

ANNOTATED MINUTES

Tuesday, September 28, 1993 - 8:30 AM - 12:00 PM
Portland Metropolitan Chamber of Commerce
221 NW Second Avenue

SPECIAL MEETING

SM-1 The Multnomah County Board of Commissioners and Other County Elected Officials and Department Managers Will Meet to Review the Portland Multnomah Progress Board Work in the Areas of Quality of Life, Education/Children and Families and Public Safety.

FACILITATOR JOE HERTZBERG. PARTICIPANTS JEANNE GOODRICH, BEVERLY STEIN, DAN SALTZMAN, GARY HANSEN, BETSY WILLIAMS, TANYA COLLIER, STEVE TILLINGHAST, ROBERT SKIPPER, MICHAEL SCHRUNK, GARY BLACKMER, SHARRON KELLEY, BILLI ODEGAARD, SUSAN CLARK, MEGANNE STEELE, BILL THOMAS, PAUL SUNDERLAND AND TAMARA HOLDEN BEGAN PRELIMINARY PROCESS FOR IDENTIFYING 20 COUNTY BENCHMARKS FROM OREGON BENCHMARKS LIST AND ESTABLISHING CRITERIA PARAMETERS TO IDENTIFY AND DEVELOP FRAMEWORK FOR USE IN REFINING BENCHMARKS. MS. STEELE DIRECTED TO PREPARE AND SUBMIT A SURVEY TO PARTICIPANTS REQUESTING DATA ADDRESSING AREAS OF ADDITIONAL CONCERN, IDENTIFYING POTENTIAL PARTNERSHIPS, VALUES AND ASSUMPTIONS AND ADDITIONAL BENCHMARKS, FOR COMPILATION PRIOR TO NEXT MEETING. COMMISSIONERS TO SUBMIT LIST OF BENCHMARKS FOR CHAIR STEIN TO PRESENT TO PORTLAND-MULTNOMAH COUNTY PROGRESS BOARD ON OCTOBER 5, 1993. OCTOBER 12, 1993 MEETING TO BE RESCHEDULED AND RELOCATED.

Tuesday, September 28, 1993 - 1:30 PM
Multnomah County Courthouse, Room 602

PLANNING ITEMS

Chair Beverly Stein convened the meeting at 1:34 p.m., with Vice-Chair Gary Hansen, Commissioners Sharron Kelley, Tanya Collier and Dan Saltzman present.

P-1 CS 7-93 Review the September 7, 1993 Planning and Zoning Hearings Officer Decision Approving, Subject to Conditions, a Change in Zone Designation from GC, General Commercial, to GC, CS, Community Service Designation to Allow Installation of a Cellular Telephone Communications Monopole, with Associated Antennas, and to Erect an Electronics Equipment Building on the Subject Site, for Property Located at 16501 SE DIVISION STREET

DECISION READ, NO APPEAL FILED, DECISION STANDS.

P-2 CU 21-93 Review the September 15, 1993 Planning and Zoning Hearings Officer Decision Denying a Conditional Use Request for a Commercial Activity in Conjunction with Farm Use, for Property Located at 24315 NW OAK ISLAND ROAD

DECISION READ. PLANNING DIRECTOR SCOTT PEMBLE REPORTED A NOTICE OF REVIEW APPEAL WAS FILED AND THAT STAFF RECOMMENDS AN APPEAL HEARING BE SCHEDULED FOR OCTOBER 26, 1993, ON THE RECORD, WITH TESTIMONY LIMITED TO 15 MINUTES PER SIDE.

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER SALTZMAN, IT WAS UNANIMOUSLY APPROVED THAT A HEARING ON CU 21-93 BE HELD ON OCTOBER 26, 1993, ON THE RECORD, WITH TESTIMONY LIMITED TO 15 MINUTES PER SIDE.

P-3 CU 17-93/HV 9-93 PUBLIC HEARING, ON THE RECORD, PLUS ADDITIONAL EVIDENCE LIMITED TO THE SUBJECT OF POLICY 37, TESTIMONY LIMITED TO 10 MINUTES PER SIDE, in the Matter of an Appeal of the August 13, 1993 Planning and Zoning Hearings Officer Decision Denying a Conditional Use Request and Lot Size Variance Request, for Property Located at 3130 NW FOREST LANE

STAFF PLANNER BOB HALL CITED STATUTORY PROCEDURES AND REQUIREMENTS CONCERNING HEARING PROCESS. HEARINGS OFFICER LARRY EPSTEIN PRESENTATION REGARDING APPLICATION, PROCEDURAL ASPECTS OF REVIEW, STRUCTURE OF WRITTEN DECISION, FACTS ABOUT SITE AND SURROUNDING AREA, REQUEST FOR VARIANCES AND CONDITIONAL USE PERMIT AND OTHER LEGAL ISSUES RAISED DURING AUGUST 13 PROCEEDINGS. COUNTY COUNSEL JOHN DuBAY REPORTED THAT ARNOLD ROCHLIN HAS WITHDRAWN HIS OBJECTION CONCERNING SCOPE OF REVIEW LIMITING ADDITIONAL EVIDENCE TO POLICY 37, AND THAT MR. ROCHLIN IS REQUESTING THAT TWO DOCUMENTS BE EXCLUDED FROM THE RECORD. MR. DuBAY RECOMMENDED THAT THE BOARD DENY MR. ROCHLIN'S REQUEST. MR. EPSTEIN EXPLAINED THAT WHILE THE DOCUMENTS WERE ADMITTED INTO THE RECORD AS EXHIBITS, THEY WERE NOT CITED AS SUPPORT FOR ANY FINDINGS THAT HE MADE.

APPLICANTS' ATTORNEY MICHAEL ROBINSON, ASSERTED THE BOARD RECEIVED A EX PARTE COMMUNICATION IN THE FORM OF A SEPTEMBER 21, 1993 LETTER FROM ARNOLD ROCHLIN TO THE BOARD AND REQUESTED THAT HE BE GIVEN A COPY OF THE LETTER AND HAVE AN OPPORTUNITY TO RESPOND TO ANY SUBSTANTIVE ISSUES. EACH BOARD MEMBER ACKNOWLEDGED RECEIPT OF THE LETTER AND STATED IT WOULD NOT IMPACT TODAY'S DECISION.

MR. ROBINSON PRESENTED TESTIMONY IN SUPPORT OF A REVERSAL OF THE HEARINGS OFFICER DECISION, ADVISING HIS CLIENTS WERE NOT STATUTORILY NOTIFIED BY MAIL OF COUNTY ADOPTION OF A 1980

AGGREGATION ORDINANCE. MR. ROBINSON ASSERTED HIS CLIENTS HAVE AN UNBUILDABLE LOT WHICH CANNOT BE SOLD TO A THIRD PARTY WISHING TO OBTAIN A BUILDING PERMIT, THAT THE PROPERTY CANNOT BE LOGGED, AND THAT DENIAL OF THE REQUEST WOULD RESULT IN A TAKING. MR. ROBINSON INTRODUCED ADDITIONAL EVIDENCE IN THE FORM OF A REPORT THAT APPLICANTS CAN PROVIDE ADEQUATE SUB-SERVICE SEWAGE DISPOSAL AND ASSERTED THERE WOULD BE NO ADVERSE IMPACT ON THE SURROUNDING AREA OR FOREST PARK. MR. ROBINSON RESPONDED TO BOARD QUESTIONS.

ARNOLD ROCHLIN, REPRESENTING HIMSELF AND THE FOREST PARK NEIGHBORHOOD ASSOCIATION, EXPRESSED CONCERN THAT HIS SEPTEMBER LETTER WAS CONSIDERED EX PARTE CONTACT AND ADVISED THAT COPIES WERE SENT TO EACH COMMISSIONER, THE BOARD CLERK AND TO PLANNING STAFF FOR FILING IN THE CASE FILE, AVAILABLE FOR PUBLIC INSPECTION. MR. ROCHLIN ASSERTED THE BOARD DID NOT COMPLY WITH 11.15.8270(E) WHEN SETTING THE SCOPE OF REVIEW ON AUGUST 31 RELATIVE TO DETERMINING WHETHER THE ADDITIONAL EVIDENCE COULD NOT HAVE BEEN PRESENTED AT THE EARLIER HEARING. MR. ROCHLIN ADVISED THAT APPLICANTS' HOUSE IS ON A 4 ACRE PARCEL IN WHAT IS NOW AN 80 ACRE ZONE AND PRESENTED TESTIMONY IN SUPPORT OF THE DENIAL DECISION, EXPLAINING THAT THE FIRST SENTENCE OF 11.15.8505(A) STATES, "THE APPROVAL AUTHORITY MAY PERMIT AND AUTHORIZE A VARIANCE FROM THE REQUIREMENTS OF THIS CHAPTER ONLY WHEN THERE ARE PRACTICAL DIFFICULTIES IN THE APPLICATION OF THE CHAPTER", WHICH APPLICANT FAILED TO IDENTIFY. MR. ROCHLIN URGED THE BOARD TO DENY THE APPLICATION, ADOPT THE HEARINGS OFFICER'S FINDINGS AND CONCLUSIONS AND TO DESIGNATE THE WALKER AND WATSON LETTERS AS EXCLUDED FROM THE RECORD, THOUGH LEFT IN THE FILE. MR. ROCHLIN SUGGESTED THAT APPLICANT DOES NOT EXPECT TO WIN HERE AND REQUESTED A VARIANCE IN ORDER TO SHOW THAT ALL PLAUSIBLE LOCAL REMEDIES WERE TRIED IN ORDER TO RAISE THE MATTER BEFORE LUBA OR THE COURTS.

IN RESPONSE TO A QUESTION OF CHAIR STEIN, MR. DuBAY ADVISED THE BOARD MUST CONSIDER ANY APPLICABLE STATE LAW, ORDINANCES OR CONSTITUTIONAL ISSUES WHICH OVERRIDE THE COUNTY CODE.

IN RESPONSE TO A QUESTION OF COMMISSIONER COLLIER, MR. DuBAY ADVISED HE HAS NO OBJECTION TO THE BOARD EXCLUDING THE TWO LETTERS AND EXPLAINED THAT LUBA HAS AUTHORITY TO TAKE EVIDENCE ON CONSTITUTIONAL ISSUES WHICH DO NOT APPEAR IN THE RECORD.

IN RESPONSE TO A QUESTION OF CHAIR STEIN, MR.

ROCHLIN ADVISED THE CODE REQUIRES THAT APPLICANT IDENTIFY AT LEAST ONE PRACTICAL DIFFICULTY APPLICABLE TO AT LEAST ONE CRITERIA.

IN RESPONSE TO A QUESTION OF COMMISSIONER SALTZMAN, MR. PEMBLE ADVISED THE COUNTY HAS NEVER CONSIDERED PRACTICAL DIFFICULTY CRITERIA.

UPON MOTION OF COMMISSIONER HANSEN, SECONDED BY COMMISSIONER KELLEY, IT WAS UNANIMOUSLY APPROVED THAT THE HEARINGS OFFICER DECISION BE AFFIRMED.

P-4 CU 20-93 PUBLIC HEARING, ON THE RECORD, PLUS ADDITIONAL EVIDENCE LIMITED TO THE SUBJECT OF THE LOT OF RECORD, GENERAL SUITABILITY OF THE PARCEL FOR FARMING AND OTHER APPROVAL CRITERIA AS INTERPRETED BY THE HEARINGS OFFICER, TESTIMONY LIMITED TO 10 MINUTES PER SIDE, in the Matter of an Appeal of the August 5, 1993 Planning and Zoning Hearings Officer Decision Denying a Conditional Use Request for a Non-Resource Related Single Family Residence on EFU, Exclusive Farm Use, for Property Located at 31075 SE LUSTED ROAD

PLANNER SANDY MATHEWSON GAVE THE STAFF REPORT, CRITERIA REQUIREMENTS AND LUBA APPEAL CAVEAT.

BOARD DISCUSSION AND RESPONSE TO CONCERNS OF ATTORNEY TIM RAMIS REGARDING IMPARTIALITY OF THE HEARINGS OFFICER.

HEARINGS OFFICER ROBERT LIBERTY EXPLAINED PROCESS HE USED IN ARRIVING AT HIS DECISION AND RESPONDED TO BOARD QUESTIONS.

Commissioner Kelley left at 3:05 p.m.

IN RESPONSE TO A QUESTION OF COMMISSIONER HANSEN, MR. DuBAY REPORTED THAT THE COUNTY ADOPTED A PARTITION ORDINANCE IN 1978, GOAL 3 WAS ADOPTED IN DECEMBER, 1974 AND THE COUNTY PLAN WAS ACKNOWLEDGED BY THE STATE ON OCTOBER 30, 1980.

MR. RAMIS PRESENTED TESTIMONY SUPPORTING LOT OF RECORD AND SUITABILITY OF PARCEL FOR FARMING, SUBMITTED AN EXHIBIT LIST AND CITED A 1980 LETTER FROM PLANNING STAFF LARRY EPSTEIN DETERMINING THAT THE LOT AT ISSUE IS A LOT OF RECORD, AND A LETTER FROM FARM BUREAU PRESIDENT LARRY BUSHUE ADVISING IT IS HIS OPINION THAT THE USE WOULD BE COMPATIBLE WITH FARM PRACTICES. MR. RAMIS RESPONDED TO BOARD QUESTIONS.

SPENCER VAIL PRESENTED AND EXPLAINED AN AERIAL PHOTO AND RESPONDED TO BOARD QUESTIONS.

COMMISSIONER SALTZMAN MOVED AND COMMISSIONER

COLLIER SECONDED, TO REVERSE THE HEARINGS OFFICER DECISION AND GRANT THE CONDITIONAL USE. MR. DuBAY AND MS. MATHEWSON EXPLANATION IN RESPONSE TO BOARD QUESTIONS. BOARD COMMENTS. MOTION APPROVED WITH COMMISSIONERS COLLIER, SALTZMAN AND STEIN VOTING AYE, AND COMMISSIONER HANSEN VOTING NAY.

MR. DuBAY DIRECTED MR. RAMIS TO PREPARE AND SUBMIT A PROPOSED FINAL ORDER.

P-5 C 5-93 First Reading and Public Hearing of a Proposed ORDINANCE Which Amends the Multnomah County Comprehensive Framework Plan Policy 16 and Multnomah County Code Chapter 11.15 Regarding Significant Environmental Concern (SEC) Provisions and Adopting a Map of Significant Streams and Riparian Areas Which are Designated "3-C" Resource Sites in Multnomah County Goal 5 Inventory

PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. FOLLOWING BOARD DISCUSSION, IT WAS DETERMINED THAT PUBLIC TESTIMONY WOULD BE TAKEN TODAY, AND THE STAFF PRESENTATION AND COMMENTS FROM JIM SITZMAN WOULD BE CONTINUED TO OCTOBER 12, 1993. TESTIMONY IN OPPOSITION TO PROPOSED ORDINANCE FROM RICHARD SHEPARD, KLAUS HEYNE AND SUSAN FRY. TESTIMONY IN SUPPORT OF PROPOSED ORDINANCE FROM CHRIS WRENCH, JOHN SHERMAN, NANCY ROSENLUND, URSULA FICKER, MICHAEL CARLSON, LYN MATTEI AND ARNOLD ROCHLIN.

Commissioner Saltzman left at 4:20 p.m.

FOLLOWING BOARD DISCUSSION AND STAFF COMMENTS, COMMISSIONER COLLIER MOVED AND COMMISSIONER HANSEN SECONDED, CONTINUANCE OF THE FIRST READING TO TUESDAY, OCTOBER 26, 1993. CHAIR STEIN DIRECTED STAFF TO LOOK AT OPTIONS SUGGESTED BY MR. SHERMAN AND MR. ROCHLIN AND LOOK INTO USE OF VOLUNTEER ASSISTANCE IN IDENTIFYING EAST COUNTY STREAMS. COMMISSIONER COLLIER REQUESTED A BOARD BRIEFING ON FUTURE IMPACT ISSUES. MOTION UNANIMOUSLY APPROVED.

There being no further business, the meeting was adjourned at 4:40 p.m.

OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON

By DEBORAH C. BOUSTAD

Wednesday, September 29, 1993 - 8:00 AM - 9:00 AM
Multnomah County Courthouse, Room 602

BOARD BRIEFING

B-1 Briefing and Discussion on Multnomah County Community Corrections Plan. Presented by M. Tamara Holden and Susan Kaeser.

TAMARA HOLDEN AND BILL WOOD PRESENTATION AND RESPONSE TO BOARD QUESTIONS. STAFF TO RESPOND TO SPECIFIC INFORMATION REQUESTS OF COMMISSIONERS COLLIER AND SALTZMAN. ADDITIONAL BRIEFING TO BE HELD PRIOR TO BOARD CONSIDERATION OF INTERGOVERNMENTAL AGREEMENT AND BUDGET MODIFICATION ON REGULAR AGENDA.

Thursday, September 30, 1993 - 9:30 AM
Multnomah County Courthouse, Room 602

REGULAR MEETING

Chair Beverly Stein convened the meeting at 9:30 a.m., with Vice-Chair Gary Hansen, Commissioners Sharron Kelley, Tanya Collier and Dan Saltzman present.

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-9) WAS UNANIMOUSLY APPROVED.

DEPARTMENT OF SOCIAL SERVICES

C-1 Ratification of Intergovernmental Agreement Contract 103644 Between the Oregon Department of Energy and Multnomah County, Providing Partial Reimbursement to the Community Action Program Office for Weatherizing Low Income Homes, for the Period July 1, 1993 through June 30, 1995

DEPARTMENT OF ENVIRONMENTAL SERVICES

C-2 ORDER in the Matter of the Execution of Deed D940919 Upon Complete Performance of a Contract to Jessica P. Sam

ORDER 93-320.

C-3 ORDER in the Matter of the Execution of Deed D940920 Upon Complete Performance of a Contract to Rodger Evenson

ORDER 93-321.

C-4 ORDER in the Matter of the Execution of Deed D940921 Upon Complete Performance of a Contract to Glen R. Smith and Doris L. Smith

ORDER 93-322.

C-5 ORDER in the Matter of the Execution of Deed D940922 Upon Complete Performance of a Contract to Horace Green

ORDER 93-323.

C-6 ORDER in the Matter of the Execution of Deed D940925 Upon Complete Performance of a Contract to James A. Nelson

ORDER 93-324.

C-7 ORDER in the Matter of the Execution of Deed D940926 Upon Complete Performance of a Contract to William C. Reed

ORDER 93-325.

C-8 ORDER in the Matter of the Execution of Deed D940927 Upon Complete Performance of a Contract to Noell Webb

ORDER 93-326.

C-9 ORDER in the Matter of the Execution of Deed D940928 Upon Complete Performance of a Contract to Bessie A. Burnette

ORDER 93-327.

REGULAR AGENDA

NON-DEPARTMENTAL

R-1 Multnomah County Citizen Involvement Committee FY 1992-93 Annual Report. Presented by CIC Chair Derry Jackson and CIC Executive Director John Legry.

DERRY JACKSON INTRODUCED ROBIN BLOOMGARDEN, JOHN LEGRY AND ANGEL OLSEN AND PRESENTED HIGHLIGHTS OF THE ANNUAL REPORT. BOARD COMMENTS.

DEPARTMENT OF ENVIRONMENTAL SERVICES

R-2 Ratification of Intergovernmental Agreement Contract 300704 Between the Oregon Department of Transportation and Multnomah County, Providing for the Maintenance of Portland Area ODOT Vehicles and Equipment by Multnomah County Fleet Services, for the Period Upon Execution through June 30, 1998

COMMISSIONER SALTZMAN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-2. TOM GUINEY EXPLANATION AND RESPONSE TO BOARD QUESTIONS. AGREEMENT UNANIMOUSLY APPROVED.

R-3 ORDER in the Matter of the Establishment of S.E. Butler Road from S.E. Giese Road Southeasterly to Existing S.E. Butler Road, as a County Road to be Known as S.E. Butler Road, No. 5002

COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-3. JOHN DORST EXPLANATION AND RESPONSE TO BOARD QUESTIONS. ORDER 93-328 UNANIMOUSLY APPROVED.

R-4 RESOLUTION in the Matter of Initiating Proceedings to Vacate a Portion of S.E. Butler Road, County Road Nos. 365

and 588, from S.E. 190th Drive Easterly 298 Ft., More or Less, and Setting a Hearing Date [November 4, 1993 Requested]

COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-4. JOHN DORST EXPLANATION. RESOLUTION 93-329 SETTING PUBLIC HEARING FOR THURSDAY, NOVEMBER 4, 1993 UNANIMOUSLY APPROVED.

DEPARTMENT OF SOCIAL SERVICES

R-5 Housing and Community Services Division Request for Approval of a \$33,333 Grant from the Oregon Children and Youth Services Commission, for a Parole Transition Coordinator to Work with African American Youth within the Juvenile Justice and Delinquency Prevention Disproportionate Minority Confinement Project, for the Period September 30, 1993 through December 31, 1993

COMMISSIONER SALTZMAN MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-5. REY ESPANA AND DWAYNE McNANNAY EXPLANATION AND RESPONSE TO BOARD QUESTIONS. GRANT UNANIMOUSLY APPROVED.

R-6 Housing and Community Services Division Request for Approval of a Notice of Intent to Apply for a Two-Year Continuation to the Current Robert Wood Johnson Foundation Grant for the "No Place Like Home" Program, Providing Publicly Assisted Housing for Elderly Multnomah County Residents

COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-6. CECILE PITTS EXPLANATION AND RESPONSE TO BOARD QUESTIONS. NOTICE OF INTENT UNANIMOUSLY APPROVED.

R-7 Budget Modification DSS #5 Requesting Authorization to Transfer \$20,000 in County General Fund from the Mental Health, Youth and Family Services Division, Alcohol and Drug Program Budget, to the Department of Community Corrections, Office of Women's Transition Services Budget

COMMISSIONER SALTZMAN MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-7. NORMA JAEGER EXPLANATION AND RESPONSE TO BOARD QUESTIONS. COMMISSIONER COLLIER COMMENTS IN SUPPORT OF ADAPT PROGRAM. BUDGET MODIFICATION UNANIMOUSLY APPROVED.

DEPARTMENT OF SOCIAL SERVICES

R-8 Ratification of Intergovernmental Agreement Contract 103714 Between Washington County and Multnomah County, Allowing Washington County to Utilize the Multnomah County Juvenile Justice Complex, for the Period July 1, 1993 through June 30, 1994

COMMISSIONER SALTZMAN MOVED AND COMMISSIONER

COLLIER SECONDED, APPROVAL OF R-8. HAL OGBURN, DAVE BOYER, CHIP LAZENBY AND DAVE WARREN EXPLANATION OF ITEMS R-8 THROUGH R-12 AND RESPONSE TO BOARD QUESTIONS. AGREEMENT UNANIMOUSLY APPROVED.

- R-9 Ratification of Intergovernmental Agreement Contract 103724 Between Clackamas County and Multnomah County, Allowing Clackamas County to Utilize the Multnomah County Juvenile Justice Complex, for the Period July 1, 1993 through June 30, 1994

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER SALTZMAN, R-9 WAS UNANIMOUSLY APPROVED.

- R-10 Ratification of Intergovernmental Agreement Contract 500234 Between Multnomah County and Clackamas County, for the Lease of 10 Bed Spaces at the Multnomah County Juvenile Justice Complex, for the Period October 1, 1993 through June 30, 2013

UPON MOTION OF COMMISSIONER COLLIER, SECONDED BY COMMISSIONER KELLEY, R-10 WAS UNANIMOUSLY APPROVED.

- R-11 Ratification of Intergovernmental Agreement Contract 500244 Between Multnomah County and Washington County, for the Lease of 10 Bed Spaces at the Multnomah County Juvenile Justice Complex, for the Period October 1, 1993 Until Mutually Terminated

UPON MOTION OF COMMISSIONER COLLIER, SECONDED BY COMMISSIONER HANSEN, R-11 WAS UNANIMOUSLY APPROVED.

- R-12 RESOLUTION in the Matter of Depositing Lease-Purchase and Lease Payments Received from Washington and Clackamas Counties for Bed Space in the Juvenile Justice Complex to the Capital Improvement Fund

COMMISSIONER COLLIER MOVED AND COMMISSIONER SALTZMAN SECONDED, APPROVAL OF R-12. DAVE BOYER EXPLANATION AND RESPONSE TO BOARD QUESTIONS. RESOLUTION 93-330 UNANIMOUSLY APPROVED.

NON-DEPARTMENTAL

- R-13 RESOLUTION in the Matter of Setting out Procedures and Policies for the Board of Equalization and its Members

COMMISSIONER COLLIER MOVED AND COMMISSIONER SALTZMAN SECONDED, APPROVAL OF R-13. COMMISSIONER COLLIER ACKNOWLEDGED AND EXPRESSED APPRECIATION TO CITIZEN TASK FORCE, LAURELHURST NEIGHBORHOOD ASSOCIATION, COUNTY STAFF AND ELECTED OFFICIALS FOR THEIR ASSISTANCE IN PREPARATION OF PROCESS.

UPON MOTION OF COMMISSIONER COLLIER, SECONDED BY COMMISSIONER SALTZMAN, AN AMENDMENT TO ATTACHMENT A WAS UNANIMOUSLY APPROVED. SANDY DUFFY EXPLANATION IN RESPONSE TO BOARD QUESTIONS. UPON MOTION OF COMMISSIONER COLLIER, SECONDED BY COMMISSIONER HANSEN, 6 AMENDMENTS TO ATTACHMENT B-1 WERE UNANIMOUSLY APPROVED. COMMISSIONER COLLIER MOVED AND COMMISSIONER HANSEN SECONDED, AMENDMENT TO ATTACHMENT B-2. MS. DUFFY AND MARIA ROJO de STEFFEY RESPONSE TO BOARD QUESTIONS AND DISCUSSION. MOTION WITHDRAWN. UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER COLLIER, AMENDMENT TO ATTACHMENT B-2 WAS UNANIMOUSLY APPROVED. UPON MOTION OF COMMISSIONER COLLIER, SECONDED BY COMMISSIONER KELLEY, AMENDMENT TO ATTACHMENT C, PAGE 5 WAS UNANIMOUSLY APPROVED. UPON MOTION OF COMMISSIONER COLLIER, SECONDED BY COMMISSIONER KELLEY, AMENDMENT TO ATTACHMENT C, PAGE 13 WAS UNANIMOUSLY APPROVED. COMMISSIONER HANSEN QUESTION UPON MOTION OF COMMISSIONER COLLIER, SECONDED BY COMMISSIONER HANSEN, AMENDMENT TO ATTACHMENT E WAS UNANIMOUSLY APPROVED.

TESTIMONY IN SUPPORT OF PROPOSED RESOLUTION FROM TOM CROPPER, ROBIN HUNTINGTON, PAULINE GUSTAFSON AND MARK PARKER. BOARD COMMENTS. RESOLUTION 93-331 AS AMENDED, UNANIMOUSLY APPROVED.

PUBLIC COMMENT

R-14 Opportunity for Public Comment on Non-Agenda Matters.
Testimony Limited to Three Minutes Per Person.

There being no further business, the meeting was adjourned at 11:25 a.m.

OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON

By Deborah C. Boustar



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

SEPTEMBER 27, 1993 - OCTOBER 1, 1993

- Tuesday, September 28, 1993 - 8:30 AM - Special Meeting . . .Page 2
Portland Metropolitan Chamber of Commerce
221 NW Second Avenue
- Tuesday, September 28, 1993 - 1:30 PM - Planning Items. . . .Page 2
- Wednesday, September 29, 1993 - 8:00 AM - Board Briefing. . .Page 3
- Thursday, September 30, 1993 - 9:30 AM - Regular Meeting. . .Page 3

Thursday Meetings of the Multnomah County Board of Commissioners are taped and can be seen at the following times:

- Thursday, 10:00 PM, Channel 11 for East and West side subscribers
- Thursday, 10:00 PM, Channel 49 for Columbia Cable (Vancouver) subscribers
- Friday, 6:00 PM, Channel 22 for Paragon Cable (Multnomah East) subscribers
- Saturday 12:00 PM, Channel 21 for East Portland and East County subscribers

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, September 28, 1993 - 8:30 AM - 12:00 PM

Portland Metropolitan Chamber of Commerce
221 NW Second Avenue

SPECIAL MEETING

SM-1 The Multnomah County Board of Commissioners and Other County Elected Officials, and Department Managers Will Meet to Review the Portland Multnomah Progress Board Work in the Areas of Quality of Life, Education/Children and Families and Public Safety.

Tuesday, September 28, 1993 - 1:30 PM

Multnomah County Courthouse, Room 602

PLANNING ITEMS

P-1 CS 7-93 Review the September 7, 1993 Planning and Zoning Hearings Officer Decision Approving, Subject to Conditions, a Change in Zone Designation from GC, General Commercial, to GC, CS, Community Service Designation to Allow Installation of a Cellular Telephone Communications Monopole, with Associated Antennas, and to Erect an Electronics Equipment Building on the Subject Site, for Property Located at 16501 SE DIVISION STREET

P-2 CU 21-93 Review the September 15, 1993 Planning and Zoning Hearings Officer Decision Denying a Conditional Use Request for a Commercial Activity in Conjunction with Farm Use, for Property Located at 24315 NW OAK ISLAND ROAD

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Riparian Areas Which are Designated "3-C" Resource Sites in
Multnomah County Goal 5 Inventory [1 HOUR REQUESTED]

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BOARD BRIEFING

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-

Thursday, September 30, 1993 - 9:30 AM

Multnomah County Courthouse, Room 602

REGULAR MEETING

CONSENT CALENDAR

DEPARTMENT OF SOCIAL SERVICES

- C-1 Ratification of Intergovernmental Agreement Contract 103644 Between the Oregon Department of Energy and Multnomah County, Providing Partial Reimbursement to the Community Action Program Office for Weatherizing Low Income Homes, for the Period July 1, 1993 through June 30, 1995

DEPARTMENT OF ENVIRONMENTAL SERVICES

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REGULAR AGENDA

NON-DEPARTMENTAL

- R-1 Multnomah County Citizen Involvement Committee FY 1992-93 Annual Report. Presented by CIC Chair Derry Jackson and CIC Executive Director John Legry. [9:30 AM TIME CERTAIN, 30 MINUTES REQUESTED]

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-2 Ratification of Intergovernmental Agreement Contract 300704 Between the Oregon Department of Transportation and Multnomah County, Providing for the Maintenance of Portland Area ODOT Vehicles and Equipment by Multnomah County Fleet Services, for the Period Upon Execution through June 30, 1998
- R-3 ORDER in the Matter of the Establishment of S.E. Butler Road from S.E. Giese Road Southeasterly to Existing S.E. Butler Road, as a County Road to be Known as S.E. Butler Road, No. 5002
- R-4 RESOLUTION in the Matter of Initiating Proceedings to Vacate a Portion of S.E. Butler Road, County Road Nos. 365 and 588, from S.E. 190th Drive Easterly 298 Ft., More or Less, and Setting a Hearing Date [November 4, 1993 Requested]

DEPARTMENT OF SOCIAL SERVICES

- R-5 Housing and Community Services Division Request for Approval of a \$33,333 Grant from the Oregon Children and Youth Services Commission, for a Parole Transition Coordinator to Work with African American Youth within the Juvenile Justice and Delinquency Prevention Disproportionate Minority Confinement Project, for the Period September 30, 1993 through December 31, 1993
- R-6 Housing and Community Services Division Request for Approval of a Notice of Intent to Apply for a Two-Year Continuation to the Current Robert Wood Johnson Foundation Grant for the "No Place Like Home" Program, Providing Publicly Assisted Housing for Elderly Multnomah County Residents
- R-7 Budget Modification DSS #5 Requesting Authorization to Transfer \$20,000 in County General Fund from the Mental Health, Youth and Family Services Division, Alcohol and Drug Program Budget, to the Department of Community Corrections, Office of Women's Transition Services Budget

DEPARTMENT OF SOCIAL SERVICES

- R-8 Ratification of Intergovernmental Agreement Contract 103714 Between Washington County and Multnomah County, Allowing Washington County to Utilize the Multnomah County Juvenile Justice Complex, for the Period July 1, 1993 through June

30, 1994

- R-9 Ratification of Intergovernmental Agreement Contract 103724 Between Clackamas County and Multnomah County, Allowing Clackamas County to Utilize the Multnomah County Juvenile Justice Complex, for the Period July 1, 1993 through June 30, 1994
- R-10 Ratification of Intergovernmental Agreement Contract 500234 Between Multnomah County and Clackamas County, for the Lease of 10 Bed Spaces at the Multnomah County Juvenile Justice Complex, for the Period October 1, 1993 through June 30, 2013
- R-11 Ratification of Intergovernmental Agreement Contract 500244 Between Multnomah County and Washington County, for the Lease of 10 Bed Spaces at the Multnomah County Juvenile Justice Complex, for the Period October 1, 1993 Until Mutually Terminated
- R-12 RESOLUTION in the Matter of Depositing Lease-Purchase and Lease Payments Received from Washington and Clackamas Counties for Bed Space in the Juvenile Justice Complex to the Capital Improvement Fund

NON-DEPARTMENTAL

- R-13 RESOLUTION in the Matter of Setting out Procedures and Policies for the Board of Equalization and its Members

PUBLIC COMMENT

- R-14 Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.

00266C/47-51/db

MEETING DATE: September 29, 1993

AGENDA NO: B-1

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Briefing/Discussion on Multnomah County Community Corrections Plan

BOARD BRIEFING Date Requested: September 29, 1993

Amount of Time Needed: 1 Hour TC 8:00 a.m.-9:00 a.m.

REGULAR MEETING: Date Requested: _____

Amount of Time Needed: _____

DEPARTMENT: Department of Community Corrections DIVISION: _____

CONTACT: Susan Kaeser TELEPHONE #: 248-3701
BLDG/ROOM #: 161/600

PERSON(S) MAKING PRESENTATION: M. Tamara Holden and Susan Kaeser

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

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

Board Briefing and Discussion on Multnomah County Community Corrections Plan.

BOARD OF
COUNTY COMMISIONERS
1993 SEP 22 PM 4:29
MULTNOMAH COUNTY
OREGON

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Sharon Kelley

OR

DEPARTMENT MANAGER: _____

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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

1993 - 1995

MULTNOMAH COUNTY

COMMUNITY CORRECTIONS PLAN

MULTNOMAH COUNTY DEPARTMENT OF COMMUNITY CORRECTIONS
421 S.W. 5TH AVENUE., SUITE 600
PORTLAND, OREGON 97204
(503) 248-3701

MULTNOMAH COUNTY DEPARTMENT OF COMMUNITY CORRECTIONS

MISSION STATEMENT

The mission of the Multnomah County Department of Community Corrections is to enhance public safety and promote the positive change of offenders in the community through integrated supervisory, rehabilitative and enforcement strategies.

VALUES

People

We value the people who work in our organization and make it possible to accomplish the Department's mission.

Professional Behavior

We value positive interpersonal relations. We treat others with respect, promote effective communication, and hold each other accountable to the highest standards of professional behavior.

Positive Change

We value the promotion of positive change. We achieve this through collaboration and cooperation within our Department and in partnership with other criminal justice and community organizations.

Community

We value participation with our neighborhoods to promote a safer and more livable community.

Diversity

We value diversity and equal opportunity. As an organization, we structure ourselves to include staff with varied background and experience to deliver services for a diverse community.

TABLE OF CONTENTS

PART I: THE LOCAL SYSTEM

INTRODUCTION 1

ADMINISTRATION 3

DESCRIPTION OF LOCAL CORRECTIONS SYSTEM 5

 BASIC OVERVIEW 5

 DEMOGRAPHIC FACTORS 7

 POPULATION UNDER SUPERVISION BY RISK 9

 INTEGRATION OF SERVICES IN DCC 11

 INTEGRATION OF SERVICES IN MULTNOMAH COUNTY 11

 SUBSTANCE ABUSE PROGRAMMING 13

 SEX OFFENDERS 17

 FEMALE OFFENDERS 19

 INDIGENT OFFENDERS 20

 EMPLOYMENT AND EDUCATION SERVICES 20

 HOUSING SERVICES 21

 GANG-INVOLVED OFFENDERS 21

 IMPLEMENTATION OF REVOCATION GUIDELINES 22

 RESPONSE TO VIOLATIONS 24

 INTAKE AND ASSESSMENT 26

 COMMUNITY SERVICES BRANCH OUTCOME MEASURES 28

 PROGRAM EVALUATION 29

EXECUTIVE SUMMARY 31

PART II: PROGRAM DESCRIPTIONS AND BUDGETS (SECTION 1.5)

DEPARTMENT ADMINISTRATION	1
PROGRAM DEVELOPMENT AND EVALUATION	4
DIAGNOSTIC CENTER	8
PROBATION/PAROLE SUPERVISION	12
INTENSIVE SUPERVISION	16
INTENSIVE TREATMENT - LEVY	19
OUTPATIENT DRUG TREATMENT	22
DETOX & RESIDENTIAL TREATMENT	25
RESIDENTIAL TREATMENT - CIRT	28
WOMEN'S RESIDENTIAL TREATMENT - LEVY	31
MEN'S RESIDENTIAL TREATMENT - LEVY	34
WOMEN'S RESIDENTIAL SERVICES	37
MENTAL HEALTH SERVICES	40
PSYCHOLOGICAL EVALUATIONS	43
SEX OFFENDER EVALUATIONS	46
SEX OFFENDER TREATMENT	49
POLYGRAPH EXAMINATIONS	52
CASE MANAGEMENT	55
TRANSITIONAL HOUSING	58
LEARNING CENTER	61
WOMEN'S TRANSITION SERVICES/ADAPT	64
DRUG TESTING	67
DAY REPORTING CENTER	70
ALTERNATIVE COMMUNITY SERVICE	74
FOREST PROJECT	77
PRETRIAL SERVICES	80

RESTITUTION CENTER	83
PAROLE/PROBATION VIOLATION CENTER	86
PROSTITUTION ALTERNATIVES	89
VOLUNTEERS/TRAFFIC	92
DOMESTIC VIOLENCE	95
DRUG DIVERSION PROGRAM	98
WOMEN'S INTENSIVE TREATMENT	101
BUDGET SUMMARY	104

1.1 INTRODUCTION

On July 1, 1991, Multnomah County became an Option 1 county under the provisions of the Community Corrections Act. This change resulted in a number of staffing, programmatic, and logistical challenges which took months to resolve. The 1991-93 Biennium was a transitional period for the Multnomah County Department of Community Corrections (DCC) due to adjustments required by Option 1, fiscal realities related to transitional operations, and significant management/administrative downsizing.

Some of our critical supporters felt that they were not afforded an opportunity for meaningful input as our 1991-93 Plan was developed. They felt excluded from planning as the Biennium unfolded and that the quality and quantity of communication in our Department was inadequate. In response to these concerns, we initiated an organization development process that will continue well into the 1993-95 Biennium. The process is designed to build a learning organization in which we take risks and can learn from our successes and failures in a safe environment. The first steps of that process saw us begin to deal with some of the wounds and frustrations experienced by our managers. As management worked through a number of emotionally charged interpersonal and organizational issues, a true management team emerged. Managers then began facilitating staff groups that included all of our personnel, allowing them the same opportunity to vent frustrations, raise issues, and be heard. Simultaneously with this process, DCC began to working more closely with the Courts, the Sheriff's Office, and two County departments as partners in the planning and delivery of services to our citizens.

Our vision for community corrections is an integrated system in which an array of supervisory, rehabilitative, and enforcement programs operate in a mutually supportive environment with shared objectives for the enhancement of public safety and the case management of target populations. We believe that we must become a learning organization if we are to mature as part of an integrated system when change is the

only certainty. As an organization, we must develop a shared understanding of our current state and a shared vision for our future. The juxtaposition of those two can help motivate staff to get involved and help chart our course. A learning organization encourages creative, systemic thinking, enabling us, for example, to move beyond workload-based visions to an accomplishment-based vision. As a Department, we must assure that staff have knowledge about their jobs, their clients, and the systems in which we are a partner. We must provide staff with feedback related to the quality of their work and their impacts on the community. We must give them sufficient power and resources to make operational decisions.

A year ago, we had staff and managers working together on a number of program-related committees. Most of those committees have been productive, but they did not deal with the larger organizational issues. We now have staff and managers working together to define our mission, identify our values, describe our principles, shape our structure, create interagency partnerships, respond to workload pressures, and design our case management system. With a high priority on staff development initiatives, we will design our work to effectively deliver services and provide clear outcome measures.

Our vision for community corrections as an integrated system and our Department as a learning organization has guided the development of this Plan. We included major stakeholders in a process which identified priorities for target populations and intervention strategies.

1.2 ADMINISTRATION

A. Community Corrections Manager:

M. Tamara Holden, Director
Multnomah County Department of Community Corrections
421 S.W. Fifth Avenue, Suite 600
Portland, OR 97204
(503) 248-3701

B. Supervising Authorities for Custody Units:

M. Tamara Holden
Sheriff Robert G. Skipper

C. Parole Intervention/Sanction Guidelines (Follows p.4)

D. Community Corrections Advisory Committee

NAME	POSITION
Doug Bray (Chair)	Circuit Court Judge
	Donald Londer's designee
Al Armstrong	Lay Citizen/Minority
Paul Frank	Probation/Parole Officer
Avel Gordly	Lay Citizen
Michael Greenlick	Public Defender
	Jim Henning's designee
Barbara Grider	Treatment Provider
Myrthle Griffin	Lay Citizen

William Hoffstetter	Lay Citizen
Barry Maletzky, MD	Lay Citizen
Thomas Mason	Ex-Offender
Jean Maurer	District Attorney
	Michael Schrunk's designee
Gerald McFadden	Lay Citizen
Richard Pomeroy	Lay Citizen
Larry Reilly	Law Enforcement Officer
	Sheriff Robert Skipper's designee
Norma Jaeger	County Mental Health
Robert Trachtenberg	County Commission
	Sharron Kelley's designee
Judge Janice Wilson	District Court Judge

E. Organization Chart (Follows this page and Parole Intervention/Sanctions Guidelines Information)

Parole Intervention/Sanctions Guidelines Information

COUNTY: Multnomah

1. Do you have access to a hearings Officer trained in Parole Intervention/Sanctions Guidelines?

Yes No

2. How many parole supervision violations do you average per quarter? 780

3. How many violation hearings do you average per quarter? 630

4. Please check all sanctions listed below available for use in your County? by Hearings Office

- Jail
- Restitution/Work Center
- Electronic House Arrest
- Work Crew
- Community Service
- Day Reporting Center (Planned for 1993-95)
- 24-hour House Arrest (non-electronic)
- Curfew

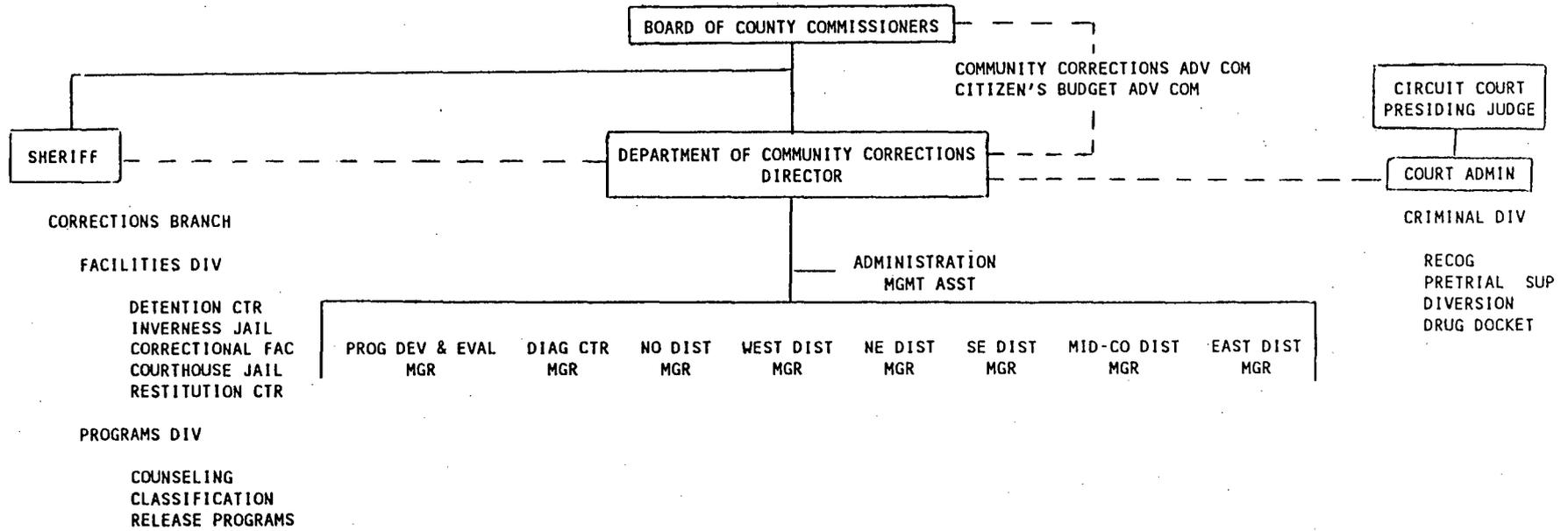
Does your County utilize sanctions not listed above? Please list:

Intensive Supervision (Planned for 1993-95)

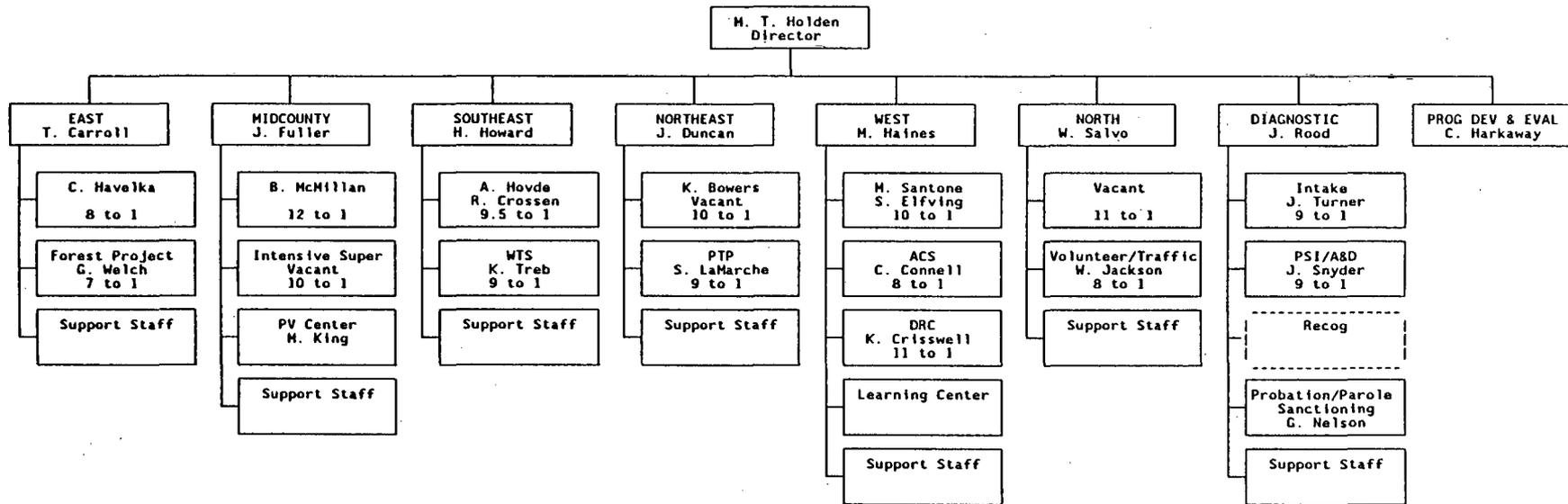
Forest Project (work camp)

Parole/Probation Violation Center (Planned for 1993-95)

COMMUNITY CORRECTIONS IN MULTNOMAH COUNTY



MULTNOMAH COUNTY
DEPARTMENT OF COMMUNITY CORRECTIONS



1.3 DESCRIPTION OF THE LOCAL CORRECTIONS SYSTEM

A. Basic Overview

In Multnomah County, parole and probation supervision is provided by DCC. DCC also provides a wide range of treatment, service, and sanction programs targeting the risk and need factors of the population under our supervision. As of January 1993, DCC was supervising 10,789 offenders. DCC programs and planning will be discussed in detail below and in SECTION 1.5.

The Multnomah County Sheriff's Office (MCSO) administers the jails in our county with a capacity of 1,330 inmates. The MCSO Program Division/Corrections Branch manages several custodial and non-custodial programs that impact many of the clients served by DCC. The MCSO Restitution Center receives CCA funding and will be discussed below and summarized in SECTION 1.5.

The Multnomah County Circuit Court works closely with DCC and MCSO in the development of release and diversion programs that assist in the processing of cases, the management of jail beds, and the provision of early intervention services. These programs will be summarized in SECTION 1.5.

A key element in the delivery of correctional services in Multnomah County is their coordination and oversight. On an organizational level, those functions are the responsibility of our Community Corrections Advisory Committee (CCAC), our Citizen's Budget Advisory Committee (CBAC), the Criminal Justice Advisory Committee (CJAC), the Public Safety Council (PSC), the Regional Drug Initiative (RDI), and the Board

of County Commissioners (BOCC). CCAC and CBAC assist DCC in planning and budgeting, review DCC performance, and advise the department and the BOCC. CJAC and PSC have a wider focus. They are concerned with law enforcement and correctional services and interagency issues. CJAC is staffed by the Presiding Judge of the Circuit Court and includes representatives of our Courts, the Portland Police, the Sheriff's Office, INS, the DA, the Public Defender, and Community Corrections. PSC is staffed by the Board of County Commissioners and includes the County Chair, the mayors and police chiefs of the municipalities in the County, the Presiding Judge, the Sheriff, the DA, the Public Defender, and directors of County Community Corrections, Health, and Social Services. RDI involves corrections, law enforcement, social services, education, and business in a county-wide effort to develop effective drug abuse prevention and intervention strategies. The BOCC supports all of these efforts through their participation and staff involvement, and the development of policy reflected in Ordinance, Resolution, and budget priority.

On a program level, a number of committees staffed by DCC, with interagency membership, have developed priorities for programs and system coordination in such areas as contract services, Safety Action Teams, substance abuse intervention, gangs, mental health services, and sex offender supervision. Some of the committee initiatives will be discussed below.

B. Demographic Factors

1. County Population 600,000

The population of Multnomah County represents 20.5% of the state's total population of 2,930,000, according to July 1991 data provided by the Oregon Employment Division. Multnomah is the most populous county in Oregon. The second most populous county is Washington with a population of 328,500. Multnomah is subject to urban problems which differ in magnitude from those experienced elsewhere in the state.

2. Population by Race/Percentage of County Population

Total Minority Population	88,800	14.8%
African-American Population	36,000	6.0%
Asian/Pacific Island Population	27,600	4.6%
Hispanic Population	18,600	3.1%
American Indian Population	6,000	1.0%
Other Minority	600	0.1%
White	511,200	85.2%

Multnomah County has the largest total minority population and the largest number of each minority group. Jefferson and Malheur Counties have the largest percentage minority populations because of their large American Indian and Hispanic communities. Multnomah County has the largest percentage of African-Americans by a wide margin and Asian/Pacific Islanders by a narrow margin.

3. Unemployment Rates and Minority Rates (August 1992)

	<u>UNEMPL</u> <u>RATE</u>	<u>MINORITY</u> <u>RATE</u>
United States	7.6%	
State of Oregon	7.2%	12.2%
Portland PMSA	6.0%	10.2%
Eugene-Springfield MSA	6.6%	15.6%
Salem MSA	5.9%	14.8%
Medford MSA	7.6%	13.8%

4. Reported Crime (1991, Law Enforcement Data System).
Statewide reported crime increased by 2.9% in 1991, compared to 1992.

<u>County</u>	<u># Crimes</u>	<u>% of State Total</u>
Multnomah	110,242	27.2%
Marion	40,936	10.1%
Lane	38,757	9.6%
Washington	29,502	7.3%
Clackamas	27,157	6.7%
All Others	159,055	39.2%
Total Crime	405,649	

Crimes Against Persons

Multnomah	18,021	6.6%
Marion	4,526	9.2%
Lane	3,881	7.9%

9

Washington	3,208	6.5%
Clackamas	2,992	6.1%
All Others	16,627	33.8%
Total	49,246	

Crimes Against Property

Multnomah	64,937	29.7%
Lane	21,598	9.9%
Marion	21,451	9.8%
Washington	17,337	7.9%
Clackamas	17,209	7.9%
All Others	76,438	34.9%
Total	218,970	

Note that although Multnomah County includes only 20.5% of the State's population, it is responsible for 27.2% of the reported crime, 36.6% of the person crimes, and 29.7% of the property crimes. We believe that this disproportionate crime rate is partly due to a variety of socioeconomic factors which contribute to the "urban multiplier" effect.

C. Population Under Supervision by Risk (August 1993)

The distribution of parole and probation cases among our present offices is summarized on the following page:

	HIGH	MED	LOW	LTD	NEW	UNCL	TOTAL
CENTRAL	163	500	66	1,071	49	30	1,879
EAST	161	605	22	423	34	72	1,317
NORTH	544	760	108	759	102	166	2,439
SOUTHEAST	282	587	142	1,107	74	53	2,245
SOUTHWEST	579	600	21	710	58	316	2,284
DIAGNOSTIC	11	53	0	437	42	43	586
MULTNOMAH TOTAL	1,740 16%	3,105 29%	359 3%	4,507 42%	359 3%	680 6%	10,750
STATE TOTAL	4,839	9,939	2,147	14,250	1,322	2,859	35,371
STATE AVERAGE	14%	28%	6%	40%	3%	8%	

Note that Multnomah County supervises 30.4% of the offenders under supervision in the state. However, our workload (per OCMS) is 33.7% of the state-wide workload. Our population generally scores higher in risk and need measurements.

1. Casebanks: 2,781 cases, or 26% of the total, are supervised in casebanks.
2. Misdemeanants: DCC supervises 1,959 misdemeanants, which is 18% of the total caseload. A total of 549 State-funded misdemeanants are supervised, which represents 6% of the total number of State-funded cases.

3. Parolees: DCC currently has 3,165 parolees under supervision, which is 38% of the State total of 8,222.

D. Integration of Services in DCC

Prior to July 1991, parole and probation supervision in Multnomah County was largely the responsibility of the Oregon DOC (misdemeanor supervision and some specialized supervision was provided by the County), while treatment, services, and sanctions were managed by the County. After Multnomah became an Option 1 county, the entire array of intervention programs came under a single management structure, the Multnomah County Department of Community Corrections.

As the DCC management team struggled with organizational issues during the Spring and Summer of 1992, a consensus emerged concerning the further integration of community corrections services. It was decided that staff and programs providing specialized supervision, case management, and sanction services would be included within the same administrative structure that provides field services, instead of the two "Program Divisions" that had previously existed. It was felt that this change would result in greater mutual support and understanding among field and program staff and more effective utilization of the various program components. This reorganization is reflected in our organization chart. The change is consistent with the County's plan for integrated services, discussed below.

E. Integration of Services in Multnomah County

County departments and divisions already collaborate and coordinate services with each other and with other governments and non-profit

agencies. However, this collaboration is often situational with the effort designed to address a specific service need. The Board of County Commissioners and the Departments of Health, Social Services, and Community Corrections formed a planning team to address specific service delivery issues, including:

1. The need to maximize coordination of services, including the sharing of information and resources.
2. The need to involve individuals and communities in decisions that affect them.
3. The need to use the least intensive, least intrusive, and least expensive interventions in people's lives.
4. The need to reduce barriers to accessing services.
5. The need to make services and service authorization available as close to the target person(s) as possible.

In an effort to meet these needs, the County will organize human services delivery within six service districts whose borders will be adopted by the three participating departments, including DCC. The six districts are: North, Northeast, West, Southeast, Midcounty, and East. The departments are working with state agencies, schools, law enforcement, and neighborhood groups to develop coordination within and between districts. Each district has a Coordination Committee (including DCC representation) which has inventoried services and is meeting regularly to staff cases with difficult resource needs.

To some extent, DCC services are offered within a court-mandated framework which differs from the delivery of health and social services. However, as DCC is both a user and provider of treatment and case management services, we anticipate being able to improve our clients' access to a wider range of services, reduce duplication in client

assessment and case management, and improve access to client data. The service district concept will require our managers and staff to increase their involvement in the community.

Related to the development of service districts is DCC's work with law enforcement, community, and school district personnel in creating Safety Action Teams in the David Douglas and Brentwood/Darlington neighborhoods. These SATs, built on community policing principles, will provide an enhanced presence for, and access to, local services. Each SAT is guided by a Community Advisory Committee which includes representatives of participating agencies and neighborhood groups. DCC has assigned two POs to each SAT.

F. Substance Abuse Programming

Multnomah County participates in the Drug Use Forecasting (DUF) Project funded by the National Institute of Justice. On a quarterly basis, a sample of detainees is tested for drug use. Testing in October - December 1992 in the county jail indicated that 63% of the males and 80% of the females tested positive for at least one controlled substance. The following data was provided by TASC of Oregon and MCSO:

<u>DRUG</u>	<u>% POS: MEN</u> n = 230	<u>% POS: WOMEN</u> n = 54
THC	26%	11%
Opiates	12%	30%
Cocaine	39%	63%
Amph	10%	11%

The data for men is alarming, but consistent with results obtained in DUF testing over the last two years. The data for women indicates a

significant rise in the use of opiates and cocaine over rates that already exceeded those for men.

DCC provides a range of treatment interventions, with special programming for female offenders. Services include: outpatient treatment, intensive outpatient treatment, intensive outpatient treatment for women, residential treatment, residential treatment for women, drug-free housing, drug testing, and case management services for pregnant, addicted women.

In January 1993, DCC received the final report of an evaluation of one of our contracted treatment programs (included in our 1991-92 Annual Report) prepared by the Reed College Public Policy Workshop. The evaluation documented a statistically significant treatment effect that was related to length of stay. It also included several recommendations for further program development and evaluation. Those recommendations, as well as the findings of numerous other studies and taskforces, were considered by our Substance Abuse Committee in developing the following list of proposals for consideration in program development in 1993-95:

1. DEVELOPMENT OF ONE OR TWO SPECIALIZED CASELOADS IN EACH DISTRICT OFFICE TO SUPERVISE OFFENDERS IN RESIDENTIAL/OUTPATIENT DRUG TREATMENT AND AFTERCARE
 - a. Officers with a concentration of clients in treatment should be able to realize a number of efficiencies in supervision. For example, several clients could be seen during a single visit to a program.

- b. Designated POs would be able to work closely with treatment staff. They would be able to participate in treatment planning, staffings, and aftercare planning to a greater extent than is typically the case at present.

2. DEVELOPMENT OF A SUBSTANCE ABUSE INTERVENTION WORKSHOP FOR ALL POs AND CASE MANAGERS COVERING THE FOLLOWING AREAS:
 - a. The latest theories on addiction, relapse, and recovery.
 - b. Recent research and evaluation findings.
 - c. The continuum of care:
 - primary care
 - supporting care
 - sustaining care (aftercare).
 - d. Current DCC treatment contracts:
 - program components
 - target populations
 - referral/intake procedures
 - e. Problem solving: How can DCC and treatment staff work together more effectively? How can procedures be streamlined? How can we best match clients and programs?

3. INSURE THAT M.I.S. IS DEVELOPED IN MULTNOMAH COUNTY TO FACILITATE THE EVALUATION OF OUR INTERVENTION EFFORTS.
 - a. M.I.S. should help automate the analysis of such key measures as:

- supervision outcomes
 - recidivism (including time until rearrest)
 - substance abuse (treatment outcomes; UA results; length of time drug-free)
 - employment status
 - Needs Assessment data (as pre/post test)
- b. Software tools necessary for program evaluation should be made available to designated personnel.
4. PROVIDE ENHANCED ASSESSMENT/TRIAGE CAPACITY
- a. As resources permit, assess a greater percentage of drug-involved offenders at pretrial, PSI, or intake.
 - b. Assessment staff should identify priority populations for treatment program slots and make referrals.
 - c. Priority populations for treatment should be consistent with general DCC priorities for supervision.
5. PROGRAM DEVELOPMENT EFFORTS SHOULD RECOGNIZE THE FULL CONTINUUM OF CARE NECESSARY FOR RECOVERY, INCLUDING:
- a. Detoxification
 - b. Assessment
 - c. Pre-treatment options (including wait list management)
 - d. Drug testing
 - e. Intervention training for POs/case managers
 - f. Treatment continuity from jail/prison to community
 - g. Outpatient treatment
 - h. Residential treatment

- i. Aftercare (sustaining care) and relapse prevention
- j. Drug-free housing
- k. Program evaluation

G. Sex Offenders

Research indicates that the victimization caused by sex offenders is grossly understated by the number of convictions. Most sex offenders have engage in numerous episodes of victimization that are never reported. Unfortunately, the nature of the victimization is as problematic as the number of victims. The Oregon Criminal Justice Council reported that in 1986, almost two-thirds of the offenders sentenced for rape, sodomy, felony sexual abuse, or incest were convicted of crimes against a victim under the age of 12. Sex offenders shatter families and young lives. The Governor's Task Force on Corrections Planning (1990) concluded that sex offenders are responsible for a cycle of dysfunction in which victims have difficulties with substance abuse, education, employment, interpersonal relationships, and their own parenting responsibilities.

The DCC Sex Offender Committee has been meeting since July 1991 to assess the treatment and supervision needs of a disturbingly large target population. Approximately 575 sex offenders are under parole or probation supervision in Multnomah County. The Committee believes that effective case management of sex offenders requires:

1. Assessment services
2. Treatment/behavioral control programs;
3. A high degree of surveillance; and
4. A close working relationship with other involved agencies.

The Committee's recommendations led to a contract with a local sex offender therapist for assessment of up to 10 sex offenders per month at the Diagnostic Center, in conjunction with the preparation of PSIs. An average of 10 felony sex offenders per month are referred to the Diagnostic Center for PSIs. The assessments identify psycho-social dynamics, patterns of victimization, risk factors, and amenability to treatment, and offer options for treatment.

DCC contracts with Barry Maletzky, MD, and Richard Wollert, Ph.D., for treatment of approximately 28 offenders per year. Treatment focuses on behavioral control, breakdown of denial, relapse prevention, stress management, communication skills, family involvement, and PO involvement.

The Oregon Criminal Justice Council report, Sex Offenders in Oregon: Recommendations for Change and the Reality of Available Resources (1991) referenced a growing body of literature that questions whether most sex offenders can be "cured." Many therapists, however, point out that offenders are less likely to recidivate while in treatment. They note that those treated will not reoffend as quickly and that episodes of victimization will be fewer. Local therapists have indicated that rapists/predators have higher recidivism rates than situational offenders. They describe rapists as the least treatable and incest offenders as the most treatable.

DCC has POs specializing in sex offender cases at each of our field offices. These POs work closely with personnel from law enforcement, prosecution, schools, CSD, Courts, and treatment agencies. The Department has encouraged staff to participate in training coordinated by BPST, the Association for the Treatment of Sexual Abusers, and

others. In response to a recommendation of the Sex Offender Committee, DCC now contracts for polygraph examinations. This gives POs a resource for monitoring treatment progress and a tool for enhanced surveillance.

H. Female Offenders

Data indicates that female offenders represent 20% of the DCC caseload. DCC Women's Transition Services, including the ADAPT program, provides treatment, case management, and housing for a population of female offenders and their families. Pregnant substance abusers are a priority target population. In cooperation with the County Departments of Health and Social Services, staff begin working with this population when they are identified in the jail. In 1991-92, all those who engaged in the program after leaving jail received case management and substance abuse treatment.

In February 1991, Women's Transition Services opened two houses for seven women and their children. Residents of the housing must be crime and drug-free and participate in aftercare and groups sponsored by the program. One corrections counselor and two volunteers are responsible for teaching life skills and parenting skills, modeling positive behavior, and coordinating access and delivery of other services. Six women gave birth to drug-free babies while residing in these houses since 1991.

DCC contracts with a number of local agencies for specialized services for women. Our contract with Volunteers of America provides a 40 bed residential drug treatment facility serving women and children. A contract with ASAP Treatment Services provides an intensive outpatient

program for women. We contract with the YWCA for an 8 bed residential work release program. We contract with the Council for Prostitution Alternatives for specialized interventions for women attempting to end their involvement in prostitution. Our focus on providing treatment for female offenders recognizes the generational aspect of addiction and the high rates of female drug use reported in DUF data.

I. Indigent Offenders

DCC budgets about \$10,000 per year for the Indigent Crisis Project, providing direct assistance for housing, transportation, medicine, evaluations, etc. A separate fund (approximately \$100,000 last Biennium) provides assistance for indigent parolees. In addition, all of our contracted services are required to serve indigent offenders at no cost to the client.

J. Employment and Education Services

Local data indicates that about one-third of our caseload is unemployed. For several years, DCC has contracted with a local provider for pre-employment training and lifeskills workshops targeting offenders with multiple job search deficits. Budget issues and emerging priorities in other areas have precluded us from continuing that contract in 1993-95. We are planning to address the employment needs of offenders by working with other community agencies, including the State Employment Division.

In December 1992, DCC was awarded a two year, \$500,000 grant from the U.S. Department of Education to implement a 20 station computer

based integrated learning system to provide literacy, adult basic education, and life skill training for offenders. The first clients entered the program in September 1993. We believe that this program, staffed by appropriate instructors, will be able to provide effective pre-employment training. Our objective is to increase our clients' ability to compete in the job market.

K. Housing Services

DCC provides transitional housing services through Women's Transition Services and our Parole Transition Project. WTS has capacity to directly serve seven women with their children and, in addition, coordinates 25 units for homeless families at Columbia Villa through HAP and at the Rose Apartments through REACH. WTS transitional housing can be provided until the women have met their individual case objectives and are assessed as ready to live on their own.

PTP housing consists of 46 beds provided through contracts with Central City Concern and Stay-Clean. Because of the number of parolees released to Multnomah County with no housing resources, we are forced to limit the residents to 30 days in transitional housing, with a possible extension to 60 days.

L. Gang-Involved Offenders

The DCC Gang Committee conducted a survey resulting in a conservative estimate that 250 gangsters are under our supervision. Presently, there are special gang units established at all levels of law enforcement in Multnomah County, including DCC. Prior to the establishment of our gang team in the summer of 1993, it was difficult

for law enforcement and community groups to share gang related information and to plan specific initiatives with us.

Criminal gangs in Multnomah County typically exhibit unique social and behavioral characteristics. In the more established gangs, these characteristics define a culture whose norms and values have replaced those of mainstream society. Children in gang-dominated neighborhoods are being socialized within gang culture. It is that disturbing fact, as much as the number of gang-related crimes, which makes the spread of criminal gangs so threatening to our community.

Our gang team consists of two POs at our Northeast District and two at our Southeast District. The team's objectives include the following:

1. Enhance the coordination of surveillance, supervision, and services targeting gangsters with other agencies.
2. Standardize the supervision of gang-involved offenders.
3. Provide information to DCC and the community regarding gang activity and our gang supervision efforts.
4. Provide training to intake and other staff on the identification and appropriate referrals for gang cases.

M. Implementation of Revocation Guidelines

Parole revocation guidelines were implemented in Multnomah County on October 1, 1992 by agreement with the Board of Parole and Post-Prison Supervision. The agreement delegates considerable decision-making authority to POs, Supervisors, and Hearings Officers to provide for swifter sanctions using graduated local sanction resources. As is noted below, the process has contributed to a decrease in the number of parole

violators returned to prison. The process has also reduced the number of bed days occupied by parole violators in the County Jail.

In implementing guidelines, it was our hope that sanctions would be imposed by POs, whenever possible, to reinforce their authority in working with parolees. That appears to be happening. Between October 1 and December 31, 1992, 315 guidelines sanctions were imposed by POs, Supervisors, Hearings Officers, and the Parole Board. In 150 community safety/abscond cases, the Parole Board could have imposed the sanction, however that was only done in 48 cases (32%).

150 CASES WHERE PAROLE BOARD COULD HAVE SANCTIONED:

<u>Sanction Imposer</u>	<u>Number</u>	<u>Percentage</u>
Parole Board	48	32%
Hearings Officer	78	52%
Supervisor	5	3%
PO	16	11%

Looking at all 315 guidelines sanctions imposed during the October to December quarter, the Parole Board imposed sanctions 15% of the time.

TOTAL OF 315 GUIDELINES SANCTION CASES

<u>Sanction Imposer</u>	<u>Number</u>	<u>Percentage</u>
Parole Board	49	15%
Hearings Officer	128	41%
Supervisor	18	6%
PO	120	38%

SANCTIONS IMPOSED IN 315 GUIDELINES CASES

<u>Sanction</u>	<u>Number</u>	<u>Percentage</u>
Prison	34	11%
Jail	147	47%
Forest Camp	3	1%
Community Service	1	-
Work Crew	7	2%
Letter of Reprimand	39	12%
Verbal Reprimand	67	21%
Add/Delete Conditions	17	5%

DCC is in the process of implementing Structured Sanctions, following the passage of S.B. 139, which provide for an administrative probation hearings process and associated guidelines (paralleling the parole guidelines in many respects). The probation process and guidelines will enable POs to respond quickly, with an appropriate level of sanction, to meet offender risk and need factors. For this process to work in Multnomah County, we will have to expand our present range of sanction resources.

N. Response to Violations

DCC has been working with DOC, the Courts and the Parole Board to reduce the number of parole and probation violators committed to prison. We are planning to bring additional intermediate sanctions on line in 1993-95 to enhance our capacity to maintain offenders in the community, whenever such programming is consistent with public safety. At present, we are able to use reprimands, home detention,

Alternative Community Service, work crews, the Forest Project, the County Jail, and the Restitution Center as local sanctions. In 1993-95, we will be adding a custodial parole/probation violation center, a day reporting center and an intensive supervision program. These new programs will dramatically increase our ability to sanction offenders locally. We are involved in very preliminary siting discussions for the violation center. Day reporting, with enhanced access to services, is going to be located at our West District office. Intensive supervision will be located at our Midcounty District, but officers may be outposted to other districts. These intermediate sanctions will be accessed directly by our POs, Supervisors, and Hearings Officers.

The Multnomah County Restitution Center, operated by MCSO, has traditionally received CCA funding and will undergo some changes to accommodate our need for direct access in 1993-95. We are discussing operational modifications for the Restitution Center so that our funding supports a dedicated capacity.

Our intent for 1993-95 is to offer a continuum of graduated sanctions to enable us to respond appropriately to non-compliant behavior. Even with our present limited intermediate sanctioning capacity, we have made considerable progress in recommending prison commitments judiciously. The following tables attest to our desire to use prison as the sanction of last resort:

PAROLE	<u>AVG # PAROLEES UNDER SUPERVISION/MO</u>	<u>AVG # PAROLEES RETURNED/MO</u>
1/91-6/91	2,142	73
7/91-12/91	2,316	101
1/92-6/92	2,640	100
7/92-12/92	3,013	97

Compared to the first half of 1991, we had a 38% increase in the average monthly parole returns in the second half of the year, although the average parole caseload only increased by 8%. However, in the next 6 month segment, the first half of 1992, the average number of parole returns per month stayed about the same while the parole caseload increased by 14%. In the second half of 1992, the average monthly parole caseload increased by another 14% while the average number of parole returns per month decreased by 3%. During this period, we implemented revocation guidelines.

PROBATION	<u>AVG # PROB CASES UNDER SUPV/MO</u>	<u>AVG # PROB CASES COMMITTED/MO</u>
1/92-6/92	5,407	82
7/92-12/92	5,422	69

Compared to the first half of 1992, the average monthly felony probation caseload increased 0.3% in the second half of the year. However, the average monthly number of probation commitments decreased 16%.

O. Intake and Assessment

A key component of our plans to integrate and target program and supervision services is the intake and assessment function at the Diagnostic Center.

1. Pretrial Programs

Working closely with the Circuit Court, DCC staffs the recog interviewing and pretrial supervision functions. One of our A & D

Evaluation Specialists assess drug involved pretrial releasees. Information gathered during the pretrial portions of an offender's involvement in the criminal justice system is collected at the Diagnostic Center and made available to DCC presentence investigators and intake staff for use in case planning.

2. Presentence Investigation

Cases referred for PSI get a thorough analysis of criminal and social history and an assessment of risk and need factors, including where appropriate, psychological, sex offender, or substance abuse evaluation. The psychological and sex offender evaluations are completed by contract psychologists. The substance abuse evaluations are done by DCC A & D Evaluation Specialists.

3. Probation and Parole Intake

All new probation cases will be processed through the Diagnostic Center, where risk and need instruments will be administered and an A & D evaluation will be available as indicated. The results of these assessments and/or review of the PSI and pretrial information will determine the assignment of the offender (to special unit, casebank, or general caseload and the appropriate District Office). A similar intake process is being developed for parolees at our Northeast District office, located near the Columbia River Correctional Facility. We expect an increasing number of our parolees to be released from that institution.

5. Parole Transition

Our parole transition effort includes:

- a. Pre-release planning, working closely with SCI and CRCI.
- b. Central intake and referral, as described above.
- c. Transitional drug-free housing

P. Community Services Branch Outcome Measures

DOC Community Services Branch has established the following outcome measures for community corrections programs:

1. Increased percent of positive case closures by supervision level and legal status.
2. Increased amount of time under supervision in the community prior to revocation for new crimes.
3. Decreased percent of offenders convicted of new crimes while under supervision.
4. Reduction in the number of technical violators revoked to prison.

The following elements of our Plan will contribute directly to the realization of DOC's outcome measures:

1. Revocation guidelines.

Parole and probation guidelines will enable POs to respond quickly to non-compliant behavior, getting the offender's attention,

responding to case specific needs, and modifying behavior in many cases before revocation is necessary. Guidelines will prescribe graduated sanctions to assure that maximum use is made of local resources before incarceration is imposed.

2. Enhanced intermediate sanction capacity.

The addition of a custodial parole/probation violation center, a day reporting center and intensive supervision will provide opportunities for offenders to succeed in the community under close surveillance and with dedicated treatment resources.

3. Targeting supervision and services.

DCC will focus supervision and program resources on higher risk offenders. Although this means that we will be working with a more difficult caseload, we expect to see an increasing number of successful closures and decreased recidivism in the higher risk classifications because those cases will have priority access to treatment and other services. To a greater extent than has previously been the case, treatment, services and sanction options will target the same offenders targeted for the highest levels of supervision.

Q. Program Evaluation

In 1991-92, DCC contracted with the Reed College Public Policy Workshop for an impact evaluation of one of our contract residential drug treatment programs. As noted above, the findings of that evaluation report have been incorporated into our planning for 1993-95.

DCC and our Advisory Committee have prioritized program evaluation for the coming Biennium. Toward that end, we are involved in the following activities:

1. Cooperating with DOC and the National Council on Crime and Delinquency in an outcome study of several corrections/treatment interventions.
2. Working with the Urban Institute and BOTEK Analysis in an evaluation of our drug testing program.
3. Working with RAND Corporation in an evaluation of several outpatient drug treatment programs (including two of our contract agencies).
4. Working with National Development and Research Institutes, Inc. on a proposal for a NIDA-funded evaluation of treatment interventions for female offenders.
5. Cooperating with American University in the development of a proposal for a NIDA-funded evaluation of the Circuit Court's drug diversion program.
6. Working with the Northwest Professional Consortium in an evaluation of the ADAPT program targeting pregnant substance abusers.
7. Working with the Northwest Professional Consortium in an evaluation of our federally funded literacy program.

1.4 EXECUTIVE SUMMARY

Department Administration	\$2,067,209
Department oversight; inter-agency coordination; M.I.S. development; budget and accounting; personnel; training.	
Planning and Evaluation	\$604,484
Contract management; technical assistance; program development; program evaluation; grant-writing; policy analysis and research.	
Diagnostic Center	\$4,435,082
Presentence investigations; probation intake; hearings; A & D evaluations.	
Probation/Parole Supervision	\$16,612,190
Supervision at six district offices per Oregon Case Management System; specialized supervision targeting drug-involved offenders, sex offenders, gang-involved offenders, domestic violence cases, traffic cases, and low risk offenders.	
DCC Intensive Supervision	\$1,553,988
Close supervision of offenders in violation of release conditions as an intermediate sanction.	
Intensive Treatment	\$130,000
Contracted intensive A & D treatment for 200 offenders.	
Women's Intensive Treatment	\$72,000
Contracted intensive A & D treatment for 140 female offenders.	
Outpatient Drug Treatment	\$137,800
Contracted A & D evaluation, treatment, and urinalysis of 310 offenders.	
Detox & Residential Treatment	\$424,000
Contracted detox services for 160 offenders; residential A & D treatment for 100 offenders.	
Residential Treatment - CIRT	\$76,320
Contracted intensive A & D residential treatment for 80 offenders.	

Women's Resid. Treatment - LEVY	\$1,590,000
Contracted residential A & D treatment for 160 women (with their children).	
Men's Residential Treatment - LEVY	\$1,500,000
Contracted residential A & D treatment for 160 men.	
Women's Residential Services	\$332,840
Contracted residential services as a sanction for female offenders.	
Mental Health Services	\$135,680
Contracted MH services (assessment, consultation, medication monitoring, group facilitation) at the district offices.	
Psychological Evaluations	\$76,320
Contracted evaluations for 240 offenders referred through the PSI process.	
Sex Offender Evaluations	\$72,000
Contracted evaluations for 240 offenders referred through the PSI process.	
Sex Offender Treatment	\$91,160
Contracted, long term treatment for 45-55 offenders emphasizing behavioral control, relapse prevention, education, and family therapy.	
Polygraph Examinations	\$19,200
Approximately 200 contracted discovery, maintenance, and specific issue examinations in support of sex offender supervision.	
Case Management	\$334,960
Contracted MH and A & D treatment, and transitional housing for 378 chronically mentally ill/homeless/transient offenders.	
Transitional Housing	\$243,000
Contracts for 46 beds in supervised, drug-free facilities for subsidy-eligible parolees.	
Learning Center	\$465,574
Federally funded, PC-based integrated learning system targeting offenders reading below eighth grade level.	
Women's Transition Services/ADAPT	\$1,331,866
Case management and transitional housing for 300 female offenders.	

Drug Testing	\$890,470	Random testing with 24 hour reporting of results for 5,000 offenders. DCC staff oversee specimen collection; contract lab picks up specimens daily.
Day Reporting Center	\$1,588,515	Intermediate sanction for 2,000 parole/probation violators; includes access to A&D treatment and community service.
Alternative Community Service	\$1,073,086	Intermediate sanction for 7,500 offenders placed at non-profit agencies or in supervised work crews.
Forest Project	\$1,069,233	Intermediate sanction for 360 male offenders performing work at various sites in the National Forests.
Pretrial Services	\$1,088,966	Interviews 42,000 detainees for pretrial release consideration; supervises 8,000 pretrial releasees.
Restitution Center	\$702,566	17 beds as intermediate sanction to be accessed by DCC staff in facility managed by MCSO.
Parole/Probation Violation Center	\$2,964,412	Residential sanction for parole/probation violators. Program details to be developed.
Services for Women Leaving Prostitution	\$336,000	Case management services for 100 women and drop in services for 170 women ending their involvement in prostitution.
Volunteer/DUII Program	\$1,135,836	Supervision of DUII offenders through community volunteers.
Domestic Violence	\$309,065	Supervision and contracted education, counseling, anger control, and interpersonal communication training for domestic violence offenders in a deferred sentencing program.

Drug Diversion Program

\$1,000,000

Contracted acupuncture, group counseling, and urinalysis in support of Circuit Court diversion program targeting defendants charged with drug possession crimes.

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Department Administration

Contact Person: Tamara Holden

Telephone: 248-3701

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: Fiscal and programmatic oversight of Community Corrections programs.

Program Description: Community Corrections planning; budget development and monitoring, personnel management, inter-organizational coordination, M.I.S. development, training coordination, department oversight.

Target Population: describe: N/A

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

Residential Non-residential Both

Total number of offenders going through the program during the biennium:

Percent of offenders expected to successfully complete the program:
(please include the definition of successful completion)

Maximum number of offenders who could be served at any one time: N/A

Number of offenders in the program on a given day: N/A

Average length of stay: N/A

Staff/offender ratio: N/A

Cost to offender: N/A

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Department Administration

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Other: _____

PROGRAM BUDGET

Program name: Department Administration

County: MULTNOMAH

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Service	Sup. Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel	429,327					825,768		1,255,095
Services & Supplies	378,422					160,000	6,000	494,422
Capital Outlay	240,000					30,000		270,000
Indirect Costs	47,692							47,692
TOTAL	1,045,441					1,015,768	6,000	2,067,209
Fund Total is of Program Total	51%					49%	<1%	100%

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Program Development and Evaluation

Contact Person: Cary Harkaway

Telephone: 248-3039

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: Contract and grant program development and evaluation.

Program Description: Contract management, technical assistance, program development, program evaluation, grant writing, policy analysis and research.

Target Population: describe: N/A

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

Residential Non-residential Both

Total number of offenders going through the program during the biennium: N/A

Percent of offenders expected to successfully complete the program: N/A
(please include the definition of successful completion)

Maximum number of offenders who could be served at any one time: N/A

Number of offenders in the program on a given day: N/A

Average length of stay: N/A

Staff/offender ratio: N/A

Cost to offender: N/A

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Program Development & Evaluation Admin.

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Other: _____

PROGRAM BUDGET

Program name: Program Development & Evaluation

County: MULTNOMAH

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Services	Supervis Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel	187,599					380,925		568,524
Services & Supplies						22,993		22,993
Capital Outlay						4,000		4,000
Indirect Costs	8,967							8,967
TOTAL	196,566					407,918		604,484
% Fund Total is of Program Total	33%					67%		100%

PROGRAM BUDGET

Program name: **Contract Indirects**County: **MULTNOMAH**

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Services	Supervis Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel								
Services & Supplies								
Capital Outlay								
Indirect Costs	14,436					54,337		68,773
TOTAL	20,436					54,337		74,773
% Fund Total is of Program Total	27%					71%		100%

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Diagnostic Center

Contact Person: Jim Rood

Telephone: 248-3083

Program Address: 1120 S.W. 3rd Ave.
Portland, OR 97204

Program Purpose: Presentence investigations, intake, hearing, parole transition, A & D evaluations, and resource coordination.

Program Description: See following page

Target Population: describe:

- check all that apply:
- Probationers high medium low limited risk
 - Parolees high medium low limited risk
 - Men
 - Women
 - Other _____

- Residential
- Non-residential
- Both

Total number of offenders going through the program during the biennium:

See following page

Percent of offenders expected to successfully complete the program: N/A
(please include the definition of successful completion)

Maximum number of offenders who could be served at any one time: N/A

Number of offenders in the program on a given day: N/A

Average length of stay: N/A

Staff/offender ratio: N/A

Cost to offender: 0

(A)

I PRESENTENCE INVESTIGATIONS

Diagnostic Center staff will complete about 60 PSIs per month. These reports detail an offender's criminal and social history and make a sentencing recommendation consistent with sentencing guidelines. Staff are able to access dedicated resources for psychological, sex offender, and substance abuse evaluations.

II PROBATION INTAKE

All probation cases will be processed by the Diagnostic Center for assignment to a district office or special unit. Processing will include collection of file material, computer print-outs, and other documentation, completion of risk and need assessments, and referral for further evaluation and treatment. Intake staff will process about 300 probation cases per month.

III HEARINGS

Hearings Officers currently average 210 hearings per month. The Hearings Unit has worked closely with the Parole Board to implement revocation guidelines. The Hearings Unit currently consists of two Hearings Officers, one Senior Program Development Specialist, and one support person. The unit may be increased, depending on the workload distribution established if an administrative probation violation process is approved by the Legislature.

IV PAROLE TRANSITION

A staff of two POs and three Corrections Technicians will work closely with institutional release staff (especially at SCI and CRCI), to do pre-release planning and central intake of an estimated 160-200 parolees per month. The Parole Transition Unit will coordinate the placement of subsidy clients in 46 transitional housing beds for which we have contracted with local agencies, and arrange for specialized evaluations and treatment referrals as indicated.

V A & D EVALUATIONS

Three Alcohol and Drug Evaluation Specialists will complete thorough assessments based on the Addiction Severity Index. An estimated 1,000 to 1,500 evaluations per year will be completed for pretrial, PSI, Intake, Hearings, and Parole Transition staff.

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Diagnostic Center

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

- Intake
- Hearings

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: Resource coordination
- Other: _____

PROGRAM BUDGET

Program name: Diagnostic Center

County: MULTNOMAH

LINE ITEM	Services & Sanctions	Option 1 Incent.	Field Services	Super. Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel	985,723		2,257,004			425,397	166,930	3,835,054
Services & Supplies	169,307		222,395					391,702
Capital Outlay	6,000							6,000
Indirect Costs	56,651		119,372			20,233	6,070	202,326
TOTAL	1,217,681		2,598,771			445,630	173,000	4,435,082
% Fund Total is of Program Total	28%		59%			10%	3%	100%

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Probation/Parole Supervision

Contact Person: Tamara Holden

Telephone: 248-3701

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: Supervision of offenders consistent with public safety.

Program Description: See following page

Target Population: describe:

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

Residential Non-residential Both

Total number of offenders going through the program during the biennium:
480 intakes/mo 5,760 cases

Percent of offenders expected to successfully complete the program:
(please include the definition of successful completion)

% positive case closures: High: 25% Probation, 15% Parole / Medium: 45%
Probation, 31% Parole / Low-LTD: 75% Probation, 42% Parole

Maximum number of offenders who could be served at any one time: N/A

Number of offenders in the program on a given day: N/A

Average length of stay: N/A

Staff/offender ratio: Varies

Cost to offender: Supervision fee

(A)

Six District Offices will be responsible for the supervision of the probation and parole caseload in Multnomah County. In many cases, staff in our District Offices will share information and case management responsibilities with other law enforcement and social service agencies. That process has already begun with the formation of safety action teams in two neighborhoods.

Supervision will be provided according to the Oregon Case Management System, though DCC is in the process of developing local initiatives for managing targeted drug-involved offenders, sex offenders, gangsters, domestic violence, low risk, and traffic cases. These initiatives will take advantage of dedicated resources and partner agencies in the community.

DCC is exploring ways to enhance the cooperative case management of drug involved offenders with our treatment providers. Proposals under consideration include specialized caseloads and joint training with treatment agencies.

Sex offenders will continue to be supervised by specialists in each District. These POs work closely with law enforcement, CSD, schools, and neighborhood groups. They also participate in state-wide committees; developing initiatives for more effective surveillance and treatment of sex offenders.

A gangs unit, consisting of up to four POs, is being developed to share information with law enforcement, to enhance our ability to identify gangsters, and to develop more effective supervision strategies.

The supervision of low risk and traffic cases will be automated as much as possible. We also anticipate developing a volunteer unit to assist in the supervision of traffic cases.

At present, 10,789 cases are under supervision. We expect that number to decrease by about 20% if DOC's package of Legislative proposals is approved. The reduction in caseload numbers will be accompanied by an increase in the percentage of high risk cases. To help accommodate a higher risk caseload, DCC will assure that treatment services and intermediate sanctions give priority access to cases at risk of revocation.

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Probation/Parole Supervision

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Other: _____

PROGRAM BUDGET

Program name: Probation/Parole Supervision

County: MULTNOMAH

LINE ITEM	Services & Sanction	Option 1 Incent	Field Service	Sup. Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel	276,442		11,012,329		1,117,657	2,217,259		14,623,687
Services & Supplies			1,061,600		112,731	63,256		1,237,587
Capital Outlay								
Indirect Costs	13,214		566,317		59,612	111,773		750,916
TOTAL	289,656		12,640,246		1,290,000	2,392,288		16,612,190
% Fund Total is of Program Total	1%		76%		8%	15%		100%

16
PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: DCC Intensive Supervision

Contact Person: Tamara Holden

Telephone: 248-3701

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: An intermediate sanction permitting offenders to remain in the community under close supervision.

Program Description: Offenders in violation of their release conditions will be referred to the program by POS, Supervisors, and Hearings Officers. The program will require offender contacts that exceed current OCMS High Standards. Intensive Supervision Officers will work in teams of two at each District Office, emphasizing surveillance, but also assessing and responding to treatment issues. May include curfews and house arrest.

Target Population: describe: Parole and probation violators

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 500

Percent of offenders expected to successfully complete the program:
(please include the definition of successful completion)

60% will complete their terms of intensive supervision with no new crimes or major technical violations.

Maximum number of offenders who could be served at any one time: 250

Number of offenders in the program on a given day: 250

Average length of stay: 3-6 months

Staff/offender ratio: 1:20

Cost to offender: Supervision fee

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: DCC Intensive Supervision

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

PROGRAM BUDGET

Program name: DCC Intensive Supervision

County: MULTNOMAH

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Services	Super. Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel	1,423,096							1,423,096
Services & Supplies	60,000							60,000
Capital Outlay								
Indirect Costs	70,892							70,892
TOTAL	1,553,988							1,553,988
% Fund Total is of Program Total	100%							100%

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Intensive Treatment

Contact Person: Cary Harkaway

Telephone: 248-3039

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: Contracted intensive outpatient drug treatment for felony offenders.

Program Description:

- Assessment
- 4 hours per week for first 8 weeks
- 3 hours per week for second 8 weeks
- 1 1/2 hours per week for remainder of treatment
- Sessions may be group or individual
- Family involvement is encouraged

Target Population: describe: Medium and high risk felons

check all that apply:

<input checked="" type="checkbox"/> Probationers	<input checked="" type="checkbox"/> high	<input checked="" type="checkbox"/> medium	<input type="checkbox"/> low	<input type="checkbox"/> limited risk
<input checked="" type="checkbox"/> Parolees	<input checked="" type="checkbox"/> high	<input checked="" type="checkbox"/> medium	<input type="checkbox"/> low	<input type="checkbox"/> limited risk
<input checked="" type="checkbox"/> Men				
<input checked="" type="checkbox"/> Women				
<input type="checkbox"/> Other	_____			

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 200

Percent of offenders expected to successfully complete the program: 60%
(please include the definition of successful completion)

- 1) At least 90 days in treatment.
- 2) Meets majority of treatment goals.
- 3) No new crimes.
- 4) At least 4 consecutive clean UAs prior to discharge.

Maximum number of offenders who could be served at any one time: 50

Number of offenders in the program on a given day:

Average length of stay: 3-6 months

Staff/offender ratio:

Cost to offender: 0

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Intensive Treatment

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

PROGRAM BUDGET

Program name: **Intensive Treatment**

County: **MULTNOMAH**

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Services	Supervis Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel								
Services & Supplies						130,000		130,000
Capital Outlay								
Indirect Costs								
TOTAL						130,000		130,000
Fund Total is of Program Total						100%		100%

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Outpatient Drug Treatment

Contact Person: Cary Harkaway

Telephone: 248-3039

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: Contracted outpatient drug treatment

Program Description: Client evaluation, individual and group counseling, GED and HIV workshops, urinalysis. three to six month course of treatment.

Target Population: describe: Felony offenders with substance abuse problems

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

 Residential Non-residential Both

Total number of offenders going through the program during the biennium: 350

Percent of offenders expected to successfully complete the program: 60%
(please include the definition of successful completion)

- 1) Completion of majority of treatment goals
- 2) No new crimes
- 3) Drug free (UAs)

Maximum number of offenders who could be served at any one time:

Number of offenders in the program on a given day:

Average length of stay: 3-6 months

Staff/offender ratio: N/A

Cost to offender: 0 or sliding scale

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Outpatient Drug Treatment

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: HIV issues
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Other: _____

PROGRAM BUDGET

Program name: Outpatient Drug Treatment

County: MULTNOMAH

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Services	Supervis Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel								
Services & Supplies	137,800							137,800
Capital Outlay								
Indirect Costs								
TOTAL	137,800							137,800
% Fund Total is of Program Total	100%							100%

25
PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Detox and Residential Treatment

Contact Person: Cary Harkaway

Telephone: 248-3039

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: Contracted detox and residential drug treatment

Program Description:

- 4-9 day medically supervised detox
- 90-180 day residential treatment program
- Individual and group counseling in a modified therapeutic community
- Specialized education groups and workshops for life skills, parenting, etc.
- Aftercare planning
- Drug testing

Target Population: describe: Felony offenders with serious, chronic addictions

check all that apply:

<input checked="" type="checkbox"/> Probationers	<input checked="" type="checkbox"/> high	<input checked="" type="checkbox"/> medium	<input type="checkbox"/> low	<input type="checkbox"/> limited risk
<input checked="" type="checkbox"/> Parolees	<input checked="" type="checkbox"/> high	<input checked="" type="checkbox"/> medium	<input type="checkbox"/> low	<input type="checkbox"/> limited risk
<input checked="" type="checkbox"/> Men				
<input checked="" type="checkbox"/> Women				
<input type="checkbox"/> Other	_____			

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 160-detox
100-treatment

Percent of offenders expected to successfully complete the program: 80%-detox
(please include the definition of successful completion) 60%-treatment

- | | |
|------------------------------------|------------------|
| 1) Complete 90 days | 3) No new crimes |
| 2) Meet majority of treatment plan | 4) Clean UAs |

Maximum number of offenders who could be served at any one time: 10

Number of offenders in the program on a given day: 10

Average length of stay: 4-6 months

Staff/offender ratio: N/A

Cost to offender: 0

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: **Detox & Residential Treatment**

County: **MULTNOMAH**

Interventions: *check all that apply*

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Other: _____

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Residential Treatment - CIRT

Contact Person: Cary Harkaway

Telephone: 248-3039

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: Contracted intensive residential treatment

Program Description: 45 day intensive residential drug treatment, assessment, individual and group counseling, drug testing, family therapy, support groups, pre-treatment groups, aftercare planning. Clients completing CIRT component are able to remain in treatment for up to 6 months (supported by other funding).

Target Population: describe: Felony offenders with serious, chronic addictions.

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 80

Percent of offenders expected to successfully complete the program: 60%
(please include the definition of successful completion)

- 1) Complete 45 days
- 2) Meet majority of treatment objectives
- 3) Be crime and drug free

Maximum number of offenders who could be served at any one time: 10

Number of offenders in the program on a given day: 10

Average length of stay: 90 days

Staff/offender ratio: N/A

Cost to offender: 0

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Residential Treatment - CIRT

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Other: _____

PROGRAM BUDGET

Program name: Residential Treatment - CIRT

County: MULTNOMAH

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Services	Supervis Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel								
Services & Supplies	76,320							76,320
Capital Outlay								
Indirect Costs								
TOTAL	76,320							76,320
% Fund Total is of Program Total	100%							100%

31
PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Women's Residential Treatment - Levy

Contact Person: Cary Harkaway

Telephone: 248-3039

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: Contracted residential drug treatment for female felony offenders.

Program Description: A six month course of treatment followed by three to nine months of aftercare. Up to six women may be admitted with their young children. In addition to groups dealing with the processes of addiction and recovery, there are parenting and women's issues meetings. The program includes day care and child development resources.

Target Population: *describe:* Felony female offenders with chronic substance abuse problems.

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 160

Percent of offenders expected to successfully complete the program: 60%
(please include the definition of successful completion)

- 1) Complete at least 90 days
- 2) Meet majority of treatment goals
- 3) No new crimes
- 4) Drug free (UAs)

Maximum number of offenders who could be served at any one time: 40

Number of offenders in the program on a given day: 40

Average length of stay: 6 months

Staff/offender ratio: N/A

Cost to offender: 0

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Women's Residential Treatment - Levy County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Other: _____

PROGRAM BUDGET

Program name: Women's Residential Treatment - Levy

County: MULTNOMAH

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Service	Super. Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel								
Services & Supplies						1,590,000		1,590,000
Capital Outlay								
Indirect Costs								
TOTAL						1,590,000		1,590,000
% Fund Total is of Program Total						100%		100%

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Men's Residential Treatment - Levy

Contact Person: Cary Harkaway

Telephone: 248-3039

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: Contracted residential drug treatment for male felony offenders.

Program Description: A six month course of treatment, followed by three to nine months of aftercare. The program incorporates "criminal thinking" components into individual and group counseling. Program includes pretreatment groups as well as aftercare.

Target Population: describe: Felony male offenders with chronic substance abuse problems

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 160

Percent of offenders expected to successfully complete the program: 60%
(please include the definition of successful completion)

- 1) Complete at least 90 days
- 2) Meet majority of treatment goals
- 3) Drug free (UAs)

Maximum number of offenders who could be served at any one time: 40

Number of offenders in the program on a given day: 40

Average length of stay: 6 months

Staff/offender ratio: N/A

Cost to offender: 0

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Men's Residential Treatment - Levy

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

PROGRAM BUDGET

Program name: Men's Residential Treatment - Levy

County: MULTNOMAH

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Service	Super. Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel								
Services & Supplies						1,500,000		1,500,000
Capital Outlay								
Indirect Costs								
TOTAL						1,500,000		1,500,000
% Fund Total is of Program Total						100%		100%

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Women's Residential

Contact Person: Cary Harkaway

Telephone: 248-3039

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: Contracted residential services and sanction for women

Program Description: Provides an 8-bed residential center for felony female offenders. Includes in-house counseling for wide range of issues, including substance abuse, parenting, and abusive relationships.

Target Population: describe: Felony female offenders

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

 Residential Non-residential Both

Total number of offenders going through the program during the biennium: 80

Percent of offenders expected to successfully complete the program: 60%
(please include the definition of successful completion)

- 1) Meet majority of care plan objectives
- 2) No new crimes
- 3) Drug free (UAs)

Maximum number of offenders who could be served at any one time: 8

Number of offenders in the program on a given day: 8

Average length of stay: 60 days

Staff/offender ratio: N/A

Cost to offender: 0

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Women's Residential

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Other: _____

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Mental Health Services

Contact Person: Cary Harkaway

Telephone: 248-3039

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: Contracted mental health services at DCC district offices.

Program Description: Contractor will be available for a prescribed number of hours per month at each of our district offices to do offender evaluations, consult with POs, monitor medication, assist with referrals, and facilitate treatment groups.

Target Population: describe: Chronically mentally ill, dually diagnosed offenders

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 500

Percent of offenders expected to successfully complete the program:
(please include the definition of successful completion)

50% of those who participate in treatment groups will demonstrate clinical progress.

Maximum number of offenders who could be served at any one time: N/A

Number of offenders in the program on a given day: N/A

Average length of stay: N/A

Staff/offender ratio: N/A

Cost to offender: 0

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Mental Health Services

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

PROGRAM BUDGET

Program name: **Mental Health Services**

County: **MULTNOMAH**

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Services	Supervis Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel								
Services & Supplies	135,680							135,680
Capital Outlay								
Indirect Costs								
TOTAL	135,680							135,680
% Fund Total is of Program Total	100%							100%

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Psychological Evaluations

Contact Person: Cary Harkaway

Telephone: 248-3039

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: Contracted psychological evaluations for inclusion in PSIs.

Program Description: Evaluation includes: Presenting problem, personal history, psychological/psychometric examination, clinical diagnosis or impression, assessment of risk, amenability of treatment.

Target Population: describe: Felons referred by the courts as part of PSI process for person crimes

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other Felons referred for PSIs

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 240

Percent of offenders expected to successfully complete the program: N/A
(please include the definition of successful completion)

Maximum number of offenders who could be served at any one time: N/A

Number of offenders in the program on a given day: N/A

Average length of stay: N/A

Staff/offender ratio: N/A

Cost to offender: 0

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Psychological Evaluations

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Other: _____

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Sex Offender Evaluations

Contact Person: Cary Harkaway

Telephone: 248-3039

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: Contracted evaluations targeting risk factors and amenability to treatment.

Program Description: Evaluator interviews and assesses convicted sex offenders as part of PSI process. Evaluation addresses sexual and psychological history, the present offense, family dynamics, risk factors, amenability to treatment, and treatment/case management recommendations.

Target Population: describe: Felony sex offenders

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other PSI referrals

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 240

Percent of offenders expected to successfully complete the program: N/A
(please include the definition of successful completion)

Maximum number of offenders who could be served at any one time: N/A

Number of offenders in the program on a given day: N/A

Average length of stay: N/A

Staff/offender ratio: N/A

Cost to offender: 0

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Sex Offender Treatment

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Other: _____

PROGRAM BUDGET

Program name: Sex Offender Evaluations

County: MULTNOMAH

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Services	Supervis Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel								
Services & Supplies						72,000		72,000
Capital Outlay								
Indirect Costs								
TOTAL						72,000		72,000
% Fund Total is of Program Total						100%		100%

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Sex Offender Treatment

Contact Person: Cary Harkaway

Telephone: 248-3039

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: Contracted sex offender treatment

Program Description: Long-term (one to two years) treatment including assessment, individual and group counseling, aversion therapy, behavioral control, relapse prevention, education, family therapy, and communication skills.

Target Population: describe: Felony sex offenders

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 45-55

Percent of offenders expected to successfully complete the program: 50%
(please include the definition of successful completion)

- 1) Completion of treatment objectives
- 2) No new crimes

Maximum number of offenders who could be served at any one time: 15

Number of offenders in the program on a given day: 15

Average length of stay: 1 year

Staff/offender ratio: N/A

Cost to offender: \$50

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Sex Offender Treatment

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

PROGRAM BUDGET

Program name: Sex Offender Treatment

County: MULTNOMAH

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Services	Supervis Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel								
Services & Supplies						91,160		91,160
Capital Outlay								
Indirect Costs								
TOTAL						91,160		91,160
% Fund Total is of Program Total						100%		100%

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Polygraph Examinations

Contact Person: Cary Harkaway

Telephone: 248-3039

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: Contracted polygraph exams for sex offenders

Program Description: Includes discovery, maintenance, and specific issue examinations.

Target Population: describe: Sex offenders referred by POs

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 200

Percent of offenders expected to successfully complete the program: N/A
(please include the definition of successful completion)

Maximum number of offenders who could be served at any one time: N/A

Number of offenders in the program on a given day: N/A

Average length of stay: N/A

Staff/offender ratio: N/A

Cost to offender: 0

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Polygraph Examinations

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Other: _____

PROGRAM BUDGET

Program name: Polygraph Examinations

County: MULTNOMAH

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Services	Supervis Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel								
Services & Supplies	19,200							19,200
Capital Outlay								
Indirect Costs								
TOTAL	19,200							19,200
% Fund Total is of Program Total	100%							100%

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Case Management

Contact Person: Cary Harkaway

Telephone: 248-3039

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: To meet the treatment and substance needs of homeless and chronically mentally ill offenders.

Program Description: A & D treatment, mental health counseling, medication management, budget management, emergency food and shelter, and transitional housing. Culturally specific and bilingual services for Hispanic clients.

Target Population: describe: Homeless, transient, chronically mentally ill offenders

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 200

Percent of offenders expected to successfully complete the program: 60%
(please include the definition of successful completion)

- 1) Completion of majority of treatment objectives
- 2) No new crimes

Maximum number of offenders who could be served at any one time: 50

Number of offenders in the program on a given day: 50

Average length of stay: 4 months

Staff/offender ratio: N/A

Cost to offender: 0

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Case Management

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Transitional Housing

Contact Person: Cary Harkaway

Telephone: 248-3039

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: Drug-free housing for parolees.

Program Description: DCC contracts for 46 beds in supervised, drug-free housing programs. Contractors provide room and board, transitional counseling, and referral assistance. Case managers work closely with parole officers.

Target Population: describe: Parolees eligible for subsidy

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 1,100

Percent of offenders expected to successfully complete the program: 60%
 (please include the definition of successful completion)

- 1) Crime and drug free (per UAs)
- 2) Complete 30 days or find approved housing

Maximum number of offenders who could be served at any one time: 46

Number of offenders in the program on a given day: 46

Average length of stay: 30 days

Staff/offender ratio: varies

Cost to offender: 0

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: **Transitional Housing**County: **MULTNOMAH**Interventions: *check all that apply*Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Other: _____

PROGRAM BUDGET

Program name: **Transitional Housing**County: **MULTNOMAH**

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Services	Supervis Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel								
Services & Supplies	243,000							243,000
Capital Outlay								
Indirect Costs								
TOTAL	243,000							243,000
% Fund Total is of Program Total	100%							100%

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Learning Center

Contact Person: Cary Harkaway

Telephone: 248-3039

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: Literacy and adult education for offenders

Program Description: PC-based, 20 station integrated learning system provides individually paced literacy and adult education lessons developed specifically for at-risk adult populations. We will use the same system as DOC and the Sheriff's Office to assure continuity in programming between institutions and the Field.

Target Population: describe: Offenders reading at or below eighth grade level

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 400

Percent of offenders expected to successfully complete the program: 65%
 (please include the definition of successful completion)

1) Achieve eighth grade reading level

Maximum number of offenders who could be served at any one time: 20

Number of offenders in the program on a given day: 40

Average length of stay: 60 days

Staff/offender ratio: N/A

Cost to offender: 0

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Learning Center

County: MULTNOMAH

Interventions: *check all that apply*Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____
- _____
- _____

Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

PROGRAM BUDGET

Program name: Learning Center

County: MULTNOMAH

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Services	Super. Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel							105,878	105,878
Services & Supplies							338,457	338,457
Capital Outlay								
Indirect Costs							21,239	21,239
TOTAL							465,574	465,574
Fund Total is of Program Total							100%	100%

64
PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Women's Transition Services/ADAPT Program

Contact Person: Kathy Treb

Telephone: 248-3351

Program Address: 736 N.E. Couch Street
Portland, OR 97209

Program Purpose: To provide case management and transitional housing for female offenders.

Program Description: WTS provides case management, life skills training, housing, and access to MH and substance abuse treatment for female offenders and their families. Through the ADAPT component, counselors begin working with pregnant substance abusers as soon as they are identified in jail and continue to work with them after their release.

Target Population: describe: Female offenders

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 300

Percent of offenders expected to successfully complete the program:
(please include the definition of successful completion)

50% will meet majority of case management objectives; pregnant women must be drug free, in stable housing, and in good standing with CSD for 90 days. No new crimes.

Maximum number of offenders who could be served at any one time: 100

Number of offenders in the program on a given day: 100

Average length of stay: 18 months

Staff/offender ratio: 1:25 families

Cost to offender: 0

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: **Women's Transition Services/ADAPT**County: **MULTNOMAH**Interventions: *check all that apply*Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: Case management
- Other: Advocacy

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Other: _____

PROGRAM BUDGET

Program name: Women's Transition Services/ADAPT

County: MULTNOMAH

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Service	Super. Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel	252,525					524,069	183,897	960,491
Services & Supplies	60,263					167,472	93,500	321,235
Capital Outlay								
Indirect Costs	15,006					33,059	2,075	50,140
TOTAL	327,794					724,600	279,472	1,331,866
% Fund Total is of Program Total	25%					54%	21%	100%

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Drug Testing

Contact Person: John Turner

Telephone: 248-3685 x268

Program Address: 821 S.E. 14th Ave.
Portland, OR 97214

Program Purpose: To deter and detect drug use; to monitor treatment progress.

Program Description: Medium and high risk offenders with substance abuse histories are tested on random dates. Participants are given a number code and instructed to call a drug testing line daily. If their code number is announced on the recorded message, they have to report for testing. Corrections technicians collect the specimens and prepare them for daily pick-up by the contractor. Results are faxed the next day.

Target Population: describe: Felony offenders with substance abuse problems

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 5,000

Percent of offenders expected to successfully complete the program: N/A
 (please include the definition of successful completion)

Maximum number of offenders who could be served at any one time: 1,000

Number of offenders in the program on a given day: 1,000

Average length of stay: 3-4 months

Staff/offender ratio: N/A

Cost to offender: 0

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Drug Testing

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Day Reporting Center

Contact Person: Michael Haines

Telephone: 248-3456

Program Address: 400 SW 12th
Portland, OR 97205

Program Purpose: To provide an intermediate sanction for probation and parole violators that can be accessed by DCC staff consistent with intervention/revocation guidelines; to provide the services needed to help offenders comply with their release conditions.

Program Description: See next page

Target Population: describe: Parole and probation violation

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 1,000

Percent of offenders expected to successfully complete the program:
(please include the definition of successful completion)

75% will complete the requirements of their sanction

Maximum number of offenders who could be served at any one time: 180

Number of offenders in the program on a given day: 180

Average length of stay: 30-90 days

Staff/offender ratio: 1:30

Cost to offender: 0

Program Description:

Non-compliant clients will be referred to the Center through the administrative hearings process established for parole violators or the probation violation process (expected to become an administrative process next biennium). The DRC will house a staff of POs, Corrections Technicians, and specialists in substance abuse and employment. An adult education/literacy lab will be co-located at the DRC site.

All clients will go through a thorough reassessment that includes input from the supervising PO and, as indicated, the specialized resources available at the DRC. Unemployed clients will be required to complete a community service assignment and participate in the pre-employment/job search/adult education component. Employed clients will be required to report to the DRC before or after work. All clients will be subject to random UAs. When treatment is indicated, clients will participate in A&D groups at the DRC.

Clients who cannot be stabilized at the DRC will be subject to additional sanctions.

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: **Day Reporting Center**County: **MULTNOMAH**Interventions: *check all that apply*Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: Day Reporting

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Other: _____

74
PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Alternative Community Service

Contact Person: Cate Connell

Telephone: 248-3007

Program Address: 1021 S.W. 4th Ave., Room 818
Portland, OR 97204

Program Purpose: To provide a sanction which offers a rehabilitative opportunity for the offender and a benefit for the community.

Program Description: The program interviews, places, and monitors convicted felons and misdemeanants who have been ordered by the courts to perform community service. Offenders are placed at non-profit agencies or in supervised work crews. POs, Supervisors, and Hearings Officers are able to place offenders in the program as a sanction for a parole or probation violation.

Target Population: describe: Offenders referred by the courts or by our POs, Supervisors, and Hearings Officers.

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 7,500

Percent of offenders expected to successfully complete the program:
(please include the definition of successful completion)

65% will complete required hours of service.

Maximum number of offenders who could be served at any one time: 3,800

Number of offenders in the program on a given day: 3,800

Average length of stay: 80 hours

Staff/offender ratio: N/A

Cost to offender: \$1-\$25

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Alternative Community Service

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Other: _____

PROGRAM BUDGET

Program name: Alternative Community Service

County: MULTNOMAH

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Services	Super. Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel	624,452				42,980		168,468	835,900
Services & Supplies	171,174				9,412		37,646	188,232
Capital Outlay								
Indirect Costs	36,716				2,448		9,790	48,954
TOTAL	802,342				54,840		215,904	1,073,086
% Fund Total is of Program Total	75%				5%		20%	100%

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Forest Project

Contact Person: Gerard Welch

Telephone: 248-3710

Program Address: 1021 S.W. 4th Ave., Room 818
Portland, OR 97204

Program Purpose: To provide an alternative sanction which offers a rehabilitative opportunity for the offender and a benefit for the community.

Program Description: Offenders complete 4-10 weeks of work at various sites in the National Forests. Working ten hour days, the participants help the U.S. Forest Service meet their objectives for trail construction/maintenance, recreation development, campsite improvement, and habitat development. After work, clients participate in discussion groups related to substance abuse, personal responsibility, and problem solving. Staff can access the program as an intermediate sanction for parole/probation violations.

Target Population: describe: Non-violent male offenders, including parole/probation violators.

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 360

Percent of offenders expected to successfully complete the program:
(please include the definition of successful completion)

70% will complete their terms at the Forest Project

Maximum number of offenders who could be served at any one time: 28

Number of offenders in the program on a given day: 28

Average length of stay: 8 weeks

Staff/offender ratio: 1:14

Cost to offender: 0

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Forest Project

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: Work camp

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Other: _____

PROGRAM BUDGET

Program name: Forest Project

County: MULTNOMAH

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Services	Super. Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel	739,045							739,045
Services & Supplies	275,410						6,000	281,410
Capital Outlay								
Indirect Costs	48,778							48,778
TOTAL	1,063,233						6,000	1,069,233
% Fund Total is of Program Total	99%						1%	100%

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Pretrial Services

Contact Person: Chuck Wall

Telephone: 248-3994

Program Address: 1120 S.W. 3rd Ave., Room 301
Portland, OR 97204

Program Purpose: Interview detainees for release consideration and supervise pretrial releasees.

Program Description: All eligible detainees will be interviewed for release consideration (about 21,000 per year). The program provides 24 hours per day staffing of this function. The Pretrial Release Supervision Program provides close supervision of about 4,000 clients per year who do not qualify for other release options.

Target Population: describe: Pretrial detainees booked into the Detention Center

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other Pretrial detainees

Residential Non-residential Both

Total number of offenders going through the program during the biennium:
 42,000 interviews 8,000 releasees supervised

Percent of offenders expected to successfully complete the program:
 (please include the definition of successful completion)

70% of those on pretrial supervision will make their court dates and commit no new crimes

Maximum number of offenders who could be served at any one time:
 700 on supervised release

Number of offenders in the program on a given day: 700

Average length of stay: 90 days

Staff/offender ratio:

Cost to offender: 0

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: **Pretrial Services**County: **MULTNOMAH**Interventions: *check all that apply*Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision
- Pretrial supervision
- Pretrial release interviews

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

PROGRAM BUDGET

Program name: Pretrial Services

County: MULTNOMAH

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Service	Super. Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel						431,995	525,203	957,198
Services & Supplies						3,263	35,297	38,560
Capital Outlay							5,000	5,000
Indirect Costs								
TOTAL						435,258	565,500	1,000,758
% Fund Total is of Program Total						43%	57%	100%

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Restitution Center

Contact Person: Bill Wood, MCSD

Telephone: 248-3256

Program Address: 1120 S.W. 3rd Ave., Room 307
Portland, OR 97204

Program Purpose: Intermediate sanction for parole and probation violators

Program Description: 17 beds will be available in the Restitution Center to serve as a sanction and to be accessed by POs, Supervisors, and Hearings Officers. Work release will be available.

Target Population: describe: Felony offenders sanctioned for parole or probation violators

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 960

Percent of offenders expected to successfully complete the program: 80%
(please include the definition of successful completion)

Completion of required term with no new crimes or violations

Maximum number of offenders who could be served at any one time: 40

Number of offenders in the program on a given day: 40

Average length of stay: 30 days

Staff/offender ratio: N/A

Cost to offender: 0

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Restitution Center

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Other: _____

PROGRAM BUDGET

Program name: Restitution Center

County: MULTNOMAH

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Services	Supervis Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel								
Services & Supplies	702,566							702,566
Capital Outlay								
Indirect Costs								
TOTAL	702,566							702,566
% Fund Total is of Program Total	100%							100%

17 beds at \$54 each

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Parole/Probation Violation Center

Contact Person: Tamara Holden

Telephone: 248-3701

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: To provide a residential sanction for parole and probation violators.

Program Description: Offenders will be transported to the center to serve a 30 day sanction imposed by our POs, Supervisors, or hearings Officers.

Target Population: describe: Parole/Probation violators

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

Residential Non-residential Both

Total number of offenders going through the program during the biennium:

Program details to be determined

Percent of offenders expected to successfully complete the program:
(please include the definition of successful completion)

Maximum number of offenders who could be served at any one time:

Number of offenders in the program on a given day:

Average length of stay: 30 days

Staff/offender ratio:

Cost to offender: 0

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Parole/Probation Violation Center

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing, - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Other: _____

PROGRAM BUDGET

Program name: Parole/Probation Violation Center

County: MULTNOMAH

LINE ITEM	Services & Sanction	Option 1 Incentive	Field Service	Super. Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel	155,350							2,367,578
Services & Supplies	2,673,827							797,883
Capital Outlay								
Indirect Costs	135,235							151,310
TOTAL	2,964,412							2,964,412
% Fund Total is of Program Total	100%							100%

Work Release/Probation Center
86 bed facility at \$50 a day.

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Council for Prostitution Alternatives

Contact Person: Cary Harkaway

Telephone: 248-3039

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: To provide counseling and casemanagement services for women attempting to end their involvement in prostitution.

Program Description: Program includes casemanagement and drop-in services focusing on post traumatic stress disorder, recovery from substance abuse, living skills and parenting.

Target Population: *describe:* Women attempting to end their involvement in prostitution.

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 170

Percent of offenders expected to successfully complete the program: 50%
(please include the definition of successful completion)

Attend 70% of appointments; meet majority of case plan objectives; no prostitution after 90 days of participation.

Maximum number of offenders who could be served at any one time: 50

Number of offenders in the program on a given day: 50

Average length of stay: 6 months - 1 year

Staff/offender ratio: N/A

Cost to offender: \$0

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Council for Prostitution Alternatives

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

PROGRAM BUDGET

Program name: Council for Prostitution Alternatives

County: MULTNOMAH

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Services	Supervis Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel								
Services & Supplies						150,000	186,000	336,000
Capital Outlay								
Indirect Costs								
TOTAL						150,000	186,000	336,000
% Fund Total is of Program Total						45%	55%	100%

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Volunteer/Traffic

Contact Person: Tamara Holden

Telephone: 248-3701

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: To ensure that DUII offenders are monitored for compliance with the conditions of probation.

Program Description: Offenders will be case managed by community volunteers with oversight provided by experienced POs at our North District office. Supervision will include a focus on the evaluation and treatment required by state law.

Target Population: *describe:* Offenders convicted of DUII as their major offense and placed on probation; offenders on probation for DUII and one or more other non-person misdemeanors.

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 2,800

Percent of offenders expected to successfully complete the program: 75%
(please include the definition of successful completion)

No new crimes; completion of evaluation and treatment requirements.

Maximum number of offenders who could be served at any one time: To be determined

Number of offenders in the program on a given day: To be determined

Average length of stay: 1 year

Staff/offender ratio: To be determined

Cost to offender: Supervision fee

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: **Volunteer/Traffic**

County: **MULTNOMAH**

Interventions: *check all that apply*

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Other: _____

PROGRAM BUDGET

Program name: Volunteer/Traffic

County: MULTNOMAH

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Services	Super. Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel						1,127,835		1,127,835
Services & Supplies						8,000		8,000
Capital Outlay								
Indirect Costs								
TOTAL						1,135,836		1,135,835
% Fund Total is of Program Total						100%		100%

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Domestic Violence

Contact Person: Cary Harkaway

Telephone: 248-3039

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: Supervision and contracted counseling/education for domestic violence offenders.

Program Description: A six month program based on twice-weekly group sessions focusing on: accepting responsibility for battering, developing alternatives to battering, family/interpersonal communication, personal support systems, understanding violence as a means of controlling the victim, understanding the negative effects of violence on relationships (partner, children, friends), developing non-controlling and non-violent ways of relating to women.

Target Population: describe: Cases referred to domestic violence deferred sentencing program.

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other Domestic violence diversion cases

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 150

Percent of offenders expected to successfully complete the program: 80%
(please include the definition of successful completion)

1) No new crimes/D.V. 2) Attend 90% of treatment appointments

Maximum number of offenders who could be served at any one time: 40

Number of offenders in the program on a given day: 40

Average length of stay: 6 months

Staff/offender ratio: N/A

Cost to offender: 0

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Domestic Violence

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

PROGRAM BUDGET

Program name: Domestic Violence

County: MULTNOMAH

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Services	Supervis Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel						168,015	70,000	238,015
Services & Supplies						71,050		71,050
Capital Outlay								
Indirect Costs								
TOTAL						239,065	70,000	309,065
% Fund Total is of Program Total						87%	13%	100%

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Drug Diversion Program

Contact Person: Cary Harkaway

Telephone: 248-3039

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: Contracted outpatient drug treatment in support of Circuit Court diversion program.

Program Description: Clients enroll in year-long diversion program with required acupuncture, group counseling, and urinalysis. The Circuit Court conducts monthly status hearings to monitor and encourage participants.

Target Population: *describe:* Defendants charged with drug possession.

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other Circuit Court diversion cases

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 1,200

Percent of offenders expected to successfully complete the program:
(please include the definition of successful completion)

Maximum number of offenders who could be served at any one time: 450

Number of offenders in the program on a given day: 450

Average length of stay: 1 year

Staff/offender ratio: N/A

Cost to offender: 0

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: Drug Diversion Program

County: MULTNOMAH

Interventions: check all that apply

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: acupuncture
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Other: _____

PROGRAM BUDGET

Program name: Drug Diversion Program

County: MULTNOMAH

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Services	Super. Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel								
Services & Supplies						200,000	800,000	1,000,000
Capital Outlay								
Indirect Costs								
TOTAL						200,000	800,000	1,000,000
% Fund Total is of Program Total						20%	80%	100%

PROGRAM DESCRIPTION (Page 1 of 2)

Fiscal year: 1993-95

County: MULTNOMAH

Program Name: Women's Intensive Treatment

Contact Person: Cary Harkaway

Telephone: 248-3039

Program Address: 421 S.W. 5th Ave., Suite 600
Portland, OR 97204

Program Purpose: Contracted intensive outpatient drug treatment for female offenders.

Program Description: 3 hours of treatment groups per day for the six weeks of the program funded by Community Corrections. Successful clients continue in treatment for 3-6 months, supported by other contracts. Program includes child care.

Target Population: describe: Female offenders

check all that apply: Probationers high medium low limited risk
 Parolees high medium low limited risk
 Men
 Women
 Other _____

Residential Non-residential Both

Total number of offenders going through the program during the biennium: 140

Percent of offenders expected to successfully complete the program: 80%
(please include the definition of successful completion)

- 1) Completion of 6 week program, meeting majority of treatment objectives.
- 2) No new crimes.
- 3) Clean UAs.

Maximum number of offenders who could be served at any one time: 16

Number of offenders in the program on a given day: 16

Average length of stay: 90 days

Staff/offender ratio:

Cost to offender: 0

PROGRAM DESCRIPTION (Page 2 of 2)

Program name: **Women's Intensive Treatment**

County: **MULTNOMAH**

Interventions: *check all that apply*

Supervision

- OCMS medium risk supervision
- OCMS high risk supervision
- OCMS low risk supervision
- OCMS limited risk supervision

Sanctions

- Jail
- Work/education release
- Transitional release
- Sanction beds - jail
- Sanction beds - community corrections center
- Sanction beds - treatment facility
- House arrest
- Curfew
- Electronics
- Work crew
- Community service
- DROP
- Urinalysis
- Breathalyzer
- Polygraph
- Plethysmograph
- Restitution
- Increased supervision
- Other: _____

Services

- Substance abuse education
- Substance abuse evaluation
- Detoxification
- Substance abuse treatment - outpatient
- Substance abuse treatment - intensive outpatient
- Substance abuse treatment - residential
- Substance abuse/mental health case management
- Antabuse physicals/subsidy/monitoring
- Self-help groups
- Mental health evaluation
- Mental health treatment
- Sex offender education
- Sex offender evaluation
- Sex offender treatment
- Employment - job skills
- Employment - assisted search, job placement
- Education - ABE, GED, higher education
- Housing - search assistance
- Housing - housing provided
- Subsidy for: _____
- Women's issues group
- Cognitive skills
- Parenting skills
- Life skills
- Anger management
- Referral
- Other: _____
- Other: _____

Administration

- Management
- Indirect charges
- Clerical
- Presentence investigations
- Training
- Automation

Other: _____

PROGRAM BUDGET

Program name: **Women's Intensive Treatment**County: **MULTNOMAH**

LINE ITEM	Services & Sanctions	Option 1 Incentive	Field Services	Supervis Fees	Client Fees	County General Funds	Other Funds	TOTAL
Personnel								
Services & Supplies						72,000		72,000
Capital Outlay								
Indirect Costs								
TOTAL						72,000		72,000
Fund Total is of Program Total						100%		100%

BUDGET SUMMARY

County: MULTNOMAH

PROGRAM NAME	Services & Sanctions	Option 1 Incentive	Field Services	Supervis. Fees	Client Fees	County General Funds	Other Funds	PROGRAM TOTAL
Admin.	1,045,441					1,015,768	6,000	2,067,209
Prog. Dev.	196,566					317,428	90,490	604,484
Cont. Indirect	29,436					54,337		74,773
Diag. Ctr.	1,217,681		2,598,771			445,630	173,000	4,435,082
Supervision	289,656		12,640,246	1,290,000		2,392,288		16,612,190
Intensive Super.	1,553,988							2,553,988
Int. Tx.						130,000		130,000
Women's Int.						72,000		72,000
Outpt. Drug	137,800							137,800
Detox/Resid.	424,000							424,000
Resid-Cirt	76,320							76,320
Women's Res. Tx.						1,590,000		1,590,000
Men's Res. Tx.						1,500,000		1,500,000
Women's Res. Sv.	332,840							332,840
M. H. Svcs.	135,680							135,680
Psych. Eval.	76,320							76,320
Sex Off. Eval.						72,000		72,000
Sex Off. Tx.						91,160		91,160
FUND TOTAL								

BUDGET SUMMARY

County: MULTNOMAH

PROGRAM NAME	Services & Sanctions	Option 1 Incentive	Field Services	Supervis. Fees	Client Fees	County General Funds	Other Funds	PROGRAM TOTAL
Polygraph	19,200							19,200
Case Mgmt.	334,960							334,960
Trans. Hsg.	243,000							243,000
Learning Center							465,574	465,574
WTS/Adapt	327,794					724,600	279,472	1,331,866
Drug Testing	362,208							362,208
Day Reporting	1,588,515							1,588,515
ACS	802,342				54,840		215,904	1,073,086
st Proj.	1,063,233						6,000	1,069,233
Pretrial						523,466	565,500	1,088,966
Rest. Ctr.	702,566							702,566
Par/Prob. Ctr.	2,964,412							2,964,412
Prostitution Alternatives						150,000	186,000	336,000
Volunteer/Traffic						1,135,836		1,135,836
Dom. Viol. Svs.						239,065	70,000	309,065
Drug Diver.						200,000	800,000	1,000,000
FUND TOTAL	13,914,958		15,239,017	1,290,000	54,840	10,422,710	3,088,808	44,010,333

OREGON CORRECTIONS SYSTEM OVERVIEW

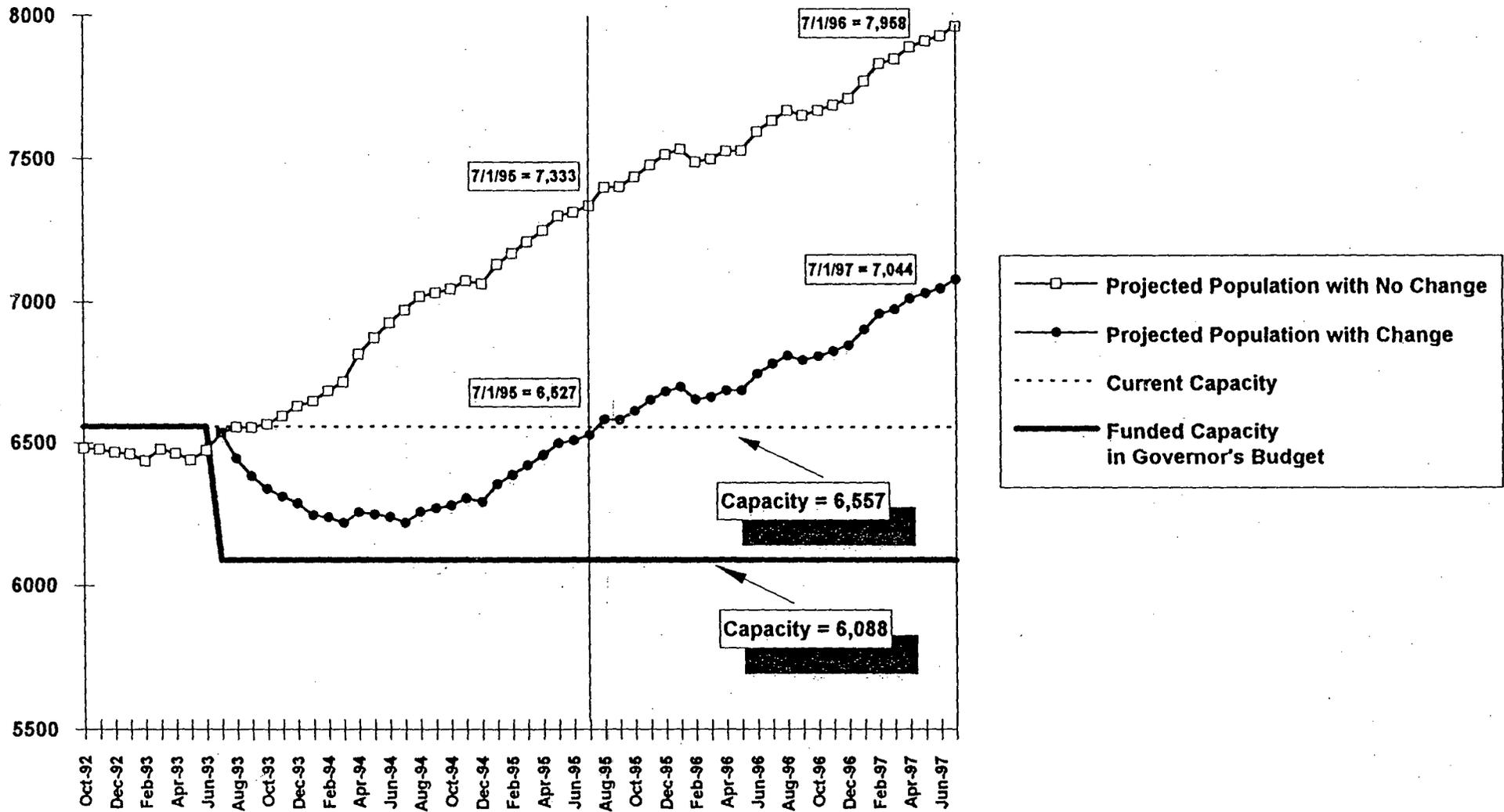
1991-93 BIENNIUM

36,385 OFFENDERS ON APRIL 1, 1993

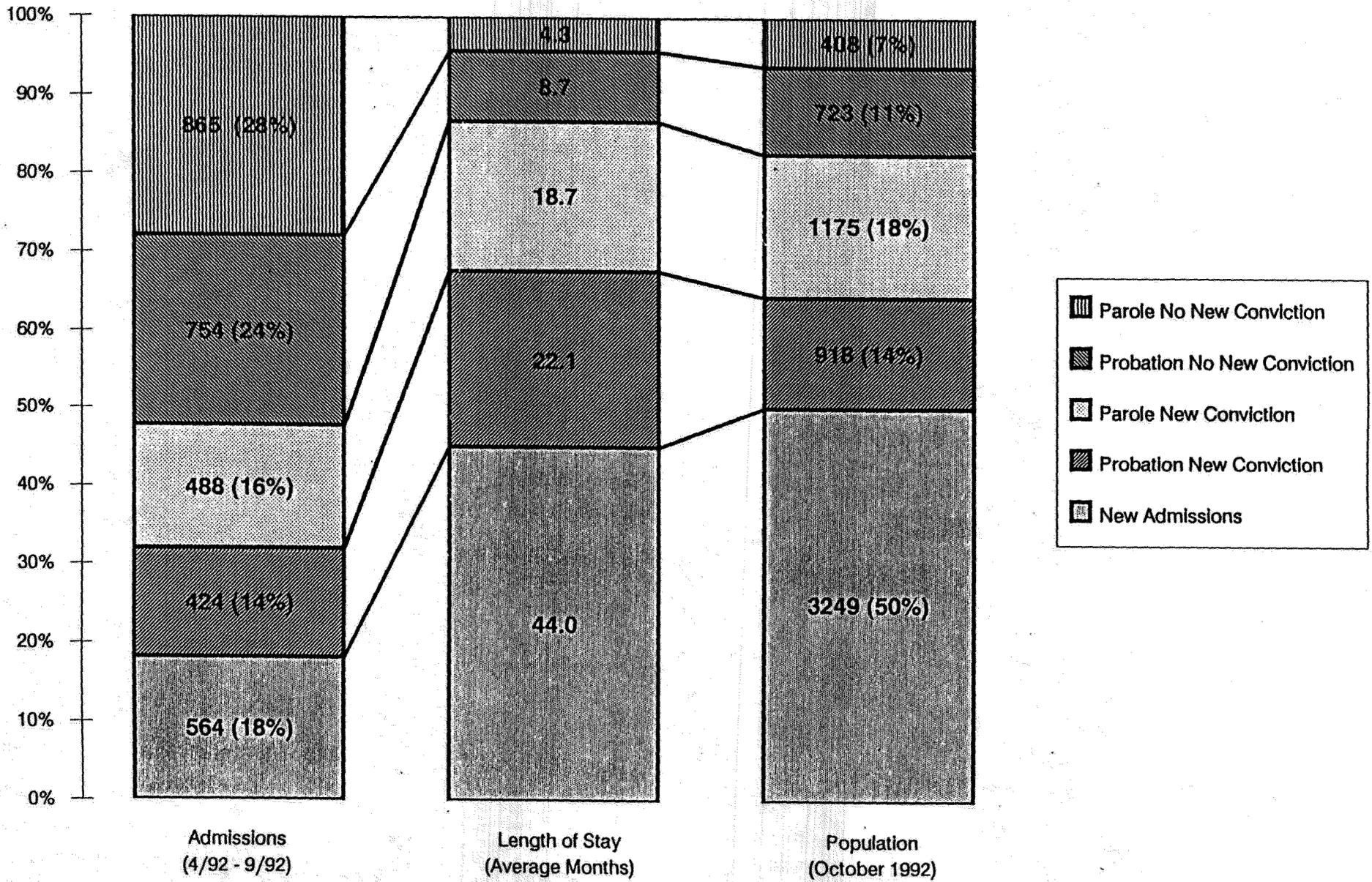
PROBATION	PRISON	PAROLE																																																						
<p>Total Population: 18,752 Felons 2,756 Misdmts.</p> <p>Total Cost: \$47.1 Million</p> <p>Total Positions: 325</p> <p>Funded Capacity: 14,513</p> <p>Ave. Cost Per Day: \$2.99</p> <p>Percent of Offenders: 59%</p> <p>Percent of Funding: 15%</p>	<p>Total Population: 6,535</p> <p>Total Cost: \$238.6 Million</p> <p>Total Positions: 1,872</p> <p>Funded Capacity: 6,690</p> <p>Ave. Cost Per Day: \$47.85</p> <p>Percent of Offenders: 18%</p> <p>Percent of Funding: 77%</p>	<p>Total Population: 8,352</p> <p>Total Cost: \$25.3 Million</p> <p>Total Positions: 175</p> <p>Funded Capacity: 1,938</p> <p>Ave. Cost Per Day: \$3.92</p> <p>Percent of Offenders: 23%</p> <p>Percent of Funding: 8%</p>																																																						
<p style="text-align: center;">Probation Population Growth</p> <table border="1" style="margin-top: 10px; width: 100%; text-align: center;"> <caption>Probation Population Growth Data</caption> <thead> <tr> <th>Year</th> <th>Growth</th> <th>Capacity</th> </tr> </thead> <tbody> <tr> <td>July 1987</td> <td>~14,500</td> <td>~14,500</td> </tr> <tr> <td>July 1989</td> <td>14,513</td> <td>~14,500</td> </tr> <tr> <td>July 1991</td> <td>22,000</td> <td>~14,500</td> </tr> <tr> <td>July 1993</td> <td>~21,800</td> <td>~14,500</td> </tr> <tr> <td>July 1995</td> <td>21,785</td> <td>~14,500</td> </tr> </tbody> </table>	Year	Growth	Capacity	July 1987	~14,500	~14,500	July 1989	14,513	~14,500	July 1991	22,000	~14,500	July 1993	~21,800	~14,500	July 1995	21,785	~14,500	<p style="text-align: center;">Prison Population Growth</p> <table border="1" style="margin-top: 10px; width: 100%; text-align: center;"> <caption>Prison Population Growth Data</caption> <thead> <tr> <th>Year</th> <th>Growth</th> <th>Capacity</th> </tr> </thead> <tbody> <tr> <td>July 1987</td> <td>4,149</td> <td>4,149</td> </tr> <tr> <td>July 1989</td> <td>~5,400</td> <td>~5,400</td> </tr> <tr> <td>July 1991</td> <td>6,400</td> <td>~6,400</td> </tr> <tr> <td>July 1993</td> <td>6,500</td> <td>6,700</td> </tr> <tr> <td>July 1995</td> <td>7,333</td> <td>6,100</td> </tr> </tbody> </table>	Year	Growth	Capacity	July 1987	4,149	4,149	July 1989	~5,400	~5,400	July 1991	6,400	~6,400	July 1993	6,500	6,700	July 1995	7,333	6,100	<p style="text-align: center;">Parole Population Growth</p> <table border="1" style="margin-top: 10px; width: 100%; text-align: center;"> <caption>Parole Population Growth Data</caption> <thead> <tr> <th>Year</th> <th>Growth</th> <th>Capacity</th> </tr> </thead> <tbody> <tr> <td>July 1987</td> <td>1,938</td> <td>1,938</td> </tr> <tr> <td>July 1989</td> <td>2,500</td> <td>1,938</td> </tr> <tr> <td>July 1991</td> <td>6,500</td> <td>1,938</td> </tr> <tr> <td>July 1993</td> <td>8,800</td> <td>1,938</td> </tr> <tr> <td>July 1995</td> <td>9,078</td> <td>1,938</td> </tr> </tbody> </table>	Year	Growth	Capacity	July 1987	1,938	1,938	July 1989	2,500	1,938	July 1991	6,500	1,938	July 1993	8,800	1,938	July 1995	9,078	1,938
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<p style="text-align: center;">Growth in 8 Years: 50.1%</p>	<p style="text-align: center;">Growth in 8 Years: 76.7%</p>	<p style="text-align: center;">Growth in 8 Years: 368.4%</p>																																																						

Estimated Impacts on Prison Populations Beginning July 1993

Policies: Senate Bill 139 As Amended



DEPARTMENT OF CORRECTIONS
Impact of Admissions and Length of Stay on Institution Population



DEPARTMENT OF CORRECTIONS

GOAL

- ***A balanced corrections system is needed to manage offenders while protecting the community and changing criminal behavior within available resources.***

WHAT WE KNOW

- Sentencing Guidelines set the standards for who is sentenced to prison or probation and for how long.
- 82% of offenders are sentenced to probation.
- 74% of offenders complete probation without going to prison.
- 97% of inmates return to their communities.
- 58% of offenders do not return to prison within three years of release.

PRINCIPLES

- For purposes of public safety, some offenders must be sent to prison while many offenders are safely sanctioned and controlled in the community.
- Probation, prison and parole are most effective in combination with programs and sanctions.
- Community-based sanctions are most effective when imposed immediately so the offender sees the connection between the punishment and their offending behavior.
- Transition services following prison significantly improve successful reintegration back into the community, reducing criminal activity.

PROBATION

• ISSUES

- Probation Population Growth of 50.1% in 8 Years
- Low Failure Rates for Lowest-Risk Offenders
- 10,000 Cases Casebanked (47% of Caseload)
- Inconsistent Use of Local Sanctions

• OPTIONS CONSIDERED TO BALANCE SYSTEM

WITHOUT BALLOT MEASURE 5

- Add 57.5 New Probation Officers (\$5.3 Million)
- Add Local Sanctions (\$8.0 Million)
- Add Treatment Programs (\$3.0 Million)
- Structure Use of Local Sanctions and Prison

WITH BALLOT MEASURE 5 = LESS RESOURCES

- Structure Use of Local Sanctions and Prison
- Reduce Workload to Serve Only Higher-Risk Offenders:
 - No Supervision of Lowest-Risk Offenders
 - No State Funding of Misdemeanant Supervision
- Increase Local Sanctions for Higher-Risk Offenders
- Reclassify Selected Felonies to Misdemeanors
- Probation Earned Time Credits
- Shorter Probation Sentences
- Change Sentencing Guidelines to Reduce Number of Offenders Placed on Probation
- Eliminate Probation Revocations for Offenders Below Line

• DOC STRATEGY

- Focus Supervision on High and Medium Risk Offenders
- Increase Local Sanctioning Capacity by \$9.2 Million to Hold More Offenders Accountable for Violations
- Structure Use of local Sanctions and Prison (SB139- A Eng.)
By Redirecting Funds From:
- Eliminate Funding for Supervision of 2,700 Misdemeanants (Reduction of 25.3 Probation Staff)
- Eliminate Supervision of 4,500 Lowest-Risk Felony Offenders (Reduction of 17.0 Probation Staff)
- Reclassify Selected Felonies to Misdemeanors (SB139-A Eng.) (Reduction of 15.0 Probation Staff)

PAROLE

- **ISSUES**

- Parole Population Growth of 368.4% in 8 Years
- 1,600 Cases Casebanked
- Inadequate Transition Programs
- Inadequate Local Punishments
- 70% of Parole Failures Occur Within the First 12 Months

- **OPTIONS CONSIDERED TO BALANCE SYSTEM**

WITHOUT BALLOT MEASURE 5

- Add 29.0 New Parole Staff (\$2.7 Million)
- Add Local Sanctions (\$6.0 Million)
- Add Parole Transition Programs (\$4.0 Million)

WITH BALLOT MEASURE 5 = LESS RESOURCES

- Reduce Workload Through:
 - Eliminate Parole Supervision
 - Limit Parole to Approximately 1,600 Most Dangerous Offenders
 - Reduce Length of Parole Supervision
 - No Parole, Provide Only a 120-Day Transition Program

- **DOC STRATEGY**

- Reduce Length of Parole Supervision (SB139-A Eng.) (Reduction of 26.5 Parole Staff)
- Redirect Supervision Resources to Parole Transition Programs
- Redirect \$2.7 Million to Local Sanctions

PRISON

- **ISSUES**

- Prison Population Growth:
 - 7,333 By July 1995 (758 Over Capacity)
 - 7,958 by July 1997 (1,383 Over Capacity)
- Inadequate Treatment Dollars
- Inadequate Training Dollars

- **OPTIONS CONSIDERED TO BALANCE SYSTEM**

WITHOUT BALLOT MEASURE 5

- Open 324 Beds at Snake River (\$13.0 Million)
- Construct 1,059 New Prison Beds (\$72.6 Million)
- Increase A&D Treatment Programs
- Add Sex Offender Treatment Programs
- Add Job Training/Work Release
- Add Self-Help Skills Training
- Add Pre-Release Transition Programs

WITH BALLOT MEASURE 5 = LESS RESOURCES

- Establish Emergency Release Authority
- Close Up to 2,000 Prison Beds
- Reinstate Temporary Leave
- Change Sentencing Guidelines to Shorten Length of Prison Sentences
- Increase Earned Time Credits
- Change Sentencing Guidelines to Sentence Fewer Offenders to Prison

- **DOC STRATEGY**

- Increase Local Capacity to Sanction Offenders for Violations
- Close 602 Prison Beds
- Create Boot Camp Program
- Expand Self-Help Skills Training
- Expand Alcohol and Drug Treatment
- Expand Pre-Release Transition Programs

**DEPARTMENT OF CORRECTIONS
STRATEGIC POLICIES**

STRATEGIES	AUTHORITY	PROPOSAL
<p><u>I. REDUCE PROBATION AND PAROLE NON-CONVICTION REVOCATIONS BY 50% THROUGH INCREASED LOCAL SANCTIONING:</u></p> <ul style="list-style-type: none"> • <u>POLICIES TO FUND LOCAL SANCTIONS:</u> <ul style="list-style-type: none"> • Eliminate Supervision of Misdemeanants and Redirect Resources to Local Sanctions • Eliminate Supervision of Lower-Risk Felony Probationers and Redirect Resources to Local Sanctions • Reduce Length of Parole Supervision and Redirect Resources to Local Sanctions • <u>POLICIES TO MANAGE SANCTIONING PROCESS:</u> <ul style="list-style-type: none"> • Probation Structured Sanctions Process • Parole Intervention Guidelines • <u>POLICIES TO MANAGE RESOURCE ALLOCATION:</u> <ul style="list-style-type: none"> • Change Community Corrections Allocation Formula to a Workload Based Formula. 	<p align="center">SB5505 (Appropriation Bill)</p> <p align="center">SB5505 (Appropriation Bill)</p> <p align="center">SB139 (A Engrossed)</p> <p align="center">SB139 (A Engrossed)</p> <p align="center">Administrative Rule</p> <p align="center">SB139 (A Engrossed)</p>	<p>Eliminates state funding for approximately 2,600 person-to-person misdemeanor offenders. Eliminates 21 POs and 4 clerical. Transfers \$2.3 million to local sanctions.</p> <p>Eliminates supervision of approximately 4,500 felony probationers with lower risk scores who are not sex offenders. Eliminates 17 POs. Transfers \$1.6 million to local sanctions.</p> <p>Continues supervision of dangerous and sex offenders as sentenced under current statutes and three years for murder. Assumes 6 to 12 months supervision for the remainder followed by inactive supervision. Eliminates 26.5 POs. Transfers \$2.7 million to local sanctions.</p> <p>Authorizes Corrections to adopt rules for imposing sanctions for the punishment of probation violations. Authority to revoke to prison remains with the courts.</p> <p>Parole Board has implemented administrative rules for the punishment of parole violations. Guidelines were phased in with 34 counties participating as of November 1992.</p> <p>Changes Community Corrections Act formula from one based on population to a workload-based formula to match services dollars with supervision of offenders.</p>
<p><u>II. RECLASSIFY SELECTED C FELONIES TO MISDEMEANORS:</u></p>	<p align="center">SB139 (A Engrossed)</p>	<p>Reclassifies as misdemeanors Theft 1 and 2 under \$1,000; Theft of Services under \$1,000; Criminal Trespass after Shoplifting; Credit Card Fraud up to \$1,000; Driving While Suspended or Revoked except when revoked for murder or manslaughter. Reduces need for 211 prison beds and eliminates 13 POs and 2 clerical. Transfers \$1.4 million to local sanctions.</p>

**DEPARTMENT OF CORRECTIONS STRATEGY
TO
ADDRESS PRISON GROWTH AND SAFELY MANAGE OFFENDERS IN THE
COMMUNITY**

THE PROBLEM:

- ▶ The number of offenders supervised in the community has increased 58% since 1989 with a growth of 14% in the number of probationers and 233% in the number of parolees with no additional staff to manage this growing caseload. Many probationers have been casebanked in order to manage the rapidly growing population of parolees.
- ▶ More than 80% of offenders admitted to Oregon prisons each month are offenders revoked from the community.
- ▶ There is no structured transition from prison back to the community - impacting both the offender's successful reintegration and the safety of the community.
- ▶ There is inadequate prison space available if revocations with no conviction are not reduced through the use of sanctions in the community. The availability of community-based sanctions will reduce the need to revoke offenders to prison while continuing to keep the community safe.

GUIDELINES TO ASSIST IN COUNTY PLANNING:

- ▶ Counties should address availability of transitional services for offenders leaving prison and returning to the community.
- ▶ Counties should demonstrate how they will implement structured probation sanctions and parole intervention guidelines.
- ▶ Plans should be based around the array of supervision, sanctions and interventions that will assist the county in implementing structured sanctions and parole intervention guidelines.
- ▶ Counties should focus resources on high and medium risk probationers and all parolees.

FLEXIBILITY:

- ▶ While the FY 93-95 Community Corrections program is targeted towards high and medium risk offenders and funding for supervision of misdemeanants and limited risk probationers is not in the Governor's Budget, counties may be given some flexibility. If the local programs clearly target the identified groups, there can be flexibility to provide some access to limited risk and misdemeanor offenders.

- ▶ If services to misdemeanants and limited risk offenders result in additional access to jail or other sanctions for higher risk offenders, these programs may be favorably considered.

SPECIFIC PROGRAM ISSUES:

- ▶ **Construction:** Although construction of buildings is not allowable, but reasonable rent or lease is permitted. Renovation or remodeling of buildings is also permitted.
- ▶ **Jail Beds:** Department funds can be used to purchase jail on a daily rate for actual use; or on a guaranteed availability basis with a set number of beds at a fixed daily rate. Community Corrections funds cannot pay for jail beds used on detainees awaiting hearings or for pre-trial.
- ▶ **General Probation/Parole Officers:** Community Corrections funds cannot purchase PO's for general caseloads, but may fund specialized caseloads if the supervision enhancement is a sanction and represents a level of supervision greater than High Supervision such as Intensive Supervision. Laid-off PO's may be rehired if those staff have other skills and abilities to perform tasks other than general PO work.
- ▶ **Supervision, Services and Sanctions for Non-target Populations [Diversion, Pre-trial, Misdemeanants, DUI's, Lower Risk]:** These populations are currently not included in the Governor's Budget. If a county plans to use funds for these program types, however, it must show that adequate sanctions and interventions exist for the higher risk offenders. Counties should balance the need to target higher risk offenders with these populations and show how this will impact revocations to prison. Any or all of these services can also be provided by other funds or methods including: client fees, supervision fees from these offenders, volunteer programs, county General Fund, grants.
- ▶ **Purchase of Vehicles:** Purchase of vehicles is discouraged. Both Legislative Fiscal and the Executive Department have indicated concern regarding use of funds for this purpose.

TIME WITH OFFENDERS:

Since the 1989-91 biennium, the time the probation and parole officers spend with and for offenders has decreased considerably, while the offender population under supervision has grown more serious.

July 1989 and prior, the number of hours spent with various risk levels in each level were:

- ▶ Level I = 5 hours/month
- ▶ Level II = 3 hours/month
- ▶ Level III = 2 hours/month
- ▶ Level IV = .6 hours/month

November 1989 and since, a new classification and workload calculation was implemented; the levels and hours allocated were:

- ▶ High = 3.6 hours/month
- ▶ Medium = 2 hours/month
- ▶ Low = .8 hours/month
- ▶ Limited = .4 hours/month
- ▶ New Case = 2.3 hours/month

In October 1990, a major adjustment of the cut-off scores for supervision levels was undertaken to reflect the actual level supervision provided to the increasing caseload with no new resources. The result was more felony probationers into "casebanks" in order to provide supervision to the growing parole caseload. In October, 1992, 78% of the casebanked offenders were felony probationers, 8% were misdemeanants and 14% were parolees.

SUMMARY:

With no new resources since the 87-89 biennium and a caseload that grew by 58%, from 19,331 to 30,529 since July 1989, DOC has had to:

- ▶ reduce the hours spent with offenders by 38%
- ▶ "casebank" approximately 12,000 offenders, almost 10,000 of whom are felony probationers

DEPARTMENT OF CORRECTIONS
STRUCTURED SANCTIONING PROCESS

MARCH 17, 1993

Structured Sanctioning Process provides:

- ▶ More consistent response to probation and parole violations
 - * Offenders with similar history and similar risk receive the same type of sanctions for similar violations
- ▶ Swift and sure response to violations
 - * Better provides for Community Safety
 - * More likely to change offender behavior
 - * Range of options to better respond to offender behavior and provide flexibility in the utilization of local resources.
 - * Ability to respond to violations on individual basis, enhancing caseload management

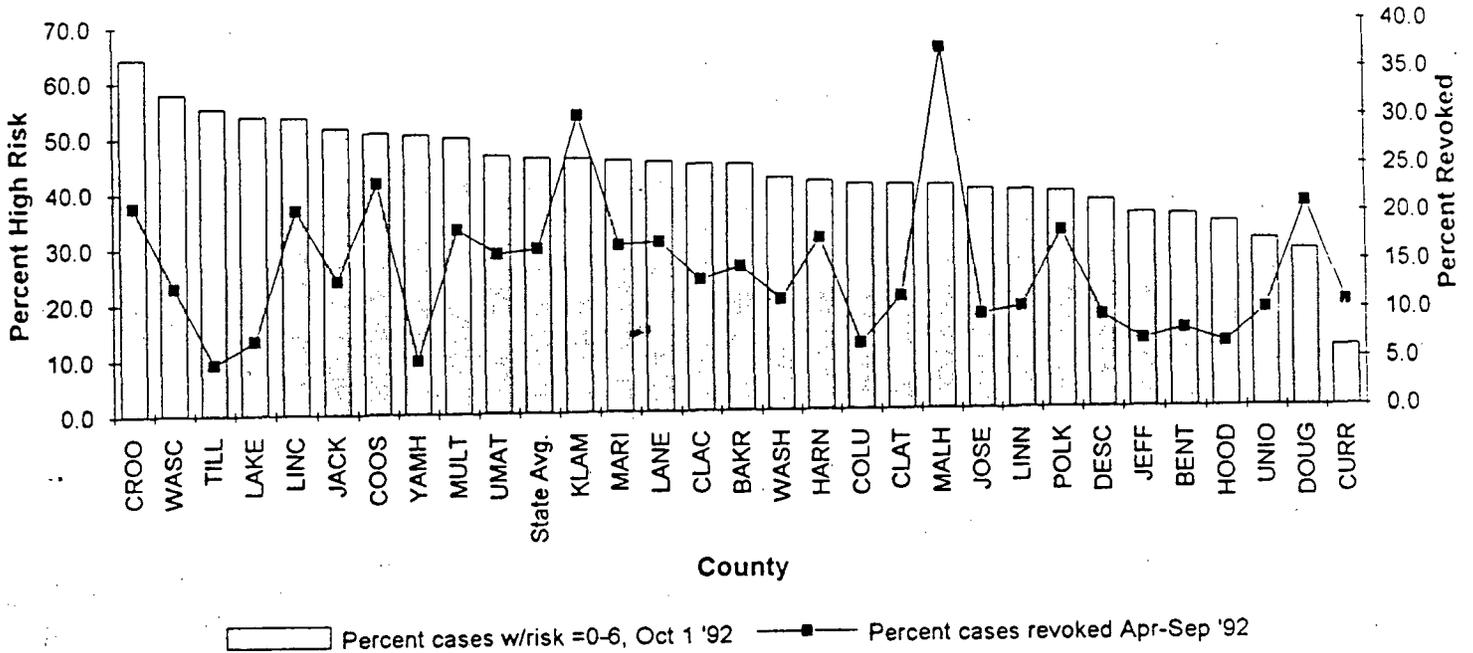
Structured Sanctioning Process parameters:

- ▶ Offenders who admit to violations and consent to sanction will be handled by a parole/probation officer with supervisory oversight. If offender wants a hearing, the case will go to the Court for a hearing.
- ▶ Parole/probation officers will utilize a sanctioning grid when sanctioning offender behavior.
- ▶ Written violation reports indicating violation, sanction imposed, waiver of hearing, with copies submitted to both District Attorney and Judge.
 - * Notice of Rights is administered
- ▶ When sanction is Local Detention
 - * Detention includes possible options of: Jail, Restitution/Work Center, Electronic House Arrest and Home Detention.

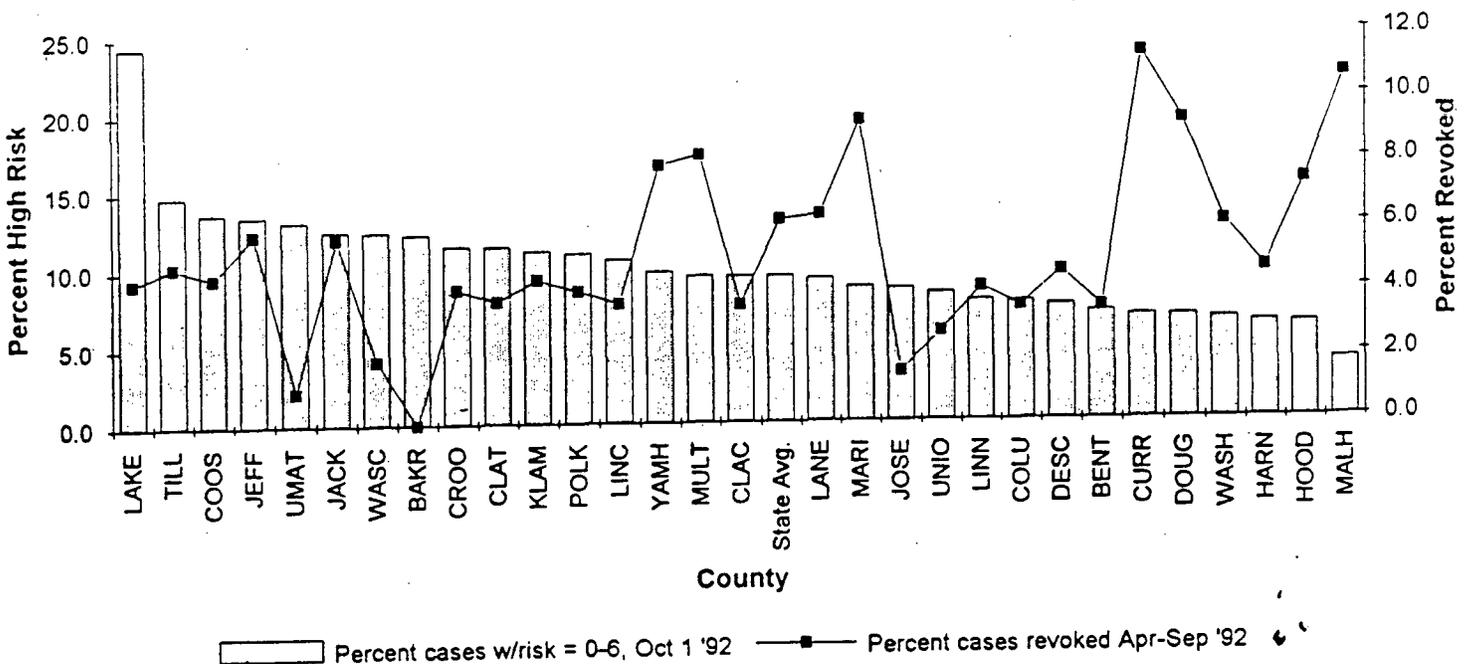
Structured Sanctioning Process
March 17, 1993
Page 2

- * Local detention is imposed with supervisor oversight. This sanction is not available without supervisor approval.
 - * Local jails used only with agreement of Sheriff.
 - * Jail as a sanction cannot exceed available jail custody units
- ▶ Sanctions available for violations cannot exceed established "ceiling" level of authority.

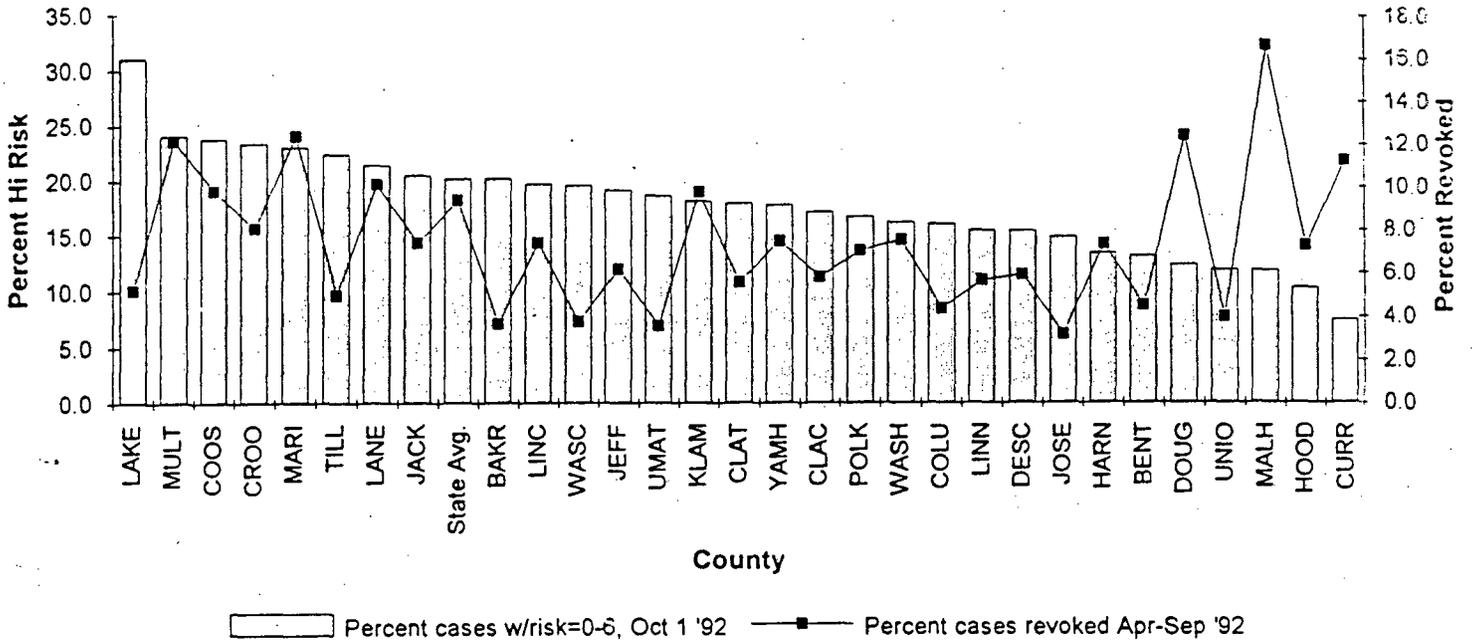
Department of Corrections Parole Caseload Risk & Revocation to Prison



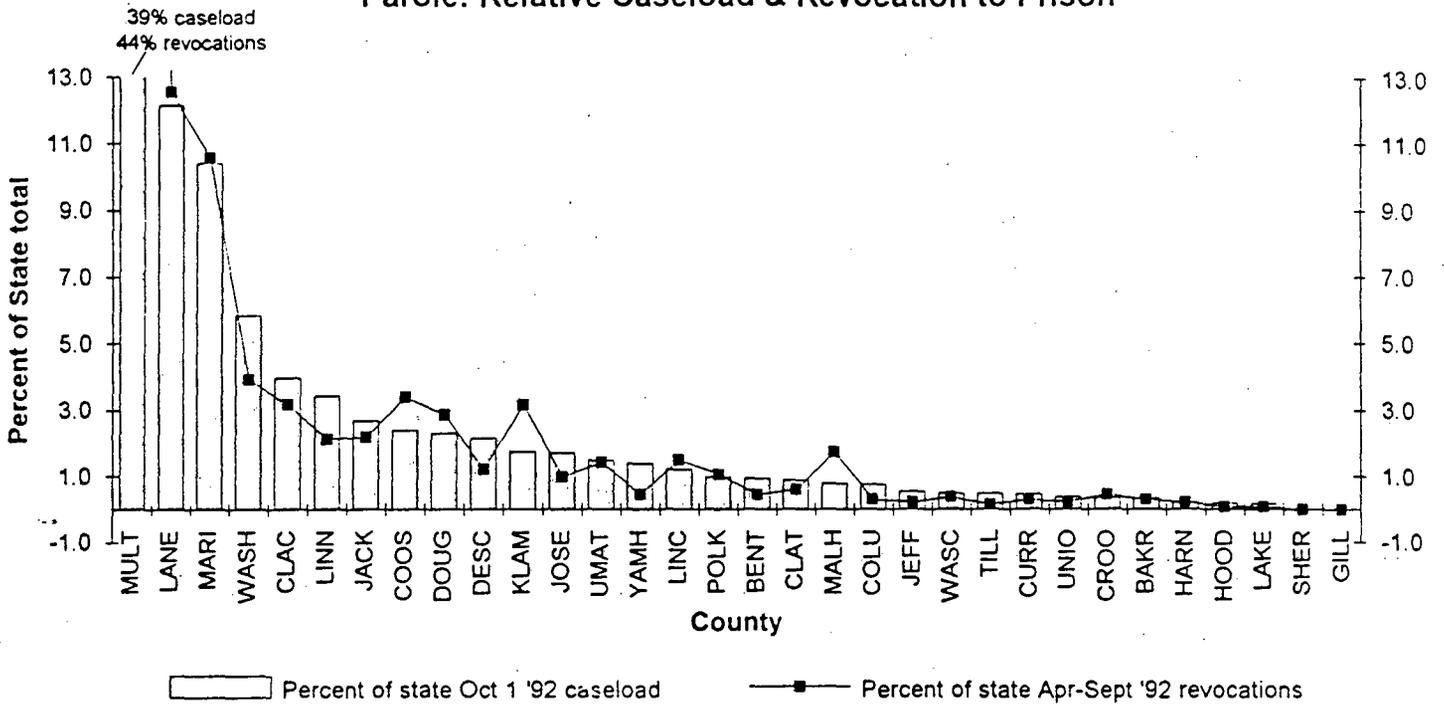
Department of Corrections Probation Caseload Risk & Revocation



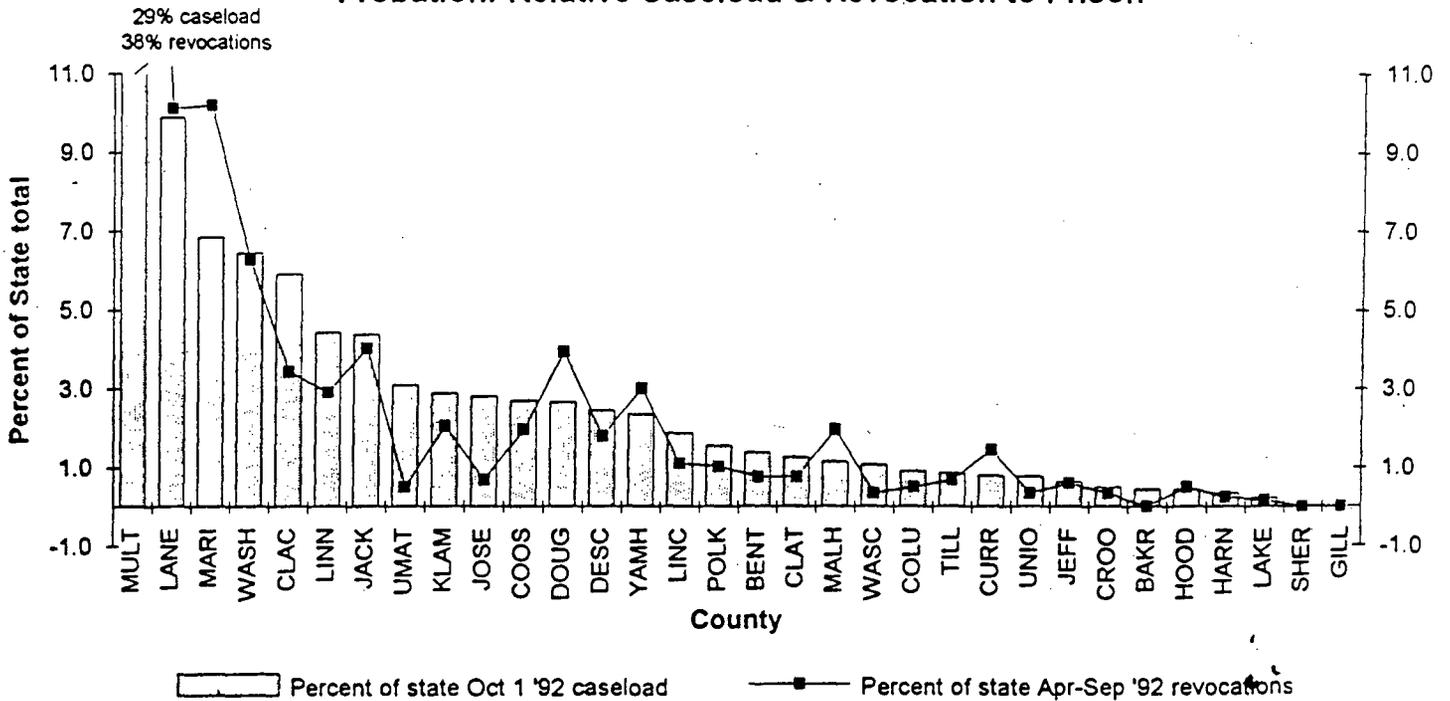
**Department of Corrections
Parole+Probation Caseload Risk & Revocation to Prison**



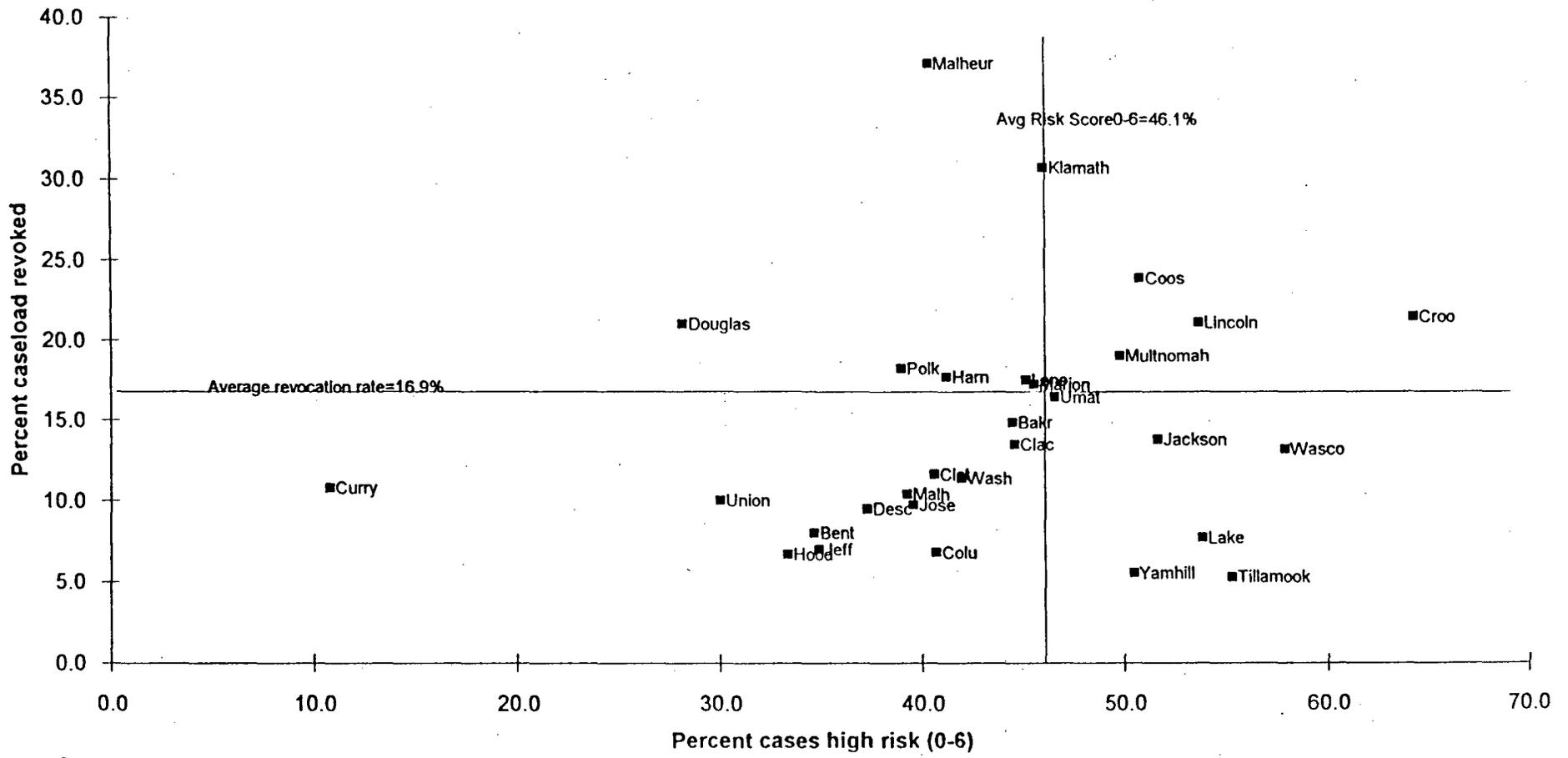
Department of Corrections Parole: Relative Caseload & Revocation to Prison



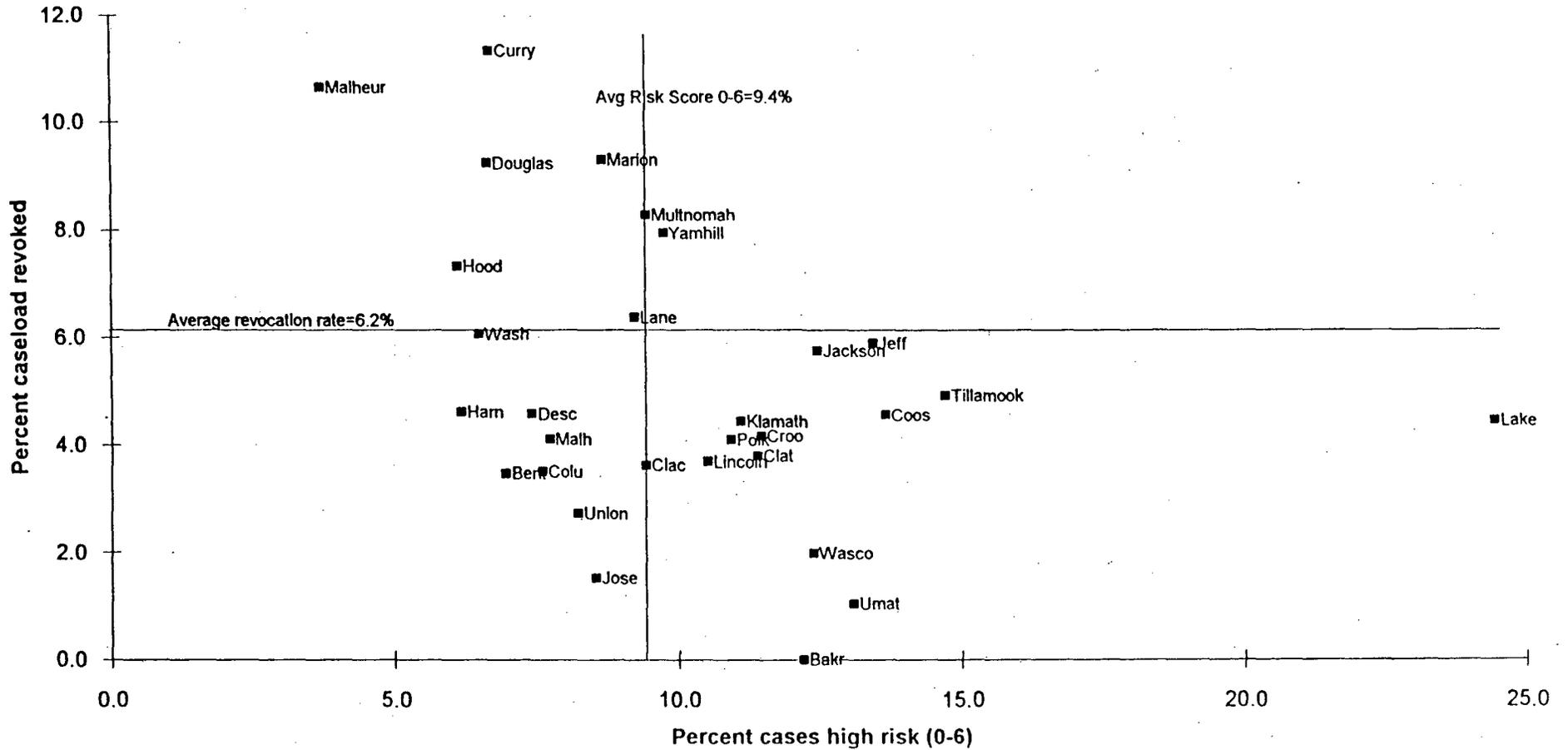
Department of Corrections Probation: Relative Caseload & Revocation to Prison



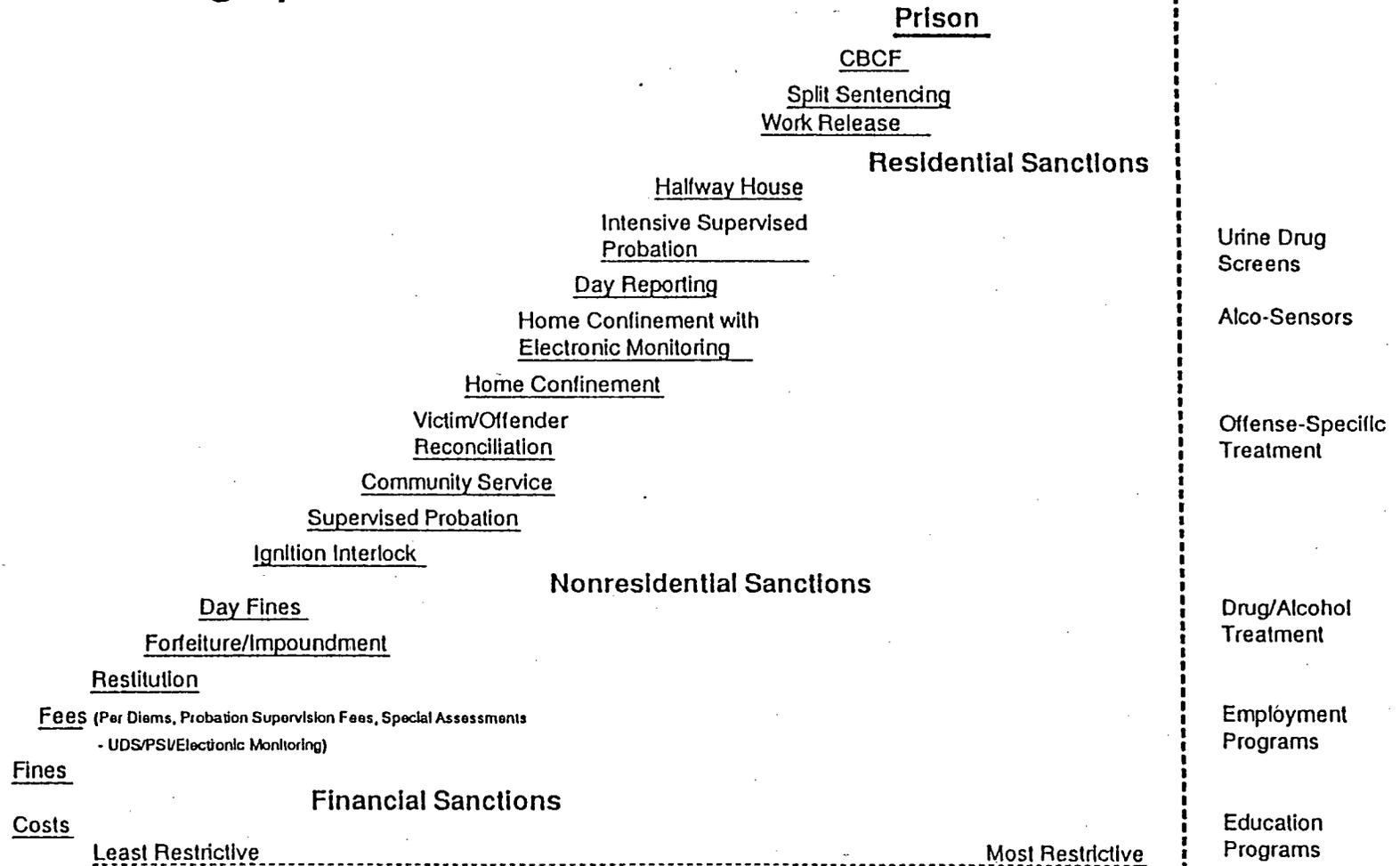
**Department of Corrections
Parole Caseload: High Risk by Revocation to Prison**



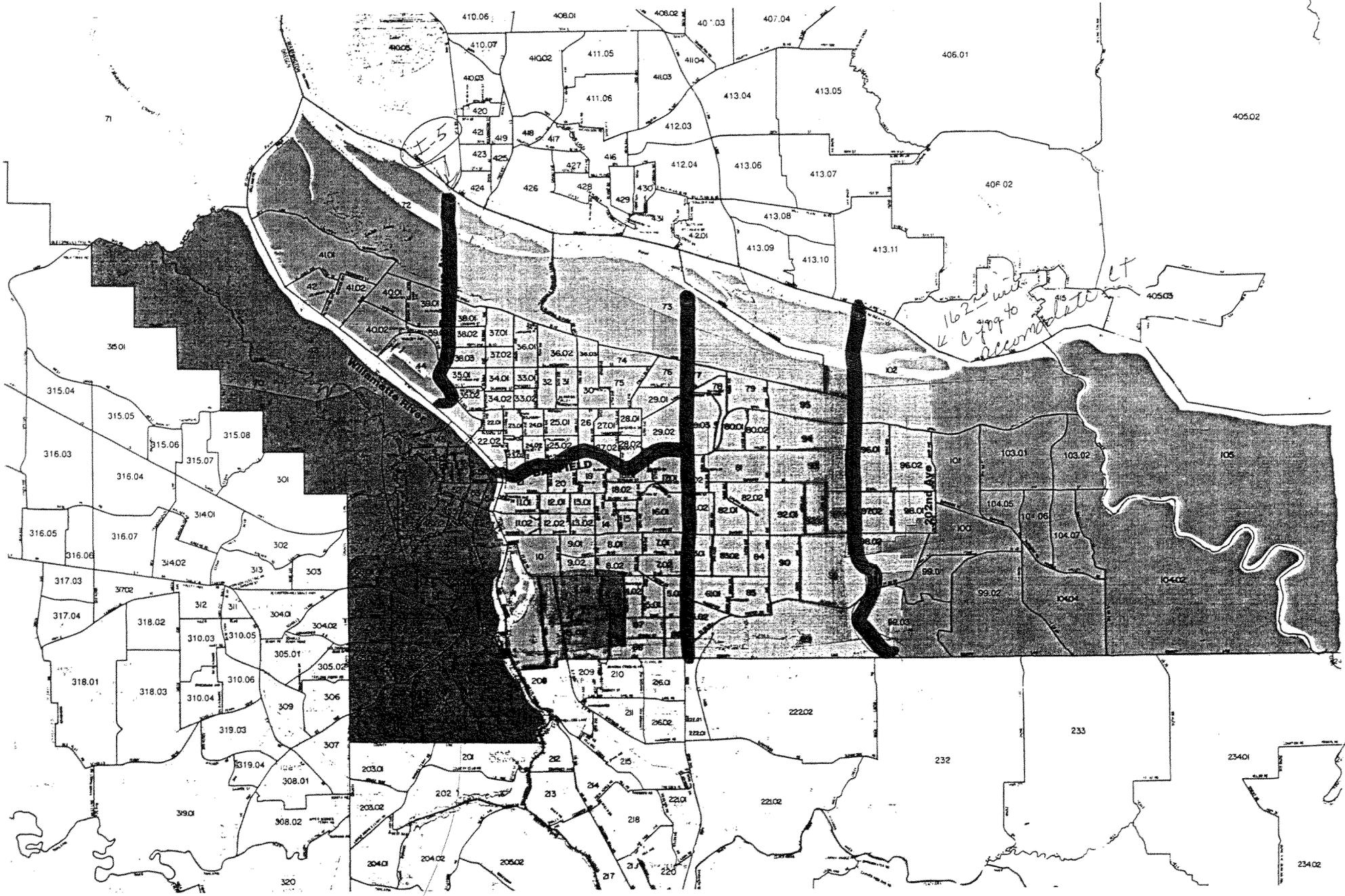
Department of Corrections Probation Caseload: High Risk by Revocation to Prison



Graduated Intermediate Sanctioning Options



Tools & Techniques of Intermediate Sanctions



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**Interdepartmental Memo
Community Corrections Branch**

DT: May 20, 1993

TO: Management Team

FR: Barbara McGuire

RE: Plan to Monitor Community Corrections Program Compliance for FY 93-95

ISSUE: How should the Community Corrections Branch assure and monitor compliance with community corrections plans for FY 93-95?

BACKGROUND: The Community Corrections Compliance Committee met Friday, March 5, 1993 with the following in attendance:

Barbara McGuire - Central Administration, Harry Olson- Josephine County [on the telephone], Mike Reed - Linn County Community Corrections Advisory Committee, Vicki Ross - Central Administration, Barbara Seljan - Central Administration

Elyse Clawson briefed the group on her expectations. She indicated that the recommendation from the group should develop a recommendation that:

- Assists the DOC in providing oversight to the Community Corrections program
- Assists the DOC in providing reports to the legislature
- Assists counties to succeed - the intent is not to develop a "gotcha" system.

She indicated that she wished to see a system that was based in mirroring data back to the counties as feedback with specific trigger points. The general questions we need to be able to answer are:

- Whether Intervention Guidelines are working - with a focus on impacts rather than many regulations.
- Whether sanctions are working

She told the group that it is important to know why there are problems and to be able to take further steps if interventions are not working. The process needs to be a supportive one - to help the counties be successful. She indicated that the DOC will only be as successful as the individual counties are.

DISCUSSION OF THE PROCESS AND RECOMMENDATION: The group identified the following areas to monitor and prioritized them into two separate tiers:

Level I **Implementation of Structured Sanctions and Intervention Guidelines, Progress on Outcomes and Targets**

Level II **Other Plan Compliance Issues:**

- a. Reports - Fiscal and Annual
- b. Program Compliance [whether planned and approved programs are actually operating or other IGA issues]
- c. Administrative Rules

It was the intent of the group that two separate processes be in place to deal with the two tiers - given that Level I is the most critical.

LEVEL I

Focus will be on two areas:

- ✓ **How Structured Sanctions and Intervention Guidelines are operating in each county**
- ✓ **Progress on county non-conviction targets and other DOC performance measures as noted in community corrections plans**

Monthly reports on each outcome and the overall target by county will be provided. Other reports might include:

- Review of sanctioning practices reports
- Review of individual sanctioning reports for appropriateness [percent of departures from the "grids"]
- Review of proportion of sanctions that happen at PO, Supervisor or Hearings Officer level.

The first quarter - July, August and September will be considered an adjustment period to allow for program implementation and staff re-adjustment. Counties will need the opportunity to implement new sanctions and as well as adjusting to mandates and

direction resulting from finalization of Budget. After the first quarter, DOC interventions will be possible every two months.

Step One - Request for Information - Month 1 [October]

1. In October - from the September report, those counties who seem to be showing progress will receive a letter with congratulations and encouragement to share successes with fellow directors. Technical assistance will be offered.
2. For counties making little progress or getting worse, a verbal request will be made by DOC staff for a written report - from the county's perspective - discussing the county problems regarding implementation or other issues. This report will include a plan to meet the targets and outcomes - or come more close to meeting them - in the next quarter. Counties will be asked in this step to look at the implementation of guidelines and structured sanctions, the range of available sanctions and how those sanctions are being used. The DOC will offer technical assistance in the development of the plan.

Step Two - Peer Team - Month 3 [December]

1. If the county continues to fall short of the targets, a meeting with a peer team of counties who are succeeding will occur. DOC central staff will also participate in this meeting. The focus will be on positive, constructive methods that may assist in reaching the targets. The tone will be one of "what can we do to help." There will be an attempt to match similar counties when possible. This process will focus on implementation of guidelines and structured sanctions to see if these processes are properly implemented. If it appears they are not, assistance will be offered to make changes.

Step Three - Appear before CCAB - Month 5 [February]

1. Counties which continue to demonstrate little progress will be scheduled to appear before the State Community Corrections Advisory Board to discuss the problems they are encountering and their plans to correct these problems. The CCAB will forward a report with recommendations to the Director of the DOC.
2. The county will be scheduled to appear and report back to the CCAB each quarter until targets are met or until significant improvement has occurred. On each occasion the CCAB shall forward a progress report with recommendations to the Director of the DOC.

LEVEL II

The intent is that the issues in this level are initially identified by Central Office staff.

1. The county will be contacted privately and informally by telephone requesting compliance with an offer of technical assistance to address the issue. Examples might include counties who are having problems getting Allocation Reports or Annual Reports in on time; or counties who need to submit a plan amendment.
2. The next step would include an agenda item at a Statewide Directors' Meeting detailing who is on time - or not - with various reports or other plan compliance issues. At this time, an explanation of the importance of the issue would be given. The idea is that peer pressure may be effective for many counties.
3. If the county does not comply after the Directors' meeting, a letter to the local Board of Commissioners would follow.



MULTNOMAH COUNTY OREGON

DEPARTMENT OF COMMUNITY CORRECTIONS
421 S.W. 5TH, SUITE 600
PORTLAND, OREGON 97204
(503) 248-3701
FAX (503) 248-5376

GLADYS McCOY
COUNTY CHAIR

September 28, 1993

Multnomah County
Community Corrections Advisory Committee

Dear Committee Member:

I am pleased to forward a copy of our Community Corrections Briefing Book for your review. The material was prepared by my staff for our Community Corrections Advisory Committee, our Citizen's Budget Advisory Committee, and the Board of County Commissioners as we begin developing our 1995-97 Community Corrections Plan. The Briefing Book summarizes our present operations, major policy/program initiatives (Integrated Human Services and Structured Sanctions), and our Department's reorganization. Sections discussing recent research and emerging themes in community corrections are interesting because they offer empirical and philosophical support for our new directions.

We look forward to working with you during our strategic planning process.

Yours truly,

M. Tamara Holden, Director
Department of Community Corrections

MULTNOMAH COUNTY
DEPARTMENT OF COMMUNITY CORRECTIONS
BRIEFING BOOK
(OCTOBER 8, 1993)

CHALLENGES/TRANSITIONS

MULTNOMAH COUNTY DEPARTMENT OF COMMUNITY CORRECTIONS

MISSION STATEMENT

The mission of the Multnomah County Department of Community Corrections is to enhance public safety and promote the positive change of offenders in the community through integrated supervisory, rehabilitative and enforcement strategies.

VALUES

People

We value the people who work in our organization and make it possible to accomplish the Department's mission.

Professional Behavior

We value positive interpersonal relations. We treat others with respect, promote effective communication, and hold each other accountable to the highest standards of professional behavior.

Positive Change

We value the promotion of positive change. We achieve this through collaboration and cooperation within our Department and in partnership with other criminal justice and community organizations.

Community

We value participation with our neighborhoods to promote a safer and more livable community.

Diversity

We value diversity and equal opportunity. As an organization, we structure ourselves to include staff with varied background and experience to deliver services for a diverse community.

NEW CHALLENGES

The Department is undergoing a transition in response to two broad policy initiatives: Integrated Human Services System and Structured Sanctions. These initiatives have influenced the development of our 1993-95 Plan and they will continue to impact the structure and function of the Department throughout the Biennium. In addition, the Department has eliminated the divisional layer of management to enhance internal communication and develop a more responsive organization.

The Integrated Human Services System involves the Departments of Health, Social Services, and Community Corrections in an effort to provide an efficient and effective, value-driven system for delivering human services. Objectives include:

1. *Maximize coordination of services and resources to increase effectiveness.*
2. *Develop proactive service delivery; early intervention; focus on families.*
3. *Reduce barriers to accessing services.*
4. *Empower communities and line-level service providers.*

In adopting service integration as a case management theme, the Department has begun a reorganization to provide services in six districts and a Diagnostic Center, consistent with the Departments of Health and Social Services. District Coordination Teams composed of social service, health, school, corrections, law enforcement and community representatives in each district have already begun assessing community needs and staffing difficult cases.

In each of our district offices, one or more programs are co-located with traditional probation/parole units under a District Manager. That is a significant change for the Department. Formerly, program and supervision units were under separate management structures, but we now realize that the effectiveness of all of our components is enhanced by their integration. Similarly, we recognize that the effectiveness of community corrections will be enhanced by working with county health and social services agencies to meet the needs of our common clients and their families.

Structured Sanctions is a state-wide effort to:

1. *Maximize the effectiveness of probation and parole officers by authorizing them to administer immediate sanctions up to and including jail;*
2. *Develop a range of intermediate sanction options in each county; and*

3. *Reduce the number of commitments to prison.*

Structured Sanctions, through the enabling legislation of S.B. 139, builds on our experience with an administrative hearings process and the use of a standardized sanctions grid in responding to parole violators. S.B. 139, effective 9/1/93, extends those tools to probation cases. In a legislative session marked by reduced funding of many essential services, corrections was treated generously. We have been presented with an opportunity to demonstrate that local sanctions and services can reduce recidivism and that funding local intermediate sanctions can reduce the pressure on overcrowded prisons. In fact, our Intergovernmental Agreement with the state DOC for this biennium will require that we reduce commitments for technical probation and parole violations by 50%.

We intend to provide a range of intermediate sanctions that addresses several sanction objectives:

1. *Individual deterrence*, through intensive controls on the client's activities;
2. *Punishment*, through limits on personal liberty and restitutive requirements; and
3. *Rehabilitation*, through treatment and other service interventions.

THE TRANSITION

Our transition plan, developed with input from professional, support, and management staff, calls for the closure of one of our present offices (we have two offices in Southeast Portland) and the establishment of two new offices to serve North Portland and East County in January 1994. The logistical and personnel issues involved in the transition are considerable. Committees including a cross section of the Department identified the following principles to guide the staffing of our district offices.

The transition process will be:

1. *Fair and equitable to staff, offenders, public, and other agencies;*
2. *Developed with input from staff and impacted agencies;*
3. *Reviewed by staff and impacted entities;*
4. *Designed with an internal feedback mechanism to respond to modifications of plan and unanticipated changes;*

5. *Coordinated to minimize movement and costs;*
6. *Coordinated to maximize efficiencies of equipment, furniture, supplies, functions, etc.;*
7. *Developed to assure continuity in the delivery of services;*
8. *Minimally disruptive to staff, offenders, public, and other system components (i.e., LEDS, OCMS, OJIN, ISIS);*
9. *Consistent with personnel rules and union contracts;*
10. *Based on the precept that final allocation of staff will be determined after state budget and legislation is finalized and the CCA Plan is approved by the Board of County Commissioners; and*
11. *Coordinated to open offices in a manner that facilitates meeting these principles.*

Concurrently, we will be implementing several new programs (detailed summaries provided later in this document):

1. *Intensive supervision*, an intermediate sanction intended to encourage compliance through some or all of the following: close monitoring and frequent PO contact, enhanced access to services, immediate sanction for specified behaviors;
2. *Day reporting center*, an intermediate sanction providing greater structure than intensive supervision in which client's report daily and maintain itineraries including treatment, education, community service, or job search as appropriate;
3. *Probation/parole violation center*, a residential program providing POs with an immediate, short-term custodial sanctioning option;
4. *Volunteer program* to supervise DUII cases, thus reducing caseloads and allowing POs to focus their attention on higher risk cases;
5. *Learning Center* to help meet the basic education and life skills needs of our clients; and
6. *Mental health program*, providing consultation and case management assistance for POs, evaluation, medication management, and group therapy for clients at our district offices.

BUDGET INFORMATION

DEPARTMENT OF COMMUNITY CORRECTIONS - PROGRAM BUDGET
 SEPTEMBER 17, 1993
 M. TAMARA HOLDEN

DESCRIPTION	FTE	TOTAL	STATE SANC & SERV	STATE FIELD	COUNTY GF	SUPERVISION FEE	GRANTS & MISC REV	
DIRECTORS OFFICE	2	\$174,578			\$174,578			
ADMINISTRATIVE SERVICES	7	\$847,267	\$510,961		\$333,306		\$3,000	reimbursement
PROGRAM DEV & EVAL ADMIN	6	\$296,679	\$92,720		\$158,714		\$45,245	levy
TOTAL ADMINISTRATION	15	\$1,318,524	\$603,681	\$0	\$666,598	\$0	\$48,245	
DIAGNOSTIC MANAGEMENT	2	\$119,892			\$119,892			
RECOG/INTAKE PRE TRIAL	13.8	\$500,379			\$217,629		\$282,750	criminal fees
PROBATION INTAKE	12	\$526,094		\$524,594	\$1,500			
PRESENTENCE INVESTIGATIONS	11	\$690,064		\$690,064				
EVALUATIONS	3	\$216,383	\$80,708		\$40,879		\$98,796	levy
PAROLE HEARINGS	4	\$229,543	\$59,103	\$83,940			\$86,500	dedicated revenue
TOTAL DIAGNOSTIC	43.8	\$2,284,355	\$139,811	\$1,298,598	\$379,900	\$0	\$466,046	
SUBSTANCE ABUSE SERVICES	0	\$2,101,609	\$444,087		\$47,522		\$1,610,000	levy
MENTAL HEALTH SERVICES	0	\$117,316	\$74,015		\$43,301			
HOUSING & CASE MANAGEMENT SVS	1	\$699,816	\$433,010		\$79,556		\$187,250	criminal fees
WOMEN'S SERVICES	6.5	\$557,850	\$154,620		\$357,744		\$45,486	grant
FAMILY SERVICES	9	\$471,517					\$471,517	dedicated revenue
PAROLE TRANSITION SERVICES	6	\$469,404	\$469,404					
EDUCATION & VOCATIONAL SERVICES	1	\$232,787					\$232,787	grant
TOTAL CLIENT SUPPORT & TREATMENT SERVICES	26	\$4,650,299	\$1,575,136	\$0	\$528,123	\$0	\$2,547,040	
ALTERNATIVE COMMUNITY SVCS	9	\$513,835	\$378,463				\$135,372	fees/grant
WORK RELEASE CENTER	1	\$1,147,040	\$1,147,040					
DAY REPORTING CENTER	12	\$520,963	\$520,963					
FOREST PROJECT	8	\$504,525	\$501,525				\$3,000	reimbursement
RESTITUTION CENTER/VIOLATION BEDS	0	\$331,399	\$331,399					
DUI/TRAFFIC VOLUNTEER UNIT	11	\$567,918			\$567,918			
DIVERSION PROGRAMS/DV & STOP	2	\$655,631			\$120,631		\$535,000	grants and forfeiture
INTENSIVE SUPERVISION	11	\$733,013	\$733,013					
TOTAL SANCTION & DIVERSION PROGRAMS	54	\$4,974,324	\$3,612,403	\$0	\$688,549	\$0	\$673,372	
INTEGRATED SERVICE DISTRICT MNGT	12	\$720,830			\$720,830			
WEST DISTRICT	24	\$1,453,413	\$35,061	\$1,227,424	\$83,928	\$107,000		
SOUTHEAST DISTRICT	27	\$1,568,110	\$73,275	\$1,312,479	\$72,356	\$110,000		
MID COUNTY DISTRICT	16	\$1,019,286		\$828,357	\$78,123	\$107,000	\$5,806	reimbursement
NORTHEAST DISTRICT	31	\$1,759,022	\$62,517	\$1,478,123	\$83,929	\$107,000	\$27,453	grant
NORTH DISTRICT	16	\$906,887		\$728,838	\$73,049	\$107,000		
EAST DISTRICT	11	\$813,907		\$622,978	\$83,929	\$107,000		
TOTAL INTEGRATED SERVICE DISTRICTS	126	\$8,241,455	\$170,853	\$6,196,199	\$1,196,144	\$645,000	\$33,259	
TOTALS	264.3	\$21,468,957	\$6,101,884	\$7,494,797	\$3,459,314	\$645,000	\$3,767,962	

DEPARTMENT OF COMMUNITY CORRECTIONS
MAJOR CHANGES - LAYOUT ACCORDING TO NEW BUDGET STRUCTURE
SEPTEMBER 17, 1993

Administration

Reduced State Sanction & Service funding to MIS by \$50,000. Department made year end purchases with 92-93 unspent state monies.

Diagnostic

Reduced State Allocation funding to Parole Hearing by \$86,500 and offset with new Parole Hearing dedicated revenue. Allowed the Department to fund one probation/parole officer with these dedicated revenues.

Reduced Recog/Pre-Trial Release by \$197,000 and eliminated new program. State courts will maintain provision of service.

Client Support and Treatment Services

Increased State Sanction & Service funding of Drug Testing Lab contract by \$100,000. The Drug Testing Lab services were cut by \$100,000 during the budget process and current demand of the testing by field staff have used approximately 80% of current contract dollars (\$40,000).

Increased State Sanction & Service funding of Women's Services by \$16,000 to purchase van to transport women and their children from the transitional houses.

Increased Grant funding of Learning Center by the actual unspent revenue carried over from 92-93.

Sanction and Diversion Programs

Decreased State Sanction & Service funding of the Work Release Center and the Day Reporting Center by one-fourth. Late start up of those programs and a reduction in Sanction & Service funding necessitated decision.

Increased Grant and General Funds in Domestic Violence to fund two full-time probation/parole officers and treatment.

Integrated Service Districts

Increased General Fund (\$500,000), Allocation funding (\$1,155,000), and supervision collection (\$21,000) in all Districts to reflect the increase of sixteen (16) probation/parole officer positions funded with those revenues. This will allow the Department to hire during the current fiscal year 9 new probation/parole officers.

FIELD SERVICES

Funding Allocation Summary

Fiscal Biennium 1993-95

Revised 16 August 1993

General Fund Appropriation per HB 5505

\$48,915,003

less

\$3,043,661 Shift release counselor set-aside
 \$263,430 Statewide service package (2 PO positions)
 \$200,000 Automation package
 \$1,927,606 July 1993 operating funds under continuing resolution

\$43,480,306 General Funds Available for Field Services [August 1993 - June 1995]

County	Workload Share	Allocated Amount
Baker	0.41%	\$176,511
Benton	1.00%	\$436,516
Clackamas	4.73%	\$2,058,199
Clatsop	1.12%	\$489,125
Columbia	0.81%	\$350,615
Coos	3.03%	\$1,318,357
Crook	0.52%	\$224,357
Gerry	0.52%	\$225,054
Deschutes	2.34%	\$1,019,419
Douglas	2.14%	\$932,063
Harney	0.22%	\$93,758
Hood River	0.32%	\$140,679
Jackson	4.39%	\$1,909,788
Jefferson	0.67%	\$291,789
Josephine	1.97%	\$857,267
Klamath	2.79%	\$1,214,300
Lake	0.25%	\$110,336
Lane	10.34%	\$4,496,538
Lincoln	1.73%	\$752,366
Linn	3.66%	\$1,591,326
Malheur	0.92%	\$399,340
Marion	8.46%	\$3,679,888
Multnomah	33.74%	\$14,671,570
Polk	1.38%	\$599,902
Tillamook	0.88%	\$381,042
Umatilla	2.48%	\$1,080,423
Union	0.58%	\$252,040
Wasco	0.81%	\$353,352
Washington	5.59%	\$2,432,594
Yamhill	2.17%	\$941,792
	100.00%	\$43,480,306

FIELD SERVICES

Position Allocation by County

Fiscal Biennium 1993-95

Prepared 19 August 1993

County	Workload Share	Staffing Allocation				
		Aug 93 328 POs	Jul 94 349 POs	Jan 95 354 POs	Aug 93 82 Clerical	Aug 93 37 Mgr/Supvr
Baker	0.41%	1.3	1.4	1.4	0.3	0.2
Benton	1.00%	3.3	3.5	3.6	0.8	0.4
Clackamas	4.73%	15.5	16.5	16.8	3.9	1.8
Clatsop	1.12%	3.7	3.9	4.0	0.9	0.4
Columbia	0.81%	2.6	2.8	2.9	0.7	0.3
Coos	3.03%	9.9	10.6	10.7	2.5	1.1
Crook	0.52%	1.7	1.8	1.8	0.4	0.2
Curry	0.52%	1.7	1.8	1.8	0.4	0.2
Deschutes	2.34%	7.7	8.2	8.3	1.9	0.9
Douglas	2.14%	7.0	7.5	7.6	1.8	0.8
Harney	0.22%	0.7	0.8	0.8	0.2	0.1
Hood River	0.32%	1.1	1.1	1.1	0.3	0.1
Jackson	4.39%	14.4	15.3	15.5	3.6	1.6
Jefferson	0.67%	2.2	2.3	2.4	0.6	0.2
Josephine	1.97%	6.5	6.9	7.0	1.6	0.7
Klamath	2.79%	9.2	9.7	9.9	2.3	1.0
Lake	0.25%	0.8	0.9	0.9	0.2	0.1
Lane	10.34%	33.9	36.1	36.6	8.5	3.8
Lincoln	1.73%	5.7	6.0	6.1	1.4	0.6
Linn	3.66%	12.0	12.8	13.0	3.0	1.4
Malheur	0.92%	3.0	3.2	3.3	0.8	0.3
Marion	8.46%	27.8	29.5	30.0	6.9	3.1
Multnomah	33.74%	110.7	117.8	119.5	27.7	12.5
Polk	1.38%	4.5	4.8	4.9	1.1	0.5
Tillamook	0.88%	2.9	3.1	3.1	0.7	0.3
Umatilla	2.48%	8.2	8.7	8.8	2.0	0.9
Union	0.58%	1.9	2.0	2.1	0.5	0.2
Wasco	0.81%	2.7	2.8	2.9	0.7	0.3
Washington	5.59%	18.4	19.5	19.8	4.6	2.1
Yamhill	2.17%	7.1	7.6	7.7	1.8	0.8
		<u>328.0</u>	<u>349.0</u>	<u>354.0</u>	<u>82.0</u>	<u>37.0</u>

* Does not include two Statewide Service PO positions

Community Corrections Allocation for FY 93-95 [August 93-June 95]

County	Percent Share	Option I Incentive	Services/Sanctions	Total Allocation
Baker	0.41%	\$6,270	\$158,439	\$164,709
Benton	1.00%	\$15,507	\$391,823	\$407,330
Clackamas	4.73%	\$73,117	\$1,847,468	\$1,920,585
Clatsop	1.12%	\$17,376	\$439,046	\$456,422
Columbia	0.81%	\$12,455	\$314,717	\$327,172
Coos	3.03%	\$46,834	\$1,183,376	\$1,230,210
Crook	0.52%	\$7,970	\$201,386	\$209,356
Curry	0.52%	\$7,995	\$202,012	\$210,007
Deschutes	2.34%	\$36,215	\$915,045	\$951,259
Douglas	2.14%	\$33,111	\$836,633	\$869,745
Harney	0.22%	\$3,331	\$84,158	\$87,489
Hood River	0.32%	\$4,998	\$126,276	\$131,273
Jackson	4.39%	\$67,845	\$1,714,253	\$1,782,097
Jefferson	0.67%	\$10,366	\$261,914	\$272,279
Josephine	1.97%	\$30,454	\$769,495	\$799,949
Klamath	2.79%	\$43,138	\$1,089,973	\$1,133,110
Lake	0.25%	\$3,920	\$99,039	\$102,959
Lane	10.34%	\$159,738	\$4,036,156	\$4,195,894
Lincoln	1.73%	\$26,728	\$675,335	\$702,062
Linn	3.66%	\$56,531	\$1,428,397	\$1,484,928
Malheur	0.92%	\$14,186	\$358,453	\$372,640
Marion	8.46%	\$130,727	\$3,303,120	\$3,433,846
Multnomah	33.74%	\$521,203	\$13,169,409	\$13,690,612
Polk	1.38%	\$21,311	\$538,480	\$559,792
Tillamook	0.88%	\$13,536	\$342,028	\$355,565
Umatilla	2.48%	\$38,382	\$989,803	\$1,028,185
Union	0.58%	\$8,954	\$226,235	\$235,189
Wasco	0.81%	\$12,553	\$317,174	\$329,726
Washington	5.59%	\$86,417	\$2,183,530	\$2,269,948
Yamhill	2.17%	\$33,457	\$845,366	\$878,823
	100.00%	\$1,544,625	\$39,028,538	\$40,573,163

\$116,027

16-Aug-93

CURRENT OPERATIONS

The Department's current structure is set forth on the first Organization Chart following this section. The second organization chart depicts our structure after the movement of staff and caseloads to our district offices is completed (estimated to be January 1994). The operational summary that follows is based on our Program Performance Budget structure. All county departments will be preparing their 1994-95 budgets in a format that communicates more effectively, improves decision making, and focuses on results.

ADMINISTRATION

The Administration section of the Department includes the Director, a Program Development and Evaluation Manager, and a Management Assistant with responsibility for:

1. Departmental planning and oversight
2. Coordination with the Board of County Commissioners, justice system components, county departments, state and federal agencies
3. Staffing CCAC and CBAC
4. Budgeting
5. Accounting
6. Personnel and Training
7. Management Information Systems (ISIS implementation)
8. Program Development (policy analysis, needs assessment, etc.)
9. Contract management (RFPs, monitoring, technical assistance)
10. NOTE: Contract detail is provided later in this document.
11. Grant-writing
12. Program Evaluation
13. Coordinating development of Annual Report and Biennial Plan.

DIAGNOSTIC SERVICES

The Diagnostic Center, under a District Manager, provides:

1. Presentence investigations: 720/year
2. Intake Services: 3,600/year
3. Pretrial Services (in cooperation with the Circuit Court and MCSO):
 - 42,000 recog interviews/year
 - 8,000 pretrial releasees supervised/year
4. Assessment Services:
 - 1,000 Substance abuse assessments/year
 - 120 Mental health assessments/year (see contract detail)
David Myers, Ph.D.
 - 120 Sex offender assessments/year (see contract detail)
Frank Collistro, Ed.D.

5. Hearings: 2,500 parole hearings/year

CLIENT SUPPORT AND TREATMENT SERVICES

This program group provides services under the oversight of several managers. Contract programs are detailed in a summary table immediately following this section.

Substance Abuse Services (see contract detail)

1. Drug Diversion Program: 700 offenders/yr
InAct, Inc.
2. Outpatient Drug Treatment: 155 offenders/yr
TASC of Oregon
3. Intensive Outpatient Drug Treatment: 200 offenders/yr
ASAP Treatment Services
4. Residential Drug Treatment: 200 offenders/yr
DePaul Treatment Center
CODA, Inc.
Volunteers of America - Oregon
5. Drug Testing Laboratory: 14,815 assays/yr
TASC of Oregon

Mental Health Services (see contract detail)

1. Mental health evaluation, consultation, and group therapy (see New Programs, below)
Mt. Hood Community Mental Health Center
2. Domestic Violence Treatment: 96 offenders/yr
ASAP Treatment Services
3. Sex offender treatment: 28 offenders/yr
Sexual Abuse Clinic
Richard Wollert, Ph.D.
4. Polygraph examinations
Jerry Owsley, M.Ed.: 90 exams/yr

Housing and Case Management Services

1. Parole Transition Housing (see contract detail): 552 offenders/yr
Central City Concern
Stay-Clean
2. Transitional Housing for Women: 7 women & their families
Seven units managed by Women's Transition Services.
3. Residential Services for Women: 40 women/yr
YWCA

4. Case Management: 189 offenders/yr
Transition Projects, Inc.
5. Prostitution Alternatives: 60 women/yr + drop-in services
Council for Prostitution Alternatives

Education and Vocational Services

1. Learning Center, West District (see New Programs, below):
200 offenders/yr

Parole Transition Project, Northeast District

1. Coordinates parole planning for 1,500 inmates/year.
2. Coordinates transitional housing for 500 parolees/year.
3. Provides central intake for parolees.
4. Coordinate release planning with CRCI.
5. Resource development and indigent services.

Women's Services, Southeast District

1. Plan, coordinate, operate, evaluate services for female offenders.
2. Case management for 75 women and their families.
3. Provide integrated care for 100 pregnant, drug-abusing women identified in jail, with services continuing after release.

Family Services

1. Provide mandatory mediation for divorcing parents.
2. Provide marriage counseling for any county resident requesting that service.
3. Conduct custody and visitation studies as ordered by the court.
4. These services are supported by dedicated fee revenue.

SANCTION PROGRAMS

Services in this program group are provided under the oversight of several managers.

Alternative Community Service, West District

1. Sentencing and structured sanction alternative for 4,200 offenders/yr.
2. Provide labor to non-profit and government service organizations.

Forest Project, East District

1. Sentencing and structured sanction alternative for 350 offenders/yr.
2. Provide maintenance and construction labor in National Forests.

Day Reporting Center, West District (See New Programs, below)

Probation/Parole Violation Center, Midcounty District (See New Programs, below)

Restitution Center

1. 17 bed capacity purchased from Sheriff

DUII/Volunteer Program, North District (See New Programs, below)

Domestic Violence, West District

1. Six month program serving 150 offenders/yr.
2. Counseling focuses on anger management, communication, and personal support systems.

INTEGRATED SERVICE DISTRICTS

Each district provides probation and parole supervision based on the Oregon Case Management System, as modified to meet local needs. Supervision objectives include:

1. Reduction of revocations for technical violations by 50%.
2. Increased percentage of positive case closures.
3. Increased average length of time crime free in the community.

Each district is also responsible for program management as summarized below.

WEST DISTRICT

1. Alternative Community Service
2. Learning Center
3. Day Reporting Center (planned)
4. Domestic Violence

NORTH DISTRICT

1. Traffic Caseload/Volunteer Program (planned)

NORTHEAST DISTRICT

1. Parole Transition Project

SOUTHEAST DISTRICT

1. Women's Transition Services
2. BI/Automated Casebank

MIDCOUNTRY DISTRICT

1. Intensive Supervision (planned)
2. PV Center (planned)

EAST DISTRICT

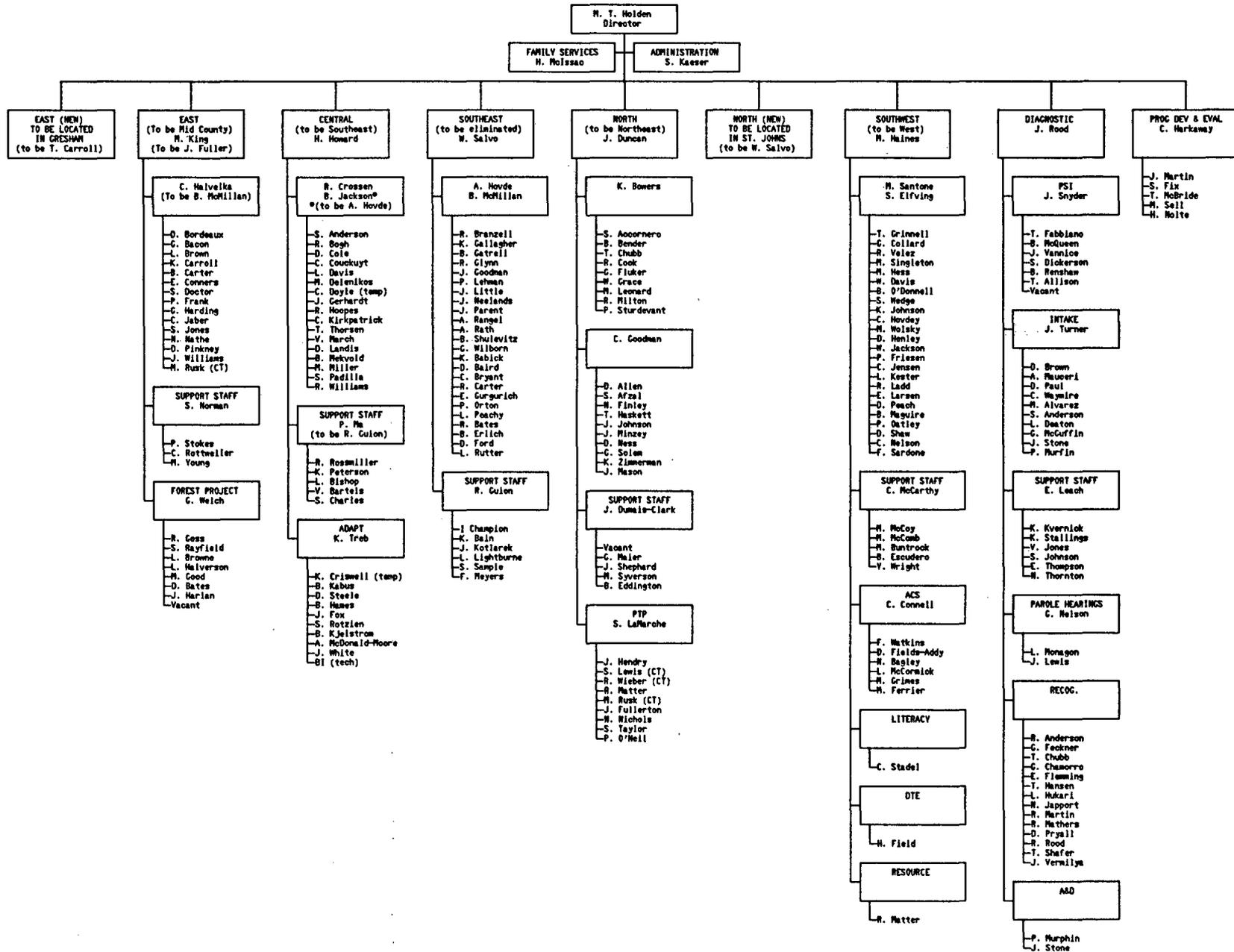
1. Forest Project

The distribution of parole and probation cases among our present offices is summarized as follows:

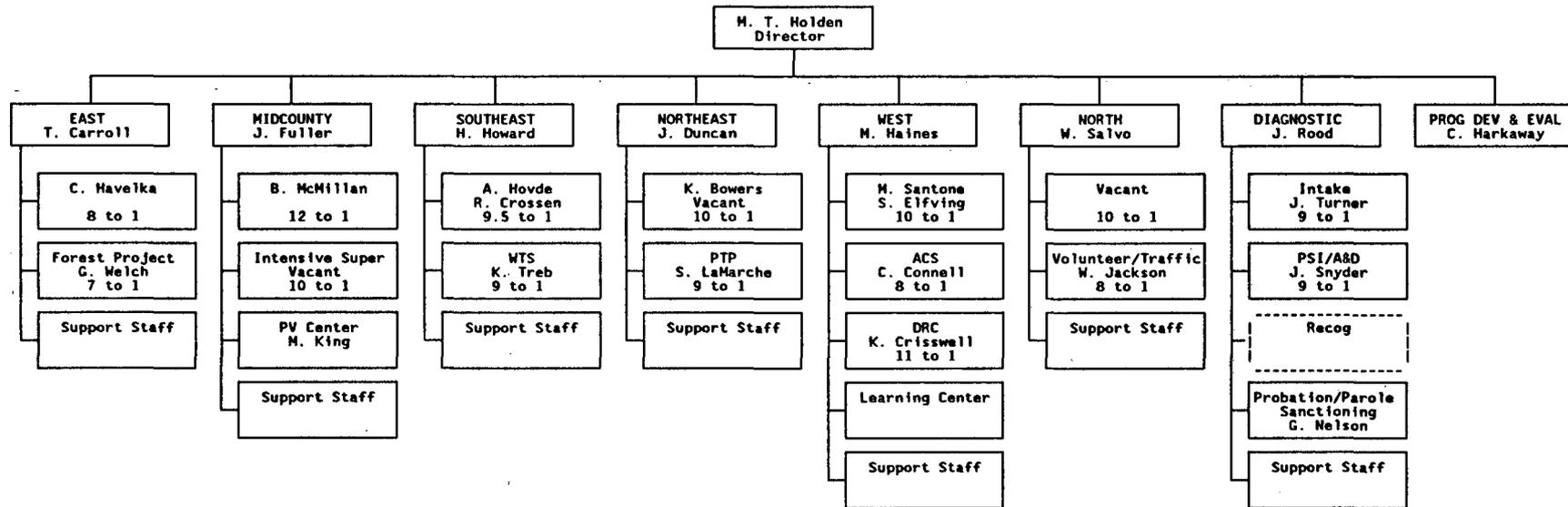
	HIGH	MED	LOW	LTD	NEW	UNCL	TOTAL
CENTRAL	163	500	66	1,071	49	30	1,879
EAST	161	605	22	423	34	72	1,317
NORTH	544	760	108	759	102	166	2,439
SOUTHEAST	282	587	142	1,107	74	53	2,245
SOUTHWEST	579	600	21	710	58	316	2,284
DIAGNOSTIC	11	53	0	437	42	43	586
MULTNOMAH TOTAL	1,740 16%	3,105 29%	359 3%	4,507 42%	359 3%	680 6%	10,750
STATE TOTAL	4,839	9,939	2,147	14,250	1,322	2,859	35,371
STATE AVERAGE	14%	28%	6%	40%	3%	8%	

Note that Multnomah County supervises 30.4% of the offenders under supervision in the state. However, our workload (per OCMS) is 33.7% of the state-wide workload. Our population generally scores higher in risk and need measurements.

MULTNOMAH COUNTY
DEPARTMENT OF COMMUNITY CORRECTIONS
(as of June, 1993)



MULTNOMAH COUNTY
DEPARTMENT OF COMMUNITY CORRECTIONS



**DEPARTMENT OF COMMUNITY CORRECTIONS
LIST OF CONTRACTORS
FY-94**

AGENCY	ADDRESS	TELEPHONE	DIRECTOR PRGM. MANAGER	SERVICE	RFP DATE	# SLOTS	COST/ UNIT	CONTRACT AMOUNT
ASAP TREATMENT SERVICES	919 SW Taylor St., 7th Floor, Ptlid, 97205	224-0075	Barbara Grider * * * Ginger Martin	(1) Domestic Violence Deferred Sentencing Project	1992	96 clients /yr	\$3,283.33 /month	\$39,400.
				(2) Intensive Outpatient Substance Abuse Treatment	05/93	100 clients /yr	\$10,583.32 /month	\$127,000.
				Women's Treatment Services		40 clients /yr		
				Domestic Violence Treatment Services		60 clients /yr		
CENTRAL CITY CONCERN	709 NW Everett St., Ptlid, 97209	223-5322	Deborah Wood * * * Richard Harris	(1) Supervised Drug-Free Housing & Case Management	-	25 beds	\$5,000.00 /month \$200.00 (max) /client /month	\$60,000.

AGENCY	ADDRESS	TELEPHONE	DIRECTOR PRGM MANAGER	SERVICE	RFP DATE	# SLOTS	COST/ UNIT	CONTRACT AMOUNT
CODA, INC.	308 NE 29th Ave., Ptd, 97232	239-8400	Ann Uhler * * * Parvin Garbowicz	(1) Drug Detoxification Services Residential Drug Treatment	05/92	80 clients /yr 20-40 clients /yr 10 beds (min)	\$1,667.00 /month \$52.00 /bed day	\$200,000.
COLISTRO, FRANK, ED.D.	3033 NE Broadway, Ptd, 97232	281-2878	Frank Colistro	(1) Sex Offender Diagnostic Evaluation Services	05/92	up to 120 clients /yr	\$300.00 /eval \$65.00 /hr (court)	\$36,000.
COUNCIL FOR PROSTITUTION ALTERNATIVES	710 SE Grand Suite #8 Ptd, 97214	238-1219	Susan Hunter	(1) Case Management Services Drop-In Services	05/91	50 slots 85 clients /yr	\$14,586.00 /month	\$175,032.
DEPAUL TREATMENT CENTERS, INC.	PO Box 3007 Ptd, 97208	294-1449	Karla McFarland * * * Kathi Marriott- Brave	(1) Residential Substance Abuse Treatment	10/90	58 bed days /mth	\$51.83 /client /bed day up to \$3,000.00 /month	\$36,000.

AGENCY	ADDRESS	TELEPHONE	DIRECTOR PRGM MANAGER	SERVICE	RFP DATE	# SLOTS	COST/UNIT	CONTRACT AMOUNT
FINIGAN, MICHAEL Ph. D.	17725 Hillside Dr. West Linn, 97068	635-9896	Michael Finigan	(1) Evaluation of Literacy Program	-	-	\$3,000. implement. eval. \$4,000. formative eval.	\$7,000.
INACT, INC.	1135 SE Salmon Pld. 97214	234-4993	Valerie Moore	(1) Outpatient Drug & Acupuncture Treatment	08/92	750 clients /yr	\$49,850.00 /month	\$595,800.
MT. HOOD COMMUNITY MENTAL HEALTH CENTER	400 NE Seventh Ave. Gresham, 97030	681-5455	Deb Young *** George Smith	(1) Outpatient Mental Health Services	06/93	-	-	\$64,000.
MYERS, DAVID, PH. D.	0320 SW Montgomery, #321 Pld, 97201	223-9328	David Myers	(1) Psychological Evaluation Services	11/90	120 clients /yr	\$300.00 /eval	\$36,000.
OWSLEY, JERRY, M. ED.	1250 SE 36th Ave Hillsboro, 97123	648-4928	Jerry Owsley	(1) Polygraph Examination Services	-	-	\$100.00 /eval \$75.00 /maint eval	\$9,500.

AGENCY	ADDRESS	TELEPHONE	DIRECTOR PRGM MANAGER	SERVICE	RFP DATE	# SLOTS	COST/ UNIT	CONTRACT AMOUNT
SEXUAL ABUSE CLINIC	8332 SE 13th Ave. Pld, 97202	238-5580	Dr Barry Maletzky *** Dianne Price	(1) Sex Offender Assessment & Evaluation	10/90	10 (min) clients /yr	\$250.00 /eval \$60.00 /ind session \$30.00 /grp session \$2,500. (max) /month	\$30,000.
STAY CLEAN, INC.	5003 NE 13th Ave. Pld, 97211	282-1992	Fred Bennett	(1) Supervised Drug-Free Housing & Case Management	-	21 beds	\$6.67 /bed day \$200.00 (max) /client	\$51,125.
PORTLAND COMMUNITY COLLEGE	P.O. Box 19000 Pld, 97219	244-6111	Jim O'Brien	(1) Literacy Instruction	-	-	\$14.65 to \$33.35 /hr.	\$45,000.
TASC OF OREGON, INC.	1733 NE 7th Ave. Pld, 97212	281-0037	Linda Tyon *** Paul Clem	(1) Drug Testing & Evaluation Services	11/90	14,815 assays /yr	\$2.70 /assay	\$40,000.
				(2) Substance Abuse Outpatient Treatment	01/90	155 clients /yr	\$5,416.67 /month	\$65,000.
				Substance Abuse Assessment		15 clients /month		

AGENCY	ADDRESS	TELEPHONE	DIRECTOR PRGM MANAGER	SERVICE	RFP DATE	# SLOTS	COST/ UNIT	CONTRACT AMOUNT
TRANSITION PROJECTS, INC.	1211 SW Main St. Pld, 97205	222-9362	Jean DeMaster *** Ken Boobe	(1) Case Management Residential Services	11/90	189 clients /yr Including 129 clients /yr	\$13,166.66 /month	\$158,000.
VOA - OREGON, INC.	537 SE Alder St. Pld, 97214 2318 NE MLK Jr. Blvd. Pld, 97212 200 SE 7th Pld, 97214	235-8655 335-8611 235-0131	Gerald McFadden *** Liza Andrew-Miller Greg Stone (1) Barb Sussex (2)	(1) Men's Residential Services (2) Women's Residential Services	01/90 11/90	40 beds 40 beds	\$54.07 /bed day \$62.23 /bed day	\$750,000. \$795,000.
WOLLERT, RICHARD PH.D.	1130 SW Morrison Suite #619 Pld, 97205	241-0466	Richard Wollert	(1) Sex Offender Assessment & Treatment	-	9 slots 18 clients /yr	\$105.00 /assmt \$225.00 /grp	\$13,000.
YWCA OF PORTLAND	111 SW 10th Ave. Pld, 97205	223-6281	Cathy Jones *** Jane Workman	(1) Women's Residential Services	11/92	8 beds	\$33.00 /bed day or \$8,000. /month	\$48,000. (6 months)

NEW PROGRAMS

INTENSIVE SUPERVISION

- A. Objective: To stabilize non-compliant offenders in the community through close supervision and collaboration with other involved agencies.
- B. Target Population
 - 1. Parolees and probationers determined to be in violation by their POs through an administrative process, or by the court/Parole Board through formal hearings.
 - 2. Target population will require more structure that can be provided by standard supervision, but will not require daily monitoring or custody.
 - 3. Number served/year = 500
- C. Program Description
 - 1. Structured Sanctions component. Close supervision of clients with multiple client and collateral contacts per week. Contact requirements to be developed (will exceed OCMS High requirements).
 - 2. Limited caseload size: 30:1
 - 3. Length of stay will vary between 3 and 12 months.
 - 4. Intensive supervision program will be located at Midcounty District, but officers may be outposted to other districts.
 - 5. Offenders will be referred to intensive supervision by their supervising officers through the Structured Sanctions process (now being developed).
 - 6. Intensive supervision POs will staff each case with referring PO and arrange for indicated assessments and referrals.
 - 7. Case plan will be developed for each case.
 - 8. Intensive supervision POs will have priority access to contract programs and will maintain close communication with involved treatment agencies.
 - 9. Intensive supervision POs will access additional sanctions to encourage compliance (Community Service, Home Detention/Electronic Monitoring,

Day Reporting, PV Center, Forest Project, Jail). Emphasis will be on maintaining and sanctioning offenders in the community.

D. Staffing

10 POs

1 Program Administrator

E. Budget: \$800,902 (Services & Sanctions)

DAY REPORTING CENTER

- A. Objective: To stabilize non-compliant offenders in the community through daily reporting to a center which imposes a high level of structure and accountability and which offers key services on site.
- B. Target Population
1. Parolees and probationers determined to be in violation by their POs through the Structured Sanctions process, or by the court/Parole Board through formal hearings.
 2. Target population will require more structure than can be provided by standard or intensive probation, but removal from the community will not be indicated.
 3. Number served/year = 300
- C. Program Description
1. Structured Sanctions component. Highly structured non-residential intermediate sanction at West District office providing daily monitoring of offenders; offenders will follow daily itineraries.
 2. Length of stay will vary between 30 and 90 days.
 3. Center will maintain day and evening hours to accommodate offenders with employment, treatment, or other commitments.
 4. Offenders will be referred to the DRC by their supervising officers through the Structured Sanctions process (now being developed). DRC case managers will staff each case with referring PO and arrange for indicated assessments and referrals.
 5. On-site access to a range of services: assessment, drug treatment, drug testing, literacy/adult education, lifeskills, employment services, cognitive restructuring.
 6. Emphasis on court-ordered payments or community service.
 7. Additional sanctions will be available to encourage compliance (Community Service work crews, Home Detention/Electronic Monitoring,

PV Center, Forest Project, Jail). Emphasis will be on maintaining and sanctioning offenders in the community.

D. Staffing

- 1 Program Administrator
- 6 Correctional Counselors: case management, counseling
- 3 Corrections Technicians: client tracking, UAs
- 2 Support Staff

E. Budget: \$818,524 (Services & Sanctions)

PROBATION/PAROLE VIOLATION CENTER

- A. Objective: To stabilize noncompliant offenders in the community through a short custodial sanction which serves as an immediate consequence for serious violations and encourages them to comply with such re-programming efforts as may be indicated.
- B. Target Population
1. Parolees and probationers determined to be in violation by their POs through the Structured Sanctions process, or by the court/Parole Board through formal hearings.
 2. Target population will require a custodial sanction because their behavior cannot be controlled or modified by field supervision.
 3. Number served/year = 85 beds x 36.5 turnover factor = 3,102
Assumes 10 day average stay.
- C. Program Description
1. Structured Sanctions component. A custodial sanction of from 5 to 30 days managed at Midcounty District office.
 2. A "no frills" time-out designed to get the attention of non-compliant offenders. Austere environment will meet basic food and shelter needs.
 3. Offenders will be referred to the PV Center by their supervising officers through the Structured Sanctions process (now being developed).
 4. Supervising PO will review and revise case plan as warranted.
 5. DCC is exploring possible sites for the PV Center.
 6. DCC has budgeted for 85 beds at \$50/bed.
- D. Staffing
1. Program Administrator
Professional staff to be determined
- E. Budget: \$1,529,385 (Services & Sanctions)

LEARNING CENTER

- A. Objective: To identify functionally illiterate probationers and parolees; to provide remediation through individually paced lessons from basic literacy through G.E.D. preparation.
- B. Target Population
1. Offenders functioning below eighth grade level in reading or mathematics.
 2. Offenders who wish to earn a G.E.D.
 3. The grant from the U.S. Department of Education requires that the program serve offenders in residential/custodial programs, but we are permitted to serve other offenders if our residential/custodial populations are assessed and served and we still have unused capacity.
 4. Number served/year = 200
- C. Program Description
1. Computer assisted literacy, adult education, and life skills program located at the West District office.
 2. Curricula based on a combination of computer, individual, group, and workshop instruction.
 3. Curricula designed for adult learners who have not succeeded in their prior educational endeavors.
 4. Instructional assistance from PCC.
 5. Day and evening hours to accommodate participants with a variety of commitments, including full schedules at residential/custodial programs.
- D. Staffing
1. Program Development Specialist (Learning Center Coordinator)
 1. Instructional Assistant (contract with PCC)
- Additional contract staff based on participant needs.
- E. Budget: \$500,000 Federal Grant (December 1992 - November 1994)

DUII/VOLUNTEER PROGRAM

A. Objective: To ensure that DUII offenders are monitored for compliance with the conditions of probation; to reduce the negative impact of drunk drivers on the community; to provide cost effective supervision of traffic offenders through the use of volunteers.

B. Target Population

1. Offenders convicted of DUII as their major offense and placed on probation.
2. Offenders convicted of DUII and one or more other non-person misdemeanors.
3. Number supervised = 1,400/year

C. Program Description

1. County General Fund supports supervision for a population that is not eligible for funding with the State Field Services Allocation.
2. Target population will be case managed by community volunteers with oversight provided by experienced POs at our new North District.
3. Supervision will include a focus on the alcohol evaluation and treatment required by state law.
4. Program Administrator and POs will conduct recruitment, screening, selection, training, orientation, and evaluation of volunteers.
5. Volunteers will carry caseloads; monitor compliance and work with treatment agencies, but will not make arrests, file detainers, or make home visits.

D. Staffing

1 Program Administrator
8 Probation/Parole Officers
2 Support Staff
Volunteers (number to be determined)

E. Budget: \$544,542 (General Fund)

MENTAL HEALTH PROGRAM

- A. Objective: To provide a range of mental health interventions and services at our district offices.

- B. Target Population
 - 1. Offenders who do not qualify for services funded by the Mental Health Division.
 - 2. Offenders who require an evaluation/consultation to assist PO in case planning.
 - 3. Number served per year will depend on the mix of services provided at each district office.

- C. Program Description
 - 1. The contractor is Mt. Hood Community Mental Health Services.
 - 2. Contractor will schedule hours at each district office each week.
 - 3. Consultations: POs or other case managers will present cases to the contract staff for case planning assistance.
 - 4. Evaluations: Contractor will assess offenders' presenting problems and make treatment/management recommendations.
 - 5. Medication Management: Contractor will assess current or indicated medications and monitor for dosage, side effects, therapeutic benefit.
 - 6. Treatment Groups: Based on the needs of each district office, contractor will lead offender groups in such areas as anger management, dual diagnosis issues, etc.

- D. Staffing
 - 1. Professional services provided by contract.
 - 2. Each district office will have a staff person serve as service coordinator to assist in scheduling and resolving operational issues.

- E. Budget: \$64,000 (Services & Sanctions)

MANDATES

I. Meet Oregon Department of Corrections Outcome Goals (See Appendix)

- A. Reduce non-conviction parole and probation revocations by 50%.
- B. Increase percentage of positive case closures for offenders (by supervision level and legal status).
- C. Increase amount of time under supervision in the community prior to revocation for new criminal behavior (by supervision level and legal status).
- D. Decrease percent of offenders convicted for new crimes while under supervision (by supervision level and legal status).
- E. Work with institutional staff to provide more efficient and effective parole transitions.

II. Comply With Oregon Department of Corrections Allocation Requirements (See Appendix)

- A. State allocations (Field Services and Services/Sanctions) target convicted felons and high risk person to person misdemeanants.
- B. Services/Sanctions funds may not be used to support Probation and Parole Officer positions unless those positions are clearly providing a sanction and the level of supervision is greater than OCMS High, i.e., intensive supervision.

III. Comply with Oregon Case Management System

- A. Meet minimum standards for client contacts at each supervision level.
- B. Meet other administrative requirements, i.e., risk reassessment, etc.

IV. Implement S.B. 139 (See Appendix)

- A. Develop intermediate sanctions.
- B. Work with justice system for consistent use of sanctions.
- C. Develop internal and interagency procedures for administratively applied sanctions.

- V. Comply with Oregon Benchmarks Through Collaborative City, County, and State Efforts**
 - A. Benchmarks include addressing the needs of children and families, educating preparing our workforce, providing health care, developing physically and socially livable communities, and increasing government efficiency. (See Appendix for Benchmarks related to community corrections.)
 - B. Benchmarks apply to state, county, and municipal governments.
- VI. Discharge the Statutory Duties of Probation and Parole Officers (See Appendix)**
 - A. Probation: ORS Chapter 137.
 - B. Parole: ORS Chapter 144.
- VII. Comply with the Statutory Provisions of the Community Corrections Act: ORS 423.500 - 423.570 and Oregon Administrative Rule #31 (See Appendix)**
 - A. Appointment of county Community Corrections Manager.
 - B. Role of local advisory committee.
 - C. Plan development and approval process.
 - D. Administrative Rule on Community Corrections Services.
- VIII. Implement Multnomah County Integrated Human Services System (See Appendix)**
 - A. Collaborate with county and community agencies to serve clients and their families more effectively.
 - B. Restructure internally to work with partner agencies in each of six districts.
- IX. Comply with County Administrative and Personnel Rules and Collective Bargaining Agreements, and Ordinances**
 - A. Supervisor to staff ratio of 1:8. (See Appendix)
 - B. Collective Bargaining Agreement with AFSCME Local 88 (processing grievances, etc)

- C. County Administrative Rules for contracting. (See Appendix)
- D. County Ordinance 2.30.300 establishing DCC. (See Appendix)

RECENT RESEARCH AND POLICY STUDIES

DRUG TREATMENT FOR OFFENDERS

Collins, James J. (1991). Presentation to Second Annual Conference on Evaluating Crime and Drug Control Initiatives, Washington, D.C.

Dr. Collins, Senior Program Director for Crime, Delinquency, & Justice Systems Studies at the Research Triangle Institute, summarized the findings of recent research:

1. A single treatment episode will probably not be sufficient to affect permanent behavioral change for most serious drug users.
2. Less serious drug abusers do well in outpatient programs, especially programs augmented by urine surveillance. The more serious drug abusers do better in inpatient programs.
3. Most drug users reduce or eliminate their drug use and involvement in criminal behavior while in treatment.
4. Length of time in treatment is the strongest predictor of positive post-treatment outcomes.
5. Treatment outcomes for legally-referred [involuntary] and voluntary drug abusers usually do not differ when other factors, such as severity of abuse, are taken into account [controlled].
6. Cost-benefit analyses suggest that treatment costs are recovered in avoided costs of continued drug abuse.

Kapsch, Stefan (1992). Alpha House Drug Treatment Evaluation Project. Preliminary report prepared for the Multnomah County Department of Community Corrections.

Dr. Kapsch presented a literature review which summarized many of the studies also summarized above by James Collins. Kapsch extracted four characteristics associated with successful outcomes:

1. Program flexibility to meet client needs.
2. Availability of aftercare services.

3. Availability of ancillary services during treatment to deal with employment, family, and other issues.
4. Clear program philosophy, policies, and goals.

Field, Gary (1991). "A Review of Effective and Innovative Substance Abuse Treatment Strategies in Community Corrections." Oregon Department of Corrections.

Critical elements of effective correctional treatment include:

1. Availability of a variety of programs.
2. Coordination of control and rehabilitation missions.
3. Adequate duration and intensity of programming.
4. Leveraged treatment: incentives and sanctions.
5. Transitional programming from institution to community.
6. Relapse prevention focus.
7. Self-help groups.
8. Creative use of treatment adjuncts: acupuncture, education/employment services, etc.
9. Programming for special needs populations.

National Association of Criminal Justice Planners (1992). "Cost Management of Drug Treatment."

Most current research demonstrates that traditional probation or parole supervision, without treatment intervention, has little, if any, impact on reducing substance abuse in the population of supervised offenders. Research summarized below:

From the research of Douglas Anglin and Yeh-Ing Hser:

To date, both the literature and empirical research outcomes support the supposition "...that coerced involvement in

community based programs and/or corrections based treatment can have a substantial impact on the behavior of chronic drug using offenders."

From the National Task Force on Correctional Substance Abuse Strategies:

There is clear evidence that a blend of control and treatment in corrections is both effective and necessary.

From the Treatment Outcome Perspective Study (TOPS):

Clients referred from the Courts and correctional agencies have outcomes that are at least as positive as clients entering on their own or referred by other sources. The criminal justice client did tend to stay in programs longer than other clients, perhaps contributing to more positive outcomes than otherwise could have been possible.

Attorney General Janet Reno

In recent public appearances, Ms. Reno has spoken of the need to shift the emphasis in drug policy from supply side (interdiction) to demand reduction (treatment and education) programs.

Lee Brown, Director of the Office of National Drug Control Policy

At the 1993 Alcohol and Drug Problems Association conference, Mr. Brown described treatment as "good drug policy, good crime policy, good health policy, good economic policy, and good urban policy." He also addressed the need for performance standards that enable communities to assess the success of drug programs in such terms as reduced drug use, crime, and unemployment. Noting that research supports the use of coercive treatment, Mr. Brown explained that the Clinton administration will look to prison, parole, and probation systems to develop more treatment programs.

INTERMEDIATE SANCTIONS AND THE INTEGRATION OF TREATMENT AND SUPERVISION

National Council on Crime and Delinquency Board of Directors (1993). Reducing Crime in America: A Pragmatic Approach.

Among NCCD's recommendations are the following:

Prison sentences should be principally reserved for three types of offenders: a) first-time felons who have committed a violent or heinous crime, b) felons with a prior felony conviction whose new crimes involve a substantial threat to public safety, and c) felons whose crimes involve substantial violations of the public trust.

The use of intermediate sanctions or alternatives to incarceration should be expanded, but only for non-violent offenders who would otherwise be imprisoned.

McGarry, Peggy (1993). "Improving the Use of Intermediate Sanctions: Lessons from the Intermediate Sanctions Project." Presented at Community Corrections: Saving Dollars and Lives, Tampa Florida, May 25, 1993.

NIJ and the State Justice Institute have supported technical assistance through the Center for Effective Public Policy to 25 jurisdictions implementing intermediate sanctions. Our department is one of their newest technical assistance sites. Peggy McGarry summarizes what is required for a policy-driven range of intermediate sanctions:

1. Key players in the criminal justice system must agree to regular, frank communication about the sentencing practices, options, and desired outcomes in their jurisdiction.
2. The effort at regular communication and dialog must be led by the bench and provided with the necessary resources.
3. The key actors comprising the policy group must educate themselves about their own system.
4. The key actors must assume responsibility for the implementation and outcomes of sentencing decisions.

5. The work of the policy group must be supported by needed changes in the individual agencies represented by the group. Members must be willing to implement those changes within their agencies.

The essential elements of the intermediate sanctions process are:

1. Establishment of an organized work group.
2. Obtaining good base-line information.
3. A continuing process of goal and outcome clarification.
4. System scanning capability (data collection/analysis) to support, monitor and evaluate proposals and programs.
5. An ongoing review of the policies and practices of individual agencies.
6. Policy creation and implementation guided by data collection, dialog, and goal clarification.

Petersilia, Joan and Susan Turner (1990). Intensive Supervision for High-Risk Probationers. Rand Corporation.

On integration of treatment and supervision:

"NIJ/BJA sponsored evaluation of three California intensive supervision programs found a statistical relationship between participation in treatment interventions and recidivism. **Greater participation [in treatment] was associated with lower levels of recidivism.** This result held true even when the offender's risk-of-recidivism level was statistically controlled."

On responding to technical violations:

"The emphasis on technical violations (of some programs) largely reflects the assumption that such violations are proxies for criminal behavior, i.e., signals that offenders are "going bad," and thus, if an offender's probation is revoked for violations, the system may be preventing crimes. ... **One of our most important findings is that offenders who had technical violations were no more likely to have new arrests than those who did not.**

Since technical violations evidently are not proxies for criminal behavior, it seems reasonable to question ISP programs' emphasis on them -- especially the practice of sending offenders to prison for them. The effort and resources spent on monitoring and incarcerating people for technical violations might be better spent, for example, on more drug/alcohol treatment and job placement efforts."

Petersilia, Joan and Susan Turner (1993). "Evaluating Intensive Supervision Probation/Parole: Results of a Nationwide Experiment." NIJ Research in Brief, May 1993.

This research brief summarizes the RAND Corporation's evaluation of 14 programs in 9 states. The authors concluded that the programs studied were successful in increasing surveillance and providing intermediate sanction options. Although the programs were perceived by participants as "tough," participants generally did not have lower rearrest rates. However, the authors note that participation in treatment/counseling programs was correlated with lower rates of recidivism (10% to 20% less recidivism in Texas and California programs).

Petersilia, Joan (1990). "When Probation Becomes More Dreaded Than Prison." Federal Probation, March 1990, pp.23-27.

The author has found that many offenders, when given the choice, elect to go to prison instead of intensive supervision. She concludes that if the public was made more aware of intermediate sanctions, legislators might be convinced that there are other means besides prison to punish offenders. She suggests that, because of the treatment opportunities implicit in community sanctioning, corrections would become more cost effective.

Fulton, Betsy and Susan Stone (1993). "The Promise of a New ISP." Perspectives, American Probation and Parole Association, Winter 1993.

Critical elements for effective intensive supervision programs:

1. Focus on the provision of services; availability of a range of interventions.
2. Target high risk/high need population; use reliable risk/need instrument.

3. Small caseloads and frequent substantive contact aimed at assisting the offender, resolving problems and monitoring progress in rehabilitative programming.
4. Systematic case review.
5. System of rewards and sanctions.
6. Clear program objectives; program evaluation.

Gordon, Diana (1991). The Justice Juggernaut. Rutgers University Press.

Author identifies three goals for intensive supervision programs:

1. Save prison space and money.

She concludes that the savings can be real and substantial, but she warns that "if intensive supervision evolves primarily not as an alternative to incarceration but as an add-on to regular probation, the additional cost ... could be substantial." Note that policy makers will have to compare the costs and benefits of establishing a program with a target population of high risk/high need offenders with a program targeting prison-bound offenders. *[Oregon's Structured Sanctions initiative, and DCC, assume that there is considerable overlap in those two populations. In targeting violators, we expect to serve high risk/high need offenders who are also at risk of commitment.]*

2. Effect Punishment.

The author notes that intermediate punishments are clearly harsher than ordinary probation and, for many offenders, harsher than prison.

3. Prevent crime.

The author notes that the record of intensive supervision programs in reducing recidivism is mixed. She also notes that many would argue that if such programs reduce costs and effect punishment, it may be sufficient that they do not increase criminality.

Multnomah County Department of Community Corrections

DCC operated a grant-funded intensive supervision program from 1988-91 that targeted high risk drug users and included a dedicated treatment resource. A control group was randomly assigned to standard supervision. The following summary data was obtained for participants through March 1991.

	Experimental Group	Control Group
Revoked/abscond after 6 mos. of supervision	15%	31%
Revoked/abscond after 12 mos. of supervision	30%	34%
Revoked for new crime	9%	21%
Involved in at least one drug treatment program	97%	68%

Discussion:

1. The impact of intensive supervision is greater in the early stages of supervision. [Note that our proposed intensive supervision program will be targeting clients already under supervision who are in violation. That may prove to be a difficult population to work with, but successes will represent significant benefits in terms of public safety and avoided costs.]
2. The dedicated treatment resource for the intensive supervision clients probably explains much of the difference between the two populations in their involvement in treatment. If that is the case, and we accept the research findings linking drug use and criminal behavior, then the dedicated treatment resource probably explains some of the difference between the populations in their rates of revocation for new crimes.

Falkin, Gregory (1993). Coordinating Drug Treatment for Offenders: A Case Study (unpublished manuscript, presented at the Fourth Annual Conference on Evaluating Crime and Drug Control Initiatives, June 28, 1993, Washington, D.C.

Falkin studied the integration of correctional treatment programs in several jurisdictions and commented favorably on the systems in place in Oregon and Multnomah County.

"The main thing that characterizes Oregon's efforts to enhance its treatment system at the state and local levels is the **interconnection that exists among key players involved in the development of the system, and the pro-treatment orientation of criminal justice officials throughout the system.** The development of the system, and the delivery of treatment services, has been facilitated by a large number of interagency advisory committees, task forces, informal working groups, and the like, operating at the state and local levels. Some of these interagency entities, such as the Community Corrections Advisory Committee, are required by law; others, such as the Regional Drug Initiative (RDI) -- a model community-wide anti-drug task force dealing with treatment, prevention, and law enforcement -- were created on a voluntary basis (the [Multnomah County] District Attorney has chaired RDI from its inception until recently).

State and local officials, **and individuals from the private sector,** have been working together for some years -- there is little turnover in key government positions. They have developed professional relationships, are aware of each other's views, and are committed to resolving differences. The various efforts to coordinate activities have enhanced the treatment system, as can be seen in the development of new programs and procedures, and improvements in implementing treatment for offenders."

EMERGING THEMES FOR COMMUNITY CORRECTIONS

1. Integration of Services/Focus on Families

The Multnomah County plan for integrating the delivery of human services mirrors similar efforts in other jurisdictions. NIJ, BJA, several foundations are funding demonstration sites in which the value of an integrated approach to urban crime problems will be evaluated. The Fresh Start Post Incarceration Program serves parolees with drug histories. The program uses case managers in community agencies working with designated parole officers. Services include aftercare, education, employment training, drug-free housing, health and mental health interventions, and parenting skills. The Strategic Intervention for High Risk Youth Program applies a similar approach to working with youthful offenders. Both programs target the needs of the families of offenders. Interagency cooperation is now expected of organizations applying for most Federal grants. Applicants are typically required to explain how related agencies and agencies serving common target populations will be involved in service delivery and impacted by the grant.

2. Community Partnerships

A collaborative approach to managing community corrections clients, based on the paradigm of integrated services, is emerging in many jurisdictions. Community Partnerships in Action, a recent publication of the American Correctional Association highlights this trend. Although our department has long relied on the private sector, and private non-profits in particular, for delivering many specialized services, the concept is new to many jurisdictions. Our challenge is to build on the partnerships that we have developed to assure that our agency and our justice system and community partners support each other's objectives and provide services as efficiently and effectively as possible. In Multnomah County, as elsewhere, we need to focus more on agency resources than on agency boundaries as we serve high risk/high need clients and families with multiple problems.

3. Privatization

Community partnerships in many jurisdictions include the privatization of certain correctional services. In Multnomah County and an increasing number of jurisdictions around the country, government agencies contract for specialized treatment, residential programs, other program interventions,

and professional services. In other states and local jurisdictions, governments contract for jail and prison management. The National Council on Crime and Delinquency has recommended that the federal government initiate pilot studies of privatizing probation and parole to determine if costs can be reduced. Vice President Gore's proposed reorganization of the federal government includes the privatization of numerous services.

The arguments for and against contracting must be weighed in the context of specific services, communities, and political environments. Our CCAC Planning & Evaluation Subcommittee will be developing recommendations in this area.

4. Decentralization

Recent books, popularizing such themes as "reinventing government" and "total quality management" have stimulated the public sector to rethink its values, missions, objectives, structures, and operations. By dealing with citizens and clients as consumers, many government agencies have become more responsive to their communities and developed higher levels of public support. Many government agencies have chosen to empower those employees closest to the point of service delivery through enhanced training and decision-making status and participation in strategic planning processes. As form should follow function, these agencies have decentralized and eliminated layers of management that often complicated intra-agency communication, the flow of information, and the ability of line level staff to work creatively in the field.

5. Mediation

Realizing that the justice system is a very expensive and often unsatisfactory means of resolving conflict, many jurisdictions have adopted alternative dispute resolution (ADR) programs. Long available as an alternative to civil disputes, the practice is evolving as a mechanism to help clear criminal dockets while still meeting justice objectives. Mediation can facilitate payment of restitution and produce a deterrent effect by allowing victims to confront offenders. Supporters of ADRs claim that offenders who learn about the impacts of their crimes develop an empathy that can reduce the likelihood of recidivism.

6. Diversion

The costs of prosecution and corrections are also resulting in the development of diversion programs around the country. When the underlying causes of an individual's criminal behavior can be identified and treated cost-effectively, many jurisdictions are electing to divert the offender to immediate, intense, focused services. Diversion programs typically hold out the promise of dismissed charges if the defendant completes the treatment program. Diversion for drug cases in Multnomah County involves defendants in a program of outpatient treatment, supplemented with acupuncture and drug testing. That model was developed in Dade County, Florida and is now operating or being considered in several other jurisdictions, based on the number of inquiries received at program sites. Diversion is also being used locally and elsewhere to get abusive spouses/partners into treatment focusing on communication, anger management, and family dynamics. In most jurisdictions, including Multnomah County, drug and domestic violence diversion programs involve the courts, prosecution, defense, corrections and community agencies in the kind of program partnerships described earlier in this section.

7. New Directions in Drug Treatment

Research sponsored by the National Institute on Drug Abuse is trying to understand the chemical bases of addiction with the goal of developing chemical treatments that substitute for abused drugs with less side effects, block the effects of drugs of abuse, reduce craving for drugs and moderate or eliminate withdrawal symptoms. Future treatment models may integrate drug therapies, various Western counseling and therapeutic milieus, and Oriental traditions such as acupuncture. Western health practitioners are beginning to realize that they can learn much from other cultures. They are also beginning to appreciate the need to understand those cultures. As our society becomes increasingly diverse in its ethnic and racial composition, human service professions and local agencies will have to develop the cultural competence to provide relevant treatment for all segments of the population.

Other intervention trends include: treating families, providing a continuum of care (from assessment through aftercare and from institutions to community settings), and providing integrated programs that address major problem areas (health, housing, education, employment).

8. Drug Testing

Technological advances are making drug testing programs less expensive and easier for corrections agencies to implement. Research continues in several key areas:

- Identifying an individual's historical pattern of substance abuse (hair analysis, for example).
- Developing simple, quick and reliable field test kits.
- Eliminating problems related to false positives and cross-reactions.
- Developing technologies that are less intrusive than urinalysis (hair analysis, for example).

Drug testing programs have traditionally served as a surveillance tool for monitoring compliance with supervision conditions, but the limited availability of testing resources has resulted in inconsistencies in utilization. System-wide testing, with enhanced funding, has evolved in several jurisdictions to provide additional services, including identification of abusers for early intervention (case management) and objective measurement of client and aggregate treatment progress within and across programs (evaluation).

9. Technologies for Supervision

The private sector has responded to the need for jail alternatives and efficiencies in offender supervision with a number of products designed to provide remote monitoring of community corrections populations. Electronic monitoring devices ("bracelets") now make it a much less labor intensive proposition to enforce curfew or home detention. Some monitoring devices require the offender to respond to randomly generated telephone contacts. Other devices detect offender presence without any action on the offender's part. Available technology now permits officers with portable receivers to monitor the location of offenders wearing transmitters by driving through the community. This would allow officers to verify that an offender is at home without having to enter the home. It would also permit officers to monitor that an offender is not at prohibited locations.

Efficiencies in the supervision of low risk cases are being realized through telephone monitoring. Offenders are required to call the monitoring

company monthly and respond to an automated series of questions that take the place of a written monthly report. POs receive exception reports that alert them to changes in the offender's circumstances. DCC contracts for this service on a pilot basis. We are finding that staff are able to manage large caseloads of telephone monitored offenders, freeing more staff resources to focus on higher risk cases.

Caller ID technology can assist in verifying that an offender is complying with curfew or home detention by reporting the phone number from which he or she makes a "check-in" call.

10. Intermediate Sanctions and the Use of Prison and Jail Resources

State and local governments throughout the country are attempting to manage growing institutional populations through a variety of strategies, including early releases, emergency releases, decriminalization or reduced penalties for certain crimes, and sentencing guidelines which attempt to structure sentencing so that it is consistent with institutional capacity. Many jurisdictions are attempting to bring a more global perspective to corrections by providing a graduated range of intermediate sanctions, harsher than probation, but not as restrictive as prison. By providing a wider range of sanction options, it will be possible to more appropriately match offenders with the level of punishment, deterrence, or treatment that their crimes and circumstances warrant. It is generally assumed that use of intermediate sanctions will relieve some of the crowding at jails and prisons. Many supporters of intermediate sanctions also believe that long term offender outcomes based on behavioral changes are more likely to be realized through community interventions (sanctions and treatment) than through incarceration. Some of the literature on intermediate sanctions is referenced in the preceding sections.

11. Automation/Information Technology

Shared databases and computerized case files should improve:

- Planning, by enhancing our ability to base decisions and forecasts on reliable data;
- Accountability, by enabling agencies to relate costs to specific outputs and outcomes;

- Case management, by automating specific clerical and reporting functions and by providing staff with timely reports that organize more information more efficiently than had previously been possible; and
- Evaluation, by making consistent and accurate data readily available for analysis and eliminating much of the labor intensive work involved in searching paper files and incompatible databases.

Automation should enable professional and clerical staff to use their time more efficiently and effectively, focusing on critical work. Automation should enhance our ability to learn from our work, but, as we have seen, there will be associated training costs that need to be built in to system implementation plans.

The design of databases and the automation of case files in a system of integrated services raises issues of confidentiality. As we begin to collaborate with health, social services, mental health, law enforcement, and juvenile systems in our case management efforts, data access and data sharing issues become significant.

12. Rethinking the Mission and Evaluation of Community Corrections

The BJS-Princeton University Study Group was established to re-examine the concepts and methodologies involved in measuring and evaluating the performance of justice system components. Papers prepared by John Dilulio (1992) and Joan Petersilia (1993) question whether recidivism should be the primary outcome measure. They note that it may be unfair to hold probation and parole agencies responsible for client behavior after their supervision has terminated, especially since the causes of criminal behavior are beyond the justice system's control. Petersilia recommends development of realistic performance measures for each of the goals of community corrections. Based on a review of the literature, she identifies five goals: 1) assess offender suitability for various sentences and placements; 2) enforce court-ordered sanctions; 3) protect the community; 4) assist offenders to change; and 5) restore crime victims.

APPENDIX

INTERGOVERNMENTAL AGREEMENT WITH OREGON DOC
OREGON DOC GOALS

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3 INTERGOVERNMENTAL AGREEMENT
4 BETWEEN
5 STATE OF OREGON DEPARTMENT OF CORRECTIONS
6 AND
7 MULTNOMAH COUNTY

8 THIS AGREEMENT is made and entered into this 30th day of September,
9 1993 by and between the DEPARTMENT OF CORRECTIONS, an agency of the State
10 of Oregon, hereinafter "DOC," and MULTNOMAH COUNTY, a political subdivision of the
11 State of Oregon, hereinafter "COUNTY."

12 WHEREAS, DEPARTMENT OF CORRECTIONS is an agency of the State of
13 Oregon and MULTNOMAH COUNTY is a unit of local government of the State of Oregon
14 and both parties desire to cooperate by agreement to provide correctional services within
15 MULTNOMAH COUNTY within the requirements for an Option I county;

16
17 WHEREAS, the Legislative Assembly of the State of Oregon enacted legislation
18 establishing community corrections programs on a continuing basis (ORS 423.500 to
19 423.560); and

20
21 WHEREAS ORS 144.106 provides "the supervisory authority shall use a continuum
22 of administrative sanctions for violations of post-prison supervision;"

23
24 WHEREAS ORS 144.334 provides that the Board of Parole and Post-Prison
25 Supervision may authorize issuance of citations by supervising officers;

26
27 WHEREAS ORS 144.343 provides that the Board of Parole and Post-Prison
28 Supervision may delegate to the hearings officer the authority to order sanctions as
29 provided in ORS 144.106 and to continue a violator on parole or post-prison supervision
30 with the same or modified conditions;

31
32 WHEREAS ORS 137.540 provides that courts may delegate the authority to
33 parole/probation officers to impose sanctions for probationers through a system of Struc-
34 tured Sanctions.

35
36 WHEREAS, COUNTY may elect to contract for the services of certain employees
37 of DOC, now, therefore,

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39 THE PARTIES HERETO, in consideration, of those mutual promises, terms and
40 conditions hereinafter provided, agree to the following:
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I. DEFINITIONS

- 1. Community Corrections Manager: Individual, designated by the COUNTY pursuant to ORS 423.525 as being responsible for planning and implementation of the corrections programs as set forth by the local Corrections Plan.
- 2. Community Corrections Branch: State-operated program providing predominately parole and probation supervision and other related activities.
- 3. Community Corrections Plan: Document developed by local Community Corrections Advisory Committee and adopted by County governing body pursuant to ORS 423.525 and 423.535 and approved by the DOC Director.
- 4. Contracted State Employee: Those employees providing the services to COUNTY enumerated in ORS 423.550 (2) who have chosen to remain on the payroll of DOC.

II. COMMUNITY CORRECTIONS PLAN AND AMENDMENTS

COUNTY has developed and DOC has approved a Community Corrections Plan, a copy of which is marked Exhibit "A" and is attached hereto and by this reference made a part hereof. COUNTY and DOC agree that the Community Corrections Plan must remain a flexible instrument capable of responding to unforeseen needs and requirements. Either the COUNTY or DOC may seek to amend or modify the Plan subject to procedures outlined in DOC rule. The COUNTY or DOC may seek to amend or modify the Plan in accordance with ORS 423.525 and DOC rule governing the support and development of Community Corrections Programs. If the proposed amendment is approved, a copy of the amendment or modification shall be marked in sequence beginning with the designation "Exhibit A-1" and attached to the above-mentioned Exhibit "A" and thereafter, by this reference, shall be a part hereof.

III. DUTIES AND RESPONSIBILITIES OF COUNTY

- 1. COUNTY shall participate in accordance with this Agreement and assume administrative responsibility for correctional services within its jurisdiction which are currently provided or planned for provision by DOC.
- 2. COUNTY shall designate a Community Corrections Manager and employ other staff to implement the COUNTY COMMUNITY CORRECTIONS PLAN and perform such other duties as may be specified elsewhere in this AGREEMENT subject to the approval of the COUNTY Board of Commissioners.

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3. Subject to the requirements of Oregon Local Budget Law, COUNTY shall maintain the current level of COUNTY general fund corrections programs at substantially the same level as specified in this agreement. Nothing should be construed to obligate COUNTY to appropriate general funds for these activities beyond the current fiscal year. Should COUNTY fail to make such an appropriation as indicated in the COMMUNITY CORRECTIONS PLAN, the rights of the parties as specified in Paragraph 4 of the termination portion of this agreement may apply, at DOC's option.
 4. COUNTY will concentrate its Field Services and Community Corrections resources on more effective supervision and sanctioning of higher-risk felony offenders. The COUNTY shall prioritize supervision, program and sanction resources based on offender risk, as determined by the Oregon Case Management System. If funding requires the elimination of some supervision, elimination will begin with the lowest-risk offenders. Supervision, program and sanction services may be provided to higher-risk person-to-person misdemeanants based on risk and within available resources.
 5. COUNTY will meet or improve on the following outcomes:

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- a. Reduction in the number of non-conviction revocations to prison:

MULTNOMAH COUNTY NON-CONVICTION TARGETS

	7/93-12/93	1/94-6/94	7/94-12/94	1/95-6/95	7/93-6/95
Parole	181.8	181.8	181.8	181.8	727
Probation	211.2	151.0	111.5	111.5	585

These targets are goals that will be one of several measures used to measure progress toward the implementation of Structured Sanctions, Intervention Guidelines and the reduction of non-conviction revocations to prison.

- b. Increase the percentage of positive case closures of probation and parole cases based on risk;
- c. Increase in the amount of time an offender remains in the community between inception on supervision and revocation to prison; and
- d. Increase in the proportion of offenders revoked to prison for a new criminal conviction.

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- 6. Except as otherwise provided by rules or orders of DOC and the Board of Parole and Post-Prison Supervision, the COUNTY shall implement and use a continuum of administrative sanctions for violators of conditions of probation, parole and post-prison supervision as authorized by ORS 144.106, ORS 144.334, ORS 144.343 and ORS 137.540.

- 7. COUNTY agrees to implement and apply the intermediate sanctions and services in compliance with the Parole Intervention Guidelines and Structured Probation Sanctions which are attached and herein incorporated by reference. Sanctions/interventions may be subject to change upon written agreement between the parties.

- 8. COUNTY shall adhere to all applicable DOC Community Corrections and Field Services Administrative Rules including, but not limited to those related to the opening and closing of offender files, Oregon Case Management System classification and supervision contact standards, parole release, parole and probation supervision reporting requirements, release planning, intervention guidelines, structured sanctions, revocation reports, sanction reporting process, interstate compact and case transfer.

- 9. COUNTY shall adhere to all applicable Federal and State civil rights laws including, but not limited to:
 - a. Federal Code, Title 5 USCA 7201 et sec - Anti-discrimination in Employment.
 - b. Oregon Statutes, Enforcement of Civil Rights: 659.010, 659.015, 659.020, and 659.030.
 - c. Americans with Disabilities Act.COUNTY is encouraged to hire minorities and to contract with organizations who have good records of hiring minorities.

- 10. COUNTY will manage contracted state employees under the direction of the County Community Corrections Manager in such matters as:
 - a. Scheduling, assigning, reassigning and directing work.
 - b. Determining the methods, means, hours and standards of work.
 - c. Introducing new or improved methods, equipment and facilities.

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- d. Determining the type of identification to be carried, if any.
- e. Evaluating the performance of duties.
- f. Such other actions, directives and determinations as are customary and usual decision making prerogatives, functions, rights and authority connected with or in any way incident to the management of the Community Corrections Plan and such other actions as may be deemed necessary to carry out the mission of COUNTY.

11. COUNTY recognizes that the contract employee's tenure rights are protected by ORS 240.555 and 240.560 and that disciplinary actions taken under ORS 240.555 can be accomplished only with the approval of the Director of DOC or his/her designee. COUNTY further recognizes that the administration of personnel services for contract employees is subject to State merit system law, DOC personnel rule and policies, and union contracts where applicable.

12. In counties of less than 200,000 population, when ever a vacancy occurs in a contract employee position, COUNTY may convert the funds associated with the vacancy to a COUNTY position, or it may accept the voluntary transfer into the position of a DOC employee of the same classification as the terminating contract employee. COUNTY agrees to ensure that transferring employees shall not suffer any reduction in salary or retirement eligibility, in compliance with ORS 423.550(2)(c). Additionally, all vacation and sick leave accrued and not used prior to 01/01/92 shall be transferred with the employee.

13. In counties of 200,000 population or more, at the discretion of COUNTY, COUNTY may require transfer of all state employees to county employment.

14. COUNTY agrees to furnish DOC documents and reports in a timely manner, as required by DOC, to insure the continuing personnel services to the contract employee as required by law. These include, but are not limited to:

- a. Performance appraisal on the State of Oregon form, or as otherwise required.
- b. Time cards and attendance reports required for completion of the payroll.
- c. Notice of granting or denying of salary increase.
- d. Maintenance of appropriate personnel records to support all COUNTY employee personnel actions.

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- 15. COUNTY agrees to a system of processing of grievances which includes at least the immediate supervisor of the contract employee and the Community Corrections Manager, before being processed to the Director of DOC.
- 16. COUNTY agrees to abide by the decision of the Director and the appropriate grievance review body beyond the Director where that review body has the authority to bind DOC to a decision.
- 17. COUNTY shall prepare and furnish such data, descriptive information and reports as may be requested by DOC as needed to comply with state requirements including, but not limited to the evaluation of the DOC Strategic Plan. COUNTY agrees to, and does hereby grant DOC the right to reproduce, use and disclose all or any part of such reports, data and technical information furnished under this Agreement.
- 18. COUNTY shall permit authorized representatives of DOC to make such review of records of COUNTY as may be necessary to satisfy audit and/or program review purposes. A copy of any audit or monitoring report will be made available to COUNTY.
- 19. COUNTY will adhere to DOC prescribed allotment and expenditure reporting system. This system will be used for controlling accounting, allocation of funds by DOC and to provide suitable records for audit. COUNTY shall provide DOC copies of its annual audit report required by ORS 297.425.
- 20. In the event that funding from DOC is reduced or discontinued by legislative action, COUNTY will not be required to increase use of COUNTY revenue for continuing or maintaining corrections services as set out in this Agreement and an appropriate modification of this Agreement shall be negotiated.
- 21. COUNTY may pursue funding from other sources to enhance the capabilities of the program set out in this Agreement. DOC shall be fully informed in writing whenever such funding is obtained.
- 22. COUNTY shall participate in Offender Profile System [OPS] and in Integrated Supervision Information System [ISIS].

IV. DOC RESPONSIBILITIES

- 1. Participate in accordance with this Agreement.

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2. DOC shall furnish to COUNTY copies of all existing agreements and contracts it may have with other agencies, whether public or private, for the delivery of parole and probation services applicable to COUNTY. COUNTY shall review and approve any such agreement or contract prior to renewal or termination thereof.
3. Provide funding as provided in Section V of this Agreement.
4. Furnish COUNTY, in a timely manner, those rules, administrative directives and procedures required for COUNTY to meet its obligations described herein.
5. DOC shall furnish COUNTY, in a timely manner, those personnel records, documents and forms required for COUNTY to meet its obligations.
6. DOC shall furnish data, descriptive information and reports, available to the DOC and requested by COUNTY, that will assist COUNTY in complying with DOC requirements. This data includes, but is not limited to detail regarding outcomes noted in Section III, Article 4. DOC agrees to, and does hereby grant, COUNTY the right to reproduce, use, and disclose all or part of such reports, data, and technical information furnished under this agreement.
7. DOC shall not hold COUNTY to a higher standard than required by DOC administered corrections field programs.
8. DOC agrees to provide COUNTY an opportunity to review, and comment on all administrative rules intended to incorporate and implement new legislative initiatives that have fiscal or program impact on COUNTY.
9. In the event that by legislative action, funding from DOC is reduced to COUNTY, DOC agrees to provide reasonable notice and reasonable transition opportunity to COUNTY, prior to changes that significantly alter approved appropriations and programs.
10. The DOC Community Corrections Branch will be responsible for all interstate compact matters.

V. FUNDS

1. The funds authorized under this Agreement are intended for the implementation of the Plan (Exhibit A) during the term of this Agreement.
2. Funds, services and sanctions are set out in the Plan.

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- 3. Both parties agree that the use of funds may be amended or modified pursuant to Section II of this Agreement by amending the COMMUNITY CORRECTIONS PLAN.
- 4. Supervision fees collected by COUNTY Community Corrections staff shall be retained by COUNTY and shall be used exclusively for community services purposes as required by Administrative Rule.
- 5. Underexpenditure of Funds: Funds determined by DOC to be underexpended or unexpended or unencumbered for authorized expenditures shall be refunded to DOC.
- 6. Unauthorized Expenditures: Any funds expended for unauthorized purposes shall be deducted by DOC from payment or refunded to DOC as may be required.
- 7. Within 120 days following the end of the State's biennial budget period, COUNTY shall remit State General Fund monies not encumbered in accordance with the State Accounting Manual within the biennial budget period to DOC for reversion to the State General Fund.
- 8. DOC recognizes COUNTY as an Option I field services administration and an extension of DOC for all field service appropriations provided by the State of Oregon Legislature, for purposes of the delivery of field corrections services.

VI. NON-COMPLIANCE

- 1. DOC shall periodically review the performance of COUNTY participating under ORS 423.500 to 423.560. COUNTY must substantially comply with the provisions of the approved Plan and DOC operating standards.
- 2. If the Director of DOC determines that there are reasonable grounds to believe that COUNTY is not in substantial compliance, Director shall notify COUNTY of non-compliance. If COUNTY does not achieve substantial compliance within 30 days, Director shall conduct a hearing to determine whether there is substantial compliance or satisfactory progress toward compliance.
- 3. After hearing, the Director may suspend all or any portion of financial aid made available to COUNTY until compliance occurs.

VII. HOLD HARMLESS

To the extent permitted by Article 11, Section 7 and Article 11, Section 10 of the Oregon Constitution and the Oregon Tort Claims Act, each of the parties hereto agrees

1 to indemnify, within the limits of the Oregon Tort Claims Act, and save the other harmless
2 from any claim, liability or damage resulting from any error, omission, or act of negligence
3 on the part of the indemnifying party, its officers, employees or agents in the performance
4 of its responsibilities under this Agreement, provided the parties shall not be required to
5 indemnify the other for any such liability arising out of the wrongful acts of the other's
6 officers, employees or agents.
7

8 VIII. TERMINATION 9

10 This Agreement shall continue in force and govern all transactions between the
11 parties hereto until canceled or terminated as follows:
12

- 13 1. It is understood and agreed by the parties hereto that this Agreement shall remain
14 in force only during its term and shall not continue in force after its term; and there
15 shall be no automatic extension, but this Agreement may be extended only by
16 written consent of the parties hereto. Not later than 180 days prior to the expiration
17 of this Agreement, COUNTY shall notify DOC in writing of its intention to renew
18 this agreement for another term by entering into a new agreement for the next
19 biennium.
20
- 21 2. It is understood and agreed by the parties hereto that if any part, term or provision
22 of this agreement, including any part, term or provision of any appended material,
23 is held by a court to be illegal or in conflict with any law of the State of Oregon or
24 applicable administrative rule, that element of the contract including relevant
25 appended materials shall be void and without effect and shall be treated by the
26 parties as having been terminated as of the date of determination of voidness.
27
- 28 3. COUNTY may terminate participation at the end of any month by delivery of a
29 resolution of the Board of Commissioners to the Director of DOC not less than 180
30 days before the termination date (ORS 423.545).
31
- 32 4. If COUNTY terminates participation the following shall apply:
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 - 34 a. The responsibility for correctional services transferred to the COUNTY and
35 the remaining portion of financial aid shall revert to DOC.
36
 - 37 b. Facilities purchased, renovated or constructed with moneys made available
38 under ORS 423.500 to 423.560 shall revert to DOC, unless the COUNTY
39 has participated for 20 continuous years since the facilities were renovated
40 or constructed. COUNTY and DOC may agree to permit COUNTY to retain
41 ownership in the facility in exchange for an agreement that COUNTY will
42 house specified persons under the jurisdiction of DOC.
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5. It is understood and agreed by the parties hereto that this Agreement shall automatically terminate in the event that the State of Oregon fails to provide any funding. In the event of reduced state funding, the COUNTY may elect to modify the Agreement pursuant to Article III, paragraph 9, or to terminate the Agreement pursuant to Article VIII, paragraph 3.

IX. INTEGRATION

This Agreement, and the Exhibits attached hereto as set out above, embodies the whole agreement of the parties. There are no promises, terms, conditions or obligations other than those contained herein; and this Agreement shall supersede all previous communications, representations, either verbal or written, between the parties hereto.

X. TERM

The term of this Agreement shall begin upon the date of execution of this Agreement and shall expire June 30, 1995.

IN WITNESS WHEREOF, COUNTY has, by resolution of its Board of Commissioners, caused this Agreement to be signed in its name by its members or its duly authorized representative, and DOC has caused this Agreement to be executed by its duly authorized representative as of this 30th day of September, 1993.

STATE OF OREGON
DEPARTMENT OF CORRECTIONS

MULTNOMAH COUNTY
BOARD OF COMMISSIONERS

Frank A. Hall, Director

Beverly Stein, Chair

Date

Date

BOARD OF PAROLE AND POST-PRISON
SUPERVISION

Danny Santos, Chair

Date

APPROVED AS TO LEGAL SUFFICIENCY

APPROVED AS TO FORM

Assistant Attorney General

Regina He...

County Counsel

Date

9-30-93

Date

OREGON

DEPARTMENT OF CORRECTIONS

Community Services Branch



2575 Center Street NE
Salem, Oregon 97310
Telephone (503) 378-8805
FAX: (503) 378-4908

February 12, 1993

TO: STATE DIRECTORS OF COMMUNITY CORRECTIONS
CCA MANAGERS
COUNTY DIRECTORS OF COMMUNITY CORRECTIONS

FROM: MARY BLAKE 
COMMUNITY CORRECTIONS BRANCH

SUBJECT: COUNTY REVOCATION TARGETS - Bring to February 18th Meeting

Attached are the County Revocation Targets for 1993-95. The High Risk Score % is each counties high risk caseload as compared to the state total high risk caseload. *High risk* is defined as having the most recent initial classification or reclassification score of 0 to 6 (October 1, 1992 caseload).

I have included both the admissions for Revocations with *No New Conviction* and the admissions for Revocations with *New Convictions*. We must reduce the "no new conviction revocation" admissions while not increasing the "new conviction revocation" admissions or increasing the length of stay of each category.

The *No New Conviction Probation* Revocation Admission Targets are phased-in over the first 12 months of the biennium. The *No New Conviction Parole* Targets are in effect immediately in July 1993 as the caseload will presumably be reduced by July 1, 1993, while the probation violation hearings process and probation intervention guidelines will take some time to reach its full effect.

We will be designing a monitoring report that will provide all of us county by county, hopefully monthly, information on 1) *admissions* (no new conviction revocations, new conviction revocations, and brand new admits); 2) *length of stay* for all categories, and 3) *prison beds* used for each type of admission.

Congrats to those of you whose county is under its target! Keep up the good work -- we're counting on you. The 1993-95 biennium will probably be known as the biennium of "Population Management".

We will be answering any questions of clarification for you at the February 18th Statewide Directors Meeting in Salem. *Please bring this with you.*

attachment
cc Management Team

1993-95 COUNTY REVOCATION TARGETS
for PAROLEES ADMITTED for NON-CONVICTION Revocations
(Oct 1, 1992 Caseload Data and April-Sept 1992 Revocation Data)

(REVISED 2-8-93)

Using % of High Risk

		Actual 4/92-9/92 Non-Conv Parole Admits	TARGET Non-Conv Parole Admits 7/93-12/93	TARGET Non-Conv Parole Admits 1/94-6/94	TARGET Non-Conv Parole Admits 7/94-12/94	TARGET Non-Conv Parole Admits 1/95-6/95	TOTAL TARGET Non-Conv Parole Admits 7/93-6/95
	% of High Risk		434	434	434	434	1736
Baker	0.35%	3	1.5	1.5	1.5	1.5	6
Benton	0.72%	0	3.1	3.1	3.1	3.1	12
Clackamas	3.83%	29	16.6	16.6	16.6	16.6	66
Clatsop	0.75%	5	3.3	3.3	3.3	3.3	13
Columbia	0.69%	3	3.0	3.0	3.0	3.0	12
Coos	2.68%	36	11.6	11.6	11.6	11.6	47
Crook	0.52%	5	2.3	2.3	2.3	2.3	9
Curry	0.12%	4	0.5	0.5	0.5	0.5	2
Deschutes	1.79%	11	7.8	7.8	7.8	7.8	31
Douglas	1.44%	30	6.2	6.2	6.2	6.2	25
Gilliam		0					0
Grant		0					0
Harney	0.20%	3	0.9	0.9	0.9	0.9	4
Hood River	0.14%	1	0.6	0.6	0.6	0.6	2
Jackson	2.97%	21	12.9	12.9	12.9	12.9	52
Jefferson	0.43%	3	1.9	1.9	1.9	1.9	7
Josephine	1.47%	7	6.4	6.4	6.4	6.4	26
Klamath	1.70%	32	7.4	7.4	7.4	7.4	30
Lake	0.17%	1	0.7	0.7	0.7	0.7	3
Lane	11.98%	120	52.0	52.0	52.0	52.0	208
Lincoln	1.41%	14	6.1	6.1	6.1	6.1	24
Linn	3.05%	17	13.2	13.2	13.2	13.2	53
Malheur	0.72%	15	3.1	3.1	3.1	3.1	12
Marion	10.34%	79	44.9	44.9	44.9	44.9	180
Morrow							0
Multnomah	41.88%	341	181.8	181.8	181.8	181.8	727
Polk	0.84%	13	3.6	3.6	3.6	3.6	15
Sherman							0
Tillamook	0.46%	0	2.0	2.0	2.0	2.0	8
Umatilla	1.53%	15	6.6	6.6	6.6	6.6	27
Union/Walla	0.26%	1	1.1	1.1	1.1	1.1	5
Wasco	0.60%	4	2.6	2.6	2.6	2.6	10
Washington	5.44%	33	23.6	23.6	23.6	23.6	94
Wheeler							0
Yamhill	1.53%	6	6.6	6.6	6.6	6.6	27
TOTAL	100.0%	852	434.1	434.1	434.1	434.1	1,736

1993-95 COUNTY REVOCATION TARGETS

for PROBATIONERS ADMITTED for NON-CONVICTION Revocations
(Oct 1, 1992 Caseload Data and April-Sept 1992 Revocation Data)

(REVISED 2-6-93)

Using % of High Risk

		Actual	TARGET	TARGET	TARGET	TARGET	TOTAL
	% of	4/92-9/92	Non-Conv	Non-Conv	Non-Conv	Non-Conv	TARGET
	High	Non-Conv	Probation	Probation	Probation	Probation	Non-Conv
	Risk	Admits	Admits	Admits	Admits	Admits	Probation
			7/93-12/93	1/94-6/94	7/94-12/94	1/95-6/95	7/93-6/95
			716	512	378	378	1984
Baker	0.58%	0	4.2	3.0	2.2	2.2	12
Benton	1.05%	2	7.5	5.4	4.0	4.0	21
Clackamas	5.83%	30	41.7	29.8	22.0	22.0	116
Clatsop	1.57%	7	11.2	8.0	5.9	5.9	31
Columbia	0.76%	6	5.4	3.9	2.9	2.9	15
Coos	3.97%	16	28.4	20.3	15.0	15.0	79
Crook	0.64%	1	4.6	3.3	2.4	2.4	13
Curry	0.58%	16	4.2	3.0	2.2	2.2	12
Deschutes	1.92%	11	13.7	9.8	7.3	7.3	38
Douglas	1.87%	39	13.4	9.6	7.1	7.1	37
Gilliam		0					0
Grant		0					0
Harney	0.23%	3	1.6	1.2	0.9	0.9	5
Hood River	0.29%	4	2.1	1.5	1.1	1.1	6
Jackson	5.54%	35	39.7	28.4	20.9	20.9	110
Jefferson	0.87%	5	6.2	4.5	3.3	3.3	17
Josephine	2.57%	4	18.4	13.2	9.7	9.7	51
Klamath	3.34%	16	23.9	17.1	12.6	12.6	66
Lake	0.58%	1	4.2	3.0	2.2	2.2	12
Lane	9.74%	77	69.7	49.9	36.8	36.8	193
Lincoln	2.10%	6	15.0	10.8	7.9	7.9	42
Linn	3.67%	19	26.3	18.8	13.9	13.9	73
Malheur	0.47%	15	3.4	2.4	1.8	1.8	9
Marion	6.06%	77	43.4	31.0	22.9	22.9	120
Morrow							0
Multnomah	29.50%	268	211.2	151.0	111.5	111.5	585
Polk	1.81%	8	13.0	9.3	6.8	6.8	36
Sherman							0
Tillamook	1.17%	6	8.4	6.0	4.4	4.4	23
Umatilla	4.20%	5	30.1	21.5	15.9	15.9	83
Union/Walla	0.70%	2	5.0	3.6	2.6	2.6	14
Wasco	1.40%	4	10.0	7.2	5.3	5.3	28
Washington	4.43%	48	31.7	22.7	16.7	16.7	88
Wheeler							0
Yamhill	2.45%	17	17.5	12.5	9.3	9.3	49
TOTAL	99.9%	748	715.2	511.4	377.6	377.6	1982

1993-95 COUNTY REVOCATION TARGETS

for PAROLEES ADMITTED for NEW CONVICTION Revocations
(Oct 1, 1992 Caseload Data and April-Sept 1992 Revocation Data)

(REVISED 2-6-93)

Using % of High Risk

		Actual	TARGET	TARGET	TARGET	TARGET	TOTAL
	% of	4/92-9/92	NEW Conv	NEW Conv	NEW Conv	NEW Conv	TARGET
	High	NEW Conv	Parole	Parole	Parole	Parole	NEW Conv
	Risk	Admits	Admits	Admits	Admits	Admits	Admits
			7/93-12/93	1/94-6/94	7/94-12/94	1/95-6/95	7/93-6/95
			486	486	486	486	1944
Baker	0.35%	1	1.7	1.7	1.7	1.7	7
Benton	0.72%	6	3.5	3.5	3.5	3.5	14
Clackamas	3.83%	13	18.6	18.6	18.6	18.6	74
Clatsop	0.75%	3	3.6	3.6	3.6	3.6	15
Columbia	0.69%	1	3.4	3.4	3.4	3.4	13
Coos	2.68%	9	13.0	13.0	13.0	13.0	52
Crook	0.52%	1	2.5	2.5	2.5	2.5	10
Curry	0.12%	0	0.6	0.6	0.6	0.6	2
Deschutes	1.79%	5	8.7	8.7	8.7	8.7	35
Douglas	1.44%	8	7.0	7.0	7.0	7.0	28
Gilliam		0	0.0	0.0	0.0	0.0	0
Grant		0	0.0	0.0	0.0	0.0	0
Harney	0.20%	0	1.0	1.0	1.0	1.0	4
Hood River	0.14%	0	0.7	0.7	0.7	0.7	3
Jackson	2.97%	8	14.4	14.4	14.4	14.4	58
Jefferson	0.43%	0	2.1	2.1	2.1	2.1	8
Josephine	1.47%	6	7.1	7.1	7.1	7.1	29
Klamath	1.70%	10	8.3	8.3	8.3	8.3	33
Lake	0.17%	0	0.8	0.8	0.8	0.8	3
Lane	11.98%	46	58.2	58.2	58.2	58.2	233
Lincoln	1.41%	6	6.9	6.9	6.9	6.9	27
Linn	3.05%	11	14.8	14.8	14.8	14.8	59
Malheur	0.72%	8	3.5	3.5	3.5	3.5	14
Marion	10.34%	61	50.3	50.3	50.3	50.3	201
Morrow			0.0	0.0	0.0	0.0	0
Multnomah	41.88%	240	203.5	203.5	203.5	203.5	814
Polk	0.84%	1	4.1	4.1	4.1	4.1	16
Sherman			0.0	0.0	0.0	0.0	0
Tillamook	0.46%	2	2.2	2.2	2.2	2.2	9
Umatilla	1.53%	4	7.4	7.4	7.4	7.4	30
Union/Wallawa	0.26%	2	1.3	1.3	1.3	1.3	5
Wasco	0.60%	1	2.9	2.9	2.9	2.9	12
Washington	5.44%	19	26.4	26.4	26.4	26.4	106
Wheeler			0.0	0.0	0.0	0.0	0
Yamhill	1.53%	0	7.4	7.4	7.4	7.4	30
TOTAL	100.0%	472	486.1	486.1	486.1	486.1	1,944

1993-95 COUNTY REVOCATION TARGETS

for PROBATIONERS ADMITTED for NEW CONVICTION Revocations

(Oct 1, 1992 Caseload Data and April-Sept 1992 Revocation Data)

(REVISED 2-8-93)

Using % of High Risk

		Actual	TARGET	TARGET	TARGET	TARGET	TOTAL
		4/92-9/92	NEW Conv	NEW Conv	NEW Conv	NEW Conv	TARGET
	% of	NEW Conv	Probation	Probation	Probation	Probation	NEW Conv
	High	Admits	Admits	Admits	Admits	Admits	Admits
	Risk		7/93-12/93	1/94-6/94	7/94-12/94	1/95-6/95	7/93-6/95
			426	426	426	426	1704
Baker	0.58%	0	2.5	2.5	2.5	2.5	10
Benton	1.05%	7	4.5	4.5	4.5	4.5	18
Clackamas	5.83%	10	24.8	24.8	24.8	24.8	99
Clatsop	1.57%	2	6.7	6.7	6.7	6.7	27
Columbia	0.76%	0	3.2	3.2	3.2	3.2	13
Coos	3.97%	7	16.9	16.9	16.9	16.9	68
Crook	0.64%	3	2.7	2.7	2.7	2.7	11
Curry	0.58%	1	2.5	2.5	2.5	2.5	10
Deschutes	1.92%	10	8.2	8.2	8.2	8.2	33
Douglas	1.87%	7	8.0	8.0	8.0	8.0	32
Gilliam		0	0.0	0.0	0.0	0.0	0
Grant		0	0.0	0.0	0.0	0.0	0
Harney	0.23%	0	1.0	1.0	1.0	1.0	4
Hood River	0.29%	2	1.2	1.2	1.2	1.2	5
Jackson	5.54%	12	23.6	23.6	23.6	23.6	94
Jefferson	0.87%	2	3.7	3.7	3.7	3.7	15
Josephine	2.57%	4	10.9	10.9	10.9	10.9	44
Klamath	3.34%	8	14.2	14.2	14.2	14.2	57
Lake	0.58%	1	2.5	2.5	2.5	2.5	10
Lane	9.74%	41	41.5	41.5	41.5	41.5	166
Lincoln	2.10%	7	8.9	8.9	8.9	8.9	36
Linn	3.67%	15	15.6	15.6	15.6	15.6	63
Malheur	0.47%	8	2.0	2.0	2.0	2.0	8
Marion	6.06%	42	25.8	25.8	25.8	25.8	103
Morrow			0.0	0.0	0.0	0.0	0
Multnomah	29.50%	179	125.7	125.7	125.7	125.7	503
Polk	1.81%	4	7.7	7.7	7.7	7.7	31
Sherman			0.0	0.0	0.0	0.0	0
Tillamook	1.17%	2	5.0	5.0	5.0	5.0	20
Umatilla	4.20%	1	17.9	17.9	17.9	17.9	72
Union/Wallawa	0.70%	2	3.0	3.0	3.0	3.0	12
Wasco	1.40%	0	6.0	6.0	6.0	6.0	24
Washington	4.43%	25	18.9	18.9	18.9	18.9	75
Wheeler			0.0	0.0	0.0	0.0	0
Yamhill	2.45%	18	10.4	10.4	10.4	10.4	42
TOTAL	100.0%	420	425.5	425.5	425.5	425.5	1,702

DEPARTMENT OF CORRECTIONS

STRATEGIC PLAN
TO
MANAGE THE OFFENDER POPULATION

DEPARTMENT OF CORRECTIONS
1993-95 GOVERNOR'S BUDGET

STRATEGIC PLAN

MISSION

The Mission of the Department of Corrections is to reduce the risk of criminal conduct, through a partnership with communities, with a continuum of community supervision, incarceration, sanctions and services to manage offender behavior.

The fundamental value in the continuum of probation, prison and parole is the principle that the least restrictive method be used to manage offender behavior, consistent with public safety. The Department's Strategic Plan implements this value within the constraints of reduced state resources.

MAJOR POLICIES

- Manage offenders who violate conditions of probation and parole in their communities through expansion of sanctions such as local jails, restitution centers, house arrest and day reporting centers.
- Target scarce community supervision resources to higher-risk felony probationers and all parolees.
- Adjust Sentencing Guidelines to reflect the funded prison capacity.

IMPLEMENTATION STRATEGIES

→ **Utilize Increased Local Sanctions that are Swift and Sure to Reduce the Projected Increase in Demand for Prison Beds and Create a More Effective Corrections System:**

- **Statewide Intervention Guidelines for Probation and Parole Violators**
- **Restitution Center Beds**
- **House Arrest**
- **Local Jail Beds**
- **Day Reporting Centers**

→ **Expand Institutional Programming Aimed at Rehabilitation and Inmate Skill Building:**

- **Boot Camp Type Program**
- **Professional/Technical Training Programs**
- **Alcohol and Drug Treatment Programs**
- **Training on Self-Accountability and Responsibility**

→ **Improve Offender Transition from Institutions to Communities Through:**

- **Job Readiness Training**
- **Work Release Programs**
- **Transitional Housing**

→ **Redirect Community Supervision Resources to Higher-Risk Offenders Through:**

- **Eliminating Supervision of Approximately 4,500 Lower-risk Felony Offenders**
- **Reduction of Parole Supervision to 12 Months for Targeted Offenders and 6 Months for All other Parolees Except for Sex Offenders and Dangerous Offenders Who Will Continue Under Long-Term Supervision.**
- **Elimination of State Funding for Supervision of Approximately 2,600 Misdemeanant Offenders**

OREGON PROGRESS BOARD BENCHMARKS, OUTSTANDING QUALITY OF LIFE:

→ Reduce average rate of reincarceration of paroled offenders within three year of initial release (1992: 41%, 1995: 35%, 2000: 20%, 2010: 15%). (Oregon Benchmarks, Outstanding Quality of Life, #51).

DEPARTMENT PERFORMANCE MEASURES

→ Utilize Performance Measures To Assess and Evaluate the Impact of Major Policies and Strategies:

- Percent of offenders returned to prison within three years of release,
- Amount of time under supervision in the community prior to revocation for a new crime,
- Percent of offenders convicted for new criminal behavior during period of supervision,
- Rehabilitative program slots available per inmate population,
- Percent of inmates employed six months following release from prison.

GOAL

→ 50 Percent Reduction in Revocations to Prison with No New Conviction.

OREGON DOC ALLOCATION REQUIREMENTS

COUNTY PLAN ISSUES

GENERAL ISSUES TO ASSIST IN COUNTY PLANNING

- ▶ Counties should develop a plan that reflects the Department Strategic Plan and change in philosophy, the change in the profile of the caseload including lower numbers of lower-risk offenders and a greater emphasis on interventions and sanctions targeting higher-risk offenders.
- ▶ Counties must address availability of work release, transitional services, implementation of parole and probation intervention guidelines and a substantial reduction in the numbers of offenders revoked to prison for supervision failures.
- ▶ In order to achieve the goal of effective management of offenders in the community, it will be necessary to clearly identify what sanctions and interventions are in place to manage those offenders that may have otherwise returned to prison.
- ▶ Plans should be based around the array of supervision, sanctions and interventions that will assist the county in meeting individual target reductions in revocations.

SPECIFIC ISSUES

CONSTRUCTION/PURCHASE OF BUILDINGS:

- ▶ Not allowable, but reasonable rent or lease is allowable.

RENOVATION/REMODELING OF BUILDINGS

- ▶ Allowable

GENERAL JAIL OPERATIONS

- ▶ Purchase of care only:
 - a. Paid on daily rate for actual use; or
 - b. Guaranteed availability of a set number of beds at a fixed daily rate whether actually used or not.
- ▶ Plans need to specify that jail beds are for specific purpose i.e. DROP, work release, sanction.
- ▶ Detainers awaiting hearings or pre-trial not allowable.

PURCHASE OF GENERAL P/PO'S

- ▶ Purchase of generalized PO's not allowable
- ▶ Rehire of previous PO's is allowable if those staff have other skills and abilities to perform tasks other than general PO work. If the county develops other programs, personnel can be used as staff, but not as traditional PO's.
- ▶ Funding of specialized caseloads is allowable if:

- a. The supervision enhancement is a sanction and represents a level of supervision greater than High Supervision such as Intensive Supervision. The program description should clearly show this enhancement.

FUNDING OF DIVERSION, PRE-TRIAL, MISDEMEANANT SUPERVISION OR PROGRAMS, DUII: EVALUATIONS, SUPERVISION OR PROGRAMS, LOWER RISK PROGRAMS AND SUPERVISION

- ▶ Funding is currently not included in the Governor's Budget for these populations.
- ▶ Depending on the actions of Ways and Means, it may be necessary to prohibit these program types with State General Fund. [It is likely the Legislature will take action to prohibit these kinds of programs within the Appropriation Bill]
- ▶ If a county plans to use funds for these program types, it must show that adequate sanctions and interventions exist for the higher risk offenders. Counties should balance the need to target higher risk offenders and the requirement that each county will reduce revocations to prison.
- ▶ Any or all of these services can be provided by other than State General Fund or Beer and Wine Tax monies. Sources might include: client fees, supervision fees from these offenders, county General Fund, grants.

PURCHASE OF VEHICLES

- ▶ Purchase of vehicles is discouraged. Both Legislative Fiscal and the Executive Department have indicated concern regarding use of funds for this purpose.

PURCHASE OF ELECTRONICS EQUIPMENT

- ▶ Lease rather than purchase of this equipment is encouraged.

PURCHASE OF COMPUTER AND OTHER AUTOMATION EQUIPMENT

- ▶ The Board will not approve purchase of computer equipment if it is not demonstrated as compatible with the Department of Corrections system.

**COMMUNITY CORRECTIONS BRANCH
93-95 WORKLOAD FORMULA**

The **FORMULA** for allocation of Field Services resources consists of:

- ▶ Workload as described by the Oregon Case Management System based on the risk of offenders under supervision using Statewide Actual risk scores based on each county's caseloads from July 1992 through December 1992.

Assumptions:

1. Parole cases, supervised 6, 12, 18 or 36 months, plus inactive; sex offenders for length of sentence.
 2. Felony probation risk scores 0-10, plus sex offenders scoring 11 or 12, active supervision; other 11-12, inactive.
 3. Misdemeanant probation risk scores 0-8 (person-to-person offenses only).
 4. Investigations are included in workload calculations.
- ▶ Required reports and investigations to releasing authorities as 10% of the supervision workload; and
 - ▶ Ratios for clerical staff to POs and supervisors of 4.8 and for supervisors/managers to clerical and PO staff of 11.8. These ratios are established by the overall ratio funded by the legislature.

PERSONNEL: Probation and parole officers, clerical staff, and supervisors/managers are allocated according to each jurisdiction's portion of the state workload as described above. Average state salaries and adjustments are used to establish the personnel allocation to Option I counties. The PIC system will determine the state personnel allocation.

SERVICES & SUPPLIES and CAPITAL OUTLAY: S&S and Capital Outlay are allocated based on state workload as described above. Other Fund S&S is allocated only to state offices as it is supervision fee revenue from only those operations. Option I counties retain their supervision fee revenue locally for budgeting purposes.

IMPLEMENTATION: Option I counties and state branches will receive their allocation as basic Personnel and S&S/Capital Outlay. However, Community Corrections Branch may make adjustments to state branch allocations based on the need for minimal coverage in rural areas, to address span of control issues, and rounding of partial FTE to half- or full-time staff. The layoff procedure for state staff was commenced in late July 1993 in order to comply with budgetary limitations by mid-August 1993.

S.B. 139

RECEIVED

SEP 03 1993

DEPARTMENT OF
COMMUNITY CORRECTIONS

67th OREGON LEGISLATIVE ASSEMBLY-1993 Regular Session

Enrolled
Senate Bill 139

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Department of Corrections)

680

CHAPTER

AN ACT

Relating to crime: creating new provisions: amending ORS 131.315, 137.540, 137.550, 161.390, 161.625, 161.635, 164.045, 164.055, 164.115, 164.125, 164.215, 164.255, 165.013, 165.055, 166.715, 423.530 and 423.550 and section 4, chapter 614, Oregon Laws 1989; repealing ORS 144.305 and 144.310; limiting expenditures; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 423.530 is amended to read:

423.530. (1) Financial grants for community corrections pursuant to ORS 423.500 to 423.560 shall consist of:

(a) Payments from moneys appropriated to the Department of Corrections for the purposes of management, support services and supervision of parolees, probationers and offenders subject to post-prison supervision. The department shall determine, prior to July 1 of each odd-numbered year, each county's percentage share of the amount appropriated for the purposes of this subsection. Such determination shall be made by use of a workload formula adopted by the department by rule, which formula shall be in effect beginning July 1, 1991, and which formula shall include all parole and probation appropriations subject to review and comment by the Community Corrections Advisory Board before the rule becomes final. This determination shall be based upon the community supervision workload and the difficulty and cost of servicing that workload.

(b) Enhancement grants from the department for the purpose of providing community corrections services. The department shall determine, prior to July 1 of each odd-numbered year, each county's percentage share of the amount appropriated for the purposes of this subsection. Such determination shall be *(adopted by rule and shall be based upon statewide crime and demographic data certified by a state agency other than the Department of Corrections. The data shall be subject to review and comment by the Community Corrections Advisory Board before the determination of the department.)* made by use of a workload formula adopted by the department by rule, which formula shall be in effect beginning July 1, 1993. This determination shall be based upon the community supervision workload and the difficulty and cost of servicing that workload. The formula shall be subject to review and comment by the Community Corrections Advisory Board before it becomes final.

(c) Appropriations to counties pursuant to ORS 423.550 to 423.560 approved for local government corrections programs shall not be reduced by the department except by action of the Legislative Assembly or the Emergency Board. Such reductions shall be made proportionately using the applicable allocation formula.

(2) The department shall by rule provide for computation of each county's entitlement in each biennial period in the event participation by the county is for less than a biennial period. Such

computation shall be based upon any actions approved by the Legislative Assembly relative to the timing of expenditures with respect to appropriations for purposes of subsection (1) of this section.

SECTION 2. ORS 423.550, as amended by section 3, chapter 614, Oregon Laws 1989, is amended to read:

423.550. (1) When a county pursuant to ORS 423.500 to 423.560 assumes responsibility for any portion of correctional services previously provided by the Department of Corrections, the county and the department shall enter into an intergovernmental agreement that includes an approved local community corrections plan, program descriptions, budget allocation, performance objectives and method of evaluation for each correctional service to be provided by either the county or the department. Funds appropriated for the provision of these corrections services shall be apportioned between the department and the county as provided for in each intergovernmental agreement drawn to effect the purposes of ORS 423.505 and this section.

(2)(a) Except as provided in paragraph (b) of this subsection, any state correctional field officer, immediate supervisor of such correctional officer or any supporting clerical personnel whose job involves rendering services assumed by the county may transfer to employment by the county or may remain in the employment of the department and provide field services to the county under the terms of a contract for services between the county and the department. The county shall pay the department for any services rendered by such employees on an actual cost basis.

(b) In any county having a population of 200,000 persons or more, at the discretion of the county, all state correctional field officers, immediate supervisors of such correctional officers and any supporting clerical personnel whose jobs involve rendering services assumed by the county shall transfer to county employment. An employee who is involuntarily transferred under this paragraph may, within two years of the transfer, terminate county employment and immediately return to employment with the Department of Corrections in a vacant position. The termination and reemployment of the employee is subject to the provisions of ORS 236.605 to 236.650 as those statutes apply to sick leave, vacation leave, retirement systems, preexisting conditions under health insurance plans and seniority.

(c) Any such employee transferring to county employment under this section shall not suffer any reduction in salary or retirement eligibility. Any such employee shall be considered a transferred employee and shall be subject to the provisions of ORS 236.610 to 236.650.

(3) Any such employee who transfers employment pursuant to subsection (2) of this section shall be entitled to reenter state employment within 30 days if the county to which the employee has transferred withdraws from participation under ORS 423.500 to 423.560 or if funds are not appropriated to carry out the purposes of ORS 423.500 to 423.560. The employee shall reenter state employment at the same status and seniority that the employee held prior to the transfer. The return transfer right shall be exercised in accordance with ORS 236.610 to 236.650 and the applicable collective bargaining agreement.

SECTION 3. Section 4, chapter 614, Oregon Laws 1989, is amended to read:

Sec. 4. The amendments to ORS 423.550 by section 3, [of this Act] chapter 614, Oregon Laws 1989, and section 2 of this 1993 Act apply only to counties that assume responsibility for correctional services pursuant to ORS 423.500 to 423.560 on or after [the effective date of this Act] October 3, 1989.

SECTION 4. (1) The State Board of Parole and Post-Prison Supervision shall adopt rules providing for periods of supervised parole and post-prison supervision subject to the following:

(a) All prisoners shall serve at least:

(A) Six months of supervised parole or post-prison supervision for crimes in crime categories one to three;

(B) Twelve months of supervised parole or post-prison supervision for crimes in crime categories four to six; and

(C) Eighteen months of supervised parole or post-prison supervision for crimes in crime categories seven to eleven;

(b) Prisoners sentenced as dangerous offenders under ORS 161.725 and 161.735, for aggravated murder under ORS 163.105 or for murder under ORS 163.115 shall serve at least three years of supervised parole or post-prison supervision; and

(c) Prisoners sentenced for violating or attempting to violate ORS 163.375, 163.405, 163.408, 163.411, 163.425 or 163.427 shall serve a term of post-prison supervision as provided in ORS 144.103.

(2) No sooner than 30 days prior to the minimum supervision date of an offender's supervised parole or post-prison supervision, the supervising officer may send to the board a closing summary if the offender has substantially fulfilled the supervision conditions. The summary shall include:

(a) An evaluation of the offender's compliance with supervision conditions;

(b) The status of the offender's court ordered monetary obligations, including fines and restitution, if any;

(c) The offender's employment status;

(d) The offender's address;

(e) Treatment program outcome;

(f) Any new criminal activity; and

(g) A recommendation that the board place the offender on unsupervised parole or post-prison supervision.

(3) Upon completion of the period of supervision and after reviewing the closing summary submitted under subsection (2) of this section, the board may:

(a) Order a period of inactive parole or post-prison supervision that shall continue until the expiration of the sentence; or

(b) Extend the supervision period if it finds the offender has not substantially fulfilled the supervision conditions or has failed to complete payment of restitution.

(4) During the pendency of any violation proceedings, the running of the supervision period and the sentence is stayed, and the board has jurisdiction over the offender until the proceedings are resolved.

(5) The board shall send written notification to the supervised offender of the expiration of the sentence.

SECTION 5. The State Sentencing Guidelines Board shall amend its rules regarding post-prison supervision sanctions to provide graduated periods of maximum sanctions based on the length of the supervision term as follows:

(1) Six months if the term of supervision is one year;

(2) Nine months if the term of supervision is two years; and

(3) Twelve months if the term of supervision is three years.

SECTION 6. Section 5 of this Act is repealed on November 1, 1995.

SECTION 7. ORS 144.305 and 144.310 are repealed.

SECTION 8. The Legislative Assembly finds that:

(1) To protect the public, the criminal justice system must compel compliance with the conditions of probation by responding to violations with swift, certain and fair punishments.

(2) Decisions to incarcerate offenders in state prisons for violation of the conditions of probation must be made upon a reasonably systematic basis that will insure that available prison space is used to house those offenders who constitute a serious threat to the public, taking into consideration the availability of both prison space and local resources.

SECTION 9. (1) Sections 10 to 15 of this Act and the amendments to ORS 137.540 by section 16 of this Act apply to:

(a) All persons on probation for felonies committed on or after September 1, 1993.

(b) All persons on probation for felonies committed prior to September 1, 1993, if:

(A) The sentencing judge orders, on or after September 1, 1993, that the person be subject to sections 10 to 15 of this Act and the amendments to ORS 137.540 by section 16 of this Act; and

(B) The probationer consents in writing or on the record to be subject to sections 10 to 15 of this Act and the amendments to ORS 137.540 by section 16 of this Act.

(2) If it cannot be determined whether the felony was committed on or after September 1, 1993, the crime shall be deemed, for purposes of sections 10 to 15 of this Act and the amendments to ORS 137.540 by section 16 of this Act, to have been committed prior to September 1, 1993.

SECTION 10. (1) Except as otherwise provided in subsection (2) of this section, when a court suspends the imposition or execution of sentence and places a defendant on probation, or sentences a defendant to probation under the rules of the State Sentencing Guidelines Board and orders a defendant placed under the supervision of the Department of Corrections or a county community corrections agency, the Department of Corrections or the county community corrections agency shall impose structured, intermediate sanctions for the violation of conditions of probation in accordance with rules adopted under section 11 of this Act. Under no circumstances may the Department of Corrections or a county community corrections agency revoke probation.

(2) The sentencing judge shall retain authority:

(a) To revoke probation and receive recommendations regarding revocation of probation from the supervising officer made in accordance with rules adopted under section 11 of this Act;

(b) To determine whether conditions of probation have been violated and to impose sanctions for the violations if the court, at the time of sentencing, states on the record that the court is retaining such authority; and

(c) To cause a probationer to be brought before the court for a hearing upon motion of the district attorney or the court's own motion prior to the imposition of any structured, intermediate sanctions or within four judicial days after receiving notice that a structured, intermediate sanction has been imposed on the probationer pursuant to rules adopted under section 11 of this Act and to revoke probation or impose such other or additional sanctions or modify the conditions of probation as authorized by law.

(3) In no case may the sentencing judge cause a probationer to be brought before the court for a hearing and revoke probation or impose other or additional sanctions after the probationer has completed a structured, intermediate sanction imposed by the Department of Corrections or a county community corrections agency pursuant to rules adopted under section 11 of this Act.

SECTION 11. (1) The Department of Corrections shall adopt rules to carry out the purposes of this Act by establishing a system of structured, intermediate probation violation sanctions that may be imposed by the Department of Corrections or a county community corrections agency, taking into consideration the severity of the violation behavior, the prior violation history, the severity of the underlying criminal conviction, the criminal history of the offender, protection of the community, deterrence, the effective capacity of the state prisons and the availability of appropriate local sanctions including, but not limited to, jail, community service work, house arrest, electronic surveillance, restitution centers, work release centers, day reporting centers or other local sanctions.

(2) Rules adopted by the Department of Corrections under this section shall establish:

(a) A system of structured, intermediate probation violation sanctions that may be imposed by the Department of Corrections or a county community corrections agency on a probationer who waives in writing a probation violation hearing, admits or affirmatively chooses not to contest the violations alleged in a probation violation report and consents to the sanctions;

(b) Procedures to provide a probationer with written notice of the probationer's right to a hearing before the court to determine whether the probationer violated the conditions of probation alleged in a probation violation report, and if so, whether to continue the probationer on probation subject to the same or modified conditions, or order sanctions for

any violations and the right to be represented by counsel at the hearing if the probationer is indigent;

(c) Procedures for a probationer to waive in writing a probation violation hearing, admit or not contest the violations alleged in the probation violation report and consent to the imposition of structured, intermediate sanctions by the Department of Corrections or a county community corrections agency;

(d) The level and type of sanctions that may be imposed by probation officers and by supervisory personnel;

(e) The level and type of violation behavior warranting a recommendation to the court that probation be revoked;

(f) Procedures for notifying district attorneys and the courts of probation violations admitted by probationers and the sanctions imposed by the Department of Corrections or county community corrections agencies; and

(g) Such other policies or procedures as are necessary to carry out the purposes of this Act.

(3) Jail confinement imposed as a custodial sanction by the Department of Corrections or a county community corrections agency pursuant to rules adopted under this section shall not exceed 30 days per violation report. The total number of days of jail confinement for all violation reports per conviction shall not exceed the maximum number of available jail custody units under rules adopted by the State Sentencing Guidelines Board.

(4) Nonjail confinement imposed as a custodial sanction by the Department of Corrections or a county community corrections agency pursuant to rules adopted under this section shall not exceed the maximum number of available nonjail custody units under rules adopted by the State Sentencing Guidelines Board.

SECTION 12. Subject to rules adopted under section 11 of this Act, after receiving written notification of rights, a probationer may waive in writing a probation violation hearing, admit or not contest the violations alleged in the probation violation report and consent to the imposition of structured, intermediate sanctions by the Department of Corrections or a county community corrections agency pursuant to rules adopted under section 11 of this Act.

SECTION 13. Prior to the imposition of any structured, intermediate sanction or within four judicial days after receiving notice that a structured, intermediate sanction has been imposed on a probationer pursuant to rules adopted under section 11 of this Act, the court, upon motion of the district attorney or on its own motion, may cause the probationer to be brought before the court for a hearing, and may revoke probation or impose such other or additional sanctions or modify the conditions of probation as authorized by law. In no case may the sentencing judge cause a probationer to be brought before the court for a hearing and revoke probation or impose other or additional sanctions after the probationer has completed a structured, intermediate sanction imposed by the Department of Corrections or a county community corrections agency pursuant to rules adopted under section 11 of this Act.

SECTION 14. The State Sentencing Guidelines Board shall adopt rules to provide additional nonjail custody units to be used as sanctions for violations of conditions imposed as part of a probationary sentence. The rules shall provide for up to 30 nonjail custody units for offenses classified in Crime Seriousness Categories 1 and 2 and grid blocks 3G, 3H and 3I; up to 60 nonjail custody units for offenses classified in grid blocks 3A through 3F, 4C through 4I and 5G through 5I; and up to 90 nonjail custody units for offenses classified in grid blocks 5F, 6F through 6I, 7F through 7I and offenses in which a sentence of probation was imposed as a dispositional departure or as an optional probation.

SECTION 15. The State Sentencing Guidelines Board shall adopt rules to limit the number of jail custody units that a sentencing judge may impose immediately upon sentencing as part of a probationary sentence to no more than one-third of the total jail custody units. The remaining jail custody units may be used to sanction violations of conditions imposed

as part of the probationary sentence. A sentencing judge may exceed these limitations without departure upon a finding of adequate jail space.

SECTION 16. ORS 137.540 is amended to read:

137.540. (1) The court may place the defendant on probation, which shall be subject to the following general conditions unless specifically deleted by the court. The probationer shall:

[(a) Remain under the supervision and control of the probation department.]

[(b) Abide by the direction of the probation department and its representatives.]

[(c) Promptly and truthfully answer all reasonable inquiries of the probation officer relating to probation performance.]

[(d) Truthfully report monthly at times and in a manner specified by the probation department or its representative.]

(a) Pay supervision fees, fines, restitution or other fees ordered by the court.

(b) Not use or possess controlled substances except pursuant to a medical prescription.

(c) Submit to testing of breath or urine for controlled substance or alcohol use if the probationer has a history of substance abuse or if there is a reasonable suspicion that the probationer has illegally used controlled substances.

(d) Participate in a substance abuse evaluation as directed by the supervising officer and follow the recommendations of the evaluator if there are reasonable grounds to believe there is a history of substance abuse.

(e) Remain in the State of Oregon until written permission to leave is granted by the [probation department] Department of Corrections or a county community corrections agency [or its representatives].

(f) If physically able, find and maintain gainful full-time employment, approved schooling, or a full-time combination of both. Any waiver of this requirement must be based on a finding by the court stating the reasons for the waiver.

(g) Change neither employment nor residence without [promptly informing the probation department] prior permission from the Department of Corrections or a county community corrections agency [or its representatives].

(h) Permit the probation officer to visit the probationer or the probationer's residence or work site, and report as required and abide by the direction of the supervising officer.

[(i) Submit to fingerprinting or photographing, or both, when requested by the probation department for supervision purposes.]

(i) Consent to the search of person, vehicle or premises upon the request of a representative of the supervising officer if the supervising officer has reasonable grounds to believe that evidence of a violation will be found, and submit to fingerprinting or photographing, or both, when requested by the Department of Corrections or a county community corrections agency for supervision purposes.

(j) Obey all laws, municipal, county, state and federal.

[(k) Pay fines, costs including probation costs, attorney fees or restitution or any combination thereof ordered by the court on a schedule of payments determined by the court.]

(k) Promptly and truthfully answer all reasonable inquiries by the Department of Corrections or a county community corrections agency.

(L) Not possess weapons, firearms or dangerous animals.

(m) If under supervision for, or previously convicted of, a sex offense under ORS 163.305 to 163.465, and if recommended by the supervising officer, successfully complete a sex offender treatment program approved by the supervising officer and submit to polygraph examinations at the direction of the supervising officer.

(n) Participate in a mental health evaluation as directed by the supervising officer and follow the recommendation of the evaluator.

(2) In addition to the general conditions, the court may impose any special conditions of probation that are reasonably related to the crime of conviction or the needs of the defendant

for the protection of the public or reformation of the offender, or both, including, but not limited to, that the probationer shall:

(a) For crimes committed prior to November 1, 1989, and misdemeanors committed on or after November 1, 1989, be confined to the county jail or be restricted to the probationer's own residence or to the premises thereof, or be subject to any combination of such confinement and restriction, such confinement or restriction or combination thereof to be for a period not to exceed one year or one-half of the maximum period of confinement that could be imposed for the offense for which the defendant is convicted, whichever is the lesser. *[However, the court shall not order restriction to residence or premises thereof in the case of a defendant convicted of a crime in the course of which the defendant used or threatened to use any weapon or in the course of which the defendant caused, attempted to cause or threatened to cause, physical injury to another.]*

(b) For felonies committed on or after November 1, 1989, be confined in the county jail, or be subject to other custodial sanctions under community supervision, or both, as provided by rules of the State Sentencing Guidelines Board. *[The court shall not order restriction to residence or premises thereof in the case of a defendant convicted of a crime in the course of which the defendant used or threatened to use any weapon or in the course of which the defendant caused, attempted to cause or threatened to cause physical injury to another.]*

[(c) Submit to polygraph examination by a qualified polygraph examiner designated by the court or probation officer under terms and conditions set by the court.]

[(d) Enroll, participate and successfully complete designated residential treatment programs for drug, alcohol or mental health problems.]

[(e) Abstain from or limit the use of intoxicants.]

[(f) Submit to random urinalysis at the direction of probation officer.]

[(g) Refrain from knowingly associating with persons who use or possess controlled substances illegally, or from frequenting places where such substances are kept or sold.]

[(h) Refrain from knowingly associating with:]

[(A) Codefendants or crime partners.]

[(B) Persons known by the probationer to be engaged in criminal activities.]

[(C) Persons under a specified age except under specific circumstances specified in writing by the court or probation officer.]

[(D) Other designated persons.]

[(i) Undergo medical, psychological or therapy treatment.]

[(j) Take Antabuse, if medically approved.]

[(k) Submit to breath test or blood test to determine blood alcohol content upon request of a probation officer having reasonable grounds to believe the results would disclose evidence of a probation violation. This condition may be set when it is reasonably related to the nature of the offense or treatment of the offender.]

[(L) Neither own, possess nor control any firearm or any other specified weapon.]

[(m) Submit person, residence, vehicle and property to search by a probation officer having reasonable grounds to believe such search will disclose evidence of a probation violation. This condition may be set when it is reasonably related to the nature of the offense or treatment of the offender.]

[(3)(a) As a condition of probation, the court may require the defendant to report to any state or local mental health facility or other appropriate mental health program for evaluation. Whenever medical, psychiatric or psychological treatment is recommended, the court may order the defendant, as a condition of probation, to cooperate with and accept the treatment from the facility or program.]

[(b) The facility or program to which the defendant has been referred for evaluation shall perform such evaluation and submit a written report of its findings to the court. If the facility or program finds that treatment of the defendant is appropriate, it shall include its recommendations for treatment in the report to the court.]

[(c) Whenever treatment is provided by the facility or program, it shall furnish reports to the court on a regular basis concerning the progress of the defendant.]

[(d) Copies of all reports submitted to the court pursuant to this section shall be furnished to the defendant and the counsel of the defendant. The confidentiality of these reports shall be determined pursuant to ORS 192.501 to 192.505.]

[(e) Whenever treatment is provided pursuant to this subsection, the court may order, as an additional condition of probation, that the defendant pay the reasonable cost of the treatment to the mental health facility or program providing the treatment.]

[(4) As a condition of probation, the court may order the defendant to pay to the provider the reasonable cost of psychiatric or psychological treatment or other counseling services provided to the victim or victims and the victim's family resulting from or related to the crime or crimes of which the defendant was convicted.]

[(5)(a) As a condition of probation, the court may require the defendant to:]

[(A) Be evaluated as provided in ORS 137.227. If the evaluation finds the defendant to be an alcoholic or a drug-dependent person, and if public or private resources are available, the court shall order, as an additional condition of probation, the defendant to enroll, participate in and successfully complete an appropriate treatment program for alcohol or drug dependency problems. An evaluation will not be required if the court has entered a finding that the defendant is an alcoholic or a drug-dependent person under ORS 137.228.]

[(B) Enroll, participate in and successfully complete a designated treatment program for alcohol or drug dependency problems if the court finds that the defendant is an alcoholic or a drug-dependent person under ORS 137.228.]

[(b) Whenever evaluation or treatment is required under this subsection, the court may order, as an additional condition of probation, that the defendant pay the reasonable cost of the evaluation or treatment to the provider of the evaluation or treatment.]

*[(6)] (3) Failure to abide by all general and special conditions imposed by the court and supervised by the [probation department and its representatives] **Department of Corrections or a county community corrections agency** may result in arrest, **modification of conditions, revocation of probation or imposition of structured, intermediate sanctions in accordance with rules adopted under section 11 of this 1993 Act** [or notification of the violation to the sentencing court].*

[(7)] (4) The court may at any time modify the conditions of probation.

[(8)] (5) It shall not be a cause for revocation of probation that the probationer failed to apply for or accept employment at any workplace where there is a labor dispute in progress. As used in this subsection, "labor dispute" has the meaning for that term provided in ORS 662.010.

SECTION 17. ORS 137.550 is amended to read:

137.550. (1) Subject to the limitations in ORS 137.010 and to rules of the State Sentencing Guidelines Board for felonies committed on or after November 1, 1989:

(a) The period of probation shall be such as the court determines and may, in the discretion of the court, be continued or extended.

(b) The court may at any time discharge a person from probation.

(2) At any time during the probation period, the court may issue a warrant and cause a defendant to be arrested for violating any of the conditions of probation. Any probation officer, police officer or other officer with power of arrest may arrest a probationer without a warrant for violating any condition of probation, and a statement by the probation officer setting forth that the probationer has, in the judgment of the probation officer, violated the conditions of probation is sufficient warrant for the detention of the probationer in the county jail until the probationer can be brought before the court or until the probation officer or supervisory personnel impose and the offender agrees to structured, intermediate sanctions in accordance with the rules adopted under section 11 of this 1993 Act. Such disposition shall be made during the first 36 hours in custody, excluding Saturdays, Sundays and holidays, unless later disposition is authorized by supervisory personnel. If authorized by supervisory personnel, the disposition shall take place in no more than five judicial days. If the offender does not consent to structured, intermediate sanctions imposed by the probation officer or supervisory personnel in accordance with the rules adopted under section 11 of this 1993 Act, [.] the probation officer,

as soon as practicable, but within one judicial day, shall report such arrest or detention to the court that imposed the probation. The probation officer shall promptly submit to the court a report showing in what manner the probationer has violated the conditions of probation.

(3) Except for good cause shown or at the request of the probationer, the probationer shall be brought before a magistrate during the first 36 hours of custody, excluding holidays, Saturdays and Sundays. That magistrate, in the exercise of discretion, may order the probationer held pending revocation hearing or pending transfer to the jurisdiction of another court where the probation was imposed. In lieu of an order that the probationer be held, the magistrate may release the probationer upon the condition that the probationer appear in court at a later date for a probation violation or revocation hearing. If the probationer is being held on an out-of-county warrant, the magistrate may order the probationer released subject to an additional order to the probationer that the probationer report within seven calendar days to the court that imposed the probation.

(4)(a) For defendants sentenced for felonies committed prior to November 1, 1989, and for any misdemeanor, the court that imposed the probation, after summary hearing, may revoke the probation:

(A) If the execution of sentence has been suspended, the court shall cause the sentence imposed to be executed.

(B) If no sentence has been imposed, the court may impose any sentence which originally could have been imposed.

(b) For defendants sentenced for felonies committed on or after November 1, 1989, the court that imposed the probationary sentence may revoke probation supervision and impose a sanction as provided by rules of the State Sentencing Guidelines Board.

(5) Except for good cause shown, if the revocation hearing is not conducted within 14 calendar days following the arrest or detention of the probationer, the probationer shall be released from custody.

(6) A defendant who has been previously confined in the county jail as a condition of probation pursuant to ORS 137.540 or as part of a probationary sentence pursuant to the rules of the State Sentencing Guidelines Board may be given credit for all time thus served in any order or judgment of confinement resulting from revocation of probation.

(7) In the case of any defendant whose sentence has been suspended but who is not on probation, the court may issue a warrant and cause the defendant to be arrested and brought before the court at any time within the maximum period for which the defendant might originally have been sentenced. Thereupon the court, after summary hearing, may revoke the suspension of sentence and cause the sentence imposed to be executed.

(8) If a probationer fails to appear or report to a court for further proceedings as required by an order under subsection (3) of this section, the failure to appear may be prosecuted in the county to which the probationer was ordered to appear or report.

SECTION 18. ORS 161.390 is amended to read:

161.390. (1) The Mental Health and Developmental Disability Services Division shall promulgate rules for the assignment of persons to state mental hospitals under ORS 161.341, 161.365 and 161.370 and for establishing standards for evaluation and treatment of persons committed to a state hospital designated by the division or ordered to a community mental health and developmental disabilities program under ORS [137.540,] 161.315 to 161.351, 192.690 and 428.210.

(2) Whenever the Psychiatric Security Review Board requires the preparation of a predischarge or preconditional release plan before a hearing or as a condition of granting discharge or conditional release for a person committed under ORS 161.327 or 161.341 to a state hospital for custody, care and treatment, the Mental Health and Developmental Disability Services Division is responsible for and shall prepare the plan.

(3) In carrying out a conditional release plan prepared under subsection (2) of this section, the Mental Health and Developmental Disability Services Division may contract with a community mental health and developmental disabilities program, other public agency or private corporation or an individual to provide supervision and treatment for the conditionally released person.

SECTION 19. ORS 164.045 is amended to read:

164.045. (1) A person commits the crime of theft in the second degree if, by other than extortion, the person:

(a) Commits theft as defined in ORS 164.015; and

(b) The total value of the property in a single or aggregate transaction is \$50 or more but is under \$200 in a case of theft by receiving and under [500] \$750 in any other case.

(2) Theft in the second degree is a Class A misdemeanor.

SECTION 20. ORS 164.055 is amended to read:

164.055. (1) A person commits the crime of theft in the first degree if, by other than extortion, the person commits theft as defined in ORS 164.015 and:

(a) The total value of the property in a single or aggregate transaction is \$200 or more in a case of theft by receiving, and [500] \$750 or more in any other case; or

(b) The theft is committed during a riot, fire, explosion, catastrophe or other emergency in an area affected thereby; or

(c) The theft is theft by receiving committed by buying, selling, borrowing or lending on the security of the property; or

(d) The subject of the theft is a firearm or explosive; or

(e) The subject of the theft is a livestock animal, a companion animal or a wild animal removed from habitat or born of a wild animal removed from habitat, pursuant to ORS 497.308 (2)(c).

(2) As used in this section:

(a) "Companion animal" means a dog or cat possessed by a person, business or other entity for purposes of companionship, security, hunting, herding or providing assistance in relation to a physical disability.

(b) "Explosive" means a chemical compound, mixture or device that is commonly used or intended for the purpose of producing a chemical reaction resulting in a substantially instantaneous release of gas and heat, including but not limited to dynamite, blasting powder, nitroglycerine, blasting caps and nitrojelly, but excluding fireworks as defined in ORS 480.110 (1), black powder, smokeless powder, small arms ammunition and small arms ammunition primers.

(c) "Firearm" means a weapon, by whatever name known, which is designed to expel a projectile by the action of black powder or smokeless powder and which is readily capable of use as a weapon.

(d) "Livestock animal" means a horse, gelding, mare, stallion, colt, mule, ass, jennie, bull, steer, cow, calf, goat, sheep, lamb, llama, pig or hog.

(3) Theft in the first degree is a Class C felony.

SECTION 21. ORS 164.125 is amended to read:

164.125. (1) A person commits the crime of theft of services if:

(a) With intent to avoid payment therefor, the person obtains services that are available only for compensation, by force, threat, deception or other means to avoid payment for the services; or

(b) Having control over the disposition of labor or of business, commercial or industrial equipment or facilities of another, the person uses or diverts to the use of the person or a third person such labor, equipment or facilities with intent to derive for the person or the third person a commercial benefit to which the person or the third person is not entitled.

(2) As used in this section, "services" includes, but is not limited to, labor, professional services, toll facilities, transportation, communications service, entertainment, the supplying of food, lodging or other accommodations in hotels, restaurants or elsewhere, the supplying of equipment for use, and the supplying of commodities of a public utility nature such as gas, electricity, steam and water. "Communication service" includes, but is not limited to, use of telephone, computer and cable television systems.

(3) Absconding without payment or offer to pay for hotel, restaurant or other services for which compensation is customarily paid immediately upon the receiving of them is prima facie evidence that the services were obtained with intent to avoid payment therefor. Obtaining the use of any communication system the use of which is available only for compensation, including but not limited to telephone, computer and cable television systems, or obtaining the use of any services of a public

utility nature, without payment or offer to pay for such use is prima facie evidence that the obtaining of the use of such system or the use of such services was gained with intent to avoid payment therefor.

(4) The value of single theft transactions may be added together if the thefts were committed:

(a) Against multiple victims by a similar means within a 30-day period; or

(b) Against the same victim, or two or more persons who are joint owners, within a 180-day period.

[(4)] (5) Theft of services is:

(a) A Class C misdemeanor if the aggregate total value of services that are the subject of the theft is under \$50;

(b) A Class A misdemeanor if the aggregate total value of services that are the subject of the theft is \$50 or more but is under [S500] \$750;

(c) A Class C felony if the aggregate total value of services that are the subject of the theft is [S500] \$750 or more; and

(d) A Class B felony if the aggregate total value of services that are the subject of the theft is \$10,000 or more.

SECTION 22. ORS 164.115 is amended to read:

164.115. For the purposes of chapter 743, Oregon Laws 1971, the value of property shall be ascertained as follows:

(1) Except as otherwise specified in this section, value means the market value of the property at the time and place of the crime, or if such cannot reasonably be ascertained, the cost of replacement of the property within a reasonable time after the crime.

(2) Whether or not they have been issued or delivered, certain written instruments, not including those having a readily ascertainable market value, shall be evaluated as follows:

(a) The value of an instrument constituting an evidence of debt, including, but not limited to, a check, draft or promissory note, shall be considered the amount due or collectible thereon or thereby.

(b) The value of any other instrument which creates, releases, discharges or otherwise affects any valuable legal right, privilege or obligation shall be considered the greatest amount of economic loss which the owner might reasonably suffer because of the loss of the instrument.

(3) When the value of property cannot reasonably be ascertained, it shall be presumed to be an amount less than \$50 in a case of theft, and less than \$500 in any other case.

(4) The value of single theft transactions may be added together if the thefts were committed:

(a) Against multiple victims by similar means within a 30-day period; or

(b) Against the same victim, or two or more persons who are joint owners, within a 180-day period.

SECTION 23. ORS 164.255 is amended to read:

164.255. (1) A person commits the crime of criminal trespass in the first degree if the person:

(a) Enters or remains unlawfully in a dwelling; or

(b) Having been denied future entry to a building pursuant to a merchant's notice of trespass, reenters the building during hours when the building is open to the public with the intent to commit theft therein.

(2) Criminal trespass in the first degree is a Class A misdemeanor.

SECTION 24. ORS 164.215 is amended to read:

164.215. (1) Except as otherwise provided in ORS 164.255, a person commits the crime of burglary in the second degree if the person enters or remains unlawfully in a building with intent to commit a crime therein.

(2) Burglary in the second degree is a Class C felony.

SECTION 25. ORS 165.013 is amended to read:

165.013. (1) A person commits the crime of forgery in the first degree if the person violates ORS 165.007 and the written instrument is or purports to be any of the following:

(a) Part of an issue of money, securities, postage or revenue stamps, or other valuable instruments issued by a government or governmental agency; or

(b) Part of an issue of stock, bonds or other instruments representing interests in or claims against any property or person; or

(c) A deed, will, codicil, contract[,] or assignment; [commercial instrument or other document which does or may evidence, create, transfer, alter, terminate, or otherwise affect a legal right, interest, obligation or status;] or

(d) A check for \$750 or more, a credit card purchase slip for \$750 or more, or a combination of checks and credit card purchase slips that, in the aggregate, total \$750 or more, or any other commercial instrument or other document that does or may evidence, create, transfer, alter, terminate or otherwise affect a legal right, interest, obligation or status; or

[(d)] (e) A public record.

(2) The value of single check or credit card transactions may be added together under subsection (1)(d) of this section if the transactions were committed:

(a) Against multiple victims within a 30-day period; or

(b) Against the same victim within a 180-day period.

[(2)] (3) Forgery in the first degree is a Class C felony.

SECTION 26. ORS 165.055 is amended to read:

165.055. (1) A person commits the crime of fraudulent use of a credit card if, with intent to injure or defraud, the person uses a credit card for the purpose of obtaining property or services with knowledge that:

(a) The card is stolen or forged; or

(b) The card has been revoked or canceled; or

(c) For any other reason the use of the card is unauthorized by either the issuer or the person to whom the credit card is issued.

(2) "Credit card" means a card, booklet, credit card number or other identifying symbol or instrument evidencing an undertaking to pay for property or services delivered or rendered to or upon the order of a designated person or bearer.

(3) The value of single credit card transactions may be added together if the transactions were committed:

(a) Against multiple victims within a 30-day period; or

(b) Against the same victim within a 180-day period.

[(3)] (4) Fraudulent use of a credit card is:

(a) A Class A misdemeanor if the aggregate total amount of property or services the person obtains or attempts to obtain is under [~~\$500~~] \$750.

(b) A Class C felony if the aggregate total amount of property or services the person obtains or attempts to obtain is [~~\$500~~] \$750 or more.

NOTE: Section 27 was deleted by amendment. Subsequent sections were not renumbered.

SECTION 28. ORS 131.315 is amended to read:

131.315. (1) If conduct constituting elements of an offense or results constituting elements of an offense occur in two or more counties, trial of the offense may be held in any of the counties concerned.

(2) If a cause of death is inflicted on a person in one county and the person dies therefrom in another county, trial of the offense may be held in either county.

(3) If the commission of an offense commenced outside this state is consummated within this state, trial of the offense shall be held in the county in which the offense is consummated or the interest protected by the criminal statute in question is impaired.

(4) If an offense is committed on any body of water located in, or adjacent to, two or more counties or forming the boundary between two or more counties, trial of the offense may be held in any nearby county bordering on the body of water.

(5) If an offense is committed in or upon any railroad car, vehicle, aircraft, boat or other conveyance in transit and it cannot readily be determined in which county the offense was committed, trial of the offense may be held in any county through or over which the conveyance passed.

(6) If an offense is committed on the boundary of two or more counties or within one mile thereof, trial of the offense may be held in any of the counties concerned.

(7) A person who commits theft, burglary or robbery may be tried in any county in which the person exerts control over the property that is the subject of the crime.

(8) If the offense is an attempt or solicitation to commit a crime, trial of the offense may be held in any county in which any act that is an element of the offense is committed.

(9) If the offense is criminal conspiracy, trial of the offense may be held in any county in which any act or agreement that is an element of the offense occurs.

(10) A person who in one county commits an inchoate offense that results in the commission of an offense by another person in another county, or who commits the crime of hindering prosecution of the principal offense, may be tried in either county.

(11) A criminal nonsupport action may be tried in any county in which the dependent child is found, irrespective of the domicile of the parent, guardian or other person lawfully charged with support of the child.

(12) If the offense is theft and the offense consists of an aggregate transaction involving more than one county, trial of the offense may be held in any county in which one of the acts of theft was committed.

(13) When a prosecution is for violation of the Oregon Securities Law, the trial of the offense may be held in the county in which:

(a) The offer to purchase or sell securities took place or where the sale or purchase of securities took place; or

(b) Any act that is an element of the offense occurred.

(14) When a prosecution under ORS 411.675 and 411.990 (2) and (3) [and (4)] involves Medicaid funds, the trial of the offense may be held in the county in which the claim was submitted for payment or in the county in which the claim was paid.

SECTION 29. ORS 166.715 is amended to read:

166.715. As used in ORS 166.715 to 166.735, unless the context requires otherwise:

(1) "Documentary material" means any book, paper, document, writing, drawing, graph, chart, photograph, phonograph record, magnetic tape, computer printout, other data compilation from which information can be obtained or from which information can be translated into usable form, or other tangible item.

(2) "Enterprise" includes any individual, sole proprietorship, partnership, corporation, business trust or other profit or nonprofit legal entity, and includes any union, association or group of individuals associated in fact although not a legal entity, and both illicit and licit enterprises and governmental and nongovernmental entities.

(3) "Investigative agency" means the Department of Justice or any district attorney.

(4) "Pattern of racketeering activity" means engaging in at least two incidents of racketeering activity that have the same or similar intents, results, accomplices, victims or methods of commission or otherwise are interrelated by distinguishing characteristics, including a nexus to the same enterprise, and are not isolated incidents, provided at least one of such incidents occurred after November 1, 1981, and that the last of such incidents occurred within five years after a prior incident of racketeering activity.

(5) "Person" means any individual or entity capable of holding a legal or beneficial interest in real or personal property.

(6) "Racketeering activity" means to commit, to attempt to commit, to conspire to commit, or to solicit, coerce or intimidate another person to commit:

(a) Any conduct which constitutes a crime, as defined in ORS 161.515, under any of the following provisions of the Oregon Revised Statutes:

(A) ORS chapter 59, relating to securities:

- (B) ORS 162.015, 162.025 and 162.065 to 162.085, relating to bribery and perjury;
 - (C) ORS 162.235, 162.265 to 162.305, 162.325, 162.335, 162.355 and 162.365, relating to obstructing governmental administration;
 - (D) ORS 162.405 to 162.425, relating to abuse of public office;
 - (E) ORS 162.465, relating to interference with legislative operation;
 - (F) ORS 163.095 to 163.115, 163.118, 163.125 and 163.145, relating to criminal homicide;
 - (G) ORS 163.160 to 163.205, relating to assault and related offenses;
 - (H) ORS 163.225 and 163.235, relating to kidnapping;
 - (I) ORS 163.275, relating to coercion;
 - (J) ORS 163.670 to 163.680, relating to sexual conduct of children;
 - (K) ORS 164.015, 164.043, 164.045, 164.055, 164.057, 164.075 to 164.095, 164.125, 164.135, 164.140, 164.215, 164.225 and 164.245 to 164.270, relating to theft, burglary, criminal trespass and related offenses:
 - (L) ORS 164.315 to 164.335, relating to arson and related offenses;
 - (M) ORS 164.345 to 164.365, relating to criminal mischief;
 - (N) ORS 164.395 to 164.415, relating to robbery;
 - (O) ORS 164.865 and 164.875, relating to unlawful recording;
 - (P) ORS 165.007 to 165.022, 165.032 to 165.042 and 165.055 to 165.070, relating to forgery and related offenses:
 - (Q) ORS 165.080 to 165.109, relating to business and commercial offenses;
 - (R) ORS 165.485 to 165.515, 165.540 and 165.555, relating to communication crimes;
 - (S) ORS 166.180, 166.190, 166.220, 166.250, 166.270, 166.275, 166.410, 166.450 and 166.470, relating to firearms and other weapons;
 - (T) ORS 164.377 (2) to (4), as punishable under ORS 164.377 (5)(b), 167.007 to 167.017, 167.062 to 167.080, 167.087, 167.090, 167.122 to 167.137, 167.147, 167.164, 167.212, 167.355, 167.365 and 167.370, relating to prostitution, obscenity, gambling, computer crimes involving the Oregon State Lottery, animal fighting and related offenses;
 - (U) ORS 171.990, relating to legislative witnesses;
 - (V) ORS 260.542, 260.575 and 260.665, relating to election offenses;
 - (W) ORS 314.075, relating to income tax;
 - (X) ORS chapter 323, relating to cigarette taxes;
 - (Y) ORS 411.630, 411.675, 411.690 and 411.840, relating to public assistance payments, and ORS 411.990 (2) and (3) [and (4)];
 - (Z) ORS 462.140, 462.415 and 462.420 to 462.520, relating to racing;
 - (AA) ORS 463.995, relating to boxing and wrestling, as defined in ORS 463.015;
 - (BB) ORS 471.205, 471.215 to 471.289, 471.305, 471.335 to 471.345, 471.360, 471.405, 471.415, 471.425, 471.445 to 471.455, 471.460, 471.465, 471.470, 471.485, 471.490, 471.675 and 472.310, relating to alcoholic liquor;
 - (CC) ORS 475.005 to 475.285, 475.295 and 475.940 to 475.995, relating to controlled substances;
 - (DD) ORS 480.070, 480.210 to 480.215 and 480.235 to 480.265, relating to explosives;
 - (EE) ORS 819.010, 819.020, 819.040, 822.100, 822.135 and 822.150, relating to motor vehicles;
 - (FF) ORS 658.452 or 658.991 (2) to (4), relating to farm labor contractors;
 - (GG) ORS chapter 706, relating to banking law administration;
 - (HH) ORS chapter 708, relating to banks and trusts;
 - (II) ORS chapter 714, relating to branch banking;
 - (JJ) ORS chapter 716, relating to mutual savings banks;
 - (KK) ORS chapter 723, relating to credit unions;
 - (LL) ORS chapter 726, relating to pawnbrokers;
 - (MM) ORS 166.382 and 166.384 relating to destructive devices; or
 - (NN) ORS 165.074.
- (b) Any conduct defined as "racketeering activity" under 18 U.S.C. 1961 (1)(B), (C) and (D).

(7) "Unlawful debt" means any money or other thing of value constituting principal or interest of a debt that is legally unenforceable in the state in whole or in part because the debt was incurred or contracted:

(a) In violation of any one of the following:

- (A) ORS chapter 462, relating to racing;
- (B) ORS 167.117 to 167.164, relating to gambling; or
- (C) ORS 82.010 to 82.170, relating to interest and usury.

(b) In gambling activity in violation of federal law or in the business of lending money at a rate usurious under federal or state law.

SECTION 30. ORS 161.635 is amended to read:

161.635. (1) A sentence to pay a fine for a misdemeanor shall be a sentence to pay an amount, fixed by the court, not exceeding:

- (a) [~~\$2,500~~] \$5,000 for a Class A misdemeanor.
- (b) [~~\$1,000~~] \$2,000 for a Class B misdemeanor.
- (c) [~~\$500~~] \$1,000 for a Class C misdemeanor.

(2) A sentence to pay a fine for an unclassified misdemeanor shall be a sentence to pay an amount, fixed by the court, as provided in the statute defining the crime.

(3) A sentence to pay a fine for a violation shall be a sentence to pay an amount, fixed by the court, not exceeding \$250.

(4) If a person has gained money or property through the commission of a misdemeanor or violation, then upon conviction thereof the court, instead of imposing the fine authorized for the offense under subsection (1), (2) or (3) of this section, may sentence the defendant to pay an amount fixed by the court, not exceeding double the amount of the defendant's gain from the commission of the offense. In that event, ORS 161.625 (4) and (5) apply.

(5) This section shall not apply to corporations.

SECTION 31. Section 32 of this Act is added to and made a part of ORS chapter 144.

SECTION 32. (1) Except as otherwise provided in subsection (2) of this section, when the State Board of Parole and Post-Prison Supervision or the Department of Corrections orders the arrest and detention of an offender under ORS 144.331 or 144.350, the offender arrested shall be held in a county jail for no more than 15 days.

(2) An offender may be held longer than 15 days:

- (a) If the offender is being held for a combination of probation and parole violation;
- (b) If the offender is being held pending prosecution on new criminal charges; or
- (c) Pursuant to an agreement with a local jail authority.

SECTION 33. (1) Notwithstanding section 32 of this Act, until July 1, 1995, section 32 of this Act shall not be operative, but section 34 of this Act shall operate in lieu thereof.

(2) Section 34 of this Act is repealed July 1, 1995.

SECTION 34. (1) Except as otherwise provided in subsection (2) of this section, when the State Board of Parole and Post-Prison Supervision or the Department of Corrections orders the arrest and detention of an offender under ORS 144.331 or 144.350, the offender arrested shall be held in a county jail for no more than 20 days.

(2) An offender may be held longer than 20 days:

- (a) If the offender is being held for a combination of probation and parole violation;
- (b) If the offender is being held pending prosecution on new criminal charges; or
- (c) Pursuant to an agreement with a local jail authority.

NOTE: Section 35 was deleted by amendment. Subsequent sections were not renumbered.

SECTION 36. ORS 161.625 is amended to read:

161.625. (1) A sentence to pay a fine for a [Class A, B or C] felony shall be a sentence to pay an amount, fixed by the court, not exceeding:

- (a) \$300,000 for a Class A felony.
- (b) \$200,000 for a Class B felony.
- (c) \$100,000 for a Class C felony.

(2) A sentence to pay a fine for an unclassified felony shall be a sentence to pay an amount, fixed by the court, as provided in the statute defining the crime.

(3)(a) If a person has gained money or property through the commission of a felony, then upon conviction thereof the court, in lieu of imposing the fine authorized for the crime under subsection (1) or (2) of this section, may sentence the defendant to pay an amount, fixed by the court, not exceeding double the amount of the defendant's gain from the commission of the crime.

(b) The provisions of paragraph (a) of this subsection do not apply to the felony theft of a companion animal, as defined in ORS 164.055, or a captive wild animal.

(4) As used in this section, "gain" means the amount of money or the value of property derived from the commission of the felony, less the amount of money or the value of property returned to the victim of the crime or seized by or surrendered to lawful authority before the time sentence is imposed. "Value" shall be determined by the standards established in ORS 164.115.

(5) When the court imposes a fine for a felony the court shall make a finding as to the amount of the defendant's gain from the crime. If the record does not contain sufficient evidence to support a finding the court may conduct a hearing upon the issue.

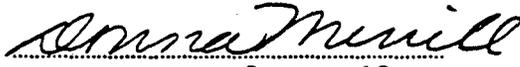
(6) Except as provided in ORS 161.655, this section shall not apply to a corporation.

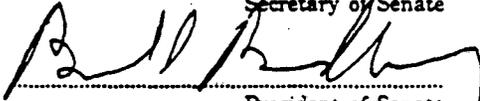
SECTION 37. The amendments to ORS 164.045, 164.055, 164.115, 164.125, 164.215, 164.255, 165.013 and 165.055 by sections 19 to 26 of this Act become operative on September 1, 1993.

SECTION 38. This Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Act takes effect on its passage.

Passed by Senate May 27, 1993

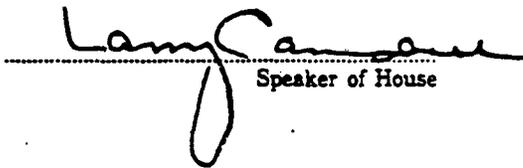
Repassed by Senate August 1, 1993


Secretary of Senate


President of Senate

Passed by House July 14, 1993

Repassed by House August 1, 1993

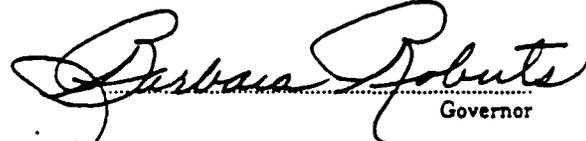

Speaker of House

Received by Governor:

9:50 A.M. AUGUST 13, 1993

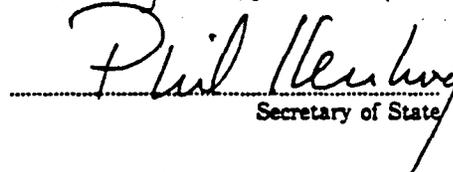
Approved:

1:31 P.M. AUGUST 18, 1993


Governor

Filed by Office of Secretary of State:

3:45 P.M. August 18, 1993


Secretary of State

OREGON BENCHMARKS (EXCERPTS)

Emergency Preparedness	1970	1980	1990	1992	1995	2000	2010
44. Property damage per year in Oregon due to wildfires (millions of 1989 dollars; 5-year rolling average)	\$5.23	\$2.84	\$14.25	\$13.90	\$10.0	\$7.0	\$2.5
45. Structure fire damage per year in Oregon (millions of 1989 dollars; 5-year rolling average)		\$89.42	\$82.44	\$72.52			
46. Percentage of Oregonians living within any local government jurisdiction which has an emergency management program incorporated into its basic governing structure				53%	75%	100%	100%
47. Percentage of Oregonians living within jurisdictions with the capability to respond to a disaster, coordinate multi-jurisdictional resources, and assist communities to recover fully from the effects							

Communities That Are Safe, Enriching, and Participative, With Access to Essential Services

Public Safety	1970	1980	1990	1992	1995	2000	2010
48. Index crimes rate per 1,000: Willful murder, aggravated assault, burglary, larceny, motor vehicle theft, arson							
a. Overall		64.1	63.1	57.8	44	28	22
b. Urban areas		70.7	70.1	64.3	49	32	24
c. Rural areas		52.1	48.2	44.1	34	22	17
49. Other crimes punishable by statute rate per 1,000 (e.g., negligent homicide, kidnapping, simple assault, forgery, fraud, vandalism, weapon laws, drug and liquor laws, prostitution)							
a. Overall		69.6	80.4	80.5	56	36	28
b. Drug crimes		3.5	5.8	4	4	2.6	2
50. Juvenile arrests per 1,000 juvenile Oregonians per year		32	38	49	35	20	10
51. Average rate of reincarceration of paroled offenders within three years of initial release				41%	35%	20%	15%
52. Rate of arrestees who have one or more drugs in their system at time of arrest				30%-60%			
53. Percentage of parole revocations involving substance abuse problems				67%			

54. Number of communities involved in a community-based strategic plan for law enforcement							
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Justice	1970	1980	1990	1992	1995	2000	2010
55. Time the judicial system takes to resolve cases							
a. Civil cases disposed of in 18 months				95.8%	98%	98%	98%
b. Domestic relations cases disposed of in 9 months				95.2%	98%	98%	98%
c. Felony cases disposed of in 6 months				86.6%	98%	98%	98%
56. Felony arrest rate per 100,000 community adult population							
a. African-Americans			9.1	6.9			
b. American Indians			1.4	1.5			
c. Asians			0.5	0.4			
d. Hispanics			1.8	2.1			
e. Whites			0.8	0.9			
57. Felony conviction rate per 100,000 community adult population							
a. African-Americans			8.3	7.8			
b. American Indians			1.4	1.3			
c. Asians			0.2	0.7			
d. Hispanics			1.0	1.1			
e. Whites			0.9	0.9			
58. Victimization rates: Homicides (rate per 100,000 community population)							
a. African-Americans		4.3	5.1	4.7			
b. American Indians		32.0	29.9	35.2			
c. Asians		17.7	9.6	7.7			
d. Hispanics		4.9	4.4	4.7			
e. Whites		2.1	9.4	9.0			
		3.7	4.3	3.8			

59. Victimization rates: Hate crimes (rate per 100,000 population)							
a. African-Americans			361.1	317.0			
b. American Indians			9.6	43.2			
c. Asians			23.7	35.5			
d. Hispanics			45.2	66.9			
e. Whites			5.9	14.1			

Access to Cultural Enrichment	1970	1980	1990	1992	1995	2000	2010
60. Number of arts events attended per capita in Oregon per year		1.4	1.7	3.1	2.0	3.0	5.0
61. Rank in per capita arts funding							
a. State funding (out of 56 states and territories)	38th	46th	41st	39th	35th	30th	25th
b. Private funding							
62. Percentage of counties with significant cultural exchange opportunities							
63. Percentage of Oregonians served by a public library which meets minimum service criteria		73%	86%	83%	88%	95%	100%

Sense of Community	1970	1980	1990	1992	1995	2000	2010
64. Percentage of eligible Oregonians registered to vote	80%	79%	70%	78%	80%	90%	100%
65. Percentage of eligible Oregonians who vote	62%	61%	58%	62%	65%	75%	85%
66. Oregon's rank among states in percentage of adults who vote		15th	14th		10th	5th	1st
67. Percentage of Oregonians who volunteer at least 50 hours of their time per year to civic, community, or nonprofit activities							
a. All Oregonians				30%	60%	80%	100%
b. Age 18 and under							100%
c. Age 65 and over				31%			100%
d. African-Americans				36%			100%
e. American Indians				32%			100%

management is not an isolated entity. *Data source:* Executive Department, Oregon Emergency Management.

47. Percentage of Oregonians living within jurisdictions with the capability to respond to a disaster, coordinate multi-jurisdictional resources, and assist communities to recover fully from the effects

Explanation: This benchmark will require a survey. It will assess how well counties can respond to, and recover from, a natural or other disaster.

48. Index of Serious Crimes (willful murder, aggravated assault, burglary, larceny, motor vehicle theft, arson) per 1,000 Oregonians

49. Other crimes punishable by statute (e.g., negligent homicide, kidnapping, simple assault, forgery, fraud, vandalism, weapon laws, drug and liquor laws, prostitution) per 1,000 Oregonians

Explanation: These benchmarks replace several on overall crime, property crime, and personal crime. Index crimes, also known as 'Part I' crimes, are defined at the national level. *Rationale:* These are fundamental measures of public safety in Oregon. *Data source:* Report of Criminal Offenses and Arrests, Criminal Justice Services Division (Law Enforcement Data System).

50. Juvenile arrests per 1,000 juvenile Oregonians per year

Explanation: This benchmark measures the rate of arrests of all types of crimes committed in Oregon by juveniles as reported by Oregon law enforcement agencies. This benchmark does not measure crimes which in fact are committed by juveniles but for which there are no juvenile arrests resulting in clearances of those crimes. *Rationale:* The data for this benchmark do not take into account differences between reported crime rates and actual crime rates. This benchmark differs from the other crime rate benchmarks in that it focuses on the nature of the criminal rather than on the nature of the crime. *Data source:* Oregon Criminal Justice Services Division (Law Enforcement Data System).

51. The average rate of reincarceration of paroled offenders within three years of initial release

Explanation: This is a measure of felon behavior after being returned to the community. Reincarceration may be based on either criminal behavior or violations of parole conditions. *Rationale:* This is a critical measure of public safety and our ability to help felons succeed in the community. *Data source:* Oregon Department of Corrections. In future reports, this benchmark will be replaced by Percentage of felons who commit new felonies within three years of reentry into the community, which is a more direct measure of felon behavior, and is not dependent on limits on revocations.

52. Percentage of arrestees who have one or more drugs in their system at time of arrest

Rationale: This is a direct measure of the prevalence of drug use among offenders, and the link between drug use and crime. *Data source:* This data is not currently gathered statewide. Benchmark data are taken from a study of arrestees in Multnomah, Deschutes, and Coos counties.

53. Percentage of parole revocations involving substance abuse problems

Explanation: This is a measure of incidence of substance abuse problems. Parole revocation is based on a combination of factors, substance abuse is not considered independently. *Rationale:* Substance abuse is prevalent among those whose parole is revoked, and is central to public safety issues overall. *Data source:* This data has not been gathered regularly. Data for 1992 is taken from *Community Supervision to Prison: A Study of Felony Probation and Parole Revocations*, Oregon Department of Corrections.

54. Number of communities involved in a community-based strategic plan for law enforcement

Explanation: This is a measure of statewide development of community-policing plans as coordinated interagency efforts, consistent with statewide and regional policies, and driven by standard measures of enforcement effectiveness. *Rationale:* Achievement of this benchmark will help improve public safety in communities statewide, making them more responsive, more effectively linked with related efforts, and outcomes driven. *Data source:* Data for this benchmark will need to be developed.

55. Time the judicial system takes to resolve cases

Explanation: These benchmarks and goals have been adopted by the Oregon Judicial Conference, and incorporate portions of national bar and judicial standards. *Rationale:* This is a measure of judicial fairness and efficiency. *Data source:* Judicial Department.

56. Felony arrest rate per 100,000 community adult population

57. Felony conviction rate per 100,000 community adult population

Explanation: These benchmarks contrast racial and ethnic communities' arrest and conviction rates with their share of Oregon's adult population. Future reports will include measures of underlying characteristics of felons associated with criminal behavior. *Rationale:* These are measures of evenhandedness of the judicial system at two important points. *Data source:* 1991 data from the Department of Corrections Data. Community adult population share of overall adult population is taken from Census data. Intercensal estimates of share of adult population are currently unavailable.

58-59. Victimization rates: Homicides and hate crimes per 100,000 community adult population

Explanation: This is a measure of incidence of crimes by race or ethnicity of the victim, weighted by the victim's group's share of the overall population. *Rationale:* These are measures of the relative public safety of racial and ethnic communities in Oregon. They help describe the challenge we face in making all Oregonians safer. *Data source:* Report of Criminal Offenses and Arrests, and Report of Criminal Offenses Motivated by Prejudice, Criminal Justice Services Division, and Census data on community percentage of overall state population. Data are not available for crimes victims generally. Homicide figures are based on five year averages ending in 1979, 1989, and 1991, respectively. Overall figures are based on annual estimates from the Portland State University Center for Population Research.

ORS 137.520 - 137.630

PROBATION

time of the judgment to the Superintendent of the Oregon State Penitentiary pending the determination of the automatic and direct review by the Supreme Court.

(2) If the Supreme Court affirms the sentence of death, a warrant, signed by the trial judge of the court in which the judgment was rendered and attested by the clerk of that court, shall be drawn and delivered to the Superintendent of the Oregon State Penitentiary. The warrant shall appoint a day on which the judgment is to be executed and shall authorize and command the superintendent to execute the judgment of the court. [1984 c.3 §5]

137.465 [1979 c.2 §5; repealed by 1981 c.873 §9]

137.467 Delivery of warrant when place of trial changed. If the place of trial has been changed, the death warrant shall be delivered to the sheriff of the county in which the defendant was tried. [1984 c.3 §6]

137.470 [1979 c.2 §6; repealed by 1981 c.873 §9]

137.473 Means of inflicting death; place and procedures; acquisition of lethal substance. (1) The punishment of death shall be inflicted by the intravenous administration of a lethal quantity of an ultra-short-acting barbiturate in combination with a chemical paralytic agent until the defendant is dead. The judgment shall be executed by the superintendent of the Department of Corrections institution in which the execution takes place, or by the designee of that superintendent. All executions shall take place within the enclosure of a Department of Corrections institution designated by the Director of the Department of Corrections. The superintendent of the institution shall be present at the execution and shall invite the presence of one or more physicians, the Attorney General and the sheriff of the county in which the judgment was rendered. At the request of the defendant, the superintendent shall allow no more than two clergymen designated by the defendant to be present at the execution. At the discretion of the superintendent, no more than five friends and relatives designated by the defendant may be present at the execution. The superintendent shall allow the presence of any peace officers as the superintendent thinks expedient.

(2) The person who administers the lethal injection under subsection (1) of this section shall not thereby be considered to be engaged in the practice of medicine.

(3)(a) Any wholesale drug outlet, as defined in ORS 689.005, registered with the State Board of Pharmacy under ORS 689.305 may provide the lethal substance described in subsection (1) of this section upon written order of the Director of the Department of

Corrections, accompanied by a certified copy of the judgment of the court imposing the punishment.

(b) For purposes of ORS 689.765 (8) the director shall be considered authorized to purchase the lethal substance described in subsection (1) of this section.

(c) The lethal substance described in subsection (1) of this section is not a controlled substance when purchased, possessed or used for purposes of this section. [1984 c.3 §7; 1987 c.320 §38]

137.475 [1979 c.2 §7; repealed by 1981 c.873 §9]

PROBATION AND PAROLE BY COMMITTING MAGISTRATE

137.510 [Amended by 1955 c.660 §18; 1955 c.688 §1; repealed by 1971 c.743 §432]

137.520 Power of committing magistrate to parole and grant temporary release to persons confined in county jail; authority of sheriff to release county jail inmates; disposition of work release earnings. (1) The committing magistrate, having sentenced a defendant to confinement in a county jail for a period of up to one year, or as provided by rules adopted by the State Sentencing Guidelines Board for felonies committed on or after November 1, 1989, may parole the defendant outside the county jail subject to condition and subject to being taken back into confinement upon the breach of such condition. The committing magistrate may also authorize, limit or prohibit the release of a sentenced defendant upon pass, furlough, leave, work or educational release.

(2) The committing magistrate, having placed a defendant upon probation and having confined the defendant as a condition of that probation in a county jail for a period up to one year, or having imposed a sentence of probation with confinement in the county jail in accordance with rules adopted by the State Sentencing Guidelines Board for felonies committed on or after November 1, 1989, may authorize, limit or prohibit the release of such person upon pass, furlough, leave, work or educational release.

(3) The sheriff of a county in which a defendant is confined in the county jail by sentence or as a condition of probation may allow the release of the defendant upon pass, furlough, leave, work or educational release unless otherwise ordered by the committing magistrate.

(4) A defendant confined in a county jail and placed upon educational release or upon work release shall, during the hours in which not so engaged or employed, be confined in the county jail unless the court by order otherwise directs or unless the sheriff

otherwise directs in the absence of a contrary order by the court. The defendant's net earnings shall be paid to the sheriff, who shall deduct therefrom and pay such sums as may be ordered by the court for the defendant's board, restitution, fine, support of dependents and necessary personal expense. Any balance remaining shall be retained by the sheriff until the defendant's discharge from custody, whereupon the balance shall be paid to the defendant. [Amended by 1959 c.345 §1; 1973 c.836 §270; 1981 c.568 §1; 1989 c.790 §15]

137.523 Custody of person sentenced to confinement as condition of probation. For felonies committed on or after November 1, 1989:

(1) When the judge sentences the defendant to confinement in a county jail as a condition of probation, the judge shall sentence the defendant directly to the custody of the sheriff or the supervisory authority, as defined in rules of the State Sentencing Guidelines Board, with jurisdiction over the county jail.

(2) When the judge recommends a custodial facility or program other than jail as a condition of probation, the judge shall sentence the defendant directly to the custody of the supervisory authority, as defined in rules of the State Sentencing Guidelines Board, with jurisdiction over the facility or program. Before imposing such a sentence, the judge must determine from the supervisory authority that space is available in the facility or program and that the defendant meets the eligibility criteria established for the facility or program.

(3) A record of the time served by the defendant in custody under community supervision during probation shall be maintained as provided by rules adopted by the State Sentencing Guidelines Board. [1989 c.790 §18]

Note: 137.523 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 137 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

137.525 Probation for person convicted of crime described in ORS 163.305 to 163.495; examination; report; written consent of convicted person. (1) If a person pleads guilty or no contest to, or is found guilty of, a crime described in ORS 163.305 to 163.465, and if the court contemplates placing the person on probation, the court, before entering judgment, may order that the person undergo an examination by a psychiatrist or other physician found qualified and appointed by the court to determine whether available medical treatment would be likely to reduce such biological, emotional or psychological impulses, including any paraphilia,

which may be the cause of the criminal conduct and, if so, whether the person is a suitable candidate medically for such treatment. Such medical treatments may include the taking of prescribed medication.

(2) If the examining psychiatrist or other physician reports that available medical treatment would be likely to reduce the biological, emotional or psychological impulses that were a probable cause of the criminal conduct, and that the person is a suitable candidate medically for such treatment, the court may include as a condition of probation that the person participate in a prescribed program of medicine and accept medical treatment at the person's own expense under the care of the psychiatrist or other physician appointed by the court and that the person faithfully participate in the prescribed program of medical treatment during the course of the probation.

(3) Probation under this section shall not be granted except upon the written consent of the convicted person. Probation under this section may be revoked upon any failure of the convicted person to cooperate in the treatment program, including, but not limited to, any failure to meet with the treating physician as directed by the physician or to take medication or otherwise to participate in the prescribed program of medical treatment during the course of the probation. [1987 c.908 §3]

137.530 Investigation and report of probation officers; statement of victim.

(1) Probation officers, when directed by the court, shall fully investigate and report to the court in writing on the circumstances of the offense, criminal record, social history and present condition and environment of any defendant; and unless the court directs otherwise in individual cases, no defendant shall be placed on probation until the report of such investigation has been presented to and considered by the court.

(2) Whenever a presentence report is made, the preparer of the report shall make a reasonable effort to contact the victim and obtain a statement describing the effect of the defendant's offense upon the victim. If the victim is under 18 years of age, the preparer shall obtain the consent of the victim's parent or guardian before contacting the victim. The preparer of the report shall include the statement of the victim in the presentence investigation report. If the preparer is unable to contact the victim or if the victim declines to make a statement, the preparer shall report that the preparer was unable to contact the victim after making reasonable efforts to do so, or, if contact was made with the victim, that the victim declined to make a statement for purposes of

this section. Before taking a statement from the victim, the preparer of the report shall inform the victim that the statement will be made available to the defendant and the defendant's attorney prior to sentencing as required under ORS 137.079.

(3) Whenever desirable, and facilities exist therefor, such investigation shall include physical and mental examinations of such defendants.

(4) As used in this section, "victim" means the person or persons who have suffered financial, social, psychological or physical harm as a result of an offense, and includes, in the case of any homicide, an appropriate member of the immediate family of any such person. [Amended by 1983 c.723 §1]

137.540 Conditions of probation; evaluation and treatment; effect of failure to abide by conditions; modification. (1) The court may place the defendant on probation, which shall be subject to the following general conditions unless specifically deleted by the court. The probationer shall:

(a) Remain under the supervision and control of the probation department.

(b) Abide by the direction of the probation department and its representatives.

(c) Promptly and truthfully answer all reasonable inquiries of the probation officer relating to probation performance.

(d) Truthfully report monthly at times and in a manner specified by the probation department or its representative.

(e) Remain in the State of Oregon until written permission to leave is granted by the probation department or its representatives.

(f) Find and maintain gainful full-time employment, approved schooling, or a full-time combination of both. Any waiver of this requirement must be based on a finding by the court stating the reasons for the waiver.

(g) Change neither employment nor residence without promptly informing the probation department or its representatives.

(h) Permit the probation officer to visit the probationer or the probationer's residence or work site.

(i) Submit to fingerprinting or photographing, or both, when requested by the probation department for supervision purposes.

(j) Obey all laws, municipal, county, state and federal.

(k) Pay fines, costs including probation costs, attorney fees or restitution or any combination thereof ordered by the court on a schedule of payments determined by the court.

(2) In addition to the general conditions, the court may impose special conditions of probation for the protection of the public or reformation of the offender, or both, including, but not limited to, that the probationer shall:

(a) For crimes committed prior to November 1, 1989, and misdemeanors committed on or after November 1, 1989, be confined to the county jail or be restricted to the probationer's own residence or to the premises thereof, or be subject to any combination of such confinement and restriction, such confinement or restriction or combination thereof to be for a period not to exceed one year or one-half of the maximum period of confinement that could be imposed for the offense for which the defendant is convicted, whichever is the lesser. However, the court shall not order restriction to residence or premises thereof in the case of a defendant convicted of a crime in the course of which the defendant used or threatened to use any weapon or in the course of which the defendant caused, attempted to cause or threatened to cause, physical injury to another.

(b) For felonies committed on or after November 1, 1989, be confined in the county jail, or be subject to other custodial sanctions under community supervision, or both, as provided by rules of the State Sentencing Guidelines Board. The court shall not order restriction to residence or premises thereof in the case of a defendant convicted of a crime in the course of which the defendant used or threatened to use any weapon or in the course of which the defendant caused, attempted to cause or threatened to cause physical injury to another.

(c) Submit to polygraph examination by a qualified polygraph examiner designated by the court or probation officer under terms and conditions set by the court.

(d) Enroll, participate and successfully complete designated residential treatment programs for drug, alcohol or mental health problems.

(e) Abstain from or limit the use of intoxicants.

(f) Submit to random urinalysis at the direction of probation officer.

(g) Refrain from knowingly associating with persons who use or possess controlled substances illegally, or from frequenting places where such substances are kept or sold.

(h) Refrain from knowingly associating with:

(A) Codefendants or crime partners.

(B) Persons known by the probationer to be engaged in criminal activities.

(C) Persons under a specified age except under specific circumstances specified in writing by the court or probation officer.

(D) Other designated persons.

(i) Undergo medical, psychological or therapy treatment.

(j) Take Antabuse, if medically approved.

(k) Submit to breath test or blood test to determine blood alcohol content upon request of a probation officer having reasonable grounds to believe the results would disclose evidence of a probation violation. This condition may be set when it is reasonably related to the nature of the offense or treatment of the offender.

(L) Neither own, possess nor control any firearm or any other specified weapon.

(m) Submit person, residence, vehicle and property to search by a probation officer having reasonable grounds to believe such search will disclose evidence of a probation violation. This condition may be set when it is reasonably related to the nature of the offense or treatment of the offender.

(3)(a) As a condition of probation, the court may require the defendant to report to any state or local mental health facility or other appropriate mental health program for evaluation. Whenever medical, psychiatric or psychological treatment is recommended, the court may order the defendant, as a condition of probation, to cooperate with and accept the treatment from the facility or program.

(b) The facility or program to which the defendant has been referred for evaluation shall perform such evaluation and submit a written report of its findings to the court. If the facility or program finds that treatment of the defendant is appropriate, it shall include its recommendations for treatment in the report to the court.

(c) Whenever treatment is provided by the facility or program, it shall furnish reports to the court on a regular basis concerning the progress of the defendant.

(d) Copies of all reports submitted to the court pursuant to this section shall be furnished to the defendant and the counsel of the defendant. The confidentiality of these reports shall be determined pursuant to ORS 192.501 to 192.505.

(e) Whenever treatment is provided pursuant to this subsection, the court may order, as an additional condition of probation, that the defendant pay the reasonable cost of the treatment to the mental health facility or program providing the treatment.

(4) As a condition of probation, the court may order the defendant to pay to the provider the reasonable cost of psychiatric or psychological treatment or other counseling services provided to the victim or victims and the victim's family resulting from or related to the crime or crimes of which the defendant was convicted.

(5)(a) As a condition of probation, the court may require the defendant to:

(A) Be evaluated as provided in ORS 137.227. If the evaluation finds the defendant to be an alcoholic or a drug-dependent person, and if public or private resources are available, the court shall order, as an additional condition of probation, the defendant to enroll, participate in and successfully complete an appropriate treatment program for alcohol or drug dependency problems. An evaluation will not be required if the court has entered a finding that the defendant is an alcoholic or a drug-dependent person under ORS 137.228.

(B) Enroll, participate in and successfully complete a designated treatment program for alcohol or drug dependency problems if the court finds that the defendant is an alcoholic or a drug-dependent person under ORS 137.228.

(b) Whenever evaluation or treatment is required under this subsection, the court may order, as an additional condition of probation, that the defendant pay the reasonable cost of the evaluation or treatment to the provider of the evaluation or treatment.

(6) Failure to abide by all general and special conditions imposed by the court and supervised by the probation department and its representatives may result in arrest, revocation of probation or notification of the violation to the sentencing court.

(7) The court may at any time modify the conditions of probation.

(8) It shall not be a cause for revocation of probation that the probationer failed to apply for or accept employment at any workplace where there is a labor dispute in progress. As used in this subsection, "labor dispute" has the meaning for that term provided in ORS 662.010. [Amended by 1965 c.346 §1; 1969 c.597 §125; 1977 c.371 §3; 1977 c.380 §2; 1981 c.671 §1; 1983 c.588 §2; 1985 c.818 §2; 1987 c.780 §3; 1989 c.790 §16; 1991 c.196 §1; 1991 c.630 §5; 1991 c.731 §1]

137.550 Period of probation; discharge from probation; proceedings in case of violation of conditions. (1) Subject to the limitations in ORS 137.010 and to rules of the State Sentencing Guidelines Board for felonies committed on or after November 1, 1989:

(a) The period of probation shall be such as the court determines and may, in the dis-

cretion of the court, be continued or extended.

(b) The court may at any time discharge a person from probation.

(2) At any time during the probation period, the court may issue a warrant and cause a defendant to be arrested for violating any of the conditions of probation. Any probation officer, police officer or other officer with power of arrest may arrest a probationer without a warrant for violating any condition of probation, and a statement by the probation officer setting forth that the probationer has, in the judgment of the probation officer, violated the conditions of probation is sufficient warrant for the detention of the probationer in the county jail until the probationer can be brought before the court. The probation officer, as soon as practicable, but within one judicial day, shall report such arrest or detention to the court that imposed the probation. The probation officer shall promptly submit to the court a report showing in what manner the probationer has violated the conditions of probation.

(3) Except for good cause shown or at the request of the probationer, the probationer shall be brought before a magistrate during the first 36 hours of custody, excluding holidays, Saturdays and Sundays. That magistrate, in the exercise of discretion, may order the probationer held pending revocation hearing or pending transfer to the jurisdiction of another court where the probation was imposed. In lieu of an order that the probationer be held, the magistrate may release the probationer upon the condition that the probationer appear in court at a later date for a probation revocation hearing. If the probationer is being held on an out-of-county warrant, the magistrate may order the probationer released subject to an additional order to the probationer that the probationer report within seven calendar days to the court that imposed the probation.

(4)(a) For defendants sentenced for felonies committed prior to November 1, 1989, and for any misdemeanor, the court that imposed the probation, after summary hearing, may revoke the probation:

(A) If the execution of sentence has been suspended, the court shall cause the sentence imposed to be executed.

(B) If no sentence has been imposed, the court may impose any sentence which originally could have been imposed.

(b) For defendants sentenced for felonies committed on or after November 1, 1989, the court that imposed the probationary sentence may revoke probation supervision and impose a sanction as provided by rules of the State Sentencing Guidelines Board.

(5) Except for good cause shown, if the revocation hearing is not conducted within 14 calendar days following the arrest or detention of the probationer, the probationer shall be released from custody.

(6) A defendant who has been previously confined in the county jail as a condition of probation pursuant to ORS 137.540 or as part of a probationary sentence pursuant to the rules of the State Sentencing Guidelines Board may be given credit for all time thus served in any order or judgment of confinement resulting from revocation of probation.

(7) In the case of any defendant whose sentence has been suspended but who is not on probation, the court may issue a warrant and cause the defendant to be arrested and brought before the court at any time within the maximum period for which the defendant might originally have been sentenced. Thereupon the court, after summary hearing, may revoke the suspension of sentence and cause the sentence imposed to be executed.

(8) If a probationer fails to appear or report to a court for further proceedings as required by an order under subsection (3) of this section, the failure to appear may be prosecuted in the county to which the probationer was ordered to appear or report. [Amended by 1955 c.688 §2; 1965 c.346 §2; 1971 c.743 §326; 1987 c.908 §1; 1989 c.790 §17; 1991 c.196 §2]

137.551 Revocation of probationary sentences; release dates; rules. (1) The State Board of Parole and Post-Prison Supervision shall adopt rules to establish release dates for revocations of probationary sentences imposed for felonies committed before November 1, 1989.

(2) To the extent permissible under law, the release dates for revocation of probationary sentences imposed for felonies committed before November 1, 1989, shall be set consistent with sanctions for probation revocations as provided by rules of the State Sentencing Guidelines Board for felonies committed on or after November 1, 1989. [1989 c.790 §18a]

Note: 137.551 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 137 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

137.553 Use of citations for probation violations authorized. (1) In addition to any authority granted under ORS 137.550, a court may authorize the use of citations to direct its probationers who violate conditions of probation to appear before the court. The following apply to the use of citations under this subsection:

(a) A court may authorize issuance of citations under this subsection only by officers

who are permitted under ORS 137.550 to make an arrest without a warrant.

(b) Nothing in this subsection limits the authority, under ORS 137.550, of a probation officer, police officer or other officer to arrest for violation of conditions of probation even if the officer is authorized under this section to issue a citation.

(c) A court may impose any conditions upon an authorization under this subsection that the court considers appropriate. The conditions may include, but are not limited to, requirements that citation authority be sought on a case by case basis, provision for citation in all cases that meet certain conditions, allowance of citation for certain types of cases or designation of certain cases where citations shall not be used.

(2) The cited probationer shall appear before the court at the time, date and court specified in the citation. If the probationer fails to appear at the time, date and court specified in the citation, the court may issue a warrant of arrest, upon the request of the supervisor of probation, or upon request of the district attorney, or upon the court's own motion. [1987 c.761 §2]

137.557 Citation; procedure; contents.

(1) If a citation is issued under ORS 137.553, the officer who issues the citation shall serve one copy of the citation to the probationer who is cited to appear and shall, as soon as practicable, file a duplicate copy with the court in which the probationer is cited to appear, along with proof of service.

(2) Each copy of the citation issued under ORS 137.553 shall contain:

(a) The name of the court at which the cited probationer is to appear.

(b) The name of the probationer cited.

(c) A brief description of the asserted probation violation, the date, the time and the place at which the violation occurred, the date on which the citation was issued and the name of the officer who issued the citation.

(d) The time, date and place at which the cited probationer is to appear in court.

(e) A notice to the effect that:

(A) The citation is not itself a motion to revoke probation, but that such a motion will be filed and a copy provided to the probationer when the probationer appears at court;

(B) The probationer must appear in court at the time set in the citation; and

(C) If the probationer fails to appear as directed, the court may immediately issue a warrant for the probationer's arrest or the

probationer may immediately be taken into custody by the officer responsible for supervising the probation. [1987 c.761 §3]

137.560 Copies of certain judgments to be sent to Department of Corrections. Within 10 days following the issuing of any judgment of suspension or imposition or execution of sentence or of probation of any person convicted of a crime, or of the continuation, extension, modification or revocation of any such judgment, or of the discharge of such person, or the recommendation by the court to the Governor of the pardon of such person, provided such person is under the jurisdiction of the Department of Corrections, the court issuing such a judgment shall cause prompt delivery of a copy of the same to the Director of the Department of Corrections. [Amended by 1973 c.836 §271; 1979 c.75 §1; 1987 c.320 §39; 1991 c.111 §16]

137.570 Authority to transfer probationer from one agency to another; procedure. A court may transfer a person on probation under its jurisdiction from the supervision of one probation agency to that of another probation agency. Whenever a person placed on probation resides in or is to remove to a locality outside the jurisdiction of the court which placed such person on probation, such court may transfer such person to a probation officer appointed to serve for the locality in which such person resides or to which the person is to remove:

(1) If such probation officer sends to the court desiring to make such transfer a written statement that the probation officer will exercise supervision over such person.

(2) If the statement is approved in writing by the judge of the court to which such probation officer is attached. [Amended by 1973 c.836 §272]

137.580 Effect of transfer of probationer from one agency to another. Whenever the transfer mentioned in ORS 137.570 is made, the court making it shall send to the probation agency to whose supervision the probationer is transferred a copy of all the records of such court as to the offense, criminal record and social history of the probationer. The probation agency shall report concerning the conduct and progress of the probationer to the court that placed the probationer on probation. Probation officers or agencies shall have, with respect to persons transferred to their supervision from any other jurisdiction, all the powers and be subject to all the duties now imposed by law upon them in regard to probationers received on probation from courts in their own jurisdiction. [Amended by 1973 c.836 §273]

137.590 Appointment of probation officers and assistants; chief probation officer. The judge or judges of any court of criminal jurisdiction, including municipal courts, may appoint, with the prior approval of the governing body of the county or city involved, and at pleasure remove, such probation officers and clerical assistants as may be necessary. Probation officers appointed by the court shall be selected because of definite qualifications as to character, personality, ability and training. In courts where more than one probation officer is appointed, one shall be designated chief probation officer and shall have general supervision of the probation work of probation officers appointed by and under the direction of the court. Appointments shall be in writing and entered on the records of the court. Probation officers and clerical assistants appointed under this section are not state officers or employees, and their compensation and expenses shall not be paid by the state. [Amended by 1971 c.633 §12; 1973 c.836 §274; 1981 s.s. c.3 §38]

137.600 [Repealed by 1955 c.491 §9]

137.610 Performance by Department of Corrections staff of duties of probation officers appointed by judge. The judge or judges of any court of criminal jurisdiction, including municipal courts, may request at any time the staff of the Department of Corrections to perform any of the duties which might be required of a probation officer appointed by the court pursuant to ORS 137.590. All such requests for services of the staff shall be made upon the Director of the Department of Corrections, who shall order the prompt performance of any such requested service whenever members of the staff are available for such duty. [Amended by 1969 c.597 §126; 1987 c.320 §40]

137.620 Powers of probation officers; oath of office; bond; audit of accounts. Probation officers of the Department of Corrections and those appointed by the court shall have the powers of peace officers in the execution of their duties, but shall not be active members of the regular police force. Each probation officer appointed by the court, before entering on the duties of office, shall take an oath of office. Each probation officer who collects or has custody of money shall execute a bond in a penal sum to be fixed by the court, with sufficient sureties approved thereby, conditioned for the honest accounting of all money received by the probation officer as probation officer. The accounts of all probation officers shall be subject to audit at any time by the proper fiscal authorities. [Amended by 1973 c.836 §275; 1987 c.320 §41]

137.630 Duties of probation officers. (1) The duties of probation officers appointed pursuant to ORS 137.590 or 423.500 to 423.560 shall be:

(a) To make such investigations and reports under ORS 137.530 as are required by the judge of any court having jurisdiction within the county, city or judicial district for which the officer is appointed to serve.

(b) To receive under supervision any person placed on probation by any court in the jurisdiction area for which such officers are appointed to serve.

(c) To provide release assistance, and supervise any person placed in a diversion, work release or community services alternative program, by any court in the jurisdiction area for which such officers are appointed to serve.

(d) To give each person under their supervision a statement of the conditions of probation or program participation and to instruct the person regarding the conditions; to keep informed concerning the conduct and condition of such persons by visiting, requiring reports and otherwise; to use all suitable methods, not inconsistent with the condition of probation or program participation, to aid and encourage such persons and to effect improvement in their conduct and condition.

(e) To keep detailed records of the work done and to make such reports to the courts and to the Department of Corrections as such courts require.

(f) To perform such other duties not inconsistent with the normal and customary functions of probation officers as may be required by any court in the jurisdiction area for which such officers are appointed to serve.

(2) Probation officers of the Department of Corrections shall have duties as specified by rule adopted by the Director of the Department of Corrections.

(3) Notwithstanding subsection (2) of this section, probation officers shall not be required to collect from persons under their supervision any fees to offset the costs of supervising the probation, including but not limited to those ordered pursuant to ORS 137.540 or 423.570. [Amended by 1969 c.597 §127; 1981 c.447 §1; 1987 c.320 §42]

(Determinate Sentences)

137.635 Determinate sentences required for certain felony convictions. (1) When, in the case of a felony described in subsection (2) of this section, a court sentences a convicted defendant who has previously been convicted of any felony designated in subsection (2) of this section, the sentence

ORS 144.096 - 144.409

PAROLE

(D) Finally, the board shall vary the term determined under subparagraph (C) of this paragraph according to rules established under ORS 144.785 (1), if the board finds aggravating or mitigating factors in the case. The board shall consider as an aggravating factor the fact that the prisoner has been sentenced to consecutive terms of imprisonment.

(b) Whenever a prisoner is committed to the custody of the Department of Corrections for a crime that was committed during a period already considered at an initial parole hearing and upon a sentence consecutive to any sentence imposed for crimes committed during that period, the board shall conduct a hearing to consider the previously unconsidered crime. The hearing shall be a hearing supplemental to the original initial hearing concerning crimes committed during the period. Time limitations and other procedural provisions applicable to initial hearings shall apply to a supplemental hearing under this subsection. Upon conclusion of the supplemental hearing, the board shall redetermine the appropriate total term for the period. The redetermination shall be conducted de novo under the provisions of subsection (2) of this section.

(2) The method established by this section for determining, where applicable, the total term resulting from the summing of consecutive sentences shall apply only if none of the crimes involved is:

(a) Murder, as defined in ORS 163.115 or any aggravated form thereof;

(b) Assault in the first degree, as defined in ORS 163.185;

(c) Kidnapping in the first degree, as defined in ORS 163.235;

(d) Rape in the first degree, as defined in ORS 163.375;

(e) Sodomy in the first degree, as defined in ORS 163.405;

(f) Unlawful sexual penetration, as defined in ORS 163.411;

(g) Arson in the first degree, as defined in ORS 164.325; or

(h) Treason, as defined in ORS 166.005.

(3) The duration of imprisonment pursuant to consecutive sentences may be less than the sum of the terms under subsection (1) of this section if the board finds, by affirmative vote of a majority of its members that consecutive sentences are not appropriate penalties for the criminal offenses involved and that the combined terms of imprisonment are not necessary to protect community security.

(4) The State Board of Parole and Post-Prison Supervision shall use the method set forth in subsections (1) to (3) of this section to determine the parole release date for any person serving a sentence in the custody of the Department of Corrections for crimes committed before or after July 11, 1987. [1987 c.634 §§4, 7; 1989 c.641 §1; 1991 c.126 §4; 1991 c.386 §7]

Note: 144.079 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 144 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

144.080 [Amended by 1955 c.688 §4; repealed by 1969 c.597 §281]

144.090 [Amended by 1969 c.502 §4; repealed by 1969 c.597 §281]

144.095 [1967 c.526 §3; 1969 c.314 §7; repealed by 1969 c.597 §281]

POST-PRISON SUPERVISION

144.096 Release plan; contents. (1) The Department of Corrections shall prepare a proposed release plan for each prisoner prior to the prisoner's release from prison. The proposed release plan shall be submitted to the State Board of Parole and Post-Prison Supervision not less than 60 days prior to the prisoner's release and shall include:

(a) A description of support services and program opportunities available to the prisoner;

(b) The recommended conditions of post-prison supervision;

(c) The level of supervision that shall be consistent with the prisoner's risk assessment classification;

(d) Any other conditions and requirements as may be necessary to promote public safety;

(e) For all inmates whose sentence to make restitution under ORS 137.106 has been suspended for the term of imprisonment, a restitution payment schedule; and

(f) Any conditions necessary to assist the reformation of the offender.

(2) If the proposed release plan is not approved by the board, the board shall return the plan to the department with its recommended modifications. The department shall submit a revised plan to the board not less than 10 days prior to the prisoner's release.

(3) If the revised plan is not acceptable to the board, the board shall determine the provisions of the final plan prior to the prisoner's release. [1989 c.790 §32]

Note: Section 31, chapter 790, Oregon Laws 1989, provides:

Sec. 31. Sections 32 to 36 of this 1989 Act [144.096 to 144.108] apply only to defendants convicted of a felony committed on or after November 1, 1989. [1989 c.790 §31]

144.098 Review of release plan. (1) When the State Board of Parole and Post-Prison Supervision reviews a prisoner's release plan as required by ORS 144.096, it may interview the prisoner and may review the following information:

(a) Reports of any physical, psychiatric or psychological examinations of the prisoner;

(b) The presentence investigation report specified by ORS 144.790 or, if no such report has been prepared, a report of similar content prepared by institutional staff;

(c) The record of the prisoner's conduct during confinement; and

(d) Any other information relevant to the prisoner's reintegration into the community that may be submitted by the prisoner, the prisoner's attorney, the victim of the crime, the Department of Corrections or any other person.

(2) The board must attempt to notify the victim before the review of the release plan by sending written notice to the victim if the victim requests to be notified and furnishes the board with a current address. The notice must inform the victim that the victim may submit information concerning the prisoner and the crime to the board for the board's consideration.

(3) The department shall provide to the board any psychiatric or psychological reports held by the department regarding the prisoner. However, if the psychiatrist or psychologist who prepared the report or any treating psychiatrist or psychologist determines that disclosure to the prisoner of the contents of the report would be detrimental to the prisoner's mental or emotional health, the psychiatrist or psychologist may indorse upon the report a recommendation that it not be disclosed to the prisoner. The department may withhold from the board any report so indorsed. [1989 c.790 §32b]

Note: See note under 144.096.

144.100 [Repealed by 1967 c.419 §68]

144.102 Conditions of post-prison supervision. (1) The State Board of Parole and Post-Prison Supervision shall specify in writing the conditions of post-prison supervision imposed under ORS 144.096. A copy of the conditions shall be given to the person upon release from prison.

(2) The board shall determine, and may at any time modify, the conditions of post-prison supervision which may include, among other conditions, that the person shall:

(a) Comply with the conditions of post-prison supervision as specified by the board.

(b) Be under the supervision of the Department of Corrections and its represen-

tatives and abide by their direction and counsel.

(c) Answer all reasonable inquiries of the board or the department's supervisory authority.

(d) Report to the parole officer as directed by the board or the department's supervisory authority.

(e) Not own, possess or be in control of any weapon.

(f) Respect and obey all municipal, county, state and federal laws.

(g) Understand that the board may, at its discretion, punish violations of post-prison supervision.

(h) Attend a victim impact treatment session in a county that has a victim impact program. If the board requires attendance under this paragraph, the board may require the person, as an additional condition of post-prison supervision, to pay a reasonable fee to the victim impact program to offset the cost of the person's participation. The board shall not order a person to pay a fee in excess of \$5 under this paragraph.

(3) The board may establish such special conditions as it shall determine are necessary because of the individual circumstances of the person under post-prison supervision.

(4) The board may require the person to pay, as a condition of post-prison supervision, any compensatory fines, restitution or attorney fees imposed by the sentencing court.

(5) A person's failure to apply for or accept employment at any workplace where there is a labor dispute in progress may not constitute a violation of the conditions of post-prison supervision. As used in this subsection, "labor dispute" has the meaning given that term in ORS 662.010. [1989 c.790 §32a; 1991 c.597 §1]

Note: See note under 144.096.

144.103 Term of post-prison supervision for person convicted of certain sexual offenses. Any person sentenced to a term of imprisonment for violating or attempting to violate ORS 163.375, 163.405, 163.408, 163.411 or 163.425 shall serve a term of post-prison supervision that shall continue until the term of the post-prison supervision, when added to the term of imprisonment served, equals the maximum statutory indeterminate sentence for the violation. Any costs incurred as a result of this section shall be paid by increased post-prison supervision fees under ORS 423.570. [1991 c.831 §1]

Note: 144.103 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 144 by legislative action. See Preface to Oregon Revised Statutes for further explanation.

144.104 Supervisory authority; revising conditions. (1) Upon release from prison, the person shall be supervised by the Department of Corrections or the corrections agency designated by the department.

(2) During the period of post-prison supervision, the supervisory authority may adjust the level of supervision and recommend to the State Board of Parole and Post-Prison Supervision revisions to the conditions of supervision appropriate to the released person's conduct in the community. [1989 c.790 §§33, 34]

Note: See note under 144.096.

144.105 [1967 c.560 §4; repealed by 1969 c.597 §281]

144.106 Violation of post-prison supervision conditions; sanctions. (1) Except as otherwise provided by rules of the Department of Corrections and the State Board of Parole and Post-Prison Supervision concerning parole and post-prison supervision violators, the supervisory authority shall use a continuum of administrative sanctions for violations of the conditions of post-prison supervision.

(2) The sanction continuum shall include adjustments to the level of supervision and, as approved by the State Board of Parole and Post-Prison Supervision:

(a) Modification of or additions to the conditions of supervision; and

(b) Any other appropriate available local sanctions including, but not limited to, community service work, house arrest, electronic surveillance, restitution centers, work release centers, day centers or other local sanctions established by agreement with the supervisory authority.

(3) If the local sanction requires confinement for more than 15 days in a restitution center, work release center or jail, the board or its designated representative shall hold a hearing under the procedures in ORS 144.315 to 144.380. [1989 c.790 §35; 1991 c.836 §1]

Note: See note under 144.096.

144.108 Recommitment to prison for certain violations; procedure; effect of recommitment. (1) If the violation of post-prison supervision is new criminal activity or if the supervisory authority finds that local sanctions are insufficient punishment for a violation of the conditions of post-prison supervision, the supervisory authority may request the State Board of Parole and Post-Prison Supervision to return the released person to a state correctional facility.

(2) If so requested, the board or its designated representative shall hold a hearing to determine whether imprisonment is appropriate. Except as otherwise provided by rules of the Department of Corrections con-

cerning parole and post-prison supervision violators, the board may impose a term of imprisonment up to the maximum provided by rules of the State Sentencing Guidelines Board. In conducting a hearing pursuant to this subsection, the board or its designated representative shall follow the procedures and the offender shall have all the rights described in ORS 144.343 and 144.347 relating to revocation of parole.

(3) A person who is ordered to serve a term of imprisonment as a sanction for a post-prison supervision violation is not eligible for:

(a) Earned credit time as defined in ORS 421.121;

(b) Transitional leave as defined in ORS 421.168; or

(c) Temporary leave as defined in ORS 421.165.

(4) A person who is ordered to serve a term of imprisonment as a sanction for a post-prison supervision violation shall receive credit for time served in a state or local correctional facility on the post-prison supervision violation prior to the board's imposition of a term of imprisonment. [1989 c.790 §36]

Note: See note under 144.096.

PAROLE PROCESS

144.110 Restriction on parole of persons sentenced to minimum terms. (1) In any felony case, the court may impose a minimum term of imprisonment of up to one-half of the sentence it imposes.

(2) Notwithstanding the provisions of ORS 144.120 and 144.780:

(a) The board shall not release a prisoner on parole who has been sentenced under subsection (1) of this section until the minimum term has been served, except upon affirmative vote of a majority of the members of the board.

(b) The board shall not release a prisoner on parole who has been convicted of murder defined as aggravated murder under the provisions of ORS 163.095, except as provided in ORS 163.105. [1977 c.372 §4; 1991 c.126 §5]

Note: Section 28, chapter 790, Oregon Laws 1989, provides:

Sec. 28. The provisions of ORS 144.110, 144.120, 144.122, 144.125, 144.130, 144.135, 144.185, 144.223, 144.245, 144.270 and 144.305 apply only to offenders convicted of a crime committed prior to November 1, 1989, and to offenders convicted of aggravated murder regardless of the date of the crime. [1989 c.790 §28]

144.120 Initial parole hearing; initial release date determination; delay of initial determination; notification of victim. (1)(a) Within six months of the admission of a prisoner to any Department of Corrections

institution, with the exception of those prisoners sentenced to a term of imprisonment for life or for more than five years, the board shall conduct a parole hearing to interview the prisoner and set the initial date of release on parole pursuant to subsection (2) of this section. For those prisoners sentenced to a term of imprisonment for more than five years but less than 15 years, the board shall conduct the parole hearing and set the initial date of release within eight months following admission of the prisoner to the institution. For those prisoners sentenced to a term of imprisonment for life or for 15 years or more, with the exception of those sentenced for aggravated murder, the board shall conduct the parole hearing, and shall set the initial release date, within one year following admission of the prisoner to the institution. Release shall be contingent upon satisfaction of the requirements of ORS 144.125.

(b) Those prisoners sentenced to a term of imprisonment for less than 15 years for commission of an offense designated by rule by the board as a non person-to-person offense may waive their rights to the parole hearing. When a prisoner waives the parole hearing, the initial date of release on parole may be set administratively by the board pursuant to subsections (2) to (6) of this section. If the board is not satisfied that the waiver was made knowingly or intelligently or if it believes more information is necessary before making its decision, it may order a hearing.

(2) In setting the initial parole release date for a prisoner pursuant to subsection (1) of this section, the board shall apply the appropriate range established pursuant to ORS 144.780. Variations from the range shall be in accordance with ORS 144.785.

(3) In setting the initial parole release date for a prisoner pursuant to subsection (1) of this section, the board shall consider the presentence investigation report specified in ORS 144.790 or, if no such report has been prepared, a report of similar content prepared by the Department of Corrections.

(4) Notwithstanding subsection (1) of this section, in the case of a prisoner whose offense included particularly violent or otherwise dangerous criminal conduct or whose offense was preceded by two or more convictions for a Class A or Class B felony or whose record includes a psychiatric or psychological diagnosis of severe emotional disturbance such as to constitute a danger to the health or safety of the community, the board may choose not to set a parole date.

(5) After the expiration of six months after the admission of the prisoner to any Department of Corrections institution, the

board may defer setting the initial parole release date for the prisoner for a period not to exceed 90 additional days pending receipt of psychiatric or psychological reports, criminal records or other information essential to formulating the release decision.

(6) When the board has set the initial parole release date for a prisoner, it shall inform the sentencing court of the date.

(7) The State Board of Parole and Post-Prison Supervision must attempt to notify the victim, if the victim requests to be notified and furnishes the board a current address, and the district attorney of the committing county at least 30 days before all hearings by sending written notice to the current addresses of both. The victim, personally or by counsel, and the district attorney from the committing jurisdiction shall have the right to appear at any hearing or, in their discretion, to submit a written statement adequately and reasonably expressing any views concerning the crime and the person responsible. The victim and the district attorney shall be given access to the information that the board or division will rely upon and shall be given adequate time to rebut the information. Both the victim and the district attorney may present information or evidence at any hearing, subject to such reasonable rules as may be imposed by the officers conducting the hearing. For the purpose of this subsection, "victim" includes the actual victim, a representative selected by the victim or the victim's next of kin. [1977 c.372 §5; 1981 c.426 §1; 1985 c.283 §2; 1987 c.2 §14; 1987 c.320 §51; 1987 c.881 §1; 1989 c.589 §3; 1991 c.126 §6]

Note: See note under 144.110.

144.122 Advancing initial release date; requirements; rules. (1) After the initial parole release date has been set under ORS 144.120 and after a minimum period of time established by the board under paragraph (a) of subsection (2) of this section, the prisoner may request, and the board may grant, that the parole release date be reset to an earlier date only upon a showing by the prisoner of:

(a) An extended course of conduct indicating outstanding reformation; or

(b) A severe medical condition including terminal illness.

(2) The Advisory Commission on Prison Terms and Parole Standards may propose to the board and the board shall adopt rules:

(a) Establishing minimum periods of time to be served by prisoners before application may be made for a reset of release date under subsection (1) of this section; and

(b) Detailing the criteria set forth under subsection (1) of this section for the resetting of a parole release date.

(3) The provisions of paragraph (b) of subsection (1) of this section apply to prisoners sentenced in accordance with ORS 161.610. [1983 c.489 §2; 1991 c.133 §1]

Note: See note under 144.110.

144.123 Who may accompany person to parole hearing; rule of State Board of Parole and Post-Prison Supervision and Department of Corrections. When appearing before the State Board of Parole and Post-Prison Supervision an inmate shall have the right to be accompanied by a person of the inmate's choice pursuant to rule promulgated jointly by the State Board of Parole and Post-Prison Supervision and the Department of Corrections. [1981 c.644 §1; 1987 c.320 §52]

Note: 144.123 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 144 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

144.125 Review of parole plan, psychological reports and conduct prior to release; release postponement; criteria for parole plan; Department of Corrections assistance. (1) Prior to the scheduled release of any prisoner on parole and prior to release rescheduled under this section, the board may upon request of the Department of Corrections or on its own initiative interview the prisoner to review the prisoner's parole plan and psychiatric or psychological report, if any, and the record of the prisoner's conduct during confinement. To accommodate such review by the board, the Department of Corrections shall provide to the board any psychiatric or psychological reports held by the department regarding the prisoner. However, if the psychiatrist or psychologist who prepared any report or any treating psychiatrist or psychologist determines that disclosure to the prisoner of the contents of the report would be detrimental to the prisoner's mental or emotional health, the psychiatrist or psychologist may indorse upon the report a recommendation that it not be disclosed to the prisoner. The department may withhold from the board any report so indorsed.

(2) The board shall postpone a prisoner's scheduled release date if it finds, after a hearing, that the prisoner engaged in serious misconduct during confinement. The board shall adopt rules defining serious misconduct and specifying periods of postponement for such misconduct.

(3) If a psychiatric or psychological diagnosis of present severe emotional disturbance such as to constitute a danger to the health or safety of the community has been made with respect to the prisoner, the board may

order the postponement of the scheduled parole release until a specified future date.

(4) Each prisoner shall furnish the board with a parole plan prior to the scheduled release of the prisoner on parole. The board shall adopt rules specifying the elements of an adequate parole plan and may defer release of the prisoner for not more than three months if it finds that the parole plan is inadequate. The Department of Corrections shall assist prisoners in preparing parole plans. [1977 c.372 §6; 1981 c.426 §2; 1987 c.320 §53; 1989 c.790 §68]

Note: See note under 144.110.

144.126 Advancing release date of prisoner with severe medical condition including terminal illness. The State Board of Parole and Post-Prison Supervision may advance the release date of a prisoner suffering from a severe medical condition including terminal illness who was sentenced in accordance with rules of the State Sentencing Guidelines Board or ORS 161.610. [1989 c.790 §27a; 1991 c.133 §2]

Note: 144.126 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 144 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

144.130 Prisoner to have access to written materials considered at hearings or interviews; access procedures. (1) Notwithstanding the provisions of ORS 179.495, prior to a parole hearing or other personal interview, each prisoner shall have access to the written materials which the board shall consider with respect to the release of the prisoner on parole, with the exception of materials exempt from disclosure under ORS 192.502 (4).

(2) The board and the Director of the Department of Corrections shall jointly adopt procedures for a prisoner's access to written materials pursuant to this section. [1977 c.372 §8; 1987 c.320 §54]

Note: See note under 144.110.

144.135 Bases of parole decisions to be in writing. The board shall state in writing the detailed bases of its decisions under ORS 144.110 to 144.125. [1977 c.372 §9]

Note: See note under 144.110.

144.140 Rulemaking procedure. (1) The State Board of Parole and Post-Prison Supervision may adopt rules to carry out its responsibilities under the sentencing guidelines system.

(2) The board shall comply with the rulemaking provisions of ORS 183.310 to 183.550 in the adoption, amendment or repeal of rules pursuant to ORS 144.125, 144.130, 144.395 and 144.780 to 144.790 or this section. [1977 c.372 §17; 1989 c.790 §27b]

144.175 [1973 c.694 §4; repealed by 1977 c.372 §18]

144.180 [1973 c.694 §5; repealed by 1977 c.372 §18]

144.183 [Repealed by 1974 s.s. c.36 §28]

144.185 Records and information available to board. Before making a determination regarding a prisoner's release on parole as provided by ORS 144.125, the State Board of Parole and Post-Prison Supervision may cause to be brought before it current records and information regarding the prisoner, including:

(1) Any relevant information which may be submitted by the prisoner, the prisoner's attorney, the victim of the crime, the Department of Corrections, or by other persons;

(2) The presentence investigation report specified in ORS 144.790 or if no such report has been prepared, a report of similar content prepared by institutional staff;

(3) The reports of any physical, mental and psychiatric examinations of the prisoner;

(4) The prisoner's parole plan; and

(5) Other relevant information concerning the prisoner as may be reasonably available. [1973 c.694 §6; 1981 c.426 §3; 1985 c.283 §3; 1987 c.320 §55]

Note: See note under 144.110.

144.210 [Amended by 1959 c.101 §2; 1967 c.372 §8; 1969 c.597 §113; 1973 c.836 §288; repealed by 1985 c.283 §1]

144.220 [Amended by 1959 c.101 §3; 1973 c.836 §289; repealed by 1975 c.564 §1 (144.221 enacted in lieu of 144.220)]

144.221 [1975 c.564 §2 (enacted in lieu of 144.220); repealed by 1977 c.372 §18]

144.223 Examination by psychiatrist or psychologist of parole candidate; report; copies to affected persons. (1) The State Board of Parole and Post-Prison Supervision may require any prisoner being considered for parole to be examined by a psychiatrist or psychologist before being released on parole.

(2) Within 60 days after the examination, the examining psychiatrist or psychologist shall file a written report of the findings and conclusions of the psychiatrist or psychologist relative to the examination with the chairman of the State Board of Parole and Post-Prison Supervision. A certified copy of the report shall be sent to the convicted person, to the attorney of the convicted person and to the executive officer of the Department of Corrections institution in which the convicted person is confined. [1977 c.379 §2; 1987 c.320 §56]

Note: See note under 144.110.

144.226 Examination by psychiatrist or psychologist of person sentenced as a dangerous offender; report. (1) Any person sentenced under ORS 161.725 and 161.735 as a dangerous offender shall within 60 days

prior to the parole consideration hearing under ORS 144.228 or the last day of the presumptive sentence established under ORS 161.737 and at least every two years thereafter be given a complete mental and psychiatric or psychological examination by a psychiatrist or psychologist appointed by the State Board of Parole and Post-Prison Supervision. Within 60 days after the examination, the examining psychiatrist or psychologist shall file a written report of findings and conclusions relative to the examination with the Director of the Department of Corrections and chairperson of the State Board of Parole and Post-Prison Supervision.

(2) The examining psychiatrist or psychologist shall include in the report a statement as to whether or not in the psychiatrist's or psychologist's opinion the convicted person has any mental or emotional disturbance or deficiency or condition predisposing the person to the commission of any crime to a degree rendering the examined person a menace to the health or safety of others. The report shall also contain any other information which the examining psychiatrist or psychologist believes will aid the State Board of Parole and Post-Prison Supervision in determining whether the examined person is eligible for parole or release. The report shall also state the progress or changes in the condition of the examined person as well as any recommendations for treatment. A certified copy of the report shall be sent to the convicted person, to the convicted person's attorney and to the executive officer of the Department of Corrections institution in which the convicted person is confined. [1955 c.636 §4; 1961 c.424 §5; 1969 c.597 §114; 1971 c.743 §338; 1973 c.836 §290; 1981 c.644 §4; 1987 c.320 §57; 1989 c.790 §78; 1991 c.318 §1]

144.228 Periodic parole consideration hearings for dangerous offenders; setting of parole date; information to be considered. (1)(a) Within six months after commitment to the custody of the Department of Corrections of any person sentenced under ORS 161.725 and 161.735 as a dangerous offender, the State Board of Parole and Post-Prison Supervision shall set a date for a parole consideration hearing instead of an initial release date as otherwise required under ORS 144.120 and 144.125. The parole consideration hearing date shall be the earliest time the prisoner is eligible for parole under the board's rules.

(b) At the parole consideration hearing, the prisoner shall be given a release date in accordance with the applicable range and variation permitted if the condition which made the prisoner dangerous is absent or in remission. In the event that the dangerous

condition is found to be present, reviews will be conducted at least once every two years until the condition is absent or in remission, at which time release on parole shall be ordered if the prisoner is otherwise eligible under the rules. In no event shall the prisoner be held beyond the maximum sentence less good time credits imposed by the court.

(c) Nothing in this section shall preclude a prisoner from submitting a request for a parole consideration hearing prior to the earliest time the prisoner is eligible for parole or a two-year review. Should the board find, based upon the request, that there is a reasonable cause to believe that the dangerous condition is in remission based upon the information provided in the request, it shall conduct a review as soon as is reasonably convenient.

(2) For the parole consideration hearing, the board shall cause to be brought before it and consider all information regarding such person. The information shall include:

(a) The written report of the examining psychiatrist or psychologist which shall contain all the facts necessary to assist the State Board of Parole and Post-Prison Supervision in making its determination. The report of the examining psychiatrist or psychologist shall be made within two months of the date of its consideration; and

(b) A written report to be made by the executive officer of the Department of Corrections institution in which the person has been confined. The executive officer's report shall contain:

(A) A detailed account of the person's conduct while confined, all infractions of rules and discipline, all punishment meted out to the person and the circumstances connected therewith, as well as the extent to which the person has responded to the efforts made in the institution to improve the person's mental and moral condition.

(B) A statement as to the person's present attitude towards society, towards the sentencing judge, towards the prosecuting district attorney, towards the arresting police officer and towards the person's previous criminal career.

(C) The industrial record of the person while in or under the supervision of the institution, showing the average number of hours per day that the person has been employed, the nature of the occupations and a recommendation as to the kind of work, if any, the person is best fitted to perform and at which the person is most likely to succeed upon leaving the institution in which the person has been confined. [1955 c.636 §5; 1961 c.424 §6; 1971 c.743 §339; 1973 c.836 §291; 1981 c.644 §5; 1985 c.283 §4; 1987 c.320 §58; 1991 c.318 §2]

144.230 [Amended by 1963 c.625 §1; repealed by 1971 c.743 §432]

144.232 Release of dangerous offender to post-prison supervision; eligibility; hearing. (1) A person sentenced under ORS 161.725 and 161.735 as a dangerous offender for felonies committed on or after November 1, 1989, shall be considered for release to post-prison supervision. The offender is eligible for release to post-prison supervision after having served the presumptive sentence established under ORS 161.737.

(2) The State Board of Parole and Post-Prison Supervision shall hold a release hearing no later than 10 days prior to the date on which the offender becomes eligible for release on post-prison supervision as provided in subsection (1) of this section.

(3) The dangerous offender's eligibility for and release to post-prison supervision shall be determined in a manner consistent with the procedures and criteria required by ORS 144.228 for the parole determination process applicable to dangerous offenders sentenced for crimes committed prior to November 1, 1989.

(4) An offender released under this section shall serve the remainder of the sentence term imposed under ORS 161.725 and 161.735 on post-prison supervision, however:

(a) Notwithstanding ORS 137.010 or the rules of the State Sentencing Guidelines Board, the State Board of Parole and Post-Prison Supervision may return an offender to prison for a maximum period of 180 days as a sanction for any supervision violation. The sanction may be imposed repeatedly during the term of post-prison supervision for subsequent supervision violations.

(b) The board may at any time require the offender to submit to a psychiatric examination as provided for in ORS 144.226. If the board determines, as a result of the examination, that the condition that made the prisoner dangerous is no longer in remission or has otherwise returned, the board shall return the offender to prison for an indefinite period of time. An offender returned to prison under this paragraph is entitled to periodic reviews once every two years for possible release to post-prison supervision as provided by subsection (3) of this section. [1989 c.790 §80]

144.240 [Repealed by 1973 c.694 §26]

144.245 Date of release on parole; effect of release order. (1) When the State Board of Parole and Post-Prison Supervision has set a date on which a prisoner is to be released upon parole, the prisoner shall be released on that date unless the prisoner on that date remains subject to an unexpired minimum term during which the prisoner is

not eligible for parole, in which case the prisoner shall not be released until the expiration of the minimum term.

(2) When the board has not set a date on which a prisoner is to be released upon parole, the prisoner shall be released upon a date six months prior to the expiration of the prisoner's term as computed under ORS 421.120 and 421.122 unless the prisoner on that date remains subject to an unexpired minimum term during which the prisoner is not eligible for parole, in which case the prisoner shall not be released until the expiration of the minimum term.

(3) In no case does a prisoner have a right to refuse an order granting the prisoner release upon parole. [1985 c.53 §§2, 3]

Note: See note under 144.110.

144.250 [Amended by 1973 c.836 §292; repealed by 1973 c.694 §26; see 144.183]

144.260 Notice of prospective release on parole or post-prison supervision of inmate. Prior to the release on parole or post-prison supervision of a convicted person from a Department of Corrections institution, the chairperson of the State Board of Parole and Post-Prison Supervision shall inform the Department of Corrections and the sentencing judge, the district attorney, sheriff or arresting agency of the prospective date of release and of any special conditions thereof. At least 30 days prior to the release from actual physical custody of any convicted person, other than by parole or post-prison supervision, whether such release is pursuant to work release, institutional leave, or any other means, the Department of Corrections shall notify the sentencing judge and the district attorney of the impending release. The victim may request notification of the release and if the victim has requested notification, the State Board of Parole and Post-Prison Supervision or the Department of Corrections, as the case may be, shall notify the victim in the same fashion and under the same circumstances it is required to give notification to other persons under this section. [Amended by 1969 c.597 §115; 1973 c.836 §293; 1983 c.635 §1; 1987 c.2 §15; 1987 c.320 §59; 1989 c.790 §29]

144.270 Conditions of parole; copy to parolee. (1) The State Board of Parole and Post-Prison Supervision, in releasing a person on parole, shall specify in writing the conditions of the parole and a copy of such conditions shall be given to the person paroled.

(2) The board shall determine, and may at any time modify, the conditions of parole, which may include, among other conditions, that the parolee shall:

(a) Accept the parole granted subject to all terms and conditions specified by the board.

(b) Be under the supervision of the Department of Corrections and its representatives and abide by their direction and counsel.

(c) Answer all reasonable inquiries of the board or the parole officer.

(d) Report to the parole officer as directed by the board or parole officer.

(e) Not own, possess or be in control of any weapon.

(f) Respect and obey all municipal, county, state and federal laws.

(g) Understand that the board may, in its discretion, suspend or revoke parole if it determines that the parole is not in the best interest of the parolee, or in the best interest of society.

(3) The board may establish such special conditions as it shall determine are necessary because of the individual circumstances of the parolee.

(4) It shall not be a cause for revocation of parole that the parolee failed to apply for or accept employment at any workplace where there is a labor dispute in progress. As used in this subsection, "labor dispute" has the meaning for that term provided in ORS 662.010.

(5)(a) When the State Board of Parole and Post-Prison Supervision grants an inmate parole from the custody of the Department of Corrections, the board shall order, as a condition of parole, that the inmate reside for the first six months in the county where the inmate resided at the time of the offense that resulted in the imprisonment.

(b) Upon motion of the State Board of Parole and Post-Prison Supervision, an inmate, a victim or a district attorney, the State Board of Parole and Post-Prison Supervision may waive the residency requirement only after making a finding that one of the following conditions has been met:

(A) The inmate provides proof of a job with no set ending date in a county other than the established county of residence;

(B) The inmate is found to pose a significant danger to the victim of the offender's crime, or the victim or victim's family is found to pose a significant danger to the inmate residing in the county of residence;

(C) The inmate has a spouse or biological or adoptive family residing in other than the county of residence who will be materially significant in aiding in the rehabilitation of the offender and in the success of the parole;

(D) As another condition of parole, the inmate is required to participate in a treatment program which is not available or located in the county of residence;

(E) The inmate desires to be paroled to another state; or

(F) The State Board of Parole and Post-Prison Supervision finds other good cause, of a nature similar to the other conditions listed in this paragraph, for the waiver.

(c)(A) For purposes of this subsection, "residency" means the last address at the time of the offense, as established by an examination of all the available information in the following records:

(i) An Oregon driver's license, regardless of its validity;

(ii) Records maintained by the Department of Revenue;

(iii) Records maintained by the Department of State Police, Bureau of Criminal Identification;

(iv) Records maintained by the Department of Human Resources; or

(v) Records maintained by the Department of Corrections.

(B) When an inmate did not have one identifiable address of record at the time of the offense, the inmate shall be considered to have resided in the county where the offense occurred.

(C) If the inmate is serving multiple sentences, the county of residence shall be determined according to the date of the last arrest resulting in a conviction.

(D) If the inmate is being rereleased after revocation of parole, the county of residence shall be determined according to the date of the arrest resulting in a conviction of the underlying offense. [Amended by 1973 c.694 §7; 1973 c.836 §294; 1974 s.s. c.36 §5; 1987 c.320 §60; 1987 c.780 §4; 1989 c.1023 §1; 1991 c.278 §1]

Note: See note under 144.110.

144.275 Parole of inmates sentenced to make financial restitution; schedule of payments. Whenever the State Board of Parole and Post-Prison Supervision orders the release on parole of an inmate who has been ordered to pay compensatory fines pursuant to ORS 137.101 or to make restitution pursuant to ORS 137.106, but with respect to whom payment of all or a portion of the fine or restitution was suspended until the release of the inmate from imprisonment, the board may establish a schedule by which payment of the compensatory fine or restitution shall be resumed. In fixing the schedule and supervising the paroled inmate's performance thereunder the board shall consider the factors specified in ORS 137.106 (2). The board shall provide to the

sentencing court a copy of the schedule and any modifications thereof. [1977 c.271 §6; 1989 c.46 §1]

Note: 144.275 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 144 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

144.305 Length of parole. Any parole in this state shall extend for the entire term of the offender's sentence; but active supervision of parole may be discontinued after three years if the parolee has substantially complied with the conditions of active supervision and any restitution owed to the victim has been paid. Any additional costs incurred as a result of this section shall be paid for by increased parole fees under ORS 423.570. [1987 c.2 §16; 1991 c.148 §1]

Note: See note under 144.110.

Note: 144.305 was added to and made a part of ORS chapter 144 but was not added to any smaller series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

TERMINATION OF PAROLE

144.310 Final discharge of parolee; period of active supervision. (1) When a paroled prisoner has performed the obligations of parole for such time as satisfies the State Board of Parole and Post-Prison Supervision that the prisoner's final release is not incompatible with the prisoner's welfare and that of society, the board may make a final order of discharge and issue to the paroled prisoner a certificate of discharge; but no such order of discharge shall be made within a period of less than six months after the date of release on parole, except that when the period of the sentence imposed by the court expires at an earlier date, a final order of discharge shall be made and a certificate of discharge issued to the paroled prisoner not later than the date of expiration of the sentence.

(2) A paroled prisoner shall be subject to active parole supervision during the first six months of the period of parole. The board may require a more extended period of active supervision if, in a manner provided by rule, it finds that a six-month period of supervision is incompatible with the welfare of the parolee or of society. In making a determination whether to require active parole supervision for a period longer than six months, the board may consider the extent and availability of Department of Corrections resources.

(3) The board may extend or renew the period of active parole supervision or delay discharge of a parolee if it finds, in the manner provided in ORS 144.343, that the parolee has violated the conditions or terms of parole.

(4) During the pendency of any parole violation proceedings, the running of time periods set forth in this section is stayed and the board has jurisdiction over the parolee until the proceedings are resolved. [Amended by 1963 c.625 §2; 1973 c.694 §18; 1973 c.836 §295; 1974 s.s. c.36 §6; 1981 c.425 §1; 1987 c.320 §61]

144.315 Evidence admissible before board; rules. Evidence may be received in proceedings conducted by the State Board of Parole and Post-Prison Supervision even though inadmissible under rules of evidence applicable to court procedure and the board shall establish procedures to regulate and provide for the nature and extent of the proofs and evidence and method of taking and furnishing the same in order to afford the inmate a reasonable opportunity for a fair hearing. The procedures shall include the means of determining good cause not to allow confrontation of witnesses or disclosure of the identity of informants who would be subject to risk of harm if their identity is disclosed. [1973 c.694 §22]

144.317 Appointment of attorneys; payment. (1) The State Board of Parole and Post-Prison Supervision shall have the power to appoint attorneys, at board expense, to represent indigent parolees and offenders on post-prison supervision if the request and determination provided in ORS 144.343 (3)(f) have been made.

(2) Upon completion of the parole or post-prison supervision revocation hearing, the board shall determine whether the person for whom counsel was appointed pursuant to subsection (1) of this section is able to pay a portion of the attorney fees to be paid by the board. In determining whether the person is able to pay such portion, the board shall take into account the other financial obligations of the person, including any existing fines or orders to make restitution. If the board determines that the person is able to pay such portion, the board may order, as a condition of parole or post-prison supervision, that the person pay the portion to the appropriate officer of the state. [1973 c.694 §23; 1981 c.644 §6; 1987 c.803 §16; 1989 c.790 §40]

144.320 [Repealed by 1961 c.412 §5]

144.330 [Amended by 1973 c.836 §296; repealed by 1973 c.694 §8 (144.331 enacted in lieu of 144.330)]

144.331 Suspension of parole or post-prison supervision; custody of violator; revocation hearing before suspension. (1) The State Board of Parole and Post-Prison Supervision may suspend the parole or post-prison supervision of any person under its jurisdiction upon being informed and having reasonable grounds to believe that the person has violated the conditions of parole or post-prison supervision and may order the arrest

and detention of such person. The written order of the board is sufficient warrant for any law enforcement officer to take into custody such person. A sheriff, municipal police officer, constable, parole or probation officer, prison official or other peace officer shall execute the order.

(2) The board or its designated representative may proceed to hearing as provided in ORS 144.343 without first suspending the parole or post-prison supervision or ordering the arrest and detention of any person under its jurisdiction upon being informed and having reasonable grounds to believe that the person under its jurisdiction has violated a condition of parole and that revocation of parole may be warranted or that the person under its jurisdiction has violated a condition of post-prison supervision and that incarceration for the violation may be warranted.

(3) During the pendency of any post-prison supervision violation proceedings, the period of post-prison supervision is stayed and the board has jurisdiction over the offender until the proceedings are resolved. [1973 c.694 §9 (enacted in lieu of 144.330); 1977 c.375 §1; 1991 c.108 §1]

144.333 [Repealed by 1974 s.s. c.36 §28]

144.334 Use of citations for parole or post-prison supervision violators; conditions; appearance. (1) In addition to the authority granted under ORS 144.331 and 144.370, the State Board of Parole and Post-Prison Supervision may authorize the use of citations to direct alleged parole or post-prison supervision violators to appear before the board or its designated representative. The following apply to the use of citations under this section:

(a) The board may authorize issuance of citations only by officers who are permitted under ORS 144.350 to arrest and detain.

(b) Nothing in this subsection limits the authority, under ORS 144.350, of a supervising officer or other officer to arrest an alleged parole or post-prison supervision violator.

(2) The board may impose any conditions upon an authorization under this section that the board considers appropriate. The conditions may include, but are not limited to, requirements that citation authority be sought on a case by case basis, citation authority be granted in all cases that meet certain conditions, citation authority be allowed for certain types of cases or designation of certain cases be made where citations shall not be used.

(3) The cited offender shall appear before the board or its designated representative at the time, date and place specified in the ci-

tation. If the offender fails to appear as required, the board may issue a suspend and detain order upon its own motion or upon request of the supervising officer. [1991 c.836 §4]

Note: 144.334 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 144 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

144.335 Appeal from order of board to Court of Appeals; effect of filing appeal; appointment of master. (1) When a person over whom the board exercises its jurisdiction is adversely affected or aggrieved by a final order of the board related to the granting, revoking or discharging of parole or the revoking of post-prison supervision and after exhaustion of administrative review as provided by board rule, such person is entitled to judicial review of the final order.

(2) The final order and the proceedings underlying the order are subject to review by the Court of Appeals upon petition to that court filed within 60 days of the final order for which review is sought. The board shall submit to the court the record of the proceeding, or, if the inmate agrees, a shortened record. A copy of the record transmitted shall be delivered to the inmate by the board.

(3) The court may affirm, reverse or remand the order on the same basis as provided in ORS 183.482 (8). The filing of the petition shall not stay the board's order, but the board may do so, or the court may order a stay upon application on such terms as it deems proper.

(4) In the case of disputed allegations of irregularities in procedure before the board not shown in the record which, if proved, would warrant reversal or remand, the Court of Appeals may refer the allegations to a master appointed by the court to take evidence and make findings of fact upon them. [1973 c.694 §24; 1983 c.740 §18; 1989 c.790 §41]

144.337 Public Defender to represent petitioner. Persons petitioning for review under ORS 144.335 shall be represented by the Public Defender pursuant to the terms of ORS 151.210 to 151.290. [1973 c.694 §25]

144.340 Power to retake and return violators of parole and post-prison supervision. (1) The Department of Corrections, in accordance with the rules and regulations or directions of the State Board of Parole and Post-Prison Supervision or the Governor, as the case may be, may cause to have retaken and returned persons to the institution, whether in or out of the state, whenever they have violated the conditions of their parole or post-prison supervision.

(2) Persons retaken and returned to this state from outside the state upon order or

warrant of the Department of Corrections, State Board of Parole and Post-Prison Supervision or the Governor, for violation of conditions of their parole or post-prison supervision, shall be detained in a Department of Corrections facility pending any hearing concerning the alleged violation, and ultimate disposition by the State Board of Parole and Post-Prison Supervision. [Amended by 1969 c.597 §116; 1973 c.836 §297; 1987 c.320 §62; 1989 c.790 §42; 1991 c.228 §1]

144.343 Hearing required on revocation; procedure. (1) When the State Board of Parole and Post-Prison Supervision or its designated representative has been informed and has reasonable grounds to believe that a person under its jurisdiction has violated a condition of parole and that revocation of parole may be warranted, the board or its designated representative shall conduct a hearing as promptly as convenient to determine whether there is probable cause to believe a violation of one or more of the conditions of parole has occurred and also conduct a parole violation hearing if necessary. Evidence received and the order of the court at a preliminary hearing under ORS 135.070 to 135.225 may be used by the board to determine the existence of probable cause. A waiver by the defendant of any preliminary hearing shall also constitute a waiver of probable cause hearing by the board. The location of the hearing shall be reasonably near the place of the alleged violation or the place of confinement.

(2) The board may:

(a) Reinstate or continue the alleged violator on parole subject to the same or modified conditions of parole;

(b) Revoke parole and require that the parole violator serve the remaining balance of the sentence as provided by law;

(c) Impose sanctions as provided in ORS 144.106; or

(d) Delegate the authority, in whole or in part, granted by this subsection to its designated representative as provided by rule.

(3) Within a reasonable time prior to the hearing, the board or its designated representative shall provide the parolee with written notice which shall contain the following information:

(a) A concise written statement of the suspected violations and the evidence which forms the basis of the alleged violations.

(b) The parolee's right to a hearing and the time, place and purpose of the hearing.

(c) The names of persons who have given adverse information upon which the alleged violations are based and the right of the parolee to have such persons present at the

hearing for the purposes of confrontation and cross-examination unless it has been determined that there is good cause for not allowing confrontation.

(d) The parolee's right to present letters, documents, affidavits or persons with relevant information at the hearing unless it has been determined that informants would be subject to risk of harm if their identity were disclosed.

(e) The parolee's right to subpoena witnesses under ORS 144.347.

(f) The parolee's right to be represented by counsel and, if indigent, to have counsel appointed at board expense if the board or its designated representative determines, after request, that the request is based on a timely and colorable claim that:

(A) The parolee has not committed the alleged violation of the conditions upon which the parolee is at liberty;

(B) Even if the violation is a matter of public record or is uncontested, there are substantial reasons which justify or mitigate the violation and make revocation inappropriate and that the reasons are complex or otherwise difficult to develop or present; or

(C) The parolee, in doubtful cases, appears to be incapable of speaking effectively on the parolee's own behalf.

(g) That the hearing is being held to determine:

(A) Whether there is probable cause to believe a violation of one or more of the conditions of parole has occurred; and

(B) If there is probable cause to believe a violation of one or more of the conditions of parole has occurred:

(i) Whether to reinstate parole;

(ii) Whether to continue the alleged violator on parole subject to the same or modified conditions of parole; or

(iii) Whether to revoke parole and require that the parole violator serve a term of imprisonment consistent with ORS 144.346.

(4) At the hearing the parolee shall have the right:

(a) To present evidence on the parolee's behalf, which shall include the right to present letters, documents, affidavits or persons with relevant information regarding the alleged violations;

(b) To confront witnesses against the parolee unless it has been determined that there is good cause not to allow confrontation;

(c) To examine information or documents which form the basis of the alleged violation

unless it has been determined that informants would be subject to risk of harm if their identity is disclosed; and

(d) To be represented by counsel and, if indigent, to have counsel provided at board expense if the request and determination provided in paragraph (f) of subsection (3) of this section have been made. If an indigent's request is refused, the grounds for the refusal shall be succinctly stated in the record.

(5) Within a reasonable time after the preliminary hearing, the parolee shall be given a written summary of what transpired at the hearing, including the board's or its designated representative's decision or recommendation and reasons for the decision or recommendation and the evidence upon which the decision or recommendation was based. If an indigent parolee's request for counsel at board expense has been made in the manner provided in paragraph (f) of subsection (3) of this section and refused, the grounds for the refusal shall be succinctly stated in the summary.

(6) If the board or its designated representative has determined that there is probable cause to believe that a violation of one or more of the conditions of parole has occurred, the hearing shall proceed to receive evidence from which the board may determine whether to reinstate or continue the alleged parole violator on parole subject to the same or modified conditions of parole or revoke parole and require that the parole violator serve a term of imprisonment as provided by ORS 144.346.

(7) At the conclusion of the hearing if probable cause has been determined and the hearing has been held by a member of the board or by a designated representative of the board, the person conducting the hearing shall transmit the record of the hearing, together with a proposed order including findings of fact, recommendation and reasons for the recommendation to the board. The parolee or the parolee's representative shall have the right to file exceptions and written arguments with the board. The right to file exceptions and written arguments may be waived. After consideration of the record, recommendations, exceptions and arguments a quorum of the board shall enter a final order including findings of fact, its decision and reasons for the decision. [1973 c.694 §13; 1977 c.375 §2; 1981 c.644 §7; 1987 c.158 §20a; 1987 c.803 §17; 1989 c.790 §42a; 1991 c.836 §2]

144.345 Revocation of parole; effect of conviction for crime. (1) Except as provided in subsection (2) of this section, whenever the State Board of Parole and Post-Prison Supervision considers an alleged parole violator and finds such person has violated one or more conditions of parole and evidence

offered in mitigation does not excuse or justify the violation, the board may revoke parole.

(2) When a person released on parole or post-prison supervision is convicted of a crime and sentenced to a term of imprisonment at any institution of the Department of Corrections or its counterpart under the laws of the United States or any other state, such conviction and sentence shall automatically terminate the person's parole or post-prison supervision as of the date of the sentence order. Notwithstanding any other provision of law, the person shall not be entitled to a hearing under ORS 144.343 and shall have a rerelease date set as provided by rule. [1973 c.694 §14; 1977 c.372 §16; 1991 c.836 §3]

144.346 Parole revocation sanctions; rules. (1) The State Board of Parole and Post-Prison Supervision shall adopt rules to establish parole revocation sanctions for parole violations committed on or after November 1, 1989.

(2) To the extent permissible under law, the parole revocation sanctions established under this section shall be consistent with the post-prison supervision violation sanctions set by rules of the State Sentencing Guidelines Board. [1989 c.790 §18b]

Note: 144.346 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 144 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

144.347 Compelling witnesses; subpoena power; fees. (1) Upon request of any party to the hearing provided in ORS 144.343 and upon a proper showing of the general relevance and reasonable scope of the testimony to be offered, the board or its designated representatives shall issue subpoenas requiring the attendance and testimony of witnesses. In any case, the board, on its own motion, may issue subpoenas requiring the attendance and testimony of witnesses.

(2) Upon request of any party to the hearing provided in ORS 144.343 and upon a proper showing of the general relevance and reasonable scope of the documentary or physical evidence sought, the board or its designated representative shall issue subpoenas duces tecum. In any case, the board, on its own motion, may issue subpoenas duces tecum.

(3) Witnesses appearing under subpoena, other than the parties or state officers or employees, shall receive fees and mileage as prescribed by law for witnesses in ORS 44.415 (2). If the board or its designated representative certifies that the testimony of a witness was relevant and material, any per-

son who has paid fees and mileage to that witness shall be reimbursed by the board.

(4) If any person fails to comply with a subpoena issued under subsection (1) or (2) of this section or any party or witness refuses to testify regarding any matter on which the party or witness may be lawfully interrogated, the judge of the circuit court of any county, on the application of the board or its designated representative or of the party requesting the issuance of the subpoena, shall compel obedience by proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued by the court. [1973 c.694 §15; 1983 c.489 §3; 1989 c.980 §7]

144.349 When ORS 144.343 does not apply. When an alleged parole or post-prison supervision violator is in custody in a state to which the alleged parole or post-prison supervision violator has not been paroled or released or in federal custody, ORS 144.343 does not apply. [1973 c.694 §16; 1989 c.790 §43]

144.350 Order for arrest and detention of violator of parole, post-prison supervision, probation, conditional pardon or other conditional release; investigation by department. (1) The Department of Corrections may order the arrest and detention of any person then under the supervision or control of the department upon being informed and having reasonable grounds to believe that such person has violated the conditions of parole, post-prison supervision, probation, conditional pardon or other conditional release from custody. Before issuing such an order, the department shall investigate for the purpose of ascertaining whether the terms of the parole, post-prison supervision, probation, conditional pardon or other conditional release have been violated.

(2) Notwithstanding subsection (1) of this section, the department may order the arrest and detention of any person under its supervision or control if it has reasonable grounds to believe that such person is a danger to self or to others. A hearing shall follow as promptly as convenient to the parties to determine whether probable cause exists to continue detention pending a final determination of the case. [Amended by 1969 c.597 §117; 1981 c.644 §8; 1987 c.320 §63; 1989 c.790 §44]

144.360 Effect of order for arrest and detention of violator. Any order issued by the Department of Corrections as authorized by ORS 144.350 constitutes full authority for the arrest and detention of the violator, and all the laws applicable to warrants of arrest shall apply to such orders. [Amended by 1973 c.836 §298; 1987 c.320 §64]

144.370 Suspension of parole or post-prison supervision following order for ar-

rest and detention; hearing. Within 15 days after the issuance of an order, under the provisions of ORS 144.350, the board may order suspension of the detained person's parole or post-prison supervision. A hearing shall then be conducted as promptly as convenient pursuant to ORS 144.343. [Amended by 1973 c.694 §10; 1973 c.836 §299; 1974 s.s. c.36 §7; 1981 c.644 §9; 1983 c.740 §19; 1991 c.108 §2]

144.374 Deputization of persons in other states to act in returning Oregon parole and post-prison supervision violators. (1) The Director of the Department of Corrections may deputize, in writing, any person regularly employed by another state, to act as an officer and agent of this state for the return of any person who has violated the conditions of parole, post-prison supervision, conditional pardon or other conditional release.

(2) Any person deputized pursuant to subsection (1) of this section shall have the same powers with respect to the return of any person who has violated the conditions of parole, post-prison supervision, conditional pardon or other conditional release from custody as any peace officer of this state.

(3) Any person deputized pursuant to subsection (1) of this section shall carry formal evidence of deputization and shall produce the same on demand. [1955 c.369 §1; 1969 c.597 §118; 1973 c.836 §300; 1987 c.320 §65; 1989 c.790 §45]

144.376 Contracts for sharing expense with other states of cooperative returns of parole and post-prison supervision violators. The Department of Corrections may enter into contracts with similar officials of any state, for the purpose of sharing an equitable portion of the cost of effecting the return of any person who has violated the conditions of parole, post-prison supervision, probation, conditional pardon or other conditional release. [1955 c.369 §2; 1969 c.597 §119; 1983 c.425 §1; 1987 c.320 §66; 1989 c.790 §46]

144.380 After suspension of parole, post-prison supervision or revocation of conditional pardon or probation, violator is fugitive from justice. After the suspension of parole or post-prison supervision or revocation of probation or conditional pardon of any convicted person, and until the return of the person to custody, the person shall be considered a fugitive from justice. [Amended by 1973 c.694 §11; 1989 c.790 §47]

144.390 [Amended by 1975 c.589 §1; repealed by 1989 c.790 §47a]

144.395 Rerelease of persons whose parole has been revoked. The board shall adopt rules consistent with the criteria in ORS 144.780 relating to the rerelease of persons whose parole has been revoked. [1977 c.372 §7]

144.400 [Amended by 1973 c.836 §301; repealed by 1973 c.694 §26]

144.403 [Repealed by 1974 s.s. c.36 §28]

SEIZURE OF PROPERTY BY PAROLE AND PROBATION OFFICERS

144.404 Department of Corrections authority to receive, hold and dispose of property. The Department of Corrections is authorized to receive, hold and dispose of contraband, things otherwise criminally possessed or possessed in violation of parole or post-prison supervision conditions, or unclaimed goods seized by a parole and probation officer during the arrest of a suspected parole or post-prison supervision violator or during the search of the suspected violator or of the premises, vehicle or other property of the suspected violator. [1991 c.286 §1]

Note: 144.404 to 144.409 were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 144 by legislative action. See Preface to Oregon Revised Statutes for further explanation.

144.405 Duty of officer upon seizure; disposition of property if no claim to rightful possession is established. (1) Upon seizing property in execution of duty, a parole and probation officer shall, as soon thereafter as is reasonably possible, make a written list of the things seized and furnish a copy to the suspected parole or post-prison supervision violator. The list shall contain a notice informing the person of the right to contest the seizure by filing a petition and shall contain such other information as the Department of Corrections, by rule, may require.

(2) If no claim of rightful possession has been established under ORS 144.405 to 144.409, the Department of Corrections may order the sale, destruction or other disposition of the things seized. The department may enter into agreements with other state and local officials responsible under applicable laws for selling, destroying or otherwise disposing of contraband or unclaimed goods in official custody for ultimate disposition of the things seized. The clear proceeds, if any, generated by the disposition of things seized shall be deposited in the State Treasury to the credit of the General Fund.

(3) If things seized by a parole and probation officer in execution of duty are not needed for evidentiary purposes, and if a person having a rightful claim establishes identity and right to possession to the satisfaction of the Department of Corrections, the department may summarily return the things seized to their rightful possessor.

(4) If the things seized are contraband, the fruits of crime or things otherwise

criminally possessed, the Department of Corrections may:

(a) Relinquish custody of the things seized to appropriate law enforcement officials for disposition; or

(b) Hold and safeguard the things seized until directed by appropriate law enforcement officials that the things in question are no longer needed for purposes of criminal prosecution. [1991 c.286 §2]

Note: See note under 144.404.

144.406 Petition for return of things seized. (1) Within 30 days after actual notice of any seizure, or at such later date as the Department of Corrections in its discretion may allow:

(a) An individual from whose person, property or premises things have been seized may petition the department to return the things seized to the person or premises from which they were seized.

(b) Any other person asserting a claim to rightful possession of the things seized may petition the department to restore the things seized to the person.

(2) Petitions for return or restoration of things seized shall be served on the manager of the local field services office having supervision over the suspected parole or post-prison supervision violator.

(3) Service of a petition for the return or restoration of things seized shall be made by certified or registered mail, return receipt requested. [1991 c.286 §3]

Note: See note under 144.404.

144.407 Grounds for valid claim to rightful possession. A petition for the return or restoration of things seized shall be based on the ground that the petitioner has a valid claim to rightful possession because:

(1) The things had been stolen or otherwise converted and the petitioner is the owner or rightful possessor;

(2) The things seized were not, in fact, subject to seizure in connection with the suspected parole or post-prison supervision violation;

(3) Although the things seized were subject to seizure in connection with a suspected parole or post-prison supervision violation, the petitioner is or will be entitled to their return or restoration upon a determination by the Department of Corrections or the State Board of Parole and Post-Prison Supervision that they are no longer needed for evidentiary purposes, do not constitute a parole or post-prison supervision violation or may be lawfully possessed by the petitioner; or

(4) The suspected parole or post-prison supervision violator and the department have stipulated that the things seized may be returned to the petitioner. [1991 c.286 §4]

Note: See note under 144.404.

144.408 Hearing on petition. (1) If, upon consideration of a petition for return or restoration of things seized, it appears to the Department of Corrections that the things should be returned or restored, but there is substantial question whether they should be returned to the person from whose possession they were seized or to some other person, or a substantial question among several claimants to rightful possession, the department may set a further hearing, assuring that all persons with a possible possessory interest in the things in question receive due notice and an opportunity to be heard. Upon completion of the hearing, the department shall enter an order for the return or restoration of the things seized.

(2) Instead of conducting the hearing provided for in subsection (1) of this section and returning or restoring the property, the department in its discretion, may leave the several claimants to appropriate civil process for the determination of the claims. [1991 c.286 §5]

Note: See note under 144.404.

144.409 Granting petition for return of things seized; judicial review. (1) In granting a petition for return or restoration of things seized, the Department of Corrections shall postpone execution of the order until such time as the things in question are no longer needed for evidentiary purposes in establishing either a criminal or parole or post-prison supervision violation.

(2) Judicial review of a department order for return or restoration of things seized shall be available as for review of orders in other than contested cases as provided in ORS 183.310 to 183.550. [1991 c.286 §6]

Note: See note under 144.404.

WORK RELEASE PROGRAM

144.410 Definitions for ORS 144.410 to 144.525. As used in ORS 144.410 to 144.525, unless the context requires otherwise:

(1) "Director" means the Director of the Department of Corrections.

(2) "Department" means the Department of Corrections.

(3) "Department of Corrections institutions" has the meaning found in ORS 421.005. [1965 c.463 §1; 1969 c.597 §120; 1973 c.836 §302; 1987 c.320 §67]

144.420 Department of Corrections to administer work release program; purposes of release; housing of parolee. (1)

ORS 423.500 - 423.570
COMMUNITY CORRECTIONS ACT

viewable by either administrative or judicial action;

(2) Treat confidentially all matters and the identities of the complainants or witnesses coming before the ombudsman; and

(3) Not levy any fees for the submission or investigation of complaints. [1977 c.378 §7]

423.435 Recommendations following investigation; notice from Department of Corrections of action taken; notice to Legislative Assembly of recommended statutory changes. (1) After investigation of any action, the Corrections Ombudsman shall state the recommendations and reasons if, in the ombudsman's opinion, the Department of Corrections or any employee thereof should:

- (a) Consider the matter further;
- (b) Modify or cancel any action;
- (c) Alter a rule, practice or ruling;
- (d) Explain more fully the administrative action in question;
- (e) Rectify an omission; or
- (f) Take any other action.

(2) If the Corrections Ombudsman so requests, the Department of Corrections shall, within the time specified, inform the ombudsman about the action taken on the recommendations or the reasons for not complying with them. After a reasonable period of time has elapsed, the Corrections Ombudsman may issue a report.

(3) If the Corrections Ombudsman believes that any action has been dictated by laws whose results are unfair or otherwise objectionable, and could be revised by legislative action, the ombudsman shall bring to notice of the Legislative Assembly any views concerning desirable statutory change. [1977 c.378 §8; 1987 c.320 §218]

423.440 Letters between ombudsman and persons in custody; immunity of complainants and ombudsman; privilege against giving evidence or testifying. (1) A letter to the Corrections Ombudsman from a person held in custody, including by detention, incarceration and hospitalization, by the Department of Corrections shall be forwarded immediately, unopened to the Corrections Ombudsman. A letter from the Corrections Ombudsman to such person shall be immediately delivered, unopened to the person.

(2) No person who files a complaint pursuant to ORS 423.400 to 423.450 shall be subject to any penalties, sanctions or restrictions because of such complaint.

(3) The Corrections Ombudsman and the staff of the office shall have the same immu-

nities from civil and criminal liabilities as a judge of this state.

(4) The Corrections Ombudsman and the staff of the ombudsman shall not be compelled to testify or produce evidence in any judicial or administrative proceeding with respect to any matter involving the exercise of their official duties except as may be necessary to enforce ORS 423.400 to 423.450. [1977 c.378 §9; 1987 c.320 §219]

423.445 Witness rights; fees; expenses of state agency personnel. (1) Any person required to testify under ORS 423.400 to 423.450 shall be accorded the same privileges and immunities, receive the same fees and mileage and be subject to the same penalties provided in ORS 183.440.

(2) The fees and mileage shall be paid by warrant upon the State Treasurer upon the certificate of the Corrections Ombudsman. No tender of witness fees or mileage in advance shall be necessary.

(3) Notwithstanding subsection (1) of this section, a representative of a state agency shall receive actual necessary traveling expenses only. [1977 c.378 §10]

423.450 Contempt proceedings against person interfering with ombudsman. If any person willfully obstructs or hinders the proper and lawful exercise of the Corrections Ombudsman's powers, or willfully misleads or attempts to mislead the Corrections Ombudsman in inquiries under ORS 423.400 to 423.450, the judge of the Circuit Court for Marion County, on application of the ombudsman, shall compel obedience by proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein. [1977 c.378 §11]

COMMUNITY CORRECTIONS

423.500 Definitions for ORS 423.500 to 423.560. As used in ORS 423.500 to 423.560, unless the context requires otherwise:

(1) "Director" means the Director of the Department of Corrections.

(2) "Advisory board" means the Community Corrections Advisory Board created by ORS 423.510.

(3) "Department" means the Department of Corrections.

(4) "Plan" means the comprehensive community corrections plan required by ORS 423.535.

(5) "Program" means those programs and services described in ORS 423.525. [1977 c.412 §1a; 1979 c.160 §2; 1987 c.320 §220]

423.505 Legislative policy on program funding. It is declared to be the legislative

policy of this state to establish and finance with appropriations from the General Fund statewide community correction programs on a continuing basis. The intended purposes of this program are to:

- (1) Provide appropriate sentencing alternatives;
- (2) Provide improved local services for persons charged with criminal offenses with the goal of reducing the occurrence of repeat criminal offenses;
- (3) Promote local management of community corrections programs; and
- (4) Promote the use of the most effective criminal sanction necessary to administer punishment to the offender, rehabilitate the offender and protect public safety. [1977 c.412 §1; 1989 c.607 §1]

423.510 Community Corrections Advisory Board; qualifications; terms; removal; compensation and expenses. (1) There is hereby established the Community Corrections Advisory Board consisting of 15 members appointed by the Governor. The board shall be composed of:

- (a) Three persons representing community corrections agencies;
- (b) Two persons representing state agencies;
- (c) Two persons representing private agencies;
- (d) Four lay citizens;
- (e) A member of the judiciary;
- (f) A law enforcement officer;
- (g) One district attorney; and
- (h) One member of a county governing body.

(2) Members of the board shall serve for a period of four years at the pleasure of the Governor provided they continue to hold the office, position or description required by subsection (1) of this section. The Governor may at any time remove any member for inefficiency, neglect of duty or malfeasance in office. Before the expiration of the term of the member, the Governor shall appoint a successor whose term begins on July 1 next following. A member is eligible for reappointment. If there is a vacancy for any cause, the Governor shall make an appointment to become immediately effective for the unexpired term.

(3) A member of the board shall receive no compensation for service as a member, but all members may receive actual and necessary travel and other expenses incurred in the performance of their official duties within limits as provided by law or rule under ORS 292.220 to 292.250. [1977 c.412 §2; 1985 c.44 §3; 1985 c.558 §7]

423.515 Duties and powers of Community Corrections Advisory Board. The Community Corrections Advisory Board shall:

- (1) Advise the Director of the Department of Corrections in the participation of the department in ORS 423.500 to 423.560;
- (2) Advise the director in the formulation of standards and the adoption of rules for the establishment, operation and evaluation of community corrections;
- (3) Review plans of counties for participation under ORS 423.500 to 423.560 and make recommendations thereon to the local corrections advisory committee established pursuant to ORS 423.560;

(4) Provide advice and assistance to the director in establishing the requisite qualifications to the managers of community corrections programs; and

(5) Provide advice and assistance to the director in all other matters related to ORS 423.500 to 423.560. [1977 c.412 §4; 1987 c.320 §220a]

423.520 Financial grants to counties from Department of Corrections. The Department of Corrections shall make grants to assist counties in the implementation and operation of community corrections including, but not limited to, preventive or diversionary correctional programs, probation, parole, work release, and community corrections centers for the care and treatment of criminal defendants. [1977 c.412 §5; 1987 c.320 §221]

423.525 Application for financial aid; rules for program evaluation; use of funds; community corrections manager; modification of plan. (1) A county may apply to the Director of the Department of Corrections in a manner and form prescribed by the director for financial aid made available under ORS 423.500 to 423.560. The application shall include a community corrections plan. The director shall provide consultation and technical assistance to counties to aid in the development and implementation of community corrections plans.

(2) The director, with the advice of the Community Corrections Advisory Board, shall adopt rules prescribing minimum standards for the establishment, operation and evaluation of community corrections under a community corrections plan and other rules as may be necessary for the administration and implementation of ORS 423.500 to 423.560. The standards shall be sufficiently flexible to foster the development of new and improved supervision or rehabilitative practices.

(3) All community corrections plans shall comply with rules adopted pursuant to ORS 423.500 to 423.560, and shall include but need not be limited to:

(a) Proposals for correctional programs that demonstrate the need for the program, its purpose, objective, administrative structure, staffing, staff training, proposed budget, evaluation process, degree of community involvement, client participation and duration of the program;

(b) A provision that the correctional program shall be available only to misdemeanants, to parolees, to probationers, to offenders on post-prison supervision and to persons convicted of other than murder, treason or Class A felonies;

(c) The location and description of facilities that will be used by the county pursuant to ORS 423.500 to 423.560, including but not limited to halfway houses, work release centers and jails;

(d) The manner that probation, parole, post-prison supervision and other correctional services will be provided. Consideration shall be given to contracting with proven private correctional agencies;

(e) The manner in which counties that jointly apply for participation under ORS 423.500 to 423.560 will operate a coordinated community corrections program;

(f) Correctional services that will be made available to persons who are confined in local correctional facilities;

(g) The manner in which the local corrections advisory committee will participate in community corrections; and

(h) The projected field population of parolees, probationers and offenders on post-prison supervision.

(4) All community corrections plans shall provide that an adequate amount of the financial aid received under ORS 423.500 to 423.560 shall be used for staff training and that an adequate amount of the financial aid shall be used for evaluation of county correctional programs. The plan shall specify the manner in which these requirements shall be met.

(5) All community corrections plans shall designate a community corrections manager of the county and shall provide that the administration of community corrections under ORS 423.500 to 423.560 shall be under such manager.

(6) No amendment to or modification of an approved community corrections plan shall be placed in effect without prior approval of the director. [1977 c.412 §6; 1987 c.320 §222; 1989 c.790 §65]

423.530 Procedure for determining amount of financial grants. (1) Financial grants for community corrections pursuant to ORS 423.500 to 423.560 shall consist of:

(a) Payments from moneys appropriated to the Department of Corrections for the purposes of management, support services and supervision of parolees, probationers and offenders subject to post-prison supervision. The department shall determine, prior to July 1 of each odd-numbered year, each county's percentage share of the amount appropriated for the purposes of this subsection. Such determination shall be made by use of a workload formula adopted by the department by rule, which formula shall be in effect beginning July 1, 1991, and which formula shall include all parole and probation appropriations subject to review and comment by the Community Corrections Advisory Board before the rule becomes final. This determination shall be based upon the community supervision workload and the difficulty and cost of servicing that workload.

(b) Enhancement grants from the department for the purpose of providing community corrections services. The department shall determine, prior to July 1 of each odd-numbered year, each county's percentage share of the amount appropriated for the purposes of this subsection. Such determination shall be adopted by rule and shall be based upon statewide crime and demographic data certified by a state agency other than the Department of Corrections. The data shall be subject to review and comment by the Community Corrections Advisory Board before the determination of the department.

(c) Appropriations to counties pursuant to ORS 423.550 to 423.560 approved for local government corrections programs shall not be reduced by the department except by action of the Legislative Assembly or the Emergency Board. Such reductions shall be made proportionately using the applicable allocation formula.

(2) The department shall by rule provide for computation of each county's entitlement in each biennial period in the event participation by the county is for less than a biennial period. Such computation shall be based upon any actions approved by the Legislative Assembly relative to the timing of expenditures with respect to appropriations for purposes of subsection (1) of this section. [1977 c.412 §7; 1979 c.160 §1; 1985 c.708 §1; 1987 c.320 §223; 1989 c.613 §1; 1989 c.790 §66]

423.535 Notice to director to participate in program; plan approval; contract for service by Department of Corrections.

(1) To receive moneys for the operation of the community corrections program authorized by ORS 423.500 to 423.560, the county

must notify the Director of the Department of Corrections 90 days prior to the proposed beginning date of participation. Such notification shall be by resolution of the appropriate board or boards of county commissioners.

(2) Prior to participation in the program, the county shall have a comprehensive community corrections plan approved by the department.

(3) The Department of Corrections, in consultation with the respective board of county commissioners, may use moneys which would have been made available to the county pursuant to ORS 423.530 (1) and (2) to provide the community corrections services described therein. In providing such services, the department may contract with public or private agencies for the provision of services to convicted felons. Any agreement to reimburse counties for the cost of providing services for felons shall include a provision that the department shall deduct from such reimbursement the cost incurred by the department of supervising misdemeanor probationers. [1977 c.412 §13; 1987 c.320 §224; 1989 c.613 §2]

423.540 Program performance review by Director of Department of Corrections; standards; effect of failure to comply; prohibited use of program financial aid. (1) The Director of the Department of Corrections shall periodically review the performance of counties participating under ORS 423.500 to 423.560. A county must substantially comply with the provisions of its community corrections plan and the operating standards established pursuant to ORS 423.525 (2) to remain eligible to participate. If the director determines that there are reasonable grounds to believe that a county is not in substantial compliance with the plan or operating standards, the director shall, after giving the county not less than 30 days' notice, conduct a hearing to ascertain whether there is substantial compliance or satisfactory progress being made toward compliance. After the hearing, the director, with the advice of the Community Corrections Advisory Board, may suspend any portion of financial aid made available to the county under ORS 423.500 to 423.560 until the required compliance occurs.

(2) Financial aid received by a county pursuant to ORS 423.530 shall not be used to replace moneys, other than federal or state funds, currently being used by the county for existing correctional programs for misdemeanants and shall not be used to develop, build or improve local correctional facilities as defined by ORS 169.005 (3). [1977 c.412 §8; 1979 c.487 §14; 1987 c.320 §225]

423.545 Obligations of counties accepting financial aid; manner of termi-

nating participation; effect of termination. (1) A county that accepts financial aid under ORS 423.500 to 423.560 shall assume responsibility for those correctional services, other than the operation of state institutions, presently planned or provided in the county by the Department of Corrections.

(2) Any county that receives financial aid under ORS 423.500 to 423.560 may terminate its participation at the end of any month by delivering a resolution of its board of commissioners to the Director of the Department of Corrections not less than 180 days before the termination date.

(3) If a county terminates its participation under ORS 423.500 to 423.560:

(a) The responsibility for correctional services transferred to the county pursuant to subsection (1) of this section and the remaining portion of the financial aid made available to the county under ORS 423.530 shall revert to the Department of Corrections.

(b) The facilities renovated or constructed with moneys made available under ORS 423.500 to 423.560 shall revert to the Department of Corrections, unless the county has participated for 20 continuous years in ORS 423.500 to 423.560 since the facilities were renovated or constructed. The county and the department may agree to permit the county to retain ownership in the facility in exchange for an agreement that the county will house specified persons under the jurisdiction of the department. [1977 c.412 §9; 1987 c.320 §226]

423.550 Contract by counties for parole and probation supervision service; transfer of state personnel to county employment; reentry of transferred employees. (1) When a county pursuant to ORS 423.500 to 423.560 assumes responsibility for any portion of correctional services previously provided by the Department of Corrections, the county and the department shall enter into an intergovernmental agreement that includes an approved local community corrections plan, program descriptions, budget allocation, performance objectives and method of evaluation for each correctional service to be provided by either the county or the department. Funds appropriated for the provision of these corrections services shall be apportioned between the department and the county as provided for in each intergovernmental agreement drawn to effect the purposes of ORS 423.505 and this section.

(2) Any state correctional field officer, immediate supervisor of such correctional officer or any supporting clerical personnel

whose job involves rendering services assumed by the county may transfer to employment by the county or may remain in the employment of the department and provide field services to the county under the terms of a contract for services between the county and the department. The county shall pay the department for any services rendered by such employees on an actual cost basis. Any such employee transferring to county employment under this section shall not suffer any reduction in salary or loss of employee benefits as a result of the transfer.

(3) Any such employees who transfers employment pursuant to subsection (2) of this section shall be entitled to reenter state employment within 30 days if the county to which the employee has transferred withdraws from participation under ORS 423.500 to 423.560 or if funds are not appropriated to carry out the purposes of ORS 423.500 to 423.560. [1977 c.412 §10; 1987 c.320 §227; 1989 c.607 §3]

Note: Sections 3 and 4, chapter 614, Oregon Laws 1989, provide:

Sec. 3. ORS 423.550 [as amended by section 3, chapter 607, Oregon Laws 1989] is amended to read:

423.550. (1) When a county pursuant to ORS 423.500 to 423.560 assumes responsibility for any portion of correctional services previously provided by the Department of Corrections, the county and the department shall enter into an intergovernmental agreement that includes an approved local community corrections plan, program descriptions, budget allocation, performance objectives and method of evaluation for each correctional service to be provided by either the county or the department. Funds appropriated for the provision of these corrections services shall be apportioned between the department and the county as provided for in each intergovernmental agreement drawn to effect the purposes of ORS 423.505 and this section.

(2)(a) Except as provided in paragraph (b) of this subsection, any state correctional field officer, immediate supervisor of such correctional officer or any supporting clerical personnel whose job involves rendering services assumed by the county may transfer to employment by the county or may remain in the employment of the department and provide field services to the county under the terms of a contract for services between the county and the department. The county shall pay the department for any services rendered by such employees on an actual cost basis.

(b) In any county having a population of 200,000 persons or more, at the discretion of the county, all state correctional field officers, immediate supervisors of such correctional officers and any supporting clerical personnel whose jobs involve rendering services assumed by the county shall transfer to county employment.

(c) Any such employee transferring to county employment under this section shall not suffer any reduction in salary or retirement eligibility. Any such employee shall be considered a transferred employee and shall be subject to the provisions of ORS 236.610 to 236.650.

(3) Any such employee who transfers employment pursuant to subsection (2) of this section shall be entitled to reenter state employment within 30 days if the county to which the employee has transferred withdraws from participation under ORS 423.500 to 423.560 or if funds are not appropriated to carry out the purposes of ORS 423.500 to 423.560. The employee shall reenter

state employment at the same status and seniority that the employee held prior to the transfer. The return transfer right shall be exercised in accordance with ORS 236.610 to 236.650 and the applicable collective bargaining agreement.

Sec. 4. The amendments to ORS 423.550 by section 3 of this Act apply only to counties that assume responsibility for correctional services pursuant to ORS 423.500 to 423.560 on or after the effective date of this Act [October 3, 1989].

423.551 Resolution of employee transfer disputes. Any disputes arising from employee transfers under ORS 423.550 shall be resolved in the manner provided by law for resolution of labor disputes by the Employment Relations Board. [1989 c.614 §5]

Note: 423.551 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 423 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

423.552 Alternatives to incarceration; policy. It hereby is declared:

(1) There is a critical lack of community-based sanctions that are alternatives to incarceration.

(2) That as a matter of legislative determination, there is a necessity to develop and implement such alternatives. [1989 c.510 §2]

423.553 Community Sanctions and Alternatives Fund. (1) There is established in the State Treasury, separate and distinct from the General Fund, the Community Sanctions and Alternatives Fund. The fund shall be administered by the Department of Corrections. The Community Corrections Advisory Board shall review and recommend approval of applications for funding.

(2) The purpose of the fund shall be to promote the development of programs and facilities that provide alternative sanctions and structured programs in the community that protect society and prevent recidivism. [1989 c.510 §3]

423.554 Funding eligibility. (1) Eligibility for funding shall be limited to community-based organizations or individuals providing one or more of the following in a residential or nonresidential setting:

(a) Structured community sanctions for offenders.

(b) Drug and alcohol programs for at-risk offenders.

(c) Reentry programs for offenders leaving institutions.

(d) Preadjudication programs for persons in the criminal justice system.

(e) Other alternatives to incarceration.

(2) Although all programs that can show a likelihood of success are eligible for funding, the advisory board shall give priority to programs that:

(a) Have demonstrated past success in reducing recidivism; and

(b) Provide service to identifiable groups that have fewer resources than the general offender population.

(3) In awarding funding, the advisory board shall consider and seek to complement the approved local community corrections plan.

(4) The advisory board shall adopt rules regarding the requirements for proposals and the process for submitting proposals to the advisory board. [1989 c.510 §§4, 5]

423.555 Statewide program evaluation and information system. The Department of Corrections shall establish and operate a statewide evaluation and information system to monitor the effectiveness of correctional services provided to criminal defendants under ORS 423.500 to 423.560. [1977 c.412 §11; 1987 c.320 §228]

423.560 Local corrections advisory committee; qualifications; duties. (1) The board or boards of county commissioners of a county that is participating under ORS 423.500 to 423.560 shall designate a local corrections advisory committee. The committee shall include:

- (a) A law enforcement officer;
- (b) A district attorney;
- (c) A circuit court judge;
- (d) A public defender or defense attorney;
- (e) A probation or parole officer;

(f) A representative of a private correctional agency, if a suitable agency exists in the county;

(g) A county commissioner from each county;

(h) Seven lay citizens, one of which shall be a member of a minority ethnic group if such a group exists in the county; and

(i) An ex-offender.

(2) The committee shall actively participate in the design of the county's community corrections plan and application for financial aid, observe the operation of community corrections in the county, make an annual report and develop appropriate recommendations for improvement or modification to the county commissioners or community corrections manager of the county. [1977 c.412 §12]

Note: Section 2, chapter 607, Oregon Laws 1989, provides:

Sec. 2. Notwithstanding ORS 423.560, for the period beginning on the effective date of this Act [October 3, 1989] and ending July 1, 1993:

(1) The Director of the Department of Corrections, after consultation with the Community Corrections Advisory Board, shall evaluate the corrections services

provided by either the department or counties as provided for under ORS 423.525 (4) and shall report the results to the Sixty-sixth and Sixty-seventh Legislative Assemblies.

(2) Up to one-half percent of all funds appropriated for purposes of ORS 423.500 to 423.560 and the provision of probation and parole services shall be allocated for the purpose of conducting evaluations required by ORS 423.525 (4). [1989 c.607 §2]

423.570 Monthly fee payable by person on supervised release; use; payment as condition of release; waiver. (1) A person placed by an authority on probation, parole, post-prison supervision or other form of release, subject to supervision by either the Department of Corrections or, directly or indirectly, by a community corrections program established under ORS 423.500 to 423.560, shall be required to pay a monthly fee to offset costs of supervising the probation, parole, post-prison supervision or other supervised release.

(2) A person placed by an authority on probation, parole, post-prison supervision or other form of release, subject to supervision other than by either the Department of Corrections or a community corrections program established under ORS 423.500 to 423.560, may be required by the releasing authority to pay a monthly fee to offset costs of supervising the probation, parole, post-prison supervision or other supervised release.

(3) When a fee is required under subsection (1) of this section, the fee shall be determined and fixed by the releasing authority but shall be at least \$25, and if the releasing authority fails to establish the amount of a released person's required fee, the fee shall be \$25.

(4) Fees are payable one month following the commencement of probation, parole, post-prison supervision or other supervised release and at one-month intervals thereafter. Fees shall be collected as follows:

(a) If the released person is supervised under county authority, other than by the Department of Corrections, the county shall collect or provide by contract for the collection of the fee from the released person and shall retain the fee to be used by the county for funding of its community corrections program or, if it has no community corrections program, then for general governmental purposes.

(b) If the released person is supervised by the Department of Corrections, the department shall collect or provide by contract for the collection of the fee from the released person and shall retain the fee. Moneys received by the Department of Corrections are continuously appropriated to the Department of Corrections for use in financing department field services.

(5) Except in the case of a probation granted by a court before that date, the fee requirements imposed by this section apply beginning July 1, 1981, to all persons under supervised probation, parole, post-prison supervision or other form of supervised release pursuant to subsection (1) of this section, including persons on such supervised release in this state under any interstate agreement. Timely payment of the fee is hereby made a condition of such probation, parole, post-prison supervision or other supervised release. In the case of a probation granted by a court prior to July 1, 1981, the court may amend its order granting probation to provide for payment of the fee.

(6) In cases of financial hardship or when otherwise advisable in the interest of the released person's rehabilitation:

(a) The community corrections program director or the Director of the Department of Corrections, whichever is appropriate, or the designee thereof, may waive or reduce the amount of the fee.

(b) The sentencing court may waive or reduce the amount of the fee for any person whom the court has placed on probation. If any of the fee requirement is reduced by the court, only the court may restore the requirement. [1981 c.169 §1; 1983 c.252 §1; 1987 c.320 §229; 1989 c.497 §1; 1989 c.790 §67]

CHAPTERS 424 AND 425

[Reserved for expansion]

OREGON ADMINISTRATIVE RULE #31
COMMUNITY CORRECTIONS PROGRAMS



STATE OF OREGON

Department of Corrections

Subject:

COMMUNITY CORRECTIONS
PROGRAMS

Related ACA Standards:

OAR 291-31-005 through
OAR 291-31-058

Rule #31 (Tab #10)

Functional Unit(s) Affected:

All

Procedure Requirement (Yes ___ No)

Approved:

NOTICE OF INTENT TO AMEND

Clayton D. Pearce, Director

(Supersedes document dated: 06-20-90)

Authority, Purpose, and Policy

291-31-005 (1) Authority: The authority for this rule is granted to the Director of the Department of Corrections in accordance with ORS 179.040, 423.020, 423.030, 423.525, and 423.075.

(2) Purpose: The purpose of this rule is to:

(a) ~~[[To]]~~ ~~[[Support]]~~ support county community corrections programs that provide appropriate sentencing alternatives and improve local services for persons charged with criminal offenses with the goal of reducing the occurrences of repeat criminal offenses through state/local government cooperative and collaborative efforts;

(b) Provide appropriate sentencing alternatives;

(c) Promote local management of community corrections; and

(d) Promote the use of the most effective criminal sanction necessary to administer punishment to the offender, rehabilitate the offender, and protect public safety.

(3) Policy: In accordance with Section 6 of the Community Corrections Act (ORS 423.525), it is the policy of the Department of Corrections to support county corrections programs in every way possible. The Act establishes a legal frame of reference for state/local government cooperative and collaborative efforts in the areas including, but not limited to, preventive or diversionary correctional programs, probation, parole, work release, and community corrections centers for the care and treatment of criminal defendants. The Department of Corrections is directed to make grants to any county requesting support for local corrections programs authorized under this Act. The county is required to develop a local comprehensive community corrections plan revealing which corrections services are

~~county. There is no charge against the county's general fund for state services provided under this arrangement. Option II counties receive 100 percent of the Department of Corrections enhancement grant funding allocated for the county, and are subject to the Class C felony payback provision of the statute. The Department of Corrections continues to operate local supervision services. The county will be allocated 100 percent of the formula share of enhancement grant funding, mental health funding, and probation center funding only.~~

(6[8]) Option III: A condition under which [if] a county chooses not to participate in the Community Corrections Act program. [The Department of Corrections branch [Regional] manager may appoint a local advisory committee [board] and develop a local community corrections plan. Such plans are submitted to the [county governing body [Board of Commissioners] for approval. Option III counties receive seventy-five [47] percent of the enhancement grant funding allocated for the county as well as 100 percent of the formula share of mental health and probation center funding, but are not subject to the Class C felony payback provisions].

(7) Participating County: Any county in which the county governing body has appointed a local community corrections advisory committee pursuant to ORS 423.560 and makes application for financial aid from the Department of Corrections.

Procedures

Notice

291-31-010 (1) Every county governing body [board of Commissioners] will be given notice when this rule is formally adopted. The n[otice] will include:

(a) A copy of this rule.

(b) An invitation to appoint a local advisory committee to develop information needed by the county governing body [Board of Commissioners] to reach a final decision on participating under the [this] Community Corrections Act.

(2) Counties wishing to develop a plan under the Community Corrections Act must express their interest in participation[ing]. Plans must be submitted between October 1, of each even-numbered year and February 1, of the following year. Counties intending to change participation level shall notify the Department in writing between October 1, of each even-numbered year and February 1, of the following year.

Plan Development

291-31-015 (1) Each [county governing body [Board of Commissioners]] must appoint a local [corrections [A]dvisory [committee] in accordance with ORS 423.560 if the county chooses to manage the Community Corrections Act [CGA] program. This committee will be responsible for participating in the development of the plan, monitoring the plan, recommending improvements, modifications, and preparing an annual report.

(2) Upon receiving notice from the [county governing body [Board of Commissioners]], the Director of the Department of Corrections will provide, within available resources, consultation and technical assistance to aid

~~(F)~~ Plans must specify how locally-funded services ~~are used~~ and ~~enhancement~~ funds are used to enhance local services.

(c) Offender ~~Client~~ Programs/Services:

(A) Plans must specify descriptions of all offender ~~client~~ programs including:

(i) How existing services provided by the Department of Corrections will be provided;

(ii) Offender ~~Client~~ population to be served;

(iii) Goals/objectives/purpose of program;

(iv) Offender ~~Client~~ performance objectives;

(v) Funding source of program; and

(vi) Expenditure detail. ~~+~~ This will include

(I) Personnel services;

(II) Services and supplies; and

(III) Capital ~~o~~utlay. ~~;~~ and

~~(vii) Minimum-to-maximum-limits-established-on-services-provided.~~

(B) Plans must specify that offender ~~client~~ records will include at least the following and that the items be maintained for one ~~+~~ year following closure in accordance with the Department of Corrections ~~r~~ule on ~~Client~~ Files and Records:

(i) Offender's name;

(ii) Criminal History/Risk Score;

(iii) Conviction offenses;

(iv) Services provided;

(v) Disposition;

(vi) Offender ~~Client~~ performance objectives;

(vii) Contact summaries;

(viii) Correspondence regarding offender ~~client~~;

(ix) Diagnostic information;

(x) Certified court order; and

(xi) Documentation of services provided.

(a) The adequacy of coverage in the section on Plan Development
~~{Standards for Plan Submission and Evaluation}~~ in this rule;

(b) The specific problem areas which may be effectively addressed through implementation of the plan; ~~and~~

(c) The feasibility and operational quality of the programs described in the plan;

(d) The degree to which the plan addresses the purposes of the Community Corrections Act as specified in ORS 423.505;

(e) The degree to which the plan addresses priority offender populations;
and

~~(f) Specific consideration of private agencies currently under contract with the Department of Corrections and those providing essential services although not under contract with the Department of Corrections.~~

(5) The Director will provide his/her decision on the plan to the county governing body ~~{Commission}~~ or private agency within 20 ~~{ten-10}~~ working days after receiving the recommendations of the State Community Corrections Advisory Board. The Director may accept or reject the plan or accept the Plan subject to specific modifications.

(6) Any rejected plan ~~{Plan rejected, or}~~ for which changes are suggested, may be resubmitted~~{,}~~ with the appropriate modifications~~{,}~~ to the Director.

(7) Any amendments ~~{or modifications}~~ to an approved plan must be resubmitted for approval using ~~{approved by resubmission of the amendment or modification to}~~ the entire approval process outlined above.

(8) No modifications shall be placed into effect without prior written approval of the Director.

(9) A community corrections plan may be implemented upon written confirmation of funding.

(10) Any county or private agency that receives financial aid under this program may terminate its participation at the end of any legislative biennium by delivering a resolution from its county governing body ~~{Board of Commissioners}~~ to the Director not less than one hundred eighty ~~{180}~~ days before the termination date.

(11) If a county or private agency terminates its participation, the responsibility for correctional services formerly provided by the Department of Corrections will return to the Department of Corrections.

Funding, Transfer of Property, and Responsibility for Leases

291-31-025 (1) County Funds: It is the intent of the Department that counties not supplant county general funds with Department of Corrections funds. County financial support of the community corrections program must be to the best of the county's ability, maintained at a level proportional to the total general fund portion of the county budget. If the county

(b) Reported crime; and

(c) Risk group population.

(2) General Population [---] defined as those persons projected or counted by census who permanently reside in a county. This information shall be provided by the state agency responsible for census and certified by that agency as being reasonably accurate given state-of-the-art census and census projection techniques.

(3) Reported Crime [---] defined as those crimes (misdemeanant and felony) reported to or by law enforcement agencies and compiled by the state agency responsible for the collection of crime reports under ORS 181.550.

(4) Risk Population [---] defined as that segment of the general population (both male and female) which is between the ages of 15 and 29 [~~thirteen-(13)-and-twenty-nine-(29)~~] years. This information shall be provided by the state agency responsible for census and certified by that agency as being reasonably accurate given state-of-the-art census and census projection techniques.

(5) [~~Weighting---~~] Weighting is the process of multiplying each factor of a county's general population, share of reported crime, and risk population share times an assigned value. Each factor shall be assigned the following weight:

(a) General population weighted by 34%[~~34~~];

(b) Reported crime weighted by 33%[~~33~~];

(c) Risk population weighted by 33%[~~33~~].

(6) Prior to July of each odd-numbered year, the Department of Corrections will compute each county's percentage share of the coming biennial sanctions and services [~~enhancement~~] grant appropriation based on data certified by agency other than the Department of Corrections. When the total actual appropriation is known, the Department of Corrections will compute the actual amounts indicated by each county's percentage.

(7) Enhancement Funding: Funds for enhancement services will be allocated to counties using the sanction and services allocation formula. If a county either continues at Option III or reverts to Option III, the base is seventy-five percent of the total funds available.

~~(87)~~ Mental Health Funding:

(a) Funds for mental health services will be allocated to counties using the sanctions and services allocation [~~enhancement-grant~~] formula within the limitation of the specific appropriation in each biennial budget;

(b) A local [~~county~~] community corrections plan shall show its m[~~M~~]ental h[~~H~~]ealth component as a separate program.

(c) Mental health funding is available to all counties regardless of participation level.

~~(98)~~ Probation Center[~~s-Operational~~] Funding[~~s~~]:

(D) Funds provided as graduated sanction funding shall be target specific offender types as defined by the Community Services Branch.

~~{Class-G-Felony-Penalty-Payback-for-Participating-Counties~~

~~291-31-027}~~

Construction Funds

291-21-028 (1) Funds received for the acquisition, construction, or renovation of local correctional facilities shall be expended only for those acquisitions, construction, and renovation projects approved by the Director as part of the local community corrections plan.

(2) Facilities constructed or acquired by counties where the agreement with the state terminates before ~~{twenty-}~~ 20 ~~{}~~ years participation~~{,}~~ shall revert to the state.

~~{The-Department-of-Corrections-agrees-counties-may}~~ At the option of the Department, the county may retain ownership in such terminations when the county agrees to continue using the facilities for the corrections purposes originally approved in the local ~~{county}~~ community corrections plan, provided the county agrees to house state inmates/offenders ~~{-entete-}~~ subject to county review and approval of each person so housed.

(4) Budget and Fiscal Reporting:

(a) Each Option I and Option II ~~{participating}~~ county shall adhere to the Department's budget, allotment and fiscal reporting requirements specified in the Department of Corrections p{P}rocedure on ~~{67,}~~ **CCA Expenditure Reporting Requirements.**

(b) Reallocation of funds in a county approved plan and budget, within or between programs, requires the prior written approval of the Director or designee.

(c) Proposed fund transfers shall be submitted and processed on forms required by the Department of Corrections, along with a written explanation setting forth the reason(s) for the request.

(d) Each Option I and Option II community corrections ~~{participating-CCA}~~ ~~{county}~~ shall ~~{,--upon-completion,}~~ forward to the Department of Corrections a copy of the ~~{county's}~~ annual ~~{financial}~~ statement ~~{,}~~ and that portion of the ~~{county's}~~ annual audit that addresses the ~~{community}~~ corrections p{P}rogram.

(e) Within 120 days following the end of the state's biennial budget period, each county shall remit state general fund monies not expended within the biennial budget period to the Department of Corrections for reversion to the state general fund.

Determination of Funds Available When County Participation is Less Than a Full Biennium

~~291-31-029 (1) {The-Department-of-Corrections-understands-legislative intent-to-be}~~

(3) A community corrections program terminated under these rules may not participate again until the subsequent biennium.

Private Agencies

291-31-040 (1) At the discretion of a Option I and Option II ~~participating~~ county, private agencies may be included in the county community corrections plan.

(2) In non-participating counties, a private agency may submit its own plan for participation directly to the Department of Corrections.

(3) Procedures for application and all other rules governing the Act are the same for both counties and private agencies.

~~(4) Private agencies excluded in a county plan may appeal such exclusion to the Board of County Commissioners.~~

~~(4.5) With the concurrence of the Board of County Commissioners~~ In counties not participating in the Act (i.e., not expending funds), the Director may contract with private agencies utilizing a portion of the pro-rata share of funds to be reverted by those counties under Section 7, subsection (3) and Section 13, subsection (3) of the Act.

~~(5.6) If~~ those counties eventually elect to participate in the Act, said private agency contracts will be reviewed by the local advisory committee for possible inclusion in the county's community corrections plan. ~~If~~ those counties elect not to participate in the Act, the Director may continue the contractual services using a portion of the reverted funds.

State Expenditure of Sanction and Services Enhancement Funds

291-31-045 (1) In counties choosing not to manage the Community Corrections Act Program, the Department of Corrections shall be governed by these rules with the following exceptions:

(a) The Department of Corrections Community Services ~~branch~~ ~~Regional~~ ~~manager~~ who ~~se-staffs~~ serves the county shall appoint a local advisory committee ~~board~~ with the same membership that other counties are required to appoint. The committee ~~board~~ may be region-wide rather than a separate committee ~~board~~ for each county.

(b) In ~~these~~ counties that do not participate in the Act and where community corrections programs are currently operating ~~and do not participate in the Act~~, the Department of Corrections shall include a representative from such programs on the local advisory committee ~~board~~.

(c) The regional/local advisory board shall prepare a community corrections plan for each county in the region.

(2) The branch ~~Regional~~ ~~manager~~ of the Department of Corrections will submit the regional plan to the affected county commissioners for information and comments.

(3) Commissioners may choose not to comment other than to acknowledge the plan was received, leaving full responsibility for the plan and its implementation with the Department of Corrections.

(4) The initial decision of the adult parole and probation staff who opt to become county employees will remain in effect until such time as the county withdraws from participation as a county which has assumed responsibility for full county management and control of state-funded correctional programs in its jurisdiction. If the county again becomes Option I ~~{fully-participating}~~, employees may again select from the options provided in this rule.

(5) Those employees who opt to remain state employees (hereafter referred to as county/state employees) will nevertheless be agents of the county and the management of these county/state employees will be under the direction of the county corrections manager in such matters as, but not limited to, determining and directing the work, ~~assigning~~ ~~{ment-of}~~ the personnel to conduct operations, assigning and reassigning work, and evaluating the performance of duties.

(a) Each Option I ~~{participating}~~ county will furnish the Department documents and reports in a timely manner ~~{, as required by the Department,}~~ to insure the continuation of personnel services to county/state employees as required by law. These include, but are not limited to:

(A) Performance appraisals on the State of Oregon form, or as otherwise required.

(B) Time cards and attendance reports required for completion of the payroll.

(C) Notice of granting or denying of salary increase.

(D) Maintenance of appropriate personnel records to support all county/state employee personnel actions.

(b) The Department shall furnish each county, in a timely manner, those personnel records, documents, and forms required ~~{in-order}~~ for the county to meet its obligations.

(c) The administration of personnel services for county/state employees is subject to ~~p[er]sonnel r[el]ations l[aw]s~~, Personnel Division rules and policies, and union contracts ~~{,}~~ where applicable. Disciplinary actions taken against county/state employees for reduction, suspension, demotion, or dismissal can only be accomplished with the approval of the Director ~~{of-the Department-or-designee}~~.

(d) Notwithstanding being agents of the county, these employees remain a member of their respective collective bargaining units if one exists.

(6) Grievances arising out of their employment relationship will be initiated under the bargaining unit grievance procedure if the employee is a member of a unit, or the Department of Corrections grievance procedure if the employee is not a member of a bargaining unit. When a grievance is initiated, jurisdiction or responsibility for resolution will depend upon who has authority to potentially provide the adjustment required. When jurisdiction is in question, the county community corrections manager and the Community ~~{field}~~ Services ~~p[er]sonnel o[ff]icer~~ for the Department of Corrections will consult and resolve the issue.

(a) The processing of grievances will include at least the immediate

[Implementation

~~291-31-060-This rule will be adopted immediately, without modification.]~~

FPB:bw
TO6502
2/92

MULTNOMAH COUNTY
INTEGRATED HUMAN SERVICES SYSTEM PLAN

MULTNOMAH COUNTY
INTEGRATED HUMAN SERVICES SYSTEM PLAN

Revised 5/12/93

INTRODUCTION

In the post Measure 5 era, governments, their supportive agencies, private non-profits and other entities serving the welfare of the community will be called upon to serve an increasingly needy population with diminishing resources. The frail elderly, the homeless, low and no-income individuals, single parent households, the disabled, adolescents, separated families and extended relationships will find themselves more vulnerable and at risk.

At the local level, county government is the human service agency of last resort. Reductions in revenues, personnel, and service hours have rendered traditional service delivery systems incapable of responding to increasing numbers of persons with multiple problems.

The Multnomah County Board of Commissioners recognized in resolution that:

- Shrinking financial resources will require the County to explore new methods of providing services to citizens,
- The issues and problems facing our communities have changed the traditional roles and responsibilities of government, business, community, and family, and
- The problems and issues of alcohol and drug addiction, child abuse, crime, unemployment, apathy, racial and sexual hatred, inadequate community services, and the changing family and community have the potential to destroy the very fabric of our communities and society.

County departments and divisions already collaborate and coordinate services with a variety of government and private non-profit agencies. This collaboration, however, is often situational, with the effort designed to address a specific service need or to augment local, state or private efforts. The Multnomah County Board of Commissioners has called for a change in how the County responds to these kinds of human needs.

THE INTEGRATED HUMAN SERVICES SYSTEM

In response, the Board of County Commissioners has directed the development of an Integrated Human Services System, including Children and Youth Centers, for Multnomah County.

MISSION

The Mission of the Multnomah County Integrated Human Services System is to provide an efficient and effective, value-driven system of delivering high quality human services.

In order to fulfill the Mission, the characteristics of the Integrated Human Services System will be:

- a. Strong focus on people with interlocking linkages of policy, fiscal resources, and personnel.
- b. Flexibility, focused on family, individual and neighborhood needs, and coordinated with other local, state, and private non-profit efforts to provide maximum benefits for service recipients.
- c. Concerned about the greater environmental context in which we live.

GOALS

The goals for the Integrated Human Service System derives from the Mission and characteristics of the System and include:

- a. Have a strong focus on people, with interlocking linkages of policy, fiscal resources, and personnel.
- b. Will be flexible, focused on family, individual, and neighborhood needs, and coordinated with other local, state, and private non-profit efforts to provide maximum benefits for service recipients.
- c. Will be an efficient system of delivering effective, high quality services.

UNDERLYING VALUES

The entire system will be driven by a common philosophy of service and common values, including:

- Promoting client independence and empowerment.
- Involving individuals and communities in decisions that affect them.
- Using the least intrusive, least expensive interventions in people's lives that are appropriate to the needs.
- Providing high quality, integrated, timely services with the fewest possible barriers to access.

- Making services and service authorization available as close to the need as possible.
- Encouraging change and innovation to make the system responsive to individual, family, and community needs.

The directors of the Departments of Health, Social Services, and Community Corrections, along with key division managers, formed an Integrated Human Services Planning Team to develop the system.

SYSTEM ELEMENTS

Community Service Districts

Community Service Districts are designed to organize County services as close as possible to where people live. The districts are divided by recognized geographic boundaries. Within each of the districts are social service agencies, schools, private non-profit resources, community policing activities, and other agencies and efforts. County resources within each district are structured to include both contracted agencies and direct County services. Organizing services by districts enables program staff to work cooperatively to serve individuals and families with multiple and complex problems.

Individuals who receive child, youth, individual, senior, family, physical and mental health services will generally be served within a district. This will allow better coordination and follow-up support for the person or family securing services. It should also allow for a better match of service to the specific problem, since the assessment will be conducted in the context of the individual's community or environment. The services will be cost effective, resulting from a higher rate of recovery for the individual and a lesser rate of relapse because of treatment in the context of the community. The integrated service approach will keep the individual in a protected service environment.

Multnomah County will comprise six Community Service Districts: Northeast, North, West, Mid-county, Southeast and East.

Community Service Districts will have common boundaries for all County services. They are not used to restrict residents' access to services, and individuals will retain choice of service locations regardless of where they live.

Common service boundaries have been agreed upon by the Department of Health, the Department of Community Corrections and the Department of Social Services' Aging Services Division, Mental Health, Youth and Family Services Division, Housing and Community Services Division, and Juvenile Justice Division (see Attachment A).

Neighborhood Access

In the Community Service District model, the point of entry into the system may be any number of County offices or provider offices within the community where a person or family can enter and receive assistance. The goal is to provide services uninterrupted at any point along the continuum.

Key elements of a neighborhood access system include:

- Close relationships between all providers of services and the local community.
- A well-publicized and accessible Information/Referral system.
- An emphasis on cultural relevance to the community. This includes the availability of bilingual staff and providers where appropriate.
- Intensive cross-training of staff in provider agencies and County programs.

The principles outlined above will be common to all Community Service Districts, but the design of "user friendly" neighborhood access will vary from district to district. Specifics such as responsibility for and "agency location" of the information and referral function, the degree of co-location of services, and cross-training of staff will emerge as part of the district planning process for each district.

District Coordination

In the integrated service system model, each Community Service District will have a coordination function to assure a system-wide response to the community, the individual and his or her family; to work with the agencies, school, families, community policing, sheriff, and other service providers to develop a uniform set of policies and operational strategies; and to assure that there are services adapted to the special needs of the district in addition to the core services available in each district.

The structure of and responsibility for district coordination will evolve over time. At the outset, coordination within each Community Service District will be accomplished through a District Coordination Team (DCT) consisting of, at a minimum, the district or branch managers of each of the participating County Departments and related provider agencies.

The DCTs will:

- Set goals and expected outcomes with community participation specific to the district.
- Develop and implement a "bottom up" process for determining community needs.
- Oversee the development of service integration in the district within the framework of the service integration plan developed by the County.

- Develop district-specific policies and protocols for neighborhood access, staff cross-training, program coordination, case management, client data sharing and client advocacy.
- Develop recommendations for policy and organizational changes.
- Help determine evaluation criteria.
- Serve as a clearinghouse and mediation team when conflicts arise between programs.
- Serve as a linkage to all other planning groups addressing services integration in that district.

Case Management

In each program, a service recipient is usually assigned a primary contact person to call or relate to for services. This could be a nurse, a case manager, a probation officer or other. When an individual or family uses more than one County service, the primary staff assigned to the individual for each service will work cooperatively with him/her to assure that services are coordinated. One of them will be the lead contact (referred to as a "Primary Case Manager").

The role of case management in the integrated service system is one of quality control, coordination, counseling, review and referral. The case manager in this system is the traffic coordinator and support agent assigned to a given individual and/or family. The case manager connects the family or individual with the appropriate agencies and other resources.

Those who deliver the services within a district will be actively involved in the creation of the case management model for that district. A cooperative approach, involving consumers, service delivery personnel, neighborhood organizations, and governmental units offers the best means to enhance service delivery through a case management system. The model, therefore, will vary from district to district. The development of the model, as well as the specific operational protocols between departments, divisions, and community providers, will be the responsibility of the DCTs.

Information Sharing

No comprehensive service system or district structure will work without some method to bind the players, coordinate service and information flow, and assess the quality of services provided. A management information system can be the mortar that connects effort and outcome. In the case of individual client or family information, some sharing among providers may be necessary to assure holistic treatment planning and resource allocation.

Development of a management information system for an integrated services model involves complex policy and technical issues. Policy decisions include:

- The purpose of sharing client data (focus on system planning versus individual service planning),
- Resolving the tension between protecting client confidentiality and sharing information between programs, and
- The allocation of sufficient funds to establish and operate a shared data base system.

Evaluation

An evaluation process will be needed to assure accountability, to provide ongoing feedback for program and system improvement, and to determine whether the desired outcomes are being achieved. Program monitoring and evaluation are already a part of many of the services to be included in the integrated service system, and will continue. A more sophisticated evaluation system is needed, however, to measure outcomes and determine the effectiveness of the model.

Unfortunately, this type of evaluation is expensive and is beyond the resources currently available within the County budget. The Integrated Human Services Planning Team will seek new resources in order to implement a comprehensive evaluation process. These might include outside funding and the services of non-county personnel such as a university graduate program.

IMPLEMENTATION

Planning and implementation phases will overlap or occur simultaneously in various Community Service Districts and with other agencies.

PLANNING (INITIAL AND ONGOING)

Integrated Human Services Planning Team (IHSPT);

- Develops overview of the system and draft plan by 10-14-92
- Identifies and analyzes key policy issues
- Appoints work groups to address specific issues
- Appoints IHSPT liaisons to DCTs as they are developed

PHASE I. INTEGRATION OF COUNTY MANAGED SERVICES

Before and during the implementation of the Integration Plan, there will be extensive community involvement to determine what will work for each service district. The contract for the Children and Youth Service Centers is projected for Spring, 1993, which will provide several months of discussions and input into the services which are being envisioned for the Centers.

1. Award contract for Children and Youth Service Centers
2. Pilot a service integration model in the Southeast Community Service District.
 - IHSPT appoints a District Coordination Team (DCT)
 - DCT develops neighborhood access and case management protocols.
 - Model is implemented with persons who self-select into the service delivery system.
 - Model is evaluated on an ongoing basis.
3. Establish DCTs and begin service integration in other service districts.

PHASE II. COORDINATION WITH STATE AND OTHER SERVICES

Include Adult and Family Services Division, Children's Services Division, Employment Division, Mental Health and Developmental Disabilities Services Division, Alcohol and Drug Programs, Senior and Disabled Services Division, and others.

PHASE III. COORDINATION WITH LOCAL AGENCIES AND PROVIDERS

Include contracted non-profit providers, police agencies, schools, neighborhood associations, and others as appropriate.

MULTNOMAH COUNTY
ADMINISTRATIVE PROCEDURE #PUR-1
REQUESTS FOR PROPOSALS

MULTNOMAH COUNTY, OREGON ADMINISTRATIVE PROCEDURE

SUBJECT:	Request for Proposals (RFP) Procedures
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PURPOSE:	To establish a uniform process for the screening and selection of persons to perform professional services
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ORGANIZATION RESPONSIBLE:	Purchasing, Contracts, and Central Stores
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DATE:	August 1993
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ORGANIZATIONS AFFECTED:	All Departments/Offices
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LEGAL CITATION/ REFERENCE:	ORS 279.051, Multnomah County Ordinance 746
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TABLE OF CONTENTS

	Page
I. PROCEDURE DESCRIPTION	2
II. DEFINITIONS	2
III. RFP/RFQ PREPARATION	3
IV. REVIEW OF RFP/RFQ	4
V. DISSEMINATION OF RFP/RFQ	5
VI. RULES GOVERNING RECEIPT OF PROPOSALS	6
VII. EVALUATION AND SELECTION OF CONTRACTOR	6

TABLE OF CONTENTS
(cont)

	Page
VIII. RFQ - SOLE QUALIFIED RESPONDENT	9
IX. APPEALS	9
X. EXEMPTIONS FROM THE RFP REQUIREMENT FOR PROFESSIONAL SERVICES	10
XI. RENEWALS OF PROFESSIONAL SERVICE CONTRACTS	13
XII. AMENDMENTS TO PROFESSIONAL SERVICES CONTRACTS	13
EXHIBIT A: REQUEST FOR ADVERTISEMENT FOR RFP	14
EXHIBIT B: TRANSMITTAL LETTER	15
EXHIBIT C: EVALUATOR'S CONFLICT OF INTEREST STATEMENT ...	16

I. PROCEDURE DESCRIPTION

The Request for Proposal (RFP) process is required for the procurement of all professional services which exceed \$15,000 in the same fiscal year per contractor, per Department/Office. Exceptions to this requirement are delineated in "Exemptions" (Section VIII below). The RFP process is also an alternate method to the bid process for some types of PCRB contracts and is optional for professional services contracts under \$15,000 in value. An RFP is not required for intergovernmental agreements. If the RFP process is undertaken, the following procedure applies.

II. DEFINITIONS

- A. Request for Proposal (RFP): a process used to select the best qualified contractor when price is not the sole determining factor.
- B. Request for Qualifications (RFQ): a process used to establish minimum common qualifications for all contractors eligible to compete in an RFP process. The procedures are the same as for the RFP.

III. RFP/RFQ PREPARATION

- A. Contact Purchasing for technical assistance to:
1. determine when RFP process is appropriate;
 2. assist in content and schedule of RFP;
 3. get advertisement dates (ads are placed by Purchasing); and
 4. develop potential applicant lists.
- B. Originating Departments/Offices should use the following general format when preparing RFPs:
1. background statement - describe County organization;
 2. problem statement - include purpose of RFP;
 3. services to be performed, deadlines for work products, etc., also known as "performance specifications";
 4. minimum qualifications, if any;
 5. overview of constraints - size, duration, location, etc.;
 6. boilerplate Instructions to Applicants (Purchasing Requirements, obtained from Purchasing);
 7. a statement that Multnomah County encourages the participation of MBE/WBE firms;
 8. notice of applicants' conference, if any - date, time, place; whether it is mandatory or optional;
 9. evaluation information for applicants:
 - a. list criteria to be used in evaluating proposals, may include:
 - (1) qualifications and relevant agency experience
 - (2) qualifications of personnel assigned to project
 - (3) responsiveness and local availability
 - (4) fee arrangement or cost breakdown

- (5) performance standards
- (6) financial status record and management capability

The list is not exhaustive; you may add or substitute. Remember, the criteria will help the applicant identify areas of most importance. Each criteria must be assigned a point value, to be used by the Evaluation Committee in the selection process (see Section V).

- b. Describe selection process for the applicant. This must include the method of selection used by the Evaluation Committee (see Section VII).

10. contractual requirements;

Include boilerplate County contractual requirements. Add any Department/Office contractual requirements; i.e., performance bonds termination clauses, state or federal regulations, etc.

IV. REVIEW OF RFP/RFQ

A. Purchasing Review of RFP

For a single RFP the Department/Office must submit the draft RFP to Purchasing ten (10) working days before date of advertisement. The buyer will take no more than three (3) days to review the document for content, clarity, and procedural and legal requirements and will return it to the originating Department/Office for any changes. **If you plan to process more than one RFP at any one time you must contact the buyer at least thirty (30) days prior to expected date of advertisement to establish timelines.** The finalized packet submitted to Purchasing must contain:

1. RFP document;
2. complete mailing list with applicant names, addresses, and zip codes
Please include mailing labels if available (see Section V);
3. completed and signed Request for Advertisement form (EXHIBIT A);
4. estimated number of copies needed for public mailing list and Department/Office. If copies are not standard 8-1/2" by 11" pages, the Department/Office must arrange for printing;

5. names and positions of Evaluation Committee members;
 6. evaluation form to be used by evaluators (Samples may be obtained from Buyer);
- B. Purchasing will review the RFP for completeness, send announcements to BCC, advertise, arrange for printing, and mail to applicants. Purchasing reserves the right to require rescheduling of issue and due dates to accommodate workloads and will contact Department/Office of reschedule.

V. DISSEMINATION OF RFP/RFQ

A. Advertisement

1. Purchasing will place the advertisement in a newspaper of general circulation, inviting applicants to submit proposals. The initiating Department/Office must complete the advertisement form (EXHIBIT A) and attach it to the final RFP.
2. Purchasing is responsible for paying all newspaper advertising invoices using the expense account code supplied on the advertisement form. A copy of the payment voucher will be returned to the initiating Department/Office when the invoice is paid.

B. Distribution of RFP to Applicants

1. Purchasing may require you to provide mailing lists of potential applicants.
2. Purchasing will distribute RFP's to the applicants on the mailing list and will make RFP's available to interested persons up to the time of the RFP deadline.

C. Questions from Applicants

1. Applicants who request a clarification of the RFP requirements must submit questions in writing to Purchasing or present them verbally at a scheduled pre-proposal conference. Written questions must be received in Purchasing no later than seven (7) calendar days prior to the scheduled deadline for proposals. A response will be issued in the form of addenda to the RFP by Purchasing if a substantive clarification is in order.

2. To ensure that any substantive information given to a single potential applicant is given to all potential applicants, the initiating Department/Office must direct all applicant questions to Purchasing.
3. From the time the RFP's are publicized to the date award letters are sent by Purchasing, Departmental/Office staff contact with applicants should be limited to the pre-proposal conference.

VI. RULES GOVERNING RECEIPT OF PROPOSALS

- A. Purchasing is responsible for receiving and time-stamping each proposal and enforcing the submittal deadline.
- B. If a proposal is sent to a Department/Office in error, **do not open it**. Call Purchasing, immediately, for instructions.
- C. Purchasing will accept proposals up to the precisely designated time and date stated in the RFP. All proposals which are not time-stamped by Purchasing by the deadline will be considered late and will be returned to the applicant unopened. This is not an appealable procedure.
- D. The first working day following receipt of proposals, Purchasing will review and approve/deny all contract proposals for compliance with RFP minimum requirements. Proposals not in compliance with RFP minimum requirements shall be rejected and applicants shall be notified by Purchasing. After this review, Purchasing will send the copies of each proposal to the initiating Department/Office for evaluation.
- E. Purchasing will make the copies of proposals available to the initiating Department/Office by 2:00 pm the day after the proposals are due.

VII. EVALUATION AND SELECTION OF CONTRACTOR

- A. The following procedure describes the selection of an evaluation committee and their conduct during the evaluation of the RFPs. Any deviation from this procedure requires prior approval by the Purchasing Director.

1. Evaluation Committee

- a. The Department/Office shall establish a Committee of at least three (3) persons to evaluate the proposals.
 - (1) No more than one third of the Evaluation Committee shall be from the initiating Division.
 - (2) The Evaluation Committee may consult with County employees who have technical expertise in a specific area of evaluation (e.g., financial or budget).
 - (3) At least one member of the Committee shall be from a non-County organization.
 - (4) Committee members shall not have a conflict of interest with any person or organization responding to the RFP. Each member must sign a Conflict of Interest form to that effect, see EXHIBIT C.
 - (5) Departments/Offices are expected to recruit minorities to serve on all evaluation committees.
 - (6) The Evaluation Committee must be approved by the Purchasing Director.
- b. The Evaluation Committee shall evaluate each proposal using the evaluation method described in the RFP. Each Evaluation Committee member shall independently rate each proposal, assigning points as set forth in the RFP using the evaluation form provided to them.
- c. Designated members of the Evaluation Committee may contact applicants for clarification of proposals; however, no additions, deletions, or substitutions may be made to proposals that cannot be termed as clarifications. All such contacts must be documented.
- d. If the evaluation process includes oral interviews, the criteria for ranking must be described in the RFP.

2. Contract Award

- a. The originating Department/Office shall forward the recommended award to Purchasing with the following documentation:

- (1) completed letter of transmittal (EXHIBIT B);
 - (2) list of screening committee members; signed Evaluator Conflict of Interest forms (EXHIBIT C);
 - (3) originals of all rating sheets, including analytical or explanatory comments (should be identified only by alpha designations and not by signatures); a summary sheet of averaged scores by applicant in rank order, and;
 - (4) a statement identifying the applicant selected by the committee.
- B. If recommended award is not made to the highest scoring proposal, the following must be submitted and approval must be granted by at least three members of the BCC.
- (1) Provide a detailed explanation of the reasons for award recommendation.
 - (2) Show findings that award procedure does not violate any applicable law or regulation.
 - (3) State why this award would be in the best interest of the public and the County.
- C. If only one proposal was received, the following must be submitted and approval must be granted by at least three members of the BCC.
- (1) State what steps were taken to solicit proposals.
 - (2) State any known reasons for receiving only one proposal.
- D. Purchasing will approve all materials submitted for accuracy and adherence to RFP and Ordinance 746 procedures and disperse Notice of Award letters to all applicants.
- E. Departments/Offices are cautioned that information contained in the Evaluation will become public record at the conclusion of the evaluation process, which occurs at the time the award letters are dispersed by Purchasing.

VIII. RFQ - SOLE QUALIFIED RESPONDENT

- A. If an RFQ is advertised and mailed to a potential list of applicants and the County receives only one qualified response, the Department/Office may:
 - 1. adjust the qualifications and readvertise;
 - 2. present an RFP to the single respondent; or
 - 3. begin negotiations with the sole respondent if the RFQ is sufficiently detailed to serve as a basis for developing a contract.
- B. The Department/Office must check the applicants' qualifications and advise Purchasing of their choice in the Transmittal Letter.
- C. Purchasing will notify the sole applicant of the decision by mail.

IX. APPEALS

- A. Applicants may appeal deviations from laws, rules, regulations or procedures. Disagreement with the process, e.g. scoring by evaluators, is not appealable.
- B. The following procedure applies to applicants who wish to appeal a disqualification of proposal or award of contract.
 - 1. Appeals Process
 - a. Applicants must submit appeal in writing to the Purchasing Director. Appeals must be received by the Purchasing Director no later than close of business of the fifth working day from postmarked Notice of Award or disqualification. **(5 working days allowed)**
Address appeal to:
Purchasing Director
Multnomah County Purchasing, Contracts and Stores
2505 SE 11th Avenue
Portland OR 97202
 - b. Appeal must describe specific citation of law, rule, regulation or practice upon which protest is based. The judgment used in scoring by individual evaluators is not grounds for appeal.
 - 2. The Purchasing Director will immediately forward appeal letter to

- initiating Director/Elected Official/Manager. (1 working day allowed)
3. The initiating Director/Elected Official/Manager will send a written response to Purchasing. (5 working days allowed)
 4. The Purchasing Director may extend to the initiating Director/Elected Official five (5) additional days to respond to the appeal. (5 working days-optional)
 5. The Purchasing Director may schedule a meeting with the applicant and the initiating Director/Elected Official/Manager to attempt to resolve the appeal. (5 working days allowed)
 6. If the appeal remains unresolved, the Purchasing Director will prepare written findings and a recommendation to the County Chair. (5 working days allowed)
 7. The Chair will review the grounds for appeal by the contractor and based on the record will affirm the process or reject it and instruct Purchasing to correct the process. (5 working days allowed)
 8. The RFP process is the same for all PCRB contracts which use the RFP process, except the PCRB (Board of County Commissioners) shall act as the final review authority for PCRB contracts, after a public hearing has been conducted.
 9. The County Chair's decision is final. Written notice of the decision will be sent by the Chair's Office to the contractor.

NOTE: Professional services contracts are not PCRB contracts.

X. EXEMPTIONS FOR THE RFP REQUIREMENTS FOR PROFESSIONAL SERVICES

A. Blanket Exemptions

1. Professional Services Contracts which meet any of the following conditions will be exempted by sending a memo to the Purchasing Director for approval prior to routing the contract.
 - a. Contracts for legal services approved by County Counsel
 - b. Contracts for inpatient or hospital emergency services

approved by County Purchasing Director

- c. Contracts for services of physicians who have admitting privileges to hospitals providing above mentioned inpatient services
- d. Contracts in which the rates for the services being purchased are established by federal, state, county, or other local regulatory authority if an alternate process for soliciting and approving qualified contractors is approved in advance by Purchasing

B. Specific Exemptions for RFP Process

1. Sole source exemption

- a. A sole source exemption is applicable if there is only one contractor qualified to provide a particular service. The initiating Department/Office must prepare a memo to the Purchasing Director requesting a sole source exemption prior to routing a contract for approval. The request must include:
 - (1) a brief description and dollar amount of the proposed contract;
 - (2) a detailed description of the reasons why the specific contractor is to be selected (and others were not); and
 - (3) efforts taken to notify other potential contractors and inviting proposals (i.e. advertisements, letter of interest).
- b. Purchasing will review the request and submit its findings to the County Chair/Sheriff with the initiating Department's/Office's memo attached.
- c. The County Chair/Sheriff will approve or deny the request for exemption and return the memo to Purchasing.
- d. Purchasing will send a copy of the signed memo to the initiating Department/Office and file the original by date.

2. Temporary exemptions

- a. Temporary exemptions up to 12 months may be granted by the County Chair/Sheriff if any of the following conditions can

be satisfactorily demonstrated:

- (1) scope of work or RFP requirements must be radically altered and the change was unforeseen;
 - (2) competition would be enhanced by a temporary delay;
or
 - (3) the County's economic interest would be better served to delay the RFP.
- b. The initiating Department/Office must prepare a memo to the Purchasing Director requesting the exemption prior to routing a contract for approval. The request must include:
- (1) the description and amount of the contract; and
 - (2) the justification for the delay and the recommendation for length of delay.
- c. The Purchasing Director will submit findings to the County Chair/Sheriff with the initiating Department's/Office's memo attached.
- d. The County Chair/Sheriff will approve or deny the request for exemption and return the memo to Purchasing.
- e. Purchasing will send a copy of the signed memo to the initiating Department/Office and file the original by date.

3. Emergency exemption

- a. An emergency exemption may be granted by the County Chair/Sheriff if all of the following conditions are satisfactorily demonstrated:
- (1) circumstances could not have been reasonably foreseen and public health or safety is in immediate jeopardy;
 - (2) a prompt execution of a contract (within 60 days) is required to remedy the situation.
- b. The initiating Department/Office must prepare a memo to the Purchasing Director stating specifically:

- (1) the emergency conditions necessitating the exemption; and
 - (2) the amount of the contract, name of contractor, and length of contract.
- c. Purchasing will forward the request with findings to the County Chair/Sheriff.
 - d. The County Chair/Sheriff will approve or deny the request and return the memo to Purchasing, who will send a copy to the initiating Department/Office and file the original by date.

XI. RENEWALS OF PROFESSIONAL SERVICES CONTRACTS

Professional Services contracts which are competitively awarded through an RFP process, or are specifically exempted, and where the contract includes a renewal clause, can be renewed annually without the exemption process, up to a maximum contract period of five years, unless otherwise specified in state or federal program regulations, RFP or the exemption.

XII. AMENDMENTS TO PROFESSIONAL SERVICES CONTRACTS

- A. Non-exempted professional services contracts may be amended to show an increase of up to 20% annually over the original contract amount without a new RFP. However, the increase must be for substantially the same scope of work described in the original RFP.
- B. Escalation clauses showing cost of living increases over the life of the contract are excluded from the 20% limitation, if the escalation was part of the original RFP/Exemption and Contract.

Approved this 18th day of August, 1993.

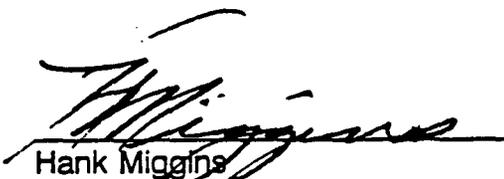

Hank Miggins
Multnomah County Chair

EXHIBIT A
REQUEST FOR ADVERTISEMENT FOR RFP

TO: PURCHASING DIRECTOR
Date: _____

Please advertise the attached RFP.

*RFP No.: _____

*Proposal Due Date: _____ Account Code No. _____
(for duplicating and advertising)

Source of Funds: (i.e. 100% Federal funds; 50/50 Federal, State; 100% Local)

Estimated dollars available: \$ _____ Program Rep.: _____

Phone No.: _____ /Bld# /Flr#

Evaluation Committee

NAME	AGENCY/ POSITION /AREA OF EXPERTISE	MINORITY (Yes or No)
_____	_____	_____
_____	_____	_____
_____	_____	_____

Pre-proposal Conference: _____ Yes _____ No _____ Mandatory

Time and Place: _____

Dates to Publish: _____

**Newspapers: _____

Description of Proposal (to appear in newspaper): _____

Approved: _____

Division Manager

*Obtain from Purchasing

**Advertisement is always placed in The Daily Journal of Commerce. Provide full address and fax # if known of any other publications you wish to use.

EXHIBIT B
TRANSMITTAL LETTER

Date: _____

Division Contact Person: _____

Below is a letter of transmittal to Purchasing, approving the selected proposer:

RFP Number: _____

Description: _____

Please forward approval to Purchasing no later than _____
for review of evaluation and selection of contractor. Purchasing will then send award
notice.

.....

The following Contractor is recommended:

Contractor Name: _____

Contractor Address: _____

Contact Person: _____

Estimated \$ amount of contract: _____

As per RFP # _____

Signed: _____

Title: _____

Date: _____

This form must be returned to Purchasing with evaluation documents attached.

EXHIBIT C

EVALUATOR'S CONFLICT OF INTEREST STATEMENT

I do not have any conflict of interest with any of the proposer's to RFP # _____
____. I have read and rated the proposals without interference or pressure from anyone.
I independently scored each proposal and, unless otherwise noted, I have had no
conversation or contact with any of the proposer's concerning this RFP.

EVALUATOR'S NAME _____
Type or Print

SIGNATURE _____

DATE _____

MULTNOMAH COUNTY ORDINANCE 2.30.300
DEPARTMENT OF COMMUNITY CORRECTIONS

2.30.100. Department of human services.

The department of human services is established. It shall:

- (A) Provide the services and perform the duties imposed by state law on the local health officer, public guardian and medical investigator;
- (B) Provide community health care;
- (C) Provide those health related services prescribed by state law;
- (D) Provide county services relating to veterans' assistance, community action programs, food stamp programs, councils on aging, human relation commissions, metropolitan youth commissions, and other programs administered by state, local, or private agencies relating to the health and welfare of the people of Multnomah County; and

- (E) Provide vector control programs and facilities.

[Ord. 64 § 4A (1972); Ord. 528 § 3 (1986); Ord. 649 § 9 (1990)]

Cross references—Fees for services of department of human services, 5.10.320 et seq.; department of human services advisory committees, ch. 8.55.

2.30.200. Department of environmental services.

The department of environmental services is established. It shall:

- (A) Provide land use planning recommendations and services to the planning commission and the board in matters of planning, zoning, subdivisions, sales and leases of non-county real property, and related matters;
- (B) Provide services and perform duties imposed by state law relating to the construction, maintenance and operation of county roads and bridges, sewerage and solid waste disposal facilities and other public works facilities;
- (C) Provide required surveys, examinations, inspections, and issuance of permits relating

to construction and occupancy of buildings and other facilities;

- (D) Operate and maintain county parks, memorials and recreational facilities;
- (E) Operate and maintain the county exposition center and fair;
- (F) Provide animal control programs and facilities;
- (G) Provide county services relating to county service districts and to state, local or private agencies relating to the physical environment;
- (H) Operate and maintain county facilities;
- (I) Manage and maintain county lands; and
- (J) Plan, implement and coordinate the county's recycling program.

[Ord. 64 § 4B (1972); Ord. 528 § 1 (1986); Ord. 606 § 3 (1989)]

Cross reference—Fees for services of department of environmental services, 5.10.200 et seq.

2.30.300. Department of community corrections.

The department of community corrections is established. It shall:

- (A) Develop, administer and evaluate adult noncustodial corrections programs and community supervision and sanction strategies which stress community protection, treatment and rehabilitation.
- (B) Develop, administer and evaluate adult surveillance and supervision services in Multnomah County.
- (C) Administer the family services program.
- (D) Administer the medical examiner's office.
- (E) Coordinate the various components of the Multnomah County criminal justice system, consistent with the legal responsibilities of elected officials and the separation of the branches of government.
- (F) Monitor and coordinate the implementation of a uniform, integrated criminal justice information and data analysis system.

- (G) Develop and provide accurate and uniform criminal justice information and data analysis to the county chair, the board of commissioners and the justice coordinating council.
- (H) In cooperation with the district attorney and sheriff, assist the board of commissioners in developing and implementing county-wide criminal justice policies. The district attorney and the sheriff retain operational policy authority for their offices.
- (I) Advise the chair and the board of commissioners concerning impacts of justice system component budgets for furtherance of the board's criminal justice policies. The sheriff and the district attorney retain their independence to develop and present their respective budgets to the chair and the board of county commissioners.
- (J) Review, and advise the chair and the board of commissioners regarding grants proposals and requests for outside funding by the department, the sheriff's office and the district attorney's office to ensure that the funding obtained by one agency does not impact negatively on others. The sheriff and district attorney retain their independence to seek grants and outside funding, subject to the chair's and board of commissioners' contract approval authority.
- (K) Coordinate and staff the activities of the justice coordinating council.
- (L) Justice coordinating council. The justice services coordinating council is established to provide assistance to the office of administration and planning of the department of community corrections.
- (1) *Policy and purpose.* The board of county commissioners finds that the local justice services system would be more effectively coordinated by the addition of a council of elected and appointed officials and citizens.
- (2) *Membership and staff.* The council shall consist of 18 members appointed by the county chair and approved by the board of county commissioners. Members appointed under subsections (a) and (c) of this section shall serve two-year terms and be eligible for reappointment. Members serving in the designated positions of [subsections] (b) and (d) shall be permanent appointments. If the designated position becomes vacant, the person assuming the position shall automatically be a member.
- (a) Five members, to be selected from areas such as mental health, social services, the health professions, labor, business, minorities, and the religious communities.
- (b) Eleven members of the criminal justice system:
- (i) The corrections chief of the Multnomah County sheriff's office;
 - (ii) The Multnomah County district attorney;
 - (iii) The Multnomah County sheriff;
 - (iv) The chief of the Portland police bureau;
 - (v) The metropolitan public defender;
 - (vi) The presiding judge of the Multnomah County circuit court;
 - (vii) The presiding judge of the Multnomah County district court;
 - (viii) Director of the juvenile court;
 - (ix) The regional chief of state probation and parole in Multnomah County;
 - (x) The director of the Multnomah County probation services division;
 - (xi) Chairperson of the Multnomah County community corrections advisory committee.
- (c) One member of the private bar.
- (d) The director of the social services division of the Multnomah County department of human services.

- (e) The chairperson and vice-chairperson of the council shall be elected by members of the council for a term of one year. The vice-chairperson will preside in the absence of the chairperson. Members representing the criminal justice system shall not be eligible to serve as chairperson. Members may send a designee to all justice coordinating council meetings in case of [the] member's unavoidable absence. The designee shall be eligible to vote.
- (3) *Meetings.* The council will be convened monthly on a regular schedule as established by the chairperson.
- (4) *Staffing and budget.*
 - (a) The council shall be supported by staff of the Multnomah County department of community corrections.
- (5) *Duties and responsibilities.*
 - (a) The council will provide the opportunity for advance notification to justice system decision-makers of proposed policy or procedure changes by other system participants.
 - (b) The council will provide a mechanism for undertaking and coordinating policy research and demonstration activities and will enhance the return on research and demonstration project investments by allowing system decision-makers greater opportunity for information exchange.
 - (c) The council shall examine and advise the executive and legislative branches about custodial supervision ranging from low to high in both institutional and noninstitutional settings and will assist in the development of a system for placement of justice system clients.
 - (d) The council shall make recommendations to the department of community corrections and regular reports to the board of county commissioners and county chair on all matters affecting Multnomah County criminal justice programs, including:
 - (i) System coordination;
 - (ii) Policy planning and research, and experimentation in all areas of justice system operations;
 - (iii) Jail space;
 - (iv) Alternative correctional space;
 - (v) Criminal justice legislative packages;
 - (vi) Criminal justice administrative policy;
 - (vii) Law enforcement, prosecution, public defender, courts; and
 - (viii) Coordination, preparation, and submission of budget recommendations.
 - (6) *Coordination.* The council shall have an advisory role to the department of community corrections, board of county commissioners and the county chair.
 [Ord. 64 § 4C (1972); Ord. 73 § 1 (1973); Ord. 102 § 3(1), (2), (3) (1975); Ord. 309 (1982); Ord. 332 § 1 (1982); Ord. 363 § 2 (1983); Ord. 371 §§ 1-3 (1983); Ord. 446 § 3 (1984); Ord. 523 (1986); Ord. 535 (1986); Ord. 620 §§ 1-3 (1989); Ord. 650 § 3a (1990)]
 Cross references—Justice services, ch. 2.70; justice services fees, 5.10.420 et seq.; operation of juvenile detention home, ch. 7.95.

2.30.350. Policy for court administration.
 [Ord. 102 § 1 (1975); Rpld. by Ord. 371 § 4 (1983)]

2.30.360. Assignment of court administration functions.
 [Ord. 102 § 2 (1975); Rpld. by Ord. 371 § 5 (1983)]

2.30.370. Board review of court functions.
 [Ord. 102 § 5 (1975); Rpld. by Ord. 371 § 6 (1983)]

2.30.400. Department of administrative services.
 [Ord. 64 § 4(C)(4), (5), (D), (E) (1973); Ord. 86 § 1(E) (1975); Ord. 102 § 3 (1975); Ord. 243 § 1 (1980); Rpld. by Ord. 358 § 1 (1983)]

MULTNOMAH COUNTY RESOLUTION 93-8
SUPERVISOR TO EMPLOYEE RATIOS

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the Matter of Establishing)
A Procedure for Monitoring Supervisor) ORDER 93-8
to Employee Ratios)

WHEREAS, the County needs to assure the public that taxpayer funds are being expended in a prudent manner; and

WHEREAS, a regular review of supervisor to employee ratios will assist in achieving this objective.

NOW, THEREFORE, IT IS ORDERED as follows:

1. Each department and elected official shall prepare an organizational chart or series of organizational charts that identify each of its employees and the supervisor for each of its employees in a manner that facilitates ready identification of the number of employees for which each supervisor is responsible. The organizational chart(s) shall be submitted to the Board of Commissioners no later than April 1, 1993 and at 12 month intervals thereafter.

2. Annually, within 30 days of the submission of the organizational chart(s), for each supervisor with responsibility for fewer than eight employees, the department or elected official shall submit a written explanation of the justification for the staffing level.

3. Annually, within 60 days of the submission of the organizational chart(s), any department or elected official with an overall supervision ratio below 1:8 shall submit a plan to reach this ratio without adding additional staff (e.g. attrition, transfers, consolidation) or a written explanation of why that ratio is not attainable.

4. Commencing with Fiscal Year 1994-1995 (or earlier if feasible), the County Budget shall track the supervisor-employee ratios for each department and elected official in a manner that facilitates year to year comparisons.

ADOPTED this 7th day of January, 1993.

MULTNOMAH COUNTY, OREGON

By *Gladys McCoy*
Gladys McCoy, County Chair



REVIEWED:
LAURENCE KRESSEL, COUNTY COUNSEL
for Multnomah County, Oregon

By *L. D. Bay*

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