

Approved August 25, 1993

BOOK 153 PAGE 1880

MINUTES

BOARD OF COMMISSIONERS
and COMMUNITY CORRECTIONS ADVISORY COMMITTEE

Monday, May 24, 1993
3:00 p.m.
RIS Conference Room A

PRESENT: BCC: Steve Cornacchia, Ellie Dumdi, Jack Roberts

CCAC: Chair Don Williams, Cynthia Carlson, Ron Chase, Bill Dickson, Doug Harcleroad, Greg Hazarabedian, Dave Koch, Abe Kossol, Hillary Larsen, Kip Leonard, Bob McManus, Robert Newman, Jack Roberts, and Rob Rockstroh.
STAFF PRESENT: Larry Salmony, Donna Lattin and Jodi Goff. GUESTS: Larry Barker, Dave Garnick, Karen Gillette, Alicia Hayes, Louchelle DeLorme, Kirk Mauser, Frank Nearing, Janetta Overholser, Dianna Rodgers, Chuck Ryer, Paul Sachet, Ben Sunderland, Bill Van Vactor, David Wilde, and Jean Williams.

I. Call to Order/Introductions

Cornacchia and Williams presided at this meeting of the Board of Commissioners and Community Corrections Advisory Committee.

II. History and Background of CCA in Lane County and Review of Current Planning Process

Salmony distributed materials and presented information on the history of CCA funding in Lane County. He presented an overview of the capacity, costs, and utilization rates of local corrections programs. He said that he had consistently heard that the system was operating beyond capacity, but that when he looked into the use of the Forest Work Camp, Community Corrections Center and Electronic Surveillance program he found that they were all underutilized. He reviewed the system costs associated with the underutilization of these programs and proposed shifting the savings realized from program underutilization to purchase more treatment resources. He explained that after accounting for the 22% of supervised offenders who would not meet the eligibility criteria for the Forest Work Camp, there are still more than 2000 probationers and parolees walking the streets of Lane County today who do meet the eligibility criteria and could be served in this program. He stated that, based on program utilization rates, the number of offenders underserved in each program over this last year is as follows: Forest Work Camp - 309 offenders; Community Corrections Center - 77 offenders; Electronic Surveillance - 173 offenders. (He noted that for these calculations he used the capacity figure of 60 for the Forest Work Camp instead of 80, because he had been informed by Public Safety staff that the capacity had been reduced.) He calculated that

the actual cost of these unused bed/slots totaled more than \$800,000 in 1992. Salmony stated that he felt that this represented an unacceptable level of resource underutilization, given the public safety problems that we face in our community. He presented recommendations for restructuring some of the existing programs. These recommendations included proposed staff reductions, staff restructuring, and the reallocation of existing resources.

Salmony informed the group that he had drafted a memo to the Sheriff in which he documented his concerns about utilization rates, and about the number of offenders who could have been receiving a higher level of supervision in these programs that were operating at less than capacity. Similar memos raising concerns/questions about program services were also sent to Chuck Forester & Rob Rockstroh. The Sheriff's response to Salmony's memo was included in the CCAC information packets distributed at this meeting.

Salmony reported that the CCA subcommittee concluded that the highest funding priorities for CCA dollars should be sex offender treatment and alcohol and drug treatment. The subcommittee also recommended that the CCAC examine all currently funded programs to determine where funds might be secured to meet those identified needs.

Salmony reported a chronology of events which he contended resulted in a call for his resignation. These events included the editorial printed in the Register Guard regarding the levy; Salmony's phone call to the editor, five days after the editorial appeared, to ask if anyone had called the newspaper to correct the figures presented; and the subsequent Register Guard editorial entitled, Figures Were Misleading.

Roberts said that in addition to these actions, he thought it was inappropriate that Larry had sent memos to the Sheriff, and to the Directors of Health & Human Services and SWPIC without first talking to the Board of Commissioners or the CCAC.

Cornacchia stated that Larry's efforts were appreciated, but that he was troubled by the timing of raising of these issues and the process used to deal with them. He commented that none of these problems had been brought up during the levy planning process. He was concerned that the Board of Commissioners were not given the opportunity to review Larry's analysis of the problem and discuss the issues with the Sheriff.

Salmony said that he could not be held accountable for being the only source of information to the Board and to the community concerning the operation of these programs. He posed the question: What is the obligation of the system to correct misinformation that goes to the public; and to what extent do other people in the organization have a responsibility to come forward with timely and accurate information, concerning how some of the most costly resources in this county are used?

He presented information comparing the Lane County Forest Work Camp to the Shasta County Work Camp. He suggested shifting the money realized from the underutilization

of some of the present programs to alcohol and drug outpatient treatment, case management services, and aftercare programs. He also recommended that the CCAC consider funding the intensive supervision and treatment of sex offenders, and consider retaining the existing employment program but supplementing the program with volunteers.

McManus reported that the capacity figures Salmony used for calculating the costs of the Public Safety programs were taken from a February 1, census his staff had conducted, and that the census was taken at a time of the day when one would expect a low "count." He added that his department had returned \$350,000 back to the county.

Roberts commented that the money wasn't actually returned to the county general fund, but that it was being held in the levy fund account.

McManus also stated that the Forest Work Camp is out of CCA jurisdiction because it is funded by levy money. Hazarabedian added that the CCAC had requested a legal opinion concerning the jurisdiction over levy funds and the legal limitations on their use so that the committee would have the information needed to make appropriate recommendations, but the CCAC was denied the request.

III. Discussion: The Role of the CCAC

Cornacchia asked that the committee work in concert with the Sheriff and the DA and then come to the Board with a comprehensive plan for corrections in this county.

Roberts spoke to the question of what the Board expects of the CCAC. He stated that the Board expects CCAC to first meet State requirements for the development of the CCA Plan. He added that while system-wide coordination is not an expected duty of the CCAC, if the Committee would like to have some input on this, the Board of Commissioners would welcome it.

Leonard commented that the criminal justice system is so complex that one part of the system doesn't know what the other parts are doing. He stated that the system players need to know what resources are available on an ongoing basis so that everyone is operating with the same information.

Chase spoke of the value of continuing to evaluate programs. He stated that these evaluations need to be conducted by someone outside the department being evaluated; that a separate entity should be responsible for collecting and interpreting the data.

Roberts MOVED that the Board of Commissioners ask the CCAC to continue its evaluation of CCA programs and, in addition, such other related criminal justice system programs that it believes are practical and feasible to evaluate.

A discussion followed in which committee members requested clarification regarding the nature and scope of evaluations that the CCAC would have authority to perform. Roberts

responded that he felt it was important to have programs independently evaluated by someone outside of the affected department. He asked that the CCAC continue the process that is already underway - to evaluate CCA funded programs - and that the Committee expand that effort to the extent that committee/staff time and resources permit. He asked that evaluation findings be brought to the Board for their consideration.

McManus asked everyone to keep in mind that his department also has a Citizens Advisory Committee that examines Public Safety programs. Members of this group have, for example, visited the Work Camp and the jail and then reported back to him. Cornacchia asked McManus if he was suggesting that he bring his advisory groups' recommendations to this table, so that the CCAC would have the value of that input.

McManus responded that he certainly wouldn't mind doing that. He added that for a long time one of the CCAC members was also a member of his Citizen's Advisory Committee.

There was a discussion regarding the level of staffing that was needed to perform the statutory responsibilities of the *coordinator's job and conduct program/system evaluations. Chase stated that, in his opinion, one (1) FTE does not provide sufficient staffing to do all of the work.

Following up on the discussion regarding expanding the scope of evaluations which the CCAC would conduct, Cornacchia asked McManus if he was in partnership with this evaluation effort. McManus responded that after the State mandated CCA work was completed, he had no problem with the CCAC going into the corrections components of his Department; if CCAC wanted to look at the Forest Work Camp he would encourage them to go and then help make recommendations. He stated that his immediate concern was in completing the work on the CCA biennial plan that needed to go to the State for review next month. McManus added that he would be bringing the issue of the screening criteria for the Forest Work Camp to the Criminal Justice Council for review and then bring the item to the Board of Commissioners. He stated that the issue would most likely be resolved long before the CCAC had an opportunity to examine the Forest Work Camp.

Cornacchia stated that he was supportive of the motion, with the understanding that state mandated duties relating to the CCA Plan are the first priority. Cornacchia SECONDED the motion that the Board of Commissioners ask the CCAC to continue its evaluation of CCA programs and, in addition, such other related criminal justice system programs that it believes are practical and feasible to evaluate. VOTE: 3-0 in favor of the motion.

Chase asked that the CCAC members' request for a legal opinion regarding the expenditure of levy funds be granted in order to assist the committee in the development of future recommendations. He posed the following questions: Can levy dollars be used to purchase sex offender treatment? For those levy dollars identified for alcohol and drug treatment, what constitutes A&D treatment? Williams stated that he would support the request. Cornacchia responded that the request would need to be made of Legal Counsel

and then they would decide whether they had the requisite expertise to render that opinion. Roberts stated that a legal opinion should be asked when there is a very specific legal question to have answered. He cautioned that if one asks a generic question it invites a generic answer, and in the end may not give the members what they want to know. He also pointed out that the legal opinion that is returned may not necessarily be the one expected, and that once rendered it becomes part of the public record.

Salmony reported that the 1993-95 CCA Plan was ready to go to the State Community Corrections Advisory Board (CCAB). There is one outstanding policy question that will be raised by the State: How does Lane County respond to parolees and probationers who are in our community under the supervision of the State Parole & Probation staff after they violate the conditions of their supervision? The State wants to know what kinds of intermediate sanctions we have available to address that substantial population. More specifically, the State wants to know if our Community Corrections Center and Electronic Surveillance programs are available as intermediate sanctions to address technical violators? On this issue, McManus said that the Sheriffs of Oregon have been communicating with Frank Hall and the Department of Corrections regarding the bills that are in front of legislature, and that because those discussions are in progress he is reluctant to say "yes" he will open these programs or "no" he won't until he knows what comes out of the Administrative Rules. The Sheriffs of Oregon and State Corrections are trying to get together so that they can support the legislation.

IV. Discussion: The Working Relationship Between the CCAC, the Board of Commissioners, Courts, District Attorney, Sheriff and the County Administrator.

This was not addressed as a separate agenda item. Included in the discussion above.

V. Where Do We Go From Here

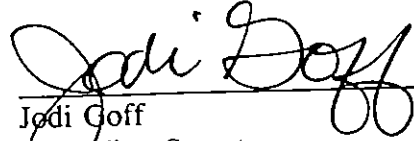
Van Vactor asked for clarity on the issue of the recommended level of staff support to the CCAC. He reminded the group that the Budget Committee recommended reducing the Justice Services staff to 1.5 FTE.

It was suggested that the CCAC meet with the Board of Commissioners on another day to discuss this issue.

Dickson Moved that the CCAC members agree to participate in a joint meeting with the Board of Commissioners to review the Justice Services staffing. Koch Seconded. VOTE: 10 - 0 in favor of the motion.

VI. Other Business // Chair

There being no further business, this meeting adjourned at 5:30 p.m.



Jodi Goff
Recording Secretary

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