



ROD UNDERHILL, District Attorney for Multnomah County

1021 SW Fourth Avenue • Room 600 • Portland, OR 97204-1193
Phone: 503 988-3162 • Fax: 503 988-3643 • www.mcda.us

March 24, 2015

Bob Hermann (President ODAA)
Washington County District Attorney
150 N. First Avenue, Suite 300
Hillsboro, Oregon 97124

Re: Response to legislative request for information about Justice Reinvestment activities of the Multnomah County District Attorney's Office

Dear District Attorney/President Hermann:

As you are aware we have been asked to provide the legislature with information “regarding the role the district attorneys have been playing within the public safety system to ensure that the anticipated avoided costs from the sentencing reforms enacted in 2013’s HB 3194 are being achieved and where these changes in prosecution have been most effective geographically across the state.”

That role can best be summarized by addressing a few key points. I believe that the beginning point is to state that I personally, and ODAA as an organization, were deeply involved in the negotiating and drafting of HB 3194. We were publically very clear in our support for HB 3194 as evidenced, among other things, by a letter written to legislators by then ODAA President Tim Colahan. President Colahan wrote, on all of our behalf, in a letter dated June 25, 2013 “...ODAA supports HB 3194-A as a meaningful and responsible way to cut prison costs and control future growth while also reinvesting in prevention, re-entry and victims services.”

An additional point is that we supported, and helped craft, the below language, among other aspects of the bill, in Enrolled HB 3194:

“Whereas increasing investments in local law enforcement agencies, community correction agencies, victims’ services and specialty courts will provide local communities with the resources necessary to hold offenders accountable and reduce future criminal conduct; and

Whereas the State of Oregon can maintain an effective and sustainable public safety system by directing savings that result from averted prison growth toward investments in our local communities.”

Further, since the passage of HB 3194, I have worked extremely hard, together with others, to carry out the legal aspects of the law together with the spirit with which it was written. For well over two years, a large group of system involved partners have been working together on the formation of a program now named the Multnomah County Justice Reinvestment Program (MCJRP). The sentencing practices of MCJRP go beyond the sentencing changes listed in HB 3194. The Multnomah County District Attorney's Office (MCDA) agreed to include into its program a larger range of drug and property crimes, in addition to some person crimes and Tier II Ballot Measure 11 offenses. The MCJRP process involves system-wide collaboration between the prosecution, defense, court and probation department and a commitment from each group to the offender's supervision plan. MCJRP is designed as both 1) an assessment and sorting process of offenders through the justice system, and 2) intensive supervision, treatment and services for offenders placed in the community rather than sent to prison. Justice Reinvestment money received over the past biennium was used in the following areas:

- Better informed professional decision making during the criminal case process through use of:
 - Information addressing offender accountability, victim input/impact, the offender's risk and needs, and mitigating/aggravating aspects of the underlying offense;
 - Judicial settlement conferences that confirm the commitments of each agency to the offender's probation conditions and supervision plan; and
 - Collaboration of, and greater communication between, agency partners.
- Intensive supervision of offenders and increased programming and treatment; and
- Re-Entry Enhancement Coordination (REC) Program, which is designed to close gaps in services provided to those transitioning from prison to the community.

I believe that in Multnomah County the effects of HB 3194 and the MCJRP result in a savings to the state estimated at \$10.2 million on avoided prison bed usage in the first year of its program alone (July 1, 2014 - June 30, 2015). This figure does not include additional savings in reductions in lengths of stays in prison (overall, Multnomah County is down 2.3% in average length of stay).

At the Judicial Ways and Means co-chairs' request, I am including three documents, two of which are data related, that capture the role the Multnomah County District Attorney's Office played within the public safety system to ensure that the anticipated avoided costs from the sentencing reforms enacted in 2013's HB 3194 are being achieved. I am confident that the

legislators will receive, if not already have, the most recent Metro Regional Implementation Committee (RIC) report so I will not include it in this report. The following documents are provided as attachments:

1. *MCJRP Cost Savings*, MCDA Interoffice Memo (3/12/15);
2. *Quarterly Report: FY15 Q1 & Q2*, Multnomah County Justice Reinvestment Program (July-December 2014); and
3. *Guidelines/Policy Manual*, Multnomah County Justice Reinvestment Program (2/12/15).

Please let me know if I can be of any further assistance or provide any other information.

Regards,



ROD UNDERHILL
District Attorney
Multnomah County, Oregon

Attachments
cc: Doug Harclerod