



## ASSOCIATION OF COMMUNITY CORRECTIONS DIRECTORS

### HB 5004

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Executive Board  
Members*

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*Committed To, And  
Value, Offender  
Reformation,  
Services to Victims,  
Crime Prevention,  
And Community  
Restoration*

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Chairs Senator Jackie Winters and Representative Duane Stark, members of the Joint Ways and Means Subcommittee on Public Safety, my name is Steve Berger and I am the Director of Washington County Community Corrections. I am here today to speak on behalf of the Oregon Association of Community Corrections Directors (OACCD). Thank you for the opportunity to meet with you today.

I wish to relay the success of the state and local partnership created with SB1145, during the 1995 Legislative Session, as evidenced statewide in many ways through effective local programs, cost effective interventions, and sanctions. I urge you to continue our success by fully funding Community Corrections in the Department of Corrections Budget.

The community corrections system that has evolved as a result of SB 1145 has two critical benefits for the state. First, our system improves public safety through local jurisdictions setting priorities to lower recidivism, which means fewer victims of crime in our communities. Second, we save taxpayers money both through improved public safety outcomes, and cost avoidance: Oregon's Community Corrections system reduces our use of more expensive prison and jails, reserving prison for the most serious offenders, while still keeping the community safe.

I know others will testify today and describe successful programs and personal stories of recovery. However, the pathway back to our communities is built upon the foundation of a strong partnership between the state and local Community Corrections programs.

I am asking you to fully fund of Community Corrections because of our public safety track record, and remind the committee, we are one of the few systems you can support that we know will save the state money in these budget strained times. I note this as the Governors Balanced Budget does not provide current service level funding for community corrections and triggers the opt-out clause within SB 1145.

Our association asks you to consider the unintended consequences and costs associated with a funding reduction triggering Opt-out discussions in counties across the state. I encourage you to continue our longstanding partnership.

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## ASSOCIATION OF COMMUNITY CORRECTIONS DIRECTORS

### **Community Corrections Is Successful & Cost Effective Strategy for Public Safety**

Recognizing Oregon is facing significant budget deficits, it is imperative we seek successful and cost effective strategies in public safety. By investing in Community Corrections, Oregon can cut both crime and spending by supporting stronger supervision of offenders in the community.

The vast majority of resources within the Oregon Department of Corrections budget are allocated to prisons. There is no question prisons are an essential part of Oregon's criminal justice system and custody continuum. However, for 9 out of 10 offenders who will be returning to our communities, we know these people can be held accountable and managed safely in the community at a significantly lower cost. In contrast to other government functions you are hearing from this session, we are one of the few public safety agencies that can actually save the state money through our practices.

By way of example, for every dollar Oregon spends housing nearly **15,000 prison inmates** in 2017 at \$99.37 per day ('15-'17), the state spends nine times less supervising over **32,000 felony offenders** at an average cost of \$10.71 per day ('15-'17). While we recognize the need for prisons as part of our public safety continuum, Oregon's commitment to prisons has far outpaced spending on probation and parole.

### **The State – County Partnership: Local Control for Supervision, Services, and Sanctions**

The state – county partnership creates the ability for each county to provide programs unique to each community, enhancing public safety based on what works best in their jurisdiction.

Based upon proven strategies, Community Corrections enhances public safety through a balanced approach of Supervision, Services, and Sanctions:

**Supervision** = Monitoring and contact with offenders, their neighbors, families, and employers. Making sure that Victims are not re-victimized by failure to receive restitution or being subjected to unwanted or prohibited contact by offenders.

**Services** = Ensure all offenders under supervision are assessed for the risk they represent to the community and the criminogenic needs to be addressed to promote pro-social change. Per SB267, all services will reflect Evidence Based Practice. Then monitoring involvement to ensure active & successful participation.

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**Sanctions** = Criminal Offenders need to be held Accountable. There needs to be swift & sure responses when offenders don't pay back their victims, don't participate in treatment, or begin to engage in criminal behavior. The imposition of local sanctions as a consequence for non-compliance can prevent future criminal behavior and increase the offender's motivation for active participation in programs and services.

### **Proven Strategies**

Community Corrections is committed to the principles outlined in SB 267 requiring programs with the primary purpose of reducing recidivism be evidence based and cost effective.

Community-based programs that must comply with SB 267 were identified by the Community Corrections Commission. The group reviewed all programs identified in each county's community corrections plan, and identified the following programs that had a primary purpose of reducing recidivism:

- Alcohol and drug treatment
- Cognitive change programs
- Parenting skills training
- Mental health care
- Sex offender treatment
- Domestic violence intervention programs
- Employment programs
- Anger management
- Life skills

To date, community-based programs reviewed document over 75% of funds investing in programs are evidence based. Further, it is my belief the actual statewide percentage is higher than the documented percentage.

### **Transition and Re-Entry**

Community Corrections and the Department of Corrections are continuing to work together closer than ever in coordinating release and re-entry. Recognizing an offender's first 90 days back in the community are critical, both agencies are coordinating efforts in preparing offenders for community supervision.

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The Dept. of Corrections enhanced their re-entry efforts during the last biennium targeting inmates eligible for Short Term Transitional Leave (STTL). In July 2013 the Oregon Legislature passed House Bill 3194, known as the Justice Reinvestment Act. HB 3194 included language directing DOC to identify inmates eligible for STTL and allowed DOC to increase the number of inmates who receive a maximum of 30 or 90 days leave.

It should be noted, in a 2017 review by the Criminal Justice Commission, inmates who participate in the STTL program show lower 1-year and 2-year recidivism rates than inmates who were statutorily eligible and did not participate. Specifically:

- ✓ The 2-year incarceration rate for the STTL group dropped 17.4% compared to the non-STTL group. This difference is statistically significant;
- ✓ The 2-year conviction rate for the STTL group dropped 10.0% compared to the non-STTL group. This difference is statistically significant; and
- ✓ The 2-year arrest rate for the STTL group dropped 4% in the arrest rate, but is not statistically significant

I highlight the success STTL through the state's Justice Reinvestment Initiative (JRI) to emphasize again the strength of the state – county partnership. However, the JRI is built upon the foundation of a strong and fully funded Community Corrections system. Without that foundation we undermine the proven JRI strategy.

### **Governor's Proposed Budget Triggers Opt-Out**

The Governor's proposed budget falls short of fully funding Community Corrections by cutting the legislatively approved funding model by 5% which equates to \$13.6 million. Such a reduction in funding will initiate two discussions: 1) which felony services will the legislature eliminate, and 2) which counties will pursue the opt-out clause within the state – county partnership without a workload reduction.

The term "Opt-Out" refers to a clause within the original legislation, SB1145, which transferred responsibility for Community Corrections from the state to Oregon's 36 counties. The "Opt-Out" clause allows counties to return responsibility for Community Corrections to the state if there is a failure by the state to fully fund the service; ending over two decades of successful partnership.

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### **Cuts to Community Corrections Means, Reduced Supervision**

Over the last two decades the state has eliminated funding for the supervision of all misdemeanor crimes including DUII, Domestic Violence crimes of Assault IV and Harassment, and Sex Crimes such as Sex Abuse III, Public Indecency, and Contributing to the Sexual Delinquency of a Minor. Further reduction in the supervision of criminal offenders is bad public safety policy.

Community Corrections cannot dilute offender supervision or treatment services. Although OACCD is not advocating a specific service reduction, without full funding there must be some service reduction.

The Governor has convened a workgroup seeking proposals in response to the reductions within the Public Safety budgets, but there have been no specific strategies introduced.

At this time our association believes it is too early in the legislative process to simply focus on any workload reduction. Options such as reducing the prison population through innovative county pilots, alternative sentencing practices, and intensive community supervision have not been thoroughly vetted. Further, the savings DOC would incur for not needing to open OSP Minimum, at an estimated cost of \$17 million, would more than cover the 5% reduction in funding and avoid opt-out altogether.

OACCD encourages the legislature to first explore ways we can improve the entire system through cost effective and proven strategies before we simply look to cut and reduce one component – community supervision - within our corrections system.

### **Conclusion: Now is the time Oregon needs a strong Community Corrections system more than ever**

In conclusion I want to again emphasize the success of SB 1145 and the state-county partnership in community corrections. Please maintain that partnership by fully funding Community Corrections.

We have a proven program in community supervision and we look forward to working with the legislature exploring ways to capitalize on our success in cost effective community supervision. Investments in community corrections, will improve public safety through proven programs impacting recidivism, reducing future victims, and fiscal savings through cost avoidance.

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