

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Establishment of a Jail Population	}	RESOLUTION
Management Plan for the		
Multnomah County Detention Center		

98 -1

WHEREAS, on November 7, 1997, Judge Redden terminated the federal consent decree which had limited population at MCDC to 476; and

WHEREAS, on August 7, 1997, the Board of County Commissioners adopted Resolution 97-159, which limited the maximum number of inmates at MCDC to 476 based upon what the physical plant could handle and house at that time; and

WHEREAS, as a result of retrofitting designated cells at MCDC, an additional 254 beds will be available at that facility effective January 1, 1998; and

WHEREAS, 24 hour classification will begin January 1, 1998 so inmates can be properly classified before they are placed in a facility; and

WHEREAS, additional staffing will address safety and security issues resulting from the addition of these beds; and

WHEREAS, the District Attorney, Sheriff and County Counsel are recommending that the maximum number of inmates housed at MCDC be increased; now therefore

IT IS RESOLVED that pursuant to ORS 169.044 the population limit at MCDC shall be 676, effective February 07, 1998; and

IT IS FURTHER RESOLVED that the population increase from 476 to 676 shall be phased in over six weeks according to the following schedule:

- January 10, 1998 – a population limit of 546
- January 24, 1998 – a population limit of 616
- February 07, 1998 - a population limit of 676

IT IS FURTHER RESOLVED that if the number of inmates housed at MCDC exceeds the population limit in the schedule above then a county jail population emergency will exist; and

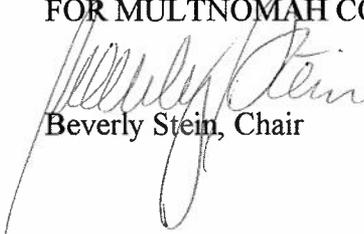
IT IS FURTHER RESOLVED that the Capacity Management Action Plan incorporated in Resolution 97-159 as Exhibit A be amended to change the population limit from 476 to 676; and

IT IS FURTHER RESOLVED that the Sheriff, or his designee, will implement the amended Capacity Management Action Plan in the event of a county jail population emergency.

APPROVED this 8 day of January 1998.

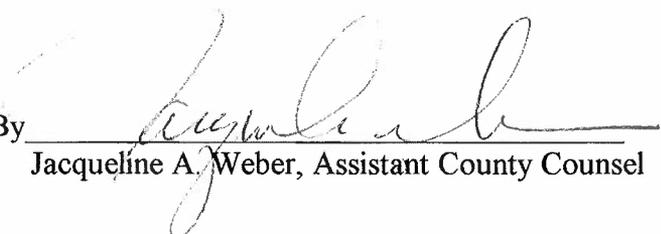


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Beverly Stein, Chair

REVIEWED:

THOMAS SPONSLER, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

By 

Jacqueline A. Weber, Assistant County Counsel

Capacity Management Action Plan

MCDC Facility Capacity *676

* The transfer area TH1-5 may be used to house up to 31 in-transit inmates (persons due to be released or transferred out the next day). The in-transit inmates housed in Transfer Holding area are not counted in the facility capacity.

General Statement

A county jail population emergency shall exist if the facility population exceeds the facility's designated capacity at the hourly counts beginning at 1900 hours on weekdays and 1400 hours on Saturday, Sunday, and court holidays. When a jail population emergency exists the Sheriff may initiate the Capacity Management Action Plan so that the facility's population would be reduced to between 95% and 100% of the capacity at 0400 hours. This action plan would implement the facility screening and scoring criteria, using the primary charge categories listed below, and the attached criteria on both new admissions and the existing inmate population. Screened inmates with the lowest scores (unless there is an override) may be released to bring the facility population down to between 95% and 100% of the capacity at the 0400 hour count. Persons released in this process may be conditionally released.

Primary Charge Categories and Scores

The categories apply equally to sentenced offenders, unsentenced offenders, and offenders held pursuant to warrants. The event of multiple charges pending against a single inmate, the most serious charge shall determine the inmate's primary charge category. However, unsentenced offenders may be released for population reasons before sentenced offenders with a lower score until an unsentenced inmate reaches a predetermined score set by the Sheriff based on efficient use of the county correctional system. Also, in the interests of efficient use of the county correctional system, the Sheriff may release one gender with higher scores, if releasing the other gender with lower scores would only make available beds that would not be filled because there are no gender appropriate inmates waiting to be housed or no gender appropriate inmates classified for housing at the available bed.

***Charge Categories with Primary Scores**

- Group I: Ordinance / Violations (7 points)**
- Group II: Class C Misdemeanors (7 points)**
- Trespass II
- Group III: Class B Misdemeanors (Nonviolent) (7 points)**
- Group IV: Class B Misdemeanors (Violent) (7 points)**
- Carrying a Concealed weapon
 - Harassment
 - Discharge of a Firearm in the City (Ordinance)
- Group V: Major Traffic Misdemeanors (14 points)**
- (excluding DUII and Attempt to Elude)
- Group VI: Class A Misdemeanors (Nonviolent) (14 points)**
- Prostitution
 - Theft II
 - Trespass I
 - Contempt/Civil Warrants
- Group VII: Class C Felony (Nonviolent) (20 points)**
- Theft/Forgery I
 - Parole Violation Sanction
 - Failure to Appear I
 - Possession of a Controlled Substance I/II
 - Menacing
 - Felony Driving While Suspended
- Group VIII: Class A Misdemeanors (Violent) (25 points)**
- Resisting Arrest
 - Assault IV
 - Sex Abuse III
 - Criminal Mischief II
 - Attempting to Elude (Car or Boat)
 - Obscene Material to a Minor
 - Armor Piercing Bullets
- Group IX: Class B Felony (Nonviolent), Traffic Felonies, DUII (31 points)**
- (excluding Felony Driving While Suspended)
 - Attempted Delivery of a controlled Substance I/II

Group X: Class C Felonies (Nonviolent) (35 points)

- Unauthorized Use of a Motor Vehicle
- Delivery of Controlled Substance I/II
- Manufacturing of a Controlled Substance I/II
- HB 3488 Offenses (if passed)

Group XI: Class C Felonies (Violent) (50 points)

- Burglary I
- Escape II
- Assault, Kidnap, Rape, Robbery III
- Arson II
- Coercion
- Sex Abuse II
- Promoting Prostitution
- Ex-Convict in Possession of a Firearm

Group XII: Class B Felonies (Violent) (80 points)

- Negligent Homicide (Class C Felony)
- Custodial Interference I
- Child Neglect
- Theft by Extortion
- Compelling Prostitution

Group XIII: Class A Felony (Violent) (135 points)

- Arson I
- Unlawful Racketeering
- Escape I

Group XIV: Measure 11 Charges (150 points)

- Murder, Attempt, and Conspiracy
- Manslaughter I/II
- Assault I/II
- Kidnap I/II
- Rape I/II
- Sodomy I/II
- Unlawful Sexual Penetration I/II

Group XV: Holds (300 points)

- USM, USI, Armed Forces
- Escape, Institutional Leave
- Parole
- Fugitive
- Material Witness

*The offenses bulleted under categories are added as examples only.

Violent Charges;

Examples of violent charges:

Person to person crimes (Assault, Robbery, Rape, etc.) Firearms,
Explosives, Arson, Sex Abuse, Harassment, Menacing, Resisting Arrest.

Other Considerations:

The Sheriff may alter the order of the above criteria on an individual basis by taking into account the following factors known to him concerning the inmate:

propensity for violence,
history of arrests or convictions,
parole or probation revocations,
other county holds,
failure to appear,
failure to comply with sentencing orders,
violation of release conditions,
institutional behavior or classification,
mental or physical condition that may result in danger to self or others,
and the inability to care for self or others.

Note: Inmates held for any of the following reasons receive special consideration in the above process:

- Domestic Violence: Initially excluded until individual consideration and victim contact.
- Sex Abuse: Excluded unless no past history, victim is known to the inmate, victim (guardian) does not object to release, and victim does not live with the inmate.
- Gang member with charges involving firearms: Excluded
- Burglary where household members are in home, or weapon is involved: Excluded

Notice and Action:

At the initial occasion that the population reaches 100% of the designated capacity during the designated count times the Sheriff will give notice in accordance with ORS 169.046.

AND

The Sheriff will initiate the Capacity Management Plan as noted above.