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M E M O R A N D U M

TO: Honorable Rep. Kropf, Chair

FROM: Aaron Knott, MCDA Policy Director

SUBJECT: Testimony in support of HB 4001

DATE: 2/6/24

We offer this testimony in support of HB 4001, a bill which will chart a course to improving service delivery and funding levels for Oregon's specialty courts.

BACKGROUND

As is virtually every District Attorney's Office in the state of Oregon, the Multnomah County District Attorney's Office is significantly reliant on state money to fund our specialty courts. In a time where the recognition of the need for treatment options both within and outside of the criminal justice system has never been higher, our treatment courts are the most targeted, refined and effective treatment option within the criminal justice system. These courts are evidence based, validated, and subjected to constant outcome and performance review by the Criminal Justice Commission, which routinely review the performance of these courts as part of a cyclical competitive grant process. In a time of endemic substance abuse, rising behavioral health needs and awareness of the efficacy of treatment based, non-carceral alternatives, our treatment courts have never been more important. Despite that, state funding for treatment courts has become increasingly unstable over recent biennia, with the 2023 cycle representing a particularly sharp reduction in service levels relative to stated need.

In Multnomah County, we house four treatment courts funded to varying degrees by the state via the Grant Committee of the Criminal Justice Commission: DISP, Mental Health Court, START and STEP.

DISP is our DUII Intensive Supervision Program, a comprehensive 3-year program which provides intensive supervision, mandatory treatment and close monitoring for repeat drunk drivers, statistically some of the most dangerous individuals in Oregon communities. Graduates from this program experience demonstrably lower recidivism and relapse rates.

Mental Health Court is Multnomah’s collaborative court which offers criminal defendants suffering from significant mental health issues an opportunity to stabilize, engage in treatment and avail themselves of other social services and supports.

START, or Success Through Accountability, Restitution and Treatment, is a treatment court for high risk/high need property offenders, who are given intense drug treatment through frequent testing, coordinated and individually staffed compliance strategies, ongoing judicial involvement, collaboration with community services and swift and certain sanctions when necessary.

STEP, or Strategic Treatment and Engagement Program, is a five phase program for violent offenders utilizing substance abuse treatment, cognitive therapy and other intensive supports, including a 90 day after care program and continuing supervision even beyond program graduation. To date, STEP court participants have seen only an 8.5% recidivism rate, compared to the general 46.8% recidivism rate for high risk individuals.

All four programs are necessary. All four have seen diminishing levels of state support.

Program 2023 Request 2023 Award amount

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|---------------|-------------|-------------|
| DISP | \$1,537,000 | \$1,028,000 |
| Mental Health | \$1,772,000 | \$726,000 |
| START | \$1,771,000 | \$1,279,000 |
| STEP | \$1,996,000 | \$950,000 |

Successful participation in a treatment court requires multiple layers of support and collaboration. The Oregon Judicial Department, local probation, the DA's Office, Sheriff and other community partners contribute staff FTE and supports to these programs which are not funded by the state. But we rely on the state for a huge array of program supports, many of which have been reduced as a result of current state funding levels. Among the many urgent needs left unfunded:

- An additional DISP case manager to defray overcrowding in the court, which is currently unable to accept new entrants due to lack of space.
- Culturally specific treatment support for START court, which impacts our ability to assist people of color who are overrepresented within this crime category.
- Probation officer coverage for STEP court, which will cap the number of eligible participants far below the current demand.
- Qualified mental health provider staffing and court administrative staffing for mental health court – there is currently a waiting list for entry, which hits especially hard for a vulnerable client base that may decompensate and destabilize without urgent and appropriate supports.

HB 4001 sets Oregon on a course to address this crucial need through a deep examination of the structure, best practices and assessed needs of Oregon's specialty courts. While this is not a full answer to the current shortfalls in funding and needs to be partnered with gap filling investments in the short term, specialty courts remain a crucial keystone in our approach to tackling the behavioral health, addiction reduction and recidivism prevention needs of those involved in our criminal justice system at all levels. We urge the passage of HB 4001.

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