

**Minutes of the Board of Commissioners
Multnomah Building, Board Room 100
501 SE Hawthorne Blvd., Portland, Oregon
Thursday, November 18, 2014**

BOARD BRIEFING

Chair Deborah Kafoury called the meeting to order at 10:06 a.m. with Commissioners Jules Bailey and Judy Shiprack present. Vice-Chair Diane McKeel and Commissioner Loretta Smith were excused.

Also attending were Jenny Madkour, County Attorney, and Marina Baker, Assistant Board Clerk.

[ALL CAPS TEXT IS THE BYPRODUCT OF CAPTIONING THIS PROGRAM.]

Chair Kafoury: GOOD MORNING, EVERYONE, AND WELCOME TO THE JUSTICE REINVESTMENT BRIEFING. WHO DO WE HAVE KICKING US OFF THIS MORNING?

B.1 Multnomah County Justice Reinvestment Briefing. Sponsor: Commissioner Judy Shiprack, District 3. **Presenters:** Abbey Stamp, Executive Director, Local Public Safety Coordinating Council; Suzanne Hayden, Executive Director, Citizens Crime Commission; Linda Yankee, Chief Deputy, Multnomah County Sheriff's Office; Ginger Martin, Deputy Director, Department of Community Justice; Caroline Wong, Deputy District Attorney; Nan Waller, Presiding Multnomah County Judge; Lane Borg, Executive Director, Metropolitan Public Defenders; David VanSpeybroeck, Attorney, Sussman Shank LLP.

Ms. Stamp: ABBEY STAMP, EXECUTIVE DIRECTOR OF THE LOCAL PUBLIC SAFETY COORDINATING COUNCIL. WE HAVE QUITE A FEW FOLKS HERE FROM OUR STEERING COMMITTEE. I KNOW YOU KNOW THESE FACES WELL. BEFORE I INTRODUCE FOLKS, LET ME TELL YOU ABOUT WHAT WE'RE GOING TO COVER FOR YOU THIS MORNING. WE'RE GOING TO GO VERY BRIEFLY OVER A POWER POINT PRESENTATION THAT HAS BEEN PROVIDED TO ALL OF THE JURISDICTIONS WITHIN MULTNOMAH COUNTY. IN ADDITION TO BRIEFING ALL OF YOU INDIVIDUALLY, WE BRIEFED ALL OF THE CITY COMMISSIONERS INDIVIDUALLY, CITY COUNCIL AS A WHOLE, TROUTDALE, FAIRVIEW, AND GRESHAM, AND WE'VE ALSO REACHED OUT TO WOOD VILLAGE AS WELL. SO WHAT WE WANT TO DO IS MAKE SURE EVERYBODY HAS THE SAME INFORMATION, AND THIS IS ANOTHER OPPORTUNITY TO DO THIS. AND ABOUT -- AT THE VERY END OF THE PRESENTATION I'M GOING TO HAVE GINGER MARTIN FROM THE DEPARTMENT OF COMMUNITY JUSTICE TALK ABOUT WHAT THEY'RE SEEING IN THE PROFILE OF THE OFFENDERS ON SUPERVISION, AND WHAT SORTS OF SERVICES AND REFERRALS HAVE HAPPENED THROUGH THE

DEPARTMENT IN ORDER TO KEEP FOLKS IN THE COMMUNITY AND KEEP THE COMMUNITY SAFE. THEN WE HAVE TIME TO JUST DISCUSS OUR WORK IN GENERAL AS A STEERING COMMITTEE AND OF COURSE WE ALL CAN STEP BACK AND GIVE THE FOLKS WHO ARE THE EXPERTS IN THEIR AREAS TIME TO ANSWER QUESTIONS THAT YOU MAY HAVE.

SO JUST TO QUICKLY INTRODUCE FOLKS WHO ARE HERE, WITH PRESIDING JUDGE NAN WALLER, CHIEF DEPUTY LINDA YANKEE FROM THE MULTNOMAH COUNTY SHERIFF'S OFFICE, DISTRICT ATTORNEY ROD UNDERHILL, EXECUTIVE DIRECTOR OF METRO PUBLIC DEFENDERS LANE BORG AND CHAIR OF THE STEERING COMMITTEE, SUZANNE HAYDEN, EXECUTIVE DIRECTOR OF CRIME COMMISSION, GINGER MARTIN, DEPUTY DIRECTOR OF DEPARTMENT OF COMMUNITY JUSTICE, AND CAROLYN WONG FROM THE DISTRICT ATTORNEY'S OFFICE. AND I SAW OUR PROJECT MANAGER IN THE BACK. AND LAUREN BROWN HAVE BEEN VERY ACTIVE ON OUR DATA SUBCOMMITTEE, WHICH HAS BEEN CRITICAL IN HOPING US GET THE INFORMATION WE NEED TO MAKE SURE THAT OUR PROGRAM IS ROLLING OUT NICELY, AND GETTING THE RESULTS WE WANT. SO WITH, THAT I'M GOING TO GO AHEAD AND GO THROUGH THIS. I APOLOGIZE IF SOME OF THIS SEEMS QUITE SIMPLE AND REPETITIVE, BUT THE INTENT IS TO MAKE SURE THAT EVERY ELECTED OFFICIAL IN EVERY JURISDICTION IN THE COUNTY HAS THE SAME INFORMATION. SO THIS IS WHAT WE'VE PRESENTED. SO WHAT IS JUSTICE REINVESTMENT, YOU MIGHT ASK? JUSTICE INVESTMENT SEEKS TO PROVE PUBLIC SAFETY BY REDUCING THE SPENDING ON INCARCERATION IN ORDER TO REINVEST SAVINGS IN EVIDENCE-BASED STRATEGIES THAT DECREASE CRIME. AND THE GOALS OF THE JUSTICE REINVESTMENT PROGRAM, THERE IS A FORMULA WHICH ARE THE SENTENCING CHANGES OUTLINED IN HOUSE BILL 3194, PLUS A REDUCTION IN RECIDIVISM WILL INCREASE PUBLIC SAFETY AND POTENTIALLY WE SEE DECREASING PRISON GROWTH. SO THE MONEY NOT SPENT ON PRISON COSTS IS INVESTED LOCALLY AS YOU WELL KNOW AS WE'VE COME TO YOU PREVIOUSLY TO TALK ABOUT THIS FUNDING AND HOW TO BEST UTILIZE IT TO SUPPORT OUR COMMUNITY.

SO PRISON AND HOUSE BILL 3194. AS I KNOW YOU'RE AWARE, THE OREGON CORRECTIONS POPULATION FORECAST ANTICIPATED BUILDING AND OPERATING A NEW PRISON AT A COST OF \$6 MILLION OVER A 10-YEAR PERIOD. AND IN ORDER TO PREVENT THAT FROM HAPPENING, HOUSE BILL 3194 WILL REDUCE PRISON GROWTH BY REDUCING THE PRISON SENTENCES ONSETTER DRUG AND PROPERTY OFFENSES AND INCREASING OUR FUNDING LOCALLY TO BE ABLE TO SUPERVISE FOLKS HERE IN OUR COMMUNITY. THE GRANT PROGRAM ADMINISTERED BY THE OREGON CRIMINAL JUSTICE COMMISSION ENABLES EACH COUNTY LPSCC TO APPLY FOR JUSTICE REINVESTMENT FUNDS. AND THE GOALS OF THAT ACCOUNT OF COURSE ARE TO REDUCE RECIDIVISM, PROTECT THE PUBLIC SAFETY, CONTROL PRISON GROWTH, AND PROVIDING FUNDING FOR COMMUNITY-BASED SANCTIONS, SERVICES, AND SUPERVISION. JUST LIKE THE FOLKS I INTRODUCED YOU TO A

MINUTE AGO, ALL OF THESE DIFFERENT INTERSECTING CIRCLES ILLUSTRATE THE DIFFERENT PARTNERS WHO HAVE BEEN PARTICIPATING NOW FOR ALMOST TWO YEARS TO CREATE THE MULTNOMAH COUNTY JUSTICE REINVESTMENT PROGRAM, WHICH IS THE COLLABORATIVE FRAMEWORK FOR THIS INFORMED DECISION MAKING PROCESS.

THIS IS A VERY SIMPLIFIED VERSION OF THE PROGRAM ITSELF. AND THE REASON THOSE RED BOXES ARE HIGHLIGHTED IS WHERE THE CHANGE REALLY HAPPENED. PREVIOUSLY, WHEN WE'VE COME TO YOU BEFORE, WE'VE DISCUSSED THE ADJUDICATION PROCESS FOR CRIMINAL CASES IN THE ADULT SYSTEM. AND WHAT HAPPENED IS TRADITIONALLY WHEN AN OFFENDER IS PLACED ON SUPERVISION IN THE DEPARTMENT OF COMMUNITY JUSTICE, THE OFFENDER WHEN THEIR CASE HAS BEEN DISPOSED SECOND DEGREE GIVEN A RISK AND NEEDS ASSESSMENT, AND THAT DETERMINES WHAT LEVEL OF SUPERVISION, WHAT KIND OF TREATMENT, WHAT KIND OF SERVICES, AND HOW INTENSELY TO SUPERVISE EACH INDIVIDUAL OFFENDER ONCE THEY'RE PLACED ON PROBATION. BUT THAT DIDN'T HAPPEN UNTIL THE CASE WAS COMPLETELY DISPOSED. AND A SENTENCE WAS DETERMINED, POTENTIALLY PRISON PLUS PROBATION OR JUST PROBATION. WHAT THIS SYSTEM DOES IN THIS MCJRP PROGRAM MOVES THAT ASSESSMENT PRIOR TO SENTENCING. SO WHEN AN OFFENDER IS TAGGED OR LABELED AS HOUSE BILL 3194 OR MCJRP ELIGIBLE THROUGH THE DISTRICT ATTORNEY'S OFFICE, A WHOLE PROCESS KICKS IN TO GEAR. WE CAN TALK MORE ABOUT THE SPECIFICS IF YOU'RE INTERESTED.

SO THIS RISK AND NEEDS ASSESSMENT IS CONDUCTED PRIOR TO SENTENCING AND ALL OF THE PARTIES ON THE CASE, INCLUDING THE JUDICIARY, GET THIS RISK AND NEEDS PROFILE AND INFORMATION ON THE OFFENDER TO HELP DETERMINE WHAT WOULD BE THE BEST OUTCOME IN AN INFORMED WAY TO KEEP THE COMMUNITY SAFE AND ALSO BE WARY AND CAUTIOUS ABOUT THE UTILIZATION OF PRISON BEDS. SO ALL OF THESE MCJRP ELIGIBLE OFFENDERS GET ACROSS THE BOARD 120 DAYS OF INTENSIVE SUPERVISION. SO THAT IS ONE WAY WE CAN ENSURE THAT FOLKS STAY SAFE IN OUR COMMUNITY, IS THAT THEY ARE GIVEN THIS INTENSIVE LEVEL OF SUPERVISION FOR AT LEAST 120 DAYS. I'M GOING TO HAVE GINGER COME UP AND ADD SOME OF THIS DISCUSSION. SO ONE YEAR PRIOR TO LAUNCH, AND WE LAUNCHED IN JULY 1st OF THIS PAST YEAR OF 2014, WE PULLED A NUMBER OF OFFENDERS THAT WOULD HAVE BEEN ELIGIBLE FOR MCJRP WOULD IT HAVE BEEN IN PLAY IN 2013 TO GET A SENSE OF WHAT ARE THE CHARACTERISTICS OF THIS OFFENDER POPULATION, SO AS WE BUILD PROGRAMS AND SERVICES WE WOULD NEED TO KNOW WHAT WE WOULD BE RESPONDING TO. WHAT YOU'RE SEEING HERE IS POTENTIALLY A SINGLE MALE PRESUMPTIVE PRISON, HAS CHILDREN AND AS JUDGE WALLER KEENLY NOTES MAY NOT BE PARENTING THEIR CHILDREN. HAS A HIGH SCHOOL EDUCATION OR LESS, MONTHLY INCOME LESS THAN \$1,000, OFTEN ON PUBLIC ASSISTANCE, HOUSING IS NOT STABLE, A HISTORY OF DRUG

CONVICTION, AND RELIES ON PUBLIC TRANSPORTATION. AND SO WHAT GINGER HAS DONE WITH THE DEPARTMENT OF COMMUNITY JUSTICE IS LOOK AT THE CURRENT PROFILE OF THE OFFENDER NOW THAT WE HAVE FOLKS ON THE ELIGIBILITY AND RECEIVING SERVICES OF WHAT THE LANDSCAPE OF THOSE OFFENDERS ARE.

Ms. Martin: GOOD MORNING, CHAIR KAFOURY, MEMBERS OF THE BOARD, I'M GINGER MARTIN. SO THE PROFILE THAT YOU SEE THERE THAT WE -- THAT'S BASED ON A LOOK BACK IS ACTUALLY PRETTY CLOSE TO WHAT WE'RE SEEING IN THE ACTUAL PEOPLE THAT ARE PARTICIPATING IN THE PROGRAM. WE CAPTURE A LOT OF INFORMATION ABOUT PEOPLE IN THE ASSESSMENT PROCESS, AND IN ASSESSING CRIMINAL RESPECTERS. THERE ARE RISK FACTORS. THERE ARE 28 PEOPLE CURRENTLY ON INTENSIVE SUPERVISION, SO WE'RE VERY EARLY IN IMPLEMENTATION, THERE ARE SEVERAL HUNDRED PEOPLE IN THE QUEUE, BUT 28 OF THEM HAVE NOW BEEN PLACED ON PROBATION AND ARE BEING INTENSIVELY SUPERVISED. THEY ARE MOSTLY DRUG AND PROPERTY CRIMES, AND THEY WERE PRESUMPTIVE PRISON SENTENCES DEPARTED DOWNWARD TO PROBATION, MOSTLY THOSE KINDS OF CRIMES. THEY ARE PREDOMINANTLY MALE, AND ABOUT 40% OF THEM HAVE CHILDREN UNDER 18.

WE ANTICIPATED UNSTABLE HOUSING IN THIS GROUP AND WE FIND THAT ABOUT HALF OF THEM ARE HOUSING ISSUES. THEY AVERAGE THREE PREVIOUS FELONY CONVICTIONS SO THESE ARE IN GENERAL NOT FIRST-TIME OFFENDERS. AND THEY ARE ABOUT 71% HIGH OR VERY HIGH RISK TO REOFFEND ON OUR RISK ASSESSMENT TOOL. THAT'S NOT SURPRISING BECAUSE WE'RE LOOKING AT A GROUP OF PEOPLE WHO ARE EITHER REPEATING PROPERTY CRIMES OR DRUG CRIMES, AND THESE ARE THE HIGHEST OFFENDER GROUPS WE WORK WITH. ABOUT A THIRD OF THEM RELY ON PUBLIC TRANSPORTATION. WE'RE FINDING ABOUT 5% OF THEM TO HAVE A MILITARY SERVICE HISTORY, ABOUT A QUARTER WITH MENTAL HEALTH ISSUES, AND ABOUT 13% WHO HAVE ALSO HEALTH PROBLEMS. IN TERMS OF WHERE -- WHAT KINDS OF SERVICES THEY'RE BEING REFERRED TO, ABOUT HALF OF THEM HAVE HOUSING ISSUES AND WE HAVE REFERRED OF THE 24 THAT I HAVE INFORMATION ON, FIVE OF THOSE TO HOUSING AND 11 OF THOSE TO RESIDENTIAL TREATMENT. SO MORE THAN HALF ARE BEING SERVED IN SOME WAY BY A STABLE HOUSING OPTION. 19 OF THE 24 WERE REFERRED TO ALCOHOL AND DRUG TREATMENT. EIGHT OF THEM REFERRED FOR A MENTOR, AND A COUPLE OF THEM REFERRED FOR EDUCATION SERVICES FOUR OF THEM REFERRED FOR COGNITIVE INTERVENTION KINDS OF THINGS. IN TERMS OF THE DOLLARS, SERVICE DOLLARS THAT WE ARE INVESTING TO TAKE CARE OF THE MCJRP CLIENTS, THE THREE MAJOR INVESTMENTS ARE IN PEER MENTORS, IN ALCOHOL AND DRUG TREATMENT, AND IN ALCOHOL AND DRUG-FREE HOUSING. SO WE'RE SEEING A NEED FOR ALL OF THOSE KINDS OF SERVICES. AND THAT IS PRETTY MUCH WHAT I KNOW ABOUT OUR 24 PEOPLE SO FAR.

Commissioner Bailey: DO YOU TRACK RACIAL STATISTICS?

Ms. Martin: YES, WE DO. AS OF SEPTEMBER 30th, 25% WERE AFRICAN-AMERICAN, 1% ASIAN, 14% HISPANIC, AND 58% WHITE IN THE GROUP.

Ms. Stamp: ANY OTHER QUESTIONS FOR GINGER? OK. THIS ILLUSTRATION YOU HAVE IS ACTUALLY SOMETHING THAT SUSANNE CAME UP WITH IN TERMS OF DESCRIBING THE TARGET POPULATION. THEY'RE OFFENDERS THAT WILL GO TO PRISON AND OFFENDERS THAT WILL BE ON PROBATION. WE'VE CREATED A BIGGER BUBBLE TO ASSESS AND TEASE OUT FOR A CERTAIN NUMBER OF OFFENDERS WHETHER PROBATION, INTENSIVE SUPERVISION IS GOING TO BE A BETTER OPTION AND MORE APPROPRIATE THAN PRISON. SO THAT IS WHAT THE ASSESSMENT DOES IS HELP US DETERMINE WHICH PATHWAY IS GOING TO BE THE MOST EFFICIENT AND THE MOST EFFECTIVE IN THE STATE; AND THE SAFEST. LAST SLIDE FOR YOU IS WHAT WE ARE HOPING IS TO HAVE SOME TAKE-AWAY, PARTICULARLY FOR JURISDICTIONS THAT MIGHT NOT BE AS STEEPED IN THIS WORK AS WE ALL ARE, BUT THAT PUBLIC SAFETY COMES FIRST, AND WE'RE HOPING THAT MORE INFORMED SENTENCING AND SUPERVISION OF AN EXISTING POPULATION BUT SUPERVISING THEM EARLIER, BEFORE AN INCARCERATION SENTENCE, IS GOING TO BE SOMETHING THAT IS WISE AND SOMETHING THAT KEEPS OUR SAFE -- OUR COMMUNITY SAFE AND HAS A SMART STEWARDSHIP OF PUBLIC DOLLARS.

WE'VE ALSO BEEN COLLABORATING AND DISCUSSING WITH THE TREATMENT COMMUNITY, AND WONDERING, ACQUIRING ABOUT HOW HEALTH CARE TRANSFORMATION AND USING BETTER INFORMATION AND BETTER SCIENCE AND JUSTICE REINVESTMENT DOLLARS CAN GET BETTER OUTCOMES FOR THE SAFETY OF THE COMMUNITY FOR REHABILITATION OF OFFENDERS AND FOR ALL OF US HERE AT THE TABLE SEEKING TO DO A BETTER JOB. AND OF COURSE ALL OF OUR WORK IS EVIDENCE-BASED AND DATA DRIVEN. I DO WANT TO SHARE THAT THERE IS A VERY ROBUST DATA TEAM THAT MEETS WEEKLY AND SPENDS AN INORDINARY AMOUNT OF TIME ANALYZING DATA TO HELP MAKE SURE THAT OUR PROCESS MEASURES ARE BEING EFFECTIVELY SCOPED OUT AND LOOKED AT TO MAKE SURE THE ACTUAL IMPLEMENTATION OF THE PROGRAM IS GOING WELL. WE ARE -- THE NUMBER OF OFFENDERS WE ANTICIPATED ARE BEING SERVED, AND HELP US OUT ANY OTHER ISSUES THAT COME UP THAT WE CAN'T SEE UNLESS WE HAVE THE DATA COLLECTED AND ANALYZED. IN ADDITION TO THE COUNTY AND PARTNERS BEING WISE STEWARDS OF PUBLIC DOLLARS AND HOW DO WE SPEND ADDITIONAL MONEY THAT WILL CONTINUE TO COME TO US IN FUTURE BIENNIA. IN ADDITION TO A DATA TEAM, THERE'S AN OPERATIONS TEAM THAT IS THE BOOTS ON THE GROUND, GET THIS PROGRAM OFF THE GROUND. SO WHAT THIS GROUP, STEERING COMMITTEE DOES MOST FRIDAY MORNINGS AT 7:00 A.M. IS DEAL WITH THE POLICY ISSUES THAT BUBBLE UP FROM SOME OF THE DATA

COLLECTION AND THE OPERATIONS TEAM AS THEY ARE SEEING THE WORK UNFOLD, AND POLICY OR HIGHER LEVEL MACRO ISSUE NEEDS COME TO THE LEADERSHIP THAT NEEDS TO HAVE IS A DECISION MADE SO THEY CAN MOVE FORWARD. AT THIS POINT I AM CURIOUS IF ANY OF MY COLLEAGUES HAVE ANYTHING THEY'D LIKE TO SHARE.

Commissioner Bailey: QUICK QUESTION ABOUT THE DATA TEAM. MY UNDERSTANDING IS YOU HAVE VERY SMART FOLKS IN THE BACK WHO ARE WORKING ON THIS. WHERE IS THE DATA TEAM HOUSED, WHO DO THEY WORK FOR?

Ms. Stamp: IT IS A COLLABORATION. THAT'S WHAT WE DO WELL IN MULTNOMAH COUNTY. EVERY PUBLIC SAFETY AGENCY, THE DISTRICT ATTORNEY, LPSCC, DEPARTMENT OF COMMUNITY JUSTICE, AND THE COURT AS WELL HAVE DONATED RESOURCE AND FTE, SO IT IS A COLLABORATION OF EVERYBODY WORKING TOGETHER TO BE ABLE TO SPEAK THE SAME LANGUAGE AND IDENTIFY THE SAME PARTS OF THE SYSTEM THAT NEED TO BE ASSESSED AND MEASURED. SO THAT EVERYBODY FROM THE DIFFERENT DISCIPLINES AROUND THE TABLE GET THE SAME INFORMATION. IT IS A VERY IMPRESSIVE UNIFIED APPROACH THAT THIS COLLABORATION HAS TAKEN.

Commissioner Bailey: I WOULD IMAGINE THAT AS DATA IS DISSEMINATED TO EACH OF THOSE PARTNERS AND ORGANIZATIONS, THERE NEEDS TO BE DATA CAPACITY WITHIN THOSE ORGANIZATIONS AS WELL TO BE ABLE TO PROCESS, INTERPRET, AND MAKE DECISIONS BASED ON THAT FOR THAT PARTICULAR PARTNER. ARE WE SEEING THAT THAT DATA CAPACITY IS THERE AND AVAILABLE AMONGST PARTNERS, OR IS THAT SOMETHING THAT WE OUGHT TO BE LOOKING AT EXPANDING?

Ms. Stamp: I WOULD ARGUE AND I'LL LET THE DATA FOLKS CHIME IN IF THEY BELIEVE I'M OFF TARGET, BUT WE'RE SEEING THAT THEY'RE WORKING A LOT OF HOURS. AND WHAT WE DID IN THE LAST BUDGET CYCLE WAS TAG ABOUT \$50,000 FOR DATA EVALUATION AND WHAT WE'RE SEEING IS THAT THESE ARE FOLKS WHO ARE SALARIED EMPLOYEES WHO -- AND REALLY THE EAR MARK WAS ABOUT OVERTIME AND OTHER SERVICES, THAT WE NEED TO START LOOKING AT GETTING EXTERNAL FOLKS INVOLVED, HOW DO WE IDENTIFY WHAT THE CAPACITY IS, AND WHAT THE ACTUAL NEED IS. AND AT THIS POINT, FOR EXAMPLE, LAUREN BROWN, DATA ANALYST FROM LPSCC IS SPEND BALL GAME 20 HOURS A WEEK ON THIS. FOR NOW THAT'S OK. IS THAT SUSTAINABLE FOR THE LONG RUN? NO, IT'S NOT. WHAT THIS PROCESS ALLOWS THIS GROUP TO DO IS PHIL MICKELSON OUT WHAT'S THE SHORT-TERM RESOURCE AND CAPACITY VERSUS LONG-TERM. I THINK THAT WILL HELP US AS WE GO INTO THE NEXT BUDGET CYCLE ABOUT WHAT'S A BETTER AMOUNT, AND WHAT'S THE NEED IN TERMS OF THE DATA AND THE EVALUATION. DO WE HAVE THE CAPACITY WITHIN THE COUNTY, DO WE NEED TO LOOK OUTSIDE THE COUNTY OR WHAT THAT LOOKS LIKE.

Commissioner Bailey: I APPRECIATE THE LOOK AT THAT NEED. AS YOU KNOW FAR BETTER THAN I DO AND THE FOLKS IN THIS ROOM KNOW, SO MUCH OF THIS PROCESS IS DATA DRIVEN IN TERMS OF UNDERSTANDING HOW OUTCOMES ARE GOING TO MANIFEST OVER TIME, ESPECIALLY GIVEN DIFFERENT INTERVENTIONS. SO UNDERSTANDING -- BY THE WAY, I WANT TO BE CLEAR, I HOPE I DIDN'T COME ACROSS AS SAYING I THOUGHT THE DATA TEAM IS DOING ANYTHING OTHER THAN WORKING INCREDIBLY HARD AND DOING GOOD WORK. AND OBVIOUSLY WE STILL HAVE A SMALL SAMPLE SIZE AT THE FRONT END, BUT AS WE'RE LOOKING OVER TIME, WHAT ARE THE INTERVENTIONS THAT ARE WORKING, WHAT'S COST BENEFIT ANALYSIS OF THOSE, ARE THERE SECONDARY IMPACTS THAT WE OUGHT TO BE CONSIDERING? A LOT OF RABBIT HOLES TO TUNNEL DOWN ON IT, AND AS I THINK YOU'RE MORE AWARE THAN I AM, THERE WILL BE SIGNIFICANT NOT JUST DATA PRODUCTION, BUT DATA INTERPRETATION, AND NEEDS WITHIN THE VARIOUS PARTNERS IN ORDER TO FEEL COMFORTABLE WITH THAT. SO I THINK EVALUATING WHERE WE'RE AT AND MAKING SURE WE'RE PREPARED TO BE ABLE TO DEAL WITH THOSE NEEDS AS THEY ARISE OVER TIME, I THINK IS IN MY OPINION AT LEAST WOULD BE CRITICAL TO THE SUCCESS OF THIS.

Ms. Stamp: ABSOLUTELY, COMMISSIONER. THANK YOU. WE ALSO HAVE SOME TECHNICAL ASSISTANCE FROM THE FEDERAL GOVERNMENT, IN THE FORM OF ROGER, WHO IS A -- THIS IS WHAT HE DOES ALL OF THE TIME, WORKING WITH CRIMINAL JUSTICE AGENCIES. I HOPE I DIDN'T MASSACRE HIS NAME. HE CAME AND DID A PRESENTATION TO THE EXECUTIVE COMMITTEE AND TO THE STEERING COMMITTEE, RATHER, AND HE'S WORKING WITH THE DATA TEAM AROUND THOSE QUESTIONS, AROUND WHAT'S PROCESS MEASURES VERSUS LARGER PROGRAM EVALUATION. WE KNOW WE NEED TO DO IT WELL, DEEP, RIGHT, SO WE CAN MAKE SURE WE'RE BUYING AND SERVING THE RIGHT PEOPLE WITH THE RIGHT STUFF. AND THEN THE BALANCE BECOMES WITH NOT KNOWING YET WHAT OUR JUSTICE REINVESTMENT POTENTIAL IS FINANCIALLY FOR THE NEXT BIENNIUM, HOW DO WE PRIORITIZE SERVICES, EVALUATION, AND ALL THE OTHER DEMANDS THAT THIS PROGRAM IS PUTTING ON OUR SYSTEM TO FUND THE DIFFERENT COMPONENTS IN A SMART WAY.

Commissioner Bailey: THANKS.

Commissioner Shiprack: THE CONTEXT IS INTERESTING AND IT'S POSSIBLE TO LOSE THE CONTEXT WHILE WE EXPLORE THE DETAILS OF WHERE WE'VE COME WITH 3194. BUT THE QUESTION THAT STARTS RATTLING AROUND IN MY BRAIN WHILE I'M LISTENING TO YOU IS, IF WE'RE USING RISK AND NEEDS AND PUBLIC SAFETY FIRST AS THE HIGHLIGHT OBJECTS OF SENTENCING POLICY, WHAT WAS IT THAT WE WERE DOING BEFORE? AND I ACTUALLY THINK THAT IN TERMS OF WHERE WE'RE GOING AND THE PROGRESS THAT WE'RE MAKING, JUST BEING ABLE TO EVEN ASK QUESTIONS LIKE THAT ABOUT WHAT IS THIS

FOR, REPRESENTS A TREMENDOUS AMOUNT OF PROGRESS. AND NOT A LITTLE BIT OF COURAGE FOR THE PLAYERS IN THE PUBLIC SAFETY SYSTEM. IT SEEMS THERE IS A KIND OF GAP IN THE DISCUSSION, AND I KNOW WE'LL FOCUS IN ON THIS AS OUR WORK CONTINUES, AND AS THE WORK OF THE STEERING COMMITTEE CONTINUES. AND THAT IS TO FLESH OUT THIS TAKE-AWAY OF SMARTER STEWARDSHIP, WHICH IS BOTH STEWARDSHIP OF COST OF THE PUBLIC SAFETY SYSTEM AND IT IS A MORE INTENTIONAL STEWARDSHIP OF WHAT THE OUTCOMES ARE OF THE INVESTMENT THAT WE PLACE INTO THESE FOLKS. ANYWAY, THAT LITTLE SPEECH BEING SAID, DO WE HAVE ANY IDEA HOW MUCH MONEY WE'RE SAVING? IS OUR DATA ANALYSIS SUFFICIENT TO MEASURE HOW MUCH MONEY WE SAVE OR STAND TO SAVE BY THE LEGALIZATION OF RECREATIONAL MARIJUANA?

Ms. Stamp: THAT'S A GREAT QUESTION, COMMISSIONER. I DON'T HAVE A DIRECT ANSWER FOR YOU, BUT I WILL ASK, HAS ANYBODY TAKEN A LOOK? NOT YET.

Commissioner Shiprack: I'M CURIOUS IF WE HAVE THE MEANS -- IT'S NOT EVEN A -- IT REALLY ISN'T A QUESTION YET. THE QUESTION IS DO WE HAVE THE MEANS TO MEASURE THAT AVAILABLE?

Chair Kafoury: WOULD YOU MIND COMING UP TO THE TABLE AND INTRODUCING YOURSELF FOR THE RECORD? THANK YOU.

Mr. Underhill: GOOD MORNING. ROD UNDERHILL, DISTRICT ATTORNEY. COMMISSIONER, RELATIVE TO THE LEGALIZATION OF MARIJUANA QUESTION, AND ITS SAVINGS, ARE YOU TYING IT INTO THE 3194 AND DOC REFERRALS, OR ARE YOU TEASING IT OUT AND TALKING ABOUT IT SEPARATELY IN YOUR QUESTION?

Commissioner Shiprack: SINCE WE'RE TALKING ABOUT 3194, THE BOTTOM LINE OF THAT QUESTION IS, HOW MANY PEOPLE HAVE WE HISTORICALLY SENT FROM MULTNOMAH COUNTY TO DOC JURISDICTION AROUND MARIJUANA RELATED CRIMES?

Mr. Underhill: ALMOST NONE IN THE RECENT PAST. I ASKED AS PART OF 3194 CONVERSATION, I ASKED STAFF TO TAKE A SNAPSHOT OF HOW MANY MULTNOMAH COUNTY OFFENDERS WERE IN FOR A STANDALONE MARIJUANA MANUFACTURE OR DISTRIBUTION. AND THE ANSWER AT THAT TIME WAS ONE. WE HAD ONE THAT WAS IN DOC CUSTODY. SO MULTNOMAH COUNTY HAS IN THE PROSECUTOR'S OFFICE HAS BEEN I THINK NOT RESOURCE INTENSIVE RELATIVE TO THE PROSECUTION OF MARIJUANA RELATED OFFENSES. THE ADJUSTMENT OF 3194 WHEN WE WORKED ON THE ADJUSTMENT OF REDUCING THOSE ESSENTIALLY 3194 NOW READS THE ONLY PEOPLE THAT ARE ELIGIBLE FOR A DOC SENTENCE REGARDING MARIJUANA GROWING OR DISTRIBUTION ARE THOSE WHO SELL IT TO CHILDREN OR SELL IT WITHIN A

THOUSAND FEET OF A SCHOOL. AND THAT'S A 3194 ADJUSTMENT THAT DIDN'T SO MUCH IMPACT MULTNOMAH COUNTY BECAUSE WE DON'T SEND AS PART OF OUR OPERATION -- WE DON'T SEND VERY MANY PEOPLE TO STATE PENITENTIARY AT ALL FOR WHAT I'VE JUST DESCRIBED. MOSTLY THE SAVINGS CAME FROM -- AND THE ADJUSTMENT WAS DONE BECAUSE OF THE AROUND THE STATE CONVERSATION. OTHER JURISDICTIONS DID. BUT I'M GOING BY MEMORY, I THINK THAT THE SNAPSHOT WE LOOKED AT FROM AROUND THE STATE WAS THE NUMBER 54 COMES TO MIND. I SURE DON'T WANT TO BE WRONG ON THESE THINGS. I DIDN'T RESEARCH THIS BEFORE COMING OVER HERE THIS MORNING. FOR MULTNOMAH COUNTY, IF I CAN SUMMARIZE IT, FOR MULTNOMAH COUNTY, RELATIVE TO MARIJUANA GROWING OR DISTRIBUTION OR POSSESSION, THE NUMBER IS VERY SMALL HERE IN THE RECENT NUMBERS OF YEARS THAT HAVE BEEN REFERRED TO DOC FOR ANY TYPE OF SENTENCE. SO IT'S A NEGLIGIBLE CONVERSATION AROUND THE MARIJUANA ISSUE FOR US.

Commissioner Shiprack: THANK YOU.

Chair Kafoury: THANK YOU. DO WE HAVE OTHER SPEAKERS? THAT'S OUR CONVERSATION?

Ms. Stamp: THE PRODUCTIVITY AND SUCCESS OF OUR STEERING COMMITTEE SPEAKS FOR ITSELF. BUT IF THERE ARE ANY OTHER JURISDICTION OR RATHER DISCIPLINE SPECIFIC QUESTIONS, THAT'S WHAT WE WANTED TO MAKE SURE WE HAD EVERYBODY AROUND THE TABLE TO ANSWER 84 QUESTIONS.

Commissioner Shiprack: CAN I ASK A PROCESS QUESTION? WHEN DO WE FIND OUT FROM THE STATE WHAT THE AMOUNT OF 3194 DOLLARS WILL BE FOR MULTNOMAH COUNTY NEXT FISCAL YEAR?

Ms. Stamp: MY UNDERSTANDING IS THAT THAT IS IN -- RESIDES WITHIN THE GOVERNOR'S OFFICE, AND IN TERMS OF THE TIMING, I WOULD DEFER TO ROD OR JUDGE WALLER ABOUT --

Mr. Underhill: I'LL TELL YOU WHAT WE KNOW. WITH WHAT WE KNOW, THERE ARE MORE QUESTIONS THAN ANSWERS RELATIVE TO I THINK YOUR QUESTION. SO THERE ARE A FEW MOVING PARTS TO YOUR QUESTION. ONE IS BACK WHEN WE -- THE STATE PASSED 3194, THE EXPECTED ANTICIPATED BIENNIUM, NEXT BIENNIUM SAVINGS IS I'M GOING TO SUMMARIZE IT BY SAYING BETWEEN 66 AND \$68 MILLION. THAT WAS THE EXPECTED BIENNIUM SAVINGS IN '15-17. THAT FIGURE IS BASED ON A NUMBER OF VARIABLES, BUT ESSENTIALLY I'LL SUMMARIZE IT BY SAYING THERE WAS A PRISON POPULATION GRAPH THAT WAS DONE, AND A NUMBER OF INMATES IN THE PRISON POPULATION THAT JUST TRACKS, YOU KNOW, OVER THE COURSE OF THAT PERIOD OF TWO YEARS. AND AGAIN, IN SUMMARIZING AND SIMPLIFYING

THIS, HOW CLOSE TO TRACKING WITH THAT NUMBER IS THE STATE OF OREGON IF THEY TRACK IT EXACTLY, THEN THEY'LL SAVE THAT, I'M GOING TO PICK \$66 MILLION SO I DON'T KEEP BOUNCING AROUND, IT'S A LITTLE SQUISHY -- HOW CLOSE TO THAT NUMBER ARE THEY IN ORDER TO DERIVE THAT SAVINGS? PUT IN REAL NUMBERS, TODAY IF YOU LOOKED AT A SNAPSHOT OF THE OREGON PRISON POPULATION, IT'S GOING TO HOVER RIGHT AROUND 14,600. TODAY, AT LAST TIME I CHECKED, WHICH WAS LAST FRIDAY, WE AS A STATE WERE OVER THAT LINE TO THE TUNE OF 71, IF I REMEMBER RIGHT. IF YOU HAD GONE BACK TO THURSDAY, THE DAY BEFORE, WE WERE OVER THAT LINE BY 48 OR SO. SO IT BOUNCES AROUND A LITTLE BIT. IF WE WERE TO HAVE GONE BACK A MONTH AND A HALF AGO, WE WERE UNDER THE LINE BY ABOUT THAT SAME NUMBER. SO IT HUGS THE LINE PRETTY CLOSE.

WHAT THE OCTOBER OF 2014 PRISON FORECAST REFLECTED WAS THAT WE'RE NOT GOING TO -- WE AS A STATE ARE NOT GOING TO HUG THAT LINE IN THE NEXT TWO YEARS EXACTLY. WE'RE GOING TO BE OVER. SO YOU -- WHAT DOES THAT MEAN, AND THE ANSWER IS THE \$66 MILLION IS GOING TO GO DOWN. IT'S NOT GOING TO BE \$66 MILLION THAT ARE SAVED BY THIS -- BY THE ENTIRE STATE OVER THE BIENNIUM. IT'S GOING TO BE A PERCENTAGE OF THAT. WHAT IS THAT PERCENTAGE, AND THAT HAS NOT BEEN -- THAT HAS NOT BEEN DETERMINED FINALLY AND PUT OUT AND WE'LL PROBABLY SEAT CLOSEST THING WE'LL SEE IS IN THE GOVERNOR'S BUDGET. BUT IF YOU WERE TO HAVE AN EDUCATED GUESS, AT LEAST FROM ME, I'LL JUST GO OUT, I THINK IT'S GOING TO HOVER IN THE NEIGHBORHOOD OF 50 TO 55 MILLION. 66 MILLION IS GOING TO GO DOWN TO 50 TO 55 MILLION. FOR THE STATE DOC SAVINGS OVER THAT NEXT BIENNIUM. WHAT PORTION OF, AND I'M GOING TO PICK THE NUMBER 55, JUST BY WAY OF EXPLANATION, WHAT PORTION OF 55 MILLION IS GOING TO FIND ITSELF INTO THE 3194 GRANT POOL AS OPPOSED TO SOME OTHER METHOD OF SPENDING IN THE PUBLIC SAFETY CONVERSATION? THAT WILL BE DETERMINED BY THE LEGISLATURE.

SO WHEN ARE WE GOING TO FIND OUT THE ANSWER TO THAT? AND I THINK THE ANSWER TO THAT IS GOING TO COME AROUND FOR US IN THE MAY WINDOW OF TIME, WHEN THOSE THINGS GET SETTLED. BUT PICKING 55 MILLION, AND NOBODY WRITE THIS DOWN, BECAUSE I'M JUST BY WAY OF EXPLANATION OR DESCRIPTION, LET'S JUST SAY IT'S 40 MILLION OF THAT, OR YOU COULD PICK 30 MILLION OF THAT. MULTNOMAH COUNTY WILL BE PRESUMPTIVELY ELIGIBLE TO ACCESS ABOUT 21% OF THAT NUMBER, WHATEVER THAT NUMBER BECOMES. IT'S BETWEEN 20 AND 21% IS WHAT WE'LL BE ABLE TO ACCESS. SO IF YOU QUICKLY DO THE MATH, IF YOU CALL IT 60 MILLION AND WE'RE ABLE TO ACCESS 21% OF THAT, RIGHT, THAT'S ROUND NUMBERS, 6.5 MILLION DOLLARS OR SO. BUT AGAIN, I DON'T WANT ANYBODY TO WRITE THESE NUMBERS DOWN, BECAUSE THESE ARE THINGS THAT ARE COMPLETELY UNSETTLED. AND WE'RE NOT GOING TO HAVE REAL CLARITY I THINK UNTIL MY GUESS IS UNTIL WE GET INTO THAT MAY WINDOW OF TIME. WE'LL GET SOME GUIDANCE ABOUT WHAT THE CONVERSATION IS, AND

PEOPLE WILL HAVE INPUT ABOUT THE CONVERSATION, BUT WE'RE NOT GOING TO KNOW. DOES THAT HELP?

Commissioner Shiprack: IT DOES. OUT OF THIS GROUP UP HERE, 100% OF THIS GROUP SITTING UP HERE HAS BEEN IN THE LEGISLATIVE PROCESS. SO IT IS A PROCESS, AND WE WOULDN'T HOLD YOU TO ANY NUMBER, BUT WHILE LISTENING TO YOU, I'M MORE CURIOUS, GIVEN IT IS A PROCESS AND IT'S A POLITICAL PROCESS, AT THE DEGREE OF ENTHUSIASM THAT THE CONTINUED DISTRIBUTION OF MONEY FOR JUSTICE REINVESTMENT IS GOING TO ENJOY FROM PARTICULAR INTEREST GROUPS WHO PRESENT TO THE LEGISLATURE AND TO THE JUDICIARY COMMITTEE AND TO THE PUBLIC SAFETY SUBCOMMITTEE. AND I'M PARTICULAR CURIOUS, JUST LOOKING AT YOU, ABOUT WHERE YOU THINK THE D.A.s ARE GOING TO BE IN SUPPORTING THE DISTRIBUTION BACK TO COUNTIES TO CONTINUE THIS WORK.

Mr. Underhill: SO I WAS ASKED BY ODA AS A MEMBER OF THE OREGON DISTRICT ATTORNEYS ASSOCIATION, I WAS ASKED BY THAT ORGANIZATION TO BE ONE OF TWO -- I'M GOING TO CALL IT A POINT GUARD, SO MEET WITH THE GOVERNOR ON THAT VERY ISSUE. SO I MET WITH THE GOVERNOR, I LOSE TRACK OF TIME, CALL IT TWO MONTHS AGO. TOGETHER WITH OTHERS, AND SAT NEXT TO THE GOVERNOR AND WE HAD A CONVERSATION ABOUT JUST THAT. MY DIRECTION FROM THE ORGANIZATION AND MY PERSONAL FEELING ABOUT IT IS, AS MUCH AS POSSIBLE SHOULD BE PUT INTO THAT GRANT FUND AND AVAILABLE FOR COUNTIES TO ACCESS. I -- WHEN I WORKED ON JUST I GUESS TO TELL YOU MY PERSONAL PHILOSOPHY ABOUT IT, WHEN I WORKED ON THE 3194 BILL ITSELF, I ATTEMPTED TO HAVE IN THE LANGUAGE OF THAT DOCUMENT 100% OF THE DERIVED SAVINGS MEAN US THE 10% OF ELIGIBLE FOR VICTIM DIRECT SERVICES WORKING -- THAT COMES OFF THE TOP. BUT THE BALANCE ALL SHOULD BE A LITTLE MORE CLEAR AND DIRECT LANGUAGE ABOUT THAT -- WHERE THAT MONEY GOES. SO IT WON'T BE SO UNCERTAIN AS IT IS NOW. I ENCOURAGE WE SPEND TIME AND COME UP WITH LANGUAGE TO PUT THAT BALANCE OF MONEY INTO THE GRANT ACCESSIBLE POT FOR WHO COUNTIES. I WAS UNSUCCESSFUL IN THAT. I WAS NOT SUCCESSFUL IN GETTING THAT LANGUAGE ADDED TO 3194. SO THE LANGUAGE IN 3194 HAS SOME VAGUENESS, RIGHT, BUT FROM AN ODA STANDPOINT AND A PERSONAL STANDPOINT I HOPE I'VE ANSWERED YOUR QUESTION, AND THAT IS I THINK PHILOSOPHICALLY WE WANT AS MUCH IN THERE AS POSSIBLE. AND THAT'S WHAT I SPOKE TO THE GOVERNOR ABOUT.

Commissioner Shiprack: THANK YOU.

Ms. Hayden: GOOD MORNING, SUZANNE HAYDEN, THE EXECUTIVE DIRECTOR OF THE CITIZENS CRIME COMMISSION, AND I CHAIR THIS COLLABORATION FOR THE MULTNOMAH COUNTY JUSTICE REINVESTMENT. AND I JUST WANT TO SAY THOSE QUESTIONS ARE RIGHT ON POINT. I THINK THERE'S A BIG OPPORTUNITY FOR US AS A COUNTY TO REALLY HAVE A UNITED VOICE WITH -

- IN CONJUNCTION WITH THE OTHER COUNTIES ON THIS ISSUE. AND IT IS REALLY YOUR -- IN THE BEST POSITION TO KNOW HOW TO EFFECTIVELY ADVOCATE FOR THIS APPROACH AND THIS POT OF FUNDING FOR COUNTIES, BECAUSE WHAT WE'VE SEEN HERE IN OUR LOCAL COUNTY IS COLLABORATION ON THE LEVEL THAT REALLY SPEAKS TO A SYSTEM WAY OF DOING THINGS, THAT I THINK DID NOT -- WAS NOT AS ROBUST BEFORE. AND I THINK THAT REALLY SHOULD BE THE PATH GOING FORWARD. AND WHAT WE'RE SEEING IN THE PRISON POPULATION FORECAST NEARLY REFLECTS WHAT WAS IN THE LEGISLATION, BUT THE TRUE OPPORTUNITY COMES THROUGH THE COLLABORATION OF THE LOCAL COMMUNITIES.

SO WHAT IS WASHINGTON COUNTY, WHAT IS CLACKAMAS COUNTY, MARION COUNTY, LANE COUNTY, AND MULTNOMAH COUNTY, THOSE ARE FIVE COUNTIES THAT DRIVE 66% OF THE PRISON POPULATION. WHAT ARE THEY DOING THAT WILL BE COMING ONLINE IN THIS YEAR AND THE NEXT YEAR THAT WILL IMPACT PRISON USE? AND THAT'S REALLY WHERE THE MOMENTUM SHOULD BE AND RECOGNIZED, I IT THIS GOVERNOR RECOGNIZES THAT, THERE'S BEEN A LOT OF LETTERS AND MEETINGS TO ENFORCE THAT MESSAGE, AND THAT'S WHAT WE CAN DO AS A COUNTY IN CONJUNCTION WITH THE OTHER COUNTIES TO SAY, WE ARE ON BOARD, WE'RE ALIGNED, WE WANT TO REALLY AFFECT THE FUNDAMENTAL REASON WHY THIS LEGISLATION WAS PASSED, AND THAT IS TO REDUCE THE PRISON USE SO WE DO NOT HAVE TO BUILD ANOTHER PRISON. DAVID IS HERE AS THE OTHER COMMUNITY MEMBER ON THIS COLLABORATION, THIS -- IN MULTNOMAH COUNTY, AND THE BUSINESS COMMUNITY WAS VERY MUCH IN SUPPORT OF THAT PROPOSITION. WE NEED TO HAVE A RIGHT SIZING OF OUR SYSTEM SO WE HAVE SUFFICIENT RESOURCES IN LOCAL COMMUNITIES TO FUND THE THINGS THAT MAKE A DIFFERENCE FOR RECIDIVISM. AND THAT IS TREATMENT, HOUSING, SUPERVISION, LAW ENFORCEMENT, MENTAL HEALTH TREATMENT, AND WE HAVE SOME SIGNIFICANT CAPACITY ISSUES. SO THIS IS OUR OPPORTUNITY AND I THINK THAT WE STAND TO TAKE ANY SUGGESTIONS THAT YOU HAVE BEING IN THE LEGISLATURE SO THAT WE CAN IMPART THAT MESSAGE TO THEM EFFECTIVELY. THANK YOU.

Commissioner Bailey: THE DOLLARS THAT POTENTIALLY MAY COME IN THE NEXT SESSION, FOR JUSTICE REINVESTMENT, HELP REMIND ME, ARE THOSE DOLLARS ALLOCATED BASED ON PERFORMANCE OR ESSENTIALLY THEY'RE A BLOCK, THEY'RE BY A FORMULA? IS THAT RIGHT?

Mr. Underhill: WELL, SO THE GRANT PARAMETERS ARE STILL A WORK IN PROGRESS. THEY'RE ACTUALLY 3194 BY ITS DESIGN PUT TOGETHER TWO GROUPS, TWO STATEWIDE GROUPS. ONE, 3194 TASK FORCE LOOKING AT THE IMPLEMENTATION. AND THEN ANOTHER GROUP THAT WAS PUT TOGETHER TO LOOK AT JUST YOUR QUESTION. COMING UP WITH THE GRANT SOLICITATION PARAMETERS. I WOULD SAY THAT THIS IS PROBABLY 90 TO 95% DONE. THEY'RE NEARING THE CONCLUSION OF WHAT THAT EXACTLY IS GOING TO

LOOK LIKE. IT'S NOT -- BUT TO TRY AND ANSWER THE QUESTION, IT'S NOT WHOLLY BASED ON PERFORMANCE, THOUGH WE STAND -- MULTNOMAH COUNTY, BY THE WORK WE'VE DONE, THE GROUP SITTING BEFORE YOU AND OTHERS HAVE DONE STAND IN VERY GOOD STEAD TO ACCESS ALL OF THE 21% OF WHATEVER THAT NUMBER WILL BE WILL BE -- WE ARE VERY WELL SITUATED TO ACCESS ALL OF THAT MONEY. WE'RE GOING TO HAVE TO WRITE A CLASSIC GRANT SOLICITATION OF WHAT DO WE PLAN TO DO WITH THIS ADDITIONAL MONEY, WHAT ARE WE GOING TO DO TO SUPPLEMENT OUR ALREADY EXISTING INFRASTRUCTURE. WE'VE TAKEN THE 3.165 MILLION GIVEN TO US THIS BIENNIUM AND DEVELOPED THAT INFRASTRUCTURE. THERE IS BUILDING TO BE DONE ON TOP OF THAT INFRASTRUCTURE, AND THAT'S WHAT WE'LL BE PUTTING FORTH, A GRANT SOLICITATION.

IN CONVERSATIONS THAT ALL OF US HAVE HAD WITH DIFFERENT MEMBERS AROUND THE STATE, CJC, CRIMINAL JUSTICE COMMISSION, NOW THE INTERIM EXECUTIVE DIRECTOR, MIKE SCHMIDT, WE'VE HAD LOTS OF CONVERSATIONS, HE COMMONLY COMES TO OUR 3194 MEETINGS ON FRIDAY MORNINGS AND HE I THINK WOULD ECHO WHAT I'M SAYING. WE ARE IN VERY GOOD SPOT. WE'RE DOING OUTSTANDING WORK. FROM A STATE STANDPOINT AS FAR AS THESE NUMBERS. I TALKED ABOUT THE NUMBERS HOW CLOSE TO THE LINE IS THE STATE AND TODAY WE'RE PROBABLY ABOUT 50 OR 75 ABOVE. MULTNOMAH COUNTY IS-TO-DOING EXTREMELY WELL RELATIVE TO OUR RATES AND OUR -- OUR REFERRALS TO DOC RESOURCES. WITHOUT US INVOLVED, 3194 FROM THE STATE LANDSCAPE AND THE STATE LENS WOULD LOOK COMPLETELY DIFFERENT THAN IT DOES. IT'S BEING VIEWED AS I THINK SUCCESSFUL BY AND LARGE AROUND THE STATE. AND WITHOUT OUR PARTICIPATION, BECAUSE OUR NUMBERS ARE VERY REMARKABLE IN WHAT WE'VE BEEN WORKING ON. SO THEY NEED US TO SUCCEED, WE'RE SUCCEEDING AND THEY WANT TO ENCOURAGE US TO SUCCEED MORE. WE'RE GOING TO BE IN A PRIME SPOT.

Commissioner Bailey: THAT SOUNDS LIKE A GOOD MESSAGE.

Mr. Borg: FOR THE RECORD, LANE BORG, EXECUTIVE DIRECTOR OF METROPOLITAN PUBLIC DEFENDER AND A MEMBER OF THE STEERING COMMITTEE. A COUPLE COMMENTS I WANT TO MAKE. I'M GOING TO PRETEND YOU ASKED THE QUESTION, WHAT HAVE WE LEARNED SO FAR. AND ANSWER THAT.

Chair Kafoury: WHAT HAVE WE LEARNED SO FAR?

Mr. Borg: THANK YOU. WHAT WE'RE SEEING, AND I WANT TO PICK UP ON WHAT SUZANNE WAS TALKING ABOUT AND ECHO IT MORE, WHAT WE'RE SEEING IS THAT WE'RE DOCUMENTING OUR LACK OF CAPACITY. WE REALLY -- AND THAT CANNOT BE -- WE CAN'T UNDEREMPHASIZE, THAT WE CAN'T SAY WE HAVE LACK OF CAPACITY OR WE NEED TO BUILD CAPACITY. I'M NOT TRYING TO

DENIGRATE ANYTHING ANYBODY HAS SAID BEFORE NOW, BUT WE NEED TO FOCUS ON THAT BECAUSE WHAT WE'RE DOING IS -- WHAT DCJ IS BEING FORCED TO DO IS THERE'S A LIMITED NUMBER OF SEATS ON THIS TRAIN. AND WE'RE DISPLACING PEOPLE. SO INSTEAD OF SAYING THAT THIS GROUP AND START COURT OUR PROPERTY DRUG COURT IS GETTING PRIORITY OR THIS GROUP IN THE LOCAL CONTROL IS GETTING PRIORITY, THIS GROUP AND MCJRP ARE GETTING PRIORITY FOR ACCESS TO TREATMENT BEDS, WHICH ARE LIMITED.

SO WE HAVE A LACK OF CAPACITY IN THE IN-PATIENT TREATMENT, IN INTENSIVE OUTPATIENT. WE DO NOT HAVE ENOUGH CAPACITY IN A CONTINUUM SO WE'RE GETTING A LOT OF KNOWLEDGE ABOUT WHAT WE SHOULD DO TO BE SUCCESSFUL WITH THE OFFENDERS WHO THAT ARE NOT GOING TO PRISON AND WE'RE FINDING WE DON'T HAVE THE CAPACITY TO DO IT. AND THE DANGER IS, THE DANGER IS THAT THE SUCCESS, THE REAL SUCCESS THAT ROD JUST TALKED ABOUT IS REALLY JUST KICKING THE CAN DOWN THE ROAD AND WE START REVOKING THESE PEOPLE IN 90 DAYS FOR FAILURE TO -- OR OTHER PEOPLE IN OTHER COURTS THAT WE'VE SET UP OR THE PROGRAMS WE'VE SET UP AND AS WE KNOW VERY WELL AND CJC HAS MADE US AWARE OF, THERE'S THE SENTENCES AND THE SECOND SENTENCES. AND ABOUT 20% OF THE DOC POPULATION IS DRIVEN BY REVOCATIONS. AND THERE SUCCESS COULD EVAPORATE IN 2015 IF WE'RE NOT PROVIDING THE SERVICES, AND WE SEE THE RECIDIVISM GOING UP AND PEOPLE ARE FAILING IN THAT. SO WE NEED TO DO THAT. TO CARRY THE WATER OF MY GOOD FRIEND TIM HARTNETT, WHO IS NOT A VOTING MEMBER, HE'S THE HEAD OF CODA AND HE'S NOT A VOTING MEMBER ON THE STEERING GROUP, BUT HE PRACTICALLY SHOULD BE, HE'S THERE AS MANY FRIDAY MORNINGS AS ANY OF US, AND HE'S BEEN SAYING FOR A LONG TIME, IT'S NOT JUST THAT WE LACK CAPACITY. IT'S THAT AS WE ARE GOING INTO THIS PROCESS, WE NEED -- BECAUSE THIS CAPACITY IS GOING TO BE PROVIDED PRIMARILY BY NONPROFITS, PROVIDING SERVICES.

SO WE DON'T NEED TO NECESSARILY BUY A DOZEN MORE D.A.s OR DEFENSE ATTORNEYS OR OTHER PUBLIC EMPLOYEES DOING THIS WORK. WE NEED TO BUY CAPACITY WITHIN THE PRIVATE SECTOR WITHIN THE NONPROFIT SECTOR. BUT THEY NEED TO BE REASSURED THAT THEY'RE GOING TO RENT A BUILDING WITH 100 MORE TREATMENT BEDS THAT THIS PROGRAM IS GOING TO BE AROUND FOR MORE THAN A YEAR OR TWO. AND SO THAT'S GOING TO BE THE DIFFICULTY. BUSY UNDERSTAND THE GAMBIT THAT THE LEGISLATURE HAS SET UP WITH 3194 SAYING WE'RE GOING TO FUND THIS WITH MONEY WE OTHERWISE WOULDN'T -- WOULD HAVE SPENT, SO WE'RE CREATING MONEY THAT WE'RE SPENDING, BUT THAT COULD EVAPORATE. AND THAT EVAPORATES, I THINK THE NONPROFITS ARE GOING TO BE, THEY'LL BE LEFT HOLDING THE BAG OR THEY'RE NOT GOING TO COME TO THE DANCE. THEY'RE NOT GOING TO PARTICIPATE. SO WE REALLY NEED TO RECOGNIZE THAT WE ARE DOCUMENTING, AND THIS IS IMPORTANT GOING BACK TO SOMETHING

COMMISSIONER BAILEY SAID, THE DATA TEAM IS OUR SCORE CARD FOR THAT. THEY'RE THE ONES THAT WE NEED TO RELY ON TO SHOW WHO WE HAVE IN THERE, WHAT THE NEEDS ARE, AND WHAT WE DON'T HAVE SO THAT WE CAN START FUNDING THAT.

Chair Kafoury: I REALLY APPRECIATE YOU BRINGING THAT UP. I THINK -- AND I THINK THAT IS A REALLY IMPORTANT MESSAGE FOR THE LEGISLATURE TO HEAR AS WELL. IT'S NOT JUST THE SUCCESS AND PAINTING THE PRETTY PICTURE, IT'S ALSO TALKING ABOUT THE REALITY THAT UNLESS WE ARE COMMITTED TO THIS AND WE WILL BE COMMITTED TO THIS IN THE FUTURE, UNDERSTANDING WE CAN'T COMMIT FUTURE LEGISLATURES, THAT WE ARE ONLY GOING -- IT'S ONLY GOING TO BE DISPLACING PEOPLE, WE'RE GOING TO BE KICKING PEOPLE OUT TO PUT PEOPLE IN.

Judge Waller: I WANTED TO FOLLOW UP ON THAT -- NAN WALLER, MEMBER OF THE STEERING COMMITTEE. COMMISSIONER SHIPRACK YOU ASKED ABOUT WHAT WERE WE DOING BEFORE. THE CHANGE IS OBVIOUSLY IN TERMS OF MOVING UP THE RISK ASSESSMENT IS THAT JUDGES MAKING DECISIONS ABOUT WHO WILL GO INTO WHICH SLOT HAVE MUCH, MUCH BETTER INFORMATION FROM THE GET-GO, WHICH BRINGS US TO THE SMARTER STEWARDSHIP. WE HAVE MULTIPLE TREATMENT COURTS IN MULTNOMAH COUNTY, AND ONE OF THE THINGS THAT WE WILL BE -- ONE OF OUR NEXT TASKS IS TO REALLY LOOK AT HOW DO WE INCORPORATE THE WORK THAT WE'RE DOING IN 3194 INTO THE SORTING, INTO OUR TREATMENT COURT, SO WE'RE CERTAIN WE'RE USING THAT SCARCE RESOURCE AND AS LANE SAID WE'RE NOT -- IF YOU ARE IN THE START COURT YOU'RE SECOND IN LINE BEHIND SOMEBODY WHO IS MCJRP. SO THAT'S A NEXT PIECE THAT WE'RE GOING TO BE TAKING ON, BECAUSE WE WANT TO MAKE SURE THAT FOR ALL OF THE RESOURCES THAT WE'RE USING WE ARE USING THEM FOR THE HIGHEST PURPOSE AND FOR THE PERSON WHO IS GOING TO BEST BE ABLE TO MAKE USE OF THEM. SOMETIMES PEOPLE HAVE A DRUG AND ALCOHOL, BUT THEY'RE REALLY NOT AT THE POINT WHERE THEY ARE GOING TO BE ABLE TO MAKE USE OF TREATMENT. AND WE'D MUCH RATHER HAVE THE SORTING BE DONE AT THE LEVEL OF WHO'S GOING IN WHICH DOOR IN ORDER TO MAKE SURE WE'RE GETTING THE HIGHEST RESULTS WE CAN FOR THE RESOURCES THAT WE ARE USING.

Mr. Underhill: AT THE RISK OF BEING A LITTLE BIT REDUNDANT, I WANT TO REALLY EMPHASIZE WHAT LANE SAID A MOMENT AGO AND WHAT JUDGE WALLER WAS TOUCHING ON. THAT IS, THIS NOTION OF LARGER LONG-TERM PICTURE. WE'RE NOT -- I BELIEVE WE'RE TRULY NOT GOING TO DO WHETHER THE MCJRP IS TRULY SUCCESSFUL FOR ABOUT TWO OR THREE YEARS FROM TODAY. ANECDOTALLY I THINK EVERYBODY AT THE TABLE BELIEVES WE LIKE OUR ODDS. WE LIKE THE ODDS THAT IT IS GOING TO BE SUCCESSFUL. WE PUT TOGETHER A PROGRAM THAT IS DEEPLY INVOLVED AND WE AS PROFESSIONALS BELIEVE IT'S GOING TO BE SUCCESSFUL. BUT HERE'S THE

THING WE NEED TO BE VERY VIGILANT AND KEEP AN EYE ON. AND THAT IS THIS NOTION OF SECOND SENTENCES. AND WHAT THAT MEANS IN ITS SIMPLEST FORM IS IF LANE AND I NEGOTIATE A CASE TODAY, AND WE SEND THAT PERSON TO PRISON IN THAT EXAMPLE, THAT'S A COST PICKED UP BY DOC AS SOON AS THAT PERSON ESSENTIALLY LEAVES MULTNOMAH COUNTY.

IF ON THE OTHER HAND LANE AND I NEGOTIATE A CASE AND WE'VE HEARD THAT 71% OF THIS CATEGORY OF FOLKS ARE HIGH TO VERY HIGH RISK FOR RECIDIVISM, SO WE NEED THEM TO SUCCEED, WE NEGOTIATE A CASE, WE PLACE THAT PERSON ON PROBATION, AND THEY THEN RECIDIVATE, RIGHT, AND FIND THEMSELVES REVOKED BY JUDGE WALLER, AND SENT TO PRISON, THAT'S BEEN A VERY EXPENSIVE ERROR. RIGHT? BECAUSE WHAT HAVE WE DONE TO OURSELVES? ONE OF THE THINGS WE'VE DONE, WE'VE INVESTED PROBATION SUPERVISION RESOURCES WHICH HAVE A PRICE TAG, RECIDIVATE IN MY QUICK DEFINITION IS THEY'VE COMMITTED A NEW CRIME SO WE HAVE A NEW CRIME VICTIM, WE HAVE A NEW LAW ENFORCEMENT INVESTIGATION, AND WE HAVE A BRAND-NEW CASE IN THE SYSTEM. AND WE ALSO HAVE REVOKED THEM AND SENT THEM TO DOC AND INCURRED THAT COST DAY ONE AVOIDED. SO WE'VE DOUBLED THE COST. I'M BEING SIMPLE ABOUT IT. BUT IF YOU TRACK WITH ME, WE'VE INCURRED THESE OTHER COSTS AND THEN LATER INCURRED THE COSTS WE AVOIDED UP FRONT. SO THAT'S WHY IT'S SO CRITICAL THAT WE FUND THE TREATMENT ASPECT. SO THAT THAT VERY HIGH RISK AND HIGH RISK PEOPLE, 71% OF THEM, DON'T RECIDIVATE, VICTIMS ARE TAKEN CARE OF, RESTITUTION IS PAID, AND WE DON'T HAVE A SECOND SENTENCE SCENARIO.

SO HOW DO WE GET THAT DONE, RIGHT? HOW -- WE'RE GOING TO HAVE SOME THAT DO, DESPITE EVERYTHING WE DO, WE'RE GOING TO HAVE SOME THAT RECIDIVATE. BUT HOW DO WE HAVE SUCCESS WITH AS FEW AS POSSIBLE? AND THAT DEALS WITH CAPACITY OF THE TREATMENT BEDS, WE NEED MORE OF THEM. WE NEED TO START WORKING ON THAT TODAY. WE NEED TO HAVE A PLACE TO SEND SOMEBODY WHO OUR ASSESSMENTS HAVE SHOWN NEED SERIOUS TREATMENT. THAT'S GOING TO INCLUDE HOUSING, THAT'S GOING TO INCLUDE THE BED SPACE FOR A AND D TREATMENT, IT'S GOING TO INCLUDE MENTAL HEALTH TREATMENT, THOSE ARE THINGS THAT THIS GROUP IS GOING TO BE HIGH CONSUMERS OF, THAT'S WHAT WE NEED TO BE SPENDING SOME VERY SERIOUS TIME LOOKING AT WITH THIS -- THIS MONEY WE EXPECT TO COME IN HERE IN EIGHT TO 12 MONTHS FROM NOW. AND WE NEED TO START PLANNING FOR THAT CAPACITY BUILDING IN THAT AREA.

Judge Waller: ONE OF THE THINGS -- SORRY.

Commissioner Bailey: GO FOR IT.

Judge Waller: I THINK BEYOND SIMPLY, TRADITIONALLY WHEN SOMEBODY IS PLACE ORDER PROBATION THEY WOULD GET THE DRUG PACKAGE, AND IT WOULD BE A LIST OF THINGS THEY HAD TO DO. ONE OF THE THINGS WE'VE DONE I THINK VERY BY LOOKING AT THE POPULATION IN HINDSIGHT, THIS IS NOT GOING TO BE SIMPLY THE TRADITIONAL SERVICES THAT WE'RE GIVING TO PEOPLE. BECAUSE WE'RE ASKING OF THE PEOPLE THAT WE'RE SERVING THAT WE'RE NOT SENDING TO PRISON, THAT THEY REALLY NOT ONLY TODAY, BUT IN ORDER TO AVOID THE SECOND SENTENCE THAT THEY CHANGE THEIR LIFE DRAMATICALLY, WHICH MEANS WE HAVE TO LOOK AT IT IN A MUCH MORE HOLISTIC WAY. DO THEY NEED PARENTING CLASSES SO THEY CAN RECONNECT WITH THEIR CHILDREN, WHICH WE KNOW IS A MOTIVATOR TO STAYING OUT OF TROUBLE IF THEY HAVE CONNECTION WITH THEIR CHILDREN AND THEY'RE HAVING PARENTING TIME. WE'RE LOOKING AT A MUCH BROADER -- FAR GREATER USE OF MENTORS BECAUSE WE KNOW CONNECTING WITH PEOPLE WHO ARE -- HAVE WALKED THE PATH ARE GOING TO HELP THEM STAY OUT OF TROUBLE. AND WE'RE LOOKING FOR A LONGER PERIOD OF TIME. THIS CAN'T BE A SHORT-TIME FIX. OH, WE'RE HAVING YOU ON THE INTENSE PART OF THE SERVICES AND THEN THINGS GO BY THE BYE.

WE KNOW THE KIND OF CHANGE WE'RE ASKING OF PEOPLE IS GOING TO BE CHANGE THAT REQUIRES A LONGER-TERM INTENSITY OF SERVICES TO GET THEM ON TRACK. WE'RE ASKING PEOPLE TO CHANGE LIFESTYLES THAT HAVE BEEN PART OF THEIR ROUTINE FOR MANY, MANY YEARS. AND SO WE NEED TO -- WE'VE TALKED ABOUT THINGS, THE PRO SOCIAL ACTIVITY THAT WE NEED TO HAVE AVAILABLE AS PART OF A PROBATION PLAN FOR PEOPLE, BECAUSE IT'S NOT SIMPLY STAY CLEAN AND SOBER, IT'S STAY CLEAN AND SOBER AND HAVE PEOPLE WHO YOU'RE GOING TO CONNECT WITH WHO ARE GOING TO SUPPORT YOUR SOBRIETY SO YOU CAN BE PRODUCTIVE. AND THAT TAKES MUCH, MUCH MORE THAN OUR TRADITIONAL WAY OF -- THAT WE DO BUSINESS. SO I THINK IT'S NOT SIMPLY THE CAPACITY FOR THE TRADITIONAL SERVICES, IT'S ALSO LOOKING MUCH MORE HOLISTICALLY AND BEYOND 24/7, WHAT IS THIS PERSON GOING TO NEED IN THEIR LIFE TO STAY - - TO AVOID THE TEMPTATIONS IN THE COMMUNITY THAT ARE OUT THERE ALL THE TIME, THAT THEY COULD STEP OFF, AND BE BACK IN FRONT OF A JUDGE.

SO I THINK THIS IS POTENTIALLY A TREMENDOUS TRANSFORMATION OF THE CRIMINAL JUSTICE SYSTEM. NOT SIMPLY FOR THE 3194 POPULATION, BUT AS WE GO FORWARD, HOW WE'RE DOING BUSINESS ALL TOGETHER. WE HAVE AN UMBRELLA AND A SON SEPTEMBER WE'VE BEGUN TO TALK ABOUT WHICH IS PROCEDURAL FAIRNESS. WE HAD JUDGES COME AND PRESENT TO THE STARING COMMITTEE ON PROCEDURAL FAIRNESS. PROCEDURAL FAIRNESS COMES OUT OF A BODY OF RESEARCH OUT OF YALE THAT FOR PEOPLE WHO ARE INVOLVED IN THE COURTESIES ITEM, IF THEY UNDERSTAND WHAT IS GOING ON, IF THEY BELIEVE THEY'RE RESPECTED AND THEY HAVE THE OPPORTUNITY TO SPEAK, THEY'RE MORE LIKELY TO COMPLY WITH COURT ORDERS, TO ACCEPT THE OUTCOME. THAT'S IMPORTANT IN TERMS OF THE

LONG-TERM ASPECT AND THOSE ARE THINGS THAT EACH PART OF OUR SYSTEM, WHETHER IT'S A SHERIFF'S DEPUTY, WHETHER IT'S A LAW ENFORCEMENT OFFICER, WHETHER IT'S A D.A. OR JUDGE, ARE GOING TO HAVE TO INCORPORATE IF WE HAVE REALLY THIS LONG-TERM TRANSFORMATION OF HOW WE'RE DOING BUSINESS.

Commissioner Bailey: AS EACH ONE OF YOU SPEAKS, THE CIRCLE OF WHAT WE'RE TALKING ABOUT IN TERMS OF INVESTMENT GETS LARGER.

Mr. Underhill: IT DOES.

Commissioner Bailey: AND THAT MAKES SENSE IN TERMS OF LOOKING AT AN EQUILIBRIUM BETWEEN SORT OF DIFFUSION OF IMPACT OF A PARTICULAR INTERVENTION AND TIME LINE ON WHICH WE CAN MEASURE IT, MR. UNDERHILL I GET YOUR POINT ABOUT TWO TO THREE YEARS, TO ME THAT SEEMS INCREDIBLY SHORT IN TERMS OF HOW WE'RE GOING TO NOW WHEN THIS WORKS. WE'RE ESSENTIALLY BUYING SHARES IN PEOPLE, RIGHT, THROUGH THESE PROGRAMS. AND WE'RE NOT GOING TO KNOW OVER TIME HOW THAT IS GOING TO PAN OUT UNTIL WE SEE THE ARC REALLY OF THEIR FUNCTIONAL LIFE WITHIN THIS SYSTEM. SO THE QUESTION S. HOW RESTRICTIVE IS THE MONEY WE'RE GOING TO GET? AND WHAT CAN WE USE IT FOR? BECAUSE OBVIOUSLY THERE'S -- AN ENORMOUS AMOUNT OF OPPORTUNITY TO BRING IN OTHER THINGS THAT MAY OR MAY NOT HAVE A DIRECT IMPACT IN A PARTICULAR TIME FRAME ON THE OUTCOMES WE'RE TRYING TO MEASURE.

YOUR POINT IS THERE'S ONLY SO MANY SEATS ON THE BUS, AS WE'RE LEARNING FROM PEOPLE THAT WE'RE SORTING INTO THIS THROUGH MCJRP THAT ARE, SAY, THEY FIT THE EXACT MODEL OF THE INTERVENTION 90% OR SOMETHING LIKE THAT, SO WE'RE GOING TO SEND THEM HERE, HOW MUCH DO WE EXPAND THAT FOR OTHERS THAT MIGHT 70% FIT THE MODEL OR 60% FIT THE MODEL AND MAKE SURE WE'RE BUILDING OFF WHAT WORKS IN OTHER THINGS. AND WHERE DO WE DRAW THAT LINE IN TERMS OF THE DOLLARS THAT ARE BEING PROVIDED, BECAUSE IF I -- THERE'S CLEARLY AN INTERSECTION BETWEEN TREATMENT BEDS, THERE'S CLEARLY AN INTERSECTION BETWEEN HOUSING, REALLY CRITICAL. WE COULD SOLVE A LOT OF THESE PROBLEMS IF WE WERE ABLE TO USE THIS MONEY FOR HOUSING POTENTIALLY. I COULD DRAW THAT CIRCLING LARGER AND SAY, IF WE HAD A BETTER EDUCATION SYSTEM AND TOOK CARE OF OUR KIDS BETTER WE MIGHT NOT HAVE THESE PROBLEMS IN THE FUTURE, OR WE INVESTED IN EARLY CHILDHOOD OUTCOMES. WHAT ARE THE RESTRICTIONS ON THE MONEY AND HOW FAR OUT ON THESE CIRCLES CAN WE GO AND ARE WE MEASURING THAT AND THINKING ABOUT THAT AS WE DO EVALUATION?

Judge Waller: I'M GOING TO ANSWER THE LAST QUESTION. I THINK THERE'S POTENTIAL AS I ENDED WITH TRANSFORMING THE CRIMINAL JUSTICE

SYSTEM. THERE ARE BEYOND WHAT THE LEGISLATURE HAS GIVEN US TO THE BUDGET FOR MCJRP, THERE'S OBVIOUSLY TREMENDOUS AMOUNTS OF MONEY THAT EACH OF OUR SYSTEMS PUTS INTO THE POPULATION. ARE WE USING THAT MONEY TO ITS -- ARE WE DOING -- IF WE'RE BEING SUCCESSFUL, THE RESOURCES WE'RE ALREADY PUTTING INTO -- THAT GINGER HAS RESPONSIBILITY FOR, THE WAY THE COURT DOES BUSINESS, THE WAY WE COULD BEGIN TO EXPAND HOW WE'RE DOING THIS TO GROUPS BEYOND -- HAVING -- NEEDING NO PERMISSION FROM THE LEGISLATURE DEPENDING UPON THE COLLABORATION WE HAVE DEVELOPED, THAT WE COULD BEGIN TO EXPAND WHEN WE DO ASSESSMENTS. BECAUSE THEY'RE GOING TO BE DONE ANYWAY BY GINGER, THE QUESTION IS DO WE WANT TO EXPAND OUT AND WHEN. SO I THINK THERE IS THE ABILITY TO SHALL BETTER STEWARDS OF SOME OF THE RESOURCES THAT WE ALREADY HAVE COMMITTED JUST BECAUSE THAT'S THE WAY WE DO BUSINESS, IS WE HAVE PROBATION RESOURCES WE HAVE D.A.s DEVOTED AND DEFENSE LAWYERS DEVOTE AND JUDGES DEVOTED. AND THOSE WILL BE QUESTIONS WE ANSWER AS WE MOVE FORWARD AND GET SOME BETTER RESULTS. FIRST QUESTION I DIDN'T ANSWER.

Mr. Underhill: THE FIRST QUESTION, IT'S GOING TO BE HARD TO ANSWER, FIRST BECAUSE WE DON'T HAVE THE GRANT PARAMETERS OUT YET. WE'LL LOOK AT THAT GRANT SOLICITATION, WE'LL HAVE TO DISSECT EACH AND EVERY WORD AS COMMONLY FOUND IN A GRANT SOLICITATION AND SEE EXACTLY WHAT THEY SAID. I THINK THAT IT'S GOING TO JUST COMMON SENSE AND THE WHOLE EDICT BETWEEN 3194 IS AT LEAST A REASONABLY CLEAR NEXUS TO DOC PRISON BED REDUCTION COSTS. THAT'S THE NEXUS OF WHAT SAVES MONEY, IS JUST WHAT I SAID. SO WE'RE GOING TO HAVE -- WHAT DOES A REASONABLY CLEAR NEXUS MEAN? THAT'S WHERE IT'S UP TO INTERPRETATION OF HOW FAR, HOW FAR DOES THAT BUBBLE GO OUT? I'M GOING TO ADD TO THE CIRCLE OF EXPENDITURES, BECAUSE ONE OF THOSE IS IN THE AREA OF PUBLIC CONFIDENCE. AND DIRECT VICTIM CONFIDENCE IN THE SYSTEM. WE'VE SPENT A LOT OF PARTS OF THE CONVERSATION AS WE SHOULD ABOUT OFFENDER-BASED RESOURCE AND THOSE KINDS OF THINGS. BUT PART OF 3194 IS ALSO WE NEED TO MAKE SURE WE'RE TAKING CARE OF OUR VICTIMS AND VICTIMS SERVICES. ONE OF THE THINGS IS WE'VE SEEN SOME GAPS IN THAT AREA AS WELL. AND IT'S AN OPPORTUNITY FOR US TO IDENTIFY THOSE GAPS AND TAKE OWNERSHIP OF THEM AND FIX THEM. BECAUSE THAT'S A PART, WE NEED PUBLIC CONFIDENCE IN THE PUBLIC SAFETY PART OF THIS EQUATION, NOT JUST SAVING MONEY, PUBLIC SAFETY SIDE, AND THEN THE DEALING WITH THE DIRECT INDIVIDUAL VICTIM ON AN INDIVIDUAL CASE AND MAKING SURE WE'RE TAKING CARE OF THAT PERSON. WE'RE DOING A VERY GOOD JOB BY OUR STATISTICS UP TO THIS POINT RELATIVE TO RESTITUTION IDENTIFICATION AND SUBMISSION TO THE COURT. BUT WE'VE GOT OTHER GAPS. SO I'VE EXPANDED THE EXPENSE A LITTLE BIT ON 3194 AS WELL.

Mr. Borg: JUST IN -- MY CONCERN ACTUALLY -- ALMOST A CONTRARY TO WHAT YOU'RE SAYING, IT WOULDN'T BE RESTRICTED ENOUGH BECAUSE I THINK WHAT I WOULD ANTICIPATE THEM, LESSONS WE'VE LEARNED IS THAT I WOULD EXPECT IT TO BE PRETTY BROAD. ONCE IT'S GIVEN TO THE COUNTY, AND THE NEED IS GOING TO BE SO HIGH. WE'RE DOCUMENTING A LACK OF CAPACITY. BUT I'M ALSO HAVING BEEN INVOLVED WITH THE SYSTEM FOR 30 YEARS NOW IN THE CRIMINAL JUSTICE SYSTEM HERE IN OREGON, MY CONCERN IS THAT WE FEEL THE PRESSURE TO PROVIDE EVERY DOLLAR TO TREATMENT AND BEDS THAT WE CAN AND WE END UP SHORTING THE ANALYSIS SIDE. AND I THINK WE REALLY NEED TO MAKE SURE THAT AS YOU -- THAT WE SET ASIDE ENOUGH CAPACITY, BECAUSE THE REALITY IS WE'RE GETTING THE GOOD WORK, WE'RE GETTING FROM THE DATA TEAM AND IT IS COLLABORATIVE, AND THEIR BOSSES ARE GIVING THEM PERMISSION TO DO IT, BUT IT'S ALL ON EXTRA TIME. THERE HAS BEEN NO ADDITIONAL CAPACITY PUT INTO THE SYSTEM FOR THAT, AND YET WE'RE SEEING HOW CRITICAL THAT IS GOING TO BE TO UNDERSTANDING. THERE'S A GOOD STORY TO BE TOLD HERE, BUT IT'S ONLY GOING TO BE TOLD IF WE'RE UNDERSTANDING WHAT'S HAPPENING. AND I'M CONCERNED THAT EVERYBODY IS GOING TO FEEL THE PRESSURE TO SAY WE'VE GOT TO BUY ONE MORE BED, BUY TWO MORE BEDS, AND WE END UP NOT DOING THE ANALYSIS.

Mr. Underhill: ON THE ANALYSIS SIDE, COMMISSIONER, SOME AGENCIES ARE CONTRIBUTING MORE RESOURCES EVEN TODAY THAN OTHERS. AND IT'S A GROUP EFFORT, BUT THERE'S CAPACITY ISSUES THERE AS WELL THAT WE WILL NEED TO FLESH OUT OVER TIME.

Mr. VanSpeybroeck: AS I INTERPRET YOUR QUESTION, I'M DAVE VANSPEYBROECK, AN ATTORNEY AT SUSSMAN SHANK, I'VE SPENT MORE FRIDAY MORNINGS THAN I CARE TO REMEMBER WITH THIS GROUP OF GREAT PEOPLE WHO WORK VERY HARD, THE ANSWER ON HOW FAR THE BUBBLE EXPANDS TO ME IS IT EXPANDS ABOUT THIS FAR. ABOUT AS FAR AS WE'VE DESCRIBED. AND THE REASON I SAY THAT IS NOT BECAUSE I DON'T SEE POTENTIAL IN EXPANDING THE BUBBLE FURTHER, BUT BECAUSE ULTIMATELY AT THE END OF THE DAY THE ABILITY TO GET MORE MONEY IS GOING TO HINGE ON OUR ABILITY TO MEASURE SUCCESS. AT THE MOMENT TO GROSSLY OVER SIMPLIFY, WE HAVE TWO VARIABLES, WHICH IS ARGUABLY ONE VARIABLE MORE THAN WE SHOULD V ONE IS MAKING SURE THE JUDGES HAVE MORE INFORMATION SO THEY CAN MAKE BETTER, MORE EFFICIENT DECISIONS. AND THE OTHER VARIABLE IS INCREASING THE TREATMENT SO WE'RE ATTACKING ALL OF THE ROOTS OF RECIDIVISM. SO THERE HAVE BEEN THINGS WE'VE THOUGHT ABOUT, BUT THAT SCOPE OF THINGS THAT WE'RE THINKING ABOUT IS MUCH, MUCH WIDER FOR EXAMPLE THE PARENTING RELATIONSHIPS THAT JUDGE WALLER TALKED ABOUT. IF WE ADD MANY MORE VARIABLES, WE'RE NOT GOING TO BE ABLE TO MEASURE SUCCESS, AND THEN WE'RE NOT GOING TO BE ABLE TO GET THE MONEY. SO I THINK THAT'S A THING TO KEEP IN MIND IN THIS, WHICH DOESN'T MEAN I DON'T

SUPPORT ALL OF THE THINGS YOU'RE TALKING ABOUT, BUT I THINK WE HAVE TO BE CAREFUL TO -- WE'VE GOT TO -- A PROGRAM THAT'S PRETTY BROAD AS IT IS, AND I THINK BROADENING IT HAS RISKS.

Commissioner Shiprack: THIS IS REALLY SO IMPORTANT, AND SO INTERESTING, AND IN A WAY I THINK WE NEED TO BE AWARE THAT WE HAVE REALLY KNOWN A LOT OF THIS FOR A LONG TIME, AND WE HAVE EASED OURSELVES INTO THIS SOLUTION BECAUSE OF THIS IMPRESSION THAT OUTSIDE OF OUR CHAMBER OF SORT OF KNOWLEDGE ABOUT WHO WE SEE AND WHAT THEY DO, AND WHERE THEY COME FROM, THAT -- THERE'S THIS SORT OF TOXIC ENVIRONMENT THAT WE CAN'T SURVIVE IN, WHICH IS GOING TO LOOK IN AT OUR BEHAVIOR THAT'S IN RESPONSE TO REALITY AND TELL US IN A VERY ACCUSING WAY THAT WE'RE BEING SOFT ON CRIME. WHICH HAS BEEN A POLITICAL TOXIN IN THE AIR THAT I DON'T KNOW IF YOU CAN CLEAR A TOXIN BY TALKING ABOUT IT, BUT I DO THINK THAT AS THE PRESSURE IN THE CHAMBER BECOMES GREATER AND THE CONFIDENCE WE HAVE THAT WE HAVE A BETTER WAY OF DOING THIS BECAUSE GREATER THAT WE ARE MAKING A LOT OF PROGRESS, AND IT MIGHT EVEN BE THAT WE CAN OPEN THE DOOR TO OUTSIDE, AND IT'S SAFE. BUT I THINK THERE'S STILL SOME UNCERTAINTY ABOUT THAT, AND I THINK THAT GETS IN THE WAY OF OUR WORK. AND DAVID, I APPRECIATE THAT IT'S A DIFFICULT TO FIND A CHAIR, A SEAT AT THE TABLE -- [LAUGHTER]

BUT THAT'S A GOOD THING TOO. IT'S GOOD THAT THERE'S SO MUCH ENTHUSIASM. I DO THINK THE REAL VARIABLE THAT WE DON'T REALLY TALK ABOUT, AND IT MAKES JUDGES NERVOUS AND IT MAKES D.A.s NERVOUS, AND THAT IS HUMAN BEHAVIOR. AND YOU REALLY, THERE'S NO -- THERE'S NOT GOING TO BE ANY GUARANTEE IN THIS BUSINESS, I THINK THE DATA AND BY FAR THE WEIGHT OF THE DATA IS -- SIDES WITH US. BUT HUMAN BEHAVIOR IS JUST SOMETHING THAT YOU CANNOT CONTROL WITHIN THE SYSTEM, AND WE'RE IN A SYSTEM, THE PUBLIC SAFETY SYSTEM THAT DEALS WITH HUMAN BEHAVIOR. SO I THINK THAT THE REAL MESSAGE IS THAT FOR US TO KNOW WHAT WORKS, AND NOT DO IT, WHICH MEANS TO KNOW THAT HOUSING MAKES A DIFFERENCE AND EARLY CHILDHOOD EDUCATION MAKES A DIFFERENCE, AND DRUG AND ALCOHOL TREATMENT MAKE A DIFFERENCE, THAT SPENDING MORE ON MORE INTENSIVE SUPERVISION WITHIN THE COMMUNITY MAKES A DIFFERENCE, FOR US TO KNOW ALL THOSE THINGS, AND NOT DO THEM, THAT'S REALLY NOT JUST STUPID, BUT THAT'S SOFT ON CRIME. AND SO ALL OF THE WORK THAT YOU'RE DOING I REALLY APPRECIATE, ABBEY, THANK YOU, JUDGE WALLER, ROD, I MEAN LANE, DAVID, SUZANNE, THIS ENTIRE GROUP, AND THAT BUBBLE REALLY EXTENDS OUT. YOU REALLY ARE MAKING A DIFFERENCE. AND WE THINK THE STATE IS GOING TO STAND BEHIND US WITH THIS GRANT ULTIMATELY, BUT I THINK I'M CONFIDENT THAT YOU'RE MAKING A DIFFERENCE, AND I REALLY APPRECIATE IT. THANK YOU VERY MUCH FOR ALL OF YOUR WORK.

Ms. Stamp: IN CLOSING, THANK YOU COMMISSIONER SHIPRACK, YOU KNOW THIS ALL TOO WELL, BUT COMMISSIONER BAILEY, PIGGYBACKING ON YOUR COMMENTS ON WHERE THE BUBBLE OR THE CIRCLE STOPS, THAT'S WHY LPSCC EXISTS. IT'S THE PERFECT HOME FOR THIS WORK, BECAUSE IT'S MULTIDISCIPLINARY, BUT THERE ARE OTHER SUBCOMMITTEES WORKING ON THINGS AROUND GANG VIOLENCE AND SCHOOL DISCIPLINE THAT ADDRESSES YOUTH, STAYING SAFE, NOT GETTING INVOLVED IN CRIME, NOT BECOMING A 3194 TAGGED OFFEND WHERE THEY'RE OLDER. WE HAVE INTEREST FROM THE CHILD WELFARE SYSTEM TO GET THEIR LEADERSHIP INVOLVED WITH LPSCC. SO IT'S A GREAT HOME FOR MANY OF THESE DISCUSSIONS AND I THINK IT'S MY JOB TO FIGURE OUT HOW TO WORK WITH YOU ALL AND THE BOARD TO KEEP THESE EFFORTS NOT ONLY PARALLEL BUT ALSO BRAIDED. SO THEY'RE WELL INFORMED, BUT ALSO HAVE THEIR OWN SPECIAL BUBBLE SO WE CAN MAKE SURE THAT THE EFFORTS ARE INTENTIONAL AND DIRECT AS WELL. THANK YOU VERY MUCH FOR YOUR TIME.

Chair Kafoury: THANK YOU SO MUCH. AND WITH THAT WE'RE ADJOURNED.

ADJOURNMENT

The meeting was adjourned at 11:11 a.m.

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Board of County Commissioners
Multnomah County