



## John Hummel District Attorney

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Senator Richard Devlin and Representative Peter Buckley  
Co-Chairs  
Joint Committee on Ways and Means  
Oregon Legislative Assembly  
Oregon State Capitol

Dear Co-Chairs Devlin and Buckley:

I understand you are seeking information regarding the work being done by district attorneys to ensure that the cost savings anticipated from the justice reinvestment reforms enacted in HB 3194 are actually achieved. I am happy to provide you highlights of how my office is actively, and enthusiastically, involved in justice reinvestment.

### 1. Parole and Probation Strategy

We've been most involved in partnering with the Deschutes County Community Justice Adult Parole and Probation Division. Working in partnership, we are addressing three inmate and offender populations targeted by HB 3194.

- a. Strategy 1 addresses the subset of prison inmates who, per HB 3194, are released on conditional release, and into the Alternative Incarceration Program, ninety days rather than thirty days prior to the completion of their prison term. We assign a parole and probation officer to intervene with these inmates prior to release and, based on the prison release counselor's risk/needs assessment report, prepare the offender's supervision plan. If a risk and needs assessment has not been completed, or is out of date, the probation office conducts one.

Additionally the supervision plan establishes a continuum of community-based sanctions, services and programs that includes a balance of sanctions, supervision, and treatment as specified in Section 53 of HB 3194. Supervision is applied according to the offender's risk profile and compliance.

Important to the success of this strategy is to maximize the number of eligible prison inmates accepted into the community on the 90-day conditional release or the Alternative Incarceration Program. Statewide, approximately 20% of the Short Term Transitional Leave or Alternative Incarceration Program eligible inmates are accepted by local parole and probation departments for return to a community. The impediment to accepting these inmates is often lack of housing and the inability to get an offender into treatment. Transitional housing and treatment for these inmates is financed from the Justice Reinvestment Program.

- a. Strategy 2 is a diversion from prison strategy. The Justice Reinvestment Program probation officer intervenes pre-sentence with offenders convicted but not yet sentenced for a crime eligible for a downward

departure to probation (in lieu of a prison sentence). The probation officer conducts a risk/needs assessment and develops a supervision plan to assist the district attorney and court in assessing the appropriateness of a downward departure sentence. This activity establishes a process to assess offenders and allows for case plan development based on the risk/needs assessment that includes a balance of sanctions, supervision and treatment as specified in Section 53 of HB 3194. Sanctions, supervision and treatment are financed from the Justice Reinvestment Program.

Key to the success of this strategy is constant monitoring of eligible cases, and quick communication between the District Attorney's office and the probation department in order to identify as many eligible cases as possible and to quickly and accurately prepare an assessment and report. At times the entire process can be initiated and concluded within two days.

- b. Strategy 3 is to intervene with defendants who receive a departure sentence that begins with a stay in jail prior to release to probation. Many defendants will agree to a plea bargain for a departure to probation. In these cases there is no opportunity or need for a presentence assessment. Therefore, for these offenders, the Justice Reinvestment Program probation officer conducts the risk/needs assessment and initial case planning while the offender is in jail prior to release onto probation.


In addition to getting a head start on the offender's case planning, the assessment and case plan information is made available to the jail's program officers to assist them with inmate classification and program assignment decision making. This strategy results in case plan development, based on the LS/CMI risk/needs assessment, that includes a balance of sanctions, supervision and treatment (as specified in Section 53 of HB3194). Sanctions, supervision and treatment are financed from the Justice Reinvestment Program.

## 2. Victims' Assistance

HB 3194 requires at least 10 percent of grant funds awarded to be distributed to community-based nonprofit organizations that provide services to victims of crime (section 54Bb)). The Deschutes County District Attorney's Office serves as the coordinator of this grant program. Current grant recipients are the Kids Center and Saving Grace. The Kid's Center is a medical model child advocacy center providing evaluation and treatment services to children of abuse. They also provide prevention programs and support for families who are coming to terms with what has happened. Saving Grace provides comprehensive family violence and sexual assault services and promotes the value of living life free from violence.

Thank you for the opportunity to share information about the exciting programs we're implementing in Deschutes County.

Sincerely,



John Hummel  
Deschutes County District Attorney