

**ANNOTATED MINUTES**

***Tuesday, November 29, 1994 - 8:30 AM to 4:30 PM  
Mead Building, 7th Floor Training Room  
421 SW Fifth Avenue, Portland***

**WORK SESSION**

***WS-1 Board and Managers Planning and Discussion Regarding Legislative Planning for the 1995 Legislative Session***

***WORK SESSION FOR THE PURPOSE OF PLANNING AND DISCUSSION REGARDING THE UPCOMING 1995 LEGISLATIVE SESSION ATTENDED BY: BEVERLY STEIN, SHARRON KELLEY, GARY HANSEN, TANYA COLLIER, DAN SALTZMAN, BARRY CROOK, DAVE WARREN, TAMARA HOLDEN, BETSY WILLIAMS, TOM SLYTER, JENNIE GOODRICH, HOWARD KLINK, REX SURFACE, JANICE DRUIAN, KATHY BUSSE, SCOTT PEMBLE, GINA MATTIODA, JO ANN ALLEN, RHYS SHOLES, MIKE DELMAN, BILLI ODEGAARD AND LARRY NICHOLAS.***

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***Thursday, December 1, 1994 - 9:30 AM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland***

**REGULAR MEETING**

***Chair Beverly Stein convened the meeting at 9:35 a.m., with Vice-Chair Tanya Collier, and Commissioners Sharron Kelley, Gary Hansen and Dan Saltzman present.***

**CONSENT CALENDAR**

***UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-10) WAS UNANIMOUSLY APPROVED.***

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

***C-1 ORDER in the Matter of the Execution of Deed D951133 for Certain Tax Acquired Property to WENDELL E. BROWN AND MARY B. BROWN***

***ORDER 94-224.***

- C-2 *ORDER in the Matter of the Execution of Deed D951130 for Certain Tax Acquired Property to CARL A. HOFMANN*

**ORDER 94-225.**

- C-3 *ORDER in the Matter of the Execution of Deed D951109 Upon Complete Performance of a Contract to SUZANNE H. ROSS*

**ORDER 94-226.**

- C-4 *ORDER in the Matter of the Execution of Deed D951129 for Certain Tax Acquired Property to ROCKWOOD INVESTMENT COMPANY*

**ORDER 94-227.**

**DEPARTMENT OF HEALTH**

- C-5 *Ratification of Renewal to Intergovernmental Agreement, Contract #201175, between Multnomah County and Mt. Hood Community College Allowing Nursing Students to Gain Work Experience by Working in County Clinics at No Cost to Either Party, Effective Upon Execution through One Year from Date of Execution*
- C-6 *Ratification of Renewal to Intergovernmental Agreement, Contract #201195, between Multnomah County and Oregon Health Sciences University Allowing Nursing Students to Gain Learning Experience by Working in County Clinics at No Cost to Either Party, Effective Upon Execution through One Year from Date of Execution*

**COMMUNITY AND FAMILY SERVICES DIVISION**

- C-7 *Ratification of Amendment No. 1 to Intergovernmental Agreement, Contract #101575, between Multnomah County Community and Family Services Division and Portland Public Schools, Adding \$3,726 for School District to Develop a Videotape on Teen Pregnancy Prevention, Effective Upon Execution through June 30, 1995*
- C-8 *Ratification of a Renewal to Intergovernmental Agreement, Contract #103825, between the Housing Authority of Portland and Multnomah County Community and Family Services Division, for Homeless Prevention Services, Effective October 1, 1994 through September 30, 1995*
- C-9 *Ratification of a Renewal to Intergovernmental Revenue Agreement, Contract #103925, between the City of Portland and Multnomah County Community and Family Services Division for \$62,327 to Fund Shelter at the Bridgeview for Homeless Chronically Mentally Ill People, Effective July 1, 1994 through June 30, 1995*

C-10 *Ratification of a Renewal to Intergovernmental Revenue Agreement, Contract #103935, between the City of Portland and Multnomah County Community and Family Services Division for \$18,456 to Fund Shelter at the Bridgeview for Homeless Chronically Mentally Ill People, Effective July 1, 1994 through June 30, 1995*

**REGULAR AGENDA**

**NON-DEPARTMENTAL**

R-1 *RESOLUTION in the Matter of Approving the Amendment to the Comprehensive Plan of the Multnomah Commission on Children and Families for FY 1995-97*

**COMMISSIONER SALTZMAN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-1. PAULINE ANDERSON, CHAIR OF MULTNOMAH COMMISSION ON CHILDREN AND FAMILIES PRESENTED EXPLANATION. SUPPORTIVE TESTIMONY RECEIVED FROM ERICKA WAGNER, PAM PATTON AND JACKI GALLOWAY. COMMISSIONER HANSEN AND CHAIR STEIN EXPRESSED THANKS TO THE COMMISSION, PAULINE ANDERSON AND HELEN RICHARDSON FOR ALL THE WORK DONE TO CREATE THIS PLAN. RESOLUTION 94-228 WAS UNANIMOUSLY APPROVED.**

R-2 *RESOLUTION in the Matter of Establishing a Process for Filling Vacancies on District Boards Pursuant to State Law*

**COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-2. COUNTY COUNSEL LARRY KRESSEL PRESENTED EXPLANATION AND RESPONSE TO BOARD QUESTIONS REGARDING THE PROCESS TO FILL THE VACANCIES ON THE ROCKWOOD WATER DISTRICT BOARD. JEANNE ORCUTT PRESENTED TESTIMONY REGARDING THE HISTORY OF THIS ITEM. A HEARING DATE OF THURSDAY, JANUARY 12, 1995 WAS SET. COMMISSIONER DAN SALTZMAN EXPLAINED WHY HE WOULD NOT BE ABLE TO ATTEND THE JANUARY 12TH MEETING. RESOLUTION 94-229 ESTABLISHING THE PROCESS FOR FILLING THE VACANCIES WAS UNANIMOUSLY APPROVED.**

R-3 *RESOLUTION in the Matter of Authorizing the Issuance and Negotiated Sale of Certificates of Participation as Full Faith and Credit Obligations in an Amount Not*

*Exceeding \$3,600,000; Designating an Authorized Representative, Financial Advisor, Special Counsel, Registrar and Paying Agent; Authorizing the Execution and Delivery of a Lease-Purchase Agreement and an Escrow Agreement; Declaring Official Intent to Reimburse Expenditures and Other Matters*

**COMMISSIONER SALTZMAN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-3. DAVE BOYER PRESENTED EXPLANATION. RESOLUTION 94-230 WAS UNANIMOUSLY APPROVED.**

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

*R-4 In the Matter of Approval of a Sewer Easement to the City of Portland for the Bloomington Sanitary Sewer Project*

**COMMISSIONER COLLIER MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-4. RICH PAYNE PRESENTED EXPLANATION. SEWER EASEMENT TO THE CITY OF PORTLAND FOR THE BLOOMINGTON SANITARY SEWER PROJECT WAS UNANIMOUSLY APPROVED.**

**JUVENILE JUSTICE DIVISION**

*R-5 Ratification of an Intergovernmental Revenue Agreement, Contract #103795, between Multnomah County Juvenile Justice Division and Portland School District No. 1 to Provide \$65,900 for Funding a Juvenile Court Counselor Position to Work On-Site at the Counteract Alternative Program Campus*

**COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-5. BILL FOGERTY PRESENTED EXPLANATION. AGREEMENT WAS UNANIMOUSLY APPROVED.**

**COMMUNITY AND FAMILY SERVICES DIVISION**

*R-6 Ratification of Amendment No. 1 to Intergovernmental Agreement, Contract #103794, between Multnomah County and the Regional Drug Initiative (RDI) Clarifying the Language in the Agreement between Multnomah County and the City of Portland Regarding Restrictions and Distribution of Assets upon Dissolution of the Organization, Effective October 28, 1994 through Termination by All Parties*

**COMMISSIONER KELLEY MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-6. NORMA JAEGER PRESENTED EXPLANATION AND RESPONSE TO BOARD QUESTIONS FOR ITEMS R-6 AND R-7. R-6 WAS UNANIMOUSLY APPROVED.**

R-7 *First Reading and Possible Adoption of a Proposed ORDINANCE Ratifying and Amending the Intergovernmental Agreement with the City of Portland for the Regional Drug Initiative and Declaring an Emergency*

**PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF THE FIRST READING AND ADOPTION. NO ONE WISHED TO TESTIFY. ORDINANCE NO. 806 WAS UNANIMOUSLY APPROVED.**

**PUBLIC COMMENT**

R-8 *Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.*

**NONE.**

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

R-9 *RESOLUTION n the Matter of Recommendation in Support of the Halsey South/North Steering Group Tier I Final Recommendation Report Describing the Light Rail Alternatives to Advance into Tier II Draft Environmental Impact Statement for Further Study*

**COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-9. ED PICKERING PRESENTED EXPLANATION AND RESPONSE TO BOARD QUESTIONS. TESTIMONY RECEIVED FROM BING SHELDON AND SHARON MEYER IN SUPPORT OF RESOLUTION. RESOLUTION 94-231 WAS UNANIMOUSLY APPROVED.**

**SHERIFF'S OFFICE**

R-10 *Budget Modification MCSO #4 Revised, Requesting Authorization to Transfer \$32,345 from General Fund Contingency to the Sheriff's Office to Fund Two Civil Deputy Positions to for the Period 12/1/94 to 6/1/95 to Handle the Increase in Mental Health Transports*

**UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, IT WAS UNANIMOUSLY APPROVED TO CONTINUE ITEM R-10 TO A TIME CERTAIN OF THURSDAY, DECEMBER 8, 1994.**

Thursday, December 1, 1994 - 10:00 AM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

**WORK SESSION**

WS-2 Work Session for Discussion Regarding Labor Negotiations.

**CHAIR STEIN OUTLINED THE RULES OF PROCEDURE FOR TODAY AND WHY THIS MEETING WAS CHANGED FROM AN EXECUTIVE SESSION TO A BOARD WORK SESSION. ALSO, ADVISING THAT THE BOARD WOULD NOT HEAR PUBLIC TESTIMONY TODAY AND EXPLAINED THAT A SPECIAL MEETING HAS BEEN SCHEDULED FOR WEDNESDAY, DECEMBER 7, 1994 FOR THIS PURPOSE.**

**KEN UPTON PRESENTED PRESENTATION, EXPLANATION AND TO RESPONSE TO BOARD QUESTIONS.**

*There being no further business, the meeting was adjourned at 11:35 a.m.*

**OFFICE OF THE BOARD CLERK  
for MULTNOMAH COUNTY, OREGON**

  
Carrie A. Parkerson

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Thursday, December 1, 1994 - 11:00 AM  
(Or Immediately Following Work Session)  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

**BOARD BRIEFING**

B-1 Presentation of the 1st Quarter 1994-95 Performance Report. Presented by Barry Crook.

**BARRY CROOK PRESENTATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION.**

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*Thursday, December 1, 1994 - 1:30 PM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland*

**WORK SESSION**

*WS-3 Board and Managers Discussion on the 1994-95 Mid-Year Performance Report;  
Review Status of Current Year Action Plans and Key Results Measures; and  
Updates on 3-6 High Priority Action Plans, for the Following:*

*1:30 - 4:00 Community and Family Services*

***LOLENZO POE, JAMES EDMONDSON, HOWARD  
KLINK, ELAINE DECK, SUSAN CLARK AND NORMA  
JAEGER PRESENTATION AND RESPONSE TO BOARD  
QUESTIONS AND DISCUSSION.***

*4:00 - 5:00 Management Support Services*

***MEGANNE STEELE, CURTIS SMITH, DAVE BOYER  
AND JEAN MILEY PRESENTATION AND RESPONSE  
TO BOARD QUESTIONS AND DISCUSSION.***



# MULTNOMAH COUNTY OREGON

OFFICE OF THE BOARD CLERK  
SUITE 1510, PORTLAND BUILDING  
1120 S.W. FIFTH AVENUE  
PORTLAND, OREGON 97204

BOARD OF COUNTY COMMISSIONERS		
BEVERLY STEIN •	CHAIR	• 248-3308
DAN SALTZMAN •	DISTRICT 1	• 248-5220
GARY HANSEN •	DISTRICT 2	• 248-5219
TANYA COLLIER •	DISTRICT 3	• 248-5217
SHARRON KELLEY •	DISTRICT 4	• 248-5213
CLERK'S OFFICE •	248-3277	• 248-5222

## AGENDA

### MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS

#### FOR THE WEEK OF

#### NOVEMBER 28, 1994 - DECEMBER 2, 1994

- Tuesday, November 29, 1994 - 8:30 AM - Work Session . . . . . Page 2*  
*at the MEAD BUILDING*  
*421 S.W. 5th Avenue*  
*7th Floor, Training Room*
- Thursday, December 1, 1994 - 9:30 AM - Regular Meeting . . . . . Page 2*
- Thursday, December 1, 1994 - 10:00 AM - Executive Session . . . . . Page 4*
- Thursday, December 1, 1994 - 11:00 AM - Board Briefing . . . . . Page 4*
- Thursday, December 1, 1994 - 1:30 PM - Work Session . . . . . Page 5*

*Thursday Meetings of the Multnomah County Board of Commissioners are taped and can be seen by Paragon Cable subscribers at the following times:*

- Thursday, 6:00 PM, Channel 30*
- Friday, 10:00 PM, Channel 30*
- Saturday, 12:30 PM, Channel 30*
- Sunday, 1:00 PM, Channel 30*

**INDIVIDUALS WITH DISABILITIES MAY CALL THE OFFICE OF THE BOARD CLERK AT 248-3277 OR 248-5222, OR MULTNOMAH COUNTY TDD PHONE 248-5040, FOR INFORMATION ON AVAILABLE SERVICES AND ACCESSIBILITY.**

*Tuesday, November 29, 1994 - 8:30 AM to 4:30 PM*

*Mead Building, 7th Floor Training Room  
421 SW Fifth Avenue, Portland*

**WORK SESSION**

*WS-1 Board and Managers Planning and Discussion Regarding Legislative Planning  
for the 1995 Legislative Session*

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*Thursday, December 1, 1994 - 9:30 AM*

*Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland*

**REGULAR MEETING**

**CONSENT CALENDAR**

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

- C-1 ORDER in the Matter of the Execution of Deed D951133 for Certain Tax  
Acquired Property to WENDELL E. BROWN AND MARY B. BROWN*
- C-2 ORDER in the Matter of the Execution of Deed D951130 for Certain Tax  
Acquired Property to CARL A. HOFMANN*
- C-3 ORDER in the Matter of the Execution of Deed D951109 Upon Complete  
Performance of a Contract to SUZANNE H. ROSS*
- C-4 ORDER in the Matter of the Execution of Deed D951129 for Certain Tax  
Acquired Property to ROCKWOOD INVESTMENT COMPANY*

**DEPARTMENT OF HEALTH**

- C-5 Ratification of Renewal to Intergovernmental Agreement, Contract #201175,  
between Multnomah County and Mt. Hood Community College Allowing  
Nursing Students to Gain Work Experience by Working in County Clinics at  
No Cost to Either Party, Effective Upon Execution through One Year from  
Date of Execution*
- C-6 Ratification of Renewal to Intergovernmental Agreement, Contract #201195,  
between Multnomah County and Oregon Health Sciences University Allowing  
Nursing Students to Gain Learning Experience by Working in County Clinics  
at No Cost to Either Party, Effective Upon Execution through One Year from  
Date of Execution*

## COMMUNITY AND FAMILY SERVICES DIVISION

- C-7     *Ratification of Amendment No. 1 to Intergovernmental Agreement, Contract #101575, between Multnomah County Community and Family Services Division and Portland Public Schools, Adding \$3,726 for School District to Develop a Videotape on Teen Pregnancy Prevention, Effective Upon Execution through June 30, 1995*
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- C-10    *Ratification of a Renewal to Intergovernmental Revenue Agreement, Contract #103935, between the City of Portland and Multnomah County Community and Family Services Division for \$18,456 to Fund Shelter at the Bridgeview for Homeless Chronically Mentally Ill People, Effective July 1, 1994 through June 30, 1995*

## REGULAR AGENDA

### NON-DEPARTMENTAL

- R-1     *RESOLUTION in the Matter of Approving the Amendment to the Comprehensive Plan of the Multnomah Commission on Children and Families for FY 1995-97*
- R-2     *RESOLUTION in the Matter of Establishing a Process for Filling Vacancies on District Boards Pursuant to State Law*
- R-3     *RESOLUTION in the Matter of Authorizing the Issuance and Negotiated Sale of Certificates of Participation as Full Faith and Credit Obligations in an Amount Not Exceeding \$3,600,000; Designating an Authorized Representative, Financial Advisor, Special Counsel, Registrar and Paying Agent; Authorizing the Execution and Delivery of a Lease-Purchase Agreement and an Escrow Agreement; Declaring Official Intent to Reimburse Expenditures and Other Matters*

### DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-4     *In the Matter of Approval of a Sewer Easement to the City of Portland for the Bloomington Sanitary Sewer Project*

**JUVENILE JUSTICE DIVISION**

- R-5      *Ratification of an Intergovernmental Revenue Agreement, Contract #103795, between Multnomah County Juvenile Justice Division and Portland School District No. 1 to Provide \$65,900 for Funding a Juvenile Court Counselor Position to Work On-Site at the Counteract Alternative Program Campus*

**COMMUNITY AND FAMILY SERVICES DIVISION**

- R-6      *Ratification of Amendment No. 1 to Intergovernmental Agreement, Contract #103794, between Multnomah County and the Regional Drug Initiative (RDI) Clarifying the Language in the Agreement between Multnomah County and the City of Portland Regarding Restrictions and Distribution of Assets upon Dissolution of the Organization, Effective October 28, 1994 through Termination by All Parties*
- R-7      *First Reading and Possible Adoption of a Proposed ORDINANCE Ratifying and Amending the Intergovernmental Agreement with the City of Portland for the Regional Drug Initiative and Declaring an Emergency*

**PUBLIC COMMENT**

- R-8      *Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.*

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*Thursday, December 1, 1994 - 10:00 AM*

*Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland*

**EXECUTIVE SESSION**

- E-1      *The Multnomah County Board of Commissioners Will Meet in Executive Session Pursuant to ORS 192.660(1)(d) for Deliberations with Labor Relations Staff Regarding Labor Negotiations. 1 HOUR REQUESTED.*

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*Thursday, December 1, 1994 - 11:00 AM  
(Or Immediately Following Executive Session)*

*Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland*

**BOARD BRIEFING**

- B-1      *Presentation of the 1st Quarter 1994-95 Performance Report. Presented by Barry Crook. ONE HOUR REQUESTED.*

*Thursday, December 1, 1994 - 1:30 PM*

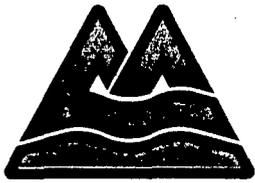
*Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland*

**WORK SESSION**

**WS-2** *Board and Managers Discussion on the 1994-95 Mid-Year Performance Report; Review Status of Current Year Action Plans and Key Results Measures; and Updates on 3-6 High Priority Action Plans, for the Following:*

*1:30 - 4:00 Community and Family Services*

*4:00 - 5:00 Aging Services Division*



# MULTNOMAH COUNTY OREGON

OFFICE OF THE BOARD CLERK  
SUITE 1510, PORTLAND BUILDING  
1120 S.W. FIFTH AVENUE  
PORTLAND, OREGON 97204

BOARD OF COUNTY COMMISSIONERS  
BEVERLY STEIN • CHAIR • 248-3308  
DAN SALTZMAN • DISTRICT 1 • 248-5220  
GARY HANSEN • DISTRICT 2 • 248-5219  
TANYA COLLIER • DISTRICT 3 • 248-5217  
SHARRON KELLEY • DISTRICT 4 • 248-5213  
CLERK'S OFFICE • 248-3277 • 248-5222

## SUPPLEMENTAL/AMENDED AGENDA

*Thursday, December 1, 1994 - 9:30 AM*

*Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland*

### REGULAR MEETING

#### DEPARTMENT OF ENVIRONMENTAL SERVICES

R-9 *RESOLUTION n the Matter of Recommendation in Support of the Halsey North/South Steering Group Tier I Final Recommendation Report Describing the Light Rail Alternatives to Advance into Tier II Draft Environmental Impact Statement for Further Study*

#### SHERIFF'S OFFICE

R-10 *Budget Modification MCSO #4 Revised, Requesting Authorization to Transfer \$32,345 from General Fund Contingency to the Sheriff's Office to Fund Two Civil Deputy Positions to for the Period 12/1/94 to 6/1/95 to Handle the Increase in Mental Health Transports*

*Thursday, December 1, 1994 - 10:00 AM*

*Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland*

### WORK SESSION

WS-2 *Work Session for Discussion Regarding Labor Negotiations. 1 HOUR REQUESTED.*

*Thursday, December 1, 1994 - 1:30 PM*

*Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland*

**WORK SESSION**

*WS-3 Board and Managers Discussion on the 1994-95 Mid-Year Performance Report; Review Status of Current Year Action Plans and Key Results Measures; and Updates on 3-6 High Priority Action Plans, for the Following:*

*1:30 - 4:00 Community and Family Services*

*4:00 - 5:00 Management Support Services*

MEETING DATE: November 29, 1994

AGENDA NO: WS-1

(Above Space for Board Clerk's Use ONLY)

**AGENDA PLACEMENT FORM**

SUBJECT: Board Work Session

BOARD BRIEFING Date Requested: November 29, 1994

Amount of Time Needed: 8:30 a.m. to 4:30 p.m.

REGULAR MEETING: Date Requested: \_\_\_\_\_

Amount of Time Needed: \_\_\_\_\_

DEPARTMENT: Non-Departmental

DIVISION: Office of the Chair

CONTACT: Rhys Scholes

TELEPHONE #: 248-3308

BLDG/ROOM #: 106/1410

PERSON(S) MAKING PRESENTATION: Various Staff

**ACTION REQUESTED:**

INFORMATIONAL ONLY     POLICY DIRECTION     APPROVAL     OTHER

SUMMARY (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if applicable):

Planning and discussion regard Legislative Planning for the 1995 Legislative Session.

BOARD OF  
COUNTY COMMISSIONERS  
MULTNOMAH COUNTY  
OREGON  
1994 NOV 22 AM 11:20

**SIGNATURES REQUIRED:**

ELECTED OFFICIAL: \_\_\_\_\_

OR

DEPARTMENT MANAGER: \_\_\_\_\_



**ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES**

Any Questions: Call the Office of the Board Clerk 248-3277/248-5222

**Board of County Commissioners  
Legislative Planning Meeting  
November 29, 1994**

*Draft Agenda*

- 1. Analysis and Forecasts** **8:30 - 10:00**  
*(What objective conditions will we face in the next legislative session and beyond?)*  
Political Analysis  
Budget Analysis (including Kitzhaber proposed budget)
- 2.. Legislative Agenda Framework** **10:10 - 10:30**  
*(How do legislative priorities integrate with existing county priorities?)*  
Benchmarks  
De-categorization - Multnomah Option
- 3. Major Issues** **10:30 - 12:00**  
**1:00 - 1:45**  
*(Presentations and questions on complex issues that will generate multiple legislative proposals)*  
Juvenile Justice  
Mental Health  
Jurisdiction
- 4. Other Issues** **1:45 - 3:00**  
*(Review the list of issues to identify positions and priorities)*
- 5. Revenue** **3:15 - 4:00**  
*(What potential sources of increased funds for state government would the Board support?)*
- 6. Housekeeping/Evaluation** **4:00 - 4:30**

Work Session  
11-29-94  
New Agenda

**Board of County Commissioners Legislative Planning Meeting  
November 29, 1994**

1. **Analysis and Forecasts** **8:30 - 9:30**  
(What objective conditions will we face in the next legislative session and beyond?)
  - Political Analysis/Discussion 8:30 - 9:00
  - Budget Analysis (including Kitzhaber proposed budget) 9:00 - 9:30
  
2. **Legislative Agenda Framework** **9:30 - 10:00**  
(How do legislative priorities integrate with existing county priorities?)

proposal:

  - Protect County funding
  - Emphasize issues that relate to urgent benchmarks
  - Juvenile Justice policy issues
  - Mental Health policy issues
  - Track other issues through monthly reports
  - Use criteria to decide local transfer issues
  - Take opportunities to reduce regulation & combine funding
  - ~~Transportation Policy~~
  
- Break** **10:00 - 10:15**
  
3. **Major Issues**
  - Juvenile Justice **10:15 - 11:00**
  - Mental Health **11:00 - 11:30**
  - Local transfer/Multnomah Option **11:30 - 12:00**
  
- Lunch** **12:00 - 1:30**
  
4. **Other Issues** **1:30 - 3:00**  
(Choose issues off of the list for discussion)
  
5. **Revenue** **3:15 - 4:00**  
(What potential sources of increased funds for state government would the Board support?)
  
6. **Summary/Revisit Framework** **4:00 - 4:30**

\* AOC

Housing

\* Land Use

\* Welfare Reform

\* Education Funding

\* A & T

*Work Session  
11-29-94  
Handout #1*

## **Legislative Issue Data Base a quick guide to the first draft**

### **Why**

This data base is designed to allow us to sort and track issues in a flexible manner.

### **Status**

This is a work in progress. We will modify it as we use it.

### **Scope**

Forty five issues are included so far. This is the information submitted to the Chair's Office through November 28. Inclusion on this list does not reflect endorsement or support.

### **Issues by Benchmark**

Our primary report format sorts our issues by benchmark. Other sorts are possible and will be used in the future. Issues for which no benchmark has been identified appear first.

### **Category**

This is the only "coded" entry in the data base. Here's the code:

<b>F</b>	Funding
<b>CP</b>	County Priority
<b>AP</b>	Allied Priority
<b>R</b>	Revenue

We will probably add and modify codes.

### **Benchmarks**

Urgent benchmarks don't have a number in parenthesis after them. Other benchmarks do, and the number relates to the listing in "Multnomah County Benchmarks".

### **Suggestions and Corrections**

Feedback is needed and appreciated. Thanks

## Benchmark:

## Developmental Disabilities Budget

Resist proposed cuts: \$20 million statewide, \$4 million for Multnomah County

Category: F Dep/Div/Etc: CFSD

## Emergency Food Assistance

Increase state support for food acquisition and distribution from \$400,000 to \$900,000.

Category: F Dep/Div/Etc: MCAC

## \*Exempt Old Buildings From Seismic Code

Exempt buildings older than 25 years from upgraded seismic requirements (Steve Rose, Board of Ratio Review Member)

## Joinder

Revisit the joinder issue particularly as it applies to combining criminal cases with forfeiture cases.

Category: CP Dep/Div/Etc: DA

## Jury Selection Modification

Modify jury selection and preemptory challenges, particularly in cases involving joint defendants.

Category: CP Dep/Div/Etc: DA

## Regional HazMat Team Funding

Support funding, and possibly new funding source, for Regional Hazardous Materials Team.

Category: F Dep/Div/Etc: EmerMgt

## Support County Fairs

Allocate ~~three percent~~ of video lottery proceeds to support County fairs

## Benchmark: Care of Elderly (13)

## Maintain OPI

Maintain funding for Oregon Project Independence.

Category: F Dep/Div/Etc: Aging

## Benchmark: Citizen Satisfaction

Benchmark: Citizen Satisfaction  
Family Support

Increase the percent of State Developmental Disabilities budget that supports family providers.

Category: AP Dep/Div/Etc: CFSD

Public School Special Education Dollars

Seek legislative oversight to insure that school funds related to special education students are spent on special education.

Category: AP Dep/Div/Etc: CFSD

Zoning Notification

Require that every property transaction include full disclosure of zoning restrictions and other relevant information.

Category: CP Dep/Div/Etc: A & T

Benchmark: Cost of Government  
Corrections Health Changes

Gain explicit authority to charge inmates for medical care

Category: CP Dep/Div/Etc: Health Sheriff

County Mental Health Authority Clarification

Prevent weakening of county authority by funding cuts and transfer of resources and authority to the Oregon Health Plan

Category: CP Dep/Div/Etc: CFSD

ICP Statutes Clean-up

Remedy unintended shift in venue for alleged mentally ill persons to county where hospital is located.

Category: H Dep/Div/Etc: CFSD Sheriff

✓ Past Video Poker Revenue

Hold counties harmless for video poker money expended before court ruling

Category: CP Dep/Div/Etc: DA

Revise Budget Process

Seek changes to streamline budget review processes

Category: CP Dep/Div/Etc: BudQual

Benchmark: Developmental Disabilities/Housing (17)

## Benchmark: Developmental Disabilities/Housing (17)

## Developmental Disabled Housing

Increase housing supports for Developmental Disabled

Category: F Dep/Div/Etc: CFSD

## Benchmark: Emergency Services (63)

## Oregon Emergency Response System Funding

Monitor the probable shift in funding from direct general fund to fees charged to state agencies.

Category: H Dep/Div/Etc: EmerMgt

## Benchmark: Homelessness (24)

## Homeless Services

Increase funds for State Homeless Assistance Program and the Emergency Housing Account.

Category: F Dep/Div/Etc: MCAC

## Benchmark: Housing (25)

## Affordable Housing Construction

Fund housing construction and the Housing Trust Fund

Category: F Dep/Div/Etc: MCAC

## Mixed Income Housing

Enables housing authorities to house non low income persons

Category: AP Dep/Div/Etc:

## Benchmark: Income (37)

## Earned Income Tax Credit

Create an Earned Income Tax Credit for Oregon State income tax

Category: F Dep/Div/Etc: MCAC

## Farmworker Equity

Eliminate disparate treatment of farmworkers in eligibility for unemployment benefits

Category: CP Dep/Div/Etc: MCAC

*Add to Revenue/Funding*

*Add to Revenue  
look @ State  
with Measure  
Mult. Co. to take  
lead*

Benchmark: Increase Drug Treatment  
Beer & Wine Tax

Additional half cent per drink tax to fund A&D programs  
Category: R Dep/Div/Etc: CFSD

Benchmark: Increase Health Care Services  
Health Care Funding

Full funding for expanded Standard Benefit Package without co-  
pays  
Category: F Dep/Div/Etc: MCAC

Health Reform

Protect the interests of the county and it's patients in the  
health reform debate. Advocate for institutionalizing preventive  
interventions.  
Category: CP Dep/Div/Etc: Health

Inmate Health Coverage

Remove barriers to Oregon Health Plan coverage for persons  
incarcerated in county correctional facilities.  
Category: CP Dep/Div/Etc: Health Sheriff -

Preventive Dental Care

Increase funding for prevention and early treatment of tooth  
decay.  
Category: F Dep/Div/Etc: Health

Benchmark: Increase Mental Health Care  
Adult Mental Health Funding

Reduce number of unserved clients and achieve appropriate balance  
between preventative, institutional and community based care.  
Category: F Dep/Div/Etc: CFSD Sheriff

Oregon Health Plan Mental Health Integration

Support full implementation of the OHP and implementation of  
behavioral health care services within a reasonable time frame.  
Category: F Dep/Div/Etc: CFSD Health

Benchmark: Increase Success of Diversion

Benchmark: Increase Success of Diversion  
Community-Based Juvenile Services

Increase funding for community-based juvenile justice services.  
Category: MI Dep/Div/Etc: Juvenile CFSD DA

DUIII Statute Revision

Various policy changes including "drug court type of program" for  
DUIII offenders.  
Category: CP Dep/Div/Etc: CFSD

STOP Drug Diversion Program/Beer & Wine Tax

Increase Beer & Wine Tax to fund a number of substance abuse  
programs, including drug diversion programs.  
Category: F Dep/Div/Etc: Comm Corr DA

Benchmark: Library Use (43)

Fund Library Link Phase 2

Secure funding for Oregon Library Link, Phase 2, to support costs  
of our library loaning books to other libraries  
Category: CP Dep/Div/Etc: Library

Fund PORTALS

Insure that PORTALS funding is included in PSUs appropriation  
Category: Dep/Div/Etc: Library

Benchmark: Poverty (34)

Welfare Reform

Create mechanisms to bypass injurious elements of national  
welfare reform and protect the well-being of welfare "customers".  
Category: F Dep/Div/Etc: MCAC

Benchmark: Reduce Domestic Abuse

Mandatory PreMarital Education

Require that applicants for a marriage license demonstrate  
satisfactory completion of an educational program preparatory to  
marriage. (Task Force on Family Law)

*Concept  
Ansh*

Benchmark: Reduce Recidivism  
Community Corrections Funding

Maintain funding for probation/parole supervision, services and sanctions

Category: F Dep/Div/Etc: Comm Corr

Juvenile Detention Capacity

Increase the number of "hard beds" available in the the state Juvenile Corrections system.

Category: MI Dep/Div/Etc: Juvenile DA Sheriff

Sex Offender Notification

Legislative review of the implementation and effectiveness of the notification statute enacted by the 1993 legislature

Category: H Dep/Div/Etc: Comm Corr

Sex Offender Registration

Oregon State Police propose a number of changes related to registration requirements

Category: H Dep/Div/Etc: Comm Corr

Sex Offender Therapist Certification

Implement a licensing program for sex offender therapists.

Category: CP Dep/Div/Etc: Comm Corr

Structured Sanctions

Maintain administratively imposed sanctions for probation and parole violators, within statewide guidelines

Category: CP Dep/Div/Etc: Comm Corr DA Sheriff

Benchmark: Reduce Violent Crime

Stalking

Revise stalking legislation to make it more specific and, therefore, more effective

Category: CP Dep/Div/Etc: DA

Benchmark: Reduce substance abuse

Future Video Poker Revenue

Expand allowable expenditures

Category: F Dep/Div/Etc: CFSD DA Sheriff



# MULTNOMAH COUNTY OREGON

*Work Session  
11-29-94  
Handout #2*

COMMUNITY AND FAMILY SERVICES DIVISION  
ADMINISTRATIVE OFFICES  
421 S.W. FIFTH AVENUE, 2ND FLOOR  
PORTLAND, OREGON 97204  
(503) 248-3691 / FAX (503) 248-3379  
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BOARD OF COUNTY COMMISSIONERS  
BEVERLY STEIN • CHAIR OF THE BOARD  
DAN SALTZMAN • DISTRICT 1 COMMISSIONER  
GARY HANSEN • DISTRICT 2 COMMISSIONER  
TANYA COLLIER • DISTRICT 3 COMMISSIONER  
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

## MEMORANDUM

TO: Board of County Commissioners  
Multnomah County Oregon

FROM: Lorenzo T. Poe Jr., Director *Lorenzo Poe* *(10)*  
Community and Family Services Division

DATE: November 28, 1994

SUBJECT: 1995 Legislative Issues

The items listed below are legislative priorities identified by my staff, CFSD advisory groups, and the advocacy network. I have included budget information based on Governor Roberts proposed budget and a very general pre-transition team version of the Kitzhaber budget for your review.

Legislative priorities for the Adult Mental Health, Developmental Disabilities, Alcohol and Drug, Children and Youth Services, and Housing and Community Action programs are outlined on the following pages.

## I. Adult Mental Health

### A. *Adult Mental Health Funding (County Benchmark: Increase Mental Health Care Access)*

As the State has downsized Dammasch State Hospital, the number of Multnomah County residents in state psychiatric beds has been reduced from 262 to 92 since 1991. Significant State funding has been transferred to Multnomah County for the development of community based resources primarily to serve recently discharged and other high need clients. This necessary prioritization of clients has left large numbers of clients in need of services completely unserved, and greatly reduced the availability of services developed to prevent mental health crisis.

It is recommended that Multnomah County support adequate funding for adult mental health services and an appropriate balance between preventative, institutional and community based care.

### B. *Oregon Health Plan Mental Health Integration (County Benchmarks: Increase Mental Health Care Access; Increase Drug Treatment Services)*

The Oregon Health Plan will face serious policy and political challenges during the 1995-97 legislative session. Adequate funding for physical health care services provided in the plan, the role of small business employers in providing for their employees, and the availability and implementation timeline for behavioral health services will all be addressed. It is recommended that Multnomah County support full implementation of the OHP and implementation of behavioral health care services within a reasonable time frame.

### C. *County Mental Health Authority Clarification (County Benchmarks: Increase County Government Accountability and Responsiveness)*

As mental health authority the County must be able to carry out certain core functions:

- Coordination of mental health services with physical health, alcohol and drug, Commission on Children and Families, law enforcement, corrections and juvenile system
- Civil Commitment
- Use statutory powers to ensure that services are delivered in a cost effective manner
- Monitor indicators such as the Oregon Benchmarks to assure that services are achieving desirable outcomes

The current Statute is adequate but we need to prevent it being weakened by funding cuts and transfer of resources and authority to the Oregon Health Plan.

**D. ICP Statutes Clean-up** (County Benchmark: Increase County Government Accountability and Responsiveness; Increased access to Mental Health)

The ICP Statute was revised by the 1993 Legislature effective July 1, 1994. An unintended consequence was shifting venue for the court hearing of the alleged mentally ill person to the County of the hospital where the hold was placed. Multnomah County's several hospitals means many nonresidents have venue here. The State will introduce an amendment to remedy this.

**E. 1995 -97 Adult Mental Health Budget** (based on Governor Roberts proposed budget)

1. Existing mental health programs will face \$20.3 million in cuts over 2 years.
2. There will be no cost-of-living adjustment during the biennium, which reduces the cuts to \$15.3 million.

3. Adult programs will have to absorb \$9.5 million statewide, as follows:

Outpatient Services	\$8.0 million	1142 individuals affected
Supported Employment	\$1.0 million	200 individuals affected
Acute Care Services	\$ .5 million	147 individuals affected

4. Multnomah County received 40% of all State funds spent on adult mental health. The picture for next year for the County, then, is as follows:

Outpatient Services	\$1.6 million	200-250 individuals affected
Supported Employment	\$ .2 million	42- 80 individuals affected
Acute Care Services	\$ .1 million	30 individuals affected

5. This will:
  - a) Eliminate or reduce outpatient services for non-Medicaid persons;
  - b) Eliminate supported employment services in the County; and
  - c) Reduce the amount of wrap-around acute care services available.
6. The Office of Mental Health services has proposed restoration packages that:
  - a) Would restore \$.3 million in County outpatient funds (40-50 individuals);
  - b) Would use lottery funds to restore and expand supported employment.
7. Cuts are not expected to affect residential care facilities, PSRB services, the federally funding Bridgeview Project, services to the elderly, or acute care services such as the Ryles Center or community hospital services. These programs would, however, be denied a cost-of-living increase, like all other programs.

## II. Alcohol and Drug Services

### A. *Beer and Wine Tax (County Benchmarks: Increase Drug Treatment Services; Reduce Student A&D use)*

The State A&D Office has formed a work group to establish priorities in-case a .5 cent a drink tax increase were passed on beer and wine. The projected revenue of \$76,331,067 for the 1995-97 biennium. The projected expansion of programs would equal \$42,830,299. The rest, \$33,304,203, would be used to replace general fund dollars in the Governor's 1995-97 budget. Such legislation is unlikely to be proposed in the new Governor's budget, but efforts are underway to have such legislation introduced by one or more legislators.

### B. *DUII Statute Revision (County Benchmarks: Increase Success of Diversion Programs; Reduce violent crimes, and; Reduce recidivism)*

Multnomah County DUII Community board has a long history of active involvement in advocating and supporting State policy in DUII. A legislative task force on Alcohol and Drug Problems is planning to bring forward DUII related legislation to institute refinements in existing policies and initiate new policies to combat driving under the influence. One approach would provide for local jurisdictions to initiate a drug court type of program to expedite handling DUII cases and impose consistent sanctions. It is recommended that Multnomah County advocate for changes in the DUII Statutes.

### C. *Gambling Addiction Treatment Funding*

Legislation will be proposed to reinstate the 3% video poker set aside for gambling addiction treatment. It is recommended that Multnomah County support this legislation.

### D. *1995-97 Alcohol and Drug Program Budget (based on Governor Roberts proposed budget)*

There were no reductions proposed in the A&D program budget by Governor Roberts.

## III. Developmental Disabilities

### A. *Housing (County Benchmark: Developmental Disabilities and Housing)*

In Multnomah County we are meeting less than 50% of the need for residential supports for adults. New services are 100% crisis driven--and at point of crisis, service costs are at their greatest.

### B. *Public School Special Education Dollars (County Benchmark: Citizen Satisfaction)*

Advocates are concerned that the amount of dollars generated by the number of children served through Special Education are not being budgeted wholly within Special Education cost centers. They may seek legislative oversight of this issue.

C. *Family Support (County Benchmark: Citizen Satisfaction)*

Families are the largest residential provider network in Oregon, yet only .1 of 1% of the State Developmental Disabilities budget is spent on Family Support. Advocates will seek to increase that percentage.

D. *Crisis/Diversion Costs and Biennial Roll-up (County Benchmark: Citizen Satisfaction)*

This category is currently in the MHDDSD base budget and supported by DHR, both for the first time.

E. *1995-97 Developmental Disabilities Program Budget (based on Governor Roberts proposed budget)*

Currently, MHDDSD proposes a statewide cut of \$20.1 million for Developmental Disabilities.

Multnomah County's share of that cut would be approximately \$4.0 million for the biennium.

Cost of Living Adjustments (COLA) are eliminated for all programs.

Vocational Services which are now funded with General Funds are eliminated within the target budget, and 4,010 people would lose services. Since residents will no longer have a vocational program under this plan, approximately 66% of the vocational dollars would be transferred to residential services, so that 24 hour care is maintained. The remaining General Funds for vocational services would be removed from the budget. Restoration of all vocational services is included in a program option package. Lottery funds of \$16.5 million are requested to restore service to the existing level.

IV. Housing and Community Action

A. *Welfare Reform*

Most of the family households served in the Community Action system are welfare "customers". Welfare is a critical resource for income and health benefits, and to a lesser extent, life skills training, child care assistance, and job readiness and placement assistance. The Welfare Reform Study Group has selected a set of principles "Welfare that Works and Work that Pays" which have been drafted into legislative form. The goal will be to create mechanisms to bypass the most injurious elements of a national bill and to protect the well-being of welfare "customers". Additionally, the last legislative session created a Reinventing Welfare Task Force which has defined principles and priorities for direction to be presented to the legislature this session. It is recommended that Multnomah County support these initiatives and adequate funding for public assistance programs.

B. *Homeless Services*

There are two revenue streams for Community Action homeless services which come directly from the State general fund: State Homeless Assistance Program (SHAP) which was funded at \$2.55 million in the last biennium and the Emergency Housing Account (EHA, a part of Housing Trust Fund legislation) which was funded at \$4.92 million.

In the FY 94-95 budget for Mult Co CAPO, EHA is funded at \$378,000 and SHAP is funded at \$565,000. Last legislative session resulted in a decrease in these two line items from the previous session. It is recommended that Multnomah County support restoration of these programs and maintenance of current funding levels.

C. *Affordable Housing Construction*

Mult Co requires a minimum of 10,000 units of affordable housing to meet current demand. The lack of this housing is a primary cause of homelessness and exacerbates the difficulty low-income households have in meeting their basic needs.

The Housing Lobby Coalition has created a ten-year plan for building the Housing Trust Fund to \$175 million (currently at apx. \$20 million) while continuing biennial appropriations for the EHA, housing construction, and technical assistance to localities.

In the last legislative session, approximately \$5 million was appropriated for housing construction from lottery funds. However, no funds were appropriated to add capital to the Housing Trust Fund. The Housing Lobby Coalition is exploring continued use of lottery funds. It is also exploring raising an existing \$20 assessment fee on the conveyance of interest in property. A sunset date is attached to the current fee legislation. It is recommended that Multnomah County support continued use of lottery funds and oppose fee sunset.

D. *Oregon Health Plan*

While medical costs continue to soar, household income remains relatively constant. The inability of working people to afford health insurance puts them at risk of loss of income due to inability to work because of untreated illness or due to extraordinary medical bills. For those low-income persons currently receiving medicaid assistance, an income increase which raises them above the poverty line makes them ineligible for the Oregon Health Plan. It is recommended that Multnomah County support full OHP funding, oppose behavioral health implementation delays and co-pay requirements.

E. *Food Provision*

As the costs for basic needs increases (eg. housing, health care), many households are not able to afford adequate amounts of food. A major source of federal assistance, TEFAP, has cut his allocations by 60%. At the FEMA public hearing in November 1994, much testimony was given as to the importance of meeting food needs.

On another anti-hunger front, the federal government is providing additional funding for the Women, Infants and Children Nutrition Program (WIC). WIC funding directly reduces medicaid expenses and adds value to the local economy through dollars spent in grocery stores (\$32 million from WIC annually). However, the federal government does not provide adequate local matching dollars and Oregon is not able to use its entire federal allocation (only two-thirds of eligible households are currently served).

In this coming legislative session, because of the reduction in TEFAP, the Oregon Food Bank will ask the legislature to provide \$900,000 in general funds for this purpose. In addition, the Oregon Hunger Relief Task Force will introduce a bill to ask for \$1 million in state general fund for WIC in order to "leverage" the federal funds now returned through lack of ability to administer. (Twenty states provide state funding for WIC.) It is recommended that Multnomah County support these proposals.

F. *1995-97 Housing and Community Action Budget Issues (based on Governor Roberts and Governor-elect Kitzhaber proposed budget)*

1. *ADC Grants:* Governor Roberts recommends ADC Grants at current levels with a COLA. Governor elect Kitzhaber in his campaign budget recommended a 3% cut in ADC grants.
2. *SHAP & EHA Grants:* Roberts recommends current levels for SHAP and EHA in her budget. Governor elect Kitzhaber has given instructions for the development of his budget to raise SHAP by \$2 million and EHA by \$5 million.
3. *Housing Trust Fund:* Roberts recommends current level for housing construction and no increase to the Housing Trust Fund itself. Kitzhaber has given instructions in preparing his budget to cut housing construction money. In a related vein, Governor elect Kitzhaber has given instructions to double the funding (from \$500,000 to \$1 million) for CDC capacity building for specific projects.

4. *Oregon Health Plan:* Both Governor Roberts and Governor elect Kitzhaber fund the full expansion level of the Oregon Health Plan with general funds.
5. *Oregon Food Bank:* Both Governor Roberts and Governor elect Kitzhaber have funding for the Oregon Food Bank at current level (\$400,000) in their budgets.

## V. Children and Youth Services

- A. *Creation of a Juvenile Justice Division (County Benchmarks: Increase access to mental health services; Increase success of public safety diversion)*

Any creation of a new "juvenile division" within DHR and separate from CSD may negatively impact collaboration initiatives designed to reduce fragmentation in service delivery. It is recommended that Multnomah County monitor and participate in all discussions involving restructuring of children and youth services.

- B. *Adequate funding for State services transferred to local control (County Benchmarks: Citizen Satisfaction and Government Responsiveness; Reduce Teen Pregnancy; Increase percentage of drug-free babies; Reduce domestic abuse; Reduce student alcohol and drug use; Increase access to mental health services)*

There does not appear to be disparity between initiatives being designed by the State and Local Commission on children and families. The Commission has yet to address the legislative issues which may be presented in the near future. Both Commissions are committed to removing barriers set up by funding stream regulations. There is concern that the funding for services currently provided through CSD may not be transferred with adequate funding. This would negatively impact County CGF services. It is recommended that Multnomah County monitor and participate in all discussions of transferring State programs to local control.

- C. *Prevention Programs Prioritization (County Benchmarks: 0)*

There are a number of legislative initiatives that have the potential to threaten funding streams currently dedicated to prevention and early intervention programs for children youth and families. Budget reductions in general and initiative driven changes in juvenile remand and prison construction have the potential to negatively impact prevention program budgets. It is recommended that Multnomah County support maintenance and expansion of State funded prevention and early intervention services.

**D. 1995-97 Children's Mental Health Budget (based on Governor Roberts proposed budget)**

1. \$4.5 million reduction in Day and Residential Treatment Services (DARTS)
2. \$1.1 million reduction in Outpatient Treatment Services.
3. \$.2 million reduction in Early Intervention Services.
4. Elimination of COLA for community contractors.

SEPTEMBER FORECAST

BEGINNING BALANCE	401.5
GF-REVENUES	6,870.2
LOTTERY	615.8
<b>TOTAL RESOURCES</b>	<b>7,887.5</b>

1995/97 BUDGET OPTIONS

	1993-95	CSL	ROBERTS	KITZ	HSCO
EDUCATION	3,000.6	4,269.9	3,793.9	3,990.0	
HIGHER EDUCATION	698.9	728.7	657.4	600.0	
PUBLIC SAFETY	513.6	554.6	491.1	860.0	
HUMAN RESOURCES	1,735.0	2,188.7	1,365.3	1,880.0	
NATURAL RESOURCES	133.5	128.7	146.5	120.0	
ECONOMIC DEVELOPMENT	115.4	119.7	131.8	120.0	
OTHER EXECUTIVE	168.7	161.2	162.7	200.0	
LEGISLATURE	42.7	40.2	34.7		
JUDICIAL	256.1	271.8	220.9		
E-FUND	81.4	46.4	25.0	20.0	
OTHER			698.2		
<b>TOTALS</b>	<b>6,745.9</b>	<b>8,509.9</b>	<b>7,727.5</b>	<b>7,790.0</b>	
ENDING BALANCE			160.0	100.0	

	93/95	CSL	ROBERTS	KITZ	HSCO
DIRECTOR	472.7	774.5	85.7		
AFS	291.7	343.8	286.5		
CSD	199.8	230.5	200.4		
HD	25.2	26.8	22.0		
MHDDSD	429.6	422.9	419.3		
SDSD	269.6	344.4	303.9		
VRD	12.7	13.4	11.8		
CC&F	30.8	29.4	33.2		
COMM&BD	2.8	3.0	2.5		
OHP			642.4		
TOTALS	1,734.9	2,188.7	2,007.7	1,880.0	

REVENUE CHOICES:

- Increase personal income tax rates 1/2% .... = \$400 million
- Increase corporate income tax 1% ..... = \$75 million
- Adopt 1% sales tax ..... = \$520 million
- Continue cigarette tax at 38 cents per pack .... = \$52 million
- Increase beer & wine by 5 cents per can .... = \$70 million
- Withhold corporate "kicker" .... \$ 96 million

REVENUE CHANGES:

- December forecast .... add \$ \_\_\_ GF and \$ \_\_\_ Lottery
- Realign operator share of lottery proceeds \$ \_\_\_\_\_
- Eliminate / reduce state tax credits and exemptions \$ \_\_\_\_\_
- Disconnect some items from federal system \$ \_\_\_\_\_

## PENDING COURT CASES

1. SAIF: The state is required to return \$81 million plus interest to SAIF. The Marion County Circuit Court will determine the interest owed by the state.
2. Insurance Premium Tax: It is alleged that the state has unconstitutionally taxed premium earnings of out-of-state insurance companies. The complaint is based on a decision of the U.S. Supreme Court, prohibiting differences in state taxation between insurers with corporate headquarters in Oregon and insurers located outside the state.

The circuit court has restricted any refunds which may be owed out-of-state insurance companies to 1993 tax year and after. If the higher courts agree, this will limit General Fund liability to a range of \$27 million to \$30 million for the 1995-97 biennium. The liability grows by about \$10 million per year.

3. PERS: Taxation of PERS and federal retirement income represents a significant potential impact to the General Fund. This case has a considerable range of possible outcomes. The minimum estimate for the 1991-94 tax years is \$23 million, with growth of \$7 million per year after 1994. In the worst case, the state would need to pay out \$155 million for the 1991-94 tax years. The range depends on tax rate assumptions and the number of retirees affected.

If the state does not develop a method of compensating PERS recipients, at some point, taxation of both federal and PERS income would have to stop. Taxation of these income sources generates about \$75 million per year.

*Work session  
11-29-94  
Handout #3*

**STATE BUDGET AS SUMMARIZED BY JIM SCHERZINGER**

	1993-95	1995-97 Current Service Budget	Percent Cut	Percent Increase
<b>RESOURCES</b>				
GF Beginning Balance	362	401		
GF resources	6,404	6,870		
Lottery	163	422		
Less desired ending balance	0	(137)		
<b>TOTAL RESOURCES</b>	<u>6,929</u>	<u>7,556</u>		
<b>EXPENDITURES (Scherzinger categories)</b>				
General School Aid and Other School Aid	2,895	4,157		43.59%
Corrections & courts	622	662		6.43%
Human resources., higher ed, public safety	2,593	3,071		18.43%
Everything else	418	469		12.20%
<b>TOTAL EXPENDITURES</b>	<u>6,528</u>	<u>8,359</u>		28.05%
<b>Amount to cut</b>		<b>(803)</b>		

The basic State budget will be \$803 million out of balance next biennium

**STATE BUDGET WITH ACROSS THE BOARD CUTS**

	Current Service Budget	1995-97 Proportional Cuts	Percent Cut	Percent Increase
<b>RESOURCES</b>				
GF Beginning Balance	401	401		
GF resources	6,870	6,870		
Lottery	422	422		
Less desired ending balance	(137)	(137)		
<b>TOTAL RESOURCES</b>	<u>7,556</u>	<u>7,556</u>		
<b>EXPENDITURES (Scherzinger categories)</b>				
General School Aid and Other School Aid	4,157	3,758	-9.61%	
Corrections & courts	662	598	-9.61%	
Human resources., higher ed, public safety	3,071	2,776	-9.61%	
Everything else	469	424	-9.61%	
<b>TOTAL EXPENDITURES</b>	<u>8,359</u>	<u>7,556</u>	<b>-9.61%</b>	
Amount of cut	(803)			

This is the scenario Jim Scherzinger put together to estimate the total impact of Measure 5 on the next biennium budget

**STATE BUDGET ABSORBING BALLOT  
MEASURES 11 AND 17 WITH ACROSS THE  
BOARD CUTS**

	Current Service Budget	1995-97 Proportional Cuts with Justice Measures	Percent Cut	Percent Increase
<b>RESOURCES</b>				
GF Beginning Balance	401	401		
GF resources	6,870	6,870		
Lottery	422	422		
Less desired ending balance	(137)	(137)		
<b>TOTAL RESOURCES</b>	<b>7,556</b>	<b>7,556</b>		
<b>EXPENDITURES (Scherzinger categories)</b>				
General School Aid and Other School Aid	4,157	3,684	-11.38%	
Corrections & courts	662	<b>735</b>		<b>11.03%</b>
Human resources., higher ed, public safety	3,071	2,721	-11.38%	
Everything else	469	416	-11.38%	
<b>TOTAL EXPENDITURES</b>	<b>8,359</b>	<b>7,556</b>	<b>-9.61%</b>	
Amount of cut	(803)			

This scenario increases funding of Corrections and cuts further into all other State programs

**KITZHABER SUMMARY PROPOSAL**

	Current Service Budget	1995-97 Kitzhaber Budget in Scherzinger categories	Percent Cut	Percent Increase
<b>RESOURCES</b>				
GF Beginning Balance	401	403		
GF resources	6,870	6,871		
Lottery	422	616		
Less desired ending balance	(137)	(90)		
<b>TOTAL RESOURCES</b>	<u>7,556</u>	<u>7,800</u>		
<b>EXPENDITURES (Scherzinger categories)</b>				
General School Aid and Other School Aid	4,157	3,785	-8.95%	
Corrections & courts	662	702		6.04%
Human resources., higher ed, public safety	3,071	2,723	-11.33%	
Everything else	469	386	-17.70%	
<b>TOTAL EXPENDITURES</b>	<u>8,359</u>	<u>7,596</u>	<b>-9.13%</b>	
Amount of cut	(803)			
<i>Kitzhaber amounts not in Scherzinger summary</i>	<u>260</u>	<u>204</u>	<b>-21.49%</b>	
<b>KITZHABER TOTAL SPENDING</b>	<u>8,619</u>	<u>7,800</u>	<b>-9.50%</b>	

The preliminary Kitzhaber budget, reformatted to conform to Scherzinger's categories, shows different levels of cut in different program areas.

*Note: This scenario leaves the State looking for another \$35 million to cover the costs of the new ballot measure requirements.*

# Potential State Funding Losses

(for 1995-97 biennium)

Community Corrections	\$3.80 million
Community & Family Services	
Mental Health Services	6.40 million
Developmental Disabilities	4.20 million
Health Department	1.40 million
CareOregon	6.40 million
Aging Services	<u>.66 million (+)</u>
Total:	\$22.86 million

- information is from State agencies and is not the Kitzhaber budget proposal and does not represent post-election (responsive to ballot measure) results
- potential exists for state shared revenues (cigarette, liquor and lottery proceeds) to be eliminated -- as much as \$4 million annually

# Potential State Funding Losses

(for 1995-97 biennium)

Community Corrections

\$3.8 million

- information is mid-summer of 94' and is in response to Governor's Office request to develop a budget reflective of a 13% reduction
- decision was to take the cut "across the board"
- \$1.83 million in Services and Sanctions budget
- \$1.98 million in Field Services budget

# Potential State Funding Losses

(for 1995-97 biennium)

Community & Family Services

Mental Health Services

\$6.4 million

- numbers were revised several times over the summer and were done at the County level
- last numbers were not made available at the County level, but only reflect a statewide cutback of \$20.3 million (down from \$52.9 million), we have assumed the same ratios in order to estimate the new number of \$6.4 million
- the State Department of Mental Health & Developmental Disability Services (DMHDDS) will not attempt to recalculate the effect at the County level until January (at the earliest)

# Potential State Funding Losses

(for 1995-97 biennium)

Community & Family Services

Mental Health Services

cont.

- At the state program level, the changes in the numbers from summer to now are:

	<u>Previous cuts</u>	<u>Revised cuts</u>
COLA	\$9.6 million	\$5.0 million
Adult Residential	9.0 million	0
Children Services	11.5 million	5.8 million
Acute voluntary	12.1 million	0.5 million
OSH Admin.	0.2 million	0
Adult Services	<u>10.6 million</u>	<u>9.0 million</u>
	\$52.9 million	\$20.3 million

# Potential State Funding Losses

(for 1995-97 biennium)

Community & Family Services

Mental Health Services

cont.

- DMHDDS plans to eliminate the COLA for all mental health programs, including the Psychiatric Security Review Board
- also elimination of Supported Employment
- 47% reduction in non-Medicaid children's outpatient services
- 50% reduction for adult outpatient
- 3% reduction in acute care or about \$550,000 (which will be made at specific facilities, rather than across-the-board and therefore could affect us in a greater way)

# Potential State Funding Losses

(for 1995-97 biennium)

Community & Family Services  
Developmental Disabilities

\$4.2 million

- down substantially from summer number of \$11.7 million reduction
- \$4.2 million is in vocational service reductions
- in addition, all COLAs have been eliminated from DD programs
- original proposal was to also reduce \$7.5 million from residential services

# Potential State Funding Losses

(for 1995-97 biennium)

Health Department

\$1.4 million

- state cutback targets were 19%
- \$200,000 in State Health Division contracts
- \$200,000 in Maternal Child Health Hotline cuts

# Potential State Funding Losses

(for 1995-97 biennium)

Health Department

cont.

- OMAP (Office of Medical Assistance Payments) had a 10% reduction target and intends to achieve it by:
  - “slowing” mental health implementation
  - reducing the number of eligibles through changing the rules for establishing income eligibility and cutting college students from eligibility
  - changing to a system of competitive bidding in order to establish the premium for capitated plans

which results in a loss to County Health Clinics of \$1 million

# Potential State Funding Losses

(for 1995-97 biennium)

CareOregon

\$6.4 million

---

- a current “best guess” in the loss of funding to CareOregon, resulting from the same set of OMAP reduction efforts will produce a loss of \$6.4 million during the next biennium

# Potential State Funding Losses

(for 1995-97 biennium)

Aging Services

\$660,000

- information is from a September 29th contact with the Senior and Disabled Services Division
- Oregon Project Independence funds reduced statewide by 1/3 and includes no COLA (\$327,121 annually)

# Potential State Funding Losses

(for 1995-97 biennium)

Aging Services

\$660,000

- Medicaid could also be cut by \$14.5 million statewide for biennium, ideas being considered include:
  - no COLAs and could indicate a \$550,000 cut for Aging Services during the biennium
  - move all in-home services from agency-provided to Client-employed provider (CEP) -- this could cut Medicaid costs, but would likely increase the workload on County case managers

**Multnomah County**

**Legislative Analysis Framework  
for Review of  
Juvenile Justice Proposals**

*Submitted by*

**COMMUNITY & FAMILY SERVICES  
DIVISION**

*and*

**JUVENILE JUSTICE DIVISION**

**November 22, 1994**

# Multnomah County

## Legislative Analysis Framework for Review of Juvenile Justice Proposals

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- I. Goal
- II. Preamble
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  - *Prevention/Early Intervention*
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    - *Supervision Options for Pre-Adjudicated Youth*
    - *RAI Risk Level and Supervision Placement*
    - *Supervision Options for Post-Adjudicated Youth*
  - *Family Support Initiative - A Conceptual Framework for Action*
  - *CSD Level 7 Definitions*
  - *Juvenile Justice Summit Bulletin*

# Legislative Analysis Framework - Juvenile Justice Proposals

**Goal** Provide public safety, crime prevention, and reduction of future criminality in adult populations through the development of healthy safe communities. Essential to the success of this goal is the development of a culturally diverse and gender-sensitive service delivery system.

**Preamble** As part of a public safety continuum, Multnomah County must have adequate pre-natal, parenting, early childhood, and family support services, services for non-delinquent out of control youth (CSD Vulnerability Level 7), diversion services, community based probation, adequate residential treatment programs, as well as adequate state close custody programs. If the system breaks down in any of those parts, all parts of the system will suffer.

**Continuum** Multnomah County's public safety continuum of services for children, youth, and families consists of three components:

- Network of Family Support Services
- Supervision Options for Pre-Adjudicated Youth
- Supervision and Treatment Options for Post Adjudicated Youth

Each component is represented by a separate chart. Family Support Services are available to families at any point along the continuum. See Charts for detail.

**Values**  
Prevention/Early Intervention  
Community Protection/Public Safety  
Fair and Just Sanctions  
Accountability/Restorative Justice  
Competency Development

**Criteria**  
Balance of Resources between Community Based Programs & State Services  
Effect on Minority Over-representation in Most Restrictive Types of Programs  
Effect on Under-served Populations  
Risk Focused Detention/Custody Criteria  
Treatment Focused Residential programs  
Individualized Case Response Capability  
Evaluation

# Values

## Prevention/Early Intervention

Community-based, prevention and early intervention programs must provide the community with access to a network of services aimed at strengthening families and giving them the tools needed to protect, nurture and support children and youth.

**Prevention/Early Intervention is provided through a continuum of community-based, family support services including: early childhood development, pre-school day treatment, parent development education, family intervention, diversion, family and school mental health programs etc. (See complete listing of Family Support Network Services in Appendices.)**

## Community Protection/Public Safety

Citizens of all ages have a right to feel safe. The juvenile justice system is part of the community and works toward community protection by holding juvenile offenders accountable and helping them and their families develop specific competencies to function positively in the community. For some juvenile offenders, this is achieved through an array of options, including a continuum of services, designed to eliminate delinquent and self destructive behavior but may also mean removal from the community/family in order to protect members of the community.

**Community Protection is provided by a array of pre and post adjudication supervision options which range from Secure Detention to the Network of Family Support Services. *Supervision placement for delinquent youth is determined by a Risk Assessment Instrument for pre-adjudicatory youth and by compliance with probation for post adjudicatory youth. (See Continuum of Supervision Options Charts and RAI Level and Supervision Placement Chart in Appendices.)***

## Fair and Just Sanctions

Responses to inappropriate juvenile behavior must be fair and just. Differential treatment based on race, gender, area of residence, or cultural differences must be minimized and eliminated. Objective measures of risk, such as the new Risk Assessment Instrument and Needs Assessment Instruments should be bias free and scrutinized for fairness. Sanctions like restitution and court ordered community service should be commensurate with ability reviewed and modified to increase fairness. Cultural competency, familiarity with cultural differences and the ability to respond appropriately to those differences are critical to assure fairness. Finally, case processing should be reviewed for bias and modified accordingly.

**Fair and just sanctions are enhanced through the development of objective decision making tools such as measures of risk and need. On-going oversight and study of the causes of over-representation of certain youth in the system will also help develop strategies to assure that sanctions are fair and just. (e.g., two first time offenders with comparable offenses, one is caucasian and lives in Gresham with both parents, the other is African-American and lives in N.E. Portland with mother, should receive similar sanctions.)**

## **Accountability/Restorative Justice**

Accountability is defined as taking responsibility for one's own behaviors. The offender and the offender's family, when appropriate, are accountable to the victim and the community including taking action to repair harm resulting from those behaviors. The juvenile justice system and the community have the responsibility to ensure that the offender is held accountable and that the process of accountability is fair to community, family, victim, and juvenile offender. Victims, whether individual or community, have a key role to play in the process of resolving the crime. By increasing the capacity of victims to participate in the process of recovering their losses, victims begin to heal.

**Accountability is provided by a variety of sanctions including diversion with accountability in the community, effective probation and parole suspension achieved through reduced caseloads, court ordered restitution, community service, or participation in Victim Offender Reconciliation Programs.**

## **Competency Development**

Competency development activities provide offenders the opportunity to leave the system with better skills to live productive and responsible lives in the community. The juvenile justice system must work with families, schools, and the community to establish programs in this effort. These programs must be developmentally sound, safe and allow sufficient time to assure skill retention. Competency development requires recognition of cultural diversity and gender sensitivity.

**Competency development services are accessible within each component of the county's public safety continuum of services. Competency development services include problem solving, conflict resolution, anger management, parenting, job training, and education.**

# Criteria

## Balance of Resources between Community Based Programs and State Services

- Does proposal allocate resources in a way which maintains or expands existing community based resources?
- Does proposal maintain or expand partnerships with the community?
- Does proposal maintain or increase Multnomah County youth access to community based resources?
- Does proposal maintain or increase Multnomah County youth access to state services?

## Effect on Minority Over-representation in Most Restrictive Types of Programs

- Does proposal reduce or increase over-representation in Close Custody or Detention settings?
- Does proposal provide increased community based responses to targeted populations? (i.e. Gang youth)

## Effect on Under-served Populations

- Does proposal increase access to appropriate services for under-served populations? (i.e. girls, gang girls)

## Risk Focused Detention/Custody Criteria

- Does proposal require an assessment of risk based on data driven, culturally based criteria?
- Is proposal for detention program focused on more than restriction and control?

Does proposal reflect a commitment to treatment and/or competency development?

## Treatment Focused Residential programs

- Does proposal address clinical/culture specific treatment models in residential setting?
- Is proposal for residential program focused on more than restriction and control?

## Individualized Case Response Capability

- Does proposal hinder or expedite rapid resolution of a youth's involvement with the court.
- Does proposal provide for immediate and logical consequences?
- Does proposal provide responses that allow for adequate discretion based on individual circumstances and needs?

## Evaluation

- Does proposal contain outcome measures that are identified and measurable?
- Does proposal contain funding to evaluate outcomes?

# Proposal Reviews

## Boot Camps

### Summary

The Federal Crime Bill contains funding for Juvenile Boot Camps. The Oregon Juvenile Department Directors' Association recommended Boot Camps for non-violent juvenile offenders. The Juvenile Justice Summit participants voted 197-79 (71.3%) to support a BASIC ON-GOING OPPORTUNITY TRAINING CAMP (Boot Camp) proposal which would be provided regionally for an early short term intervention for juvenile offenders.

Some groups have a concern about using a para-military approach with juveniles. Others believe that boot camps can be designed with appropriate educational, training and treatment opportunities with intensive structure and physical training but without psychological intimidation.

### Current Positions

Federal Crime Bill  
Oregon Juvenile Department Directors' Association Summit  
Others are unknown at this time

### Application of Criteria

<b><i>Balance of Resources:</i></b>	Unaffected if funded with federal dollars, otherwise could affect balance of resources.
<b><i>Minority Over-representation:</i></b>	Potential to continue problem
<b><i>Under-served Populations:</i></b>	Depends on Entrance Criteria (may not affect)
<b><i>Risk Focused Criteria:</i></b>	Present proposals don't address
<b><i>Treatment Focused:</i></b>	Historically a para-military type program
<b><i>Individualized:</i></b>	Depends. (If court order required, access takes longer)
<b><i>Evaluation:</i></b>	Evaluation of this program is critical since most existing strategies are not positive. Proposal must contain outcome measures.

### Recommended County Position

Multnomah County can support Boot Camp legislation only if the proposal is designed to develop programming that **does not** employ psychological intimidation and **does** employ appropriate discipline, physical training, and skill development/treatment opportunities. The County also supports entrance criteria that are objective and based on risk, culturally specific and gender sensitive programs within the camp structure. Court order vs direct placement issues still need to be explored. Since this would be a close custody program, the County is concerned that over-representation of minority youth in close custody will continue to exist. State general fund dollars for treatment programs must be maintained, otherwise this proposal could affect the balance of resources available for treatment and other programs.

## **Regional Bed Space**

### **Summary**

The State of Oregon has been practicing a "downsizing" policy for close/secure custody for nearly a decade. At the same time that the juvenile close custody has been reduced, juvenile crime has been increasing significantly.

### **Current Positions**

The Oregon Juvenile Department Directors' Association recommended an expansion of close custody capacity by adding Boot Camps above present capacity.

The Summit participants voted 242-29 (89.30%) to support a multi-tiered system which would add significant capacity to the state training school for the most serious offenders and local and regional secure residential treatment for less serious offenders. Overall capacity is recommended at 900-1000 beds. The current limit is 513.

### **Application of Criteria**

<b><i>Balance of Resources:</i></b>	Depends on funding sources
<b><i>Minority Over-representation:</i></b>	Potential to increase. Lessens community based responses to most serious offenders.
<b><i>Under-served Populations:</i></b>	Potential to increase access if allocations are properly dispersed.
<b><i>Risk Focused Criteria:</i></b>	N/A
<b><i>Treatment Focused:</i></b>	Yes
<b><i>Individualized:</i></b>	Will increase opportunities
<b><i>Evaluation:</i></b>	A review of the current evaluation component is needed.

### **Recommended County Position**

Multnomah County will support some degree of regional bed space expansion provided that funding for the expansion does not come from funding for local community based programs, treatment and competency development programs are adequately funded in the facilities, evaluation outcomes are identified, and an evaluation process is funded. Also, if the number of youth placed in training schools increases, funding for community based programs might need to increase because of the need for more post training school treatment programs in the community.

## Waiver

### **Summary**

The Juvenile Justice Summit produced a Waiver proposal which provided for automatic waiver for specified person-to-person crimes; contained a provision that limits the incarceration of juveniles in adult facilities; leaves the door open for the treatment and rehabilitation of waived juvenile offenders within the juvenile justice system.

### **Current Positions**

The House Interim Task Force on Juvenile Delinquency and the Juvenile Court System conducted a survey of waiver practices in Oregon. Preliminary findings were reported on 9/21/94. Additional data will be collected and analyzed and a final report will be published in December. The House Committee has identified revision of waiver law as a component of juvenile justice system reform. The Attorney General is considering a proposal similar to that developed at the Summit. *Measure 11 goes further, contains mandatory sentencing provisions and does not provide for treatment and rehabilitation within the juvenile justice system. Legislative Committee Services has prepared An Analysis of the Impact of Ballot Measure 11 on Juvenile Offenders.*

### **Application of Criteria**

<b><i>Balance of Resources:</i></b>	Potential to shift resources from the juvenile system to the adult system as well as to place limitations on community resources.
<b><i>Minority Over-representation:</i></b>	Potential to increase minority over-representation in the justice system by mirroring adult system.
<b><i>Under-served Populations:</i></b>	Potential to reduce resources for these populations.
<b><i>Risk Focused Criteria:</i></b>	Based on behavior or charge, not clinical risk.
<b><i>Treatment Focused:</i></b>	Potential to bridge treatment gap between systems.
<b><i>Individualized:</i></b>	No (Variations in proposals could increase individual approach)
<b><i>Evaluation:</i></b>	Not at this time. There is some research that suggests that many juveniles who are waived to the adult system have less certain and severe consequences than their counterparts in the juvenile system. This was attributed to the relative severity of the youth's behavior in comparison to adults in the system. Additionally, treatment opportunities in the adult system are less available.

### **Recommended County Position**

Multnomah County can support revisions to current Waiver statutes provided that the door is left open for rehabilitation and treatment within the juvenile system. The County's recommendation is to maintain judicial discretion rather than automatic or District Attorney discretion. *There is no statewide consensus on this point.*

## Determinate Sentencing and Mandatory Juvenile Remand for Certain Crimes

**Summary** Measure 11 sets mandatory sentences for murder, some forms of manslaughter, assault, kidnapping, rape, sodomy, unlawful sexual penetration, sexual abuse, and robbery. A court could impose a longer sentence if allowed by law. The measure would bar early release, leave, or a reduced sentence for any reason. All persons 15 and up when charged with these crimes would have to be tried as adults and sentenced accordingly.

### **Current**

**Positions** Measure 11  
Public Pressure toward Determinate Sentencing for juvenile offenders.  
Three Strikes Your Out

### **Application of Criteria**

***Balance of Resources:*** Disrupts balance of resources. Re-directs resources from community to institutions; potential to redirect resources from juvenile system to adult system (if waiver provision attached).

***Minority Over-representation:*** Potential to increase minority over-representation.

***Under-served Populations:*** Potential to reduce resources for these populations since listed offenses not typical female crimes.

***Risk Focused Criteria:*** No. Based on behavior instead of clinical risk. Subject to variations in charging practices by District Attorney.

***Treatment Focused:*** No. See above.

***Individualized:*** Not at all.

***Evaluation:*** No known assessment of effectiveness or cost benefit.

### **Recommended**

**County Position** Multnomah County does not support Determinate Sentencing for juvenile offenders.

# **APPENDICES**

**Multnomah County  
Community and Family Services Division**

**Network of Family Support Services**

Early Childhood Development  
Child Abuse Prevention  
Community Health Nursing  
Diversion  
Family Intervention  
Parent Development Education  
Level 7 Services  
Alcohol and Other Drug Services  
Sex Offense/Abuse Services (Ages 12-18)  
Sex Offense/Abuse Prevention Project (Ages 7-12)  
Homeless Youth Services  
Child Abuse Response and Evaluation System (CARES)  
Pre-School Day Treatment  
Community Treatment Services-Children  
EPSDT (Early and Periodic Screening Diagnosis and Treatment)  
Partners Project  
Family and School Mental Health Programs (FSMHP)

# Multnomah County Juvenile Justice Division

## Continuum of Supervision Options for Pre-Adjudicatory Youth

Most Restrictive

Least Restrictive

Detention Eligible by Statute					Non-Detainable		
** Secure Detention	Community Detention/Conditional Release <i>(may include non-secure shelter placement)</i>				Unconditional Release <i>(may include shelter placement)</i>	Diversion  <i>Minor offenders</i>	Non-Delinquent Out of Control <i>(CSD Level 7 Youth)</i>
60 total Multnomah County beds	<i>with</i> <b>Close Supervision</b> {Projected Daily Caseload = 82}			<i>without</i> <b>Close Supervision</b>		- guardian - home - shelter - group home  Cite and Release  Family Service Centers  Theft Talk  VORP  Some Shelter (non-CSD)  CSD	CSD funded Community Based Services
	<b>*Electronic Monitoring</b> {5}	<b>Maximum</b> {17}	<b>Medium</b> {18}	<b>Minimum</b> {47}	Supervision by guardian rather than court  - parent - guardian - shelter		
	<b>*House Arrest*</b> {8}	(Approximately for youth will be on Maximum CS without either EM or HA.)					

\* Judicial Order Only

\*\* Judicial Order or Legislative Authority

{ } Projected Daily Caseload - (Where no number is indicated, information is not available at this time.)

**RAI Risk Level and Supervision Placement**  
*(Risk to re-offend pending adjudication or fail to appear for court hearing)*

<b>Pre-Adjudication Supervision Placement Options for Detainable Youth</b>								
<b>Risk Level</b>	<b>Level 3</b>	<b>Level 2</b>					<b>Level 1</b>	
<b>RAI Points</b>	12-33 Points	7-11 Points					0-6 Points	
<b>Intake Options</b>	<b>Secure Detention</b>	<b>Community Detention/Conditional Release</b>					<b>Unconditional Release</b>	
		<b>Close Supervision Placement Criteria (See Text)</b>						
		<i>with</i> <b>Close Supervision</b> <i>(May include shelter placement)</i>			<i>without</i> <b>Close Supervision</b> <i>(May include shelter placement)</i>			
		10-11 Points	9 Points	7-8 Points	● Cite for Preliminary Hearing			
	<b>Maximum</b>	<b>Medium</b>	<b>Minimum</b>			Cite for Prelim; or Inform to await notice of further court action.		
<b>Judicial Options at Prelim Hearing</b>	<b>Secure Detention</b>	Electronic Monitoring	House Arrest	Maximum	All Options	All Options	All Options	n/a

*Less restrictive Community Detention option may be utilized for Level II youth if appropriate or applicable.  
 Expeditor may implement all options except those that require Court Order.  
 Judge may override intake system through Court Order.*

*All youth placed in Secure Detention or Maximum Close Supervision will have a Preliminary Hearing within 24 judicial hours.  
 Judicial options at Preliminary Hearing include all available options.*

# Multnomah County Juvenile Justice Division Continuum of Post-Adjudicatory Supervision Options

Most Restrictive

Least Restrictive

State Services		Multnomah County Services						
Commitment		PROBATION - {800 - 1000}						
		Residential			Non-Residential			
State Training School  Juvenile Corrections	Out-of-Home Residential Placement  CSD	AIT Assessment, Intervention, Transition (30-day)  (20 beds)	■ Sex Offender Treatment  (16 beds)	8 - Day Detention	PAW Probation Assistance Weekend  {8-12}	■ Day Reporting Center	"Home" Probation	Informal Disposition
Mult. County CAP 77 beds		A S S E S S M E N T	<ul style="list-style-type: none"> <li>● education</li> <li>● health</li> <li>● alcohol and drug</li> <li>● mental health</li> </ul>		<ul style="list-style-type: none"> <li>● education</li> <li>● health</li> <li>● alcohol and drug</li> <li>● mental health</li> </ul>			
		S K I L L S	<ul style="list-style-type: none"> <li>● problem solving</li> <li>● conflict resolution</li> <li>● thinking errors</li> <li>● anger management</li> </ul>		<ul style="list-style-type: none"> <li>● problem solving</li> <li>● conflict resolution</li> <li>● thinking errors</li> <li>● anger management</li> </ul>			
		S E R V I C E S	<ul style="list-style-type: none"> <li>● Education Services</li> <li>● Medical Care</li> <li>● Mental Health Services</li> <li>● Other Common Services</li> <li>● Other Specific Services</li> </ul>		S A N C T I O N S	<ul style="list-style-type: none"> <li>● Restitution</li> <li>● Community Service</li> <li>● Victim Offender Reconciliation (VORP)</li> </ul>		<ul style="list-style-type: none"> <li>● VORP</li> </ul>

■ = Unfunded    {} Projected Daily Caseload - (Where no number is indicated, information is not available at this time.)

Work Session  
11-29-94  
Handout #6

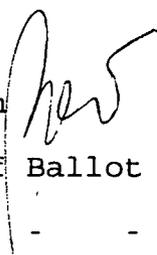


## Beverly Stein, Multnomah County Chair

Room 1410, Portland Building  
1120 S.W. Fifth Avenue  
P.O. Box 14700  
Portland, Oregon 97204  
(503) 248-3308

November 18, 1994

To: Mike Schrunk  
Bob Skipper  
Betsy Welch  
Hal Ogburn  
Rick Jensen  
Doug Bray  
Rick Hill

From: Beverly Stein 

Re: Implications of Ballot Measure 11

Thank you for agreeing to meet on Friday, December 2, from 1 to 2:30 p.m. to discuss the impacts of Ballot Measure 11. We have a number of decisions to make regarding how we collectively approach the issue. I have listed the issues I have been able to identify and possible responses. I hope you will find this a useful framework for our discussion.

1. Police officer detains youth

Where is he/she taken?

Juvenile Home

Implications: None. Current practice.

2. DA charges juvenile with BM 11 offense.

How is that charging decision made? What flexibility exists in the decision?

3. Where is the juvenile held pending trial?

Alternative A: Juvenile Home



Implications: Bed space problem, depending on Casey risk assessment work; use of pretrial release tools; use of new wings

Alternative B: Juvenile Home and Adult System

Divide youth according to age, seriousness of offense, previous record, dangerousness.

Implications: Bed space problems in both systems, although larger adult system may absorb increase more easily?

4. Juvenile awaits trial, but could be released. Can he/she be released to juvenile pretrial programs?

Yes.

What criteria would be used to make those release decisions?

Implications: Need to develop/review criteria for current release decisions. May need to develop other options; electronic monitoring; residential sex offender and/or alcohol and drug treatment; close supervision

5. Juvenile awaits trial in custody. Can we develop additional custodial treatment programs to provide opportunity for juvenile to show progress in changing behavior and possibly avoid long sentence?

Options:

- A/D treatment unit
- sex offender treatment unit
- AIT unit
- separate off-site residential and outpatient programs for youth under 12

Implications: Potential to use the current two new units, but insufficient funding to operate both. Funding options:

- cut other county programs
- sell additional beds to Washington and Clackamas
- seek Legislative assistance

6. Where are trials held?

Downtown Courthouse

Implications: Additional transport costs.

Alternative: Trials at juvenile. Costs of transporting jury, attorneys. Compare the two. Are there some trials/hearings that could be held at juvenile?

7. Can time to trial for a juvenile charged under BM 11 be shortened from the adult average of 110 days?

Depends on number of cases that plea out on a lesser charge.  
May depend on alternative sanctions that Court and District Attorney can rely on.

8. Juvenile sentenced. Where is the juvenile sent to serve the time?

Juvenile facility. Need to ask Legislature to clarify intent of BM 11. See enclosed memo from Henry Drummonds.

9. Do we want to advocate for a particular type of juvenile facility/program?

This is a state funding issue.

Options: Possibly a juvenile academy as per AG Task Force.  
Is a better use of our additional capacity to rent space to state for some local offenders?

10. Probation status

Under what circumstances can convicted juvenile get probation?  
Under whose supervision should that probation be served? (juvenile or DCC?)

Juvenile.

Implications: Additional funding for probation officers skilled in high risk juveniles. How would it be handled by existing resources? - what juveniles would receive less supervision?

11. Changes in the state law. Are there clarifications, changes that we think the Legislature would agree with that we should make in the law that we want to package as a legislative solution?

Yes. Possibilities include:

- dropping robbery 2, kidnapping in the second degree?, sex crimes in the second degree? (See Drummonds memo)

- including aggravated murder; attempted murder; solicitation to commit murder; burglary of occupied dwelling? (See memo - what is the trade off of these changes?)

- including a "second look" option to review at 18 or 21

- clarifying that juveniles should be held pretrial in juvenile facilities at a county level and are eligible for juvenile release programs

- clarifying that juvenile facility is where juveniles would serve first part of the sentence (assuming support for additional beds state wide)

Please bring other issues or concerns you have.

Enclosures

Memo from Henry Drummonds  
State revenue impact memo

c. Bill Farver  
c. Norm Monroe  
c. Jim Emerson

**RECEIVED**

NOV 21 1994

**MEMORANDUM**BEVERLY STEIN  
MULTNOMAH COUNTY CHAIR

FAX - 16 pages

**TO:** Subcommittee 1, Governor's Juvenile Justice Task Force

**FR:** Henry Drummonds

**DT:** November 17, 1994

**RE:** Review of Final Report

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I enclose the report of our Subcommittee on Ballot Measures 10 and 11. At Craig Campbell's suggestion, I am tentatively canceling the conference call scheduled for today at 3:30, and ask that each of you simply fax or phone (phone 768-6655, fax 768-6671) your comments or approval to me.

I did reorganize the report to make it easier to read and follow. Basically I combined the "Summary of Recommendations" and the "Explanations" from the November 14 draft so that each recommendation is explained and discussed under a separate Roman Numeral heading.

Thanks for all your work, thought, and patience. Perhaps I'll see some of you at the Task Force meeting tomorrow in the Capitol Building in Salem at 9:00 a.m. I'll be in touch. Feel free to call me at my office (768-6655) or at my home (288-5471) up until 10:00 p.m. this evening.

HHD/vm  
Enc.

**GOVERNOR'S JUVENILE JUSTICE TASK FORCE**  
**SUBCOMMITTEE NO. 1**  
**REPORT ON IMPLEMENTATION OF BALLOT MEASURES**

**I. INTRODUCTION**

Both the recent passage of Ballot Measures 10 and 11, and the appointment of the Governor's Task Force On Juvenile Justice Reform, reflect growing public concern about juvenile crime. Ballot Measure 11, establishing mandatory prison terms for certain adult crimes, also requires that juveniles 15 and over, accused of these crimes, be "tried" as adults. Two major questions must be answered by the 1995 Legislative Assembly. First, how should Ballot Measure 11 be most sensibly implemented? Second, what other changes in Oregon's juvenile justice system might be desirable, in addition to those adopted by the voters in the ballot measures?

Juvenile crime is growing, and demographic and other factors suggest that further increases may reasonably be anticipated. Whereas the juvenile justice system was originally designed to focus on comparatively minor cases of juvenile "delinquency", a rising tide of violent felony offenses now confronts the system. Further, juveniles committing more minor offenses receive - in some cases at least - minimal sanctions and treatment for patterns of multiple and progressively more serious offenses. As a result, the juvenile justice system is widely perceived as failing to satisfy the critical imperative of protecting the public safety.

At the same time, the current system also often fails the youthful offender as well. Some juveniles simply do not respond to the minimal consequences often

involved, defacto, in underfunded diversion, parole and probation, and out-of-custody treatment programs. A significant number of youthful offenders who do eventually wind up in adult and juvenile corrections facilities now recognize that they might not have committed these more serious offenses had they been held more accountable earlier for their lessor offenses. By failing to adequately ensure personal accountability and progressively serious consequences for offending behavior, the current juvenile justice system fails these youth; the current system effectively teaches that there are often no major consequences for bad behavior. Only when it is too late - when the juvenile has fallen into behaviors that ultimately result in adult or other maximum security incarceration - do these youth "get the message" about their personal accountability for their actions.

Despite these major problems, however, an important caveat must be stated. A primary purpose of the juvenile justice system is to prevent recidivist behavior leading to criminal behavior in adult life. Segregation of youthful offenders from the corrupting influences of adult prisons and jails, combined with positive treatment and education designed to return the youth to law-abiding and socially productive behaviors, remain vital components of the system. And many prosecutors, juvenile defense lawyers, and other informed persons agree that in the majority of cases youthful offenders do in fact avoid recidivist behaviors leading to more serious and/or adult crimes. Thus, for a majority of juveniles, the current juvenile justice system works. In developing needed changes to confront the problems noted earlier, the many, but often less publicized, success stories of the juvenile justice system must be kept in mind. That is, in order to avoid making the threat to the

public safety worse, reform proposals must avoid "throwing out the baby with the bath water." The Subcommittee recommendations are set forth below.

## II. POLICY STATEMENT FOR JUVENILE CODE

The Subcommittee recommends revision of the general policy statement for "delinquency" cases in the Juvenile Code. The Subcommittee believes clarification is desirable as to the relationship between the "public safety" goal of the juvenile system and the goal to act in the "best interests" of the juvenile's "welfare." Passage of Ballot Measure 11 reinforces the Subcommittee's conclusion that revision of the policy statement is appropriate; the Juvenile Code should reflect the explicit and implicit policy assumptions adopted by the voters in Ballot Measure 11.

The existing policy statement (ORS 419.A.002(2)) states:

"The provisions of this Chapter and ORS 419B and 419C shall be liberally construed to the end that a child coming within the jurisdiction of the court may receive such care, guidance, treatment, and control as will lead to the child's welfare and the protection of the community."

While this general policy statement appears intended to put the "public safety" and the "child's welfare" on a par, it is susceptible to differing emphases. Furthermore, other parts of current law create further ambiguity about the relationship between the accused juvenile's welfare and the public safety. For example, ORS 419C.349 requires the court, in order to transfer a juvenile to adult court, find that "retaining [juvenile court] jurisdiction will not serve the interests of the child and of society." (emphasis added). ORS 419.C.349(3), as a further example, requires that, as a further condition of transfer to adult court, the court find that "the

child at the time of the alleged offense was of sufficient sophistication and maturity to appreciate the nature and quality of the conduct involved."

Because of these ambiguities, and also in light of the policies implicit in Ballot Measure 11, the Subcommittee believes that the policy statement should be clarified. Too much focus on either the "public safety" or the "child's welfare" sets up a false dichotomy. The juvenile's "welfare" is important to the public safety because concern for the juvenile's "welfare" reflects, among other things, a concern that the juvenile does not become a recidivist or adult offender later in life who continues to threaten the public safety. By the same token, protecting the public safety is a vital component in any program of accountability and rehabilitation designed to be in the juvenile's "best interest." The concept that links the "public safety" with the "welfare" of the juvenile is the concept of "personal accountability." Without personal accountability, no program of treatment or incarceration adequately protects either the juvenile's "welfare" or the "public safety." Accordingly, the Subcommittee proposes adoption of a revised policy statement as follows:

"In delinquency cases, the purposes of the Oregon Juvenile Justice System from apprehension forward are to protect the public, reduce juvenile delinquency, and rehabilitate offenders."

"The system shall be founded on the principles of personal responsibility, accountability and reformation within the context of public safety. There shall be a continuum of services that emphasize prevention of further criminal activity by the use of early, certain sanctions, reformation programs, and swift, decisive intervention in criminal behavior."

"Policies, services, and rules used to carry out this mission shall be regularly subject to independent evaluation as to their effectiveness in preventing a return to crime, and providing public safety."

**"The system shall be open and accountable to the people of Oregon and their elected representatives."**

### **III. EGREGIOUS VIOLENT CRIMES BY JUVENILES UNDER 15**

Ballot Measure 11 does not address the problem of serious violent acts by juveniles under 15. Under current law, a 14-year old murderer-rapist may neither be tried as an adult nor confined in juvenile facilities past the age of 20 (irrespective of the prognosis for recidivist behavior). With an increasing incidence of serious violent crimes committed by juveniles under 15, this constitutes a glaring omission from Ballot Measure 11, and represents a continuing threat to the public safety. While most crimes on the Ballot Measure 11 list can most appropriately, for offenders under age 15, be tried in juvenile court, a proper concern for the public safety requires that juvenile murderers and forcible sex crime perpetrators be "tried" (but not incarcerated) as adults; this will allow, in appropriate cases, for the juvenile to be subject to transfer to the adult system or continued in "close custody" confinement in the juvenile system. Accordingly, the Ballot Measure 11 list of crimes for adult trial procedures should be expanded to include cases involving juveniles under 15 who have allegedly committed aggravated murder, murder, forcible rape, forcible sodomy or forcible unlawful sexual penetration.

### **IV. CORRECTING BALLOT MEASURE 11'S APPARENTLY INADVERTENT OMISSION OF MORE SERIOUS CRIMES BY JUVENILES 15 TO 17**

Ballot Measure 11 makes a long list of crimes allegedly committed by juveniles 15 to 17 years of age subject to adult trials and procedures. Inexplicably, however, Ballot Measure 11 omitted very serious violent crimes like aggravated murder, attempted murder, solicitation to commit murder, and conspiracy to commit

murder. The Legislature should correct this oversight by adding these crimes to the list for which 15 to 17 year old's are required to be "tried" as adults.

As there are relatively few cases involving these very serious crimes of violence the fiscal impact of adopting this recommendation would be relatively small.

V. DELETION OF SEVERAL RELATIVELY LESS SERIOUS CRIMES NOT INVOLVING THE MOST SERIOUS VIOLENCE

Ballot Measure 11 includes certain less serious offenses which should appropriately be deleted from the list of crimes requiring adult procedures. Deletion of these less serious crimes would eliminate the possibility that a juvenile would face an adult trial and sentence for comparatively minor acts of delinquency. Treating these less serious crimes in the juvenile system would also mitigate the cost of implementing Ballot Measure 11.

The crimes which should be eliminated from Ballot Measure 11's list for adult treatment of juveniles include: (1) second degree rape, sodomy and unlawful sexual penetration, (2) kidnapping in the second degree where the alleged offender did not threaten or use a deadly or dangerous weapon, and (3) robbery II (except in cases alleging a violation of ORS 164.405(1)(a) (i.e., where the perpetrator purports to be armed with a deadly weapon.) These crimes may technically be committed in many circumstances not involving a serious threat of violence. Deleting these relatively less serious offenses from the list requiring automatic trial under adult procedures would save the expense of adult jury trials and automatic prolonged incarceration. The savings would then become available for, *inter alia*, carrying out the spirit of Ballot Measure 11 by adding the more serious offenses discussed in Part III (under

15 murder, aggravated murder and forcible sex crimes) and Part IV (15 to 17 aggravated, attempted, solicitation for, and conspiracy to commit murder).

The recommended changes do require legislative modification of Ballot Measure 11's concluding sentence dealing with juvenile crime. The Subcommittee believes that the Legislature has authority to make this correction of Ballot Measure 11 for two reasons: (1) under Ballot Measure 10 a 2/3 majority of the Legislature can modify any aspect of Ballot Measure 11, and (2) even without a 2/3 majority, the Legislature can modify Ballot Measure 11 so long as none of the minimum adult sentences are modified. This latter conclusion rests on the plain language of Ballot Measures 10 and 11. Ballot Measure 11 made the question of what crimes should be subject to "adult" procedures a statutory matter. Ballot Measure 10's "supermajority" requirement, however, does not apply to every aspect of Ballot Measure 11; rather it applies only when the Legislature "reduces a sentence approved by the People" (and not to the definition of which juvenile cases should be subject to being "tried" as adults). Thus the people have left the Legislature with the authority to modify the Ballot Measure 11 list of juvenile crimes for adult treatment, as distinct from modification of the adult minimum sentences mandated by the Ballot measure.

VI. HOUSEKEEPING AMENDMENTS TO MAKE BALLOT MEASURE 11 WORK

A. Trying Juvenile Cases Involving The Enumerated Violent Crimes Under Adult Procedures

Both Ballot Measure 11 and the Subcommittee's "Second Look" concept (see below) contemplate that some juveniles will eventually be transferred to adult

corrections institutions for full service of an adult sentence. Because of this possibility, juveniles accused of serious and violent crimes are constitutionally entitled to full adult due process protections including but not limited to jury trial, cross-examination, and full rights of appeal. Under Ballot Measure 11, the adult and not juvenile court has jurisdiction over these cases.

**B. Lesser Included Offenses**

In some cases the same criminal episode or "transaction" may involve both a violent offense subject to adult trial, and another alleged less serious offense not on the Ballot Measure 11 list for adult procedures. For example, a rape-murder case involving a 16 year old might also include a charge of car theft in connection with the incident.

The Subcommittee suggests continuation of the procedure now used under the current "discretionary remand" statutes. Under these procedures both the Ballot Measure 11 crime and the lesser crimes involved in the same criminal transaction would be tried before the adult court. If the adult court proceeding results in a conviction for both the Ballot Measure 11 offense and the lesser included non-violent offense, the adult court judge who tried the case should be authorized to sentence for both convictions (using adult guidelines on the lesser crimes not included under Ballot Measure 11). If the accused juvenile is acquitted of the Ballot Measure 11 violent offense, but convicted of a lesser offense, the adult court shall remand the juvenile back to juvenile court for sentencing under the generally applicable juvenile procedures.

**C. Raising the Age Jurisdiction of the Juvenile Court and Department of Youth Authority.**

The Subcommittee proposes to extend the juvenile court jurisdiction and the custody jurisdiction of the proposed Department of Youth Authority through age 25 for persons convicted of crimes committed before they are eighteen years of age. While many juvenile offenders may be remanded into the adult system before age 21, the juvenile system should have the option to extend supervision beyond age 21 in appropriate cases. In the current system, a juvenile who reaches age 21, without being remanded to the adult system, must be released outright. In light of data indicating that recidivist behavior occurs most frequently in this age bracket, it simply makes no sense to follow an ironclad "release at 21" rule. That is precisely when the probabilities of recidivist behavior in chronic offenders peaks.

#### VII. INCARCERATION IN JUVENILE INSTITUTIONS

As noted above, Ballot Measure 11 requires that juveniles aged 15 through 17, accused of certain violent crimes, be "tried as" adults. The Subcommittee notes that Ballot Measure 11 does not say that these juveniles must be both "tried" and "incarcerated" as adults. The Subcommittee believes, therefore, that Ballot Measure 11 permits incarceration in juvenile facilities segregated from the corrupting influences of adult prisons and jails. The Subcommittee therefore suggests that the Juvenile and Adult Criminal Codes be amended to provide that upon conviction of an offense requiring an adult trial, the juvenile be remanded to the custody of the Youth Authority for service of sentence. A juvenile who while in custody presents a substantial risk to other juveniles or to staff would still be subject to "early transfer" to the adult Corrections Department as set forth below in the proposal for a "second look" hearing.

VIII. "SECOND LOOK" HEARING AFTER JUVENILE HAS SERVED NOT LESS THAN ONE-HALF OF THE PRESUMPTIVE ADULT SENTENCE.

The Subcommittee proposes a further refinement in the policies implicit in Ballot Measure 11 in order to: (1) mitigate the cost of implementing the Ballot Measure, and (2) maximize protection to the public safety by providing both "sure punishment" and an incentive for the juvenile to cooperate in drug and alcohol, educational, training, and other treatment programs designed to reduce the risk of recidivist behaviors.

Under the "second look" concept, juveniles "tried" under Ballot Measure 11's adult procedures would be presumptively given the full adult sentence; a "second look" hearing would occur, however, after the convicted juvenile served not less than 1/2 of this sentence in custody.

In the "second look" proceeding, the adult court sentencing judge would hear testimony about the juvenile's cooperation and progress (or lack of progress) while in custody, testimony from victims, and other testimony as appropriate. Following the post-conviction hearing, the court could: (1) transfer the juvenile to the adult corrections system, (2) continue the offender in the juvenile corrections system until the offender's sentence is completed, (3) release the juvenile on parole provided the court makes a specific finding that the juvenile no longer constitutes an unreasonable threat to the public safety, or (4) postpone the "second look" decision and schedule a later post-conviction review hearing. Notwithstanding the above, no juvenile convicted of personally committing aggravated murder, murder, forcible rape, forcible sodomy, or forcible unlawful sexual penetration shall be eligible for parole; such offenders must serve the full adult sentence in either juvenile or adult

corrections institutions. (Some members of the Subcommittee were also of the opinion that Manslaughter I and Assault I should also be excluded from any "second look" reduction of close custody sentence.)

Under the "second look" concept, a juvenile offender's ultimate sentence, and treatment as a juvenile or adult, depends upon his or her own conduct and progress, or lack of progress, while in the justice system. Instead of a forward-looking attempt (as in current law) to "guess" at a juvenile's potential for rehabilitation in making a "remand" decision (or decision to treat the youthful offender as an adult), the "second look" concept contemplates a "backward looking" decision turning on the juvenile offender's own conduct while in the system. This places the responsibility for the juvenile's ultimate fate where it should be -- on the juvenile. A juvenile offender who has met all the terms of his or her sentence and treatment can be kept within the juvenile system, and returned eventually to a productive role in society. A juvenile offender who has committed new offenses or failed to abide by the conditions of sentence and treatment can be remanded as appropriate into the adult system.

The advantage of the "second look" system for adult treatment is that it creates an incentive on the offending juvenile to accept personal responsibility and accountability, and to make changes in his or her life that will reduce the changes for recidivist behavior. On the other hand, under the Subcommittee's proposal, each offender would absolutely have to serve at least 1/2 of his or her presumed adult sentence before being eligible for a "second look" hearing. Under the Subcommittee proposal, the victim would be entitled to notice of any "second look" hearing and would be entitled to be heard before the sentencing judge's "second look" decision.

As an integral part of the "second look" process, the Subcommittee proposes a system of "early transfer" for problem cases. The State may, at any time after the juvenile has reached the age of 16, petition the Court to transfer a juvenile convicted under adult procedures to the adult corrections system. The victim(s), or the victim's representative, shall be entitled to reasonable notice of an early transfer hearing, and to present a statement to the court at such hearing. In an "early transfer" hearing the State must establish that maintaining the offender in the juvenile corrections system poses a substantial danger to staff or other juvenile offenders. If the Court finds the State has met such burden, the Court must order the juvenile remanded to the adult corrections system.

The "second look" proposal is not required under Ballot Measure 11. The Legislature unquestionably retains authority to adopt the "second look" system by 2/3 majority under Ballot Measure 10. Without a 2/3 vote the Legislature's authority is subject to reasonable argument which only the Oregon Supreme Court can definitively resolve.

Under one view, juveniles following within the age and crime specifications of Ballot Measure 11 must be "tried", but not necessarily "sentenced" and/or "incarcerated", as adults. Ballot Measure 11 does not say that juveniles falling within its terms must be "tried, sentenced, and incarcerated" as adults, and, therefore, the People left the later two issues to the legislature to resolve consistent with the spirit and policy of Ballot Measure 11.

Under a second view, even if Ballot Measure 11 is interpreted to require not only adult trials, but also adult sentences, the Measure is still statutory and subject to modification by the Legislature. Under this view, Ballot Measure 10's requirement

for a "supermajority" of two-thirds imposes no limitation on legislative authority to adopt the "second look" concept. That is because Ballot Measure 10 only applies to reductions of the adult sentences specified in Ballot Measure 11; again Ballot Measure 10 is silent on the final provision in Ballot Measure 11 addressing juvenile justice. Just as Ballot Measure 10 does not prevent a majority of the Legislature from adding or subtracting from the list of juvenile crimes to be "tried" under adult procedures (see Parts III, IV, and V above), so too may the Legislature provide for a "second look" hearing through the normal constitutional process of majority vote.

Under a third view, a 2/3 vote of the Legislature is required for adoption of the "second look" because it would potentially modify the "sentences" of juveniles "tried" as adults.

To resolve this legal issue the Subcommittee recommends that the Legislature, if it adopts the "second look" concept by less than 2/3 vote, provide for direct and expedited Oregon Supreme Court review. Ideally the Court would be asked to decide the issue before April 1, 1995 when Ballot Measure 11 becomes effective.

**IX. JUDICIAL AUTHORITY TO PARENTAL INVOLVEMENT IN JUVENILE  
CASES: AND UNPAID JOB LEAVE FOR AFFECTED PARENTS**

The Subcommittee heard testimony indicating some confusion about the authority of the juvenile courts to order parents of accused juveniles to attend court hearings and cooperate in treatment programs. The Subcommittee proposes a clarifying provision that both juvenile and adult court judges have broad authority to order such parental participation. However, parental participation should be left in the sound discretion of the Court. To protect the jobs of parents who honor a

judicial request or order to attend juvenile proceedings, a right to unpaid leave should be explicitly stated in the law (similar to jury leave).

#### X. VICTIMS' RIGHTS

The Subcommittee believes that the rights of victims of juvenile crimes should be clarified and expanded. First, victims should be entitled to notice, wherever reasonably possible, of proceedings involving the alleged perpetrator. Second, victims should be entitled to be heard by the court at any sentencing, "second look", or early transfer proceeding as described above. Third, victims should receive written notice from the court of any sentencing, "second look", or early transfer decision by the court. Finally, although this may more properly fall within the province of another subcommittee, subcommittee one believes that every reasonable effort should be made to require the offender to make restitution and/or otherwise be accountable to victims (i.e., victim-offender reconciliation programs etc.). The "victim's rights" laws applicable in adult cases should be fully applicable in juvenile cases (i.e., the "Victims Bill of Rights").

Copy to  
Betsey

## **Appropriate Jurisdictional Placement of Programs** the search for criteria

### **Background**

For many years programs have migrated from one level of government to another. Sometimes there are options that can be exercised by local governments (Aging Services and Community Corrections are examples) other times the whole program moves (State Courts, for example).

There is considerable speculation that changes in the political composition of the state legislature will create an environment more favorable to programs migrating to the local level. While every decision will be made on a case by case basis, and different factors will be more or less important depending on the specifics, it will be helpful to county staff to have a better understanding of broad issues around jurisdictional placement that are important to Commissioners.

The following list is based on a "Team Multnomah" brainstorm.

### **Funding & Costs**

- What level of funding comes with the transfer?
- What changes in the funding can be anticipated?
- What are the one-time expenses associated with the transfer?
- What are the costs of administrative overhead?
- What are the regulatory costs?
- What are the indirect costs?
- What are the total costs?

### **Feasibility & Desirability**

- How is the county already involved in related programs?
- How does it fit with existing county programs?
- Does authority transfer as well as responsibility?
- What has already been shifted?
- What is good about the status quo?
- What are direct and indirect impacts on clients?
- Is the funding sufficient to improve the level of services?
- How will demographic trends change program demands?
- Will the transfer create or exacerbate adverse selection problems?
- Will the transfer create pay compression problems?
- What are the impacts on bargaining units and existing representation?

### **The Big Picture**

- How does the transfer fit with values & vision for the county?
- What is the best process for analyzing options?
- Can we give it back later?

Work Session  
11-29-94  
Handout # 8

## HEALTH DEPARTMENT BARRIER SCAN

OCTOBER 1994

BARRIER	WHAT IT LOOKS LIKE	WHOSE IS IT	HOW I WOULD FIX IT
County can provide OHP plan choice counseling for some clients, but not single adults.	Clients are confused, and opportunity is lost.	AFS.	Allow county to provide plan choice counseling to all of its clients.
Limit to no. of oral contrac. dispensed at one time.	Inconvenient for clients to come back every three months. Promotes lapses in contraception.	AFS.	Allow longer prescriptions for OCP, six month pick ups.
Communication with non-English speakers.	Forms, pamphlets, signs not in languages of clients we serve.	All levels.	Have all materials available in all appropriate languages.
Multiple forms for the same clinical services.	Immunizations consents are done individually, patients must put info on each consent. Prenatal charting on OHSU, County, WIC forms - same info. Seven chart pages, med sheet, problem list.	All Levels.	Form redesign sharing common data elements.
Agencies don't talk to each other.	Client not treated as a whole person. Service providers only look at their own piece. For example, different nurses providing services to elderly in community may be visiting same person.	All Levels.	Assign one agency client responsibility.
Time out of clinic.	Time is wasted in meetings with little or not productive outcomes.	All Levels.	Reduce/eliminate meetings not goal oriented.
Inability to provide rapid triage.	Must pull charts on every client calling in before talking to patient.	All Levels.	Streamline calls that can be handled without chart (eg, head lice, URI).
Lack of unique personal identifier across programs.	Data collection across programs and projects is meaningless. Outcomes data will be compromised.	All Levels.	Legislate it. Require it.
Multiplicity of funding and benefits.	Cant remember who's entitled to what. Multiple forms. Confusing for all staff. Increased paperwork.	All Levels.	Single payor plan.
Low background immunization rate in Oregon.	More preventable disease.	All Levels.	More advertising. Easier clinic access. Computerized immunization data system, involving entire community; better tracking of high risk clients.
Too much paper.	Too many forms. Takes too long to chart. Takes as long to chart as it takes to actually see the patient.	All Levels.	Computerize chart. Evaluate need for all the forms we use, eliminate forms not necessary. Redefine 'necessary' in terms of patient care.
Culturally insensitive services.	Persons of color access health care less. Health indicators are lower. Low African American access to OHP.	All Levels.	<ul style="list-style-type: none"> <li>Include persons of color in OHP planning and design.</li> <li>Outreach into African American communities.</li> <li>Clarify to African Americans that OHP is not same as welfare.</li> <li>Prevent OHP from removing persons from their community provider in favor of a health plan that has barriers to care, esp. with emotionally and physically challenged Phase II clients.</li> <li>Treat the incarcerated. Include in OHP.</li> <li>Foster persons of color in health care occupations.</li> <li>Teach self esteem.</li> <li>Adopt violence as a public health issue.</li> </ul>
Lack of legislative language re. collecting health fees from inmates.	No clear legislative allowance for fees for persons in jail.	Cities/Counties/State.	Draft legislation and get stake holders to agree immediately.
Employment decisions are made for the wrong reasons,	Employees retained in spite of work performance or behavior detrimental ... Selection decisions made for	County.	The Civil Service system is no longer functional. Our relationship with barg units is not functional. Major systematic improvements

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or not made at all.	reasons of expediency; no conscious effort at workplace improvement.		are necessary.
Inadequate technical support.	Not enough computers/printers located at the point of service delivery.	County.	Increased resources.
Inadequate supply of on call coverage.	When a provider calls in sick, there often is not an on call provider available.	County.	Increased resources.
Union contract.	No system to reward staff for good performance.	County.	
Civil Service.	Poorly motivated and incompetent employees. Poor compensation for professional staff.	County.	Make standards for job performance and adhere to them. Hire and fire based on performance. Reward good work.
Ordering medical supplies.	Ordering supplies is getting more complicated and confusing.	County.	Automate. Eliminate the paper.
Increased number of memos.	Huge waste of paper. Can't pick useful info out of the sea of paper.	County.	Don't cc every employee on every memo.
No incentive for staff to further education/improve skills.	County seems only to provide moral support, not monetary support, to any staff that want to continue schooling.	County.	Offer tuition reimbursement for job related education. Speed up and simplify current reimbursement practices.
Managerial skills.	Staff are promoted to managerial positions because they were good in their staff jobs. No expectation, or ability to develop, the skills this person now needs to be a successful manager. No compensation commensurate for this set of skills.	County.	Require skills in public health, planning, management, and leadership. Pay for these skills, so that you can recruit the right people.
Low expectations of employees.	Expectations of staff are not articulated, job performance is not tracked early or thoroughly enough, employees who are incapable of being top performers are not terminated. We accept mediocrity in our employees.	County.	
Critical assessment.	There is an unwillingness to challenge old ways of thinking and doing business. There is a sense of the County being second rate: propagate this by the way we maintain our physical plant, the way we comport ourselves in public (dress, meeting/greeting skills, name tags).	County.	
Unions.	Unsupportive of quality performance, no responsibility for quality care.	County.	Collaborate in est. performance expectations tied to quality care. Development of obj. measurable performance standards.
Civil Service.	Inflexible hiring process, doesn't promote diversity.	County.	Modernize.
Keeping clinics clean.	Low bid janitorial.	County.	Quality service, rather than just price.
Inconsistent program requirements.	Sometimes funder's don't agree. Eg, family planning grant requires services not recommended by USPHS.	Fed.	Leave program design to local provider. Require federal agencies to communicate.
BCRR.	Cumbersome. Data collected does not provide useful management information. Cost of data collection is very high. Changes are made without consideration of local input. Changes are frequent. Productivity indicators interfere with best medical management of this population, and preventative health care is sacrificed.	Fed.	Ask grantees what information they would find helpful to the proper administration of their programs. Establish productivity standards for a population, rather than visit counts.
VA rules and regs.	VA rules prevent release of persons from custody for medical treatment. Prevents continuity of care if client seen prior at VA.	Fed.	
Site visits.	Very time consuming, disruptive. Look at much the same things.	Fed.	One site visits fits all.
Consents for OCP's,	Consents take time and take away from clinical services. They	Fed.	Abolish consents for OCPs and depo. Abolish consent to touch.

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deprovera, consent to touch.	add lots of paper to files.		
BCRR Visit Standards.	Emphasis on rapid, high volume care, not quality care. Preventative care not emphasized enough.	Fed.	
Consent forms.	Many services/procedures require too much paperwork - Family Planning, etc.	Fed.	Evaluate need for paperwork, eliminate that not necessary.
Service types don't match needs.	Clients need some types of services more than others, but those types of appointments are not available, due to funding requirements. A rich service package may be available to some, none for others. No funding association with health outcomes. No reward for programs that allow persons to lead independent lives - creates dependency, funds only remedial services.	Fed/State.	End target population funding. Increase the net for the vulnerable. Put time limits on the net. Fund outcomes. Stop incentivizing teens to have babies. Reward vulnerable teens to not have babies, etc.
Income screening system doesn't work.	Too hard to assess fees. Clinics don't do it. No proof available. Multiple income guidelines are confusing to staff/clients. Fees are not in line with private practices. No info regarding other HMOs.	Fed/State.	
Lack of uniform definitions.	Various grantors use differing definitions for race, income, family size, insurance coverage, etc. Adds to program costs and complexity.	Fed/State.	Establish common definitions.
Various examples of micromanagement.	Examples include the new WIC non discrimination statement; requiring WIC referrals whether or not the client wants it; externally imposed quality standards that divert our ability to address our client's needs and problems; audits looking at measures of much less importance to our clients than others, eg. ADLs in elderly pop. given more attention than smoking cess., A&D assessments, or mental health assessment.	Fed/State.	No externally determined quality indicators. No indicators without relevance to client population.
Termination of Medicaid for prisoners.	Prevents continuity of care during and after release. Loss of federal participation for medical care.	Fed/State.	Allow coverage to continue for persons in custody thru legislative change.
Clients don't understand how to access services - eg, SSI, AFS, OHP, etc.	A variety of boundaries, qualifications, confusing language, overlapping services, overlapping caseworkers, overlapping requirements.	Fed/State.	Common definitions and qualifications. Combine caseworker functions.
Clients don't understand how to fill out program application forms.	Confusing forms and language.	Fed/State.	Language sensitivity. Fix reading levels. Make caseworkers more receptive to providing help to non-reading and non-English speaking clients.
Service Lapses.	Clients are confused and don't know how to keep their enrollment in programs. Eligibility lapses often. Care is disrupted. Something is not working if so many lapses occur.	Fed/State.	Unified review process.
Time Surveys.	A complete and total waste of time.	Fed/State.	
Organization has gotten too large to govern from top.	Decisions being made without involving staff at the direct service level.	Health Department.	Bring decision making down to clinic level.
CareOregon.	CareOregon services are not customer service driven. Its hard to sell when we don't have good systems in place. Hospital access and communication is lacking.	Health Department.	Rethink and if necessary redesign areas of the operation that are not customer service oriented. Involve community hospitals in CareOregon.
Paper chart.	Only one person can access chart at a time. Providers spend great	Health Department.	Est. electronic clinical record.

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	deal of time writing chart notes. Notes difficult to read. Chart is lost, archived, misfiled, name is changed, etc. Chart notes located in more than one location. Labs and Xrays not complete. Hard to find info buried in charts.		
Phone system.	More call volume than staff can handle. Inability to prioritize calls.	Health Department.	Menu to select services. Add staff. Improve planning.
Lack of continuity of care - with same provider esp. a problem in community health	Ineffective use of provider time. Gather info more than once when a provider already knows patient, missed problems, inaccurate evaluation, juggled patient care.	Health Department.	Limit the number of clinicians a patient sees. Schedule follow ups with same provider.
Lack of conformity in treating family as a unit.	Diseases and psychosocial challenges run in families. Benefit for family and clinician in having entire family under care of one provider.	Health Department.	Limit the number of clinicians a family sees. Schedule follow ups with same provider.
Nothing for Kids to do when their parents are in clinic.	Many clients are single parents. No one to care for kids when they're appointing. Kids in exam room are a problem, esp. for FP visits.	Health Department.	Link up with CD students at CCs to set up child convenience centers in clinics.
The vision of the agency is not shared/communicated.	Vision not well defined. Not clearly communicated. Midlevel managers have little sense of vision.	Health Department.	
Lack of client input.	Minimal attempts to survey client needs.	Health Department.	Survey clients. Find out why medically recommended services, such as PAP and Immunizations, are not happening enough.
Medical records.	Outdated, slow.	Health Department.	Computerize. Buy supporting systems - Email, electronic referrals, etc.
Can't dispense contraceptives at School Clinics.	Kids don't make it to alternative pick up site.	Schools	Allow clients to pick up oral contraceptives at school sites.
WIC rectification notices.	Manual mailing to clients.	State Health Division.	Use state data base to electronically produce letters.
Forms requiring information collection not essential to visit.	WIC cert form and data entry into state; foodstamps, AFDC, Medicaid.	State Health Division.	Make state data systems talk to each other to find out program information. Share that data with service providers.
WIC formula bid.	Limited formula choices. Have to get Rx for spec formula.	State Health Division.	Increase selection range.
WIC voucher mailing from clinic and state.	Family vouchers come at different times. Generates confusion, calls to clinics.	State Health Division.	Educate clients.
Manual vouchers.	Handwritten vouchers for new clients. Time, hard to read.	State Health Division.	Electronically produced vouchers on site.
Lack of coordination of efforts between agencies in the best interest of clients.	Eg, terminally ill clients run through plan choice and reapp with AFS, assigned to another HMO, leave the clinic to sort it out. Patient transferred to disability, has to start over with new process.	State.	Require coordinator function to manage client between systems and programs.
A/D and MED funding.	Limited dual Dx slots prevent clients from getting appropriate care.	State.	Make the majority of A/D and MED slots dual Dx. Tying funding to specific programs does not work (Inmate populations).
Pharmacy rules.	Regulations prevent RNs from administering from stock bottles.	State.	Deregulate and change current/proposed rules on nursing administration/dispensing.
Pharmacy rules.	NPs can not prescribe some drugs. In solo NP practices, client may not get Rx. Extra work for MD. MD is not really making an informed decision, as patient belongs to NP.	State.	Open formulary.

POTENTIAL LEGISLATIVE ISSUES

October 26, 1994

(Note: List in development)

**JUVENILE JUSTICE**

- MI \* Juvenile Justice Reform
- MI \* Waiver (Remand)
- MI \* Cap Issues
- MI \* Community-Based Services vs Hard Beds
- MI/F \* Insufficient funding for Maclaren downsizing

**SHERIFF**

- CP \* Hazardous Materials Clean-Up/Drug Labs
- MI \* Response to closure of Dammasch
- CP \* Court transport for mentally ill
- CP \* Increase some fees
- CP/F \* Speed up trials/more judges

**HEALTH**

- CP/F \* Health Reform/Oregon Health Plan
- CP/F \* Inmate coverage under Oregon Health Plan.
- CP/F \* Coverage for persons released from custody (VA)
- AP \* Statewide testing for food handlers
- CP \* Violence prevention
- CP/F \* Child and adolescent health improvements
- AP/CP/F \* Preventing cuts in State Health Division budget
- CP \* Charging inmates for medical care
- F \* Funding for preventive dental care
- CP \* Appropriate alternatives if Sanitarian Board eliminated
- CP \* Potential jurisdictional moves for medical examiners

**AGING**

- F \* Capacity to Sustain Case Load Growth
- F \* Continuation of OPI program
- CP/F \* Health Plan
- F \* Mental Health Cuts
- CP/AP \* Adult Care Home changes/certification of workers

**AFFIRMATIVE ACTION**

- CP/AP \* Gay/Lesbian Rights
- CP \* Minority Contracting
- CP \* Environmental Harassment in the Workplace
- CP/AP \* Minority Unemployment

**MULTNOMAH COMMISSION ON CHILDREN AND FAMILIES**

- MI \* Juvenile Justice Reform
- MI/F \* Health Care Reform
- CP \* 2004 Implementation/CPS jurisdictional issues
- MI \* Waiver (Remand)
- \* HB 3565

Copy to  
Betsey  
Thanks!

- CP \* Oregon Health Plan's impact on quality of care
- CP \* Transfer of foster care to county?

#### LIBRARY

- F \* Fund second phase of Oregon Library Link Project
- F \* Fund PORTALS
- CP \* Oppose attempts to censor library collections
- CP \* Support continued confidentiality of library records

#### DISTRICT ATTORNEY

- MI \* Juvenile Justice Reform

#### COMMUNITY AND FAMILY SERVICES DIVISION

- MI \* Juvenile Justice Reform
  - \* Prevention
- MI \* Health Plan
  - \* A & D Issues
- F \* Human Service Funding
- F \* Beer and Wine Tax
- F \* Housing Trust Fund
- CP \* 2004 Implementation and Implications
- CP/F \* Mental Health Acute Care crisis - Dammasch
- CP/F \* Fund a regional mental health facility
- CP \* Change tax title law to allow transfer of property to non-profit environmental groups
- MI \* Welfare Reform
- CP/F \* Teen Pregnancy Prevention
- CP/F \* Level 7 Services

#### LABOR RELATIONS

- CP \* PERS - two tier system
- CP \* Revise reporting requirements for leaves of absences
- CP \* PECBA Revision

#### ENVIRONMENTAL SERVICES

- CP \* Transportation Funding
- CP \* Land use planning issues/Goal 5 clarification

#### COMMUNITY CORRECTIONS

- CP/F \* SB 139/Structured Sanctions/evaluation & continuation
- CP \* STOP Program/Drug Courts/Beer & Wine Tax
- CP \* Sex Offender registration and notification issues
- CP \* Certification of sex offender therapists
- CP \* Use centralized system for comparing recidivism.

**TAXATION AND ASSESSMENT**

- CP \* Charge title search against property prior to foreclosure
- CP \* Streamline foreclosure process
- CP \* Require disclosure of zoning restrictions at property sale
- CP \* Authorize a fourth board of equalization

**OTHER**

- CP \* County Budget Process/revision of tax supervising commission
- CP \* Renewal of enterprise zone laws
- CP/F \* Funding for county fairs

Work Session  
11-29-94  
Handout #10



# MULTNOMAH COUNTY, OREGON

BOARD OF COUNTY COMMISSIONERS

BEVERLY STEIN

DAN SALTZMAN

GARY HANSEN

TANYA COLLIER

SHARRON KELLEY

BUDGET & QUALITY

PORTLAND BUILDING

1120 S.W. FIFTH - ROOM 1400

P. O. BOX 14700

PORTLAND, OR 97214

PHONE (503)248-3883

TO: Chair Beverly Stein  
Commissioner Dan Saltzman  
Commissioner Gary Hansen  
Commissioner Tanya Collier  
Commissioner Sharron Kelley

FROM: Barry Crook, Budget and Quality Manager *bc*

DATE: November 21, 1994

SUBJECT: Responsibilities of the Tax Supervising and Conservation Commission

You have asked me to prepare a listing of major responsibilities of the Tax Supervising and Conservation Commission (TSCC) to see if Multnomah County is duplicating their efforts.

The TSCC's duties are described below and an interpretation of if Multnomah County does it also.

Tax Supervising and Conservation Commission	Multnomah County
<ul style="list-style-type: none"><li>Encourage providing enough public funds to operate local governments efficiently.</li></ul>	<ul style="list-style-type: none"><li>Mostly only for our own local government.</li></ul>
<ul style="list-style-type: none"><li>Oversee compliance with laws governing local budgets, taxes and public debt.</li></ul>	<ul style="list-style-type: none"><li>No, the County does not oversee compliance. However, the County does act to comply with local budget law, taxes and public debt like all other jurisdictions in the State.</li></ul>
<ul style="list-style-type: none"><li>Schedule public hearings where citizens may express views regarding financial plans and taxes.</li></ul>	<ul style="list-style-type: none"><li>Yes. Multnomah County holds public hearings independent of the Commission. In addition, TSCC conducts a hearing open to the public for the governing body to discuss the budget.</li></ul>
<ul style="list-style-type: none"><li>Publish for voters, taxpayers and investors an annual comprehensive report of budgets and other financial information, and</li></ul>	<ul style="list-style-type: none"><li>No. Multnomah County does not publish a comprehensive document for all municipal corporations in the County. Multnomah County publishes its own Comprehensive Annual Financial Report (CAFR) and budget related documents.</li></ul>
<ul style="list-style-type: none"><li>Maintain permanent records of indebtedness of all municipal corporations in the County.</li></ul>	<ul style="list-style-type: none"><li>No.</li></ul>

<ul style="list-style-type: none"> <li>• Review and certify budgets from all units under its jurisdiction.</li> <li>• Annual and supplemental budgets are reviewed <ul style="list-style-type: none"> <li>• For compliance with local finance laws</li> <li>• To examine program content</li> <li>• To judge if estimates are reasonable</li> <li>• To coordinate financial planning among the various local governments</li> </ul> </li> </ul> <p>All budgets must be certified by the Commission prior to adoption by the local governing body.</p>	<ul style="list-style-type: none"> <li>• No.</li> <li>• Yes, for our own budget.</li> <li>• Yes, for our own budget.</li> <li>• Yes, for our own budget.</li> <li>• No.</li> </ul>
<ul style="list-style-type: none"> <li>• Conduct public hearings on budgets, special tax levies and bond proposals and to discuss such proposals with governing bodies.</li> <li>• It has authority to inquire into the management, accounts and systems employed by local units and</li> <li>• It may call a joint meeting of levying bodies to discuss financial planning and cooperative ventures.</li> <li>• Consultation with local officials on a continuing basis is emphasized as a means of improving financial management systems.</li> </ul>	<ul style="list-style-type: none"> <li>• Yes, we conduct hearings for things that pertain to Multnomah County.</li> <li>• No, we have no authority to review other jurisdictions. However, we may review ourselves through County/independent auditors and others so chosen by the Board.</li> <li>• We may call for this meeting but we have no authority to require others to attend.</li> <li>• Yes. We may do that when the need arises.</li> </ul>
<ul style="list-style-type: none"> <li>• Certify to Multnomah County Assessment and Taxation the permissible levy amount for each local government.</li> </ul>	<ul style="list-style-type: none"> <li>• No.</li> </ul>
<ul style="list-style-type: none"> <li>• Notify and convene a meeting of property taxing jurisdictions within the County to arrive at a tax coordination plan.</li> </ul>	<ul style="list-style-type: none"> <li>• No. The County is responsible per ORS 310.182 but has delegated this responsibility to TSCC.</li> </ul>



# MULTNOMAH COUNTY OREGON

*Work Session  
10-29-94  
Handout #11*

DEPARTMENT OF ENVIRONMENTAL SERVICES  
TRANSPORTATION DIVISION  
1620 S.E. 190TH AVE.  
PORTLAND, OREGON 97233  
(503) 248-5050

BOARD OF COUNTY COMMISSIONERS  
BEVERLY STEIN • CHAIR OF THE BOARD  
DAN SALTZMAN • DISTRICT 1 COMMISSIONER  
GARY HANSEN • DISTRICT 2 COMMISSIONER  
TANYA COLLIER • DISTRICT 3 COMMISSIONER  
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

## MEMO

TO: Multnomah County Chair Beverly Stein

FROM: Betsy Williams *BW*  
Director, Environmental Services

Larry Nicholas *[Signature]*  
Director, Transportation Division

SUBJECT: **Legislative Agenda Data Base**

DATE: November 28, 1994

The attached summary provides an explanation of the Transportation Finance Package developed by a statewide coalition of transportation infrastructure providers. Multnomah County has participated in the discussions leading to a balanced transportation funding proposal that is expected to receive formal support from AOC, LOC, ODOT, JPACT, Tri Met, the Port of Portland and others.

Title: Transportation Funding

Explanation: Increase gas taxes and Vehicle Registration Fees to support increased road, bike, pedestrian and transit needs.

Benchmark(s): Infrastructure Investment; Transportation Alternatives; Clean streets

Primary Dept/Div: Environmental Services/Transportation

Additional Dept/Div:

Category: F

Theme: Maintaining Infrastructure Investment, Addressing Clean air and Growth, Safety and

Bill Number:

Status:

attachment

## Oregon Transportation Finance Package Elements

DRAFT

November 28, 1994

### **Roads and Bridges**

\*2 cent increase in each of 2 years (4 cents raises approx \$100 million/yr statewide; Multnomah County receives approximately 4 percent of the total allocation before passing through the City of Portland share).

\*Will finance high-priority road maintenance construction.

\*Portion of statewide revenues from gas taxes and vehicle registration fees to maintain city and county roads and bridges increases from 40 to 50 percent.

### **Earthquake Retrofit for Bridges**

\*2 cent increase in each of two years (raises approximately \$16 million/yr statewide; less revenue generated than above category because portion of weight-mile taxes from trucking is lower).

\*Will finance strengthening of Oregon's bridges to withstand 6.0 earthquakes; bridges selected will be those that connect lifeline routes and are critical to commerce. (Portland area lifeline includes the Burnside Bridge retrofit at approx. \$30 million; other bridges determined through statewide prioritization process.)

### **Public and Special Transportation**

\*\$20 annual increase in passenger vehicle registration (raises approx. \$58 million annually.)

\*Constitutional amendment to allow fees to be used for public transportation.

\*Funding distributed to counties for transit and public transportation for elderly and disabled citizens statewide. (Tri Met will receive funding in metropolitan area.)

### **Transportation Lottery Projects**

\*\$100 million request.

\*includes Air, Road, Rail, West Side and South/North Light Rail and Freight projects that improve commercial links. (Multnomah County benefits as part of region that benefits from light rail, port and freight projects.)

\*Projects selected for regional balance.