



Clackamas County Sheriff's Office

ANGELA BRANDENBURG
Sheriff

To: Members of the Ways and Means Public Safety Subcommittee
From: Eric Anderson, Pretrial Services Supervisor
Clackamas County Sheriff's Office
Date: March 9, 2023
Re: Testimony in Support of SB 5512
Additional Funding for Critical Programs-Oregon Judicial Department

Co-Chair Sollman, Co-Chair Evans and members of the committee,

My name is Eric Anderson, and I am the Pretrial Services Supervisor for the Clackamas County Sheriff's Office. I am also a charter member and current Chair of the Statewide Pretrial Justice Network, and I am here today to provide testimony in support of the Oregon Judicial Department (OJD) budget request to support and enhance pretrial release programs across the State.

Approval of this budget request will help to establish consistency among the 27 Judicial Districts serving Oregon's 36 counties by providing for additional Release Assistance Officers to collaborate with, and supplement existing Pretrial Services programs across the State. Perhaps equally as important, this budget will provide for the continued rollout of a Statewide Pretrial Case Management System (CMS), as well as an Oregon-Specific Pretrial Risk Assessment tool which will help to standardize these components that are crucial to the success of Pretrial reform in Oregon.

In 2017 Clackamas County began to explore the option of establishing a Pretrial Services program centered around the National Institute of Corrections "Framework for Pretrial Justice". The three overarching goals of this framework are to maximize release of pretrial defendants while simultaneously maximizing court appearance and public safety. At that time, the Clackamas County Jail had among the highest rates of emergency or forced releases of inmates due to overcrowding in the state. Numerous studies have shown that individuals who are force-released from custody have a higher rate of failure to appear for Court, as well as a higher incidence of arrest in the pre-adjudication phase.

Within two years of starting the Pretrial Services program in Clackamas County, overall Failure to Appear warrants were down 25%, and Jail force releases were down 53%. Additionally, 60% of Defendants placed onto pretrial supervision appeared at all scheduled Court dates, and only 1% were arrested for new criminal activity.

The use of evidence-based and locally validated Risk Assessment tools is the first step in ensuring that Courts have the appropriate information needed to make risk-based release decisions that are driven by actuarial data. Oregon does not currently have a standardized

assessment, although Portland State University is currently in the process of developing and validating a tool for use across the state.

The need for a comprehensive case management system is essential for Pretrial Services agencies to be able to effectively monitor a defendant's compliance with release conditions in the community prior to the adjudication of their case. Additionally, the ability to provide for the standardization of data collection and exchange among multiple jurisdictions can provide consistency among agencies and help ensure that defendants who have pending matters in multiple counties don't fall through the cracks.

The addition of Release Assistance Officers (RAOs) in counties that already have established non-OJD pretrial release programs can only help to strengthen the collaboration and between Courts, Jails, and pretrial programs, and hopefully improve efficiencies. In Clackamas County, one example of this could be the utilization of ROAs with deferred release authority after-hours and on weekends to make release decisions prior to arraignment, and further lessen the reliance on force release of inmates to manage Jail capacity levels.

In closing I'd like to say that Oregon has joined a national movement of pretrial reform that can help close the gap of racial and socio-economic disparity in the Criminal Justice system. The passage of SB48 was a major step in moving toward that goal. But without dedicated funding for staffing and infrastructure, the certainty of achieving that goal may be more of a dream than reality.

Thank you for giving me the opportunity to provide this testimony.