



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised: 09/23/13)

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS

AGENDA # R-5 DATE 1/16/14
MARINA BAKER, ASST BOARD CLERK

Board Clerk Use Only

Meeting Date: 1/16/14
Agenda Item #: R.5
Est. Start Time: 10:10 am
Date Submitted: 1/9/14

Agenda Title: **Approval of Memorandum of Understanding for Veterans Court**

Note: Title should not be more than 2 lines but sufficient to describe the action requested. Title on APR must match title on Ordinance, Resolution, Order or Proclamation.

Requested

Meeting Date: January 16, 2014 Time Needed: 20 minutes

Department: Non-departmental Division: District 3

Contact(s): Michelle Plambeck and Matthew Lashua

Phone: 503-988-5217 Ext. I/O Address: 503/6/D3

Presenter Name(s) & Title(s): Multnomah County Judge Julie Franz, Rod Underhill – Multnomah County District Attorney, Ginger Martin – Assistant Director DCJ, Lane Borg – Metropolitan Public Defender Services Inc, David W. Greaves - Ph.D. Portland VA Medical Center

General Information

1. What action are you requesting from the Board?

Approve Multnomah County Veterans Outreach Project and Probation Violation Docket Memorandum of Understanding (MOU).

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

In 2012, Commissioner Shiprack convened a stakeholders group to discuss the possibility of creating a veterans court in Multnomah County. Over the course of this time, the stakeholders created a model to achieve a coordinated effort to reduce the rate of incarceration of military veterans and prevent recidivism by directing veterans to services and addressing the criminal risk factors and sources of instability.

The culmination of this effort by the group listed in (5.) in the MOU creates a Multnomah County Veterans Outreach Project and Probation Violation Docket which is a coordinated approach within the local criminal justice system.

Each respective entity will be responsible for carrying out the mission, goals and objectives of the Multnomah County Veterans Outreach Project and Probation Violation Docket through identified actions.

3. Explain the fiscal impact (current year and ongoing).

County departments have agreed to perform the work entailed in the MOU through their current respective budgets and will not require additional funding sources.

4. Explain any legal and/or policy issues involved.

Eligible military Veterans are those on felony probation for other than Measure 11 and Domestic Violence offenses.

Please see attached MOU for the responsibilities of each entity.

5. Explain any citizen and/or other government participation that has or will take place.

The Multnomah County Department of Community Justice, the Multnomah County Circuit Court, the Veterans Administration, the Multnomah County Sheriff's Office, the Multnomah County District Attorney's Office, the Criminal Defense Bar and the Multnomah County Trial Court Administrators convened the Veterans Project with the support of the Multnomah County Board of Commissioners and the Local Public Safety Coordination Council participated to produce the attached MOU.

Required Signature

**Elected
Official or
Department
Director:**

Judy Shiprack /s/

Date:

1/9/14

Note: Please submit electronically. Insert names of your approvers followed by /s/ - we no longer use actual signatures. Please insert date approved.

Multnomah County Veterans Outreach Project and Probation Violation Docket

Memorandum of Understanding

The parties to this Memorandum of Understanding (MOU) endorse the mission, goals and objectives of the Multnomah County Veterans in the Criminal Justice System Outreach Project to:

- To create a coordinated approach within the local criminal justice system for identifying military veterans, recognizing and assessing their unique needs, and systematically referring them to specialized services currently available in the community.
- To reduce future criminal behavior by better addressing the criminal risk factors and sources of instability for military veterans involved in the criminal justice system.
- To provide better access to care for military veterans living in our community.

Eligibility

Veterans on felony probation for other than Measure 11 (ORS 137.700, et al) and Domestic Violence offenses are eligible for inclusion in this project.

The Multnomah County Sheriff's Office will:

- Identify veterans at the time of booking.
- Work collaboratively with the Veterans Justice Outreach staff, and when possible, arrange with the Veterans Justice Outreach staff to assess needs and eligibility for services.

The District Attorneys Office will:

- Identify cases in which the defendants are veterans when known to the District Attorney's Office, and so advise defense counsel.
- Consider the services available to Veterans when engaging in plea discussions/negotiations and in making sentence recommendations.

- Consider the information provided through the Veterans Administration and Outreach Services when determining what recommendation to make to the court if the defendant is found in willful violation of probation by the Court, including a recommendation, where appropriate, that the defendant participate in a treatment/specialty court.

The Defense Attorney will:

- Identify Veterans at the time of assuming representation.
- Discuss with the client if s/he wishes to access services available to veterans through the Veterans Administration.
- Facilitate the release of information forms so the defense attorney may access prior treatment records.
- Engage the Veterans Justice Outreach Staff to consult with the client and counsel re: available services and programs for which the client is eligible in the community through the Veterans' Administration.
- Assemble the information as part of a mitigation package which will encompass the services and resources available through the Veterans Administration to facilitate resolution of pending criminal charges, or alleged probation violations, in negotiations with the District Attorney's office, and to present to the court.

The Veterans' Justice Outreach staff will:

- Assist in eligibility determinations for Veteran Healthcare Administration services and help facilitate enrollment of eligible Veterans in such services.
- Assist with scheduling of treatment appointments for eligible Veterans and facilitate referrals for eligible VA services.

- Provide support to the defendant to facilitate engagement in VA services, and follow through with treatment and other services available through the Veterans' Administration.
- Be available as a resource to coordinate VA information, records, and assessment materials needed by the defense attorney, District Attorney's Office (upon consent of the defense) and the Court throughout the pendency of individual Veterans' cases, pursuant to a court Order or a Veteran signed release.
- Attend the probation violation hearings on the Veterans' Court docket.

The Multnomah County Department of Community Justice will:

- Provide specialized probation/parole officers in each field office and in each specialty caseload who are knowledgeable about working with veterans and about the community resources for veterans for those placed on probation.

The Multnomah County Circuit Court will:

- Designate a circuit court judge who is knowledgeable about Veterans' specific needs and services to establish a rapport with the defendant by presiding over the entry of a plea that results in the defendant being placed on probation, and preside over subsequent probation violation hearings.
- Consider the information provided through the Veterans Justice Outreach Staff in determining the appropriate disposition if the defendant is found in willful violation of probation.
- The Veterans Probation Hearing Docket will convene on a regularly designated date and time.

The Veterans Project has been developed through a collaborative effort of the Multnomah County Department of Community Justice, the Multnomah County Circuit

Court, the Veterans Administration, the Multnomah County Sheriff's Office, Multnomah County District Attorney's Office, the Criminal Defense bar (through the involvement of the Executive Director of the Metropolitan Public Defender), and the Multnomah County Trial Court Administrator. Each of these entities intends to remain actively engaged in planning and designing these enhanced services. The Veterans Project has the support of the Multnomah County Board of Commissioners and the Local Public Safety Coordination Council.

This MOU is a non-binding collaborative effort to use the treatment modalities of the VA and the resources of the local judicial system to reduce recidivism and substance abuse, promote mental health and achieve long term benefits for individual Veterans and society at large.

(signature page being finalized)

1/9/2014