

**2021 OFFICIAL REPORT**  
**CLACKAMAS COUNTY GRAND JURY**



Condition and Management of Clackamas County Correctional Facilities

December 2021

## **Introduction**

Per Oregon Revised Statute ORS 132.440 "once yearly a Grand Jury shall inquire into the condition and management of every correctional facility and youth correctional facility.. in the county" a seven member Grand Jury addressing this issue in Clackamas County was empaneled on December 13<sup>th</sup> and convened December 13<sup>th</sup>, 2021 through December 16<sup>th</sup>, 2021. The Grand Jury, comprised of Clackamas County citizens of varying backgrounds and experiences, was tasked with reviewing the operations, conditions, and management of correctional facilities in Clackamas County.

The Grand Jurors inspected the County's Correctional Facilities:

- Clackamas County Jail
- Courthouse Holding Facilities
- Clackamas County Courthouse
- Clackamas Substance Abuse Program (CSAP) (Virtual)

Witness testimony was received from:

- Sheriff Angela Brandenburg - CCSO
- Captain Lee Eby – CCSO
- Melanie Meaner, RN – NaphCare
- Presiding Judge Kathie Steele
- Captain Malcom McDonald - CCSO
- County Administrator – Gary Schmidt
- Narcotics K9 Abby

In speaking to the witnesses, it was clear to the Grand Jury that this County is served by dedicated and hardworking, well trained public servants and contractors who provide a high level of service. In particular, the Clackamas County Jail leadership and staff strive to create a supportive and relationship-based environment for Deputies, contractors and inmates. Additionally, Clackamas County Jail leadership and staff strive to create a rehabilitative environment for inmates and access to activities, education, transition, and wrap around services. Inmates have access to technology for communication to medical staff, deputies, and activities.

The following is the Grand Jury's observations of the County's Correctional Facilities pertinent recommendations.

## **Clackamas County Jail**

Based on information provided by the Clackamas County Sheriff's Office, the Clackamas County Jail is a 491 bed facility that includes 26 beds that lost funding in FY20/21. However, due to a levy that was passed by Clackamas County voters, these will be funded in FY22. Due to the FY budget cuts the 491

beds have been reduced to 465 until the end of this FY. COVID mandates have further reduced the number of beds to 248 due to social distancing.

The inmates and staff have a largely positive stream of communication. Inmates are given tablets that they can use to send communications (kites) to staff if they have a request. This is also a strong method to communicate complaints, questions, medical needs, and join addiction programs.

The Clackamas County Jail is still faced with the unique situation of handling COVID. They offer COVID vaccines and have testing protocols including cohorts for inmates in place. Social distancing is still in place. While occupancy levels have been reduced, staffing levels have remained consistent because security needs have remained the same.

Clackamas County Jail offers several programs not offered in other counties such as the GED program and Medical Assisted Treatment program (MAT). Clackamas Community College has begun to provide in person GED education again since this program was paused due to COVID. Prior to COVID, the Jail saw more GED graduates than Clackamas Community College. Trends show a reduction in recidivism for GED graduates.

This Grand Jury recognizes the Jail's effort to include and offer various programs such as RAPID Evaluations and Opioid Treatment Program. These type of programs are at the forefront of a modern approach to corrections. Clackamas County Jail is also one of two jails in the nation with an accreditation from NCCHC. This panel recognizes the importance of these programs in addition to the GED program.

This panel recognizes the need to plan for replacement of the Jail. The current jail is aging and has high maintenance costs, has an isolated structure for the inmates, has an undersized capacity, and can no longer be updated. After interviewing jail and support staff, we believe there is a need for a newer, larger facility to meet the growing population and needs of the County. As of this year there is currently no money in the budget to execute a replacement of the current jail. The County has begun working towards this goal with a 10 year plan in mind.

Clackamas County does not have a correctional facility for juveniles. There is an intake center for booking and then juveniles are transported to a correctional facility in Multnomah County to be housed. Therefore, this Grand Jury was not able to inspect a Juvenile Correctional Facility.

### **Forced Releases**

An ongoing concern of previous Corrections Grand Jury Panels is the issue of forced releases. Testimony and information we received indicate a spike in forced release post COVID shutdowns. COVID created a backlog that is just starting to be dealt with. COVID also reduced the amount of beds which directly contributed to an increase in forced releases. There is a work group in place that includes multiple agencies to continue work on the issue of forced releases. Possible contributing factors to improve forced release metrics are Pre-Trial Release and Early Resolution processes.

The criteria and matrix used has community safety as the primary focus. Forced release numbers in October 2021 were 206. There has been a steady increase month over month in forced releases over the past 12 months. This is expected due to the previous COVID mandates.

### **Medical Services**

NaphCare contracted medical services, which came on board in 2019, are still in use. The previous Grand Jury Panel noted that NaphCare was seeking improvements to access the same healthcare systems as the County. Medical staff indicated that this program is approximately 60% implemented and staff are very happy with this program.

The goal of the Clackamas County Jail medical team is to provide a level of care at or above what the inmate received out of custody. However, there is difficulty with communication between the Jail medical staff and healthcare providers and mental healthcare providers outside of the Jail. This is largely due to the various data logging systems used by each agency and patient privacy laws. Improvements that NaphCare would like to see include access to the same health systems as the county for improved medical referrals, prescription information for inmates, as well as more coordination with the Mental Health Court Coordinator for services to inmates.

### **Clackamas Substance Abuse Program (CSAP)**

The Grand Jury did not have an opportunity to tour the CSAP Center due to COVID, but still found the programs to be valuable to the individuals, the community and overall public safety.

CSAP is an 80 bed residential program that houses 60 men and 20 women. This has been reduced since last year's report. The current headcount is 52, this is an increase over last year's occupancy. CSAP is the only residential program of its kind in Oregon.

Following a virtual tour/presentation provided by the Community Corrections personnel, this Grand Jury still finds the programs to be beneficial. CSAP incorporates a holistic treatment plan that addresses Alcohol and Drug treatment as well as Medically Assisted Treatment (MAT). This program is less costly than incarceration for Clackamas County tax payers. In FY20/21 the program had a 93% success rate for graduates that were not arrested again within 1 year of completion.

COVID mandates remain the same. CSAP is still a single facility and operating as a co-ed program. Due to COVID there are challenges executing all phases of the program. Another concern of CSAP staff is that the facility is aging and currently located in a flood zone along Johnson Creek. The lease is expiring and CSAP is in negotiations with OLCC to take over the property ownership.

### **Clackamas County Courthouse**

The new Clackamas County Courthouse is going to enter phase one construction soon and be move-in ready within the next 3 years. The Courthouse is expected to serve the increasing demands of the fast growing County.

The Courthouse will be built closer to the Jail which will help reduce costs such as transportation. This will also reduce the security risk created by the distance and length of time between destinations. The Jail currently does multiple daily transports to and from the Courthouse.

The Grand Jury commends the Clackamas County Sheriff's Office on the safe and efficient running of the Courthouse Holding facility and efficient transportation of inmates into the Courthouse considering the design constraints of the original Courthouse building.

**Summary**

Due to COVID, only one physical tour of the Courthouse, Courthouse holding cells, and Jail was possible. The Grand Jury still found this experience to be extremely educational and enlightening. We recognize the passion and efforts of the Sheriff's Office, Circuit Court, County Administrator, and District Attorney's Office. There is a strong system of communication between agencies to enhance the delivery of services for the improvement of the County.

This Grand Jury recognizes the benefits of the various programs within the Jail to the community at large. We believe these programs should be a continued investment.

This Grand Jury recommends that the County focus on planning and development for a new jail. This includes educating the community on the benefits and needs for the construction of a new jail. These benefits include fewer forced releases, increased public safety, increased operational efficiency and safety within the jail, and greater opportunity for inmate reform within the jail.

The Grand Jury of 2021 respectfully submits this report.

Angeli Awoil

Foreperson (on behalf of the Corrections Grand Jury)

12/16/2021

Date