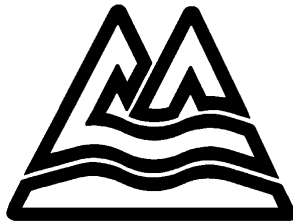


Evaluation Bulletin 5: Multnomah County Local Control Monitoring

Reducing Crime Benchmark Analysis
Multnomah County, Oregon



Department of Support Services

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Reconciling Counts of Local Control Inmates
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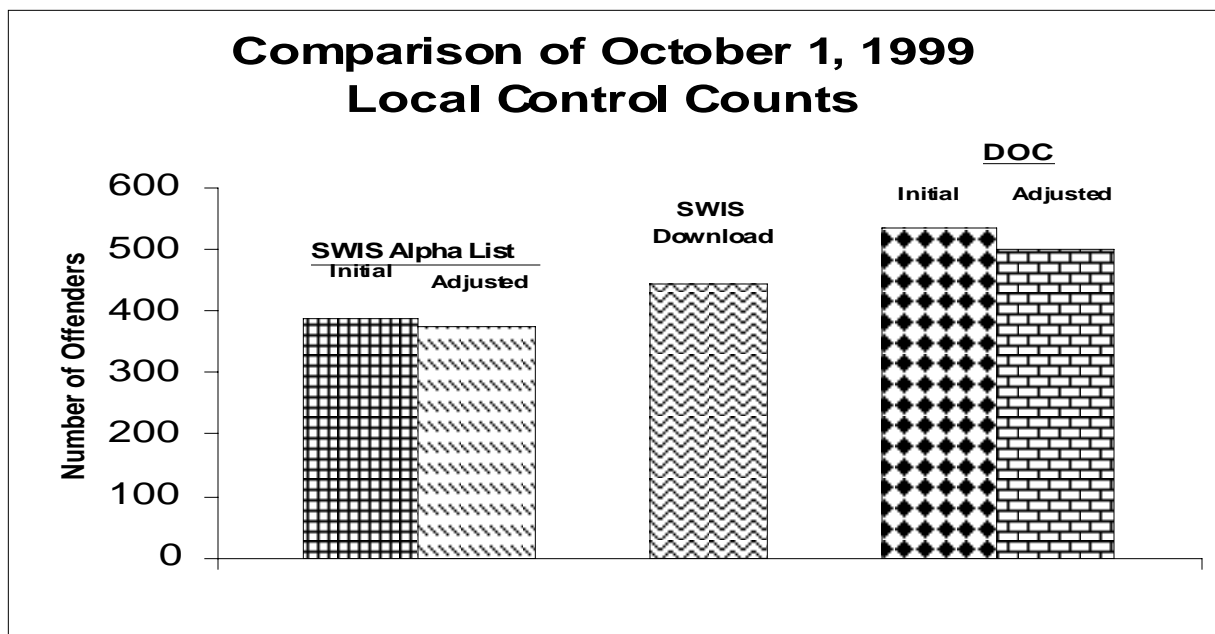
Executive Summary

1. Two years into the local control program no data system accurately counts the number of local control offenders and amount of workload which has been shifted to the counties, although the State Department of Corrections (DOC) Information System (CIS) comes the closest. The Multnomah County Sheriff's Warrant and Information System (SWIS) consistently under-counts the number of local control offenders present on any one day.
2. To verify the accuracy of CIS the DOC produces a list of potential local control offenders present on the first day of every other month. This list must be hand verified by the counties. The verification process is administratively burdensome and suffers from inaccuracies but it probably the closest that anyone has to an accurate total count.
3. The CIS "daily snapshot" verification does not necessarily change the accuracy of CIS. If counties add a local control offender to the daily snapshot, but do not also add that offender to CIS, they don't affect budget projections. The DOC uses CIS to count the number of local control offenders; budget projections are from the CIS database. Adding local control offenders to the CIS database is a county responsibility.
4. The most critical count that affects each county's local control funding allocation is not the total number of local control offenders. The total number of local control offenders in each county is summed and then projected for a statewide estimate. The funding for the statewide estimate is then split between the counties using a formula. The only part of a county's allocation that relies directly on the county's number of local control offenders, is driven by the number of new "news", which are a small portion of total local control offenders. New "news" are offenders who have committed a local control offense *and are not currently on probation or parole/post prison supervision*. SWIS does not accurately identify new "news". The count of new "news" comes from CIS. Therefore, it is imperative if Multnomah County is to receive its fair share of funds under the current funding formula, that the number of new "news" be entered completely into CIS by the Department of Community Justice.

How Many Local Control Inmates Are There?

In January 1997 control of felons with sentences of one year or less was shifted from the State Department of Corrections (DOC) to counties. Because of the fiscal implications the Multnomah County Budget and Quality Division has been attempting to accurately determine the workload and financial implications for both the Multnomah County Sheriff's Office (MCSO) and Department of Community Justice (DCJ). After two years of trying, we have determined that no one, neither the DOC, MCSO, DCJ, nor the Budget Division accurately and completely counts the number of offenders who have been sentenced to local control. The multiple data systems are inadequate to the task. The one-day snapshot hand-count methodology that has been developed by the DOC as a fallback method gets closer to the actual count but is an administrative nightmare.

This conclusion was reached after spending two months attempting to reconcile the various counts produced for the October 1, 1999 daily snapshot. Based on the SWIS data system (Sheriff's Warrant and Inmate System) the Sheriff's Office estimated 375 local control offenders; this is a hand adjustment from the 390 offenders names which appeared on the daily "alpha list" produced by the Multnomah County Information Services Division (ISD). ISD also provides the Budget Division with data downloads from SWIS; the download produced an October 1 count of 441. The DOC started their snapshot with a list of 534 potential local control offenders from their data system; the verification process with the Department of Community Justice finally arrived at an adjusted October 1 count of 499. These varying counts are compared in the following graph.



The Budget Division compared the various counts produced for the October 1, 1998 snapshot and identified substantial errors with each of the above counts. The reconciliation process took nearly two months. We came to the conclusion that no one is correct, though the adjusted DOC daily snapshot seems to be the closest.

There is no single reason why the process of recording local control offenders on a database breaks down. The process involves multiple agencies, individuals, and databases, none of which has a complete picture. As near as we have been able to determine, the process is as follows.

When the MCSO Records Unit receives a form from the court or a hearing officer that notifies them of a sentence or sanction, they must determine if that sentence or sanction meets local control guidelines. There is nowhere on these forms that identifies local control cases. There are relatively simple definitions of the types of charges that qualify as local control but these are difficult to apply in practice. Even Budget Division staff who have worked on this for two years remain confused, thus it should be no surprise that relatively low paid record clerks with a high turnover rate have difficulty making the determination and that coding errors occur.

Identifying which sanctions qualify as local control episodes, and differentiating sanctions from "interventions" seem to be the biggest problem areas. Offenders in the community on probation, parole, or post prison supervision may be sanctioned for violations of their conditions of supervision. Level III sanctions is the term used to identify sanctions which count as local control. Level III sanctions are those offenders that it is felt would have been previously revoked pre-SB11435. Sanctions of over 30 days count as Level III; sanctions 30 days or less do not.

Sanctions may be imposed as jail units or non-jail custody units, or a combination of the two. An example of non-jail custody units would be the Forest Camp. "Interventions"--such as increased supervision, modifying conditions of supervision, reprimands, and some treatment programs--per Criminal Justice Commission administrative rules--do not expend custody units, hence do not count as Level III sanctions.

Sanctions may be imposed by the court and recorded in the court database (OJIN) or administratively imposed by a local hearing officer and captured by stand-alone personal computer databases designed by the Department of Community Justice. If the sanction involves jail time it is recorded in the Sheriff's database (SWIS) though apparently not all are being coded as local

control (see the Appendix). If the sanction consists only of non-jail units it should be recorded in OJIN, if administratively imposed in stand-alone DCJ personal computer databases but most likely will not be entered in SWIS. If the sanction is “blended” (has both jail and non-jail segments) it will may be entered in multiple databases. All local control sanctions should be entered into CIS, but because this occurs in so many different locations through so many different individuals it is believed that most but not all local control sanctions are so entered.

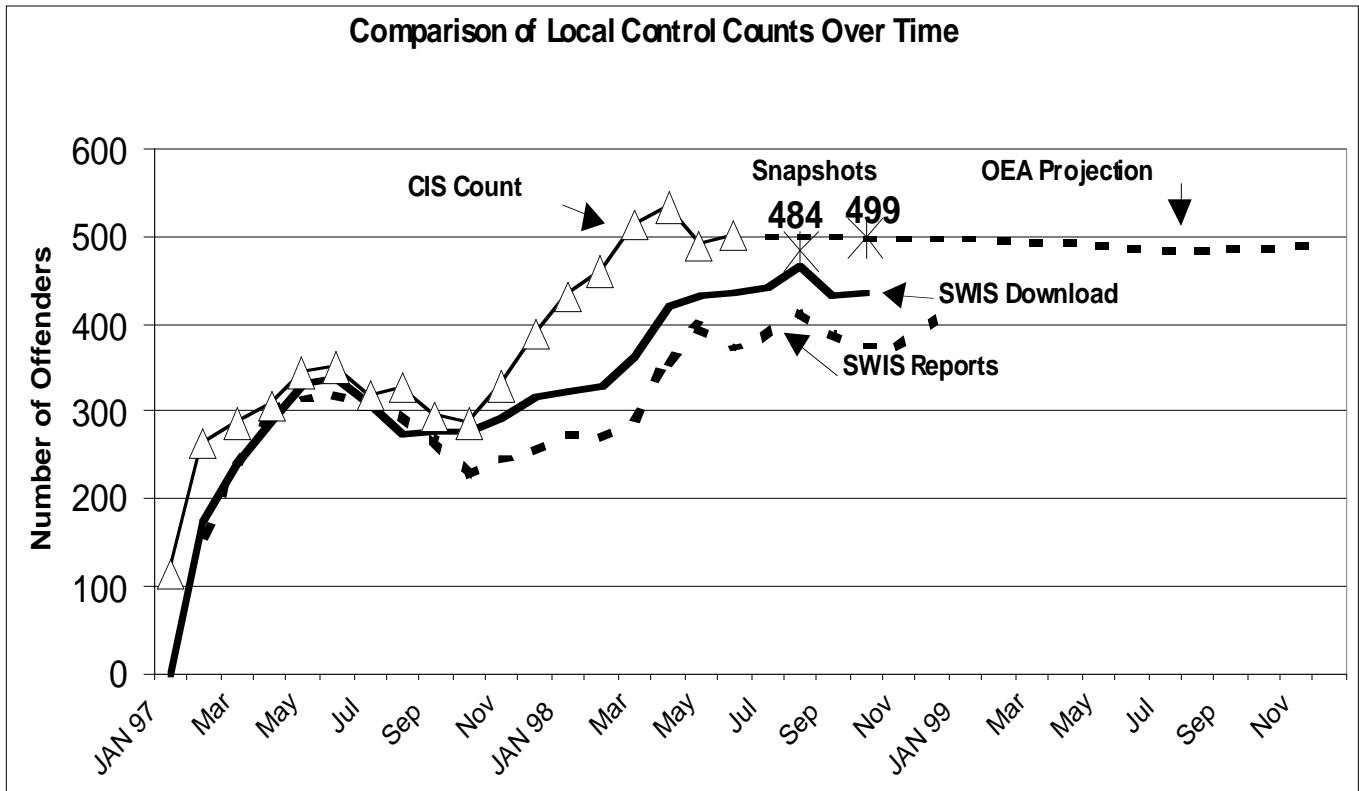
To compound this problem, no one’s database--neither that of the Sheriff, the Department of Corrections; the courts, nor the multiple stand-alone personal computer databases developed by the Department of Community Justice--was designed to track local control offenders. All have been adapted in some way, or have yet failed to adapt, to capture the portion of an offender’s cycle through the criminal justice system that qualifies as “local control.” Based on our examination of this “system” we do not believe that any one database has successfully identified the true number of local control offenders. Therefore, the full workload impact on Multnomah County of local control legislation is difficult to estimate.

This is not a failure of individuals. Everyone seems to be doing the best they can to cope with the effects of this legislation. The fault lies not with individuals but in the complexities and inadequacies of the systems they must use. Local control legislation got ahead of our administrative ability to cope with it in any efficient and organized manner. It is a major change in how offenders are handled, which requires coordination among multiple agencies. But the databases of these agencies do not permit easy coordination. And two years into the program our databases are not much closer to communicating and tracking the local control population than they were when the program began

For those readers who wish further detail about these conclusions we offer the Appendix. It contains the specific deficiencies we have identified in each of the counts shown above. Additional detailed backup documentation is available for inspection in the Multnomah County Budget Division. We believe the limitations we describe in the Appendix to be essentially accurate but after two years of effort accept that honest individuals looking at the same offender through different documents and databases at different times can make different judgements as to whether or not the offender is in fact local control on a particular day.

What Are the Consequences of Differing Counts for Multnomah County?

The Oregon Department of Administrative Services Office of Economic Analysis (OEA) prepares the DOC's prison population estimates, which include the local control population. The OEA prepares these estimates based upon CIS data, not from the daily snapshots. The following graph compares the CIS data, the OEA projection, and the counts of the local control population that can be derived from SWIS.



It is clear that SWIS consistently identifies less local control offenders than does CIS. The reasons are detailed in the Appendix. The June 1 and October 1 snapshots fall very close to the OEA projection so there is no reason at this time to believe that the current projection is not reasonably accurate.

The consequence for Multnomah County is not that the projection undercounts the total number of offenders. The DOC uses that total, added with all other counties, to project a statewide total. Funding for that total is then calculated using a funding formula. The total funds are then split between counties, not based on the number of local control offenders (except for the new "new" subset) but on the number of offenders that the county has on probation and/or parole/post-prison supervision.

New “news” are offenders not currently on probation or parole/post-prison supervision who commit a new offense and receive a local control sentence. SWIS does not accurately identify new “news.” SWIS uses an N45 designation for new local control offenses but N45 can also be used for offenses committed by offenders currently on supervision. Therefore, it does not meet the guidelines of the DOC funding formula.

So, the consequence of differing counts for Multnomah County turns out to be fairly minimal. The fact that SWIS provides lower counts than CIS adds to miscommunication and confusion. However, the funding comes from CIS, not from SWIS. For two years the Multnomah County Budget and Quality Division has been trying to verify the accuracy of DOC data by using downloads from SWIS. It is now clear that this is not possible. Therefore, the Department of Community Justice is the sole Multnomah County agency in a position to monitor and verify DOC data accuracy along with the associated budget impacts.

If the DOC daily snapshot shows additional local control inmates who are not on CIS, it is imperative that those inmates be added to CIS. This is the responsibility of the Multnomah County Department of Community Justice.

Appendix

Deficiencies in Databases Which Count Local Control Offenders

The reconciliation process, which produced the conclusions listed below, is so complex and laborious that it defies easy description. The documentation that supports these conclusions fills a volume. We have manually looked up and examined in the Sheriff's Warrant and Information System the records of each offender who was discrepant on the various October 1 data counts. These are on file for anyone who wishes to examine them.

Alpha List Deficiencies

The Multnomah County Information Services Division (ISD) daily runs a paper report which lists all individuals the Sheriff's Records Unit has identified as local control. This is known as the "alpha list." Each day the Sheriff's Offender Management Unit (OMU) reviews these cases and assesses them for appropriate action. They also identify offenders erroneously coded as local control and forward that information to the Records Unit. On October 1 the OMU deleted 15 of the 390 offenders on the list as being not in fact local control. Subsequent work by the Budget Division identified an additional 10 of the remaining 375 whom in retrospect we cannot confirm as local control on October 1. This is a 6% miscode rate.

We also found 68 names that appeared on a download of local control data from SWIS that for various reasons did not appear on the October 1 alpha list. Eleven of these are offenders who became local control on October 1 or whose episodes ended on October 1. Offenders added by the Records Unit on October 1 appear on the next day's alpha list. Those exiting on October 1 the OMU removed from the daily snapshot. For workload calculation purposes the Budget Division counted all these 11 offenders as active on October 1. Nine more offenders did not appear on the alpha list, but appeared on the download for miscellaneous reasons. This leaves a remaining group of 48 offenders who did not appear on the alpha list.

These 48 offenders show that the alpha list suffers from a greater limitation that makes it unable to estimate the workload impact on the jails, even if coding errors and omissions could be corrected, and differences in when to begin and stop counting a local control episode could be resolved. When the Records Unit determines that an inmate is local control they enter one of the five local control sentence types into the computer. That record then goes into the holding file from which the alpha list is generated. The local control episode on the alpha list begins on the day the inmate is entered by the

Record Unit. However, with sanctions the local control episode should be started the day the offender is booked into jail to calculate the full impact on jail days of the sanction. It often takes a week or more for the actual hearing to be conducted with a formal sanction imposed. Time between booking and the formal date of sanction imposition is additional workload on the jail, which is not captured by the alpha list. On October 1 this resulted in an undercount of 48 offenders, who were in jail on a sanction awaiting a formal hearing.

In addition the alpha list apparently has been entirely missing another group of local control offenders. The biggest confusion surrounds which sanctions qualify as local control. Probation sanctions appear to have been undercounted throughout the first two years of the local control program; some have been apparently miscoded as “conditions of probation” rather than probation sanctions. The fact that only 11 probation sanctions were identified in SWIS between January 1997 and October 1998 supports that these are being undercounted. In addition sanctions of over 30 days which are split between jail and the community (a.k.a. non-jail custody units) have not been counted in SWIS as local control.

Finally, sanctions, which the court imposes to be served entirely in the community, are never recorded in SWIS because the sanction does not involve jail time. Because of these limitations there is an unknown number of offenders who have not been entered as local control in SWIS; neither the alpha list nor the SWIS download have included these offenders, resulting in a consistent undercount from both these sources.

The alpha list does serve a useful purpose. It is the only way the Offender Management Unit is alerted to a local control offender who is in custody of the Sheriff’s Office and who needs to be reviewed. However, it was not designed to accurately track the number of days that local control inmates spend in local control status. Therefore, it is not a suitable source to identify how many local offenders there are on any one day. It cannot accurately estimate the workload impact of local control legislation upon the Multnomah County jail. It far undercounts that impact.

SWIS Download Deficiencies

In an attempt to get a more accurate count of local control offenders the Budget Division has worked with ISD to get a download of data directly from the SWIS system. After comparing this list with the alpha list to determine the source of discrepancies, we identified several problems with the download and/or our processing of it.

1. The 441 download names included 9 whom manual inspection determined should not have been counted as local control;
2. The download was missing 10 names that appeared on the alpha list which manual inspection showed to be valid local control cases.

We then took a corrected alpha list combined with the corrected download list (for a total of 445 offenders) and compared it to the DOC October 1 snapshot (499 offenders). We found 73 names on the DOC snapshot, which were not on either the alpha list or the download. This was not entirely unexpected. We knew that administratively imposed (as opposed to court imposed) sanctions would not show on SWIS unless they resulted in over 30 days of jail time. Some administrative sanctions are “blended”, that is involve both jail and non-jail custody units; the total sanction exceeds the 30 days required to be local control, but the jail portion is less than 30 days so SWIS doesn’t count them. In addition the drug court (JC2) imposes some non-jail unit sanctions exceeding 30 days which are not captured by SWIS. Finally, there are court ordered sanctions for probation or parole violation that would not appear in SWIS if they imposed community sanctions and did not include more than 30 days in jail.

We checked the administrative database maintained by the Department of Community Justice on personal computers for both administrative sanctions and JC2. Neither database was designed in such a way to capture the number and duration of local control episodes. Repeated attempts to access OJIN, the court database, to capture court sanctions were likewise unsuccessful. Even if all three databases were altered and could list the local control sanctions, the process of adding them together, adding them to the SWIS download, and eliminating duplicates is too much.

Our conclusion is that SWIS, either through the alpha list, the download process, or both combined cannot produce a file that accurately determines the number of local control offenders. We can get a file that reasonably estimates the impact of local control on the jails, as all those offenders are (or could be) captured in SWIS. As the jail population includes all the local control offenders who are newly charged, or probation/parole violations, we can get a reasonably accurate count of these as well. It is part of the sanctions population that appears to be missing from our file.

DOC Snapshot Deficiencies

The Department of Corrections also has had difficulties adapting its database to capture local control offenders. Prior to local control the counties would usually keep an offender in jail until they received a sentence for a felony. At that time they would be sent to state prison and be entered into the DOC database, if the county had not already entered them. At the end of their prison sentence they would be released to parole/post prison supervision which is also tracked in DOC's database. The parole/post prison supervision episode would be added to a case that DOC already had entered in its database as being in prison. With the change to local control, felony offenders with sentences of one year or less remain in local jails. The Sheriff's database, where this event is recorded, does not successfully communicate with the DOC database. As a result the DOC was unaware of these offenders until they were released from jail and entered into parole or post prison supervision. However by this time the local control segment of their cycle was ended; the local control segment of the offenders cycle through the criminal justice system was missing. DOC has since devised procedures for community corrections staff to enter these local control segments into their system.

But the practice of counting sanctions (imposed in lieu of revocation of probation/parole or post prison supervision) as local control confounded both Multnomah County's and the DOC's efforts to keep track of this group. The concept of sanction in lieu of revocation is good and supported by the literature. Instead of revoking probation/parole or post supervision for extended periods and returning offenders to prison, swift sure and relatively short sanctions can be more effective means of control than extended prison or jail episodes that take longer to impose.

For local control workload purposes, it has been agreed that sanctions exceeding 30 days can be counted as local control episodes (Level III sanctions); sanctions of 30 days or less cannot. Following "best practices" the Department of Community Justice has markedly reduced its use of revocations by judicious use of sanctions, most of which are 30 days or less. The logic is that shortening jail sanctions would have the same or better impact on offender behavior as longer more costly jail terms. In fact, DCJ may use two or three jail sanctions over a period of time on one offender and never reach the 31-day threshold. However, Multnomah County now has more felons to supervise (local control offenders with sentences of 1 year or less who would have been in prison), manages them by best practices (short, swift sanctions) and are penalized because use of sanctions less than 30 days cannot be counted as local control.

In addition, the DOC has been as unable as Multnomah County to count how many sanctions exceeding 30 days are actually administered and imposed.

The DOC data system records **imposed** sanctions. A fair number of imposed sanctions are not actually carried out for various reasons such as the offender absconding. DOC has developed a **movement module**, which can track if sanctions are actually carried out. But for a variety of reasons not all imposed sanctions have associated movements. So the DOC produces a list of all imposed sanctions which lack movements, the counties have to manually verify whether the sanction was actually carried out and hand correct the list. The next snapshot, two months later, the same offenders may still appear on the list as having an imposed sanction, which has not been closed out and the counties must again check that offender off the list.

After the hand correction process, the Department of Community Justice believes that adjusted list to be reasonably accurate. However, in comparing the DOC list to the combined alpha and download list from SWIS we found multiple substantial inaccuracies in the DOC list as well.

1. It had 13 duplicate names;
2. It included 16 offenders in the Multnomah County jail for whom SWIS shows no local control charge;
3. It does not include 29 offenders that the alpha list and download agree were local control offenders on October 1.

The net effect of these errors for the October 1 snapshot was zero; the list apparently over-counted 29 offenders (13+16) and undercounted 29 offenders. The net effect of these errors on future snapshots is, of course, unknown.

In sum, CIS suffers from some of the same problems that we experience locally; it probably does not capture all the sanctions that are served partly or completely in the community. The size of this population is unknown. The daily snapshot, after hand correction, is probably as close as anyone gets, but:

1. it is an enormous administrative burden which must be repeated bimonthly
2. it probably undercounts some sanctions
3. any additional local control offenders identified during the daily snapshot process must then be entered into CIS to impact the local control budgeting process.