



Multnomah County Oregon

Board of Commissioners & Agenda

connecting citizens with information and services

REVISED 11/26/07

BOARD OF COMMISSIONERS

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NOVEMBER 27, 28 & 29, 2007 BOARD MEETINGS FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	8:30 a.m. Tuesday Executive Session
Pg 2	9:30 a.m. Tuesday Jails Post Factor Study
Pg 2	9:00 a.m. Wednesday Executive Session
Pg 4	9:18 a.m. Thursday 2nd Reading of Ordinance Amending Code Enabling Application of Gresham Street Naming and Property Numbering Scheme
Pg 4	9:20 a.m. Thursday Resolution Authorizing Amendments to Ground Lease and Sublease Agreements with and The Port City Development Center
Pg 5	9:15 a.m. Thursday Resolution Authorizing a "County Digs" Project
Pg 5	10:00 a.m. Thursday County Housing Policy Briefing

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~~Tuesday, November 27, 2007 - 8:30 AM~~
~~Multnomah Building, First Floor Commissioners Conference Room 112~~
~~501 SE Hawthorne Boulevard, Portland~~

EXECUTIVE SESSION

- ~~E-1 The Multnomah County Board of Commissioners will meet in Executive Session Pursuant to ORS 192.660(2)(e). Only Representatives of the News Media and Designated Staff are allowed to attend. News Media and All Other Attendees are Specifically Directed Not to Disclose Information that is the Subject of the Session. No Final Decision will be made in the Session. Presented by County Attorney Agnes Sowle. 2 HOURS REQUESTED.~~
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BOARD BRIEFINGS

- B-1 Work Done in Response to the DA Review and 2006 Grand Jury, and Process to Review the Post Factor Study. Presented by Bill Farver and Christine Kirk. 20 MINUTES REQUESTED.
- B-2 Multnomah County, Oregon Sheriff's Office Jails Post Factor Study. Presented by Pulitzer/Bogard & Associates, LLC and Liebert & Associates. 1 HOUR, 40 MINUTES REQUESTED.
-

Wednesday, November 28, 2007 - 9:00 AM
Multnomah Building, Sixth Floor Commissioners Conference Room 635
501 SE Hawthorne Boulevard, Portland

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Thursday, November 29, 2007 - 9:00 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

CONSENT CALENDAR - 9:00 AM **NON-DEPARTMENTAL**

- C-1 RESOLUTION Ratifying November 20, 2007 Board Action Filling a Vacancy in the Legislative Assembly, Oregon State Senate District 14

DEPARTMENT OF COMMUNITY SERVICES

- C-2 RESOLUTION Authorizing the Private Sale of a Tax Foreclosed Property to ASSOCIATION OF UNIT OWNERS OF COLUMBIA POINT WEST CONDOMINIUMS
- C-3 RESOLUTION Authorizing the Private Sale of a Tax Foreclosed Property to BRUCE M SCHNEIDER

DEPARTMENT OF LIBRARY SERVICES

- C-4 Budget Modification LIB-03 Increasing FTE for Three Positions in Central Library and Neighborhood Libraries Divisions and Correcting the Classification of a Budgeted Vacant Position in the Neighborhood Libraries Division

DEPARTMENT OF COUNTY MANAGEMENT

- C-5 Budget Modification DCM-05 Reclassifying One Position in Information Technology and One Position in Risk Management as Determined by the Class/Comp Unit of Central Human Resources

REGULAR AGENDA **DISTRICT ATTORNEY'S OFFICE – 9:00 AM**

- R-1 Budget Modification DA-03 Appropriating \$450,000 in Grant Funding from the US Department of Justice Community Oriented Policing Program Meth Initiative

COMMISSION ON CHILDREN, FAMILIES AND COMMUNITY – 9:03 AM

- R-2 NOTICE OF INTENT to Apply for Funds for Runaway and Homeless Youth Services from the Oregon Commission on Children and Families

DEPARTMENT OF HEALTH – 9:06 AM

- R-3 Budget Modification HD-21 Appropriating \$60,000 from Kaiser Permanente for the Health Department's Dental Clinics

DEPARTMENT OF COUNTY MANAGEMENT – 9:09 AM

- R-4 Reallocation of Facilities Capital Project Funds FPM08-02, Multnomah County Justice Center Domestic H2O Boiler #1 Project
- R-5 Reallocation of Facilities Asset Preservation Project Funds FPM08-03, Multnomah County East Southside Window Repair

DEPARTMENT OF COMMUNITY JUSTICE – 9:15 AM

- R-6 Budget Modification DCJ-10 Appropriating \$70,350 from the Worksystems, Inc. U.S. Department of Labor Youth Offender Grant to Increase Job Readiness Skills in Youth Offenders

DEPARTMENT OF COMMUNITY SERVICES – 9:18 AM

- R-7 Second Reading and Possible Adoption of a Proposed ORDINANCE Amending MCC Chapter 37, Administration and Procedures, and Chapter 38, Columbia River Gorge National Scenic Area to Incorporate and Amend the Street Naming and Property Numbering Provisions of MCC Chapter 11.05, Enabling Application of the City of Gresham Street Naming and Property Numbering Scheme to Certain Areas of Unincorporated Multnomah County, and Repealing MCC §§11.05.500 through 11.05.575

COUNTY ATTORNEY'S OFFICE – 9:20 AM

- R-8 RESOLUTION Authorizing a First Amendment to the Ground Lease Agreement and a Second Amendment to the Sublease Agreement, Each Dated November 1, 2000 Executed by Multnomah County, Oregon, a Political Subdivision of the State of Oregon, as Lessor, and The Port City Development Center, an Oregon Not for Profit Corporation, as Lessee, in Connection with the Issuance of the County's \$2,000,000 Motor Vehicle Rental Tax Revenue Bonds, Series 2000A (501(c)(3))

PUBLIC COMMENT - 9:30 AM

Opportunity for Public Comment on non-agenda matters. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk.

NON-DEPARTMENTAL - 9:30 AM

R-9 **9:30 AM TIME CERTAIN:** Accepting the report by the Revenue Bureau to adopt a proposed administrative rule in order to remove the disincentive to diversified investing funds locating in Portland and/or Multnomah County. Presented by Warren Fish, Terri Williams, Mark Campbell. 15 MINUTES REQUESTED.

R-10 RESOLUTION Authorizing a "County Digs" Project to Enhance Opportunities for Urban Agricultural in Multnomah County. Presented by Kat West, Gary Thomas, Roger Meyer, Jennifer Erickson. 20 MINUTES REQUESTED.

DEPARTMENT OF COUNTY HUMAN SERVICES – 10:00 AM

R-11 Budget Modification DCHS-15 Increasing the Department of County Human Services Fiscal Year 2008 Budget by \$214,174 in Federal Housing and Urban Development Grant Funding

R-12 **10:00 AM TIME CERTAIN:** County Housing Policy Briefing. Presented by Joanne Fuller, Mary Li, Rose Bak, Robin Boyce, Margaret VanVliet, Michael Parkhurst, Andy Wilch and Will White. 90 MINUTES REQUESTED.



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MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 11/27/07
Agenda Item #: B-1
Est. Start Time: 10:30 AM
Date Submitted: 11/20/07

Agenda Title: **Work Done in Response to the DA Review and 2006 Grand Jury, and Process to Review the Post Factor Study**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: November 27, 2007 **Amount of Time:** 20 minutes
Department: Non-Departmental **Division:** Sheriff and Chair
Contact(s): Christine Kirk and Bill Farver
503.988.4301 and
Phone: 503.988.5506 **Ext.** 84301/85506 **I/O Address:** 503/350 and 503/600
Presenter(s): Chief of Staff Christine Kirk and Chief Operating Officer Bill Farver

General Information

1. What action are you requesting from the Board?

This is a briefing.

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 2006 the District Attorney's Office, by request of the Board of County Commissioners, did a review of the correctional facilities in Multnomah County. In response to that review, MCSO and other County entities engaged in correctional facilities, reviewed the recommendations and identified many action items. The purpose of this briefing is to update the Board of County Commissioners on the work that has been done to date in response to the DA Review. As many of the items correlate with recommendations or findings in the Post Factor Study, this briefing is being done in conjunction with the Post Factor Study.

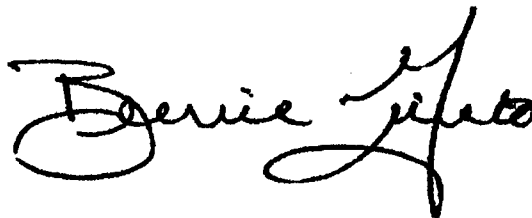
The Post Factor Study has been completed and is being presented to the Board of County Commissioners. This study conveys many observations and also recommendations to increase staff, change policies, and adjust posts for improved operations based on net annual work hours (having

the right amount of staff to perform the work), risk, safety, and best practices. The Chair and the Sheriff have asked that a multiyear business plan be created which provides a review of the Study, our priorities, and a plan to meet policy and operational goals. Initial meetings have begun between MCSO, the Chair's Office, County Risk Management, the County Attorney, County HR and the County Budget Office to develop the business plan.

3. Explain the fiscal impact (current year and ongoing).
4. Explain any legal and/or policy issues involved.
5. Explain any citizen and/or other government participation that has or will take place.

Required Signature

**Elected Official or
Department/
Agency Director:**

A handwritten signature in black ink, appearing to read "Bernie Lefato", written over a horizontal line.

Date: 11/20/07

County and MCSO ACTION ITEMS from 2006 District Attorney's Report

#	Recommendation	Status
1	<p>Wapato - Alternative Action Item – SB 1145 - Advocate with the legislature for the changes to the SB 1145 formula. The Governor's proposed budget for SB 1145 increases the allocation to the County. Identified Priority</p> <p><i>The SB 1145 rate increased for the FY 2007-09 biennium. The formula changed and the increase was implemented in the second year. The County provided one-time-only bridge funding to avoid service reductions until the higher state rate takes effect in FY 2009. In FY 2005-07 the Sheriff's Office received \$14,664,137. In the FY 2007-09 biennium the Sheriff's Office is expected to receive \$17,322,570 a 18.12% increase in the State funding.</i></p>	Completed
1	<p>Wapato - Related Action Item – Wapato Jail - Identified Priority Consider proposals to make productive use of Wapato Jail in a manner that enhance public safety in a cost effective manner in Multnomah County.</p> <p><i>DCJ Director and MCSO are reviewing a proposal to retain inmates in local control who have less than a year to serve in the state prisons. Inmates would receive treatment readiness/treatment and reentry services in Multnomah County. Also, proposals are being developed for use of Wapato correctional and treatment beds as part of the public safety planning process. Proposals will possibly be included in a public safety levy.</i></p>	Ongoing
2	<p>United States Marshals Service Contract Alternative Action Item– Move Forward and Renegotiation USM Contract Identified Priority</p> <p><i>Proposal to increase rate has been submitted. Negotiations are underway between Count/MCSO and US Marshall's office.</i></p>	Ongoing
3	<p>Re-negotiate Juvenile detention contracts with Clackamas and Washington counties.</p> <p><i>Contracts have been renegotiated. Increases phased in over four years.</i></p>	Completed
4	<p>Engaged and informed county leadership – Identified Priority</p> <p><i>The BCC made a tour/inspection of Multnomah County Jails this spring. MCSO and the Chair's Office are in regular communication and doing cooperative work on budget development, public safety planning, and Post Factor Study recommendations.</i></p>	Completed and Ongoing
5	<p>Establishing an oversight committee to report to the Board of County Commissioners Identified Priority</p> <p><i>The Jail Advisory Committee was created and first met in January 2007.</i></p>	Completed and Ongoing
6	<p>Accounting and budgeting practices – Implementation of clear cost accounting procedures that will establish a consistent model for understanding current and future jail costs.</p> <p><i>A work group comprised of County Budget/MCSO/DA/Health met and subsequently the</i></p>	Ongoing

County and MCSO ACTION ITEMS from 2006 District Attorney's Report

	<i>budget office and MCSO continued to work on it. Due to the agreement that a cost needs to be articulated for the initial reporting the cost model used in the DA report was used even with the disagreement on the methodology. This model was used across county departments who are engaged in the Public Safety Planning process. Further fine tuning of the costing model will continue.</i>	
7	Labor negotiation – Identified Priority <i>Labor relations/MCSO/County Attorney/Chair's Office met to discussion the goals, communication, and ways to improve. Chair/Board and Sheriff had unified approach to bargaining. The limited reopener is heading towards mandatory arbitration.</i>	Completed and Ongoing
8	Sick leave – Identified Priority <i>This was an aspect of contract negotiation. Both the County and MCCDA offer language providing changes that define patterns of use.</i> <i>MCSO is starting a Time Management Unit (TMU). TMU has begun to collect data to determine the types of patterns of use and will raise patterns which are concerning. Information will be given to managers for follow up. The Post Factor Study advised that MCSO needed to do more to address leave. The TMU will take on the recommendations provided in the Post Factor Study.</i>	Completed and ongoing
9	Overtime and compensatory time – Identified Priority <i>Addressing compensatory time, a large driver of overtime, has been the number one County/Management priority in the limited reopener with MCCDA. Competing proposals are going to arbitration.</i> <i>Telestaff, the scheduling software, is in final stages of implementation. Better data at scheduling and the assessments initiated by the TMU will aid in tracking, monitoring, revising policies, and improving outcomes.</i> <i>The Post Factor Study reported declines in the hours of overtime used over the past few years. It also raised the issues around compensatory time as being a significant uncontrollable factor in overtime as it currently exists in the contract and is scheduled.</i>	Ongoing
10	Jail staffing patterns – Post Factor Study Identified Priority <i>Post Factor Study will be delivered to the County on November 27th. The report recommends:</i>	Completed and Ongoing

County and MCSO ACTION ITEMS from 2006 District Attorney's Report

	<ul style="list-style-type: none"> ▪ <i>new shift relief factors for the jails and work units assessed to address net annual work hours, safety, risk and best practices</i> ▪ <i>using a post factor where one has not been used</i> ▪ <i>changes in posts to address net annual work hours, safety, risk and best practices</i> ▪ <i>staffing for Wapato</i> ▪ <i>areas where County/MCSO procedures could change to limit overtime and payroll problems</i> ▪ <i>means to achieve direct supervision with additional staff, training and reductions in capacity.</i> <p><i>MCSO will provide operational and staffing priorities and raise policy issues to initiate the development of a business plan. MCSO, the Chair's Office, County Attorney, County HR, Budget Office and Risk Management will work to assess staffing needs, risk, safety and contribute to the development of a business plan to increase staff, decrease overtime, and impact management of leave.</i></p>	
11	<p>Private contracting of jail medical services</p> <p><i>A thorough review was completed in reaction to this recommendation. The Health Department recommended against privatization.</i></p>	Assessment Completed
11	<p>Alternative Action Item; Review current corrections health costs</p> <p><i>The Board held a follow up discussion concerning the service impacts of an additional \$1 million in reduction.</i></p>	Completed
13	<p>Matrix releases after arraignment</p> <p><i>The Criminal Justice Advisory Group chose to not pursue this recommendation. The discussed the preference of pursuing options removing persons from custody earlier whose case would not be furthered for prosecution such as a no complaint process.</i></p>	Alternative Discussed
14.A	<p>Alternative Action Item Inmate supervision - Double bunking – Replace doors at MDCDC with a larger sized window than is currently used. Identified Priority</p> <p><i>A MDCDC Door Committee was created. They reviewed door types. A model door based on the chosen design was created for assessment. It is currently in the roll call room as an example for training purposes. The cost is higher than the previous doors, stretching the replacement door budget. Also since that time more doors need to be replaced. Doors will be replaced with new type as budget allows.</i></p>	Completed and Ongoing

County and MCSO ACTION ITEMS from 2006 District Attorney's Report

14.B	<p>Inmate supervision - Deputy presence - Deputies must be present constantly in housing modules in the downtown jail. The current practice of leaving modules unattended without signing in and out of logbooks, against work rules, must be ended, with strict disciplinary actions if necessary.</p> <p><i>24/7 deputy presence has not existed at MDCDC except when people were sleeping on the floor. 24/7 presence would require significant increases in staff. The Post Factor Study looked at compliance with direct supervision and noted that in double bunked areas, additional staff are needed to prevent housing modules from being left unattended. At Inverness given the lack of safety incidents, they recommended reducing capacity to national standards and studying the issue, prior to implementing staffing changes.</i></p> <p><i>Discussions will have to occur if the County wishes to embark on this best practice when balancing risk and need for increased staff to meet the goal. Based on those discussions budget proposals will need to be developed and purchased in order to implement.</i></p> <p><i>MCSO agrees that following of work rules is a requirement of work. The Post Factor Study identified shortages in supervisory staff as well as additional posts needed to perform the work. Both additions if funded will improve work rule compliance.</i></p>	Ongoing
14.C	<p>Inmate supervision - Direct supervision - the practice of "direct supervision" of inmates, for which the downtown jail was designed, has been abandoned.</p> <p><i>A true direct supervision model has not existed at MDCDC since double bunking. The Post Factor Study performed an assessment providing input on how to again achieve direct supervision – increase training, increase staff, and do not house more inmates in an area than best practices dictate. Discussions will have to occur if the County wishes to embark on this best practice when balancing risk, need for increased staff, and capacity change recommendations. Based on those discussions budget proposals will need to be developed and purchased in order to implement.</i></p> <p><i>A module at MDCDC was returned to single bunks. This has returned this module to a direct supervision module – increased walk time, eating outside of cells in the day use space, and increased interaction between the inmates and the Corrections staff. (Additional training for corrections deputies was not increased as required by for direct supervision). However in order to undouble bunk this module, capacity was increased at MCIJ beyond design</i></p>	Ongoing

County and MCSO ACTION ITEMS from 2006 District Attorney's Report

	<i>capacity.</i>	
14.D	<p>Inmate supervision - Isolation cells - single-inmate isolation cells should be used to separate dangerous inmates from general population.</p> <p><i>MCSO has the recommended level of isolation cells in the system and a classification system to classify potentially violent inmates. However, as some of the isolation cells are double bunked, the safety and management of those cells and in the importance of appropriately housing potentially violent inmates is of significant concern.</i></p> <p><i>Successful housing is based on successful classification. MCSO has asked the National Institute of Corrections to provide technical assistance to review the classification system and assist in moving towards an objective based system. NIC has agreed to provide this assistance in 2008.</i></p> <p><i>MCSO has undouble bunked one module at MCDC. This module has returned to direct supervision with inmates out of their cells for meals and significant amount of times throughout the day.</i></p> <p><i>MCSO hopes to continue undouble bunking.</i></p> <p><i>See below.</i></p>	Ongoing
14.D	<p>Alternative Action Item - Inmate supervision - Isolation cells – Move inmate workers from Dorm 15 at MCIJ to another dorm at MCIJ, freeing up a different classification of offenders to be at MCIJ and increasing use of cells at MCIJ. Identified Priority</p> <p><i>Upon the completion of shower repair work at MCIJ, the changes in Dorm 15 will be made.</i></p> <p><i>The inmate workers were moved from Dorm 15 to and moved next to the dorm which houses other inmate workers. Dorm 15 is now used for general housing, to transition inmates to MCIJ from MCDC as well as to place inmates who because of their escalating behavior appear that they may be returning to MCDC. No additional staff was allocated to Dorm 15, therefore disciplines still return to MCDC.</i></p>	Completed

County and MCSO ACTION ITEMS from 2006 District Attorney's Report

14.F	<p>Inmate supervision - Video cameras - throughout the jail system.</p> <p><i>The MCSO Digital Booking Recording System was purchased by the BCC. This adds cameras, improves quality of recordings, has more storage and access capabilities, and requires less maintenance than the existing system. This project should be completed by the end of FY 0/08.</i></p> <p><i>Three other program offers were put forward for one time only funding to put cameras/sounds recording at MCDCC, MCIJ, and Wapato. None were purchased.</i></p>	Ongoing
14.G	<p>Inmate supervision - Prosecution of crimes by inmates -Identified Priority</p> <p><i>A MCSO Investigator has been assigned to the jails. The DA's Office has assigned a prosecutor to handle jail cases.</i></p>	Completed and Ongoing
14.H	<p>Inmate supervision - Violent inmates - For the safety of staff and inmates, we recommend a system that clearly identifies violent inmates who have a prior history of violence before they are admitted into our jails.</p> <p><i>A system was implemented state-wide just after the in-jail homicide to get information from other jurisdictions upon transfer of inmates from other jurisdictions. It is being monitored and compliance by all of Oregon and Washington is very high.</i></p> <p><i>Successful housing is based on successful classification. MCSO has asked the National Institute of Corrections to provide technical assistance to review the classification system and assist in moving towards and objective based system. NIC has agreed to provide this assistance in 2008.</i></p> <p><i>The Post Factor Study identified additional staff are needed to provide continuous supervision of inmates.</i></p>	Ongoing
14.I	<p>Inmate supervision - Identifying inmates - We recommend that no inmate should be released from jail, except on bail, before that inmate is identified. Identified Priority</p> <p><i>An identified work group has not yet met to confirm and adjust existing policies. There is a practice in place to hold persons longer than 4 hours. MCSO and PPB communicate with one another on the need to hold a person, on a case by case basis, so that adequate searches to learn an inmates identity can be performed within a reasonable time period. However, this practice has not been rewritten into policy.</i></p>	Ongoing

County and MCSO ACTION ITEMS from 2006 District Attorney's Report

	<i>Efforts to engage California and Washington in WIN have not come to fruition. Both systems still have chosen to not participate in the WIN system.</i>	
14.J	<p>Inmate supervision - Cell searches - We recommend that inmate cells be searched on a regular basis to prevent the introduction of contraband.</p> <p><i>Policies and procedures already exist. Cell searches are regularly done. However, limited staff prevents the implementation to its desired degree. If staff identified in the Post Factor Study for net annual work hours are added, this will assist in increasing ability to adhere to existing goals.</i></p> <p><i>Limited staff and double bunking limits ability to meet the current goals. The staffing in the Post Factor Study, if implemented, will greatly aid in complying with current policy and best practices in this area.</i></p>	Ongoing

County and MCSO ACTION ITEMS from 2006 District Attorney's Report

Items Not Acted Upon Due to Lack of Agreement, Decision of No Action, or Policy/Practice Already Existed

#	Recommendation	Reason/Update
1	Wapato Jail - Lease it to the state to house SB 1145 prisoners.	No Agreement Alternative Action Pursued
2	United States Marshals Service contract – The county should end the Marshals Service contract. <i>There is no agreement between MCSO/County Attorney and the DA on the legality of the contract. There is also disagreement on how many beds are actually funded or benefit from the USM contract vs. how much the county subsidizes the contract.</i>	No Agreement Alternative Action Pursued
12	Replacement of uniformed officers by civilian staff where possible. <i>Careful consideration should be given when considering the appropriate level of employee classification for a specific duty. MCSO already has more jobs civilianized than many jails. MCSO balances decisions with the policy of returning/keeping sworn staff on limited duty at work and having available back up staff to assist with inmates. MCSO believes that civilianizing control centers and classification is not effective from a cost or safety standpoint when balanced with the above factors.</i>	Practice Already Existed
14.A	Inmate supervision - Double bunking – replace the current cell doors be replaced with full-visibility glass-panel cell doors. <i>MCSO does not agree that full glass doors are an option at MCDK making the status red. However, MCSO will review options to increase the size of the windows making the status yellow (see alternative action item below).</i>	Alternative Action Item Pursued
14.E	Inmate supervision - Investigation of incidents in jails - The Sheriff's Office has failed to immediately investigate several recent serious incidents involving the breakdown of inmate supervision by jail staff. <i>There is disagreement as to the investigative response between the DA's Office and MCSO/County Attorney. However all parties fully believe that serious incidents should be investigated.</i>	No Agreement Policy/Practice Already Existed
15	Earthquake readiness - We recommend that the Sheriff prepare a detailed plan to operate jail facilities should a major earthquake occur in the metropolitan area. <i>Emergency evacuation plans already exist. However, system-wide criminal justice plans are lacking making the status yellow as there is work to be done, instead of green which would indicate completed.</i>	Plan Already Existed within MCSO. System-wide plans still lacking.



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 11/27/07
Agenda Item #: B-2
Est. Start Time: 10:50 AM
Date Submitted: 11/16/07

Agenda Title: **Presentation of the Multnomah County, Oregon Sheriff's Office Jails Post Factor Study**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: November 27, 2007 Amount of Time Needed: 1.4 hours
Department: Sheriff Division: _____
Contact(s): Christine Kirk
Phone: 503.988.4301 Ext. 84301 I/O Address: 503/350
Presenter(s): Pulitzer/Bogard & Associates, LLC and Liebert & Associates

General Information

1. What action are you requesting from the Board?

Multnomah County contracted with Pulitzer/Bogard & Associates, LLC and Liebert & Associates to perform a post factor study of the jails. The report has been completed and the consultants will present the report, its findings and answer any questions that the Board may have.

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.

The intent of the study was to perform a post factor study to determine if there is the proper level of staffing to perform at the current level of operation in a direct supervision system. It included all positions where MCCDA members are assigned. It included a post factor for all post assignments staffed by MCCDA and some Local 88 functions at the not yet opened Wapato Correctional Facility.

This post factor study identified all Corrections Deputy posts and the number of hours per day they need to be staffed in order for each facility to function. Other non-facility based positions, the number of hours per day that they are needed to cover those posts, programs and activities that occur outside of the jail and the impact of such assignments on the post factor (i.e. transport, court services, and special assignments) were included in the analysis of this study.

As part of this study, the methodology to continually update this work, through the calculation of net annual work hours, was provided to MCSO, so that changes in policy, contracts, vacation eligibility, staffing and other factors could be integrated into the post factor.

This post factor study provided recommendations and reviewed the impact of union contracts on the overall absenteeism and cost. It also reviewed how offenders are housed and provided recommendations concerning assignment of posts and the staffing plan to meet direct supervision goals.

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

In order to meet best practices and industry standards the study recommends increasing staff therefore minimizing the use of overtime, addressing contractual issues relating to sick leave and compensatory time, increasing training and decreasing jail capacity. Each item has an impact on overall cost of jail beds. The Sheriff's Office and the Chair's Office are working to develop a multi year business plan to prioritize action steps relating to the Post Factor Study. As policies and staffing plans are adjusted, the net annual work hours calculation will be recalculated to assess overall impact on cost/savings and ability to meet targeted goals.

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

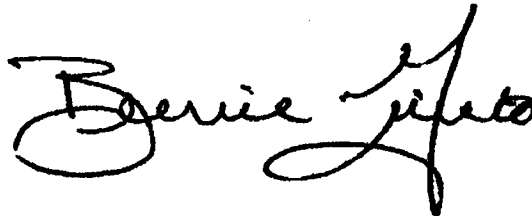
The study encompasses issues and recommendations relating to labor contracts, management practices and roles, direct supervision principles, and risk and safety relating to both inmates and staff.

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

The Post Factor Study was supported by project sponsors – the Sheriff, the Chair and the District Attorney. It was also supported by a steering committee made up of legal, budget, human resources, labor, corrections, and board representatives.

Required Signature

**Elected Official or
Department/
Agency Director:**

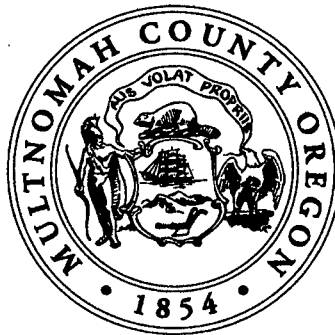


Date: 11/19/07



MULTNOMAH COUNTY, OREGON SHERIFF'S OFFICE JAILS POST FACTOR STUDY

FINAL REPORT



Prepared by:

PULITZER/BOGARD & ASSOCIATES, LLC
8 Saratoga Street
Lido Beach, New York 11561
516-432-9007

in association with:

LIEBERT & ASSOCIATES
4184 19th Street
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November 2, 2007

EXECUTIVE SUMMARY – KEY FINDINGS AND RECOMMENDATIONS

PAGES 1-26 ATTACHED.

ENTIRE 207 PAGE REPORTED IS
POSTED ONLINE AND AVAILABLE IN
YOUR WEEKLY AGENDA PACKET
FOLDER ON THE C DRIVE.

EXECUTIVE SUMMARY - KEY FINDINGS AND RECOMMENDATIONS

Introduction

In May of 2007, the corrections consulting team of Pulitzer/Bogard & Associates, LLC (P/BA) and Liebert & Associates (L&A) was retained by Multnomah County to perform a Post Factor Study for the corrections components of the Multnomah County Sheriff's Office (MCSO).

Pursuant to a Request for Proposals issued in February 2007, and the agreement for services entered into by P/BA and the County in May 2007, the PBA/L&A team was requested to:

- Calculate the Net Annual Work Hours (NAWH) available for corrections deputies and sergeants assigned to six MCSO facilities and operating units.
- Recommend the number of posts in each facility/unit and the number of staff required to staff those posts given the applied NAWH and resultant Shift Relief Factor.
- Review the application of direct supervision operating principles and practices at the current jails.
- Review the use of overtime.
- Explore different schedules and shift configurations and their impact on operations and staffing requirements.

The six operating facilities and units identified to be assessed include:

- Multnomah County Detention Center (MCDC)
- Multnomah County Inverness Jail (MCIJ)
- Wapato Jail
- Transport Unit
- Court Services Unit
- Classification Unit

Throughout this report there are literally hundreds of findings and recommendations relative to the staffing plans and post factor issues for the Multnomah County Sheriff's Office jails and key corrections operating units. It is simply impossible to recreate all of the findings, recommendations and rationale in a brief Executive Summary—as such, we have selectively presented the information in this chapter that we believe is most salient for decision-makers to be aware of. We encourage decision-makers to read the full report, which not only offers additional findings and recommendations, but also provides important context. The Table of Contents can be used by the reader to locate the respective sections of the report that are summarized herein.

Chapter II – Net Annual Work Hours

Historically, MCSO has utilized a shift relief factor (SRF) to determine the number of personnel needed to staff posts that require relief in the absence of the assigned staff member. SRF (which is calculated by dividing the number of days a post needs to be covered by the calculated number of days that staff in that classification is available to work in a given year) represents the number of full time equivalent staff required to fill a post that is staffed continuously. A SRF is typically presented as a number such as 1.6, i.e., 1.6 full time equivalent staff are required to fill that post for eight hours, 365 days a year (or 4.8 full time equivalent staff for a three shift post).

Net Annual Work Hours (NAWH), an alternate process for calculating and expressing staffs' availability to work and for determining how many employees are required to staff posts continuously (as does SRF). NAWH is a more sensitive calculation method because it is based on hours rather than days, and it also lends itself to different shift configurations better than does a SRF calculation. As a very simple example:

Employee works 40 hours per week = 2,086 Hours
(40 hours X 52.14 weeks)

Total hours an employee is unavailable to
work assigned post = 430 Hours

Total hours an employee is available to
work within a given year = 1,656 Hours
(2,086 hours – 430 hours)

Multiple NAWH calculations were performed so as to be able to reflect differences between facilities, units and even positions. This additional effort, in lieu of lumping all facilities and all positions together, is far more sensitive and provides more comprehensive and detailed information allowing for cross comparisons.

Key Findings

1. Since the NAWH was last calculated in 1997, there has been a decline in staff availability to work their primary post assignments, ranging from 25-114 hours per person (depending on facility/unit) annually for Corrections Deputies, and 58 hours per person annually for those Corrections Sergeants assigned to Classification, Court Services and Transport.
2. The availability of Corrections Sergeants to work has declined dramatically by 551 and 562 hours per person annually at MCDJ and MCIJ respectively, and the historical SRF has increased from 1.68 to 2.48, an increase of 47% since 1997.
3. Due to the lack of factored relief for Corrections Lieutenants, the leave time category having the most effect on NAWH is the acting officer in charge (A/OIC) category for

Corrections Sergeants assigned to MCDC and MCIJ. During the study period, Corrections Sergeants were placed in an A/OIC capacity an average of 330 and 383 hours at MCDC and MCIJ, respectively. This represents 27%-30% of the total hours a year they are actually working.

4. Benchmark data suggest that MCSO staff is unavailable for work significantly more often than officers in other jail systems. These data must be viewed carefully, however, due to differences in policies, practices, collective bargaining agreements and environments.
5. A variety of factors contribute to the high degree of leave usage found within MCSO. County policies are one source, with very liberal interpretations of Federal and State Family medical leave laws, e.g., eligibility based on hours paid versus hours worked the previous year and allowances for intermittent FMLA. The second source is Multnomah County's current Collective Bargaining Agreement with the Multnomah County Corrections Deputy Association, which includes no limits to compensatory leave that can be earned, allowing employees to bid for vacation time before they have accrued the time off, allows for overtime pay based on anticipated hours earned rather than hours actually worked, and allows employees 11 personal holidays off from work each year (rather than paying at premium rates for holiday hours worked). Finally, MCSO agency policies/practices contributing to high leave usage include allowing employees to sign up for comp time off before it is actually earned, and delaying efforts to counsel employees using substantial sick leave until they only have 24 hours of sick leave left on the books.
6. The use of comp time continues to trend upwards. While staff may only maintain a balance of 80 hours of comp time on the books at any given time, they may earn many more hours in excess of that number. Without any limitations on the total number of hours earned in a set period (e.g., one year), controlling this leave time category will be difficult and challenging at best. The risk associated with uncontrolled comp time is that in order to cover the increasing number of comp time absences, overtime tends to spiral upwards as it is the most likely means to cover this type of absence.
7. Corrections Deputies and Sergeants assigned to MCIJ and MCDC are using substantially more FMLA-related sick leave than staff assigned to other units.
8. The historical (three-year) NAWH calculation shows that officers are only receiving approximately 16-24 hours of training each year, as opposed to the minimum of 40 hours required by Oregon Jail Standards¹ and recommended by national American Correctional Association (ACA) standards.²

¹ Standards for the Operation of Oregon Jails - B 04.03.01

² American Correctional Association (ACA), Performance-Based Standards for Adult Local Detention Facilities, 4th Ed. 4-ALDF-7B-10: Certified Corrections Officers: 40 Hours.

Key Recommendations

1. The proposed staffing plans provide relief for Corrections Lieutenants by increasing the number of Lieutenants, thereby substantially reducing the need for Sergeants to fill in as A/OIC and Corrections Deputies as acting Sergeant (A/SGT). This also increases the NAWH for Sergeants and Deputies and maintains shift leadership in the hands of corrections managers at the appropriate level for large, complex facilities.
2. We cannot propose a NAWH predicated on *very significant* reductions in leave categories. To do so would be both misleading and futile, absent concrete resolve on the part of the County and MCSO to aggressively address leave usage via collective bargaining or policy changes. We have, however, proposed some changes based on *increased* levels of staff training and very significant *decreases* in acting officer-in-charge status by providing appropriate relief to Lieutenants.
3. Table E.1 sets forth the calculated three-year average for Deputies, Sergeants and Lieutenants at each facility and unit, and shows the proposed NAWH figures.

Table E.1: Proposed NAWH/SRF

	Historical Average NAWH		2007 PBA / L&A Proposed NAWH		Difference Hours (+/-)
	NAWH	SRF	NAWH	SRF	NAWH
Corrections Deputies					
Classification	1,678	1.74	1,659	1.76	-19 / .01%
Court Services	1,598	1.83	1,580	1.85	-18 / .01%
Transportation	1,628	1.79	1,622	1.80	-6 / .01%
MCDC	1,607	1.82	1,588	1.84	-19 / .01%
MCIJ	1,590	1.84	1,571	1.86	-19 / .01%
Corrections Sergeants					
Classification, Court Services & Transport	1,676	1.74	1,657	1.76	-19 / .01%
MCDC	1,184	2.47	1,470	1.99	+286 / 24%
MCIJ	1,171	2.49	1,512	1.93	+341 / 29%
Corrections Lieutenants					
MCDC & MCIJ	1,460	2.00	1,476	1.98	+16 / 1%

4. MCSO should establish a NAWH committee charged with overseeing the collection, recording and tracking/monitoring of leave time (and other reasons for employees being unavailable to work their primary post assignments) categories.
5. NAWHs calculations for Corrections Lieutenants, Corrections Sergeants, and Corrections Deputies should be updated annually.

6. We recommend that the County's policies that presently provide very liberal interpretations of Federal and State Family Medical Leave laws, e.g., eligibility based on hours paid versus hours worked the previous year and allowances for intermittent FMLA, be reconsidered due to the impact they are presently having on such leave usage within MCSO.
7. We recommend that future negotiations with the Multnomah County Corrections Deputy Association address such leave drivers as allowing employees to bid for vacation time before they have accrued the time off, the lack of limits on compensatory leave that can be earned, the calculation of overtime pay based on anticipated hours earned rather than hours actually worked, and the holiday leave provision that allows employees 11 personal holidays off from work each year (rather than paying at premium rates for holiday hours worked).
8. It is recommended that the MCSO reconsider current policies/practices that contribute to high leave usage such as allowing employees to sign for comp time off before it is actually earned, and deferring efforts to counsel employees using substantial sick leave until they only have 24 hours sick leave left on the books.
9. MCSO should develop a formal system whereby facility administrators (with the support of the new NAWH Committee) routinely examine the usage of sick leave to identify persons taking excessive sick leave or calling in pursuant to specific patterns that are indicative of sick leave abuse, e.g., sick leave taken before and/or after scheduled days off or vacation. This system must include steps to be taken should suspected or verified sick leave abuse be identified.
10. Since there is no historical basis on which to plan the NAWH for Wapato, the proposed NAWHs for Corrections Sergeants and Corrections Deputies are based on the average of the proposed NAWH for those positions at MCDC and MCIJ. The NAWH proposed for Corrections Lieutenants assigned to MCDC and MCIJ was then used for Wapato Lieutenants. We have, however, developed alternative NAWH proposals for Corrections Sergeants, based on differing assumptions associated with each of the staffing plans proposed for the three different population levels at Wapato.

Chapter III – Overtime

Chapter III includes a discussion of observations about how overtime is tracked and used, and then recommendations aimed to help control and/or reduce overtime utilization.

Key Findings

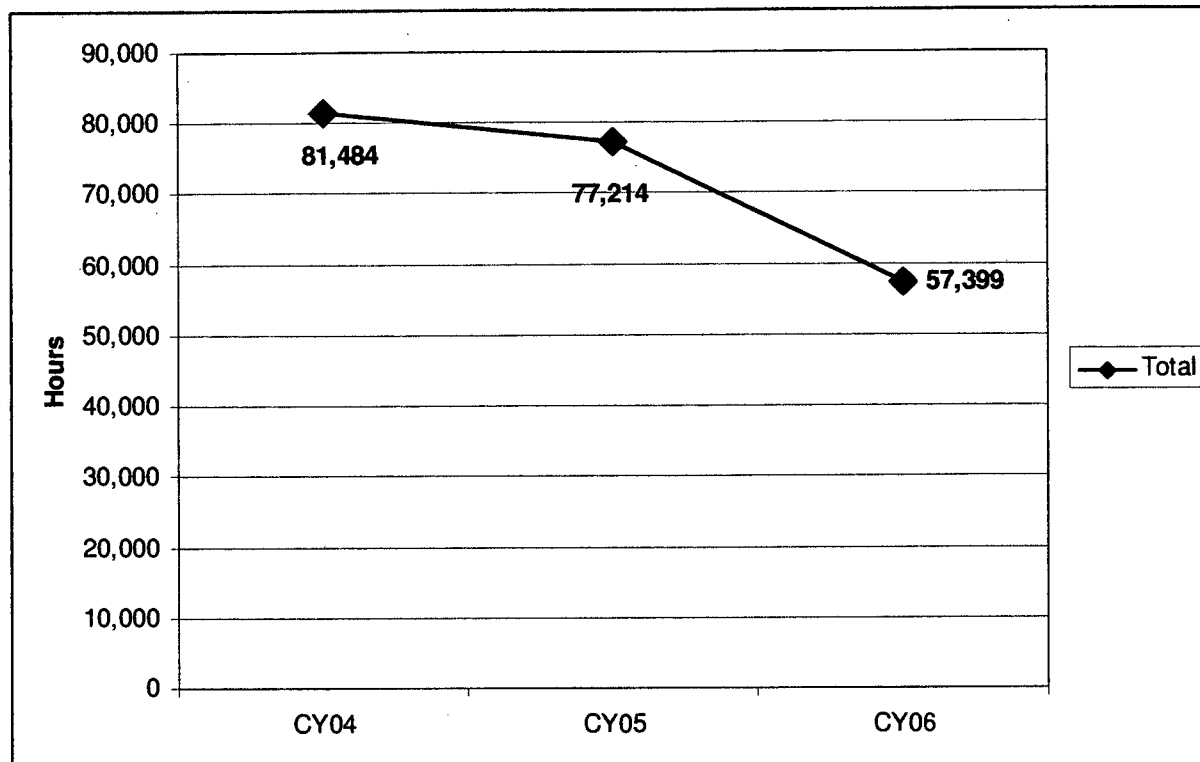
1. Until July 2006, time spent on paid leave (e.g., vacation, comp time, sick leave) was considered "authorized work hours" for the purpose of calculating overtime. This work rule clearly contributed to leave abuse and overtime escalation. Since July

2006, "authorized work hours" no longer includes paid sick leave for the purpose of calculating overtime, which begins to align MCSO with most public safety agencies that generally only consider hours actually worked for the purpose of calculating overtime payments.

2. Within the Collective Bargaining Agreement is language to the effect that the Office of Sheriff has implemented a 7.k. exception³ under the Fair Labor Standards Act. Despite the inclusion of this language, this provision has not been implemented and overtime payment continues to be based on the 40-hour work week; this contributes directly to overtime expenditures being far higher than might otherwise be the case.
3. There are no established procedures requiring supervisors to document the original reason generating the need for overtime: the actual reason and at which unit or facility. This severely hampers the ability to perform reliable analysis of overtime expenditures and leads to overtime being attributed incorrectly.
4. There has been a significant reduction in overtime hours utilized by Corrections Deputies and Corrections Sergeants from 2004-06. The reduction was 29% for Deputies, while there has been a 50% reduction for Corrections Sergeants.
5. As illustrated in Figure E.1, the number of overtime hours has declined during the study period from a high of 81,484 hours in 2004 to 57,399 hours in 2006. This represents a 30% reduction in the use of overtime during the study period, an impressive trend.

³ The terms of the exception are that work periods equal 28 days and employees must work 165.5 hours within the 28 day period before they become eligible for overtime.

Figure E.1: Total Overtime Hours



6. One contributor to overtime expenditures that MCSO has effectively tracked is the amount paid for personal holidays in lieu of time off. The Collective Bargaining Agreement provides for Corrections Deputies and Corrections Sergeants to be paid for unused personal holidays at time and one half for each unused holiday that an employee requested and was not granted. This accounted for 2,926 hours of personal holidays paid at the time and a half overtime rate, costing \$136,852 in FY07, which represents a 9.5% increase over 2006 in overtime monies spent for this purpose. Since data have been maintained (FY01), there has been a 259% increase in the number of personal holiday hours paid at overtime rate.
7. There have been periods of time when the actual numbers of Corrections Deputies exceeded the County Board's authorized strength. This was because facilities were closed and capacities changed, without any opportunity to reduce staff via attrition and also without any layoffs. These overages, as high as the equivalent of 18 FTE's at MCIJ in 2004 and eight FTE's at MCDJ in 2006, have averaged 12.5 FTE's between the two facilities over the past three years. During these periods, MCSO continued funding extra staff positions through regular personnel line items with any savings in other line items used to offset any regular personnel line item overages experienced. This trend seems to have leveled off and toward the end of 2006; the actual number of positions was actually slightly lower than budgeted.

Recommendations

1. MCSO should work with the Union to implement the 7.k. exception under the Fair Labor Standards Act.
2. Absent a commitment to lay off employees, reductions in authorized positions should only be imposed on the MCSO by the County Board on a phased basis that might allow for reductions via a natural attrition in the workforce.
3. The MCSO should take the necessary steps to cease the practice of making payments on anticipated overtime, and should only pay overtime at such point in time the employee has actually earned it.
4. The MCSO should establish policies and procedures requiring documentation of absences in a manner that accurately describes the reason an employee is absent from his/her assigned post - whether they are actually absent or away from their post.
5. MCSO should specifically track overtime, particularly for those categories that are believed to be drivers of overtime, i.e., A/OIC, A/SGT, Comp Time, Personal Holiday, etc. Such documentation should also highlight the original unit/facility generating the need for overtime
6. MCSO should tightly manage time-off categories that are within its control, such as vacation and comp time, thereby minimizing the need for overtime. In addition, the MCSO should cease the practice of scheduling comp time-related absences prior to the time employees actually earn the time.
7. The MCCDA, Multnomah County, and MCSO representatives should negotiate changes to the Collective Bargaining Agreement that will provide structure and control regarding personal holidays, without undue loss to the Union's membership.
8. The County Board/MCSO should budget a shift relief factor for those posts requiring continuous coverage, as identified in the proposed staffing plans in Chapters VI through XI. Implementation of the staffing plans proposed by PBA/L&A provide relief for those positions that have historically relied on overtime to fill post openings (e.g., Court Services).
9. Vacancies should be filled as aggressively as possible and should be examined yearly; adequate overtime monies need to be budgeted to accommodate the fluctuations experienced between actual and budgeted staff positions.

Chapter IV – Staff Schedules

Scheduling, as discussed in Chapter IV, has several different components. This chapter first examines current MCSO scheduling practices for Corrections Deputies and Corrections Sergeants assigned to the Classification, Court Services and Transport units, and MCDC and MCIJ facilities – more specifically, the process by which officers are assigned to facilities, shifts, days off and posts. It also includes a review of the procedures by which supervisors staff overtime vacancies. Second, work schedules for each unit/facility are examined in light of current operations and for optimal efficiencies and effectiveness. Third, alternate work schedules are identified and discussed relative their potential to offer improved staff availability and/or operational efficiency and effectiveness. Discussion and recommendations may be found in the unit/facility-specific chapters regarding numbers of staff needed for positions identified and whether such positions are relieved.

Key Findings

1. An unforeseen result of decentralizing the scheduling function is that Corrections Lieutenants and Corrections Sergeants assigned to MCDC and MCIJ are spending approximately half of their assigned shifts managing payroll, overtime and scheduling.
2. TeleStaff™, an automated scheduling system, is currently being implemented by MCSO with high expectations for reducing the amount of time supervisors spend filling vacant shifts. This software system is designed to automate management of an organization's staffing needs, including managing and recording employee leave (both scheduled and unscheduled), staff schedules, payroll, specialized staff qualifications, assigning overtime work, etc. Unfortunately, the initial experience (limited to first 30 days of activation) has not been as positive as hoped for.
3. All Corrections Deputies and Corrections Sergeants at MCDC and MCIJ presently work five 8-hour shifts each week. Staff schedules are assigned based on a bid process. While five 8-hour days is a typical schedule in a jail facility, the current process for schedule assignments does not lend itself to optimizing staff work performance or monitoring of staff performance.
4. The 24-hour nature of jail operations does not generally lend itself well to 10-hour shifts. Ten-hour shifts results in unnecessary overlaps or gaps in necessary coverage. A 24-hour operation lends itself better to 8-hour or 12-hour shift configurations, depending on facility activity schedules.

Recommendations

1. The post assignment process should be modified to afford MCSO management the ability to assign staff to posts based on the operational needs of the facility.

2. Implementation of 12-hour shifts should be considered for each of the jails. One possible approach would be to implement 12-hour posts at Wapato on a trial basis (perhaps one year), if that facility is to be opened. The trial implementation should be accompanied by an agreement with the Union regarding quantifiable goals for reduced sick leave, along with enhanced management responses to suspected sick leave abuse.
3. The number of "time exchanges" available to staff should revert to the original contract terms that limit time exchanges to a maximum of 52 within a calendar year.
4. MCSO is strongly encouraged to reconsider Corrections Division Special Order 07-03, dated March 5, 2007, which addresses MCSO Corrections Overtime Hiring and Voluntary Overtime (VOT) Sign-Up, in an effort to streamline an onerous process for filling overtime vacancies.
5. It should remain the Corrections Lieutenants' responsibility to manage scheduled and unscheduled absences, and fill vacancies, for employees assigned to their respective unit/facility. When it is determined that the vacancy must be filled through overtime, the Corrections Lieutenant would then notify a designated person that overtime has been authorized, and that the designated person is authorized to solicit qualified officers willing to work the overtime hours.
6. A new 24-hour/7-day, relieved position should be created that is responsible for filling overtime vacancies in accordance with revised policies and procedures for the Classification, Court Services and Transport units and MCDC and MCIJ facilities. A secondary duty would be assuring proper documentation of all absences from assigned post (e.g., training, meeting, sick leave, vacation, special assignment, etc.) and original reason generating need for overtime.
7. Current practices should be modified to limit the number of calls required to be made in filling an overtime vacancy. Once the requisite number of calls has been made, any qualified officer who is willing should be allowed to work the overtime hours.
8. MCSO should continue its efforts to automate the scheduling function (Telestaff™), to include the assignment of overtime.

Chapter V – General Staffing Issues

Chapter V discusses some of the broader issues that affect the staffing of the three jail facilities, i.e., MCDC, MCIJ and potentially Wapato. These issues are:

- Direct Supervision
- Direct Supervision Unit Sizes
- Continuous Coverage in Multiple Occupancy and Dormitory Units
- Prison Rape Elimination Act
- Classification
- Escorting Inmates

Key Findings

1. The direct supervision management of MDCD prevailed until the late 1990's. Incrementally, the inmate population of the pods was increased, first to 40 and then ultimately to 62, meaning that most pods were double bunked. Along with the double bunking came other decisions that have contributed to a significant break down of direct supervision.
2. Dormitory units at MCIJ and many of those at the new Wapato facility are sized as high as 75 beds. ACA Standards state that multiple occupancy housing units should be no larger than 64 inmates. The National Institute of Corrections, in its publication entitled The Self Audit Instrument for Administrators of Direct Supervision Jails, (hereinafter referred to as the NIC "Direct Supervision Self Audit")⁴ speaks to ratios of officers to inmates being based on inmate risk levels, with 72 being the maximum number of inmates in a unit. Although meeting the ACA Standards of 64 or fewer inmates in MCIJ would not have a staffing impact; an additional 47 beds would be required to meet the housing needs. Reducing the three 75-bed dormitories to 64 at Wapato would also not directly impact staffing, but it would represent a loss of 33 beds.
3. Dormitory units at MCIJ and double celled units at MDCD are presently not continuously staffed with an officer in each unit at night. These multiple occupancy living arrangements present opportunities for inmates to engage in myriad prohibited activities, while also posing a significant risk to potential victims of sexual assault and other forms of violence.
4. Dormitories and multiple occupancy celled units are routinely left unsupervised during officer breaks.
5. MCSO inmates are presently not classified based on a validated objective classification system consistent with best practices.
6. All inmates, regardless of custody level, are presently escorted by officers whenever they leave their assigned housing units. This is contrary to practice used by many direct supervision jails, whereby properly classified inmates may be permitted to move with passes, through corridors that are supervised by staff and observed via closed circuit television.

Recommendations

1. The re-establishment of sound direct supervision practice, procedures and training is paramount to future successful operations of Multnomah County's jails. A list of necessary components of this effort is included in Chapter V.

⁴ O'Toole, Nelson, Liebert and Keller, The Self Audit Instrument for Administrators of Direct Supervision Jails, National Institute of Corrections, 2004. Available online: <http://www.nicic.org/pubs/2004/019640.pdf>.

2. MCSO should move ahead with due speed to implement a validated objective classification system.
3. Once an objective classification system is validated and implemented, medium/minimum inmates should be permitted to move unescorted within the jails.
4. Dormitories and multiple occupancy celled units should not be left unsupervised during officer breaks, and the proposed staffing plans provide an appropriate level of escort/relief officers to insure that units are always staffed.
5. Overall, we recommend that all units be staffed on night shift, in order to comply with best practices for direct supervision jails. This is especially true if the capacity of the dormitories is to exceed those recommended by national standards and best direct supervision practices.⁵
6. Consideration should be given to lowering the size of dormitory units at MCIJ to meet the 64 standard recommended by the American Correctional Association (ACA).

Chapter VI-XI – Proposed Staffing Plans

Recommendations are presented below for each of the six facilities and operating units included in this study.

Table E.2 below presents a summary of the PBA/L&A staffing recommendations for the two existing facilities and three operating units that were evaluated (Wapato is addressed separately in Table E.3 below) :

⁵See the more extensive discussion of this issue in Chapter 5, including caveats on this recommendation.

Table E.2: Proposed Staffing Plans (excl. Wapato)

FACILITY OR FUNCTIONAL UNIT	FY 2007 AUTHORIZED POSITIONS	2007 PROPOSED STAFFING PLAN PBA/L&A	DIFFERENCE	Breakdown Of Changes			
				Recommended Increase Due to Best Practices	Recommended Increase Due to Operational Considerations	Recommended Post Reductions	Recommended Increase Due to Net Annual Work Hours
MCDC	212.09	264.5	51.5	24	6	0	21.5
MCIJ	164.98	184	19	10	0	8	17
COURTS	32	43	11	-	1	-	10
CLASSIFICATION	19	25	6	-	5	-	1
TRANSPORT	17.5	20.5	3	-	2	-	1
TOTAL	445.57	537	90.5	34	14	8	50.5

A total of 90.5 additional positions are recommended to address current needs. Of these, approximately 50 are required to address the current lack of a sufficient shift relief factor to correspond with the calculated/proposed Net Annual Work Hours; these positions are necessary to reduce the reliance on overtime to supplement staff availability.⁶ Another 34 positions are recommended to supplement existing post coverage patterns to bring the facilities into compliance with national standards and best practices for direct supervision jails.⁷ And, while 14 additional positions are recommended to address additional operational considerations and replace posts that are routinely staffed on an overtime basis with permanently staffed assignments, this category is also partially offset by a reduction of seven positions due to functions that we determined required fewer positions.⁸

Table E.3 presents a summary of the proposed staffing plans for each of the three Wapato capacity options.

⁶ The net annual work hours (NAWH) figure assumes that all operational requirements, post reductions and best practices are applied. The category of NAWH includes three types of positions. First, it includes a rough estimate of the impact of applying the PBA/L&A proposed NAWH as opposed to the 1997 L&A NAWH. Second, it includes new positions, with associated relief requirements, that will provide a relief factor. Third, the revised NAWH was applied to existing positions that will provide a relief factor where one was not previously authorized.

⁷ The category "Best Practices" reflects here primarily night shift coverage of double-celled and dormitory housing units and those housing special populations.

⁸ Examples of these operational considerations include adding a post for monitoring inmates in the hospital or those who are on a continuous watch for suicide prevention.

Table E.3: Wapato Capacity/Staffing Options

225 Beds	Wapato	59
	Classification	1
	Transportation	3
	Work Crew	1
	MCDC	0
	TOTAL	64

325 Beds	Wapato	83
	Classification	2
	Transportation	3
	Work Crew	1
	MCDC	2
	TOTAL	91

525 Beds	Wapato	122
	Classification	3
	Transportation	3
	Work Crew	1
	MCDC	4
	TOTAL	133

Chapter VI – MCDC Recommendations

The Multnomah County Detention Center (MCDC) is a high-rise facility located in downtown Portland. It serves as the point of intake for the jail system and houses the majority of inmates with special needs and higher security requirements. MCDC was originally opened with a design capacity of 476, but now routinely houses in excess of 600 inmates via selective double-celling, due to crowding in the jail system.

Table E.4: MCDC Summary Staffing Table

Job Title	2007 Authorized Positions	2007 PBA/L&A
Lieutenant	3	7.5
Sergeant	23.53	25
Deputies	185.56	232
Total	212.09	264.5

1. This proposed staffing plan is predicated on a capacity of 643.

2. 52.5 additional positions are recommended for MCDC. The total staffing required for MCDC is relatively high compared to other jails due to the small size of many of the housing units and the presence of floor control positions on each floor.
3. Housing units for special population inmates or those that are double celled are staffed on a 24-hour/7-day per week basis. The additional night shift coverage accounts for 24 additional Corrections Deputies, including relief.
4. The proposed staffing plan provides sufficient staffing to allow for Housing Unit Officers to take meal breaks or perform cell searches or other time intensive actions, with another officer assigned to supervise the unit directly during the break or other activity.
5. The revised NAWH accounts for the addition of 16 Corrections Deputies.
6. The inclusion of positions to provide supervision for inmates who are suicidal accounts for 12 additional Corrections Deputies. This should positively impact on overtime pay, which is presently used to provide coverage for these ongoing needs.
7. The proposed staffing plan provides relief for the Corrections Lieutenants position, thereby substantially reducing the need for Sergeants to fill in as A/OIC and Corrections Deputies as A/SGT.
8. 12-hour shifts would require two fewer corrections staff than eight hour shifts (262.5 versus 264.5).

Chapter VII – MCIJ Recommendations

The Multnomah County Inverness Jail (MCIJ) is a low-rise structure that presently operates with a capacity of some 1,019 beds. The facility is comprised with 80% of capacity in open dormitories and 20% in single cells. Generally speaking, inmates classified to MCIJ are those who do not pose high security risks and do not require special needs housing due to medical or mental health concerns.

Table E.5: MCIJ Summary Staffing Recommendations

Job Title	2007 Authorized Positions	2007 PBA/L&A
Lieutenant	3	7
Sergeant	17.94	16
Deputies	144.04	161
TOTAL	164.98	184

1. This proposed staffing plan is predicated on a capacity of 1,019 inmates.

2. 19 additional positions are recommended. Even with this increase, the proposed staffing level would still be considered efficient compared with other contemporary direct supervision jails.
3. The revised NAWH accounts for the addition of 13 Corrections Deputies.
4. The increased number of Corrections Deputy positions is impacted by our recommendation that all dormitory units be staffed on night shift, in order to comply with best practices for direct supervision jails. This is especially true if the capacity of the dormitories is to exceed those recommended by national standards and best direct supervision practices. The impact of this is 10 total Corrections Deputy positions.
5. The proposed staffing plan provides sufficient staffing to allow for Housing Unit Officers to take meal breaks or perform cell searches or other time intensive actions, with another officer assigned to supervise the unit directly during the break or other activity.
6. Although we identified a need to increase some positions, there were several posts identified that could be managed effectively with fewer staff than currently assigned.
7. The proposed staffing plan provides relief for the Corrections Lieutenants position, thereby substantially reducing the need for Sergeants to fill in as A/OIC and Corrections Deputies as A/SGT.
8. 12-hour shifts would require nine fewer corrections staff than eight hour shifts (184 versus 175).

Chapter VIII – Wapato Recommendations

The Wapato Facility, a minimum/medium custody jail, was completed in July 2004, but due to limited County finances, never been opened to house inmates.

The scope of the staffing plans for Wapato differs significantly from those presented for the other jails and operational units covered in this report:

- First, proposed staffing plans are presented for three different operational capacities: 525 (three 75-bed dormitories and six 50-bed dormitories), 325 (with three 75-bed dormitories and two 50-bed dormitories), and 225 (three 75-bed dormitories).
- Second, in addition to identifying required Corrections Lieutenants, Sergeants and Deputy positions, the Wapato proposed staffing includes required positions for programs and support functions (typically civilian and falling under Local 88's Collective Bargaining Agreement) necessary to open and operate the facility. These positions, however, are limited to those that would actually be assigned to the Wapato facility.

- Third, additional positions required to open Wapato but assigned to other MCSO units covered under this Report are recommended as well. These include positions in the following units: MCDC, Transport, Court Services, and MCIJ Work Crew.
1. Total staffing (including both Wapato and centralized positions) associated with opening Wapato at the 225 threshold is 64 FTE's (59 at Wapato and five other).
 2. Total staffing associated with opening Wapato at the 325 threshold is 91 FTE's (83 at Wapato and eight other)
 3. Total staffing associated with opening Wapato at the 525 threshold is 133 FTE's (122 at Wapato and 11 other).
 4. At 225 beds, one additional position is required for the Classification Unit, three for the Transport Unit, one for MCIJ's Work Crew, and none for Court Services or MCDC. At 325 beds, two additional positions are required for the Classification Unit, four for the Transport Unit, two for MCDC, and none for Court Services. At 525 beds, three additional positions are required for the Classification Unit, four for the Transport Unit, four for MCDC, and none for Court Services.
 5. Due to the relative small size of the facility, the potential staff savings associated with 12-hour shifts is not as significant as it might be at MCDC or MCIJ. Nevertheless, opening Wapato may present an excellent opportunity to try 12-hour shifts on a trial basis.
 6. The proposed number of Corrections Deputy positions is impacted by our recommendation that all dormitory units be staffed on night shift, in order to comply with best practices for direct supervision jails. This is especially true if the capacity of the dormitories is to exceed those recommended by national standards and best direct supervision practices.
 7. The proposed staffing plan provides sufficient staffing to allow for Housing Unit Officers to take meal breaks or perform cell searches or other time intensive actions, with another officer assigned to supervise the unit directly during the break or other activity.
 8. At the 225 capacity threshold, one Lieutenant is assigned as Facility Commander and will report to the Captain at MCIJ. One Sergeant is assigned to each shift. The Corrections Sergeant's NAWH calculation (1515) reflects no OIC time as they would be responsible for shift operations and oversight.
 9. At 325 beds, a Captain is assumed to be the Facility Commander and one Corrections Lieutenant is assigned to each shift to act as the Shift Commander, as well as handling administrative functions, with no relief coverage applied. Because of the smaller capacity of this facility and the classification of inmates, Corrections Sergeants would supervise the facility when a Lieutenant was not present. One

Sergeant is assigned to each shift.

10. At 525 beds, a Captain is assumed to be the Facility Commander and it is recommended that there be one Corrections Lieutenant assigned to each shift, with a relief coverage applied. Because of the number of inmates (525) and the amount of inmate activity and movement associated with that number of inmates and the fact that housing units are located on three floors; two Sergeants, with relief, are assigned to each shift.

Chapter IX – Court Services Unit Recommendations

This Chapter addresses Court Services Unit (CSU) operations at the Courthouse and Justice Center. The primary function of CSU is to escort inmates to and from secure holding areas and court rooms within the Courthouse and Justice Center court facilities, and to provide for safety and security while inmates are in court. The Deputies assigned to Court Services also supervise inmates while they are housed in adjacent court holding facilities where provided. These inmates are brought to the courthouses by Transport Unit or Escort Deputies, but are supervised by CSU Deputies when they are inside the court facility.

Table E.6: Court Services Unit Summary Staffing Recommendations

Job Title	2007 Authorized Positions	2007 PBA/L&A
Lieutenant	1	1
Sergeant	1	3
Deputies	30	39
TOTAL	32	43

1. No changes are recommended to the number of posts presently identified for this unit.
2. In order to end the practice of MCDC Corrections Deputies being frequently assigned on an overtime basis to Court Services, we have recommended the addition of a shift relief factor for this unit. The addition of the relief factor accounts for nine additional Court Services Deputies.
3. Two additional Sergeant positions are recommended to provide an appropriate span of control and a shift relief factor for these positions.
4. The lack of secure corridors for escorting inmates to court and the lack of appropriate and adjacent court holding space in the Courthouse are of significant concern, and affect staffing levels negatively.

Chapter X – Classification Unit Recommendations

The Classification Unit is responsible for interviewing inmates to collect data about their criminal history, assessing their risk while housed in the facility, and identifying any special needs or treatment needs that may impact their housing assignment. All inmates are initially taken to MDCDC for intake processing and classification. The classification designations drive the inmate's housing location by pairing the classification determination with the appropriate housing unit designations.

Table E.7: Classification Unit Summary Staffing Recommendations

Job Title	2007 Authorized Positions	2007 PBA/L&A
Lieutenant	0	0
Sergeant	1	3
Deputies	18	22
TOTAL	19	25

1. Presently, there are 19 classification staff authorized in the unit, including one Corrections Sergeant and 18 Corrections Deputies. Only one Classification Deputy is assigned to MCIJ. This staffing is reportedly scheduled to be reduced to 17 total staff in February 2008.
2. The proposed staffing plan provides for an additional Sergeant, with relief, to supervise Deputies assigned to the Classification Unit.
3. Four additional Corrections Deputies are recommended to implement a validated, National Institute of Corrections objective classification system and to enhance case management capacity at MDCDC and at MCIJ. This is based on the current authorized strength and will not replenish two positions that are to be cut effective February 1, 2008.

Chapter XI – Transport Unit Recommendations

The Transport Unit is responsible for conducting transports to/from court, high risk medical appointments, and intrastate transports. In 2006, more than 70,000 transports were conducted, covering more than 213,000 miles. The Transport Unit operates Monday through Friday.

Table E.8: Transport Unit Summary Staffing Recommendations

Job Title	2007 Authorized Positions	2007 PBA/L&A
Lieutenant	.5	.5
Sergeant	1	3
Deputies	16	17
TOTAL	17.5	20.5

1. Two Additional Sergeants are recommended to provide a shift relief factor so that there is continuous supervision of the unit and the Corrections Deputies.

Cost Impact of Proposed Staffing Plans

Table E. 9 identifies the initial personnel cost impact of implementing the recommended staffing plans at the existing facilities and units.

Table E.9: Recommended Staffing Cost Implications

Unit/Facility→ Position↓	Average Annual Salary & Benefits	Classification		Court Services		Transport Unit		MCDC		MCJ		Total
		Staff	Costs	Staff	Costs	Staff	Costs	Staff	Costs	Staff	Costs	
Corrections Lieutenant	\$151,912	0	\$0	0	\$0	0	\$0	4	\$607,648	4	\$607,648	\$1,215,296
Corrections Sergeants	\$129,602	2	\$259,204	2	\$259,204	2	\$259,204	1.5	\$194,403	-2	(\$259,204)	\$712,811
Corrections Deputy	\$104,692	4	\$418,768	9	\$942,228	1	\$104,692	46	\$4,815,832	17	\$1,779,764	\$8,061,284
Total			\$677,972		\$1,201,432		\$363,896		\$5,617,883		\$2,128,208	\$9,989,391

This table does not, however, fully represent the anticipated net personnel cost impact of this plan. This table merely shows the cost of the recommended 90.5 additional positions, but does not reflect the projected overtime savings that will result from implementation of the positions identified as NAWH positions. For example, Table E.2 identified 50.5 positions that are attributable to correction of the inadequate Net Annual Work Hours available to staff all posts as required. Some of these served to create a shift relief factor where none has previously existed, as is the case with the Court Services Unit which occasionally turns to MCDC for staff to fill in for daily absences and then causes overtime to be expended and attributed to MCDC.

The 50.5 figure is not exact as it includes the necessary NAWH for new positions within this category and from the other categories shown on Table E.2. It must be taken as an approximate subtotal of the attribution reasons for new positions recommended—the actual number of recommended new positions that may translate directly to overtime redistribution is lower than the 50.5. MCSO staff is developing cost models that will estimate the likely overtime cost savings that will flow from filling these positions. Table

E.9 does provide a reasonable estimate that serves to illustrate the impact of applying a new, more accurate, Net Annual Work Hour/Shift Relief Factor.

Tables E.10, E.11 and E.11 illustrate the incremental personnel costs associated with operating Wapato at the 225, 325 and 525 capacity levels respectively. Also included are those additional positions required to open Wapato but assigned to other MCSO units covered under this Report, including positions in the following facilities/units: MCDC, Transport, Court Services, and MCIJ Work Crew.

Table E.10: Wapato Staffing Cost Implications – 225 Beds

Unit/Facility →	Average Annual Salary & Benefits	Wapato - 225	
Position ↓		Staff	Costs
Corrections Captain	\$162,826	0	\$0
Corrections Lieutenant	\$151,912	1	\$151,912
Corrections Sergeants	\$129,602	6	\$777,612
Corrections Deputy	\$104,692	48	\$5,025,216
Facility Security Officer	\$64,043	3	\$192,129
Chaplain	\$82,036	0	\$0
Hearing Officer	\$92,113	1	\$92,113
Program Administrator	\$117,656	1	\$117,656
Corrections Counselor	\$88,825	2	\$177,650
Corrections Tech	\$70,155	1	\$70,155
Equip/Property Tech	\$72,726	1	\$72,726
Total			\$6,677,169

Table E.11: Wapato Staffing Cost Implications – 325 Beds

Unit/Facility →	Average Annual Salary & Benefits	Wapato - 325	
Position ↓		Staff	Costs
Corrections Captain	\$162,826	1	\$162,826
Corrections Lieutenant	\$151,912	3	\$455,736
Corrections Sergeants	\$129,602	7	\$907,214
Corrections Deputy	\$104,692	68	\$7,119,056
Facility Security Officer	\$64,043	3	\$192,129
Chaplain	\$82,036	1	\$82,036
Hearing Officer	\$92,113	1	\$92,113
Program Administrator	\$117,656	1	\$117,656
Corrections Counselor	\$88,825	4	\$355,300
Corrections Tech	\$70,155	1	\$70,155
Equip/Property Tech	\$72,726	1	\$72,726
Total			\$9,626,947

Table E.12: Wapato Staffing Cost Implications – 525 Beds

Unit/Facility → Position ↓	Average Annual Salary & Benefits	Wapato - 525	
		Staff	Costs
Corrections Captain	\$162,826	1	\$162,826
Corrections Lieutenant	\$151,912	7	\$1,063,384
Corrections Sergeants	\$129,602	12	\$1,555,224
Corrections Deputy	\$104,692	99	\$10,364,508
Facility Security Officer	\$64,043	3	\$192,129
Chaplain	\$82,036	1	\$82,036
Hearing Officer	\$92,113	1	\$92,113
Program Administrator	\$117,656	1	\$117,656
Corrections Counselor	\$88,825	6	\$532,950
Corrections Tech	\$70,155	1	\$70,155
Equip/Property Tech	\$72,726	1	\$72,726
Total			\$14,305,707

Implementation Recommendations

It is clear that a recommendation to add some 90.5 positions to the corrections function within MCSO is one that carries with it substantial cost ramifications. At an average cost of \$104,000 per position (average annual salary and benefits for a Corrections Deputy), the decision to add these positions is not one that a county government can approach lightly. Implementation of the staffing recommendations set forth in this report must be approached based on a series of priorities, reflecting the following issues:

- Risk management mitigation where positions potentially affect inmate or staff safety;
- Overtime savings that will result from adding positions;
- Conformance with best industry practices, especially those affecting direct supervision;
- Improved operations;
- Opening of Wapato.

Risk Management: The issue that this assessment revealed as the most salient risk management related staffing concern is the staffing of housing units at MCDC. It is strongly recommended that Corrections Deputies be assigned to night shift coverage for all special populations (i.e., Medical, Mental Health, Administrative and Disciplinary Segregation), and all double celled units. This recommendation, while primarily a risk management concern, also falls within the purview of best practices for direct supervision jails.

Overtime Mitigation: Without question, a number of the positions that are recommended herein will have a positive effect on overtime expenditures. Because the currently funded NAWH/Shift Relief Factor does not match the number of hours that are required to meet the full needs of the various operating units and facilities, the shortfall

is presently accommodated via the use of overtime. In addition, there are other positions that require relief to cover for absences and the identified concern is not an insufficient relief factor, but rather the complete absence of one. As such, we suggest that the following positions will likely have the most direct impact on reduced overtime utilization:

- Adding Lieutenants at MCIJ and MCDC through application of an up-to-date NAWH will substantially reduce or eliminate the need for Sergeants to serve as Acting Officer-in-Charge (and the corresponding out-of-class payments that they receive), and will reduce the overtime that is paid to Corrections Deputies who are required to work overtime when another Deputy fills in as the Acting Sergeant. This will also result in a substantial increase to the NAWH for Sergeants and will allow for supervision of shifts at the two major facilities by an officer of the appropriate rank and experience.
- Adding some or all of the recommended ten positions within the Court Services unit should have a direct impact on overtime expenditures at MCDC, where Corrections Deputies are frequently pulled from to provide relief for absences within the Court Services Unit, which then results in MCDC having to call in other officers to work overtime at that facility.
- The additional six Corrections Deputies at MCDC to provide supervision for inmates who are suicidal should have a direct positive impact on overtime pay, which is presently used to provide coverage for these ongoing needs.
- Adding approximately 20 additional Corrections Deputy positions at MCDC will help reduce the NAWH shortfall (i.e., the difference between the number of positions required based on the proposed NAWH and the actual availability of personnel) that presently exists and will mitigate overtime payments.

A number of points warrant mention here. First, while funding additional positions in targeted areas should clearly save money over time because jobs can be performed at straight time rather than at time and a half, there is a significant lag time before this result can be achieved. The lag time is due primarily to the lengthy training period (706 hours in the first year of employment),⁹ which means that the new Corrections Deputies are essentially unavailable to assume a post for almost half a year and therefore cannot affect overtime until that point in time they are able to be independently assigned and assume responsibility for a post.

Second, dependence on overtime will continue to be an operational problem until sufficient staffing is available to address the NAWH discrepancy. A major driver of overtime in the agency is a lack of staffing. If an adequate post factor is not budgeted for, overtime will continue to increase.

⁹ The 706 hours includes: New Hire Orientation – 56 Hours, Field Training and Evaluation Program – 440 hours, Uncontrolled Environments – 16 Hours, and State Academy – 200 Hours. Source: Barrett Taylor, MCSO Project Liaison.

Third, it is imperative that NAWH be monitored and recalculated on a regular and frequent ongoing basis (every six months to a year) to assess whether there are changes to absence patterns, either positive or negative. If sick leave control measures or other policy changes are implemented, that may improve the NAWH, then fewer new positions will be required to positively affect overtime. Alternatively, factors such as more senior employees moving into a new vacation accrual threshold could negatively impact on NAWH and compromise the degree to which the additional positions improve the bottom line. In this case, the additional positions will have reduced the amount of overtime that might have been expended, but will not necessarily reduce overtime from the level that it was in the previous year.

Fourth, a certain amount of overtime must be anticipated under the best of circumstances. For example, if a shift change is delayed due to a problem reconciling the inmate headcount, 25 officers instead of 20 will be held over until the headcount is cleared. Situations such as these are relatively minor, and should not approach the benefit that the additional positions offer relative to overtime reductions. Similarly, during seasonal illness periods, there may be times when unplanned absences occur and overtime will be required.

The key to monitoring overtime will be accurate tracking of the reasons originating the need for overtime and the assessment of absence patterns.

Best Practices: As discussed above, the most urgent best practices positions are those necessary to provide night shift staffing for MCDC's special population and double celled housing units.

Four additional Corrections Deputies are recommended to implement a full National Institute of Corrections objective classification system and to enhance case management capacity at MCDC and at MCIJ. Given the critical importance that a sound classification system plays in the overall viability and integrity of the system, we consider this to be a high priority.

The report also raises best practices concerns relative to the night shift staffing at MCIJ, where one officer is assigned to supervise up to 150 inmates in two dormitories from an enclosed office. While this practice is not consistent with best practices, and potentially raises some risk management concerns, we are not prepared to say that adding the 10 officers necessary to provide full direct supervision coverage at night should proceed immediately. Instead, we recommend that the MCSO carefully study incident data and employ surveys and other forms of data collection to determine whether this is in fact a problem. While it is indeed preferable to staff these units at night, given the more than \$1 million annual cost it would be prudent to let data drive the decision as to the level of priority that should be associated with this funding decision. Additionally, if a determination is made that the night shift staffing is not required as recommended, consideration must be given to providing sufficient escort staff to monitor the housing units and provide relief for Deputies assigned to these housing units. In addition, there

should be clear confirmation that the classification system being used is one that is reflective of best practices, i.e., that it is a validated objective system, and that the inmates assigned to these units are, in fact, low custody, minimal risk inmates—without this, we cannot recommend that these units be indirectly staffed at night.

Improved Operations: A total of 14 positions of the recommended 90.5 are categorized due to operational considerations. These positions/posts are generally those that are presently covered through overtime. For example, the coverage need suggests that it should be a designated position/post. The most illustrative example is the hospital duty coverage. With few exceptions, there is currently a need for hospital coverage on a 24-hour/7 day per week basis. By funding the six positions associated with hospital coverage, there will be an anticipated reduction in the use of overtime expenditures, as well as a reduction in the amount of time Sergeants must contact the staffing pool to find someone willing to cover the post.

Opening of Wapato: It is our strong recommendation that existing staffing needs, particularly those at MCDJ and MCIJ, be addressed prior to Wapato being funded to open. The risk management, overtime mitigation, and best practices issues should certainly be put in place before opening another facility. When Wapato does open, we have staffed it based on best practices and many of the issues raised above, such as 24 hour/seven day coverage in dormitories, must be prioritized based on the classification of the inmates held at Wapato, and should be consistent with coverage decisions made at MCIJ.