

2011 Clackamas County Corrections Grand Jury Report

Goal: ORS 132.440 requires “once yearly a grand jury shall inquire into the condition and management of every correctional facility and youth correctional facility...in the county.” A seven-member grand jury addressing this issue in Clackamas County was empaneled Oct. 31, 2011.

Preparation: The grand jury was assisted in this effort by the District Attorney’s office, which provided copies of past grand jury reports (2008 – 2010) and arranged tours and meetings with representatives of the facilities. Facilities under review included the Clackamas County Jail, the Clackamas County Courthouse holding cells, the Clackamas County Correctional Facility (CCCF), the Clackamas County Residential Center and the Juvenile Intake and Assessment Center.

Clackamas County Jail: Nov. 10, 2011

Personnel involved in tour/visit:

CCSO Sheriff Craig Roberts
CCSO Undersheriff Dave Kirby
CCSO Captain Mike Alexander
CCSO Lt. Lee Eby
CCSO Lt. Glen Fuqua
CCSO Lt. Todd Rollins

Background: The Clackamas County Jail was built in 1959, fundamentally rebuilt in the 1980s and has been remodeled and expanded over the years to its current capacity of 434 beds. Funding, as for many public services, has been erratic and subject to changes in state and county priorities. The jail was designed and has evolved as a linear structure, which is less efficient and less safe than a pod structure. The architecture thus necessitates increased staffing per inmate and presents special challenges for jail management.

Process: The grand jury was given a thorough overview of the jail by command staff and a tour of the facility. The tour included booking areas, medical facilities, cell blocks, catwalk inmate observation areas, holding areas, “lockdown” blocks, kitchen and dining facilities, the recreation yard, the control room and visiting areas. Men’s and women’s areas were inspected.

Conditions

Jail Building and Staffing: As has been noted in past grand jury reports, the linear structure of the jail is antiquated and less efficient in terms of staffing and inmate supervision. The many hallways and “arms” of the jail limit visibility and require more staff to supervise, escort and interact with inmates. A Blue Ribbon Committee Report, prepared in April 2006, indicates the more modern podular design “minimizes the need to escort inmates to and from services therefore reducing the ratio of officers and visual

supervision.” The report cites the current staffing requirement as one officer per 14 inmates; in a pod format, the committee states that it would be one officer per 40 to 60 inmates. This linear structure with its limitations is important to emphasize – a recent remodel was completed to add 40 needed beds, but the staffing requirements due to the outdated structure restricts the ability to use them.

The Undersheriff reported that five budgeted staff openings have not been filled due to unplanned attrition and the long hiring cycle required to fill a position. Overtime for the past three years totals approximately \$1.2 million annually.

Cells and Housing blocks: The Grand Jury found that the cells and housing blocks were clean and orderly. A tour certainly shows citizens that the jail is spare and spartan – as noted in earlier reports, it is probably what most citizens believe a jail should be. There are no televisions or any other electronic entertainment, few books and the furnishings are minimal, functional and not overly comfortable. Inmates are segregated appropriately based on offenses and conditions, and the growing population of sex offenders is kept separate in its own wing.

Grand Jurors had mixed opinions on the 12-hour holding area, where some inmates sentenced for minor offenses are held for 12 hours and released to a job or home for the remaining 12. While all agreed that this is a good deterrent for the offenders, and also a valuable way to free up the “hard beds” for the more serious offenders, the room itself was a very large cement area and is unable to be independently regulated for heat. Some of the jurors felt the cold was extreme and inhumane.

Some grand jurors were also concerned about the disciplinary blocks, where inmates with behavioral problems are kept in their cells for 23 of the 24 hours each day. None of the grand jurors are corrections professionals; however, it is recommended that that practice be examined on humanitarian grounds.

Recreation yard: The newly covered recreation yard allows inmates access to a covered cement area with fresh air. There are no basketball hoops or other recreation structures in the yard for safety reasons. The addition was an asset as it allowed some inmate exercise out of the rain.

Kitchen: Grand jurors had a limited tour of the kitchen and saw some dining areas, as well as trays for cell-bound inmates. The kitchen was clean and well organized. Jail staff has reduced the cost per inmate to less than \$1 per meal, and should be commended for their efficiency. The Grand Jury ate lunch during the tour and the food was of good quality and balanced nutrition.

Medical care: The Grand Jury was limited on assessing medical care expenses and quality because of the switch last year to privatizing the medical functions. It is expected that the use of Chorizon Medical Care, a national company, will significantly reduce medical expenses due to a more stringent triage system; however, it will be important to monitor inmate access and the quality of care during the next year.

According to information provided by the Sheriff’s office, the jail spends just under \$17,000 per month for inmate medications. In 2010, “medical treatment in the jail” topped the list of inmate grievances with 71 official complaints; however, the majority of

the complaints were “unsustained” and the Grand Jury has no other details on the nature of the grievances. Inmates are evaluated upon booking to see if they need medical care and there are staff safety and health precaution supplies readily available in the booking area.

Medical costs and mental health issues remain two of the most important issues impacting the jail. The jail is legally responsible for inmates’ medical care, including many un- and underinsured, those struggling with alcohol and drug issues, and the mentally ill.

It is estimated that approximately 30 percent of booked offenders suffer from some sort of mental illness. Given the lack of state and other facilities for the mentally ill, the Clackamas County Jail becomes a de-facto dumping ground for a high-need population. The increase in mentally ill inmates puts a strain on the already stretched budget: such inmates require more staff time; more medical attention; possible segregation from the rest of the jail population and increased staff training.

Sheriff Roberts has contracted with two mental health specialists from Health, Housing and Human Services to assist with the special needs of mentally ill inmates, and provides crisis intervention training for his staff.

Technology: The use of electronic monitoring (ankle bracelets, alcohol monitors) saves taxpayer money and eases the demand for jail beds. The jail’s new visitor video system – a dedicated room where visitors talk with inmates via video conferencing – reduces staff time in transporting and monitoring inmate visits.

Education / Social Programs: Due to the generally limited nature of a county jail inmate’s stay, there are few programs available to the general population. It is difficult to offer GED or other education classes when inmates are only there for a short time. However, Alcoholics Anonymous, Narcotics Anonymous, parenting classes and church-sponsored programs are offered and some inmates are able to continue work on a GED. In 2010, 1,816 hours of education programs were provided to inmates and three GEDs were awarded. Based on 14,096 bookings for that year, an average of .13 hours of instruction were provided per booking. The statistics presented to the grand jury indicated the recidivism rates for inmates who earned GEDs while in custody dropped by nearly 20 percent.

Management

Budget Efficiencies: Sheriff Roberts and jail staff should be commended for a number of innovative efficiencies that save considerable taxpayer money, including privatizing the medical care; keeping food costs low; using inmate labor for laundry (saving an estimated \$60,000 annually over contracted services) and kitchen services; the visitor video system; and contracting for mental health assistance.

Bed Use and Forced Release: The Clackamas County Jail continues to struggle with adequate funding to serve the needs of the county. The national average for jail beds per 1,000 population is 2.1. In Oregon, the average is 2.5. In Clackamas County, it is 1.1.

The jail has 434 beds. An additional 40 from the last remodel cannot be used because of the subsequent need for additional staffing, which is not in the budget. The jail books an estimated 14,000 inmates per year, and 1,347 inmates were force-released in 2010 because of lack of beds. It is estimated that 1,800 inmates will be force-released this year for the same reason. Clackamas County Judge Robert Herndon said in his visit to the Grand Jury "there is nothing more frustrating than sending someone to jail...and they get home before you do."

Recidivism: The recidivism rate in Clackamas County is high, at 74 percent. Jail staff remarked that they are now seeing third-generation offenders. This is a depressing statistic, and should be remembered when considering budgets for preventive and early intervention programs. The Grand Jury believes the jail is efficiently run as a deterrent, and the lack of any comfort/stimulation prohibits it from being seen as a preferable place to be.

Findings: The Clackamas County jail has been inspected and assessed by state and national bodies. Findings from the different entities generally approve the management and operation of the jail, but, like grand juries over the years, find the building and design woefully inadequate for safety, economy and security. Clackamas County officials need to come to agreement on the funding, timeline and construction of a new jail with a budget to maintain staff at appropriate levels. Detailed recommendations can be found in the Summary / Recommendations section of this report.

Clackamas County Courthouse Holding Cells: Nov. 10, 2011

Personnel involved in tour/visit:

CCSO Sgt. Erin Brisbin
CCSO Undersheriff Dave Kirby

Background: The Clackamas County Holding Cells are located on the third floor of the courthouse and are designed for the temporary holding of inmates brought to court and those taken into custody at the courthouse. There is one large holding cell and one very small holding cell, which is often used for female inmates. Due to space restrictions, inmates are often chained to benches while awaiting transport and it is difficult to impossible to adequately separate inmates.

Process: The Grand Jury was given a tour of the existing holding cells and also looked at the blueprints for a new remodeling which is taking place this year.

Conditions/ Management

The construction of the new holding cell and the sally port is a positive change and will enhance the security and safety of the public, courthouse staff and the inmates.

Findings: The new design vastly improves the safety and security of both inmates and the public, and includes a sally port behind the courthouse for secure and private transfer

of inmates. Detailed recommendations can be found in the Summary / Recommendations section of this report.

Clackamas County Community Corrections Facility: Nov. 15, 2011

Jail... *"is not a very effective tool for behavior modification."* – Judge Robert Herndon

Personnel involved in tour/visit:

CCSO Capt. Chris Hoy

Joy Thalman

Brian Imdieke

CCSO Undersheriff Dave Kirby

Background: The stated overview of Clackamas County Community Corrections is as follows: "Clackamas County Community Corrections provides probation, parole and post-prison supervision, inpatient and outpatient drug & alcohol treatment, work release, community service and victim services. We focus our services on those individuals most at risk to re-offend." Community Corrections, located in an industrial area in Milwaukie, is divided into two residential facilities that include a Work Release program and substance abuse programs and is managed by the Community Corrections division of the Clackamas County Sheriff's Office.

The Correctional Facility (CCCF) holds 80 beds, 60 for men and 20 for women. It houses the work release population and the Women's Substance Abuse Program (WCSAP.)

The Residential Center (CCRC) holds 34 beds (male only); houses some work release inmates and also is the home of the Men's Substance abuse program, or CSAP.

There are not enough beds for the population that can benefit from this program. The Women's Work Release program has a 30-60 day waiting period for available beds. The average waiting time for treatment beds for the men's and women's substance abuse programs average between three and six weeks.

The residential programs included in Community Corrections are the Work Release Program and the Corrections Substance Abuse Program.

The Work Release Program provides:

- A structured and supervised living environment
- Employment counseling and services
- Monitoring for offender accountability
- Alcohol and drug use testing
- Cognitive programs / anger and stress management
- Monitored financial disbursement – payment of restitution, work release fees, court-ordered fines
- Screening for treatment and attendance at outpatient treatment programs
- Transitional services for offenders releasing from prison
- Crisis placement for offenders on supervision

The Corrections Substance Abuse Program provides:

- Long-term residential drug and alcohol treatment program targeting felony offenders who are at high risk to re-offend
- Separate treatment program for men and women for the dual issues of alcohol or drug abuse and criminal conduct

Process: Grand Jurors were given a tour and overview of both facilities, along with a lunch. Two participants talked to the Grand Jury about their experience in the facility; one a former resident and one current.

Conditions

The facilities were old but kept clean. Both buildings were full, but a creative use of space helped eliminate a feeling of overcrowding. Kitchens were small, clean and well-organized.

Management

Clackamas County Community Corrections has an enviable reputation throughout the state for success. Parole recidivism rate is the lowest of the six most populous counties in Oregon, at 17.1 percent (compared to Lane at 32.1 percent; Multnomah at 30.4 percent, and Marion at 24.2 percent.) The use of contracts with private agencies for housing and other services reduces the cost to the county while providing needed services for residents who complete their programs. Offenders pay towards work release room and board costs, in addition to employment, group and treatment responsibilities.

This unique program seems to break the cycle of recidivism. Trained staff use curricula designed to change criminal behavior. As noted at the Clackamas County Jail, many of the inmates are involved in alcohol and drug abuse, which leads to a cycle of re-offense. The Community Corrections programs are designed not only to treat alcohol and substance abuse, but to fundamentally change “criminal thinking” to reduce recidivism and allow residents to assume a productive role in the community. Education is provided on employment and housing after release, removing more barriers to successful integration into the community. A mentorship program is in place for graduates and participants. Statistics on program success are impressive:

For the CSAP program:

- 0 percent were employed when entering the program
- 76 percent of program graduates were employed full time

For work release participants:

- 19 percent were employed at intake
- 87 percent had full-time employment upon leaving work release
- 86 percent of work release offenders were arrest free six-months after program completion

The specific mission of the department is to “promote public safety and provide offenders opportunities to become productive members of the community.”

Findings: The Grand Jury found that the programs involved in Clackamas County Community Corrections were an essential and laudable component of the corrections system. As Judge Herndon remarked, “We can always use more jail space. But the reality is just locking up people is economically unsustainable. It doesn’t result in any significant change.”

The Grand Jury agrees with Judge Herndon’s assessment of the programs at Community Corrections, calling them “programs that really work.”

Lack of available funding means choices have to be made in the corrections system, as well as in education, health care and other public services. The Grand Jury feels strongly that the success of the Community Corrections programs – and the subsequent positive impact on the safety and health of Clackamas County – should place them at the highest level of priority in future funding decisions.

Detailed recommendations can be found in the Summary / Recommendations section of this report.

Juvenile Intake and Assessment Center (JIAC): Nov. 15, 2011

Personnel involved in tour/visit:

Marla Conser

Dereck Johnson

Ellen Crawford, Director (email)

Background: The Juvenile Intake and Assessment Center, built in 1995, is a reception facility designed for initial assessment of juveniles brought into custody by patrol officers. It is part of the juvenile system of Clackamas County, but in a separate building that provides a safe and secure area for the assessment of juvenile offenders.

The JIAC was designed to temporarily hold a juvenile for evaluation, freeing the police officer to return to patrol. Juveniles from Clackamas County who are held in custody are housed at the Donald E. Long facility in Portland.

Process: Grand Jurors toured the facility, including the holding areas, and heard a presentation by Marla Conser. Director Ellen Crawford provided additional information promptly when e-mailed with further questions.

Conditions

The JIAC was clean, with appropriate security precautions for the safety of the staff, officers and the offenders.

Management

Juveniles brought into the JIAC are assessed for health, drug and alcohol, mental health and safety issues. The majority of those brought in are from the Clackamas County Sheriff’s Office, with the Oregon City Police and Canby Police the next most frequent users.

According to the Director Crawford, “the primary advantage is having a facility for law enforcement to bring youth which allows them to return to patrol.” It is more

expedient, and the juveniles also receive a thorough assessment and evaluation. The immediacy of these assessments allow for the development of effective case management strategies. The staff at the JIA also case-manage the misdemeanor referrals, carrying an average caseload of 14 youth.

In 2009, the Juvenile Department received 2,141 youth referrals and 1,263 were processed through the JIAC. In 2010, the department received 1,920 youth referrals and 1,191 were processed through the JIAC. Director Ellen Crawford said there is a downward trend in referrals but a slight increase in the use of the JIAC for processing those referrals.

Findings: The JIAC performs a valuable service in keeping patrol officers on the road, while offering a safe and secure place for juveniles to be held for assessment. The assessment and evaluation offers early intervention possibilities for young offenders. It would be interesting to note why referrals are decreasing. Detailed recommendations can be found in the Summary / Recommendations section of this report.

Summary / Recommendations

General: The Grand Jury is satisfied with the overall management of the facilities investigated for this report. Management and staff are committed and creative in finding ways to work within limited budgets.

Clackamas County Jail:

The 2011 Grand Jury, as others before, find the design and condition of the jail outdated to a point where it impacts public safety. The management of the jail appears to be making the best of a bad situation, but the facility itself is outmoded and does not adequately serve the county population. It is no longer feasible to remodel or add on: a new jail should be approved and constructed. With that goal, the grand jury submits the following recommendations.

- A concerted effort should be made to develop a plan for construction and staffing of a new facility with a complete cost/benefit analysis of existing and future staffing levels.
- Provide strategic and management goals and metrics to better assess trends, achievements and obstacles. Develop and make public target goals for the department (for example, reducing staff overtime, lowering recidivism, etc.)
- Provide comparative or benchmark data with other comparable facilities
- Review hiring practices and timelines for adding or replacing personnel.
- Investigate and monitor the true temperature of the 12-hour holding area with input from medical personnel
- Evaluate the disciplinary practices for inmates with behavioral problems to ensure current practices meet humanitarian standards and practices
- Develop criteria to monitor and evaluate the new outsourced medical care program

Clackamas County Courthouse Holding Cells:

Problems of small, insufficient space and lack of security have been alleviated by beginning construction of the new holding cells and sally port.

- No recommendations this year

Clackamas County Community Corrections Facility:

The important and innovative work done at this residential center makes a dramatic impact on community health and safety. It is imperative that these programs continue. The Work Release and Corrections Substance Abuse programs prevent additional offenses, with subsequent economic burdens on the community. The program results are a model throughout the state. As has been noted in this report, keeping people out of jail is more cost-effective and results in a healthier community. Changing the lives of offenders, so they can become productive and contributing members of society, is a proactive and beneficial goal and impacts the entire corrections system. The Grand Jury recommends:

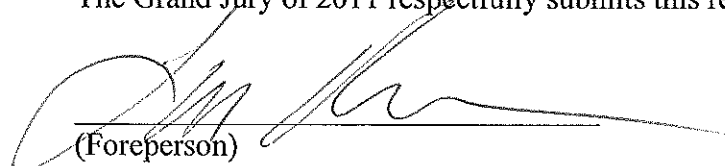
- Continued full funding for Clackamas County Corrections as the number one priority for the Grand Jury 2011 report.

Juvenile Intake and Assessment Center (JIAC):

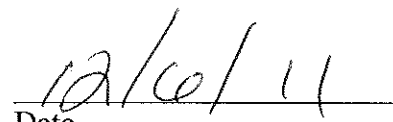
The JIAC is important for the community in two ways: keeping patrol officers on the road, and offering intervention and help to young offenders. Recommendations for 2011:

- Investigate the downward trend of referrals

The Grand Jury of 2011 respectfully submits this report.



(Foreperson)
On behalf of the Corrections Grand Jury



Date