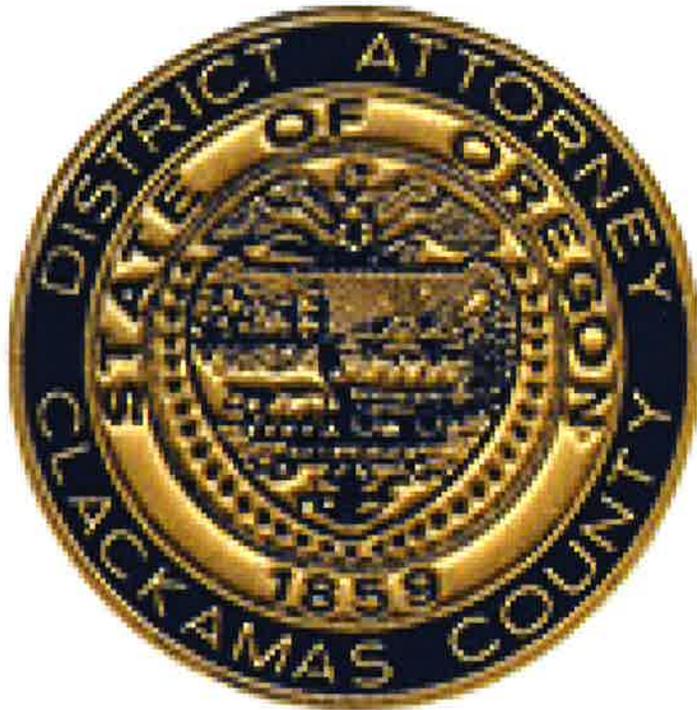


# 2016 OFFICIAL REPORT

## CLACKAMAS COUNTY GRAND JURY



### **Conditions and Management of Clackamas County Correctional Facilities**

**December 6, 2016**

**2016**

## **Clackamas County Corrections Grand Jury Report**

### **Introduction**

ORS 132.440 requires "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 November 15, 2016 and met through November 18<sup>th</sup>, 2016. 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, including: the Clackamas County Jail, the Clackamas County Community Corrections Residential Services Facility and the Clackamas County Juvenile Intake and Assessment Center (JIAC). Witness testimony was received from Clackamas County Sheriff Craig Roberts, Clackamas County Jail Commander Lee Eby, Clackamas County Administrator Don Krupp, Clackamas County Chief Deputy Chris Hoy, Clackamas County District Attorney John Foote, and Clackamas County Circuit Court Judge Robert Herndon. Additional information was received during the course of facility tours from Captain Jenna Morrison of Clackamas Community Corrections and Mark McDonnell of the Clackamas County Juvenile Department.

What follows is our observations of the following facilities and pertinent recommendations.

### **Clackamas County Jail**

The Clackamas County Jail is a 465 bed facility that holds an average of 508 inmates per day. Of those 465 beds, 26 are not currently in use due to lack of staffing. The average length of stay is 10.36 days for a booked inmate and 14.14 days for a housed inmate. The jail appeared clean and organized but in constant need of maintenance due to the age of the building. The command staff was articulate and appeared very knowledgeable of protocols and daily operations. They also were invested in promoting a positive culture of safety for staff, community, and inmates. Corrections staff that were observed were clear and concise with instructions while treating the inmates without disrespect.

The Clackamas County Jail consistently has to release inmates despite court orders to the contrary in order to appropriately and legally manage the jail population. This is referred to as "forced release." The jail engages in a risk assessment of the inmate and also looks at the severity of the charge and assigns a "matrix" score. When jail population rates get past a certain level, the jail is forced to release inmates deemed to be the lowest threat to public safety, which are those who generally have a low matrix score.

With an increase in jail intakes over the past few years, there has been a corresponding increase in forced releases from custody. Specifically, in 2014 13.5% of inmates were subject to forced release. In 2016 (through October), that figure has risen to 19.5%. Released individuals, specifically those charged with drug offenses, often have a lower likelihood of appearing for court. This impacts the entire criminal

justice system, requiring an additional arrest warrant, additional jail intakes and a duplication of effort by staff with the Sheriff and District Attorney's Offices, as well as the Circuit Court.

The Grand Jury was surprised that the jail has evolved from strictly criminal housing to providing more medical and mental health treatment. Priorities of the jail are public safety and safety of the community, yet the jail is in the unfortunate situation of having to assume the responsibility of the treatment of inmates with a range of mental health issues.

The Grand Jury was impressed with the proactive programs and services to address behavior that would affect community safety, such as the START program to triage mental health concerns, working closely with Behavior Health Services, increasing communication with the Oregon State Hospital, and partnering with the other areas in the Criminal Justice system. Additional steps the jail has taken to attempt to reduce recidivism include operating a GED and skills programs as well as the Transition Center and embedding probation officers at the jail to help people connect to outside services to reduce frequency of criminal behavior.

The explosion in heroin & methamphetamine possession cases in Clackamas County have led to stress on resources and the Grand Jury is concerned that not addressing the overall issues will continue to lead to problems spiraling out of control such as jail over population, which affect public safety.

Recommendations:

- Make County funds available to open up the 26 jail beds with the money specifically designated only for this purpose. Also explore the possibility of opening fewer beds for cost savings.
- Evaluate and track how the Transition Center programs are impacting the recidivism rate.
- Track the types of cases that have the lowest rate of failure to appear and evaluate those cases in relation to the Forced Release decision making process.
- Continue working more closely on mental health management and removing those who would be better served in mental health services.

#### **Clackamas County Community Corrections Residential Services Facility (CSAP/Work Release)**

The Grand Jury toured the Corrections Substance Abuse Program (CSAP) and Work Release residential facility located in Milwaukie. There were 34 CSAP beds for men, 30 CSAP beds for women and 36 Work Release Center beds. CSAP is a lengthy, intensive residential four stage drug treatment program that includes transition to clean and sober community housing after graduation. The work release center program does have drug treatment components but does not have the same intensity of treatment as CSAP.

These facilities have recently received several improvements including new carpet and painting as well as an intake area in the women's housing, and has funds already budgeted for additional building improvements. There are also plans to add six beds to the women's facility.

The Grand Jury learned that the CSAP program in particular has very low recidivism rates, being that 73% of CSAP graduates are not arrested for a new misdemeanor or felony crime within a year after graduation. This is significant when compared to much higher rates of recidivism for those who have been under the supervision of the criminal justice system in the state. The Grand Jury was impressed

with this resource intensive program and was appreciative of the opportunity to hear from residents within the program. We observed interactions between staff and residents and felt there was a balance of authority with compassion.

Recommendations:

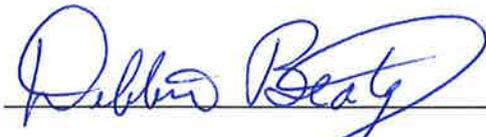
- The County needs to pay attention to funding and ongoing maintenance needs for CSAP's unique and successful program.
- Expanding the program is important, but any expansion must be measured as maintaining the culture, quality and effectiveness is paramount. The grand jury believes opening the additional 6 beds will assist in that end and will also help reduce waiting time for entrance into the program.

**Juvenile Intake and Assessment Center (JIAC)**

The Grand Jury toured the JIAC facility, and the focus of the center is on assessing the incoming youth who are taken into custody for criminal or status offenses by using the risk assessment tools, connecting with parents or guardians, and setting up ongoing intervention by the Clackamas County Juvenile Department when necessary. JIAC works with local community services to hold the youths accountable in their home community, as well as providing more structured and higher level supervision as needed. JIAC has seen a decrease in the recidivism rate since 2001.

The Grand Jury identified two specific benefits to the county of having this facility, which are connecting youths directly with services and conducting the intake process so officers are returned more quickly to duty. The emphasis appeared to be on the social work aspect instead of processing youth through the system, and working directly with community aspects when safety is a concern. The secure holding facility appeared clean, safe and appropriate for its intended purpose. Since youths booked into the facility only stay for a very limited duration, there did not appear to be issues related to space or forced releases. The corrections grand jury has no specific recommendation for this facility.

The Grand Jury of 2016 respectfully submits this report.

  
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Foreperson (on Behalf of the Corrections Grand Jury)

  
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Date