



## MULTNOMAH COUNTY SHERIFF'S OFFICE

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*Exemplary service for a safe, livable community*

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### MEMORANDUM

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TO: MIKE SCHRUNK, District Attorney

Cc: Ted Wheeler, Chair  
Commissioner Deborah Kafoury, District 1  
Commissioner Jeff Cogen, District 2  
Commissioner Judy Shiprack, District 3  
Commissioner Diane McKeel, District 4

FROM: DANIEL STATON, Sheriff

DATE: JANUARY 12, 2010

SUBJECT: RESPONSE TO 2009 CORRECTIONS GRAND JURY REPORT

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Thank you for the 2009 Corrections Grand Jury Report. As in past years the Corrections Grand Jury has provided thoughtful insight into the operations of our jail system. We believe substantial progress has been seen in the past few years and we are continuing our press forward to ensure we are the finest jail system in the country. As we continue to pursue excellence in corrections we appreciate the Grand Jury's review and feedback of our progress. We agree that many opportunities avail themselves to do things differently which may result in identification of continued efficiencies. We review these ideas seriously and judiciously.

#### **Potential Savings**

The Grand Jury identified several potential savings totaling \$16.1 million. Many of these have been identified by past Grand Juries and we have determined and reported back to past Grand Juries that any opportunity for savings is attached to major policy issues beyond the Sheriff's Office ability to implement, requires significant changes in labor agreements, or opportunities to implement require a contractual partner that has not yet been identified. Nevertheless, these are significant potential savings and we would be remiss not to carefully examine each idea, apply reasonable standards to their review, and develop strategies for implementation if found to be feasible.

#### **Cost of a Jail Bed**

At least two of the Grand Jury recommendations are based on an assumed cost of a jail bed. In 2007, the DA's office developed a jail bed costing methodology that they have since used with the Grand Jury in their review of costs associated with a jail bed. The methodology is sometimes referred to as a "fully loaded cost model" and is inclusive of budgeted fixed, direct, and variable costs of the Corrections system. This methodology is useful when looking for a consistent point of reference from year to year, but quickly falls apart and results in

misleading conclusions when trying to compare bed day cost to other agencies using different cost models or other jurisdictions seeking to lease beds under a “fee for service” methodology. I understand the Grand Jury’s desire to use comparative data to establish a cost factor for jail beds. I too closely evaluate policy decisions that impact the cost of a jail bed. However, when using a fully loaded cost methodology one must consider the following limitations:

- Comparative cost methodologies are seldom consistent. It has been very difficult to identify a jail bed cost methodology that is consistently applied by all comparative jurisdictions. Suggested methodologies seem to be dependent upon outcomes sought. The Oregon State Sheriff’s Association has a methodology that, when last applied, concluded MCSO was the fifth highest jail bed cost in the state. The Federal Bureau of Prisons through Federal Circular A-87 uses a cost methodology that results in a different outcome based on services received by their prisoners and is based on audited actual costs of the most recent fiscal year. Conversations with area Sheriff’s Offices reveal that some don’t include booking costs, some don’t include transportation and court guard costs, some don’t include health services costs, some do not provide treatment programs, and some don’t include any cost that is not included in their budget and under their direct control regardless of its impact on the cost of a jail bed. This can result in jail bed costs varying widely across Oregon and make comparisons unreliable.
- When the number of jail beds decrease, unit costs increase as fixed costs are applied over fewer beds. For example, the number of budgeted beds at the Multnomah County Inverness Jail fell from 1,037 in FY 2009 to 919 in FY 2010, a 12.84% decrease. However, the budgeted requirements for services such as heat, electricity, and other occupancy costs related to maintaining the facility increased 9.38%. When one applies the increase of \$368,257 to 118 fewer beds, it increases the cost per bed by \$2.31 per bed per day. This is just one of many examples illustrating the cost behavior associated with fixed costs and demonstrating the difficulty of comparing costs from year to year.
- When the number of jail beds decrease, some marginal costs don’t decrease at the same rate. An example of this type of cost behavior is found in our booking and release area. Booking and release process offenders into and out of the facilities. Offenders are processed through such activities as intake, fingerprinting, classification, and transfer to housing twenty four hours per day, seven days per week. These activities are not jail bed dependant and even if the volume of offenders entering housing is reduced, the processing for booking and release remains relatively constant. Therefore, when applying the cost of booking and release to a fewer number of beds, the resulting outcome is an increase in the cost of a jail bed.
- An average cost fails to consider “fee for service” strategies and costs associated with unique services to inmate populations. It should come as no surprise that different inmate populations consume different levels of resources depending upon their needs while incarcerated. Chronically mentally ill offenders consume a higher amount of resources than the general population. High risk, close custody offenders require a higher ratio of staff to offenders to safely monitor their incarceration. The Grand Jury correctly concluded that a restitution center could operate the least expensive beds in the system. This conclusion was based on the idea that a restitution center inmate consumes fewer resources than a higher risk inmate. However, if one uses an average cost methodology, a restitution center bed would cost the same as any other bed in the system.
- Cost of a jail bed is just one element of assessing public policy. The Grand Jury devoted a great deal of discussion to the practice of supplementing state or federal programs with local revenues. Two

programs, SB 1145 and the US Marshal's service, were specifically identified as opportunities for potential savings by eliminating or reducing county supplements.

It is important to understand that program supplements can result from a number of reasons. Some are the result of an unfunded or partially funded mandates from the state or federal government; some are from grant or local funding match requirements; and, some are from policy decisions made by local government to enhance the livability of our community. Article VII Section 17 of the Oregon Constitution provides for the creation and election of the District Attorney for purposes of prosecuting offenders who violate the laws of the State. ORS 8.760 authorizes the county to supplement the work of the District Attorney and empower him/her to appoint one or more deputy district attorneys paid by the county, a significant and important supplement to the safety of our community.

In FY 2008 a review of general subsidies was conducted by the Multnomah County Budget Office. During that review, it was found that virtually every department in the county receives some type of general fund contribution to supplement state or federal program activities to the community. Significant supplements occurred in Mental Health (\$10.9 million) and Addiction Services (\$6.6 million). Other supplements included \$450,000 for WIC, \$400,000 for the HIV Block Grant, and \$400,000 for the District Attorney's Support Enforcement Division. Each of these appropriations was carefully considered by the Board of County Commissioners to ensure that they addressed serious needs in the community and enhanced our community's livability.

The Grand Jury is correct that jail beds are expensive. A very important way of impacting those costs is carefully monitoring leave usage; maximize efficiencies of operation, and ensuring that only those offenders needing to be in jail stay in jail. However, it seems very clear that good public policy is dependent upon more than "what does it cost". Careful investment in public safety, public health, mental health, aging services, good libraries, and protecting the environment have forged important partnerships between local, state, and federal agencies. These collaborative efforts are important elements to the livability of our community. With the recent economic downturn some counties have concluded that programs they have previously managed from the state are no longer affordable. One county returned their entire mental health program to the state. A few have opted out of SB 1145. Those are decisions that must be carefully weighed by the local governing body and implemented only after serious deliberation.

### **Grand Jury Recommendations**

1. SB 1145 Opt out: \$4.5 million annual savings for County Corrections – Each state biennium the Board confronts the issue of opting out of SB 1145. Each year the grand jury renews its recommendation to opt out. SB 1145 funding covers several community justice programs managed by the Department of Community Justice (DCJ) as well as custody bed days at MCSO. MCSO receives a rate of \$85.00 per day based on a funding split between the DCJ and MCSO of 65%/35%. Eighty five dollars per day is certainly sufficient to cover direct operating costs relating to housing, feeding, and guarding a prisoner. It is not sufficient to cover the marginal costs related to financial, payroll processing, and other "back office" activities that support the direct operation. This could easily be resolved by changing the revenue funding split to a more favorable percentage for MCSO but would merely result in moving the general fund supplement from MCSO to the Department of Community Justice.

Opting out of SB 1145 is a very complicated process that takes a much greater analysis of public safety policy than a spreadsheet exercise relating to revenue disbursement. Community impact, public safety system impacts, and statutory requirements are all necessary elements of assessing the strategy of opting out of SB 1145. It has been an important topic of Board of County Commissioner Meetings, Local

Public Safety Coordinating Council Meetings, Oregon State Sheriff's Association Meetings and many others. Some counties have elected to stay in; some have elected to opt out. I am very interested in participating in future discussions but this is not a unilateral decision on the part of the Sheriff.

2. Correction health care: \$4.0M annual savings. – The corrections health budget is not a part of the MCSO budget and is therefore beyond our control to impact. We agree with the grand jury that if opportunities exist to reduce the cost of health care and that those opportunities can be implemented in a constitutionally acceptable manner, those opportunities should be examined.
3. Eliminate subsidizing U.S. Marshal inmate housing: - \$3.4M annual savings – I must disagree with the conclusion of the Grand Jury that housing U. S. Marshal offenders results in a \$3.4 million subsidy. As stated above, using an average cost per day based upon the DA's methodology of a fully loaded budgeted cost without also considering the impact of fixed and variable costs, fee for service strategies, and public policy impacts on public safety leads to the misleading conclusion that a \$3.4 million subsidy is present.

As we have learned, there are many different methods of calculating an average bed cost. Methodologies seem to be as numerous as there are individuals preparing them. While the Grand Jury may find value in the DA's methodology as a part of their review of the jail system, we have found it to be much too simplistic for helping us assess cost behavior of the jail system or establishing good public policy. There is virtually no relationship between the DA's methodology and the guideline requirements we must follow to enter into an agreement with the US Marshal's Service. I appreciate and share the Grand Jury's concern about general fund subsidies for federal beds, but I must disagree that the DA's methodology for calculating a jail bed cost is the correct or only method of determining the cost.

OMB Circular A-87 contains the federal guidelines for establishing the cost of services contracted by the Federal Government with State, Local, and Indian Tribal Governments. The cost methodology is based on services received by the federal prisoner and is derived from actual costs associated with the most recently closed accounting year available at the time of application. The rules are very clear. The local government either agrees to the terms of OMB A-87 and, through entering into negotiations with the federal government acknowledges the validity of the cost methodology, or it doesn't apply. I fail to see how a subsidy can exist when the local government agrees to the terms of the guidelines and the cost methodology formula prior to entering into the contract.

The Grand Jury has also suggested that failure to collect the rate established by the DA's methodology has placed the Sheriff's Office in violation of a state law requiring full cost recovery for federal prisoners lodged in a local jail. However I find nothing in the statutes that defines the methodology to be used for calculating that rate. If the DA's methodology is the only way to calculate jail bed costs, then every Sheriff's Office in the State that accepts federal prisoners and does not use the DA's methodology for charging the federal government is also in violation of this law. I believe it is much more reasonable to comply with a nationally accepted cost methodology used by every Sheriff's Office in the nation that contracts with the federal government for housing federal prisoners in local jails.

Multnomah County is in year two of a three year agreement with the US Marshal's Service. The rate was negotiated by the Sheriff's Office using the guidelines of OMB Circular A-87. The analysis was reviewed by the County Budget Office and approved by the Board on February 10, 2008. I believe these actions validate the methodology used, and establish a legal and appropriate US Marshal per diem rate.

4. Use recent retirees to backfill overtime positions at the jails: \$1.8M annual savings – I agree that there may be some opportunities to backfill overtime positions in the jails with retirees. I also agree that if a sufficient retiree pool can be identified, DPSST certifications can be maintained, and labor issues can be resolved this could be a very useful tool for managing costs in the Corrections Division. I am cautious that \$1.8 million is a realistic expectation for savings as it doesn't appear that the Grand Jury's calculations netted overtime activities such as training, court, and other overtime unique to the corrections deputy.

Over the coming year, I will work with our MCCDA Labor Union, County Labor Relations, and the County Attorney's Office to evaluate the opportunities to implement this idea. While the Grand Jury suggests that we seek the advice of a "good union attorney" to assess the negotiating strategies of labor issues, I have found that we have plenty of good attorneys in the County Attorney's Office that provided us with sound, accurate legal advice on matters ranging from litigation to labor and I will continue to rely on their counsel.

5. Use Civilians (Facility Security Officer (FSO)) to staff floor control at MCDC: \$1.4M annual savings. – This idea has been discussed in past administrations. I consider it to be similar to item 4 above with similar labor and certification issues to be examined.
6. Leasing Wapato to the state: \$0.8M annual savings – The Wapato Jail is a valuable asset to the local public safety community. Perhaps the use of the facility by the state is the most appropriate use at this point in our local economy. However, I hope the County uses good judgment before committing the facility to a long term use by another agency that would preclude us accessing the facility when needed.
7. Use civilians to staff classification unit at the jails: \$0.4M annual savings. – Once again, this is an item similar to items 4 and 5 above and will need similar evaluation during the coming year.
8. Open post backfill scheduling: \$0.2M annual savings: - Preparing a schedule is a time consuming operation. Sergeants and Lieutenants must invest time into determining the necessity and numbers of Corrections Deputies to hire for vacancies. These decisions are based on inmate populations, redeployment of other resources if available, and other operational issues requiring the knowledge skills and abilities of the manager or supervisor familiar with jail operations and preparing schedules. If these steps are not being employed before overtime is authorized, then the manager or supervisor is not doing his or her job. Unfortunately, phone calls sometime become a necessary element of completing a scheduling task and sufficient clerical staff would be a valuable tool to assist in this endeavor. We have unsuccessfully sought additional clerical staff during the budget process and will do so again this year. We are also developing a telephone dialing system available in our scheduling system, "Telestaff", that may also be a useful tool to help automate the process.

I don't believe it is accurate to suggest that a \$200,000 annual savings could be realized by hiring clerical staff to make phone calls unless one could eliminate the jobs of the staff currently performing the function. There certainly isn't sufficient existing clerical staff to assign the function or we would have already done so. The Grand Jury recommends that staff currently performing these tasks would better serve the agency by using their time providing leadership and communicating with the deputy and inmates. I agree with their assessment but redirecting their work does not result in saving \$200,000. Actually it will cost a significant amount of money to hire clerical staff to assume the tasks delegated away from those currently performing the work.

#### IV. Specific Concerns of the Grand Jury

Restitution/Work Release - An unfortunate consequence of reduced operating budgets is the loss of programs that provide great service to the citizens of Multnomah County and promotes the effectiveness of the public safety system. Corrections systems run best when a continuum exists consisting of rewards and sanctions. Identification of gaps in the public safety system and resources to fill those gaps should be a high priority for Multnomah County Government. Over the past five years the jail system has been reduced from its high capacity of 2,073 to its current capacity of 1,367. We have a five year old jail that has never housed an inmate.

For many years the Multnomah County budget has been facing what has been termed a *structural deficit* – an imbalance between ongoing revenues and the cost of providing services. A budget developed in a structural deficit experiences annual growth but not at a level sufficient to continue providing current levels of service. Therefore, current levels of service must be adjusted to match inflationary and labor costs that increase at a faster pace than the revenues available to fund them. In the case of the jail system, operating decisions must be made assessing the appropriate public safety system needs to the risk of the inmate population being held. Although factors such as crime rates, legislative mandates like Senate Bill 1145, and targeted offender groups like those defined in Measures 11 and 57 may influence operational design capacity, generally the medium/highest level of security beds are retained under the belief that low risk inmates can be managed in medium/high security beds but high risk inmates cannot be successfully managed in low security beds. This has the unfortunate impact of driving average per day bed costs higher since high security beds have a higher operational cost than low security beds.

An early victim of the budgetary downsizing in the state and county was work release. The Sheriff's Office operated work release for many years from the Multnomah County Restitution Center (MCRC) a former hotel in the downtown Portland area. Work release provided a unique sentencing alternative that allowed offenders to continue their employment or conduct job searches while reporting to jail to serve their sentence during their non-working hours. Offenders contributed a portion of their pay to help defray costs of the program. The loss of work release was a very difficult loss to the public safety system.

I agree that there was a significant loss to the public safety system through the loss of work release. I would very much like to re-establish work release as an important element of the public safety system. I also agree that the beds would likely be the cheapest beds in the system if revenue was available to establish the program. Unfortunately even "cheap beds" are beyond our reach without additional funding.

Double Bunking at MCDC – There is great diversity over the wisdom and efficiency of double bunking MCDC. Many believe that increasing inmate populations beyond a facility's design capacity creates a safety risk to officers and inmates, stresses the facility infrastructure, and negatively effects staff morale resulting in increased sick leave usage and overtime. The original decision to double bunk MCDC was made during a time where the county was experiencing severe jail overcrowding resulting in emergency population releases on virtually a daily basis. Double bunking was the only short term solution to the emergency.

The Sheriff's Office restructured the MCDC as a part of the of the FY 10 budget. Through this restructuring, the agency was able to redistribute resources and address some of the issues facing us in a 12% budget reduction. As a single bunked configuration, the facility does not operate at the same

staffing level as double bunking and to return the facility to its FY 2009 configuration would require in excess of \$1.5 million in new revenue.

The Grand Jury pointed out that MCDC was modeled from the single cell model in Contra Costa County, California and that they now double bunk their prisoners. There was little information, however to determine why Contra Costa County went to double bunking. Was it because of financial efficiencies, the tremendous over-crowding problem in the California jail and prison system, or a conclusion that double bunking a single bunk designed facility was good jail management practices? Since making the change would they return to single bunking if they could? Have they experienced increases in sick leave, FMLA use and other employee absences since they went to double bunking? This is important information that would help us determine the policy issues related to double bunking before a potential mistake was repeated.

If the Board of County Commissioners wishes to invest an additional \$1.5 million in jail beds, the first place to start would be with the 118 empty beds at the Inverness Jail Facility. This strategy would continue the positive benefits to staff and offender safety by managing overcrowding in the facility, have a continuing positive effect on managing the depreciation of the building, and give us ample opportunity to review the policy issues around double bunking MCDC.

Finally, I must strongly disagree with the sworn testimony heard by the Grand Jury that Sheriff Skipper unilaterally made the decision to eliminate double bunking without notification to the Board of County Commissioners. The suggestion that the Board of County Commissioners are the Sheriff's Office "bankers" was a thoughtless and insulting remark made to the Board by a former Sheriff, and was the beginning of a period of poor choices that resulted in the early retirement of that Sheriff. It is not consistent with the behavior of the Sheriff's Office prior to or since. To continue making these ill conceived remarks a part of the discussion about the Sheriff's Office serves only to hamper the partnerships we need to forge with the Board to ensure the very best public safety we can provide, and serves no useful purpose in building relationships. I consider the Board a valuable partner in developing and implementing effective public safety policy in our community. I don't know the source of this sworn testimony but I believe the following information would lead one to conclude otherwise:

- On February 13, 2009, page 9 of the Sheriff's Transmittal Letter of the FY 2009 budget referenced single bunking the Justice Center. This letter was delivered to the Chair and the Board of County Commissioners.
- On April 10, 2009 in a letter to the Multnomah County Commissioners from the Sheriff's Citizen Budget Advisory Committee they wrote, "While there is a reduction in overall bed count, we support the single bunking of the Multnomah County Detention Center (MCDC) and return to direct supervision. This responds to many concerns raised about the management of MCDC, including a homicide in the jails, and provides a better foundation for rebuilding the classification system and dealing with higher risk offenders. It makes absolute sense to have all floors of MCDC full, so that the most expensive building in our system is put to its best and highest use."
- On April 23, 2009 Multnomah County Chair Ted Wheeler wrote in his budget message, "On the other hand, a few examples of positive changes include the Sheriff realizing the longstanding goal of "single-bunking" our downtown detention facility to make it safer and more cost-effective to operate."

- On May 14, 2009 in a public Board Briefing the Board was informed of the move to single bunking. A PowerPoint Presentation was made and the Board was provided with a handout of the presentation. Page 22 references the move to single bunking.
- On June 4 2009 the Board adopted the budget containing program offers implementing single bunking.
- On June 18 2009 the Board approved the capacity management plan reducing the jail population to 1,367 beds that included single bunking the MCDC.
- Throughout this five month period the Sheriff's Office worked with the County's Labor Relations, County Attorney's Office, and County Human Resources to provide notice and bargain labor issues with the Multnomah County Corrections Deputy Association related to changes in working conditions and SB 400 issues. This process consisted of numerous meetings and hours of negotiations and resulted in a Memorandum of Understanding signed by Sheriff Bob Skipper and Carol Brown as representative of Chair Ted Wheeler.

I can only conclude that the single bunking of the MCDC was one of the most publicly discussed issues of the Sheriff's 2010 budget submission. If any of the Commissioners have any feedback on how to make this a clearer process, I urge them to contact me and I will be glad to discuss it with them.

Transporting Inmates – Transporting inmates to the state prison in Wilsonville on Saturdays in addition to Monday through Friday in order to free up weekend jail beds is an excellent idea. If the volume justifies the expense, and agreement around this change can be reached with the Department of Corrections, the recommendation will be implemented immediately.

Expediting Court Proceedings – I agree that expediting cases to disposition is an effective way to reduce dependence upon jail beds. Currently, the Sheriff's Resource Analysis Unit provides a variety of reports that gives information to interested stakeholders relating to who's in jail, murder longevity report, and length of stay. We are very interested in any other opportunities to assist the public safety system in bringing trials to conclusion.

The lack of jail beds – I share the Grand Jury's concern over the lack of jail beds. The success of the county's strategy to manage more offenders in the community and to shorten sanctions for offenders who violate conditions of their parole or probation cannot be assessed without a sufficient passage of time. I am concerned about a public policy that embraces increasing the level of community tolerance rather than holding offenders accountable.

## V. Conditions for Change

I appreciate the Grand Jury's sincere concern about the long term health of the Sheriff's Office. As Sheriff I have already begun many of the recommendations the Grand Jury has suggested in effecting cultural changes and defining strategic direction for the Sheriff's Office. While my time in office has been brief, I am fully engaged in ensuring the correct management staff is in place and good lines of communication both internally and externally exist to develop, communicate, and implement good public policy.

Communication is an elusive creature as it is fully dependent upon perception. Lack of communication should not be confused with a failure to agree, failure to adequately review information, lack of trust, or disinterest in mission or outcome. Electronic media is the future of communication. Social media such as Facebook, Twitter, and others has advanced the instantaneous communication between parties and is

quickly becoming the communication of choice with a generation fully immersed in a data world. Failure to understand the elements of an MOU is a bi-lateral responsibility of managers communicating the outcome of negotiations and those with a lack of understanding communicating their questions to the appropriate venue.

One of my first priorities upon assuming the office of Sheriff was to embark upon a strategy to improve communications between the Sheriff's Office and the Board of County Commissioners. Additional staff were assigned the task of ensuring policy is well communicated to the Board. I meet at least monthly with each Board member to discuss policy and other issues relevant to the Sheriff's Office.

## VI. Conclusion

It is important to understand the overall responsibilities and work of the Sheriff's Office so that the results of this Grand Jury review may be placed in their proper context. We appreciate your careful review and obvious concern for the public safety in Multnomah County and the overall conditions of the Sheriff's jail system. Your conclusion that "the conditions of our jails and prisons generally met or exceeded requirements and guidelines, and inmates are kept safe and secure and treated humanely" speaks to the very nature of the purpose of the Corrections Grand Jury. While we have reservations regarding some conclusions, we share the fundamentally positive view of the office outlined in your Grand Jury Review. Thank you for your work.

## APPENDIX/ADDENDUM

The Grand Jury prepared an addendum of items to be examined by future Grand Juries. Rather than wait a full year before commenting, I will provide a responses and look forward to engaging the future Grand Jury should they become emerging issues.

- Command Structure at MCDC – The structure of the entire organization is under review. While I have made some organizational changes at the command level I will continue evaluating organizational structure to match organizational strategy. These items are not mutually exclusive and will come after careful consideration and review. The 2009 Corrections Grand Jury's conclusion that greater emphasis on strategy, communication, and focused outcomes is a long-term strategic goal both for the Sheriff's Office as well as the county is indicative of the level of effort needed. The command structure at MCDC is but one are that will be examined.
- The mental health population move from a dorm setting at MCIJ to a single cell setting at MCDC was a part of our efforts to reduce our budget by 12%. However it should not be viewed as merely a financial move as being able to single bunk the MCDC facilitated the ability to provide housing to the mental ill that affords privacy when needed and availability of group inter-action. Now that the residential pods are at their design level it is now possible to open up common areas on a greater and more frequent basis which will facilitate treatment and group activities. During the coming year this strategy will be evaluated and modified if found necessary.
- Training – As the former Training Commander I am very aware of the lack of training in the Sheriff's Office and its negative effects on the professional development and exposure to litigation. Through the use of electronic training opportunities and a new training area that is designed to facilitate learning and professional development, I believe we will improve our training effort in a cost effective way. Our goal is to meet or exceed the Oregon Jail Standards.

- Courthouse Delay and Use of Video – As technology has improved the delivery of data signals video conferencing is beginning to become a greater possibility. Early attempts were met with limited success as the data signals were unreliable and slow. Broadband technology has improved the transmission of digital images to the point that other jurisdictions are successfully using video conferencing as a tool in their judicial systems. It is a technology that should be reviewed and implemented.
- Programs – In my acceptance speech when I was appointed Sheriff, I emphasized that our jail system should be more than just a big box warehouse holding inmates until they are moved to their final disposition. I believe we have an important role in impacting behavior through programs, classes, and re-entry strategies. A review of programs is an important element in the jail system.
- FMLA/OFLA Leave – As we have invoked strategies to reduce sick leave in the agency we have seen an increase in FMLA/OFLA use. In some cases the protected leave was a result of identifying the serious health condition during counseling sessions. In other cases an employee sought FMLA/OFLA as a result of a new serious medical condition. Perhaps some are using FMLA/OFLA as a means of furthering a leave abuse strategy. Whatever the reason, it is very important that fair and appropriate standards are developed to ensure consistent and fair treatment to those experiencing qualified serious medical conditions.

Just like sick leave, the use of FMLA/OFLA in the Sheriff's Office is much more visible than other areas of the county due to the overtime backfill requirement of post driven positions. Consequently, working with County Human Resources and Labor Relations, we have willingly focused our efforts ensuring that effective FMLA/OFLA policy is developed. It is important that policies are used that reflect a county-wide strategy and are not structured to treat Sheriff's Office employees differently than other county employees.

- Racial Over-representation – The composition of offenders in custody should be a concern to everyone interested in cultural and racial awareness. Fair and equitable justice is the first priority to a free society. While the Sheriff's Office has little control over the racial or cultural composition of the jail system, we do annually review the racial, ethnic, and gender composition of our jail population. I am very pleased that the grand jury did not observe any evidence of prejudicial treatment in booking, classification, or treatment of inmates.
- Performance Evaluations – Performance evaluations are now in process for non-bargaining unit members. Performance evaluations are a matter of working conditions for our three bargaining units and we will be working with County Labor relations to negotiate performance evaluations as part of the overall County strategy.