ANNOTATED MINUTES

Tuesday, September 1, 1992 - 8:30 AM
Multnomah County Courthouse, Room 602

EXECUTIVE SESSION

E-1 *The Multnomah County Board of Commissioners Will Meet in Executive Session Pursuant to ORS 192.660(1)(e), in Order to Discuss the Operational and Financial Aspects of a Proposed Purchase of Real Property by Multnomah County.*

CANCELLED.

Tuesday, September 1, 1992 - 9:30 AM
Multnomah County Courthouse, Room 602

BOARD BRIEFINGS

B-1 *Discussion of Audit Entitled "MANAGEMENT OF FELONS: IMPROVE SENTENCING PRACTICES". Presented by Multnomah County Auditor Gary Blackmer.*

GARY BLACKMER INTRODUCED AUDITORS JUDITH DeVILLIERS AND SUZANNE FLYNN AND ACKNOWLEDGED THEIR EFFORTS WITH THE AUDIT. MR. BLACKMER PRESENTATION AND RESPONSE TO BOARD QUESTIONS. COMMISSIONER ANDERSON ADVISED SHE WILL SUBMIT A MEMORANDUM WITH ADDITIONAL QUESTIONS AND REQUESTED THAT ANOTHER BRIEFING BE SCHEDULED IN ONE MONTH TO DISCUSS POSSIBLE REMEDIES, ATTENDED BY A JUDGE AND DISTRICT ATTORNEY, SHERIFF AND COMMUNITY CORRECTIONS STAFF.

B-2 *Discussion of Columbia Villa Community Service Project Representatives' Participation in the Moral Rearmament Conference in Caux, Switzerland. Presented by Project Director Fred Milton and Villa Residents Tina Stalling and Ruby Foust.*

NORM MONROE, FRED MILTON, RUBY FOUST, TINA STALLING AND MICHAEL HENDERSON PRESENTATION AND RESPONSE TO BOARD QUESTIONS. MR. MILTON TO INVITE THE BOARD TO AN UPCOMING VILLA COMMUNITY LUNCHEON.

B-3 *General Overview of Multnomah County Weatherization Program Operations, Accomplishments and 1993 Fiscal Year Goals. Presented by Program Staff Rey Espana and Tom Brodbeck.*

NORM MONROE, REY ESPANA AND TOM BRODBECK PRESENTATION AND RESPONSE TO BOARD QUESTIONS.

B-4 *Multnomah County Homeless Families Program Briefing and Update on Current Grant Initiatives and First Year Results of the Robert Wood Johnson Foundation Homeless Families Program. Presented by Project Director Paula Corey.*

NORM MONROE AND PAULA COREY PRESENTATION AND RESPONSE TO BOARD QUESTIONS.

Tuesday, September 1, 1992 - 10:45 AM
Multnomah County Courthouse, Room 602

AGENDA REVIEW

B-5 *Review of Agenda for Regular Meeting of September 3, 1992.*

Tuesday, September 1, 1992
1:30 PM TO NO LATER THAN 5:00 PM
Multnomah County Courthouse, Room 602

PUBLIC HEARING

Chair Gladys McCoy convened the hearing at 1:33 p.m., with Commissioners Pauline Anderson and Gary Hansen present, and Vice-Chair Sharron Kelley and Commissioner Rick Bauman excused.

P-1 *Quasi-Judicial Hearing Followed by Board Deliberations and Order in the Matter of a Petition for Establishing a Way of Necessity for Property Described as Tax Lot 17, Located in the N.E. 1/4 of Section 6, T2N, R1W, W.M. and in the Alexander McQuinn D.L.C., Multnomah County, Oregon, Filed by the McQuinn Family Pioneer Cemetery Association, an Oregon Non-Profit Corporation. (Case No. 92-51C).*

TESTIMONY, REBUTTAL AND RESPONSE TO BOARD QUESTIONS FROM COUNTY COUNSEL JACQUELINE WEBER, SURVEYOR DENNIS FANTZ, PETITIONERS' ATTORNEY LISA KOLVE, McQUINN FAMILY PIONEER CEMETERY ASSOCIATION PRESIDENT MAXINE DAILY AND RESPONDENTS' ATTORNEY JOHN SHONKWILER.

MS. KOLVE DISCUSSED PETITIONERS' OWNERSHIP INTEREST IN THE PROPERTY AS EVIDENCED BY A DEED FROM THE UNITED STATES TO THE McQUINNS GRANTING THE CEMETERY TO THE McQUINNS AND THEIR HEIRS FOREVER, WHICH RIGHT WAS NEVER TRANSFERRED. MS. KOLVE ADVISED THEY ARE REQUESTING PUBLIC ROAD ACCESS TO THE CEMETERY IN THE LEAST DISRUPTIVE MANNER POSSIBLE WITH NO OR MINIMAL COMPENSATION TO RESPONDENTS.

MR. SHONKWILER SUBMITTED 4 EXHIBITS INTO THE

RECORD AND REQUESTED THAT THE BOARD MAKE A DETERMINATION THAT PETITIONERS FAILED TO PROVE STANDING TO FILE FOR A WAY OF NECESSITY AND/OR THAT THE PETITION SHOULD BE DENIED BECAUSE RESPONDENTS HAVE ADVERSE POSSESSORY RIGHT OF THE PROPERTY AS EVIDENCED BY DEED AND THAT PETITIONERS HAVE NOT MET STATUTE REQUIREMENTS TO ALLEGE AN ELEMENT OF FAIR AND ADEQUATE COMPENSATION FOR THE PROPERTY.

MS. WEBER EXPLAINED THAT THE BOARD'S OPTIONS FOR MAKING A DETERMINATION IN THIS MATTER WOULD BE TO FIND THAT PETITIONERS SUBMITTED SUFFICIENT EVIDENCE TO PROVE OWNERSHIP OF THE CEMETERY PROPERTY AND DECIDE THE OTHER WAY OF NECESSITY ISSUES, OR FOR THE BOARD TO FIND IT DOES NOT HAVE SUFFICIENT EVIDENCE OF OWNERSHIP AND DISMISS THE PETITION DUE TO LACK OF STANDING, ADVISING THAT THEN EITHER PETITIONERS OR RESPONDENTS COULD APPEAL THAT DECISION TO CIRCUIT COURT. IN RESPONSE TO A QUESTION OF CHAIR McCOY, MS. WEBER EXPLAINED THE BOARD NEEDS TO DELIBERATE REGARDING THE ISSUES, REVIEW THE DOCUMENTS AND TESTIMONY, BE BRIEFED BY COUNTY COUNSEL ON THE LEGAL ISSUES PRESENTED AND THE VARIOUS FINDINGS THE BOARD HAS TO MAKE IN LEADING TO ITS DECISION. MS. WEBER ADVISED A WRITTEN ORDER OF THE BOARD'S DECISION MUST BE FILED AND THAT EITHER PARTY MAY APPEAL TO CIRCUIT COURT. IN RESPONSE TO A QUESTION, COUNTY COUNSEL MATTHEW RYAN CITED PIKE vs WILEY, 100 OR AP 120 (1990) (GRANT COUNTY), IN WHICH AN APPEAL WAS HEARD IN CIRCUIT COURT BY DE NOVO REVIEW.

IN REBUTTAL, MS. KOLVE REQUESTED THAT THE BOARD CONSIDER THE COUNTY ENGINEER'S 1989 ESTIMATION OF VALUE AT $1,000 TO $1,500 PER ACRE AS BEING MORE APPROPRIATE COMPENSATION THAT THE AMOUNT SUGGESTED IN RESPONDENTS' AFFIDAVIT.

IN RESPONSE TO A QUESTION, MS. WEBER ADVISED THAT ATTORNEYS FOR BOTH PARTIES DID NOT HAVE EX PARTE CONTACT WITH COUNTY COUNSEL, BUT PARTICIPATED IN A CONFERENCE CALL ON MONDAY IN AN ATTEMPT TO SHORTEN THE PROCESS AND RESOLVE SOME ISSUES PRIOR TO THE HEARING.

IN RESPONSE TO A QUESTION OF COMMISSIONER HANSEN, MS. WEBER ADVISED A DECISION WOULD

HAVE TO BE MADE BY A MAJORITY OF THE THREE COMMISSIONERS ATTENDING TODAY'S HEARING.

The hearing was recessed at 3:15 p.m. and reconvened at 3:25 p.m.

AFTER FURTHER DISCUSSION, CHAIR McCOY PROPOSED A 45 DAY CONTINUANCE IN ORDER FOR THE BOARD TO TAKE THE MATTER UNDER ADVISEMENT AND CONFER WITH COUNTY COUNSEL. THE HEARING WAS CLOSED WITH BOARD DETERMINATION TO BE MADE AT 1:30 PM ON TUESDAY, OCTOBER 20, 1992.

There being no further business, the hearing was adjourned at 3:39 p.m.

OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON

Deborah L. Bogstad

Deborah L. Bogstad

Thursday, September 3, 1992 - 9:30 AM
Multnomah County Courthouse, Room 602

REGULAR MEETING

Chair Gladys McCoy convened the meeting at 9:30 a.m., with Vice-Chair Sharron Kelley, Commissioners Pauline Anderson and Gary Hansen present, and Commissioner Rick Bauman excused.

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, CONSENT CALENDAR ITEM C-1 WAS UNANIMOUSLY APPROVED.

NON-DEPARTMENTAL

C-1 *In the Matter of the Appointments Avel L. Gordly, Barbara Aho Grider, Myrthle B. Griffin, Gerald McFadden and Barry M. Maletzky to the MULTNOMAH COUNTY COMMUNITY CORRECTIONS ADVISORY COMMITTEE*

REGULAR AGENDA

NON-DEPARTMENTAL

R-1 *PROCLAMATION in the Matter of Proclaiming the Week of September 6-11, 1992 as RETURN TO SCHOOL WEEK in Multnomah County, Oregon*

PROCLAMATION READ. COMMISSIONER KELLEY MOVED

AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-1. UPON MOTION OF COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER KELLEY, AN AMENDMENT CHANGING "I" TO "WE" WAS UNANIMOUSLY APPROVED. PROCLAMATION 92-163 UNANIMOUSLY APPROVED AS AMENDED.

R-2 *RESOLUTION in the Matter of a Planning Process to Develop a Corrections Levy for March*

COMMISSIONER ANDERSON EXPLANATION. COMMISSIONER ANDERSON MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-2. BOARD DISCUSSION. RESOLUTION 92-164 UNANIMOUSLY APPROVED.

R-3 *Ratification of Intergovernmental Agreement Contract #500173 Between the City of Portland and Multnomah County, Providing Consolidation of the City of Portland Stores with Multnomah County Central Stores for the Purpose of Economic and Efficient Operations*

COMMISSIONER ANDERSON MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-3. LILLIE WALKER EXPLANATION. COMMISSIONER ANDERSON COMMENTS IN SUPPORT. AGREEMENT UNANIMOUSLY APPROVED.

PUBLIC CONTRACT REVIEW BOARD

(Recess as the Board of County Commissioners and convene as the Public Contract Review Board)

R-9 *ORDER in the Matter of an Exemption to Waive the Competitive Bid Process and to Use a Request for Proposal for the Selection of a Construction Manager/General Contractor for the Juvenile Justice Complex Replacement*

MS. WALKER EXPLANATION AND RESPONSE TO BOARD QUESTIONS. UPON MOTION OF COMMISSIONER HANSEN, SECONDED BY COMMISSIONER ANDERSON, ORDER 92-165 WAS UNANIMOUSLY APPROVED.

(Recess as the Public Contract Review Board and reconvene as the Board of County Commissioners)

JUSTICE SERVICES

SHERIFF'S OFFICE

R-4 *Budget Modification MCSO #1 Requesting Authorization to Transfer $46,250 in Dedicated Drug Forfeiture Funds from the Professional Services Line Item to Equipment Line Item, Enforcement Division, to Fund the Purchase of an Airplane to be Used for Air Surveillance in Drug Investigations*

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, R-4 WAS UNANIMOUSLY APPROVED.

R-5 *Budget Modification MCSO #2 Requesting Authorization to Transfer $4,484 from the Overtime Line Item to Permanent Line Item, Enforcement Division, to Pay for Reclassification of a Sergeant to a Lieutenant Position in the Sheriff's Enforcement Branch*

UPON MOTION OF COMMISSIONER HANSEN, SECONDED BY COMMISSIONER KELLEY, R-5 WAS UNANIMOUSLY APPROVED.

DEPARTMENT OF SOCIAL SERVICES

R-6 *Request for Approval in the Matter of a NOTICE OF INTENT to Apply for a One Year $150,000 Grant from the Bonneville Power Administration, Providing Ten Bonneville Power Administration Job Slots for High Risk Gang Involved Youth as Part of the Youth Employment and Empowerment Project*

UPON MOTION OF COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER KELLEY, R-6 WAS UNANIMOUSLY APPROVED.

R-7 *Request for Approval in the Matter of a NOTICE OF INTENT to Apply for a $75,000 Grant from the Annie E. Casey Foundation, Providing a Nine Month Planning Grant to Develop a Plan for Revision of Juvenile Detention Policies and Practices, Including Establishment of Community-Based Alternatives to Detention*

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER ANDERSON, R-7 WAS UNANIMOUSLY APPROVED.

R-8 *Request for Approval in the Matter of a NOTICE OF INTENT to Apply for a One Year $250,000 U.S. Department of Health and Human Services Grant, Providing Funding for a Homeless Families Support Services Demonstration Program*

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, R-8 WAS UNANIMOUSLY APPROVED.

DEPARTMENT OF ENVIRONMENTAL SERVICES

R-10 *ORDER in the Matter of Multnomah County Appointing Planning and Zoning Hearings Officers*

UPON MOTION OF COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER HANSEN, ORDER 92-166 APPOINTING LARRY EPSTEIN, PHILLIP GRILLO, ROBERT LIBERTY AND PAUL NORR WAS UNANIMOUSLY

APPROVED.

R-11 *Continued Second Reading and Possible Adoption of an ORDINANCE Relating to Animal Control, Creating a Notice of Infraction Procedure, Expanded Hearing and Appeal Process, and Penalties for Violations of Animal Control Regulations and Amending Chapter 8.10 of the Multnomah County Code*

PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER ANDERSON MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF SECOND READING AND ADOPTION. MIKE OSWALD INTRODUCED AMENDED ORDINANCE. IN RESPONSE TO A QUESTION OF THE BOARD, COUNTY COUNSEL MATTHEW RYAN READ THE AMENDED LANGUAGE TO PAGE 3 OF 27, SUB-SECTION MCC 8.10.035(7), "A STATEMENT THAT AN ADMISSION OF INFRACTION WOULD BE ON RECORD AND COULD LEAD TO THE ENHANCEMENT OF FINE ON ANY SUBSEQUENT INFRACTION ISSUED UNDER THIS CHAPTER AS PROVIDED UNDER MCC 8.10.900(B)." AND ADVISED THE CHANGE IS NON-SUBSTANTIVE AND COULD BE ADOPTED WITH THE SECOND READING OF THE ORDINANCE. MICHAEL TWAIN AND NORMAN ROLEY TESTIMONY IN OPPOSITION AND RESPONSE TO BOARD QUESTIONS. DALE DUNNING TESTIMONY IN SUPPORT. UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, THE AMENDMENT WAS UNANIMOUSLY APPROVED. ORDINANCE 632 UNANIMOUSLY APPROVED AS AMENDED.

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, CONSIDERATION OF THE FOLLOWING ITEM WAS UNANIMOUSLY APPROVED.

P-11 *CU 11-92 HEARING, ON THE RECORD PLUS ADDITIONAL TESTIMONY, WITH ADDITIONAL TESTIMONY TO BE RESTRICTED TO THE PHYSICAL CONSTRAINTS OF THE SITE RELATIVE TO THE PLACEMENT OF THE DWELLING, 10 MINUTES PER SIDE, in the Matter of an Appeal of a July 6, 1992 Planning and Zoning Hearings Officer Decision APPROVING, SUBJECT TO CONDITIONS, Development of a Non-Resource Related Single Family Dwelling on 7.80 Acre Lot of Record in the MUF-19, Multiple Use Forest Zoning District, for Property Located at 43640 E LARCH MOUNTAIN ROAD*

AT THE REQUEST OF COMMISSIONER KELLEY AND FOLLOWING EXPLANATION BY ROBERT TRACHTENBERG AND JOHN DuBAY, COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, THAT THE BOARD RECONSIDER PLANNING ITEM P-11 AND SET A HEARING DATE FOR THE RECONSIDERATION AT 9:30 AM ON

TUESDAY, SEPTEMBER 22, 1992. MOTION UNANIMOUSLY APPROVED, WITH COMMISSIONERS ANDERSON, KELLEY, HANSEN AND McCOY VOTING AYE ON A ROLL CALL VOTE.

There being no further business, the meeting was adjourned at 10:25 a.m.

OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON

Deborah L. Bogstad

Thursday, September 3, 1992
(Immediately Following 9:30 AM Regular Meeting)
Multnomah County Courthouse, Room 602

EXECUTIVE SESSION

E-1 *The Multnomah County Board of Commissioners Will Meet in Executive Session Pursuant to ORS 192.660(1)(h) for the Purpose of Legal Counsel Consultation Pertaining to Possible Litigation.*

EXECUTIVE SESSION HELD.

MULTNOMAH COUNTY OREGON

OFFICE OF THE BOARD CLERK
SUITE 1510, PORTLAND BUILDING
1120 S.W. FIFTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • CHAIR • 248-3308
PAULINE ANDERSON • DISTRICT 1 • 248-5220
GARY HANSEN • DISTRICT 2 • 248-5219
RICK BAUMAN • DISTRICT 3 • 248-5217
SHARRON KELLEY • DISTRICT 4 • 248-5213
CLERK'S OFFICE • 248-3277 • 248-5222

AGENDA

MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS

FOR THE WEEK OF

AUGUST 31 - SEPTEMBER 4, 1992

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Tuesday, September 1, 1992 - 10:45 AM - Agenda Review . . . .Page 2

Tuesday, September 1, 1992 - 1:30 PM - Public Hearing . . . .Page 3

Thursday, September 3, 1992 - 9:30 AM - Regular Meeting . . .Page 3

Thursday Meetings of the Multnomah County Board of Commissioners are taped and can be seen at the following times:

Thursday, 10:00 PM, Channel 11 for East and West side subscribers
Thursday, 10:00 PM, Channel 49 for Columbia Cable (Vancouver) subscribers
Friday, 6:00 PM, Channel 22 for Paragon Cable (Multnomah East) subscribers
Saturday 12:00 PM, Channel 21 for East Portland and East County subscribers

INDIVIDUALS WITH DISABILITIES MAY CALL THE OFFICE OF THE BOARD CLERK AT 248-3277 OR 248-5222 OR MULTNOMAH COUNTY TDD PHONE 248-5040 FOR INFORMATION ON AVAILABLE SERVICES AND ACCESSIBILITY.

AN EQUAL OPPORTUNITY EMPLOYER

Tuesday, September 1, 1992 - 8:30 AM

Multnomah County Courthouse, Room 602

EXECUTIVE SESSION

E-1 The Multnomah County Board of Commissioners Will Meet in Executive Session Pursuant to ORS 192.660(1)(e), in Order to Discuss the Operational and Financial Aspects of a Proposed Purchase of Real Property by Multnomah County. 1 HOUR REQUESTED.

Tuesday, September 1, 1992 - 9:30 AM

Multnomah County Courthouse, Room 602

BOARD BRIEFINGS

B-1 Discussion of Audit Entitled "MANAGEMENT OF FELONS: IMPROVE SENTENCING PRACTICES". Presented by Multnomah County Auditor Gary Blackmer. 15-25 MINUTES REQUESTED.

B-2 Discussion of Columbia Villa Community Service Project Representatives' Participation in the Moral Rearmament Conference in Caux, Switzerland. Presented by Project Director Fred Milton and Villa Residents Tina Stalling and Ruby Foust. 15 MINUTES REQUESTED.

B-3 General Overview of Multnomah County Weatherization Program Operations, Accomplishments and 1993 Fiscal Year Goals. Presented by Program Staff Rey España and Tom Brodbeck. 10 MINUTES REQUESTED.

B-4 Multnomah County Homeless Families Program Briefing and Update on Current Grant Initiatives and First Year Results of the Robert Wood Johnson Foundation Homeless Families Program. Presented by Project Director Paula Corey. 10 MINUTES REQUESTED.

Tuesday, September 1, 1992 - 10:45 AM

Multnomah County Courthouse, Room 602

AGENDA REVIEW

B-5 Review of Agenda for Regular Meeting of September 3, 1992.

Tuesday, September 1, 1992
1:30 PM TO NO LATER THAN 5:00 PM

Multnomah County Courthouse, Room 602

PUBLIC HEARING

P-1 Quasi-Judicial Hearing Followed by Board Deliberations and Order in the Matter of a Petition for Establishing a Way of Necessity for Property Described as Tax Lot 17, Located in the N.E. 1/4 of Section 6, T2N, R1W, W.M. and in the Alexander McQuinn D.L.C., Multnomah County, Oregon, Filed by the McQuinn Family Pioneer Cemetery Association, an Oregon Non-Profit Corporation. (Case No. 92-51C).

Thursday, September 3, 1992 - 9:30 AM

Multnomah County Courthouse, Room 602

REGULAR MEETING

CONSENT CALENDAR

NON-DEPARTMENTAL

C-1 In the Matter of the Appointments Avel L. Gordly, Barbara Aho Grider, Myrthle B. Griffin, Gerald McFadden and Barry M. Maletzky to the MULTNOMAH COUNTY COMMUNITY CORRECTIONS ADVISORY COMMITTEE

REGULAR AGENDA

NON-DEPARTMENTAL

R-1 PROCLAMATION in the Matter of Proclaiming the Week of September 6-11, 1992 as RETURN TO SCHOOL WEEK in Multnomah County, Oregon

R-2 RESOLUTION in the Matter of a Planning Process to Develop a Corrections Levy for March

R-3 Ratification of Intergovernmental Agreement Contract #500173 Between the City of Portland and Multnomah County, Providing Consolidation of the City of Portland Stores with Multnomah County Central Stores for the Purpose of Economic and Efficient Operations

JUSTICE SERVICES
SHERIFF'S OFFICE

R-4 Budget Modification MCSO #1 Requesting Authorization to Transfer $46,250 in Dedicated Drug Forfeiture Funds from the Professional Services Line Item to Equipment Line Item, Enforcement Division, to Fund the Purchase of an Airplane to be Used for Air Surveillance in Drug Investigations

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DEPARTMENT OF SOCIAL SERVICES

R-6 Request for Approval in the Matter of a NOTICE OF INTENT to Apply for a One Year $150,000 Grant from the Bonneville Power Administration, Providing Ten Bonneville Power Administration Job Slots for High Risk Gang Involved Youth as Part of the Youth Employment and Empowerment Project

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R-8 Request for Approval in the Matter of a NOTICE OF INTENT to Apply for a One Year $250,000 U.S. Department of Health and Human Services Grant, Providing Funding for a Homeless Families Support Services Demonstration Program

PUBLIC CONTRACT REVIEW BOARD

(Recess as the Board of County Commissioners and convene as the Public Contract Review Board)

R-9 ORDER in the Matter of an Exemption to Waive the Competitive Bid Process and to Use a Request for Proposal for the Selection of a Construction Manager/General Contractor for the Juvenile Justice Complex Replacement

(Recess as the Public Contract Review Board and reconvene as the Board of County Commissioners)

DEPARTMENT OF ENVIRONMENTAL SERVICES

R-10 ORDER in the Matter of Multnomah County Appointing Planning and Zoning Hearings Officers

R-11 Continued Second Reading and Possible Adoption of an ORDINANCE Relating to Animal Control, Creating a Notice of Infraction Procedure, Expanded Hearing and Appeal Process, and Penalties for Violations of Animal Control Regulations and Amending Chapter 8.10 of the Multnomah County Code

0202C/40-43/db

SHARRON KELLEY
Multnomah County Commissioner
District 4

Portland Building
1120 S.W. Fifth Avenue, Suite 1500
Portland, Oregon 97204
(503) 248-5219

1992 AUG 18 PM 4:53
MULTNOMAH COUNTY
OREGON

August 18, 1992

TO: Multnomah County Commissioners
Clerk of the Board

FR: Commissioner Sharron Kelley SK

RE: Absence on September 1

I plan to attend an AOC training session on September 1 and will be unable to attend the Board meeting scheduled for that day.

RICK BAUMAN
Multnomah County Commissioner
District 3

606 County Courthouse
Portland, Oregon 97204
(503) 248-5217

August 21, 1992

TO: Clerk of the Board

FR: Commissioner Rick Bauman

RE: Calendar

I would like to amend my earlier memo regarding my attendance at Board meetings in August and September.

I will attend the Board meetings the week of August 24.

I will not be able to attend Board meetings on September 1 through September 17.

BOARD OF
COUNTY COMMISSIONERS
1992 AUG 21 PM 2:08
MULTNOMAH COUNTY
OREGON

Meeting Date: SEP 0 1 1992

Agenda No.: B-1

(Above space for Clerk's Office Use)

. . . . . .

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: Presentation of audit: MANAGEMENT OF FELONS: IMPROVE SENTENCING PRACTICES

BCC Informal 9/1/92 (date) BCC Formal _____ (date)

DEPARTMENT Auditor DIVISION Non-Departmental

CONTACT Gary Blackmer TELEPHONE 3320

PERSON(S) MAKING PRESENTATION Gary Blackmer

ACTION REQUESTED:

[x] INFORMATIONAL ONLY [ ] POLICY DIRECTION [ ] APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: 15-25 minutes

CHECK IF YOU REQUIRE OFFICIAL WRITTEN NOTICE OF ACTION TAKEN: _____

BRIEF SUMMARY (include statement of rationale for action requested, as well as personnel and fiscal/budgetary impacts, if applicable):

(REQUEST TIME CERTAIN, PLEASE.)

BOARD OF COUNTY COMMISSIONERS
1992 AUG 19 AM 8:37
MULTNOMAH COUNTY OREGON

(If space is inadequate, please use other side)

SIGNATURES:

ELECTED OFFICIAL Gary Blackmer

Or

DEPARTMENT MANAGER _____

(All accompanying documents must have required signatures)

MANAGEMENT OF FELONS

Improve Sentencing Practices

August 1992

Gary Blackmer
Multnomah County Auditor

GARY BLACKMER
COUNTY AUDITOR
1021 SW 4TH AVENUE, ROOM 136
PORTLAND, OR 97204
(503) 248-3320

MULTNOMAH COUNTY OREGON

M E M O R A N D U M

August 18, 1992

To: Gladys McCoy, County Chair
Pauline Anderson, Commissioner, West District 1
Gary Hansen, Commissioner, North District 2
Rick Bauman, Commissioner, Central District 3
Sharron Kelley, Commissioner, East District 4

Subject: Audit of the Management of Felons

This audit reviews compliance in Multnomah County with the goals and requirements of Sentencing Guidelines enacted by the Legislature nearly three years ago. It provides information on how our facilities and programs are being used within this new framework for sentencing. In addition, it provides a first look at the factors in felony sentencing decisions in Multnomah County. These insights can help us better adapt our decisions and actions to the intent of the legislation, and to a better justice system in Multnomah County.

Sentencing Guidelines were established as a means of "rationing" prison sanctions, which were at capacity. The report shows that Multnomah County is in a similar situation: our facilities and programs continue operating at over 98% capacity despite large increases in expenditures for these responsibilities.

With the new information that is being gathered under Sentencing Guidelines, and the framework which they provide, we can improve our ability to manage and plan for our corrections facilities and programs. However, as large and complex as this audit is, it only addresses one demand on our corrections resources. The majority of our facilities and programs are used for persons awaiting trial, sentenced misdemeanants, probation violators, and others.

We would appreciate receiving a written status report from the County Chair's Office, the District Attorney's Office, and the Sheriff's Office within six months indicating what progress has been made on matters pertaining to their agencies in this report. The status report should also be circulated to the County Board of Commissioners.

We appreciate the cooperation and assistance provided us in the course of this audit by the District Attorney's Office, the Sheriff's Office, the Department of Community Corrections, the State Courts, and the Oregon Criminal Justice Council.

GARY BLACKMER
Multnomah County Auditor

Auditors: Judith DeVilliers
Suzanne Flynn
Craig Hunt
Stephen J. March
Desktop Publishing: Lucy Sacharkiw

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Donald H. Londer, Presiding Judge, Fourth Judicial District,
Circuit Court of Oregon 61

SUMMARY

Multnomah County provides funding to agencies responsible for holding persons awaiting trial, for prosecution, and for carrying out the sanctions imposed by the Courts. Over the past 18 years County expenditures for these activities increased almost four-fold in constant dollars. There were 2,766 felons convicted in Multnomah County in FY90-91, with drug crimes representing about half of the convictions.

While the authority to impose sentences rests with the Courts, we found that in most cases the sentences were based upon recommendations negotiated by the District Attorney's Office. The length and type of sentences imposed on offenders can have a significant impact on County agencies and resources.

To better manage the State prison population, the Oregon Legislature enacted guidelines for sentencing felons. The Sentencing Guidelines set minimum and maximum sentences based on the seriousness of the crime and the felon's criminal history. Guidelines apply to all felons, whether they are sentenced to state facilities or to local jurisdictions.

Audit Results

We found that recommended sentences and the administration of sanctions have been modified in response to Sentencing Guidelines. However, there are areas that could better conform to the goals and requirements of Sentencing Guidelines. Management responses to the audit are included at the end of this report.

Reduce errors in reporting grid blocks

Sentencing Guidelines are set forth on a grid, with each offender assigned to a block in the grid based upon the severity of the crime and the offender's criminal history. The grid block determines the amount and type of sanction that can be imposed. Errors in determining the grid block can result in inconsistent sentences or sentences to County facilities and programs rather than prison.

We examined the judgment documents and criminal histories of a representative sample of sentenced felons to test for errors in determining grid blocks. In 11 percent of the cases we found that the wrong block of the grid had been identified. While these kinds of errors could affect the sentencing decision, we found that the errors in our sample did not result in a different sentence. In most of the cases, the information was correct at sentencing but recorded wrong on the forms. In the other cases, there was no difference in the sentence that would have been recommended in the corrected grid block.

We could not identify specific causes for the errors. By a process of elimination we determined that the errors occurred after the criminal histories were researched and

before the judgment document was prepared. We recommend that the District Attorney's Office review its methods for calculating and reporting sentencing information.

Improve tracking of sentences served

Sentencing Guidelines require that records be maintained of sentences. Sentences are to be measured in "custody units," with one unit the equivalent of 24 hours served in jail, in a residential treatment facility, in a work release center, under house arrest, or in community service. Tracking can reduce the possibility that offenders serve sentences in excess of Sentencing Guidelines limits during the term of their probation.

Some facilities and programs track and report on the custody units served. However, we found the jail custody units actually served are not reported and are difficult to determine with current tracking methods. We recommend that the Sheriff's Office modify its automated Corrections Population Management System to calculate custody units, or to develop a manual reporting system for inmates who fail to successfully complete their jail sentence.

Sentencing options can be increased

Sentencing Guidelines set limits on the maximum amounts of jail and non-jail sentences which can be imposed. Many offenders are being sentenced to the Sheriff's Multnomah County Restitution Center (MCRC) and Intensive Supervision Program (ISP) with a jail sentence when these sanctions more closely fit the Sentencing Guidelines definition of non-jail custody. Using these programs as jail limits the amount of jail that the Courts can later impose on offenders who violate the conditions of their probation. The ability to impose additional jail time can assist the Department of Community Corrections in the management of probation violators.

The Auditor's Office recommends that the District Attorney develop sentence recommendations to MCRC and ISP as non-jail sanctions which will not reduce the amount of jail that can be imposed on offenders who later violate probation.

Increase use of Forest Project

In general, the County's facilities and custody programs operated at about 98% capacity during FY90-91. However, we found that the Forest Project operated at only 68% of capacity. This program was developed for non-violent felons who violate probation, and consists of four to ten weeks of residence in a camp with work activities to improve forest trails and picnic areas. Insufficient referrals to this program and "no-shows" accounted for the vacant slots, representing approximately $130,000 in under-utilized County resources. At full capacity, an additional 110 offenders could be sentenced to this program annually.

We recommend that the Department of Community Corrections and the Sheriff's Office work with the District Attorney and Courts to identify additional offenders

whose recommended sentences could include the option of serving time in the Forest Project.

Recommended jail sentences could be more consistent with Guideline goals

Although sentences of Multnomah County felons to state prisons have become more consistent under Sentencing Guidelines, the sentences to jail recommended by the District Attorney's Office could be more consistent. Sentences generally comply with Guidelines limits, but there are variations in the sanctions recommended for felons convicted of the same crime with similar criminal histories. As a result, offenders convicted of more serious crimes with more extensive criminal histories do not always receive harsher sentences.

While the Courts have final sentencing authority, we found that many sentences were based on recommendations made by the District Attorney's Office. These recommendations usually resulted from a plea agreement made by the defendant. For particular types of crimes we found some consistency in recommended sentences, based upon an analysis done by the District Attorney's Office. The District Attorney's Office indicated that they considered other factors in addition to those identified by Sentencing Guidelines when determining a sentence recommendation. However, we found some of these factors were not consistently applied.

We analyzed the data gathered on Multnomah County felons to identify the factors affecting the jail decision. We could find very little relationship between the harshness of the jail sentence and the characteristics of the crime or the offender. There were very weak correlations between the sentence and the seriousness of the crime or criminal history. There were also some indications that gender affected the sentencing recommendation. Females were less likely to be sentenced to jail than males who were convicted of the same crime with similar criminal backgrounds.

We also found that Hispanic offenders convicted of drug crimes were more likely to have a sentence to jail than were non-Hispanic, white offenders convicted of the same crime. About half the Hispanic offenders had "holds" placed on them by the Immigration and Naturalization Service (INS) because they had no documentation showing that they had legally entered the country.

The District Attorney indicated that offenders who illegally entered the country must be sentenced to jail because they could not legally reside in the community on probation. We found that Hispanic offenders with INS holds were much more likely to receive a jail sentence. However, Hispanic offenders without INS holds also received more jail. The District Attorney's Office indicated that jail rates could be higher for Hispanic offenders because many were illegal immigrants, even though INS had not placed a hold on them. They also indicated that many Hispanics lead a transient lifestyle which would make a sentence of custody more appropriate.

There are a number of causes to explain the inconsistencies we found in sentencing to County facilities and programs. A certain amount of variation can result when local priorities on crime do not match the statewide framework developed in the Sentencing Guidelines. In addition, the singular characteristics of some offenders or crimes may require a different sentence.

Variances may also result from different decision-making methods. The District Attorney's Office has not adopted an organized set of sentencing recommendations to promote sentencing consistency. In addition, the District Attorney's Office has no system for monitoring its recommended sentences to ensure that the office practices are carried out in a consistent manner.

More consistent sentencing practices can allow more effective planning for and efficient utilization of County facilities and programs. In the same manner that Sentencing Guidelines allowed the state to allocate its prison resources in a more effective manner, consistent sentencing practices could be used to identify types and amounts of needed local sanctions. Better planning for needed sanctions can reduce the number of sentenced offenders released because of facility overcrowding and can better match appropriate types of sanctions to the offender population. Although consistency in sentencing may allow for better planning, the Courts state that this goal should not have too much influence on the sentencing decision.

The Auditor's Office recommends that the District Attorney's Office adopt an organized set of sentence recommendations and a monitoring system to achieve more effective use of local facilities and programs.

Recommended sentences for Hispanic offenders may not be effective

The number of Hispanic offenders in the Multnomah County criminal justice system has increased significantly in the past five years. Most were convicted of drug crimes, and after their jail sentence was served, INS took many of them into custody and deported them to their native country.

However, many of the Hispanic offenders had already been deported once and, of those deported during FY90-91, many were re-arrested in the community on new criminal charges during the same year or within the following six months. One felon was re-arrested in Multnomah County less than a month after his release to INS.

The extra County costs for these offenders were substantial. If the sentences recommended for Hispanic offenders in FY90-91 had been similar to non-Hispanics convicted of the same crime, with similar criminal histories, approximately 4,260 days of jail custody or $368,000 in additional jail resources would have been available for other sentenced offenders or persons awaiting trial.

These sentencing practices will have to be modified. Because of budget constraints, INS has recently announced that it will only deport illegal immigrants convicted of

the most serious crimes. As a result, the sanction of a jail sentence and deportation will be less likely for illegal immigrants convicted of drug offenses.

Studies conducted in Multnomah County and in other communities have recommended a number of alternative programs and sanctions to reduce the burden of criminal illegal immigrants on the County justice system. Programs have included introduction of federal legislation, employment services for documented workers, or greater reliance upon State and Federal sanctions for offenders arrested a second time.

The Auditor's Office recommends investigation of other local programs to develop methods for reducing the impact of criminal illegal immigrants on the County justice system.

INTRODUCTION

This report covers our audit of the County's management of sentenced felons. The review was included on the FY91-92 audit schedule. This audit was conducted in accordance with generally accepted government auditing standards, except for the new requirement for periodic external quality control review. The office will have its procedures reviewed by the National Association of Local Government Auditors for compliance with audit standards in 1993.

Objectives, Scope, and Methodology

The objectives of this audit were to:

- review the history and implementation of Sentencing Guidelines in Oregon and Multnomah County;
- determine if the Oregon Sentencing Guidelines sentences have been successfully applied in Multnomah County; and
- determine if Multnomah County efficiently and effectively manages sentenced felons.

The scope of the audit was limited to sentencing for adult felony crimes; it did not include misdemeanor sentencing or the disposition of offenses committed by juveniles. We limited our review to felony offenders sentenced during the fiscal year of July 1, 1990 through June 30, 1991. In some cases our research was expanded to dates noted in the report.

In the course of the audit we interviewed personnel from the State Court system in Multnomah County, Oregon State Corrections Department, Oregon Criminal Justice Council, Multnomah County District Attorney's Office, the Sheriff's Office, and Community Corrections, as well as public defenders. We reviewed national, state, and local publications and reports on felony sentencing practices. We reviewed past reports on the Multnomah County criminal justice system. We reviewed Oregon statutes and administrative rules.

We obtained cost information from budget and expenditure reports, internal management information from the departments involved, and discussions with budget and criminal justice personnel in the County.

We analyzed eight representative samples of offender populations. We drew a sample of 128 felons sentenced to probation in Multnomah County to determine the sentence recommended and imposed. We drew a sample of 95 felons sentenced to jail to determine the actual length of jail sentences served. To analyze immigration status, we drew a random 50% sample of Hispanics assigned to probation. We analyzed data on offenders convicted of burglary in FY90-91. We also studied a sample of 97

sentenced felons to determine the accuracy of their criminal histories used in the sentencing decision.

We also analyzed all of the offenders in four selected populations who were convicted of the same crime seriousness, and had similar criminal histories. A total of 258 of these cases were analyzed to identify any relationships between population characteristics and sentencing decisions.

We used offender data compiled by the Oregon Criminal Justice Council and reviewed case files in court records, the District Attorney's Office, the Sheriff's Office, and Community Corrections' field offices. The audit used paper records wherever practical and relied upon computerized records systems when necessary. We conducted limited tests to verify the reliability of the computerized data we used.

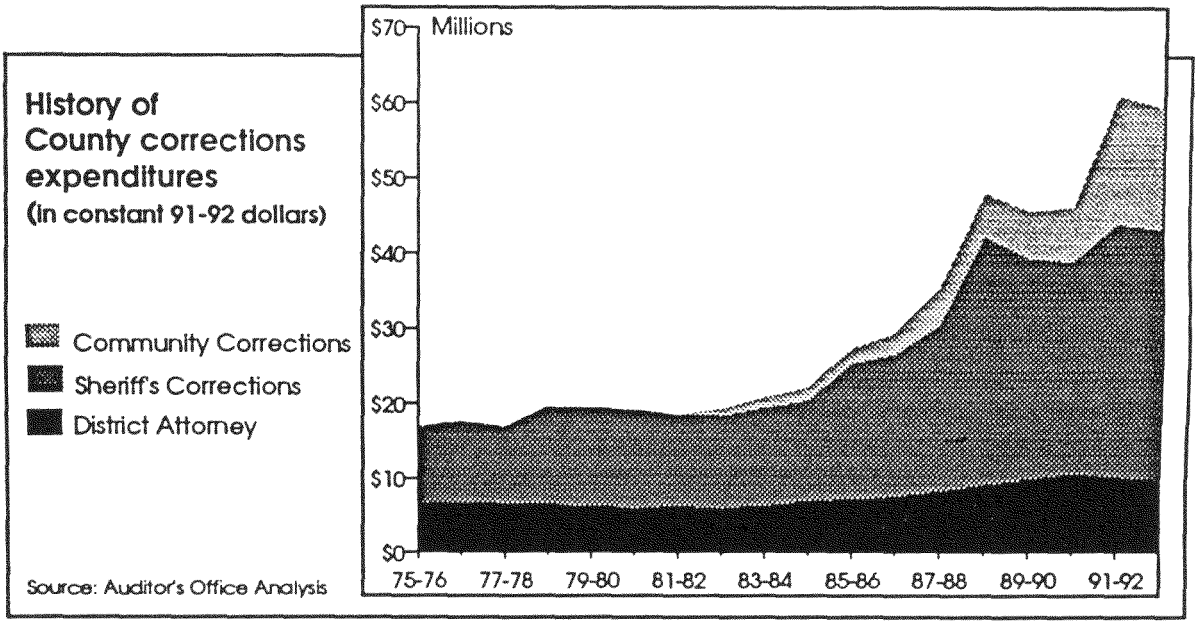
BACKGROUND

The Criminal Justice System In Multnomah County

Approximately 1 in 37 Multnomah County adults has been convicted of a felony or misdemeanor and is serving a sentence either in prison or under local correctional supervision. To have reached this point in the justice system, the offender has come into contact with public agencies from several different governmental entities. For example, city, county or state law enforcement officers arrest persons; counties provide pre-trial detention, prosecution, jail, and probation services for offenders; and the state operates the courts system and holds the more serious offenders in its prisons.

The services and costs of these elements of the criminal justice system have a large impact on Multnomah County's citizens. In recent years the cost for the County's share of responsibilities has increased significantly. The three County-financed organizations involved in managing sentenced offenders are the District Attorney's Office, the Sheriff's Office, and the Department of Community Corrections. Exhibit 1 below shows that expenditures have increased from $16 million to $60 million, adjusted for inflation, in the past 18 years. Total costs are presented because costs for sentenced felons are not separated in these programs.

Exhibit 1

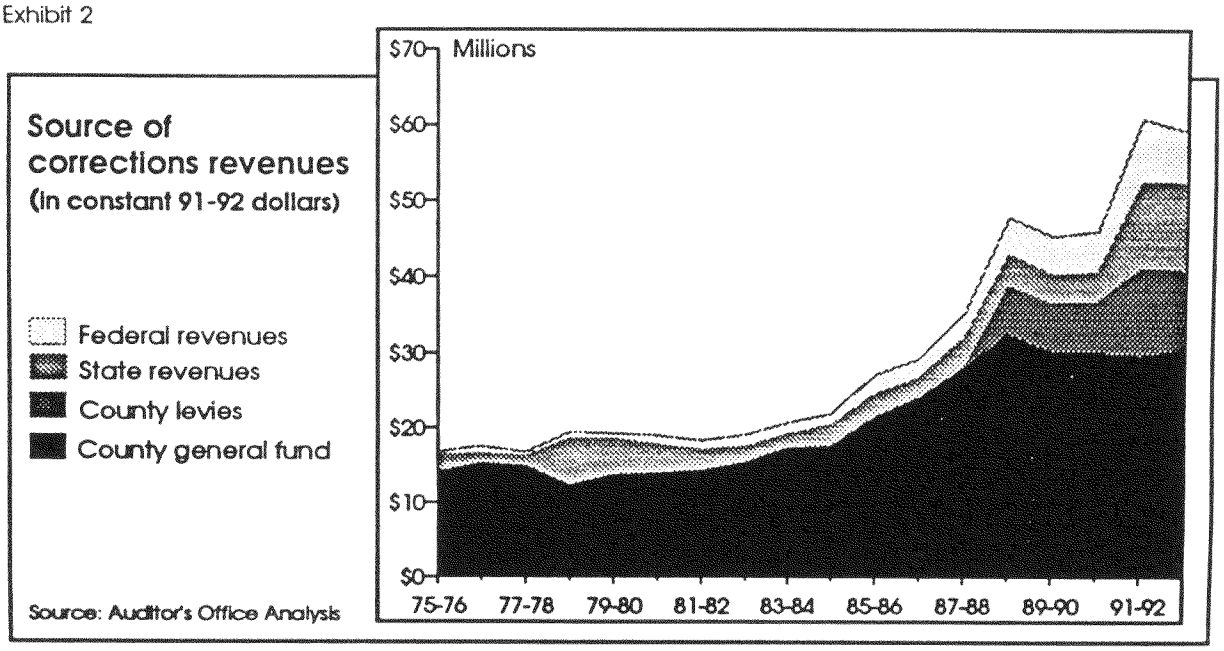


Sheriff's Corrections includes the cost of holding persons awaiting trial as well as sentenced offenders. This category also includes construction costs for the two Inverness Jails and the cost of holding federal prisoners for which the County is reimbursed.

In addition to the management of sentenced felons, Community Corrections expenditures include the costs of managing misdemeanants on probation and supervising felons after release from prison. In FY81-82, through Community Corrections funding, the State began shifting greater responsibility to the County for supervising some sentenced felons. In FY91-92 Multnomah County assumed the responsibility from the State for managing all probation and post-prison supervision cases. This resulted in additional state revenues and an increase in expenditures by the Department of Community Corrections.

The sources of revenue used in the County to finance the District Attorney's Office, Sheriff's Office and Department of Community Corrections are not all from the General Fund. Exhibit 2 below shows the source of revenues used to finance county corrections and prosecution. FY92-93 will be the last year of a three-year serial levy financing jails.

Exhibit 2



Under Oregon law, felonies are the most serious offenses. Exhibit 3 on the following page shows the number of felons sentenced from Multnomah County in 1986 and FY90-91 by type of crime. Possession or distribution of drugs accounted for 48% of all felony sentences in FY90-91.

Exhibit 3

Number of felons sentenced in Multnomah County by type of crime

Major Crime	1986	FY90-91
Arson	15	11
Assault	69	135
Burglary	349	221
Driving Crimes	333	107
Drugs-Possession	203	576
Drugs-Distribution	120	743
Forgery-Fraud	281	142
Homicide	44	24
Rape/Sodomy	67	43
Robbery	161	143
Theft/Motor Vehicle Theft	365	416
Other	121	58
Other Person	33	60
Other Property	41	28
Other Sex	55	59
TOTAL	**2,257**	**2,766**

Source: Auditor's Office Analysis of OCJC data

Multnomah County operates several facilities and programs that are used by the Courts for sentencing offenders. Exhibit 4 below shows the utilization and costs of these facilities and programs in FY90-91. Significant portions of these programs and facilities were also used for purposes other than sentenced felons, such as sentenced misdemeanants, probation violators, and persons awaiting trial. Sentenced felons comprised approximately 25% - 30% of jail population.

Exhibit 4

Total custody days used in FY90-91

Facility or Program	Type of Custody	Estimated Custody Days FY90/91	Cost per Custody Day
Sheriff's Office			
Detention Center	Jail	156,950	$101
Inverness I	Jail	94,900	86
Courthouse Jail	Jail	25,550	84
Corrections Facility	Jail	69,350	55
Restitution Center	Jail/Work Release	35,380	52
Our New Beginnings (women)	Work Release	2,780	35
Volunteers of America (women)	Work Release	2,620	34
Intensive Supervision Program	House Arrest	6,000	38
Community Corrections			
Forest Project (men)	Comm. Svc. Center	4,970	87
Alternative Community Service	Community Service	5,770	81
Volunteers of America (men)	Custody/Treatment	5,980	*52
Volunteers of America (women)	Work Release	5,690	*58
Comprehensive Options for Drug Abuse (CODA)	Custody/Treatment	2,910	*57
DePaul Treatment Center	Custody/Treatment	650	*56
Our New Beginnings (women)	Custody/Treatment	2,160	*36
Total Days/Weighted Cost		**421,660**	**$81**

*Costs for these programs are based on FY91-92 contract rates.

Source: Auditor's Office Analysis

Sentencing practices and policies

Sentencing can occur after a guilty plea or after a guilty finding in a trial. The accused person can plead guilty at any time prior to the trial date as agreed to by the deputy district attorney and defense attorney. The agreement usually specifies the

sanctions recommended by the prosecuting attorney. In 88% of the FY90-91 cases, the District Attorney's office negotiated for a guilty plea and recommended a sentence to the Courts. We found that the Courts accepted the recommended sentence of jail in 78% of the cases.

The sentence that an offender receives is a matter of public policy. Local, state, and federal governments create and classify crimes, setting the penalties that an offender is subject to for each crime. Until relatively recently, the sentencing decision was widely discretionary, with rehabilitation of the offender as the goal. However, in response to prison overcrowding, the 1977 Oregon Legislature began limiting sentence decisions when it approved the Community Corrections Act to reduce the number of felons committed to state prison. The Act provided financial incentives to increase the range and capacity of local community corrections programs. In the same year, the Legislature adopted a parole matrix that set release dates for inmates based upon offense severity and criminal history.

Between 1975 and 1987, even with the implementation of the Community Corrections Act and the parole matrix, prison population increased dramatically. Prison and jail overcrowding became major problems. In response, the 1985 Legislature created the Oregon Criminal Justice Council (OCJC) to study and make recommendations about the capacity, utilization and appropriate use of state prisons, local jails and alternatives.

The OCJC concluded that sentencing was a key decision in the management of the criminal justice system and proposed the development of felony sentencing guidelines. It also identified significant differences in the sentences received by felons convicted of similar crimes with similar criminal histories.

In 1987 the Legislature established the Sentencing Guidelines Board and directed OCJC to develop felony sentencing guidelines which would control commitment to state prisons and local jails. The Legislature hoped to achieve four goals with Sentencing Guidelines:

- **Proportional and Just Punishment.** Those offenders convicted of the most serious crimes and those with lengthy criminal histories receive the harshest punishment.
- **Truth-in-Sentencing.** The sentence imposed is the actual amount of time served by the offender.
- **Sentence Uniformity.** Offenders who commit similar crimes and have similar criminal histories receive similar sentences.
- **Sentences Consistent with Correctional Capacity.** The Guidelines allow for systematic allocation of punishment on the basis of what is available.

The State began a prison construction program, and in 1989 the Legislature approved the recommended guidelines which became effective November 1, 1989.

The Oregon Sentencing Guidelines Grid

Guideline policies are applied through the use of a sentencing grid. Each offender is categorized to a block in the grid based upon the seriousness of the crime and the offender's past criminal record. The blocks at the upper left hand side of Exhibit 5, shown on the following page, represent the most severe crimes and criminal histories. The least severe crimes and criminal histories are found at the lower right hand corner of the grid.

Exhibit 5

CRIME SERIOUSNESS SCALE		CRIMINAL HISTORY SCALE								
		A MULTIPLE (3+) FELONY PERSON OFFENDER	B REPEAT (2) FELONY PERSON OFFENDER	C SINGLE (1) FELONY PERSON W/ FELONY NON-PERSON OFFENDER	D SINGLE (1) FELONY PERSON OFFENDER	E MULTIPLE (4+) FELONY NON-PERSON OFFENDER	F REPEAT (2-3) FELONY NON-PERSON OFFENDER	G SIGNIFICANT MINOR CRIMINAL RECORD	H MINOR CRIMINAL RECORD	I MINOR MISDEMEANOR OR NO CRIMINAL RECORD
MURDER	11	225-269	196-224	178-194	149-177	149-177	135-148	129-134	122-128	120-121
MANSLAUGHTER I, ASSAULT I, RAPE I, ARSON I	10	121-130	116-120	111-115	91-110	81-90	71-80	66-70	61-65	58-60
RAPE I, ASSAULT I, KIDNAPPING II, ARSON I, BURGLARY I, ROBBERY I	9	66-72	61-65	56-60	51-55	46-50	41-45	39-40	37-38	34-36
MANSLAUGHTER II, SEXUAL ABUSE I, ASSAULT II, RAPE II, USING CHILD IN DISPLAY OF SEXUAL CONDUCT, DRUGS-MINORS, CULT/MANUF/DEL, COMP. PROSTITUTION, NEG. HOMICIDE	8	41-45	35-40	29-34	27-28	25-26	23-24	21-22	19-20	16-18
EXTORTION, COERCION, SUPPLYING CONTRABAND, ESCAPE I	7	31-36	25-30	21-24	19-20	16-18	180 90	180 90	180 90	180 90
ROBBERY II, ASSAULT III, RAPE III, BRIBE RECEIVING, INTIMIDATION, PROPERTY CRIMES (more than $50,000), DRUG POSSESSION	6	25-30	19-24	15-18	13-14	10-12	180 90	180 90	180 90	180 90
ROBBERY III, THEFT BY RECEIVING, TRAFFICKING STOLEN VEHICLES, PROPERTY CRIMES ($10,000-$49,999)	5	15-16	13-14	11-12	9-10	6-8	180 90	120 60	120 60	120 60
FTA I, CUSTODIAL INTERFERENCE II, PROPERTY CRIMES ($5,000-$9,999), DRUGS-CULT/MANUF/DEL	4	10-10	8-9	120 60	120 60	120 60	120 60	120 60	120 60	120 60
ABANDON CHILD, ABUSE OF CORPSE, CRIMINAL NONSUPPORT, PROPERTY CRIMES ($1,000-$4,999)	3	120 60	120 60	120 60	120 60	120 60	120 60	90 30	90 30	90 30
DEALING CHILD PORNOGRAPHY, VIOLATION OF WILDLIFE LAWS, WELFARE FRAUD, PROPERTY CRIMES (less than $1,000)	2	90 30	90 30	90 30	90 30	90 30	90 30	90 30	90 30	90 30
ALTERING FIREARM ID, HABITUAL OFFENDER VIOLATION, BIGAMY, PARAMILITARY ACTIVITY, DRUGS-POSSESSION	1	90 30	90 30	90 30	90 30	90 30	90 30	90 30	90 30	90 30

- In white blocks, numbers are presumptive prison sentences expressed as a range of months.
- In gray blocks, upper number is the maximum number of custody units which may be imposed; lower number is the maximum number of jail days which may be imposed.

Source: Oregon Criminal Justice Council

The offender's placement on the grid determines the amount of prison, probation, jail, other punishments, and supervision that can be imposed. A dark line — the "dispositional line" — divides the upper and lower portions of the grid; above the line, an offender is sentenced to state prison within the range of months in the grid block.

Below the line, an offender is sentenced to probation. The top numbers in each of these grid blocks indicate the maximum days of local sanctions, and the lower numbers indicate the maximum days of jail an offender can serve as part of the probation sentence. These grid amounts vary according to the level of crime severity and the offender's criminal history. The limits were established on the use of jail to allow better management of limited jail space.

The top numbers in each probation grid block, called "custody units," were developed to allow the use of other punishments as alternatives to jail. A custody unit is the equivalent of 24 hours served in jail, a residential custodial treatment facility, a work release center, house arrest, a community service center, or completed community service work.

Offenders who violate their probation requirements are subject to extended probation supervision and additional punishment. Any additional sanctions cannot result in a total sentence that exceeds the original limitation of the grid block. However, if the offender's probation is revoked for repeated or serious violations, a prison sentence of up to six months can be imposed.

Although Sentencing Guidelines determine the sentence for the usual case, a different sentence may be imposed for an exceptional case. This process is called a "departure." A departure requires a formal statement at the time of sentencing in which the reasons for increasing or decreasing the sentence are stated on the record. Some of the reasons for departure to a more severe sentence are: a dangerous offender, persistent involvement in similar crimes, or multiple victims. Reasons for reduced sentences include: a cooperative offender, an offender who was an accessory to the crime, or an offender who had been conviction-free for a significant period of time. Departures can be used by judges when the Guidelines sentence does not fit the individual case.

Types of Sanctions

There is a wide range of possible sanctions for the person found guilty. More serious offenders are sentenced to state-operated facilities and less serious offenders are sentenced to County facilities or programs. For the person convicted of multiple crimes, sentences can be either consecutive (added together) or concurrent (served at the same time). Offenders can also be sentenced to combinations of local sanctions (such as probation and jail). The sentences and additional sanctions are listed below.

Sentences

Prison - Fourteen prisons are operated by the state in Oregon. In FY90-91, 585 offenders were sentenced to prison from Multnomah County. Prison sentences range from 6 months to more than 20 years in custody.

A prison sentence can also include a period of supervision ranging from 1 to 3 years to be served after the prison term is completed. An offender who is on post-prison supervision is supervised by the County's Department of Community Corrections.

Probation - Probation sentences range from 18 months to 5 years. In FY90-91, there were 2,181 offenders sentenced to probation with 97% supervised. An offender with a supervised probation sentence is required to report to the County's Department of Community Corrections. The intensity of the supervision is determined by standards set by the State Department of Corrections.

As part of the probation sentence, courts can impose various conditions on the sentenced felon. To successfully complete probation, the offender must comply with the conditions. If these conditions are not met, the probation can be revoked and the offender can be sentenced to other local sanctions or to prison for up to 6 months. These conditions may require the offender to be held in custody, or to comply with other non-custody requirements.

Custody Conditions

Jail - The Multnomah County Sheriff's Office operates 5 jails. In FY90-91, 42% of probation sentences included jail time. Up to 90 days in jail can be served as part of a probation sentence for each charge.

Work Release - In work release programs, an offender must reside in the facility, but may be released to work or to attend treatment programs. A portion of the money earned by the offender is applied towards restitution or other financial obligations the court has ordered.

The Sheriff's Office operates the Multnomah County Restitution Center as a jail and work release facility for men. The Sheriff's Office also contracts with two non-profit organizations for work release programs for women. An offender can serve up to 180 custody units on a single conviction in a work release center as part of the probation sentence.

Community Service Center - In a community service center, the offender is confined and works on community service projects. The Department of Community Corrections operates the Forest Project Center as a community service center for men. An offender who is in the Forest Project must reside in the work camp and must work upgrading campgrounds, picnic grounds and trails in the Mount Hood National Forest. Up to 180 custody units can be served in a community service center.

Residential Treatment Facilities - A residential treatment facility is designed to confine and treat an offender for drug or alcohol abuse, or for criminal sexual behavior. The intent of this type of program is to prevent future criminal activity by treating the causes of that behavior. Participation in a residential treatment facility requires that the offender remain in the program until treatment is successfully completed. The Department of Community Corrections contracts with several agencies to provide residential treatment.

House Arrest - In a house arrest program, the offender is confined to his or her own residence during certain hours, must maintain contact with the program, and usually has other restrictions as well. The Sheriff's Office operates the Intensive Supervision Program like a house arrest program. Up to 180 custody units can be served in a house arrest program.

Community Service - In a community service program, an offender works without compensation on jobs for a public or non-profit agency. The Department of Community Corrections operates the Alternative Community Service Program in Multnomah County. An offender may be ordered to complete up to 500 hours of community service.

Non-Custody Conditions

A sentence of probation may require that the offender comply with other conditions or requirements that do not include custody. An offender may be assigned financial obligations, including repayment of damages to the victim. The offender can be ordered to enter mental health or drug and alcohol treatment programs. Restrictions may be placed on the offender's movement or contacts. The offender may be asked to take polygraph examinations, drug tests, or to abstain from the use of alcohol.

General conditions of probation, such as maintaining contact with the probation department, notifying the probation officer of changes in address or employment and complying with laws, are established

by statute and apply to every offender. If the probation is supervised, a county probation officer monitors and reports the offender's compliance to the judge.

Administrative and workload changes under Sentencing Guidelines

The Courts are required by statute to submit a sentencing report on all Sentencing Guidelines cases to the OCJC, but the court is allowed to assign this responsibility to another organization.

OCJC developed a three page sentencing report form for the courts to submit (see appendix). However, funding was not provided by the Legislature to pay for the additional workload required to complete this report.

In Multnomah County, the Chief Criminal Court Judge ordered that sentencing reports be completed by the District Attorney's Office. Multnomah County received an exception to submitting the information on the sentencing report form developed by OCJC because of the volume of reporting that would be required.

Instead, the County is allowed to submit the judgment document, the criminal history form and a supplemental form which supply most of the information required in the sentencing report. The criminal history and supplemental forms are completed by the District Attorney's Office. The judgment document is completed by the District Attorney's Office or by court staff. Court staff prepare the forms for cases assigned to the Justice Center and for cases involving a single charge. District Attorney staff prepare judgment documents in cases involving multiple charges.

The adoption of Sentencing Guidelines has required the District Attorney to assume additional responsibilities. Sentencing Guidelines created subcategories within a crime which define the level of crime severity. When a defendant is charged with a crime, allegations must now include sufficient documented information to establish the crime severity classification.

The increased emphasis on a defendant's prior criminal record has added responsibility to the District Attorney's office. The Criminal History Unit of the District Attorney's Office must now provide a description of the defendant's criminal history which will be used in determining the sentence. The burden of proof in establishing the criminal history rests upon the District Attorney who is also required to present this information accurately to the Courts at sentencing.

Sentencing Guidelines reduced the extensiveness of the investigation of an offender's background which had previously been used in sentencing decisions. Formerly, the pre-sentence investigation had been conducted by the staff of Community Corrections following a conviction. This kind of investigation is now necessary only for departures and sex-related crimes, or if requested by a judge.

Finally, the implementation of Guidelines created a responsibility for tracking the use of jail and other custody units. By statute, the responsibility is assigned to the "supervisory authority." In Multnomah County, the supervisory authority is either the Sheriff's Office or the Department of Community Corrections. Guidelines require the supervisory authority to keep a record of all custody units served by an offender to enable the Courts to determine whether the imposed custody units have been served.

The Impact of Guidelines at the State level

Early evaluations of Sentencing Guidelines by OCJC indicated that many of the goals and objectives have been met at the State level. The overall rate of prison admissions remained about the same as the pre-Guidelines rate, with the average length of stay in prison increasing in every crime category except driving offenses. From 1986 to the first year of implementation, the average length of stay in prison increased 36%, from 22 to 30 months.

The percentage of the prison sentence that is actually served has also changed with Sentencing Guidelines. In 1986, the average sentence to prison was 95 months, but only 23% of the sentence was served. Inmates were subject to several types of early release from the sentence, such as parole, temporary leave (pre-parole), and statutory provisions for term reduction. Parole and temporary leave programs were abolished with the implementation of Sentencing Guidelines with those offenders sentenced to prison now serving at least 80% of the sentence which was imposed.

AUDIT RESULTS

Chapter One

This chapter identifies administrative problems in recording the sentencing decision, and in tracking the actual sentence served.

Some grid blocks were incorrectly identified

Determination of grid block

The Criminal History Unit in the District Attorney's Office gathers the criminal records for each defendant charged with a felony. Some records, such as printouts from the Portland Police Data System (PPDS) and Oregon's Law Enforcement Data System (LEDS), are provided by the arresting agency.

Criminal History Unit staff supplement the information with data gathered from various sources such as computer searches, contacts with other governmental agencies, and court files. They track out-of-state convictions and interpret out-of-state charges for their equivalent crime under Oregon law. To comply with Sentencing Guidelines, they distinguish between adult and juvenile convictions, between felonies and misdemeanors, and between property and person crimes. In 1991 the Unit had two to three staff to research about 5,000 criminal histories.

While the Criminal History Unit is responsible for transferring the criminal history information to the criminal history form, the deputy district attorneys are responsible for determining the criminal history category and the seriousness level of the crime. This information is distributed to the defense attorney at the pre-trial conference stage.

The goal of District Attorney procedures is to complete criminal histories at least 3 days before the first pre-trial conference. When a case results in a conviction, a temporary sentencing form is completed by the Courts. A copy of this form is forwarded to the Sheriff's Office or Department of Community Corrections. Staff of the Courts or District Attorney's Office prepare a judgment document based upon the temporary sentencing form. The judgment document, criminal history form and supplemental form are forwarded to the Oregon Criminal Justice Council.

Inaccurate or erroneous sentencing information can result in inconsistent sentences or sentences to County facilities and programs rather than prison. OCJC has developed procedures to reduce the risk of inaccurately calculated sentences by reporting discrepancies as soon as possible to the responsible agency. In addition, decisions about Oregon's justice system are based upon the sentencing information gathered by the Oregon Criminal Justice System.

The Criminal History Unit generally provides timely and accurate information

We tested a random sample of 97 felony cases to determine the accuracy and timeliness of criminal history information. In our sample we found that the average length of time the Unit took to complete each case was approximately 14 days, about 6 days on average before the pre-trial conference was scheduled.

For the cases sampled, the Criminal History Unit accurately transferred all but one conviction from the files to the form used by Multnomah County. In that one case, the crime was not entered on the form but was found hand-written on the court file. The Unit monitored and accurately updated files with cases pending or with incomplete information. Revised criminal histories were prepared whenever subsequent information was received.

Sentence variation in the grid

In general, the Sentencing Guidelines recommend increased sentences for more serious crimes, and for felons with more extensive criminal histories. In the prison (upper) portion of the grid, almost any difference in either the crime seriousness level or the criminal history category will affect the length of the prison sentence. For example, for someone with a criminal history of a single person felony (category D), the difference between seriousness level 5 (Robbery III) and level 6 (Robbery II) could mean 4 months in prison.

However, in the probation (lower) portion of the grid, many of the blocks contain the same sentence. For example, property crimes involving less than a thousand dollars (seriousness level 2) have the same sentence regardless of criminal history (categories A through I).

Sentences generally vary more with changes in crime seriousness (1 - 11) than changes in the felon's criminal history (I - A). For any given criminal history category, a change in the crime seriousness level can mean the difference between imprisonment in a state institution and probation (including county jail or an alternative). In contrast, a difference in the criminal history category can only affect the imprisonment/probation decision for crime seriousness levels 4, 5, 6, and 7 (and for the optional blocks of level 8).

Problems in identifying the correct grid block

While we found that the District Attorney's Office correctly gathered the information, problems sometimes occurred during the next steps of the process. In 11 percent of the cases sampled we found that the wrong block of the grid was identified on the judgment document.

In many of these cases the information was accurate for purposes of sentencing decisions, but inaccurately reported to OCJC. For those cases in our sample where the

sentence appeared to be based upon an incorrect grid block, the discrepancies did not appear to have a material affect on the imposed sentence.

In 7% of our sample, the criminal history category appeared incorrect at the time of sentencing or was incorrectly reported to OCJC. In each of these cases, it appeared that the discrepancy had no effect on the sentencing decision because a correct grid block would have recommended the same sentence.

We also found problems in the crime seriousness category in 4% of the sample. Errors in this category are more likely to affect sentencing decisions; however, there were no cases in our sample where the discrepancy would have changed the recommended sentence. In three of the cases, the information was correct at sentencing, but inaccurately reported to OCJC. In the fourth case, there was no effect on the sentencing decision because the correct grid block would have recommended the same sentence.

Causes of errors

To identify the cause of sentencing form errors we also analyzed 59 additional cases of apparent discrepancies on the criminal history which form could have affected the sentence. The cases were identified by the Oregon Criminal Justice Council for the period of July 1, 1990 to June 30, 1991. Based upon information in the court files, 18 of the criminal history categories appeared to be correct.

Court records indicated that 9 of the cases were departures. Of the remaining 32 cases, only 1 appeared to be a problem of transferring hand-written judicial orders to pre-printed forms, and that error did not affect the sentence.

Failure of the deputy district attorney to indicate the criminal history category on the County's criminal history form may contribute to improper grid block determinations. While the forms currently being used contain a line on which to indicate the grid block (made up of the criminal history category and the crime seriousness level), we found that nearly three-quarters of the cases in our random sample of 97 failed to identify any sentencing grid block.

In some cases, the deputy district attorney may negotiate for a grid block that does not agree with the criminal history of the offender, which may not be allowable under Sentencing Guidelines. Discrepancies may also be the result of a sentencing form that was not updated as a result of a disputed criminal history.

Finally, we found that some of the forms were being prepared and submitted to OCJC more than a year after the sentencing decision. Delays in filling out the sentencing form may also cause errors.

Custody unit reporting can be improved

Guidelines require tracking of sentences served

Sentencing Guidelines require that custody unit records be maintained in a form that will allow judges to determine the number of custody units that have been served. Custody units must be tracked to ensure that offenders complete their sentence and that their sentence does not exceed legal limits.

There is also an unresolved legal question which could increase the tracking requirements. The number of jail custody units served by offenders is often less than the imposed sentence because Oregon statutes allow jail sentences to be reduced for good behavior and work credits. There is a question whether the credited days off may be imposed later if the offender violates probation. If credited days can be imposed later, the actual time served will have to be determined from jail records and reported during probation violation hearings.

Sentencing Guidelines place responsibility with the "supervisory authority" to record custody units served. In Multnomah County, the responsibility for recording custody units is under the jurisdiction which operates the facilities or programs where the sentence is served.

The Sheriff's Office is the supervisory authority for all County jails, the Multnomah County Restitution Center (MCRC), the Intensive Supervision Program (ISP), and the contracted Womens' Work Release program. The Department of Community Corrections is the supervisory authority for the Alternative Community Service and Forest Project programs as well as the contracted Residential Treatment Facilities programs.

While the supervisory authority is responsible for recording custody units, Sentencing Guidelines do not clearly specify who should report this information to judges. Probation officers, who are required to track all conditions of probation, have traditionally reported to judges on the disposition of offender sentences. However, under Sentencing Guidelines, the sentences have to be reported to judges in the more exact terms of custody units, placing an additional administrative burden on probation officers.

In some programs, such as Alternative Community Service and the Forest Project Program, staff send summary reports to probation officers that describe the outcome of referrals to their programs. With these summary reports, probation officers can report to judges whether offenders have complied with imposed sentences.

The Sheriff's Office sends summary reports to probation officers on inmates sentenced to MCRC and ISP, but not to the jails. Instead, the Sheriff's Office has made its computerized Corrections Population Management System (CPMS) available and

provided training to probation officers. However, CPMS format makes it difficult and time consuming for probation officers to obtain an accurate determination of custody units served. Further, information on CPMS does not identify offenders who fail to report to jail.

Sheriff's managers stated that the large number of jail inmates makes it difficult to prepare summary reports on each individual, but reports could be sent when offenders fail to appear or when they violate probation. They stated that the CPMS is being modified and could calculate the custody units.

RECOMMENDATIONS

To improve documentation of sentencing decisions, the District Attorney should work with the Courts to:

- Provide additional training to report correct grid blocks.
- Independently verify the grid block prior to sentencing.
- Provide timely sentencing reports to OCJC and other criminal justice agencies.
- Investigate any sentencing discrepancies identified by OCJC.
- Consider consolidating the Courts temporary sentencing form, the Criminal History form, the supplemental form, and the judgment document into a single form that provides timely information for the Sheriff's Office, Community Corrections, and OCJC. Alternately, modify one of the current justice information systems to record case information, to automatically identify the grid block, to record the sentence, and to produce electronic or hard copy documents that satisfy the information needs of the various agencies.

To ensure efficient and accurate reporting of custody units, the Sheriff's Office should:

- modify its CPMS to calculate custody units served, or to develop a manual reporting system for inmates who fail to successfully complete their jail sentence.

Chapter Two

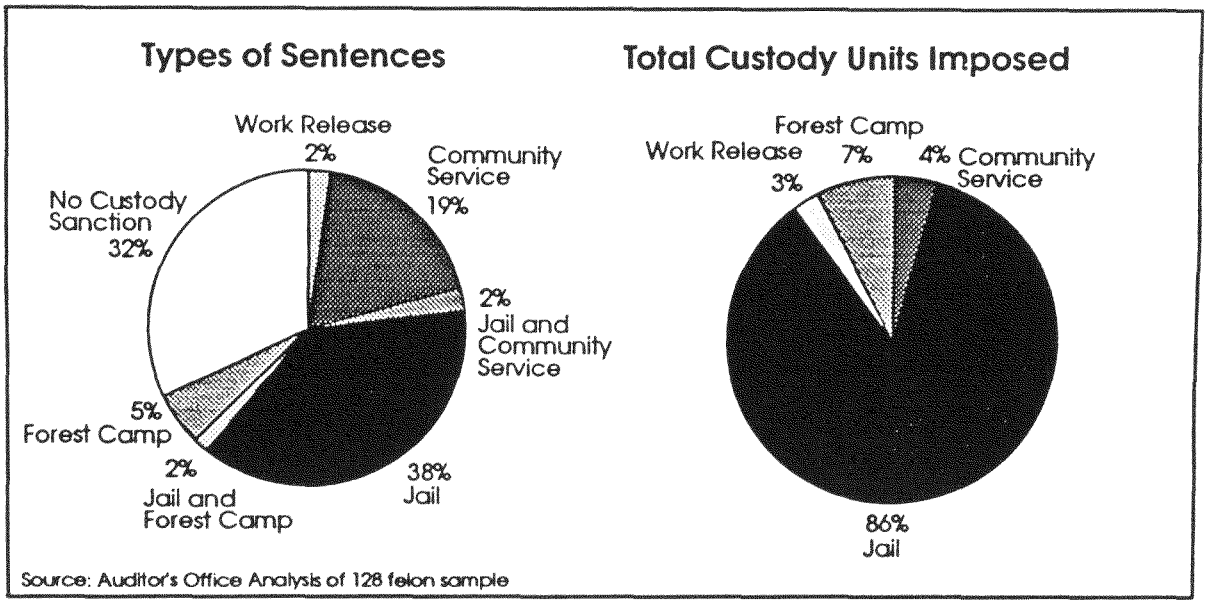
This chapter identifies alternative sentences which could increase the options for managing sentenced offenders. One custody program could have been better utilized.

Sentencing options can be increased

Local Sanctions

Multnomah County provides a number of sentencing options for convicted felons. Based upon our analysis of a statistical sample of 128 offenders sentenced to probation, 32% of the felons on probation received no additional custody unit sanctions. The remaining 68% received sentences to jail, work release, the Forest Project, Alternative Community Service, or a combination of some of these sanctions. Exhibit 6 below shows the sentences imposed on the convicted felons in the sample, and the relative amount and type of custody units served. For example, the pie on the left shows 38% of the felons were sentenced to jail, 2% sentenced to jail and the Forest Project, and 2% to jail and Alternative Community Service. There were no felons in our sample sentenced to other programs such as residential treatment. The pie on the right shows the relative numbers of local custody units imposed on felons, with jail representing 86% of the total.

Exhibit 6



Source: Auditor's Office Analysis of 128 felon sample

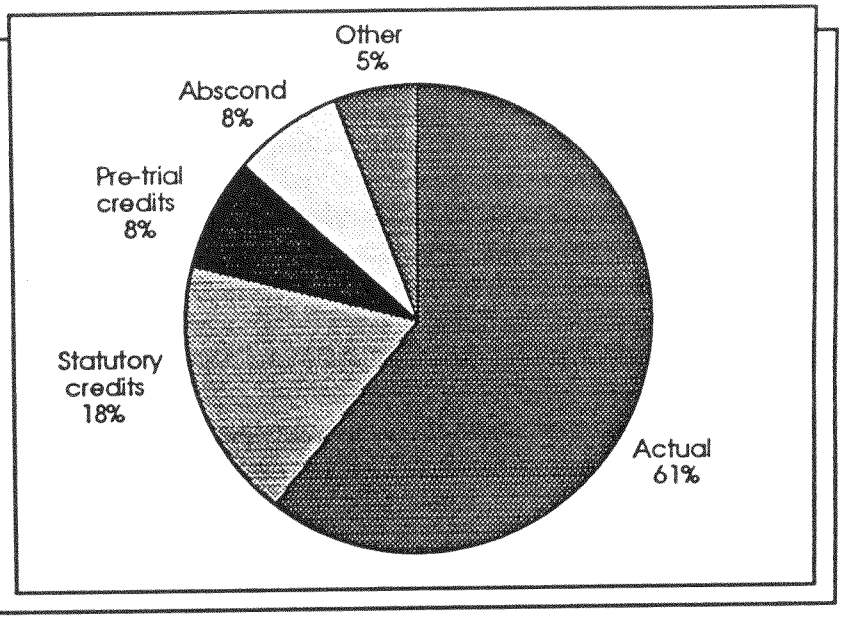
Actual jail sentences served

We found that jail inmates are serving about 61% of their sentence as a result of credits for work and good behavior, and for time served in jail awaiting trial. There were no felons in our sample who were released because of jail overcrowding. There has been a decline in matrix releases of sentenced prisoners over the past several years, with only 361 released in 1991, down from 1,299 in the previous year.

Exhibit 7 below shows the actual time served and reasons for reduced sentences in a representative sample of 105 felons sentenced to local facilities.

Exhibit 7

Percent of jail days served and reasons for reductions



Source: Auditor's Office Analysis

Management of felons on probation

Felons assigned to local supervision are sentenced to probation for periods up to 36 months, and may also be sentenced to jail, Forest Camp Alternative Community Service, or other sanctions. In response to the limits imposed by Sentencing Guidelines, many sentences use only a portion of the maximum jail days. The unused jail time may be used later to ensure the felon satisfactorily completes the conditions of probation.

Other specific conditions of probation may be imposed on a felon such as submitting to random drug-testing, reporting regularly to the probation officer, or avoiding particular persons.

If the probation officer finds that the felon has violated conditions of probation, the officer may arrest and book the felon into jail on charges of probation violation. A judge reviews the case to determine whether additional local sanctions should be

imposed. If jail is chosen, the judge may impose all or part of the remaining days up to the maximum allowed by Sentencing Guidelines for the grid block. If the judge chooses to revoke probation, up to six months of prison may be imposed.

Based upon our sample of 128 offenders, approximately 42% of felons had been found in violation of their probation during FY90-91 and the 6 months following. Of these, 43% were revoked and sentenced to prison. The remainder were continued on probation with 21% sentenced to jail, 14% sentenced to non-jail sanctions, and 22% receiving no additional sanction. Many of the offenders who were sent to prison had multiple violation hearings prior to their probation revocation.

Sentencing decisions can limit probation sanctions

In some cases, the Courts may not have been able to sentence felons to additional jail when they violated probation as a result of the initial sentences of felons. The felons may have already served the maximum jail sentence allowed within Sentencing Guidelines, even though the sanction would not be defined as jail under Sentencing Guidelines. Using some sentencing options as "non-jail" sanctions can increase the ability of the Courts to respond to probation violators.

The Sheriff's Office manages the Intensive Supervision Program (ISP). This program confines offenders to their residences during certain hours, imposes other restrictions, and requires regular meetings with their case supervisor. Up to 180 days can be served in ISP. Most offenders are sentenced to this program as jail. Under Sentencing Guidelines this program would be considered house arrest, a non-jail custody program, rather than a jail-custody program.

The Sheriff's Office also operates the Multnomah County Restitution Center (MCRC). Offenders sentenced to MCRC reside in the facility, but may be released during the day to work, or to seek work. A portion of their earnings is used for room and board, victim restitution, or for other court-ordered purposes. MCRC is considered a work-release facility, a non-jail sanction under Sentencing Guidelines.

However, the Sheriff's Office holds inmates in MCRC who are sentenced to jail as well as those sentenced to non-jail custody. Some offenders at MCRC were considered to be serving their sentence in jail, while others were considered to be in work release, a non-jail custody program under Sentencing Guidelines. Under this arrangement, offenders in MCRC were participating in the same program but serving distinctly different sentences. Offenders sentenced to jail at MCRC were reducing the amount of jail time that could later be imposed if they violated probation, whereas the offenders who were serving non-jail time would still be subject to the maximum jail sentence allowed under Sentencing Guidelines.

If offenders receive non-jail sentences to ISP and MCRC, the amount of additional jail time available to impose on the offenders who violate probation could be increased. With the possibility of additional jail time, offenders on probation could be more easily

supervised by the County's Department of Community Corrections. To increase the available sanctions for probation violators, the Courts have begun encouraging non-jail sentences to MCRC and ISP.

Increase Use of Forest Project

Most custody sanctions are at capacity

Exhibit 8 below shows that most of the custody sanctions were operated at or near their capacity in FY90-91. Some of these programs and facilities are also used by persons who are not sentenced felons. All the jail facilities - the Detention Center, Inverness 1, Courthouse Jail, and the Corrections Facility - operated at their capacity for FY90-91. Sheriff's Office managers attributed the 88% utilization at the Restitution Center to temporary closure of a floor because of repairs, and to a shortage of referrals when the inmate capacity of the facility was expanded to 110 during FY90-91. The Intensive Supervision Program and Alternative Community Service have no stated capacity levels. The Volunteers of America men's alcohol and drug treatment facility first began operations in FY90-91 and as a result did not operate at full capacity.

Exhibit 8

Usage of custody facilities and programs

Facility or Program	Percent of Full Capacity
Sheriff's Office	
Detention Center	100%
Inverness 1	100%
Courthouse Jail	100%
Corrections Facility	100%
Our New Beginnings (women)	100%
Volunteers of America (women)	100%
Restitution Center	88%
Intensive Supervision Program	n/a
Community Corrections	
Forest Project	68%
Alternative Community Service	n/a
Volunteers of America Alcohol & Drug (men)	64%
Volunteers of America (women)	100%
Comprehensive Options for Drug Abuse (CODA)	88%
DePaul Treatment Center	100%
Our New Beginnings	100%
Percent of Total Custody Capacity	**98%**

*n/a indicates the capacity of the program is not available

Source: Auditor's Office Analysis

Forest Project Program was under-utilized

The Department of Community Corrections operates the Forest Project Program. In this program non-violent, male offenders are sent to a facility near Cascade Locks where they provide labor to improve and repair campgrounds, picnic sites, and forest trails. The program receives most of its referred offenders from judges and probation officers. The program was developed as an alternate to sending probation violators to

prison but is also available to felons serving their initial sentence. Offenders referred to the program are required to report to a pick-up location on Sunday evening where they are transported to the camp. Sentences range from 4 to 10 weeks.

During FY90-91 the program had a daily capacity of 28 offenders. However, the program operated at only 68% of its capacity, averaging about 19 offenders per day. With these vacancies, the program cost about $86 per offender per day. In FY90-91, approximately 230 full or partial sentences were served by offenders in the Forest Project Program. If the program had operated at its full capacity, approximately 110 additional offenders could have served sentences there, reducing the daily cost to $59 per offender. This represented about $130,000 in under-utilized County resources. Better use of the Forest Project Program could also help ease overcrowding at local jail facilities and further enhance maintenance of the Mt. Hood National Forest area.

Some vacancies resulted from a lack of referred offenders, who were generally probation violators. Approximately 72% of referred offenders were accepted in the program in FY90-91. To fully utilize the program, approximately 150 more referrals would have been needed. The Forest Project manager indicated that there are a significant number of offenders in the criminal justice system who meet the program's criteria, but are not being referred. Other vacancies in the Forest Project Program were due to offenders failing to appear at the pick-up location on Sunday evenings.

RECOMMENDATIONS

To increase the sentencing options and achieve greater flexibility in the use of County resources:

- Sentence recommendations to ISP and MCRC should be considered as serving non-jail custody units. To allow for better management of the offender, the sentence recommendations should also require the offender to comply with the requirements of the program as a condition of probation.

To better utilize Forest Project resources:

- The Department of Community Corrections should work with the District Attorney, Courts, and Sheriff's Office to identify additional offenders whose sentences could include the option of serving in the Forest Project.

Chapter Three

This chapter discusses the consistency of felony sentencing to local facilities and programs. It also discusses undocumented immigrants in the justice system.

Consistency of jail sentencing practices

Sentencing goals

Guideline sentences are based upon the severity of the current crime and the number and type of previous criminal convictions. Within this framework, Sentencing Guidelines intends sentences to be uniform and proportional. The goal of uniformity calls for all offenders with a similar criminal history, convicted of similar crimes, to be given similar sentences. The goal of proportionality calls for harsher sentences for offenders convicted of more serious crimes and with a more extensive criminal record.

The Legislature intended that these and other goals be achieved within the limits of the corrections resources, by matching sentencing policies to the resources available. The Oregon Criminal Justice Council collected and analyzed felony convictions as a basis for understanding sentencing decisions in Oregon. The sentence type and amounts in the Guidelines grid were then matched to the available space in the state's prison system. Sentencing decisions — probation or prison, and the length — were based on the capacity of resources. Consistent sentencing decisions were necessary for effectively planning for and using State and County corrections resources.

OCJC has the continuing responsibility to monitor offender sentencing and evaluate the sentencing practices and their impact on prison usage. This information also allows OCJC to estimate and plan for the impact of prison reductions in anticipation of Measure 5 cutbacks. The Sentencing Guidelines Board can recommend changes to the Legislature to match the grid blocks to the available prison space.

With consistent sentences, the need for County corrections facilities and programs can be better anticipated. More information about specific types and capacities of local sanctions can be identified. Better planning for needed sanctions can lead to reductions in the number of sentenced offenders released early because of facility overcrowding. In addition, the ability to plan County sanctions can increase the likelihood that appropriate types of sanctions are available to sentenced felons.

Improved sentencing consistency at the state level

Analysis by OCJC indicated that criminal history and crime seriousness strongly influenced the sentences to prison. Using information collected from each county,

OCJC was able to demonstrate a relationship between the prison sentence and such factors of crime severity, criminal history, number of current convictions, trial, and whether or not the offender was on parole or probation. Of all the factors which explained the prison decision, criminal history and crime severity accounted for most of that relationship.

OCJC concluded that race and gender also affected the prison decision. However, these factors had only a marginal influence when compared to the stronger impact of criminal history and crime severity. By creating a sentencing rationale related to an offender's criminal history and severity of the crime, Sentencing Guidelines have reduced most of the impact of race and gender on prison sentences.

Another analysis by OCJC showed that the sentences became more uniform under Sentencing Guidelines. OCJC studies indicate that in 1986 there were significant variances in prison sentences for offenders with similar criminal histories or convicted of the same crime. Since the introduction of Sentencing Guidelines, the OCJC reports a 55% increase in the uniformity of imprisonment decisions throughout Oregon.

Constraints on jail sentencing practices

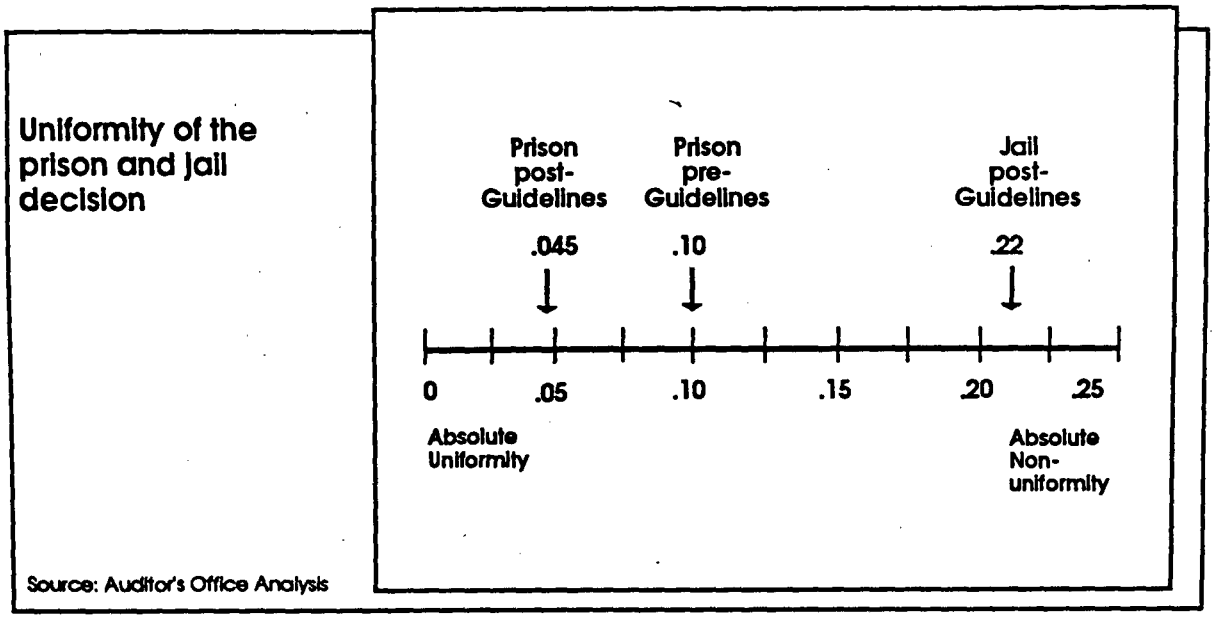
Sentencing Guidelines are structured to determine which offenders will be sentenced to prison and the length of the sentence. A similar structure does not exist for the use of jail custody units. The decision to impose jail is discretionary. In the probation portion of the grid, any offender can be sentenced to jail within the maximum limits of either 30, 60, or 90 days, plus other custody units. These maximum limits are not proportioned by grid block but divide the probation grid blocks into three tiers. A range of no jail to 90 days for 46 grid blocks leaves little room to achieve proportionality.

If there is sufficient jail space, Sentencing Guidelines allow sanctions to exceed the maximum amounts in the Guidelines grid. The judge must find that there is sufficient jail space. Under these circumstances, the sentence on a single charge may be as much as 180 days in jail.

Low uniformity in the jail decision

Jail is the predominant sanction for felons, representing about 86% of the custody units imposed on sentenced felons in Multnomah County. For the most part, probation sentencing decisions were within the limits set by Sentencing Guidelines. However, using a measure developed by the State of Minnesota, we found the use of jail in Multnomah County lacks uniformity. The measure indicates that there are widely divergent decisions whether to impose jail on offenders convicted of the same crime with similar criminal histories. Exhibit 9 on the following page shows a comparison of uniformity measures for the decision to impose prison before and after Guidelines and the Multnomah County decision to impose jail for FY90-91.

Exhibit 9



On this scale, 0 is absolute uniformity and .25 is absolute non-uniformity. The statewide measure in 1986 for the prison decision was .10. Uniformity was improved to .045 after the introduction of Sentencing Guidelines. The measure of uniformity in the Multnomah County jail decision for FY90-91 was .22. The jail decision after Sentencing Guidelines is less uniform than the prison decision was before they were introduced.

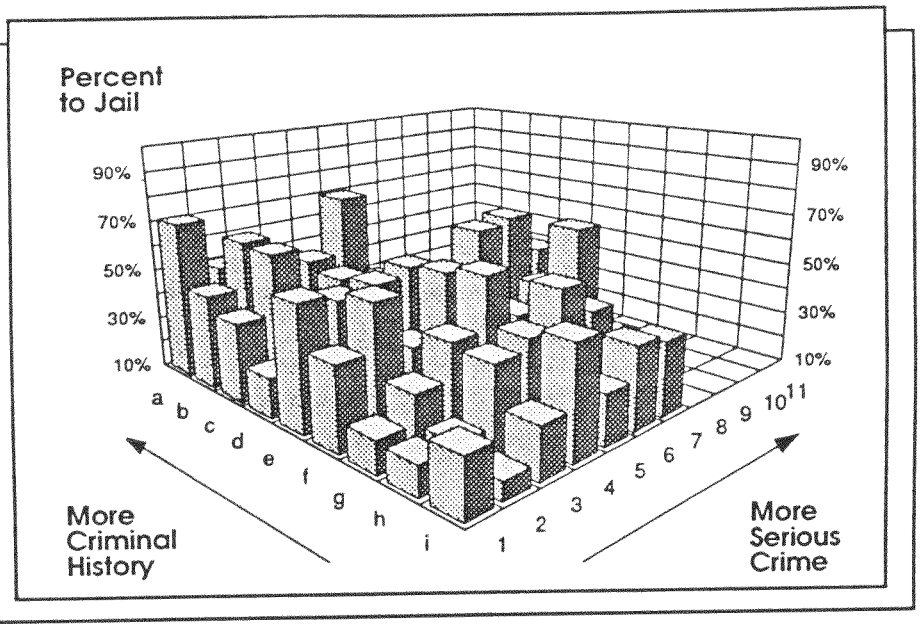
Low proportionality in the jail decision

Sentencing Guidelines call for increased sentences for more severe crimes and for offenders with more extensive criminal histories. In Multnomah County it is not always the case that a felon is more likely to be sentenced to jail for committing a more serious crime and having a more extensive criminal history. The jail rate was lower in some levels of crime severity and criminal history than in other levels which were designated as less severe.

Exhibit 10 on the following page below shows the percent of offenders sentenced to jail by grid block. The likelihood of jail — the height of the bars — does not appear to increase with more severe crimes or extensive criminal histories. In Multnomah County, sentences appear to be more harsh for drug offenders and repeat property crime offenders than for person crime offenders. For example, the jail rate for Crime Seriousness level 4 is much higher, grid block by grid block, than the next Crime Seriousness level 5. Over 90% of the crimes at level 4 are drug crimes. The District Attorney stated that this policy is a response to the large impact on the community of these types of crimes.

Exhibit 10

Percent of felons sentenced to jail by grid block



Source:
Auditor's Office Analysis

Factors influencing the jail decision

Although Sentencing Guidelines set sentencing goals for the use of jails as well as prison, criminal history and crime seriousness appear to have much less effect on the sentencing decision for jail than they do for the prison decision. We duplicated the multivariate analysis conducted by the OCJC using information available in the 1,519 sentencing reports of jailed felons in Multnomah County for the years 1990 and 1991. Unlike the prison decision, criminal history and crime severity had little effect on the jail decision.

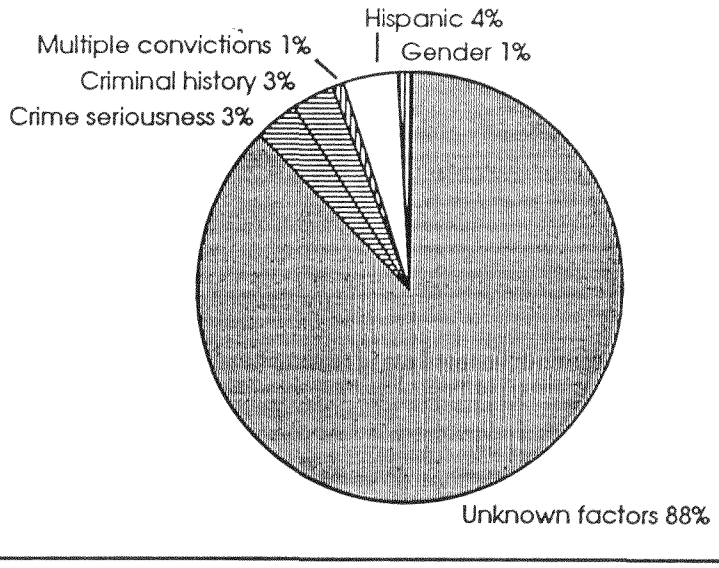
Our analysis indicated that 88% of the 1,519 decisions to impose a jail sentence could not be explained by any factors gathered in the OCJC data. The factors of criminal history, crime seriousness, gender, Hispanic origin, and multiple convictions had only a marginal influence on the decision. The factors of age, other racial categories, and trial versus plea agreement appeared to have no influence. There may be other factors not collected by OCJC which influence the sentences, such as offenders who repeatedly fail to appear in court, or whether offenders have ties to the community.

Exhibit 11 on the following page shows the minimal influence of crime severity and criminal history on the jail decision.

Exhibit 11

Factors influencing the decision to impose jail

Other factors with no statistical influence:
Age
Trial vs. plea agreement
Other racial categories



Source: Auditor's Office Analysis

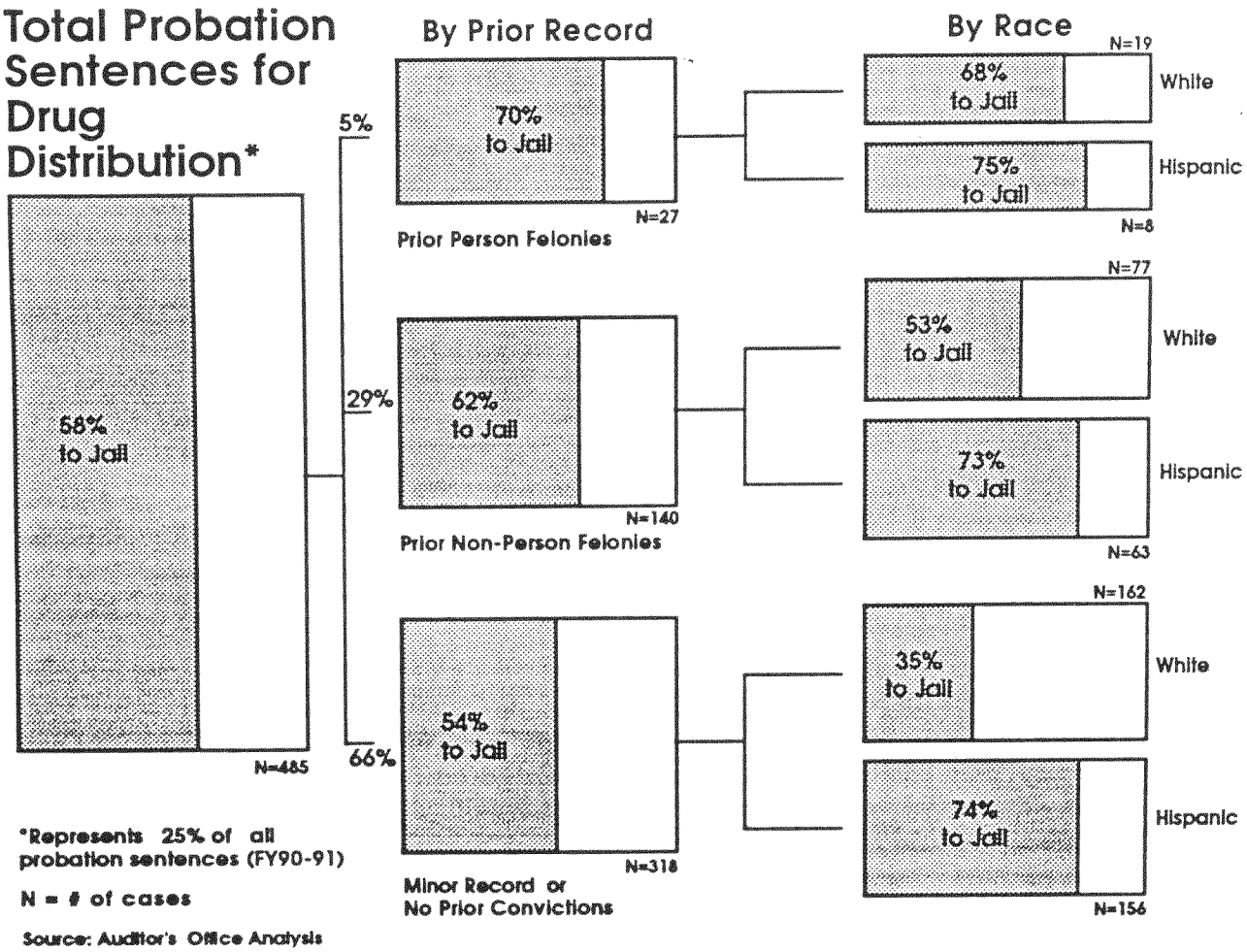
Female Offenders

Females represented about 15% of the County's sentenced felons in FY90-91. Overall we found that 28% of the females were sentenced to jail compared to 47% of the males. Justice personnel indicated that females often received less severe sentences because of cultural attitudes towards women or because the offenders may have been single parents caring for one or more children. The data that we had available to examine the sentencing decision did not include information on marital or parental status for males or females.

Hispanic Drug Offenders

Exhibit 12 on the following page indicates the percent of offenders going to jail who were convicted of drug distribution, showing degrees of criminal history and differences by race. Approximately 74% of Hispanic offenders with little or no record were sentenced to jail compared to 35% of white, non-Hispanic offenders with similar criminal histories.

Exhibit 12



Disparity in the use of jail decreases as criminal history increases. We found that Hispanic offenders with little criminal record were treated more harshly than similar non-Hispanic, white offenders. However, disparity decreases when white offenders with prior convictions for person crimes are compared to Hispanic offenders with a similar criminal record.

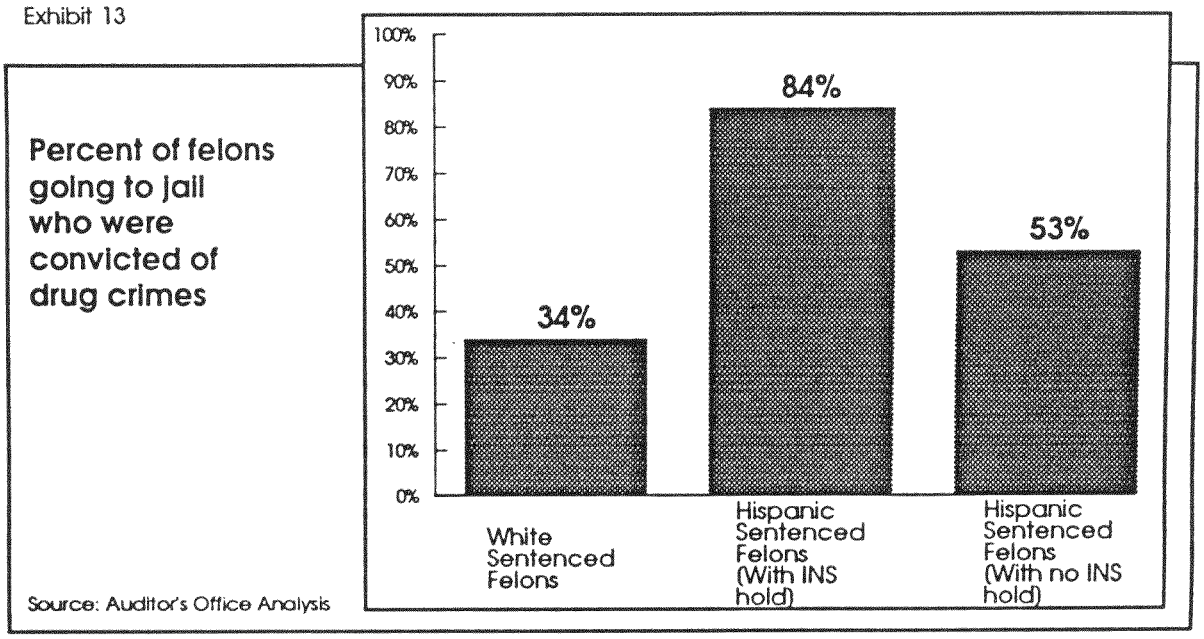
Justice officials have stated that Hispanic offenders who are illegal immigrants are generally sentenced to jail because probation is an "illegal sentence." Because probation is a sentence to be served in the community, and illegal immigrants are not allowed to be in the community, the sentence has generally been to jail. In addition, there are no sanctions available for non-English-speaking offenders sentenced to probation. Personnel in the District Attorney's Office stated that a sentence to jail also ensures that illegal immigrants would be deported by the Immigration and

Naturalization Service (INS). INS would have the jail "hold" illegal immigrants, when their sentences were completed, for deportation to their native country.

We found that Hispanic offenders in jail with an INS hold were much more likely to receive a jail sentence. However, we also found that Hispanic offenders who had no INS hold were also sentenced to jail at a higher rate than similar non-Hispanic, white offenders.

Exhibit 13 below shows the jail rate for non-Hispanic whites, Hispanic offenders with INS holds, and Hispanic offenders without INS holds. The District Attorney's Office indicated that jail rates could be higher for Hispanic offenders because many were illegal immigrants, even though INS had not placed a hold on them. They also indicated that many Hispanic offenders lead a transient lifestyle which would make a sentence in custody more appropriate.

Exhibit 13



Source: Auditor's Office Analysis

Other factors used in sentence recommendations

The tests for uniformity and proportionality of sentencing were based upon OCJC data gathered by grid block categories. We also analyzed particular crime categories and found some similiarities and dissimilarities in sentences.

Exhibit 14 on the following page shows the range of sentences imposed on 15 offenders convicted of Burglary I with no previous convictions or minor non-person-convictions. For those with Burglary I as their only conviction, sentences ranged from no jail for thirteen offenders to 90 days jail for two offenders. Non-jail custody units ranged from none for eight offenders to 32.1 for one offender.

Exhibit 14

Range of sentences
Burglary I
Grid block 7-I

Crime	Days in Jail	Other Custody Sanctions	Total Custody Units
Burglary I	No Jail	None	None
Burglary I	No Jail	None	None
Burglary I	No Jail	None	None
Burglary I	No Jail	None	None
Burglary I	No Jail	None	None
Burglary I	No Jail	None	None
Burglary I	No Jail	1.7 days ACS	1.7 units
Burglary I	No Jail	2.1 days ACS, and 30 days Residential Treatment	32.1 units
Burglary I	No Jail	3.3 days ACS	3.3 units
Burglary I	No Jail	3.3 days ACS	3.3 units
Burglary I	No Jail	4.2 days ACS	4.2 units
Burglary I	No Jail	20 days Forest Project	20 units
Burglary I	4 days	5 days ACS	9 units
Burglary I	90 days	None	90 units
Burglary I	90 days	None	90 units

ACS - Alternative Community Service

Source: Auditor's Office Analysis

The District Attorney's Office also analyzed their case files for two samples of offenders to determine whether there was consistency in sentence recommendations made by the deputy district attorneys. According to the characteristics of the cases in the first sample, the office practice would be to not recommend jail; and for another sample, with different characteristics, office practice would recommend jail. In both these samples, if 50% of the offenders received recommendations of jail we would conclude that there is no consistency in office practices, because offenders would be equally likely to receive either sentencing recommendation.

The District Attorney's Office concluded that the sentence recommendations were far more consistent than our analysis indicated, especially when considering additional information from the case files. They cited other factors that they consider when recommending sentences. These factors, such as offenders repeatedly failing to appear in court are not in the data gathered by OCJC. In addition, they noted that the Courts approved a lesser, non-jail sentence than recommended by the District Attorney's Office in 7 cases they reviewed, which could account for some of the lack of uniformity that we found when we tested the OCJC data.

In the first sample, the District Attorney's Office found that 20 of 26 cases had a recommendation of no jail in accordance with office practice. In the other six cases, where jail was recommended, the District Attorney's Office cited one or more of the following aggravating factors:

- the offender had repeatedly failed to appear in court;
- the offender had other arrests or pending charges;
- evidence indicated a more serious crime may have been committed.

With 77% of these cases receiving the same recommended sentence, there appears to be some consistency in recommended sentences for this crime. However, we found that at least one of the aggravating factors cited to support the jail recommendation was also present in 65% of the cases where jail or the Forest Project was not recommended.

In the second sample, the District Attorney's Office indicated that 26 of 36 cases had a recommended sentence of jail or the Forest Project as a condition of probation, in accordance with office practice. The District Attorney's Office states that the Forest Project is generally considered an equivalent to short periods of jail, although it is not tracked in OCJC data as jail. This difference could account for some of the lack of uniformity we found in our tests.

In the six cases where jail or forest camp was not recommended, the District Attorney's Office cited the following factors:

- there were problems with witnesses or evidence which made conviction by trial less likely;
- the offender had already served time in jail awaiting trial, or for a probation violation;
- the offender was mentally retarded; or
- the recommendation was for another sanction equivalent or more severe than jail or the Forest Project.

Again, a similar recommendation in 26 of 36 or 72% of cases would seem to indicate consistency. However, among those cases where jail or the Forest Project was recommended, we found five cases where offenders had already served time awaiting trial or for probation violation, contrary to stated office practices.

Causes of the variances in sentencing

There are a number of causes to explain the variations which occur in sentencing to local facilities and programs. The County's District Attorney and Courts place increased emphasis on certain types of crimes, such as drugs, which result in sentences whose severity may not completely agree with the priorities set in the Sentencing Guidelines. As a result, measures of proportionality might indicate a lower level of agreement with Sentencing Guidelines goals.

A certain level of variation is to be expected in any type of guidelines system. For example, a different sentence may be recommended because the specific facts of the crime or characteristics of the offender may be significantly different from other cases in the category defined by Sentencing Guidelines. It is unlikely that the Sentencing Guidelines could be comprehensive enough to anticipate and account for all the possible factors involved in sentencing decisions. As a result of these factors, it is also unlikely that sentencing would be completely uniform.

Variances may also result from different decision-making methods. The District Attorney's Office has established office practices which provide general guidelines for negotiating sentences. These practices provide for some administrative controls, such as management approval over negotiated sentences of the more serious crimes.

According to the District Attorney's Office, its four prosecution units have also agreed upon more specific practices which set additional recommended sentences for other crimes or offender characteristics. However, we could not verify that the prosecution units coordinate their sentence recommendations, which can cause sentence inconsistencies. For example, the prosecution unit handling property crimes may have established sentences which are more harsh than the sentences set by the unit handling persons crimes, which are considered more serious under Sentencing Guidelines. This lack of coordination could result in inconsistencies between crime seriousness and the severity of recommended sentences.

Deputy district attorneys also consider other factors in their sentence negotiations which were not consistently applied. In explaining recommended sentences the District Attorney's Office cited a number of factors that affected the decision whether to recommend a jail sentence. While it may be difficult to develop procedures which define the factors and the influence they should have in sentence negotiations, the factors currently used on an informal basis may have a greater influence on sentencing decisions than the seriousness of the crime or the criminal history of the offender.

Without a common understanding among deputy district attorneys of the factors to be considered in sentencing decisions, there is a greater likelihood of inconsistent sentence recommendations. And without more specific procedures, there is also no assurance that recommended sentences are consistent with the goals of Sentencing Guidelines.

In determining whether or not sentences complied with office practices, we were unable to find a system within the District Attorney's Office for tracking sentences. It appears that the only means available for monitoring factors considered in sentence negotiations is for an experienced attorney to review and interpret individual case files. Without a tracking system, there is no assurance that practices on sentence negotiations are being interpreted and followed in a consistent manner by the deputy district attorneys.

Finally, the Courts retain the final authority over the sentencing decision. The factors they take into account when imposing the sentence may also increase the variability of sentencing.

Impact of sentencing practices on County resources

Without consistent sentencing practices it is difficult to ensure adequate and appropriate local facilities and programs to meet sentencing needs. While the consistency of prison sentences has allowed the State to better allocate its prison resources, the inconsistency of sentences in Multnomah County makes it more difficult to manage sentenced felons or to plan for needed sanctions in a cost-effective manner.

Without the ability to plan for needed sanctions, the Department of Community Corrections and the Sheriff's Office may be less effective in their supervision of sentenced felons placed in their custody. Some convicted felons may be released before completing their sentences as a result of jail overcrowding. In addition, inadequate capacity can delay some sentences because offenders have to wait for openings in facilities and programs. Inadequate jail capacity may also reduce the ability to impose consequences on sentenced offenders who violate the conditions of their probation, making them more difficult to manage.

Without a system for monitoring the basis for sentence recommendations it is also difficult to obtain sufficient detail to determine the impacts of sentencing policies on County facilities and programs. For example, this information could be used to supplement OCJC data to better understand County program and facility needs.

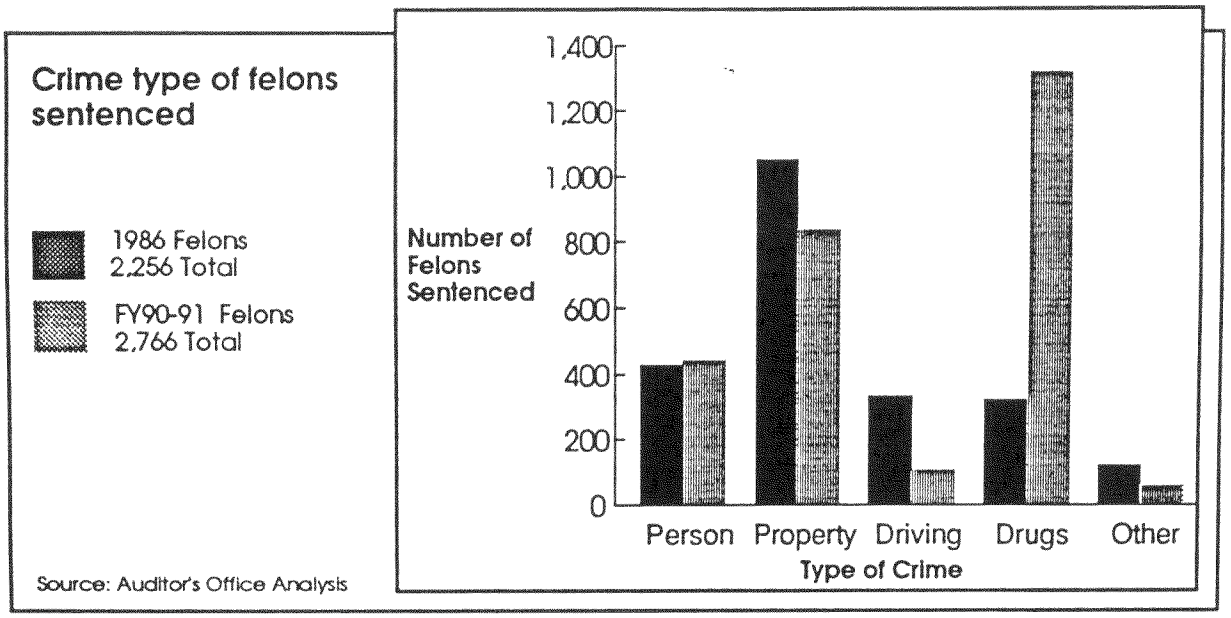
Although consistency in sentencing may allow for better planning, the Courts state that this goal should not have too much influence on the sentencing decision. They state that the sentencing decision should be based upon the characteristics of the case and offender, without consideration of external factors such as limited availability of jail space. They believe that Sentencing Guidelines have limited their discretion in sentencing, and to achieve greater consistency with more specific probation sentences would further limit their discretion.

Sanctions for illegal immigrants may not be effective

Changes in sentenced felon population

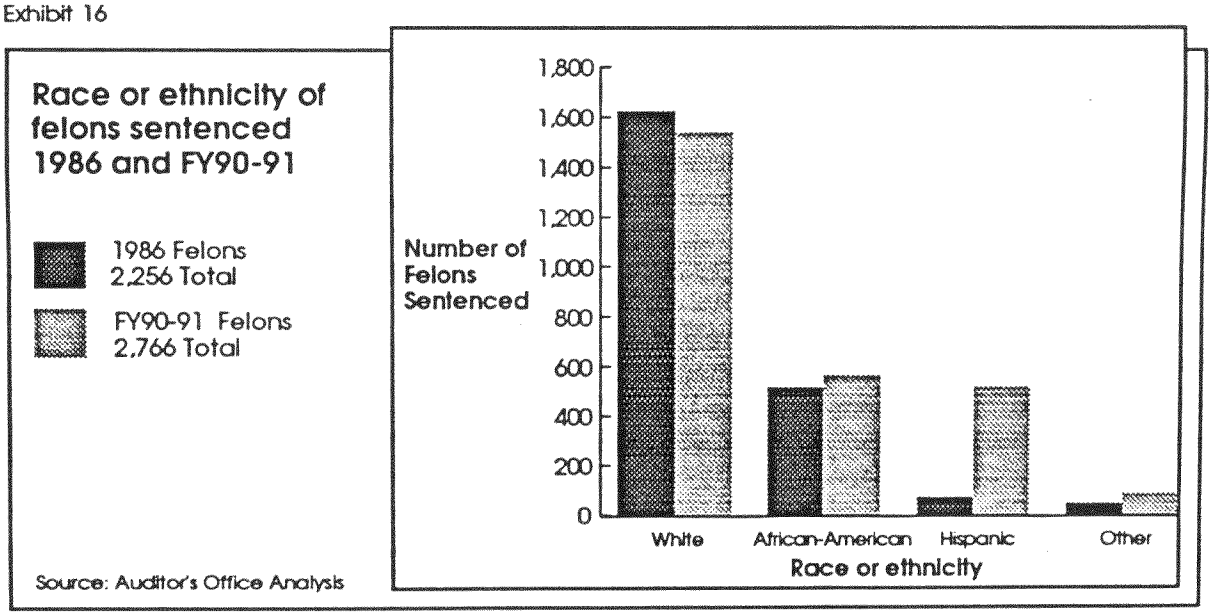
In the past five years there have been significant shifts in the crimes for which felons are sentenced in Multnomah County. Exhibit 15 on the following page shows large shifts in the types of convictions. In 1986 nearly half (1,051 or 47%) of all felons were sentenced for property crimes. In FY90-91 only 30% or 839 were sentenced for property crimes. Most significant was the increase in sentenced felons for drug crimes, jumping from 323, or 14% of all felons, in 1986 to 1,319, or 48% of all felons, in FY90-91. These shifts may have resulted from changes in crime rates, but may also reflect changes in police arrest policies or changes in the District Attorney's prosecution policies.

Exhibit 15



In addition, the sentenced population includes a larger number of minorities. In 1986 approximately 28% were minorities, increasing to 43% in FY90-91. Exhibit 16 below shows that the percentage share of the sentenced population who were Hispanic had the largest increase, from 69 in 1986 to 518 in FY90-91, or from 3% to 19%, of all convicted felons in Multnomah County. These shifts may also be the result of changes in the allocation of police and prosecution resources.

Exhibit 16



Sentencing of Hispanic offenders in FY90-91

Drug offenses were the predominant offense of Hispanic offenders, with 90% of all Hispanic offenders convicted of a drug offense in FY90-91. Approximately 50% of all the felons identified as Hispanic in FY90-91 had an INS hold. After the sentence was served, INS took custody and deported offenders with INS holds to their native country. Re-entry after deportation is a felony and a prosecutable offense in federal court. However, the INS has recently been forced to limit its response to illegal immigrants convicted of crimes. Because of budget constraints, the agency will only take action against those illegal immigrants who have been convicted of the most serious crimes.

Many of the illegal immigrants in our sample were re-arrested after deportation. In the group of Hispanic offenders who were released to INS from Multnomah County for deportation, 18% had already been deported at least once before their arrest during our sample period in FY90-91. Of those offenders who were deported during FY90-91, 27% were re-arrested within that same year or the 6 months following. All were arrested on new charges. One felon was re-arrested on new charges less than a month after his release to INS.

The criminal justice system in Multnomah County has taken some steps to reduce costs in cases involving drugs and for offenders with holds from other jurisdictions. For example, Hispanic offenders were adjudicated under a special program intended to minimize the number of jail beds filled by offenders awaiting trials. To this end the Courts have imposed pre-trial deadlines and assigned specific judges to hear drug cases. The District Attorney's Office works with the Court to identify offenders with holds and move them quickly through the system.

However, in FY90-91, the differences in the decision to impose jail sentences in drug distribution crimes alone resulted in an additional demand on the system of 4,260 jail bed days, representing approximately $368,000 in jail resources. Most of the difference occurred between white and Hispanic offenders who had little or no criminal records. As shown in Exhibit 12, 35% of non-Hispanic white offenders with a minor criminal record or no prior convictions were sentenced to jail compared to 74% of the Hispanic offenders. This resulted in about twice the amount of jail sentenced for Hispanic offenders compared to white offenders, totaling 6,418 days for Hispanic offenders compared to 3,375 days for white offenders.

Coordination with INS

Jail staff notify INS when an offender with an INS hold can be released to their custody. If a jail sentence has been imposed, jail staff notify INS of the projected release date for the offender. INS generally picks up offenders on a weekly basis. The County is reimbursed by INS for the time the offender is in jail from the end of the sentence until the release to INS.

We found Hispanic offenders remained in jail waiting for INS release from 1 to 37 days and on the average 6 days. While the County is reimbursed on a per diem basis by INS once the sentence is complete, there is a cost in sanctions not available for other offenders. On the average, Hispanic offenders' use of jail was increased an additional 16% while waiting for release to INS.

Other approaches to deal with criminal undocumented immigrants

A 1990 study by the Metropolitan Human Relations Commission indicates that most undocumented immigrants were coming from Mexico seeking employment. Without proper documents, some were not able to work and began dealing drugs to buy food or false documents that would allow them to work. The study said that most of the undocumented immigrants were not drawn to Portland, but were moving among the western states seeking better economic and social conditions. The study recommended development of policies and programs that address the needs and interests of Hispanics and the Old Town community. It also questioned an approach to eliminating drug dealing which ignored the demand for drugs. The Portland Police Bureau recently announced that it would begin to target drug buyers as well as dealers.

Other jurisdictions also have problems in dealing with criminal activities of illegal immigrants. A study completed in San Diego found that only a small percentage of the undocumented population was responsible for crimes. It was also noted that there are different patterns of criminal behavior among illegal immigrants. These factors suggest that treatment of all illegal immigrants as a law enforcement problem would lead to ineffective and counter-productive policy. Although increased funding for law enforcement may be a reasonable approach, it would be most cost-effective only if specifically targeted at groups or individuals committing crimes.

We found widely divergent approaches to the problem of criminal undocumented immigrants. Los Angeles County is supporting two bills in Congress that would require Federal reimbursement to local jurisdictions for the criminal justice costs of undocumented immigrants. The City of Encinitas, California, has used a "hiring hall" to assist in removing documented migrant laborers from the street and reducing their potential entry into the criminal justice system.

Other ideas have been proposed, such as credit for time in jail awaiting trial and probation with the condition that the convicted offender return to their native country. An offender who is re-arrested would be subject to a prison sentence or Federal sanctions. Others have suggested that the assistance of Hispanic organizations might increase the effectiveness of probation as a sentencing option.

RECOMMENDATIONS

To increase uniformity of felony sentencing, to relate felony sentencing to crime severity and the offender's criminal history, and to better match custody facilities and programs to felony sentences, the District Attorney's Office should:

- Develop a more specific, coordinated set of office practices for sentence recommendations;
- Develop a system to monitor the sentences recommended by deputy district attorneys to ensure that sentence recommendations comply with office practices.

To better manage the population of illegal immigrants in County facilities and programs, local criminal justice agencies should:

- Investigate the efforts of other local jurisdictions to provide a cost-effective means of addressing the problem;
- Work with INS to identify other options for dealing with illegal immigrants convicted of a felony;
- Identify other local organizations which could work with illegal immigrants, reducing the incidence of criminal behavior and their entry into the criminal justice system.

APPENDIX A

All Offenders Sentenced in Multnomah County FY90-91

CRIMINAL HISTORY SCALE

CRIME SERIOUSNESS SCALE

	A: MULTIPLE (3+) FELONY PERSON OFFENDER	B: REPEAT (2) FELONY PERSON OFFENDER	C: SINGLE (1) FELONY PERSON W/ FELONY NON-PERSON OFFENDER	D: SINGLE (1) FELONY PERSON OFFENDER	E: MULTIPLE (4+) FELONY NON-PERSON OFFENDER	F: REPEAT (2-3) FELONY NON-PERSON OFFENDER	G: SIGNIFICANT MINOR CRIMINAL RECORD	H: MINOR CRIMINAL RECORD	I: MINOR MISDEMEANOR OR NO CRIMINAL RECORD
11 MURDER									3
10 MANSLAUGHTER I, ASSAULT I, RAPE I, ARSON I	2	6	6	6	6		1	3	9
9 RAPE I, ASSAULT I, KIDNAPPING II, ARSON I, BURGLARY I, ROBBERY I	5	8	9	4	1	7	8	7	26
8 MANSLAUGHTER II, SEXUAL ABUSE I, ASSAULT II, RAPE II, USING CHILD IN DISPLAY OF SEXUAL CONDUCT, DRUGS: MINORS, CULT/MANUF/DEL, COMP. PROSTITUTION, NEG. HOMICIDE	3	16	26	13	13	33	53	32	169
7 EXTORTION, COERCION, SUPPLYING CONTRABAND, ESCAPE I		3	18	3	17	12	23	21	46
6 ROBBERY II, ASSAULT III, RAPE III, BRIBE RECEIVING, INTIMIDATION, PROPERTY CRIMES (more than $50,000), DRUG POSSESSION	4	5	15	9	10	26	36	22	68
5 ROBBERY III, THEFT BY RECEIVING, TRAFFICKING STOLEN VEHICLES, PROPERTY CRIMES ($10,000-$49,999)	2	10	13	2	6	11	13	10	24
4 FTA I, CUSTODIAL INTERFERENCE II, PROPERTY CRIMES ($5,000-$9,999), DRUGS-CULT/MANUF/DEL	5	9	29	10	50	87	76	60	255
3 ABANDON CHILD, ABUSE OF CORPSE, CRIMINAL NON-SUPPORT, PROPERTY CRIMES ($1,000-$4,999)	5	15	36	13	58	44	63	35	80
2 DEALING CHILD PORNOGRAPHY, VIOLATION OF WILDLIFE LAWS, WELFARE FRAUD, PROPERTY CRIMES (less than $1,000)	5	14	27	6	36	37	65	36	135
1 ALTERING FIREARM ID, HABITUAL OFFENDER VIOLATION, BIGAMY, PARAMILITARY ACTIVITY, DRUGS-POSSESSION	7	13	46	20	73	89	128	62	117

Total = 2,766

APPENDIX B

Felony Guidelines Sentencing Report

FELONY GUIDELINES SENTENCING REPORT

PART A

* PLEASE PRESS FIRMLY

IDENTIFICATION

1 Court Case #	2 Offender's Last Name First MI	3 Sex 1☐ Male 2☐ Female	4 Birthdate
5 County of Sentencing	6 Race 1☐ White 3☐ Nat. Am. 5☐ Asian 2☐ Black 4☐ Hispanic 6☐ Other	7 SID #	8 Date Found Guilty

9 Guilty By
1☐ Plea w/charges(s) dropped
2☐ Plea to lesser included
3☐ Plea to original charge(s)
4☐ Stipulated Facts
5☐ Bench Trial
6☐ Jury Trial

10 Supervision Status At Offense
1☐ None
2☐ Probation
3☐ Post-Prison/Parole
4☐ Incarceration/Escape

11 Did The Case Involve
1☐ No stipulations
2☐ Stipulated grid block only
3☐ Stipulated grid block and presumptive sentence
4☐ Stipulated grid block and departure sentence

CRIME SERIOUSNESS

12 Most Serious Offense (Primary Offense)	13 ORS	14 Seriousness Ranking
15 Offense Modifiers 1☐ Attempt or Solicitation 2☐ Conspiracy	16☐ Firearm Used	
17 Second Most Serious Offense	18 ORS	19 Seriousness Ranking
20 Offense Modifiers 1☐ Attempt or Solicitation 2☐ Conspiracy	21☐ Firearm Used	
22 Third Most Serious Offense	23 ORS	24 Seriousness Ranking
25 Offense Modifiers 1☐ Attempt or Solicitation 2☐ Conspiracy	26☐ Firearm Used	

27 ☐ **Supplement attached to report additional current convictions**

HISTORY

28 **CRIMINAL HISTORY CLASSIFICATION** (CIRCLE) **A B C D E F G H I**

Record all prior felony and A-misdemeanor convictions on Criminal History Worksheet and attach.

GUIDELINE SENTENCE

29 **The presumptive guideline sentence for the primary offense is:**

1☐ A prison term of _____ to _____ months and a post-prison supervision term of _____ months.

2☐ A probationary sentence of _____ months.

30 Additional current convictions:

	PRESUMPTIVE RANGE	BASE RANGE
Second most serious	_____ to _____ months	_____ to _____ months
Third most serious	_____ to _____ months	_____ to _____ months

OCJC
Court
Prosecutor

Pink
Goldenrod

Defense
DOC

SUBMIT PROMPTLY TO:
OREGON CRIMINAL JUSTICE COUNCIL
P.O. Box 751, Portland State University
Portland, Oregon 97207

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PART B

31 Court Case #	32 Offender's Last Name First MI	33 Sentencing Date	34 PSI Ordered
			1 ☐ Yes 2 ☐ No

SENTENCE DISPOSITION

PROBATION

35 Probation Length: _____ months 1☐ Bench 2☐ Supervised

IMPOSITION OF:

	CUSTODY UNITS	JAIL
36 Most Serious Offense	_____	_____ days
37 2nd Most Serious Offense	_____	_____ days
38 3rd Most Serious Offense	_____	_____ days
39 Total	_____	_____ days

40 Total Financial Conditions $_____

41 Type of Treatment or Evaluation:

☐ Drug ☐ Alcohol ☐ Mental Health ☐ Sex Offender ☐ Other

PRISON

43 Most Serious Offense(Primary): _____ months

44 Second Most Serious: _____ months

1☐ Concurrent 2☐ Consecutive to primary sentence

45 Third Most Serious: _____ months

1☐ Concurrent 2☐ Consecutive to primary sentence

46 Total Term of Imprisonment: _____ months

47 This prison term runs: 1☐ Concurrently 2☐ Consecutively

to prior sentence in Case #_____

48 Post-prison Supervision : _____ months.

49 Gun Minimum Imposed: 1☐ Yes

Sentence Pursuant to ORS 137.635: 1☐ Yes

FOR OFFENDERS IN 8-G, 8-H OR 8-I

42 Eligible for Optional Probation 1☐ Yes 2☐ No

If ineligible, cite reason(s): 1☐ Treatment not available
2☐ Firearm use
3☐ Supervision status at offense

DEPARTURES

50 A departure sentence was imposed for the:

1☐ Most Serious Offense
2☐ 2nd Most Serious Offense
3☐ 3rd Most Serious Offense

51 Type of departure sentence:

1☐ Dispositional
2☐ Durational
3☐ Dispositional and Durational
4☐ Dangerous Offender
5☐ Custody Units

52 Factors cited as a basis for departure sentence:

MITIGATING FACTORS

☐ A. Victim Involvement
☐ B. Defendant Under Duress
☐ C. Defendant's Mental Capacity
☐ D. Offense Accomplished by Another
☐ E. Defendant's Minor Role
☐ F. Defendant's Cooperation w/State
☐ G. Harm or Loss Less than Typical
☐ H. Conviction Free for Significant Period
☐ I. Other

AGGRAVATING FACTORS

☐ A. Deliberate Cruelty to Victim
☐ B. Victim Particularly Vulnerable
☐ C. Violence Toward Victim or Witness
☐ D. Persistent Similar Offenses
☐ E. Weapon Use
☐ F. Violation of Public Trust
☐ G. Multiple Victims or Incidents
☐ H. Crime Part of Organized Operation
☐ I. Permanent Injury to Person
☐ J. Harm/Loss Greater Than Typical
☐ K. Motivated by Race, Religion or Sexual Orientation of Victim
☐ L. Other

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Green Court Goldenrod DOC
Canary Prosecutor

01B/Revised 7-90

CRIMINAL HISTORY WORKSHEET

(Attach to Felony Guidelines Sentencing Report)

Court Case #	Offenders Last Name First MI

CONVICTION TYPE

CHECK OFF THE CONVICTIONS NOT RELIED UPON TO ESTABLISH THE CRIMINAL HISTORY CLASSIFICATION IN THIS CASE.

	Offense Title	Court and Case#	Date of Conviction	JUVENILE		ADULT			
				Felony		Felony		Class-A	
				Person	NonPer	Person	NonPer	Person	NonPer
☐	1								
☐	2								
☐	3								
☐	4								
☐	5								
☐	6								
☐	7								
☐	8								
☐	9								
☐	10								
☐	11								
☐	12								
☐	13								
☐	14								
☐	15								

Note: For multiple prior offenses sentenced concurrently, only the most serious should be listed above and counted in totals.

TOTAL NUMBER OF PRIOR CONVICTIONS BY TYPE:

(Include only those relied upon in the current proceeding)

Juv. Non-Per. Felonies ☐

Adult Non-Per. Felonies ☐

Adult Non-Per. A-Misds. ☐

Adult Person A-Misds. ☐

Juv. Person Felonies

Adult Person Felonies

Total Person Felonies ☐ = ☐ + ☐ + ☐

Converted Person Felonies; **Divide Person A-Misds. by 2**

SUPPLEMENTAL SENTENCING REPORT

(Attach to Felony Guidelines Sentencing Report)

*PLEASE PRESS FIRMLY

ADDITIONAL CURRENT CONVICTIONS

1 Court Case #	2 Offender's Last Name First MI	
3 Fourth Most Serious Offense	4 ORS	5 Seriousness Ranking
6 Offense Modifiers 1☐ Attempt or Solicitation 2☐ Conspiracy	7☐ Firearm Used	

8 Sentence imposed:

1☐ A prison term of _____ months

1☐ Concurrent 2☐ Consecutive to primary sentence

2☐ A probation sentence of _____ months

_____ custody units

_____ jail days

9 Fifth Most Serious Offense	10 ORS	11 Seriousness Ranking
12 Offense Modifiers 1☐ Attempt or Solicitation 2☐ Conspiracy	13☐ Firearm Used	

14 Sentence imposed:

1☐ A prison term of _____ months

1☐ Concurrent 2☐ Consecutive to primary sentence

2☐ A probation sentence of _____ months

_____ custody units

_____ jail days

15 Sixth Most Serious Offense	16 ORS	17 Seriousness Ranking
18 Offense Modifiers 1☐ Attempt or Solicitation 2☐ Conspiracy	19☐ Firearm Used	

20 Sentence imposed:

1☐ A prison term of _____ months

1☐ Concurrent 2☐ Consecutive to primary sentence

2☐ A probation sentence of _____ months

_____ custody units

_____ jail days

21 Seventh Most Serious Offense	22 ORS	23 Seriousness Ranking
24 Offense Modifiers 1☐ Attempt or Solicitation 2☐ Conspiracy	25☐ Firearm Used	

26 Sentence imposed:

1☐ A prison term of _____ months

1☐ Concurrent 2☐ Consecutive to primary sentence

2☐ A probation sentence of _____ months

_____ custody units

_____ jail days

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010/Revised 7-90

APPENDIX C

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RESPONSES TO THE AUDIT

MICHAEL D. SCHRUNK, District Attorney for Multnomah County
600 County Courthouse • Portland, Oregon 97204 • (503) 248-3162

August 12, 1992

Mr. Gary Blackmer
County Auditor
1021 S.W. Fourth Avenue, Room 136
Portland, OR 97204

Dear Mr. Blackmer:

I have completed a preliminary review of the Final Draft, Management of Felons: Improve Sentencing Practices. You and your staff have devoted many months to the preparation of this report and because of that investment I believe it is important that our response be as thoughtful and complete as befits that investment.

Barely 25 months old, Oregon's Sentencing Guidelines represent the most significant change in Oregon Criminal law in over 20 years. The implementation of those guidelines, the subject of your review, has been one of the most complex, extensive and far reaching efforts the criminal justice system has undertaken. I am proud of the work our staff and others have made toward achieving the goals of proportionality, uniformity, consistency, and "truth in sentencing".

Your report points out the complexities of the changes undertaken and the obstacles we have surmounted in implementing sentencing guidelines in Multnomah County. I am particularly pleased with the accuracy and timeliness achieved by the Criminal History Unit, our unit charged with compiling the complete and accurate criminal history on all felony offenders. As your report noted they had a 99% accuracy rate. The single incorrect case out of the 97 in your sample did contain the necessary information but the data was not properly entered on the form.

I will take issue with a policy you attribute to me. On page ~~37~~ 28 of the report you observe that property and drug offenders are getting harsher sentences than offenders committing person crimes. You then characterize that as a policy position of the District Attorney. You are in error on both points.

Your limited sampling technique drew cases from a pool consisting of those who received presumptive probation. That particular population excluded the majority of the offenders who did get prison sentences for person crimes. Those remaining person crime offenders who did not get sentenced to prison are in your sample. The Guidelines allow for mitigating factors which can and do result in person crime offenders receiving a less harsher sentence than a more serious property or drug offender.

I cannot allow your report to leave the impression that person offenders in Multnomah County are treated less severely than property offenders. This is just not the case. Indeed, across the state and according to the Oregon Criminal Justice Council, the prison rate for person crime offenders has increased 38% statewide since the implementation of Sentencing Guidelines.

You recommend that we "...develop a more specific, coordinated set of office practices for sentencing recommendations". While we do have directives regarding appropriate sentence recommendations, and we provided some examples to your staff, you and your staff feel that they are not as specific as you would wish. You have to realize that we cannot create a rule or office practice for every conceivable sentencing situation, as we are involved in over 5,000 sentencings each year. We have developed a set of sentencing policies that provide guidance to the various felony trial units. These written policies, among other policies established by this office, are cited as a model by the National College of District Attorneys and used in the training of elected prosecutors. You might contact them for a better understanding of the issue and they could provide you with other "state of the art" examples of such policies.

As you know our staff has reviewed and commented on portions of an earlier version of the report. The final draft responds in part to some of our earlier criticisms but not to others. There are other observations and conclusions in the report that deserve more attention and require more consideration on our part. Over the next few months we will be reviewing the report with our senior felony prosecutors and the trial units to better evaluate your views and recommendations. I am sure you will agree that our mutual goal is for all of us to continue to improve upon the Sentencing Guidelines.

Sincerely,

Mike Schrunk

MICHAEL D. SCHRUNK
District Attorney

MDS:je

Multnomah County Sheriff's Office

ROBERT G. SKIPPER
SHERIFF

12240 N.E. GLISAN ST., PORTLAND, OREGON 97230

(503) 255-3600

August 7, 1992

Gary Blackmer, Auditor
Multnomah County
1120 SW 5th Ave
Portland, OR 97204

Re: Management of Felons Audit

Dear Mr. Blackmer,

I am in receipt of your audit "Management of Felons". I am sure that you have received the full cooperation from my staff and from the other elements of the Justice System in your efforts to complete this review.

I would like to thank you for completing this very difficult audit. As you are well aware, the Justice System is a very complicated and interdependent system. The issues involved are extremely important because they relate to the safety and security of the community and to the rights of all individuals.

As you noted, the Felon Sentencing Guidelines legislation approved in 1989 by the Oregon State Legislature primarily addressed sentencing to the state prison system. While the legislation did establish sentencing grids for local non-prison sentences, these sentences and procedures do not necessarily address the local communities concerns, programs and facilities. It is also important to remember that factors in local sentencing may be based on concerns other than those that are involved in sentencing to the state prison system. These factors may include resources and programs available in the local community and individual characteristics of the case and the offender. The report identifies the complexities and limitations of the current Felony Sentencing Guidelines legislation and suggests that additional coordination and legislation may be helpful.

I feel that we have one of the best, if not the best, Criminal Justice systems in the country. We have very dedicated and committed professionals - Judges, Attorneys, Law Enforcement Officers, Corrections Officers and Probations Officers. This report provides additional information for our Justice System to review and consider. I am sure that with this information and with the cooperation of the entire System we will be able to further improve our services for the community.

I have included, as part of this letter, some comments regarding specific recommendations related to the Sheriff's Office.

Thank you again for you and your staff's efforts in preparation of the report - "Management of Felons".

Sincerely,

Robert G Skipper
Sheriff

RGS/ct/4360X.WP/23B

MANAGEMENT OF FELONS - Improving Sentencing Practices.

Comments regarding recommendations related to the Sheriff's Office:

CHAPTER I

To ensure efficient and accurate reporting of custody units, the Sheriff's Office should:

Modify its CPMS to calculate custody units served, or to develop a manual reporting system for inmates who fail to successfully complete their jail sentence.

RESPONSE:

As you are aware we are in the process of rewriting and changing our management information system (CPMS). We are making these changes to better address new developments and needs within the correctional system. It is also important to note that this change will allow us to keep pace with the increased demands on our system while controlling the increased staffing needs and costs. It is anticipated that these changes will allow us to better address this recommendation.

We have also provided access and training on our current computer system to the Department of Community Corrections so that they can obtain the necessary information. We will work with the Department to determine what additional assistance might be needed to further address this concern prior to the completion of the rewrite of our information system.

CHAPTER II

A. To increase the sentencing options and achieve greater flexibility in the use of county resources:

Sentence recommendations to ISP and MCRC should be considered as serving non-jail custody units. To allow for better management of the offender, the sentence recommendation should also require the offender to comply with the requirements of the program as a condition of probation.

RESPONSE:

We would concur with the recommendation to increase the use of non-jail custody units in the imposition of sentences to the Restitution Center and to ISP.

The Multnomah County Restitution Center is nationally accredited as a work release facility and is a model for similar programs throughout the United States. The program at the Center addresses the safety and security concerns of the community while providing a means for offenders to work in the community. The offender pays restitution, supports his family, and pays towards the cost of his room and board. The Center receives inmates sentenced on both misdemeanors and felonies. The Federal Court Order also gives the Sheriff authority to maximize existing bed capacity by transferring screened and approved jail inmates to the Center.

The Intensive Supervision Program is a very innovative program that allows screened inmates to serve a portion of their sentence in the community under supervision. In 1987 this program won the Oregon Council on Crime and Delinquency's Claire Argow award for the outstanding adult program providing an alternative to incarceration. While the main focus of the program has been to accept a person during the last portion of a jail sentence, the program can receive direct sentences from the court as noted in the recommendation.

These programs are very important elements in our custody continuum. Sentences as noted in the recommendation would be consistent with these programs and could further enhance the use of our local resources.

B. To better utilize Forest Project resources:

The Department of Community Corrections should work with the District Attorney, Court, and the Sheriff's Office to identify additional offenders whose sentences could include the option of serving in the Forest Project.

RESPONSE:

The Sheriff's Office works with all elements of the Justice System to improve and enhance our correctional resources. While we are not involved in recommending offenders to the Forest Project, we would take part in any effort initiated by the Department of Community Corrections to develop procedures to more fully utilize the Forest Project as a local sentencing option.

CHAPTER III

To better manage the population of illegal immigrants in county facilities and programs, local criminal justice agencies should:

Investigate the efforts of other local jurisdictions to provide a cost-effective means of addressing the problem;

Work with INS to identify other options for dealing with illegal immigrants convicted of a felony;

Identify other local organizations which could work with illegal immigrants, reducing the incidence of criminal behavior and their entry into the Criminal Justice System.

RESPONSE:

The Sheriff's Office is responsible for housing persons charged with immigration violations and persons accused or convicted of state and federal laws. While we have limited flexibility due to state and federal laws, we have regularly met with INS officials to better coordinate the appropriate movement of illegal immigrants out of our jail system as soon as possible. INS and our Records Unit maintain daily contact to coordinate the movement of persons held on immigration holds.

The Sheriff's Office will actively take part in any Justice System effort to better manage the population of illegal immigrants. It is important to remember that this is a very complex community problem involving more than the Justice System.

GLADYS McCOY, Multnomah County Chair

Room 1410, Portland Building
1120 S.W. Fifth Avenue
Portland, Oregon 97204
(503) 248-3308

M E M O R A N D U M

TO: Gary Blackmer, Auditor

FROM: Gladys McCoy
Multnomah County Chair

DATE: August 12, 1992

Thank you for the very thorough audit on Management of Felons. While most of the audit relates to the elected officials in the Justice System, there was a section concerning Community Corrections, my jurisdiction.

I have reviewed the comments from the Department Manager of the Department of Community Corrections, Tamara Holden. They indicate some options for addressing the underutilization of our successful Forest Project. I support these efforts and will monitor them with the expectation of reporting the status to you and the Board within six months.

GM:mrm
9271G

An Equal Opportunity Employer

MULTNOMAH COUNTY OREGON

DEPARTMENT OF COMMUNITY CORRECTIONS
DIAGNOSTIC & PROGRAM DEVELOPMENT DIVISION
421 S.W. FIFTH AVE., SUITE 600
PORTLAND, OREGON 97204-2166
(503) 248-3980 FAX: (503) 248-3990

GLADYS McCOY
COUNTY CHAIR

MULTNOMAH COUNTY CHAIR
1120 S.W. 5th, Suite 1410
PORTLAND, OREGON 97204
8/16/92

MEMORANDUM

TO: Hank Miggins

FROM: For Tamara Holden by [illegible]

DATE: August 4, 1992

RE: Auditor's Report: Management of Felons

The Auditor's report was a thorough and constructive assessment of county practices which pointed out a number of problematic areas.

I Inconsistent Use of Local Jail

The argument that jail is used inconsistently is weakened by an inconclusive graph on page 27.28 The trend lines in most rows and columns of that graph appear to slope upward with increasing crime severity or criminal history. True, there are some significant departures from the use of jail that would be expected if the decision was based solely on crime seriousness and criminal history. However, Guidelines were not meant to structure the jail decision beyond setting maximum terms. As noted in the DA's rebuttal, there are a number of factors which are appropriately considered when formulating sentencing recommendations.

Still, we would agree that the County could do a better job of allocating jail beds. It may be useful to develop standardized criteria for the use of jail. A task force should include the District Attorney's Office, the MCSO, DCC, the Circuit Court, and the Public Defender. The task force should propose criteria for recommending jail as a condition of probation and for establishing the length of the jail term. The criteria need not be binding.

II Lack of Sentencing Alternatives for Hispanic Offenders

The Auditor suggested that Hispanic offenders are disproportionately incarcerated. We should keep in mind that:

AN EQUAL OPPORTUNITY EMPLOYER

1. The disproportionate number of Hispanics sentenced to jail may simply be a consequence of the number of Hispanics convicted of drug charges. The justice system appears to be responding to the public's desire to impose sanctions for drug crimes within the limits of Sentencing Guidelines.

2. It may not be practical or cost effective to sentence illegal aliens to probation and put them in competition with citizens for treatment program slots.

However, the Auditor's statement that Hispanics are more likely to be incarcerated even when they are not illegally in the country is significant. We agree that our community would be well served by the development of sentencing options for Hispanic offenders. DCC funding is limited and likely to be reduced, but we will explore grant opportunities and work with advocates for this population to develop alternatives to jail.

III Underutilization of the Forest Project

The auditor recommends that the Department of Community Corrections should work with the District Attorney, Courts, and Sheriff's Office to identify additional offenders whose sentences could include the option of serving in the Forest Project.

In the last several weeks, in order to increase utilization of the Forest Project, we have implemented the following changes:

1. Offenders who "no show" for the van returning to camp on Sunday nights are no longer being immediately terminated. Instead, offenders will be casemanaged for a week in Portland to allow them to return to camp the following week.

2. Offenders who injure themselves will be maintained under casemanagement in town until the offender can return to camp.

We are also investigating these additional options to increase utilization of the project:

1. Increase judge, D.A., and P.O. contact with Forest Project staff to increase understanding of the project and to encourage referral.

2. Explore the possibility of transporting offenders to the Project on Mondays as well as Sundays. This would allow Sunday no shows to return on Monday and allow some offenders in jail to be transported to the Project.

3. Review all policies for accepting and terminating offenders to insure these policies create a safe environment for staff and offenders without unnecessarily terminating offenders.

4. Procedures for "over booking" the van on Sunday to accommodate some no shows.

As an intermediate solution to this problem we have refocused the efforts of evening staff. They are decreasing one on one counseling and increasing group time and client behavior monitoring. Hopefully, this will enable staff to identify problems and intervene quickly with the objective of decreasing disciplinary terminations.

We have identified another factor that impacts Forest Project utilization. The project reserves 3 slots for Hood River County as a part of the intergovernmental agreement that allows the project to be located in Cascade Locks. These slots have always been underutilized. Reserving these slots decreases the real capacity available to Multnomah County. We will review this situation with Hood River County with the objective of offering them some priority for the 3 slots, while also allowing Multnomah County offenders to access those slots when they are vacant.

We hope this information is helpful. Please call if you have any questions.

c: Joanne Fuller
Cary Harkaway
Horace Howard

CIRCUIT COURT OF OREGON
FOURTH JUDICIAL DISTRICT
MULTNOMAH COUNTY COURTHOUSE
1021 S.W. 4TH AVENUE
PORTLAND, OREGON 97204

PHILIP T. ABRAHAM
CIRCUIT COURT JUDGE

COURTROOM 216
(503) 248-3804

August 4, 1992

Gary Blackmer
County Auditor
1021 S.W. Fourth Avenue - Room 136
Portland, OR 97204

re: Audit Report on Management of Multnomah County Felons

Mr. Blackmer,

You have identified no significant problems in your audit that were not already known to the courts and other agencies. These are problems we have been dealing with for sometime through the activities of the Criminal Justice Advisory Committee and other special programs created by the court with local agencies.

You have directly or indirectly been critical of the court's sentencing practices because, in substance, it costs the county money. The responsibility of a court in exercising its discretion when imposing a sentence, is to consider the rehabilitative effect on the defendant and protection of the public. Whether the sentence will "...allow more effective planning and efficient utilization of County facilities and programs..." is incidental.

The Circuit and District Courts of Multnomah County are part of the Judicial Branch of the State of Oregon. The elected Judges of these courts serve under the direction of the Chief Justice of the Oregon Supreme Court in Salem and the administrative operation of the Courts is under the State Court Administrator, also in Salem. Although the courts are part of the State Judicial Branch of government, in Multnomah County we have long recognized the importance of voluntary cooperation with county, city and other local agencies as well as Federal Agencies. To that end, several years ago, the Presiding Judge established the Criminal Justice Advisory Committee.

The Criminal Justice Advisory Committee is made up of local public officials, elected or appointed who are key players in the criminal justice system, including a State and Federal official. We will continue to work with this group, giving full consideration to local government concerns, recognizing however the Constitutional authority, duties, and restraints placed upon courts.

Donald H. Londer
Presiding Judge

Philip T. Abraham
Chief Criminal Judge

DHL:cg:lms
PTA:lms

c: Honorable Wallace P. Carson, Jr.
Chief Justice

R. William Linden, Jr.
State Court Administrator

Doug Bray
Trial Court Administrator

Meeting Date: SEP 0 1 1992

Agenda No: B-2

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AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

Subject: Columbia Villa Com. Svc. Proj. Moral Rearmament Conference - Caux, Switzerland

Board Briefing: 9/1/92 (Date) Regular Meeting: 9/1/92 (Date)

DEPARTMENT: Social Services DIVISION: Housing & Community Svcs

CONTACT: Fred Milton TELEPHONE: 248-5464 / 248-3949

PERSON(S) MAKING PRESENTATION: Fred Milton and 2 Residents of Villa, Tina Stalling / Ruby Foust

ACTION REQUESTED:

[X] INFORMATIONAL ONLY [ ] POLICY DIRECTION [ ] APPROVAL

ESTIMATED TIME NEEDED ON AGENDA: 15 Minutes

CHECK IF YOU REQUIRE OFFICIAL WRITTEN NOTICE OF ACTION TAKEN: XX

BRIEF SUMMARY (include statement of rationale for action requested, as well as personnel and fiscal/budgetary impacts, if applicable):

Representatives of Multnomah County Community Service project were invited to participate in the Moral Rearmament Conference in Caux Switzerland. The Director of the Columbia Villa Community Service project and two residents of the Villa made presentations to an international body on how they regained control of their community from drug offenders and youth gang violence.

SIGNATURES:

ELECTED OFFICIAL:

OR

DEPARTMENT MANAGER: Norm Monroe/pc

(All accompanying documents must have required signatures)

bcc

BOARD OF COUNTY COMMISSIONERS
1992 AUG 26 AM 10 09
MULTNOMAH COUNTY OREGON

"Nowhere outside of a UNESCO conference do you meet such diversity," said a Paris City Council member. "It's an enrichment."

"We never touch some of the issues people here are addressing," commented another councilor, from Richmond, Viginia. "It's a stepping stone."

These were two of the participants in the cities consultation in Caux, Switzerland which ended last week, remarking on aspects of the meeting which struck the several hundred people from all over the world who participated. I attended with a group from Portland's Columbia Villa.

There was indeed unusual diversity. One minute you would be hearing from a former gang leader who is at the heart of the moves to bring Crips and Bloods together in Los Angeles, then it would be from a former Marine general who is working on the renaissance of the city of Pittsburgh. You might listen to a leader of a taxi drivers' cooperative from Rio de Janeiro, and then to an economist charged with setting up the Prague stock exchange who, incidentally, used to be on the Czech national basketball team.

You might be having successive meals with a Catholic cardinal, a dissident Russian Orthodox priest, a woman Baptist minister from Richmond, Virginia, or a leather-jacketed Australian preacher whose "God Squad Motorcycle Club" is a mission to young people. Or you could find yourself working on the dishwash or serving meals or cooking with the wife of a plastic surgeon from Florida, the deputy mayor of Roubaix, France, or a former professional from the Canadian Football League who is now a probation officer.

And the consultation did indeed touch on issues that are sometimes overlooked at other conferences, that element which the conference invitation described as "the human factor." For as well as exchanging valuable information on the nuts and bolts of city and county management those attending listened to the pain and the bitterness of people who until then had felt powerless to change their circumstances. They learned in the words of a song at one session, "to walk a mile in another person's moccasins." "If you're not mixing, you're not healing," said Mrs. Saleha Khan, Director of Race Equality in Croydon, England. And they helped each other move from blame and bitterness to responsibility and cure.

Summing up his impressions in the final session, Fred Milton, Coordinator for Community Services at Portland's Columbia Villa, said, "This is not just a week's consulation for us. This is an exchange among people that allows us to understand that we are all in the same boat and we have got to find a way to get that boat to the other side together. A lot of learning has taken place and a lot of appreciation among people for each other. We are going to go and do our part. We've learned a great deal and we are very appreciative."

This is Michael Henderson

"One of the things I have learned here is that my friends from Rio de Janeiro, from London, from Australia, have got exactly the same urban problems as we've got in America." The speaker, Fred Milton, Coordinator for Community Services at Portland's Columbia Villa. The place: Mountain House, Caux, the MRA conference center in Switzerland. The occasion: an international consultation "The future of cities - the human factor."

Fred and two residents from Columbia Villa described to the consultation what it had taken in coalition-building and the empowerment of the local community to transform the Villa from a place where fear and violence reigned and people longed to escape to one which had a pleasant environment and a waiting list of people wanting to get in.

The traditional approach to low income people in America, said Fred, was to come with ties and suits on, tell them to come to the office where we would define for them what their problem was and tell them what we would do for them. It was an approach that had not worked. "We have changed the way we do business in Multnomah County," he said. "We took our agencies, put them in Columbia Villa, had the agency personnel go to the door of each residence and ask a simple question: What can we do to make your life more meaningful? The transformation in Columbia Villa had flowed from that new approach.

There is no doubt that the moving presentation from Columbia Villa was a highpoint of the week's meeting. But there were also effective presentations from other parts of the world and from different US cities, all of them containing that element of the empowerment of people themselves. John Hirt, a former US Marine Corps general and now director of the Pittsburgh Leadership Foundation which is at grips with that city's problems, told the international audience, "We've not got it all right in America. There is a lot of pain. The government does not have all the answers, but there are many people who are ready to play a part in healing our land.".

Professor Hubert Locke, from the University of Washington, a former Dean of the Graduate School of Public Policy, held up the city of Tacoma as an example that change is possible not only for a housing complex or a neighborhood but for an entire urban community.

Five years ago, he said, citizens there had awoken to the realization that to a startling degree Tacoma was becoming a victim of drugs and crime. Quiet residential neighborhoods were being infested by crack houses. In the Hilltop area outside the city center you could not drive through in the middle of the day without being besieged by persons with all sorts of illicit contraband to sell, drugs, sex, etcetera.

A member of the city council called a meeting of public officials and social service agencies. There was a three-hour discussion that got nowhere. In desperation he turned

to the community and called a meeting of residents to consider what should be done. Two thousand two hundred people turned out.

The result, said Professor Locke, was the beginning of an enormously effective initiative that has gone on for four years, the Safe Street effort. In each neighborhood has been built a network of people who care and look out for each other.

Residents would, for instance, look up the owners of property on which drug houses operated. Often these turned out to be absentee landlords. They would write the owners asking if they knew their property was being used in this way and tell them that unless they did something about it they would place a placard in front of the owner's own house calling attention to the fact that he was the owner of a drug house. "The landlords responded with great alacrity," said Locke.

Citizens also petitioned the city engineering department to install more street lights. They would also take down the license plate numbers of cars which came into an area driving slowly. They would identify the cars' owners and send them letters telling them they had been observed in their neighborhood and were up to no good and asking them not to come again.

"Today if you drive through you will see signs proclaiming this is a safe streets neighborhood," he said.

The urban expert described this Tacoma initiative as "one of the most effective community efforts that I have been privileged to know about anywhere in the United States." He said it showed that we can transform our cities into truly human communities. We could build really liveable neighborhoods and cities where citizens care about each other and are anxious to lower the odds against the human spirit. He hoped it would inspire us to go and redouble our efforts.

For KBOO Public Affairs, this is Michael Henderson

Meeting Date: SEP 0 1 1992

Agenda No: B-3

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AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

Subject: Weatherization Program

Board Briefings: 9/1/92 (Date) Regular Meeting: 9/1/92 (Date)

DEPARTMENT: Social Services DIVISION: Housing & Community Svcs.

CONTACT: Rey España TELEPHONE: 248-5464

PERSON(S) MAKING PRESENTATION: Rey España and Tom Brodbeck

ACTION REQUESTED

[X] INFORMATION ONLY [ ] POLICY DIRECTION [] APPROVAL

ESTIMATED TIME NEEDED ON AGENDA: 10 minutes

CHECK IF YOU REQUIRE OFFICIAL WRITTEN NOTICE OF ACTION TAKEN: _____

BRIEF SUMMARY (include statement of rationale for action requested, as well as personnel and fiscal/budgetary impacts, if applicable):

The program staff of the Multnomah County Weatherization Program will provide the Board with a general overview of program operations, accomplishments, and FY 93 goals.

BOARD OF COUNTY COMMISSIONERS
1992 AUG 26 AM 10:09
MULTNOMAH COUNTY OREGON

SIGNATURES:

ELECTED OFFICIAL: _____

OR

DEPARTMENT MANAGER: Larry Morrow/pc

(All accompanying documents must have required signatures)

MULTNOMAH COUNTY HOUSING AND COMMUNITY SERVICES DIVISION
WEATHERIZATION PROGRAM

OVERVIEW

MISSION AND GOALS

The Multnomah County Housing and Community Services Division, Weatherization Program weatherizes homes of low income people in Multnomah County. The program:

> *Increases the ability of low income people to conserve energy and get the most out of their energy usage by maximizing public and private resources, increasing awareness of conservation, and weatherizing the homes of low income residents of Multnomah County.*

ORGANIZATIONAL STRUCTURE

The Weatherization Program is a work unit within the County's Housing and Community Services Division. The Division also includes the Community Action, Community Development, and Community Restoration programs.

The Weatherization Program both plans and manages federal/state weatherization programs and delivers services directly by determining client eligibility for services, conducting energy audits of applicants' homes, identifying the most cost effective private contractor to weatherize the homes, inspecting the contractors' work, and conducting a quality assurance process.

FUNDING AND SERVICE LEVELS: FY 1991-92

In FY 1991-92, the Weatherization Program managed approximately $1,183,584 in federal, state, and utility funds. Those funds:

- Fixed roofs of 78 single family dwellings, at an average cost of $2,114
- Weatherized 236 single family dwellings, at an average cost of $2,405
- Weatherized 166 multi-family units, at an average cost of $800
- Weatherized 159 dwellings under the City of Portland's Block by Block program, at an average cost of $728.

FY 1992-93 GOALS

Weatherization Program goals for FY 1992-93 include:

- To audit 800 single and multi-family dwellings and weatherize 600 units.
- To increase the amount of funds leveraged from landlords of rental units weatherized through the program, program goal of $100,000, year-to-date receipts of $15,607.
- To develop partnerships with utilities in order to increase revenues.

DEPARTMENT OF SOCIAL SERVICES

HOUSING AND COMMUNITY SERVICES DIVISION

Mission: The Division's Mission is ...

To foster safe and nurturing communities within Multnomah County; through innovative community and neighborhood development activities which improve the quality of life for low-income/at-risk families and individuals by:

1. increasing the availability of supportive services, resources and opportunities within the community that improve the quality of life, safety and ability of residents to meet their basic needs, empower themselves and achieve self-sufficiency;

2. increasing the quantity, equitable distribution and accessibility of affordable housing units;

3. increasing resources and opportunities of individuals and families to benefit from community and economic development activities and move toward self-sufficiency;

4. increasing resources to address critical community development and public infrastructure needs of lower-income neighborhoods.

Goals: The Goals of the Division are to ...

a. ensure that affordable housing, including home ownership, is made available for all who seek it;

b. ensure that public and private resources are available and accessible to low-income, special needs and homeless families and individuals to enable them to achieve self-sufficiency;

c. ensure that communities are made safe through a concentrated, collaborative network of community policing, community service and resident strategies;

d. promote, advocate for and organize individuals and neighborhoods to strengthen their communities;

e. develop flexible, creative and innovative community-based service delivery systems that are accountable to the community.

1/13/92

HOUSING & COMMUNITY SERVICES DIVISION
ADMINISTRATIVE OPERATIONS & CONTRACT MANAGEMENT UNIT

REY ESPANA
HCS ADMINISTRATOR

Overall responsibility for management of Division Administrative operations, including budget & accounting, contracting, management information systems, policy analysis, and energy programs

Connie Jefferies, OA2
Staff Support & Payroll Spec

Provides clerical support for unit, primarily for fiscal & contracts; provides payroll & personnel services for Division.

Lou Olson, OA2
Staff Support-
Weatherization Svcs

Provides intake services, acts as liaison between clients, landlords & other service agencies; procurement and space planning.

FISCAL & BUDGET

Ken Davidson, Fiscal Spec 2
Fiscal/Budget/MIS

Develops and tracks budget and expense records, prepares Division and Community Action payment vouchers. Creates and manages accounting systems.

Serves as MIS Specialist for Division; contact person on computer related issues.

CONTRACTS

Cilla Murray, Contracts Admin
Nancy Culver, Wx & Energy Prgms
John Pearson, Community Action & Emergency Svcs

Unit develops and processes RFB/RFP's and contracts, manages contracts, oversees contracted service delivery, monitoring, quality assurance. (45-50 service contracts, $8.4 million)

WEATHERIZATION/ENERGY CONSERVATION SVCS

Tom Brodbeck, Supervisor WX Unit
Curtis Stephens, Auditor/Inspector
Dave Lutes, Auditor/Inspector
Diane Hanson, Auditor/Inspector
Jay Burco, Auditor/Inspector
Judy Swendsen, Auditor/Inspector

Unit determines service need and eligibility, arranges for weatherization work and oversees quality. Pursues new funding sources

ADMINISTRATIVE OPERATIONS

Carolyn Tufteskog,
Administrative Support

Manages billings, expenses and revenue tracking, reporting exceptions. Coordinates and prepares weatherization reports to State. Processes payment requests for division, petty cash and travel/training. Maintains property inventory and oversees personnel services.

Request for Information
Purpose: Presentation before Board of County Commissioners
Date of Presentation: September 3, 1992

CAPO Weatherization Performance Indicators

Audits Completed: 7/01/91 to 6/30/92

Single Family	303 Units
Multi-Family	400 Units
Block By Block	168 Units
Total	871 Units

Audited Clients: 7/01/91 to 6/30/92

	# Seniors	# Handicapped	# children under 6
Single Family	101	68	133
Multi-Family	8	3	21
Total	109	71	154

Completed Clients: 7/01/91 to 6/30/92

	# Seniors	# Handicapped	# children under 6
Single Family	107	75	184
Multi-Family	9	4	9
Total	116	79	193

Weatherization Jobs Completed: 7/01/91 to 6/30/92

Single Family	236 Units	(<4 units)
Multi-Family	166 Units	(>4 units)
Block By Block	159 Units	
Total	561 Units	

Roofs Completed: 7/01/91 to 6/30/92

Single Family	78 Units

Total Weatherization Grants: 7/01/91 to 6/30/92

LIEAP WX	$ 242,102
DOE WX	$ 256,614
PVE SW	$ 141,286
BLOCK BY BLOCK	$ 115,692
Total	$ 755,694

Total Costs Material and Labor Paid All Jobs: 7/01/91 to 6/30/92

Single Family	$ 935,115
Multi-Family	$ 132,777
Block By Block	$ 115,692
Total	$ 1,183,584

Average Cost Per Job: 7/01/91 to 6/30/92

Roofing Jobs	$ 2,114	/average per roof (total $164,854)
Single Family	$ 2,405	/average cost per job (completions)
Multi Family	$ 800	/average cost per job (completions)
Block By Block	$ 728	/average cost per job (completions)

Utility Rebates Received: 7/01/91 to 6/30/92 = $ 403,881

LEVERAGED LANDLORD DOLLARS: 7/01/91 TO 6/30/92

Single Family	$ 0
Multi Family	$ 21,576

Meeting Date: SEP 0 1 1992

Agenda No: B-4

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AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

Subject: Homeless Families Program

Board Briefings: 9/1/92 (Date) Regular Meeting: 9/1/92 (Date)

DEPARTMENT: Social Services DIVISION: Housing & Community Svcs.

CONTACT: Paula Corey TELEPHONE: 248-5464

PERSON(S) MAKING PRESENTATION: Paula Corey

ACTION REQUESTED

[X] INFORMATION ONLY [ ] POLICY DIRECTION [ ] APPROVAL

ESTIMATED TIME NEEDED ON AGENDA: 10 minutes

CHECK IF YOU REQUIRE OFFICIAL WRITTEN NOTICE OF ACTION TAKEN: XX

BRIEF SUMMARY (include statement of rationale for action requested, as well as personnel and fiscal/budgetary impacts, if applicable):

The Project Director of the Multnomah County Homeless Families Program will brief the Board on current grant initiatives and update the Board on the first year results of the Robert Wood Johnson Foundation Homeless Families Program.

BOARD OF COUNTY COMMISSIONERS
1992 AUG 26 AM 10 10
MULTNOMAH COUNTY OREGON

SIGNATURES:

ELECTED OFFICIAL: _____

OR

DEPARTMENT MANAGER: Karen Monroe /pc

(All accompanying documents must have required signatures)

MULTNOMAH COUNTY
HOMELESS FAMILIES PROGRAM

HOUSING AND COMMUNITY SERVICES DIVISION

Foundation Funded Programs

Robert Wood Johnson Foundation/HUD Homeless Families Program
August 1, 1990 to July 31, 1995
$500,000

This is a planning grant intended to develop the infrastructure and service integration necessary to stabilize homeless families in housing and services. HUD contributed 119 Section 8 certificates to this program and HAP contributed 31 additional certificates. The Homeless Action Fund of the Portland Metropolitan Chamber of Commerce/United Way of the Columbia-Willamette will raise sufficient money over the life of the grant to pay for the case management of the 150 families in this program.

Target: 150 homeless families with children living in shelters or on the streets. Eligible families will have a history of chronic homelessness and unmet service needs.

Better Homes Foundation/Ronald McDonald Children's Charities Mother Mentor Project. Contracted to the YWCA.
April 1, 1991 to July 1, 1992 (we await confirmation on refunding)
$155,000

This grant is meant to enhance services to homeless pregnant women and their newborns. Of the 150 families in the RWJ/HUD Homeless Families grant we set aside 30 slots for homeless pregnant women who would receive Mother Mentors (women who could provide support and mentoring through their own personal histories of homelessness and subsequent stabilization in housing with their families) and expedited medical care through a Community Health Nurse dedicated to this project. The grant also can purchase mental health treatment and alcohol and drug treatment slots for the women who require that assistance.

Target: 30 homeless pregnant women living in shelters or on the streets.

Better Homes Foundation/United Way of America Homeless Families Stabilization Project. Contracted to Portland Impact.
July 1, 1991 to June 30, 1994
$165,000 decreasing grant

This grant expands services and intervention strategies appropriate for homeless preschool age children and their parents. It also implements a program targeting private landlords to provide market rate low income housing for homeless families in SE Portland.

Target: To place 150 homeless families in permanent low income housing by June 1994. To provide case management, employment assistance, substance abuse screening, medical care, educational assistance, financial assistance, social support, and health and developmental screenings to 300 homeless families and their children over the 3 years of the grant.

Better Homes Foundation
July 1, 1991 to June 30, 1994. Contracted to Mental Health Services West.
$66,000

This grant is a companion to the Better Homes/United Way of America grant. It offers a therapeutic pre-school to homeless children seen through the Portland Impact Family Stabilization Project.

Target: Homeless children between 2 1/2 to 5 years of age are eligible to attend the therapeutic preschool three times per week for three hours per week. Capacity is 12 children.

Total Foundation Funds: $886,000

FEDERAL GRANT PROGRAMS

Supplemental Assistance for Facilities To Assist the Homeless (SAFAH)/HUD
July 1, 1992 to June 30, 1994
$702,000

This grant is intended to provide housing and services to homeless families leaving transitional housing. HAP has provided 80 Section 8 certificates for this program. The grant funds case management services which are being contracted to six multi-service centers.

Target: 200 families with children per year leaving transitional housing in Multnomah County.

Combined Foundation and Federal Funds: $1,588,000.

GRANT PROPOSALS AWAITING DECISIONS

Proposal to HUD for McKinney funds to support The Turning Point. The Turning Point will be 30 units of transitional housing for homeless families and their children. Location: SW Portland. 5 years. $1.2 million.

Proposal to HHS for funds to design and implement a program to prevent homelessness among families in both subsidized and other low income housing, as well as to intervene with families living in cars, campers, and campgrounds. 3 years. $750,000.

Proposal to HHS for research grant targeting multiproblem AFDC elgible single parent families who are homeless or at-risk of

homelessness. The grant will test and evaluate the eficacy of Community Based Intervention in stabilizing the target population, 3 years. $165,000.

Proposal to HHS for continuation of Demonstration Partnership Program research grant at Outside In. The research hypothesis is that provision of long-term housing and support services to homeless youth will have a greater impact on achievement of self sufficiency than will provision of short-term housing. 1 year. $210,000.

MULTNOMAH COUNTY / PORTLAND, OREGON
HOMELESS FAMILIES PROGRAM STATISTICS (RWU & MOTHER MENTOR PROJECT)
AS AUGUST 24, 1992

I. NUMBER OF PERSONS/HOUSEHOLDS SERVED TO DATE

A. TOTAL PERSONS ENROLLED	B. NUMBER OF SINGLE PARENT HOUSE-HOLDS	C. NUMBER OF DUAL PARENT HOUSE-HOLDS	D. NUMBER OF INTERGEN-ERATIONAL HOUSE-HOLDS	E. NUMBER OF PROJECT / HOUSE-HOLDS DROPOUTS TO DATE	F. NUMBER OF REFERRALS INELIGIBLE OR WITHDRAWN TO-DATE	G. NUMBER OF REFERRALS ON HOLD
373	95	21	2	7	55	3

II. SOURCE OF REFERRALS FOR HOUSEHOLDS ADMITTED TO DATE

WTS	AHR	AMA	BA	FH	HSI	NH	OI	PI	PN	RH	SAF	VOA	WEST ♀	SJY	DY	OTHER
6	2	10	13	15	11	8	0	12	2	6	1	4	2	13	6	1

III. CHARACTERISTICS OF PERSONS ADMITTED TO DATE

CLIENT TYPE BY SEX	AGE — CHARACTERISTICS OF CHILDREN + ADULT ANSWERING INITIAL APPLICATION					RACE / ETHNICITY — CHARACTERISTICS OF ADULT ANSWERING INTAKE FORM ONLY						
	0-6	7-12	13-17	18-29	30+	C	AA	H	NA	MH	ASIAN	DECLINED ANSWERING
MALE	72	30	16	0	1	1						
FEMALE	74	28	19	62	48	71	24	2	6	9	0	1

MOTHER MENTOR ELIGIBLE HOUSEHOLDS	HOUSING HOLD	REF TO HAP BUT AWAITING CERTIFICATE	CERTIFIED & LOOKING FOR HOUSING	WAITING TO MOVE INTO IDENTIFIED HOUSING	NUMBER OF HOUSEHOLDS IN HOUSING TO DATE	GEOGRAPHIC DISTRIBUTION OF THOSE HOUSED TO DATE					
						NE	N	SE	SW	NW	EAST CNTY
34	4	7	10	4	93	46	13	11	0	8	15

IV. CURRENT HOUSEHOLDS BEING CASE MANAGED

WTS	AMA	FH	HSI	NH	PI	PN	RAPHAEL HOUSE	SAFE	SJY	TO BE ASSIGNED
6	41	0	16	0	9	2	8	0	12	0