



CJC PRESENTATION TO JUDICIARY

22 JANUARY 2018

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**OUR MISSION IS
TO IMPROVE THE
LEGITIMACY,
EFFICIENCY AND
EFFECTIVENESS
OF STATE AND
LOCAL CRIMINAL
JUSTICE SYSTEMS.**

- Providing a centralized and impartial forum for statewide policy development and planning;
- Developing a long-range public safety plan for Oregon;
- Analyzing capacity and use of state prisons and local jails, implementation of community corrections programs and methods to reduce future criminal conduct;
- Funding and evaluating Oregon's drug courts;
- Conducting research;
- Developing fiscal and racial / ethnic impact estimates of crime-related legislation;
- Providing a statistical and data clearinghouse for criminal justice;
- Administering Oregon's felony sentencing guidelines; and
- Staffing the Public Safety Task Force and other advisory committees.

A TIMELINE OF THE OREGON CJC

1983 - OPOP

1985 - OCJC

1989 - SGL

1995 - CJC

2005 - Grants

2009 - Reset

The **Oregon Prison Overcrowding Project**, was established to develop long range strategies for relieving the crowding problem.

State **Sentencing Guidelines Board**, chaired by the Attorney General, revised and approved Sentencing guidelines by administrative rule. Legislators adopted SGL by HB 2250.

CJC's duties were expanded to include the receipt of grant applications to start or expand drug court programs. It was authorized to track and develop statistics about the effectiveness and costs of drug court programs, and to publish statistics and analyses.

Oregon Criminal Justice Council, to study, evaluate and make recommendations concerning the functioning and coordination of the various parts of the criminal justice; capacity and utilization of facilities statewide; and methods of reducing the risk of future criminal conduct by offenders.

The Criminal Justice Council was allowed to sunset, and a seven-member **Criminal Justice Commission (CJC)** was created to replace it and the State Sentencing Guidelines Board. The Governor appoints an executive director.

Governor Kulongoski establishes Reset Cabinet to address anticipated budget shortfalls.

SENTENCING GUIDELINES (1989)

The Oregon Sentencing Guidelines Grid

Crime Seriousness	A	B	C	D	E	F	G	H	I	Prob Term	Max Depart	PPS	
11	225-269	196-224	178-194	164-177	149-163	135-148	129-134	122-128	120-121	5 Years		3 Years	
10	121-130	116-120	111-115	91-110	81-90	71-80	66-70	61-65	58-60				
9	66-72	61-65	56-60	51-55	46-50	41-45	39-40	37-38	34-36				
8	41-45	35-40	29-34	27-28	25-26	23-24	21-22	19-20	16-18	3 Years		18 Mos.	2 Years
7	31-36	25-30	21-24	19-20	16-18	180-90	180-90	180-90	180-90				
6	25-30	19-24	15-18	13-14	10-12	180-90	180-90	180-90	180-90	2 Years		12 Mos.	1 Year
5	15-16	13-14	11-12	9-10	6-8	180-90	120-60	120-60	120-60				
4	10-11	8-9	120-60	120-60	120-60	120-60	120-60	120-60	120-60	1½ Years	6 Mos.		
3	120-60	120-60	120-60	120-60	120-60	120-60	90-30	90-30	90-30				
2	90-30	90-30	90-30	90-30	90-30	90-30	90-30	90-30	90-30	1½ Years	6 Mos.		
1	90-30	90-30	90-30	90-30	90-30	90-30	90-30	90-30	90-30				

The presumptive grid block for any felony conviction is the intersection where the crime seriousness ranking and the criminal history classification meet. Grid blocks in the shaded area represent the range of presumptive imprisonment and post-prison supervision (PPS). Non-shaded grid blocks are presumptive sentences of probation (Prob. Term) with local custodial sanctions in days (upper number) and maximum jail days without a departure (lower number).

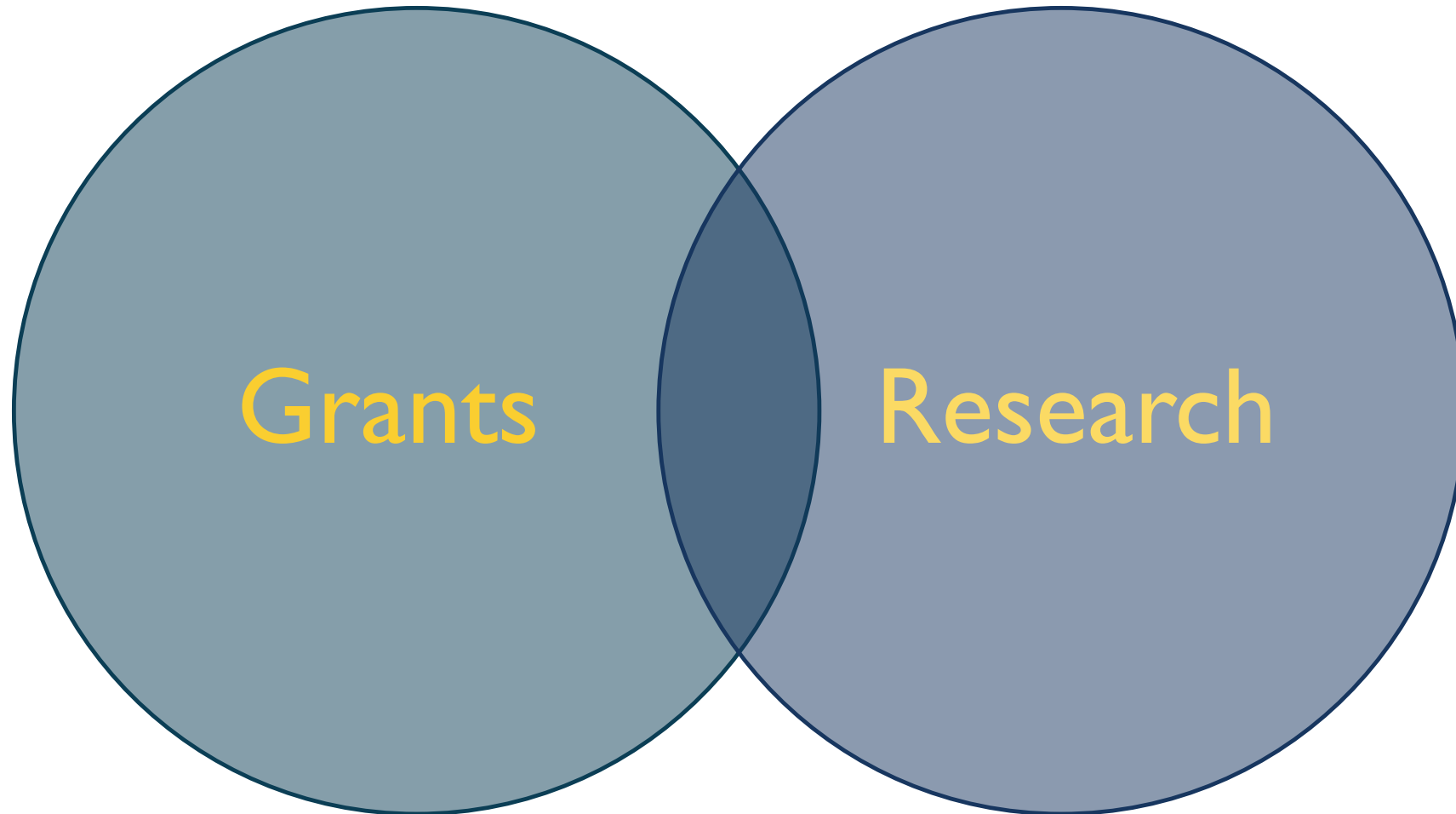
The probation term of 5 years applies to levels 9-11, the term of 3 years applies to levels 6-8, 2 years applies to levels 3-5, and 1 ½ years applies to levels 1-2.

The upward dispositional departure maximum sentence (Max Dispositional Depart) for a presumptive probation sentence shall be:

- (a) Up to six months for offenses classified in Crime Categories 1 and 2, or grid blocks 3-G, 3-H and 3-I;
- (b) Up to twelve months for offenses classified in grid blocks 3-A through 3-F, 4-C through 4-I and 5-G through 5-I; and
- (c) Up to eighteen months for offenses classified in grid blocks 5-F, 6-F through 6-I, and 7-F through 7-I.

Under certain conditions a probation sentence may be imposed in grid blocks 8-G, 8-H and 8-I without a departure.

What Does the CJC Do?





RESEARCH DIVISION



JUSTICE REINVESTMENT PROGRAM RESEARCH

3% RESEARCH PROJECTS

15-17 Biennium

- **416 Study:** RCT assessing “416” intensive probation in Marion and Lane Counties (eligibility based on LSCMI score and tox screen).
- **Short-term Transitional Housing Study:** RCT examining the effects of housing stability during prison reentry in Douglas, Polk, and Umatilla Counties.
- **Defendant Assessment Report Study:** examination of use of presentencing assessment scores to determine downward departure eligibility.

17-19 Biennium

- **Prison Length of Stay Study:** quasi-experimental study examining the relationship between prison stay length and recidivism.
- **LSCMI Study:** an examination of the effectiveness of the LSCMI risk assessment tool in Oregon.
- **Pretrial Detention Study:** examination of whether the length of pretrial detention is related to sentencing outcomes in Oregon.

JUSTICE REINVESTMENT PROGRAM RESEARCH

OTHER RESEARCH PROJECTS

Short-Term Transitional Leave Program in Oregon

January 2018



Criminal Justice Commission
Michael Schmidt, Executive Director

Oregon Statistical Analysis Center
Kelly Officer, Senior Research Analyst
Courtney Riggs, Research Analyst

With Special Thanks To:
Jeremiah Stromberg, Department of Corrections



Oregon Recidivism Analysis

November 2018

Oregon Criminal Justice Commission
Statistical Analysis Center

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Kelly Officer, Senior Research Analyst
Ken Sanchagrin, Ph. D., Research Director

Introduction

This report is the eighth semi-annual recidivism report authored by the Criminal Justice Commission (CJC) with the assistance of state agency partners. In the past, the CJC's semi-annual recidivism report often broke out recidivism by demographics and crime types. In this and future releases of the semi-annual report, the CJC will focus only on summary measures of statewide recidivism codified in ORS 423.557. More detailed analyses of recidivism rates for different sub-populations and/or analyses of different measures of recidivism—other than the one found in ORS 423.557—will be released in separate supplementary reports.

In this current report, the CJC's methodology is consistent with past reports (please see Appendix of May 2018 report). Three components of recidivism are tracked: arrest for a new crime, conviction for a new misdemeanor or felony crime, and re-incarceration for a new felony crime. Each recidivating component in this analysis is tracked separately, so a single offender can contribute to all three measures or a subset. The CJC separately analyses two groups: those released to post-prison supervision, and those who are sentenced to a new probation sentence. An offender is counted as recidivating if they are arrested, convicted, or incarcerated for a new crime, within three years of release from prison/felony jail sentence, or imposition of a probation sentence.

The CJC combines data provided by the Oregon Department of Corrections (DOC), Oregon Judicial Department (OJD), and Oregon State Police (OSP) to

Key Takeaways

- Based on a five year comparison, recidivism rates have increased
- Recidivism rates for those released from prison during the first half of 2015 are lower than for those released during the second half of 2014, by any measure
- Arrest rates for those sentenced to probation in early 2015 are lower than for those sentenced in late 2014
- Incarceration and conviction rates are modestly larger for those in the early 2015 probation cohort compared to the late 2014 probation cohort

¹ Links to the CJC's previous reports can be found at: <http://www.oregon.gov/cjc/SAC/Pages/Recidivism.aspx>

calculate recidivism counts. The Oregon DOC tracks recidivism for offenders starting felony probation or post-prison supervision within six month cohorts. This current analysis uses these DOC-defined cohorts. The DOC data also permits the CJC to track incarceration for individuals within these cohorts. Circuit court data from the OJD allows the CJC to track misdemeanor and felony convictions. In reported conviction counts, the CJC does not account for multiple convictions. Law Enforcement Data Systems (LEDS) data from OSP permits the CJC to count arrests for which the individual was fingerprinted. Fingerprinting is required in arrests for felony crimes and for misdemeanor drug and sex crimes. Multiple arrests and arrests that do not require fingerprinting are omitted from the CJC's recidivism measure.

Statewide Recidivism Rates

The most recent recidivism cohort the CJC can track includes individuals released from prison/jail or sentenced to probation from January-June 2015. For this group, the CJC can examine the full three year recidivism period. Recidivism rates are the following for this six-month cohort:

2015 First Cohort Three Year Recidivism Outcomes

Parole-PPS Cohort

Arrest 55%

Conviction 42%

Incarceration 18%

Probation Cohort

Arrest 50%

Conviction 44%

Incarceration 14%

Possession of Controlled Substances Report *Per House Bill 2355 (2017)*

September 15, 2018



Oregon Criminal Justice Commission

Michael Schmidt
Executive Director

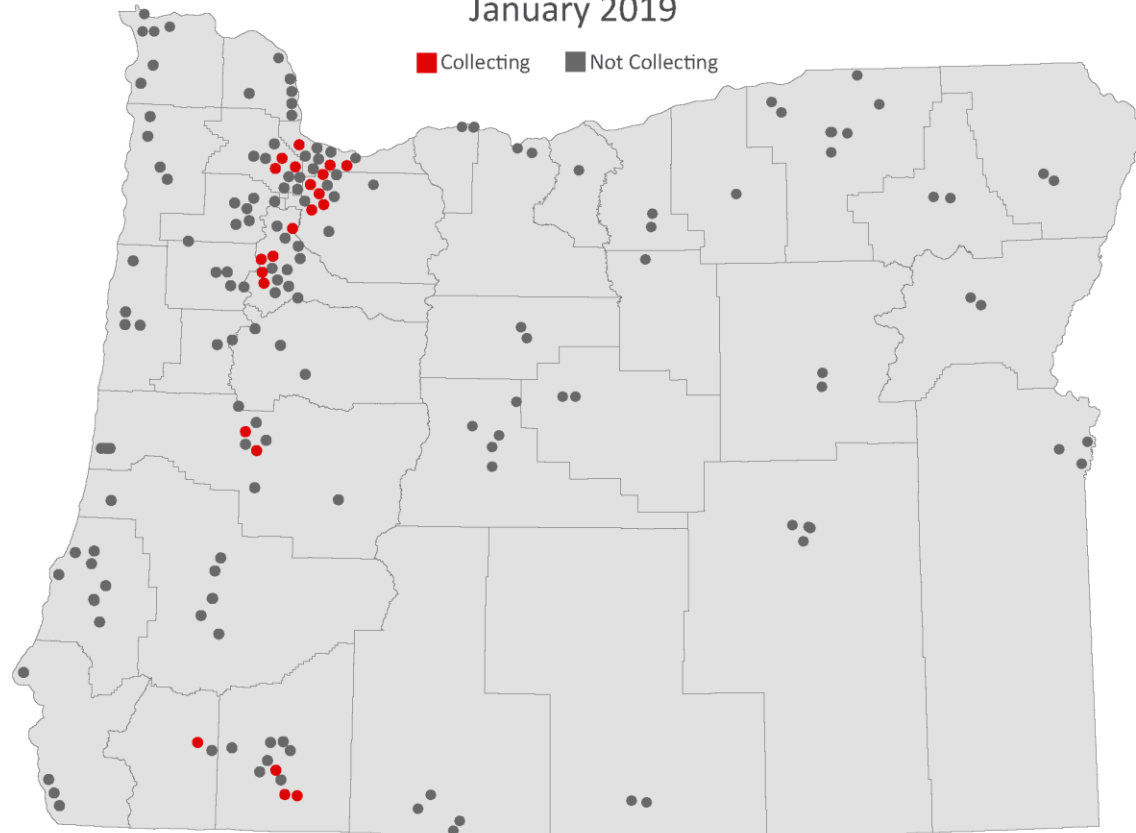
The mission of the Oregon Criminal Justice Commission is to improve the legitimacy, efficiency, and effectiveness of state and local criminal justice systems.

THE OREGON STOP PROGRAM

ANTI-PROFILING DATA COLLECTION PURSUANT TO HB 2355

Agencies Collecting

January 2019



- HB 2355 (2017) Background
- STOP Program Implementation:
 - 22 Agencies collecting data (12 Tier 1; 10 Tier 2)
 - 18 Agencies reporting data to STOP Solution
 - Over 111,000 stops recorded so far
- STOP Program Analysis and Reporting:
 - Pilot analyses ongoing
 - Legislative Report due 1 December 2019





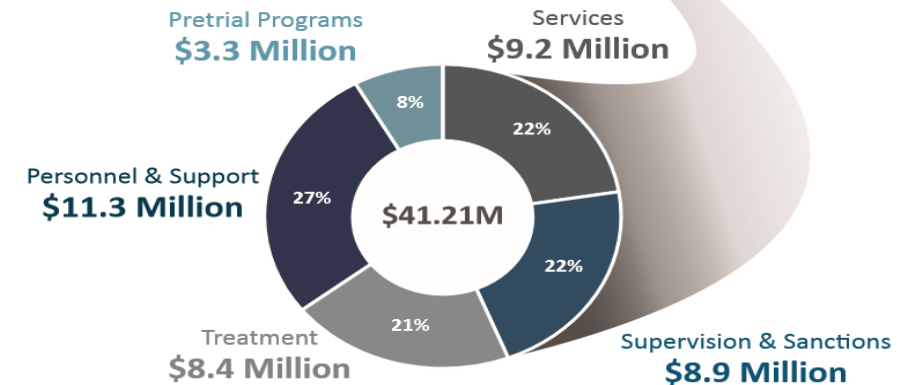
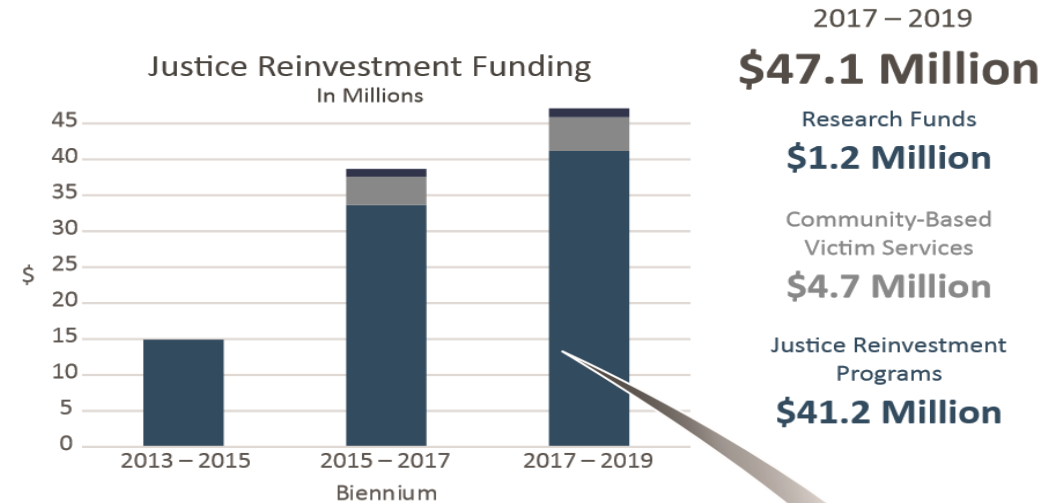
PROGRAMS DIVISION



JUSTICE REINVESTMENT

Program Goals:

- Reduce Prison Use for Nonviolent Offenses
- Reduce Recidivism
- Increase Public Safety
- Hold Offenders Accountable



JUSTICE REINVESTMENT

Male Population

April 2013 Forecast: before the Justice Reinvestment Act was passed

Actual Prison Population: 13,613 on December 1, 2018—543 fewer people than the April 2013 forecast for December 1, 2018

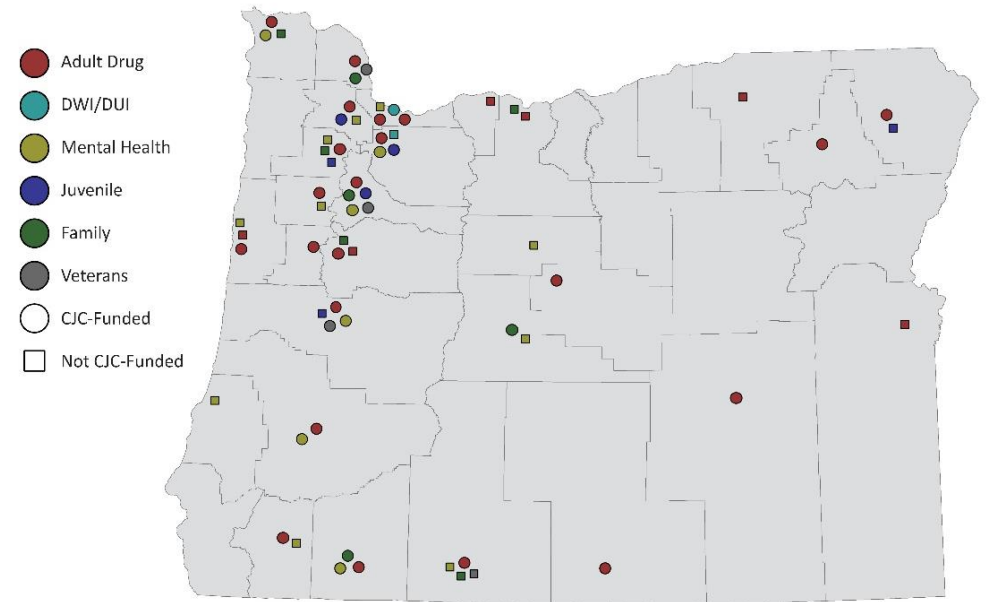
October 2018 Forecast: includes projected prison-bed savings from HB 3194 and HB 3078

Junction City Facility: would need to be built and operational, with an estimated cost of \$140 million.



SPECIALTY COURTS

- 68 Specialty Courts Statewide
- 41 funded by grants through CJC
- Specialty Court Standards released January 2018
- New Specialty Court Management System

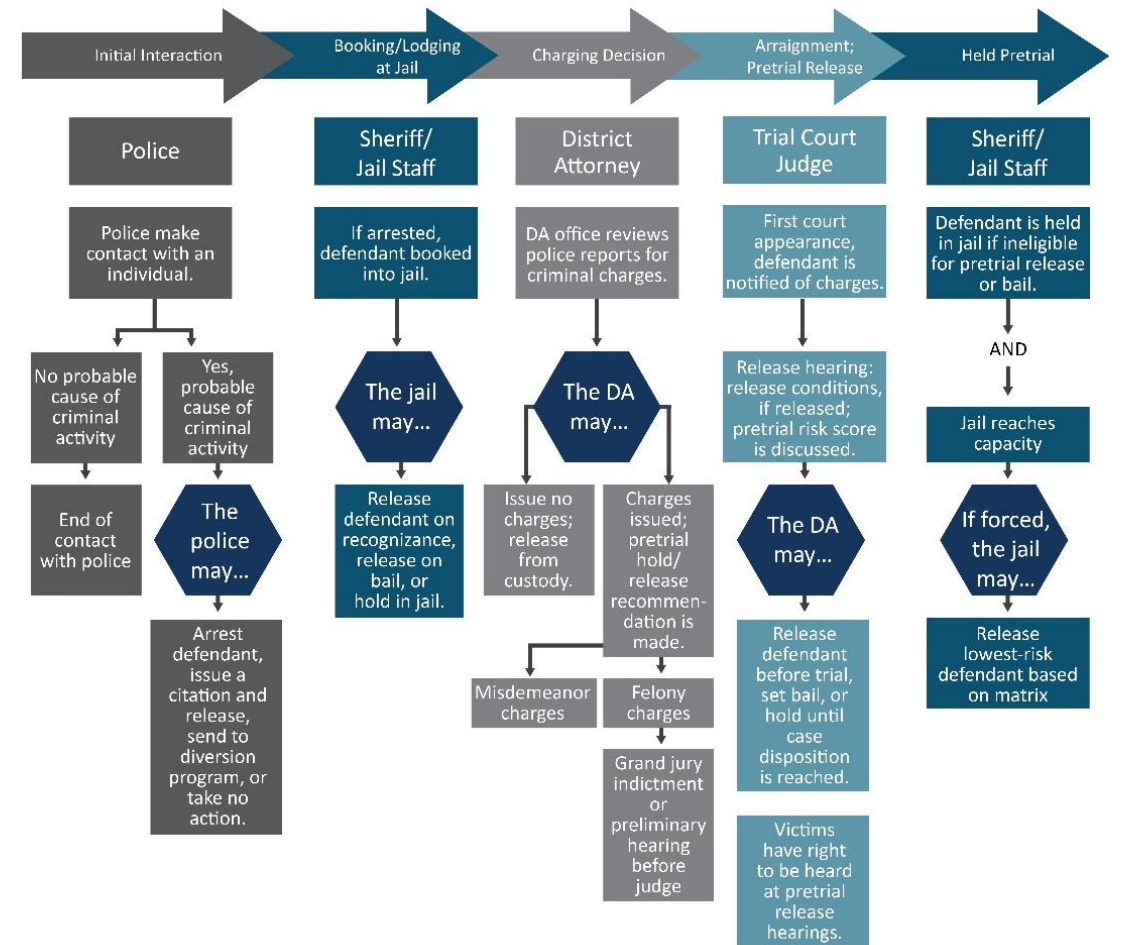


July 2017 – June 2018

Court Type	All Courts	CJC-Funded	Male/Female (CJC-funded only)	Number Receiving MAT (CJC-funded only)	Primary Drug (CJC-funded only)
Adult Drug	29	23	652/384	103	Methamphetamine
DWI/DUI	2	1	140/48	3	Alcohol
Mental Health	16	5	77/57	6	Methamphetamine
Juvenile	6	3	32/13	0	Methamphetamine
Family	9	4	44/83	14	Methamphetamine
Veterans	4	3	35/2	3	Methamphetamine

PRETRIAL AND FINES & FEES

- CJC is staff to the Public Safety Task Force
- PSTF is tasked with reviewing:
 - Pretrial Security Release, focusing on Disparity
 - The Impact of Criminal Fines & Fees



ILLEGAL MARIJUANA MARKET ENFORCEMENT GRANT

- Created by SB 1544 (2018 Session) to aid local law enforcement agencies in interdiction of black-market marijuana
- Allocates approximately \$1.3 million annually
- Priorities:
 1. Aiding rural areas of this state to address unlawful marijuana cultivation or distribution operations;
 2. Targeting large-scale unlawful marijuana cultivation or distribution operations;
 3. Targeting organized crime involved in unlawful marijuana cultivation or distribution operations; and
 4. Focusing on operations that divert marijuana outside state





QUESTIONS?

