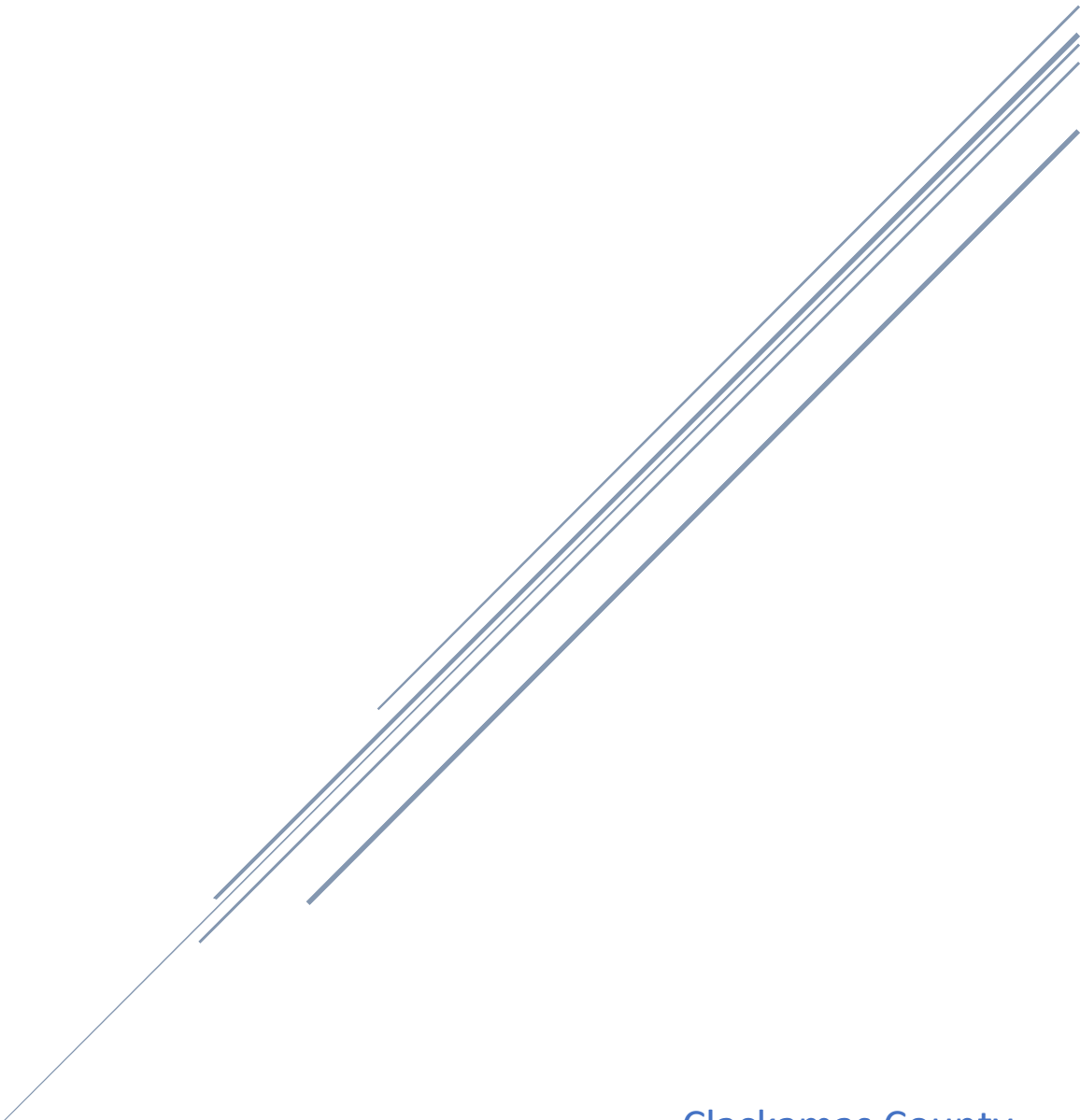


# JRI PROGRESS REPORT

January-June 2023



Clackamas County  
Parole and Probation

## PART I: Program Implementation

### **Is program implementation progressing as expected?**

**Identify implementation challenges. Note if there have been any changes from what was proposed in your original application that significantly impacts program functioning.**

Clackamas County Justice Reinvestment Grant was awarded to Community Corrections to create a pretrial diversion program, and enhance Clackamas Substance Abuse Program (CSAP) and the Short-Term Transitional Leave Program (STTL). As illustrated in Part II, each of these programs have been designed to help Clackamas County meet the four goals of the Justice Reinvestment Initiative: reduce recidivism, decrease prison use, protect the public, and hold offenders accountable.

### *Pretrial*

Many of the challenges outlined during the last reporting period focusing on the implementation of SB48 and the subsequent Presiding Judge's Order (PJO) have carried over to the current period. While Jail bookings have only risen by 2%, force releases have increased by 6.5% despite the fact that the Jail's capacity has expanded slightly with the Average Daily Population rising to 321, an increase of 7%. The increase in force releases are due in part to the effects of SB48, as there have been more defendants held in custody for longer periods of time compared to pre-SB48 holding times.

These increases in the number of defendants that are force released create challenges to Pretrial staff because the releases often occur after business hours or on weekends. Due to this, defendants often fail to make their initial contact with Pretrial Services and it becomes necessary for Pretrial staff to attempt to make contact in order to schedule future check-ins for defendants who often times have limited means of contact.

The Pretrial program has had ongoing challenges with Automon, the Pretrial information and case management system that we currently use. This system is being used by many of the Pretrial agencies across the state, and it was slated for an overhaul and conversion to a new platform prior to the pandemic. One of the major overriding criticisms of the Automon system is the difficulty, or inability, to extract accurate and timely data for reporting, auditing, and evaluation purposes. At last check, Clackamas County was slated for conversion to the new platform in February 2023. This is still pending.

## *Clackamas Substance Abuse Program*

During the last 6 months, CSAP has continued to evolve post Covid-19. Finding adequate mentor services has been a challenge. In response, we are working with 4D to assist with mentors for the program. However, this partnership has seen its own challenges as we discover how best to work together. Regular mentor turnover remains an issue.

Client numbers remain below capacity. There have been several potential clients who are in custody at the jail. However, they have committed violent crimes or are repeat offenders of property crime. When public or victim safety concerns are too great, prison is the only option.

## *Short-Term Transitional Leave*

During the past 6 months we have returned to a pre-covid-19 level of service. Clients are transitioning back into the community without restrictions. They attend employment classes and outside mentorship to help them through their transition back into the community.

## **Highlight program successes or promising practices**

**Include any lessons-learned, accomplishments, or individual program outcome measures.**

## *Pretrial*

### [Lessons learned](#)

The Pretrial Intensive Supervision with Electronic Monitoring program (PRISEM) became operational in April of this year and the program has originally targeted defendants who can be released only with intensive monitoring, which is the highest level of monitoring. These clients are quite high risk, but their overall public safety risk would be greatly reduced with all PRISEM precautions (as outlined below) put in place. It became apparent that there are very few defendants who have all of these qualifications in place. Intensive monitoring has always been the smallest population of Pretrial. Although this has been a barrier, we are currently looking at ways to expand the criteria while maintaining fidelity to the original framework.

## Pretrial accomplishments

As discussed during the last reporting period, in April 2023 the Pretrial Intensive Supervision with Electronic Monitoring program (PRISEM) was finally rolled out after a long planning process. PRISEM is an additional condition and level of supervision that can be targeted towards higher risk defendants that may not initially be considered for release due to the nature of the offense or criminal history. PRISEM is the highest level of pretrial supervision available in Clackamas County. The defendant is supervised and monitored through a collaboration between the Sheriff's Office Electronic Home Detention (EHD) and Pretrial Services units.

PRISEM defendants have 24-hour electronic monitoring with geo-fencing to better ensure no contact with victims. Defendants must also meet face-to-face with EHD deputies once a week during the first 30 days of the program, and every other week after the first 30 days.

Although initial numbers have been lower than anticipated due to a lack of eligible defendants that meet program criteria, one case in particular highlights the collaboration between multiple agencies and divisions to increase Public Safety.

Supervision includes address verification as well as alcohol and drug testing when court ordered, referral to needed services when court ordered or on a voluntary basis, verification of enrollment in court required services, and appropriate responses to defendant's performance during supervision, to include violations of release conditions, and client-identified problems. Electronic monitoring is not to exceed 60 days unless further supervision is deemed necessary.

In April 2023 Clackamas County Sheriff's Office (CCSO) Deputies received reports of possible school-based threats involving a young adult attending an area high school. Both local and federal investigators became involved in the case due to the nature of the threats and because of this, Pretrial Services staff recommended PRISEM as a condition if the defendant was released by the Court or posted security. Several days later after posting bail, the defendant was released and placed on PRISEM and GPS monitoring with strict conditions per the Court order.

Over the course of the next few months Pretrial Services staff and EHD Deputies collaborated with Investigators to ensure that the defendant remained in compliance with the conditions of his release and ensure public safety. The defendant is currently scheduled for a plea hearing in late July.

Clackamas County has used JRI funds to purchase 50-55 doses of Sublocade, an injectable that contains buprenorphine, which is used to treat opioid use disorder. The doses are available to AIC who are identified in our Pretrial program and individuals entering CSAP. Between January and June 2023, 15 doses have been administered.

### Individual program outcome measures

As anticipated after the last reporting period, outcome measures for Pretrial Services have started to improve after taking a sizeable and dramatic downturn with the implementation of SB48. While the number of bookings, force releases, and Pretrial cases opened has continued to rise, outcome measures in all areas have either remained consistent or improved. While the check-in and safety rates have remained steady at 92% and 99%, the appearance rate increased from 54% to 59%, and the overall success rate improved from 50% to 55%.

### Decisions

<b>Supervision Levels</b>	<b>N</b>
Standard	177
Standard + DUII Conditions	17
Standard + DV Conditions	26
Enhanced	126
Enhanced + DUII Conditions	23
Enhanced + DV Conditions	59
Intensive	7
Intensive + DV Conditions	2
ROR	22
No Release	811
<b>Grand Total</b>	<b>1270</b>

*Table 1 Supervision levels-all new cases Jan-Jun 2023*

From January-June 2023 of this year, 1270 pretrial decisions were entered, compared to 1297 decisions from July-December 2022. Of those decisions, 811 were not released (See Table 1). There were 437 cases released to Pretrial. Standard release with no conditions was the most common, at 177 cases. Enhanced release with no conditions was the next most common at 126. There were 7 releases to intensive monitoring with no additional conditions. There were 87 total domestic violence conditions and 40 DUII conditions entered for various monitoring levels.

## Outcomes

Outcomes	Jan-Jun 2023
<b>Successful</b>	<b>352</b>
Acquittal	1
Charges Dismissed	48
Diversion	80
Sentenced	223
<b>Unsuccessful</b>	<b>271</b>
Failure to Appear	248
Felony Arrest	4
Misdemeanor Arrest	2
Technical Violation	17
<b>Other</b>	<b>27</b>
Bond Posted	3
Dismissed	12
Other	12
<b>Grand Total</b>	<b>650</b>

*Table 2 Disposition reasons by supervision levels-all defendants-Jan-Jun 2023*

There were a total of 650 pretrial dispositions from January-June 2023 (See Table 2). This number is significantly higher than the 249 pretrial cases closed between July and December 2023. In the first half of 2022, only 201 cases placed on pretrial monitoring. That number more than doubled, to 485 new pretrial cases referred in the second half of 2022. The higher outcome numbers reflect the increase in pretrial cases.

Fifty-four percent (n=352) of the pretrial case outcomes were successful and forty-two percent (n=271) were unsuccessful. Another four percent were categorized as “other.” For instance, they may have posted bond or had their case dismissed after a pretrial placement.

Of the 352 successful cases, 222 (63.1% of all successful dispositions) ended with sentencing, 80 cases (22.7%) defendants were given diversion, and 48 (13.6%) had their charges dismissed. One defendant was acquitted and one defendant had entered a guilty plea, but there is no additional information on the outcome.

For unsuccessful dispositions (271 unsuccessful closures), failure to appear was the most common cause, at 248 cases (91.5%). In addition, there were 6 arrests, 4 were felonies and 2 misdemeanors. Finally, there were 17 closures (6.3%) due to technical violations.

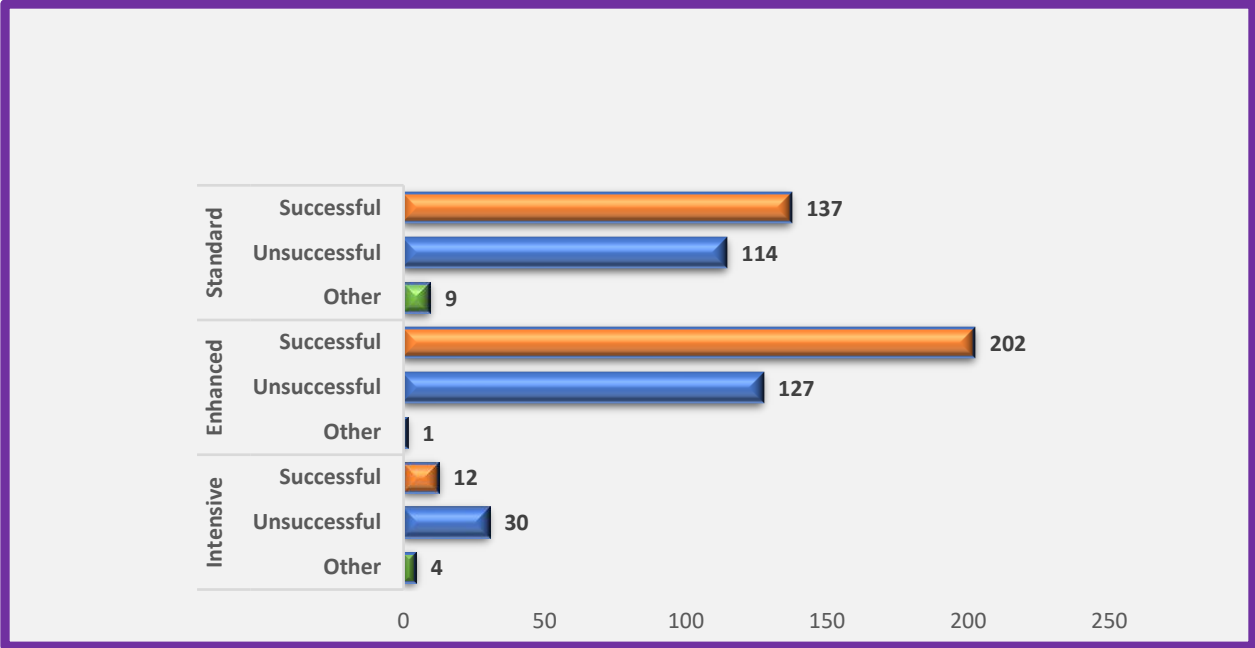


Figure 1 Dispositions by Supervision Level Jan-Jun 2023

Defendants on the standard level of monitoring were more likely to have successful outcomes than unsuccessful ones (See Figure 1). Most of the unsuccessful clients on standard supervision were unsuccessful due to a failure to appear (n=108). However, there were 2 felony arrests, 1 misdemeanor arrests, and 3 technical violations.

Defendants on the enhanced level of monitoring were more also likely to have successful outcomes than unsuccessful ones. Failure to appear was the primary cause of unsuccessful closures for defendants on enhanced monitoring (n=114). In addition, there was one felony arrest, one misdemeanor arrest, and 11 technical violations among the unsuccessful enhanced monitoring dispositions.

Defendants on the intensive level of monitoring were more likely to have unsuccessful outcomes than successful ones. These were mostly related to failing to appear (n=26). In addition, there was one felony arrest and two technical violations.

## DV Outcomes

<b>Outcomes</b>	<b>Jan-June 2023</b>
<b>Successful</b>	<b>85</b>
Acquittal	1
Charges Dismissed	21
Diversion	30
Sentenced	33
<b>Unsuccessful</b>	<b>21</b>
Failure to Appear	11
Felony Arrest	2
Technical Violation	8
<b>Other</b>	<b>6</b>
Dismissed	5
Other	1
<b>Grand Total</b>	<b>112</b>

*Table 3 Disposition reasons by supervision levels-defendants with DV conditions-Jan-Jun 2023*

Most domestic violence-related cases had successful closures (See Table 3). Of those that were unsuccessful, the majority were due to defendant failing to appear (n=11), but there were 2 felony arrests and 8 technical violations.



### DV outcomes by supervision level

Outcomes	Jan-June 2023
<b>Standard</b>	<b>32</b>
Successful	21
Unsuccessful	8
Other	3
<b>Enhanced</b>	<b>72</b>
Successful	61
Unsuccessful	10
Other	1
<b>Intensive</b>	<b>8</b>
Successful	3
Unsuccessful	3
Other	2
<b>Grand Total</b>	<b>112</b>

Table 4 DV-related Dispositions by Supervision Level Jan-Jun 2023

The DV cases had many successful outcomes. Standard and enhanced monitoring levels saw more successful closures than unsuccessful closures (See Table 4). Defendants on intensive monitoring with a domestic violence-related case were as likely to have an unsuccessful disposition as a successful one, however the overall number of defendants in this category is low, with 3 defendants experiencing a successful closure from a DV-related intensive level of monitoring and 3 defendants experiencing an unsuccessful closure.

### FTA numbers

Failure to appear is the most common reason for an unsuccessful completion of pretrial monitoring. Clients who failed to appear to court were most likely to be on enhanced monitoring (n=114), followed by those on standard monitoring at 108 defendants. Twenty-six clients on intensive monitoring failed to appear (See Table 5).

Disposition Reason	Failure to Appear
<b>Row Labels</b>	<b>Jan-June 2023</b>
Intensive	26
Enhanced	114
Standard	108
<b>Grand Total</b>	<b>248</b>

Table 5 Number of unsuccessful dispositions that were FTAs Jan-Jun 2023

## *Clackamas Substance Abuse Program*

During the past 6 months, the CSAP program has continued to strengthen our relationship with Clackamas County Health Centers where clients are able to access low barrier medical care. In addition, we continue to improve on MAT and have clients on Sublocade.

CSAP has had many clients who use the skills they gained in the program to successfully navigate life in recovery. For instance, a client came to CSAP after receiving treatment through the Veteran's Administration. She was struggling with her criminality, attitude and her addiction which resulted in her termination from the VA program and her entry into CSAP.

Although she has had challenges during her time in CSAP, she has worked on herself and made significant changes during the past 10 months. She has been accepted into the carpenter's apprentice program. She is currently preparing for her new schedule and acquiring the hand tools necessary to be successful. Further, she wants to remain in CSAP for a while longer so that she can transition smoothly into the apprenticeship program and have a safe and stable place to live during her transition. During a recent group meeting, she said that instead of a basic job that she would not care about, she wants a career that she will enjoy and that will help keep her out of the system.

There were 7 men who completed CSAP between January and June 2022, and their one-year recidivism rate is 0%. In other words, 100% of male graduates did not commit a new crime.

There were 2 women who completed CSAP between January and June 2022, and their one-year recidivism rate is 0%. In other words, 100% of female graduates were not arrested for a new crime within twelve months of graduating from CSAP. Women who successfully complete the program tend to remain arrest-free when they get out and transition back into their communities. This cycle, the one-year outcomes are very excellent for all who completed the program.

CSAP currently has a 50-bed capacity in the men's dorm and a 20-bed capacity in the women's dorm. Men used 28 beds on average in the first half of 2023 and women 10 used beds on average. This is an increase from 24.33 beds used by men in the last half of 2022 and 9.5 beds used by women at that time.

The average stay in the residential program is 300 days for men and 268 days for women of in-house time (See Table 6). The in-housing stay has doubled for men compared to the last half of 2022, when men's stays were averaging 146 days. Women's in-house stay lengths have also increased, from 228 days Jul-Dec 2022 to 268 days Jan-Jun 2023.

	Jul-Dec, 2022	Jan-Jun, 2023
<b>MEN</b>	146	300
<b>WOMEN</b>	228	268

Table 6 Comparison of length of stay in housing-2022/2023

The average program stay was 652 days for men and 558 days for women spanning the time from program entrance to graduation (See Table 7). This also represents an increase from the previous 6 months, with men’s stays increasing by 221 days and women’s stays increasing by 6 days.

	Jul-Dec, 2022	Jul-Dec, 2022
<b>MEN</b>	431	652
<b>WOMEN</b>	552	558

Table 7 Comparison of length of stay in program-2022/2023

## ***Short-Term Transitional Leave***

Allowing clients to transition back into the community with fewer restrictions tends to be beneficial to short- and long-term success. Covid-19 appeared to add a level of stress that was counterproductive to their return to the community. Due to the restrictions lifting, we have seen a much smoother process.

Bridges to Change (BTC) is a community nonprofit that works closely with Community Corrections to house and mentor clients. Between January and June 2023, there were 10 dedicated STTL beds. There were 16 new clients accepted. This represents 507 days that the clients were not in prison, also known as bed days saved. During this time, the client is receiving critical resources and services needed to successfully transition back into the community post-prison, and the prison’s capacity is less strained.

There was 1 client who completed STTL between January and June 2022. Although the client did successfully complete the program, after completion they committed a new crime and have returned to prison on the new charge.

## PART II: Four Goals of Justice Reinvestment

### **Reduce recidivism through evidence-based practices while increasing public safety and holding offenders accountable**

**Describe the program's progress toward reducing recidivism through evidence-based practices while increasing public safety and holding offenders accountable during the reporting period. Please respond utilizing the most up to date data available on the [CJC dashboards](#), in addition to local quantitative and qualitative data.**

**The [CJC recidivism dashboards](#) are updated every 6 months.**

The Pretrial program helps lay the foundation to break the cycle of incarceration and reduce recidivism. The program allows defendants the opportunity to remain in the community while awaiting trial. While in the community, defendants can maintain employment and attend therapeutic programs that can uncover the root causes of anti-social behaviors.

Pretrial defendants are pre-adjudication and are not entered into the Oregon Department of Corrections (DOC) systems. Therefore, they cannot be tracked through the DOC data found on the CJC dashboards. However, the program boasts short-term successes with regards to new arrests. Most pretrial clients are not arrested for new crimes while they are enrolled in the pretrial program, as less than 1 percent of the 650 cases ended in a new arrest (4 felonies, 1 misdemeanor, 0.92% of all outcomes) and 2.6 percent ended in a technical violation. The failure to report closures have fallen this reporting periods, from 43 percent in the last half of 2022 to 38 percent (n=248) between January and June of 2023.

As mentioned earlier, STTL has returned to its pre-pandemic operations. When formerly incarcerated people successfully transition back to a community with prosocial skills, they have a greater likelihood of not recidivating.

CSAP and STTL are highly effective for the vulnerable populations they serve, but they are intensive programs that are appropriate for a small percentage of our population who are on community supervision.

Overall, the recidivism rates in the state of Oregon and Clackamas County have been level since at least 2000, remaining between 45 and 58 percent when measured by arrests. In Clackamas County, 3-year recidivism rates for all cohorts who ended supervision has fallen below the trendline. The cohort

who completed supervision in the second half of 2019 had a 45.8 percent arrest rate in the three years after supervision.

While these programs are each successful, it is difficult to tie them specifically to the CJC dashboard findings. Those findings have a better fit in the following questions, and we will explore them there.

## **Reduce prison utilization for property, drug and driving offenses while increasing public safety and holding offenders accountable**

**Describe the program's progress toward reducing county prison usage for property, drug and driving offenses while increasing public safety and holding offenders accountable during the reporting period. Please respond using the most up to date data on the [CJC dashboards](#) to analyze trends in usage. Responses should incorporate data specific to prison intakes, revocations, length of stay, and relationship to the statewide rates as appropriate.**

**The [CJC prison usage dashboards](#) are updated regularly.**

The pretrial program is not reflected in the dashboard data. Most Pretrial participants are not prison eligible. The likelihood of Pretrial having a significant effect on the immediate use of prison beds may be low. Pretrial is more likely to have an impact on the long-term use of prison beds as lower-level offenders are being diverted from lengthy jail incarceration and provided services as needed.

CSAP continues to prioritize offenders with the highest risk of re-offense as assessed by the LS/CMI and WRNA. CSAP is also prioritizing offenders that are either sentenced to a downward departure sentence or at highest risk of prison incarceration based on history. Throughout its history, CSAP graduates tend to have low 1-year recidivism rates as the program teaches skills and provides support for clients to make lifelong changes in their behaviors and habits.

Clackamas County's outcomes closely parallel statewide trends, with prison populations experiencing fluctuations subsequent to a substantial decline in rates during the pandemic. Additionally, the Oregon Court of Appeals has redefined Delivery of a Controlled Substance (DCS), now mandating the presence of an identified individual buyer to classify an act as a delivery. Consequently, numerous former DCS charges are currently being prosecuted as attempted delivery of a controlled substance, a non-prison-eligible offense.

Governor Kate Brown has further impacted the situation by granting clemency to more than 1,000 adults in custody during the COVID pandemic. As we await the stabilization of these external factors, it remains imperative to attain a comprehensive understanding of Clackamas County's prospective prison population. Only then can we contemplate significant policy changes to address further prison population reduction that also ensures public safety.

The Appellate Court redefinition of DCS has resulted in a sharp decline in incarceration and sentence lengths for drug-related crimes (See Figure 2). Lengths of prison stays for property and driving crimes has remained somewhat level.

The average length of stay for drug charges fell from a high of 46.14 months in August 2021 to 24.08 months in April 2023. It is worth noting that although the averages in 2021 were significantly higher than any other time in the decade, the longer sentences that drove this spike would have begun in 2017 or earlier, which is before Clackamas County participated in the Justice Reinvestment Initiative. Therefore, it is outside the scope of this report.

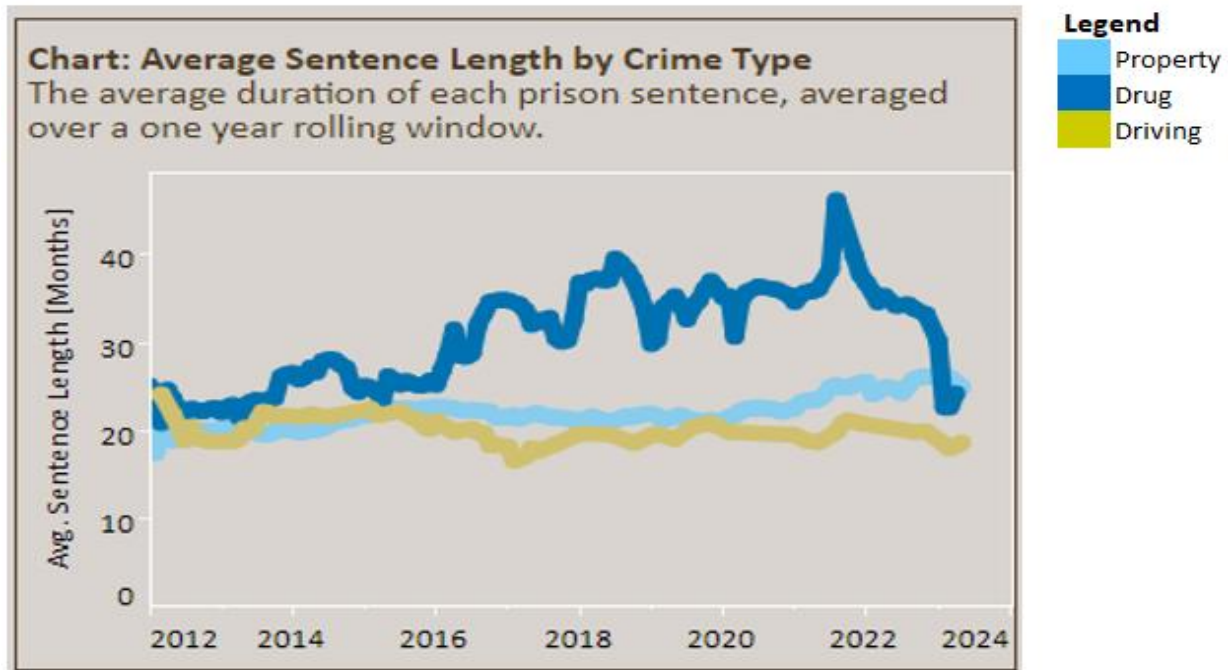


Figure 2 Clackamas County's Avg Sentence Length by Crime Type-CJC dashboard graphic

Compared to state trends, Clackamas had longer sentences until February 2023. Since then, Clackamas County has had shorter stays compared to the state. The statewide average was 29.30 months in April 2023, compared to 24.08 months for Clackamas County.

In May 2023, the average length of stay was 24.82 months for property charges and 18.50 months for driving charges. The length of stay for property crimes is higher than the state average of 22.92 months and lower than the state average of 19.56 months.

### Percent of Prison Use by JRI-Eligible Sentence Types: 06/01/2022-05/31/2023

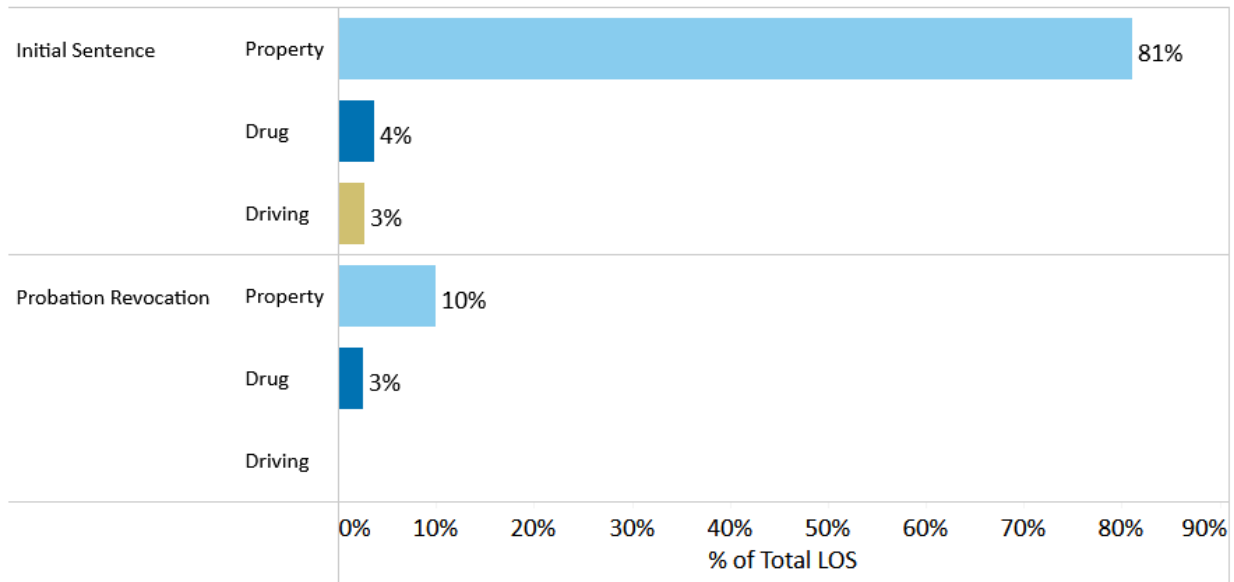


Figure 3 JRI-crime-related prison use by sentence type-CJC dashboard graphic

When looking at the JRP-related crimes, property crimes are the bulk of prison time used, with 91 percent of JRP-related prison time used for property crimes (See Figure 3). This is higher than the 75 percent used at the state level.

### Percent of Prison Use by All Sentence Types: 06/01/2022-05/31/2023

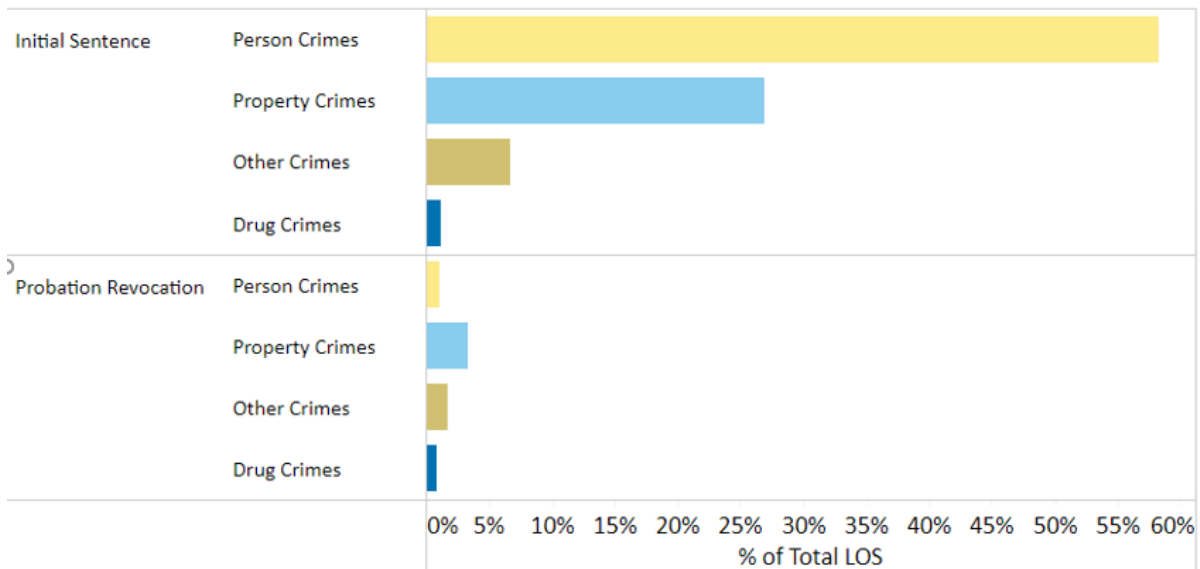


Figure 4 All prison use by sentence type-CJC dashboard graphic



When adding all crimes, it becomes apparent that most prison use is dedicated to person crimes. In Clackamas County, 59 percent of prison time is used for person crimes, compared to 73 percent at the state level. When all crimes are considered, property crimes make up 30 percent of the prison time used in Clackamas County, compared to 14 percent at the state level.

### Prison Intakes

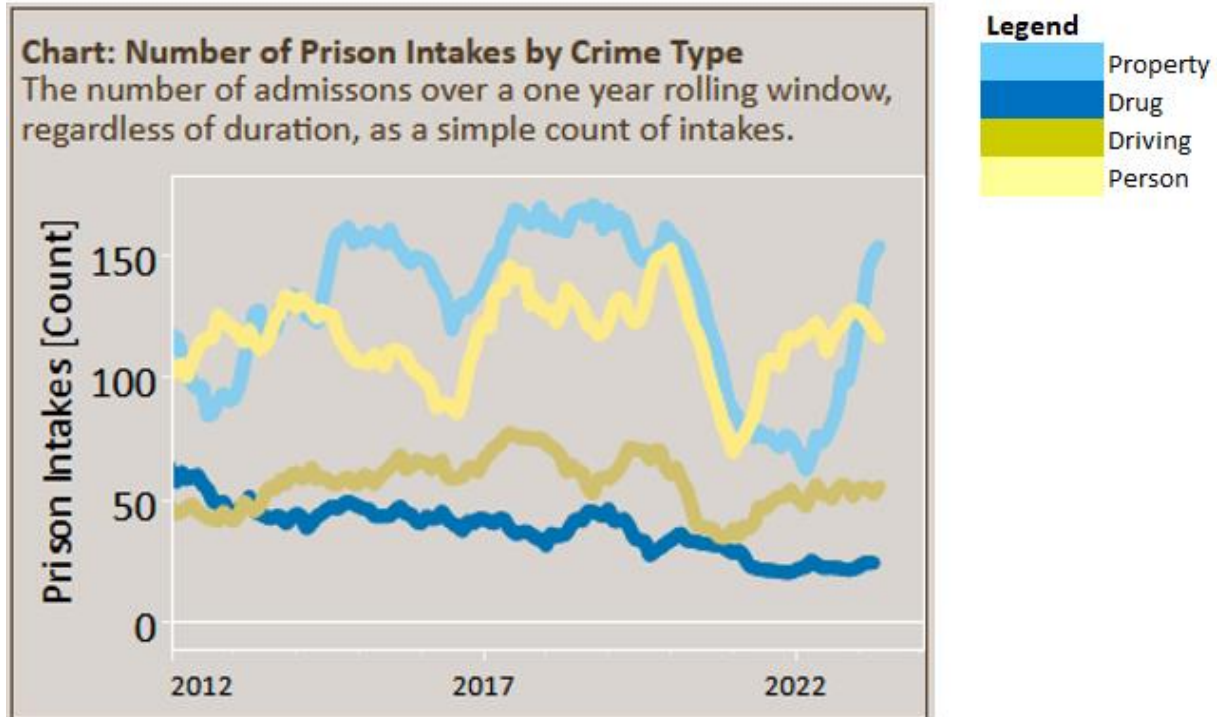


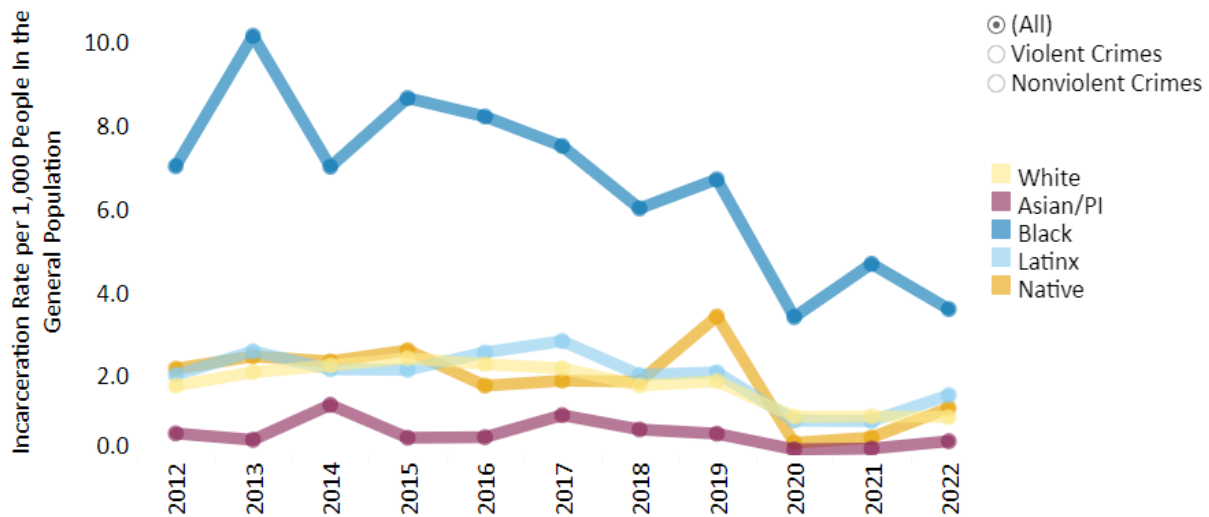
Figure 5 Clackamas County prison intakes by crime type

Prison intakes for property crimes has been on a steady increase since March 2022 (See Figure 5). There were 153 intakes in the year between June 2022-May 2023<sup>1</sup>, which is significantly more than the 67 intakes in the year between May 2021- April 2022, but it appears to be returning to pre-pandemic norms. From mid-2017 to January 2020, property crime prison intakes consistently hovered around 150-170 people per year. The rates began to drop in February 2020, with a month-over-month decrease until late 2021-early 2022, when the rates began to rise again. The trend is consistent with the statewide trend, although the state-level increase began earlier, in June 2021.

<sup>1</sup> CJC has changed the way they measure intakes. The current method is to include the entire 12-month period prior to the month in question as opposed to merely displaying the intakes for that month. This is why our intake numbers are significantly higher compared to our last report.

Driving- and drug-related crime intakes have remained somewhat steady and have not returned to pre-pandemic levels. These patterns are also consistent with state patterns.

Although it is not a JRI-related crime category, person crime intakes seem to be stabilizing at a rate that is lower than the pre-pandemic average. Prison intakes were consistently between 120 and 150 people per year in the 3 years before the pandemic. During all of 2022 and the first half of 2021, person crime intakes have been around 110-120 people.



**Chart: Incarceration Rate by Race/Ethnicity**  
 Rate of incarceration per 1,000 individuals in the population based on the relevant census estimates. Mouse over data points to view the number of prison admissions, or select a data point to filter age and crime charts. Keep in mind that very low population numbers in some counties can result in very high incarceration rates when only one or two people become incarcerated.

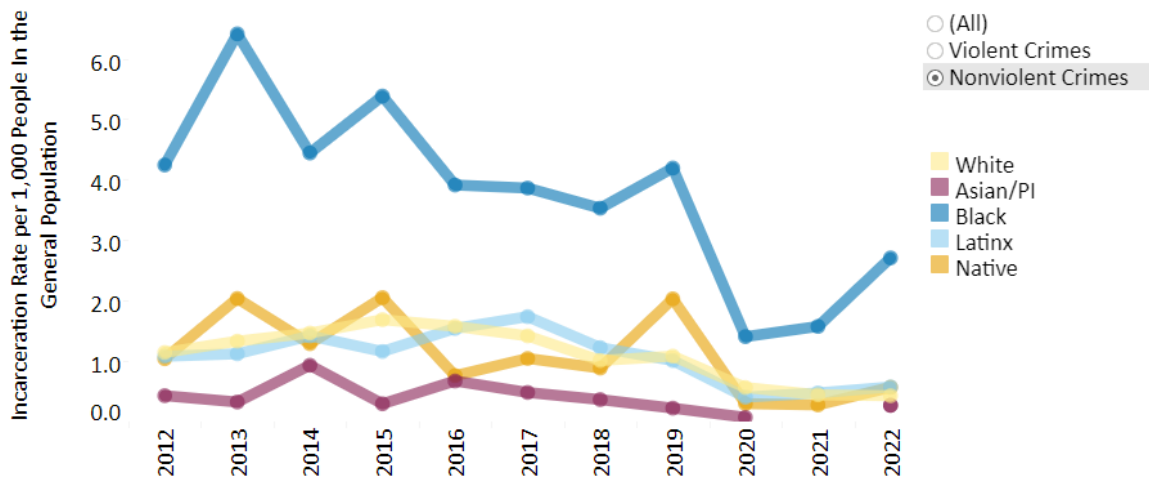
*Table 8 Clackamas County prison population demographics for all crimes-2012-2022*

The rate of incarceration for Black defendants in Clackamas County is significantly higher than defendants of other races or ethnicities, and is higher than the state average (See Table 9)<sup>2</sup>. This is true for all crimes and for non-violent crimes only. For all crimes, Black defendants in Clackamas County are admitted to prison at a rate of 3.5 per 1,000 Black individuals living in the county. At the state level, the rate is 2.75 admissions per 1,000.

For non-violent crimes, Black defendants in Clackamas County are admitted to prison at a rate of 2.7 per 1,000 Black individuals living in the county<sup>3</sup>. At the state level, the rate is 1.2 admissions per 1,000.

<sup>2</sup> 2022 prison admissions (all crimes): Black-29, Latinx-59, Native-8, White-310, Asian/PI-5

<sup>3</sup> 2022 prison admissions (non-violent crimes): Black-12, Latinx-24, Native-4, White-145, Asian/PI-4



**Chart: Incarceration Rate by Race/Ethnicity**

Rate of incarceration per 1,000 individuals in the population based on the relevant census estimates. Mouse over data points to view the number of prison admissions, or select a data point to filter age and crime charts. Keep in mind that very low population numbers in some counties can result in very high incarceration rates when only one or two people become incarcerated.

*Table 9 Clackamas County prison population demographics for non-violent crimes only-2012-2022*

## **Does the LPSCC have any questions regarding your county's data dashboard? Is there any specialized analysis CJC can provide specifically related to your county's recidivism and prison usage data?**

Our request remains the same as last reporting cycle. We would like to work with CJC to obtain new arrest data on our 2018 and 2019 pretrial clients to learn of their success rates long-term.