

Strategic Planning in Action

Michael Schmidt – Director Oregon CJC

OREGON PRETRIAL WORKGROUP



VISION: Oregon will improve the state's pretrial justice system through state and local collaboration to increase public safety, address mental health issues, and protect the constitutional and statutory rights of both victims and defendants.

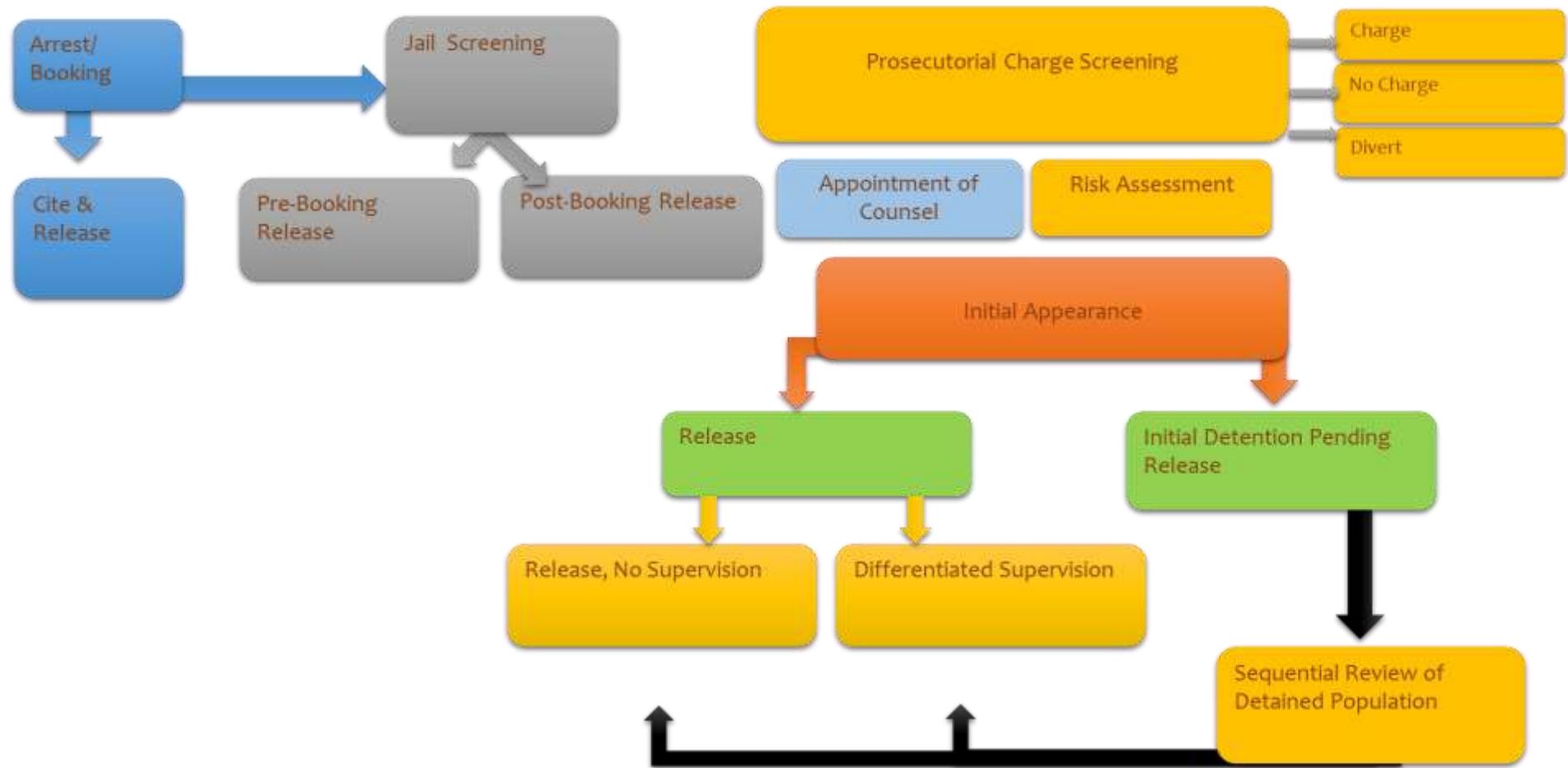
Public Safety Task Force

- Oregon passed legislation in 2017 reauthorizing the PSTF. This group was the oversight body of the Justice Reinvestment Work. Composed of leaders from all relevant stakeholders, and 4 legislators.
- The reauthorizing legislation used the existing framework and added oversight of the statewide pre-trial reform to their duties.
- The PSTF is staffed by the SAA and the SAC, and will work closely with the PSTF to author reports that will go to the Governor, Chief Justice and Legislature.

Core Team

- The Core Team is comprised of high level individuals that serve as Chairs and members of the sub committees, and meet with the NCJRP TA on a bi-monthly basis.
- The Core Team members are the leaders who are interested in pre-trial reform, and will work with their associations to get buy-in of any recommendations, as well as helping to provide the sub-committees with content experts who are more likely to be actually engaged in pre-trial work.

Pretrial Decision Points



PRE-ARREST/ARREST SUBGROUP



Issue Statement:

The legal principle of pretrial release on least restrictive conditions should start with the initial contact with law enforcement. As such, many arrests for minor offenses can be addressed with the issuance of a citation or summons in lieu of detention. Many jurisdictions now use simple in-field proxy tools to determine if a defendant needs to be taken into custody.

Jurisdictions should examine policies that would utilize citation releases by law enforcement in lieu of custodial arrests for non-violent offenses when the individual's identity is confirmed and no reasonable cause exists to suggest the individual may be a risk to the community or to miss court dates.

RISK ASSESSMENT TOOL SUBGROUP



Issue statement:

Every day in Oregon, Judges must decide which defendants should be released from jail pretrial with appropriate conditions of release, and which should be detained until adjudication. These decisions are always accompanied by an assessment of the risk that each defendant poses to be arrested on new charges and to fail to appear in court, however not every decision is accompanied by a risk assessment tool.

An empirically-derived pretrial risk assessment tool is one that has been demonstrated to accurately sort defendants into risk levels showing their likelihood of having a successful pretrial release—that is, they make all their court appearances and are not arrested on new charges.

A defendant's risk level should be used to guide two decisions:

- 1) the decision to release or detain pretrial; and
- 2) if released, the assignment of appropriate release conditions.

A pretrial risk assessment does not replace the professional judgement of the court, the prosecution, or any other decision maker in the criminal justice system. These tools enhance professional judgment, giving practitioners more information on which to base these critical decisions.

CUSTODY SUBGROUP



Issue Statement:

Once a person is taken into custody, a new decision point in the criminal justice system is reached, and a determination of whether or not they should be held in custody pending arraignment must be made at the jail.

Early screening of cases by prosecutors allows for appropriate and prompt charging or dismissal decisions, as well as early diversion or problem-solving court eligibility determinations. Jurisdictions should ensure, to the greatest extent possible, that defense counsel is engaged prior to the initial appearance and is prepared to represent the defendant on the issue of pretrial release. Additional assessments may be useful to the advocates and judges in making release decisions, or other determinations for alternatives to detention and prosecution.

ARRAIGNMENT SUBGROUP



Issue statement:

Courts across Oregon have crafted policies where there is a delegation of release authority. Money bail as a means of ensuring the appearance of a defendant at the various future stages of the criminal process is being challenged all over the nation for lack of effectiveness, and for its discriminatory implications.

The rights of victims are implicated and triggered at this stage in the criminal justice process, and the voice and input from the victim must be meaningfully heard and considered in any process that considers whether or not the accused should be detained pretrial.

PRETRIAL MONITORING SUBGROUP



Issue Statement:

Monitoring pretrial defendants while on release can greatly improve pretrial outcomes by providing appropriate conditions and services for those awaiting trial. Monitoring should only be used on those who need it based on individual strengths and weaknesses and only to meet the goals of ensuring future appearances and protecting the public.

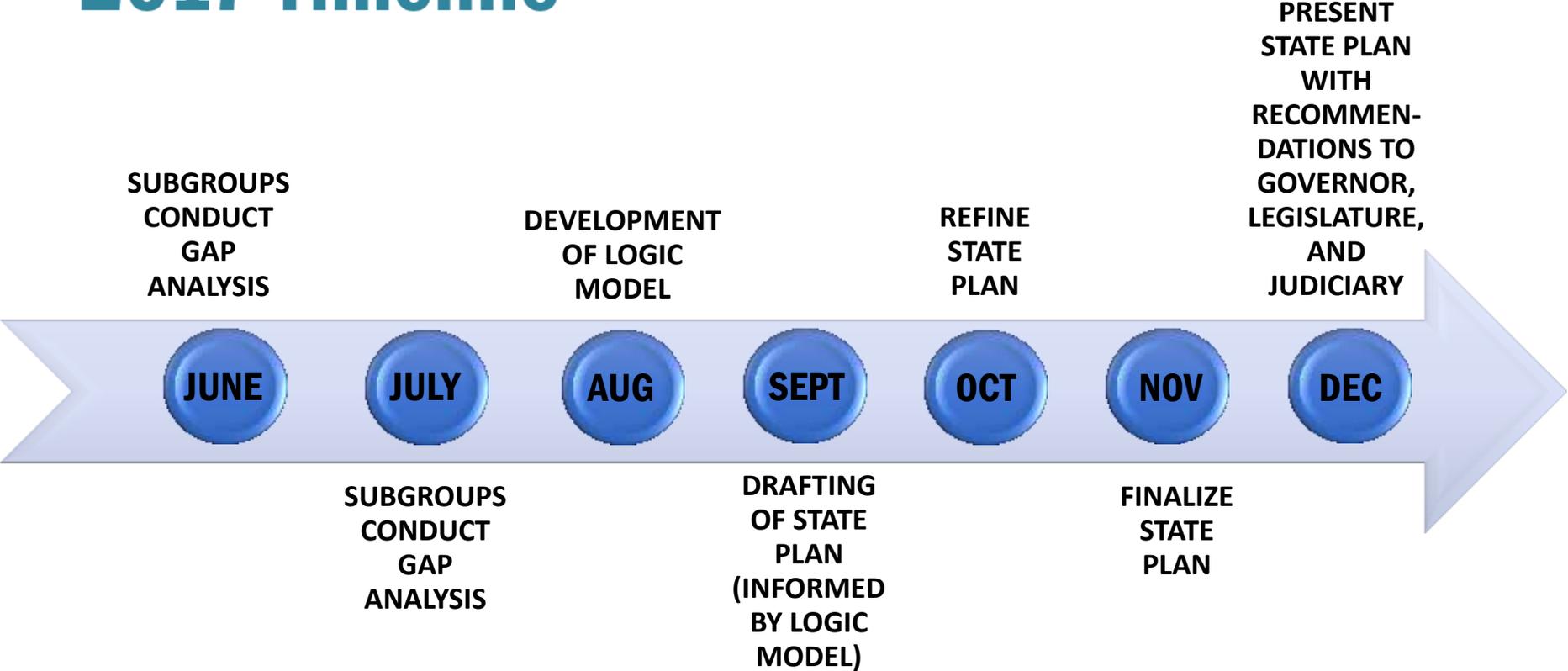
Research on the risk principle asserts that over monitoring of low risk defendants produces poor outcomes and wastes resources. Common pretrial monitoring conditions could include checking in with a pretrial case manager, court date reminders, drug testing, GPS supervision, and/or treatment referrals.

Jurisdictions should have a pretrial services program or similar entity that provides *monitoring of defendants released by the court*, reminds defendants of their upcoming court dates, alerts the court of violations of release conditions and other court orders.

MENTAL HEALTH / DOMESTIC VIOLENCE / VICTIMS

We debated having subcommittees focused on all of these areas, but ultimately decided that they were themes that need to be woven throughout all of the various existing groups.

2017 Timeline



Additional Deliverables

- Evaluation Plan
- County Toolkit

Oregon CJC Interactive Data

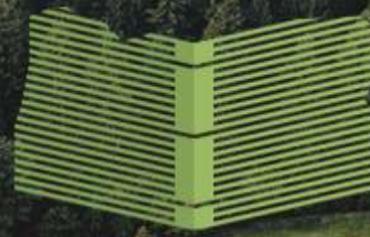
The dashboard features a navigation bar with the following menu items: Treatment Courts*, Statistical Analysis Center*, Grants*, LPSCC, Asset Forfeiture*, and About*. The main content area is organized into a grid of data cards:

- Justice Reinvestment Prison Usage**: Updated July 21, 2017.
- Prison Use for All Crime Types**: Updated July 21, 2017.
- Recidivism**: Updated June 8, 2017.
- Short-Term Trans Leave**: Updated July 7, 2017.
- Justice Reinvestment County Programs**: Updated July 10, 2017.
- Oregon Drug Trends**: Updated January 17, 2017.
- Oregon Uniform Crime Report**: Added June 6, 2017.
- JRI Grant Snapshot**: Updated July 21, 2017.

The detailed view is titled "What Do Drug and M57 Property Crime Average Length of Stays Look Like Over Time by Region and County?". It includes a navigation bar with menu items: Treatment Courts*, Statistical Analysis Center*, Grants*, LPSCC, Asset Forfeiture*, and About*. A secondary navigation bar shows filters: States, Intakes by Region, **Average LOS**, Average LOS by Region, Total Months, Total Prison Months by Region, Sentence Type by Courts, and Set Pas.

The main content area features a control panel on the left and several charts on the right:

- Control Panel**: Includes a "Year" selector (2012-2017), "Select Data Level" (Year, Drug, Gender, LAR), and a "Drug" legend (Drug, Property, Statewide Region).
- Statewide Charts**: Two line charts showing "First Sentence" and "Probation Revocation" from 2013 to 2017. The y-axis for "First Sentence" ranges from 0 to 25, and for "Probation Revocation" from 0 to 15.
- Metro Region Charts**: Two line charts showing "First Sentence" and "Probation Revocation" from 2013 to 2017. The y-axis for "First Sentence" ranges from 0 to 30, and for "Probation Revocation" from 0 to 15.
- Multnomah County Charts**: Two line charts showing "First Sentence" and "Probation Revocation" from 2013 to 2017. The y-axis for "First Sentence" ranges from 0 to 25, and for "Probation Revocation" from 0 to 15.



OREGON KNOWLEDGE BANK

A CLEARINGHOUSE FOR LOCAL CRIMINAL JUSTICE

oregon/policing/

OREGON KNOWLEDGE BANK

HOME ABOUT PROGRAMS RESEARCH SERIES DIRECTORY SUBMIT PROGRAM

Policing Programs

ASSAULT CHRONIC NUISANCE CRIME PREVENTION DOMESTIC VIOLENCE DRUGS KNOWLEDGE

MENTAL ILLNESS QUALITY OF LIFE THEFT TRAINING TRESPASS VICTIMS VIOLENCE

Community Partnerships and Construction Sites	Benton County Sheriff's Auxiliary Volunteer Program	Dallas PD Naloxone Deployment	Mobile Crisis Response Team
Bike Theft Reduction	Prescription Drug Turn-In Program	Recruiting and Retaining Female Deputies	Green Hornet Wilderness Law Enforcement Services and Search and Rescue Team
Mental Health Response Team	Prolific Drug Sales	Portland Police Bureau Behavioral Health Unit	Security Camera Registration and Mapping (SCRAM)
Bend Officer Resilience Program	Deschutes County Crisis Intervention Team	Bend Police	

Policing Programs

ASSAULT CHRONIC NUISANCE CRIME PREVENTION DOMESTIC VIOLENCE DRUGS

QUALITY OF LIFE THEFT TRAINING TRESPASS VICTIMS VIOLENCE

Mobile Crisis Response Team

CHILDREN

TRAINING

RELATED RESEARCH

- Training A Mental Health Crisis...
- Call
- Police And Crisis And Support...
- Training Crisis Responders...
- Training And Support...

SIMILAR POSTS

Mental Health Crisis Intervention...

Evaluation

- Fail To Appear (FTA) Rates Decreased?
- Jail overcrowding mitigated?
 - Smaller percentage of inmates on Pre-trial status?
- Public Safety Impacted (Crimes while on release status)?
- Are the “right” people are being held (looking at risk score)?