



# KLAMATH COUNTY COMMUNITY CORRECTIONS

**Aaron Hartman**  
Director  
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Co-Chair Prozanski and Co-Chair Kropf and members of the Joint Committee on Addiction and Community Safety Response (JCACSR). My Name is Aaron Hartman and I am the Director for Klamath County Community Corrections. I am here today to present on the Klamath County Deflection Program.

**Dennis Holmes**  
Assistant  
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Klamath County was one of the early adopters of the Behavioral Health Deflection Program.

Klamath County has participated in many different Deflection programming events provided by the Criminal Justice Commission and Oregon Health and Sciences University.

As of the end of January Klamath County has issued 54 drug enforcement misdemeanor citations.

24 of those receiving a citation have been determined to be eligible.

6 of those eligible have been successfully contacted by our Deflection team.

2 of those eligible agreed to participate in Deflection.

39 cases are currently pending.

15 cases the DA determined not to file.

No cases have successfully completed Deflection

The most prevalent drug type is meth followed by fentanyl.

Current disqualifiers include Community Corrections supervision, Prior Disqualifying Conviction and excessive arrest cycles.

**Bob Fenner**  
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I will now provide our thoughts and answers to the questions from (JCACSR)

Questions from (JCACSR)

1. How are people referred to your deflection program in your county? What triggers the majority of referrals in your county?
  - a. For example, calls for service vs. discretionary stops? Are there any other mechanisms?

People are referred to Deflection through law enforcement contact. Law enforcement will issue a citation and send a copy of the citation to the Deflection team. In some

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instances, law enforcement will reach out to the Deflection Team directly. The Deflection Team does not have the data on what caused law enforcement to contact the person that was ultimately cited for a drug enforcement misdemeanor (i.e. – mere contact, traffic stop, call for service on criminal matter). However, a vast majority of the DEM crimes arise after a person is taken into custody on other crimes or an outstanding warrant.

## 2. What is your county deflection program's eligibility criteria?

A person is a resident of Klamath County, is not currently on supervision, does not have a disqualifying conviction, or have excessive arrest cycles (25+).

## 3. Are you considering expanding eligibility to include more offenses? What, if any, are the barriers to expansion?

We have had discussions to consider dealing with other non-violent misdemeanors if they accompany a DEM charge.

## 4. How is the initial contact made with eligible participants? How are needed services identified and how is a person connected to those services?

The Deflection Team makes contact with eligible participants as early as possible after law enforcement notifies the Deflection Team. The Deflection Team will meet with the eligible participant to identify any barriers to successfully engaging in treatment. The Klamath County Deflection Team has a Care Navigator assigned to connect participants with services.

## 5. What services are most needed/utilized based on the screenings resulting from referrals?

With the limited number of persons that have agreed to participate in treatment, the service that has been most utilized and provided by the Deflection Team has been transportation to treatment.

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6. Under your current program, what needs to happen for a determination that a person will not be formally prosecuted?

The Deflection candidate must be meaningfully engaged in treatment, or have completed treatment, 180 days after the day they are cited to appear in court. Additionally, the person must provide a clean UA the last 30 days of their treatment. The treatment plan is determined by a SUDS provider after an assessment is completed by the participant.

7. What are some lessons learned so far?

See # 8.

8. What challenges are you still working out?

The greatest challenge has been navigating the Sealing of Records and Expungement requirements of HB 4002. Based on those requirements, DEM crimes have to be separated out to a separate docket from all other crimes. This becomes very difficult, because a vast majority of DEM crimes are co-mingled with other crimes from the same incident and/or the person has previous criminal charges pending. The requirement to create a separate docket creates more work for the Circuit Court, the District Attorney's Office, and the Defense Bar. Resources are already spread thin, and a DEM crime is the most likely to get dismissed or not filed when there are other charges pending due to Sealing of Records and Expungement requirements. When a case is not filed, we miss another opportunity to steer people towards treatment.

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