



PUBLIC SAFETY

MULTNOMAH COUNTY COORDINATING COUNCIL

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

Task Force Meeting Notes March 22, 2001

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

Next Meeting: Thursday, Apr. 26, 7-9 p.m., 4000 N. Mississippi

Task Force Members Attending (19): Preston Wong for Art Hendricks, Daniel Binns, Woodrow Broadnax, Elyse Clawson, Serena Cruz, Jim Ellis, Bill Feyerherm, Bernie Giusto, Roy Jay, Vera Katz, Mark Kroeker, Ray Mathis, Dan Noelle, Jackie Mercer, Mike Schrunk, Ronita Sutton, Kay Toran, Michael Ware, Ronald Williams.

Task Force Members Absent (10): Tiffany Brandreth, Felton Campbell, Hongsa Chanthavong, Donna Johnson, Y'Beth Iglesias, Jackie Mercer, Kris Olson, Tawna Sanchez, Pedro Sosa, Oscar Sweeten-Lopez.

Others Attending Who Signed In (22): Rev. Amzie Bailey, Bruce Broussard, Helen Burns, Melanie Davis, Stephanie Davis, Doris Evans, Gillian Gaynair, Richard Jones, Mayor Vera Katz, Robert J. Larry, Dora McCrae, Gayle Martinez Parker, Melissa Mills, Dana Peters, Victor Reynolds, Virginia Rush, Cynthia Sartin, Linda Scott, Julie Smith, Judy Webb, Howard and Frances Wolfe, Daphne Woods.

Support Persons Attending: Joe Hertzberg, Christine Kirk, Peter Ozanne, Suzanne Riles.

Meeting called to order at 7:05 p.m.

Task Force members introduced themselves. Co-Chair Ronald Williams announced that the co-chairs had met, and agreed that people who believe that they have been unfairly sentenced will be able to refer their cases to the District Attorney's office for review, so that the DA or his staff can get back to people with more information about their cases. Co-Chair Mike Schrunk, District Attorney, expressed the hope that such concerns do not divert the Task Force from its primary mission to develop strategies to reduce over-representation in the justice system. Serena Cruz pointed out that DA review of a case will not take the place of an attorney acting for the offender. Peter Ozanne announced that there will be a *habeas corpus* clinic forming at the

University of Oregon law school that will allow law students to help investigate prisoner complaints.

Co-Chair Williams also announced that 1) an effort will be made to involve high school students in discussion of the topic of over-representation, by asking school officials to help create student groups to discuss this topic; and 2) Task Force members should take action to hear from members of their communities who want to be heard on the topic of over-representation of minorities. In this way, members will be better able to speak for their communities, and not only from their own perspectives.

Work Group Status Reports

Peter Ozanne explained a chart he brought with the 4 work groups arrayed along a line representing the progress of a case through the justice system. Arrest occurs first, followed by court processes (includes booking into jail, pre-trial release, charging, plea bargaining, and sentencing), and corrections. The Outreach group will communicate between people in the community and all of the other three work groups.

Outreach

(Preston Wong for Chair Art Hendricks)

A handout was distributed with language for a charge to the work group, a goal, and a set of seven objectives (see attached handout). There was a relatively small attendance at the most recent (second) meeting of the work group. Members will soon receive a chart to indicate their best times to meet, so as to increase attendance. They will be contacting people to participate who have had contact with the criminal justice system.

Next Outreach work group meeting: April 4, 6-8 p.m., City Hall Rose Room

Arrest

(Chair Bernie Giusto)

The group met for the first time during the past week. As a police chief, Bernie commented that he has learned that law enforcement needs more options for what they can do for people in trouble on the street, other than to arrest them and take them to jail. For this, new financial resources will be needed. Their group will ask where can the resources be shifted away from, especially to keep young people from getting involved in the justice system in the first place. The group will meet in conjunction with the Outreach group. They anticipate having speakers and guests attending their meetings. A researcher has been hired to work with all of the Task Force work groups.

A handout was distributed (see attached). In it the group identifies its concern with police-initiated activity, particularly to examine the administration and impact of Portland's drug-free, no-trespass zones.

Next Arrest work group meeting: April 3, 2:30-4:00 p.m., Multnomah Building, 6th floor.

Court Processes

(Chair Michael Ware)

First Court group meeting: Tuesday, March 27 at the Multnomah Building, 6th floor.

Co-Chair Mike Schrunk emphasized that citizens in attendance tonight or other citizens are welcome to attend and participate in the work of these groups, not just the Task Force members. Although citizens expressed concern about meetings scheduled during the day, so that they cannot attend due to their work schedules, future meetings will be scheduled in the evenings. Suzanne Riles asked that citizens who are interested in a particular work group should be sure to indicate this next to their names and addresses on the sign-up clipboard that is circulating.

Corrections

(Chair Bill Feyerherm)

This work group does not have a meeting date set as yet, but will soon.

Discussion: Members discussed the place of the perspective of the victims of crime, and the role of prevention in this work group structure just outlined. Ronita Sutton asked that we look at how to help prevent people from committing crimes in the first place. Kay Toran noted that there are two philosophies, one that the system may have biases that should be repaired, and another that people are in the justice system because they commit crimes. Serena Cruz said that we need to ask if frequent arrests for low-level crimes, as in the drug-free zones, really enhance public safety, or do we need to be prosecuting other kinds of crimes such as white collar crime.

Research and Planning Efforts

Sheriff's Booking Frequency Study

Sheriff Dan Noelle explained that his planning and support people have recently begun describing the criminal careers of those offenders most frequently booked into jail during the last five years. This research is made possible by the Decision Support System for Justice, also called the DSS system, or DSS-Justice. While the Sheriff's booking data is kept by booking incident, the DSS system allows retrieval of data by offender over time. The 20 most frequently booked offenders in the years 1995-1999 accounted for 1,077 bookings. The most frequently booked person was a woman who was booked into jail 80 times during those 5 years. Sixteen of the 20 were African American, raising concerns of racial bias despite the best intentions of law enforcement officers who arrest these people in the field. The study will be broadened out to the top 4% most frequently booked, who account for 22% of bookings. Demographics are not available on these people yet. The study will be looking for what services these people were getting during the periods when they managed to stay out of the system for a longer time. This may allow us to provide effective services in the future for people who we notice are getting booked into jail too frequently.

Roy Jay emphasized the importance of stopping the re-cycling of offenders through the system, and asked if the DA's office will be responsible for this. Co-Chair Mike Schrunk agreed that it is vital to stop the re-cycling, but it remains to be seen where the interventions will occur in order to be most effective. Roy Jay asked if the system earns money for each re-cycling through the system? Sheriff Noelle said no, each trip through costs us more money. Woody Broadnax noted

that as a person who re-cycled through, he had no alternative, and feels now that services could have been helpful.

Peter Ozanne is working with the University of Oregon to have two interns assigned to work with the Task Force, plus students in the *habeas corpus* clinic may be able to help inmates with grievances about their past cases.

Suzanne Riles is working with the DSS-Justice technical team to create cohort tracking software that will allow us to select groups of offenders by racial or ethnic group and then follow them as they move through the justice system. This will allow us to see if different groups are treated equitably at various points as they move through the justice system. Roy Jay asked if the Task Force can monitor this work as soon as possible. Suzanne said yes.

Developing a Work Plan Framework

Joe Hertzberg asked what it will take to make each member feel that their commitment of time and energy has been well-spent for them?

- **Michael Ware:** Effective strategies for intervening in court processes to reduce the tragic numbers Sheriff Noelle described.
- **Vera Katz:** If there are discrepancies by race in how the justice system treats offenders, we want to know where these are and what we can do to correct them. Also, since this Task Force will receive information on racial profiling, we need to educate people on that issue.
- **Mike Schrunk:** Data monitoring: We need to establish periodic reports on justice benchmarks by race, and share them publicly. In addition we need recommendations on implementing justice policy in the community.
- **Elyse Clawson:** I want this process to tell us where we are not being fair and what we can do about it, and involve people in making the needed changes. We need to involve more justice workers so they can see why change is needed.
- **Woodrow Broadnax:** I lacked opportunity. I want to see individuals in the system break out of their cycles and become empowered, especially through prevention services in the area of alcohol and drug abuse, and mental illness.
- **Dan Noelle:** Create greater public confidence in the criminal justice system.
- **Roy Jay:** Rather than another report, we must develop a real plan of action that can be implemented, and see it begin to be implemented.
- **Kay Toran:** This is a very complex issue and we can't do it all. Would like us to really focus in on one slice of the issues, and do that piece well.
- **Mark Kroeker:** Focus, prioritize, realize measurable achievements as outlined in our mission statement. Ask community groups to identify strategies.

- **Serena Cruz:** Racism is everywhere, and of course that includes the criminal justice system. We must challenge our individual belief systems, and develop a plan for specific policy changes we can do.
- **Bernie Giusto:** Wants to see real change, especially in arrest activity. This will require political will and changes to the existing flow of resources.
- **Daniel Binns:** I benefited from my contact with the system, but I don't want to be there now. We will have to build real trust, and I'm committed to doing my part and seeing this through.
- **Ray Mathis:** Need to stay focused. Justice should be blind to race and color. Need to identify racism where it exists and eliminate it.
- **Jim Ellis:** It's a matter of perception. We need to earn people's trust in the criminal justice system.
- **Ronita Sutton:** Remember that public safety is our number one priority. We should be here to protect the community, not people who commit crimes. We cannot ignore prevention, intervention, and diversion.
- **Preston Wong:** Trust in the system is essential. If there's something faulty, fix it.
- **Bill Feyerherm:** Choose a few things and change them so they stay changed, then put a system in place to monitor what we accomplished.

Public Comment

Rev. Amzie Bailey: If African American males are over-represented in the criminal justice system, could it be because most police officers are white and biased? The Police Bureau should give prospective officers psychological tests before they go out on the streets. Officers often provoke the people they stop into misbehaving.

Linda Scott: Works with alcohol and drug affected clients, and is herself 8 years clean and sober. We need to focus on the solution. If offenders are alcohol and drug affected, treating those issues is what we need to deal with. Similarly, many offenders may have mental health issues. We need to look deeper than the arrest incident itself. Likes the Judge's point that young men have problems with driving without a license because they think they can't pass the test. We need to provide help with that too.

Benjie Pittman: Works at PSU with Bill Feyerherm. Background in corrections. Used to have problems with alcohol and drugs. We need both prevention of alcohol and drug abuse, and we need A & D prevention activities when offenders return to the community after prison.

Bruce Broussard: Likes this Task Force, and wishes that the police union representative were here to listen. The wider community needs more awareness of what is going on here. Suggests that cable access TV could be a useful avenue to increasing exposure. Coverage by the *Oregonian* is useful but not enough. Many were outraged by the Dora McCrae case, a clear instance of racial profiling.

Melissa Mills: Likes the idea of psychological testing for police candidates. Her son was accused of a crime but didn't do it. Fortunately she knew Chief Moose, who was able to help.

Julie Smith: Agrees that people need more exposure to the work of this Task Force. This is an incredibly courageous move on the part of the criminal justice agency heads and other members of the Task Force.

Virginia Rush: Appreciates this Task Force. Believes in protecting the community. Will soon be encouraging young people to attend if her trust continues in the process.

Meeting adjourned: 9:25 p.m.

Next meeting: April 26, 7-9 p.m., 4000 N. Mississippi (Native American Youth Association)