

MULTNOMAH COUNTY OREGON

5/12/2009



FY 2010 Budget Worksession – Public Safety

Issues/Discussions/Findings

District Attorney's Office

Commissioner Kafoury – **AMENDMENT** Add back 3.00 Neighborhood DA's (Program 15018C \$114,928 1.00 FTE and Program 15018B \$271,729 2.00 FTE).

Department Community Justice

Follow-up with the Re-arrest information for adult offenders (like the graph on pg. 6).

THE IMPACT OF DCJ SERVICES AND CONTRACTS ON ARREST PATTERNS

Background: DCJ Quality Systems and Evaluation Services have conducted numerous program evaluations. Our primary concern in terms of these studies is the impact of programming on recidivism. Although the state uses a felony conviction within three years of starting supervision, we want to have some data that is closer to the actual delivery of the programming. This allows us to enhance and modify in a timely fashion. We use re-arrest as our measure of recidivism.

The table below illustrates the impact of DCJ programming & contracted services on future re-offending.

Programming/ Contacted Service	Number of arrests incurred prior to intervention	Number of arrests incurred post intervention	Percentage difference
Day Reporting Center	114	70	-39%
Londer Learning Center	272	113	-58%
DV Supervision Unit			
Overall arrests	310	107	-65%
DV criminal arrests	219	38	-83%
Restraining order violations	76	5	-93%
High Risk Drug Unit			
Arrests for drug crimes	313 274	98 85	-53% -69%
Outpatient A/D Treatment	358	287	-20%
Residential A/D Treatment	562	240	-57%

Should you have further questions regarding this research, do not hesitate to contact Charlene Rhyne at 988-4126.

Sheriff's Office

Follow-up – How to pursue operational procedures to improve safety of deputies while serving warrants.

MCSO – Contact: Captain Monte Reiser

On those occasions when a high risk felony warrant needs to be served, the Warrant Strike Team needs a minimum of 4 deputies. Prior to having a 4 deputy team the Warrant Team would contact the jurisdictional police district through BOEC and have police officers assist in the warrant service. Sometimes the Team would use SIU, detectives or other deputies working patrol to assist. While not as efficient, this provides an effective way of maintaining the safety on those occasions when high risk warrants are being attempted.

The Warrant Strike Team's success will be impacted with fewer staff to serve warrants and some measure of efficiency loss may occur when other jurisdictions are relied upon to provide cover. However, MCSO and the DA's office have met with PPB and GPD in early phases of creating the Warrant Strike Team and they have remained supportive of this program and willingly provide cover cars for high risk warrant service.

It has been suggested that the Warrant Service Task Force be completely cut. This is not a suggestion that the Sheriff's Office could support. It is unfortunate that the unit cannot be increased. To reduce the unit by ½ reduces the unit's ability to have a positive impact on Failure to Appear, Speedy Trial, and offender accountability to the judicial system. Elimination of the Strike Force all together eliminates any gains we have had on developing the credibility of the criminal justice system. Strike Team elimination would also jeopardize the current prosecution of Person to Person crimes.

Commissioner Shiprack – **AMENDMENT** – Fully fund the Warrant Strike Force (2.00 Deputies) – Program 60068B \$258,144.

Commissioner Cogen – **AMENDMENT** – Eliminate Program 60068A \$332,196 and 2.00 FTE and shift funding and FTE to the Special Investigations Unit (Program 60067A)

Follow-up – Work with other jurisdictions on shared funding for East County Booking/Gresham Temp Hold (Program 60033C).

The Corrections Division will follow up by meeting with the other jurisdictions to discuss their financial support of this program. We hope to have a preliminary discussion prior to budget adoption with a report back to the Board on their interest.

Follow-up – Send Jail Bed "cheat sheet" to BCC.

Change in Jail Beds - Total Vs Local Beds

Date	Total Beds	USM	Local
Jul 1 2008	1,539	125	1,414
Jul 1 2009	1,367	200	1,167

Net Change in Jail beds Between Fiscal Years	172
Net Change in Local beds Between Fiscal Years	247

Follow-up – Clarify legal restrictions on INS holds in our jails. Can we charge Federal Government for limited holds?

MCSO has a contract with the Bureau of Prisons (also known as the US Marshal Contract) to house federal prisoners. When a prisoner with a federal detainer placed on him/her is released from local charges he/she becomes a federal detainee and the USM pays a per diem rate of \$125 per bed day. Although the detainer may be a factor for holding an offender in jail, the presence of the local charge as the primary precludes the USM from accepting remand and control of the offender.

Assistant County Attorney Jacquie Weber provided us the following information:

- MCSO Records Unit provides an hourly report to INS of all persons booked which includes their country of birth.
- ICE has staff on site during day shift who interview inmates that ICE identifies from that list.
- Based upon the ICE interview, INS will place a detainer on the inmate.
- The detainer is good for 48 hours, excluding weekends and holidays
- The majority of these inmates are booked initially on a local charge. Therefore, they do not come within the contract provision below that would allow us to charge US Marshal's service.
- The CFR below may provide a basis for charging INS for the cost of holding on a detainer.

ORS 169.530 requires the sheriff to "receive and keep in the county local correctional facility every prisoner who is committed thereto under civil or criminal process issued by a court of the United States." An INS hold is not a civil or criminal process by a US Court. It is a detainer issued by an authorized immigration officer, so there is no state law obligation to maintain a person in custody on an INS hold once local charges are taken care of.

Federal law states that we must continue to hold under a detainer for 48 hours, excluding weekends and holidays, and subsection (e) appears to state that the Department of Immigration and Naturalization can be fiscally obligated to pay the county for temporary detention under section (d). (See 8 CFR § 287.7 Detainer provisions under section 287(d)(3) of the (immigration and naturalization)Act.)

How much savings did the MCSO exempt and Local 88 merit/cola freeze generate?

The \$1.5 million dollar number referred to by the CBAC in their report was taken from the Budget Office's FY 2010 budget summary table which lists "Wage Freeze and COLA Adjustments (\$1,497,896)". The source of these numbers are as follows:

Difference between 4% COLA budgeted in Personal Cost Planning and 2.8% actual	\$686,562
2.8% COLA & Wage Freeze from Exempt/Management	\$312,209
2.8% COLA & Wage Freeze from Local 88	\$499,125
Total	\$1,497,896

Both exempt and Local 88 employees GF COLA Freeze savings added together total \$811,334. Commissioner Kafoury's question that no positions were added back to the Sheriff's Office as a result of the COLA and wage freeze is correct.

Follow-up Worksession to discuss Turn Self In (TSI) program.

The TSI program will be part of the Wednesday May 20th FY10 budget Worksession.

Commissioner McKeel – **AMENDMENT** – Restore Special Investigations Unit (SIU) (Program 60067A \$659,190 and 5.00 FTE).