

DATE SUBMITTED June 23, 1988

(For Clerk's Use)

Meeting Date 6/28/88

Agenda No. #2

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Community Corrections/Sentencing Guidelines

Informal Only\* June 28, 1988  
(Date)

Formal Only \_\_\_\_\_  
(Date)

DEPARTMENT Justice Services

DIVISION \_\_\_\_\_

CONTACT John Angell

TELEPHONE 248-3701

\*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD Harley Leiber Kathy Bogan

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

Briefing on developments in Community Corrections by Harley Leiber and on sentencing guidelines by Kathy Bogan of the Criminal Justice Council.

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

☒ INFORMATION ONLY ☐ PRELIMINARY APPROVAL ☐ POLICY DIRECTION ☐ APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA 30 minutes

IMPACT:

☐ PERSONNEL

☐ FISCAL/BUDGETARY

☐ General Fund

☐ Other \_\_\_\_\_

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: John Angell

BUDGET / PERSONNEL \_\_\_\_\_

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) \_\_\_\_\_

OTHER \_\_\_\_\_

(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

11	MURDER .
10	HANSLAUGHTER I, RAPE I, ASSAULT I & ARSON I.
9	RAPE I, ASSAULT I, ARSON I. BURGLARY I, ROBBERY I, KIDNAPPING I.
8	HANSLAUGHTER II, SEXUAL ABUSE I, ASSAULT II, RAPE II, USING CHILD IN DISPLAY OF SEXUAL CONDUCT.
7	NEGLIGENT HOMICIDE, ABANDON CHILD, COERCION, COMPELLING PROSTITUTION, SUPPLYING CONTRABAND, ESCAPE I.
6	ROBBERY II, ASSAULT III, RAPE III, BRIBE RECEIVING, INTIMIDATION, PROPERTY CRIMES (more than \$50,000).
5	ROBBERY III, THEFT BY RECEIVING, TRAFFICKING STOLEN VEHICLES, PROPERTY CRIMES (\$50-10,000).
4	FTA I, CUSTODIAL INTERFER- ENCE II, PROPERTY CRIMES (\$10-5,000).
3	ABANDON CHILD, DWS, ABUSE OF CORPSE, CRIMINAL NONSUPPORT, PROPERTY CRIMES (\$1-5,000).
2	DEALING CHILD PORNOGRAPHY, VIOLATION OF WILDLIFE LAWS, WELFARE FRAUD, PROPERTY CRIMES (less than \$1,000).
1	ALTERING FIREARM ID, HABITUAL OFFENDER VIOLATION, BIGAMY, PARAMILITARY ACTIVITY, INCEST.

6/28/88

Comm. Corr.

## Community Corrections Issues

### Planning groups

1. Oregon Association of Community Corrections Managers
2. Community Services Council (Department of Corrections)
3. Governors Task Force on Corrections Planning

### Structure

- |          |   |
|----------|---|
| Option 1 | County manages enhancement programs and probation and parole.   |
| Option 2 | County manages enhancement programs, contracts state for parole and probation   |
| Option 3 | State provides enhancement, probation and parole services with less revenue than if county participated. County is considered non-participating as an Option 3. |

### Role of Community Services Division

### Role of field services management

### Role of State and local advisory committee process

### Funding

### Evaluation

Abt Associates recommendations.

# 2  
6/28/88

THE OREGON COMMUNITY CORRECTIONS ACT  
by Abt Associates  
Executive Summary

The Governor's Task Force on Corrections Planning contracted with Abt Associates. The project included an assessment of both the Community Corrections and Field Services in Oregon through site visits, interviews, plan reviews, data analysis, and general research.

The primary conclusion in the problem statement is that: "Oregon's prison crowding has not been caused in the way Oregon criminal justice officials make discretionary sentencing and case processing decisions."

The report examines the following misconceptions that have influenced policy decisions:

- o "that dangerous offenders serve little time in Oregon prisons,"
- o "that prison crowding in Oregon has been driven by an unequally serious and rapidly escalating crime problem," and
- o "that parole or probation violators are back on the streets in a matter of days."

The report speaks to the "fluid and complex" relationship between institutions and community corrections, the economic trade-offs in Corrections spending and the limited resource of imprisonment.

Three major policies underlie the recommendations: Oregon needs to:

1. "Structure its sentencing practices to increase sentencing uniformity and to bring sanctioning practices into balance with its correctional resources,"
2. "develop a full continuum of sanctions that gives judges a wide range of sentencing options that match the range of offense seriousness and offender culpability and risk; and
3. "implement a risk management model of probation and parole supervision."

I. COMMUNITY CORRECTIONS:

After describing the purposes and structure of the Community Corrections Act (CCA), the report discusses how well CCA worked based upon four questions:

- o Did the CCA reduce "C" felony prison commitments? A 1983 study concluded that substantially more "C" felons would have been imprisoned without the implementation of CCA; however, "it is impossible to speculate on the Act's "C" felon diversion impact since then." Studies in other states showed mixed reviews.
- o Improve or diminish public safety? In general, evidence of CCA impact on public safety is equivocal. Oregon's CCA appears neither to have increased or reduced public safety. No evidence was found in other states.
- o Increase the number of offender sanctions and services? While in most instances the differences are modest, it appears that participating counties generally have more sanctions and services available than nonparticipating counties. The clear exception is in intensive supervision programs, where Option I counties have developed programs far more aggressively than Option II or Option III counties.
- o Reduce costs? Carrow (1985) estimated that during the 1981-83 biennium, reduction in prison commitments due to the CCA produced a total savings of 1,272 person-years in prison. However, when adjusted for probation revocations, Carrow concluded that the CCA cost about as much as it saved in reduced imprisonment costs. Minnesota's costs increased while Kansas evaluators found the CCA saved taxpayers money by reducing the number of new prison beds needed.

The report then goes on to identify problems with Oregon's Community Corrections Act:

1. Lack of strong Department of Corrections direction and management.
2. Lack of clear goals.
3. Inadequate funding.
4. Disincentives to "C" felony commitments have eroded.
5. The CCA planning process lacks substantive direction.

The Recommendations on Community Corrections are:

1. The Task Force should affirm its support for the Community Corrections Act. Abt Associates think the evidence clearly supports continuation of the CCA.

2. The basic structure of CCA options should not be changed. Many respondents argued that three options were unnecessarily complex, and proposed a two-choice model. But on practical grounds, the researchers think liabilities of such a change outweigh the benefits. At this point in time, they do not think the conflict evident between state Field Services in Option II counties and county operated field services in Option I counties can be resolved by eliminating one option or the other.
3. Financial incentives should be used to increase the number of counties choosing Option I. One way would be to reward Option I counties with a "bonus" above their regular enhancement grant. Another option would be for the State to pick up (on a one-time basis) certain costs the counties would bear by switching to Option I. A third option is a variation of the current practice of Option I counties retaining all supervision fees collected while Option II and III counties would retain only a portion of those fees.
4. Clarify the objectives of the CCA to provide a consistent, objectives-oriented framework to guide local planning, program development, and operation.
5. Strengthen Department of Corrections administrative support of CCA through improved state oversight and direction built on a collaborative model, in which both state and local officials confer and negotiate such as the Community Services Council.
6. The Department of Corrections should reestablish the use of contracts to govern its relationship to the counties on CCA issues, using objective performance criteria stated in the contract, along with criteria for monitoring both program performance and fiscal compliance.
7. Index CCA appropriations to compensate for inflation.
8. Increase CCA appropriations so transfers from Option III do not reduce remaining Option I and Option II counties' prior funding.
9. Allocate CCA and Field Services funds using a single, work load based, and relatively nonmanipulable formula. The allocation would require the conditions of implementation of sentencing guidelines and probation revocation guidelines as well as a balance of sentencing patterns with resources. If the conditions were not met, a portion of CCA funds should be reserved for reallocation on an incentive basis.

10. Eliminate the payback, but investigate the need for financial incentives to support CCA objectives in the future, such as "bonuses" based on aggregate sentencing patterns.
11. Defer funding of HB 2437 until sentencing guidelines go into effect; thereafter, award payments to counties for jail use consistent with the guidelines, or which represent downward departures from the guidelines. HB 2437 could alter sentencing behaviour and encourage greater use of jail sentences for convicted felons who likely would have been placed on some form of probation in the past. Cost projection for HB 2437 are almost impossible due to the impact of Structured Sentencing Initiative and the Parole Violators Project as well as sentencing guidelines.
12. The State Community Corrections Advisory Board should be reconstituted as a general policy board to advise the Director on Department of Corrections policies that affect both institutions and community corrections.
13. The Department of Corrections and the Criminal Justice Council need to cooperate in the development of mid-range punishments in the continuum of sanctions. The report notes several sanctions that clearly need to be provided on a more uniform basis across Oregon. The first is Intensive Supervision Program (ISP). Seventy percent of the Option I counties have developed ISP. However, the Department of Corrections in Option II and Option III counties lag far behind.

Oregon also needs more community residential programs, similar to the existing probation centers. One model is a "generic" halfway house. Another model is the specialized punitive residential center such as a restitution setting with a controlled environment while the offender is not working. A final model is the treatment residential facility.

## II. FIELD SERVICES:

After a discussion of the operations of Field Services, its funding and changes in work load, the report describes a survey of Field Services staff. The survey included issues of agency philosophy supervision, PSIs, job satisfaction, management strategies, and suggestions for improvements in Field Services and the CCA.

Problem areas in Field Services identified in the report are:

1. Lack of clear and consistent mission for Field Services.
2. Department of Corrections management of Field Services is inadequate. Short-term cost cutting has resulted in reduction of training programs and cutting management staff. Staff believe Department of Corrections needs more staff to provide management and supervision capacity.
3. Field Services training is inadequate and outmoded; complaints were received about quality and nature of current training. Since early '80's, in-service training has declined. The close relationship between FOPPO and BPST with regard to the training advisory council has resulted in a "closed system" for Field Services training with line staff defining curriculum and providing the training.
4. Classification and case management; interviews reported distrust and frustration with the current classification system. Linking classification with budgeting has lead to extensive manipulation of classification results to maximize funding, thereby, the classification function which is central to a successful Field Services operation.
5. Perceived breakdown of enforcement. Prison crowding has caused the quality of Field Services to decline; diminished credibility of Field Services has increased imprisonment rates.
6. Escalating Revocations  
  
Oregon must gain control of revocations through tools which make revocation sanctions immediate, meaningful, and credible. Expanded prison capacity is one tool. A range of responses must be available to the PO in concert with sentencing guidelines.
7. Field Services caseloads are reported to be too high to permit effective supervision. Two ways to reduce caseloads were discussed:
  - a. Changes in case management through:
    - 1) rapid movements downward in the supervision levels via more frequent and systematic reassessments,
    - 2) earlier termination of cases, and
    - 3) reallocation of manpower to specialized caseloads or through a risk management approach.



- b. Additional Field Services staff to deal with the growth in parole cases.
8. Supervision fees can be a cost-effective and relatively stable source of revenue to supplement basic probation and parole operations. The report suggests that states did not fund fee collection detracting from the supervisory relationship. Fee imposition is consistent with therapeutic objectives--employment.

In Oregon, Field Services offices do not retain the funds collected; the benefit, if any, is remote and non-immediate--often viewed as a net liability, consuming more time and energy than it yields in benefits. The Legislature considers supervision fees collected by Option II and III counties as a budget offset with Department of Corrections gaining benefits only if collection exceeds revenue.

However, in Option I counties, fee collections are fully available to community corrections agencies and are not considered as a budget offset. Data describes the resulting differences between Option I and the others with collection rates twice those of Option II and III, in general.

The report recommends increasing the collections from the projected 42% to 50% and raising the average payment of \$10 to \$30 would result in an increase from \$2.8 million to over \$10 million for the biennium.

9. Transition programming and reentry process policies formulated by Department of Corrections and the Board of Parole are basically sound, but pressure of overcrowding prevents those policies being followed.

#### RECOMMENDATIONS FOR FIELD SERVICES

1. The Department of Corrections and Community Corrections Act administrators in Option I counties should develop a joint mission statement for Field Services in Oregon. It should be prospective and encompass key policy objectives which are system-wide in scope.
2. The Field Services mission statement should encompass a risk management approach to be used by all counties and included in initial and in-service training.
3. The Department of Corrections should increase the number of Field Services regions to provide adequate management and supervision.

4. The Department of Corrections should increase the number of staff who supervise line probation and parole officers while some may suggest that state-run probation is more efficient than a county-run system, any short-term savings in personnel costs are not only illusory, they are vastly counterproductive.
5. Department of Corrections management support for Field Services should be improved. Department of Corrections should:
  - o Develop a strong central office Field Services administrative team, headed by the Deputy Director of Community Services, that includes skilled and experienced staff with responsibility in the following areas:
    - information systems
    - contract negotiation and monitoring
    - standard setting and rule promulgation
    - technical assistance
    - training

New staff positions should be requested and approved if needed to cover these areas adequately.

6. Department of Corrections should promulgate effective standards for Field Services in Oregon. Standards should include personnel practices, training, record keeping and information systems, classification and management, revocations, evaluations, and case transfers.
7. Department of Corrections should conduct both initial and in-service training for probation and parole officers. The recommendation includes repeal of the statute requiring BPST to provide initial training which will create new costs for Department of Corrections--initial training at \$1,500 per PO and 40 hours of in-service at less than \$400 per PO.
8. Department of Corrections should resign Field Services training programs and curriculum based on probation and parole job functions linked to Field Services' future mission. This includes conducting an inventory of existing job functions to revise the training to relevancy. The training advisory committee should be used to provide general advise on refining nature and content of Department of Corrections proposed training. The committee should not represent "training wants" of line staff but rather advise on methods best suited to present relevant job function-related training.

9. Supervision fee receipts should be used to fully pay for Field Services training costs. The initial training should be consistent for both state and CCA staff. CCA staff could participate in state in-service training for a reasonable fee to offset necessary additional costs to Department of Corrections.
10. Department of Corrections should set and enforce statewide case file and PSI standards.
11. Department of Corrections should establish a statewide Field Services information system. A "two-tiered" system is recommended. This includes an effective statewide Field Services information system with core data to perform effective management, monitoring and oversight of all local programs. The permissive second tier allows counties to develop systems for their specific needs, so long as they also support the statewide system.
12. Department of Corrections should develop separate mechanisms for classifying Field Services caseloads and for allocating Field Services resources.
13. Statewide probation and parole revocation guidelines should be established that structure revocation recommendations to judges and the Board of Parole. The guidelines should be based on MK management principles. The options provided in the continuum of sanctions should be available in the guidelines as responses to violations. The combination of these two should result in a substantial reduction in the number of offenders being sent to institutions.
14. Department of Corrections should carefully evaluate all new Field Services programs and initiatives. This takes a commitment of resources to provide trained staff and a commitment from administrators and managers to include evaluation strategies in their program planning and development activities.
15. The Department of Corrections, in collaboration with CCA counties and Field Services staff and administrators, should devise a minimally-manipulable, work load based Field Services allocation formula. The report offers two points to bear in mind:
  - o that any set of factors can, and probably will, be manipulated to some extent, and
  - o that the Field Services allocation formulation should be divorced from field classification procedures (offenders are kept under supervision for a longer period of time to inflate the allocation).

The study recommends using a formula based on sentencing standards which projects the numbers of offenders sentenced to various sanctions and services resulting in a prospective cost for each service in each area.

16. Department of Corrections should devise a uniform case classification system for state Field Services and should encourage its use (or use of comparable systems) setting standards which Option I counties must observe. The system should be used as a case management tool not a means of determining Field Services allocation. It should support the principles of risk management:
  - o Use validated risk instruments to assess risk;
  - o Use objective criteria to assess offender needs;
  - o Assign initial supervision on the basis of risk;
  - o Formulate objective case management goals; and
  - o Provide frequent reassessment for reduction of supervision levels or early termination.
17. Oregon should increase average supervision fees to \$30 per month, and make administrative reforms designed to increase total supervision fee collections by 500%. Collections are to be used for enhanced training. Option II and III counties could use some of the revenue for offender needs, case management standards are required to assure against inflation of caseloads to increase fee collection.
18. The Department of Corrections should take steps to improve assessment of offender needs, and to increase the availability of community services to meet those needs. The Department of Corrections should require local plans to address gaps in services and develop uniform classification and case management standards to assure targeting of resources to those with the most severe reentry problems.
19. The Department of Corrections should develop and strengthen transitional employment training and placement for imprisoned offenders prior to their release from prison. The report sites the Employment Division of DHR as a possible resource and suggests contracts with private providers.
20. The Department of Corrections needs to improve the quality of its reentry planning and services. Supervision fees, if retained locally is sited as a resource.

EXECUTIVE SUMMARY  
OF THE OREGON ASSOCIATION OF COMMUNITY CORRECTIONS  
RECOMMENDATIONS FOR DELIVERY OF COMMUNITY-BASED SERVICES AND SANCTIONS

After a discussion of the '70s and '80s in community corrections, the report lays out a philosophical perspective. The Oregon Association of Community Corrections (OACC) philosophy of offender management is taken from O'Leary and Clear's "Corrections in the 1990s". The limited risk control framework provides for the management of offenders through a continuum of sanctions. The system features are:

- \* the use of standard assessment instruments
- \* visible prediction error
- \* offender placement based upon risk
- \* routine and consistent schedules to reduce intrusiveness and
- \* structured override mechanisms

I. THE PROBLEM The report identifies six areas of concerns:

A. Purpose

OACC believes that there is an absence of clear purpose which has inhibited the development of consistent, objective, quantifiable management programs for the delivery of corrections field services.

B. Structure

The intent of the 1977 Governor's Task Force to support county-managed, community-based offender programs by regional correctional facilities was not carried out. This leaves CCA programs in the position of attempting to "manage" the flow of "C" felons into state prisons without other necessary incarcerative support.

C. Rewards

There are three principal areas in which an absence of adequate "rewards" has hindered the development of a comprehensive, effective state corrections system:

1. The current method of allocating field services resources has encouraged an expansion of the field caseload.
2. There have been insufficient rewards in the system to elicit consistent judicial support for the utilization of more cost-effective community-based sanctions and services in lieu of state prison beds.

3. Prior to this biennium, Class C payback dollars reverted to the state general fund, drawing critically needed corrections resources from the entire system in direct proportion to the level of C felon commitments to prison.

#### D. Relationships

The absence of consistent, positive working relationships among state and county staff has been a source of continuing dysfunction within our corrections system. The Association believes that this problem is directly tied to failed leadership and management within the system.

#### E. Helpful Mechanisms

Helpful mechanisms are tools to assist in the furtherance of the purposes of the program.

1. Statewide database/information system has not been implemented and maintained.
2. The legislatively mandated CCA evaluations have not been adequately performed.
3. A uniform offender classification system has not been validated and implemented.
4. Performance audits and other quality control mechanisms have not been utilized.

#### E. Leadership

The above findings point to a lack of consistent corrections leadership. During the last ten years, state corrections has been dominated by a preoccupation with institutional crowding and other internal management issues.

## II. GOVERNANCE ALTERNATIVES

The premises which provided the OACC's analysis on governance were:

- \* that some type of state/local government partnership is essential to manage our offender population.
- \* that the governance structure that might best facilitate the development of effective offender management programs is one in which the level of government that is responsible for establishing fundamental policy in an area should also be responsible for funding the programs that naturally follow the implementation of that policy.

- \* that officials who control the flow of offenders through the criminal justice system should be principals in the development of corrections programs to manage this population.
- \* that there is a need for a stable funding base for a full range of corrections services and sanctions.

OACC then examined four governance structures:

A. Continued Operation Under the Department of Corrections and the Community Corrections Act As It Is Now Structured.

While members of OACC expressed the view that the existing governance structure has the potential to provide sound corrections programs to the state, it was generally recognized that substantial improvements in the existing system could be achieved under a different form of leadership than the current governance structure envisions.

B. Continued Operation Under the Department of Corrections and the Community Corrections Act with a Strengthened Community Corrections Advisory Board.

The Board should be strengthened by adding members with experience in corrections or human services and by operation under well-defined by-laws. It must function independently of DOC.

C. Establishment of an Independent State Commission.

The establishment of an independent commission vested with the responsibility to oversee the allocation of state dollars to local governments to support community corrections programs is the most appropriate governance structure for the Task Force dicennial plan. The following goals can best be achieved within the framework of an independent, interdisciplinary state commission; this commission to be composed of representatives from each branch of government and lay citizens.

The goals of the Commission would be:

1. establishment of sound state policy
2. public education
3. legislative advocacy
4. evaluation, auditing, and technical assistance
5. determination of accepted costs for sanctions and services

D. Vesting Responsibility for Community-Based Corrections Programs in the Judicial Branch of Government.

Although this option was discussed, there did not emerge cogent reasons or a governance shift in this direction.

### III. APPROPRIATION AND ALLOCATION OF RESOURCES

The Association recognizes and endorses the establishment of sentencing guidelines and recommends that these guidelines establish the basis for both the appropriation and allocation of funding for community-based offender sanctions and services. OACC recommends that the legislature shift its appropriations process to a "cost per unit of service" based budgeting, and that this same process be used for the allocation of state resources to local governments to provide community-based offender programs. The appropriation and allocation approach recommended is a "work-load based" appropriation and budgeting system.

### IV. SHORT-TERM APPROACH

These short-term recommendations involve the establishment of a substantially strengthened State Community Corrections Advisory Board, and include the following elements:

- A. Funding Formula. The appropriation and allocation of resources based upon the "cost per unit of service" approach.
- B. County/State Relationship:
  - \* suggestion of local responsibility for probationers and state responsibility for parolees found no support
  - \* recommend elimination of Option III with counties required to provide services directly or by contract, eliminating the "equity arguments".
- C. Program Evaluations/Accountability. OACC endorses the DOC Director's commitment to develop quality data and urges the establishment of evaluations with tight timelines for products.
- D. Penalty Payback Should Be Abolished.
- E. Misdemeanant Cases Should Be Included in Any Workload Formula for the Allocation of Resources.



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JOINT CRIMINAL JUSTICE TASK FORCE

Findings, Assumptions and Recommendations

June 17, 1988

FINDINGS

- There is a direct relationship between state and local corrections.
- The percentage of sentenced felons in jails has increased over the period from 1977 to the present.
- The number of sentenced felons awaiting presentence reports also increased over that period.
- The county jail budgets increased over that period substantially, both in terms of total dollars spent and in terms of the percentage the jail represents of the total county general fund.
- In some counties, the jail capacity has recently increased. In others, the capacity has declined.
- The funding of community corrections programs has been inadequate. Funding increases have not kept pace with inflation and the cost increases have far outstripped any increases in funding.
- Causes of jail crowding in recent years have included reactions by sentencing judges to prison crowding. Among the reasons for increased use of jails by sentencing judges is the determinate nature of sentences to jail as a condition of felony probation.
- Among legislative efforts to deal with jail crowding in 1987 were HB 2437 (state responsibility for incarceration of sentenced felons), HB 2554 (pre-trial release standards which consider risk of failure to appear or violent criminal conduct), and HB 2715 (sentencing guidelines which consider, among other factors, that efficient use of correctional resources requires use of the least restrictive appropriate criminal sanction necessary to achieve the purposes of the sentence.

ASSUMPTIONS

- Sentencing guidelines will be implemented for felons in 1989; A plan for misdemeanor guidelines will be developed and submitted to the legislature in 1989.
- Workload for the corrections system will be established by the guidelines.

RECOMMENDATIONS

- The Oregon Criminal Justice Council, and the Legislative Assembly should provide sentencing guidelines for both felons and misdemeanants. The guidelines should take into account the availability of local resources and guide the use of local resources.

- The distinction between felonies and misdemeanants should be refined based upon seriousness of the offense in terms of determining which correctional resources are appropriate for which offenses (as for example, in identifying resources for DUII offenders).
- Although sentencing guidelines should be used to determine the appropriate general sanction and the duration of the original sentence, they should allow for management of offender populations by objective (the objective being the gradual reduction in restrictiveness of the sanction based upon merit.)
- House Bill 2437 should be funded through the Community Corrections Act and the Act should be modified as follows:
  - The goals of the Act should be modified to include:
    - Use of the least restrictive appropriate form of supervision or criminal sanction necessary to achieve the purposes the supervision or sentence (so as to be consistent with HB's 2554 and 2715); and
    - Management of individuals who are supervised under the Act by objective - for the gradual reduction in restrictiveness of the sanction or service based upon the meritorious conduct of the individual.
- Funding for construction, renovation and operation of local correctional facilities should be made available through the Act;
- The penalty payback for commitment of Class C felons to the custody of the Corrections Department by participating counties [ORS 423.530(2)(a)] should be eliminated;
- Consistent with the goals of sentencing guidelines and the workload requirements as set by sentencing guidelines, sufficient flexibility should be provided to local counties, in consultation with local community corrections advisory committees, to develop programs that meet the corrections needs of the local community (including the use of the local jails);
- Rural counties should be encouraged to develop such regional correctional programs as may be appropriate to the circumstances of those counties;
- The Act should state, and policy makers should understand, that the level of local corrections programs will be reflective of the level of state funding; that funding must keep pace with inflation and any workload increases that may result from substantive law changes; and that adequate funding must continue in order to provide for an effective and credible corrections system; and
- The Community Corrections Act should be renamed to reflect a new dedication to its principals, as modified, and to avoid any stigma that may be associated with the manner in which administration of the existing Act has evolved;

Among the GOALS of the above recommendations are:

- To clarify and articulate which level of government should perform particular corrections functions;
- To eliminate the overuse of jails for convicted felons by enhancing the effectiveness of the Community Corrections Act;
- To dedicate funds obtained from compliance with HB 2437 to needed corrections programs;
- To provide a natural incentive to improve the effectiveness of local corrections programs by allowing sufficient flexibility to develop the programs that are needed locally and in which the local judiciary will have confidence; and
- To balance the desirability of an incentive to improve programs against the need for uniformity in the treatment of offenders and the need for equity and reliability in the funding of correctional programs.