

Issues for Consideration By the Lane County PSCC

To be part of a 2003 Legislative Agenda

From the PSCC Legislative Committee

July 1, 2002

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2003 Regular Session**

Community Corrections

Issue #1: Many individuals who are incarcerated locally (1 year or less) have significant medical and mental health issues that require treatment during and immediately after their incarceration ends. Many of them do not have health insurance at all, or if they are covered by Medicaid/Oregon Health Plan, are not covered during and for as long as 30 days after their incarceration ends.

In order to sustain a reasonable and necessary course of treatment for those detainees, by default, county government must cover the escalating costs. Those costs are growing much faster than other parts of the county budget, putting other services and programs at risk.

Solution: Seek resources from state, federal and other sources to cover more of the medical/mental health costs of individuals in custody and for period immediately following release in order to sustain effectiveness of appropriate treatment regimen, which in some cases may lower possibility of taking individuals back in to system at a later date.

Information Needs:

- Profile of most common/critical types of maladies afflicting these folks
- Costs to county of treating afflictions while in jail (longitudinal study)
- Relationship between afflictions left untreated and likelihood of re-offending/re-entering the system
- Alternate funding sources: how do other local jurisdictions do it?

Latest Information:

The State Office of Medical Assistance Program and DOC are operating a "pilot" program at the Columbia River facility. The program involves initiating the OHP application before the inmate is released from prison. OMAP processes the application so that offenders are on the plan and eligible for benefits the day they walk out of prison. Only 1% of the prison population are involved in this program.

Here in Lane County we have established a similar process for people entering the Co-occurring disorders diversion program. We fax a completed application to the local application office, who process it on a "fast track". For this group of people we are able to get them on the plan and eligible for benefits as soon as they leave jail.

In recent testimony before the Joint Interim Committees (Justice and Human Services) of the Legislature, this issue was identified and the OMAP Director

was, again questioned about why the process takes so long to get released inmates onto the health plan. This has been an on-going legislative concern.

Please note, Federal rule does not require coverage to end upon incarceration, nor after 14 days. But one cannot use the federal part of the medicaid match for services rendered WHILE a person is in custody, unless they are placed in a hospital. There is nothing in the rules that say you cannot suspend benefits for the entire period of incarceration and then immediately re-instate them upon release. Correspondence from both Donna Shelala and Tommy Thompson specifically says benefits discontinued upon incarceration must be IMMEDIATELY re-instated upon release from custody.

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Issue #2: The ability to quickly and accurately establish the identity of individuals in custody would be enhanced if members of the parole and probation corps could be authorized to collect and convey biometric information. Specifically, thumb prints and tissue samples are used to establish positive identification through fingerprint records and DNA databases. Current statute gives authority to law enforcement personnel to collect and convey, but is silent on the matter regarding parole and probation officers.

Solution: In order to add P&P officers to the infrastructure that maintains accurate, up-to-date information about the identity of convicted individuals, statute needs to be revised to specifically authorize that activity.

Information Needs:

- How identity information is useful to the P&P corps in terms of carrying out their specific interactions with convicted individuals
- The cost of training P&P officers to accurately collect, secure and convey thumbprint and tissue samples for DNA cataloging.
- Would the addition of this authority change P&P officers status relative to compensation, benefits?

Latest Information:

P&P Officers are all sworn and in the P&F retirement system. The collection of DNA was a mandated task dropped on supervisory authorities [P&P; Jails, DOC]. There was some funding for the collection kits and perhaps the establishment and maintenance of the database but NO money was allocated for the labor costs for collection (10-15 minutes per sample) which includes verification of the identity of the person being sampled. The current legislation clearly puts the responsibility for collection on offenders convicted of felonies committed after the effective date of the current legislation on the DOC for those going to prison and on the law enforcement agency attending upon the Court for those placed on probation. P&P officers only role in the current legislation was to take collections for those already on supervision for felonies both post-prison supervision and probation.

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Police Services

Issue #3: Regional Training Facility could provide better access to professional development opportunities by police personnel, including new recruits, from the Southern Willamette Valley and potentially southern Oregon. Currently the only authorized training facility is operated by Oregon State Police at Monmouth.

During the last legislative session the legislature passed HB 2944. The bill eliminates the Board on Public Safety Standards and Training's (BPSST) Ability to Accredite Local Public Safety Training ability to accredit local public safety training as a substitute for basic police officer training. This becomes effect on July 1, 2004.

HB 2944 makes the assumption that the most cost effective method to train new police officers is through a centralized facility. Currently the cities of Eugene and Portland provide basic police officer training for new police officers. The city of Springfield would like to explore the possibility of providing basic police officer training through Lane Community College, beyond basic reservists training. This training would be paid by the students creating considerable savings in the expenditure of public funds for basic police officer training.

Solution: In order to continue to allow local governments to explore the most cost effective methods for training police officers, the BPSST's ability to accredit local public safety training should be restored.

Information Needs:

- "Best practices" model for state-of-the-art police training resources
- Enumeration of deficiencies in training that must be addressed by local law enforcement agencies who draw new personnel from Monmouth facility
- State/local cost sharing that is currently supported by the state general fund
- Statutory barriers that preclude local agencies from creating their own training/professional development programs (local option).
- Inventory of local agencies likely to pursue their own academies if given option, authority and access to resources.
- Likelihood that resistance to this idea will be overcome in legislature?

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Police Services

Issue #4: State statute mandates configuration of emergency dispatch and response systems (9-1-1) without regard to considerations of local geography, settlement patterns, response capabilities or local logistics; distributes funding through single agency as an incentive for communications consolidation. In some cases the mandate of one PSAP (Public Safety Answering Position) per county compromises the ability of emergency response agencies to provide timely, appropriate responses to the full array of police, fire and medical emergencies.

While this action does not have immediate affect on the City of Springfield's budget, smaller Lane County police agencies have already been hurt by the loss in flexibility previously afforded by direct funding. Chief Smith expects that within three years, if current trends continue, the City of Eugene will actually be billing Springfield directly for some 911 services due to shortfalls created by the 911 Surtax funding cap. Springfield's per capita allocation totals approximately \$250,000 per year, but Lane County's designated Public Safety Answering Point (Eugene) has already advised that their costs are exceeding the capped 911 tax revenues.

Solution: Create pro-active case for the unique properties and challenges facing emergency personnel who have to respond to requests for service across a geography that spans summit of the cascades to the Oregon coast, involving tens of thousands of acres of federal forest lands, two mountain ranges and a variety of geographic barriers. Propose making Lane County's multi-PSAP configuration pilot project for optimal utilization of 9-1-1 resource, or receiving an exemption from single-PSAP requirement.

Information Needs:

- Profile of typical request for service in Lane County that requires engagement of multiple PSAPs in order to be effective
- Prospective view of settlement patterns, demographic and population trends will spread requests for service over diverse geography that is ill-served by single PSAP
- Discussion of technological innovations, including subsequent iterations of 9-1-1 technology, that will mitigate any cost savings derived from PSAP consolidation
- "Best practices" information from other jurisdictions with similar characteristics that have determined multiple PSAPs to be optimal.
- Status of "cap" on 9-1-1 surtax
- If consolidation of PSAPs does not occur, will the funds continue to be distributed to the city jurisdictions?

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Youth Services

Issue #5: Under-utilized youth detention facilities are not available to house youth in other circumstances even though the health and welfare of those individuals would be best served by having short-term access to supervised residential setting.

Federal (Juvenile Justice and Delinquency Prevention Act of 1974, as amended) and State (which mirrors the federal statutes) prohibits housing youth with mental health issues or non-offenders (homeless, runaways) in facilities used to detain adjudicated youth. However, Lane County's youth services facility has excess capacity that could be a good resource to youth services agencies and providers that have housing needs when dealing with certain youth-at-risk populations.

Overcoming this regulatory hurdle could enable more at-risk youth to be given safe, stable domestic environment until other permanent placements and solutions were put in place.

Solution: Revise statute to allow excess capacity of detention facilities to be used for other purposes in case of emergency, dire need or community problem.

Information Needs:

- Profile of type of youth who would be served by this facility, including age, circumstance, number encountered per month, etc.
- Inventory of strategies that could mitigate risk associated with residing in same facility as adjudicated population: i.e., physical barriers, security measures, access issues, etc.
- Description of where youth will likely end up if not given access to this kind of facility

Other Issues of Interest

Considered and Reviewed by the Lane County PSCC Legislative Committee

Summer 2002

Issue: Local detention facilities are generally overcrowded, and an additional burden occurs when ambiguous or contradictory sentencing guidelines ...

Issue: Ease of access to information necessary for the successful protection of public safety, including the prevention of child abuse, is compromised ...

Issue: Many Oregon children over the age of 10 are at risk of abuse, neglect and becoming clients of the youth services ...

Issue: Family Resource Centers are valuable resource for meeting the needs of at-risk youth but are funded at levels insufficient ...

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Community Corrections

Issue: Local detention facilities are generally overcrowded, and an additional burden occurs when ambiguous or contradictory sentencing guidelines results in jail terms longer than appropriate or necessary. Specifically, time spent in jail before trial is applied to sentences served concurrently but not those served consecutively.

The application of pre-trial time served to different sentences results, in some cases, in detention periods longer than necessary. The implications for local government is additional demands on at-capacity detention facilities, and forcing sub-optimal trade-offs about who serves time and who is released back into the community and when.

Solution: Clarify in statute how pre-trial time served applies to all sentences, and give sentencing authorities more discretion and latitude on how to factor “time-served” into the overall sentence of a convicted individual.

Information Needs:

- How many additional inmate days each year (statewide) could be made available if all pre-trial “time served” were applied to both consecutive and concurrent sentences?
- What is the profile of inmates who would be affected by such a change? (Demographic, criminal history, risk of re-offending, etc)
- Given reasonable flexibility on the matter, would judges support the change? Likely to reduce overall sentences as a result?
- Would prosecutors endorse the change if it made more jail capacity available to detain offenders who posed a greater risk to public safety?

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Research

Issue: Ease of access to information necessary for the successful protection of public safety, including the prevention of child abuse, is compromised due to incompatible information systems, conflicts in protocol, and lack of cooperative agreements between various public and private-sector entities.

The wealth of information that exists about individuals in the public safety system and their interaction with various agencies is a tremendous resource for professionals who are charged with analyzing and prescribing course of action. However, the inability to access most of that resource is due to technological barriers, administrative barriers, organizational barriers and in some cases, statutory barriers relating to protection of confidentiality. Overcoming those barriers would give case workers and other professionals enhanced ability to fully assess problems, and determine interventions that have the greatest likelihood of success.

Solution: A pilot project in Lane County that creates the capability for integrating information from the jail, parole and probation, the courts, Department of Corrections and the Risk Assessment Program Data Warehouse. Specifically, the pilot would assess the effectiveness of the data warehouse in preventing child abuse.

Information Needs:

- Inventory of existing data bases that contain information helpful to child abuse prevention
- Profile of how information flows (or is obstructed) from an anecdotal example
- Assessment of cost and technical barriers (system compatibility) to enhanced information sharing
- Evaluation of statutory obstacles to information sharing, particularly related to privacy concerns
- Determination of scope and depth of likely opposition from privacy advocates

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Youth Services

Issue: Many Oregon children over the age of 10 are at risk of abuse, neglect and becoming clients of the youth services system because of profound lack of resources to address their needs and situations. In recent years, the state has concentrated more of its resources on the needs of younger children, shifting resources away from pre-teens who are at risk and have great potential to ultimately enter the criminal justice system, costing the state great resources over time.

Oregon's recent focus on early childhood models ignores the protracted needs of older youth who are at risk domestically, academically and socially. When programs and services are curtailed on the prevention side, more resources are expended on the corrections and intervention side. The cost to society must also be measured in terms of the lost opportunity to correct behaviors before individuals enter the system.

Solution: Create a stronger statewide system of prevention and intervention programs aimed at identifying, enrolling and assisting youth over the age of 10 who are at risk. Seek adequate funding from the state to support roll-out of the system in conjunction with, not to the exclusion of, early childhood programs currently underway.

Information Needs:

- Inventory of population of youth over age 10 who are at risk of various adverse outcomes described above
- Profile of contributing factors that cause older youth to enter the system, either as victims or perpetrators or both
- "Best practices" of intervention and prevention programs in other state that have demonstrated ability to mitigate various at-risk factors.
- Propose initial and on-going minimum funding level required to have sustained impact
- Propose accountability and performance measurement elements for follow-up and evaluation

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Youth Services

Issue: Family Resource Centers are valuable resource for meeting the needs of at-risk youth but are funded at levels insufficient to deliver sustainable results and benefits.

FRCs have become an important part of the youth services infrastructure and hold great promise to provide the kind of prevention and intervention services necessary to keep at-risk youth on a productive track. However, focus of state funding has been toward young children, weakening support and funding for FRCs state wide.

Solution: Develop and implement revitalized system of Family Resource Centers across the state, or in major population centers, to fortify the structure of support available to youth-at-risk professionals, including educators, counselors, social workers, clergy, etc.

Information Needs:

- Best practices of youth development programs around the country that are delivering effective intervention and prevention services and programs
- Assessment of cost of leaving need unmet: what additional burden will be placed on youth services system if prevention/intervention efforts are not redoubled? (Juvenile crime rate statistics?)
- Inventory of primary and secondary costs
- Inventory of funding options including share of burden that remains with private foundations, fundraising, faith-based organizations and other community non-profits