic, the number of PV hearings arraigned and resolved quickly was gradually increasing, resulting in shorter jail stays for people in custody. Once court processing guidelines changed due to COVID, any progress was erased.
- Law-Enforcement Assisted Diversion (LEAD®): While LEAD® (now named “PATH”) clients showed a decrease in jail use, that decrease was not sufficient to impact the jail population. The program, however, was deemed successful in engaging low-level offenders with substance abuse issues and has been folded into the county’s Behavioral Health programming, fully funded through County General Funds.
- Treatment First: Created as a substance abuse diversion program, Treatment First has been disbanded in the wake of Oregon legislation decriminalizing drug use and shifting related resources to the state’s Behavioral Health system to oversee treatment outreach and engagement activities outside of the criminal justice system.
- Diane Wade House: Due to implementation challenges, the Diane Wade House had low enrollments and is now in hiatus during a comprehensive redesign. Early data, however, indicated clients that successfully transitioned to alternate housing had less interaction with the jail post-program. Given broad support for the program and these encouraging results, a Consumer Advisory Board has been created to advise DCJ on relaunching the Diane Wade House through a procurement currently being developed. DWH is now fully funded using County General Funds.

In addition, Cite in Lieu of Booking had been considered for the 2019 application, but there was not universal support for the strategy. It was, however, embraced as part of the jurisdiction’s COVID response and has been a major driver of success, with the proportion of cases referred via citation significantly increased.

b. How much progress has your jurisdiction made in addressing ethnic and racial disparities, and how have disparities changed due to this work? What has worked well and has not worked well?

b) Despite related strategies and a systemwide commitment to address disparities, data clearly indicates the jurisdiction has fallen short of reducing them. In fact, data indicates that several ‘successful’ efforts to reduce jail usage actually increased disparities (i.e. decreasing sanctions) by disproportionately advantaging white defendants rather than having a targeted and/or equal impact on BIPOC individuals.

The data clearly shows this trend (note that in every case, the American Indian/Alaska Native population is too small to include):

- While the overall ADP has reduced by 35.5% since baseline, ADP for Black individuals has decreased by only 19.3%, Latino by 20.2% and ‘other’ by 25.4%. ADP for white defendants has decreased by 45.6%.
- Pre-trial population statistics show a similar trend: While the overall system shows a 23.7% reduction, the Black population has been reduced by 6.7%, Latino 3.2% and ‘other’ 12.5%. The White population has been reduced by 37.3%.

- Average Length of Stay (LOS) statistics are even more telling: While LOS has gone up by 63.7% overall (due to changes since COVID), Black LOS has gone up 102.5%, Latino 48.7% and 'other' 166.3%.

Interestingly, Bookings and Releases show a more balanced picture: While bookings overall have gone down a total of 61.6% since baseline, bookings for White individuals has gone down 65.9%, Black by 61.7%, Latino 50.7% and 'other' 58.8%.

As outlined elsewhere in this application, the jurisdiction has learned many lessons through a 'trial by error' approach to RED work. In addition, the jurisdiction has an ongoing thought partner relationship with Michael Finley and the Burns Institute. Mike continues to offer support and ideas to help continue to move the dials on community engagement and decreasing racial disparities. Mike is in regular contact with the onsite SJC Project Director and Project Manager.

c. What has your jurisdiction done to authentically engage local communities? What has worked well and what has not worked well?

c) Approaches to authentically engage local communities, particularly BIPOC communities, has been an ongoing dialog between partners and community leaders throughout the SJC grant period. Outreach to community groups has been consistent and partners have conducted listening sessions, engaged community members in advisory groups, and met with neighborhood groups to hear and discuss their public safety concerns. Despite these efforts, LPSCC fully acknowledges they have been insufficient to co-create an inclusive and transparent criminal justice system.

The 2018 Community Engagement application proposed an internal LPSCC staff position with lived experience that would take the lead to coordinate these meetings and serve as a liaison between LPSCC leadership and community members. Staff turn-over, complicated by COVID-19, has led the jurisdiction to seek better solutions. In addition, LPSCC staff and the SJC project director realized that embedding one community voice into a small office focused wholly on policy was shortsighted. For these reasons, the partnership with ODE and OCI began to deepen and flourish.

d. How has your jurisdictions' capacity to collect, analyze, and share data changed since the start of SJC involvement?

d) The jurisdiction's capacity to collect, analyze, and share data has been transformed by its participation in SJC. Addition of a LPSCC data analyst to coordinate across partners, lead ongoing analysis and provide quarterly reports has been the foundation of the jurisdiction's move to data-driven decision making. It has also paved the way for other partners to ask relevant and data-driven questions of their own programming, adding additional data capacity to the team and, thereby, the jurisdiction a whole.

This data capacity is enhanced by continued maintenance of the jurisdiction's Decision Support System - Justice (DSS-J), a common public safety data warehouse designed to integrate public safety data from local sources while allowing individual agencies to continue their operations and data systems without

interference. This system, which has been in place since 1999, is the functional backbone of the jurisdiction data and reporting capacity.

10. BUDGET AND FINANCIAL INFORMATION (to be uploaded through the portal):

- a. Please upload your proposed two-year grant budget.
- b. Please prepare and upload a budget narrative.
 - i. If applicable, please include a list of other funders and a brief explanation of the scope and objective of grants that relate to your Safety and Justice Challenge work.
- c. If indirect costs are expressed as a percentage, please upload information on your organization's current rate and review the Foundation's indirect cost policy statement.
- d. Please upload your organizational operating budget for the current year.

Section 2. Required Uploads

1. Using the template provided, please upload your jurisdiction's sustainability plan spreadsheet.
2. Please upload the items listed in Question 10.