



PUBLIC SAFETY

MULTNOMAH COUNTY COORDINATING COUNCIL

Racial Over-representation in the Criminal Justice System (ROCS)

Task Force Meeting Notes April 26, 2001

NOTICE: THE PUBLIC IS INVITED TO ATTEND ALL ROCS TASK FORCE MEETINGS

Next Meeting: Thursday, May 24, 7-9 p.m., Bethel AME Church at 5828 NE 8th

Task Force Members Attending (11): Woodrow Broadnax, John Connors, Bill Feyerherm, Bernie Giusto, Art Hendricks, Dan Noelle, Kris Olson, Tawna Sanchez, Mike Schrunk, Pedro Sosa, Preston Wong.

Task Force Members Absent (18): Daniel Binns, Tiffany Brandreth, Felton Campbell, Hongsa Chanthavong, Elyse Clawson, Serena Cruz, Jim Ellis, Y'Beth Iglesias, Roy Jay, Mark Kroeker, Ray Mathis, Jackie Mercer, Donna Sheidun, Ronita Sutton, Kay Toran, Oscar Sweeten-Lopez, Michael Ware, Ronald Williams.

Others Attending Who Signed In (19): Fran Ayaribil, Fulton Burns, Stephanie Clay, Juanita Crawford, Doris Evans, Chori Folkman, Kevin Ford, Gillian Gaynair, Joe Hertzberg, Mamie Johnson, Richard Jones, Mayor Vera Katz, Tommy Oliver, Tracy Rasberry, Virginia Rush, Linda Scott, Julie and Molly Smith, Shirley Sumpter, Howard and Frances Wolfe.

Support Persons Attending: Christine Kirk, Lyman Louis, Peter Ozanne, Suzanne Riles.

Meeting called to order at 7:00 p.m.

I. Introductions and Co-Chair Reports

All attending introduced themselves. Co-Chair Mike Schrunk announced that Co-Chair Ronald Williams was unable to attend due to attending the funeral of a close friend. Schrunk asked for reports on the initiatives that the Co-Chairs had announced at the last meeting. Suzanne Riles reported that Portland Schools Deputy Superintendent Pat Burk has approved conducting groups with teen-agers to discuss over-representation issues in the future. A group comprised of Task Force and school district representatives will meet in June to plan the best format for student meetings to occur in the fall. Bill Feyerherm asked that these discussions involve NAACP student members at PSU.

Regarding complaints, Peter Ozanne reported that he is contacting defense attorneys of the persons with complaints, about the way their cases have been handled. Questions aim at clarification, getting explanations, and developing further direction in these cases.

II. Status Reports from the Working Groups

Peter Ozanne reviewed that there are four working groups meeting in order to do the work of this Task Force which cannot be done in just two hours once a month. The four groups are examining Arrest, Court Processes, Corrections, and Community Outreach.

Arrest (*Bernie Giusto, Chair*)

Next meeting: Tuesday, May 15, 2:30 to 4:00, at 7220 N. Lombard.

Bernie reported that there had been a good turnout at the latest meeting, at the Community Justice offices in North Portland. The group heard excellent presentations from the Sheriff's Office on the Booking Frequency project, and from new work group member Deputy District Attorney Jim Hayden, on the Drug Free Zones (DFZ's). Suzanne Riles also distributed a review of the County's resources for treating alcohol and drug dependency. At a recent meeting, Lyman Louis presented a useful re-analysis of the arrest data presented in the over-representation report entitled "Ensuring Equitable Treatment in the Criminal Justice System." Bernie stressed that the Task Force wants to be concerned about any crime where over-representation occurs, and in any part of the County. People often focus on arrest when discussing over-representation because police seem to exercise the most discretion. We need to ask if we can direct the police to use other resources besides taking a person to jail, when the law requires that they do something to intercede with an offender. Otherwise, DFZ policies build a conflict between on the one hand "constructing arrest resumes" and building hostility among people living in the DFZ who get stopped and questioned, versus on the other hand helping DFZ communities feel safer.

Comments:

Shirley Sumpter: The community itself needs to do more to stop it when their neighbors are using drugs, rather than relying on the police alone.

Tawna Sanchez: Concern that police refuse to respond to drug traffic in this neighborhood, because this agency (Native American Youth Association) serves children on the premises.

Woody Broadnax: It seems impossible to keep expanding DFZ's in response to drug activity. Instead we should take users to a treatment facility of some kind, for which we probably need more funding. We should avoid the paralysis of analysis.

Dan Noelle: Supports the idea of good research helping us to figure out how to spend our tax dollars most effectively.

Outreach (*Art Hendricks, Chair*)

Next meeting: Wednesday, May 9, 12-1:30 p.m. 737 SE 106th St. (East Precinct).

At the most recent meeting, the group discussed culturally appropriate ways of getting community input, the right leaders to help, and what these occasions would cost. They want to know what kind of a budget the Task Force has for outreach. At the next meeting they will plan the details of having community forums take place in mid-June. Woody Broadnax suggested that this group meet at the SEI offices. Art observed that SEI charges for meeting rooms.

Court Processes *(Peter Ozanne for Michael Ware)*

At the most recent meeting, members discussed the recycling through the system that offenders do when they fail to appear for proceedings at court. Failures to appear (FTA's) are held against defendants at future hearings, sometimes resulting in more jail time. But we should be jailing people because we are afraid of them, not because we are mad at them for failing to appear, in Judge Ellis' view. He is convinced that most people fail to appear because they are not accustomed to punctuality, and may not have alarm clocks or follow an appointment book. The court can do more to help offenders avoid failing to appear by helping offenders make it to their appointments. Members and staff are going to look into finding information about how other jurisdictions handle FTA's, how we do, and whether there are racial differences in our FTA rates.

Comment:

Woody Broadnax: When he was charged with offenses, he failed to appear because he wanted to avoid going to jail, not because he wasn't used to being punctual. But there is a problem that too many FTA's do escalate into a Class C felony.

Franny Ayaribil: Because her two sons are stopped so often without receiving a citation, they have become alienated from the justice system. They have an "us versus them" mentality that now adds an attitude problem to threaten their safety each time the police stop them again. The real problem is that both whites and African Americans are afraid to talk about racial tensions versus what is really going on with African Americans breaking the law.

Shirley Sumpter: African American men need to get together and really talk about their fear of the police with each other. There are different cultures between white people and African American people. African Americans need to get together to stop crime within their own communities.

Corrections *(Bill Feyerherm, Chair)*

Next meeting: Monday, May 7, 12-1:30 p.m. PSU Cramer Hall Room 111

This group has identified three tasks. 1) Look at Community Justice Dept. assignment of higher risk levels to African Americans. 2) Ask whether administrative sanctions are applied more often to African Americans. 3) Ask what services are available to minorities in the community.

Comment: Woody Broadnax: From his experience in starting the Stay Clean program at prison, when people know that someone on supervision is not staying clean, it helps more to make sure they get treatment than to turn the person in to the police or their PO.

III. Sheriff's Booking Frequency Research

(Sheriff's Planning & Research Staff Bethany Wurtz and Larry Reilly)

The new Decision Support System has made it possible to count offenders, rather than booking events only. This research uses that feature for the first time to look at the most frequently booked individuals. During the period 1995-1999, the 20 individuals most frequently booked accounted for 1,077 booking events. They were in jail for an average of 35% of each of those years. The most common offense for which they were booked was Trespass II, indicating that they were alcohol and drug affected. The Sheriff's Office is now looking into what services these people might have received during these years, to see if perhaps their offending might have slowed down when services were most effective. This study will be expanded to look at the top

4% of offenders who account for 22% of booking events. It is hoped that we can begin to get a better idea of what kind of services will work to keep offenders out of jail in the future. When any individual comes into the system too often, there should be at that time some kind of system alert that channels them to receive services that will interrupt the behavior that causes their constant cycling in and out of jail.

Comment: Someone asked if these 20 offenders had merely been repeatedly targeted by the same officer or officers. Larry said that they had only looked at the most frequent individual offender, and found this not to be the case, but only looked at the one person.

Dan Noelle: This group should hear the data report from the Police Bureau on the first three months data collection of police stops information. That report is due out next week and should be presented here at our next meeting to address questions about officer behavior.

Art Hendricks: Important not to look only at data regarding over-representation. We need to consider the issues qualitatively too, and ask what people are experiencing on the street.

Dan Noelle: When so many of the most frequent offenders are African American, we have to ask how culturally competent our drug treatment services are for African Americans.

Franny Ayaribil: Were all of these valid arrests that these offenders experienced?

Fulton Burns: Is the law being enforced in the same way in every community?

Mike Schrunk: We need to consider the new police stops data at a future meeting.

Mamie Johnson: Guys getting out of jail sometimes have no place to go to live if the conditions of supervision exclude their homes. This leads to violations for giving wrong addresses.

Woody Broadnax: Afraid that community policing leads to over-representation of African Americans.

Bernie Giusto: Police do get familiar with those living in a community, and this has the upside of clearing communities of crime, but can also raise the percentage of arrestees from that community.

IV. Public Comments

Virginia Rush: Concerned about what happens after the first arrest. We need triage after that because it determines so much about their character after that.

Tommy Oliver: Was on probation for years, and only had a little time left, so asked PO how much. S/he extended his time so that s/he could look into his case and find out if it was OK to let him go. When s/he did that, it was revealed that he had given a wrong address because he wasn't allowed to live where he had to live, and this led to Tommy losing his job, even though he had only violated the conditions, not committed a new crime.

Kevin Ford: He was arrested, and when treated roughly, he was charged with resisting arrest. Mike Schrunk and Dan Noelle insisted that this is not normal, it is wrong, and it is important for citizens to complain if it happens.

Doris Evans: Will Peter Ozanne's investigations into complaints lead to new legal action on behalf of the offender? Peter said not usually, but in some cases it is possible.

Meeting was adjourned at 9:10 p.m.