

W B.A.

AGENDA COVER MEMO

MEMORANDUM DATE: September 2, 2008

AGENDA DATE: September 17, 2008

=====

TO: Board of County Commissioners
DEPARTMENT: Lane County Sheriff's Office

PRESENTED BY: Sheriff Russel E. Burger

AGENDA TITLE: ORDER /IN THE MATTER OF APPROVING RE-ALLOCATION OF \$1,051,935 IN LANE COUNTY COMMUNITY CORRECTIONS PLAN FUNDING IN THE 2007-09 LANE COUNTY COMMUNITY CORRECTIONS PLAN DUE TO LOSS OF SECURE RURAL SCHOOLS FUNDING. THIS MODIFICATION SHIFTS FUNDING FROM PROGRAMS THAT HAVE BEEN ELIMINATED OR REDUCED AND RESULTS IN NO INCREASE OR DECREASE IN OVERALL CCA FUNDING.

I. MOTION

Order _____ / IN THE MATTER OF APPROVING RE-ALLOCATION OF \$1,051,935 IN LANE COUNTY COMMUNITY CORRECTIONS PLAN FUNDING IN THE 2007-09 LANE COUNTY COMMUNITY CORRECTIONS PLAN DUE TO LOSS OF SECURE RURAL SCHOOLS FUNDING. THIS MODIFICATION SHIFTS FUNDING FROM PROGRAMS THAT HAVE BEEN ELIMINATED OR REDUCED AND RESULTS IN NO INCREASE OR DECREASE IN OVERALL CCA FUNDING.

II. AGENDA ITEM SUMMARY

The Board is being asked to approve a re-allocation of \$1,051,935 to the 2007-09 Lane County Community Corrections Plan.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

In 1995, Oregon voters passed a law imposing minimum penalties for certain violent offenders. This action created a significant increase in the demands placed on state secure facilities and led to legislative action to develop community corrections as a shared responsibility of the State of Oregon and its county governments.

The Oregon Department of Corrections (DOC) makes grants to assist counties in the implementation and operation of community corrections. Consequent to the Community Corrections Act (CCA), Lane County has entered into biennial intergovernmental agreements (IGA) with the DOC to provide community corrections since August 1995 (board order 95-8-23-2).

To receive this funding, Lane County must submit a Community Corrections Plan (CCP) consisting of program descriptions and a budget summary. The CCP must provide supervision, sanctions, and supportive services for the adult offender population on supervised probation, parole, post-prison supervision, and local control. The County must also provide other services as required by the courts or the Oregon Department of Corrections (DOC), such as pre-sentence investigations, Interstate Compact transfers, etc. The CCP should facilitate the County's compliance with the performance outcomes in the intergovernmental agreement with the DOC. It must also assist the state in meeting state legislative requirements related to evidence based practices as well as meeting local priorities and needs. The current CCP was accepted by the board on June 27, 2007 (board order 07-6-27-17). A revision to the CCP was approved on June 18, 2008 (board order 08-6-18-3).

However, events now require an adjustment to the allocation of funds that was approved in June 2008. The failure of Congress to renew the Secure Rural Schools and Community Self-Determination Act funding triggered significant reductions in services provided by the Lane County Sheriff's Office. In May 2008, the Forest Work Camp (FWC), which housed 100 medium security inmates, was closed. The Lane County Adult Corrections Facility (LCACF) was forced to close 84 beds and the Community Corrections Center (CCC), which used to provide 93 beds to offenders, now provides only 33 beds.

In addition to changes based on service cutbacks, \$14,000 remains unallocated. These funds had been held in "reserve" due to a decision made at the beginning of the 2007-09 biennium to set aside resources in case it became necessary to obtain an interdepartmental loan. During the 2005-07 biennium, the DOC conducted a cost study of community corrections and adjusted funding rates to the current costs of providing probation and parole supervision, correctional programs, and community-based sanctions.

For Lane County, this study resulted in a change to the 2007-09 funding formulas used to calculate CCA funds. DOC proposed a change to the funding formula during the second year of the biennium, but relied on the old formula during the first year of the biennium. This would have resulted in different funding levels to providers and services levels between the two years. Lane County requested that DOC allow the increase in funding to be spread across both years of the biennium so that service levels could be kept uniform between the two years.

When the 2007-09 CCA Plan was adopted, it was not known whether the DOC would agree to the request. While awaiting approval, staff developed a plan to borrow

approximately \$350,000 from the Waste Management Short Mountain closure fund as a means to level the funding between the two years. The plan was to borrow money during the first year of the biennium and repay it during the second year. As a part of that plan, \$14,000 was set aside for interest payments should the loan be needed. However, the DOC approved Lane County's request and the loan was never needed. The \$14,000 has remained unallocated in the Plan until now.

As a result of all of all these factors, it is necessary to re-allocate CCA funding for 2008-09.

Reductions are proposed for three programs in 2008-09:

<u>Program</u>	<u>Amount of Reduction</u>
Forest Work Camp	\$ -297,935
CCC	\$ -740,000
Reserve fund	\$ - 14,000
Total	\$ 1,051,935

Funds would be re-allocated to the following programs in 2008-09:

<u>Program</u>	<u>Amount of Increase</u>
Jail	\$ 969,935
Community Supervision	\$ 75,000
Assessment & Evaluation Service	\$ 7,000
Total	\$ \$1,051,935

Jail: If these changes are approved, the Lane Adult Corrections Center will be able to re-open 35 urgently needed jail beds. Due to a very recent agreement to increase in Bureau of Prisons revenue that will offset the CCA funds removed from the CCC, there will be no loss of "local bed" capacity at the CCC.

Community Supervision: Many of the offenders displaced by the closure of the Forest Work Camp and Community Corrections Center are now in the community under supervision. The increase in funding for Community Supervision would allow the addition of one full time Parole and Probation Officer position. The addition of one P&P Officer will help with the overwhelming case load sizes that Probation Officers have in Lane County.

Assessment and Evaluation Services: Funds will be used to establish a program to assess and evaluate referrals from the Corrections department, track referrals of clients to appropriate treatment providers, and effectively communicate and coordinate with all parties involved. \$7000 is requested for set up costs for this service. A required competitive selection process will be completed to determine the provider of this service.

B. Policy Issues

Per Oregon Revised Statutes 423.475 to 423.565, Lane County shares responsibility with the Oregon State Department of Corrections for community-based supervision. Included in these statutes is a mandate regarding the Public Safety Coordinating Council (PSCC). The PSCC is an advisory council mandated to develop and recommend to the Board of Commissioners a comprehensive plan which provides for coordination of community-wide services involving treatment, education, employment and intervention strategies aimed at crime prevention.

On July 17, 2008 the Supervisory Authority Team (SAT) made up of Judge Karsten Rasmussen, Commissioner Fay Stewart, and LCSO Captain Doug Hooley met and agreed on the CCA funds reallocation recommendation that follows. Judge Deborah Vogt was also in attendance at the SAT meeting and supported this recommendation.

On August 22, 2008, the PSCC voted in favor of the proposed modification.

C. Board Goals

Approval of this revision to the 2007-09 Lane County Community Corrections Plan is consistent with the third priority of the Lane County Strategic Plan: Performance Management. Strategies regarding Performance Management include refining countywide goals. The strategic Plan states, "The County will continually review its mission, vision and guiding principles for future service delivery. Consistent with the review and with input from its citizens, the County will identify quality-of-life goals that it deems to be the highest priority goals for Lane County services."

D. Financial and/or Resource Considerations

Services proposed in the 2007-09 Community Corrections Plan are supported with revenue received through an intergovernmental agreement with the Oregon Department of Corrections anticipated to be in the amount of \$21,345,852. This allocation does not increase or decrease funding, it re-allocates funding in the second year of the biennium.

E. Analysis

There are four goals stipulated in the intergovernmental agreement that provides funding to support the plan. These include: reducing criminal behavior, enforcing supervisory authority orders; assisting offenders to change; and providing reparation to victims. This re-allocation will address two of these goals: 1) funding assessments and evaluations will assist offenders by encouraging participation in treatment programs and 2) funding for re-opening 35 jail beds and adding a Parole and Probation officer will help enforce supervisory authority.

IV. Alternatives/Options

1. To accept the motion approving re-allocation of \$1,051,935 in the 2007-09 Lane County Community Corrections Plan. The re-allocation does not increase or decrease CCA funding.

2. Not to accept the motion. This will mean the PSCC must revisit this decision and develop a new plan to re-allocate funds originally intended for programs that have been eliminated or severely reduced due to the loss of federal SRS funding.

V. Timing/Implementation

Upon approval, the Sheriff's Office will move to open 35 jail beds, hire a Parole and Probation officer, and identify a contractor to provide evaluation and assessments for referrals from Corrections as soon as possible.

VI. RECOMMENDATION

The Public Safety Coordinating Council recommends that the Board of County Commissioners approve this modification to the 2007-09 Lane County Community Corrections Plan.

VII. FOLLOW-UP

Upon action by the Board, a modification to the 2007-09 Lane County Community Corrections Plan will be submitted to the State of Oregon.

VIII. ATTACHMENTS

- A) Board Order
- B) 2007-09 Proposed Modification to the Community Correction Plan
- C) Program Description

THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

ORDER:) IN THE MATTER OF APPROVING RE-ALLOCATION OF
08-09-17-) \$1,051,935 IN LANE COUNTY COMMUNITY CORRECTIONS
) PLAN FUNDING IN THE 2007-09 LANE COUNTY COMMUNITY
) CORRECTIONS PLAN DUE TO LOSS OF SECURE RURAL
) SCHOOLS FUNDING. THIS MODIFICATION SHIFTS FUNDING
) FROM PROGRAMS THAT HAVE BEEN ELIMINATED OR
) REDUCED AND RESULTS IN NO INCREASE OR DECREASE
) IN OVERALL CCA FUNDING.

WHEREAS, pursuant to ORS 423.520 and ORS 423.478 Lane County will, for the 2007-09 biennium, be allocated \$21,208,780 in grant funds to provide supervision, sanctions and services for adult offenders; and

WHEREAS, Lane County must describe how funds will be allocated and services delivered; and

WHEREAS, appropriation of funds to support the services has been done through the budget adoption order; and,

WHEREAS, the 2007-09 Lane County Community Corrections Plan has been reviewed by several planning bodies including the Public Safety Coordinating Council and adopted by the Board of County Commissioners; and

WHEREAS, the loss of federal Secure Rural Schools funding caused the closure of the Forest Work Camp and reduced the number of available jail beds; and

WHEREAS, the Public Safety Coordinating Council hereby recommends adoption of this modification to the Board of County Commissioners;

WHEREAS, this action does not increase or decrease CCA funding, but adjusts existing funding to changed circumstances

NOW THEREFORE, IT IS HEREBY ORDERED, that the Board of County Commissioners accept and approve this reallocation of existing funds to the 2007-09 Lane County Community Corrections Plan in the amount of \$1,051,935.

DATED this 17th day of September, 2008.

Faye Stewart, Chair
Lane County Board of County Commissioners

9/3/08
214

Proposed Community Corrections Plan Modification

Lane County 2007-09 Biennium

Date: September 2, 2008

	Current Budget	Amounts of Revision		New Budget
		Amount Removed	Amount Added	
Administration				
System Administration	\$193,509			\$193,509
"Averaging" Costs for County Loan, if needed	\$14,000	(\$14,000)		\$0
Community-Based Custodial Alternatives				
Electronic Surveillance Program	\$60,000			\$60,000
Community Service and Work Crew				
Community Service	\$317,916			\$317,916
Custodial/Sanction Beds				
Jail	\$5,849,448		\$969,935	\$6,819,383
Community Correction Center	\$1,853,662	(\$740,000)		\$1,113,662
Forest Work Camp	\$595,870	(\$297,935)		\$297,935
Day Reporting Centers				
Mental Health Services				
Medication & Treatment/LCMH	\$192,176			\$192,176
Sanctions				
Sex Offender Services				
Sex Offender Treatment Program/LC	\$584,370			\$584,370
Supervised Housing for Male Sex Offenders/Sponsor	\$76,650			\$76,650
Substance Abuse				
Drug Court/Emergence	\$180,000			\$180,000
Bridge Program/Emergence	\$272,735			\$272,735
Outpatient A&D Treatment/Emergence/TBD	\$531,118			\$531,118
Supervision				
Community Supervision	\$7,808,808		\$75,000	\$7,883,808
Defendant - Offender Management	\$1,500,872			\$1,500,872
Transition Services				
Transitional Housing/Sponsors	\$998,640			\$998,640
Crisis Fund Administration/Sponsors	\$9,006			\$9,006
Crisis Fund/Sponsors	\$24,000			\$24,000
Alternatives to Incarceration	\$137,072			\$137,072
Other Programs				
Assessment and Evaluation Services			\$7,000	\$7,000
Other Services - Alcohol & Drug Detox				
Detox Beds/Willamette Family	\$146,000			\$146,000
Unallocated	\$0			\$0
Fund Total	\$21,345,852	-\$1,051,935	\$1,051,935	\$21,345,852
Last Revised:9/02/08				

PROGRAM DESCRIPTION

Program Name: Referral and Monitoring Service	
Program Purpose: To develop systems that would ensure successful receipt of assessment referrals from the Corrections System.	
Program Description: Provide assessments to clients who have been referred from the Corrections System. A referral to a community treatment provider is generated as a result of the assessment. The provider will monitor and report to the Corrections System the client's compliance with assessment and subsequent referral.	
Program Objectives: To develop systems that would ensure successful receipt of assessment referrals from Corrections System, support referrals of clients to appropriate treatment providers and to effectively communicate and coordinate with all parties involved.	
Method(s) of Evaluation: Standardized Testing Test Results examined along with police reports and mental health interview Evaluation report with recommendations is written and sent to the referral agency	
SB 267 Eligible: _____ Yes _____ No	
Monthly Average to be Served: 16	Type of offender served: <input checked="" type="checkbox"/> Probation <input type="checkbox"/> Parole / Post-Prison Supervision <input checked="" type="checkbox"/> Local Control Risk Level <input checked="" type="checkbox"/> High <input type="checkbox"/> Medium <input type="checkbox"/> Low <input type="checkbox"/> Limited Gender <input checked="" type="checkbox"/> Men <input checked="" type="checkbox"/> Women Crime Category <input checked="" type="checkbox"/> Felony <input checked="" type="checkbox"/> Misdemeanor
Funding Sources:	
<input type="checkbox"/> State Grant-in-Aid	\$ _____
<input type="checkbox"/> County General Fund	\$ _____
<input checked="" type="checkbox"/> Other(CCA Dollars _____)	\$ 7,000 _____
<input type="checkbox"/> Other(_____)	\$ _____
<input type="checkbox"/> Other(_____)	\$ _____
<input type="checkbox"/> Other(_____)	\$ _____
<input type="checkbox"/> Other(_____)	\$ _____