

W. T. A.

AGENDA COVER MEMORANDUM

AGENDA DATE: July 14, 2004

TO: LANE COUNTY BOARD OF COMMISSIONERS

FROM: LANE COUNTY INTERGOVERNMENTAL RELATIONS

PRESENTED BY: Anthony S. Bieda, IGR Manager

AGENDA TITLE: Community Corrections Options

ISSUES: 1) How does the decision by some counties to return responsibility for community corrections to the state impact Lane County's interests and opportunities?

RECENT EVENTS:

Three counties – Douglas, Linn and Curry – have sent notification to the Department of Corrections of their intention to discontinue participation in the community corrections program as established under SB 1145. Douglas County has initiated the transference of staff and other resources to Oregon Department of Corrections so that no later than Aug. 1, 2004, it will no longer have authority for that offender population. Work is underway in Linn County to accomplish a similar transference in the next few months; Curry County will begin similar work in the near future.

BACKGROUND:

Lane County participates in the community corrections program, which provides sanctions, supervision and treatment for certain felony offenders. Community corrections includes adult parole, probation, post-prison supervision, and local control. A county may discontinue participation if state funding drops below the baseline level. A 180-day advance notice is required.

In April the Legislature's Emergency Board restored \$8.9 million in funding for community corrections, maintaining baseline funding through Dec. 31, 2004. Another \$8.9 million must be appropriated in order to maintain baseline funding through June 30, 2005, the end of the current biennium. Because of the funding at risk during the last two quarters of the biennium, and other local resource considerations, three counties gave notification to discontinue participation in the community corrections program.

Without restorations by the legislature, state funding for community corrections in Lane County will fall short by about \$1 million in FY 05. On several occasions, the Board of Lane County Commissioners has encouraged the legislature and the executive branch to

restore full funding for the remainder of the biennium. The legislative E-Board is expected to revisit the issue at its meetings in September and November. The additional considerations at that time will likely include:

- Impact of counties that have discontinued participation
- Increased funding capacity based on upward revisions in revenue forecasts
- Amount of emergency funds expended to fight wildfires over the summer

ANALYSIS:

The purpose of SB 1145 was to establish and perpetuate a consistent level of sanctions and services to a specified offender population statewide, without utilizing D.O.C. capacity that was better reserved for higher-level offenders. Participation by all counties – not a patchwork – was a key element of SB 1145.

To the degree that de-funding by the legislature has opened the door to counties leaving the system, the efficacy and structure of SB 1145 may be up for debate at the legislature. The outcome of that debate may convince some to bring the population back under the jurisdiction of a state agency, but it may convince others to refrain from exposing community corrections to the competitive appropriations pressures that spreads resource increments and decrements across the wide spectrum of state general fund programs.

Part of the discussion before the E-Board this fall and the full legislature next year will be the financial trade-offs involved in taking back community corrections from one or more counties, and the impact to public safety.

DISCUSSION:

The Board will discuss state funding for Community Corrections in light of the opt-out decisions by three neighboring counties and direct staff to provide additional information and analysis as appropriate.

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