

**BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON**

ORDER NO: 21-03-02-08

Order/In the matter of approving the January 2021 Lane County Community Public Safety Repair Plan Update developed and recommended by the Public Safety Coordinating Council.

**WHEREAS**, Lane County staff and other community safety partners developed the Public Safety Repair Plan in 2013 to inform the Board of Commissioners of the status of the current public safety system; and

**WHEREAS**, the Public Safety Coordinating Council updates the Plan annually and presents it to the Board; and

**WHEREAS**, Lane County's public safety system must be coordinated, balanced, efficient, frugal, and adequate to address the most significant and persistent public safety concerns; and

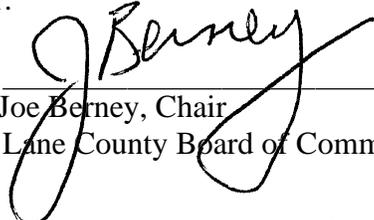
**WHEREAS**, funding must be targeted to specific purposes, with the need for each component service restoration being independently justified and clearly articulated; and

**WHEREAS**, the process and program funding must be transparent and subject to annual audit and community review;

**NOW, THEREFORE**, the Board of County Commissioners of Lane County **ORDERS** as follows:

1. Accept and approve the January 2021 Lane County Community Public Safety Repair Plan Update developed and recommended by the Public Safety Coordinating Council.

**ADOPTED** this 2nd day of March, 2021.

  
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Joe Berney, Chair  
Lane County Board of Commissioners



**Lane County**  
**Community Public Safety Repair Plan**  
**PSCC Update – January 2021**

*Approved by the PSCC 01/21/2021 for recommendation to the Board of County Commissioners*

**Lane County Community Public Safety Repair Plan Update**  
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## ***Introduction***

In 2018 Lane County's Public Safety Coordinating Council (PSCC) undertook the process of updating the Community Public Safety Repair Plan, also referred to as the "10 Year Public Safety Plan", which was developed under the guidance and leadership of former Lane County District Attorney Alex Gardner in 2013. In the intervening years, many of the agencies represented in the original plan are under new leadership. Lane County Sheriff Cliff Harrold and PSCC Chair Paul Solomon have led the update effort. This document represents the voices of leaders from governmental, public, and non-profit organizations who have worked diligently to address system deficiencies strategically and with the guiding understanding that our system is inter-dependent.

This updated version of the plan represents the best information currently available and it will serve as a guide for future funding recommendations and decisions as we move forward. The plan represents a diverse array of public safety services, yet functions with a single voice. The plan has three phases: I) Keeping What We Have; II) Addressing Critical System Needs; and III) Addressing All System Needs. Thanks in part to strategic local funding initiatives, new state funding, and creative partnerships, all agencies have moved into Phase II. The sole exception is the Police Services Division of the Sheriff's Office, which continues to lack adequate Rural Patrol throughout Lane County. For the sake of brevity, and except for the aforementioned, the Plan has detailed our efforts in Phase II and the needs and gaps to achieve Phase III.

We have made monumental progress since the first iteration of this document. We have elevated a system that was on the brink of collapse into a functional (albeit under-resourced) system that is much more effective in addressing system demands and the community safety needs of Lane County residents. Moving forward, the Workplan Workgroup of the PSCC will detail progress made in updated reports to the PSCC and the Board of County Commissioners on an annual basis.

It is also relevant to note that we are facing new and more profound challenges today than when this report was first authored. The burgeoning population of people with mental illness entering the jail (often on misdemeanor charges) has reached historic heights. The fate of the Affordable Care Act will determine our ability to finance mental health and treatment services in the foreseeable future. Furthermore, we are facing a housing crisis that has made it increasingly difficult for people with criminal histories to access safe, affordable housing.

It is important to acknowledge the historic evisceration of our public safety system if we are to truly understand and appreciate the advances we have made; Lane County's public safety system was driven into crisis by significant layoffs in 1981-82. During the subsequent years, county officials worked with public safety partners and community leaders to find solutions for a lasting recovery, but no solution has been adequate to replace lost timber revenue and stabilize public safety funding. As a result, the system continued to shrink through periodic layoffs.

Loss of logging revenue and funding from the long-declining Secure Rural Schools Act devastated our public safety system, because Lane, like Oregon's other "timber counties", relied upon timber-driven revenue to avoid levying property tax increases. Now, in the wake of Ballot Measures 5, 47, and 50, there are practical and legal barriers that make it all but impossible to replace Lane County's lost revenue with property taxes. For perspective, if Lane County adopted the Marion County tax rate (\$3/1000) without compression from the property tax initiatives, Lane would receive more than \$63 million in additional annual revenue. This defines the size of the Lane County challenge: we cannot duplicate public safety services found in Marion, or other comparable counties, with a proportionate annual revenue shortfall of \$58 million.

The **Community Public Safety Plan** outlines modest steps that were initially defined through a series of public inquiries and processes hosted by Lane County and others over the last decade. The Plan reflects the areas upon which all of the past "task forces", "panels" and other public processes agreed, as such, we began with a foundation that has already been endorsed by city leadership, county leadership, law enforcement partners, and interested citizens. Plan fundamentals were outlined in the reports from the PSCC starting in 2004, the Summary Report on the 2005 Municipal/County Public Safety Task Force, the 2007 independent CAPS (Citizen Advocates for Public Safety) report, and the materials from the Lane County Service Stabilization Task Force.

All processes produced agreement on the following three basic principles:

- First, Lane County's public safety system must be coordinated, balanced, efficient, frugal, and adequate to address the most significant and persistent public safety concerns.
- Second, funding must be targeted to specific purposes, with the need for each component service restoration being independently justified and clearly articulated.
- Third, the process and program funding must be transparent and subject to annual audit and community review.

Every reviewing group underscored the importance of system balance and "hydraulics" (the extent to which public safety components affect one another). For example, without police officers to investigate crime and make arrests, there is no criminal work for the court system to process. If there are no District Attorneys (DA's) available to review police reports and file criminal charges, individuals must be released from jail. Without adequate mental health and treatment services to address criminogenic needs, we increase the likelihood of recidivism. Criminal convictions increase demand for jail space, prison space, reentry capacity, probation officers, and substance abuse treatment. They also drive County revenue under the Oregon Community Corrections Act (CCA), and that revenue funds County parole and probation operations, jail beds, alternative programs, reentry services, treatment services, and other corrections programs. The interdependent hydraulics, and the efficiency-improving power of coordination, argue for the continued repair of public safety departments in incremental,

coordinated, and balanced steps.

It took more than thirty-five years to collapse the Lane County public safety system. Our efforts to make repairs have been significant, but they are relatively recent and incremental. This Plan maps practical steps to mitigate community risk and further build upon efficiencies that flow from coordination and collaboration.

The public safety team has one overarching goal:

**Reduce future community victimization.**

Consensus on the order of the repairs was reached based on principles of community risk mitigation and net cost reduction. For example, felony prosecution was largely restored early in Phase II, because failing to prosecute felony cases cripples future County revenue under the current CCA funding model. The repair of prosecution services has helped reduce the size and duration of a devastating loss in state revenue, and the resulting recovery in revenue has supported the operation of other critical programs to date.

When first created and presented, this plan provided for modest repairs to restore 24-hour on-duty rural law enforcement response, as well as felony property crime prosecution, drug and alcohol treatment for high-risk adults and juveniles, and mental health support for criminal adults and juveniles.

In this most recent update of the plan as undertaken by the PSCC, we report that, as with last year, all areas of the Lane County public safety system have entered some portion of Phase II, Addressing Critical System Needs, apart from Lane County's rural law enforcement response. This report identifies specific areas of need with respect to that part of our system. It also outlines the needs for all participants in the public safety system, to continue Phase II level work, such as: increased staffing for rural law enforcement response; continued grant funding and other additional support to maintain full restoration of felony crime prosecution; resources to provide a stronger continuum of diversion programming for youth; increased staffing of Parole and Probation in order to reduce adult caseload sizes; replacement of grant funding for the Sponsors Mentoring Program and Reentry Resource Center; establishment of a Mental Health Crisis Center where individuals in crisis could stay for up to ten days; development of a rural mobile mental health crisis system; increased low barrier emergency shelter and permanent supportive housing; and greater funding for Kids' FIRST.

Over the years our public safety system had become increasingly reliant upon grant support as local tax support declined over time. Compounding declines in logging income, federal funding and other revenue forced agencies to find grant support or eliminate more public safety services. While we still rely on some grant funding, our system has been buoyed by Lane County's increased investment in the District Attorney's Office. This has resulted in an increase in Lane County's allocation of Grant in Aid/Community Corrections funding from the State.

However, due to past changes in drug laws and the recent passage of Ballot Measure 110, the Governor’s Recommended Budget for FY 21/23 is projecting a \$24.5 million reduction in Grant-In-Aid funding. In addition, the Justice Reinvestment Grant Program funded through the passage of House Bill 3194 in 2013 has resulted in millions of dollars in funds to support the reduction of prison utilization and recidivism. However, we are also anticipating a \$10 million statewide reduction in funding for the upcoming 2021-2023 biennium. The Affordable Care Act has provided coverage for many Lane County residents in need of services and thereby removed long waits for access to mental health and treatment services. This has allowed us to repurpose money that was previously used to contract for treatment services.

In 2013, Lane County passed the Sheriff’s public safety levy to restore jail beds for local offenders as well as treatment and detention beds for youth. That initial levy, and its subsequent renewal in 2017 by almost 73% of voters, demonstrates community recognition for those integral parts of the system, and we are extremely grateful for that support. We are hopeful the community continues its trust in the ongoing efforts of the public safety system partners and leaders of Lane County to build an efficient and balanced system.

### 3-Phase Repair Plan

Phase I	Phase II	Phase III
<p><b>Keeping What We Have</b></p> <ul style="list-style-type: none"> <li>Address most immediate needs in next budget cycle to preserve current staffing and service levels.</li> </ul> <p><b>Timeline: 2014-2018</b></p>	<p><b>Addressing Critical System Needs</b></p> <ul style="list-style-type: none"> <li>What was accomplished</li> <li>Restoring the county’s ability to investigate and prosecute felony crimes, provide treatment for convicted individuals, and help returning citizens with reentry.</li> </ul> <p><b>Timeline: 2019-2022</b></p>	<p><b>Addressing All System Needs</b></p> <ul style="list-style-type: none"> <li><b>What was accomplished to address all system needs.</b></li> </ul> <p><b>Timeline: 2022-2025</b></p>

### Overarching Themes

- Each component of the community public safety system rises with the others – they are interdependent.
- Growth or loss of resources in one component of the system has a direct impact on one or more other components of the system.
- Focus on priorities – successes, gaps/areas left behind.
- Include operational and capital resources.

### Progress Bars

Progress bars have been added to show progress by phase. **Red** shows no progress has been made in that phase. **Yellow** shows the work in that phase is still in progress. **Green** shows the work in that phase is complete.



# Sheriff's Office

## Phase I. Keeping What We Have

### 1. Corrections Division



The Corrections Division continues to maintain a minimum of 255 jail beds with additional capacities in various alternative programs.

### 2. Police Services Division

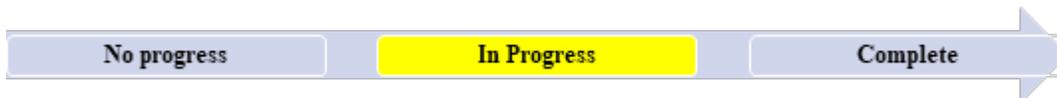


- Patrol has maintained 24-hour coverage since March 2016, providing response to emergency calls for service with 25 deputies and 6 sergeants assigned to patrol Lane County (this does not include deputies contracted to outside entities such as those assigned to Creswell, Veneta, the Oregon State Marine Board, Oregon State Parks, Lane County Public Works, Lane County District Attorney's Office, or Bureau of Land Management).
- Criminal Investigations continues to be staffed by only four detectives and a sergeant. This minimal staffing only allows this team to investigate the most violent felony crimes.

Summary: The Sheriff's Office request for FY20/21 budget in order to maintain current levels for patrol and detective service will be approximately \$ 7.44 million.

## Phase II: Addressing Critical System Needs

### 1. Corrections Division



#### Progress/Successes/Capacity Building 2014-2019

- Jail capacity increased from 125 local offender beds to minimum of 255 due to the 2013 public safety levy. In response to the COVID-19 pandemic during 2020 the jail reduced capacity to 260 beds. Prior to this the jail had 382 beds available to local offenders and plans to return to 382 beds once the increase can be done safely. Through the reduction in jail beds as well as following the recommendations from the Centers for Disease Control, the jail has prevented the spread of COVID-19 inside the facility and in doing so reduced the spread in the community. Since the inception of the levy, CBR's have been reduced 54% and no violent offenders have been released due to jail overcrowding. In May of 2017 voters renewed the public safety levy thru June of 2023. Should the levy not be renewed in 2023 a one-year ramp down is planned. Although 105 deputies are assigned to jail security, seven (7) are still in training and five (5) are unfilled.

Sheriff's Work Crew CCA funding for biennium FY17/19 increased from \$411,400 to \$450,000 and continues for FY19/21. Even with the increase in state funding this program has received support from the General Fund since FY 17. Increases in operating costs have contributed to an increased need for General Fund to maintain operations.

In November of 2020, a grant was awarded to provide adults in custody the opportunity to start or remain on a Medication Assisted Treatment (MAT) program. Full implementation of the program is expected by March of 2021. The grant is funded through September 30, 2023.

In October of 2020, a grant was awarded for Lane County Behavioral Health to have mental health court liaisons inside the jail to assist in connecting adults in custody with mental health disorders to services while also providing communication to the courts on what services are available. This grant is funded through June 30, 2021. This is the first step in a community crisis center system.

## 2. Police Services Division



### Gaps/Needs 2019-2022

- On October 27<sup>th</sup>, 2020, the Board of County Commissioners approved a four (4) FTE staffing increase for deputies specifically assigned to the McKenzie River area affected by the Holiday Farm Fire (2 deputies) and West Lane County area encompassing rural Lane County west of Walton (2 deputies). These 4 “district” type deputy positions were approved for 5 years in response to specific emergency needs identified primarily because of the damage and destruction related to the Holiday Farm Fire, however also recognizing a need for law enforcement coverage for Lane County’s most remote and difficult to patrol areas. These designated District Deputies partially fill a need identified in “Phase 3” of the 10-year public safety plan under “Enhanced Resident Deputy Program.” While these deputies will have a significant impact on the geographic areas they are assigned, since they are specifically assigned to just those areas, they will not significantly impact the continued need to increase funding for general county patrol with an additional five (5) deputies, one (1) sergeant, and one (1) detective as outlined below in order to meet “Phase 2” objectives.
- Due to a continued lack of general funds, the Sheriff’s Office has thus far been unable to fund Phase #2 staffing increases necessary to have any effect on our ability to handle the number of calls for service we receive. Additionally, more sufficient staffing would be decreasing the likelihood of burnout and turnover rates. Every additional deputy sheriff makes a difference, even if we are not immediately able to complete Phase #2 staffing.
- Currently, the centralized county-wide response is staffed with 25 deputy sheriffs, the minimum required to provide 24-hour response without dropping below minimum staffing levels (three deputies and a sergeant for dayshift and swing shift, and two deputies and a sergeant for graveyard).

- In 2013, a study conducted by the Police Executive Research Forum (PERF) warned that staffing levels need to be increased to at least 30 general county patrol deputies (with an additional sergeant and detective) to maintain current service levels without risking high staff burnout and turnover rates. Restoring general county patrol to 30 deputies would bring patrol up to approximately 68% of the 2003 level and 31% of the 1979 level. An additional detective would restore the Criminal Investigation section to 5 detectives, approximately 20% of the 1979 staffing level, but sufficient to investigate most child sexual assaults and other Measure 11 violent felonies in unincorporated Lane County.
- Restoring the Police Services Division of the Sheriff’s Office to Phase 2 will not measurably increase patrol or investigative service levels. It just allows us to keep what we have while decreasing the risk of high degrees of staff burnout and turnover rates.

Total funds to support the staffing resources: **\$1,476,000** (five (5) Deputy Sheriffs, one (1) Sergeant, one (1) Detective)

Staffing and Technology for Computer Forensics

- The prolific use of cell phones and computers has created the need for staffing and technology to perform computer forensics. Nearly all felony investigations have a component that involves a cell phone or computer. The Sheriff’s Office does not currently have staff dedicated and trained on the appropriate and legal manner to obtain vital evidence from electronic devices, which is detrimental to the investigation and prosecution of felony cases.

Estimated funds needed: **\$185,000** (one (1) Detective, plus training and equipment for this unique assignment).

**Potential solutions:** The Sheriff’s Office is consistently reviewing and searching for options to fund patrol services beyond the current fiscal year. The Sheriff’s Office is working on the possible formation of a law enforcement district(s) to serve areas of the county in a manner similar to the McKenzie and West Lane Districts which have been temporarily funded by the Board of County Commissioners utilizing Reserve Fund monies.

**Phase III: Addressing All System Needs**



**1. Corrections Division**

Gaps/Needs 2022-2025

Lane County Jail:

- Must maintain or replace current Public Safety Levy
- Needs an updated/modernized Booking/Intake Center.
- Needs repair and modernization of the current 35 bed “Intake Holding” housing area.

- Needs a remodel and modernization of “Segregation/Medical” housing area.
- Expand the Electronic Monitoring Program. This will allow for more efficient use of the 382 jail beds. Pre-Trial offenders released by the Circuit Court on Release Agreements with conditions can be monitored by this program. The current workspace will need to be remodeled to accommodate the expansion.

## 2. Police Services



### Patrol

- Increasing patrol to 50 deputies would allow the Sheriff’s Office to increase minimum staffing to approximately five deputies and two sergeants per individual shift, up from current minimum staffing of three deputies and a sergeant for dayshift and swing shift and two deputies and a sergeant on graveyard shift. This would allow the Sheriff’s Office to respond to most all-in progress calls for service, would increase the number of deputies available to respond to priority calls, and would allow for increased follow-up on calls requiring additional investigation.

Estimated funds needed: **\$5.12 Million** (27 FTE: 20 deputies, six (6) sergeants, one (1) lieutenant in addition to Phase 2 staffing levels).

### Traffic Safety Team

- Lane County is ranked as one of the worst two Oregon counties for traffic fatalities since 2007. Re-establishing the Sheriff’s Office traffic safety team will help reduce death on county roadways by targeting the most hazardous driving behaviors.

Estimated funds needed: **\$2.88 Million** (14 FTE:12 deputies, two (2) sergeants).

### Enhanced District Deputy Program

- On October 27<sup>th</sup>, 2020, the Board of County Commissioners approved funding a 4 – FTE staffing increase for deputies specifically assigned to the McKenzie River area affected by the Holiday Farm fire (2 deputies) and the West Lane area encompassing Lane County west of Walton (2 deputies). This staffing increase for 5 years partially funds this “Phase 3” need for 10 – District Deputies and 1 sergeant to patrol rural Lane County communities.
- Optimizing rural crime reduction requires increased enforcement presence in rural communities and support of community involvement initiatives like Neighborhood Watch. Establishing the Sheriff’s district deputy program would provide community-based law enforcement services that have proved effective in the past.

Estimated funds needed: **\$1.5 Million** (11 FTE total: Still need six (6) deputies, one (1) sergeant)

### Property and Financial Crimes Investigations

- Property crime has not been adequately investigated for several years due to lack of funding. Restoring property crime investigation increases quality of life for Lane County residents and assists in economic development.

Estimated funds needed: **\$1.1 Million** (5 FTE: four (4) detectives, one (1) sergeant).

*Drug Enforcement/Inter-Agency Team Participation*

- In the early 1990's the Sheriff's Office had three detectives participating on an inter-agency drug enforcement team (INET) that was additionally staffed by Oregon State Police, Eugene Police, and Springfield Police Detectives. The Sheriff's Office was the first of these agencies to cut staffing from this team, ultimately providing only support services (communications, police records, and financial services support) and no detective resources. Other participating agencies eventually also decreased staffing resources and INET ceased operations in 2017.
- There is some anecdotal information that due to the lack of an organized investigative team addressing the distribution of illicit drugs, Lane County has been identified as an attractive area for criminal gangs to relocate for their ongoing criminal operations.
- It is presently unclear how adjustments to state drug laws passed in November or 2020 will impact public safety.

Estimated funds needed: **\$645,000** (three (3) detectives).

*Police Services Division Operational Support Staff*

- Operational staff increases described above would require commensurate increases in support staff.

Estimated funds needed: **\$1.95 Million** (15 FTE: seven (7) Communications Officers, four (4) Police Records Officers, two (2) Support Services Supervisors, one (1) Property/Evidence Technician).

## District Attorney's Office

### Phase I. Keeping What We Have



### Phase II: Addressing Critical System Needs



### Progress/Successes/Capacity Building 2020-2023

- Continued grant funding and some additional support from the General Fund has provided for full restoration of felony prosecution.
- Due to retirements and turnover, we have replaced higher cost attorneys with entry level lawyers. Those prosecutors will continue to cost more each year but have allowed for added capacity with minimal increased general fund investment at this time.
- A grant from ODOT created a position for a DUUI investigator who is tasked with clearing up the warrants for DUUI offenders who have failed to appear (FTA) for court and conducting follow-up investigations to prepare DUUI and crash cases for trial. This investigator provides support for approximately 500 DUUI and crash cases submitted each year.
- Justice Reinvestment Grant Program (JRGP) and other grants have afforded us the opportunity to create new programs to divert people from prison as well as expand our treatment court participation.

### Gaps/Needs 2020-2023

#### Projected Increase in Number of Eugene Police Officers

- With the implementation of the City of Eugene public safety levy and an expected increase in the number of police officers, additional officers will have an impact on most public safety agencies including the DA's Office. It is unknown at this point how many felony cases those additional officers will refer or when the increase in workload will begin.

#### Office Space for Staff

- The DA's office currently is at capacity for staffing in its current space. The Family Law Division is in rented downtown office space.
- COVID-19 restrictions have highlighted the need for more space for clerical staff.

#### Trial and Case Backlog

- The trial court's response to COVID-19 has created a huge backlog of criminal cases that will have to reach disposition within this time frame as new cases come in. Furthermore, the US Supreme Court decision in *Ramos* has led to about 50 cases (to date) returning to court for

retrial. If Ramos is ruled to apply retroactively, we can expect hundreds more cases will need to be reviewed and perhaps retried without additional staff.

### Phase III: Addressing All System Needs



#### Gaps/Needs 2022-2025

##### Staffing if Sheriff's Office Resources Were Adequate

- Phase II status would not be sustainable if the Sheriff's Office patrol and investigative resources were adequate.

##### New Courthouse

- Need new Courthouse or other suitable office space with sufficient space for DA's staff and room for growth.

## ***Public Defender Services of Lane County***

### **Phase I. Keeping What We Have**



Public Defender Services of Lane County has been on a two-year contract cycle with the state for more than 20 years. In 2020-2021, contracts shifted from a pay-per-case model to a Full Time Equivalency staffing model; our responsibility is to assign attorneys a full caseload and shut off cases for individual attorneys if they are over capacity. In 2020, we had to shut off cases multiple times during the year due to ethical capacity issues; this may continue sporadically in 2021. Our contract in 2021 is to employ 23 full time attorney equivalents. We have 25 attorneys including 3 attorneys that also provide supervision, management, training and supervision, but those 2 other FTE are uncompensated for 2021. Our contract envisions representation of roughly 4,500 cases ranging from trespassing to murder, as well as civil commitment, juvenile delinquency and dependency, and the county's four specialty courts. Our staffing includes 3 juvenile attorneys, 4 investigators, 3 legal assistants, and 14 clerical and support staff (46 staff in all). We own our own building, which provides roughly 8,000 square feet of office space, and rent several satellite law offices for juvenile, support staff and client meeting needs. Our operating budget is roughly \$5 million annually.

### **Phase II: Addressing Critical System Needs**



#### **Progress/Successes/Capacity Building 2013-2020**

PDSLCLC experienced a critical funding shortfall in 2013-2014 with inadequate reserves, and a number of layoffs were required. However, within several years' time, the budget and reserve situation improved, and by 2016 there were roughly 19 attorneys and 19 total support staff. As is typical with criminal law, there have been boom and bust cycles. In late 2016, there was a huge increase in cases, and PDSLCLC ran a large surplus, which helped replenish our depleted reserve fund. PDSLCLC's board of directors set a goal of at least 3 months operating expense in our reserve fund, and that was largely accomplished by the end of 2017 and continues to be met. Since 2018, the state has continued to ask PDSLCLC to expand, and the current contract reflected those expansion goals, leading to our current staffing numbers.

However, as our office has expanded, we have also experienced growing pains. In 2016, there were still five of the same lawyers who helped found the office in the late '70s. Now, only one of those lawyers is still here full time. We added several more lawyer positions in 2020, and we are focusing now on recruiting and retaining experienced attorneys.

Turnover has been a persistent statewide issue in public defense. From mid-2018 to mid-2019, for example, eight (8) attorneys from PDSLCLC retired, changed careers, or moved into private practice. Our average turnover the last several years, including support staff, has been between

14 and 17 percent. But those numbers, while drastic, are not even outliers compared to other offices. The public defender's office in Roseburg, for example, experienced more than 100 percent turnover in less than a 2-year period. During the same recent 18-month cycle, Metropolitan Public Defender's in Portland lost more than 30 lawyers.

The two clearly identified issues in turnover are high caseloads and lower pay, particularly compared to equivalent prosecutor positions. We have begun addressing both issues systematically. Trial attorneys pay at PDSLCL starts at \$62,000 and caps off at \$112,000. By contrast, the 2019 Lane County District Attorney's office pay range for entry-level attorneys started at \$65,749, and the top pay range for a DDA 3 is \$133,203. Pay for a senior prosecutor is between \$103,626 and \$147,347.

Regarding caseloads, public defenders statewide are struggling to clearly define acceptable representation levels under ethical limits. The often-cited caseload standards from the 1970s call for more than 150 felonies a year or 300 to 400 misdemeanors a year. The Oregon legislature paid for a comprehensive time tracking study through the American Bar Association; it is expected to be complete in Spring of 2021 and will likely call for drastically reduced caseloads. PDSLCL's current contract would envision roughly 196 cases a year for our 23 FTE; given the lack of case weighting, this is likely not a sustainable figure.

One notable success has been the grant funding achieved by Lane County through the Oregon Criminal Justice Commission for PDSLCL. Thanks to the combined efforts of LCOG, the Sheriff's Office, and the treatment team, PDSLCL secured \$47,247 in grant funding to pay for .2 FTE of a treatment court lawyer in mental health court, from 2019 to 2021. This much needed funding stabilizes PDSLCL's ability to provide treatment court representation and would be an admirable model to follow in the future for other treatment court funding.

### **Gaps/Needs 2021-2022**

Public defense representation in 2020-2021 is looking quite different than the last 35 years of state funding. As previously mentioned, the state has shifted away from the much-criticized pay-by-case model to a more permanent FTE model (for a more thorough analysis on this topic, please see the comprehensive critiques of Oregon's Public Defender System, authorized by the federal nonprofit Sixth Amendment Center. Executive summary is available at [Executive Summary](#), the full report can be viewed at [The Right to Counsel In Oregon](#)).

This trend will hopefully allow public defenders to start reducing their caseload and fighting for more reasonable compensation, with the long-term goal of pay equity between prosecutors and public defenders.

The current contract with PDSLCL and the state of Oregon for 2021 has two glaring shortcomings – one, it does not separately account for or compensate for supervision or management of attorneys, which is surprising given the critiques of lack of oversight in the Sixth Amendment Center. Two, it does not provide a model for either how many cases a full-time attorney can handle each year, nor does it provide a state or regional model for how many cases an attorney

can handle at one time. This regional difference is critical – Lane County’s case numbers are heavily influenced by prosecutorial charging practices. The traditional expectation in Lane County is that the charges filed are the starting offer, and fully litigating the matter may produce many other charges that are filed later. This makes it very challenging to measure an applicable caseload against a county where the prosecutor throws the “book” at the defendant and later resolves for a smaller cross-section of charges. Covid-19 has certainly exacerbated the amount of time a case stays open, but it also has caused difficulties in communicating clearly with clients. Every court appearance is now a logistical challenge. As a result, PDSLCL has been forced to come up with internal rules on how many cases an attorney can handle at one time and how many can be handled annually. These numbers vary depending on how many clients are in custody and the nature and degree of their charges, but in general, the hard cap is 200 cases a year or a third of that open at any one time.

Regarding pay fairness, one possible way to reduce prosecutorial and public defender pay gaps would be to achieve supplemental county funding for the shortfall not covered by the state. In the meantime, additional grant programs for supplemental treatment court funding would be a worthwhile goal. Additionally, the county’s 416 program has been a strong success, but the funding has not included an FTE for a public defender on the team. Adding an FTE for PDSLCL’s work on 416 would be a welcome addition in 2021.

### Phase III: Addressing All System Needs



#### Gaps/Needs 2022-2025

The main needs for the public defender’s office over the next 3 to 5 years are 1) Caseload reduction, 2) Pay equity, and 3) Comprehensive training. As mentioned above, public defense standards nationwide have not been updated since the 1970s. The Oregon State Bar and the Office of Public Defender Services are completing a time tracking study in 2021 that should allow the legislature to more accurately provision resources and hopefully start to bring down cases.

With all three of these identified needs, the main issue is rebuilding system infrastructure that does not rely on a case credit model and instead funds defense as an FTE service that prices in reasonable caseloads, reasonable pay, and system-wide training. As mentioned above, the state has overhauled that system, so the next few years will establish the level of support provided for this new model and whether PDSLCL is able to meet the goal of caseload reduction and comprehensive training. As far as pay equity, using 2020 salary numbers, it would take roughly half a million dollars to increase public defender salaries to match the correlating pay for Lane County prosecutors for the lawyers at PDSLCL. It would take an additional amount of money to level pay for support staff, although that is a more difficult calculation in determining which positions are comparable. PDSLCL has worked towards building comprehensive training, as the office hired a new director of training in late 2020. The state has

yet to build this effort into their compensation model, however, so PDSLCL is having to use existing funds to pay for these efforts.

Finally, two smaller, but important needs in the next 3 to 5 years: 1) rebuilding PDSLCL's database using either an in-house product or a statewide system that can talk with Odyssey and share information with court calendaring, and 2) developing an expungement clinic with waived or reduced court fees, with partnership of PDSLCL lawyers and other community groups. Regarding the first goal, PDSLCL has been involved in a statewide technology committee that envisions a comprehensive statewide data and case management system for public defenders within 24 months. This has been overpromised and underdelivered for at least the last 10 years, however, so it remains to be seen if this goal will be met this time around.

## Youth Services

### Phase I. Keeping What We Have



### Phase II: Addressing Critical System Needs



### Progress/Successes/Capacity Building 2014-2019

Youth Services has restored programs across the continuum to increase community safety, build life-skills for youth, and support victim reparation. Successes are noted below:

- Doubled the number of detention and behavioral treatment beds, added back some staffing in our community service unit, and created a full-time victim advocate position.
- Tripled the number of bilingual staff in the Division, including the addition of a bilingual mental health staff who assists in the assessment and de-escalation of detained youth.
- In 2017, our behavioral treatment program was moved to an unlocked facility on the Serbu campus. This move was a significant improvement in the housing of youth who are voluntarily accessing behavior treatment and puts in the program in compliance with BRS rules. The move enabled us to discontinue highly invasive searches of youth, gave youth access to being outdoors, provided youth ease of access to community opportunities and recreation, and gave families contact visits with their children as opposed to visits taking place in a small room separated by windows.
- Implemented consistent and systematic use of an evidence-based risk assessment protocol to determine whether to detain a youth or utilize release options. The use of the tool ensures Youth Services is providing consistent responses to similar behavior. In the same vein, implemented a Program Service Matrix for case management to provide consistent diversion opportunities, formal accountability agreements, and probation terms for similar behavior. This work is consistent with nationwide efforts to decrease disproportionate minority contact and disparity of treatment for youth of color.
- Strengthened restorative diversion services including implementation of evidence-based curriculum for our Minor in Possession (MIP) class and a three-fold increase in the number of classes offered over the course of a year including a quarterly class in Florence. Developed coordinated system for tracking juvenile crime peer court cases and started a YS-based diversion opportunity for those youth not currently served by a community peer court to ensure that all Lane County youth have access to diversion services.
- In 2019 increased diversion services by implementing the Impacts of Crime class for youth who receive a first-time property or behavioral misdemeanor referral (based on an evidence-based curriculum by The Change Companies) and implemented a separate portion of the

class for parents/guardians to attend which is facilitated by our Bilingual Mental Health Specialists.

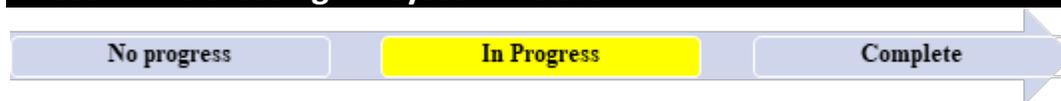
- Expanding least restrictive alternatives to confinement and increasing trauma informed services by providing available beds in our non-secure residential building for youth brought to detention on 1) non-detainable charges, or 2) detainable charges with a risk score that indicates release when there are no community release resources.
- In 2019 expanded trauma informed programming in Detention with implementation of Collaborative Problem Solving; collaborative process engaging youth with wide range of social, emotional, and behavioral challenges to solving problems while increasing empathy and reduction in conflict.
- In 2019 a report was commissioned on the Racial and Ethnic Disparities (RED) in the Lane County Juvenile Justice System. In 2020 the completed RED report was received and included recommendations for action. The RED report will serve as a foundational document for the development of a Youth Services strategic action plan to address racial and ethnic disparities and promote equity in the juvenile justice system.

### **Gaps/Needs 2019-2022**

#### Additional funding for:

- A stronger continuum of diversion programming
- Incentivizing youth for goal achievement and positive behavior
- Strategic action to address racial and ethnic disparities and promote equity in the juvenile justice system
- Resources necessary to take appropriate steps to keep youth from collateral consequences of system involvement
- Commitment to limited and constructive use of rules and sanctions and minimized use of confinement
- Enhancing prevention programs for youth and parents.

### **Phase III: Addressing All System Needs**



### **Gaps/Needs 2022-2025**

#### Additional funding for:

- A stronger continuum of diversion programming
- Incentivizing youth for goal achievement and positive behavior
- Strategic action to address racial and ethnic disparities and promote equity in the juvenile justice system

- Resources necessary to take appropriate steps to keep youth from collateral consequences of system involvement
- Commitment to limited and constructive use of rules and sanctions and minimized use of confinement
- Enhancing prevention programs for youth and parents.

## ***Parole & Probation***

### **Phase I. Keeping What We Have**



### **Phase II: Addressing Critical System Needs**



Parole/ Probation strives to improve the quality of life for all in our community, reducing recidivism by effectively working with clients to reduce identified risk, needs, and responsivity (barriers). In conjunction with criminal justice and supervision partners, they work to restore those impacted by crime. This includes the development of individualized case plans and the enforcement of orders of supervision by the designated supervisory authority.

#### **Progress/Successes/Capacity Building 2014-2020**

- Prioritize Resources:
- Parole/Probation has established focus on high and very high-risk caseloads. In addition, given heavy caseloads, a prioritization policy has been established to effectively prioritize resources and services.
- Specialized Caseloads:

Gender Specific – 4 officers have been identified, assigned, and have received training in evidence-based practices (EBP) specific to the risk, needs and barriers of justice involved women.

Mental Health – 2 officers have been identified, assigned, and have received training in EBP specific to the risk, needs and barriers of those impacted by mental illness.

Sherman Center – 1 Coordinated Reentry Officer has been assigned and trained.

Post-Conviction Victim Services – 1 Advocate has been assigned and trained.

Treatment Court– 3 officers have been identified, assigned and have received training in evidence-based practices specific to the risk, needs and barriers of those involved in Drug, Veterans and Mental Health Court.

Misdemeanor Domestic Violence – 1 Officer supported and continued by Office on Violence Against Women (OVW) Arrest/Improving Criminal Justice Responses to Domestic Violence Grant to case manage and supervise 50 high risk misdemeanor cases in the community.

- **Reduced Caseload Sizes:**

In combination with a declining probation population and strong hiring efforts to fill officer vacancies, caseloads have reduced as expected to 65 cases per officer in general high-risk supervision. Exceeding expectations, our specialized caseloads are currently operating at 55 cases per officer. Having filled all vacancies, we had expected specialized supervision caseloads to operate at 60. Although these numbers remain well above the statewide average of 60 medium and high-risk cases per PO. This is far below the 120 cases per officer that we once averaged. This is marked progress and success that will allow for better case management and increased application of evidence-based practices.

### **Gaps/Needs 2020-2023**

#### *Specialized Misdemeanor Domestic Violence Supervision/ Case Management*

- With significant budget cuts occurring in Lane County between 2004 and 2008, Parole/ Probation lost County general funds to supervise and case manage misdemeanor domestic violence clients in our community. Between the loss of County general fund and CCA's inability to fund misdemeanor supervision, the County has been reliant on a dwindling OVW Arrest Grant to case manage and supervise up to 50 high risk domestic violence clients. Given the extreme risk to the community, Parole/ Probation regularly far exceeds the supervision of 50 cases. Due to Oregon's identified crime seriousness grid pertaining to domestic violence related offenses and the level of difficulty in prosecuting these cases, the District Attorney's Office regularly pleads and convicts high risk domestic violence cases as misdemeanors. Given the lack of community supervision resources, most high-risk domestic violence cases currently receive bench probation which offers no community supervision or case management services. In 2019, the District Attorney's Office estimates that **180** individuals received misdemeanor domestic violence related convictions. Of these 180 cases, approximately 2/3 of these convictions received bench probation instead of much needed community supervision. It is recommended that two additional Officers be added to increase our current capacity from an approximate 50 to 150 to meet the needs of these significant risks to the community.

**\$220,000 annually** (2 FTE POs)

#### *Reduce Caseload Sizes*

- Despite our progress in reducing caseload sizes, continued efforts should be made to bring caseloads to the statewide average of 60 medium and high-risk clients per officer.
- In Lane County, we have prioritized our supervision resources to the highest risk. Within budget, Lane County Parole and Probation has aspired to caseloads of 65 high to very high-risk cases per officer. Statewide, this would equate to a high-risk caseload of approximately 45 cases per officer. The supervision resources required to supervise a high-risk client are significantly greater than that of a medium risk client. To arrive at a high-risk caseload of 45, it is estimated that four and a half additional Officers would be needed. This would allow for

better case management and the application of evidence-based practices to maximize our ability to reduce recidivism.

**\$495,000 annually** (4.5 FTE POs)

Relocate Parole/Probation Services

- Adequate staff and quality programming are essential to improve evidence-based service delivery. The staff and office needs necessary to meet business practices will necessitate an increase in functional office space that supports our established brand (vision, mission, values, and expectations) and expands the use of CCC as an alternative program and a transition resource for individuals releasing to the community.

**\$100,000 annually** (Parole and Probation’s space needs are approximately 23,000 square feet)

**Phase III: Addressing All System Needs**



**Gaps/Needs 2023-2026**

Caseload sizes

- Reduce caseload sizes to allow for implementation of the risk, need, and responsivity model and other EBPs.

Assessment Focused/Individualized Case Plans – Internal Continuous Quality Improvement (CQI) efforts

- Ongoing inter-rater reliability of assessments, regular case plan reviews, and ongoing officer skill building and coaching sessions.
- Based on Parole and Probation’s strategic plan, Phase II, we have worked to incorporate internal CQI strategies. This is in alignment with the Department of Corrections (DOC) requirement to conduct biannual reviews to ensure the County’s compliance with our established IGA agreement with the DOC under ORS 423.500.

Treatment Provider Evaluations

- Also linked to our IGA with DOC, per our strategic plan we hope to conduct system treatment program observations, coaching, curriculum review and regular Correctional Program Checklist (CPC) Evaluations. The CPC Evaluations will be required of all CCA contracted providers. Given that our system-wide treatment providers contribute the bulk of required client dosage, in Phase III all utilized Lane County providers should adhere to provider evaluation to ensure adherence to evidence-based practices. By the end of Phase III, Lane County should develop a preferred provider list for established providers.
- Program observation, evaluation, coaching, curriculum review and regular CPC evaluations are needed to: Expand cognitive and behavioral therapeutic approaches and treatment

strategies to address prioritized criminogenic risk/needs. Ensure and incorporate, if necessary, evidence-based curriculums and strategies within system programs. Ensure that established curriculums are being followed to fidelity. Ensure the ongoing utilization of established programs. This would require a Senior Program Specialist to perform system program evaluations that will include program observations, coaching, curriculum review and regular Correctional Program Checklist (CPC) Evaluations.

**\$95,308 annually** (1 FTE Senior Program Specialist)

*Address Risk, Responsivity (barriers) and Needs*

- Manageable caseloads as established within Phase II will assist Parole and Probation to effectively address the Risk, Responsivity (barriers) and Needs of charged client population and allow for the full embodiment of evidence-based practices. If Parole and Probation's total client population exceeds 3,200 or grant funded positions are lost, Phase II's caseload supervision and case management strategies should be re-evaluated.

## Reentry Services

Sponsors, Inc., a community-based nonprofit, is the sole source provider of reentry services in Lane County. The organization provides housing and a range of services designed to reduce future criminal justice involvement and improve community outcomes. Sponsors operates 20 buildings on 6 sites in Lane County with 243 beds of transitional and permanent housing. Sponsors also provides a range of services including, Mental Health Services, Cognitive Behavioral Therapy (39 groups weekly, in the jail and at Sponsors, using nine different evidence-based curricula), Mentoring, Reentry Resource Center (comprehensive center with an employment program that assists 25-50 people a month to enter the workforce), a Veterans Grant and Per Diem housing program, and specialized services for women with children, and individuals convicted of sex offenses.

### Phase I. Keeping What We Have



### Phase II: Addressing Critical System Needs



### Progress/Successes/Capacity Building 2014-2019

#### Restored most services

- Added 54 units of permanent housing (The Oaks at 14th)
- Increased transitional housing by 17 beds for men and women – Roosevelt Crossing and Downtown Campus
- Added CBT groups at Sponsors and the Lane County Jail for reentry population, integrating new curricula to improve responsivity
- Sustained Mentoring services with BJA grant through 2019
- Increased “Crisis Funding” for individuals on active supervision in Lane County
- Provided wrap around services to inmates released 60 days early from DOC to CCC through the RLAN program
- Implemented Department of Labor Workforce Readiness grant in the Jail through Spring, 2019

## Gaps/Needs 2019-2022

### Sustain Mentoring Program

- The BJA Second Chance Act Mentoring Grant that funded Sponsors Mentoring Program for several years concluded in May 2019. We stretched funding to keep the program in operations through the end of the biennium (6/30/19), and the Justice Reinvestment Grant Program (JRGP) for FY 19-21 picked up approximately 50% of the program costs during the subsequent period. As a result, the program is still operational, albeit with significant staff reductions. The Mentorship Program has been very successful during its nine years of growth, matching trained community mentors with high-risk individuals on active supervision prior to their release from custody and post-incarceration. A randomized controlled trial was completed this year. Early data suggests a *50% reduction in recidivism among program participants as compared to the county baseline.*

**\$118,890** annually (Sustain Mentoring Program)

### Sustain Reentry Resource Program

- The Department of Labor LEAP grant that funds the Workforce Readiness Program also ended in 2019. In addition to funding the Workforce Readiness Program in the jail, the LEAP2 grant also sustained the Reentry Resource Center at Sponsors. The comprehensive Resource Center assists between 30-50 people with criminal histories to acquire full-time employment each month, in addition to providing other critical support including housing search, obtaining access to education/occupational training, and securing identification. An evaluation by the Criminal Justice Commission found that the program reduced recidivism by 31%. A cost benefit analysis showed that every dollar invested in the program resulted in a \$14 savings in avoided incarceration and victimization costs.

**\$112,500** annually (Sustain Reentry Resource Center Program)

### Permanent Supportive Housing, Affordable Housing, and Available Market Rate Rentals for People with Conviction Histories

- While it is common knowledge that we are experiencing a housing crisis in Lane County that effects people up and down the economic ladder, we often forget that we have a growing population of people releasing from state and local custody who are overwhelmingly homeless and indigent. Those who are economically self-sufficient struggle to overcome the barrier of a criminal history when seeking housing in our community. In 2018, according to Lane County Jail data, there were 11,667 book-ins to the jail and approximately 600-700 releases from state custody. According to DOC data, approximately 50% releasing from state custody have no identified housing and are released to homelessness. Sponsors has worked to create more units of affordable housing with recent initiatives (the Oaks at 14<sup>th</sup> – 54 units) and a Tiny House project (10 units). In addition, Homes for Good has made Section 8 Housing Choice Vouchers available to people with criminal histories through a local preference. Nevertheless, the demand far outweighs the need and is reaching crisis levels. Additional action is necessary to address the growing need.

### COVID-19 Quarantine Housing and Staffing

- The Oregon Department of Corrections has continued to experience significant COVID-19 outbreaks within its institutions. As a result, the Oregon Health Authority is requiring individuals releasing from “endemic” institutions to quarantine for 14 days upon release. In partnership with Lane County, we have attempted to meet this need but continue to struggle to accommodate the large number of individuals releasing to Lane County monthly. This has put a severe strain on staffing and housing resources at Sponsors. This is a critical need.

**\$168,000** (Staffing and Housing)

## Phase III: Addressing All System Needs



### Gaps/Needs 2022-2025

#### Sustain the Way Home: Lane County Reentry Collaborative

- The Way Home is a partnership between Sponsors, Lane County Parole and Probation, Homes for Good, and Third Sector. The Housing First Permanent Supportive Housing (PSH) project, launched in October 2018, is projected to serve a minimum of 125 homeless individuals releasing from DOC custody who are assessed as moderate to high risk to reoffend. PSH units are located at The Oaks at 14<sup>th</sup>, Homes for Good Public Housing, and private market units subsidized with Section 8 vouchers. Using an outcomes-oriented contracting model, the project is designed to significantly reduce recidivism, decrease homelessness, and achieve a more appropriate utilization of Medicaid funding. Mid-term analysis indicates that the project is highly successful, demonstrating 87% housing stability and a 60% percent in high-cost felony recidivism for participants who have reached 12 months post-enrollment. Funding for the project is stable through the FY 19/21 biennium. There will be a need to fund the project for the final two years in the 21/23 biennium.

**\$275,000** annually (staffing costs for Sponsors, Parole and Probation and Homes for Good.

#### Increase Transitional Housing

- Fully addressing the reentry needs in our community would require a significant increase in services and physical bed space. In recent years, we have been able to meet the demand to house the majority of people releasing from state custody who are in need of transitional housing. Our beds are regularly booked 6 to 8 months in advance. Of the 125 transitional beds, on any given day 75% are held by individuals on Post-Prison Supervision (PPS) and the remaining 25% are utilized by individuals releasing from the Lane County Jail, including Treatment and Veterans Court participants, SB416 participants, and other local referrals. Given that there were over 12,000 people who cycled in and out of the Lane County Jail last

year, it would take a detailed analysis to determine how many would benefit from reentry housing services. We would easily be able to fill another 40 to 50 bed facility.

**\$650,000** annually (Operational costs for a 50-bed facility staffed 24/7. This does not include the cost to site the facility, acquire property, rehab an existing building, or construct a new facility.)

#### Mid-Term Graduate Housing

- The average length of stay in Sponsors' Transitional Housing Program is 60-90 days. Individuals releasing from incarceration face extraordinary barriers to securing housing in the greater community, and insufficient rental history is a common reason that otherwise eligible applicants are denied housing. The short duration of Sponsors' Transitional Program combined with the dearth of affordable housing options in our community is troubling for even the most successful individuals reintegrating to our community. The development of a "Graduate Housing Program" would enable individuals who have successfully completed Sponsors Transitional Housing Program to sign a short-term lease and establish positive rental history while continuing their search for permanent housing. It would provide an opportunity to demonstrate self-sufficiency in a structured and supportive environment, while continuing to adhere to the terms of their supervision and access services through Sponsors.

#### Programmatic Space

- Additional space is necessary to accommodate the need for staff offices and flexible meeting rooms that would be used for CBT groups, Parenting Classes, Dialectical Behavioral Therapy, and parent-child visitation (Children are not allowed on the Roosevelt Crossing campus due to restrictions against contact with minors for program participants with sex offense convictions). We are hopeful that we will be able to lease or purchase space from Parole and Probation on their new campus on Highway 99 across the street from Roosevelt Crossing, home to Sponsors' Administrative Offices and Men's Transitional Housing.

#### Enhanced Services in Lane County Adult Correctional Facility

- There are a variety of needs that are not being addressed for those individuals in the jail on municipal charges upon release. Sponsors is well positioned to provide such services with additional support. An investment in professional mentors to assist the population of homeless, indigent individuals suffering from mental health disorders would provide a much-needed service that could reduce the cycle of homelessness and unnecessary incarceration. A more detailed analysis would be needed to effectively price this service.

#### Reentry Lane Program Expansion

- Given the success of the Reentry Lane (RLAN) program, an expansion to serve as many as 15-20 individuals releasing from DOC custody would be prudent. This would more than double the current program capacity.

**\$376,040** annually (Cost for Sponsors and Sheriff's Office to expand RLAN program)

## Lane County Behavioral Health

### Phase I. Keeping What We Have



### Phase II: Addressing Critical System Needs



### Progress/Successes/Capacity Building 2014-2019

- Significant progress has been made in restoring access to mental health services during this period. A key driver has been implementation of Medicaid Expansion as part of the Affordable Care Act (ACA), which has significantly reduced the number of uninsured in Oregon and among the offender population. Treatment services which previously needed to be funded by grant or other state and local dollars are now largely eligible for payment through insurance, opening up access for both mental health and addiction outpatient services.
- The Mental Health Summit, a collaborative of stakeholders from the criminal justice and behavioral health systems, agreed to serve as the PSCC Behavioral Health & Criminal Justice System Workgroup. This group led work on a sequential intercept mapping to determine gaps in services and address the over representation of mentally ill people in the jail and continues to meet monthly to champion cross system collaboration and improved services. They developed the Lane County Behavioral Health & Criminal Justice System Plan adopted by the PSCC and Board of County Commissioners (BCC) in 2015. They lead the effort to address the priorities included in the Plan. They updated the Plan to reflect progress and changing needs, with the update adopted by the PSCC and BCC in 2017. In fall of 2019, the group worked to update the sequential intercept mapping document and has formed a task team to develop a plan for a new behavioral health crisis center designed with programming to better divert individuals with mental illness from the jail, the emergency rooms, and the Oregon State Hospital.
- Funds from the local public safety levy were used to enhance the mental health services inside the jail through collaboration between the Lane County Jail and Lane County Behavioral Health (LCBH). Initially three staff positions at LCBH were created and assigned to work inside the jail, and that model has now shifted, and those funds have added three mental health professionals to the jail medical staff, while LCBH continues to support a community-based forensics team to provide jail diversion and integration into community services.
- LCBH and LCSO jointly implemented new legislation allowing for enhanced advanced information from individuals who might be at higher risk for having a mental health crisis that would involve law enforcement intervention. The LCSO collects information about particular diagnoses, triggers, safe contact people and other helpful information from

these individuals in advance of a crisis, and then makes that information available via LEDS to officers in the event of a crisis. This is designed to increase the likelihood that a crisis can be resolved more quickly and positively.

- The PSCC worked collaboratively with healthcare partners to develop, pilot test, and fully implement the local FUSE (Frequent User System Engagement) project. This was targeted at the highest users of the jail, local law enforcement, emergency departments, inpatient units, and mental health crisis services who are homeless, and includes a significant outreach and engagement component, as well as a housing component. This data-based initiative demonstrated excellent results during the pilot period, including a reduction of 82% in jail days and a reduction of 58% in overall healthcare costs, and has now expanded to serve a larger number of local residents.
- As part of managing the increased collaboration between LCBH and the public safety system, LCBH created a specialized program and team focused on forensic services. This infrastructure created a program supervisor and brought together clinical and administrative expertise for the crisis system, civil commitment investigation, services for people under supervision of the Psychiatric Security Review Board, staff focused on mental health courts, jail intercept, and in-jail mental health release planning. This team grew significantly during this period, and includes clinicians, psychiatric services, case management, and peer support services.
- In fall of 2019, collaboration between Lane County and the Florence-area community resulted in the launch of Western Lane Mobile Crisis of mobile mental health crisis services provided by Siuslaw Valley Fire and Rescue. This collaboration allows for a mental health response along with, or as an alternative to, a police response to calls where the primary issue is related to a behavioral health issue. The effort began inside the City of Florence and is planned to expand to the larger unincorporated area of Western Lane County with the addition of a deputy assigned to that area.
- During the latter part of the period, additional federal and state resources became available to address the increasing opiate addiction crisis. The Lane County Methadone Treatment program was able to expand with more clinicians and is prepared to relocate to a larger building that will allow for additional expansion of both Methadone and Suboxone/buprenorphine treatment. In fall 2020, the LCSO was awarded a grant to begin offering MAT to inmates in the jail, which is expected to increase access for this high-needs population, and then those individuals will need to transition to community-based care upon release. Additionally, a third provider of medication assisted treatment opened a new clinic in Springfield. Taken together, these changes will improve access for MAT in the community. The Lane County Community Health Centers, in cooperation with Lane County Behavioral Health, began offering Suboxone services to begin to address some of the pent-up demand for these services.
- In response to high numbers of Lane County residents sent to the Oregon State Hospital because they are unfit to Aid and Assist in their own defense, the Oregon Legislature allocated additional funds to Lane County to support community restoration. This included funding for eight beds of secure residential treatment in Junction City and eight beds of

residential treatment home services across several treatment providers. These funds also support local evaluations and some additional case management.

- In 2020, LCBH in collaboration with the MH Summit applied and was awarded the IMPACTS grant for a total of \$2.5 million, to implement a Forensics Intensive Treatment Team (FITT), whose goal is to do outreach work for individuals who are involved in BH and the criminal justice system. The idea is to engage them in building trust to eventually get them into services and circumvent crisis situations that get them arrested and in the criminal justice system. That team will include a psychiatrist, a nurse, qualified mental health professionals and peer support specialists. Two of these qualified mental health professionals will take the role of court liaisons to continue with efforts to divert mentally ill people in the jails and into appropriate services.

## **Gaps/Needs 2019-2022**

### *Mental Health Crisis Center*

- The criminal justice system and LCBH are in need of a facility where individuals who are in a mental health crisis can go instead of the jail. This facility would build on successful programming from other communities and would particularly address people at the intersection of mental health, homelessness, and public safety. Development of this resource is a focus of the Mental Health Summit group, and the County has allocated start-up funding to help leverage community investment in this important resource.

### *Reduce the Number of Lane County Residents Sent to the Oregon State Hospital Designated as Unable to Aid and Assist in Their Own Defense*

- The number of individuals sent from Lane County to the Oregon State Hospital as .370 (unable to aid and assist in their own defense) continues to be very high compared to other Oregon counties. To bring those numbers down consistently, the system will require additional secure housing options and more secure stabilization beds, as well as the crisis facility described above (which could serve as an alternative to jail for many of these individuals). Ultimately, the desire is for most of these individuals to be restored in the community, which will provide better services to the individual as well as a lower cost. In order to achieve such restoration, the community will need to have sufficient services to ensure public safety during the restoration.

### *Low-barrier Emergency Shelter and Permanent Supportive Housing*

- The recent report submitted by the Technical Assistance Collaborative identified a need for 75 beds of low-barrier emergency shelter, and an additional 350 beds of permanent supportive housing to address the needs of people who are chronically homeless in the community. While not all those people are involved in the public safety system, there is a significant overlap among the chronically homeless who have mental health or substance abuse problems and who are involved in the public safety system. The lack of permanent supportive housing is frequently a barrier for releasing people to the community, and a barrier to successful engagement in treatment.

Lack Rural Mobile Mental Health Crisis Systems

- While the CAHOOTS system provides a tremendous support to law enforcement and a bridge to treatment in the Eugene/Springfield area, there are not similar services available in most other parts of the county. Given the different population density and service availability, the model would likely look different but should be based on evidence-based practices from other communities. This work resulted in the launch of an effort in western Lane County, however there is still significant need in other parts of the County. Work has started to explore co-responder models, pairing law enforcement and community mental health providers, and will require additional funding and training.

Significant Unmet Need for Addiction Treatment

- There is a need for residential treatment services and for Medication Assisted Treatment (MAT). While the waitlist for methadone is now very low, there is still high demand for Suboxone services to be delivered in a primary care environment. The system requires additional physicians to be trained and be willing to provide these services to their patients. In addition to the need for residential treatment services and MAT, there also is continuing, significant need for additional outpatient addiction treatment.

**Phase III: Addressing All System Needs**



**Gaps/Needs 2022-2025**

Integrated Community Crisis Systems

- In addition to the completion of the gaps identified for phase 2, a robust behavior health system will require integrated community crisis systems that provide access to timely assessments and community-based services, diverting both adults and youth from the public safety system.

Strong Prevention and Community Engagement Component

- Full restoration of services would also include a strong prevention and community engagement component, addressing the behavioral health needs of youth and adults earlier and having a strong trauma-informed approach to build resilience amongst those at highest risk.

## Community-based Treatment Services

### Phase I. Keeping What We Have



### Phase II: Addressing Critical System Needs



### Progress/Successes/Capacity Building 2015-2020

- ACA significantly expanded funding for and access to outpatient substance abuse and mental health treatment. As a result, contracted substance abuse services were reduced from 77 to 30 clients. This savings has enabled fidelity to evidence-based practices via Cognitive Behavioral Therapy and risk-need-responsivity (RNR) driven dosage.
- Expansion of Treatment Peer Support Services has improved outcomes for adjudicated individuals in outpatient treatment.
- Contracted Batterer Intervention Program (BIP) services were funded through Justice Reinvestment Grant Program funding. This effort introduced an opportunity to pilot the Moral Reconciliation Therapy-Domestic Violence (MRT-DV) curriculum. This curriculum provided capacity for up to 30 clients to receive BIP services. In 2019, we concluded that the MRT-DV curriculum alone lacked internal and essential skill building components necessary to pass a Correctional Program Checklist evaluation. In 2020, we will be implementing a new University of Cincinnati curriculum that incorporates both a cognitive and behavioral approach, with an emphasis on skill building, to batterer intervention programming.
- Contracted sex offender treatment services were expanded to include and pilot the University of Cincinnati curriculum that incorporates both a cognitive and behavioral approach, with an overall emphasis on skill building, to sex offender programming. Concluding the pilot, our contracted provider stepped away from fidelity to Cincinnati's model and incorporated many of the techniques into their developed curriculum. In 2019, we identified and selected a new contracted provider for sex offender treatment. In 2020, per contract, we will again be implementing a validated curriculum that incorporates both a cognitive and behavioral approach, with an emphasis on skill building.

### Gaps/Needs 2013-2022

#### Behavioral Health Integration

- The Oregon Health Authority has prioritized behavioral health integration and services for the next round of policy and investments for the Coordinated Care Organization. The OHA has awarded contracts to both Trillium and Pacific Source to provide CCO services in Lane County effective January 2020, and the specific designs to meet the new requirements are still in development.

Trauma-Informed Care

- Our current system lacks a focused Trauma-Informed Care component. This need is not adequately addressed at present.

Services to Address Intersection Between Treatment and Public Safety

- There is a need for additional services and providers that specialize in that intersection between treatment and public safety with a particular focus on evidence-based practices for that population.

Addition of Behavior Elements to the MRT-DV Curriculum

- In implementing and evaluating the MRT-DV curriculum with our contracted BIP provider, we have found that it is primarily cognitive in its approach and lacks the behavioral elements that teach, model, and rehearse skills. Following this curriculum to fidelity will not pass a CPC evaluation or support future funding. Our contracted BIP provider will be implementing the University of Cincinnati’s curriculum that incorporates both a cognitive and behavioral approach, with an overall emphasis on skill building.

Provide Cognitive/Behavioral Sex Offender Treatment with Fidelity to the Model

- The introduction and pilot of the University of Cincinnati curriculum to our contracted sex offender treatment provider ended in June of 2017. Our contracted provider opted not to follow Cincinnati’s model to fidelity and participated in a CPC Evaluation with the DOC. In 2019, we identified and selected a new contracted provider for sex offender treatment. In 2020, per contract, we will again be implementing a validated curriculum that incorporates both a cognitive and behavioral approach, with an emphasis on skill building.

**Phase III: Addressing All System Needs**



**Gaps/Needs 2022-2026**

Evidence-based Practices for Those Engaged in the Public Safety System

- In addition to the identified gaps in Phase 2, we need more resources and additional innovation to bring together evidence-based practices specifically for those who are engaged in the public safety system.

Possible Need for Funding to Replace ACA

- If ACA decreases their ability to fund outpatient substance abuse services, this will result in an increase from 30 to 77 clients in contracted services. Based on pre-ACA figures (based on 2013-15 and 2013-17 A&D contract rates), this would carry an estimated increase of **\$388,931** in contracted substance abuse services per biennium. This increase would dampen our ability to continue or sustain other proven and developed programs.

#### Evidence-based Batterer Intervention Program (BIP)

- Implementation of a new cognitive and behavioral BIP curriculum and or provider who will pass a CPC evaluation is necessary.

#### Full Implementation of an Evidence-based Sex Offender Program

- The full implementation of the University of Cincinnati's sex offender treatment curriculum or a new cognitive and behavioral focused curriculum or provider that will pass a CPC evaluation is needed.

#### Possible Need for Increased Number of Treatment Slots

- If Parole and Probation's client population exceeds 3100, the number of established treatment slots should be re-evaluated.

#### Treatment Provider Evaluations

- CCA funds are linked to an IGA with DOC that requires funded programs to receive a Correctional Program Checklist (CPC) Evaluation. Following the CPC, funded programs are to receive a passing score of successful. Given that our system-wide treatment providers contribute the bulk of required client dosage, programs should adhere to provider evaluation to ensure adherence to evidence-based practices.
- Program observation, evaluation, coaching, curriculum review and regular CPC evaluations are needed to: Expand cognitive and behavioral therapeutic approaches and treatment strategies to address prioritized criminogenic risk/needs. Ensure and incorporate, if necessary, evidence-based curriculums and strategies within system programs. Ensure that established curriculums are being followed to fidelity. Ensure the ongoing utilization of established programs.
- As recommended by Parole/ Probation, a full-time FTE (Senior Program Specialist) should be identified to perform system wide program evaluations that will include program observations, coaching, curriculum review and regular Correctional Program Checklist (CPC) Evaluations.

**\$95,308 annually** (1 FTE Senior Program Specialist)

## Circuit Court

### Phase II: Addressing Critical System Needs



#### Pretrial Release

Continuing focus on pretrial release at the statewide level will make sustaining local funding for that program continually critical. While primarily funded by Oregon Judicial Department (OJD), the program also receives \$182,900 in local support each year as a combination of JRI and CCA funding. This partnership provides program capacity for monitoring of defendants on pretrial release. In 2018, the court implemented new software, Automon, to improve the ongoing monitoring effort. In the near future, the court will face a critical need to revalidate the pretrial risk tool to ensure that it remains locally relevant and to ensure that the tool does not perpetuate bias in release decision making. Validation of the risk tool has been done before and requires interagency work to be successful.

#### Problem Solving Court Programs

The court has instituted, maintained, and expanded a number of problem-solving court programs. Much of the funding for the treatment court programs is from various grants. There is a need to sustain grants needed for treatment courts including Adult Drug Court, Mental Health Court, Veteran's Court, and Juvenile Treatment Court. Grants include funds for treatment as well as a variety of wrap around services ranging from housing to education.

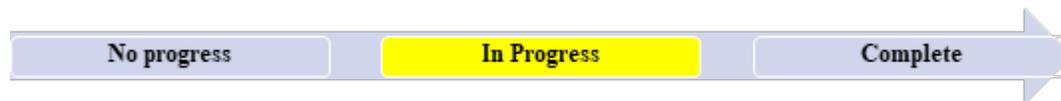
- The Adult Treatment Court is expanded to support treatment success. Over the coming months, the treatment court and community will examine what impacts the decriminalization of certain drug charges (ballot measure 110) will have on the sustainability of the Adult Treatment Court program.
- Veteran's Treatment Court is in place to better service the unique needs of veterans. Peer mentoring and treatment options provide critical support for veteran's charged with crimes.
- The Mental Health Court began operations in October 2016 and continues to evolve. Peer Support Services are in place to improve outcomes for adjudicated individuals in outpatient treatment. In 2020, the court received grant funding from OCJC to hire a .6 FTE Mental Health court coordinator. Long-term funding for that position will be critical for continuity of services. In 2021, the court will have an assigned judge who does not have responsibility for Adult Treatment Court or Veteran's Treatment Court. This will provide much-needed focus for individuals in the justice system who are struggling with mental health issues.
- In 2019, the court also assumed coordination of the juvenile treatment (RAP) court program from the Department of Youth Services and hired a coordinator for that program. In 2020, the RAP program received a 48-month \$600,000 grant from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention. The funding will provide much

needed treatment and wrap around family and mental health supports to the juvenile treatment court program.

### Security Concerns

- Inmate transportation: Inmates are brought into the courthouse through a sally port that is not part of the courthouse and must be walked through public halls in the County Public Service Building. They are transported up and down in an evaluator used by judges, court staff, DA staff, and county employees. To reach courtrooms, inmates are transported through staff hallways past judge’s offices and through public corridors. The lack of secured transport corridors creates a safety issue for employees, judges, and the public.
- Additional security issues: Judges and district attorneys park in an unsecured garage and walk down a narrow unsecured tunnel into the building. Parties to various court proceedings such as victims, criminal defendants, people seeking protective orders, their alleged abusers, witnesses, and their respective families are often required to sit in close proximity to each other while waiting and in courtrooms which creates potentially explosive situations. In addition, jury assembly is in the County Public Service Building, outside the courthouse security perimeter. Not having jury assembly in the courthouse causes inefficiency as significant time is lost as groups of jurors are escorted through security. A recent study demonstrated that having jury assembly outside the court’s secure perimeter adds 30 minutes per juror to the amount of time needed to arrive at the courtroom door.

## **Phase III: Addressing All System Needs**



The Court requires the ability to sustain the core system and increase capacity. The core system includes court facility, judges, staff, technology needs, and program needs.

### Courthouse Replacement

- The Courthouse has been identified by Lane County as in need of replacement. The facility’s needs have been identified in many studies, most recently a 2015 Study conducted by the National Center for State Courts, a 2017 Coordinated Downtown Development project, and, in 2018, a study conducted by Robertson Sherwood Architects in partnership with DLR Group to provide a thorough review and scope for the building. Reasons cited in these studies for why a new courthouse is needed include better security, providing access for alter abled persons, improved conditions for jurors, and replacement of aged and decrepit infrastructure.
- A new Courthouse will provide: a space for justice in our community into the future; an opportunity for the court to process over 33,000 cases per year efficiently and effectively; accessibility for all members of the community; and safety for the public, witnesses, victims, court staff, and judges. Our Vision: The new Lane County Courthouse represents our

community's commitment to fair and impartial justice. The Courthouse reflects the diversity of the community by consciously providing accessibility to all people. As the independent and impartial third branch of government, the court provides a secure and respectful Courthouse environment for the entire community.

#### Juvenile Treatment Court

- Despite success in instituting and expanding this problem-solving court program, a gap remains in funding for the juvenile treatment court coordinator. This position (.5 FTE) is temporarily funded by the Circuit Court through June 30, 2021. The court does not have Legislative authority or funding for this position after June 30, 2021 and is currently seeking funding for this position.

#### Additional Judges

- Recent workload studies by the National Center for State Courts have concluded that Lane County needs two more full time Circuit Court judges to handle the case load. While it is unlikely that the Legislature will allocate additional judicial positions to Lane County before 2022 a new Courthouse must be built with the capacity to accommodate additional judicial positions during the Courthouse's expected.

## Kids FIRST

### Phase I. Keeping What We Have



### Phase II: Addressing Critical System Needs



### Progress/Successes/Capacity Building 2014-2019

Kids FIRST (KF) is Lane County's Children's Advocacy Center and provides child abuse intervention and assessment services for children who are victims of, or witnesses to, crime. Core services provided include recorded forensic interviews, forensic medical examinations, and victim advocacy/support services. KF also hosts Grand Jury hearings for child abuse cases including child sexual assault cases. Kids FIRST moved from their small, leased facility into a 9,000 sq. ft owned facility in December 2019. This will allow KF to serve two families at once, confidentially.

All referrals to the Center come directly from law enforcement and/or child welfare, and as public safety capacity increases, so do referrals to the Center. Since 2014, the number of children served by the Center has increased by nearly 25% to over 800 Lane County children and their families served in 2017.

### Gaps/Needs 2019-2022

#### Insufficient Staffing to Meet Demand

- Kids FIRST has increased staffing levels from 6 to 14 FTE since 2015 but caseloads are still much higher than average. The need for prompt, specialized mental health services for children who have experienced trauma has been identified by stakeholders, and KF plans to expand their services to include comprehensive mental health assessments and treatment. An additional 6.5 FTE is needed to support the increase in both the demand for, and scope of, services.

**\$770,000** annually (2.0 FTE victim advocates, 2.0 FTE licensed mental health providers (one bilingual English/Spanish), 1.0 FTE bilingual forensic interviewer, 1.0 FTE physician or nurse practitioner, .5 FTE SANE nurse)

## Phase III: Addressing All System Needs



### Gaps/Needs 2022-2025

#### Child Sexual Assault Prevention

- Once adequate staffing and manageable caseloads are achieved, Kids FIRST would like to implement child sexual abuse prevention work, including training and outreach, as well as evidence-based treatment for youth with problematic sexual behaviors (PSB).

**\$250,000** annually (1.0 FTE additional licensed mental health provider, 1.0 case manager, 1.0 program manager)