

To: Chair Deborah Kafoury  
Kim Melton, Chief of Staff  
Christian Elkin, Budget Director

From: Erika Preuitt, DCJ Director

Date: February 12<sup>th</sup>, 2021

RE: FY 2022 Budget Submission Transmittal Letter

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## Department Overview

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I am pleased to submit the Department of Community Justice's FY 2022 program offers. The Multnomah County Board of Commissioners has identified public safety as a core value.

The Department of Community Justice (DCJ) serves a vital role in protecting public safety and strengthening communities. DCJ intervenes to prevent the recurrence of crime among justice involved youth and adults by supervising and helping to change problem behavior. DCJ provides supervision, sanctions, and treatment resources to youth, adults, families, and communities to address the underlying problems that drive crime.

Your support helps the Department of Community Justice (DCJ) make progress towards the goals of our Strategic Plan that will improve public safety in our community:

Accountability – We hold justice-involved youth and adults accountable for their actions;

Behavior Change – We work with justice-involved youth and adults to reduce delinquent and criminal behavior;

Commitment to Victims and Community – We respect and address crime victims' rights and needs and restore the community;

Invest in Employees – We provide tools and resources that promote the resiliency, safety, and wellness of our employees and their families;

Resource Management – We direct our resources to delivering cost-effective services; and

System Change – We use advocacy and innovation to guide our work with stakeholders to improve community safety and assure a fair and just system.

These goals help us achieve DCJ's vision: Community Safety through Positive Change. This vision informs DCJ's work and drives us to improve and adjust practices. DCJ routinely consults and makes use of evidence-based practices in program and policy development. Our commitment to data-informed decision-making drives smart investments of taxpayer dollars in supervision, sanctions, and services for the county's highest risk and highest need justice-involved individuals (JIIs). We regularly analyze qualitative and quantitative data to gain a better understanding about the populations we are serving and how we can enhance and adapt our practices to achieve better outcomes and address racial disparities that exist in the juvenile and criminal justice systems. We remain committed to strengthening our responsiveness to the unique needs of individuals on DCJ caseloads and raising cultural awareness as it relates to our service delivery.

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## Diversity, Equity, and Inclusion Efforts

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DCJ continues to strive to uphold the County's value of diversity, equity, and inclusion in the following ways:

### **Department wide diversity, equity, and inclusion efforts**

DCJ's strategic plan goals embrace and integrate diversity, equity and inclusion. Specifically, the goal of Invest in Employees is informed by the work of our Diversity and Equity Steering Committee (DESC), our Workforce Equity Strategic Plan (WESP), and the Safe and Respectful Workplace workgroup. This workgroup was tasked with creating recommendations seeking to re-establish and uphold safe and respectful work spaces. Specifically the results of this workgroup has led to the following:

- Development of a new set of department wide guiding beliefs and commitments;
- Creation of a rule that does not allow the Thin Blue Line flag on DCJ property or in DCJ workspaces, including on clothing;
- Training for managers to support them having difficult conversations; and
- Training for managers to develop community agreements which they will develop with their individual units by the end of this fiscal year.

DCJ has established a WESP Advisory Committee, a cross section of staff and managers, who advise and hold accountable the progress and implementation of WESP goals. DCJ's Equity and Inclusion Manager (EIM) has provided focus and movement in several important areas. The EIM has provided guidance and leadership to DESC, which has led to the roll out of department wide resources on implicit bias and the launch of a restorative practices workgroup. Future trainings are being planned and will be available in FY 2022. The addition of the EIM on DCJ's Executive Team is helping to ensure that equity and inclusion is integrated into decision making. DCJ

leadership is striving to be intentional on having ongoing conversations related to leading with race throughout the department between Senior Leadership, managers, and staff who provide direct services and support.

The steps outlined above will help our department move toward creating an environment that leads with race and fosters safety, trust, and belonging.

### **Equity and Inclusion in decision making**

DCJ's budget process includes diversity, equity, and inclusion in decision making in several ways. To begin with, we are committed to a department wide collaborative process. We engage a departmental budget group of 38 staff across classifications who provide input and recommendations on reductions and additions. Engaging this broad range of staff provides opportunities for a variety of ideas and information to be shared on where DCJ should be investing our resources. Each division meets to come up with priority reductions and additions. Relevant staff feedback gathered by an online, anonymous form is consistently shared at each meeting. Each group discusses both the operational impacts as well as equity impacts (utilizing an equity lens) of their recommendations at the beginning of the process. Our Equity and Inclusion Manager attends as many division budget meetings as possible to provide input and serve as a resource. An online voting tool for members to prioritize reductions and additions is used with an equal number of line staff and managers participating in the prioritization exercise to ensure it was not weighted with management input. These recommendations and impacts are part of the final decisions made by the Executive Team.

In addition, one of the guidelines that informs the development of the proposal at the Executive Team level is making budgetary decisions that can help reduce racial and ethnic disparities. This includes continuing investments in culturally responsive staffing and programming that we have funded in prior years. Despite the need to respond to the County direction to submit a budget reflecting a 2% constraint, this budget maintains current funding for several of our efforts to fund programming that addresses the needs of our Black, Indigenous and People of Color (BIPOC) communities. In addition, the submitted budget critically examines the use of resources like jail and detention, resources that are overused on BIPOC JIIs. Specifically, JSD is proposing to reduce our detention beds by 8. ASD is submitting a new ongoing program offer to maintain staffing in the Hearings Unit to continue to provide notice of rights on sanctions to JIIs in an effort to reduce the amount of time they are in jail.

As mentioned above, our Equity and Inclusion Manager is an integral part of our budget process by attending as many division budget meetings as possible. In addition, the Equity and Inclusion Manager became a member of the Executive Team. This addition helps to ensure that the budget decisions and discussions that take place within the Executive Team lead with race and incorporate diversity and equity.

In an effort to continue our progress towards incorporating and evaluating diversity and equity in our budget, we look forward to engaging in continued discussions and planning on the

county level about how leading with race can further inform county policies and practices. DCJ is eager to participate as the County further defines and refines this important work.

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## FY 2022 Budget Priorities and Key Issues

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DCJ's goal as a department is to continue to build a solid foundation to serve those at highest risk for recidivism and provide services that reduce reliance on more costly options like prison, jail, and detention. Risk assessments are utilized to determine who to supervise and how intensively. We continue to remain focused on proven practices which address the needs of the highest risk individuals as well as strengthening our connections to the communities we serve. Our communities have continued to demand accountability to reform the criminal justice system to end historical disparities. DCJ is committed to strengthen our connections to the community to make significant progress toward reducing these disparities with the population we serve. We will continue to engage in these reform discussions and continue to use quantitative and qualitative analysis to shape our department wide focus and investments.

In preparation for future budget planning, we will continue to prioritize the following issues as they rise in prominence for DCJ, the County and the nation:

- **Continued Focus on Reducing Racial and Ethnic Disparities:** DCJ has continued our commitment to invest in the programs and services that address racial and ethnic disparities. In addition, we will continue to use data to track whether we are impacting disparities. For ASD, a focus area is addressing the Relative Rate Index (RRI) rates in sanctioning practices. Programmatically, we continue to invest resources in culturally responsive services and programs. We have remained a committed partner in determining what is working well and the needed resources to bolster and sustain the Diane Wade House, an Afrocentric transitional house for justice-involved women. In FY 2021 we engaged with partners including a Community Advisory Board to assess the effectiveness of the program. This assessment provided valuable feedback that will inform how we can move forward to strengthen services to Black and African American women in our communities. In addition, we continue to expand the use of the Habilitation, Empowerment, Accountability Therapy (HEAT) curriculum and its culturally specific approach to addressing low engagement rates among high risk/high need Blacks and African Americans. This includes exploring the expansion of our Black and African American specialty caseloads to include connecting with all Black and African American JIIs coming out of prison and on probation. Currently, we only work with JIIs at the Columbia River Correctional Institution. Lastly, we are exploring a culturally specific caseload and approaches for our Latinx JII populations. COVID-19 has impacted the growth and development of some of our programming but we are hopeful that we will continue to improve and grow these programs in FY 2022.

In FY 2021, we began examining the use of electronic monitoring (EM), including a demographic breakdown of individuals in the program. Results revealed a higher percentage of Black and African American JIs being placed on EM. Further analysis and discussion will continue throughout FY 2022 to determine what changes to policies and practices we can make to address this overrepresentation.

The Juvenile Services Division (JSD) remains committed to understanding and addressing disparities at every decision point, from referral to the juvenile justice system to waiving youth to adult criminal court. The juvenile system's response to COVID-19 required a close look at the use of detention. Due to the need to keep the population down to prevent the spread of COVID-19, reliance on detention decreased. While a more concentrated analysis is needed to examine long-term public safety impacts, it does not appear that this has led to higher juvenile crime rates. This presents an ongoing opportunity for juvenile system partners to continue planning and investing in community-based resources and continue to lessen the reliance on detention.

The COVID-19 pandemic negatively impacted the implementation of Senate Bill 1008 (which eliminated the automatic adult prosecution of juveniles charged with Measure 11 offenses). The ability to move waiver cases forward was significantly impacted due to the safety measures put into place to slow the spread of COVID-19. Since the new law took effect on January 1, 2020, 11 motions for waiver to adult court have been filed on Multnomah County youth. Many of these youth were or have been detained for long periods of time due to the delay in their cases being processed, with BIPOC youth experiencing lengthier stays in detention than their White counterparts. Of the 11 waiver motions filed, five have been resolved and six are still in detention. Of the cases resolved, 80% (4 out of 5) are White youth. Of the cases still pending, 67% (4 out of 6) are BIPOC youth.

We have maintained our investment in the Community Healing Initiative (CHI). The FY 2021 budget allocated \$250,000 in new funding for increased culturally specific parent mentorship, implementation of a new intervention/curriculum for youth perpetrating family violence, an additional shelter bed for youth who cannot be at home due to family violence, and the expansion of CHI into another BIPOC community. While the process of identifying and procuring CHI services for the next BIPOC community is happening throughout FY 2021, funding has been redirected for this year to the Portland Opportunities Industrialization Center to assist them in meeting the immediate and urgent needs of our Black and African American communities who have been adversely and disproportionately impacted by the COVID-19 pandemic, wildfires, escalating rates of gun violence, and the emerging racial justice movement.

- **Continued Investment in Juvenile Justice System Reform:** JSD, along with juvenile justice partners and stakeholders, continue their involvement in a training program to help transform DCJ's juvenile probation practices away from prioritizing surveillance and sanctions toward a more developmentally appropriate strategy that focuses on promoting positive behavior change and long-term success for youth. This has resulted

in the group developing goals for transforming our juvenile probation system in Multnomah County. The goals are as follows:

- Enhance our diversion pathways;
- Individualize court ordered conditions of probation;
- Promote positive behavior change through the use of incentives; and
- Reduce disparate outcomes for youth of color.

Work is being done to implement these goals. As a model Juvenile Detention Alternatives Initiative (JDAI) site, we continue to be engaged in national level reform discussions and are often asked to share JSD practices at meetings and conferences around the country. The work outlined above continues to strengthen DCJ's commitment to addressing the needs of youth and their families in our communities.

- **Continued investment in Criminal Justice Reform Efforts:** COVID-19 prompted DCJ to temporarily eliminate supervision fees as the pandemic changed the lives of our JIIs. With support from the County Commission, we have permanently eliminated supervision fees for JIIs.

Multnomah County continues to make progress on reforming the pretrial system. This work is made possible by the Safety and Justice Challenge grant program supported by the MacArthur Foundation. A new pretrial tool that takes into account racial bias and maximizes release is in the process of being implemented. Other work this grant is funding is generating a monitoring system that has the Sheriff's office and DCJ working more closely together on a combined population that is based on risk and not crime.

- **Impacts of Ballot Measure 110 (BM 110):** The passage of BM 110 will have a direct impact of the population that DCJ serves. BM 110 establishes a Drug Treatment and Recovery Services Fund and decriminalizes the possession of small quantities of controlled substances. This measure requires the transfer of sentence reduction, reductions in arrests, incarceration and supervision savings to the new fund and will result in a reduction of cases that we supervise. This budget reflects the elimination of several programs that provided supervision and services for this population who will no longer be sentenced to community supervision. These individuals will access treatment services through other community referral services.

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## General Fund Target Allocation

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The department proposes to meet the 2% reduction (\$1,520,287) by eliminating and reducing a mix of positions, rightsizing our programs, and continuing to work to maximize billing both publicly-funded and private insurance in an effort to ensure DCJ is not paying for treatment that is reimbursable. In addition, the passage of Ballot Measure 110 reduces the number of people who are placed on community supervision and this budget reflects that decrease.

Our decision to propose these reductions continues to be based on maintaining programs and services for the highest risk populations, examining outcomes, and preserving direct services. These reductions result in DCJ continuing to narrow our focus on high risk and high need populations, impacting our investment in prevention, diversion services, and treatment services. In addition, when proposing FTE reductions, we consider the current span of control and strive to be intentional about cutting management positions proportionally to represented staff.

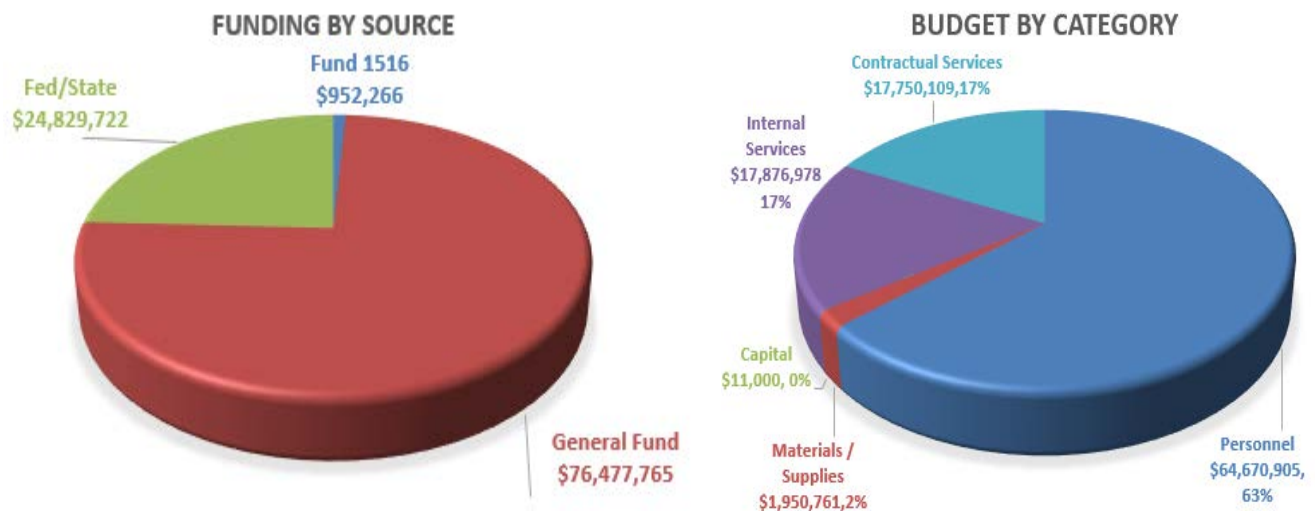
As mentioned in a previous section, this budget does intentionally maintain current funding levels for some culturally specific programming and also requests ongoing funding for 2 positions within ASD that focus on reducing the amount of time JIIs are in jail, which should positively impact BIPOC communities who are overrepresented in our jail population. Lastly, our proposed reductions include reducing our juvenile detention from 64 to 56 beds. Acknowledging that BIPOC youth are overrepresented in detention, we believe we can safely find community alternatives that better serve these populations and continue to reduce our reliance on detention.

## FY 2022 Budget Overview

The Department of Community Justice budget submission totals \$103,144,479 and 460.70 FTE for FY 2022 for both in and out of target programs. The submission is detailed in the table below showing the total allocation.

<b>FY 2022 Department of Community Justice Budget Submission</b>				
	FY 2022 General Funds	FY 2022 Other Funds	Total Funds	Total FTE
In Target Programs	\$76,477,765	\$25,781,988	\$102,259,753	456.36
Out of Target Programs	\$884,726	0	\$884,726	4.34
<b>Total FY 2022 Submission</b>	<b>\$77,362,491</b>	<b>\$25,781,988</b>	<b>\$103,144,479</b>	<b>460.70</b>

The Department of Community Justice is primarily funded by General Funds (75%) and Fed/State Funds (25%). The pie charts below depict budget by funding source and budget by category for the department.





## General Fund Reductions

Proposal For Meeting 2% Reduction in General Fund Target Allocation				
Offer Number	Program Name	General Fund	FTE Reduction	% of GF Reduced
50001	Business Services	(\$345,767)	2.80	15.21%
50000	Director's Office	(\$80,564)	1.00	3.28%
50014	Adult Treatment First/STOP Program	(\$902,397)		100%
50066	Community Interface Services	(\$221,550)	1.50	22.81%
50054A	Juvenile Detention Services	(\$194,600)	2.00	2.1%
<b>Totals</b>		<b>*(\$1,744,878)</b>	<b>7.30</b>	<b>N/A</b>

\*This amount is larger than our general fund constraint. We cut deeper in order to reallocate funds to continue to support critical services that are proposed to be reduced from the State under SB 1145 Community Corrections funding.

Major proposed reductions and eliminated programs are as follows:

- 50001 - Two positions in the Business Services unit are eliminated due to the need to no longer process the collection of Supervision Fees. As mentioned above, COVID-19 prompted DCJ to temporarily eliminate supervision fees as the pandemic changed the lives of our JIIs. The public safety reforms passed by the County Commissioners in FY 2021 allowed for the permanent elimination of supervision fees for JIIs.
- 50014 - Treatment First and the current version of STOP Court program are eliminated due to the passage of Ballot Measure 110. This measure decriminalizes the possession of small quantities of controlled substances and results in the reduction of cases supervised and the elimination of these programs.
- 50054A - Detention beds are reduced by 8. JSD continues to reduce reliance on secured detention and has operated significantly below capacity this past year. The COVID-19 pandemic has provided our juvenile justice system an opportunity to continue to find alternatives to detention without impacting public safety. We are committed to continuing this trend and work together with partners and stakeholders to utilize community alternatives to detention.

## State, Federal, Large Grant Funds

Our Adult Services FY 2022 budget includes 49% of state SB1145 biennial funding. The Governor's Recommended Budget (GRB) is reducing Community Corrections statewide funding to \$243 million, down from \$268 million last biennium. This budget takes into account the passage of Ballot Measure 110 that will reduce cases that receive supervision. This measure was passed in November 2020 and decriminalizes the possession of small quantities of controlled substances. In addition, our percentage of the felony population has continued to decrease which impacts our State allocation. Currently, our percentage felony population is at 17.85%, down from a prior percentage of 18.12%. The GRB decreases Justice Reinvestment by 10%. This translates into proposed state reductions equaling around \$2.7 million. The table below outlines those reductions.

The GRB contemplates a 10% reduction to County Juvenile Departments' funding received through the Oregon Youth Authority. However, DCJs budget is based upon additional information received after the GRB. This budget is built off the 2021-23 OYA Proposed County Funding letter.

Other Fund Changes				
Prog. Offer Number	Program Name	State Funds	Grant Funds	FTE Impacts
50011	Recovery System of Care	(\$739,022)		
50012	Adult Residential Treatment Services	(\$812,009)		
50014	Adult Treatment First/STOP Program	(\$562,305)	(\$552,249)	(6.00)
50016	Adult Services Management	(\$135,556)		(1.00)
50017	Adult Records and Administrative Services	(\$181,012)		(2.00)
50022	HB 3194 Justice Reinvestment	(\$103,812)		(1.00)
50030	START Court Program	(\$97,294)		
50032	Adult Gang and African American Program		(\$82,370)	
50050	Juvenile Services Management	(\$51,819)		
<b>Totals</b>		<b>(\$2,682,829)</b>	<b>(\$634,619)</b>	<b>(10.00)</b>

## Other Significant Program Changes

### Ongoing Out of Target Requests

Below is a table that outlines department's requests for new funding in priority order:

<b>Out of Target Program Requests (Ongoing)</b>					
<b>Offer Number</b>	<b>Program Name</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>FTE</b>	<b>New or Existing</b>
50020B	Hearings Unit - Notice of Rights	\$209,319		2.00	New
50000B	Director's Office	\$276,442		1.00	New
50054C	Detention Services	\$100,421		1.00	New
50031B	Community Service	\$64,544		0.34	Backfill
<b>Totals</b>		<b>\$650,726</b>	<b>-</b>	<b>4.34</b>	<b>N/A</b>

These ongoing requests will allow us to allow us to increase our focus on reducing disparities.

- 50020B - Hearings Unit- Notice of Rights request would allow for the continuation of a PPO and administrative staff that were added in response to the COVID-19 pandemic. These staff have improved our application of jail as a sanction response and have been able to more quickly provide notice of rights on sanctions to JIs, leading to a reduction of time they spend in jail. Continuing to fund these positions will benefit BIPOC communities, who are overrepresented in jail, by decreasing their length of stay
- 50000B - The Deputy Director request would bring back this position which was eliminated in response to a State Rebalance in 2019. Since the reduction of this position, the County is responding to the call to reform the criminal justice system and to a changing work environment due to the COVID-19 pandemic. In order to fully respond and be a partner in the ongoing reform discussions, Executive Leadership needs to focus on developing solutions and the current staffing level inhibits this full participation.
- 50000B - The request for mediation services is in response to the need for DCJ to address protected class complaints. Mediation is an important aspect of the healing that needs to be done throughout our department and will align with our restorative justice project. This request also provides funding for outside investigations to ensure objectivity.
- 50054C - The request to add a Juvenile Custody Services Specialist (Lead) is in an effort to increase safety and promote positive youth development for young people in detention. This position would be responsible for developing curriculum and leading structured activities including physical education and other recreational opportunities (art, wellness, music, etc.). BIPOC youth are disproportionately represented in the juvenile justice system and overrepresented in detention. Enhancing programming and structured activities in detention will directly benefit BIPOC youth.

- 50031B - The request to backfill 0.34 FTE of the Community Justice Manager who oversees Community Service would maintain the position full time. Due to the COVID-19 pandemic, we have lost revenue due to not providing crews to complete community service work which impacts funding for this position. We would like to maintain this program in an effort to offer it as an alternative to jail and maintaining the manager position full time will enable this program to resume when it is safe to do so.

<b>Out of Target Program Requests (One-Time-Only)</b>				
<b>Offer Number</b>	<b>Program Name</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>FTE</b>
50051B	Juveniles Services Support	\$204,000		
<b>Totals</b>		<b>\$204,000</b>	-	<b>0.00</b>

The One- Time- Only request is the following:

- Funding to provide upgrades to the detention facility. This request would improve the physical environment and be conducive to positive growth and healing, as well as safety and security. This amount funds refurbishing one pod this fiscal year. There are a total of 4 pods that will need to be upgraded.

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## COVID-19 Impacts

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The COVID-19 pandemic forced DCJ to change operations and quickly pivot to remote work for many DCJ staff while still maintaining two 24-hour operations. These operational changes were driven by both the needs of staff and justice-involved individuals (JIIs) served by DCJ. Regular meetings are held to monitor needs and update plans as needed to respond.

The Juvenile Justice Complex that houses the detention facility and the Assessment and Evaluation program has continued 24-hour operations with some modifications. In person volunteer programming has been suspended. A “no contact” visiting room for youth in detention has been used for family and most professional visits. Limited in person education services have been available. Juvenile justice partners have been meeting regularly to track and respond to the impacts of COVID-19 as well as consistently analyze the number of youth who are held in detention in an effort to limit admissions and the overall daily population. This has led to a decreased reliance on detention and increased use of community-based detention alternatives. Juvenile Court Counselors (JCCs) have reduced non-essential home visits and utilize Skype, FaceTime and phone check-ins with justice-involved youth and their families. They continue to provide in-person supervision to youth whose behavior presents a high risk to community safety.

The Recognizance Unit which is housed in the Multnomah County Justice Center has also continued 24 hour operations. Staff have been able to shift to some remote work but staff continue to assess people in person within the Justice Center. Field Offices in the Adult Services Division are closed to the public. Parole-probation officers (PPOs) limit in person visits to address immediate public safety concerns and address high risk behaviors. They maintain contact with justice-involved individuals via phone or other virtual options. DCJ's use of jail is consistently tracked and overall has decreased by 50% in an effort to keep the population down.

Acknowledging the disproportionate impact the COVID-19 has on BIPOC communities, supervision fees were eliminated in an effort to lessen the financial burden of JIIs. The Victim Services Unit has experienced an increase in requests for Emergency Assistance Funds as a result of the increase in domestic violence and survivor safety risks. Community Service at both JSD and ASD have been suspended with the goal of beginning to offer this again with safety modifications in place. The work of volunteers and student interns transitioned to remote work and efforts have been made to develop new opportunities that do not require volunteers and interns to report into DCJ facilities. COVID-19 has resulted in a drop in volunteer and intern hours.

DCJ has been able to utilize CARES Coronavirus Relief Fund dollars and funding from Edward Byrne Memorial Justice Assistance Grant (JAG) to purchase needed sanitation and PPE supplies as well as additional cleaning services. CARES dollars were also used to provide staffing in the Hearings Unit to more quickly provide notice of rights on sanctions to JIIs in an effort to reduce the amount of time they are in jail, provide phones and technology equipment, additional funding for housing, and emergency funds for people experiencing domestic violence.

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## Span of Control

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DCJ embraces the tenets of continuous quality improvement and supports regular reviews of managerial span of control. The span of control for the FY 2022 proposed budget is 1:9.4, a slight decrease from the span of control in comparison to the FY 2021 Adopted Budget, which was 1:9.5.

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## Division Level Organization Chart

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