Rep. Tina Kotek, Speaker of the House Oregon State Capitol 900 Capitol St. NE, Room 269 Salem, OR 97301

April 18, 2017

Re: Report of Public Safety Work Group

Dear Speaker Kotek:

It has been our pleasure to serve as co-chairs of your Work Group to explore strategies for prison bed and budget savings through sentencing reforms. You set for us the goal of reducing by 880 the number of prison beds occupied by 2025. As prison population projections currently stand, that number reflects the reduction necessary to mitigate the need for new prisons and bend the growth trend nearer to optimal prison operating levels.

We met seven times and undertook an extensive review of a variety of strategies to accomplish the objective you set for us. Our Work Group was engaged and committed to the process. Even though our final recommendations do not represent the unanimous positions of all the Work Group members, we want to thank all the members for their good faith and participation.

The members of the Work Group were:

- Senator Jackie Winters, Co-Chair of the Joint Committee on Ways & Means, Sub-Committee on Public Safety
- Representative Duane Stark, Co-Chairs of the Joint Committee on Ways & Means, Sub-Committee on Public Safety
- Kevin Campbell, Oregon Association Chiefs of Police & Oregon State Sheriffs' Association
- Tim Colahan, Oregon District Attorneys' Association
- Shaun McCrea, Oregon Criminal Defense Lawyers Association
- Jason Myers, Marion County Sheriff
- Michael Schmidt, Criminal Justice Commission
- Lara Smith, Oregon Association of Community Corrections Directors
- Shannon Wight, Partnership for Safety & Justice
- Greg Macpherson, Co-Facilitator of the Public Safety Work Group
- Lane Shetterly, Co-Facilitator of the Public Safety Work Group
- Kathleen Hallgren, Office of House Speaker Tina Kotek

Public Safety Work Group Goals

Early in our convening, the Work Group adopted a goal and statement of purpose built from the objectives that you laid out. The language is copied below for your reference as you review the proposals:

Goal and Statement of Purpose

The workgroup is convened to develop strategies that will work toward a shared vision of Oregon where we can invest smartly, promote safety, and ensure that everyone has a chance to thrive.

To further this goal, the Public Safety Work Group will:

- Discuss drivers of prison population growth and "best ideas" on how to avoid costs;
- Produce recommendations that achieve savings and investments through 2025;
- Deliver recommendations by the first week of April.

Proposals

As you know, it is impossible to be precise in predicting prison beds given all of the variables at work in the criminal justice system. So, while we have made every effort to use the best information available to us from the Criminal Justice Commission (CJC) and our Work Group members, we acknowledge that our numbers are imprecise. That said, we are pleased to present you in this report with the product of our Work Group efforts and deliberations.

The Work Group focused on several different strategies to reduce prison beds over the term you set for us. Those strategies included:

• Expanding Short-Term Transitional Leave (STTL). CJC's analysis of STTL since HB 3194A (2013) demonstrates that people who have received STTL recidivate less than those who have not. The Work Group discussed expanding the current 90-day period of STTL to 120 days, 150 days, or 180 days. There was support by a majority of the Work Group for 120 days, less support for 150 days, and significant resistance to 180 days. There was also a desire among some Work Group members to make an expansion of STTL optional with each county. However, the CJC's projection of prison bed savings from expanded STTL was not based on this optional feature and we were told by CJC that adding it could significantly reduce the impact of the expansion. At the same time, there was recognition within the Work Group that local actions, such as charging decisions, plea offers, and the like inherently result in optional use of STTL. The Work Group recommends that concerted outreach be made to counties to educate local public safety partners of the public

safety benefits of STTL. From an administrative perspective, the Work Group also recognized that making expanded STTL a local opt-in would complicate record-keeping for the Corrections Division, which has to track eligibility, if different counties have different lengths of STTL.

- **Modifying Measure 57.** The presumptive sentences of Ballot Measure 57 (2008) for a range of property crimes are one of the drivers of increases in Oregon's prison population. Because females are proportionately more involved in property crimes, Measure 57 is a particularly significant factor contributing to overcrowding at the Coffee Creek Correctional Facility for Women. (The total prison months for females are 44% for property crimes, as compared to 18% for males.)¹ Redirecting these offenders from prison to drug and mental health treatment would have a significant effect on prison bed reduction and cost savings, and could produce better longterm public safety benefits by addressing the underlying addiction and health issues of the offenders. The Work Group considered modifications that would remove two less serious crimes from Measure 57: Identity Theft and Theft 1. Theft 1 applies to loss amounts from \$1,000 to \$10,000 and Identity Theft can be charged without regard to the dollar amount of the victim's loss. Aggravated Theft 1 (for thefts over \$10,000) would continue to be a Measure 57 offense. Likewise, Aggravated Identity Theft (involving a larger number of victims) would continue to be a Measure 57 offense.
- **Encouraging the Expansion of Local SB 416 Models.** Several of the larger counties in the state have already adopted innovative and effective programs based on SB 416 (2011) (which was not enacted into law). We enjoyed a compelling presentation on the Marion County SB 416 program, which has been effective in reducing sentences to prison and appears to be effective in reducing recidivism as well. While counties currently have the authority to implement SB 416 programs, the Work Group felt that an explicit statutory authorization (not a requirement) coupled with funding incentives would be effective in increasing the number of such programs statewide, thereby achieving a reduction in prison beds and savings in prison costs. As with the expansion of STTL, building local buy-in and encouraging local partnerships were consistently identified as critical to the viability of future efforts and recognized as the keys to success for existing programs. The Work Group also recommends that outreach be made to counties about SB 416 programs and the utilization of proven risk-based tools to determine eligibility for the programs.

¹ Appendix A: CJC Memo "Re: Oregon Female Offender Prison Population," updated Jan. 2017

• Expanding Work Release Programs. Work release is an effective tool for achieving prison bed savings and supporting public safety by providing a supportive opportunity for appropriate offenders to find work and develop job skills to support themselves in the community.

The projected prison bed savings for these strategies, both separately and in combination, is shown on the memorandum from CJC attached to this report.²

The Work Group also considered other strategies, such as expanding eligibility for the Family Sentencing Alternative, but determined that the prison bed savings would be minimal.

Concerns

With respect to viability, we recognize that even the strategies described above will have varying degrees of difficulty navigating the legislative process. There is no low-hanging fruit. For one thing, the Work Group members did not necessarily share among themselves the same sense of urgency with regard to the basic problem statement, that the state is at or even approaching a critical point with regard to prison bed capacity. Without recognition of the basic premise, it will be difficult to persuade some to see the need for reducing the number of prison beds. Another point in opposition will be concern for public safety. It will take evidence to persuade skeptics that, when properly funded by the state and supported at the local level, the strategies put forward in this report can actually enhance public safety.

One further point of objection that was raised by representatives of the District Attorneys Association, the Association of Chiefs of Police and the State Sheriff's Association was the agreement they negotiated with Governor Kitzhaber over HB 3194 in 2013. Gov. Kitzhaber wrote a letter to the Associations dated June 27, 2013, referencing an "Agreement to refrain from pursuing significant sentencing changes if prison population is controlled." In his letter, Gov. Kitzhaber acknowledged that HB 3194 was "a negotiated resolution based on recommendations from the Commission on Public Safety." He further stated that:

"Assuming our forecasts hold true, over the next five years, the prison population should remain level, and we will avoid the need to build new corrections facilities. We'll also avoid an over-reliance on temporary and emergency beds within the Department of Corrections. This will achieve costs [sic] savings, which was one of the primary goals of the Commission

² Appendix B: CJC Memo "Re: Prison Bed Saving Options to Consider," published March 2017

on Public Safety, and these savings can then be re-invested in our public safety system.

"I believe these assumptions will hold, and therefore I do not foresee a need to pursue additional significant sentencing changes."

The Associations to whom the letter was addressed understand the letter to be a commitment not to revisit sentencing changes for five years; that is, until 2018. The representatives of the Associations on the Work Group raised the letter several times by way of expressing concerns about the consideration of sentencing changes this year.

While being respectful of the HB 3194 agreement and Gov. Kitzhaber's letter, the majority of the Work Group was of the opinion that the letter did not foreclose the consideration of sentencing changes at this time for a number of reasons. For one thing, it is not entirely clear that the assumptions in the letter have been met, particularly with regard to avoiding an over-reliance on temporary and emergency beds. As of late March, Oregon's Department of Corrections estimated that at least 880 temporary and emergency beds were in use across the state. For another, as Sen. Winters observed, the negotiation on HB 3194 was between the Governor, the Associations and the House; the Senate was not a party to the agreement. There is also the matter of the current circumstances. While a budget shortfall may not amount to an "unforeseen circumstance" that would not have been contemplated in 2013, certainly the magnitude of the shortfall in this session, and the urgent need to identify cost savings in every corner of the budget, is well beyond what would have been reasonably contemplated. No program can be held harmless from the need to find new savings, not just for the coming biennium but, even more importantly, going forward. Finally, with regard to the five-year period of the commitment, we are four years out from the agreement, which is most of the period, and changes recommended now will not be implemented until 2018, which will be at the end of the period mentioned in Gov. Kitzhaber's letter. As such, the majority of the Work Group did not regard Gov. Kitzhaber's letter or the HB 3194 agreement as prohibiting the consideration and implementation of sentencing changes in this legislative session.

One further comment regarding the strategies put forward by the Work Group needs to be made. With each of the strategies for reducing prison beds put forward by the Work Group, there will have to be funding provided to support local services and programs to meet the needs of the offenders and ensure public safety. Simply releasing offenders from prison to the community, or keeping them from going in the first place, would certainly result in a reduction of prison beds and cost savings (at least in the short term) for the Department of

Corrections. But without providing adequate funding for the local services needed for the successful expansion of STTL, statewide SB 416 programs, work release, and basic parole and probation supervision, the needs of offenders and the priority of keeping the public safe will not be met. This was indeed a point of consensus among the Work Group participants - savings achieved by any of the strategies put forward must be re-invested in our public safety system. There was also general agreement that, should additional resources beyond the current baseline become available, those funds would be well spent in incentivizing more robust local participation in programs like the SB 416 model and expanded STTL.

Recommendations

With all of the foregoing in mind, the Work Group offers the strategies we have described in this report. We note that the only way to achieve your stated objective of a reduction of 880 prison beds will be to implement all of the strategies we have addressed above. Based on CJC's analysis, as shown on the memorandum from Mike Schmidt attached to this letter³, this "all strategies" option would achieve a reduction of 1,138 beds by 2026. (CJC did not present an analysis to 2025.) Completely "turning off" Measure 57 would undoubtedly be a heavy lift, so as an alternative to the full suspension, we suggest you may wish to move forward with only changes to sentencing of "Theft 1" and "Identity Theft." These sentencing reductions would be particularly effective for bending the trend line on female prison population growth. In 2016, Theft 1 and Identity Theft accounted for almost a quarter (24%) of female intakes. In the same year, those crimes accounted for only 8% of male intakes. Given that the population at Oregon's only women's prison, Coffee Creek Correctional Facility, has consistently hovered at or over capacity for the past several years, reducing female prison population growth is especially important for the goal of avoiding opening any new prisons in the state.⁴ Though these changes will not, by themselves, achieve the 880-bed savings (the CJC analysis shows they would reduce prison beds by 568 over the same term, assuming the STTL expansion is to 120 days and is not made optional with each county), they would still accomplish a significant savings in beds and costs, and would be an important step toward sentencing reform.

We hope this report is helpful to you as you move forward in this session to find the budget savings you need while advancing sound public policy.

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³ Appendix B: CJC Memo "Re: Prison Bed Saving Options to Consider," published March 2017

⁴ Coffee Creek's capacity is 1,280. Per the Department of Corrections, the population was 1,292 as of April 17, 2017.

Thank you for the opportunity to serve you and the State of Oregon in this important endeavor.

Yours very truly,

LANE SHETTERLY

GREG MACPHERSON

APPENDIX A

CJC Memo "Re: Oregon Female Offender Prison Population," updated Jan. 2017

Memo

To: House Majority Leader Williamson From: Mike Schmidt – Director CJC

Re: Oregon Female Offender Prison Population

UPDATED January 26, 2017

Representative Williamson, at our most recent meeting in regards to the ongoing issue of overcapacity at the Coffee Creek Correctional Facility you made certain specific requests for information regarding the female offender population.

- Crime type data comparison of female to male offenders;
- County of origin data comparison of female to male offenders;
- Effects of Justice Reinvestment programs comparison of female to male offenders;
- Projections of what the female & male offender population would look like if Measure 57 were to be "turned off";

Below you will find an analysis in response to your questions, please do not hesitate to contact us with further questions as they arise.

Women in Prison – Updated January 2017

The following analysis shows the conviction drivers of the female prison population, and the differences compared to the male population.

The table below shows prison intakes from 2007 to 2016 by gender. Males make up the majority of prison intakes, but have grown at a much slower rate than females. From 2007 to 2016 female intakes increased nearly 9%, while males decreased 2.2%.

| Total Prison Intakes | Female | Male | Total |
|----------------------------|--------|-------|-------|
| 2007 | 546 | 4143 | 4689 |
| 2008 | 579 | 4172 | 4751 |
| 2009 | 597 | 4418 | 5015 |
| 2010 | 567 | 4271 | 4838 |
| 2011 | 551 | 4148 | 4699 |
| 2012 | 628 | 4185 | 4813 |
| 2013 | 661 | 4330 | 4991 |
| 2014 | 623 | 4197 | 4820 |
| 2015 | 663 | 4249 | 4912 |
| 2016 | 595 | 4053 | 4648 |
| % Change from 2007 to 2016 | 9.0% | -2.2% | -0.9% |

The intake rate varies substantially by county. The table below shows the number of intakes by gender in 2016, and the intake rate, for the top 20 counties on female intakes. Multnomah County had the highest number of female intakes at 91, followed by Washington County at 74. The intake rate is the number of intakes per 100,000 population. There are 2 counties in the top 20 with a rate above 100 female intakes per 100,000 population. Jefferson County had the highest rate in 2016 at 140.4, followed by Clatsop at 104.6, and Klamath at 71.2.

| 2016 Prison Intakes | Fema | ales | Males | |
|------------------------|---------|--|---------|--|
| manos | Intakes | Intake Rate per 100,000 Population | Intakes | Intake Rate per 100,000 Population |
| MULT | 91 | 23.0 | 701 | 177.3 |
| WASH | 74 | 25.4 | 461 | 158.0 |
| MARI | 51 | 30.5 | 420 | 251.5 |
| LANE | 51 | 27.9 | 435 | 237.7 |
| CLAC | 48 | 23.7 | 302 | 149.1 |
| DESC | 28 | 31.7 | 185 | 209.5 |
| DOUG | 26 | 47.1 | 142 | 257.3 |
| LINN | 26 | 42.5 | 170 | 278.0 |
| JACK | 26 | 24.3 | 207 | 193.7 |
| KLAM | 24 | 71.2 | 130 | 385.7 |
| CLAT | 20 | 104.6 | 52 | 272.1 |
| JEFF | 16 | 140.4 | 43 | 377.4 |
| LINC | 16 | 67.0 | 53 | 222.1 |
| JOSE | 15 | 35.4 | 143 | 337.8 |
| UMAT | 14 | 35.1 | 96 | 240.4 |
| YAMH | 12 | 22.9 | 72 | 137.2 |
| WASC | 7 | 52.4 | 28 | 209.7 |
| COLU | 7 | 27.6 | 44 | 173.2 |
| POLK | 7 | 17.6 | 65 | 163.1 |
| TILL | 6 | 46.3 | 30 | 231.5 |

The tables below show 2016 prison intakes for males and females by crime type, average LOS, and prison months. Nearly half of female intakes were for property crimes, compared to nearly a third for males. The average LOS for females is lower on average compared to males. The total prison months for females are 44% for property crimes, compared to 18% for males. Total prison months for drug crimes are 13% for females compared to 7.4% for males.

| 2016 Prison | Female Intakes | | | | | | |
|-------------|----------------|-----------|----------------|---------------------------|-----------------------------|--|--|
| Intakes | Intakes | Intakes % | Average LOS | Total Prison Months | Total Prison Months % | | |
| Driving | 16 | 2.7% | 13.1 | 209.8 | 1.5% | | |
| Drug | 105 | 17.8% | 17.2 | 1807.1 | 13.3% | | |
| Property | 279 | 47.2% | 21.5 | 6002.7 | 44.2% | | |
| Other | 58 | 9.8% | 18.7 | 1082.7 | 8.0% | | |
| Person | 126 | 21.3% | 31.6 | 3980.2 | 29.3% | | |
| Sex | 7 | 1.2% | 72.3 | 506.2 | 3.7% | | |

| 2016 Prison | Male Intakes | | | | | | |
|-------------|--------------|-----------|----------------|---------------------------|-----------------------------|--|--|
| Intakes | Intakes | Intakes % | Average LOS | Total Prison Months | Total Prison Months % | | |
| Driving | 129 | 3.2% | 16.9 | 2174.2 | 1.3% | | |
| Drug | 481 | 11.9% | 25.0 | 12026.1 | 7.4% | | |
| Property | 1271 | 31.6% | 22.6 | 28684.4 | 17.7% | | |
| Other | 610 | 15.2% | 20.6 | 12546.3 | 7.7% | | |
| Person | 991 | 24.6% | 46.3 | 45893.9 | 28.3% | | |
| Sex | 544 | 13.5% | 112.1 | 60987.2 | 37.6% | | |

There are also substantial differences by gender for specific crimes. The tables below show the top 10 crimes for female prison intakes, compared to male intakes for 2016. Theft 1 accounts for 12% of female intakes, compared to nearly 5% for males. The total prison months for Theft 1 is nearly 10% for females, compared to 2.3% for males. The average LOS is lower for females on average compared to males, across the 10 crimes. The top 4 crimes, which are all sentenced at least in part under M57 (Theft 1, ID theft, Meth Delivery, and UUV), comprise nearly 38% of female intakes, compared to 21% for males. Total prison months for these 4 crimes comprise 31% for females, and nearly 11% for males.

| 2016 Female Prison Intakes | | | | | | | | |
|----------------------------|---------------|------------|---------|--------------|----------------|---------------------------|--------------------------------|--|
| ORS Abbr. | ORS Number | ORS Sub | Intakes | Intakes % | Average LOS | Total Prison Months | Total Prison Months % | |
| THEFT I | 164055 | | 71 | 12.0% | 18.9 | 1344.7 | 9.9% | |
| ID THEFT | 165800 | | 68 | 11.5% | 20.6 | 1399.8 | 10.3% | |
| DELIV METH | 475890 | 2 | 42 | 7.1% | 18.8 | 788.5 | 5.8% | |
| UN USE VEH | 164135 | | 42 | 7.1% | 16.7 | 702.3 | 5.2% | |
| BURG I | 164225 | | 38 | 6.4% | 24.0 | 913.4 | 6.7% | |
| DEL HEROIN | 475850 | | 29 | 4.9% | 17.9 | 517.9 | 3.8% | |
| THEFT AGGR | 164057 | | 18 | 3.0% | 40.7 | 732.7 | 5.4% | |
| ASSA II AT | 163175 | X | 17 | 2.9% | 21.9 | 371.6 | 2.7% | |
| ROBB II | 164405 | | 15 | 2.5% | 41.8 | 626.6 | 4.6% | |
| DUII-FELON | 813010 | 5 | 14 | 2.4% | 13.4 | 187.0 | 1.4% | |

| 2016 Male Prison Intakes | | | | | | | |
|--------------------------|---------------|------------|---------|--------------|----------------|---------------------------|--------------------------------|
| ORS Abbr. | ORS Number | ORS Sub | Intakes | Intakes % | Average LOS | Total Prison Months | Total Prison Months % |
| THEFT I | 164055 | | 194 | 4.8% | 18.8 | 3655.0 | 2.3% |
| ID THEFT | 165800 | | 137 | 3.4% | 20.9 | 2859.1 | 1.8% |
| DELIV METH | 475890 | 2 | 231 | 5.7% | 25.7 | 5933.4 | 3.7% |
| UN USE VEH | 164135 | | 287 | 7.1% | 18.2 | 5214.1 | 3.2% |
| BURG I | 164225 | | 299 | 7.4% | 31.1 | 9283.8 | 5.7% |
| DEL HEROIN | 475850 | | 122 | 3.0% | 25.2 | 3069.7 | 1.9% |
| THEFT AGGR | 164057 | | 54 | 1.3% | 25.6 | 1380.0 | 0.9% |
| ASSA II AT | 163175 | X | 98 | 2.4% | 27.8 | 2719.4 | 1.7% |
| ROBB II | 164405 | | 119 | 3.0% | 58.9 | 7010.1 | 4.3% |
| DUII-FELON | 813010 | 5 | 86 | 2.1% | 16.6 | 1428.9 | 0.9% |

The previous tables have shown that property crime sentences are the major driver of the female prison population. Measure 57 has a substantial impact on sentencing for most property crimes. The table below shows the intakes and average LOS for property prison intakes from 2007 to 2016. Measure 57 was passed by the Oregon voters in 2008. It applied to crimes committed on or after January 1, 2009. Then it was suspended for sentenced imposed on or after Feb 15, 2010, and then reinstated for crimes committed on or after January 1, 2012. The Justice Reinvestment sentencing changes went into effect on August 1, 2013. For the purposes of modeling the impact of Measure 57 on the prison population, we've used 2008 and 2011 to model trends when Measure 57 is not in effect (highlighted in dark gray). We've used 2015 and 2016 to model trends when Measure 57 and Justice Reinvestment are in effect.

| Property | Fen | nale | Male | |
|----------------|---------|----------------|---------|----------------|
| Prison Intakes | Intakes | Average LOS | Intakes | Average LOS |
| 2007 | 257 | 16.8 | 1352 | 19.5 |
| 2008 | 258 | 18.5 | 1236 | 19.1 |
| 2009 | 284 | 18.8 | 1380 | 20.2 |
| 2010 | 270 | 21.8 | 1218 | 20.1 |
| 2011 | 229 | 17.8 | 1132 | 20.5 |
| 2012 | 292 | 19.4 | 1271 | 22.4 |
| 2013 | 332 | 21.8 | 1446 | 24.4 |
| 2014 | 280 | 20.6 | 1361 | 23.7 |
| 2015 | 339 | 21.1 | 1396 | 24.0 |
| 2016 | 279 | 21.5 | 1272 | 22.6 |

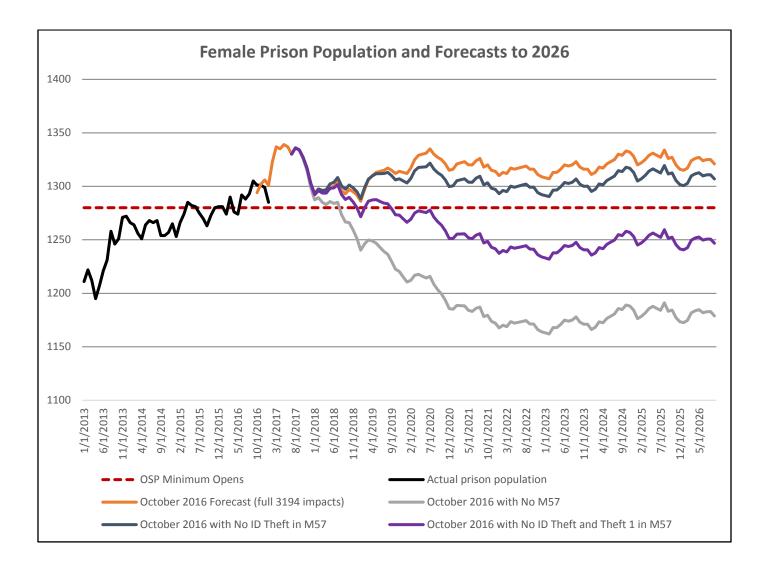
The following estimates assume M57 is not in effect for crimes committed on or after July 1, 2017. This also assumes that other parts of the criminal justice system would not change. Changes in crime rates, law enforcement resources, and sentencing trends for other crimes would all impact these estimates, especially in the outer years.

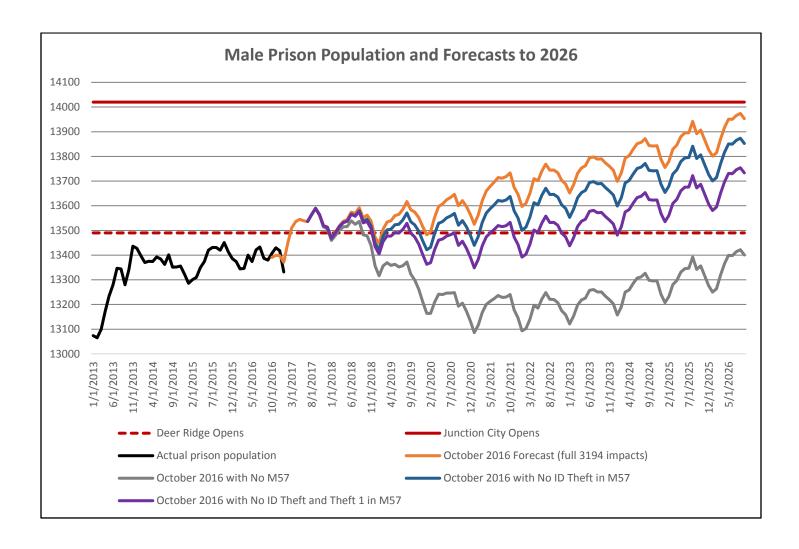
Assuming M57 is not in effect for crimes committed on or after July 1, 2017, this would save 70 female beds by July 2019 and 130 female beds by July 2021. For a total female prison population that is currently at 1290, 130 beds saved represents a 10% reduction in the population.

For males this would save 230 male beds by July 2019 and 470 male beds by July 2021. For a total male prison population that is currently at 13400, 470 beds saved represents a 3.5% reduction in the population.

If only ID theft is removed from Measure 57, the bed savings are smaller. For females, this would save 5 prison beds by July 2019 and 16 beds by July 2021. For males this would save 40 beds by July 2019 and 93 beds by July 2021.

Suppose both ID theft and Theft 1 are removed from Measure 57. For females, this would save 30 prison beds by July 2019 and 70 beds by July 2021. For males this would save 80 beds by July 2019 and 190 beds by July 2021.





APPENDIX B

CJC Memo "Re: Prison Bed Saving Options to Consider," March 29, 2017

Memo

To: Speaker Kotek Workgroup From: Mike Schmidt – Director CJC Re: Prison Bed Saving Options to Consider

Date: March 29, 2017

Prison Bed Saving Options to Consider

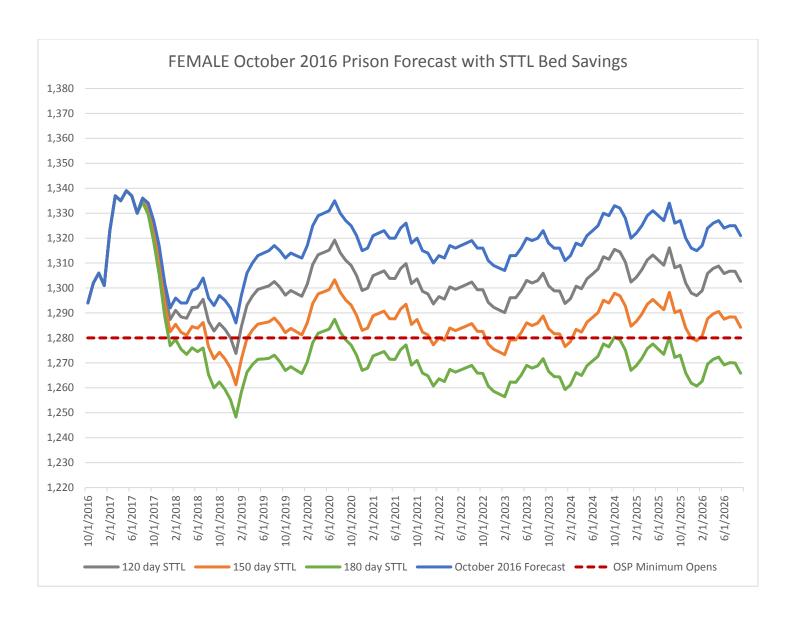
Assumptions

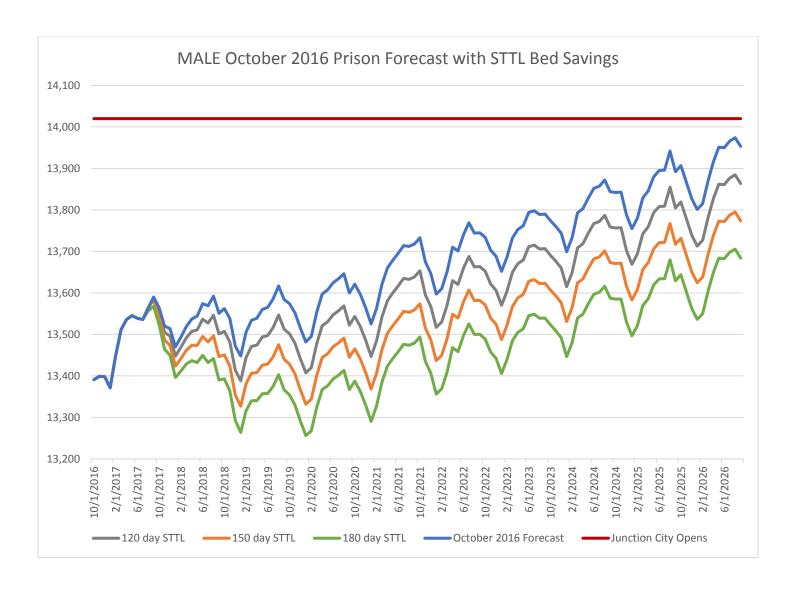
The bed impact estimates below include several assumptions. The first is that counties continue to have the resources to implement and maintain the programs described below. For example, those who participate in the STTL program must have adequate housing. If the program is expanded, that could result in a greater need for housing for participants in the program. The estimates also assume that other of the criminal justice system would not change. Change in crime rates, law enforcement resources, plea-bargaining practices, and sentencing trends for other crimes would all impact these estimates, especially in the outer years.

STTL Expansion

| STTL Program Expansion Female Prison Bed Savings Estimates | July 2019 | July 2021 | July 2026 |
|--|-----------|-----------|-----------|
| 120 days | -14 | -16 | -18 |
| 150 days | -29 | -32 | -37 |
| 180 days | -43 | -49 | -55 |

| STTL Program Expansion Male Prison Bed Savings Estimates | July 2019 | July 2021 | July 2026 |
|--|-----------|-----------|-----------|
| 120 days | -69 | -79 | -89 |
| 150 days | -139 | -158 | -179 |
| 180 days | -211 | -238 | -268 |

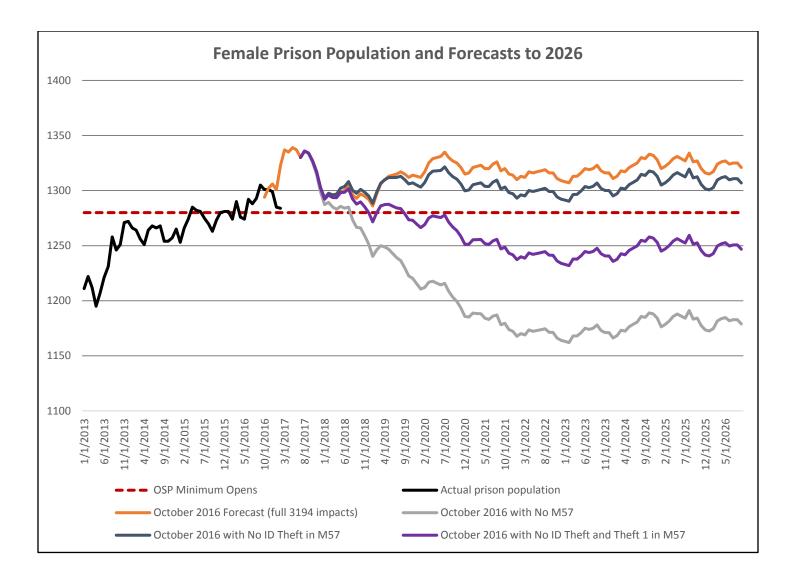


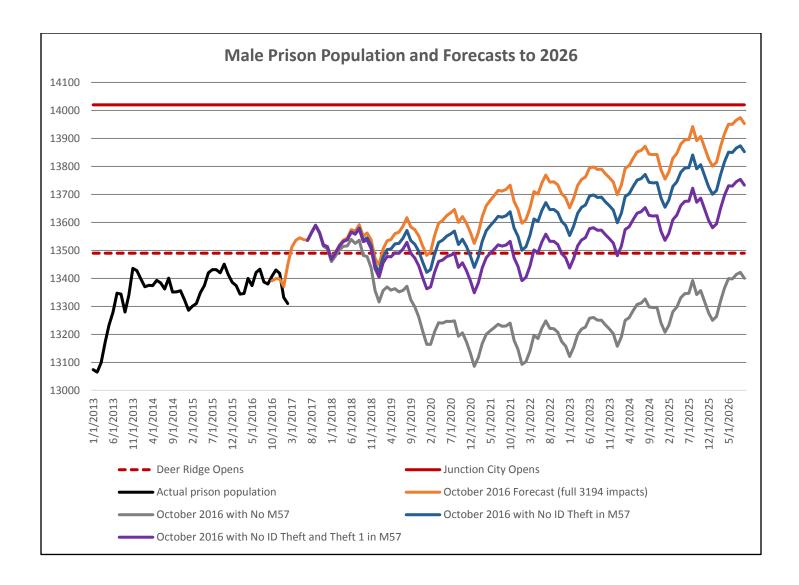


M57 Changes

| M57 Changes Female Prison Bed Savings Estimates | July 2019 | July 2021 | July 2026 |
|---|-----------|-----------|-----------|
| No ID theft in M57 | -3 | -16 | -17 |
| No ID theft and Theft 1 in M57 | -31 | -69 | -74 |
| No M57 | -76 | -138 | -142 |

| M57 Changes Male Prison Bed Savings Estimates | July 2019 | July 2021 | July 2026 |
|---|-----------|-----------|-----------|
| No ID theft in M57 | -43 | -93 | -100 |
| No ID theft and Theft 1 in M57 | -82 | -194 | -220 |
| No M57 | -229 | -478 | -552 |

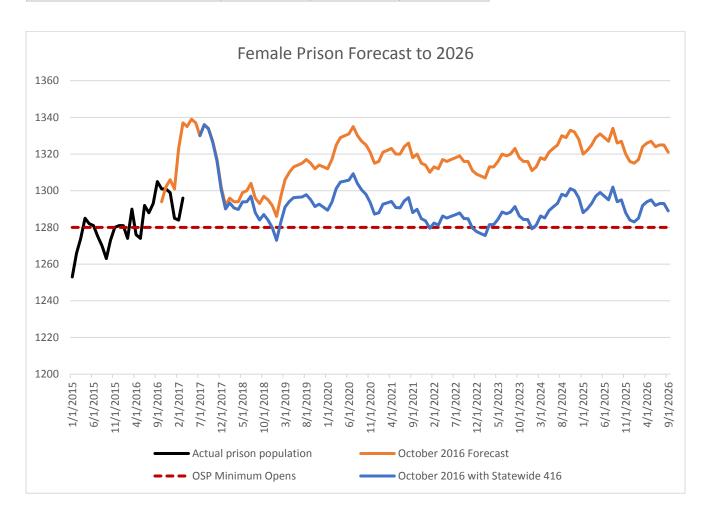


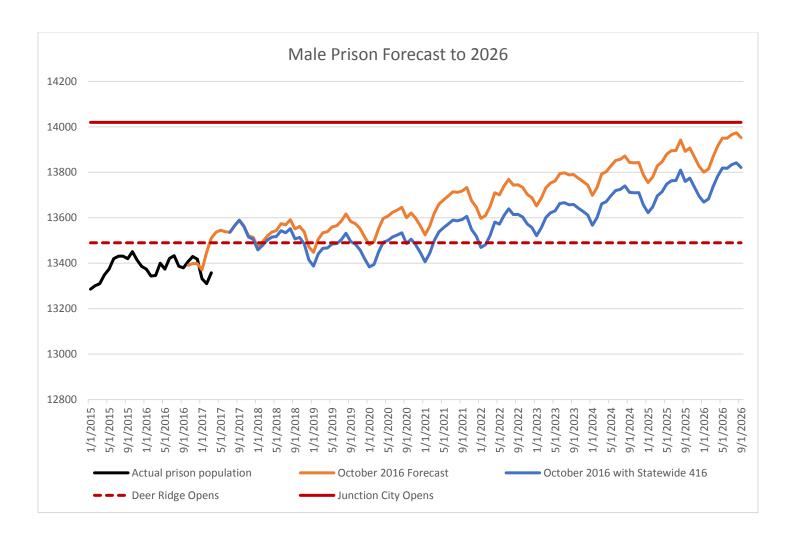


Statewide 416 Program

The bed savings estimates assume a 416 program in all counties except Multnomah, Marion, and Lane. The bed savings estimate is based on a 10% reduction in property intakes, which is the average reduction for the most common 416 crimes in Marion and Lane Counties.

| Statewide 416 Program Prison Bed Savings Estimates | July 2019 | July 2021 | July 2026 |
|--|-----------|-----------|-----------|
| Female | -18 | -30 | -32 |
| Male | -82 | -124 | -132 |





Work Release Programs

The bed savings estimate assumes 15 female participants in Marion County, 10 in Jackson County, and 3 in Lane County. The potential impact in Multnomah County has not been determined at this time. Lane County is assumed to include 10 male participants.

| Work Release Programs Prison Bed Savings | Female | Male |
|--|--------|------|
| Marion | -15 | 0 |
| Lane | -3 | -10 |
| Jackson | -10 | 0 |
| Multnomah | TBD | 0 |
| Total | -28 | -10 |

All Scenarios Combined

Many of the scenarios described above overlap the same prison intakes and types of convictions. The table below shows the bed savings estimates of all the scenarios combined, accounting for estimated overlap across the different programs. The changes to Measure 57 and the statewide 416 program have the most overlap in terms of the prison intakes and diversions impacted.

The maximum scenario described below includes STTL expanded to 180 days, all of M57 suspended, a statewide 416 program, and the work release program.

| Maximum Scenario Prison Bed Savings Estimates | July 2019 | July 2021 | July 2026 |
|---|--------------|--------------|--------------|
| Female | -155 | -231 | -242 |
| Male | -486 | -789 | -896 |
| Total | -642 | -1020 | -1138 |

The minimum scenario described below includes STTL expanded to 120 days, ID theft and Theft 1 removed from M57, a statewide 416 program, and the work release program.

| Minimum Scenario Prison Bed Savings Estimates | July 2019 | July 2021 | July 2026 |
|---|--------------|--------------|--------------|
| Female | -87 | -137 | -145 |
| Male | -224 | -381 | -422 |
| Total | -311 | -517 | -568 |

