

# OREGON CRIMINAL JUSTICE COMMISSION



Joint Ways and Means Public Safety Committee  
2017-19 Agency Presentation

Michael Schmidt, Executive Director



# AGENCY OVERVIEW

## Mission Statement

To improve the legitimacy, efficiency, and effectiveness of state and local criminal justice systems.

## Primary Duty of the Commission

To develop and maintain a state criminal justice policy and comprehensive, long-range plan for a coordinated state criminal justice system that encompasses public safety, offender accountability, crime reduction and prevention, and offender treatment and rehabilitation. (ORS 137.656)



# AGENCY OVERVIEW

## The Commission

Robert Ball, Chair – CEO Robert Ball Companies

Sebastian Tapia – Associate Counsel, Lane County

Wally Hicks – Legal Counsel, Josephine County

Rob Bovett – Legal Counsel, Associated Oregon Counties

Greg Hazarbedian – Public Defender, Lane County

Walter Beglau – District Attorney, Marion County

Kiki Parker-Rose – Community Corrections Director, Klamath County

Senator Floyd Prozanski – North Douglas and South Lane Counties (non-voting)

Representative Duane Stark – Grants Pass (non-voting)



# KEY PERFORMANCE MEASURES

## KPM 1 – Customer Service

Percentage of customers rating their satisfaction with the agency’s customer service as “good” or “excellent” [Target = 80%]

RESULTS: Agency is trending up with 78% in 2010, 91% in 2011, 96% in 2013, and **97% in 2015**.

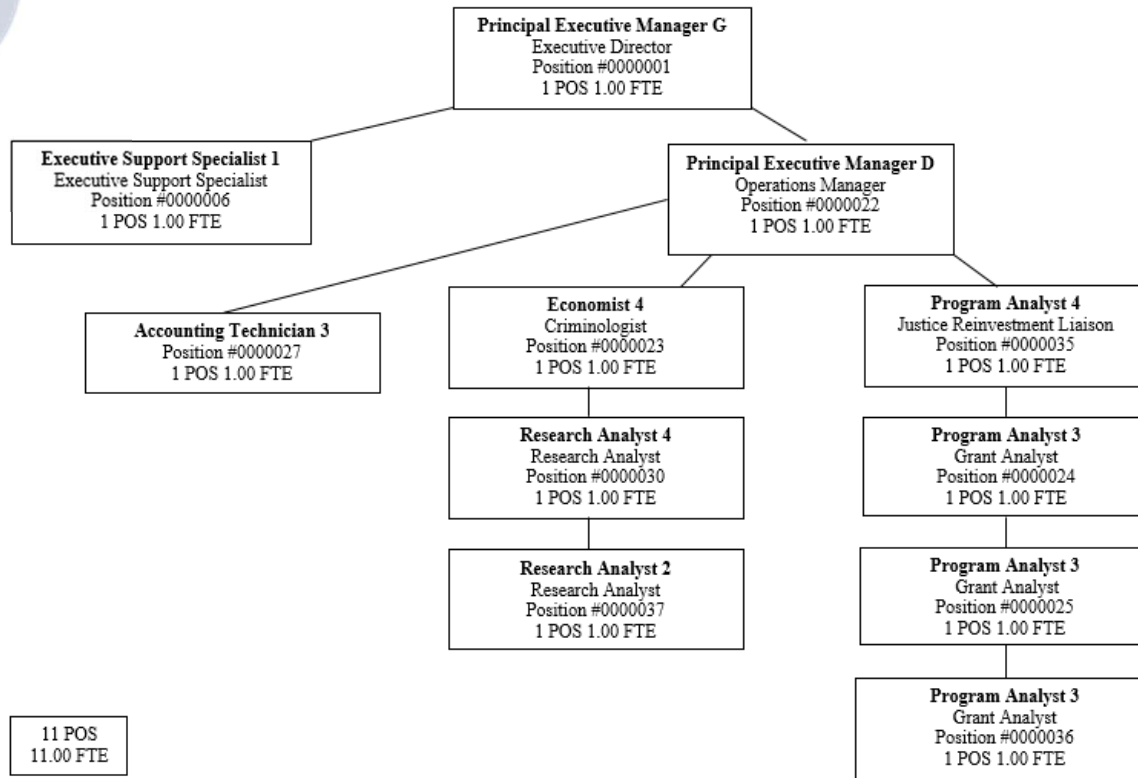
## KPM 2 – Grant Administration

Percentage of administered grant programs that “meet” or “exceed” 75% or more of the grant requirements [Target = 90%]

RESULTS: All reports are completed timely; portfolio of grants exceeded projections within grant applications by 39%; portfolio of grants court and treatment attendance is above 90%.



# AGENCY ORGANIZATIONAL CHART





# AGENCY FOCUS AREAS

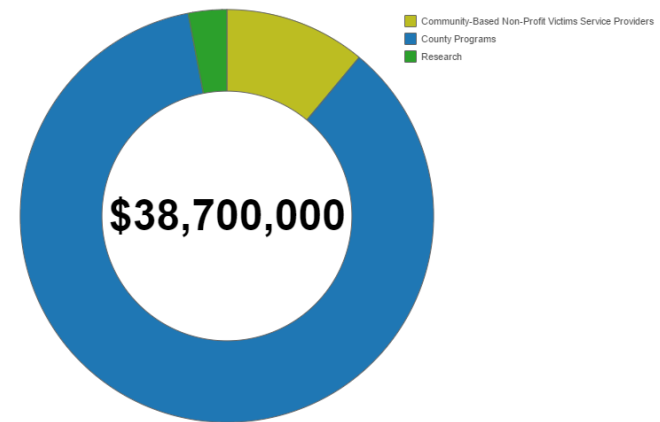
- 1) Justice Reinvestment Grant Program Implementation
- 2) Specialty Courts Grant Program
- 3) Planning and Policy Development
- 4) Sentencing Guidelines
- 5) Statistical Analysis Center
- 6) Asset Forfeiture Oversight Advisory Committee



# JUSTICE REINVESTMENT GRANT PROGRAM IMPLEMENTATION

## Program Goals

- **Reduce prison populations** and avert future prison construction;
- **Reduce recidivism** through evidence-based practices and data-driven research;
- **Increase public safety** through collaboration; and
- **Increase offender accountability.**



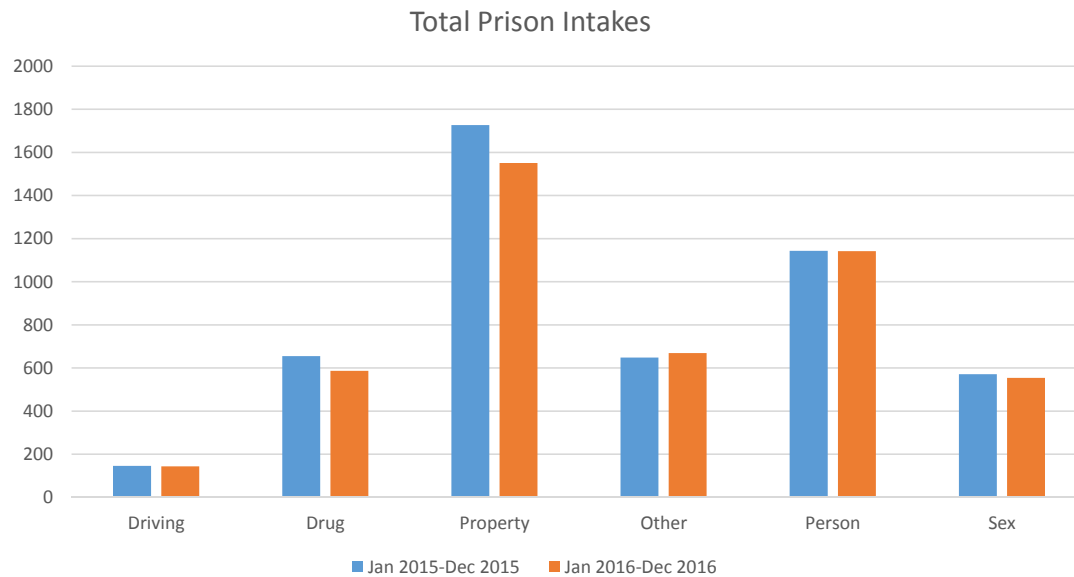






# JUSTICE REINVESTMENT GRANT PROGRAM IMPLEMENTATION

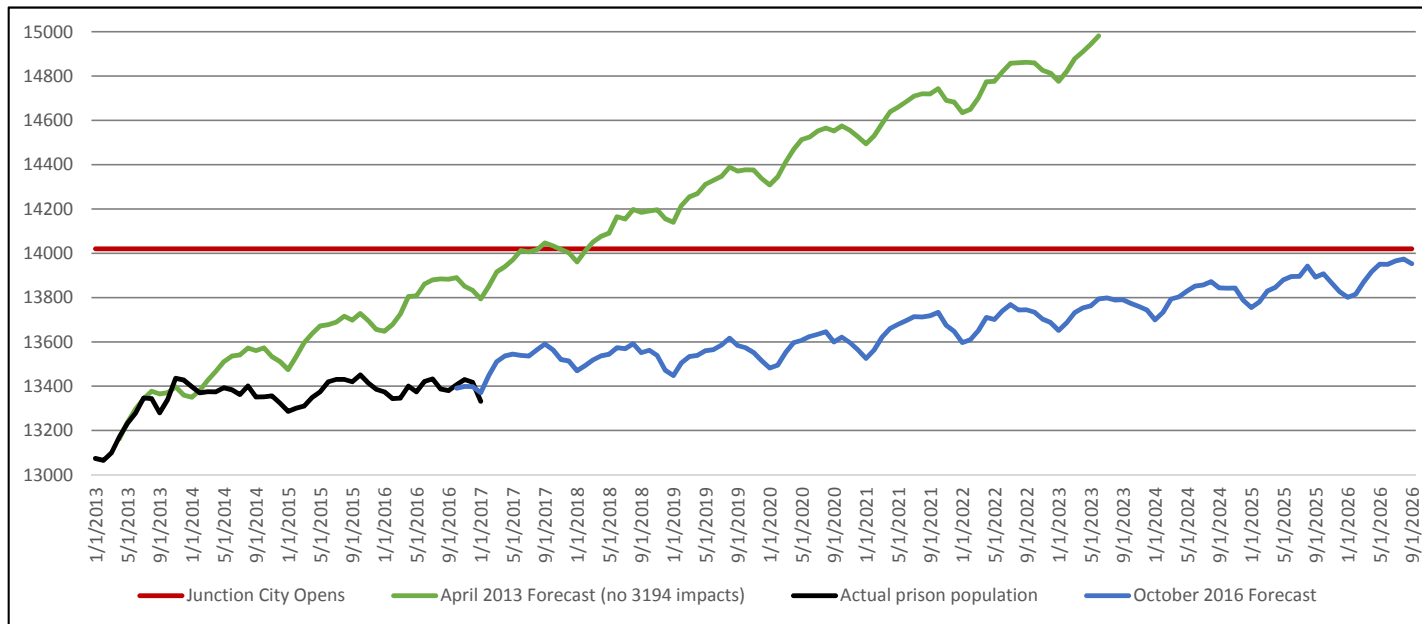
Statewide intakes are down by 243 in total





# JUSTICE REINVESTMENT GRANT PROGRAM IMPLEMENTATION

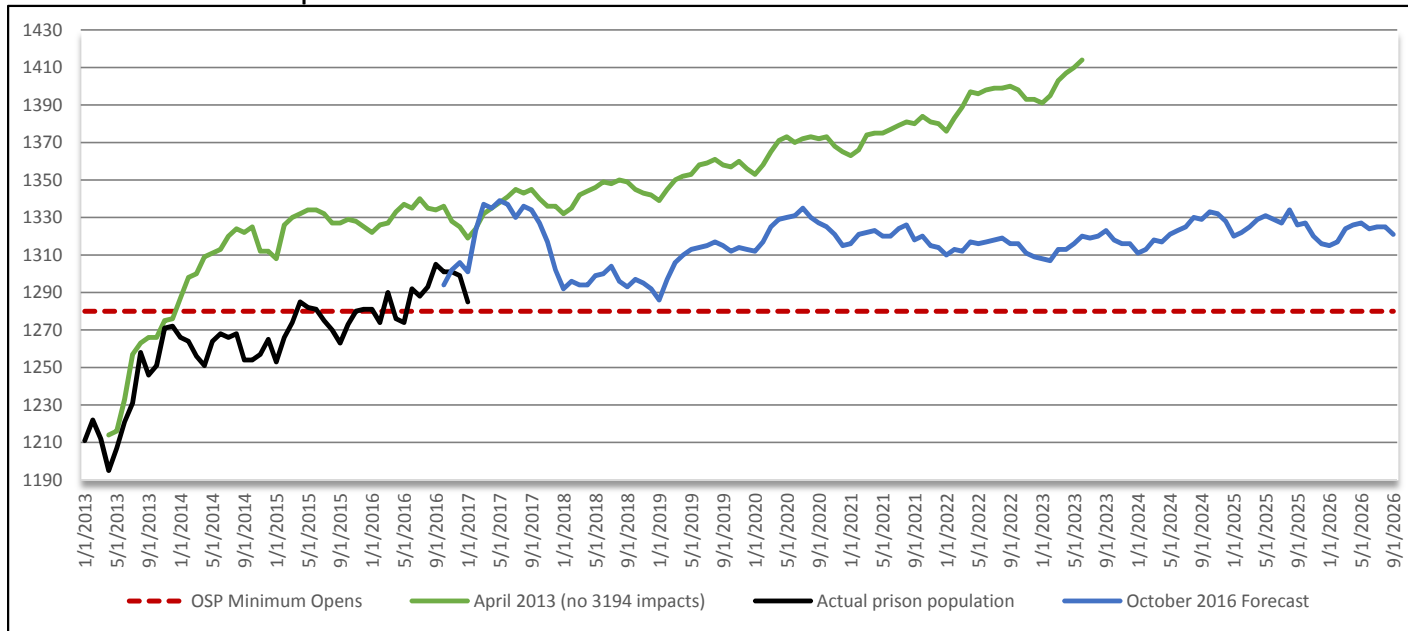
## Reduce Prison Populations – MALE PRISON POPULATION AND FORECASTS





# JUSTICE REINVESTMENT GRANT PROGRAM IMPLEMENTATION

## Reduce Prison Populations – FEMALE PRISON POPULATION AND FORECASTS



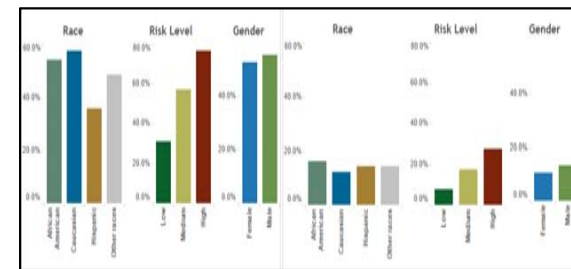
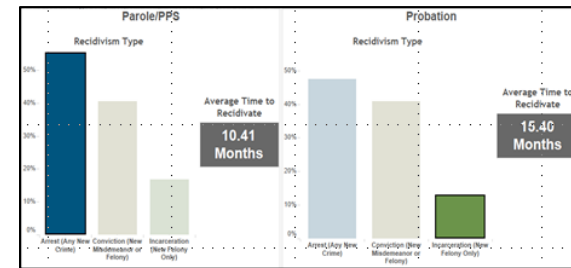


# JUSTICE REINVESTMENT GRANT PROGRAM IMPLEMENTATION

## Reduce Recidivism

- Redefined to include arrest, conviction, or incarceration for a new crime (ORS 423.557)
- Update the statewide recidivism report bi-annually, to continue to track the new measures of recidivism
- Create dashboard for counties to track individual recidivism rates and compare to state and regional rates

<http://www.oregon.gov/cjc/data/Pages/recidivism.aspx>





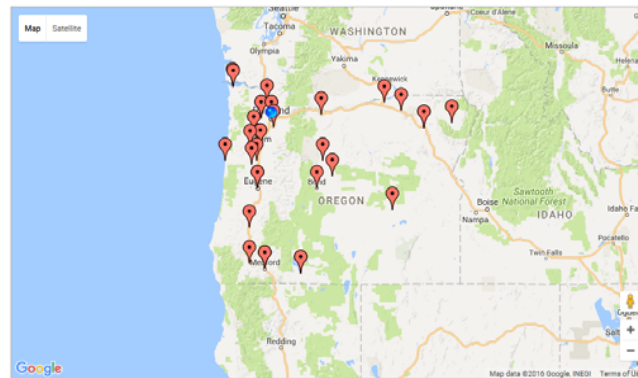
# JUSTICE REINVESTMENT GRANT PROGRAM IMPLEMENTATION

Biennium	Projected Net Cost (From HB 3194 Funded Forecast July 2013)	Net Avoided Cost (From October 2016 Corrections Population Forecast)	Justice Reinvestment Program Funding
2013-15	\$18,408,538	\$12,839,656	\$15,000,000
2015-17	\$66,669,690	\$51,451,805	\$38,700,000
2017-19	\$80,700,230	\$190,329,546	\$32,300,000 <b>(GRB)</b>
2019-21	\$68,850,960	\$69,036,512	To Be Determined
2021-23	\$83,013,663	\$74,379,198	To Be Determined
<b>Total</b>	<b>\$317,643,081</b>	<b>\$398,036,716</b>	To Be Determined



# SPECIALTY COURTS GRANT PROGRAM

The agency is charged with serving as *a clearinghouse and information center for the collection, preparation, analysis and dissemination of the best practices applicable to specialty courts.*



The competitive grant program calls for evidence-based problem-solving court strategies designed to address the root causes of criminal activity and substance use disorders as an alternative to incarceration with the goal of teaching participants to become productive law abiding citizens, which reduces recidivism and provides for healthier communities.



# SPECIALTY COURTS GRANT PROGRAM

## 2015-17 Grant Awards

Awarded \$15.2M to 36 specialty court in 22 counties and 1 municipality funded through state general fund, other funds, and federal funds.

## Standards

Oregon's Adult Drug Court Standards describe best-practices aligned with The Ten Key Components Volume I and II published by the National Association of Drug Court Professionals. Mental health and family treatment court standards are in draft form.

## Peer Review

The peer review process has been expanded to include adult drug courts, mental health, and family treatment courts.

## Specialty Court Database

CJC is in the process of procuring a replacement specialty court data system to track and monitor participant progress, and to allow for better evaluation of program successes and challenges.



# SPECIALTY COURTS GRANT PROGRAM

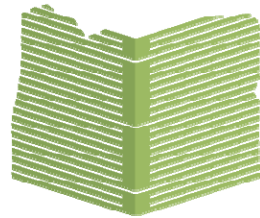
Biennium	General Fund	Other Fund	Federal Fund	Specialty Court Grant Program Funding
2009-11	\$2,997,174	\$50,000	\$7,045,241	\$10,092,415
2011-15	\$3,706,463	\$176,384	\$7,840,328	\$11,723,175
2013-15	\$6,621,332	\$1,046,330	\$4,366,544	\$12,034,206
2015-17	\$12,822,726	\$441,595	\$1,811,000	\$15,157,239
2017-19	\$9,943,724 <b>(GRB)</b>	\$906,541 <b>(GRB)</b>	To Be Determined <b>(GRB)</b>	<b>To Be Determined</b>





# PLANNING AND POLICY DEVELOPMENT

The agency is focused on providing analysis, data, and evidence-based expertise to local stakeholders in the improvement planning for their local systems.



<http://okb.oregon.gov/>

Real-time data availability increases the transparency and legitimacy of the criminal justice system and is critical to Justice Reinvestment Initiative and, more broadly, the Governor's Healthy and Safe Oregonians initiative.



# PLANNING AND POLICY DEVELOPMENT

## Evaluating the Efficacy of Investments

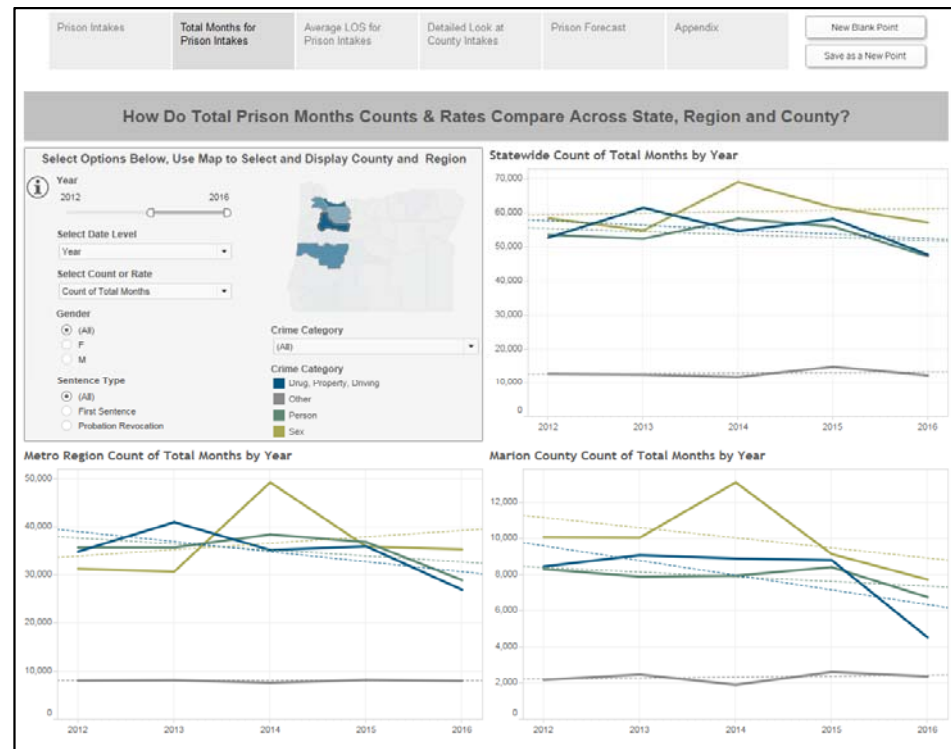
- Rigorous evaluations including randomized controlled trials (“RCT”) funded through state Justice Reinvestment funding
  - 416 Program Two (2) Site Randomized Controlled Trial
  - Basic Housing Randomized Controlled Trial
  - Reentry Programming Quasi-Experimental Study
  - Pre-sentencing Assessment Programming Quasi-Experimental Study
- Results First - benefit-cost tool utilized to evaluate the long-term costs and benefits of programs that aim to reduce recidivism



# PLANNING AND POLICY DEVELOPMENT

## Interactive Data Dashboards

 <b>Justice Reinvestment Prison Usage</b> Added November 16, 2016	 <b>Prison Use for All Crime Types</b> Updated December 19, 2016	 <b>Recidivism</b> Updated Dec 2, 2016
 <b>Short-Term Trans Leave</b> Updated January 13, 2017	 <b>Justice Reinvestment County Programs</b> Updated December 9, 2016	 <b>Oregon Drug Trends</b> Updated January 17, 2017
 <b>Justice Reinvestment Victim's Funding</b> Added June 30, 2016	 <b>Oregon Uniform Crime Report</b> Coming Soon	 <b>Treatment Courts</b> Coming Soon





# SENTENCING GUIDELINES

## Administration of Oregon's Felony Sentencing Guidelines

- Administrative Rules ("OAR") established to guide sentences imposed for felony crimes
- Adopt new rules to conform the guidelines to new policies and the activity of the Legislature

The Oregon Sentencing Guidelines Grid

Crime Seriousness	A	B	C	D	E	F	G	H	I	Prob Term	Max Depart	PPS
11	225-269	196-224	178-194	164-177	149-163	135-148	129-134	122-128	120-121	5 Years		3 Years
10	121-130	116-120	111-115	91-110	81-90	71-80	66-70	61-65	58-60			
9	66-72	61-65	56-60	51-55	46-50	41-45	39-40	37-38	34-36			
8	41-45	35-40	29-34	27-28	25-26	23-24	21-22	19-20	16-18			
7	31-36	25-30	21-24	19-20	16-18	180-90	180-90	180-90	180-90	3 Years	18 Mos.	2 Years
6	25-30	19-24	15-18	13-14	10-12	180-90	180-90	180-90	180-90			
5	15-16	13-14	11-12	9-10	6-8	180-90	120-60	120-60	120-60	2 Years	12 Mos.	
4	10-11	8-9	120-60	120-60	120-60	120-60	120-60	120-60	120-60			
3	120-60	120-60	120-60	120-60	120-60	120-60	90-30	90-30	90-30	1 ½ Years	6 Mos.	1 Year
2	90-30	90-30	90-30	90-30	90-30	90-30	90-30	90-30	90-30			
1	90-30	90-30	90-30	90-30	90-30	90-30	90-30	90-30	90-30			

The presumptive grid block for any felony conviction is the intersection where the crime seriousness ranking and the criminal history classification meet. Grid blocks in the shaded area represent the range of presumptive imprisonment and post-prison supervision (PPS). Non-shaded grid blocks are presumptive sentences of probation (Prob. Term) with local custodial sanctions in days (upper number) and maximum jail days without a departure (lower number).

In grid blocks 4-C and 4-D, for offenders sentenced under 2011 Oregon Laws ch 598 (SB 395), the upper number of sanction units shall be 180, and the lower number of sanction units shall be 90. Offenders sentenced under 2011 Oregon Laws ch 598 shall serve a mandatory minimum term of incarceration of 90 days without reduction for any reason.

The probation term of 5 years applies to levels 9-11, the term of 3 years applies to levels 6-8, 2 years applies to levels 3-5, and 1 ½ years applies to levels 1-2.

The upward dispositional departure maximum sentence (Max Dispositional Depart) for a presumptive probation sentence shall be:

- (a) Up to six months for offenses classified in Crime Categories 1 and 2, or grid blocks 3-G, 3-H and 3-I;
- (b) Up to twelve months for offenses classified in grid blocks 3-A through 3-F, 4-C through 4-I and 5-G through 5-I; and
- (c) Up to eighteen months for offenses classified in grid blocks 5-F, 6-F through 6-I, and 7-F through 7-I.

Under certain conditions a probation sentence may be imposed in grid blocks 8-G, 8-H and 8-I without a departure.



# STATISTICAL ANALYSIS CENTER

The agency provides the Governor, Legislature, and public safety stakeholders with a criminal justice clearing house for objective research and data analysis through:

- Cost Benefit Analysis (“CBA”) through Results First Model
- Recidivism analysis
- Fiscal policy analysis (as requested)
- Racial and ethnic policy analysis (as requested)
- Synthesis of data from Oregon State Police’s LEDS system, the courts Odyssey system, and the Department of Corrections data warehouse
- Conduct quasi-experimental and randomized controlled trial studies





# ASSET FORFEITURE OVERSIGHT ADVISORY COMMITTEE

The agency is responsible for the preparation of reports detailing the number and nature of civil and criminal forfeitures carried out under ORS 131.550 to 131.600, including the disposition and use of the proceeds from the forfeitures.

Twenty (20) percent of civil forfeitures are used to fund specialty courts through the agencies Specialty Court Grant Program.



# POLICY AND PROGRAM ALTERNATIVES

The agency 15% reduction option for state general fund reduces the Justice Reinvestment Grant Program by \$8,607,351.

The reduction will impact counties statewide, reducing the number of criminal justice programs available and the level of services offenders will receive.

# QUESTIONS

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