



Public Safety Coordinating Council Executive Committee Meeting

Tuesday, September 1, 2009

7:30 to 9:00 a.m.

**Multnomah Building - Room 315
501 S.E. Hawthorne Blvd.**

Agenda

Introductions, Announcements & Approval of the July 7, 2009 Meeting Minutes <i>Chair Ted Wheeler</i>	5 minutes
Report from LPSCC Workgroups	10 minutes
Report from the County Reentry Council <i>Undersheriff Tom Slyter & DCJ Director Scott Taylor</i>	5 minutes
Reports on Impacts of and Responses to the Final State Budget <i>Chair Wheeler & LPSCC Members</i>	15 minutes
Discussion and Vote on SB 1145 Public Safety Plan and Measure 57 Grant Application <i>Scott Taylor (See accompanying attachments)</i>	10 minutes
Report on the Sheriff's Capacity Management Plan Review Team & EPR Mitigation Strategies <i>Captain Jay Heidenrich & Scott Taylor</i>	15 minutes
Reports on the Impact of Changes in MCSO's Jail Booking Policy <i>MCSO Staff & LPSCC Members (See accompanying attachment)</i>	20 minutes

NEXT MEETING – TUESDAY, OCTOBER 6, 2009



August 25, 2009

MEMORANDUM

TO: Local Public Safety Coordinating Council Members

FR: Peter Ozanne

RE: Agenda for LPSCC's September 1, 2009 Meeting

This memo describes some of the agenda items for LPSCC's September 1, 2009 meeting for the purpose of assisting Council members to prepare for important substantive discussions at the meeting.

Reports on Impacts of and Responses to the Final State Budget.

Our co-chairs anticipate a short discussion of any local developments regarding the state's public safety budget since LPSCC's last meeting in July. Please be prepared to report on any new impacts on or responses by your agency or organization, including applications for grant funding.

Discussion and Vote on SB 1145 Public Safety Plan and Measure 57 Grant Application. State law requires the Department of Community Justice to submit a public safety plan to LPSCC for its approval as a condition to receiving the county's allocation of community corrections funding under SB 1145. In order to receive funding for treatment services under Ballot Measure 57, the department must also obtain LPSCC's approval of its grant application for that funding. Summaries of those documents accompany the agenda.

Report on the Sheriff's Capacity Management Plan Review Team and Emergency Population Release Mitigation Strategies.

Since LPSCC's July meeting, the Sheriff's Capacity Management Plan Review Team has met three times to discuss potential revisions to the Board of Commissioners' Capacity Management Plan for consideration by the Board. Captain Jay Heidenrich, who is chairing the team, will report on its progress.

The Department of Community Justice, in cooperation with the Sheriff's office, has developed strategies to avoid force releases from jail without community corrections supervision, which has occurred in the recent past. Scott Taylor will describe those strategies.

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Public
Safety
Agencies in
Multnomah
County**

Reports on the Impact of Changes in MCSO's Jail Booking Policy.

During the presentation by the Sheriff's Office at LPSCC's July meeting regarding the Sheriff's new open booking policy, concerns were expressed regarding the likely increases in agency workloads and the possible increase in the jail population as a result of this new policy, as well as the potential benefits in terms of system credibility and reductions in failures to appear. This agenda item provides the opportunity for the Sheriff's Office, affected agencies and LPSCC members to assess the initial impacts of this policy change.

LPSCC
Executive Committee Meeting
Summary Minutes for September 1, 2009

I. Introductions and Announcements

LPSCC Executive Committee Members

In Attendance

Multnomah County Chair Ted Wheeler,
LPSCC Co-Chair
Portland City Commissioner Dan Saltzman,
LPSCC Co-Chair
Chief Scott Anderson, Troutdale Police
Lane Borg, Director, Metropolitan Public
Defenders
Karl Brimner, Director, County Mental Health
Services
Judge Julie Frantz, Chief Criminal Court
Judge
Judy Hadley, Citizen Representative
Deborah Hansen, Regional Director, Oregon
Youth Authority
Chief Ken Johnson, Fairview Police
Chief Craig Junginger, Gresham Police
Chief Phillip Klahn, Port of Portland Police
Judge Jean Maurer, Presiding Circuit Court
Judge
Diane McKeel, Multnomah County
Commissioner, District #4
Rob Milesnick, Director, Citizen's Crime
Commission
Michael Schrunck, District Attorney
Chip Shields, State Representative
Judy Shiprack, Multnomah County
Commissioner, District #3
Chief Rosie Sizer, Portland Police
Bob Skipper, Multnomah County Sheriff
Scott Taylor, Director, Department of
Community Justice
Judge Nan Waller, Chief Family Court Judge

Other Attendees

Larry Aab, MCSO
Ron Bishop, MCSO
Doug Bray, Circuit Court Administrator
Kathy Brazell, Volunteers of America
Jann Brown, DCJ
Nancy Cozine, Oregon Judicial Department
Carl Goodman, DCJ
Eric Hall, Oregon Judicial Department
Tim Hartnett, CODA
Jay Heidenrich, MCSO
Barry Jennings, Oregon Judicial Department
Dave Koch, DCJ
Beckie Lee, Commissioner Kafoury's Office
Shea Marshman, County Auditor's Office
Gail McKeel, County IT
Jana McLellan, Chair's Office
Tim Moore, MCSO
Elise Nicholson, County IT
Charlene Rhyne, DCJ
Eric Sevos, Cascadia
Tom Slyter,
Kathleen Treb, DCJ
Corie Wiren, Commissioner McKeel's Office
Wanda Yantis, MCSO
Jason Ziedenberg, DCJ

LPSCC Staff

Peter Ozanne, Executive Director
Elizabeth Davies, Public Safety System
Analyst

Council members approved the July 7, 2009 minutes.

II. Report from the LPSCC Workgroups

1. Public Safety Alignment Workgroup:

Portland Police Chief Rosie Sizer reported that the group continues to discuss the loss in DPST training capacity and to explore ways to share resources between police departments.

2. Youth and Gang Violence Workgroup:

Peter Ozanne, speaking on behalf of the co-chairs, reported that the workgroup has narrowed its focus to prevention strategies aimed at reducing youth and gang violence. The workgroup is currently reviewing the 2004 "Healthy Communities"

plans to identify strengths, gaps, and opportunities in our provision of services to at-risk youth. The workgroup also plans to invite representatives of Portland Public Schools and the Oregon Department of Human Services to subsequent meetings.

3. Public Safety Plan Workgroup:

Co-chairs Mike Schrunk and Scott Taylor reported that the group has reviewed the proposals originally submitted for the 2008 plan and has selected five “top-priority” proposals on which it would like to focus its efforts. These proposals include Restoration of Adult Misdemeanor Supervision, Booking-Pretrial-Classification-Corrections Health Common Database, Integrated Criminal Justice Information System (CJIS), Holds Team, and Standardized Police Reports.

III. Report from the County Reentry Council

In order to select an appropriate target population for reentry services, the Council has reviewed various reports and statistics focused on different populations of inmates (e.g., those who are “frequently booked,” those with the mental health issues, those who are incarcerated for a minimum period of time). The Council plans to focus on the housing and employment needs of its target population. Scott Taylor remarked that the Council will also receive a few proposals from the Public Safety Plan workgroup.

IV. Reports on Impacts of and Responses to the Final State Budget

Representatives of the Sheriff’s Office reported that SB1145 funding came in at \$1.2 million less than budgeted for Fiscal Year 2010. As a result, the agency may have to close an additional 2 housing units, or approximately 100 jail beds. However, the receipt of Ballot Measure 57 funding may help offset the shortfall.

The Gresham Police Department has been able to fund its East Metro Gang Enforcement Unit and has used COPS funding to restore six of the twelve officer positions that were lost during budget cuts. Troutdale Police Chief Anderson also thanked Sheriff Skipper for the temporary reinstatement of the East County Booking Facility. MCSO is also considering adding a booking station at Inverness Jail.

Joanne Fuller reported that although the Department of County Human Services lost some state funds for alcohol and drug diversion, there were no deep cuts to the department’s budget. Aging and Disability Services awaits final word on its budget.

Mike Schrunk reported that the District Attorney’s Office continues to look for money to fund the Drug Courts.

The Department of Community Justice lost several million dollars in revenue, but is also actively pursuing additional sources of funding. Representatives of DCJ will be meeting with the Criminal Justice Commission to discuss federal grant opportunities. DCJ has also put together a grant application to secure Measure 57 funding; a discussion of this application was included in the next agenda item.

V. Discussion and Vote on SB1145 Public Safety Plan and Measure 57 Grant Application

SB1145 Community Corrections Plan

Scott Taylor provided a brief overview of the 2007-2009 Community Corrections Plan, which outlines the County's use of SB1145 funding. Some of the key initiatives funded through this plan include more effective case planning through the expanded use of the LS/CMI tool, more effective sanctioning practices in order to reduce jail bed usage, and more effective and coordinated gang reduction strategies.

Council members had few questions about the plan. Judy Hadley asked if the plan included funding for dental health initiatives. DCJ representatives responded that there is limited money for dental health and prevention services. Representative Chip Shields asked if the current SB1145 allocation was fair to Multnomah County, given the number of high-risk offenders supervised by DCJ. Scott Taylor responded that he will be pushing for a recalibration of the current allocation formula.

Mike Schrunk voted for the plan's passage; Judge Jean Maurer seconded. The plan passed without opposition.

Measure 57 Grant Application

Scott Taylor presented a proposal set forth by the Department of Community Justice to secure Ballot Measure 57 monies for the supervision, sanction and treatment of some individuals convicted of crimes listed in ORS 137.717. Over the biennium, Multnomah County expects to receive about two million dollars in BM57 funding; MCSO will receive approximately 35% and DCJ 65% of the total amount. However, the exact amount of money that Multnomah County receives depends on how many other counties in Oregon apply for this funding.

Program participants are selected based on a set assessment criteria that includes commission of ORS 137.717 crime, high-risk of reoffending, significant drug problems (as assessed by the Texas Christian University instrument), and residency in East County. The only new assessment tool is the TCU instrument, which the department is required to use in order to receiving BM57 funding. The plan calls for a two year follow-up evaluation.

Chief Sizer expressed concern that the County would have to partially subsidize the supervision of this population. Scott Taylor clarified that this program did not bring in *new* clients, it simply allowed a certain subset of *current* clients to receive more intensive supervision. Kathleen Treb noted that although 1200 people qualify for this program, only 80 clients can be assigned to this program at one time.

Ted Wheeler voted for the plan's passage; Mike Schrunk seconded. The plan passed without opposition.

VI. Report on the Sheriff's Capacity Management Plan Review Team and EPR Mitigation Strategies

The Capacity Management Plan Review Team was formed to discuss possible revisions to the current Plan. Jay Heidenrich distributed an updated graphic of the stages of the Capacity Management Plan and presented some of the new ideas generated from meetings of the Review Team.

There are four stages included in the graphic. The first stage occurs before the population has reached 97 percent of capacity and is focused on implementing "Mitigation Strategies" to prevent an emergency release situation from occurring. Ideally, the Facility Services Commander would be able to predict, on a Thursday, the likelihood of emergency releases occurring over the weekend. If an EPR situation is deemed likely, the Commander will:

- Direct appropriate staff to transport inmates with non-county holds to their respective locations
- Direct appropriate staff to release inmates for time-served at 12:01 am on the day of their release in order to reduce the number of inmates counted at 4am
- Notify DCJ staff that emergency releases are likely. DCJ staff will then identify local control inmates who have five to ten days remaining in jail and then release them to county supervision.

The remaining three stages of the plan detail the type of inmates who will be matrix released once the jail capacity exceeds 97 percent of capacity. The first stage releases post-arraignment inmates with scores between 1 and 100; the team reasoned that post-arraignment inmates are more likely to appear at future court proceedings because they have had contact with their defense attorney. The second stage releases pre-arraignment inmates with scores between 1 and 100. The third stage releases all inmates, regardless of other exclusions, based on their score. Scott Taylor suggested that release scores also incorporate an inmate's Recog score, which is used to predict the likelihood that a defendant will reoffend or fail to appear at court proceedings, but MCSO staff believe this process would take six months to a year to implement.

In addition outlining the steps required in an Jail Population Emergency, the Review Team plans to include strategies to mitigate the impact to the community of emergency releases. For example, there has been some interest in placing conditions of release, including supervision conditions, on emergency-released inmates. However, several questions must be answered before a policy on release conditions can be included in the Capacity Management Plan:

1. Do the Courts have the authority to impose conditions of release if MCSO is the releasing agent? Representative Chip Shields offered to meet with LPSCC members to discuss any statutory changes that might improve the EPR process in Multnomah County.
2. When would judges order the conditions of emergency release? At arraignment prior to an emergency population release? Immediately after an emergency release? Both scenarios could cause problems, as conditions set at arraignment would need to be given to all defendants who could potentially be emergency released (i.e., anyone detained in custody) and conditions set post-release would require additional coordination with MCSO — would the jails "emergency release" someone to appear in court (on the next business day)?

Judy Shiprack also noted the need to track what happens to people after being emergency-released. How do their FTA rates and arrest rates compare with other populations? Does an inmate's EPR score correlate with their conduct in the community? Judy cited a case from Lane County, in which a person who had been emergency-released reoffended and the victim sued the county, in order to demonstrate the importance of linking release decisions with community outcomes.

Council members remain interested in the link between EPRs and other policies within the Sheriff's Office. Ted Wheeler suggested that temporary restrictions on the number of US Marshal inmates accepted into custody and a return to double bunking might also represent effective mitigation strategies.

Jay Heidenrich is working on revisions to the Capacity Management Plan, which he plans to submit to the Board of County Commissioners in the next month.

VII. Reports on the Impact of Changes in MCSO's Jail Booking Policy

This discussion centered on a recent policy decision by the Sheriff's Office to expand booking criteria to permit the booking of any individual charged with an ORS crime or with a limited number of ordinance violations.

Impact on the Courts: Doug Bray reported that there have been approximately 180 new cases each week as a result of this policy change; about one third of the new cases are for Theft III. The Courts saw a particularly large increase in cases received on Mondays and as a result, now schedule non-custody cases to appear on Tuesdays.

Impact on the District Attorney: Mike Schrunk reported that the policy has required some adjustments in workload, but the biggest problem has been receiving police reports in time to make a charging decision.

Impact on DCJ: DCJ Recog staff report seeing an increase of 15 to 20 additional cases per day going through the Recog unit, or more than double their previous caseload (30 cases per day under open booking, compared to 10-15 cases per day under the old booking policy). Most of these cases are processed through the Expedited Track.

Impact on Corrections Health: Health Department staff reported an increase in the number of evaluations that staff must perform and more booking refusals. If the number of inmates requiring an evaluation remains at this level, Corrections Health will likely require two additional staff members.

Impact on MCSO Booking: MCSO staff reported that they have been able to handle new bookings without additional resources.

There was some confusion on how the new policy has actually impacted bookings. Undersheriff Tom Slyter called attention to the fact that he had numbers which indicated very little change in the total number of bookings, compared to other agencies that cited significant increases. The group agreed on the need for "good, consistent data." Ted Wheeler directed LPSCC Staff to work with MCSO analysts to determine the actual number of new bookings that resulted from the policy change.