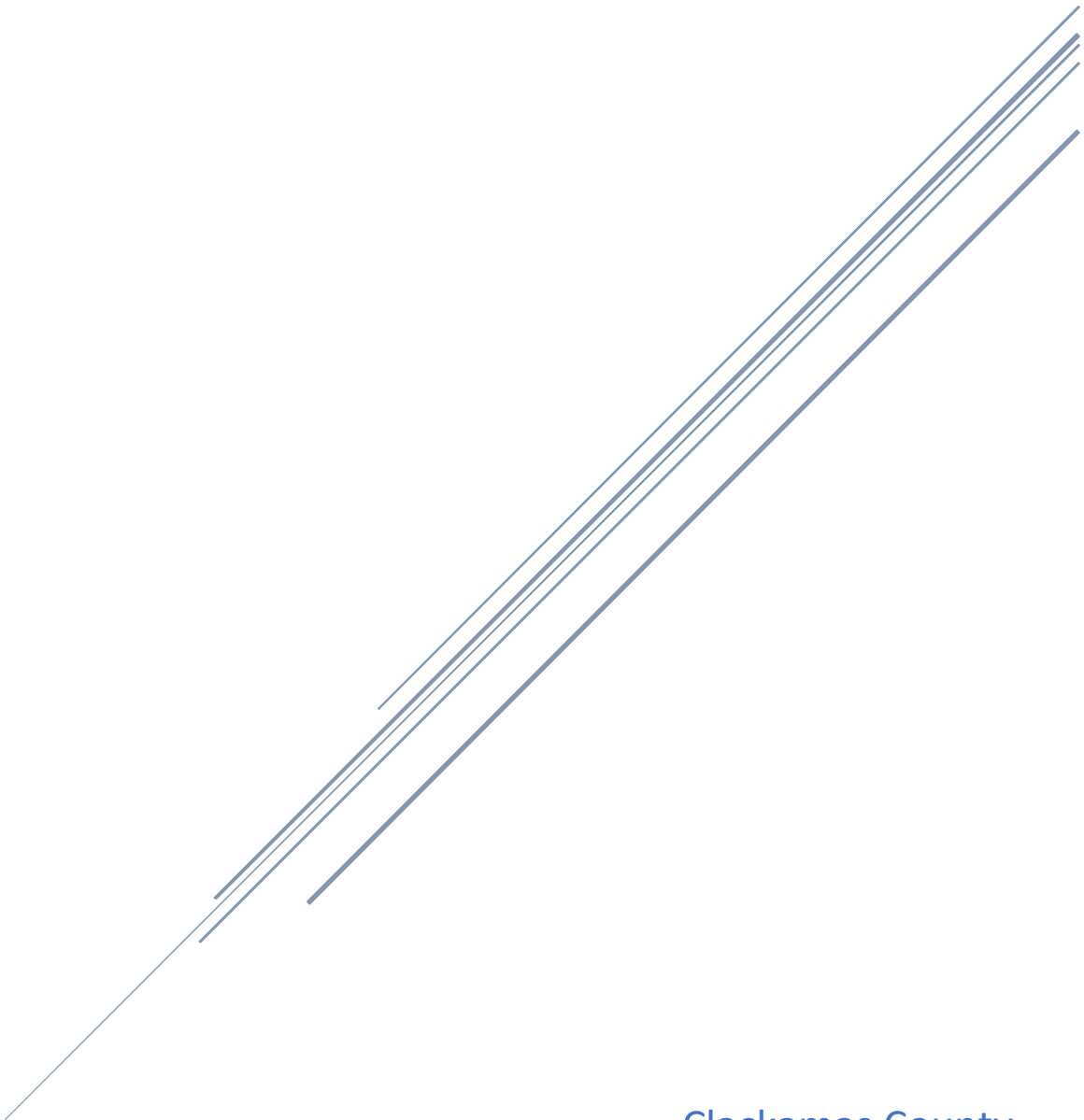


# JRI PROGRESS REPORT

July-December 2022



Clackamas County  
Community Corrections

## 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*

There have been multiple changes and challenges during this reporting period that can be directly attributed to the implementation of SB48 and the subsequent Chief Justice and Presiding Judge's Orders (CJO & PJO). While the number of bookings into the Jail has only increased by 5.9% (5523), the number of open Pretrial cases increased 86.9% (from 916 open cases in the first half of 2022 to 1712 in the second). This change is primarily due to two factors. The first factor is that more individuals are being held for initial arraignment (release category 3 and overrides), thereby creating the need for a Pretrial interview and assessment prior to the first appearance. Secondly, many of the individuals that are released prior to arraignment (release category 1 & 2 w/no override) are automatically placed onto Pretrial Supervision at the direction of the PJO.

Additionally, the Court's Pretrial Release Order was changed to allow Judges to order Pretrial Supervision for Defendants who are held on bail at arraignment, but who are later force-released or post bail.

The adverse outcome of these changes has been a dramatic rise in the number of released defendants who never report for Pretrial Supervision. Pretrial check-in rates and appearance rates have fallen this reporting cycle compared to the first half of 2022, and success rates have fallen. Percentages can be found in the *Individual Program Outcome Measures* section of this report. The downward shift is likely due to individuals being released from custody with multiple pages of Jail, Court, and Pretrial paperwork at varying hours rather than directly after arraignment when they have been ordered to

report to Pretrial Services by a Judge. Adults in custody(AIC) are informed during the interview of the obligation to report to Pretrial Services upon release if it is ordered by the court. Pretrial staff cannot provide a specific date to report until the time of release because many AIC are not released at arraignment. They are held on bail and later force-released from jail.

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 the third quarter of 2022. The current timeframe is has been updated to February 2023.

## ***Clackamas Substance Abuse Program***

During the period of Jul-Dec 2022, CSAP has started the transition to pre-covid operations. Our population has more than doubled since being in Covid and clients are once again coming and going from the Center. CSAP has a true transition phase (Phase III) where clients obtain work, attend support meetings, and reconnect with family before leaving treatment to make their transition smoother.

CSAP is in the process of hiring another therapist to help run groups and do individual treatment. The therapist will be used for both men and women's groups, although the groups will remain gender specific.

CSAP has also taken transgender clients into the program as well as clients identifying as gender neutral. CSAP is responding to the client's preference instead of their assigned gender at birth.

CSAP has continued to transition to more of a treatment facility whereas we are taking on clients with complex medical issues. For example, CSAP currently houses a client with a co-occurring eating disorder. CSAP is coordinating care with community based medical providers to ensure their criminality, substance abuse, and medical concerns are treated.

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

During the period from Jul-Dec 2022, we been trying to recover from Covid protocols. STTL Clients are once again coming and going from the Center, have an assigned PPO and are transitioning into the community.

**Highlight program successes or promising practices**

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

## *Pretrial*

### *Lessons learned*

Since the implementation of SB48 and the PJO, Pretrial Services staff have begun to become much more integrated into the operations of the Clackamas County Jail and direct oversight was transferred from Community Corrections to the Jail Division of the Sheriff's Office. Additionally, Pretrial Services and the Jail's Matrix and Classification unit were consolidated under one Supervisor which helped to streamline many of the capacity-related releasing decisions.

Pretrial Services staff were instrumental in the development of process and policy for the implementation of SB48, and Command Staff members worked directly with the Presiding Judge, DA's Office, and Defense Bar in the crafting of the PJO in order to maintain compliance with the CJO, and ensure that it met with Operational needs of the Clackamas County Jail and Pretrial Services.

### *Pretrial accomplishments*

After a long, and much anticipated build up, the Jail and Pretrial Services are in the final implementation stage of providing electronic monitoring of defendants released to pretrial supervision. The Pretrial Intensive Supervision with Electronic Monitoring program (PRISEM) is a collaboration between Pretrial Services and the Jail's Electronic Home Detention (EHD) program.

The guiding principles of pretrial release and supervision are to maximize public safety, court appearance, and appropriate release of defendants prior to the adjudication of their criminal case. The Clackamas County Pretrial Services program utilizes the Virginia Pretrial Risk Assessment Instrument (VPRAI), an actuarial risk assessment that has been validated both nationally and locally to provide the Court with information that can assist Judges with making informed decisions regarding pretrial release and detention, as well as recommendations for appropriate conditions and levels of supervision.

PRISEM is an additional condition and level of presentencing supervision for that can be targeted towards AIC who are at higher risk of committing a new crime or failing to appear for their

court appointments compared to other defendants who are placed on pretrial supervision, based on their VPRAI scores. These AIC 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 and Pretrial Services units. Once on the program, the individuals will not be considered inmates as they are enrolled in the Pretrial Program.

The Clackamas County Jail currently operates an Electronic Home Detention (EHD) program as an post-sentencing alternative to close custody and to help manage population numbers and overcrowding. EHD contracts with Vigilnet to provide 24-hour GPS monitoring with the use of electronic ankle bracelets. Individuals placed on EHD are still considered to be AIC while on the program and are subject to administrative sanctions for violations of program and Jail rules. Additionally, the AIC are required to strictly adhere to a preset schedule and may only leave their residence with prior approval. Deputies assigned to the EHD program coordinate the fitting of the GPS units with a contracted provider who also monitors the system. The Deputies conduct random but regular home checks to ensure compliance and respond to violations.

Conversely, defendants placed on PRISEM have not yet been sentenced and will not be in-custody, but rather released to Pretrial Supervision with the addition of the 24-hour Electronic Monitoring provided by Vigilnet. The defendants will have electronic "geo-fences" around places or areas that the Court has ordered for purposes of victim safety. The goal is to have an immediate law enforcement response if the defendant violates the most serious conditions of electronic monitoring. Less severe violation response times will depend on severity and the time of day, but each violations will receive a response.

PRISEM participants will be supervised by Pretrial Services and receive weekly face-to-face contact with EHD Deputies for the first 30 days in addition to their normal scheduled check-ins with Pretrial Services staff. After 30 days, face-to-face visits will decrease to every other week.

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.

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 will be made available to

AIC who are identified in our Pretrial program and individuals entering CSAP. In each case, it will be utilized by individuals who consent to participate in the program as they transition from prison or jail. The injection will help the clients successfully integrate into their community or CSAP. The JRI funding will cover the first dose. Following the initial dose, clients' medication-assisted treatment care will be transitioned to a community-based provider to continue monthly Sublocade injections. If an individual refuses to participate, they are given a choice of oral medications to take with the Medication-Assisted Treatment program. The individual may also choose not to participate in the program at all.

### *Individual program outcome measures*

As noted above, SB48 and the PJO have dramatically increased the number of individuals being placed onto pretrial supervision. Additionally, due to the continued decrease in the Jail's housing restrictions brought about by COVID-19, and the need to hold more defendants until initial arraignment, the Jail's average daily population has risen from an average of 226 inmates during the last reporting period to 299 during this period (32% increase). Although this is still well below pre-COVID numbers, the Jail's capacity is currently restricted due to ongoing staffing issues and current capital improvement projects.

As anticipated by the implementation of the PJO, the reportable outcome measures for Pretrial Services have declined due to the number of individuals being released to supervision prior to arraignment or force released. The current check-in rate has dropped from 97% to 92%, and the appearance rate dipped from 71.7% to 53.7%. While the pretrial success rate has decreased from 67.4% to 50.4%, the safety rate has remained consistent at 99%.

It is anticipated that as modifications to the PJO and current pretrial processes are implemented, these rates will rise and return to prior levels.

Supervision Levels	N
Standard	200
Standard + DV Conditions	26
Standard + DUII Conditions	23
Enhanced	138
Enhanced + DV Conditions	72
Enhanced + DUII Conditions	10
Intensive	4
Intensive + DV Conditions	7
Intensive + DUII Conditions	3
No Release	795
ROR	18
Defer to Court	1
<b>Grand Total</b>	<b>1297</b>

Table 1 Supervision levels-all new cases July-Dec 2022

From July-December of this year, 1297 pretrial decisions were entered, compared to 783 decisions from January-June 2022. Of those decisions, 795 were not released (See Table 1). There were 483 cases released to Pretrial. Standard release with no conditions was the most common, at 200 cases. Enhanced release with no conditions was the next most common at 138. There were 4 releases to intensive monitoring with no additional conditions. There were 105 total domestic violence conditions and 36 DUII conditions entered for various monitoring levels.

Forty-nine percent (n=109) of the pretrial case outcomes, were successful, fifty-one percent (n=113) were unsuccessful. This represents 222 pretrial case closures, referred to as dispositions.

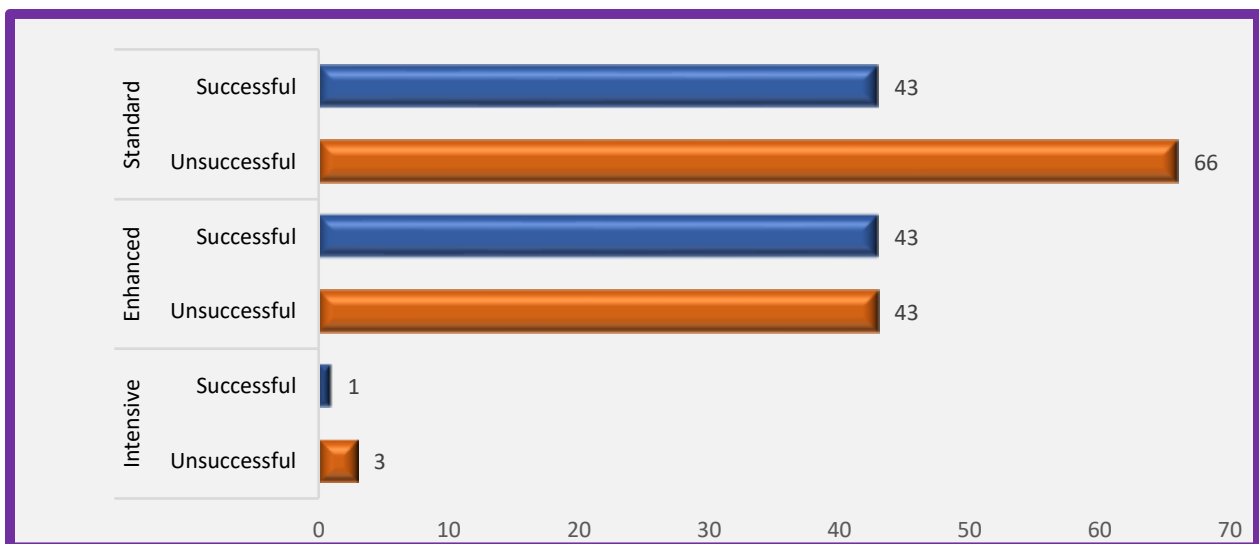


Fig 1. Outcome by supervision levels-all clients-Jul-Dec 2022

Defendants on the standard level of monitoring were more likely to have unsuccessful outcomes (See Fig 1). All the unsuccessful clients (n=66) on standard supervision were unsuccessful due to a failure to appear. For enhanced and intensive levels, successful and unsuccessful outcomes were evenly distributed.

The DV cases had many successful outcomes (See Fig 2). Standard and enhanced monitoring levels saw more successful closures than unsuccessful closures, the intensive level only had one closure and it was unsuccessful.

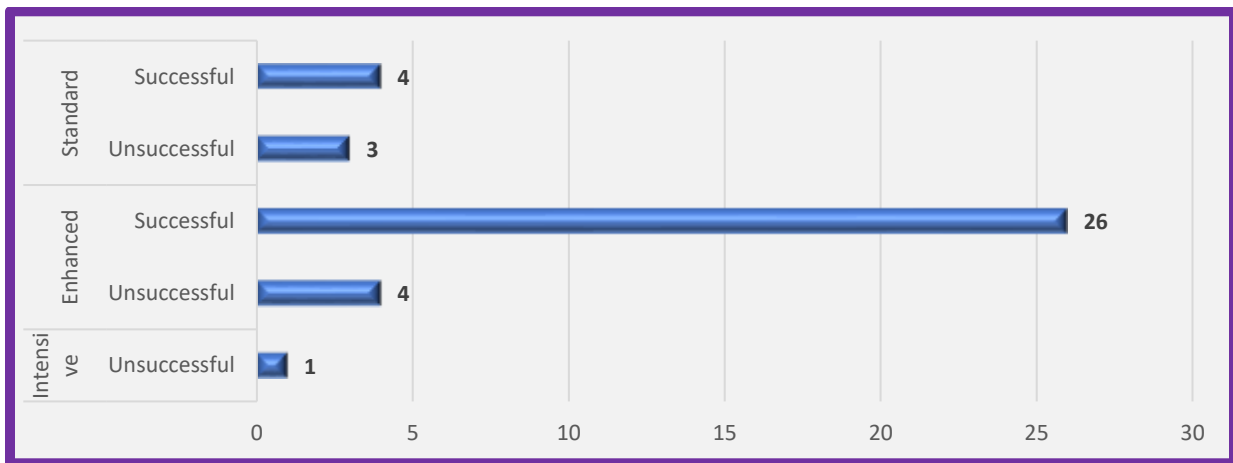


Fig 2. Outcomes by supervision levels for clients with DV conditions. Jul-Dec 2022

There were 109 successful cases. Of those, 54 cases (49.5% of all successful dispositions) ended with sentencing, 36 cases (33%) defendants were given diversion, and 19 (17%) had their charges dismissed (See Table 2).

Table 2. Disposition reasons Jul-Dec 2022

Outcomes	Jul-Dec 2022
<b>Successful</b>	<b>109</b>
Charges Dismissed	19
Diversion	36
Sentenced	54
<b>Unsuccessful</b>	<b>113</b>
Failure to Appear	108
Technical Violation	5
<b>Other</b>	<b>27</b>
Bond Posted	3
Dismissed	6
Other	18
<b>Grand Total</b>	<b>249</b>



For unsuccessful dispositions (113 unsuccessful closures), failure to appear was the most common cause, at 108 cases (96 percent). The other five were technical violation.

Table 3. Number of unsuccessful dispositions that were FTAs Jul-Dec 2022

Disposition Reason	Failure to Appear
<b>Supervision Levels</b>	<b>Jul-Dec 2022</b>
Standard	66
Enhanced	40
Intensive	2
<b>Grand Total</b>	<b>108</b>

Clients who failed to appear to court were most likely to be on standard monitoring (n=66), followed by those on enhanced monitoring at 40. Two clients on intensive monitoring failed to appear (See Table 3).

## *Clackamas Substance Abuse Program*

During this evaluation period, the recidivism numbers are still reflecting the population that was affected by covid protocols. As the CSAP program continues to return to a pre-covid operation we expect the numbers to also return.

From Jul-Dec 2022, CSAP has once again been able to help clients obtain their GED and attend college and/or trade schools. Clients are obtaining employment in the trades and are making smooth transitions into the community.

CSAP has noticed an increase of past clients who are struggling in the community and are reaching out for help before their addiction and criminality results in their re-involvement in the Criminal Justice System. Fentanyl is proving to be a challenge for clients to overcome, but they are reaching out for help at a much earlier point. CSAP can get involved to help clients avoid jail and or prison.

The one-year recidivism rate for men who graduated CSAP from July-December 2021 is 20%. In other words, 80% of male graduates did not commit a new crime.

The one-year recidivism rate for women who graduated CSAP from July-December 2021 is 14%. In other words, 86% 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. The one-year outcomes are very good for men and excellent for women.

CSAP currently has 50 beds available in the men’s dorm and 20 beds in the women’s dorm. Men used 24.33 beds on average in the last half of 2022 and women used 9.5 beds on average.

The average stay in the residential program is 146 days for men and 228 days for women of in-house time (See Table 4), and 431 days for men and 552 days for women spanning the time from program entrance to graduation (See Table 5).

	Jan-Jun, 2022	Jul-Dec, 2022
<b>MEN</b>	154	146
<b>WOMEN</b>	263	228

*Table 4. Comparison of length of stay in housing-2022*

	Jan-Jun, 2022	Jul-Dec, 2022
<b>MEN</b>	261	431
<b>WOMEN</b>	582	552

*Table 5-Comparison of length of stay in program—2022*

We continue to see the program works in its entirety. We are having clients obtain employment before transitioning out. Also, having structured in person continuing care is beneficial.

We continue to strengthen the community partnerships who support our CSAP program. OnPoint Credit Union is facilitating financial classes. Mental Health & Addiction Association of Oregon and 4D are each providing mentorship services to clients. Finally, Community Health is facilitating educational groups and housed at the center 1 day per week and helps with medical appointments. These wrap around services provide tremendous value to our clients and CSAP as a whole.

### *Short-Term Transitional Leave*

STTL is slowly returning to protocols created before the pandemic. Clients are currently housed in our Residential housing until they stabilize. They may transition to Bridges to Change once they are stabilized. This is an example of a return to pro-COVID policies.

Bridges to Change (BTC) is a community nonprofit that works closely with Community Corrections to house and mentor clients. Between July and December 2022, there were 10 dedicated STTL beds. There were 13 new clients accepted. This represents 505 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 were 2 clients who completed CSAP between July and December 2021. Of those 2 clients, 1 former participant returned to prison within their first year of program completion. The client had originally gone to prison on a Strangulation, Assault IV charge, and had contact with the victim after release, on the first day of their STTL program. They were immediately returned to custody.

There were zero former clients from that cohort who were sentenced to jail in lieu of prison.

## 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 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 committing new crimes while they are enrolled in the pretrial program, as less than 2 percent of the 252 dispositions ended in a technical violation, with zero new arrests. However, over 40 percent (108 clients-43 percent) are removed from the program because they failed to appear in court.

As mentioned earlier, STTL is slowly returning 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 arrest rates in the state of Oregon and Clackamas County have been level since at least 2000, remaining within five points of a 50 percent recidivism rates.

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 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 outcomes closely parallel statewide outcomes. Prison populations are still fluctuating following the large drop in prison rates due to the pandemic and the effects of Measure 110. At this time, we are awaiting a more complete picture of what the prison population will be in Clackamas County after these outside factors stabilize before we consider any significant policy changes to address further prison population reduction that also ensures public safety.

### Prison Usage Comparison

Prison usage data calculates prison months used in response to Measure 57 property, drug, and driving crimes. The dashboard compares each county to the baseline average of prison months used between July 2013 and November 2022. The county's rate of prison months per 100,000 has remained lower than the state's rate every month reported, spanning from July 2013 to June 2022.

Over the past six months, Clackamas County has been below the baseline average. While the rate has been trending upwards, the pattern largely parallels the statewide trend (See Fig 3).

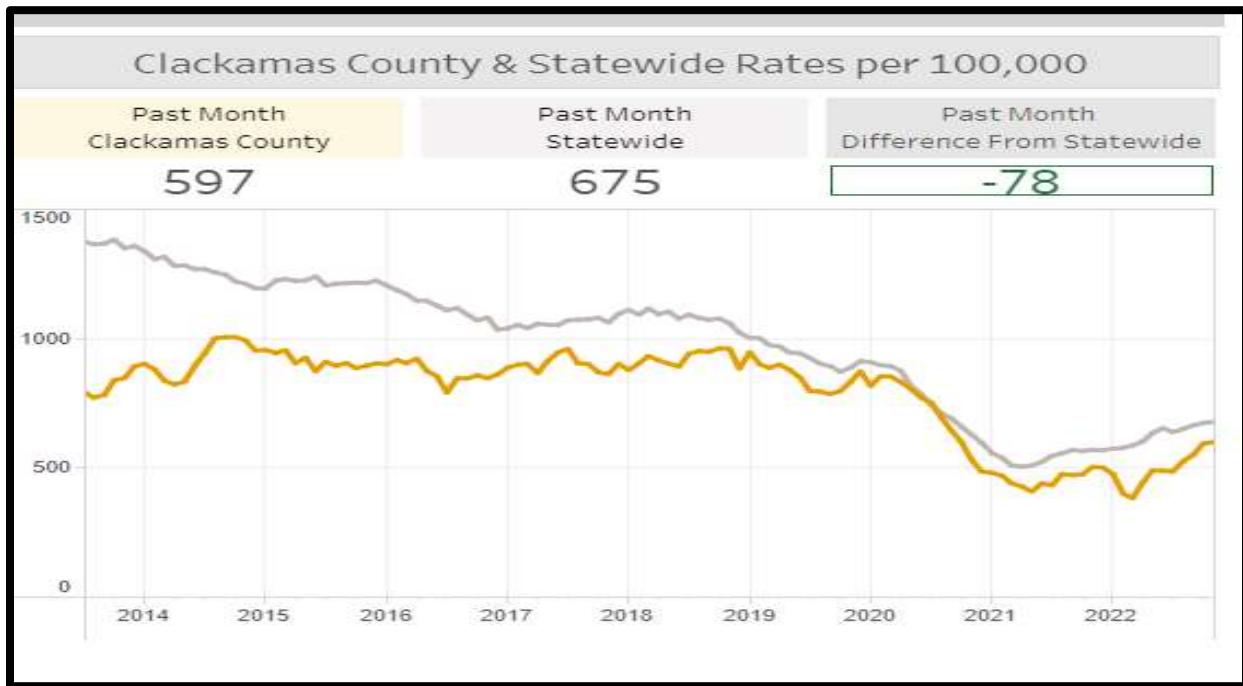


Fig 3. Prison months per 100,000. Source: CJC Justice Reinvestment Prison Usage Dashboard

*Intakes*

In Clackamas County, prison intake rates for first sentences<sup>1</sup> of drug, property, or driving-related crimes have ticked up in 2022 and are currently higher than the state or metro rates (See Fig 4).

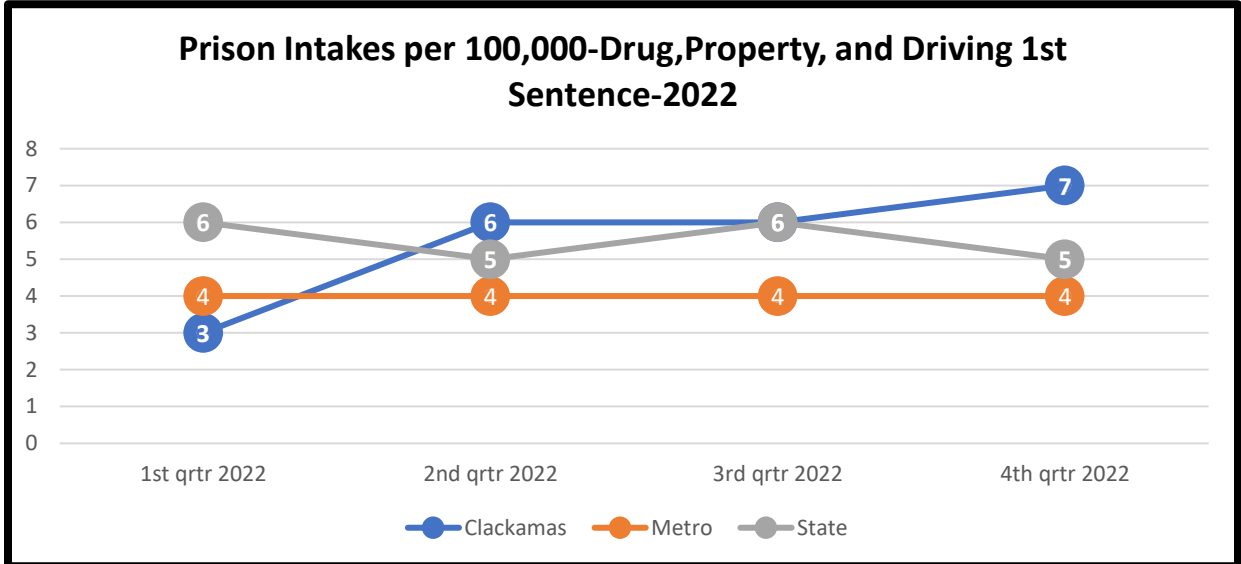


Fig 4. Comparison of county and state prison intakes per 100,000-First sentence drug offenses-

Clackamas County prison intakes due to probation revocations for drug, property, or driving offenses have remained flat in the last half of 2022. There was only 1 per 100,000 in the second quarter of 2022, which was the same rate as the metro areas and lower than the state (See Fig 5).

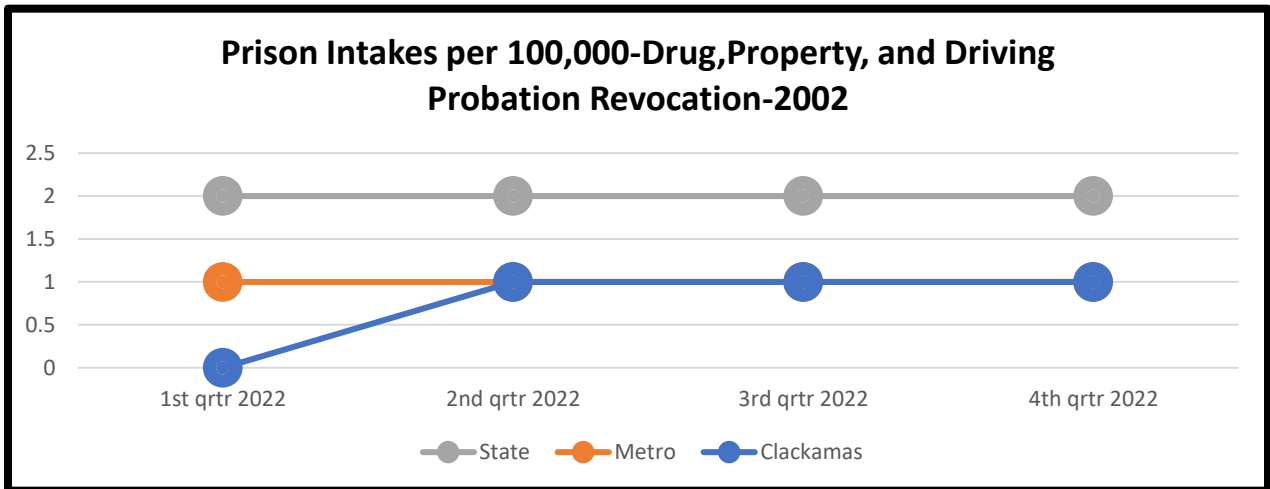
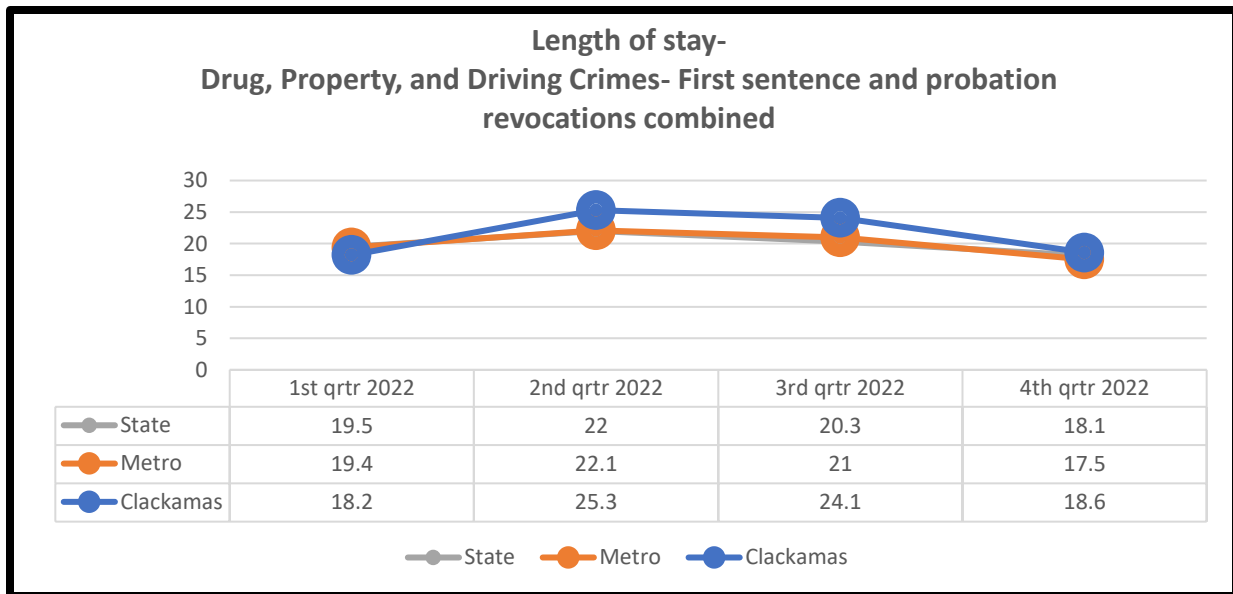


Fig 5. Comparison of county and state prison intakes per 100,000-Probation revocation sentence drug, property, and driving offenses- Source: CJC Justice Reinvestment Prison Usage Dashboard

<sup>1</sup> CJC uses the term “first sentence” in the dashboard to refer to those convicted on new offenses, as opposed to those who are admitted to prison due to a probation revocation brought about by a downward dispositional departure.

*Prison Length of Stay*

The current drug, property, and driving crimes length-of-stay dashboard displays average length of stay of first sentence and probation revocations combined. The lengths of stay for Clackamas County were 24.1 months in the third quarter and 18.6 months in the fourth (See Fig 6). The state average was 20.3 months in the third quarter and 18.1 months in the fourth. Clackamas County had higher lengths of stay than the metro region overall (Metro-21 months and 17.5 months in the third and fourth quarters, respectively).



*Fig 6. Comparison of county and state prison length of stay in months per 100,000-Drug, property, or driving offenses*

**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.