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HB 3078: Statement of Support to Expand Family Sentencing Alternative Pilot Program

House Judiciary Chairman Jeff Barker, and members of the Committee, my name is Scott Taylor and I am the Director of Multnomah County Department of Community Justice. I am testifying in support of HB 3078 on behalf of the Oregon Association of Community Corrections Directors (OACCD) and Multnomah County.

We support HB 3078 which seeks to expand the Family Sentencing Alternative Pilot program (FSAP) and provide the option to expand Short Term Trans Leave (STTL) up beyond to 90 days.

The Oregon Legislature's HB 3503 created the ten year pilot project Family Sentencing Alternative Pilot Program (FSAP) to divert qualified offenders who had custody of a minor child at the time of the offense from prison to probation. Based on a successful Washington State program that reduces recidivism and creates better outcomes for kids, the initiative was designed to provide parents an opportunity to achieve accountability through intensive supervision and services in the community while strengthening bonds with their children and increasing family stability.

While our pilot program in Oregon has shown promise, the original pilot limited participation to five specific counties: Deschutes, Jackson, Marion, Multnomah, and Washington. During 2016, 75 participants engaged in the program statewide, impacting the lives of 139 children who would have otherwise ended up in the foster care system.

In Multnomah County, approximately 30 individuals have participated in our program, which is located within our Family Services Unit. This unit provides supervision through a multi-disciplinary team (MDT), working closely with child welfare, human services, health services, and mental health agencies. Services include alcohol & drug, mental health, trauma, and culturally specific treatment as well as parenting classes. Additionally, participants are paired with parenting mentors; children have access to their own mentors, if needed. Participants can meet with mentors and PPOs in their own homes.

HB 3078 provides the Oregon Department of Corrections (DOC) the ability to broaden the number of counties eligible to participate. The OACCD looks forward to working together with DOC in developing a process for selecting counties to participate in the expanded pilot program. The five participating counties have found this program to be an important alternative for qualified offenders and key in providing important resources to help keep families together.

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Another important aspect of HB 3078 is that it will eliminate some of the statutory restrictions to program participation in FSAP. Currently, barriers include disqualifications due to crime and because an individual is pregnant and not yet considered to be parenting. All of the participating counties could serve many more participants if these barriers were removed.

This bill is also proposing to expand Short Term Transitional Leave (STTL) beyond the current 90 day maximum for certain specified sentences. Short Term Transitional Leave has been the single most successful strategy from HB 3194, known as the Justice Reinvestment Act, preventing the expansion of our prison system. 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;
- ✓ The 2-year conviction rate for the STTL group dropped 10.0% compared to the non-STTL group; and
- ✓ The 2-year arrest rate for the STTL group dropped 4% in the arrest rate.

Community Corrections and the Department of Corrections are continuing to work together closer than ever in coordinating STTL release and re-entry. We highlight the success of STTL to emphasize again the strength of the state – county partnership. At this time, we have demonstrated success with 90 day STTL and we support expanding the maximum length. Although OACCD is not advocating for a specific length of expanded STTL, we support the opportunity for each county in partnership with DOC to provide transition services beyond the current 90 day maximum. The question moving forward is finding the right balance of transition length and community resources to continue our success.

Lastly, HB 3078 also includes a provision granting the DOC authority to reduce the term of incarceration of an inmate as described in ORS 421.121 by a period of an additional six months if the inmate meets the specific eligibility. Allowing for a six month reduction in addition to STTL will allow offenders to qualify for the Affordable Health Care Act, as well as other services inmates cannot qualify for in the community. This will allow community corrections to provide access to services they may not be able to afford or access if they are still considered inmates.

We look forward to working with the Legislature and our criminal justice stakeholders in determining the next steps for FSAP and STTL.

Thank you for the opportunity to testify before you today. I would be happy to answer any questions.

Submitted by:
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