

Evaluation Bulletin #2: Senate Bill 1145

Reducing Crime Benchmark Analysis
Multnomah County, Oregon



Department of Support Services

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Evaluation Bulletin #2--Senate Bill 1145
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Purpose of this bulletin

To provide an update on screenings of 1145 inmates for potential community supervision.

The Screening Process

All SB1145 inmates are screened for potential transfer to community supervision while they are still in jail. This occurs through an interdepartmental staffing which involves two teams:

1. Multnomah County Sheriff's Office—Offender Management Unit (the "jail team");
2. Department of Juvenile and Adult Community Justice—Offender Management Team (the "community supervision team").

The screening process was previously described in *Evaluation Bulletin 1—July 7, 1997*.

Data Sources

Between January and March 1997 only inmates considered likely for community release were screened; inmates clearly unacceptable for community supervision were not screened, so there is no data on reasons for rejection for all inmates. Beginning April 1997 the two teams began to conduct screenings of all 1145 inmates and document the results of those screenings on an offender action plan. Results of all these screenings have been entered in a data base which has been analyzed to produce this report.

Reasons for Rejection for Community Supervision

Inmates are rejected for any number of reasons. *Evaluation Bulletin 1* noted the large percentage of inmates who had holds. Since then actions have been taken to speed the release of inmates with holds. However, these actions are not effective if inmates with holds also have other reasons for not being eligible for community supervision. This is not uncommon as 20% of inmates have more than one reason for rejection.

To get a better idea of the reasons for rejection that we can do something about, *Evaluation Bulletin 2* has selected a primary reason for rejection when an inmate has multiple reasons. These have been assigned in the following priority order. These are explained in more detail in Appendix 1.

1. Non SB1145 companion sentence
2. Parole revocation
3. Other

4. High risk to community
5. Lockdown status in jail
6. No program available
7. Insufficient time to release to community before expiration of 1145 sentence
8. Hold only—no other reason not to release inmate

This list is roughly in order of difficulty in removing the impediment to community release. Reasons at the top of the list tend to be more difficult at the present time. Reasons at the bottom are more amenable to local control. So, if an inmate has both a hold and is high risk, they are shown in the high risk counts for the purposes of this report, as this is the primary reason they are not being released to the community.

Results of Screenings by Month

Table 1 shows results of these screenings by month. It is important to remember that prior to April, the number of screenings is low because only inmates with a potential for community supervision were screened. Beginning April, the number of screenings increased because all inmates were screened, even if they were clearly not eligible for community release.

A second caution concerns which month the screening occurred. The date field on the screening form has been used various ways since the screening process started. In some cases it is the date of the actual screening. Sometimes it is updated if circumstances change and the inmate was re-screened. Often the date shown on the screening form has been the date in which the screening data was actually entered into the computer; thus an inmate could actually have been screened during a prior month. Because of this, the count for September screenings is spuriously low, as data on screenings of many inmates actually screened in September was entered in October. Because of these limitations Table 1 is only an approximate indication of changes in the outcomes of screenings over time. However, it is accurate enough to show that there has been no recent increase in the number of inmates which are considered eligible for community supervision.

Table 1
Inmates Screened for Potential Transfer to Community Supervision

	Number of Inmates by Month										Total	%
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct		
Accepted	4	15	10	31	10	12	26	18	5		132	18%
Rejected	0	17	16	81	127	69	82	85	71	46	594	80%
Accepted pending completion of arrangements							1	1		11	13	2%
Total	4	32	26	112	137	82	109	104	76	57	739	100%

Note: Only inmates with a high potential for community release were screened in Jan-Mar.

Table 1 shows only about 18% of inmates are being accepted for community supervision, with no upward trend. Table 2 on the next page shows the reasons that inmates are being rejected.

Table 2: Reasons for Rejection of Inmates Not Accepted for Community Supervision

Reasons for Rejection ¹	Number of Inmates by Month										Total	%
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct		
Non 1145 “Companion Sentence”		1	1	7	16	10	12	11	9	6	73	12%
Parole Revocation		3	2	36	41	31	30	43	24	14	224	38%
Other							1		1	1	3	-
High Risk		10	11	12	12	2	2	11	2	3	65	11%
In Lockdown Status					1			1	1	1	5	1%
No Program Available		1	1		2	3	3		1		11	2%
Insufficient time		1		4	15	4	6	2	11	3	46	8%
Holds—no other reason		1	1	22	40	19	28	16	22	18	167	28%
TOTAL		17	16	81	127	69	82	85	71	46	594	100%

Note: Only inmates with a high potential for community release were screened in Jan-Mar.

Table 2 shows, that even after all other reasons for non-release are removed, that holds continue to be a major impediment to release of inmates to SB1145 community supervision. The biggest reasons, however, are parole revocation (38%) and presence of a non-1145 companion sentence (12%), things over which there is little if any local control.

Table 3 converts the raw counts from Table 1 into percentages. This allows easier comparison of trends in reason for rejection over time.

Table 3: Percent Distribution of Reasons for Rejection of Inmates Not Accepted for Community Supervision

Reasons for Rejection	Percent of Inmates by Month										Average %
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	
Non 1145 “Companion Sentence”		5.9	6.3	8.6	12.6	14.5	14.5	12.9	12.7	13.0	12.3
Parole Revocation		17.6	12.5	44.4	32.3	44.9	36.6	50.6	33.8	30.4	37.7
Other							1.2		1.4	2.2	.6
High Risk		58.8	68.8	14.8	9.4	2.9	2.4	12.9	2.8	6.5	10.9
In Lockdown Status					.8			2.4	1.4	2.2	.8
No Program Available		5.9	6.3		1.6	4.3	3.7		1.4		1.9
Insufficient time		5.9		4.9	11.8	5.8	7.3	2.4	15.5	6.5	7.7
Holds—no other reason		5.9	6.3	27.2	31.5	27.5	34.1	18.8	31.0	39.1	28.1

Notes: Columns each sum to 100%. Only inmates with a high potential for community release were screened in Jan-Mar.

Table 3 shows there is no clear trend in reasons for rejection for community release.

¹ Definitions for the reasons for rejection are found in Appendix 1.

Appendix 1

Definitions of Reasons for Rejection for Community Supervision

There are 8 primary reasons why 1145 offenders are rejected for community supervision. Offenders with multiple reasons are assigned a primary reason in the following order:

- 1) **Non 1145 “Companion Sentences”:** Offender has an 1145 sentence plus an additional sentence that is not an 1145 sentence. The offender cannot be released on SB1145 community supervision until mandatory jail time on the non-1145 sentence is served.
- 2) **The offender’s Parole was revoked:** The policy of the State Parole Board is that these offenders may not be transferred into community supervision. They must serve the entire time of their revocation in custody.
- 3) **Other:** In two cases the judge has denied recommended community supervision status for an offender. In another case budget cuts made it difficult to get a timely alcohol and drug evaluation to get the offender into alcohol and drug residential treatment.
- 4) **High Risk to Community:** Chronic criminal history, sex offenders, violent person to person crimes, or mental health problems, especially when coupled with repeated past failures in community supervision.
- 5) **Lockdown:** The offender is in lockdown status due to behavioral problems while in jail custody.
- 6) **No Program Available:** either the offender needs a level of program supervision which does not exist, or if it does exist is full. Offenders who refuse all community supervision options have also been classified here.
- 7) **Insufficient Time:** The combination of the time served before sentencing date, good time, work time, and the mandatory 30 days that must be served in jail after the sentence date leaves very little, if any, time left for transfer to 1145 community supervision. By the time 1145 offenders serve their mandatory 30 days in jail their 1145 time may be complete. If any 1145 time remains after the end of the 30-day mandatory jail sentence, the current offender action plans consider 10 days to be insufficient time to even process 1145 offenders for transfer to community supervision. In these cases the inmate is either released from jail at the end of their sentence with no further supervision, or are released into parole status—that is, non-1145 community supervision.
- 8) **Hold only:** The offender has a “hold” which prevents their release from jail and there is no other reason above which results in the inmate being held in custody.

There are several different types of holds.

- a. Local Charges - a pending case or jail sentence that has to be served in Multnomah County. This category can include medical holds, i.e., the inmate should not be released for medical reasons such as a psychiatric condition.
- b. Other County hold - pending case or jail sentence in another county;
- c. Interstate fugitives - pending case or jail sentence from another state;
- d. U.S. Marshall hold - pending federal case or sentence;

- e. Immigration and Naturalization Service - pending deportation hearing;
- f. Ballot Measure 40 - these offenders cannot be released without a judge's approval.