

MULTNOMAH COUNTY JUSTICE REINVESTMENT PROGRAM (MCJRP)

In Effect for Cases Arraigned after 11-1-2025

OVERVIEW

➤ MCJRP ELIGIBILITY

- Cases are designated MCJRP eligible by the Multnomah County District Attorney's Office (MCDA).
- All MCJRP cases carry a presumptive prison sentence greater than 12 months.
- For cases excluded from MCJRP eligibility, see *Addendum A*.

- **TRACK DETERMINATION** - Categorical criteria place MCJRP eligible cases into two distinct tracks: Track 1 and Track 2. See *Addendum B*.

Track 1 Cases: Early Probation Offer

- Most defendants with Track 1 cases will receive an early probation offer.
- Defendants with Track 1 cases will not be eligible to participate in a MCJRP judicial settlement conference (MCJRP JSC) and mitigation need not be provided to receive a probation offer.
- The DDA will staff these cases and communicate early probation offers to defense counsel within 21 days of arraignment on the indictment.

Track 1 Cases: No Early Probation Offer

- The DDA may communicate to defense counsel that, based on the facts of the case or victim considerations, they do not intend to staff¹ the case for an early probation offer without first receiving mitigation information and participating in a MCJRP JSC. The case will be handled as if it were a Track 2 case and may be redesignated as such.

¹ MCDA policy requires the DDA handling a MCJRP eligible case to "staff" the case with the MCJRP Committee before a probation offer may be communicated to the defendant.

- If the case is staffed for an early probation offer, the MCJRP committee may still choose not to authorize an early probation offer without first receiving mitigation information and participating in a MCJRP JSC. The case will be handled as if it were a Track 2 case and may be redesignated as such.
- If the DDA does not intend to make an early offer for probation, the DDA will promptly notify the MCJRP Court Coordinator and defense counsel so that defense counsel can obtain mitigation, and the parties can schedule a JSC.

Track 2 Cases: No Early Probation Offer

- MCDA will staff the case for an offer after receiving mitigation information from defense and after the parties participate in an MCJRP JSC. The defendant may receive a probation offer, a prison offer, or a split sentence offer after the JSC.

➤ **PRE-ADJUDICATION REPORT (PAR)**

- The Department of Community Justice (DCJ) will prepare and send the PAR to the MCJRP Court Coordinator for all MCJRP eligible cases.
- The PAR contains case information, defendant's demographic information, a risk assessment, preliminary treatment court eligibility, responsivity needs and a supervision summary. The PAR format is shown in *Addendum C*.
- The MCJRP Court Coordinator will distribute the PAR to the parties.

➤ **TIME TO DISPOSITION STANDARDS** - The Court intends to adhere to the Supreme Court's Time to Disposition Standards for MCJRP eligible cases.

- The goal is for 75% of cases to be resolved within 90 days and 90% of cases to be resolved within 180 days from the defendant's first appearance in court with an attorney assigned to provide representation. The procedures set forth are designed to ensure that defendants receive a timely pretrial offer.
- If cases do not resolve timely by plea, the court expects cases to be scheduled for trial within 150 days of the first appearance in court with an attorney assigned to provide representation, absent exceptional circumstances.

MCJRP CASE PROCESS

TIMELINE FOR MCJRP PROCESS

Day 0: Arraignment on Indictment and Attorney Appointment

- These two events begin the MCJRP process detailed below.

Day 14: MCDA provides Criminal History Report to Defense and DCJ.

Day 21:

- DCJ completes the PAR and sends to the MCJRP Court Coordinator who will forward it to the parties.
- For Track 1 cases, MCDA will either communicate an early probation offer after staffing the case or communicate that they decided not to make an early probation offer, in which case, staffing for an offer will occur after first receiving mitigation and participating in a MCJRP JSC.
- For track 1 cases, MCDA has indicated that in most cases the PTO will expire at the FP date set around 49 days.

Prior to Day 49

- If possible, an ASAM and other mitigation information will be distributed to the DDA and the MCJRP Court Coordinator. If the defense is not ready for a JSC on the date of the FP because mitigation is not complete, defense will send out mitigation prior to any subsequent Call for JSC.

Day 49:

- Track 1 cases will be called on the Presiding Court's 9:15 AM docket.
- Track 1 cases with an early probation offer will be sent out for a change of plea hearing if the defense is ready.
- If Defense is not ready to change plea, a Call for Trial date will be scheduled within the 150-days of arraignment on the Information, absent exceptional circumstances, and excluding any period during which defendant's ability to aid and assist was at issue.
- Track 2 cases will be called and sent out for a JSC the following day. If defense counsel is not ready for a JSC, a Call for Trial date will be scheduled within 150-days of arraignment on the Information, absent exceptional circumstances, and excluding any period during which defendant's ability to aid and assist was at issue.

- Track 2 cases which are set for trial may still request a MCJRP JSC prior to trial by scheduling a Wednesday 9:15 AM further proceeding “Call for JSC” by contacting Criminal Calendaring. The trial will only be continued to allow time for a JSC for good cause in exceptional circumstances.

DAY 180:

- Absent aid and assist concerns or exceptional circumstances, the matter will be sent out for trial within 180 days of defendant’s first appearance.

ARRAIGNMENT PROCESS

Arraignment on the Information. The instrument will indicate the Track:

- MCJRP Eligible - Track 1
- MCJRP Eligible - Track 2
- MCJRP Eligible - Track TBD (Further information needed to determine track)

Track TBD Cases

- The DA’s office will work quickly to determine the appropriate track and notify the defense counsel and MCJRP Court Coordinator once the Track is determined.
- In the event a case is initially identified as Track TBD, the defense counsel should consider beginning the process of obtaining an ASAM and gathering mitigation to be prepared for a MCJRP JSC should one be required.
- The DA’s office may mistakenly omit the MCJRP eligible designation on the Information. Defense lawyers should refer to the MCJRP eligibility criteria outlined in *Addendum A* and contact the DDA to inquire. If the parties agree that the case should have been designated as MCJRP eligible, they should immediately contact the MCJRP Court Coordinator to schedule appropriate dates as outlined herein.

Arraignment on the Indictment

Custody Dates

- Case Assignment (or “Call”) date set approximately 42 days from arraignment at 9:00 AM in Courtroom 7A; and
- A Further Proceeding (FP) date at 9:15 AM in Courtroom 7A on a Wednesday approximately 49 days from arraignment on indictment. At the FP hearing, counsel should be prepared to report “ready” for a JSC/plea and be prepared

to pick trial dates within 150 days from arraignment on the Information.²

Out-of-Custody Dates

- A FP date on a Wednesday approximately 49 days from arraignment on indictment.
- At the FP hearing, counsel should be prepared to report “ready” for a JSC/plea and be prepared to pick trial dates within 150 days from arraignment on the Information. (see footnote 2)

POST ARRAIGNMENT PROCESS

After Arraignment on Indictment

- Court staff sends a list of new MCJRP eligible defendants to DCJ.
- DCJ assigns a Probation Officer (PO) to each case. The PO will prepare a pre-adjudication report.

Defense Attorney Required Actions

- For Track 2 cases, or Track 1 cases which do not receive an early probation offer, an ASAM (or other mitigation information or individualized assessment) should be obtained.
- Defense should have the ASAM and any other mitigation material before reporting “ready” for a JSC, unless the defendant is not seeking a probation offer.
- Defense should forward all mitigation material to the DDA and the MCJRP Court Coordinator as early as possible, but at least 2 days before the case is sent out for a JSC.
- The MCJRP coordinator distributes the PAR to the parties and forwards the PAR and ASAM/mitigation material to the assigned JSC judge.

JUDICIAL SETTLEMENT CONFERENCE (JSC)

- Main participants: defendant, judge, defense attorney and prosecutor.
- Participation of defendants’ supporters, victims and supporters of the victim

² If defense counsel needs more time to prepare for the JSC, they should set the matter for trial and schedule the JSC when they are ready to proceed.

should be considered. It is left to the judge's discretion on how the JSC is conducted.

- Information Needed for a MCJRP JSC:
 - ✓ Pre-adjudication Report (PAR) prepared by DCJ.
 - ✓ Mitigation information: It is incumbent on defense counsel to gather mitigation information prior to the MCJRP JSC. MCDA expects in most cases, mitigation information will come in the form of an American Society of Addiction Medicine (ASAM). Counsel for indigent defendants is encouraged to seek an ASAM expense authorization from the Oregon Public Defense Commission (OPDC) as soon as possible for cases proceeding to a JSC. Defense counsel should consider gathering additional mitigation in appropriate cases.
 - ✓ The Court's expectation is that the ASAM and any other psychological assessments or mitigation reports will be shared with the DDA and the Court prior to a Judge being assigned to the JSC. Send ASAMs and other mitigation documentation to the DDA and the MCJRP Court Coordinator prior to the day set for the JSC.
- The Department of Community Justice (DCJ) will not be present. If a question arises regarding probation supervision, an MCJRP PO will be reachable by calling (503) 988-3190 or Sworn Community Justice Manager Jocelyn Johnson at (503) 793-1035 or email at Jocelyn.johnson@multco.us.

COMMUNITY SUPERVISION CONSIDERATIONS

Supervision options:

- MCJRP Probation may be offered to eligible defendants. Temporary sentencing orders will indicate MCJRP probation, if supervised in Multnomah County (see *Addendum D*) and include MCJRP special conditions (see *Addendum E*). MCJRP probation provides treatment and housing services not offered under general supervised probation. If specialized supervision is necessary, defendants can be placed on MCJRP matrix caseloads including Gang, Women and Family Services, Domestic Violence, Mental Health Unit, Family Sentencing Alternative Program or Sex Crimes Unit. Court orders should still indicate MCJRP conditions for these specialized caseloads.
- Treatment Court Probation may be offered to defendants meeting the criteria for specific programs such as START, STEP, Mental Health Court, Veteran's

Court or DISP. Information on the various specialty courts is found at the following link:

<https://www.courts.oregon.gov/courts/multnomah/programs-services/Pages/treatment-courts.aspx>.

Evidence-based placement decisions

- The Pre-Adjudication Report previews eligibility and suitability for the various types of supervision and provides a brief supervision summary for current and prior supervision cycles, if applicable.
- Additional collateral information may be needed to determine eligibility for supervision, such as ASAMs, mental health evaluations, etc. ASAMs are to be provided by the Defense Bar.
- Residency is a factor determining which jurisdiction will provide supervision. Residency is based on collateral information or self-report. If an individual resides in another jurisdiction, supervision will be transferred to that jurisdiction. If defendants are under supervision in another jurisdiction, supervision will be transferred to that jurisdiction.
- Regardless of jurisdiction, MCJRP special conditions should be listed on the Order. If defendants return to Multnomah County, they will be supervised in the MCJRP unit.

ADDENDUM A

MCJRP Ineligible Offense List (Updated 11-1-25)

The MCJRP process is intended for those arrested and/or charged with a felony offense which carries a presumptive prison sentence (12 months + 1 day or more), issued on or after July 1, 2014. Below is a list of felony charges that are excluded from participation in the MCJRP process:

- Aggravated Murder and Murder
 - Attempted Aggravated Murder and Attempted Murder
 - Manslaughter in the First Degree and Second Degree
 - Criminally Negligent Homicide
 - Aggravated Vehicular Homicide
 - Failure to Perform the Duties of a Driver (Death involved)
 - Any other Death involved offense (including Len Bias cases)
 - Arson in the First Degree (only BM11 Arson offenses)
 - Assault in the First Degree
 - Kidnapping in the First Degree
 - Robbery in the First Degree
 - Domestic Violence involved Offenses
 - Child Victim under the age of 14
 - Sex Crimes/Offenses (including FRSO charges)
 - Burglary in the First Degree Offenses with determinate sentences, such as Denny Smith
- (all other Burglary I charges are MCJRP eligible)

Beginning on or after November 3, 2025, defendants in the following categories with otherwise MCJRP-eligible cases are not eligible for the MCJRP process:

- Defendants who are currently serving a DOC (12 months + 1 day or more) sentence, unless all parties agree to the MCJRP process
- Defendants convicted of any homicide offense (including criminally negligent homicide)
- Defendants convicted of any felony sex crime within the last 10 years prior to new offense issuance date
- Defendants with four or more pending MCJRP Eligible Unlawful Use of a Vehicle (UUV) or Possession of a Stolen Vehicle (PSV) case

An otherwise eligible case may be deemed ineligible if a defendant has a pending disqualifying BM11 offense.

ADDENDUM B:
MCJRP Track Criteria

Updated (11-1-25)

Track 1 Criteria – Defense likely provided an early probation offer.

Absent exceptional circumstances or aggravating factors, Track 1 includes cases likely to resolve with probation without further mitigation or risk/needs assessment required from the defense.

Cases falling under Track 1 will require expedited staffing or may fall under unit “non-staffing guidelines” and include the following cases:

- Defendant has a Criminal History of F, G, H, I on the Grid unless specifically noted in Track 2.
- Offense is <24 months and BM57 departable.

Track 2 Criteria (Prison – Probation is TBD)

Track 2 consists of any non-Track 1 MCJRP eligible case and specifically includes the following types of cases or offenses:

- Level 9 and 10 Delivery cases
- Any Fentanyl Delivery case
- Burglary I
- More than 3 UUV charges (convictions + pending/open)
- All felony person crimes
- Any case involving a firearm enhancement under ORS 161.610
- 2 or more open MCJRP Eligible cases
- Defendant on felony formal supervision or PPS

ADDENDUM C
Pre-Adjudication Report

The Pre-Adjudication Report (PAR) below is completed by the Department of Community Justice (DCJ) for all MCJRP eligible cases. The PAR does not require a defendant interview.

Pre-Adjudication Report		
This report provides an overview of defendant information across several key areas. This assessment form shall only be used for settlement and sentencing purposes. Do not release as a public record pursuant to ORS 192.502(2), ORS 192.502(4) and ORS 137.077.		
Demographic Information		Case Information
This section includes the participant's personal information.		This section provides details regarding the current case.
Name:		Case Number:
Date of Birth:	Gender:	Offenses :
Ethnicity		
Risk Assessment		
This section summarizes the findings of any risk assessment(s) conducted.		
Risk Score:		
Preliminary Treatment Court/Unit Eligibility		
This section summarizes the eligibility of treatment courts based on risk and outlines next steps needed.		
Eligible for Treatment Court/s: Select One		Treatment Courts: Select One
Eligible for Specialty Unit/s: Select One		Specialty Units: Select One
Additional information needed for access to Treatment Court or Specialty Unit?		
Supervision Summary		
Currently on Supervision: Select One	County of Supervision:	Parole and Probation Officer Name and Contact Information:
Summary:		
Parole/Probation Officer:		Date
Supervisor:		Date

ADDENDUM D

Department of Community Supervision

MCJRP Enhanced Supervision

Weekly Measurable contacts (to include):

- Completion of risk/needs assessment within 60 days.
- Office visits to include cognitive behavioral responses in addition to compliance to conditions
- Responsiveness to behaviors (both positive and negative) - Behavioral and sanctioning practices
- Treatment Readiness in custody
- Cognitive groups in community with partners
- Violations for obey all laws and victim contact to return for judicial hearing

Engagement and Compliance Supervision

- Based off of Client Needs Identified from Risk / Needs Assessment and the Behavior Change Plan co-created with PPO and client
- Front load of services in early supervision and transition to the community as risk and needs require
- Requirements may decrease as compliance and engagement are met

Additional Treatment Services in Addition to Community Services:

- In Custody Treatment Dorm - In Custody Drug and Alcohol Assessments, Treatment Groups and Individual Counseling to prepare clients to release to treatment
- Residential Treatment Services - Inpatient drug and alcohol treatment programs
- Intensive Outpatient Treatment Services - Intensive Outpatient Drug and

Alcohol Treatment, Peer Mentors, Culturally Specific Services

- Cognitive Behavioral Therapy - Recovery Services, Drop In Center, Trauma Response, Culturally specific services (Treatment Readiness in the Community)
- Parenting Classes (to include culturally specific services)
- Employment services - career coaching and counseling, job search, job training
- Housing - low barrier and transitional, housing case management and housing mentors

Multidisciplinary Team:

- Regular and ongoing multidisciplinary team meetings Collaborative problem solving
- Client staffing
- Increased communication to address client progress

Milestone Ceremony:

Client recognition for successes in supervision, including supervision goal/condition completion recognition, treatment com

ADDENDUM E

Special Conditions of MCJRP Probation

The defendant is subject to the general conditions of probation. In addition to those general conditions, HB 3194 adds a condition of probation requiring each defendant to submit to a risk and needs assessment as directed by the supervising officer. In this case, the Court directs the defendant to submit to a risk and needs assessment, and any other appropriate evaluation per the MCJRP probation officer (PO). The Court additionally imposes the following special conditions of probation that are reasonably related to the crime of conviction or the needs of the defendant for the protection of the public or reformation of the offender, or both, including but not limited to, the following special conditions of MCJRP probation:

1. Participation and completion of LS/CMI interview
2. Any PO recommended treatment-based program
3. Administrative Sanctions per MCJRP policy
4. Restitution payment plan (if applicable)
5. No contact with case victim
6. Alcohol and/or drug treatment
7. Mental Health Evaluation and any necessary treatment
8. Cognitive Behavioral Therapy treatment
9. Mentorship Program/Mentor assignment
10. Clean and Sober Housing
11. Employment Development
12. Parenting Classes
13. GPS/SCRAM
14. Curfew
15. Exclusion zones
16. Complete GED or High School Diploma (if applicable)
17. Comply with all Department of Human Services (DHS) directives (if applicable)
18. No contact with case co-defendant (if applicable)
19. No contact with known drug users/known gang members
20. No contact with any other designated person(s)
21. No alcohol
22. Not use or possess controlled substances
23. No bars/taverns/strip clubs
24. No gambling
25. No possession of any document containing the name or id of another person.