

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 08-165

Accepting the Final Report of the Permanent Work Group to Advise the County Commission on Jail Policies and Procedures

The Multnomah County Board of Commissioners Finds:

- a. Resolution 06-196 created the Permanent Work Group to Advise the County Commission on Jail Policy and Procedures (Work Group). The Work Group was formed to assist the Board in its legal oversight functions, commencing on December 1, 2006.
- b. District Attorney Michael D. Schrunk led the Work Group and conducted regular meetings. Subcommittees were established by him as follows:
 - Financial Subcommittee – Ted Wheeler, Multnomah County Chair;
 - Staffing and management Subcommittee – United States Attorney Karen Immergut and District Attorney Michael D. Schrunk, Co-Chairs;
 - Medical and Mental Health Subcommittee – Commissioner Lisa Naito, Chair;
 - Grand Jury Concerns Subcommittee – Sandra McDonough, Chair;
- c. The Members of the Work Group were:
Michael D. Schrunk, District Attorney, Multnomah County;
Lisa Naito, Multnomah County Commissioner;
Max Williams, Director, Oregon Department of Corrections;
Ted Wheeler, Chair, Multnomah County Board of County Commissioners;
Karin Immergut, United States Attorney;
Jeff Cogen, Multnomah County Commissioner;
Sandra McDonough, President and CEO, Portland Business Alliance;
Carla Piluso, Chief, Gresham Police Department;
Mayor Mike Weatherby, City of Fairview;
Jeffrey Thomas, Warden, Sheridan Federal Corrections Institute;
Dick Inukai, President, Dick's MacKenzie Ford;
Lillian Shirley, Director, Multnomah County Health Department;
Sgt. Phil Anderchuk, Sergeant, Multnomah County Sheriff's Office, President, Multnomah County Corrections Deputies Association;
Bret Smith, Assistant Chief, Portland Police Bureau;
Jimmy Brown, Portland Water Bureau;
Chris Hoy, Corrections Captain, Clackamas County;
David Rogers, Executive Director, Partnership for Safety and Justice;
Dave Shields, Director, Mt. Hood Community College District Board of Education;

- d. The District Attorney issued the attached final report of the Work Group on October 27, 2008.

The Multnomah County Board of Commissioners Resolves:

1. The final report of the Work Group is accepted with gratitude.
2. The leadership of District Attorney Michael D. Schrunk is commended and his work is greatly appreciated by the Board.
3. The work of the subcommittee leaders and members of the Work Group is appreciated. The Board thanks them for their many hours of service for improved conditions of confinement, increased financial oversight of the jails and advocacy for public safety.
4. The County will build upon and continue to implement the recommendations of the final report. The County has hired a Deputy Chief of Public Safety to carry on the work of the committee.

ADOPTED this 18th day of December 2008.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Agnes Sowle, County Attorney

SUBMITTED BY:
Commissioner Lisa Naito, District 3



Michael D. Schrunk, District Attorney

1021 SW Fourth Avenue, Room 600
Portland, OR 97204-1193
Phone: 503-988-3162 Fax: 503-988-3643
www.co.multnomah.or.us/da/

Ted Wheeler, County Chair
Maria Rojo de Steffey, Commissioner District 1
Jeff Cogen, Commissioner District 2
Lisa Naito, Commissioner District 3
Lonnie Roberts, Commissioner District 4
501 SE Hawthorne, Suite 600
Portland, Oregon 97214

Final Report to the Board of County Commissioners October 27, 2008

On November 30, 2006, the Board of County Commissioners established the *Permanent Work Group to Advise the County Commission on Jail Policies and Procedures in Multnomah County* and seventeen people were appointed to serve for a one-year period. Another member was added later, bringing the total members to eighteen. On December 20, 2007, the Board re-established the *Permanent Work Group* and eighteen people were reappointed to serve for a one-year period. Eight meetings were held in 2007 and four meetings were held in 2008. By resolution the *Permanent Work Group* was to submit periodic reports to the Board. This is the sixth report to the Board, the second report of 2008, and the final report to the Board by the *Permanent Work Group to Advise the County Commission on Jail Policies and Procedures*.

The original resolution of the Board gave the committee the authority to look into three areas:

1. Conditions and operations of the jails;
2. Recommendations of annual Corrections Grand Juries;
3. Review union negotiations and make recommendations to the Board.

At the first meeting on January 22, 2007, the District Attorney established four subcommittees to look at recommendations contained in the District Attorney's *Independent Review of Policies and Procedures of Correctional Facilities Operated by the Multnomah County Sheriff's Office*. The subcommittees were:

- Financial Subcommittee - Ted Wheeler, Chair;
- Staffing and Management Subcommittee - Karen Immergut and Mike Schrunk, Co-Chairs;
- Medical and Mental Health Subcommittee - Lisa Naito, Chair;
- Grand Jury Concerns Subcommittee - Sandra McDonough, Chair;

Members of the full committee were initially given an overview of current jail operations and concerns, a summary of the District Attorney's *Independent Review of Policies and Procedures of Correctional Facilities Operated by the Multnomah County Sheriff's Office*, and tours of the two Multnomah County correctional facilities.

During 2007, the committee concentrated on the Post Factor Study to establish staffing levels, monitoring of sick time patterns, and the 2006 Corrections Grand Jury Report. Individual subcommittees concentrated on the following issues:

Financial Subcommittee

- Wapato - opening of facility tabled at this time;
- Senate Bill 1145 – The County should continue to review the impacts of SB 1145. At the present time, it is not feasible to return those functions to the State. This is not just a question of costs, but rather, a question about the services provided to people who live in our community. Per County Counsel, there is a legal question whether the proper basis exists to opt out;
- U.S. Marshall and juvenile detention contracts - re-negotiations have resulted in higher payments to the county and explicit language regarding purchase of deliverables;
- Staffing patterns - endorsement of staged implementation of completed Post Factor Study;
- Monitor and control comp, overtime, and sick leave use - An electronic monitoring system is in place and individual use patterns are being tracked.

Staffing and Management Subcommittee

- Work force management practices and costs - Reconfiguration of existing facilities recommended utilizing resources in a more cost efficient manner. Implement post factor recommendation regarding management practices. Add a financial component to the Oregon State Sheriff's Association jail review of standards to enhance accountability;
- Supervision practices - The manner in which matrix releases are determined was reviewed and a systems population cap was adopted. Sick leave language has been changed to monitor use;
- Monitor and control comp, overtime and sick leave use - Contractual language has been changed to cap yearly comp time accumulation to 96 hours;
- Evidence based classification system - An objective based classification system has been suggested after study and input by the National Institute of Corrections.

Medical/Mental Health Subcommittee

- Examination of the three major health delivery systems - After reviewing all options, the final recommendation of the subcommittee is to retain county-run services;
- Review procedures to mitigate costs of mental health and high medical needs inmates - A procedure is now in place to review and release, when possible, high cost medical needs/low risk inmates;
- Better manage staff's use of leave and overtime - A follow-up audit of Corrections Health Services from March of 2007 found a decrease in the amount of sick time used and better management of overtime hours.

Grand Jury Concerns Subcommittee

- Pretrial Supervision programs - Close Street Supervision is again an active pretrial program;
- Coordination between the Sheriff's Office and Parole and Probation Services has been enhanced with the establishment of the Deputy Chief of Public Safety position;
- A facility based work release program at the Multnomah County Detention Center has been proposed and plans have been outlined to establish the program;
- Offender re-entry using evidence based practices is currently being explored by a team from the Board, the Sheriff's Office, and the Department of Community Justice;
- Jail programs and referral services - Proposed that community programs gather and supply information on the outcomes of jail referrals.

The committee has met primarily as a full group since January of 2008. One of the group's recommendations was that an independent jail manager be hired, the same recommendation that was made by the 2007 Corrections Grand Jury. In April of 2008, Chair Wheeler announced that Peter Ozanne had been hired as the Deputy Chief of Public Safety. This position would not have operational authority for the jails, but would take an overall look at the public safety system and would report to the Chair and staff assistant, Bill Farver.

The *Permanent Work Group* was involved in exploring options to open Wapato. This discussion involved a team effort by the Board of County Commissioners, the Sheriff's Office, the District Attorney's Office, the Corrections Deputy Union, and the Department of Community Justice to design a plan that would allow a mix of treatment and jail beds at Wapato. The work group was also a part of a county discussion regarding the potential for a law enforcement levy. It was determined that timing was not optimal for passage of a levy but there will be consideration for a future levy.

In September 2008 Commissioner Lisa Naito suggested that with the hiring of a Deputy Chief of Public Safety, the change in Sheriff, the progress by the Sheriff's Office and

the presence of the Corrections Grand Jury, there was no longer a need for the *Permanent Work Group*. Chair Wheeler agreed with this assessment and in the near future a resolution will be offered to abolish the work group.

As the *Permanent Work Group* reflects on past issues, ongoing concerns, and future correctional needs, it is our hope that the following items stay at the forefront of the Board and Sheriff's Office priorities:

- Implementation of the Post Factor recommendations;
- Implementation of an objective based classification system;
- Continued monitoring of leave usage and contractual change to enhance all deputies' ability to utilize vacation leave;
- Pro-active recruitment of deputies for entry positions and mentoring of existing staff to ensure strong leadership candidates in the future;
- Opening of the Wapato facility with a blend of jail and treatment beds;
- Establishment of a facility based work release;
- Continued work on transition/re-entry to link jail programming with ongoing community services.
- Continued oversight of medical costs and monitoring of medical delivery model.
- Continued movement towards direct supervision at the Multnomah County Detention Center.