

SHERIFF'S OFFICE CBAC

TO: Chair Deborah Kafoury and County Board of Commissioners 4 pages

FROM: MCSO CBAC

DATE: April 3, 2019

SUBJECT: Budget Advisory Committee (CBAC) Report & Recommendations

EXECUTIVE SUMMARY

As the MCSO CBAC, we are pleased to witness Sheriff Reese's dedication to work with regional justice system partners to develop alternatives to traditional incarceration and programs to assist adults in custody with mental illness and substance use disorders. Additionally, we have been impressed with MCSO's commitment to provide law enforcement services across Multnomah County, modeling the tenets of community policing and developing relationships of trust and accountability within the communities they serve. Despite enduring years of sustained budget reductions, MCSO has developed innovative approaches to continue to provide core public safety services to Multnomah County.

The CBAC acknowledges the difficult decisions that will be required by the County Chair and Commissioners to arrive at a balanced budget for FY 2020. That being said, the required 3% reductions MCSO has submitted will, individually and in total, deteriorate MCSO's core services and erode MCSO's innovative approaches and progressive programs. Our recommendations for the Chair's Executive Budget focus on sustaining core services that, if not funded in FY 2020, would have disastrous impacts on the services provided by MCSO and system partners, and as such we are supporting their restoration. These core services include the Close Street Program, the Turn Self-In Program, community policing, and investigative programs that serve vulnerable populations.

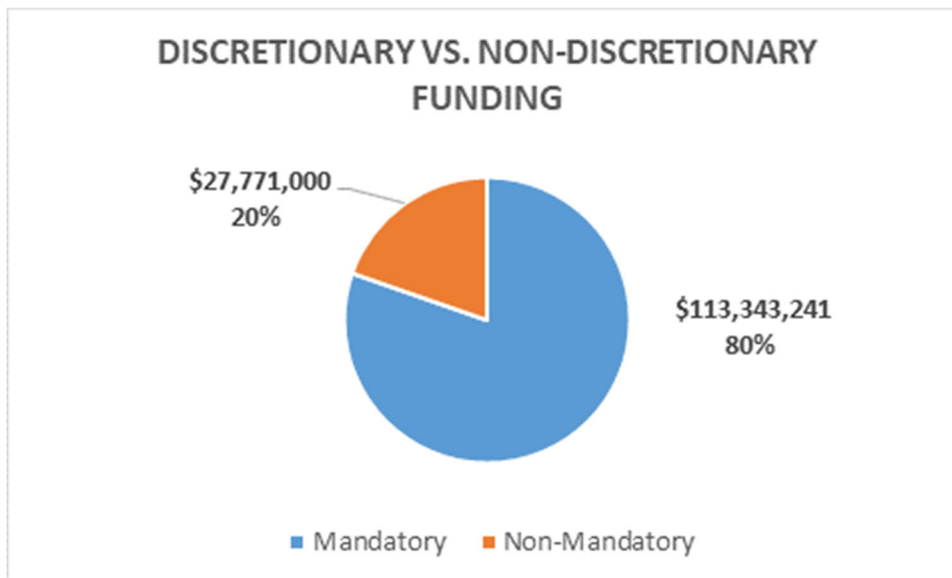
PROCESS

The MCSO process allowed for the CBAC to engage with the agency's budget process, was transparent, and provided the framework for the committee to deliberate issues and produce recommendations over a period of five months. The MCSO CBAC gained three new highly qualified members to serve on the committee, which has generated productive and explorative discussions at the CBAC meetings. The CBAC's first meeting to prepare for FY 2020 Budget process occurred in October 2018, with additional meetings occurring in December, January, February and April for a total of 10 meeting hours. In the course of the meetings, the Sheriff, Chiefs, and finance staff met with us to discuss programs, operations, and trends. The CBAC reviewed more than two dozen new program offers and produced five key recommendations regarding MCSO's FY 2020 Budget.

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EMERGING ISSUES & CHANGES

Discretionary vs. Non-Discretionary Funding: Approximately 80% of the Sheriff's Office functions and programs are mandatory programming that MCSO is legally required to perform. The actual discretionary budget of MCSO equates to \$27.8 million which, when applying the required budget constraint of \$4.0 million dollars, calculates to MCSO experiencing a 14.5% cut to its General Fund budget. Because MCSO can only make reductions to its limited discretionary programming, the reductions are to the most innovative programs that are at the heart of strategies to implement non-incarceration tools to promote public safety, support community livability in our County, and sustain the health of the criminal justice system. These programs include greater capacity to address domestic violence cases to creating trust with, and ensuring the safety of, our immigrant communities. The table below depicts the discretionary vs non-discretionary programming in the Sheriff's Office budget.



Out of Custody Supervision Options: The Sheriff's Office and partner agencies have made significant strides in utilizing alternatives to incarceration as the primary tool of law enforcement. In fact, there has been a 25% reduction in jail beds over the past years during the same period in which the County population has grown by more than 15%. As a result, Multnomah County's incarceration rate has dropped by 30% in the past 10 years, as there has been less reliance on jail and more on innovative programs through Justice Reinvestment. When executed properly, this approach can both reduce costs and improve public safety. If MCSO experiences cuts to the current jail system model, either decreasing jail capacity or out-of-custody programs such as the Close Street Supervision or the Turn Self-In Programs, the tenuous equilibrium of the system will be jeopardized. Based on current caseloads, the elimination of the Close Street Supervision Program as an out-of-custody supervision option could move more than 300 additional adults back into the jails. It is projected that this would increase the daily jail population to a level that would require daily emergency releases.

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Jail Capacity Equilibrium: Although the level of jail capacity is theoretically a discretionary decision, and makes it an easy target for reduction, the reality is much more complicated because reductions to the current jail capacity would have dangerous consequences for public safety. Closing one jail dorm is projected to increase daily jail population to 93.6% of capacity, and closing a second dorm puts the average daily population at 98.7% of capacity. This would require nearly daily emergency releases, which is challenging for many reasons, including that many of the adults in custody are not eligible for emergency release because of the nature of their crimes (Measure 11 and Domestic Violence crimes). There are also troubling signs that demands on jail capacity are increasing at the same time that MCSO is facing the prospect of reducing jail beds. Trends show an increase in adults in custody who fail to appear (FTAs), longer jail stays and more serious charges of those in custody. The FTAs create pressure on the jail system, in that they are sentenced to longer jail stays and are not released on their own recognizance for future cases. Other concerning trend data includes an increase in the number of adults in custody in the system on murder charges, a 20% increase of the number of adults in custody in pretrial status for greater than 150 days, an increase of the adults in custody on Ballot Measure 11 charges, and, specifically, a 56% increase of the adults in custody facing Assault 1 charges.

RECOMMENDATIONS

1. 60554A Close Street Supervision Program \$1,255,791

Cutting this program would eliminate a program that provides an effective alternative to jail for people with lesser charges and lower risk; the program reduces the demand on jail beds. The program is funded at \$1.26 million and 7.0 FTE which provides capacity for 125 cases, but the current program participation exceeds 300. Therefore MCSO submitted two program offers to expand the program capacity to 325 and 500 cases, respectively. The reduction of this program will affect those who are most in need of help, to remain out of the justice system. This includes people with physical and mental health issues and individuals struggling with addiction. Another valuable program that we believe should remain funded is the Turn Self-In program (\$272,585, 2.0 FTE), as cutting it will eliminate a program that provides relief to jail capacity issues and another alternative to jail for individuals with lesser charges and lower risk.

2. 60330A US Marshal Office Increased Revenue \$619,179

MCSO is legally mandated to house and provide care for US Marshal Prisoners, however the US Marshal reimburses MCSO for only 66% of the costs incurred related to these prisoners. Often the US Marshal relies upon MCSO to care for their highest need, and therefore the highest cost, prisoners, because MCSO has the most comprehensive and well-equipped jail system in the region. MCSO has taken the initiative to renegotiate their contract with the US Marshal to achieve a higher rate of reimbursement, and as such, MCSO included the additional projected revenues in their FY 2020 budget as a General Fund offset. We think this is a prudent and proactive fiscal strategy and support MCSO in their efforts to achieve greater cost recovery for the care of the US Marshal's prisoners.

3. Investigative Programs that Serve Vulnerable Populations \$515,613

The Investigative programs that serve vulnerable populations, although not mandated, are of great value to underserved communities and individuals who are unable to advocate for themselves. The U-Visa Program/Immigrant and Refugee Outreach Deputy (60520B) provides services to refugee and immigrant populations, assists in obtaining U-Visas, and is an effective liaison to the community

Members: Dana Fuller, Dwight Holton, Jim Lasher, Diane McKeel, Christy Owen, Ted Tosterud, Edward VanBuren **Staff:** Katy Bailey, Wanda Yantis, Kezia Wanner

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regarding public safety concerns and issues. The Intercept Detective (60520C) is dedicated to investigating and apprehending criminals in cases of child pornography and abuse. The Violation of Restraining Order Gun Dispossession Sergeant (60555) is dedicated to investigating and monitoring those with restraining orders and who have a history of violent behavior and high lethality indicators. It is important to note that each of these programs have one dedicated position, so cutting these positions would eliminate entire programs.

4. 60540 HOPE Team

\$264,793

The HOPE Team is focused on communicating and engaging with people experiencing homelessness and helps connect them to appropriate social and/or medical services. Additionally, the Team responds to complaints made by residents and businesses, and works to identify solutions that might alleviate the tension between homeless individuals and community groups. The value of this team is that it is a long-term assignment and therefore the members are able to build effective relationships of trust within the populations experiencing homelessness and develop successful problem-solving strategies. The MCSO CBAC recommends the HOPE Team receives ongoing funding.

5. 60112 MCSO Equity Manager

\$167,778

The CBAC supports funding for an MCSO Equity Manager. The Equity Manager would be instrumental in aligning MCSO with the County Workforce Equity plan tenets, as well as assisting MCSO to internally implement new standards, processes, and guidelines to apply equity principals across the agency's operations. Key areas of priority for the Equity Manager's focus are recruitment, hiring, promotional processes, training, policy, and communications.