

PUBLIC SAFETY COORDINATING COUNCIL

MINUTES

TUESDAY,
July 27, 2021

11:30

ZOOM/JUSTICE BUILDING -
JURY ASSEMBLY ROOM, 2ND FLOOR

MEETING CALLED BY	Eric Guyer
ATTENDEES	Joshua Aldrich, Lee Ayers, Dave Bellamy, Dave Carter, Travis Christian, Scott Clauson, Dave Dotterer, Doug Engle, Joe Ferguson, Amber Freitas, Eric Guyer, Beth Heckert, Tira Hubbard, Barbara Johnson, Tommy Jones, Danny Jordan, Tyler Lee, Jennifer Lind, Lorenzo Mejia, Raphaelle Miller, Gilda Montenegro-Fix, Robert Mountain, Michael Parsons, Tina Qualls, Pamela Smith, Rita Sullivan, A. John Watson

- Eric Guyer opened the meeting at 11:30
- Opening Remarks: Eric Guyer welcomed everyone to the July PSCC meeting.

Agenda Topics

MENTAL HEALTH COURT AND AID & ASSIST DOCKET UPDATE

DISCUSSION	
<i>Laura Cromwell, Judge, Jackson County Circuit Court</i>	
<u>Mental Health Court team</u>	
<ul style="list-style-type: none"> • New judge, Laura Cromwell, took over in January • New probation officer • New liaison from Jackson County Mental Health • New liaison from Medford Police Department • Member from NAMI, a Veteran • Certified Recovery Mentor (CRM) from the ARC with lived experience 	
<u>Brief Overview</u>	
<ul style="list-style-type: none"> • Consistent referrals this year for Mental Health court • Close to cap of 20 participants • Two pending referrals that have not been staffed • 18 participants • 1 additional that has been on abscond status • 9 graduations within the past year • 2 more graduations coming up in the month of August • Recently increased program length from 12 months to 18 months 	
<u>Participants in Mental Health Court</u>	
<ul style="list-style-type: none"> • High utilizers of the system, i.e. hospital system, criminal justice system 	
<p>Danny Jordan asked if the majority of individuals referred are high DSM level diagnosis, and/or do they see personality disorders. Judge Cromwell replied that they do not take personality disorders. Individuals need to have serious and persistent mental illness, not personality disorders and not solely drug use, although they do see a lot of dual-diagnosis. They mainly see individuals with schizophrenia, schizoaffective disorder, and bipolar disorder. They also take individuals with major depressive disorder and serious anxiety but only if it has a psychotic component to it. This is because under normal circumstances individuals with depressive disorder or anxiety are not as engaged with the criminal justice system due to mental health issues.</p>	
<ul style="list-style-type: none"> • Medium to High criminality • Prior involvement with criminal justice system • Low, Medium, High on substance use issues • Medium to High Mental Health acuity, i.e. prior hospitalizations • Serious and persistent Mental Health disorder 	
<p>Danny asked if almost all of participants are on some type of medication regiment. Judge Cromwell confirmed, if they are not on some type of medication it is almost always because they were misdiagnosed before coming in, although they will not deny someone entry due to this.</p>	
<ul style="list-style-type: none"> • Nexus between Mental Health disorder and the crime they were accused of, i.e. committing a property crime due to being manic 	

District Attorney Beth Heckert asked if they are tracking people 3 years or 5 years after the program. Judge Cromwell replied that there is some tracking going on. As far as the recidivism rates between drug court versus Mental Health court we will probably not see as high a success rate in Mental Health court. Her thoughts on this are that individuals with Mental Health diagnoses will live with their diagnoses for the rest of their life, as opposed to the drug court participants that may face avoidable triggers.

Aid and Assist

- Dedicated Tuesday afternoon docket for Aid and Assist
- Judge Mejia and Judge Cromwell rotate every other Tuesday afternoon
- On April 1st Jackson County began a rapid Aid and Assist process for criminal defendants who are lodged in jail that have been determined that they are unable to resolve their own case

Danny asked if that docket covers civil commitments. Judge Cromwell replied that civil commitments are a non-criminal process and are completely separate. Civil commitments are based on people who are unable to meet their own needs required for living, or dangerous to themselves or others. This is completely non-criminal process now, the laws in Oregon are difficult to find somebody under civil committee so unfortunately a lot of those people come in to the criminal justice system.

- With the new docket they are working with Dr. Orf with Lithia Forensics who volunteered to do the rapid Aid and Assist docket
- Between referral to actual report in hand in takes Dr.Orf about six days
- Within 10 judicial days of their lodge, individual is legally required by law to get a community restoration evaluation

Danny asked if these are people who are unable to Aid and Assist at the time and Judge Cromwell confirmed. Danny's understanding of this is that they come back at some point and less than 1 percent of people are found guilty except for those guilty except for insanity. Judge Cromwell replied that somebody has to have Mental Health capacity in order to make the determination if they want to plead guilty except for insanity. Guilty except for insanity goes with the individual's state of mind at the time of the crime, and Aid and Assist deals with the state of mind at the time of the judicial process.

- 16 rapid referrals since the start of the program in April
- On average four per month on the rapid program

Danny followed up on this and commented on the jail overcrowding. If they could divert people with mental illness away from jail there would be more jail capacity. Judge Cromwell replied that somebody does not need to go with the rapid Aid and Assist process, they can hire their own evaluator so there may be more than four per month.

- 2-3 weeks for individuals to get up to the state hospital, and as much as 4 weeks during the COVID pandemic
- 43 Defendants with 104 pending cases
- 79% placed at or waiting to go to Oregon State Hospital
- 21% on community restoration
- 20% of defendants most serious charge is a Misdemeanor
- 80% of defendants most serious charge is a Felony
- 271 Aid and Assist hearings
- Jackson County is 6th in the state for Aid and Assist cases

Judge Cromwell expanded on the reason why Jackson County may be 6th in the state for Aid and Assist cases. The District Attorney's office has been cautious about not issuing every criminal trespass/disorderly conduct case. When facing criminal trespass 2nd degree an individual can face up to a maximum of 30 days. Danny Jordan added that the individual would typically serve 1 day, Judge Cromwell confirmed but they are keeping people on for Aid and Assist. Rapid Aid and Assist process plus the community restoration process would be about 2-3 weeks, plus an additional 2-3 weeks to go up to the state hospital then they serve their sentence and are released. For individuals facing disorderly conduct in the 2nd degree the maximum sentence is 6 months, by the time all this happens they are not going to be restored within the time they have left. This is why it does not make sense for them to have lower level misdemeanor cases.

Danny asked about the number of individuals unable to Aid and Assist in a year. Judge Cromwell replied that it is 43 current individuals that are unable to Aid and Assist and 271 hearings, not necessarily per defendant. Danny asked Jail Commander Josh Aldrich how many people they rotate through the jail in a month. Josh Aldrich replied it is an average of 4,000. Danny commented that there is a view that if we address people who are unable to Aid and Assist or who have Mental Health issues that cause them to act out criminally, then our jail population would reduce, and he does not see this as a valid argument. Judge Cromwell replied that most often the four per month are generally the more serious cases. Danny commented that it is most often an intervention to stop the behaviors, and there is still a large need for additional jail capacity.

COMMUNITY CORRECTIONS ACT- BIENNIAL PLAN 2021-23

ERIC GUYER, CHAIR

DISCUSSION

ORS 423.560 requires counties to convene a Local Public Safety Coordinating Council.

The LPSCC is tasked with two things:

1. Develop and recommend to the county board of commissioners a plan for use of

a) State resources to serve the local offender population; and

b) State and local resources to serve the needs of that part of the local offender population who are at least 15 years of age and less than 18 years of age.

2. Coordinate local criminal justice policy among affected entities

CCA Funding Uses

ORS 423.478 The county, in partnership with the Department of Corrections, shall assume responsibility for community-based:

- **SUPERVISION**
- **SANCTIONS**
- **SERVICES**

for offenders convicted of felonies or designated misdemeanors.

Jackson County Supervised Population 2017-21

Year by People on Supervision

- 2017: 1743 individuals
- 2018: 1918 individuals
- 2019: 2144 individuals
- 2020: 2345 individuals
- 2021: 1878 individuals

Jackson County Intakes to Supervision 2019-21

- 2019
- Probation - 911
- Post-Prison - 305
- Total - 1216
- 2020
- Probation - 489
- Post-Prison - 347
- Total - 1216
- 2021
- Probation - 326
- Post-Prison - 210
- Total - 1216

Community Risk Level

- State
- High – 20%
- Medium – 32%
- Low – 48%
- Jackson County
- High – 35%
- Medium – 29%
- Low – 36%

Client Survey Results - 2021 OHSU

Nursing students from OHSU conducted a client survey of 74 individuals on supervision. They were looking to measure ways of promoting resiliency, which they defined as "protective factors to survive and thrive from significant adversity and stress." They found that:

91% feel they can be honest with their P.O.
82% believe their P.O. is teaching them skills
57% feel helped by Community Justice

Major Revenue Sources

Department Budget - \$36.3 Million

- Community Corrections Act - \$20.6 Million
- Grants and Fees - \$10.3 Million
- General Fund - \$5.4 Million

Danny Jordan asked Eric if he could expand on the services provided for those who would otherwise be unhoused, and if he could expand more about the general fund. Eric replied that the Transition Center provides up to 45 bed of services per day for people in the community so they could have place to live, case management from employment health services, financial budgeting assistance, skill training, and mental health supports. The people served within our Transitional Housing are often

unsafe in other transitional housing resources in the community, at the Transition Center they can be served with additional safety and accountability. A person being released from prison in our community can immediately start engaging in services and receive a place to live funded largely by county dollars which Eric will expand on more.

Danny commented that a lot of people want to know what the county is doing to help with the homelessness issue, of that \$5.4 million about \$1 million and a half goes into this particular process directly serving people who would otherwise be homeless.

Grant and Fee Revenue by Source

- Justice Reinvestment Initiative - \$3.65 Million
- M57, FSAP and Other - \$3.4 Million
- Client Fees - \$1.1 Million
- Work Crew Fees - \$1.0 Million
- Federal Bureau of Prisons - \$700 Thousand
- Treatment Courts - \$486 Thousand

Community Justice By The Numbers

- 200 Pre-Trial
- 759 Adults Receiving Employment Services
- 1277 DUII Intakes
- 251 Mental Health Clients Served
- 26,180 Hours of Community Service
- 2,801 Work Crews Dispatched

Supervisory Authority

- Senate Bill 1145 (1995) with its follow-up bill, House Bill 3489 (1996 Special Session), created a new relationship between the State of Oregon and counties regarding Community Corrections
- SB 1145 allows for counties to impose sanctions other than incarceration unless the sentencing court finds substantial and compelling reasons that the defendant be incarcerated.
- This provision is intended to allow counties to design a treatment program that gradually works the adult in custody back into the community.
- The role of the Supervisory Authority is to facilitate the escalation and de-escalation of justice-involved individuals to ensure the least-restrictive form of custody is used to hold individuals accountable while completing their sentence.
- Supervisory Authority movement includes the following forms of alternative sanctions:
 - Jail
 - Transition Center
 - Work Crews
 - Work Release
 - Home Detention
 - Residential Treatment
 - Electronic Monitoring
 - Increased Reporting
 - Community Placement
- Community Justice staff work with the Jail to ensure sanctioned and sentenced individuals have appropriate accountability and movement within the continuum of sanctions.
- The Supervisory Authority tracks sanctions and local sentences (365 days or less) to their completion.
- Jackson County Community Justice has a team of staff dedicated to tracking sentences, and moving individuals to the most appropriate level of custody as they serve sanctions and sentences.

Transition Center

- 145 active beds
 - 74 sanction beds
 - 40 transition beds
 - 16 federal transition beds
 - 15 residential treatment beds

Danny Jordan commented that by law, the Board of Commissioners designate the Supervisory Authority, most people think that it is the Sheriff but, in our county, the Supervisory Authority is the Community Justice Director. It has been this way since Senate Bill 1145 passed.

The Supervisory Authority has no authority over the jail but they do have authority over the people moving in and out of jail. That is the one place where the Sheriff interacts with the Supervisory Authority to the greatest extent. Everything else on there is offered by Community Justice. Eric thanked Danny for the comment and explained that this is all done through partnership.

Danny added that the Supervisory Authority has the ability to issue warrants for people's arrests, that was one big thing that changed with SB 1145. Prior to this it was only the circuit court, parole board, interstate compact, municipal court, but due to SB 1145 now the Supervisory Authority can issue a warrant if an individual violates conditions of supervision.

Gilda Montenegro-Fix asked when SB 1145 was passed. Danny replied, 1995.

- Employment
 - Sanctions include Work Restitution as well as Work Release
- Peer Support
 - The Pathfinder Network ensures that participants have access to life skills, transition supports and case management.
- Medication Assisted Treatment
 - The Addictions Recovery Center provides supports to participants who are engaging in Medication Assisted Treatment.
- Job Skills
 - Work Restitution participants learn job skills for firefighting and fuels reduction. Participants have access to job workshops and resume building.
- Residential Treatment
 - The Transitional Care Program serves Justice Involved individuals with evidence-based residential treatment services.

Gilda asked if the beds are sufficient relative to the need. Eric responded, no, they could certainly use more in the county and in our community. The residential program is huge and takes a lot of staff and support, he believes they could use 2 or 3 of these programs.

- Mental Health Services
 - Jackson County Mental Health has a dedicated staff person to support and engage participants.

Adult Parole and Probation

1878 on supervision right now

- 31 Parole/Probation Officers
- 8.5 Peer Support Specialists
- Resource Center including employment and housing supports
- Embedded Mental Health Specialist and Supports

Adult Parole and Probation

- Risk Level and Case Loads
 - Cases are supervised by risk and placed on specialized caseloads when appropriate.
- Assessment
 - Assessment utilizes a triage approach, with a dynamic and specific assessment done in regards to the person and offense.
- Case Planning
 - Upon completing an assessment, individuals participate in collaborative case planning based on assessed need

Adult Parole and Probation- Caseloads

- Geographic
- Re-Entry
- Specialty Court
- Reduced Supervision
- Sex Offender
- Gender Responsive
- Domestic Violence
- 416 Diversion

CCA Key Program Element: SB 620 and Fee Elimination

- Community Justice had budgeted \$450,000 for 2021-22 in client supervision fee collection
- SB 620 eliminated the ability to collect this amount, however did fund the county \$371,000
- Building a system geared toward the success of the individual on supervision

CCA Key Program Element: SB 497 Misdemeanor DV Funding

- Provides funding for misdemeanor cases:
 - Assault IV constituting Domestic Violence
 - Menacing constituting Domestic Violence
 - Sexual Abuse in the Third Degree

Community Corrections Act: Proposed Budget

Sanctions:	
Jail:	\$3,487,820
Transition Center:	\$4,807,398
Supervision:	\$9,388,992
Services:	
Transitional Housing:	\$2,035,445
The Pathfinder Network:	\$648,246
Mental Health Services:	\$163,689
Sex Offender Subsidy:	\$100,000
 Total Application:	 \$20,631,590

Questions/Discussion

Danny explained that when looking at the Jail proposed budget, this is not the total cost of operating the jail, this is the impact of this program on the jail and a per-day rate of the people that would otherwise have gone to prison who sit for a number of days in jail between transitioning between our programs. He added this for perspective, this amount is nowhere near the jails budget.

There is a portion of County general fund in addition to the Community Corrections Act that goes to the Transition Center.

Supervision is funded almost completely by the Community Corrections Act, it is not subsidized by any other funding.

Transitional Housing is the portion of the Transition Center budget that is for Transitional Housing, not from the general fund portion.

Pathfinder Network is a standalone program it is almost all funded by Community Corrections Act

Danny also clarified that this is not the Mental Health services budget of the County, this is just the portion of embedded case management services that are available to assist people who are under supervision in the adult program and sex offender subsidy.

An application must be made to the state for the Community Corrections Act funding per biennium and Eric explained, it must be moved to the Board of Commissioners as a recommendation from the PSCC. Danny provided a motion to approve, seconded by Dr. Dave Carter.

JUSTICE REINVESTMENT INITIATIVE - GRANT PROGRAM APPLICATION

ERIC GUYER, CHAIR

DISCUSSION

2013 HB 3194 Created the Justice Reinvestment Grant Program.

- Targeted to financially support Oregon Counties to plan, implement, or expand initiatives that reduce recidivism, reduce prison population, increase public safety, and hold offenders accountable.
- Provide community supports and responses to avoid sending people who commit non-violent drug and property offenses to prison.
- 10% of funding within the grant program must be dedicated to victim services.

Victim Services

- In Jackson County we have funded Community Works and the Children’s Advocacy Center.
- The Children’s Advocacy Center is funding a therapy administrative assistant and a lead, bi-lingual family support forensic interviewer.
- Community Works is funding the lethality assessment program, which allows an officer responding to a crime of domestic violence to contact the program and have an advocate to utilize an evidence-based assessment interview to determine risk of further harm to the victim.

Transitional Care Program

- Five Month Residential Treatment Program aimed at targeting criminogenic needs and building skills. Focus is on skill building, employment and natural supports within the community.
- This past year it successfully passed the Corrections Program Checklist.
- 9 beds for men and 6 beds for women
- **189 have entered the program, 93 have completed**

The Pathfinder Network Supports

- 14 FTE Peer Support Specialists, providing supports, engagement and skill building for people on supervision in the community and at the Transition Center.

- Curricula and interventions which incorporate evidence-based approaches to changing the behaviors, beliefs and attitudes most likely to cause recidivism
- **250 individual clients served over first four months**

The Resource Center

- Multi-disciplinary team providing wrap-around services to justice-involved individuals
- Access to health care, employment, treatment, housing resources
- **5,052 client contacts from January, 2019 to July, 2021**

Release Assistance and Pretrial Monitoring

- Provides judicial officials with release and supervision recommendations
- Utilizes a pretrial, evidence-based risk assessment tool and decision matrix
- Monitor and responds to noncompliance to court-ordered release conditions
- **200 Active Pretrial active clients**

Danny commented that pre-trial used to be ran at the court system and as funding dwindled it was cut. For several years there was no pre-trial program and it was consequential. This was shift by the state in who is responsible for funding what, it is not a program that we have to run but the decision was made after seeing the consequences of not having the program in place.

Eric commented that they continue to work together to try to find a better solution for the county. The county has had to pick up a lot of these different pieces that the state used to handle, Eric believes the county is able to do this in a more effective way as they can leverage resources in every way possible.

416 Downward Departure Program

- Provides evidence-based assessments and referrals for programs for individuals eligible for a downward departure
- Collaboration between District Attorney's Office (.8FTE) and Community Justice (.7FTE)
- This is the Supplemental Grant Program for the Justice Reinvestment Initiative Grant Program
- **2018-21: 220 Plead in, 41 Successful Completions, 50 Revoked, 129 currently participating**

Regarding 416, the state invests money in the counties and the counties save the state around \$5 to one of those dollars. Danny commented that the state claims its \$137 a day but it is much more expensive.

Key Program Element: Equity

- Policy
- Training
- Voices of Lived Experience
- Data and Accountability
- Person-centered Approaches to Supervision
- Responsive Community Supports
- Internal Leadership around Equity

Key Program Element: Resiliency

- Community Conference in March with Kim Colegrove's Team
- Focus on Resiliency in coaching with staff
- CR/2 as primary communication and interaction model

Key Program Element: CR/2 (Creating Regulation and Resiliency)

- Integrates research on trauma, resilience, and evidence-based practices
- Includes a focus on staff well-being
- Introduces a two-phase communication model that can be adapted for use by all correction staff and supervisors
- Can be used within any time frame, whether staff have one minute, ten minutes or an hour

Justice Reinvestment Initiative: Proposed Budget

Administration:	\$284,015.40
Resource Center:	\$403,998.64
Pretrial Program:	\$437,395
Transitional Care Program:	\$585,067
Pathfinder Network:	\$1,078,472
Victim Services:	\$310,792.16
Total Application:	\$3,099,740.92

Danny commented on the 14 FTE requested for Pathfinders, and the 31 full-time Parole/Probation Officer that manage 18+ cases. Some of those cases are on the lower level and less likely to be referred for mentoring through Pathfinders. We have better than a 1:2 of mentors to Parole/Probation Officers and not all of those clients will be referred for mentoring. He wants to point out this high ratio, and pointed out that it is one of the better moves Community Justice has made.

Justice Reinvestment Initiative: Supplemental Grant Program

Administration:	\$36,940.22
District Attorney:	\$276,172.80
Probation Officer:	\$189,095.76
Victim Services:	\$56,067.64
Total Application:	\$558,276.42

COMMUNITY CORRECTIONS ACT- BIENNIAL PLAN 2021-23 SUPPORT

ERIC GUYER, CHAIR

DISCUSSION

Danny Jordan provided a motion to support the grant application, seconded by Dave Carter. A roll-call vote was requested, all were in favor, and none were opposed. The Community Corrections Act, Biennial Plan 2021-23 court program grant has the support of the voting members.

JUSTICE REINVESTMENT PROPOSED BUDGET SUPPORT

ERIC GUYER, CHAIR

DISCUSSION

Dave Carter provided a motion to support the grant application, seconded by Joshua Aldrich A roll-call vote was requested, all were in favor, and none were opposed. The Justice Reinvestment Proposed budget has the support of the voting members.

JUSTICE REINVESTMENT SUPPLEMENTAL GRANT PROGRAM SUPPORT

ERIC GUYER, CHAIR

DISCUSSION

Lee Ayers provided a motion to support the grant program application, seconded by Tina Qualls. A roll-call vote was requested, all were in favor, and none were opposed. The Justice Reinvestment supplemental grant program has the support of the voting members.

MINUTE ADOPTION – MAY

ERIC GUYER, CHAIR

DISCUSSION

No suggested revisions were identified for the May minutes. Danny Jordan provided a motion to adopt, seconded by Scott Clauson. A roll call vote was requested, all were in favor, and none were opposed. The May minutes were officially adopted.

Next Scheduled PSCC Meeting: September 28, 2021
Meeting Adjourned: 12:32 pm