

# Governor's Re-entry Council

December 8, 2010  
Oregon State Fire Marshal's Office  
4760 Portland Road NE  
Salem, Oregon

## Meeting Minutes

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### **Attendees:**

*Council Members:* Ron Chase, Aaron Felton, Ginger Martin, Victor Merced, Colette S. Peters, Mark Royal, Ross Shepard, Cameron Smith, Max Williams

*Steering Committee Members:* Cindy Booth, Mark Cadotte, Pegge McGuire, Patrick Vance

*Interested Observers:* Jennifer Black, Dave Cooley, Doug Cooper, Craig Keyston, Connie Kyle, Jeanne Linn, Barry Moss, Anne O'Malley, Paul Potter, Steve Silver, Paul Solomon, Bill Taylor, Karen Wheeler

### **Welcome and Introductions:**

Max Williams

### **Access to Recovery Grant and Re-entry**

Karen Wheeler, Department of Human Services  
Paul Potter, Department of Human Services

Karen Wheeler, Administrator for Addictions and Mental Health Division at the Oregon Health Authority, and Paul Potter, Project Director for Access to Recovery, explained the services and resources available and the qualifying criteria through the Access to Recovery Grant. Initially, 1,608 is the target number of people to be provided with services during the first year; 3,200 is the target number for the second year. This is a four year project with a total grant of \$13 million. If Oregon demonstrates a high need for services, the state would be added to a federal pool for additional funding. Handouts with details were distributed and are attached below.

### **Announcements and Information Sharing:**

Ross Shepard shared copies of a draft of Legislative Concept 2562 (attached), which authorizes the court to impose probation on intensive supervision for certain property crimes.

Pegge McGuire reminded the council about the messaging training on January 6<sup>th</sup>, being presented by Patrick Bresette of Dēmos. Mr. Williams encouraged the non-corrections' council members to get involved in this training to ensure fresh ideas and words are brought forward and explored. How we talk about the population we are working with can make an impact on how they are perceived and treated in the community.

Mark Royal reported the Reset Cabinet Report was discussed at the last Oregon Association of Community Corrections Directors (OACCD) and concerns about the level of funding for community corrections offices were raised. Mr. Williams explained that he expects the funding to remain at or above the baseline that would trigger “opt-out” for the counties.

Ginger Martin reported that a Memorandum of Understanding has been signed between the Department of Corrections and the Association of Oregon Community Mental Health Programs and Oregon Association of Community Corrections Directors that specifically states the protocol for the transition of people with mental illness from prison to the community. This document will be reviewed each year and updated as needed. (Attached)

Cameron Smith reported that Governor Kulongoski has created a Commission on Public Safety, based on the findings of the Governor’s Reset Cabinet. The commission members are the leaders of the three branches of government: executive, judicial and legislative. The Executive Order establishing the commission has Governor-elect Kitzhaber’s support and is attached.

### **Issuance of Driver Licenses and Identification Cards: Proposed Performance Measures and Baseline Data**

Cindy Booth and Ginger Martin, DOC

Ginger Martin briefly explained the DOC efforts to obtain required documentation for inmates to acquire a state-issued identification card prior to their release. She then asked what the council would like the performance measures and the baseline data to be. It was decided to track the following numbers: % leaving prison with a birth certificate; % leaving prison with a Social Security Card; % leaving prison with both documents. The target of 40% leaving prison with government issued photo identification was proposed.

Cindy Booth spoke about success of the pilot program that took inmates from the Oregon State Penitentiary Minimum (OSP-M) facility to a local DMV office prior to the regular opening time and processed the ID cards for those inmates. Since OSP-M has closed, a pilot program is going to be conducted from the Santiam Correctional Institution. A duplicate pilot program is set to begin in January from Deer Ridge Correctional Institution in Madras.

Questions about the process of obtaining birth certificates highlighted some of the barriers. For example, Colorado will not process birth certificate applications for anyone who is incarcerated; some states will return a number of applications if there is a problem with one of those included in the packet; and states are raising fees, which can delay processing.

Ms. Booth said there is a challenge of obtaining identification cards for inmates with mental illness, which can cause delays when they need to access services in the community.

Colette Peters reported the DMV had contacted Oregon Youth Authority to begin to set up a process for obtaining state-issued ID cards for the youth releasing from their facilities.

### **Impact of Measure 73 on Re-entry**

Craig Prins, Executive Director for Criminal Justice Commission

Mr. Prins explained the impact on prison beds and re-entry of Ballot Measure 73, which passed in the November election. This measure increases sentences for specific sex offenses and specific driving under the influence of intoxicant (DUII) crimes. These crimes are currently covered in Ballot Measure 11 and are increasing the minimum sentences for those crimes. The impact to prison beds will be realized in the biennium 2011-13 with an increase of 200 beds. For Ballot Measure 11 sex offenses the 2<sup>nd</sup> offense mandates 25 years. This bill changes some DUII crimes from a misdemeanor to a felony, but with the same minimum sentence. Because the state currently reimburses counties for the cost of housing felons, (not misdemeanants) sentenced to less than 12 months, that cost now belongs to the state. It is estimated there will be an additional 300 felons per year. The bill went into effect 30 days after passing. Because this bill addresses sentencing and came from the initiative process, it will take a vote of 2/3 of all members of both houses of the state legislature to amend.

### **Transition Programs: One-stop Re-entry Centers**

Doug Cooper, ROAR

Ron Chase, Sponsors, Inc.

Doug Cooper reported on the success of the Multnomah County One-Stop Resource Center. There are several ways services are provided. People are referred to services available at the center or in the community; some emergency services are available; and 'navigators' are there to assess needs and develop a plan. In the first 8 months of operation 310 people have been served. Sixty people have found employment; 20 found housing. The Men's Warehouse donated 200 suits. Anne O'Malley said several community organizations had come to the center to offer resources.

Ron Chase showed a presentation on the Sponsor's, Inc. facility which houses 72 men. A grant from the Veterans Administration is paying for 10 of those beds to be occupied by local veterans. Sponsor's provides case management services, transitional housing, employment assistance, clothing and the tools needed for jobs. Participants are expected to save at least 50% of their earnings while living at Sponsor's in order to provide for their own needs after completing the program. Testing for drug and alcohol use is mandatory. The new facility has a computer lab and the required space for classes and activities the former location lacked. Max Williams complimented Sponsors on their new facility and the work they are doing to help men return to productive lives in the community.

Ms. Martin distributed copies of the Klamath County Re-entry Program (attached)

### **Introduction to Sex Offender Supervision and Re-entry**

Ginger Martin

Ms. Martin distributed the Introduction to Sex Offender Supervision and Re-entry (attached) and reviewed. There are a number of myths regarding sex offenders that the data exposes. This population will continue to need transition services and the council will continue to review data i.e: how many release each year without housing; how many are elderly; how many have health needs.

Addictions and Mental Health Division  
**Access to Recovery (ATR) Fact Sheet**

**What is ATR?**

ATR is a major federal initiative supported by the Substance Abuse and Mental Health Services Administration (SAMHSA), Center for Substance Abuse Treatment (CSAT). This year marks the third cycle of competitive grants for states, tribal organizations and territories. This discretionary grant program represents a major system change for addiction services. Thirty awards were announced this year including Oregon's project.

**What is different about ATR compared to other CSAT funded discretionary grant programs?**

ATR includes several unique requirements:

- An emphasis is placed on recovery support services such as peer-delivered mentoring, coaching, recovery housing, transportation, child care, care coordination and other supports.
- The state may not "grant" funds to intermediaries or providers, but must administer services using a "voucher system". A voucher management system must be fully implemented within four months of the official award (9/30/10). Oregon has selected **Web Infrastructure for Treatment Services (WITS)** as its voucher management system platform.
- There must be "free and independent choice" in the selection of recovery and treatment services among ATR participants. This means there must be at least two options provided to people seeking an array of services including community and faith-based options.

**How much is Oregon's award and how long is the project funded?**

ATR III is a four-year initiative. The following annual awards are projected for Oregon's project:

Year 1: \$3.35 million

Year 3: \$3.2 million

Year 2: \$3.2 million

Year 4: \$3.2 million

**What areas of the state will benefit from ATR?**

In year one, ATR will be piloted in five counties: Multnomah, Lane, Umatilla, Douglas and Jackson. Oregon Health Authority Addictions and Mental Health

Division (AMH) considered prevalence factors and need related to the three primary populations to be served, and proximity to veteran's services when selecting pilot counties. ATR will be rolled out to other regions of Oregon in years two through four.

## **Who will be prioritized for services under Oregon's ATR project?**

Oregon's proposal featured strategies to focus on three populations:

- Veterans, particularly returning soldiers from Afghanistan and Iraq;
- Parents involved in the child welfare system who have accessed treatment through ITRS; and
- Inmates transitioning to communities from correctional institutions who have addiction disorders and have either accessed treatment inside the walls or who need both clinical treatment and recovery support services.

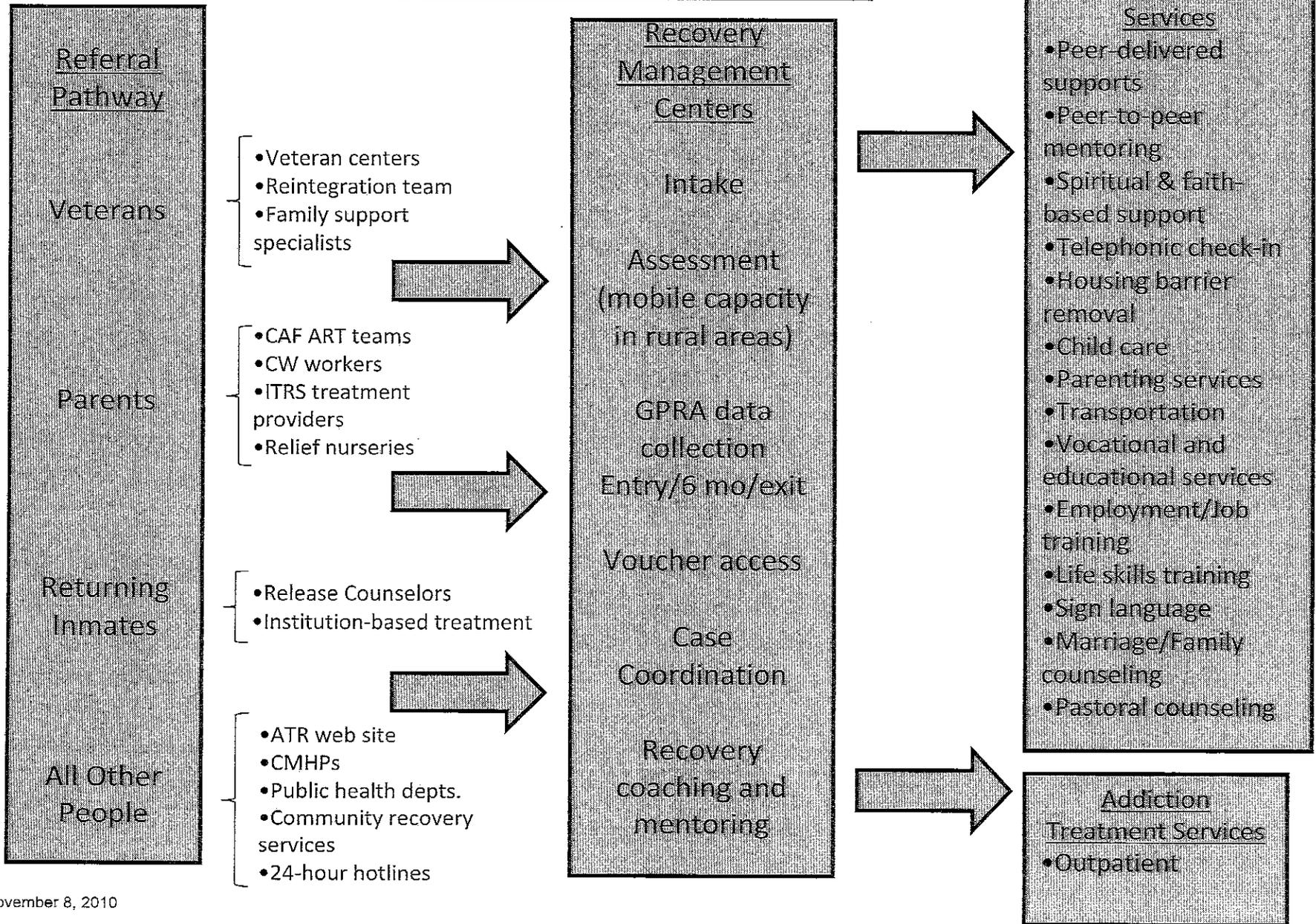
The above populations are not exclusive to ATR, but there will be well-defined referral pathways for these three populations. Just over 1,300 people must be served in year one of the project.

## **Will staff be hired for the project?**

Three limited duration positions are included in the project budget including:

- Project Director for overall leadership, project management and compliance with all federal reporting requirements.
- Treatment and Recovery Support Services Coordinator to develop and coordinate programs and services, reaching out to non-traditional service providers that have not done business with AMH before.
- Fiscal Coordinator to ensure program integrity through analysis of financial reports, auditing, and providing assistance to providers on financial/billing issues.
- For more information contact **Paul D. Potter, Project Director 503-945-9709** [paul.d.potter@state.or.us](mailto:paul.d.potter@state.or.us)
- <http://www.oregon.gov/DHS/addiction/access2recovery/main.shtml>

Client Flow Diagram for Access to Recovery  
Draft



# DRAFT

## SUMMARY

Authorizes court to impose probation with intensive supervision under certain circumstances when person convicted of certain drug or property crimes.

Authorizes Oregon Criminal Justice Commission to make grants to counties in order to provide services to offenders sentenced to intensive probation or offenders on parole or post-prison supervision determined to be at high risk to reoffend.

Appropriates moneys from General Fund to commission for grants.

## A BILL FOR AN ACT

1

2 Relating to crime; creating new provisions; amending ORS 137.717 and  
3 475.933; and appropriating money.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. (1) When a court sentences a person who is otherwise**  
6 **subject to a sentence described in subsection (2) of this section, the**  
7 **court may impose a downward dispositional departure in accordance**  
8 **with the rules of the Oregon Criminal Justice Commission if the court**  
9 **finds:**

10 (a) **That a sentence of probation with intensive supervision would**  
11 **better serve the foundational principles of criminal law described in**  
12 **section 15, Article I of the Oregon Constitution; and**

13 (b) **Substantial and compelling reasons to impose a sentence of**  
14 **probation.**

15 (2) **Subsection (1) of this section applies to:**

16 (a) **A person who is subject to a presumptive sentence described in**  
17 **ORS 137.717 or 475.933; and**

18 (b) **A person who is subject to a presumptive sentence of more than**

1 12 months under the sentencing guidelines grid of the commission, if  
2 the offense for which the person is sentenced is classified as a level 8  
3 or lower on the crime seriousness scale of the sentencing guidelines  
4 grid.

5 (3) When the court imposes a downward dispositional departure  
6 sentence under this section, the supervisory authority as defined in  
7 ORS 144.087 shall subject the person to intensive supervision for the  
8 full period of the person's probation.

9 (4) The Department of Corrections, in consultation with local su-  
10 pervisory authorities, shall adopt rules establishing methods of inten-  
11 sive supervision for persons sentenced to probation under this section.

12 SECTION 2. (1) The Oregon Criminal Justice Commission shall  
13 make grants to counties for the purpose of providing the services de-  
14 scribed in subsection (2) of this section to persons who:

15 (a) Are sentenced to probation under section 1 of this 2011 Act; and

16 (b) Who are on post-prison supervision and are at a high risk to  
17 reoffend, as determined by a risk assessment tool adopted by the  
18 commission by rule.

19 (2) A county is eligible for a grant under this section if the county  
20 is able to demonstrate a current or future ability to provide, at a  
21 readily accessible location or by streamlined referral, assistance to  
22 persons described in subsection (1) of this section who have any of the  
23 following needs:

24 (a) Alcohol and drug assessment and treatment;

25 (b) Case management;

26 (c) Food and clothing;

27 (d) Housing;

28 (e) Employment;

29 (f) State identification;

30 (g) Transportation;

31 (h) Benefits application;

- 1 (i) Parole and probation officer contacts;
- 2 (j) Family and community support;
- 3 (k) Medical, dental and mental health evaluation and referral;
- 4 (L) Cognitive behavioral therapy;
- 5 (m) Financial and computer literacy;
- 6 (n) Referral for faith-based mentoring;
- 7 (o) Legal consultation; or
- 8 (p) Education and training programs.

9 (3) Grants described in this section shall be made from funds ap-  
10 propriated to the commission for that purpose. An award of grant  
11 moneys under this section must be used to pay the cost of a service  
12 described in subsection (2) of this section or to reimburse a service  
13 provider for the provision of the service.

14 **SECTION 3.** The commission shall contract with a qualified inde-  
15 pendent person or organization to conduct a scientifically valid evalu-  
16 ation of the grant program described in this section. All state  
17 agencies and persons participating in the programs shall cooperate  
18 fully in conducting the evaluation. The evaluation shall determine  
19 whether the grant program is effective in reducing recidivism. The  
20 evaluation shall begin no later than January 1, 2012, and regular  
21 progress reports shall be provided to the commission every six months.  
22 A final report shall be provided by the commission to the Legislative  
23 Assembly not later than January 1, 2013.

24 **SECTION 4.** There is appropriated to the Oregon Criminal Justice  
25 Commission for the biennium beginning July 1, 2011, out of the Gen-  
26 eral Fund, the amount of \$\_\_\_\_\_ for the purpose of carrying out the  
27 provisions of section 2 of this 2011 Act.

28 **SECTION 5.** ORS 137.717, as amended by section 11, chapter 660, Oregon  
29 Laws 2009, is amended to read:

30 137.717. (1) When a court sentences a person convicted of:

- 31 (a) Aggravated theft in the first degree under ORS 164.057, burglary in

1 the first degree under ORS 164.225, robbery in the third degree under ORS  
2 164.395, identity theft under ORS 165.800 or aggravated identity theft under  
3 ORS 165.803, the presumptive sentence is 24 months of incarceration, unless  
4 the rules of the Oregon Criminal Justice Commission prescribe a longer  
5 presumptive sentence, if the person has:

6 (A) A previous conviction for aggravated theft in the first degree under  
7 ORS 164.057, burglary in the first degree under ORS 164.225, robbery in the  
8 third degree under ORS 164.395, robbery in the second degree under ORS  
9 164.405, robbery in the first degree under ORS 164.415 or aggravated identity  
10 theft under ORS 165.803;

11 (B) Two or more previous convictions for any combination of the crimes  
12 listed in subsection (2) of this section; or

13 (C) A previous conviction for a crime listed in subsection (2) of this sec-  
14 tion, if the current crime of conviction was committed while the defendant  
15 was on supervision for the previous conviction or less than three years after  
16 the date the defendant completed the period of supervision for the previous  
17 conviction.

18 (b) Theft in the first degree under ORS 164.055, unauthorized use of a  
19 vehicle under ORS 164.135, mail theft or receipt of stolen mail under ORS  
20 164.162, burglary in the second degree under ORS 164.215, criminal mischief  
21 in the first degree under ORS 164.365, computer crime under ORS 164.377,  
22 forgery in the first degree under ORS 165.013, criminal possession of a forged  
23 instrument in the first degree under ORS 165.022, fraudulent use of a credit  
24 card under ORS 165.055 (4)(b), possession of a stolen vehicle under ORS  
25 819.300 or trafficking in stolen vehicles under ORS 819.310, the presumptive  
26 sentence is 18 months of incarceration, unless the rules of the Oregon  
27 Criminal Justice Commission prescribe a longer presumptive sentence, if the  
28 person has:

29 (A) A previous conviction for aggravated theft in the first degree under  
30 ORS 164.057, unauthorized use of a vehicle under ORS 164.135, burglary in  
31 the first degree under ORS 164.225, robbery in the third degree under ORS

1 164.395, robbery in the second degree under ORS 164.405, robbery in the first  
2 degree under ORS 164.415, possession of a stolen vehicle under ORS 819.300,  
3 trafficking in stolen vehicles under ORS 819.310 or aggravated identity theft  
4 under ORS 165.803;

5 (B) Two or more previous convictions for any combination of the crimes  
6 listed in subsection (2) of this section; or

7 (C) A previous conviction for a crime listed in subsection (2) of this sec-  
8 tion, if the current crime of conviction was committed while the defendant  
9 was on supervision for the previous conviction or less than three years after  
10 the date the defendant completed the period of supervision for the previous  
11 conviction.

12 (2) The crimes to which subsection (1) of this section applies are:

- 13 (a) Theft in the second degree under ORS 164.045;  
14 (b) Theft in the first degree under ORS 164.055;  
15 (c) Aggravated theft in the first degree under ORS 164.057;  
16 (d) Unauthorized use of a vehicle under ORS 164.135;  
17 (e) Mail theft or receipt of stolen mail under ORS 164.162;  
18 (f) Burglary in the second degree under ORS 164.215;  
19 (g) Burglary in the first degree under ORS 164.225;  
20 (h) Criminal mischief in the second degree under ORS 164.354;  
21 (i) Criminal mischief in the first degree under ORS 164.365;  
22 (j) Computer crime under ORS 164.377;  
23 (k) Forgery in the second degree under ORS 165.007;  
24 (L) Forgery in the first degree under ORS 165.013;  
25 (m) Criminal possession of a forged instrument in the second degree under  
26 ORS 165.017;  
27 (n) Criminal possession of a forged instrument in the first degree under  
28 ORS 165.022;  
29 (o) Fraudulent use of a credit card under ORS 165.055;  
30 (p) Identity theft under ORS 165.800;  
31 (q) Possession of a stolen vehicle under ORS 819.300;

1 (r) Trafficking in stolen vehicles under ORS 819.310; and

2 (s) Any attempt to commit a crime listed in this subsection.

3 (3)(a) A presumptive sentence described in subsection (1) of this section  
4 shall be increased by two months for each previous conviction the person  
5 has that:

6 (A) Was for any of the crimes listed in subsection (1) or (2) of this section;  
7 and

8 (B) Was not used as a predicate for the presumptive sentence described  
9 in subsection (1) of this section.

10 (b) Previous convictions may not increase a presumptive sentence de-  
11 scribed in subsection (1) of this section by more than 12 months under this  
12 subsection.

13 (4) The court may impose a sentence other than the sentence provided by  
14 subsection (1) or (3) of this section if the court imposes:

15 (a) A longer term of incarceration that is otherwise required or author-  
16 ized by law; or

17 (b) A departure sentence authorized by the rules of the Oregon Criminal  
18 Justice Commission based upon findings of substantial and compelling rea-  
19 sons. Unless the law or the rules of the Oregon Criminal Justice Commission  
20 allow for imposition of a longer sentence, the maximum departure allowed  
21 for a person sentenced under this subsection is double the presumptive sen-  
22 tence provided in subsection (1) or (3) of this section.

23 (5) Notwithstanding subsection (4)(b) of this section, the court may not  
24 sentence a person under subsection (4) of this section to a term of incarcer-  
25 ation that exceeds the period of time described in ORS 161.605.

26 (6) The court shall sentence a person under this section to at least the  
27 presumptive sentence described in subsection (1) or (3) of this section, unless  
28 the parties stipulate otherwise, **the court imposes a sentence under the**  
29 **provisions of section 1 of this 2011 Act** or the court finds that:

30 (a) The person was not on probation, parole or post-prison supervision for  
31 a crime listed in subsection (1) of this section at the time of the commission

1 of the current crime of conviction;

2 (b) The person has not previously received a downward departure from a  
3 presumptive sentence for a crime listed in subsection (1) of this section;

4 (c) The harm or loss caused by the crime is not greater than usual for  
5 that type of crime; and

6 (d) In consideration of the nature of the offense and the harm to the  
7 victim, a downward departure will:

8 (A) Increase public safety;

9 (B) Enhance the likelihood that the person will be rehabilitated; and

10 (C) Not unduly reduce the appropriate punishment.

11 (7)(a) For a crime committed on or after November 1, 1989, a conviction  
12 is considered to have occurred upon the pronouncement of sentence in open  
13 court. However, when sentences are imposed for two or more convictions  
14 arising out of the same conduct or criminal episode, none of the convictions  
15 is considered to have occurred prior to any of the other convictions arising  
16 out of the same conduct or criminal episode.

17 (b) For a crime committed prior to November 1, 1989, a conviction is  
18 considered to have occurred upon the pronouncement in open court of a  
19 sentence or upon the pronouncement in open court of the suspended imposi-  
20 tion of a sentence.

21 (8) For purposes of this section, previous convictions must be proven  
22 pursuant to ORS 137.079.

23 (9) As used in this section:

24 (a) "Downward departure" means a downward dispositional departure or  
25 a downward durational departure under the rules of the Oregon Criminal  
26 Justice Commission.

27 (b) "Previous conviction" includes:

28 (A) Convictions occurring before, on or after July 1, 2003; and

29 (B) Convictions entered in any other state or federal court for comparable  
30 offenses.

31 **SECTION 6.** ORS 475.933 is amended to read:

1       475.933. (1) **Except as otherwise provided in section 1 of this 2011 Act,**  
2 when a court sentences a person convicted of a crime listed in subsection (2)  
3 of this section, the court may not impose a sentence of optional probation  
4 or grant a downward dispositional departure or a downward durational de-  
5 parture under the rules of the Oregon Criminal Justice Commission if the  
6 person has a previous conviction for any of the crimes listed in subsection  
7 (2) of this section.

8       (2) The crimes to which subsection (1) of this section applies are:

9       (a) Manufacture or delivery of a controlled substance, other than  
10 marijuana, under ORS 475.840 (1);

11       (b) Creation or delivery of a counterfeit substance, other than marijuana,  
12 under ORS 475.840 (2);

13       (c) Manufacture or delivery of heroin under ORS 475.846, 475.848, 475.850  
14 or 475.852;

15       (d) Manufacture or delivery of 3,4-methylenedioxymethamphetamine under  
16 ORS 475.866, 475.868, 475.870 or 475.872;

17       (e) Manufacture or delivery of cocaine under ORS 475.876, 475.878, 475.880  
18 or 475.882;

19       (f) Manufacture or delivery of methamphetamine under ORS 475.886,  
20 475.888, 475.890 or 475.892;

21       (g) Manufacture or delivery of a controlled substance within 1,000 feet  
22 of a school under ORS 475.904;

23       (h) Delivery of a controlled substance to a person under 18 years of age  
24 under ORS 475.906; and

25       (i) Possession of a precursor substance with intent to manufacture a  
26 controlled substance under ORS 475.967.

27       (3)(a) For a crime committed on or after November 1, 1989, a conviction  
28 is considered to have occurred upon the pronouncement in open court of  
29 sentence. However, when sentences are imposed for two or more convictions  
30 arising out of the same conduct or criminal episode, none of the convictions  
31 is considered to have occurred prior to any of the other convictions arising

1 out of the same conduct or criminal episode.

2 (b) For a crime committed prior to November 1, 1989, a conviction is  
3 considered to have occurred upon the pronouncement in open court of a  
4 sentence or upon the pronouncement in open court of the suspended imposi-  
5 tion of a sentence.

6 (4) For purposes of this section, previous convictions must be proven  
7 pursuant to ORS 137.079.

8 (5) As used in this section, "previous conviction" means:

9 (a) Convictions occurring before, on or after July 1, 2009; and

10 (b) Convictions entered in any other state or federal court for comparable  
11 offenses.

12 **SECTION 7. Section 1 of this 2011 Act and the amendments to ORS**  
13 **137.717 and 475.933 by sections 5 and 6 of this 2011 Act apply to crimes**  
14 **committed on or after the effective date of this 2011 Act.**

15

**Department of Corrections (DOC),  
Association of Oregon Community Mental Health Programs (AOCMHP) and Oregon  
Association of Community Corrections Directors (OACCD)**

**Protocol for the Transition of People with Mental Illness From Prison to Community  
November, 2010**

1. DOC will carry out a pre-qualification process for entitlements: At six months prior to release, DOC Behavioral Health Services (BHS) staff will complete a Release Planning Referral Form and make the determination if inmates designated with a mental health code (MH2/MH3\*) or a developmental disability severity code (DD2/DD3) meet the criteria for DOC assistance in the application process for presumptive Medicaid/SSI. BHS will meet with the inmate at five months and review the presumptive Medicaid/SSI applications in order to confirm that all forms and releases have been completed correctly. The completed applications, releases and mental health documentation will be forwarded to the DOC release counselor for processing.

If the qualification process has been initiated prior to release but remains unfinished or has not been initiated at the time of release, the release counselor will make a referral to the local DHS Self-Sufficiency Office to complete eligibility paperwork.

2. Continuity of medications: Inmates with mental health needs will be released from DOC with a 30 day supply of medication. The CMHP will provide prescriber services thereafter if the client has the Oregon Health Plan or he/she is eligible for services as priority (1) under ORS 430.675 or if the CMHP has designated a grant or general funds to serve that person.

3. Interactive planning between DOC and the (CMHP) in the county of release:

The community corrections agency and the CMHP will identify a contact person for release planning.

At three months prior to release, the BHS Mental Health Specialist (MHS) will contact the community mental health provider contact person to schedule an appointment, discuss discharge plans and treatment needs, and to forward appropriate mental health documentation. This will be done for only those MH2/MH3 inmates who meet the criteria for Seriously Mentally Ill (SMI) with a significant functional impairment.

Once the appointment has been scheduled and the mental health documentation has been sent, the MHS will e-mail the appointment date and confirmation of records release to the DOC release counselor. If the MHS is unable to schedule a follow-up appointment at three months they will e-mail the DOC release counselor and let them know that they have not been able to schedule a mental health appointment and provide the reason.

If the inmate requires specialized release planning, the contact person will be the BHS Transition and Release Specialist (currently Wendy Sanders) who will provide regular updates of any changes in treatment, condition, or diagnosis of the releasing person to the CMHP contact person.

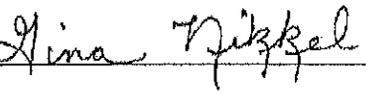
The release planning and referral form and the appointment date and time will be included in the release investigation packet that is sent to community corrections, or as soon as this information is available

4. Prior to the date of the release, the DOC release counselor will contact community corrections with any changes in release date, the release county, or the appointment date. The community corrections agency will inform the CMHP contact person with these changes.

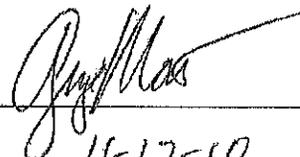
5. AOCMHP Executive Director ( currently Gina Nikkel 503-399-7201), DOC Release Services Manager (currently Hank Harris 503-945-9459), and DOC Clinical Director ( currently Claudia Fischer-Rodriguez 503-378-6376) are available to provide problem solving for individual cases.

6. It is our intent to sign an updated MOU every biennium after the legislature passes their budget.

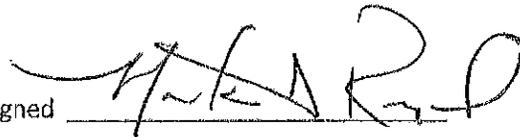
CMHP contacts for DOC releases are attached.

Signed   
Dated 11/15/10

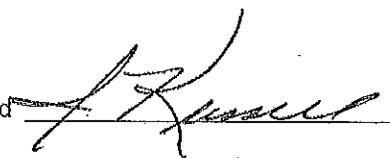
Gina Nikkel, Executive Director  
AOCMHP

Signed   
Dated 11-17-10

Ginger Martin, Assistant Director  
Department of Corrections

Signed   
Dated 11/17/2010

Mark Royal, President  
OACCD

Signed   
Dated 12-1-10

Jana Russell, BHS Administrator  
Department of Corrections

**\*Diagnostic Criteria for Seriously Mentally Ill ( SMI)**

Inmate determined by a medical/psychological practitioner to have a current diagnosis or a recent significant history of the following types of Diagnostic and Statistical Manual IV (DSM IV) Axis 1 diagnosis:

Schizophrenia (all sub-types)

Schizophreniform Disorder

Brief Psychotic Disorder

Major Depressive Disorders

Delusional Disorder

Schizoaffective Disorder

Psychotic Disorder Not Otherwise Specified

Substance-Induced Psychotic Disorder (excluding intoxication and withdrawal)

Bipolar I and II (with current active symptoms/unregulated)

Dementia

And inmates:

\*Actively suicidal or have had a recent, *serious* suicide attempt within 3 years.

\*Diagnosed with a *serious* mental illness, *organic brain injury* with significant documented cognitive and functional impairment that may require an assigned caregiver, *developmental disability* (IQ below 70) with significant documented cognitive impairment or a *severe* personality disorder which is manifested in significant functional impairment that may require an assigned caregiver as a result of such acts of *serious* self-harm or other behavior that has a *serious* adverse effect on life, or on mental or physical health.



## EXECUTIVE ORDER NO. 10 – 12

### GOVERNOR'S COMMISSION ON PUBLIC SAFETY (CPS)

In Executive Order 09-13, I created the Governor's Reset Cabinet and charged it with studying the core functions of state government and recommending strategies to increase its efficiencies and improve outcomes in order to better serve the interests and needs of Oregonians. In June, the Reset Cabinet issued its findings on the fiscal crisis facing Oregon, and provided a set of strategies to ensure that state government can continue to meet Oregonians' critical public safety, human services, and education needs. With respect to public safety, the Reset Cabinet identified the need to comprehensively restructure Oregon's current sentencing system.

This Order convenes the leaders of the three branches of state government as the Commission on Public Safety. The Commission shall collect, review and evaluate arrest, conviction, sentencing and recidivism data in order to develop recommendations for comprehensive sentencing reform for consideration by the state legislature and people of Oregon. The Commission is an opportunity for the heads of the three branches of government as well as the citizens of Oregon to take stock of our current public safety system with its successes and challenges and to chart a path for the future.

In addressing public safety policy, the Commission must focus on four core outcomes: the safety of our citizens in their homes and communities, accountability for criminal offenses, an efficient system that controls costs, and a system that is also smart and fair. Any concepts developed must put the safety of our citizens as the top priority and also ensure that individuals who commit crimes are held accountable for their conduct. At the same time, we must focus on building a smart and efficient system that maximizes our public safety dollars in light of the current economic environment.

In the 2011-13 biennium, Oregon will face a multi-billion dollar deficit and substantial general fund cuts. In the midst of this economic crisis, we must take a strategic look at our sentencing policies. With limited dollars, we must ensure the public's safety by making smart investments across our adult and juvenile justice system, including law enforcement, courts, local jails, state prisons, community corrections and other critical public safety partners.

Since the last comprehensive review of sentencing policy in 1989, our current sentencing structure has been developed by separate legislative actions and ballot measures. These two processes have created policies that are independent, and in some cases, inconsistent with each other and with little uniformity between the two.



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PAGE TWO**

Further, as a result of the incarceration costs of our current sentencing policies, Oregon faces the untenable choice of having to fund its prisons or educate our children. With hard economic realities, we must be more strategic and take a broad look at our current public safety system. The Commission will design specific concepts to implement the best use of our limited public safety dollars that will most effectively keep our citizens' safe and further justice in an efficient manner.

**NOW THEREFORE, IT IS HERE BY DIRECTED AND ORDERED:**

1. The Governor's Commission on Public Safety (Commission) is hereby established.
2. The Commission shall consist of no more than six (6) members, who shall be appointed as follows:
  - a. The Chief Justice of the Oregon Supreme Court or his designee, appointed by the Chief Justice;
  - b. The Governor of Oregon or his designee, appointed by the Governor;
  - c. The Speaker of the Oregon House of Representatives, or the Speaker's designee, appointed by the Speaker;
  - d. The President of the Oregon Senate, or the President's designee, appointed by the Senate President;
  - e. A member of the Oregon House of Representatives who is also not a member of the same political party as the Speaker, appointed by the Speaker;
  - f. A member of the Oregon Senate who is also not a member of the same political party as the President, appointed by the President;
  - g. In the event that there are Co-Speakers of the Oregon House of Representatives, subparagraphs c. and e. will become inoperative and in their place each Co-Speaker of the Oregon House of Representatives or their respective designees as appointed by each Co-Speaker shall be appointed to serve on the commission.
3. The Chair of the Oregon Criminal Justice Commission shall be a non-voting member and the Director and Executive Secretary of the Commission.
4. All members shall serve at the pleasure of their appointing authorities. The chair of the Commission will be appointed by the Governor and



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**PAGE THREE**

will serve at the pleasure of the Governor. The chair shall develop a work plan, set the agenda and provide leadership and direction for the Commission.

5. A quorum for Commission meetings shall consist of a majority of the appointed members. The Commission shall approve measures on an affirmative vote of a majority of voting members appointed to the Commission.

6. The Commission shall lead and coordinate a process to collect, review and evaluate criminal justice data to determine a public safety policy that both protects the public's safety and is cost-effective. This is to be a long-term effort to both develop public safety policy as well as evaluate its effectiveness. Before developing the specific policy concepts called for in the next paragraph, the Commission shall develop a consistent set of definitions for terms for which there have been competing meanings. In this manner, the Commission's definition of terms will serve as a common baseline from which policy makers and the public can make informed decisions on sentencing policy. Additionally, the Commission shall also develop an outreach strategy to educate Oregonians about the public safety system and impacts of our current policies. The Commission, at a minimum, shall work with state and local governments, Oregon universities, the Criminal Justice Commission, the State Department of Justice, and businesses to implement the data collection, review, evaluation and outreach strategy.

7. The Commission shall develop specific concepts on comprehensive public safety policy for consideration of the public and policy makers that are informed by the recommendations of the Reset Cabinet.

8. In developing its proposals for the three branches of government and the public, the Commission may form workgroups as deemed necessary by the Chair. Workgroups may include members of the public, interested parties, and public safety stakeholders who are not members of the Commission. Any workgroup created will be given a specific charge by the Chair. The Commission will consider proposals and opinions of any workgroups it establishes but it is the Commission that shall be ultimately responsible for making final recommendations consistent with its charge and scope.

9. The Commission shall produce a written report no later than December 15, 2011. The report will include conceptual proposals for the consideration of the public and policy-makers.



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**PAGE FOUR**

10. The Oregon Criminal Justice Commission and the Oregon Department of Corrections shall provide staff support for the Commission. If the Commission requires assistance of any other State agency, then such agency shall provide assistance to the Commission upon request.

11. The members of the Commission shall not receive per diem for their activities as members of the Commission, but may be reimbursed for expenses incurred in attending Commission business pursuant to ORS 292.495(2), subject to availability of funds.

12. This Order expires on December 31, 2011.

Done at Salem, Oregon, this 9th day of December, 2010.

\_\_\_\_\_  
Theodore R. Kulongoski  
GOVERNOR

ATTEST:

\_\_\_\_\_  
Kate Brown  
SECRETARY OF STATE



**Ron Chase**

Executive Director

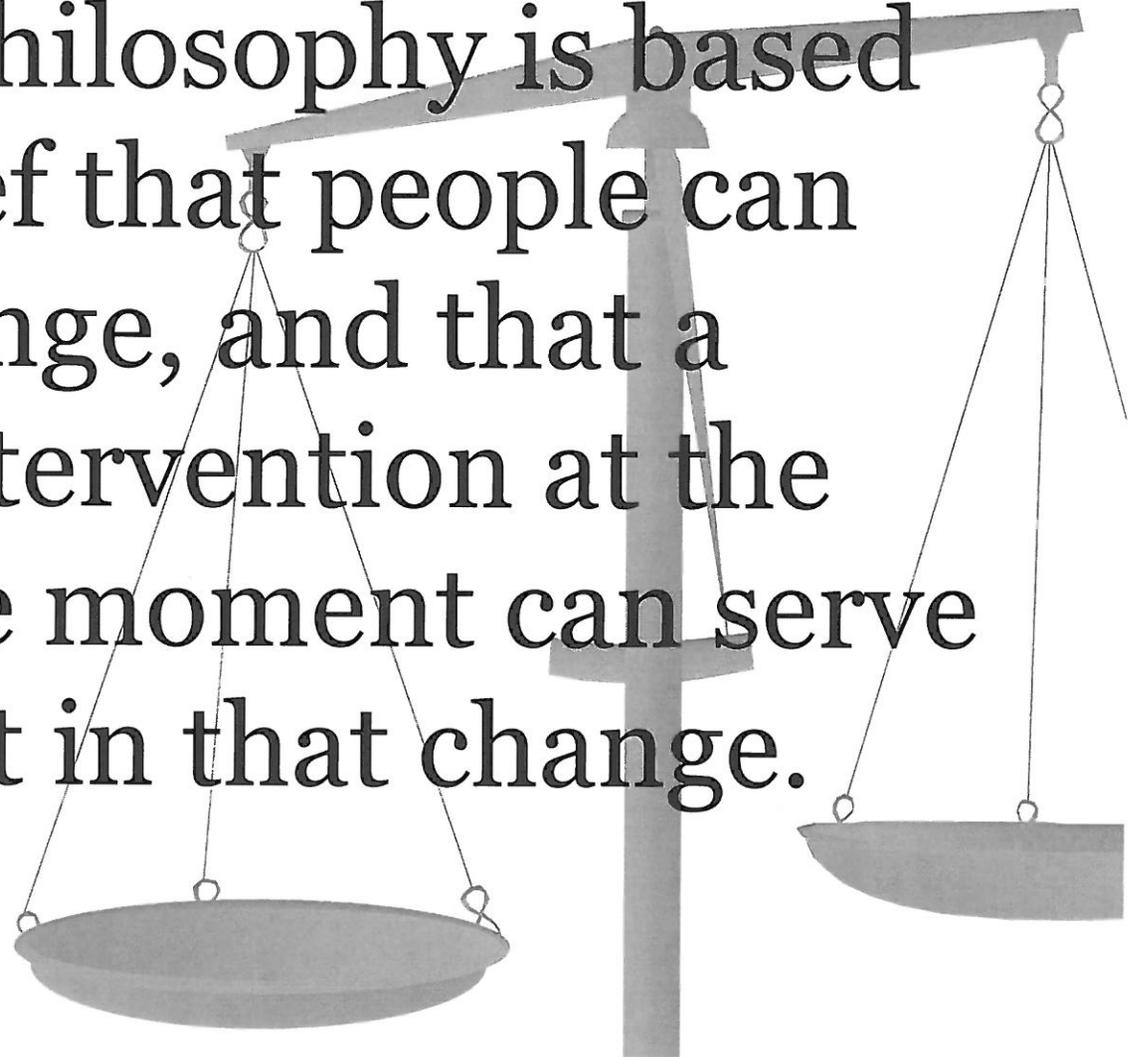
**Paul Solomon**

Executive Director (Designee)

**Providing Reentry Services to  
Ex-Offenders Since 1973**

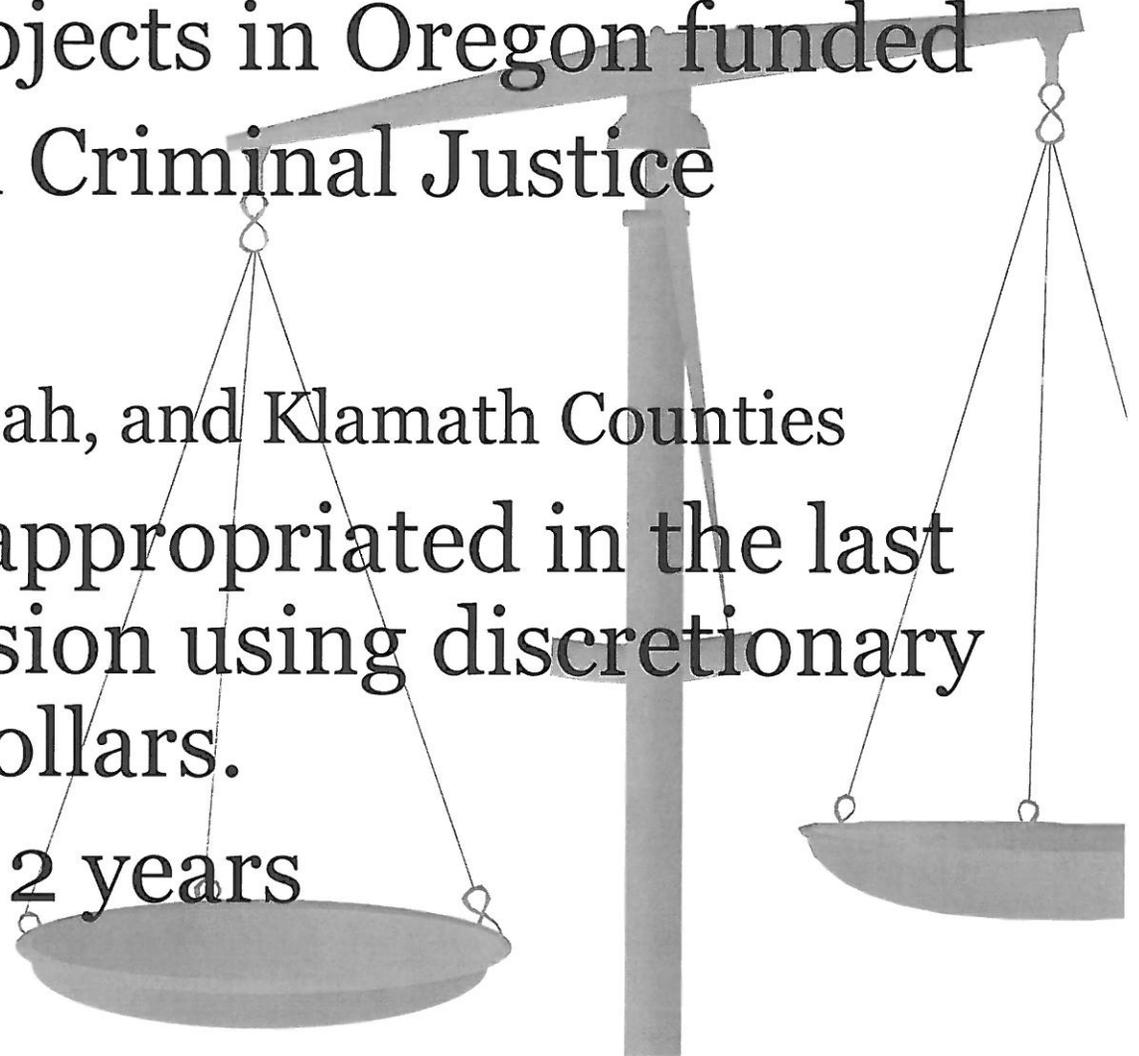
# Philosophy

- Sponsors philosophy is based on the belief that people can and do change, and that a strategic intervention at the appropriate moment can serve as a catalyst in that change.



# Grant Funded Reentry Resource Center

- 1 of 3 Pilot projects in Oregon funded by the Oregon Criminal Justice Commission
  - Lane, Multnomah, and Klamath Counties
- Funding was appropriated in the last legislative session using discretionary Byrne grant dollars.
- \$400,000 for 2 years



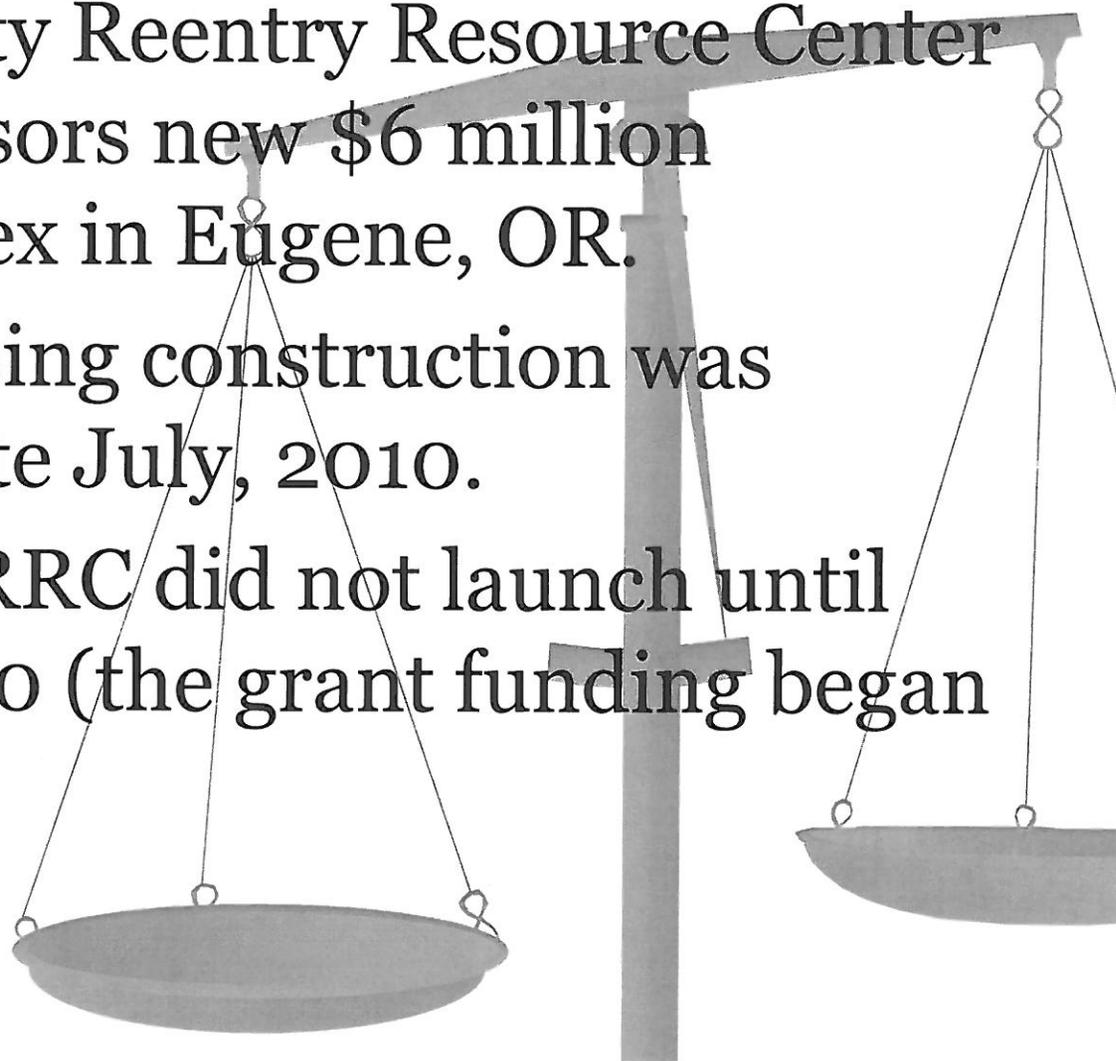
# Staffing

- 1.0 FTE Program Director
- 1.0 FTE Case Manager (contracted for 1 year with Goodwill Industries to utilize their Employment Service experience)
- 0.5 FTE Admin Asst.



# Roosevelt Crossing

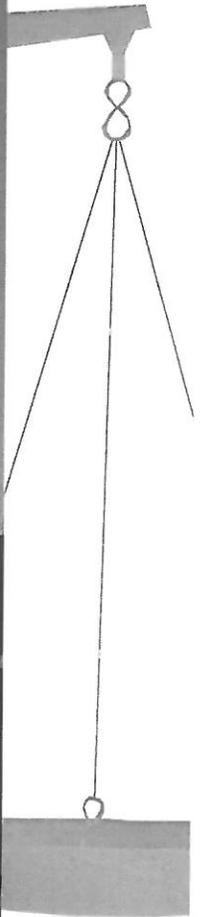
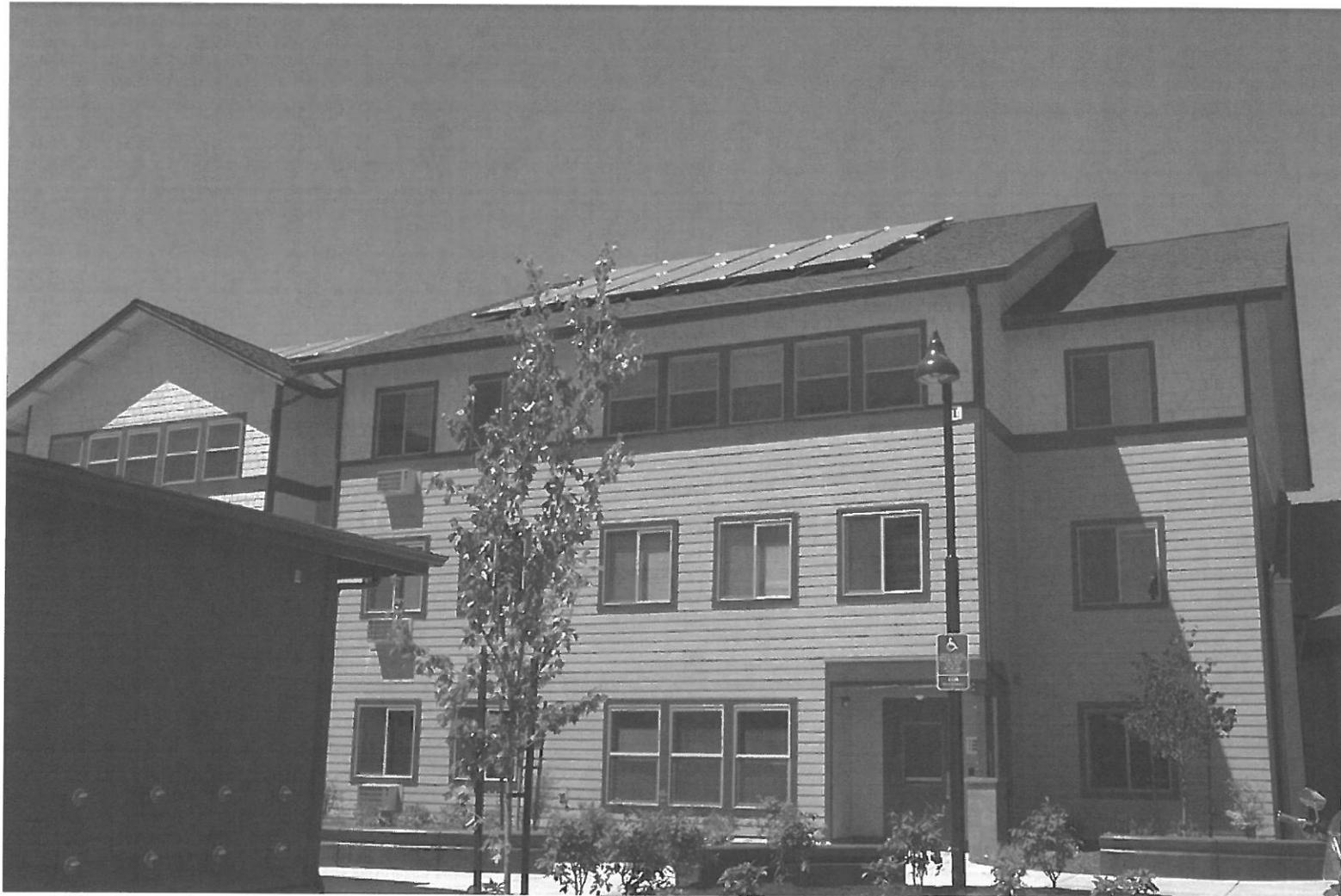
- The Lane County Reentry Resource Center is sited at Sponsors new \$6 million Reentry Complex in Eugene, OR.
- Roosevelt Crossing construction was completed in late July, 2010.
- As a result the RRC did not launch until September, 2010 (the grant funding began January, 2010)



# Roosevelt Crossing



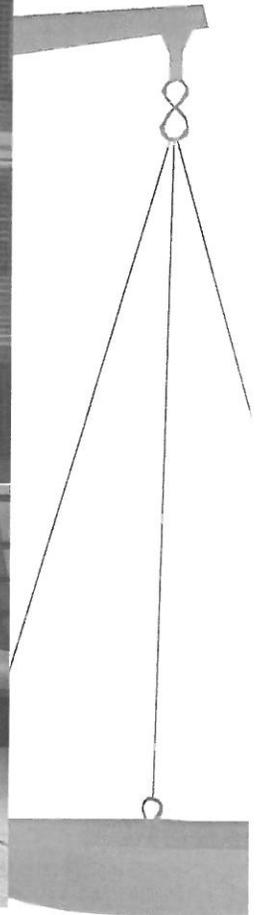
# Transition Building



# Honors Building



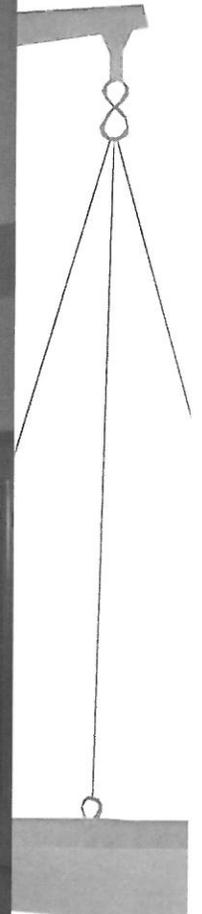
# Reentry Resource Center



# Administration Building



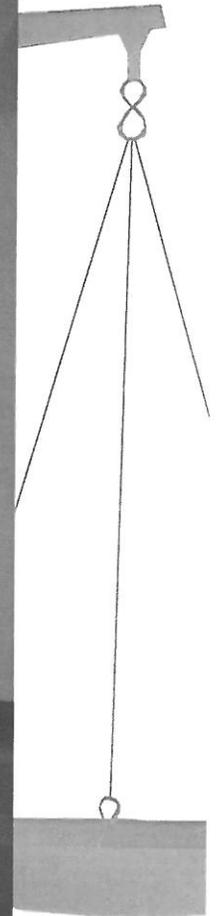
# Administrative Offices



# Fitness/Recreation Center

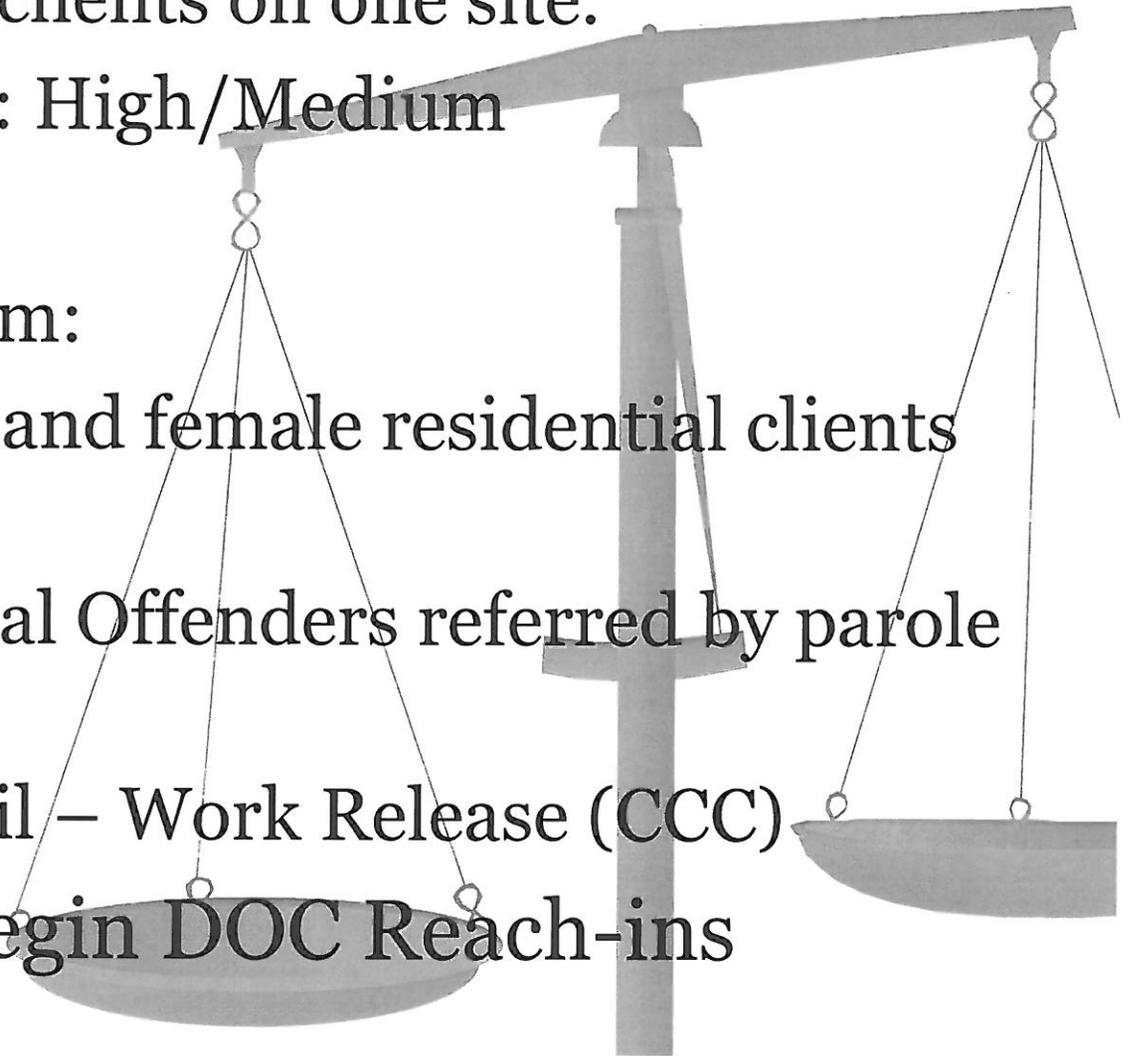


# Conference Rooms



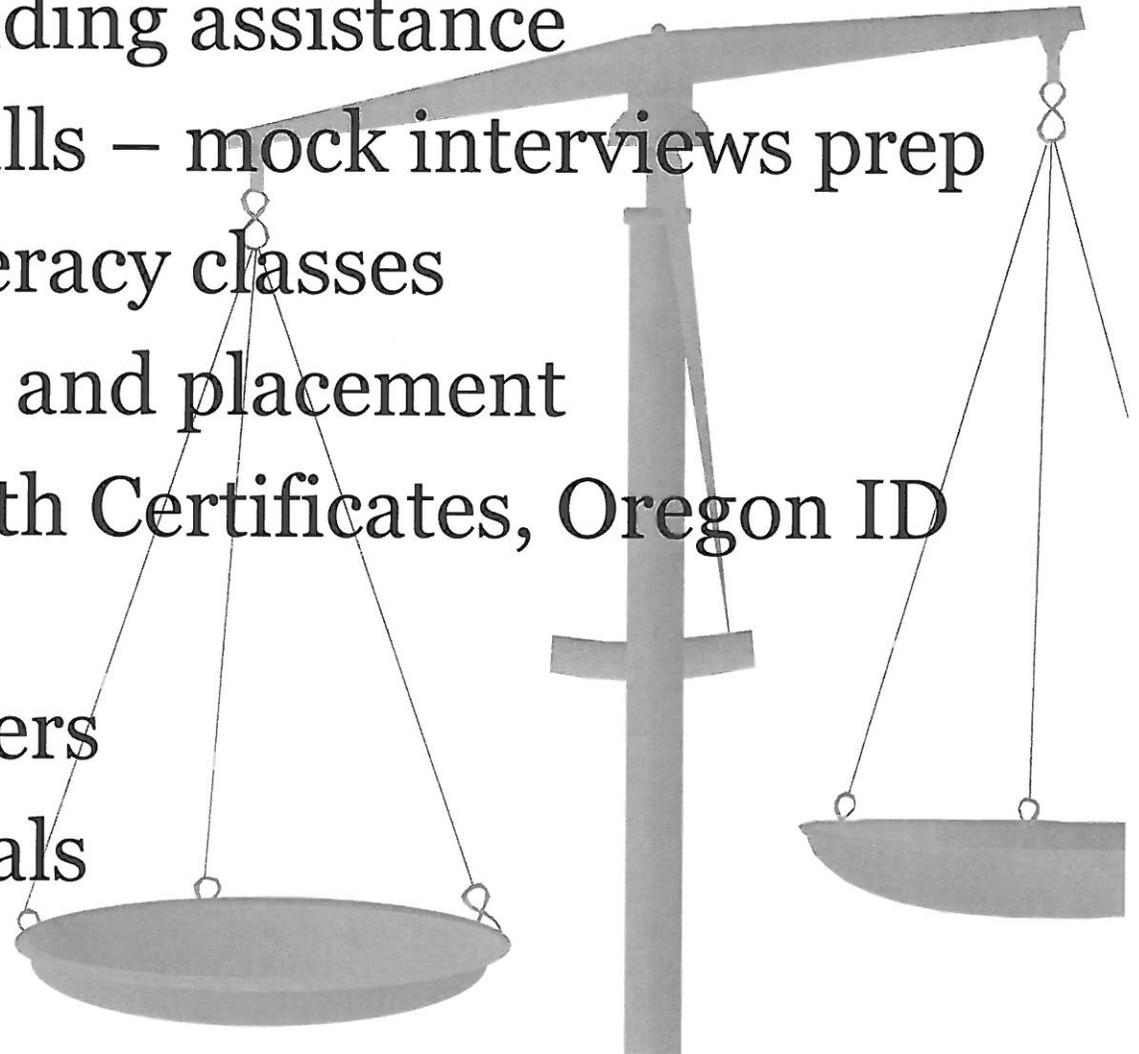
# RRC Clients and Referrals

- Original concept was to provide services to both State and Federal clients on one site.
- Target population: High/Medium Risk Offenders
- Serving clients from:
  - Sponsors male and female residential clients (90 at capacity)
  - State and Federal Offenders referred by parole and probation
  - Lane County Jail – Work Release (CCC)
- RRC staff will begin DOC Reach-ins



# Services Provided

- Employment Services
  - Resumes building assistance
  - Interview skills – mock interviews prep
  - Computer literacy classes
  - Job Referrals and placement
- Funding for Birth Certificates, Oregon ID and bus passes
- Clothing Vouchers
- Housing Referrals

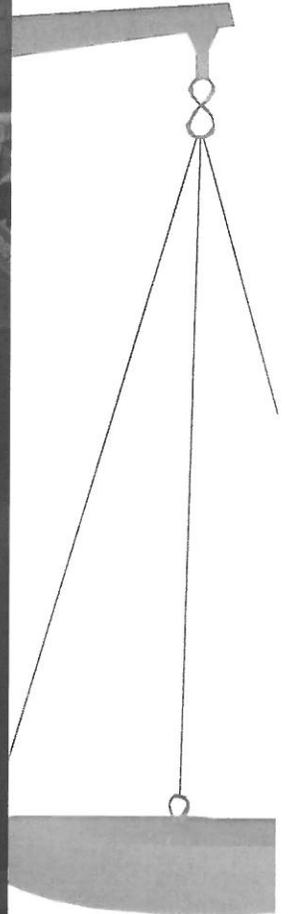
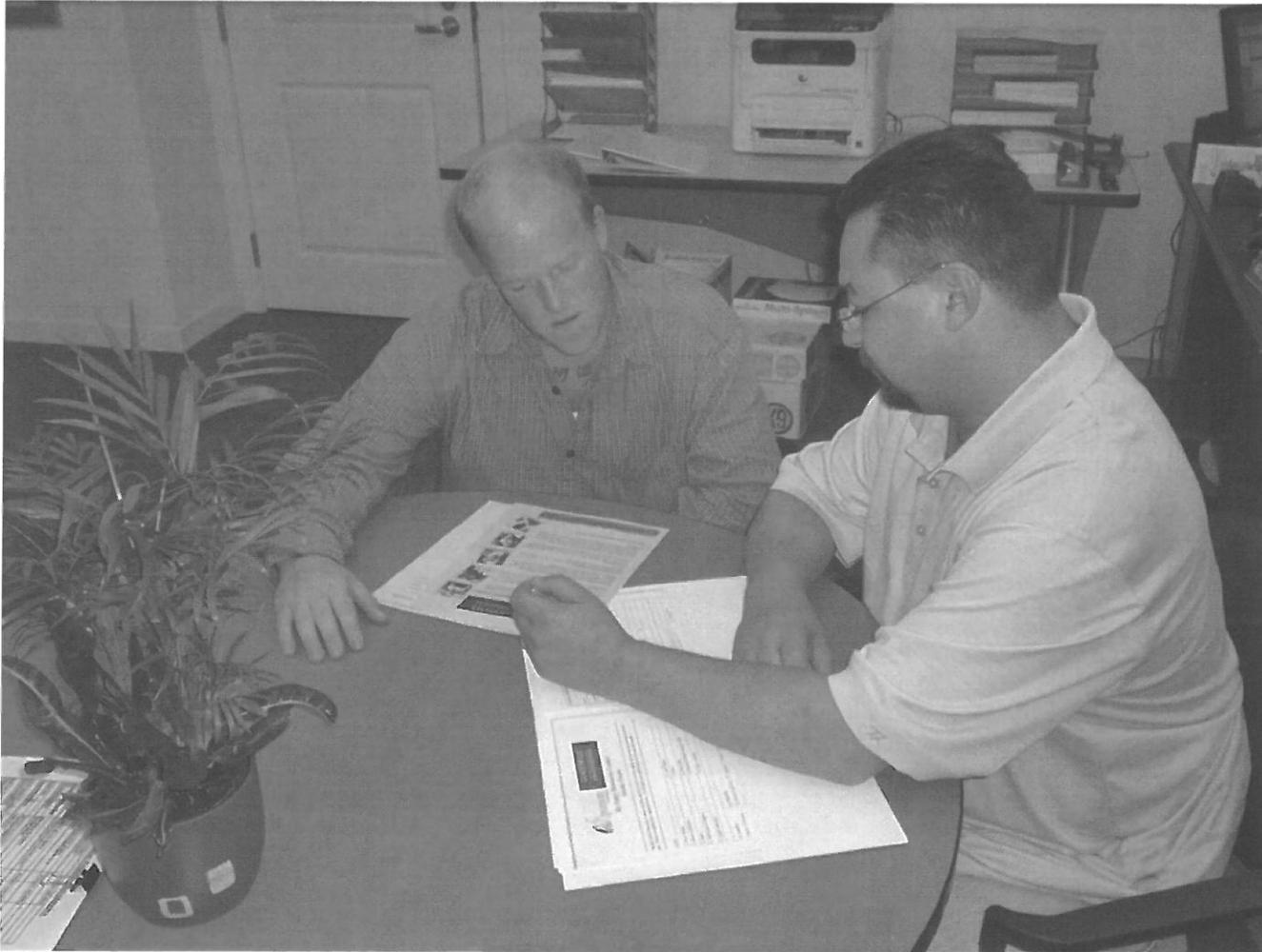


# Services Continued

- Weekly communication with Parole officers.
- EBP - Moral Reconciliation Therapy Classes.
- Drug testing services.

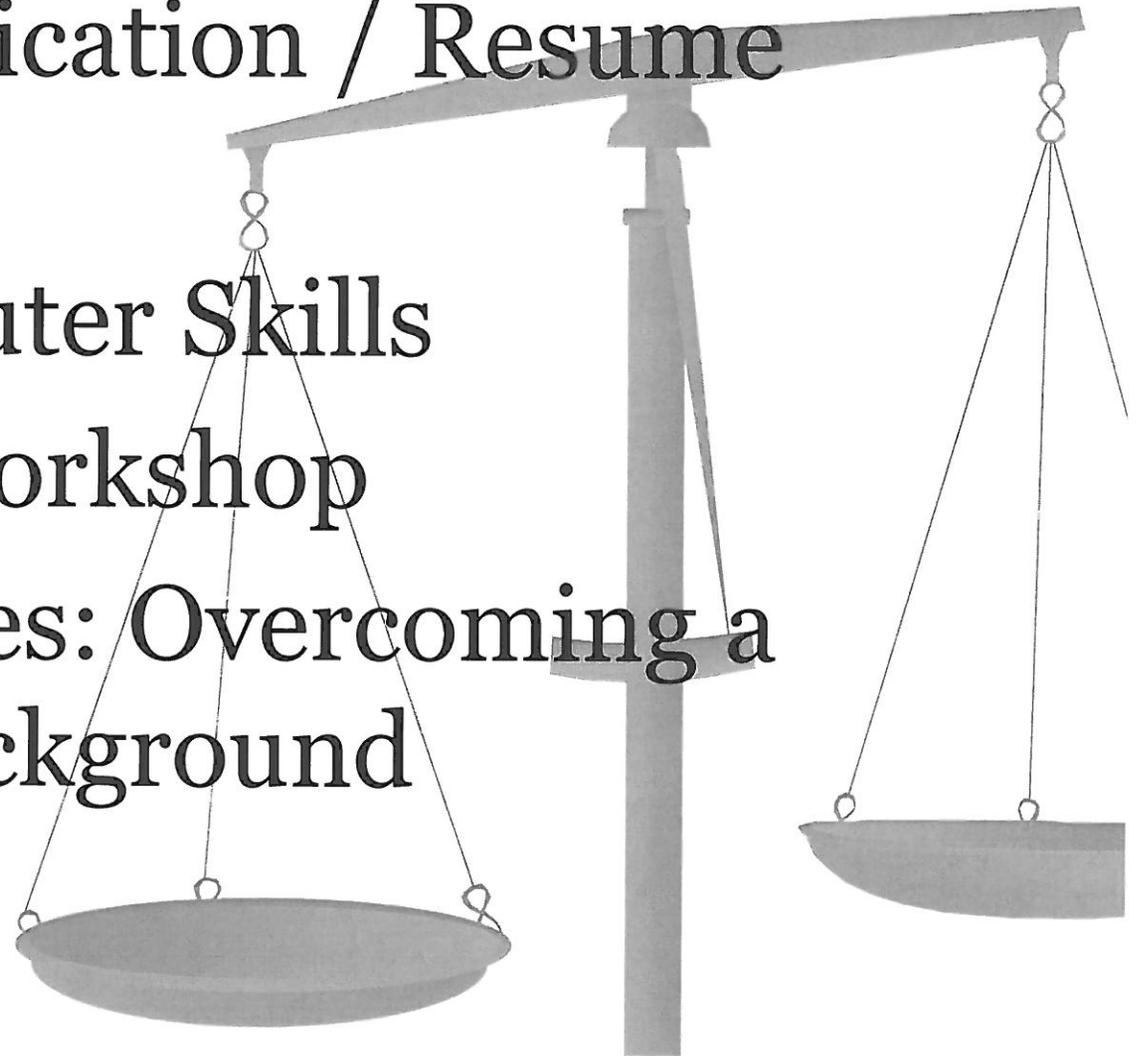


# One on One Client Assistance



# Weekly Workshops

- Master Application / Resume Building
- Basic Computer Skills
- Interview Workshop
- Job Strategies: Overcoming a Criminal Background



# Weekly Workshops



# Job Development

- Utilizing established employers that have hired Sponsors clients
- Cultivating new employers . . .
- We provide drug free clients who will show up on time, motivated to work.



# Clients Served

## Clients Served

- 9/13 – 9/30: 47
- October: 57
- November: 35
- Totals 141

## Clients Employed

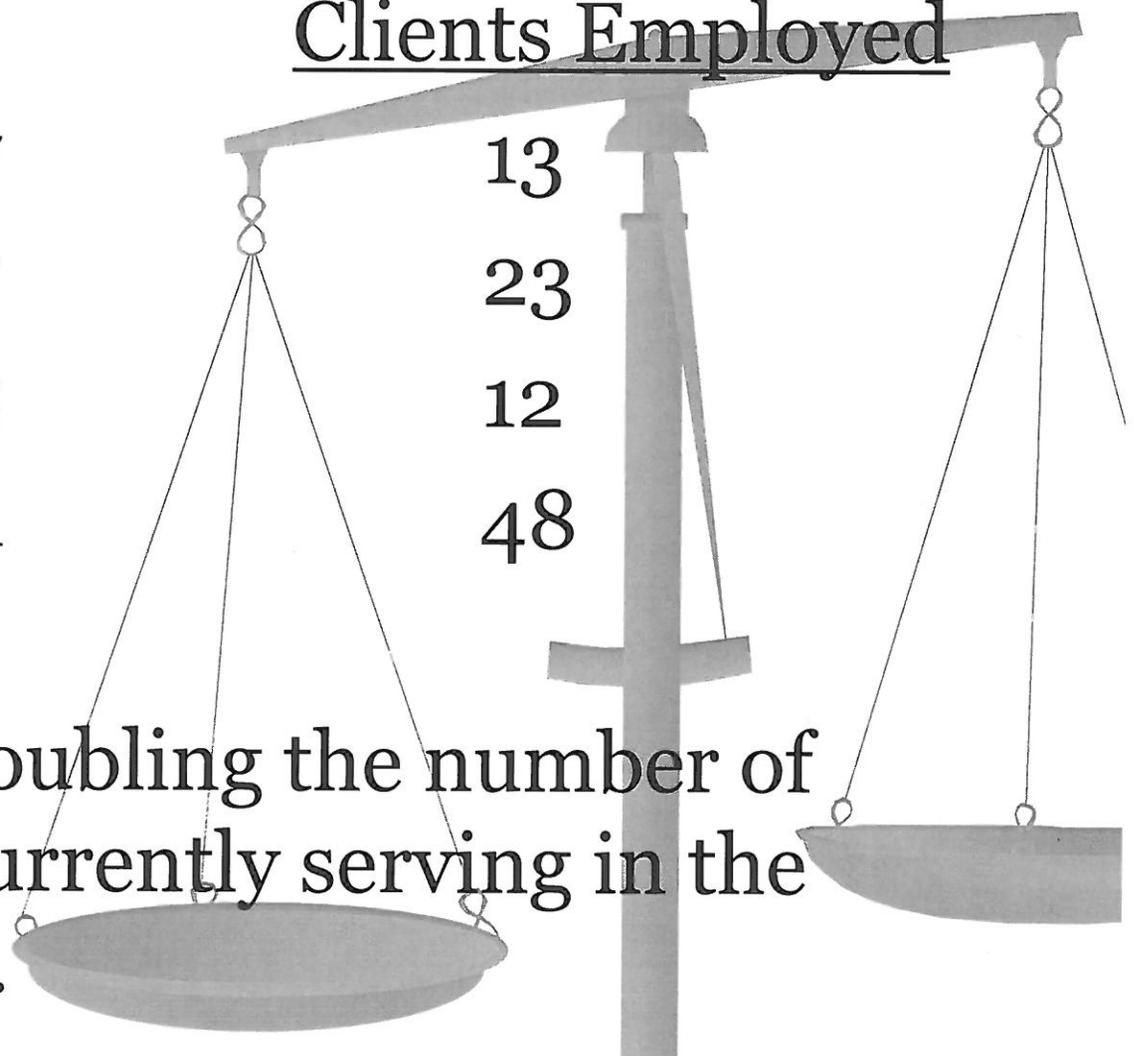
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48

\* We anticipate doubling the number of people we are currently serving in the coming months.

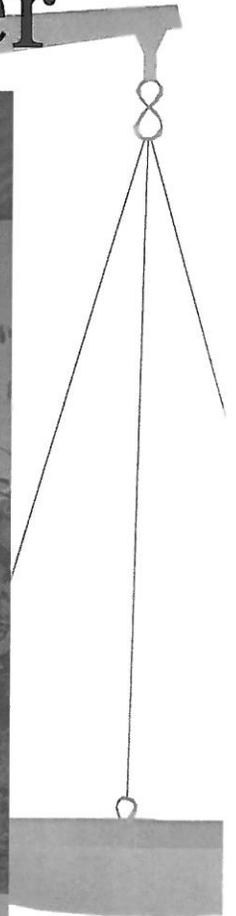


# Recently Employed Clients





# Making our Community Safer



# Klamath County Community Corrections Re-Entry Program



**Kiki Parker-Rose, Director**  
**Roland Gangstee, Assistant Director**

**3203 VANDENBERG ROAD**  
**KLAMATH FALLS, OREGON 97603**  
**(541) 880-5500**

# Community Corrections Mission Statement



To enhance public safety through proven strategies aimed at preventing future criminal behavior, emphasizing community and victim reparation through collaborative partnerships.



# COMMUNITY CORRECTIONS CENTER



# RE-ENTRY AND WORK RELEASE

## 36 BED MINIMUM SECURITY

- Dormitory style facility
- 24 Bed Work Release
- 12 ODOC Beds
  - Average 9-12 ODOC



# KLAMATH COUNTY RE-ENTRY PROGRAM

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## REACH-IN

- Corrections Counselor conducts reach-in services up to one year before release
- Identify offender risk and needs
- Schedule offender to transfer to Re-entry Program up to 180 days before release to post prison supervision (PPS).

# RE-ENTRY SERVICES

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- Assessment & Screening
- Substance abuse treatment
- Supervised job search
- Cognitive skills
- Transitional skills
- Educational
- Vocational
- Work Release
- Housing assistance



# **CASE MANAGEMENT SERVICES**

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- Assessment (Criminogenic risk and needs)
- Create an evolving Transition Plan for each resident based on initial assessment and individual progress in program
- Provide a supportive environment to address barriers identified through assessment and case planning activities
- Group and individual counseling focused on criminogenic risk /needs, utilizing Moral Reconciliation Therapy curriculum and transitional skills curriculum.

# **CASE MANAGEMENT SERVICES**

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- Identify and remove potential barriers for successful transition to the community
  - Family Counseling
  - Department of Motor Vehicles
  - Social Security
  - Community College
  - Relapse Prevention
  - Supervised job search
  - Department of Human Services
    - Self sufficiency
    - Child Welfare
    - Health care

# **CASE MANAGEMENT SERVICES**

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- **Structured pro-social community outreach**
  - Self help groups
  - NA and AA
  - Church
  - Supervised recreational activities
  - Family integration
  - Mentoring
  - Safe housing
  - Sponsors
  - Culture and Heritage

# RE-ENTRY PARTICIPATION

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- 24 Engaged in Faith Based/Culture and Heritage Programming
- 26 Engaged in alcohol/drug treatment
- 14 Participated in Batterer's Intervention Program
- 20 Enrolled in Mental Health Services
- 13 Engaged in Family Counseling
- 15 Moral Reconciliation Therapy (MRT) participants

# WORK CREWS



- Repay the community through supervised work crews
- Teach pro-social work habits
- Learn transferable job skills
- Develop an awareness of the community
- Provides a sense of accomplishment once work is completed

# RE-ENTRY OUTCOMES

## MARCH 2007 – SEPTEMBER 2010

- 73 participants
- 56 Successfully Completed
- 11 returned to ODOC
- 6 current residents

83.6% = (56 Successful clients ÷ (73 total participants – 6 active))  
Successfully completed Re-Entry Program

# RE-ENTRY SUCCESS

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- 85.7% of those who successfully completed the program have remained felony conviction free
- 42 were employed or attending college upon release(75%)
- 56 were released to safe housing (100 %)

# RECIDIVISM

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- Overall Recidivism rate for those offenders completing the program and receiving a new felony conviction is 14.3% (8 of 56)
- Between 0 and 6 months of release:
  - ✓ 0 offenders convicted of a new felony
- Between 6 and 12 months of release:
  - ✓ 2 offender convicted of new felony
- Between 12 and 24 months of release:
  - ✓ 6 offenders convicted of new felony

# Introduction to Sex Offender Supervision and Re-entry

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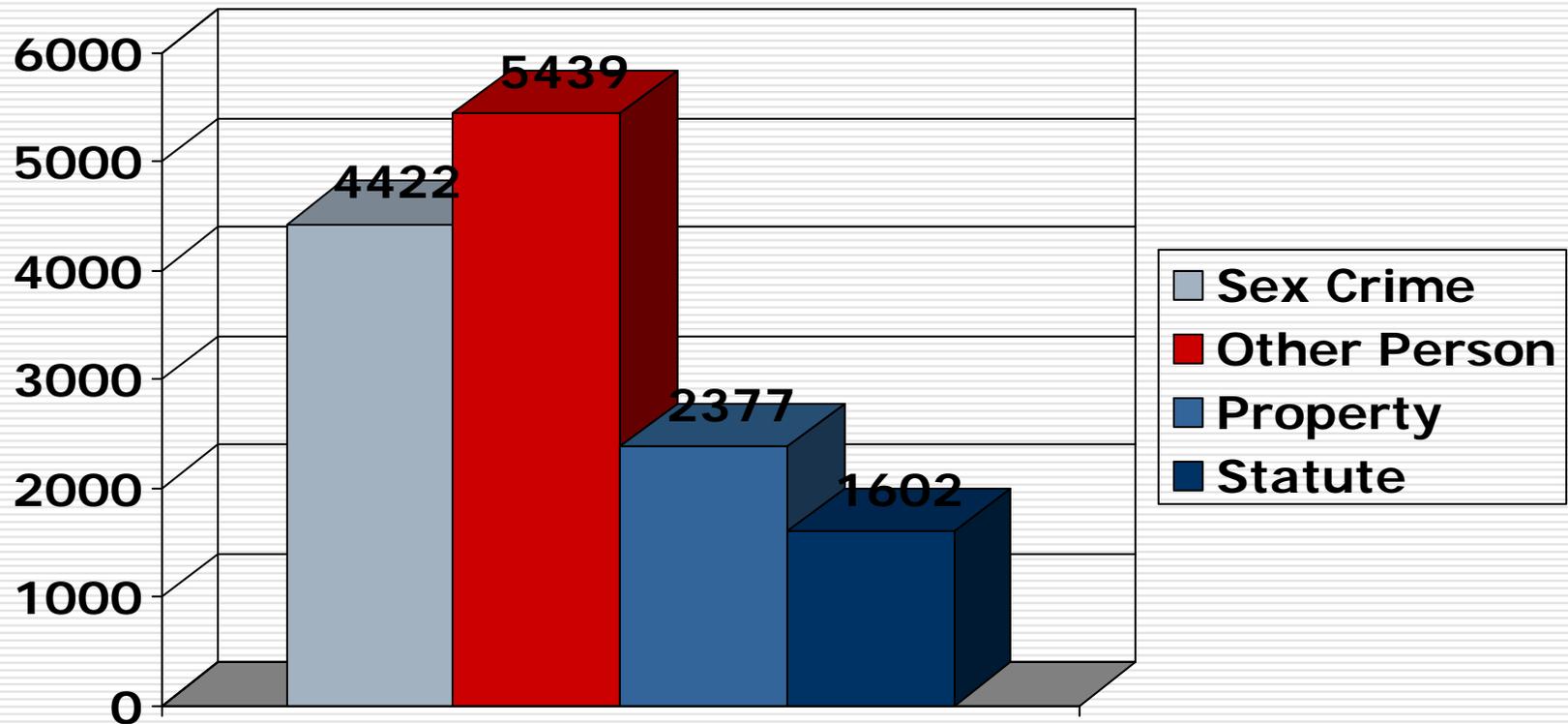
# Facts and Figures

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- Percent prison population
    - 4,459 inmates
    - 32% of total prison population
  - Percent community population
    - 4,422 offenders
    - 14% of total supervised population
  - Prison releases in the next 12 months
    - 790 people
    - 19% of releases
-

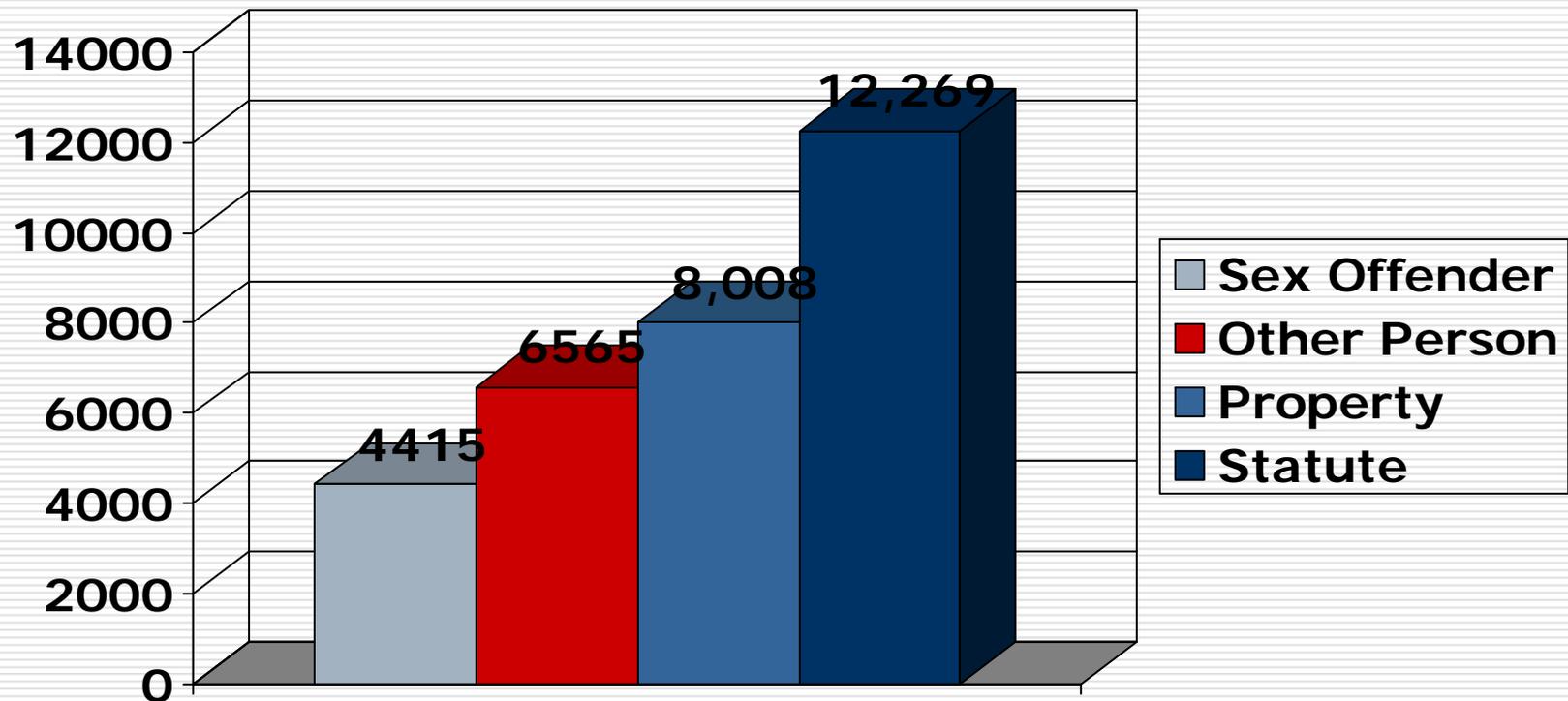
# Prison Population: Crime Types

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# Community Supervision: Crime Types

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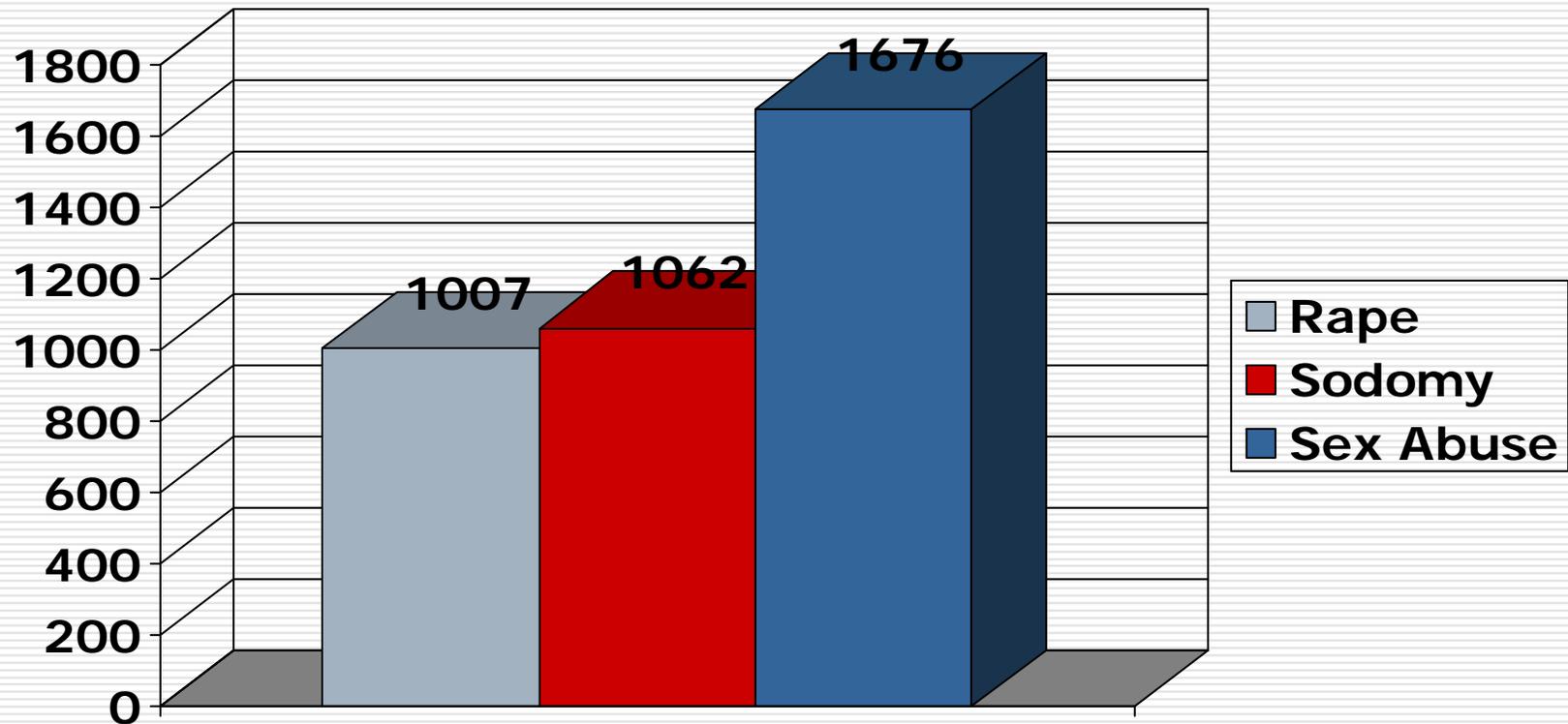
# Types of Sex Offenses

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- Sex abuse
  - Rape
  - Sodomy
  - Unlawful sexual penetration
  - Contributing to the sexual delinquency of a minor
  - Sexual misconduct
  - Furnishing sexually explicit material to a child
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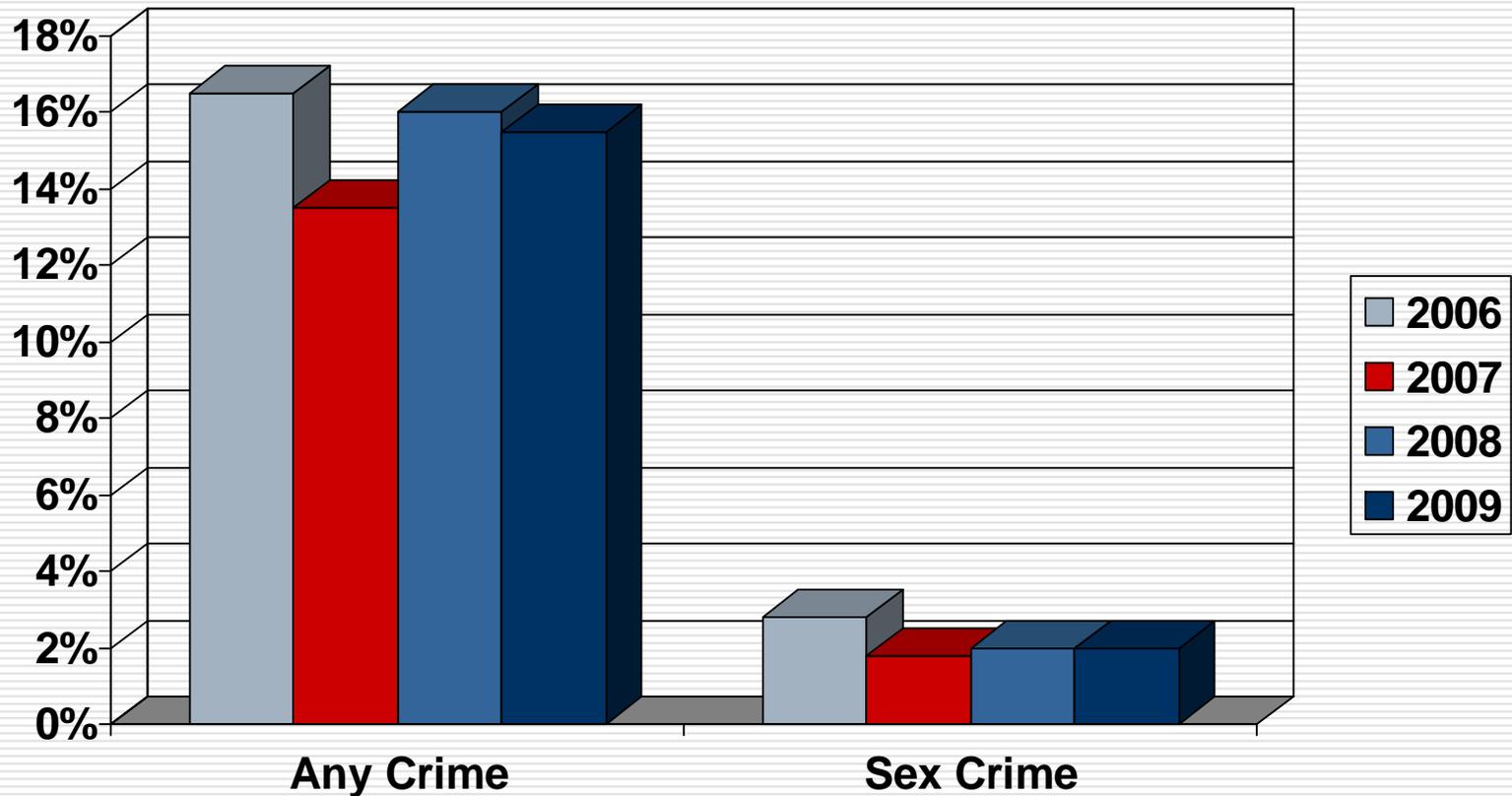
# Prevalence: Major Offense Types

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# Sex Offender Recidivism Rates

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Recidivism rate, all offenders on PPS: 27%

# Myths About Sex Offenders

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- ❑ "Most sexual assaults are committed by strangers"
  - ❑ "The majority of sex offenders are caught, convicted and in prison"
  - ❑ "Most sex offenders re-offend"
  - ❑ "Sexual offense rates are higher than ever and continue to climb"
  - ❑ "All sex offenders are male"
  - ❑ "Geographical restriction keep people safer"
-

# Myths About Sex Offenders

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- ❑ "Sex offenders commit sexual crimes because they are under the influence of alcohol"
  - ❑ "Children who are sexually assaulted will sexually assault others when they grow up"
  - ❑ "Treatment for sex offenders is ineffective"
  - ❑ "The cost of treating and managing sex offenders in the community is too high—they belong behind bars"
-

# Conditions of Supervision

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- Board of Parole/PPS Special Conditions
    - Report address to law enforcement
    - No use of intoxicating beverages
    - Search of computer and electronics
    - Permission to form intimate relationship
    - Curfew
    - No contact with children or being where children congregate
    - Sex offender treatment
    - Polygraph and plethysmograph testing
    - No contact with victim
    - No sexually stimulating visual or auditory materials
    - Maintenance of a driving log
    - No use of a post-office box
    - May not reside with other sex offenders
    - Geographic restrictions
    - Electronic monitoring
-

# Sex Offender Registration

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- ❑ Lifetime requirement (may petition court for relief after 10 years)
  - ❑ Public access to registered offender information
  - ❑ Approximate 14,000 offenders in sex offender registry
-

# Sex Offender Supervision

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- ❑ Specialized caseloads
  - ❑ Multi-disciplinary teams: PO, treatment provider, polygrapher
  - ❑ Specialized risk assessment for sexual crimes: static and dynamic risk factors
  - ❑ Case plans individually tailored to the risk and criminal risk factors of the individual
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# Sex Offender Supervision

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- Full disclosure polygraph for sexual history which then drives supervision conditions
  - Compliance polygraph every 6 months
  - Complete an approved sex offender treatment program
-

# Predatory Designation

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- Tendency to victimize or injure others
  - Convicted of rape, sodomy, unlawful sexual penetration, or sex abuse
  - 6 or more points on a specialized risk assessment tool: STATIC 99R
  - Evidentiary hearing unless waived
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# The Containment Model

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- Comprehensive public protection strategy
    - Supervision
    - Treatment
    - Polygraphy
    - Victim Advocacy
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# Re-entry Challenges

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- ❑ Age: young sex offenders on adult supervision, older or physically handicapped offenders who need residential placement
  - ❑ Victim concerns and supervision restrictions vs. need for community support
  - ❑ Isolation in prison and long prison stays
  - ❑ Sex offenders consume disproportionate share of limited community emergency beds
-

# Barriers to Re-entry

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- ❑ Employment
  - ❑ Lack of identification
  - ❑ Financial: fines, costs of treatment and polygraph, child support
  - ❑ "One size fits all" approaches to sex offenders (that is, treating all sex offenders the same)
-

# Barriers to Re-entry: Restrictions

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- Housing restrictions
  - Social support: restrictions on new relationships and community support such as library or church
  - Restrictions on internet use
  - Predatory designation is lifetime
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# Recommendations from SOSN

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- Continue to provide pre-release information to sex offenders
  - County reach-in prior to release to explain requirements, answer questions
  - Coordination needed between OYA and DOC
-