



Oregon Association of Community Corrections Directors

Meeting Minutes

Wednesday, July 22, 2020, 1:00 pm

Online via Zoom

Attendees:

Director Steve Berger, Washington; Director Jodi Merritt, Polk; Director Aaron Hartman, Klamath; Assistant Director Jeremiah Stromberg, DOC; Denise Sitler, DOC; Director Malcom McDonald, Clackamas; Director Todd McKinley, Grant; Director Eric Guyer, Jackson; Deputy Director John Watson, Jackson; Division Director Jay Scroggin, Multnomah; Director Jessica Beach, Yamhill; Deputy Director Tanner Wark, Deschutes; Director Donovan Dumire, Lane County; Dylan Arthur, Parole Board; Commander Kevin Karvandi, Marion; Policy/Communications Manager Kathryn Sofich, Multnomah; Patty Cress, Board of Parole; Lieutenant Mike Hartford, Marion; Director Nate Gairan, Josephine; Director Lodi Presley, Harney; Director Justin Carley, Benton; Director Erika Preuitt, Multnomah; Manager Kelly Kuklenski, Clackamas; Sergeant Tracy Hubler, Clatsop; Director Tina Potter, Sherman; Director Jake Greer, Lake; Director Tony Campa, Lincoln; Coordinator Lee Cummins, DOC; Coordinator Judy Bell, DOC; Cindy Booth, DOC; Program Manager Marie Curren, Jackson; Director Kurt Symons, Jefferson; Commander Jamie Hepner, Hood River; Director Dale Primmer, Umatilla; Finance/Budget Manager Alicia Robinson, Klamath; Tracey Coffman, DOC; Program Manager Marci Nelson, Washington; Lt. Kristen Hanthorn, Clatsop; Deputy Administrator Mark Patterson, DOC; Undersheriff Jeff Wood, Marion; Director Ahnie Seaholm, Tillamook; Coordinator Chris Enquist, DPSST; Lt. Matt Meier, Marion; Senior Manager Denise Peña, Multnomah; Lt. Dan Robbins, Morrow; Director Brett Lind, Crook; Senior Manager Stu Walker, Multnomah; Manager Larry Evenson, Yamhill; Supervisor Justin Hecht, Columbia; Betsy Jones, L & E Smith Government Relations; Lara Smith, L & E Smith Government Relations

Meeting called to order Wednesday, July 22, 2020

Eric Guyer – Introduction and Greeting

Approval of Minutes

Postponed to September meeting

PEW Foundation (Policy Reforms Can Strengthen Community Supervision) – Connie Utada



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PewPresentation_atO
ACCD-7.22.20.pdf

- Previously focused specifically on sentencing and prison work
 - In 2018 shifted focus
 - One effort focused on jails and pre-trial
 - The other directed at community supervision; increase successful outcomes of people on probation and parole; reduce prison admissions and time spent for new crimes and technical violation; reduce overall size of the community supervision population
- Pew's Advisory Council on Community Supervision
 - Diverse group of representatives from probation and parole agencies; law enforcement; the judiciary; the behavioral health field; advocates; and academia
 - Policies are divided into seven "buckets"
 - Enact alternatives to arrest, incarceration, and supervision
 - Implement evidence-based policies centered around risk and need
 - Adopt shorter supervision terms based on incentives and goals that change behavior
 - Establish effective and appropriate supervision conditions
 - Develop individualized conditions regarding the payment of legal financial obligations
 - Reduce incarceration and promote long-term success
 - Provide community supervision agencies with the support they need to be effective
- Questions/Comments
 - Eric Geyer: How was the policy framework developed?
 - Erika Preuitt: Members across the Criminal Justice System on the Policy Review Committee bringing their perspective; conversation about how reforms will impact jurisdictions; having the voice of people who have navigated the systems; final product was a culmination of conversation around a complex system that is trying to reform itself; opportunities to improve our system should be taken advantage of and they need to be meaningful, driven by data, and substantive changes that can last a long time
 - Eric Geyer: Working with other states, are parts of the framework pushed back against or friction areas?
 - Connie Utada: Each state and jurisdiction has unique challenges; financial sanctions/obligations piece; some states are incentivized to have larger systems because their budget is somewhat dependent (on sanctions/obligations) from the



Oregon Association of Community Corrections Directors

- state; how to not penalize jurisdictions who are reducing revocations, working with individuals, and still maintaining their budget
- Jeremiah Stromberg: What work is being done regarding the quality and effectiveness of treatment providers?
 - Connie Utada: In Utah the state has developed standards for behavioral health provide who are providing services for criminal-justice involved individuals
- Dale Primmer: Would like more data on PEW report of 45% of revocations going to prison; unless including local control revocations that number is astronomically high compared to reality. Use of alternatives to supervision; i.e. treating substance-abuse crimes as a public-health issue; if individuals are diverted out of the system what is the mechanism to ensure treatment occurs?
 - Connie Utada: PEW doesn't have Oregon data to present; this is national data; many nuances about who is actually going to prison; prosecution etc; regarding rate of supervision Oregon is doing well; numbers alone don't tell a story
- Lara Smith: Can you share the outcome of working with Arizona and Utah?
 - Connie Utada: Utah has a package of legislative reforms, as well as administrative changes, regarding revocations, use of payment plan/s, and graduated Matrix system. Arizona effort is completely administrative looking to reduce their conditions, reform their intensive supervision system, and more pro-actively terminating those who are compliant.

Legislative Update – Lara Smith, Betsy Jones

- May Revenue Forecast put current biennium forecast down \$2.7 billion
- Projected 2021/2023 down \$4.4 billion
- Legislature did not spend a chunk of money intended for this biennium including Community Correction's \$25 million; co-chairs looked at a hole of \$1 billion
- A Special Session held recently dealt with police reforms and minor Covid-19 issues
- A Special Session specific to the budget will be held when more is known with the federal package
- Co-chairs proposal involves about \$400 million in reductions and budget cuts, taking \$400 million out of the Education Stability Fund, and moving around various pots of money to create a solution to the \$1 billion
- Community Corrections at this time is held harmless and is basically at the same rate as current



Oregon Association of Community Corrections Directors

- Department of Corrections taking major cuts with closure of Shutter Creek this biennium and the plan to close Warner Creek next biennium
- Vast majority of cuts made across agencies are new investments that were made last session, programs that hadn't gotten off the ground yet, contracts that hadn't been signed etc
- Ways and Means subcommittees meeting to get public feedback on the proposal
- Public Safety subcommittee meeting Friday, July 24th; letter to be submitted as written testimony
- As of this morning Special Session scheduled for August 11th, 12th and 13th
- Questions/Comments
 - Jeremiah Stromberg: Initially looking at a 5% cut to overall administrative costs; additional 5% to IT infrastructure; still part of the proposal for the potential short session; Shutter Creek scheduled to close by the end of this calendar year; as an agency have had both financial and inmate impacts prepared on each of the facilities and share those on a regular basis with the legislature
 - Steve Berger: Budget list item regarding CIS program?
 - Jeremiah Stromberg: Specific IT program that will create the bridge to interface over the DOC400 System; further reduces the budget but does not eliminate; will slow the ability to bring it on-line; continuing to move forward with the project
- IP44
 - Has qualified for the ballot in November
 - Turns drug convictions into violations
 - Moves money community corrections spends on treatment to a commission under OHA which will establish regional treatment facilities
 - Would like to meet with Legislative Committee for further discussion

DOC Updates – Jeremiah Stromberg, Cindy Booth



2021-23 LAB Pkg 040
Community Correction

- 2019/2021 Budget
 - Current Capitated Rate is \$12.067
 - Population to build this rate was 32,041



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- 2021/2023 Budget
 - Developed Capitated Rate is \$12.426
 - Population to build this rate was 31,238
 - Local Control population continues to drop substantially
 - Overall decrease of approximately 800 cases
 - Standard inflation next year is 4.3%; granted permission to add an additional 1.4% inflation to the entire budget
 - Total Grant in Aid Budget is \$278,552,820
 - Slightly more than \$9 million more than current biennium
 - If forecasted population is rightsized it will reduce budget by \$3.5 million
 - October forecast models will show population declining
 - Covid continues to affect court services; no anticipation the backlog of cases will be resolved in the near future
 - IP44
 - If passes as currently written will have a \$24 million impact
 - Growing momentum in funding A Misdemeanor Domestic Violence and Sex Offender Cases
 - Could have a swing of \$14 - \$15 million upwards



2021-2023 ARB
Breakdown.pdf

- Entire agency request for all community corrections' functions is \$307.3 million
 - The largest piece is Grant in Aid
 - Allowed to apply the 5.7% inflation rate to every community corrections' funding stream that are allocated to the counties
 - Allowed for an increase in SVDO money
 - Created an increase for Measure 57
 - Fully funded and provided to the Family Sentencing Alternative Program
 - Applied to the jail reimbursements
- October Forecast
 - Agencies are required to amend their request budget for those driven on case load
 - Will be meeting with forecasters anticipating incorporating Covid into forecast
- No Administrative Sanctions Sentencings
 - Not an issue overall
 - 1% of sentencings in the state
 - DOC will provide additional information as requested



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- The Contingent (formerly Portland Leadership Foundation)
 - E-Board allocated \$62 million to Black relief and resiliency
 - Funds will be made available to Black owned businesses, Black led non-profits, and Black justice-involved individuals
 - Grant will act as a gift with no requirement to repay funds
 - Application process will likely include financial information
 - Hoping to launch project by August 15; funds must be allocated by December 30
 - Individuals can apply for \$500 - \$3,000

- Contracted Transport Service
 - One company using two sources
 - By the end of the week 17 individuals will have been transported
 - Goal is to serve only those individuals have no form of private transportation; local public health agencies are asking individuals not travel on public transportation
 - CARES Act funds were allocated to the department; waiting for August E-Board to rule
 - Currently paying the Medicare Rate

- CJC
 - Voting today on additional federal Covid emergency funds for which DOC slated to receive approximately \$300,000 which will be allocated under the formula
 - Will have to be used for Covid related expenses and the transition of people back to the community, i.e. hotel stays, meals, transportation, short-term housing etc

- OHA Related to Senate Bill 267
 - Met to discuss DOC's evaluations and OHA's criteria for licensing/expectations of substance-abuse programs
 - OHA contributes close to \$300 million to substance-abuse programs; our budgets combined closer to \$30 million
 - Discussed finding common ground and goals, better understanding of the other's evaluation processes

DPSST – Chris Enquist

- Presented updates on three Workgroups at the Executive Board Meeting
 - Field Training Manual
 - Essentially done; planned to present to the board in August; postponed to November
 - Career Officer Development Program
 - Some sort of conversion course for those officers whose certifications have lapsed or those coming from out of state without returning to the Basic
 - Looking at some sort of self-study with virtual classes; goal is to run a pilot before the end of the year



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- Equity Review
 - Top to bottom review of the program
 - Assessing how well concepts like bias, implicit or explicit, are covered; concepts like inclusion and diversity
 - Ensuring process moving forward is instep with both the legislative sub-committee and the Governor's Task Force doing similar work around police training
- Training
 - Basic Academy in session now
 - Armed two-week program to follow
 - Basic Academy scheduled to for mid-October start
 - Watch for a survey regarding anticipated enrollment
 - FLETC Virtual Use of Force Series
 - Will continue to provide
 - Most of which will meet some form of maintenance training
- Stakeholders Survey
 - Agency will appreciate completion of the survey

Parole Board Updates – Dylan Arthur, Patty Cress

- Hearings Officer Training
 - Online
 - Approximately three hours
 - Directors please email regarding how many people you want trained
- Cite in Lieu
 - Group met June 25th to discuss
 - Currently in technical phase
 - Preparing the rule
- MAT
 - In 2019 Senate Bill 910 removed the requirement of probation officer approval
 - OHA rules have not been updated so still reflected there however, the statute does not require
- Supreme Court ruling on Ramos vs Louisiana
 - Non-unanimous jury verdicts ruled unconstitutional
 - Until order received by sentencing or appellate court vacating conviction continue supervision as current
 - If order received please send to Parole Board



Oregon Association of Community Corrections Directors

- Governor's commutations
 - Commuting remainder of prison sentence to supervision
 - Commutations are revocable

- In-op Time
 - Historically if probation officer requested warrant be withdrawn there was no In-op Time added
 - With current circumstances will be adding In-op Time for the time the warrant was active unless probation officer requests it not be with a reasonable justification

- Questions/Comments
 - Judy Bell: Does community corrections want to mirror the board's new policy regarding In-op and warrant withdrawals for LSA? Wants to be able to instruct support staff properly. If county-by-county decision will instruct staff to follow direction of their director.
 - Eric Geyer: If not mirroring the board please let Eric or Judy know directly
 - Jay Scroggins: Regarding commuted sentence revocations SRF language
 - Dylan Arthur: Suggests wording requesting revocation and return to prison as a violation of commutation order

- Board seeking success stories for website
 - Individuals who have turned their lives around and are productive citizens
 - Please send information to Dylan

Columbia County - Justin Hecht

- Three new staff

- Director Janet Evans retiring at the end of this year

- Sheriff is attempting to take over the department; will be making a formal proposal

Case Management – Larry Evenson

- Skype meeting scheduled next Thursday

- Subgroup has been working on a case-plan training
 - Hope to roll out in October
 - Two to four, two-hour sessions
 - Building on the recent OMS update



Oregon Association of Community Corrections Directors

FVSN – Denise Peña

- Zoom meeting scheduled August 4th
- Covid has had a big impact on DV at least in Multnomah County
- Working with DPPST regarding options for virtual DV academy

Supportive Housing Workgroup – Donovan Dumire

- No updates to report

FAUG – Jody Merritt

- Meeting scheduled August 19th
- Contact Standards Workgroup
 - Discussed at last meeting; provided handout
 - Would like to revisit at next OACCD meeting
 - Will re-send handout
- Treatment Workgroup
 - Cancelled due to Covid; looking to reschedule

Mental Health Supervision Network – John McVay

- Unavailable; will schedule for September meeting

Pretrial Justice Network – Jessica Beach

- Meeting scheduled last Thursday of August
- At last meeting Chris Campbell of PSU presented regarding the pretrial study completed in Oregon
 - Moving into Phase 2
 - Connecting with stakeholders and jurisdictions with pre-trial programs
- National Association of Pretrial Services Agencies
 - Completed a national survey; all except four states participated
 - Captures how operations have changed; thoughts regarding some practices remaining in place following Covid
 - Survey available on the NAPSA website



Oregon Association of Community Corrections Directors

A&D Network – Nate Gairan

- Meeting scheduled for tomorrow, July 24
 - Likely will be discussing IP44
- Working with OLCC to reduce the amount and availability of beer, wine and other alcohol being delivered to doorsteps

CCAN – Steve Berger

- Not available; will schedule for September meeting

Oregon DOJ BIP Advisory Committee – Aaron Hartman

- No updates

Next meeting September 9 and 10, 2020 Lincoln City, Lincoln County, OR

Meeting adjourned