

MACARTHUR FOUNDATION SAFETY + JUSTICE CHALLENGE
MULTNOMAH COUNTY PROPOSAL NARRATIVE

SECTION 1: PROJECT OR FUNDED ACTIVITIES SUMMARY (ABSTRACT)

1a) Please summarize your reform plan for the next two years, and explain how you propose to use Foundation funds to effectively implement it.

Multnomah County's overarching jail reduction goal is to eliminate all unnecessary incarceration, an effort that decreased jail use 42% over the last 18 years. Today, the county's rate is 58% the national average and half of all inmates are released within one day of booking. SJC planning provided the incentive to expand on this long-standing commitment with 12 new strategies that address system inefficiencies, meet the needs of those with behavioral health issues, and institute non-jail options for lower-risk offenders.

2017 MacArthur funds would push Multnomah County justice reform efforts further by funding a new and innovative program for women. The other 11 strategies are not funding-dependent, but are essential to long-term reform. If awarded, all strategies will be supported by MacArthur-funded project management and data analysis. Together, they represent the depth and breadth of the county's commitment to identify and implement all jail reduction strategies, not only the expedient and politically viable.

The MacArthur-funded strategy is a robust program for women (with a focus on women of color) with mental health challenges, offering culturally/gender-specific as well as trauma-informed residential and day programming. The strategy will reduce jail bed use by 1.43% while providing women of color the evidence-based supports necessary for them to succeed.

The other 11 strategies range from pre-booking diversion to early release for sentenced offenders and are enthusiastically embraced across public safety partners. These policy-driven innovations will reduce jail bed usage by an additional 13.04%, ensuring Multnomah County advances its commitment to having the 'right' inmates remain in custody while ensuring access to critically needed services for all.

MacArthur-funded data analysis and project management will provide essential tools to ensure continual improvements, resulting in an overall 14.47% jail bed reduction during the two-year funding period.

SECTION 2: GOALS

2a) What is your three-year jail population reduction target and the rationale behind it, keeping in mind the benchmark for reduction provided to you during the Planning Phase? Please note that the three-year period begins in May 2016, to account for progress made during the last year. Details of your impact calculations should be included in your implementation plan.

Multnomah County's projected three-year jail population reduction across strategies is 14.47%, just shy of SJC's 15-19% target. This is particularly impressive in light of the county's 42% reduction in the 18 years prior, a period of time when the county's overall population increased by 17%. It is also almost double Multnomah County's 2016 SJC proposed target of 7.74%. Impact calculations are included in the attached implementation plan.

Multnomah County's long-standing commitment to jail use reduction makes it unique among SJC sites:

- As of March 2017, the county's average length of stay was 13.4 days, compared to a national average of 23 days (per NACO and JFA).
- According to JFA, "Multnomah County's jail incarceration rates, reported crimes and arrests per capita are all well below the national rates for these same three measures. Its overall index score is approximately half the national rate." (2015), numbers that are poised to go even lower: the 2016 funded jail population (1310) will be 1192 as of 7/1/17.
- Multnomah County's robust pretrial release system includes many best practices:
 - Recog and pretrial units use a modified Virginia Pretrial Risk Assessment Instrument, a validated risk assessment tool.
 - Approximately 50% of booked inmates are released in less than 1 day, a population not counted towards ADP because they are not classified or occupy a jail bed.
 - The county has two pretrial release supervision programs (Pretrial Release Program and Close Street Supervision), serving approximately 1,600 individuals each year.
 - Commercial bonding for profit was outlawed in 1973 and is not a factor in the public safety system.

The county's 2016 SJC application proposed three strategies and an overall 7.74% reduction, about half the current proposal. Today, every segment of the local public safety system agrees there is much more that can be accomplished than was evident even a year ago. This dramatic change is a direct result of MacArthur's ambitious goals as well as ongoing political leadership dedicated to increasing services in the community to divert people away from jail.

2b) How does your jurisdiction plan to address racial and ethnic disparities? Please be specific about your goals for reducing disparities, and how your implementation plan will achieve them.

Multnomah County has a long-term commitment to reducing racial and ethnic disparities (RED), as reflected in this proposal as well as multiple other initiatives lead by LPSCC and individual system partners. Throughout SJC planning, partners have been intentional in their efforts to reduce RED. Each strategy was analyzed to gauge its RED impact, no matter how negligible. Four SJC strategies are currently underway or planned that will have a demonstrable impact on RED. All will be monitored using a newly developed RED dashboard, which, along with other RED-related initiatives, is described in Section 10.

- Women's Jail Alternatives (Strategy 12): This strategy prioritizes services for women of color, particularly African American women, with behavioral health problems and will contract to ensure culturally-specific services. Women not members of the target population will be provided services appropriate to their individual needs and culture as space is available. As such, the strategy will reduce RED as a part of its overall jail use reduction of 1.43%. See Section 4 for more details.
- Decrease DCJ Sanction Length (Strategy 4): Initial implementation efforts shows promising reductions in RED within the overall anticipated jail use reduction of 3.12%. See Section 4 for more details.
- Interfering with Public Transportation (Strategy 3): While this strategy's overall jail reduction percentage is small (.01%), it is clearly a RED driver in the County's system, warranting focused action. See Section 4 for more details.

- Law Enforcement Assisted Diversion (LEAD) (Strategy 7): LEAD planning and outreach have focused efforts on addressing known disparities in low-level drug offenses, the program’s target population. Research is underway to identify the actual impact on disparities. See Section 4 for more details.

SECTION 3: APPROACH

Multnomah County’s commitment to collaborative justice reform has been led for the last 22 years by the county’s Local Public Safety Coordinating Council (LPSCC), a legislatively mandated effort to coordinate local criminal justice policy among and between criminal justice entities. Established in 1995, Multnomah County’s LPSCC is recognized throughout Oregon and the nation for the unprecedented level of collaboration across public safety leaders. The resulting reforms, embedded in, and separate from, this application have changed the face of public safety across the region. They also form the foundation for each of the proposed SJC strategies.

3a) Please provide a brief narrative description of your jurisdiction’s Safety and Justice Challenge implementation plan. In addition, please upload your complete plan in GMS using the template provided.

Multnomah County consulted with Jim Austin of the JFA Institute during the SJC planning process. Mr. Austin confirmed the assertions that four main categories of inmates remain in jail: Higher risk inmates charged with felonies; Sentenced offenders; Probation violators serving short sentences, and; Inmates with holds (Marshall, other county, etc.). System partners’ shared commitment to lessen reliance on incarceration for these remaining inmates while maintaining public safety is reflected in the 12 strategies outlined in this proposal and detailed in the attached implementation plans.

SJC strategies focus on three areas at the intersection of reform and reducing jail use: 1) Addressing system inefficiencies; 2) Meeting the needs of populations with behavioral health issues, and; 3) Instituting non-jail options for lower-risk offenders. When fully implemented, the project will reduce jail use across six of the seven Criminal Justice Decision Points analyzed during the 2015 SJC planning process: 1) Arrest: Strategies 5, 7; 2) Charge: Strategies 3, 9; 4) Pre-trial Release: Strategies 8, 11; 5) Case Processing: Strategy 1; 6) Disposition/Sentencing: Strategy 2, and; 7) Post-Conviction Process/Supervision: Strategies 4, 6, 10, 12.

A brief overview of all strategies is provided in Section 4; five are in initial implementation stages, and planning for the other 7 is well underway. MacArthur funds will provide needed funding for strategy 12, which will provide residential and day treatment for justice-involved women (with a focus on women of color) with mental health challenges, offering intensive wraparound services that are culturally-specific and trauma-informed.

All strategies will be overseen by LPSCC’s Jail Usage Workgroup and vetted by the SJC Policy Team, which is responsible for implementation consistent with best practices and ensuring each strategy continues to address the core goal of targeting services and policies to reduce jail usage countywide. Both groups are accountable to the LPSCC Executive Committee.

3b) What have you learned over this past year about the drivers of your jurisdiction’s jail population that augments what you already explored during the planning phase?

Leadership's basic understanding of the jurisdiction's drivers of the jail population have not changed substantially since completion of the SJC planning in 2015. What has changed is access to data to better focus efforts, as well as increased momentum and political will necessary to implement emerging plans. In addition, the county decided to shutter 118 beds due to budget constraints. This decision motivated leadership to consider additional jail reduction strategies. Specific insights include:

- While inmates with behavioral health challenges were known to be a significant driver in 2015/16, a specific plan for a large investment paired with necessary policy decisions had not yet come together.
- Data analysis conducted in the last year has highlighted problems related to the local policy to book every arrestee and its subsequent impact on jail bed use. Once this policy came into question, along with the political will to address it, other strategies emerged to provide alternatives for low-level offenders who were not going to be booked.
- Continued analysis also focused discussion on the impact sentenced offenders have on the jail population, which had been overlooked, resulting in a strategy to change sanction practices and policies for sentenced misdemeanants.

Even the region's most ardent reformers are pleased with this proposal, which encompasses every potential reform evident today. When, and if, other opportunities emerge, system partners will fold those efforts into their work.

3c) What is different about this implementation plan from the previous proposal your jurisdiction submitted in 2015? What information do you have to suggest that these strategies will meet the goals described in Question 2? If possible, present data to demonstrate that planned activities are likely to achieve your reduction target.

The 2017 implementation plan is dramatically different from the 2015/16 proposal. 2016's three strategies and corresponding 7.74% reduction have evolved into 12 detailed strategies impacting jail usage across the public safety system and an overall reduction of 14.47%. This is a result of individuals across the system being more determined and dedicated to progressive reform efforts than ever. Viability of these strategies' ability to meet the goals outlined in Section 2 have been determined using all available data combined with the expertise of Public Safety staff and leadership throughout the justice system. Outcomes and anticipated jail reductions for all currently implemented strategies (Strategies 3, 4, 7, 9) have been determined through data analysis of real time program outcomes compared with the SJC baseline. Political viability and jail use reductions for strategies still in planning (Strategies 1, 2, 5, 6, 8, 10, 11, 12) have been determined through an analysis of random samples of eligible clients (when available), based on proposed policy guidelines, by Public Safety leadership to ensure anticipated jail reductions are supported across all partners. All efforts have been supported by system analysts and researchers from criminal justice partners, ensuring buy-in from policy-makers and quality estimates all partners can trust. It became clear during the process of calculating jail bed reductions that there will be some overlap between strategies, though it is anticipated to be minimal and impossible to determine at this time.

3d) How does your jurisdiction plan to engage local communities? Which types of community representatives do you plan to involve (e.g., civic and business leaders, community-based organizations, faith organizations, etc.), and how will you integrate them into your decision-making and implementation work?

Multnomah County remains committed to a thorough community engagement process. Due to the wide range of strategies presented in this application, SJC Leadership determined the best approach was to focus on one specific jail reduction strategy and apply lessons learned in subsequent community engagement efforts. Strategy 7, Law Enforcement Assisted Diversion (LEAD), has served as the jurisdiction's pilot community engagement project, the full details of which are included in Section 10 of this application, though efforts as outlined will be maintained and expanded as necessary. Building on this experience, expanded community engagement efforts will initially focus on Strategy 12, Women's Jail Alternative, and will involve a combination of large and small group sessions and 1:1 dialog ensuring input from at least six impacted stakeholder groups: treatment providers, advocates, faith/social service-based organizations, people with lived experience/clients, public safety reform advocates, and public safety agencies.

As local and national tensions flared between communities and law enforcement, the LEAD community engagement process was impacted by protesters angry about recent police/community interactions. This encounter prompted Multnomah County to reach out to the Burns Institute as part of SJC-supported Technical Assistance, an effort that resulted in a plan to work together to craft an effective response to activists in the community concerned about the criminal justice system. Learnings from this process will be incorporated into future community engagement activities.

Additional community engagement activities will be launched as SJC planning efforts progress.

As has been true for LEAD community engagement, community members, identified by impacted communities, will be invited to be active members of the planning teams overseeing implementation. In addition, an additional seat for an individual with lived experience on the SJC Policy Team will be added to ensure community membership on the oversight body is reflective of the strategies being developed.

SECTION 4: RESULTS

4a) If awarded implementation funding, what is your vision for how your jurisdiction's criminal justice system will change, and in what time frame?

Implementation of the proposed 12 strategies are a critical leap forward in the realization of leadership's vision to ensure the local criminal justice system is fair, equitable, and positioned to jail only those individuals who pose a threat to community safety. MacArthur funding will provide the project management and data analysis necessary to oversee a coordinated and data-driven approach to implementing this vision, along with funding for a long-held goal to create a gender-specific, trauma-informed and culturally-specific/responsive supported housing option for justice-involved women, with a focus on women of color. Specific changes resulting from MacArthur funding will take place over a two year period and fall into one of three categories: ameliorating system inefficiencies; meeting the needs of justice-involved individuals with behavioral health issues, and; instituting a range of non-jail options for lower risk offenders. Descriptions of the strategies, by category, are below; additional detail is available in the attached implementation plans.

Ameliorating System Inefficiencies: SJC planning efforts uncovered a number of ways processes and/or policies interfered with ensuring a timely response for justice-involved individuals. Review of these findings, using a jail reduction lens, prompted leadership to recommend changes and institute system wide reform. Three strategies fall into this category.

- Reduce Time to Probation Violation Hearing (Strategy 1): Cases involving offenders in custody for probation violations are typically continued to allow all parties to prepare for a hearing, which can

result in extended jail time for often minor offenses. Change: In response, the court will improve processes to encourage case resolution at the first hearing and review and revise the Justice Center (a procedural court) release policy to better address the needs of inmates, resulting in a streamlined and responsive criminal justice system for offenders in custody for probation violations and reducing ADP by 1.5%. Timeframe: Fully implemented by June 2018.

- Move Bench Probationers to DCJ (Strategy 6): In response to budget shortfalls in 2008, Multnomah County transferred some misdemeanor probationers to probation with a judge rather than the Department of Community Justice (the county probation/parole authority). Data analysis subsequent to that move revealed these offenders, when revoked, generally ended up serving the balance of their time in jail rather than returning to probation status. Change: 1800 high and medium-risk individuals sentenced to bench probation will be supervised by DCJ and have access to graduated sanctioning practices utilized by DCJ, resulting in an anticipated ADP reduction of 3.7%. Timeframe: Fully implemented by October 2018
- Establish Best Practice Sanction Length and Frequency (Strategy 10): An analysis of current sanctioning practice revealed wide variation in frequency and length of sanctions among judges for similar offenses. In response, DCJ will provide focused training and guidance to judicial partners about evidence-based sentencing practices, particularly the importance of swift, certain, and appropriate jail sentencing. Change: Consistent sanctioning practice among judges aligned with evidence and science, resulting in an anticipated ADP reduction of 1.8%. Timeframe: Fully implemented by December 2018.

Instituting Non-Jail Options for Lower-risk Offenders: Recent data analysis stemming from SJC participation uncovered several long-standing procedures that maintain lower-risk offenders in the jail despite recent reforms use of risk assessments and/or community supervision in place of jail. The SJC Policy Group has identified four strategies that will reduce reliance on jail for this population, as follows:

- Decrease Jail Time for "Interfering with Public Transportation (IPT)" Charges (Strategy 3): IPT is a misdemeanor charge that typically occurs when an individual is excluded from the local transportation system for non-payment but is subsequently caught using the system. Data also shows it adversely impacts African Americans. The county DA changed the charging policy in February 2017 to ensure those arrested for IPT do not spend time in jail and are not prosecuted, except under exigent circumstances. Change: individuals who use the transportation system without paying will not spend time in jail, resulting in an ADP reduction of .01% and a reduction in local disparities. Timeframe: Completed.
- Decrease DCJ Sanction Length (Strategy 4): Included in the 2016 proposal and implemented since that time, this strategy reduces the average length of stay for technical and non-technical probation/parole violations from 10 to 7 days. It is also in response to SJC gathered data that found African American males received longer sanctions than their White peers. Change: Average sanction length of 7 days, reduced ADP by 3.12% and a reduction in disparities for African American males receiving a sanction. Timeframe: Completed.
- Increase Use of Cite and Release (Strategy 5): Current local policy dictates that every individual arrested be booked; discretion requires supervisor approval. System-wide partners agree the long-standing policy is not useful for low-level/risk inmates, particularly those with mental health challenges, and results in a 'revolving door' without behavioral change. Efforts are underway to 1) partner with a community-based mental health provider to create a 'Drop Off Center' for 10 - 15 target individuals/day in place of being booked and 2) identify other charges that might be appropriate for revised cite and release and cite in lieu of booking policies. Change: Improved services to individuals suffering from mental health issues and identification and implementation of other low-level crimes appropriate to the use of Cite and Release, resulting in an ADP reduction of .18%. Timeframe: Fully implemented by October 2018.

- Decrease Jail Days for Inmates Held by Pretrial Policy Holds (PJO - Strategy 8): There are currently approximately 160 inmates per month held for Domestic Violence (DV) charges who are exempt from release due to an existing Presiding Judge Order (PJO), a release administrative override order. Change: System stakeholders will create a DV-specific pretrial release process which includes: 1) DV-validated risk assessment, 2) DV-specific release conditions, supervision, and programming, and 3) incorporating victim voice in release decision-making, resulting in an ADP reduction of .44%. Timeframe: Fully implemented by December 2019.

Meeting the Needs of Populations with Behavioral Health Issues: Multnomah County's public safety leadership has long known that individuals with behavioral health (mental health and substance abuse) issues are overrepresented in the jails and in need of alternative services and options. In response, Multnomah County Commissioners requested a Mental Health Jail Diversion Study, which was completed in 2015. The report summarized jail data, solicited input from stakeholder groups, reviewed available literature and prioritized recommendations. This report, and the subsequent SJC planning process, galvanized public safety leadership and mental health advocates to address this long-standing problem, resulting in five strategies to reduce jail use for individuals facing behavioral health issues.

- Release to Treatment (Strategy 2): Some inmates are currently held in jail until a treatment bed/slot becomes available due to the acuity of their symptoms combined with a lack of flexible housing options that can adequately support and/or track them. New practice and policy options will be developed to allow these inmates to be safely housed and supervised in the community while awaiting appropriate treatment. Change: Processes will be in place to identify individuals who can be maintained in the community safely while they await treatment, reducing jail bed usage by .6%. Timeframe: Fully implemented by December 2019.
- Law Enforcement Assisted Diversion (LEAD - Strategy 7): Based on the Seattle model, LEAD became fully operational on February 28, 2017. In partnership with a community-based treatment/service provider, this voluntary pre-booking diversion alternative is neighborhood specific and designed to offer case management and services to drug-involved individuals who would otherwise be booked into jail. Change: High utilizers with a documented substance dependency will receive coordinated case management and services in lieu of jail, reducing ADP by approximately .13%. Timeframe: Completed.
- Decrease Jail Use by Inmates with Drug Charges/Treatment First (Strategy 9): Launched in Spring 2017, Treatment First is a post-plea diversion program, which may result in case dismissal or misdemeanor (rather than felony) conviction and placement in the appropriate level of community supervision combined with treatment, based on a risk and needs assessment. Change: Decrease in felony charges and increase in access to treatment resources for substance-dependent offenders, with anticipated ADP reduction of 1.3%. Timeframe: Completed.
- Decrease Jail Stays for Inmates Undergoing Aid and Assist Evaluation (Strategy 11): Multnomah County created a new Aid and Assist (competency to stand trial assessment) docket in 2016 to improve monitoring and tracking of A&A evaluations, the Restoration process and to reduce the time needed to complete legal processes. In a parallel process, the county has worked to increase access to local competency evaluations to avoid transport to the state hospital, which can be a prolonged and expensive process. Change: Improved responsiveness to the needs of individuals needing an Aid and Assist evaluation as well as an anticipated reduction in ADP by .26%. Timeframe: Fully implemented by March 2018.
- Ensure Access to Jail Alternatives for Women with Mental Health Issues (Strategy 12): A lack of appropriate and responsive intervention and sanction options for justice-involved women with mental health problems, particularly women of color, has resulted in disproportionate use of jail

sanctions for women on community supervision and undergoing Aid and Assist evaluations. Addressing this systemic gap was identified as a primary reform focus and will be the sole strategy funded through MacArthur funds. As such, additional details are provided here. Change: Accessible and appropriate supportive housing and day treatment will be available to women with complex mental health needs, reducing the ADP by approximately 1.43% and reducing disparities in the criminal justice system. Timeframe: Fully Implemented by June 2018.

The proposed program is a gender-specific program inspired by the successful Stabilization and Treatment Preparedness (STP) program, which serves only men. STP is a short-term shelter for men (many are justice-involved) with mental health challenges. In addition to providing shelter, STP has 24/7 staffing and case managers. Clients are able to get stabilized on medications and start planning for long-term housing. STP provides pro-social opportunities and ample space for providers, additional case managers, and probation staff to meet with their clients on site. Criminal justice stakeholders and community partners indicate a service like STP for justice-involved women is severely needed. The program will have two major components:

- 1) A 21-bed supported housing shelter targeting women who would otherwise spend time in jail due to a dearth of resources in the community with the intensity necessary to address their mental health and basic needs while maintaining public safety. The average length of stay will be between 2-4 months, during which time women will receive intensive case management, treatment, and the supports necessary to stabilize and prepare to move into permanent housing appropriate to their needs.
 - Using a 'Targeted Universalism' approach, the program will prioritize serving African American women with culturally specific services, who are overrepresented in the target population, but do not have sufficient numbers in the population to fill the shelter. Other women of color and their White counterparts will be offered culturally responsive services that are trauma-informed and gender specific as space permits.
 - The project planning team has identified at least two viable locations for the shelter that would be available within the timeframe outlined in the attached implementation plan. The planning team will continue to meet to identify a final location in preparation of securing a space upon award.
- 2) A Day/Drop-in Center will be established on the shelter site, open daily to the 21 women living in the shelter as well as others who would benefit from the structured services offered.
 - Services will include contracted trauma treatment groups, Cognitive Therapy groups, and other gender-specific programming specific to women's needs.
 - Contracted culturally-specific programming will be available for African American women; other culturally responsive programming will be made available as needed to address the needs of all women.
 - The planning group is in conversations with community based providers to explore the potential of opening other Drop-in Centers to ensure access to trauma-informed, gender-specific and culturally responsive programming in additional areas with high concentrations of justice-involved women who would benefit from sanction alternatives once the model has been fully developed at the pilot site.

4b) How will you know that this vision for change has been achieved?

Participation in the Safety and Justice Challenge provides Multnomah County Public Safety leaders the opportunity to accelerate implementation of its vision to ensure the local criminal justice system is fair, equitable, and positioned to jail only those individuals who pose a threat to community safety. Recent

collaborative planning efforts have led policy leaders to identify all currently evident areas that increase jail usage unnecessarily. Full implementation of the strategies outlined in this application, verified through analysis of local data, will be considered an unqualified success. It is inevitable, however, that new opportunities to improve the system will emerge through continued data analysis and collaborative planning, resulting in a new phase of reform that will bring the county even closer to its long-term vision.

4c) What progress measures will you track along the way?

LPSCC has a strong data infrastructure supported by LPSCC's lead data analyst, who convenes the public safety data team consisting of data and evaluation staff from DCJ, the Court, the Sheriff's Office, Portland Police Bureau and the District Attorney. Together, the data team compiles system wide data and works to create common definitions and approaches to smooth data collection and analysis. The system is supported by the county's Decision Support System-Justice, which is a data warehouse that combines criminal justice information from major public safety agencies, serving as a common database where person information can be linked across agencies. The proposed SJC budget includes a new data analyst position, who will be placed within LPSCC and work with the data team. This person's job will be dedicated to SJC and will collect, analyze, and report data related to all SJC strategies and process measures as well as extract all data required by the SJC Data Use Agreement. In addition, the county will collect DCJ and Aid and Assist client information, process measures on program intakes, effectiveness of programming, jail usage avoided, and services utilized. Other measures will be identified based on emerging programming specifics.

SECTION 5: CONTEXT/OPPORTUNITY

5a) Reflecting on the past year, have there been changes in your jurisdiction's leadership or political landscape (e.g., new elected officials, previously reluctant partners now at the table, or new leaders stepping up)? If so, how have these changes impacted the reform context in your jurisdiction?

Multnomah County's leadership and political landscape has undergone dramatic changes recently, which has allowed a substantially different application than was submitted only a year ago:

- The resignation of the county's Sheriff led to the appointment and subsequent election of Multnomah County Sheriff Mike Reese. As a former Portland Police Chief, Sheriff Reese understands the revolving door of the 'frequent flyers' who cycle in and out of the county jail. As such, he is committed to supporting an array of jail alternatives that allow his officers to focus their jail resources on the populations they are intended to serve.
- The County Chair, Deborah Kafoury, and Portland's newly elected Mayor, Ted Wheeler, are new co-chairs of the lead agency, LPSCC. Both have a demonstrated commitment to justice reform and leveraging county and city resources to improve services for vulnerable residents, including the justice-involved.
- The county's District Attorney, Rod Underhill, has been a part of SJC planning since its inception in 2015. The ongoing collaboration, combined with compelling data gathered during the planning process, have continued to shape his views on the important role of community-based jail alternatives, helping to propel his office into the role of champion for exploring new and creative ways to develop sound public safety policies and strategies.
- Multnomah County has three new County Commissioners who are highly engaged and committed to justice reform. They are stepping up to champion SJC strategies, including serving as a co-chair for the Jail Usage Workgroup.

5b) Are other leadership or political changes anticipated in the next two years that may impact progress?

As outlined above, there have been many leadership changes over the last year, a pace of change that is not expected to extend into the next two year cycle. The District Attorney and County Chair will be up for reelection in 2019, though there is every indication they will run for their existing seats and no transition will take place. The City of Portland recently began a national search for a Police Chief to replace the current Interim Chief, though it is unknown if a change will result; regardless, the hire will be made by the Portland Mayor (and LPSCC co-chair) and is expected to fully support reforms outlined in this application.

5c) Does your jurisdiction have the necessary stakeholder support to implement the desired reforms?

The jurisdiction has exceptional stakeholder support for the reforms outlined in this application and the overarching vision above. All partners have been included in the development of the strategies, not only those who will play an active role or whose work may be impacted during implementation. Furthermore, LPSCC's membership extends far beyond the Public Safety leaders described in this application. Forty community-based providers, including advocates, treatment and social service providers and community members participate in the broader LPSCC meetings and have been engaged in the development of this proposal.

5d) What challenges do you anticipate? How will you overcome them?

The jurisdiction's work has identified the current gaps in the system and mapped out a path forward. The major challenge to fully implement the vision is securing adequate funding. As outlined above, SJC leadership has decided to invest all programmatic SJC funds to strategy 12, which will fill a long identified gap in supportive housing for justice-involved women of color. While a critically needed service, it is hardly the only identified need requiring substantial funds to launch and sustain. Appropriate housing, intensive case management, and evidence-based treatments are proven tools linked to successful jail alternatives, but they are expensive and leadership is struggling to find new revenues and resources to expand services beyond its capacity to sustain current service levels.

In response, the county is building out its community systems carefully, identifying promising strategies and implementing them in a way that identifies savings and advocating at the local, state and national levels for long-term changes that will adequately fund critically needed changes. Specific planned activities include:

- Enhanced collaboration with the housing system. Multnomah County recently merged its housing services with city-led services to form the "Joint Office on Housing", which has focused housing efforts and accelerated the development of housing alternatives. LPSCC is working closely with the Joint Office to include the needs of justice-involved residents in these planning efforts. Strategy #12, Supportive housing for women of color, is the first major success of this partnership; a facility will be leased by the Joint Office who will then partner with LPSCC and a contracted provider to fully implement the plan. This model will be expanded to new facilities as funding becomes available.
- Earlier this year, Disability Rights Oregon published a report about treatment of inmates with mental illness in the Multnomah County Detention Center. In response, the Multnomah County Sheriff and county leadership have already instituted changes with additional plans to improve treatment of inmates with mental illness. A few examples include: additional training for corrections officers,

additional mental health assessment and treatment capacity, better coordination with the hospital system, better tracking of inmates held by judicial order, and a continued focus on diverting individuals with mental illness from booking (as illustrated by the breadth of the SJC strategies).

- Increased collaboration with local hospitals and treatment facilities: Absent available supportive housing and treatment facilities, the only viable jail alternative for those with severe behavioral health issues are local hospitals. In acknowledgement that hospital emergency rooms are ill-suited for this role, the county recently helped to open the Unity Center, a 24-hour behavioral health services center providing emergency psychiatric care and a path to recovery for people experiencing a mental health crisis. LPSCC partners are working closely with the Unity Center and other stakeholders to ensure implementation of policies and procedures to ensure appropriate response to justice-involved residents and linkage to step-down alternatives to avoid unnecessary jail stays upon discharge.

5e) How does this proposal complement other ongoing work in your jurisdiction?

The LPSCC Executive Committee, whose membership largely mirrors the SJC Policy team, has an unofficial mantra of ‘all reform, all the time’. Judges, the County Chair and Commissioners, City Mayors, Police Chiefs, the Sheriff, Community Corrections, Defense counsel, Mental Health decision-makers and the District Attorney are constantly looking for new ways to implement the science of good criminal justice policy and keep the needs of victims and offenders at the center of the discussion. Unique to this effort is the county’s commitment to embracing the conflicts inherent in convening public safety reforms rather than avoiding difficult barriers. Leaders agree that it is this very tension that holds the greatest potential.

The strategies outlined in this proposal focus on the group’s commitment to reducing the use of jail so only the right people are incarcerated for the appropriate amount of time. Other reform efforts are extensive and involve significantly reducing prison usage (in addition to jail), addressing Racial and Ethnic Disparities throughout the system, implementing Procedural Fairness in the courts, growing holistic defense programming with the public defender, and adopting the quadrant system (Dr. Doug Marlowe) for case planning, which sorts offenders into one of four quadrants (high risk/high need, high risk/low need, low risk/high need, and low risk/low need), allowing better responsivity to criminogenic needs and avoids overdosing/over supervising those offenders who are less criminal. Taken together, these reforms are the county’s joint focus, and will remain so long after the completion of the specific strategies outlined here.

This commitment to reform was demonstrated at a recent SJC planning meeting. The DA, public defender, Sheriff, chief criminal judge, director of probation, and the health department director were grappling with system challenges related to discharge and treatment planning for justice-involved individuals. The collaboration was impressive. Each stakeholder pitched ideas on how to get individuals out of jail as soon as possible, and considered creative community-based alternatives and local justice reinvestment concepts. Every criminal justice leader in the county is committed to making our system even more just, no matter the obstacle.

SECTION 6: LEADERSHIP

6a) Who will be the lead agency for this project and why is this agency best positioned to lead your jurisdiction through implementation? Is this a different agency from original proposal?

Multnomah County, the SJC lead agency, is uniquely positioned to fill this role as the: governing jurisdiction of county jails; purveyor of jail health services; community corrections provider; agency that houses the District Attorney; local mental health authority; and convener/co-chair for the Local Public Safety Coordinating Council (LPSCC). In addition, county jails house defendants across four jurisdictions as well as areas enforced by the Sheriff.

Programmatic components will reside under LPSCC, whose Executive Director reports to the Multnomah County Chair/LPSCC co-chair. LPSCC's unique structure will ensure collaborative planning, provide vocal and visible support for the project, and provide supervision to project staff and oversight of reporting functions. Primary project partners have forged trusting relationships as collaborators on LPSCC. These established relationships will help mitigate challenges that may arise during planning. In addition, the majority of SJC partners are representatives of Multnomah County Departments whose Directors report to Multnomah County Chair, Deborah Kafoury.

Each Oregon county has a public safety coordinating council, as mandated by state law. Multnomah County's LPSCC is particularly active and invested and is an acknowledged statewide leader in implementing broad system improvements and efficiencies. LPSCC co-chairs (Multnomah County Chair and Portland Mayor) and the Executive Committee (see attachment for Committee Membership), often convene workgroups and subcommittees to address system problems, reforms, and enhancements. LPSCC members are committed to collaboratively solving problems to enhance our public safety system. LPSCC's effective leadership is evidenced by championing various initiatives outlined in this application, among others.

This is the same structure proposed in the 2015 application.

6b) Have there been changes in your core team composition over the last year? If so, please briefly describe those changes.

Organizationally, there have not been changes to the core team over the last year, though both personnel and core team member's level of commitment has changed. As outlined above, LPSCC has new Co-Chairs, County Chair Deborah Kafoury and Portland Mayor Ted Wheeler. In addition, Multnomah has a new Sheriff, Mike Reese, and there are two new Police Chiefs in the district, Portland Chief Mike Marshman and Gresham Chief Robin Sells, each consistent members of the SJC Policy Team, along with the Presiding and Chief Criminal Judges, District Attorney, Defense leadership, and the Directors of the Mental Health/Health Department and Department of Community Justice, among others.

6c) What other agencies, organizations, or individuals will participate in implementation? How would you describe their level of commitment to the implementation of your jurisdiction's reform plan?

There are a myriad of agencies, organizations and individuals who will help implement the 12 strategies. In addition to public agencies outlined above, the Joint Office on Housing, Corrections Health, Mental Health and Addictions Services, and community members will play an important role in implementation. Community-based agencies will include Central City Concern and Cascadia Behavioral Health, along with other contractors identified through required procurement processes. The county's Chief Diversity Officer, Ben Duncan, will continue his role as advisor, particularly for those strategies designed to impact racial and ethnic disparities. Finally, community engagement efforts will expand to include additional neighborhood associations, businesses, advocacy groups and individuals directly impacted by the

proposed strategies. All currently involved entities have demonstrated a high level of commitment to implementation of the county's reform plan, through active participation in planning efforts.

6d) Are all of these entities committed to sharing case-level data as outlined in the Data Use Agreement (DUA)? What challenges do you foresee in data accessibility and sharing that is required by the DUA?

All entities are committed to sharing case-level data, as outlined in the Data Use Agreement. Final issues to be resolved are outlined in the attached document. Given the jurisdictions have solid data systems, the major barrier to data accessibility and sharing is the time necessary to respond to data requests, a concern addressed by the proposed staffing model outlined in the budget.

SECTION 7: POLICY IMPLICATIONS

7a) As part of your Safety and Justice Challenge implementation plan, what local policy changes, if any, does your jurisdiction anticipate making?

As referenced throughout this proposal, a combination of new and planned local policy changes are at the heart of Multnomah County's Safety and Justice Challenge strategies, as follows:

Strategy 1: Reduce Time to Probation Violation Hearing

Policy Implications:

- New policies to hold PV hearings in an additional location
- Establishment of better document-sharing practices and timelines to expedite decision-making

Policy work team: Led by Chief Criminal Judge Ed Jones

Strategy 2: Release to Treatment

Policy Implications:

- Policies will be developed to clarify who is prioritized to have access to limited treatment beds
- Consider developing policies that would encourage using supportive housing with intensive treatment in place of residential treatment

Policy work team: Led by corrections health, probation/parole, and corrections programming

Strategy 3: Decrease Jail Time for "Interfering with Public Transportation (IPT)" Charges

Policy Implications:

- Policy shift complete: Three county DA's and the local transit authority, TriMet, created a new policy: "Absent exceptional circumstances or chronic offenders our offices will no longer prosecute TriMet fare evasions or exclusions for IPT. We will review Criminal Trespass and or Theft in the Third Degree, both Class C Misdemeanor charges, against any person who chronically violates their Tri-Met exclusion and or who present exceptional circumstances that necessitate prosecution. We feel using Class C Misdemeanor charges to address chronic fare evasion offenders on Tri-Met balances Tri-Met's need to maintain order on its system, while simultaneously equating the level of harm with the appropriate charge in the criminal justice system."
- Continue evaluation/monitoring

Policy work team: DA's office

Strategy 4: Decrease DCJ Sanction Length

Policy Implications:

- Policy shift complete: DCJ created and implemented new sanction guideline grid and expectations of swift, certain, and appropriate sanction practices
- Continue evaluation/monitoring

Policy work team: DCJ Leadership

Strategy 5: Increase Use of Cite and Release

Policy Implications:

- Develop policy to institute cite and release
- Clarify policy about transporting individuals who have not been arrested
- Expand use of cite in lieu of booking
- Explore use of field risk assessment

Policy work team: Law enforcement agencies, Sheriff's Office

Strategy 6: Move bench probationers to DCJ

Policy Implications:

- Pilot program (\$250,000) to assign high-risk probationers to DCJ, rather than court
- Implement use of assessment to determine appropriate supervisory agency

Policy work team: DCJ and Court

Strategy 7: Law Enforcement Assisted Diversion (LEAD)

Policy Implications:

- Policy shift complete: Individuals arrested for Possession of a Controlled Substance in target neighborhood will be offered deflection to services (rather than booking and prosecution)
- Continue evaluation/monitoring

Policy work team: LEAD policy team

Strategy 8: Decrease Jail Days for Inmates Held by Pretrial Policy Holds (PJO)

Policy Implications:

- Create DV specific release program: release, assessment, supervision, victim voice

Policy work team: Led by Chief Family Judge Maureen McKnight

Strategy 9: Decrease Jail Use by Inmates with Drug Charges/Treatment First

Policy Implications:

- Policy shift complete: Individuals prosecuted for Possession of a Controlled Substance across the county will be assessed and referred to a post plea diversion program, resulting in possible case dismissal or charge reduction (from felony to misdemeanor)
- Continue evaluation/monitoring

Policy work team: Treatment First policy team

Strategy 10: Establish Best Practice Sanction Length and Frequency

Policy Implications:

- Develop training for bench
- Establish feedback processes
- Monitor progress

Policy work team: Led by Chief Criminal Judge Ed Jones

Strategy 11: Decrease Jail Stays for Inmates Undergoing Aid and Assist Evaluation

Policy Implications:

- Policy shift complete: Retain local evaluators to expedite complex evaluation process and launch accompanying docket to track case disposition
- Continue evaluation/monitoring

Policy work team: Corrections health and Chief Criminal Judge Ed Jones

Strategy 12: Ensure Access to Jail Alternatives for Women with Mental Health Issues

Policy Implications:

- Increase non-jail options for women of color
- Increase use of behavioral health shelter options for women without housing

Policy work team: SJC/Women's program planning team, staffed by LPSCC

SECTION 8: LEARNING

8a) Do you believe any of your reform strategies have the potential to be held up as model programs and be replicated by other jurisdictions? Please explain.

In addition to the unique system-wide collaboration at the core of Multnomah County's reform efforts, there are several 'model' programs and practices integrated into this application, as well those implemented prior to SJC, that may be ripe for replication by other jurisdictions. Leadership across the county's criminal justice system have a long history of sharing emerging and best practices at the national level and are available to continue in that role as a SJC Core site.

- While not directly related to jail use, the Treatment First (Strategy 9) Program's use of Marlowe's approach to assessment for determining sentencing and supervision levels is a critical decision making tool that may be of interest to other jurisdictions.
- Multnomah County's combined LEAD and Cite and Release (Strategies 5, 7) approach to pre-release booking diversion to address substance abuse and mental health issues can help other jurisdictions working to address the impact of behavioral health issues in their community.
- DCJ's Revised Sanctions (Strategy 4) to align with best practices can be replicated by any jurisdiction working to reduce reliance on jails and better meet the needs of offenders.
- Interfering with Public Transportation (Strategy 3) policy changes are also replicable in other jurisdictions by a decision-maker's willingness to identify evidence of RED at a specific decision point and make an appropriate policy shift. Unique, yet possibly replicable anywhere, is the partnership between three county elected DA's and the tri-county transit authority.
- The proposed jail alternative program for women with mental health issues (Strategy 12) provides other jurisdictions a model for addressing disparities using a targeted universalism approach to better meet the needs of specific vulnerable, high-need populations that may not have sufficient numbers in the population to warrant a fully stand-alone culturally specific program.
- The county has implemented several best practices into their systems that other jurisdictions may be interested in pursuing, such as pretrial release practices, graduated sanctions, swift and sure sanctions, use of validated risk assessments throughout the criminal adjudication process, and justice reinvestment.

SECTION 9. SUSTAINABILITY/NEXT STAGES

9a) How do you plan to sustain the strategies in your proposal over the long-term, after the grant concludes?

Multnomah County is committed to encouraging innovation while committing to sustainable solutions that build community trust and support for ongoing reform efforts. It is notable that 10 of the 12 strategies outlined in this application require no SJC funding; in fact most of them require no funding at all, just the political will to make the criminal justice system more responsive, fair, and transparent. Of the two strategies supported by SJC funding, the LEAD (Strategy 7) Project Manager is supported by carry-over funds from 2016 and only Strategy 12, Women's Jail Alternative, is funded out of current year funds. The Bench Probation pilot (Strategy 6) was recently funded by the Board of County Commissioners, demonstrating a commitment to implement the full range of reforms. Each of these strategies will be implemented regardless of MacArthur funding and will be sustained, assuming outcomes collected during implementation support their continuance and on-going funds from federal, state and local resources continue to be allocated consistent with historical trends

Strategy 12, the Women's Jail Alternative, is fully aligned with the County's goals and priorities and will be funded through County General Fund at the end of the grant period, assuming county revenue levels are maintained.

9b) Please describe any other funding sources you have allocated toward these activities, including the source and proposed amount.

Potential and secure alternative funding sources for the proposed strategies are as follows:
MacArthur Foundation Safety + Justice Challenge 2016 carry-over funds:

- LEAD (Strategy 7): 2016 carry over funds will support continuation of the Project Manager through the next fiscal year to ensure on-going improvements during the first full year of implementation.
- County General Fund:
- LEAD (Strategy 7): \$750,000 to fund contracted community-based contracts to serve enrolled offenders.
 - Bench Probation (Strategy 6): \$250,000 to fund Parole/Probation Officers to pilot the strategy, with agreement to reassess based on outcomes from pilot.

State of Oregon:

- DCJ Sanctioning (Strategy 4): Current budget allocations will support reassignment of Parole/Probation staff to fully implement this strategy.
- The Oregon Health Authority is requesting \$150,000 in the current budget process to support the Women's Jail Alternative (Strategy 12). Final authorization of these funds will be available mid-July following completion of the state's budgeting process.
- The Oregon Criminal Justice Commission will finalize funding requests that include assessment support for the Treatment First (Strategy 9) mid-July following the completion of the state's budgeting process.

Federal:

- Medicaid/Oregon Health Plan provides funding for critically needed treatment services for offenders with behavioral health issues. Oregon's deep commitment to maintaining these services is well known, and supported by a newly renewed waiver to maintain its innovative approach to healthcare. Reductions in Medicaid funds, however, would have an undetermined, yet dramatic, impact on the county's ability to maintain treatment service levels, an issue that will be addressed if it arises.

SECTION 10: PAST PERFORMANCE

10a) How has your jurisdiction's jail population changed since the baseline measurement, and why? Baseline is defined as the 6-month average of the confined jail population from November 2015 to April 2016, excluding contracted beds. Please include aggregate jail data to support your answer.

Multnomah County's ADP has had a steady downward trajectory since 2016's baseline was calculated (does not include contract beds, which varied from 79-102):

- Baseline (November 2015 - April 2016): 1120 beds
- May 2016: 1104
- June 2016: 1078
- July 2016: 1073
- August 2016: 1017
- September 2016: 1041
- October 2016: 1247
- November 2016: 994
- December 2016: 930
- January 2017: 947
- February 2017: 970
- March 2017: 953

This downward trend led county commissioners to close two dorms (118 beds) since July 2016, institutionalizing smarter jail use across all partners. The average ADP reduction since baseline is 7.8%, 8.96% if the highest and lowest months are not included in the average. While it is impossible to assign exact causality to these reductions, they are indicative of leadership's commitment to jail reductions and the impacts of strategies already implemented.

10b) Which strategies have you been able to implement in the past year, and how have they impacted your local justice system?

Two strategies are fully implemented with reductions realized and two are in early implementation with cumulative impacts anticipated in the coming year. These strategies also supported leadership's growing understanding about how relatively small changes consistent with best practices can impact jail use, moving the jurisdiction closer to its vision of a jail system that is fair, equitable, and positioned to jail only those individuals who pose a threat to community safety.

Implemented Strategies:

- Decrease Jail Time for "Interfering with Public Transportation (IPT)" Charges (Strategy 3): The DA's office changed the charging policy in February 2017 to ensure those arrested for IPT do not spend time in jail, resulting in a .01% reduction. While small, this policy change is core to addressing disparities and has had a positive impact in the community, demonstrating a swift and equitable response to data released in December 2016 that found African Americans were significantly more likely to be banned from transit than Whites and other groups.
- Decrease DCJ Sanctions (Strategy 4): In response to the 2015 RED report indicating African American males received jail sanctions at a higher rate than their White counterparts, DCJ launched a full review of sanctioning practices and implemented new procedures, including an updated sanctioning grid in 2016 that addressed disparities and aligned practice with current research findings. The resulting average jail sanction reduction has reduced jail usage by 3.12%.

- Strategies in early implementation:
- Law Enforcement Assisted Diversion (Strategy 7) began services on February 28, 2017 and has enrolled 25 individuals. It is anticipated caseloads will stabilize at 100, at which time jail use reductions will be fully realized.
- Decrease Jail Use by Inmates with Drug Charges/Treatment First (Strategy 9) was launched on April 3, 2017, and the DA anticipates approximately 2,000 people will be eligible each year.

10c) What has your jurisdiction done to address racial and ethnic disparities? As applicable, please use data in response to this question.

The SJC-generated Racial and Ethnic Disparities report provided critically needed data to support criminal justice leadership's desire to address disparities system-wide. Several initiatives have been launched to facilitate this process:

- Multnomah County's Chief Diversity Officer, Ben Duncan, has been an active member of SJC planning since its inception. His feedback has helped focus planning on disparities, as well as formulate responses consistent with best practices. Examples include the LEAD community outreach effort described above and using a 'targeted universalism' approach in planning the Women's Jail Alternative, Strategy 12.
- Oregon ballot measure 11 (1994) enacted minimum sentences for specific violent crimes and mandated juveniles 15 and older charged with those crimes be tried as an adult. Research indicated these changes had a disparate impact on juveniles of color. Recent policy changes by the DA allow these minors be tried in juvenile court, thereby avoiding collateral consequences of an adult conviction. To date, no juveniles of color have been processed through adult court.
- On-going data analysis tracking RRI is performed to ensure on-going accountability across the criminal justice continuum. Data show prison sentencing RRI trending downward.
- The county's 2016 SJC proposal included the use of a dashboard to track RED at every decision point and hold partners accountable for reducing RED system-wide. This dashboard is in the final stages of development and will be live once data-sharing agreements are finalized. While not a SJC strategy in this application, it is a critical accountability tool that will be used with all justice reform efforts.

Finally, four strategies are specifically designed to address disparities, three of which are already in implementation: Strategy 3 (Interfering with Public Transport), Strategy 4 (DCJ Sanctions), and Strategy 7 (LEAD). Described in detail elsewhere in this application, the immediacy shown by partners to implement these policy and program changes in the span of a few months is notable, particularly in light of their on-going commitment to other planning efforts, including the final RED-focused strategy, the Women's Jail Alternative (Strategy 12). In addition, SJC partners have implemented other initiatives focused on reducing disparities over the past year, including violence and gang reduction efforts.

10d) What has your jurisdiction done to engage communities? How successful has your community engagement work been?

Guided by the International Association for Public Participation, Multnomah County launched intentional community engagement activities early in planning for Strategy 7, LEAD. Engagement involved a combination of large and small group sessions and 1:1 dialog, ensuring input from at least 10 stakeholder groups: neighborhood associations, treatment providers, advocates, faith/social service-based organizations, people with lived experience/clients, public safety reform advocates, business community, public safety agencies, property management companies, and residential property managers/landlords. Recent feedback involved recommendations for LEAD to consider expanding its

target population to address resident concerns about a recent increase in car break-ins, a recommendation now under consideration by the LEAD Policy Team.

As local and national tensions flared between communities and law enforcement, the process has provided an essential bridge between public safety leaders and communities of color, resulting in a broad community dialog and input throughout the planning process and initial implementation. Despite successful efforts to engage leadership of local activist groups into the process, a demonstration at a March 2017 community dinner hosted by the LEAD Community Engagement Team was disruptive and effectively shut the meeting down early. In response, LEAD staff are engaging with stakeholders, specifically individuals with lived experience and social service providers, to help craft a response, and LPSCC has agreed to work with the Burns Institute to be better prepared to respond effectively to disruptors in the community. While the demonstration was disruptive, it has helped clarify the importance of intentional engagement activities and is now regarded as a positive step forward by staff and community members alike.

10e) How has the work you have done over the past year influenced your proposed implementation plan?

Multnomah County's criminal justice partners' singular focus on justice reform, combined with leadership changes outlined above, have resulted in an ambitious, collaborative and realistic implementation plan with long-term implications for change that were unimaginable only 12 months ago. Given the adversarial nature of the criminal justice system itself, this shift could not have been achieved by mandate; rather it is a testament to the importance of taking the time to identify common goals, finding champions for change, and sticking with the process even when change seems impossible. The challenge put forth by MacArthur has united all those around the table with a rare common vision and a limited opening to achieve it. Our ability to put that vision of a fair and equitable criminal justice system into practice proves we're ready to meet that challenge.