

# MARION COUNTY PUBLIC SAFETY COORDINATING COUNCIL

TUESDAY JULY 27, 2021

4:00 – 6:00 pm

Commissioners' Board Room

## Meeting Packet

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Section 1

2021-23 CJC SPECIALTY COURTS GRANT APPLICATION



# MARION COUNTY PUBLIC SAFETY COORDINATING COUNCIL

Chair: Commissioner Kevin Cameron

Vice-Chair: Rob Carney

## Council Members:

**Chris Baldrige, Safety Services**  
Salem Keizer School District

**John Bauer, Chief Legal Officer**  
Salem Health

**Joseph Budge, Fire Chief**  
Woodburn/Hubbard District

**Mark Caillier**  
Citizen at Large

**Kevin Cameron, Commissioner**  
Marion County

**Robert Carney, Councilor**  
City of Woodburn

**Paige Clarkson, District Attorney**  
Marion County

**Kim Doster**  
Veterans' Representative

**Jayne Downing, Director**  
Center for Hope & Safety

**Don Frederickson**  
Citizen at Large

**Judge Courtland Geyer**  
Marion County Circuit Court

**Tamra Goettsch, Director**  
Community Services Department

**Troy Gregg, Director**  
Marion County Juvenile Department

**Levi Herrera-Lopez, Director**  
Mano a Mano

**Roland Herrera, Councilor**  
City of Keizer

**Linda Hukari, Administrator**  
Marion County Circuit Court

**Joe Kast, Sheriff**  
Marion County

**Alison Kelley, Executive Director**  
Liberty House

**Pastor Garland King**  
NAACP

**Rick Lewis, Representative**  
District 18

**Pete McCallum**  
Citizen at Large

**Todd McCann**  
Public Defender/Attorney

**Ed McKenney**  
Citizen at Large

**Ryan Matthews, Administrator**  
Health & Human Services Department

**Tim Murphy, CEO**  
Bridgeway Recovery Services

**Judge Tracy Prall**  
Marion County Circuit Court

**Dave Rash, Police Chief**  
City of Hubbard

**Mike Runyon, Supervisor**  
Oregon Youth Authority

**Tom Sernak**  
Public Defender Representative

**Cari Sessums, Representative**  
Alcohol & Drug Planning Committee

**Shaney Starr, Executive Director**  
CASA of Marion County

**Trevor Womack, Police Chief**  
City of Salem

**Lt. Chris Zohner**  
Oregon State Police

May 18, 2021

Criminal Justice Commission  
885 Summer St. NE  
Salem, OR 97301

Re: Letter of Support for Marion County Specialty Courts

Dear Grant Administrator:

As Chair of the Marion County Public Safety Coordinating Council, I am pleased to support the Marion County Circuit Court's Specialty Court Grant Program application for the Oregon Criminal Justice Commission Fiscal Year 2021-2023.

Having five specialty courts with community-based resources that provide crucially needed evidence-based wrap around services and treatment is an asset to law enforcement, public safety, and the community. Past surveys of the adults in custody in Marion County show that at any given time, more than 50% suffer from substance abuse, homelessness, and mental illness.

The adult drug court is a voluntary post conviction program. Mental and veterans' treatment courts offer voluntary conditional discharge and post-conviction program for offenders. These courts combine treatment court concepts with integrated human services to provide meaningful interventions that include community supervision, drug and alcohol treatment, mental health services, housing, education, and vocational rehabilitation services. The treatment court team includes the judge, court staff, social services, drug and alcohol treatment and mental health professionals working together to develop an integrated case plan to identify needs for each participant. The plan is monitored by the court. Participants agree to the terms and conditions of community-based supervision, substance abuse and co-occurring treatment, attendance at court for 12 to 18 months, with the goal of having their criminal charges dismissed or diversion from their Department of Corrections sentences.

STAR (Supervised Treatment and Recovery) Court helps youth and their families by giving them the tools and support to develop pro-social attitudes, stronger family support, and trust so that they can maintain sobriety. Youth and their families receive individual and family mental health services, a parent support mentor, alcohol and drug services and an education advocate.

Fostering Attachment Treatment Court offers wrap-around services for the participant and immediate family, providing intensive outpatient and residential drug and alcohol treatment, mental health, case management, educational and housing assistance, and family support in a court-managed setting.

Through these carefully chosen programs, successful participants in all five courts develop the skills needed to maintain sobriety, receive appropriate treatment, retain their family units, and ultimately become productive members of society.

On behalf of the Marion County Public Safety Coordinating Council, I am pleased to offer our support for the Marion County Circuit Court's 2021-2023 Criminal Justice Commission Specialty Courts Grant application.

Sincerely,



Commissioner Kevin Cameron  
Chair, Marion County Public Safety Coordinating Council

5.18.2021



# Marion County Treatment Courts

Oregon Criminal Justice Commission Grant Applications

# Treatment Court Goals

- Reducing recidivism and substance-use disorder among offenders.
- Increasing the offender's likelihood of successful rehabilitation through early, continuous, and judicially supervised treatment, mandatory random drug testing, and community supervision.
- Enhancing public safety by addressing the root cause of the offender's involvement in criminal activities.

# Treatment Court Funding

## Criminal Justice Commission Grants

- In-kind Funding
  - Judge
  - Clerk
  - DDA
  - Probation
- Donations
  - Small donation funds for each court support incentives

# CJC Grant Requirements

- A county or state body must be the grant administrator.
  - Marion County Health Department has agreed to administer the grants for all five courts.
- The Local Public Safety Coordinating Counsel must be the applicant.
  - **We are asking** you vote to approve the applications as prepared by our treatment courts and authorize their submission.
    - ***A letter of support is required for the applications.***

# Marion County Treatment Courts

- Adult Drug Court
- Mental Health Court
- Veterans Treatment Court
- Fostering Attachment Treatment Court
- Juvenile Drug (STAR) Court

# Adult Drug Court

- 2021-23 Proposed
  - **\$449,648.00**
  - Serving 60 participants/mo
- 2019-21 Actual
  - \$398,803
- Increase due to:
  - Personnel
  - Drug testing

## Personnel

- .5 FTE Treatment Court Coordinator

## Drug Testing

- Joint Application Among 5 Tx Court

## Client Support

- Dual Certified Mental Health/Drug and Alcohol Clinician on the team
- Peer Mentor
- Housing
- Bus Passes
- Education

# Mental Health Court

- 2021-2023 Proposed
  - **\$267,476**
  - Serving 30 participants/mo
- 2019-2021 Actual
  - \$339,657
- Increase due to:
  - Personnel
  - Drug testing
- Decrease due to:
  - Number of contractors

## Personnel

- .25 FTE Treatment Court Coordinator

## Drug Testing

- Joint Application Among 5 Tx Courts

## Client Supports

- Dual Certified Mental Health/Drug and Alcohol Clinician on the team
- Peer Mentor
- Housing
- Bus Passes
- Education

# Veterans Treatment Court

- 2021-2023 Proposed
  - **\$287,228**
  - Serving 30 participants/mo
- 2019-2021 Actual
  - \$243,681
- Increase due to:
  - Personnel
  - Drug testing

## Personnel

- .25 FTE Treatment Court Coordinator

## Drug Testing

- Joint Application Among 5 Tx Courts

## Client Support

- Dual Certified Mental Health/Drug and Alcohol Clinician on the team
- Peer Mentor
- Housing
- Bus Passes
- Education

# Fostering Attachment Treatment Court

- 2021-23 Proposed
  - **\$329,409.79**
  - Serving 30 participants/mo
- 2019-2021 Actual
  - \$297,950.00
- Increase due to:
  - Drug testing
  - UA collections
  - Client supports

## Personnel

- .5 FTE Treatment Court Coordinator

## Drug Testing

- Joint Application Among 5 Tx Courts

## Client Support

- D/A Treatment providers on the team
- MH Counselors on the team
- Education
- Housing
- Transportation

# STAR Court

- 2021-23 Proposed
  - **\$ 319,132.94**
  - Serving 30 participants/mo
- 2019-21 Actual
  - \$ 291,746.00
- Increase due to:
  - Drug testing
  - Client Support

## Personnel

- .5 FTE Treatment Court Coordinator

## Drug Testing

- Joint Application Among 5 Tx Courts

## Client Support

- A/D Treatment provider on the team
- MH Treatment provider on the team
- Transportation

# The Ask

- The Local Public Safety Coordinating Counsel must be the applicant.
  - **We are asking** you vote to approve the applications as prepared by our treatment courts and authorize their submission.

Section 2

2019-21 JRI GRANT

REQUEST TO REBALANCE PERSONNEL BUDGET



# MARION COUNTY SHERIFF'S OFFICE

JOE KAST, SHERIFF

May 26, 2021

To: Marion County Public Safety Coordinating Council  
Executive Committee

Re: 2019-2021 Justice Reinvestment Initiative (JRI) - Request to Rebalance Personnel Budget

The Marion County Sheriff's Office Community Corrections Division was allocated approximately \$4.3 million in JRI funding for the 2019-2021 biennium, which was allocated to eight distinct prison diversion and reentry programs. As with many 2-year grant programs, the end of the biennium provides us an opportunity to rebalance areas of the JRI budget to ensure we adhere to our original goals, meet expenditure expectations and our program goals. Upon review, we have identified three personnel positions that are estimated to go over the original budgeted amount, as outlined below with estimated shortages:

- Personnel #2 (Deputy - 416 Program) – estimated shortage -\$39,682.17 as of 6/30/2021.
- Personnel #3 (Deputy - 416 Program) – estimated shortage -\$17,299.59 as of 6/30/2021.
- Personnel #4 (Deputy - 416 Program) – estimated shortage -\$40,810.32 as of 6/30/2021.
- Total estimated shortage: -\$97,792.08

To offset and balance these estimated shortages, we have identified one personnel position that is estimated to have funds remaining at the end of the fiscal year. The position associated with Personnel #1 noted below was vacant during quarter 4 and part of quarter 5. The duties were picked up by other staff that we did not charge JRI funds for, hence the funds remaining in this line item. Below outlines the estimated funds available:

- Personnel #1 (Deputy - TJC Program) – estimated funds remaining \$104,100.53 as of 6/30/2021.
- Total estimated funds available to reallocate: \$104,100.53

Based on the availability of personnel budgeted funds, we are requesting to adjust our personnel budget by using funds available in Personnel #1 to offset estimated shortages from Personnel #2, #3, and #4. For further explanation, see Attachment A. With this small budget adjustment, rebalancing approximately 2% of our overall JRI allocation, we will continue to be well within our overall JRI plan personnel budget and able to cover all personnel expenses. Thank you for your consideration and support.

Sincerely,

Kevin Karvandi, Commander

Section 3

APRIL 13, 2021

DRAFT MCPSCC MEETING MINUTES

**MARION COUNTY PUBLIC SAFETY COORDINATING COUNCIL**  
**MINUTES**

**April 13, 2021 4:00 PM**  
**Courthouse Square**  
**Salem, OR**

**MCPSCC:** Chris Baldrige, Joe Budge, Mark Caillier, Kevin Cameron, Rob Carney, Paige Clarkson, Jayne Downing, Don Frederickson, Courtland Geyer, Tamra Goettsch, Troy Gregg, Linda Hukari, Levi Herrera-Lopez; Joe Kast, Alison Kelley, Pastor Garland King, Pete McCallum, Todd McCann, Ed McKenney, Tracy Prall, Mike Runyon, Tom Sermak, Cari Sessums, Shaney Starr, Trevor Womack, Hitesh Parekh (recorder).

**GUESTS:** Chad Ball, Ian Davidson, Katie Ferguson, David Rash, and Chris Zohner

**1. ADMINISTRATIVE (INFORMATION/ACTION)**

Meeting called to order at 4:05 P.M. by Commissioner Kevin Cameron.

Welcome and introductions

- Introductions

Announcements and upcoming events

- Commissioner Cameron said the Executive Committee of the MCPSCC has been holding monthly combined meetings with the county's state legislative delegates.
- District Attorney Paige Clarkson and Government Relations Manager Barbara Young are keeping a watch on legislative bills for the county.
- County has also hired a lobbyist to help with fire recovery efforts in the Santiam Canyon.
- Will need to hold a full council meeting on April 28 as the Oregon Criminal Justice Commission has released the 2021-23 Justice Reinvestment Grant Application for counties.

Memberships

- Jim Ferraris, Michael Iwai, and Jessica Kampfe have resigned from the council.
- Newly appointed council members are Salem Police Chief Trevor Womack, Woodburn/Hubbard Fire Chief Joseph Budge, and Defense Bar Representative Tom Sermak.
- Also recommending Hubbard Police Chief Dave Rash and OSP Lieutenant Chris Zohner be selected as council members.

MOTION: Don Frederickson made a motion recommending the Board of Commissioners appoint Hubbard Police Chief Dave Rash and Oregon State Police Lieutenant Chris Zohner to the Marion County Public Safety Coordinating Council for a three-year term. Seconded by Ed McKenney. Motion passes.

Following memberships will expire on July 31, 2021: Rob Carney, Mike Runyon, Don Frederickson, Ed McKenney, Kim Doster, Cari Sessums and Todd McCann. Membership will be renewed for another three-year term.

Approve December 15, 2020 MCPSCC Meeting Minutes

MOTION: Ed McKenney made a motion to approve the December 15, 2020 meeting minutes. Seconded by Pete McCallum. A voice vote was unanimous.

## Other

Mr. Ed McKenney asked what the allowance is for self-defense when rioters damage a vehicle and surround a driver as had happened during a recent demonstration/riot in Salem - and if the driver will be charged for a criminal offense?

- Mr McKenney asked if any of the rioters were taken into custody.
- Mr. McKenney said his definition of a demonstrator is the one that leaves when the riots start.
- Salem Police Chief Womack said the City had worked together with the Oregon State Police on the day the incident occurred.
  - Individual with the fire arm was not arrested or detained as he was determined to be a victim.
  - Several other individuals were arrested.
  - Mr. McKenney said he has a lot of respect for law enforcement and they always do a great job.

## **2. APPROVAL OF 2021-23 JUVENILE CRIME PREVENTION PLAN**

Juvenile Department Director Troy Gregg presented this item. Summary of presentation:

- Juvenile Crime Prevention Funds from the Oregon Youth Authority have been used by the Marion County Juvenile Department for the Family Support Program (FSP) for the last decade.
  - FSP is designed to provide early intervention with the highest risk young children ages 9 to 13, already involved with the Juvenile Department or at risk of becoming involved.
  - Program reduces juvenile crime and helps families make positive changes in their lives.
  - FSP staff help the whole family in a community-based team approach working together with parents, children, school staff, and others of importance in the child's life.
  - Referrals come to the Juvenile Department from school counselors and juvenile probation officers.
  - Services are available for up to 9 months from the Family Support Specialists, Learning Specialists, and Youth & Family Counselors.
- Mr. Todd McCann said he was highly supportive of the program and program should be retained.
- Mr. Mike Runyon said this program acts as a barrier to prevent youth from moving further into the criminal justice system.

MOTION: Pete McCullum made a motion to approve the 2021-23 Juvenile Crime Prevention Plan. Seconded by Don Frederickson. A voice vote was unanimous.

## **3. JUSTICE REINVESTMENT INITIATIVE (JRI) QUARTERLY UPDATE**

Oregon Criminal Justice Commission, (CJC) Justice Reinvestment Initiative (JRI) Program Manager Ian Davidson provided an overview of the 2021-23 JRI Grant Application. Summary of presentation:

- The Accountability and Equity Act (or House Bill 3064, 2019) changed the grant application process for the 2021-23 biennium.
  - Act expanded membership of the grant review committee.
  - A justice reinvestment equity advisory group was created and asked to evaluate the JRI grant program, how program funds are distributed, and then make recommendations for legislative and agency administrative changes.
    - Their recommended changes have been incorporated in the 2021-23 grant application.
      - One suggestion was to lengthen out the grant application timeline.
      - The 2021-23 application process will start much earlier and is in two phases.
      - The preliminary application is due May 14 and the final - August 25.
    - The CJC can then give feedback to counties before the actual application.
    - Thinking behind this is don't want counties to go through the entire grant process and then discover that county came up with an erroneous application.
    - Legislature still needs to designate an amount for the grant, and after this happens, the CJC will be able to finalize and release the second part of the application.

- Mr. Davidson said a lot of thought had been put into the questions for the counties.
  - Goal was for counties to discuss amongst themselves what is best for criminal justice and develop a thoughtful application.
  - The preliminary application asks each county where the gaps are in their respective criminal justice systems.
  - Could be the need for more judges or mobile crisis response teams.
  - Marion County is doing well on reducing prison bed use but may want to look at length of stays in prison.
- CJC has put together a race, ethnicity, and gender demographic dashboard.
  - Wholly interactive. Breaks down racial, and gender demographics by counties so can select a county and zoom in and see population disparities.
- Application also asks about historically underserved communities and community partners.
  - CJC is previewing questions it will ask during the final application phase.
- For the first time application will require a statement of commitment to reduce recidivism while protecting public.
  - Required by statute.
- Commissioner Cameron asked Mr. Davidson to return at a future date to give a report on Marion County's quarterly prison intakes.
  - Concerned that baseline funding for parole and probation has not increased and may decrease even though county is doing a great job of diverting people from state prison.
  - MCPSCC holding a special meeting on April 28 to go through the preliminary JRI grant application.

#### **4. CRIMINAL JUSTICE ADVISORY COUNCIL (CJAC) UPDATE**

MCPSCC switched roles and became the Criminal Justice Advisory Council chaired by Marion County Circuit Court Presiding Judge Tracy Prall.

Summary of presentation by Judge Prall:

- A smaller group of the criminal justice advisory council members includes Marion County Jail Commander Tad Larson, District Attorney Paige Clarkson, Marion County Circuit Court Trial Court Administrator Linda Hukari, and defense bar representatives Tom Sermak and Olcott Thompson.
  - This smaller group met every Wednesday morning during COVID-19 emergency without fail.
  - Relationships forged prior to the pandemic allowed group to work together and move criminal cases through the courts.
  - Group worked on pre-trial release, access to attorneys by adults in custody, managing the court dockets for all the partners, and even security during the riots when the courts had to be shut.
  - Currently, there is a new judge order from the Oregon State Courts regarding which matters can proceed in the court in person.
  - County has been able to expand in person appearances in the court, including out of custody trials.
  - The Grand Theatre is being used by the county for settlement contracts and out of custody trials. Will now also be doing civil trials there.
  - Ms. Clarkson said Marion County Circuit Court has been one of the most successfully operating courts in the state during the COVID-19, fires, riots, and ice storms. Successful because other counties don't have a similar structure and partnership.
  - Commissioner Cameron said all public safety agencies in the county should be proud of what they have accomplished through careful planning and continually adapting their operations to streamline services during the emergencies.

#### **5. 2021 LEGISLATIVE SESSION UPDATES**

Summary of legislative bills discussed:

**House Bill 2002.** Moved to House Rules Committee. Bill is an omnibus bill covering law enforcement stops, arrests, sentencing, probationary issues, and repeals certain mandatory sentences. Ms. Clarkson said there had been a lot of public testimony in opposition to it. Bill did not carry any stakeholder input prior to it being written - and no experts were at the table for policy making discussions. So all stakeholders testified and provided written testimony in opposition to it. Bad policy making in this regard. Concerned about BM 11 issues and Justice Reinvestment Initiative funding. When someone is sentenced in Marion County, they have to receive the proper services to be successful. This will not be possible if the legislature reduces JRI funding. Marion County defense bar representative Tom Sermak said the defense bar's view is that Measure 11 should be repealed so that discretion to impose lengthy prison sentences falls on elected officials in the court instead of deputy district attorneys who charge the defendant.

**BM 110.** There is a workgroup dealing with BM 110. This measure supported making personal, non-commercial, possession of a controlled substance no more than a Class E violation (max fine of \$100 fine) and establishing a drug addiction treatment and recovery program funded in part by the state's marijuana tax revenue and state prison savings.

**HB 2177-** Authorizes Chief Justice of Supreme Court to collect filing fees from District Attorney Offices across the state and use proceeds to fund certain state court technology services.

**Senate Bill 48** - Eliminates requirement that defendants post security for bail prior to release except in certain circumstances. Directs the presiding judge of a judicial district to enter a standing pretrial release order specifying persons and offenses subject to release on recognizance, conditional release, and those not eligible for release until arraignment. Directs the Chief Justice of the Supreme Court to establish release guidelines for the pretrial release orders described in this section. Modifies findings required for certain pre-trial release decisions. Eliminates requirement that a defendant deposit 10 percent of security imposed prior to release on security except in certain cases. Establishes procedures for issuance of orders to forfeit security or pay on a promissory note if a defendant violates a condition of release.

**SB 397-** Is a collaborative stakeholder effort to simplify the expunction statute in Oregon which is currently very dense and hard to understand.

**SB 214** - Is a victim restitution bill. Creates rebuttable presumption that a charge, expense, or cost is reasonable if a record, bill, estimate, or invoice is produced by a third party and introduced by the district attorney as part of presentation on economic damages suffered by victim. Restitution is hard to get, want to fix statute but getting a lot of push back from the defense bar. Right now standard is difficult to establish. Mr. Sermak said the restitution bill is moving forward and some amendments have been offered, optimistic it will improve the cjc system and community at same time.

**SB 48** – If this bill passes, it will have an impact on pre-trial releases. Courts will have to collaborate with partners to figure out guidelines.

**HB 2539** Prohibits juror from being identified by name during a court proceeding open to the public. Requires the names of jurors be made available to the parties to a proceeding.

#### Summary of discussions

- Hopeful that SB 497 A will pass. Requires counties assume responsibility for community-based supervision for designated domestic violence misdemeanors *as well as* offenders convicted of felonies or designated drug-related misdemeanors. It is a funding bill for community corrections that includes the domestic violence and sex offender population.

- Undersheriff Wood said he is very concerned about the legislature reducing base line funding for community corrections as these funds are the foundation for everything the Marion County Sheriff's Office Parole and Probation Division does. Current baseline funding is \$278 M for the 2019-21 biennium statewide and will decrease to \$230 m for the 2021-23 biennium. This will impact the Community Corrections Division's ability to carry out basic supervision. Hope that through the Ways and Means Committee, there will be an infusion of \$25 m that was previously agreed upon in the past two sessions.
- Jayne Downing, executive director, Center for Hope and Safety said Senate Bill 271-1 and House Bill 3327 are victim services bills. Bills extend sunset for authorization to Oregon Department of Justice to assist victims of domestic violence and sexual assault with housing needs until January 2, 2024. Appropriates an additional \$5,000,000 out of the General Fund to assist victims of domestic violence and sexual assault with housing needs.
  - Legislators have requested \$7.5 m in American Recovery Act funds for Hope Plaza.
  - This is in addition to the \$2.5 m that was received last spring.
  - The \$7.5 m will allow the Center for Hope and Safety to start building this fall.
  - Ms. Downing asked that the MCPSCC support these bills.
- Alison Kelley, executive director, Liberty House said HB 2826 passed unanimously out of the House Committee on Human Services and was sent out to the Joint Committee on Ways and Means. Bill requires the Child Abuse Multidisciplinary Intervention Program within the Department of Justice (DOJ) to allocate funds to support local and regional child advocacy centers. Appropriates \$6,000,000 to DOJ for this purpose. Funds will help support 21 Child Advocacy Centers serving all of Oregon's 36 counties and approximately 8,000 kids annually. Although referrals are supposed to have decreased with COVID-19, in 2020 Liberty House saw more than 700 youth in the clinic, the most they have ever seen. With youth restarting school, Liberty House is expecting to see even more youth needing services.
- Ms. Shaney Starr, executive director, Marion County Court Appointed Special Advocates (CASA) said HB 2738 is a statewide CASA bill which appropriates to the CASA Fund: \$5,670,000 for the CASA Volunteer Program, and \$250,000 for the Oregon CASA Network for a statewide distance training and learning program. For Marion County, this would mean an additional \$100,000 per year. These are two bills combined into one.
- Marion County Health and Human Services Administrator Ryan Matthews said his office was watching the aid and assist bills. A large number of behavioral health bills are in play which could impact funding and what the courts are able to do.
- County trying to free up hospital beds so that these are only reserved for those truly in need. Concerned that all the investments state made in past to improve systems are now unravelling, for example, with the passage of Measure 110. County has been innovative in making improvements, for example, using funds technically earmarked for mental health services for paying the salary of a district attorney in the county District Attorney's Office to help with aid and assists. Very creative and only done in Marion County. If funding is reduced concerned what would happen to those aid and assists who cannot get treatment and will end up on the public safety side instead of the health and human services side where they can be treated.
- Commissioner Cameron said Tim Murphy was unable to attend the meeting today but wanted to bring up HB 2417. Bill requires Department of Human Services to administer a program to provide matching grants to cities or counties to operate mobile crisis intervention teams. Marion County has four crisis intervention teams operating in the county, and these are different from the CAHOOTs model out of Eugene. Each county team is comprised of a law enforcement officer and a qualified mental health team worker. HB 2417 would pair a nurse with a Diagnostic and Statistical Manual of Mental Disorders

provider. It is challenging for counties to find the staff to do this, so concerned about how viable this model will be. Also unclear what types of medical interventions the Cahoots team is doing out in the field right now. A lot of requirements need to be met before this type of proposed program can start.

## **6. OVERVIEW OF PUBLIC SAFETY DURING 3 EMERGENCIES**

- Mr. Troy Gregg said he was very proud of his employees who helped out at the state fairgrounds during the wildfire evacuation and during the ice storm.
  - The Juvenile Department distributed wood to those in need and did a lot of clean up around town with work crews.
    - Because of COVID-19 the department has seen fewer referrals.
      - Frustrating that staff have been unable to meet with families and youth.
      - Racial issues and disparities has impacted the Juvenile Department and it will be reaching out internally and externally to work with others.
- Salem Police Chief Trevor Womack said as new resources become available there are gaps that need to be filled such as the need for sobering centers.
- For Salem this topic has come up in the past.
- Mr. Tim Murphy may have wanted to bring this up personally at the meeting today. Renewed interest in this center. Chief Womack said that while this may benefit the community there are challenges around creating mobile crisis response teams.
- He has always been about not sending out officers on calls for service that officers don't really need to attend to.
- City of Hubbard Police Chief David Rash said the city was not prepared for some things during the emergencies, but, on the other hand, there was no uptick in crime and officers were able to check the city's vulnerable population.
- Chief Daniel said many smaller communities were not as well prepared. So learnt a lot and doing some work to better plan ahead.
- Woodburn Hubbard Fire Chief Joe Budge said a countywide communications initiative will benefit all the fire agencies in the county.
- Sheriff Kast said the relationships his office has been building for years enabled his department (and the county) to successfully continue providing services during the three emergencies. At night of the fire other agencies entrusted the Sheriff's Office to take charge.
- Commissioner Cameron said this has been a long year for all. Today everyone has a better understanding of what the Marion County Health and Human Services Department Public Health Services Division does. County and representatives of the BIPOC community are also meeting on a weekly basis as a result of these emergencies.
- Rob Carney, councilor, City of Woodburn said the city's emergency plan is 12 years old. Plan was underwritten to a large extent but city was able to upgrade it in real life during the three emergencies. Had great working relationship with health care providers police, public works, fire departments and Pacific Gas and Electricity. Paid off in the end. A lot of damage. Encourage all the cities to work with police and fire departments to develop an emergency management plan that is effective.

## **6. EMERGING ISSUES/OTHER BUSINESS**

None

**ADJOURN**

Section 4

APRIL 28, 2021

DRAFT MCPSCC MEETING MINUTES

**SPECIAL MEETING**  
**MARION COUNTY PUBLIC SAFETY COORDINATING COUNCIL**

Minutes

**April 28, 2021 4:00 PM**  
**Courthouse Square**  
**Salem, OR**

**MCPSCC:** Chris Baldridge, John Bauer, Mark Caillier, Kevin Cameron, Rob Carney, Paige Clarkson, Jayne Downing, Troy Gregg, Roland Herrera, Linda Hukari, Ryan Matthews, Pete McCallum, Todd McCann, Ed McKenney, Tim Murphy, Tracy Prall, Tom Sermak, Jeffrey Wood, Hitesh Parekh (recorder).

**GUESTS:** Chad Ball, Danielle Bethell, Mark Daniel, and Kevin Karvandi

**1. ADMINISTRATIVE (INFORMATION/ACTION)**

Meeting called to order at 4:05 P.M. by Commissioner Kevin Cameron.

Welcome and introductions

- Commissioner Cameron welcomed council members including newly appointed members Hubbard Police Chief David Rash and Oregon State Police Lieutenant Chris Zohner.
- Commissioner Cameron said the meeting is a special meeting of the MCPSCC to review the recently released 2021-23 Justice Reinvestment Initiative (JRI) Grant Application by the Oregon Criminal Justice Commission.
- Ms. Jayne Downing announced that six legislators have made the Hope Center Plaza a priority with funding from the American Rescue Act funds. If all goes well will, the Center will be able to start building the Plaza (which includes services and housing) this fall.
- Mr. Roland Herrera announced that the fourth annual Salem Keizer School District Latino scholarship awards will be held on May 4. He is proud of the students who have excelled this year.

**2. Overview of Justice Reinvestment in Oregon**

Staff to the council presented this item. Summary of presentation:

- The state's Criminal Justice Commission has released the 2021-23 JRI grant application.
- There are eight new members on the MCPSCC who have not gone through a justice reinvestment grant application process before. For their benefit a PowerPoint presentation has been created to explain what justice reinvestment is and how it works in Oregon.
  - Justice reinvestment is about not sending non-violent offenders to state prison and state giving back counties the money saved to reinvest in their community corrections programs.
  - Each biennium all 36 counties have to apply for these grant funds.
  - Programs approved for funding must be evidence based and reduce recidivism and divert non-violent offenders from state prisons.
  - 10% of the funds must be used for victim services and 3% to evaluate JRI programs statewide.
  - First time state issued a request for grant proposals was in 2015. This was the fourth time Marion County will apply for funds. County receives roughly \$4 M per biennium.
- Local Public Safety Councils are mandated to develop and approve the county's justice reinvestment grant program.
- This new 2021-23 JRI grant application has been modified from the prior biennium.

- Now a two-stage application.
  - Preliminary application is due May 14 and final application is due August 25.
  - All applicants will have to respond to cultural responsiveness in their programs.
    - Imbedding equity throughout the county's criminal justice system.
    - Looking at establishing a process to assess populations served by justice reinvestment grant funding.

### **3. 2021-23 JUSTICE REINVESTMENT GRANT APPLICATION OVERVIEW (INFORMATION/ACTION)**

Marion County Sheriff's Office Parole and Probation Division Commander Kevin Karvandi provided a historical overview of community corrections in Oregon. Summary of presentation:

- Each county in Oregon is responsible for community corrections. Local counties must house offenders sentenced to one year or less.
- Seventeen counties operate their own community corrections programs under their respective Sheriff's Offices.
- Linn and Douglas counties opted out of this agreement and are under the purview of the Oregon Department of Corrections.
- Community Corrections uses a multitude of programs.
- There are 37 sworn community corrections deputies in the county's Parole and Probation Division responsible for more than 3,000 offenders who are on some form of supervision.
- The parole and Probation division pays a lot of attention to best practices.
- In 2011 the division began using Effective Practices in Community Supervision.
- This is a cognitive behavioral therapy approach to working with incarcerated or clients who are on supervision.
- Goals of the Community Corrections Division compliment the goals of JRI which are to reduce recidivism, hold offenders accountable, enhance public safety, and reduce the prison population.
- Marion County received approximately \$24M this biennium in state baseline funding for community corrections programs. The \$3.7 M that the county received in the 2019-21 JRI grant funds supplements this baseline funding.
  - Potential funding decrease for 2021-23 if legislature decreases either the baseline funding or the JRI grant funding amount even though Marion County has implemented evidenced based practices and decreased historical prison use.
  - Graphs show that over the past ten years, statewide recidivism has *increased* but decreased for Marion County.
- Staff asked that the council approve Issue Briefs 1 and 2.
  - Issue Brief 1 is the grant application timeline and program funding parameters.
  - Issue Brief 2 is the preliminary application for submission to the Oregon CJC
  - If the CJC suggests changes to the preliminary application staff is requesting that the Executive Committee of the council be the body that considers these changes and makes any decisions necessary to continue moving the county's application process forward.

Summary of discussion:

- Commissioner Cameron said that Marion County has consistently demonstrated it can reduce recidivism and contributions to the prison population, and so for the state to reduce baseline funding was not appropriate.
- Marion County District Attorney Paige Clarkson said while she did not have any concerns about the JRI programs, the application requires that the District Attorney make a statement of commitment to the initiative. Most district attorneys don't feel that committing to reducing the prison population is their first and foremost mandate. Their mandate is public safety, and the work done in Marion County which has reduced the prison population is the

by-product of the excellent programs developed by Marion County. District attorneys have had to wordsmith the letter of commitment over the years because the application appears to be pushing counties solely towards achieving a metric, when in reality, Marion County's prison reductions are a by-product of running effective programs.

- MOTION: Ed McKenney made a motion to approve Issue Brief #1 or the 2021-23 JRI grant application timeline and program funding parameters. Jayne Downing seconded. Motion passes unanimously.
- MOTION: Tim Murphy made a motion to approve Issue Brief #2 or the preliminary 2021-23 JRI grant application submission to the Oregon Criminal Justice Commission. Jayne Downing seconded. Motion passes unanimously.

#### **4. OTHER BUSINESS**

##### Marion County Specialty Courts

Marion County Circuit Court Presiding Judge Tracy Prall brought up this item. Summary of presentation:

- There are five specialty courts in Marion County and these are an important part of our public safety system. These are the Adult Drug, Fostering Attachment Treatment, Mental Health, Juvenile Drug and Veterans Treatment Courts.
- Courts are administered by the Marion County Health and Human Services Department (HHSD) which also provides treatment services for defendants.
  - Courts were informed by the HHSD that due to a conflict of interest and lack of adequate financial reimbursement, the Health and Human Services Department would need to withdraw from partnering with the court.
  - As per the grant requirements, the local public safety coordinating council must determine which county department can administer the specialty court grant.
  - Judge Prall requested that the council determine who should administer the specialty courts should the HHS opt out.
  - This needed to be resolved expeditiously since the Oregon Judicial Department had to approve the grant application by May 21.
  - Commissioner Cameron mentioned that an internal meeting had been set up to discuss the grant administrator role, after which the Executive Committee would convene for a special meeting to approve the grant application and move it forward.
- Commissioner Cameron thanked Mr. John Bauer and Salem Health for its work in vaccine distribution.

**ADJOURNED**

Section 5

**ISSUE BRIEF # 3**

INCLUDES 2019-21 PROGRAM PERFORMANCE

&

2021-23 JRI GRANT FUNDING PROPOSALS

## MARION COUNTY

# Justice Reinvestment Initiative 2019-21 PERFORMANCE PORTFOLIO & 2021-23 FUNDING RECOMMENDATIONS

DRAFT

## INTRODUCTION

The Oregon Criminal Justice Commission administers Oregon's Justice Reinvestment Initiative. House Bill 3194 (2013) requires that applications be submitted by each county's local public safety coordinating council. The Marion County Public Safety Coordinating Council has been working diligently to assess local needs and services, develop criteria, review funding requests, prioritize programs, and prepare the 2021-23 grant application. **Marion County received \$3,771,026 for the 2019-21 biennium for nine programs. For 2021-23, Marion County will receive \$4,186,797. This brief provides a snapshot of performance over the past 24 months and makes recommendations for the 2021-23 biennium. Also included in the 2021-23 JRI request for grant proposals are statewide supplemental grant funds of \$7,578,844 to support downward departure prison diversion programs. Marion County is requesting \$917,435.48 in supplemental grant funds.**

## OVERVIEW

Oregon's Justice Reinvestment Initiative supports the following goals: (1) Reduce recidivism while protecting public safety and holding offenders accountable; and (2) Decrease the county's utilization of imprisonment in a Department of Corrections institution while protecting public safety and holding offenders accountable. ***In order to be considered for justice reinvestment funding in 2021-23, a program must: 1) Assess populations served by JRI funding; 2) Serve offenders charged with or convicted of property, drug, or driving offenses; 3) Consider and accept short-term transitional leave candidates as appropriate; 4) Provide assistance to clients enrolling in the Oregon Health Plan and utilize treatment providers that accept the Oregon Health Plan; and 5) Work towards imbedding equity throughout the county's criminal justice system. In April 2021, the public safety council reaffirmed parameters or criteria for prioritizing services to be included in the 2021-23 Justice Reinvestment Initiative Grant Application.*** As of June 30<sup>th</sup>, 2021, 3,103 unduplicated individuals were served by the SB 416, SOAR, Transition from Jail to Community, Link Up, substance abuse treatment, housing subsidy, and De Muniz Resource Center programs.

**Parameter 1:** Services considered for funding must be evidence based.

**Parameter 2:** Existing services funded with Justice Reinvestment funds and demonstrating results in achieving Justice Reinvestment goals will have highest priority for funding at *current service level*; i.e., allowing appropriate adjustments for cost of living and other personnel and materials costs needed to sustain the program in the upcoming year.

**Parameter 3:** If additional Justice Reinvestment funds become available, funds to fill *gaps* in or otherwise enhance existing services, or to create new services, will be considered equally, assuming Parameter 1 is met. The council will analyze the potential of each proposed new or enhanced service to achieve Justice Reinvestment goals.

**Parameter 4:** For worthy public safety programs not funded in the Justice Reinvestment plan, the council will explore alternative funding options, leverage community engagement, and assist partner organizations in seeking grants or other appropriations through letters of support and advocacy.

**2019-2021 SUMMARY and 2021-2023 PROPOSED ALLOCATIONS**

Program/Service	2019-21 Target Numbers of Clients	2019-21 Actual Numbers Served	2019-21 Approved Allocation	2019-21 Projected Expenditures	2019-21 Projected Unspent Funds	2021-23 Proposed Allocation
1. SB 416 Prison Diversion Program	60	48	\$1,308,124	\$1,308,124	\$0	\$1,378,878
2. Transition from Jail to Community (TJC) Program	500	1,069	\$767,452	\$767,452	\$0	\$ 811,147
3. Marion County Adult Specialty Courts	240	138	\$20,000	\$20,000	\$0	\$20,000
4. Link Up	120	40	\$146,909	\$146,909	\$0	\$105,000
5. SOAR	120	73	\$415,424	\$415,424	\$0	\$414,140
6. De Muniz Resource Center	1,500	1,629	\$200,000	\$200,000	\$0	\$270,000
7. Transition Services/ Housing	120	284	\$117,923	\$117,923	\$0	\$ 233,388
8. Substance Abuse Treatment	500	713	\$ 304, 960	\$ 304, 960	\$0	\$ 304,960
9. Victim Services (required 10%)	<i>Not specified</i>	N/A	\$377,103	\$377,103	\$0	\$ 418,680
10. Peer Support Program <sup>1</sup>	N/A	N/A	N/A	N/A	N/A	\$105,000
Statewide Evaluation (required 3%)	N/A	N/A	\$113,131	\$113,131	\$0	\$ 125,604
<b>Total</b>			<b>\$3,771,026</b>	<b>\$3,771,026</b>	<b>\$0</b>	<b>\$ 4,186,797</b>
<b>Unspent 17-19 Funds</b>			<b>\$91,444</b>	<b>\$0</b>		
<b>8 programs with projected numbers<sup>2</sup></b>	<b>3,160</b>	<b>3,856</b>				

<sup>1</sup> New proposed program for 2021-23 by the Marion County Sheriff's Office

<sup>2</sup>Includes duplicated individuals across programs

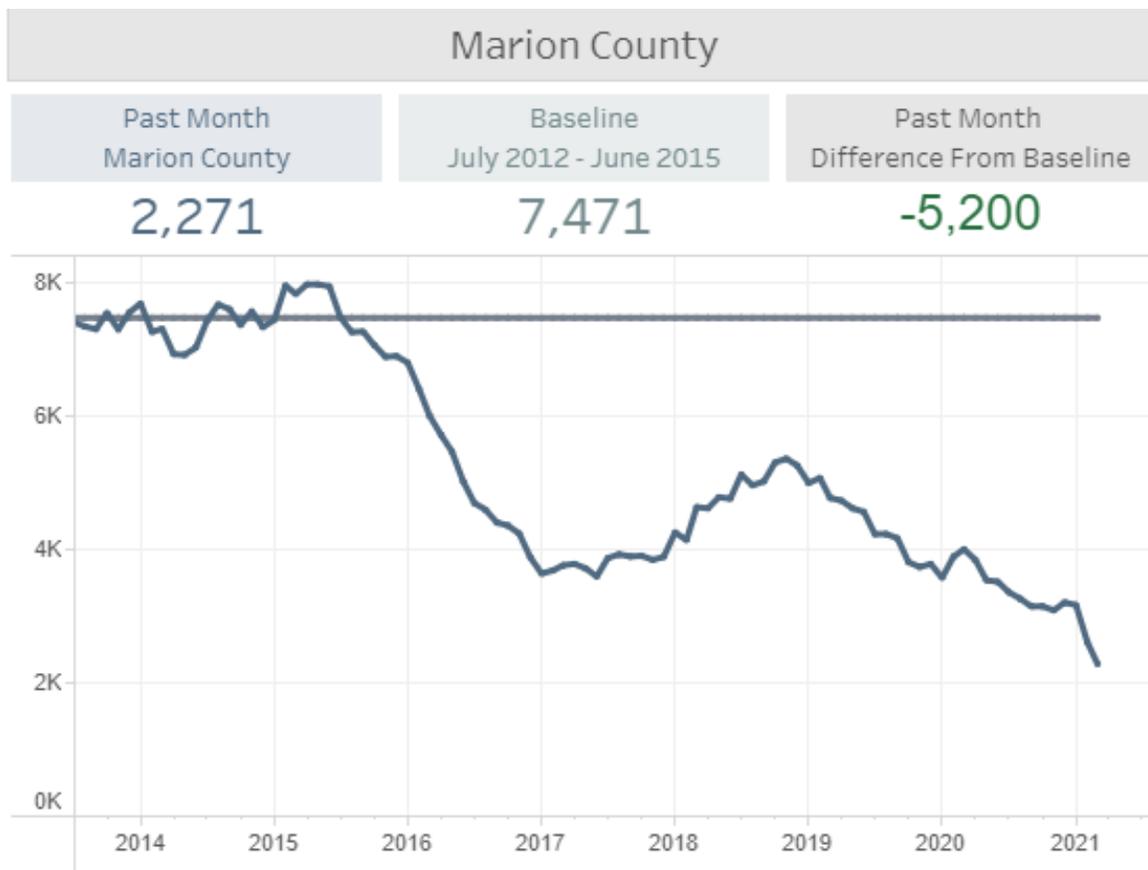
The following charts illustrate how Marion County’s strategies have achieved Oregon’s Justice Reinvestment goals. Support for adequate funding has been instrumental to the success of the Justice Reinvestment Initiative (JRI). Within Marion County alone, JRI has allowed us to expand and enhance prison diversion and reentry programs. From March 2020 through March 2021, this resulted in a decrease in our prison utilization by 156,000 days (5,200 months) compared to the historical baseline. Additionally, program supports contributed through JRI have allowed Short-Term Transitional Leave (STTL) to save 94,166 prison bed days (3,139 months), with a 94% successful completion rate. In addition to reducing Marion County’s overall prison bed usage, Marion County has seen a 43% reduction in the number of Measure 57 property crime probation revocations and a 50% reduction in the number of drug crime revocations from 2014 - 2020. The magnitude of these reductions was made possible through evidence-based program selection and design.

Since the implementation of evidence-based practices as required through Senate Bill 267 (2003), Marion County has seen an overall downward trend in recidivism as it relates to new arrest, new conviction, and/or new incarceration of community corrections clients supervised for property, drug, and driving offenses. In comparison, statewide there has been a slight increase in arrest and incarceration rates.

Recidivism rates across all three measures reached their lowest point between 2008 and 2009. The second cohort of 2016 saw a sharp increase for all three measures, before lowering again in the first cohort of 2017. With that being said, over the past ten years, recidivism rates for property, drug, and driving offenses have little variation: arrest rates vary by up to 5.3%, conviction rates by up to 7.7%, and incarceration rates by up to 3.3%.

The arrest rate for the first cohort of 2017 was 51.7% (compared to 55.0% statewide), the conviction rate was 40.8% (compared to 45.3% statewide), and the incarceration rate was 16.5% (compared to 15.1% statewide).

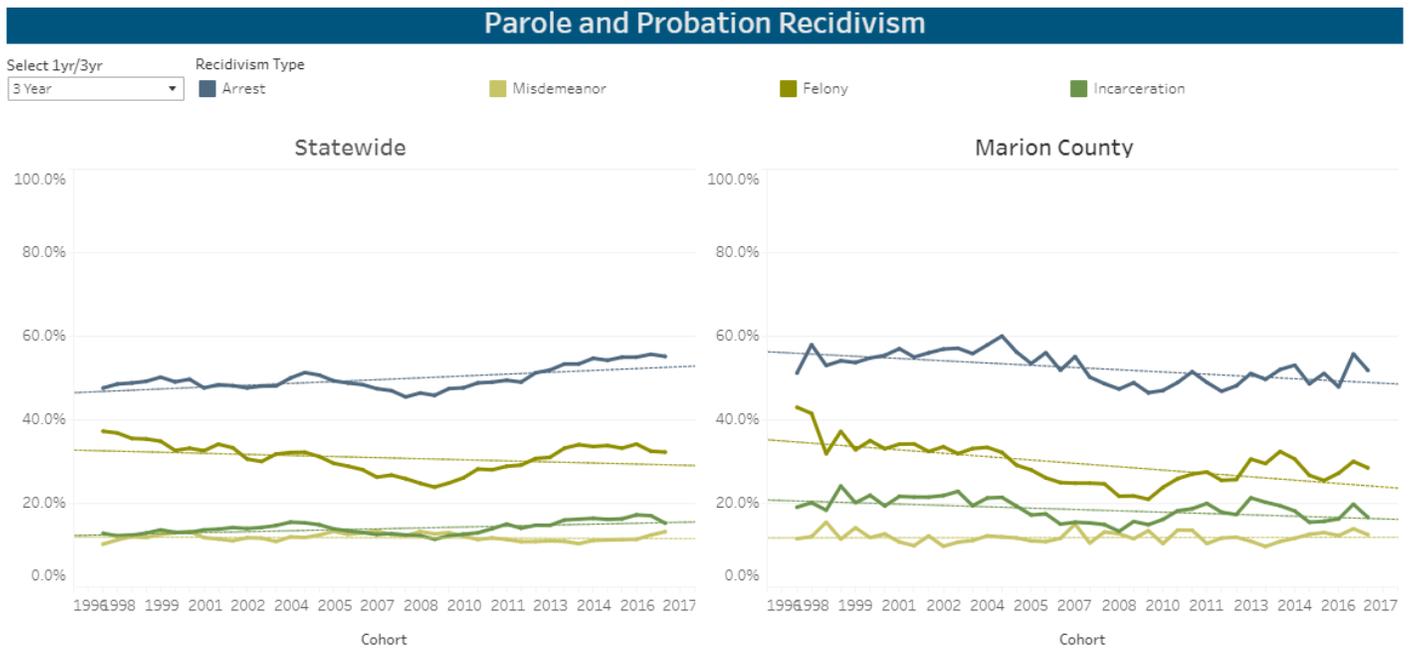
**Chart 1:** Marion County One Year Rolling Sum of Prison Usage Compared to Baseline



**Chart 2: Marion County Short Term Transleave (STTL) Summary**

All STTL December 2013 to October 2021					
Releases to STTL	Prison Bed Days Saved	Jail Bed Days Used	Successful Completion	Unsuccessful	Unsuccessful w/New Crime
1,296	94,166	2,052	93.9%	6.1%	3.1%

**Chart 3: Marion County Recidivism Rates**



## SB 416 PRISON DIVERSION

**Target Population:** Non-violent property and drug offenders with medium to high criminogenic risks factors, who have historically been sentenced to state prison.

Annual Target Number of new cases	Number of New Cases in 2019-20	Number of New Cases in 2020-21
30	38	10

**Program Description:** The Senate Bill 416 Prison Diversion Program develops and implements evidence-based strategies to improve probationer supervision and reduce recidivism. An evidence-based sentencing program employing risk/needs assessment, the program works in partnership with the District Attorney’s Office and the courts; provides evidence-based cognitive, motivation, substance abuse treatment and mentoring services; and ensures coordinated delivery of client services through the appropriate level of case management.

**Grant Funds:** Justice Reinvestment funds support a 1.0 FTE treatment counselor and 1.0 FTE professional mentor at Bridgeway Recovery Services, 2.0 FTE Parole and Probation Deputies, a Deputy District Attorney, supplies, transportation, and funding for five jail beds. Total 2019-21 allocation is \$1,308,124 from JRI funding and \$628,779 from supplemental funding. **Proposed 2021-23 allocation is \$1,378,878 from JRI funding and \$825,691.93 from supplemental grant funding.**

Data Reported to CJC	2019-20 FY				2020-21 FY			
	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8
No. of new clients sentenced to SB 416 program	11	14	7	6	2	4	3	1
No. of new and existing clients receiving SUD treatment <sup>1</sup>	19	24	26	27	22	15	16	12
No. of new and existing clients successfully completing SUD treatment within the quarter	0	1	1	0	1	1	0	0
% of new clients referred for employment assistance	38%	38%	0%	0%	0%	0%	100%	100%
No. of new clients revoked	0	1	0	0	1	0	0	0
No. of new clients revoked for new crimes	0	1	0	0	1	0	0	0

**Analysis:** SB 416 services have had an impact on Marion County’s continued improvement in meeting prison diversion targets; as of May 2021, supervising the clients sentenced to the SB416 program during the 19-21 biennium in the community translates to 20,261 prison bed days avoided. The primary substance abuse treatment provider for the program has been evaluated using the Correctional Program Checklist and was determined to have “very high” adherence to evidence-based practices.

The COVID-19 outbreak in March 2020 impacted the delivery of SB 416 programming. The Marion County District Attorney’s Office continued to refer qualifying individuals for the SB 416 program; however, many of the individuals referred are still pending sentencing. When public health guidelines restricted substance abuse treatment staff from meeting with SB 416 program participants in person, services were provided via phone and video.

**Executive Committee Recommendation:** Approve Program Funding

<sup>1</sup> Data reflects unduplicated clients within a quarter, but may be duplicated across quarters.

## TRANSITION FROM JAIL TO COMMUNITY (TJC) PROGRAM

**Target Population:** Medium to high risk men and women housed at the Marion County Transition Center serving either a Marion County sentence or a structured sanction.

Annual Target Number to Serve	Number Served in 2019-20	Number Served in 2020-21
250	178	955

**Program Description:** Utilizing the Transition from Jail to Community (TJC) model developed by the National Institute of Corrections, the goal of the TJC Program is to reduce the number of individuals returning to jail by providing targeted transition planning and pre-release services, including cognitive skills classes, to Adults in Custody at the Marion County Transition Center.

**Grant Funds:** Justice Reinvestment funds support two deputy positions at the Transition Center (a Transition Center counselor and a Transition Services PO), 1.3 FTE cognitive skills facilitators from The Pathfinder Network, and supplies for the Transition Center. Total 2019-21 allocation is \$767,452. **Proposed 2021-23 allocation is \$ 811,147.**

Data Reported to CJC <sup>2</sup>	2019-20 FY				2020-21 FY			
	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8
No. of transition plans developed	0	0	12	45	49	39	31	16
No. of individuals attending in-custody services	0	17	102	112	190	389	365	359
No. of individuals attending cognitive skills classes	0	8	81	18	75	107	78	46

**Analysis:** The Transition from Jail to Community (TJC) Program was a new addition to Marion County’s menu of JRI funded programs in 2019-2021. Staff began piloting program services in October of 2019, and full implementation began in January 2020.

Following the COVID-19 outbreak in March 2020, the Marion County Transition Center reduced its maximum capacity from 144 to 60 to allow for appropriate social distancing amongst the Adults in Custody (AICs). As a result of this reduced capacity, there have been fewer individuals at the Transition Center to receive TJC program services.

Throughout the COVID-19 outbreak, the Transition Services PO and Transition Center counselor continued to provide individual sessions, transition planning, and connected AICs to available community resources.

The Pathfinder Network continued to provide services throughout the pandemic. When public health guidelines restricted in person classes at the Transition Center, staff provided individual services to the AICs via phone. Beginning in June 2020, Pathfinders was able to resume some in person services with group sizes limited so that social distancing guidelines could be observed.

**Executive Committee Recommendation:** Approve Program Funding

<sup>2</sup> Data is unduplicated within a quarter, but may be duplicated across quarters.

## MARION COUNTY SPECIALTY COURTS

**Target Population:** Non-violent misdemeanor and felony drug offenders who possess medium and high criminogenic risk factors.

Annual Target Number to Serve	Number Served in 2019-20	Number Served in 2020-21
120	Adult Drug Court- 38	Adult Drug Court- 22
	Veterans Treatment Court- 9	Veterans Treatment Court- 8
	Mental Health Court- 23	Mental Health Court- 23
	Fostering Attachment- 9	Fostering Attachment- 6

**Program Description:** Marion County’s adult specialty courts include Adult Drug Court, Veterans Treatment Court, Mental Health Court, and Fostering Attachment Treatment Court. Each specialty court is designed to facilitate treatment and rehabilitation. The programs combine court concepts with integrated human services to provide meaningful interventions to these individuals and their families.

**Grant Funds:** Justice Reinvestment funds provide program supports in the form of client rental assistance (for up to 90 days) and vouchers redeemable for job/interview clothing. Total 2019-21 allocation is \$20,000. Proposed 2021-23 allocation is \$20,000.

Data Reported to CJC <sup>3</sup>	2019-20 FY				2020-21 FY			
	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8
No. of Adult Drug Court participants receiving program supports	0	0	0	0	0	0	23	6
No. of Veterans Treatment Court participants receiving program supports	0	0	0	0	0	0	2	1
No. of Mental Health Court participants receiving program supports	0	0	0	0	0	0	3	1
No. of Fostering Attachment Treatment Court participants receiving program supports	0	0	1	0	0	3	31	1

**Analysis:** Participants in all of Marion County’s adult specialty courts undergo an intense regimen of substance abuse and/or mental health treatment, case management, drug testing, and probation supervision while reporting to regularly scheduled status hearings before a judge. As participants engage in the specialty court process, having access to safe and supportive housing can be crucial to program success. Supports provided through JRI helped participants access and maintain housing. After specialty court participants achieve a period of sobriety, they work towards obtaining meaningful employment. Support provided through JRI helped participants with clothing needed for job interviews and/or work.

**Executive Committee Recommendation:** Approve Program Funding

<sup>3</sup> Data is unduplicated within a quarter, but may be duplicated across quarters.

## LINK UP

**Target Population:** High and medium-risk males with co-occurring substance abuse and mental health disorders who are releasing from prison to Marion County.

Annual Target Number to Serve	Number Served in 2019-20	Number Served in 2020-21
50	40	21

**Program Description:** Link Up provides mentoring services that support successful reentry for clients with co-occurring disorders. Professional mentors contact individuals four months prior to prison release and help clients transition to outpatient treatment services in the community. Mentors continue to support clients post release, including the duration in which clients receive substance abuse and mental health treatment.

**Grant Funds:** Justice Reinvestment funds support 1.0 FTE mentor at Bridgeway Recovery Services. Total 2019-21 allocation is \$146,909. **Proposed 2021-23 allocation is \$105,000.**

Data Reported to CJC	2019-20 FY				2020-21 FY			
	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8
No. of individuals enrolled in program <sup>4</sup>	19	11	21	13	2	0	0	0
No. of individuals successfully completing pre-release services	4	2	7	4	2	0	0	0
Avg. pre-release mentor contacts per client	7	6	5	3	4	0	0	0

**Analysis:** In 2019-21, JRI funding supported a mentor position for Link Up. Oregon Health Plan and other treatment program funding was leveraged to support outpatient treatment services for participants upon release. As a result, in 2019-21, Link Up services focused on pre-release mentor services for medium-high risk males with co-occurring disorders releasing from Department of Corrections (DOC) facilities. During the biennium, forty individuals engaged in services with a mentor prior to releasing from custody.

Following the COVID-19 outbreak in March 2020, all DOC facilities closed to external visitors. While unable to have in-person contact with program participants, the Link Up mentor maintained phone contact with participants housed at Oregon State Correctional Institution (OSCI) prior to their release.

**Executive Committee Recommendation:** Approve Program Funding

<sup>4</sup> Data is unduplicated within a quarter, but may be duplicated across quarters.

## STUDENT OPPORTUNITY FOR ACHIEVING RESULTS (SOAR)

**Target Population:** High-risk male clients with substance abuse issues and high criminogenic needs. Because of local funding parameters, SOAR participants must have a history of or current property crime charge.

Annual Target Number to Serve	Number Served in 2019-20	Number Served in 2020-21
60	49	26

**Program Description:** SOAR is an intensive twelve-week program delivered on the Chemeketa Community College campus and serves up to thirty participants per cohort. While in SOAR, individuals participate in evidence-based cognitive and motivational programs, relationship skills classes, mentoring, and addictions treatment. Interventions are delivered in a group setting.

**Grant Funds:** Justice Reinvestment funds support 2.0 FTE Chemeketa Community College employment staff that serve within the SOAR program team and 0.14 FTE Program Coordinator. Total 2019-21 allocation is \$415,424. **Proposed 2021-23 allocation is \$414,140 and \$91,444 in 2017-19 unspent funds.**

Data Reported to CJC	2019-20 FY				2020-21 FY			
	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8
No. of individuals enrolled in program	29	17	20	0	16	16	10	10
No. of individuals successfully completing program	6	8	6	0	0	12	0	9
No. of UAs administered	107	135	106	8	156	33	25	94

SOAR Program Enrollment	SOAR 33	SOAR 34	SOAR 35	SOAR 36	SOAR 37	Total
Number of clients enrolled	12	17	20	16	10	75
Number of clients graduated	6	8	6	12	9	41
% graduated	50%	47%	30%	75%	90%	55%

**Analysis:** Recidivism data for the first 29 cohorts of the SOAR program indicate the overall program is effective at reducing future criminal behavior. When compared to other high-risk male PPS clients on supervision in Marion County, SOAR graduates were 30.2% less likely to be arrested for a new offense, 12.7% less likely to be convicted of any new crimes (misdemeanor or felony), 16.4% less likely to be convicted of a new felony, and 9.4% less likely to have a new incarceration. The program has been evaluated using the Correctional Program Checklist and was determined to have “very high” adherence to evidence-based practices.

Following the COVID-19 outbreak, the SOAR program had to make service delivery adjustments to be in adherence with public health guidelines. When COVID-19 restrictions prohibited in person meetings, staff maintained weekly contact with program participants via phone and video platforms. When the program resumed in person activities in July of 2020, the number of participants allowed in the program was restricted so that social distancing guidelines could be observed.

**Executive Committee Recommendation:** Approve Program Funding

## DE MUNIZ RESOURCE CENTER

**Target Population:** Post-prison supervision and probation clients.

Annual Target Number to Serve	Number Served in 2019-20	Number Served in 2020-21
750	1,210	604

**Program Description:** The De Muniz Resource Center is a one-stop center designed to improve access to resources and provide direct services to individuals supervised by Marion County Community Corrections Division. The Center is located on site at the Marion County Transition Center and is operated by Mid-Willamette Valley Community Action Agency. The Center provides assistance in the form of one-on-one consultations, coaching on how to navigate and access local resources, and referrals for employment, education, obtaining identification, housing, child and family services, transportation, basic needs, legal issues, and health/mental health needs.

**Grant Funds:** Justice Reinvestment funds support a portion of personnel costs needed to adequately operate the center. Total 2019-2021 allocation was \$200,000. **Proposed 2021-23 allocation is \$270,000.**

Data Reported to CJC <sup>5</sup>	2019-20 FY				2020-21 FY			
	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8
No. accessing navigator 1:1s	116	174	166	56	0	148	80	105
No. accessing workshops	225	233	180	7	53	2	24	51
No. accessing employment coaching	129	142	111	3	18	2	20	39
No. accessing OHP registration assistance	155	178	153	22	114	59	99	119

**Analysis:** The De Muniz Resource Center is a one-stop center for reentry clients to access resources, including those in custody at the Marion County Transition Center and individuals in the community. Resource center staff offer individual appointments for both Adults In Custody (AICs) at the Transition Center and community clients to address barriers to successful reentry such as housing and employment. In addition, the De Muniz Resource Center provides a variety of in-house classes and workshops, which focus on topics such as cognitive skills, employment resources, financial education, parenting skills, tenant education, GED tutoring, and substance abuse support groups. The Transition from Jail to Community (TJC) Program refers AICs for both individual assistance and classes at the Resource Center for assistance preparing for release.

Following the COVID-19 outbreak, the De Muniz Resource Center had to make a variety of service delivery adjustments to be in adherence with public health guidelines. Beginning in March 2020, the Center was restricted from providing in person services and began providing services via phone. Starting in June 2020, the Center began providing limited in person services (both individual services and small groups that allow for social distancing guidelines to be maintained).

**Executive Committee Recommendation:** Approve Program Funding

<sup>5</sup> Data is unduplicated within a quarter, but may be duplicated across quarters.

## TRANSITION SERVICES/HOUSING

**Target Population:** High and medium-risk clients on probation or post- prison supervision in need of pro-social and stable housing.

Annual Target Number to Serve	Number Served in 2019-20	Number Served in 2020-21
180 stipends	335 stipends	201 stipends
60 people	198 people	113 people

**Program Description:** Marion County Sheriff’s Office Community Corrections Division provides transitional housing stipends for up to 90 days. Each one-month stipend is estimated at \$400.

**Grant Funds:** Justice Reinvestment funds support up to 90 days of housing assistance for 60 new clients per year. Total 2019-21 allocation is \$117,923, funding approximately 360 one-month stipends. In addition, Marion County had \$101,733 remaining from 2017-19. **Proposed 2021-23 allocation is \$ 233,388.**

Data Reported to CJC	2019-20 FY				2020-21 FY			
	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8
No. of clients provided housing assistance <sup>6</sup>	114	172	44	29	36	58	55	5
No. of housing stipends given	167	83	50	35	43	76	75	6

**Analysis:** Housing is essential for community stability. Without housing, clients cannot focus on treatment and other remediation services. These funds support transitional housing stipends for rental assistance for high and medium-risk clients on probation or post-prison supervision. This funding has been crucial to providing pro-social stability for community corrections clients. With the unspent funds available from 2017-19, additional subsidy was available in quarter one and quarter two.

Marion County continued to provide housing subsidy throughout the COVID-19 pandemic, however, from March through June 2020, many transitional housing providers did not accept new clients.

**Executive Committee Recommendation:** Approve Program Funding

<sup>6</sup> Data is unduplicated within a quarter, but may be duplicated across quarters.

## SUBSTANCE ABUSE TREATMENT

**Target Population:** Clients supervised by the Marion County Sheriff’s Office who possess medium to high criminogenic risk factors, are in need of substance abuse treatment, and do not qualify for other Marion County Reentry Initiative treatment programs.

Annual Target Number to Serve	Number Served in 2019-20	Number Served in 2020-21
250	443	430

**Program Description:** A minimum of 200-260 hours of cognitive-based services are provided to the target population. All services are directed at enhancing offender motivation, addressing addiction and criminogenic risk factors, and providing the behavioral skills to lead a clean and sober lifestyle.

**Grant Funds:** Justice Reinvestment funds support the following positions at Bridgeway Recovery Services: 2.0 FTE Certified Drug and Alcohol Counselors and 0.5 FTE Professional Mentor. Total 2019-21 allocation is \$304,960.

**Proposed 2021-23 allocation is \$ 304,960.**

Data Reported to CJC	2019-20 FY				2020-21 FY			
	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8
No. of individuals receiving SUD treatment <sup>7</sup>	230	223	198	201	211	211	208	186
No. of individuals completing SUD treatment successfully during the reporting period	37	29	21	29	25	36	21	24
No. of UAs administered	201	196	174	7	6	9	7	79

**Analysis:** Substance abuse treatment allows clients who are not eligible for more intensive wraparound services, or who are unable to access programs due to limited program capacity, receive treatment through Bridgeway Recovery Services. These services provide a safety net for clients needing substance abuse treatment. This program increases treatment accessibility for clients who are pending OHP approval or are ineligible for OHP. On average, participants are enrolled in OHP within 27 days of being referred for services. The program has been evaluated using the Corrections Program Checklist and was determined to have “very high” adherence to evidence-based practices.

Following the COVID-19 outbreak, Bridgeway Recovery Services had to make service delivery adjustments to be in adherence with public health guidelines. Bridgeway Recovery Services staff maintained contact with program participants via phone and virtual platforms.

**Executive Committee Recommendation:** Approve Program Funding

<sup>7</sup> Data is unduplicated within a quarter, but may be duplicated across quarters.

## 10% SET ASIDE FOR VICTIM SERVICES

Marion County's collaborative victim services strategy closes critical gaps in services and was unanimously supported by the Marion County Public Safety Coordinating Council. Funding of \$377,102 was shared in 2019-21 between two qualified nonprofit providers: The Center for Hope and Safety and Liberty House.

Each provider is required to complete an annual report. The following are highlights from the 2019-20 FY reports.

### **CENTER FOR HOPE AND SAFETY (CHS)**

**Target Population:** Victims and survivors of domestic violence, sexual assault, stalking, and human trafficking.

**Program Description:** Justice Reinvestment funds support a bilingual Intake Coordinator, an IT specialist, a HR manager, and direct assistance for survivors (identification, gas cards, bus tickets, prescriptions, etc.).

#### **2019-20 FY Highlights (1<sup>st</sup> Year):**

- The Intake Coordinator facilitated meetings and provided support to 7,367 individuals.
- Throughout the COVID-19 pandemic, the Intake Coordinator worked to connect individuals to the Center for Hope and Safety hotline and staff working remotely.
- The IT specialist met with survivors to assist with issues related to technology being utilized to perpetrate abuse (e.g., hacking email/social media accounts, utilizing malware on a phone/tablet/computer to stalk a survivor, etc.).
- Throughout the COVID-19 pandemic, the IT specialist was available to ensure children at the shelter had access to the technology needed to access remote schoolwork.
- Over the last several years, CHS has conducted outreach to more than 30 small/rural communities in Marion County to increase capacity in areas where services are limited or difficult to access.

#### **2020-21 FY Highlights (2nd Year):**

- Despite the challenges of the pandemic, CHS staff responded to more than 33,000 contacts to our program.
- CHS Advocates provided services 24 hours a day, 7 days a week.
- In order to maintain physical distancing, CHS worked with hotels across the county to provide safe shelter for survivors fleeing violence.
- During the height of the pandemic, CHS sheltered 14 families in hotels, in addition to all the families at our congregate shelters. More than 45% of the families served were from Black, Indigenous, and People of Color (BIPOC) communities.
- CHS utilized a variety of funding sources, including emergency pandemic-related funding, to help hundreds of survivors find and/or maintain safe housing.
- CHS continues to look for ways to reach survivors in small and rural communities in Marion County. This year, we contracted for a small office space in Woodburn to meet the needs of survivors in northern Marion County.

## **LIBERTY HOUSE**

**Target Population:** Children who have suffered physical abuse, sexual abuse or neglect and their families.

**Program Description:** Justice Reinvestment funds support six positions with the Hope and Wellness Program at Liberty House. The Hope and Wellness Program provides evidence based, trauma informed, mental health services including triage, assessments, individual, group, family and crisis services for victims of abuse and neglect.

### **2019-20 FY Highlights (1<sup>st</sup> Year)**

- During FY 2019-20, the six therapists supported by Justice Reinvestment funding provided 2,718 individual therapy hours, 1,090 family therapy hours, 179 group therapy hours, and 288 hours of other counseling services to program participants.
- During FY 2019-20, the six therapists supported by Justice Reinvestment funding assessed 142 new clients.
- From May 2016 – June 2020, Liberty House Hope and Wellness Services has served 732 child and adult clients.
- Grant funds have assisted in increasing staff to include a bilingual therapist and two bilingual support staff.
- Staff continued to provide services throughout the COVID-19 pandemic through teletherapy and in person services delivered in accordance with public health guidelines.

### **2020-21 FY Highlights (2<sup>nd</sup> Year)**

- During the FY 2020-21, the six therapists supported by Justice Reinvestment funding provided 2,981 individual therapy hours, 1,121 family therapy hours and 160 group therapy hours.
- There were 127 new clients assessed during the FY 2020-21.
- During FY 2020-21, Liberty House therapists provided trauma-focused therapy to a total of 345 children from Marion County.
- 24 caregivers were able to complete the Trauma Informed Caregiver group training.
- Grant funds continue to support increasing staff to meet community need which includes eight total therapists of which there is a bilingual therapist and two bilingual support staff.
- Throughout the COVID-19 pandemic, therapists provided services through both teletherapy and in person services delivered in accordance with public health guidelines.

Section 6

**ISSUE BRIEF # 4**  
SUPPLEMENTAL BUDGET PROPOSAL  
FY 2021-23 JRI GRANT

**MARION COUNTY**

**Justice Reinvestment Initiative  
2021-23 SUPPLEMENTAL BUDGET PROPOSAL**

*DRAFT*

**INTRODUCTION**

The Oregon Criminal Justice Commission administers Oregon’s Justice Reinvestment Initiative. House Bill 3194 (2013) requires that applications be submitted by each county’s local public safety coordinating council. The Marion County Public Safety Coordinating Council has been working diligently to assess local needs and services, develop criteria, review funding requests, prioritize programs, and prepare the 2021-23 grant application. **Marion County received \$3,771,026 for the 2019-21 biennium for nine programs. For 2021-23, Marion County will receive \$4,186,797. In 2017, HB 3078 created a competitive supplemental grant to support downward departure prison diversion programs. Also included in the 2021-23 JRI request for grant proposals are statewide supplemental grant funds of \$7,578,844. Marion County is requesting \$917,435.48 of these funds.**

**OVERVIEW**

Funding awarded under the supplemental Justice Reinvestment grant is limited to key personnel positions that increase local capacity to effective support downward departure prison diversion programs, including staff in: Public Defense Services, District Attorney’s Offices, Judiciary, and Community Corrections. Funding may also be used for training directly related to the development or operation of the downward departure prison diversion program. Funding may not be used to support wrap around services or sanctions for program participants. **In order to be considered for supplemental funding, programs must: (1) Identify specific eligible populations agreed upon by all stakeholders, including the district attorney’s office, the judiciary, and community corrections; (2) Use presentencing assessments to inform downward departure sentencing; (3) Establish regular communication regarding program participants progress, including collaboration on revocation decisions; (4) Use structured sanctions for all program participants; (5) Provide supervision, sanctions, and services appropriate to participants’ criminogenic risk and needs; (6) Aim to decrease county prison intakes, including revocation, for the target population; (7) Use to data to monitor and evaluate the program in order to improve program operations.** In 2019-21, Marion County received \$628,779 in supplemental funding to support personnel for the SB 416 program.

See next page

**2019-2021 SUMMARY and 2021-2023 PROPOSED GRANT ALLOCATIONS**

<b>PROGRAM/SERVICE</b>	<b>2019-21 FORMULA GRANT ALLOCATION</b>	<b>2019-21 SUPPLEMENTAL GRANT ALLOCATION</b>	<b>2019-21 PROJECTED UNSPENT FUNDS</b>	<b>2021-23 Proposed Formula Grant Allocation</b>	<b>2021-23 Proposed Supplemental Grant Request</b>
SB 416 Prison Diversion Program	\$1,308,124	\$628,779	\$0	\$1,378,878	\$825,691.93
Victim Services (required 10%)	\$377,103*	\$64,760.36	\$0	\$418,680*	\$91,743.55
<b>Total**</b>	<b>\$3,771,026</b>	<b>\$693,539.58</b>	<b>\$0</b>	<b>\$4,186,797</b>	<b>\$917,435.48</b>

*\*Represents 10% of full formula grant allocation, not just SB 416 program.*

*\*\*Table not showing all formula grant allocated program funding amounts for 2019-21 or 2021-23.*

Section 7

NEW PROGRAM FUNDING REQUEST  
2021-23 JRI GRANT APPLICATION -  
MARION COUNTY SHERIFF'S OFFICE

# 2021- 23 JUSTICE REINVESTMENT INITIATIVE

## *New Program Funding Request*

### MARION COUNTY SHERIFF'S OFFICE

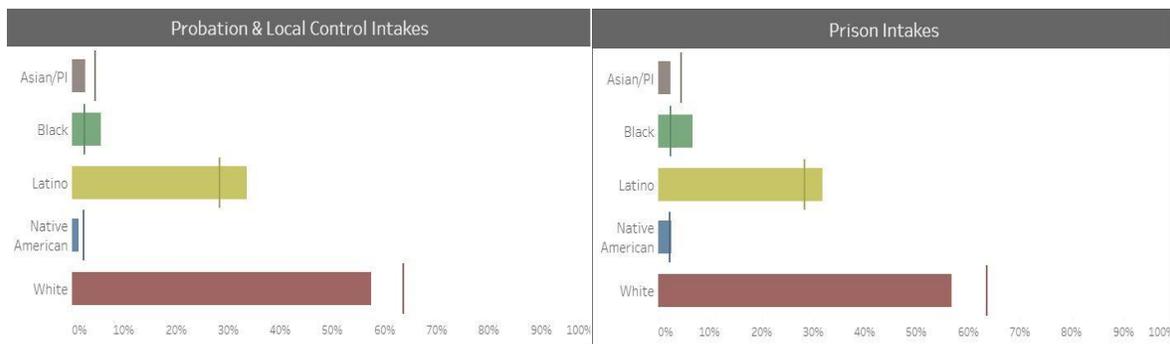
#### Peer Support Program

#### Background

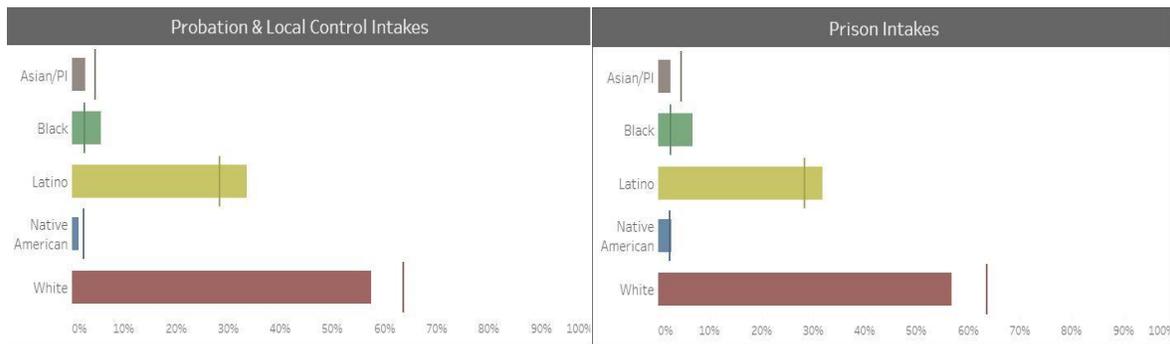
With the passage of HB 3064 in 2019, the Legislature placed additional emphasis on promoting fairness and inclusion within Justice Reinvestment. As a result, beginning in 2021-23, to be considered for Justice Reinvestment funding, programs must work toward imbedding equity throughout the county's criminal justice system (in addition to the program eligibility requirements established in previous biennia). This includes ensuring equitable access to programs and resources for historically underserved communities.<sup>1</sup>

To help counties identify and assess racial/ethnic disparities at the local level, the Criminal Justice Commission produces an interactive equity data dashboard which displays the racial/ethnic makeup of a counties supervision population compared to the racial/ethnic makeup of the county as a whole. When the percentage of a given population is greater than the corresponding percentage of the general population, a disparity is indicated. This is illustrated on the dashboard by the presence of a vertical line within the bar chart for a specific population.

**Chart 1: 2015-2019 Race, Ethnicity, and Gender Demographic Dashboard for Marion County Males**



**Chart 2: 2015-2019 Race, Ethnicity, and Gender Demographic Dashboard for Marion County Females**



To help further meet the goal of increasing access to programs and services for historically underserved communities, Marion County is proposing to create a new pilot program in the 2021-23 biennium, the Peer Support Program.

<sup>1</sup> As defined by the Criminal Justice Commission, historically underserved communities include "...Oregonians who are: Native Americans, members of Oregon's nine federally recognized tribes, American Indians, Alaskan Natives; Black, Africans, African Americans; Latinx, Hispanic; Asian, Pacific Islanders; Immigrants, refugees, asylum seekers; undocumented, DREAMers; linguistically diverse; LGBTQ+; aging/older adults; economically disadvantaged; farmworkers, migrant workers; and those living in rural parts of the state.

## **Peer Support Program**

**Target Population:** The target population is medium-high risk clients who are experiencing challenges engaging in supervision, with a focus on individuals belonging to historically underserved communities.

**Program Description:** The peer support program will help community corrections clients navigate local resources that promote successful reentry and completion of supervision. Mentors will provide individual support, service navigation, peer support groups, classes, and workshops, action planning, and more.

Mentors will follow the core competencies for peer workers in behavioral health settings established by the Substance Abuse and Mental Health Administration (SAMSHA) and best practices for providing mentor services. In addition, the program will follow guidelines for integrating mentors into existing evidence based community corrections programs developed through a collaboration between the Bureau of Justice Assistance and the National Reentry Resource Center.

**Program Goals:** The goal of the Peer Support Program is to increase access to and engagement with programs, services, and resources (including housing, substance abuse and mental health treatment, etc.) among historically underserved communities, with the ultimate goal of increasing success on community supervision. By increasing access to existing evidence based programs and services, the program will help Marion County work towards the Justice Reinvestment goals of reducing recidivism and prison usage.

**Grant Funds:** Proposed 2021-23 allocation is \$105,000.

Section 8

10% VICTIM SERVICES FUNDING PROPOSALS

## Victims Services Narrative & Budget

### Victim Services Narrative # 1

At least 10% of Justice Reinvestment grant funds must be allocated to community-based nonprofit victim services providers. Each victim services provider must complete a separate Victim Services 10% Narrative and Budget.

### Victim Services Contact

Name:	Jayne Downing
Organization:	Center for Hope and Safety
Title:	Executive Director
E-mail:	<a href="mailto:jayne@hopeandsafety.org">jayne@hopeandsafety.org</a>
Phone:	503-378-1572

### Description of Provider

Each community-based nonprofit victim services provider must have:

- A documented history of effectively providing direct services to victims of crime;
- A mission that is primarily focused on providing direct services to victims of crime; and
- The capacity and specific training to effectively deliver direct services to victims of crime.

The Center for Hope & Safety (CHS) has been providing services to victims of sexual assault, domestic violence, stalking and human trafficking in Marion County for 48 years. To date, we have had more than 500,000 contacts to our program. CHS has provided more than 157,000 nights of shelter to over 16,500 children and adults and made presentations to more than 171,000 people in our community and throughout Oregon.

The CHS mission is to provide a safe environment for survivors of sexual assault, domestic violence, stalking and human trafficking and to educate the community regarding victimization. We fulfill our mission by providing a 24-hour crisis line (in Spanish and English and 140 additional languages through the Language Line); emergency confidential shelter; emergency transportation; six support groups are typically provided (except during the height of the pandemic) in Spanish and English, in rural and urban areas (with childcare at no cost); walk-in advocacy services in downtown Salem; assistance with protection orders; accompaniment to hospitals, court, and other agencies; educational materials (in Spanish, English, Russian, Vietnamese, Chinese, large print, audio, Braille, and pictorials); and community education in Spanish and English. An office in Woodburn has just been added to expand our services to rural Marion County.

The CHS staff is highly trained to provide direct, trauma-informed services to victims. Our Board, staff, and volunteers attend 50+ hours of initial training on the dynamics of interpersonal violence and additional topics, including suicide intervention, trauma, secondary trauma, crisis intervention, safety planning and much more. Staff and volunteers attend additional trainings to prepare them for working with trauma survivors. In addition, CHS staff share their expertise with other agencies and programs, providing trainings at no cost to thousands of community members each year.

The CHS program and staff have been honored to receive numerous awards recognizing our work in providing quality services to victims and survivors of interpersonal violence in Oregon.

## Description of Proposed Services

Explain how the proposed services will address the following criteria:

- Need for the proposed services in the community targeting marginalized and underserved populations in the community;
- Access barriers, such as, but not limited to: language, literacy, disability, transportation, and cultural practices;
- Capacity increases for areas where services are difficult to access, limited, or nonexistent; and
- Trauma-informed interventions and services.

CHS will use the JRI 10% Victim Services funds to provide funding for direct service staff members (including bicultural/bilingual Intake Coordinator, IT Specialist, and supportive direct services such as providing bus passes, identification, medications, etc.

The Intake Coordinator is the first person every survivor meets when they come through the door of our Advocacy office in downtown Salem. The Intake Coordinator sets the tone for the survivors' sense of comfort and safety from the very beginning. The Intake Coordinator quickly assesses the situation and escorts victims into confidential meeting rooms and identifies a Victim Services Advocate to meet with the individual or family. If children are present, the Intake Coordinator offers an iPad and headphones for the child(ren) or they may meet with the CHS Children's Advocate for services.

Prior to the pandemic, more than 10,000 people a year walked into our Advocacy Office. While the number of people walking in during this time decreased significantly, the Intake Coordinator continued to provide services and also coordinated all the crisis line connections to advocates working remotely. At this time, we are back to normal operations and the Intake Coordinator is very busy providing services to survivors. The Advocacy Office is fully accessible and 1.5 blocks from the Transit Center. More than 40% of the CHS staff and volunteers are bicultural/bilingual in Spanish and other languages. In addition, if survivors need interpretive services in other languages, CHS will hire interpreters and/or use the Language Line services. At the Advocacy Office, survivors are also provided with personal care items they need (food, clothing, shoes, person hygiene items, etc.) and can also access computers and other resources.

The IT Specialist is the other position partially funded by the JRI funding. The highly trained IT Specialist offers unique services to victims in our community. His expertise in computers and cyber-related safety planning allows him to offer specialized services to victims. He is able to examine victim's phones and computers to look for malware an abuser may have placed on the victim's electronic devices. He is also able to advise victims and survivors regarding the use of social media and how to keep their personal information protected going forward. In addition, he is a trained advocate, so he can provide supportive services to any male-identifying victims who prefer to meet with a male victim services advocate.

CHS works hard to make sure we are removing barriers for marginalized and underserved communities in Marion County. Staff and volunteers have conducted outreach to thirty Marion County communities, meeting with survivors and placing our information brochures in different languages and formats throughout the area. Marion County has the distinction of having the largest number of incorporated cities of any Oregon county plus a number of unincorporated communities. These communities stretch to agricultural regions to the north and south (e.g., Woodburn, Donald, Aurora, St. Paul, Silverton, Jefferson) to the timber-dependent communities in the Santiam Canyon to the east (e.g., Stayton, Sublimity, Gates, Mill City, Idanha, Detroit), to the population centers along the Willamette River (e.g., Salem and Keizer).

Each year, CHS typically services a higher percentage of children and adults of color than the census population rate. During the pandemic, more than 40% of those families we housed were from underserved and marginalized communities. This is due in large part to the outreach efforts of our bicultural/bilingual staff and volunteers prior to the pandemic. Survivors of color also spread the word we are a safe place to receive

information and supportive services. Our staff and volunteers are able to meet with victims anywhere in Marion County 24-hours a day. If shelter is needed, transportation is provided to our confidential emergency shelter.

Advocacy and support services are provided using a trauma-informed model, which is an evidence-informed practice in the victim services field. As funding allows, CHS will also address the emergent needs of victims of domestic and sexual violence in our community. Some examples include:

- Bus tickets and gas vouchers (priority to individuals from rural Marion County where transportation can be a barrier for victims);
- Assistance with prescriptions, glasses, and identification; and
- Assistance with measures to increase victim safety and self-sufficiency (e.g., travel funds, security deposits, lock changes.).

**Justice Reinvestment Victims Services Budget**

County: Marion

2021-2023 Victims Services Allocation: \$209,340

**Personnel**

	Personnel Category	Description	Monthly Wages (Salary + Fringe)	Months Employed
Position One	Direct Service	Intake Coordinator (.80 FTE)	\$3,770	24
Position Two	Direct Service	IT Specialist (.70 FTE)	\$3,550	24
Position Three				
Position Four				
Position Five				
Position Six				
Position Seven				
Position Eight				
Position Nine				
Position Ten				

**Total Personnel Budget: \$175,680**

**Contractual**

	Contract Category	Description	# Units/Hours	\$ Per Unit/Hour
1.				
2.				
3.				
4.				
5.				
6.				
7.				<b>53</b>

8.				
9.				
10.				

**Total Contractual Budget:**

**Rent & Utilities**

	Description	Amount
1.		
2.		
3.		
4.		
5.		

**Total Rent & Utilities Budget:**

**Supplies**

	Description	# of Units	\$ Per Unit
1.			
2.			
3.			
4.			
5.			

**Total Supplies Budget:**

**Travel and Training**

	Description	# of Registrations	Registration Fee (Total)	Travel Expenses
1.				
2.				
3.				

**Total Travel and Training Budget:**

**Equipment**

	Description	# of Units	\$ Per Unit
1.			
2.			
3.			
4.			
5.			

**Total Equipment Budget:**

	Description	Amount
1. HR Manager (0.06 FTE)	\$348 x 24 months	\$8,352
2. Executive Director (0.03 FTE)	\$348 x 24 months	\$8,352

**Total Administrative Budget: \$16,704**

**Other**

	Description	Amount
1. Direct assistance for survivors	Identification, gas cards, bus tickets, prescriptions, etc.	\$16,956
2.		
3.		
4.		
5.		
6.		

**Total Other Budget: \$16,956**

**Victim Services Budget # 1 Total: \$ 209,340**

# Victims Services Narrative & Budget

## Victim Services Narrative # 2

At least 10% of Justice Reinvestment grant funds must be allocated to community-based nonprofit victim services providers. Each victim services provider must complete a separate Victim Services 10% Narrative and Budget.

### Victim Services Contact

Name:	Alison Kelley
Organization:	Liberty House
Title:	Chief Executive Officer
E-mail:	akelley@libertyhousecenter.org
Phone:	503-540-0407

### Description of Provider

Each community-based nonprofit victim services provider must have:

- A documented history of effectively providing direct services to victims of crime;
- A mission that is primarily focused on providing direct services to victims of crime; and
- The capacity and specific training to effectively deliver direct services to victims of crime.

Justice Reinvestment funds will continue to support the Hope and Wellness Mental Health Program at Liberty House. Liberty House therapists provide triage, assessment, individual, family, group, and crisis services for children birth to age 21 and their families. The program employs eight therapists, including Licensed Professional Counselors, Licensed Clinical Social Workers and Clinical Social Worker Associates. As a whole, the Hope & Wellness Program will serve more than 350 unduplicated children each year and more than 700 in the 2021-23 biennium.

The mission of Liberty House is to provide excellence in the assessment, treatment, and prevention of child abuse, neglect, trauma, and grief in order to promote health and hope in children, youth, families and communities. With very few exceptions, the children referred to Liberty House have been victims of crimes, and the goal of therapeutic intervention is to reduce the long-term harm from the victimization, help children build resilience, help parents cope with their own trauma, improve parent-child attachment and strengthen familial relationships when possible. The Hope & Wellness Program at Liberty House provides trauma-focused counseling services for clients and families, using Trauma-Focused Cognitive Behavioral Therapy (TF-CBT), an evidence-based approach. This and other modalities which are utilized such as art therapy, play therapy, EMDR and PCIT increase hope in children and families and mitigate negative effects of adverse childhood experiences (ACES).

Liberty House is a nonprofit child abuse assessment center located in Salem, offering a safe, comfortable, child-friendly environment for children and their families referred for concerns of abuse or neglect. In addition to therapy, core services include interviews, medical checkups and family support. Liberty House also provides prevention training and education throughout the community. Liberty House opened its doors in 1999 and has seen more than 8,000 children in that time. The annual budget for Liberty House is more than \$5 million. Liberty House has 45 employees including three board-certified pediatricians, three nurse practitioners, a physician's assistant, licensed therapists, forensic interviewers, family support specialists, and community engagement staff.

The Hope & Wellness Program at Liberty House was established in Spring 2016 to extend trauma-focused services to children and families throughout the Willamette Valley. Referrals are generated through the

Liberty House Clinic, Department of Human Services, law enforcement agencies, local Behavioral Care Network and other mental health service providers in the community.

Hope & Wellness services include:

**Individual and Family Trauma-Focused Counseling:** A collaborative process in which the therapist works with the child and family to identify goals and work toward achieving them in a supportive, comfortable environment. The team specializes in complex trauma.

**Brief Therapy:** Clients have the option to receive brief therapy which is time limited to six sessions and focused on achieving short-term goals.

**Group Therapy:** A variety of group therapy options provide psychoeducation and process experiences and help build resiliency.

**Trauma-Informed Caregiver Group:** This group offers educational information about how trauma affects children and how caregivers can support them.

**Community Education and Consultation:** Therapists provide consultation to community partners regarding trauma. In addition, the program offers periodic educational seminars on issues related to parenting, safety, trauma, and development.

### **Description of Proposed Services**

Explain how the proposed services will address the following criteria:

- Need for the proposed services in the community targeting marginalized and underserved populations in the community;
- Access barriers, such as, but not limited to: language, literacy, disability, transportation, and cultural practices;
- Capacity increases for areas where services are difficult to access, limited, or nonexistent; and
- Trauma-informed interventions and services.

Marion County's mental health providers and program managers, as well as primary care medical providers, law enforcement and Oregon Department of Human Services officials have consistently emphasized the severe lack of trauma-informed therapeutic resources for children and their families in Marion County. Lack of trauma-informed services means children and their families do not have access to the support they need to heal from abuse and severe trauma. Our number one priority has been increasing Liberty House's capacity to provide these services. With eight therapists, including one bilingual/bicultural therapist, we continue to extend our services to underserved populations including Spanish-speaking and rural families.

Trauma-focused Hope & Wellness services at Liberty House address language barriers by incorporating bilingual bicultural staff as well as using local translation and interpretive services for children and their caregivers. Our staff are deeply experienced in working with children and families for whom literacy is a challenge. Our facilities, including the Children's Therapy Garden, are accessible to families with disabilities. Our therapists have significant experience working with children and families from multiple cultures, ethnic and religious backgrounds. To overcome transportation challenges, we leverage local resources and assist clients with coordinating transportation to reduce this barrier to gaining access to treatment. Finally, our therapists are highly committed to creating a strengths-based, welcoming, positive environment in order to destigmatize accessing mental health services. This is critically important when working with adolescents. The offices are welcoming, fresh, and provide a comforting look. The décor is child and family friendly, designed to calm those who enter. Our therapists are very strong in working with all ages of children, infants through early adults and are well connected in the treatment community.

Justice Reinvestment funding will support providing trauma-informed mental health services for families and children who have been victims of criminal child abuse, severe neglect, rape, trafficking and torture. The services for adults include family therapy, multifamily psychoeducation groups and parenting seminars for adult caregivers. Youth may receive individual, family or group therapy. The main Liberty House location is at 375 Taylor Street NE, centrally located near the Salem Parkway, near public transportation, close to Keizer, within 20 minutes of Woodburn, within 30 minutes of Stayton and Jefferson, and close to some of the poorest, neediest neighborhoods in Marion County. Because this grant funding will partially support the Hope & Wellness program manager, it will make it possible for her to continue working with the Liberty House CEO to develop strategies for increasing service capacity in remote and underserved areas of Marion County. This funding also supports access to treatment for patients who have no insurance. We provide treatment for children and families who are unable to pay which is important in expanding access to services.

The Hope & Wellness Program at Liberty House provides trauma-informed counseling services for clients and families, using Trauma-Focused Cognitive Behavioral Therapy (TF-CBT), an evidence-based approach. Highly appropriate for victims of crime, this trauma-informed approach reflects adherence to the following key principles: (1) safety; (2) trustworthiness and transparency; (3) peer support; (4) collaboration and mutuality; (5) empowerment, voice and choice; and (6) cultural, historical and gender issues. It is expected this grant will help serve 120 unduplicated children and their families each year. The therapists will also oversee up to 120 referrals per year to external mental health providers.

A traumatic event may be a single event, a series of events, or chronic, lasting stress. Trauma-informed services consider the events contributing to a trauma response, as well as the response itself. Furthermore, interventions are created in collaboration with the client and in consideration of the client's identified needs, culture, and values.

The Mental Health Program Manager and Therapists ensure that treatment services meet standard requirements based on the guidelines for treating basic and complex trauma. Services have been set up with advice and support from local therapists who provide trauma-informed care. Treatment objectives include helping victims and families heal from trauma and preventing further abuse in the family. Services also include oversight of referrals to external providers so families have needed help in navigating access to care. This component directly addresses the need for additional trauma-informed care for victims.

Because the Hope & Wellness Services program is a program of Liberty House, it is connected to the child abuse multidisciplinary team for Marion County (See ORS 418.747, County Multidisciplinary Response Teams). That process allows for more seamless information sharing, with appropriate releases of information. For example, there was a case in which a very young child was severely victimized physically and sexually over an extended period of time and the child was provided assessment services at the Liberty House clinic. This child was referred to the Hope & Wellness Program. The therapist identified that the child needed to re-experience contact with the investigating detective in order to help the child process what had happened. The therapist, after seeking the appropriate permission from the caregiver, invited the detective into a therapy session. The child benefitted greatly from seeing the detective in plain clothes and in a calm, healing setting. As an aside, the detective benefitted greatly from seeing the child looking much healthier and happier. That is one example of how trauma-informed practice can help a child to rewire his or her response to extreme trauma and developed a greater sense of safety and trust in adults. This model has been used with other clients. Furthermore, Liberty House has already developed a very strong reputation with referring agencies such as law enforcement and Oregon Department of Human Services.

**Justice Reinvestment Victims Services Budget**

County: Marion

2021-2023 Victims Services Allocation: \$209,340

**Personnel**

	Personnel Category	Description	Monthly Wages (Salary + Fringe)	Months Employed
Position One	Supervisor & Therapist	Neda Grant, LPC Program Director	\$1,917.50	24
Position Two	Therapist	Christin Farrell, LPC Therapist	\$1,806.27	24
Position Three	Therapist	Amy Morris, LPC Therapist	\$1,806.27	24
Position Four	Therapist	Karen Larson, LPC Therapist	\$1,788.38	24
Position Five	Therapist	Maria Papa, LPC Therapist	\$1,159.34	24
Position Six	Therapist	Ariahna Reed, CSWA/MSW Therapist	\$244.74	24
Position Seven				
Position Eight				
Position Nine				
Position Ten				

**Total Personnel Budget: \$209,340**

**Contractual**

	Contract Category	Description	# Units/Hours	\$ Per Unit/Hour
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				59

**Total Contractual Budget:**

**Rent & Utilities**

	Description	Amount
1.		
2.		
3.		
4.		
5.		

**Total Rent & Utilities Budget:****Supplies**

	Description	# of Units	\$ Per Unit
1.			
2.			
3.			
4.			
5.			

**Total Supplies Budget:****Travel and Training**

	Description	# of Registrations	Registration Fee (Total)	Travel Expenses
1.				
2.				
3.				

**Total Travel and Training Budget:****Equipment**

	Description	# of Units	\$ Per Unit
1.			
2.			
3.			
4.			
5.			

**Total Equipment Budget:****Administrative**

	Description	Amount
1.		
2.		

**Total Administrative Budget:****Other**

	Description	Amount
1.		
2.		
3.		
4.		
5.		
6.		

**Total Other Budget:**

**Victim Services Budget # 2 Total: \$209,340**

Section 9

CJC 2021-23 JRI GRANT SOLICITATION

**2021–2023 REQUEST for GRANT PROPOSALS (RFGP)  
APPLICATION INSTRUCTIONS AND REQUIREMENTS  
OREGON CRIMINAL JUSTICE COMMISSION**

# **JUSTICE REINVESTMENT GRANT PROGRAM**



**CRIMINAL JUSTICE COMMISSION  
885 Summer St NE  
Salem, OR 97301**

**PRELIMINARY APPLICATION DUE  
DATE: May 14, 2021, 1:00 PM (PDT)**

**FINAL APPLICATION DUE DATE:  
August 25, 2021, 1:00 PM (PDT)**

## Oregon Criminal Justice Commission

The mission of the Oregon Criminal Justice Commission is to improve the legitimacy, efficiency, and effectiveness of state and local criminal justice systems. The agency is tasked with developing and maintaining a state criminal justice policy and a comprehensive long-range plan for a coordinated state criminal justice system that encompasses public safety, offender accountability, crime reduction and prevention, and offender treatment and rehabilitation (ORS 137.656).

### Definitions

As used in OAR 213-060-0010 to 213-060-0140, unless the context indicates otherwise:

1. "Commission" means the Oregon Criminal Justice Commission.
2. "Community-based programs" include:
  - a. Work release programs;
  - b. Structured transitional-leave programs;
  - c. Evidence-based programs designed to reduce recidivism that include the balanced administration of sanctions, supervision, and treatment;
  - d. Administering a reentry court under Section 29, Chapter 649, 2013 Oregon Laws;
  - e. Specialty courts aimed at medium-risk and high-risk offenders; and
  - f. Evidence-based policing strategies.
3. "County" includes a regional collection of counties.
4. "Grant Review Committee" means the Justice Reinvestment Grant Review Committee established under Section 53, Chapter 649, 2013 Oregon Laws.
5. "Program" means a program that is cost-effective as defined in ORS 182.515(2), as that is an evidence-based program as defined in ORS 182.515(3), that is a program as defined in ORS 182.515(4), and that utilizes scientifically based research as defined in ORS 182.515(5).
6. "Recidivism" has the meaning provided in ORS 423.557(1) (a).
7. "Trauma informed services" means providing the foundation for a basic understanding of the psychological, neurological, biological, and social impact that trauma and violence have on individuals, while incorporating proven practices into current operations to deliver services that acknowledge the role that violence and victimization play in their lives.
8. "Evaluations" means an assessment or study of sanctions, services, or programs funded in whole or in part by Justice Reinvestment Grant funds. This includes assessments of alignment with evidence-based practices; studies such as randomized controlled trials; quasi-experimental studies; and similar process and outcome methods, models, and approaches.

### Availability and Duration of Funding

This is a one-time solicitation, offering support for 30 months, beginning July 1, 2021 and ending December 31, 2023. Grant award recipients may begin charging expenditures to the grant award beginning July 1, 2021.

The Justice Reinvestment Program funding allotment will be determined in the 2021 Regular Session of the Oregon Legislative Assembly. Once these figures are determined, the CJC will release the funding allocations on the [Justice Reinvestment Grant Program website](#). All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by law.

## Eligible Applicants

Eligible applicants include Oregon counties that demonstrate strong collaborative partnerships with stakeholders and community partners. **The Grant Review Committee will accept one applicant per county.** The application must be submitted online by the Local Public Safety Coordinating Council (LPSCC) with the approval of the county governing body.

LPSCCs may submit a multi-county application on behalf of a consortium of government and non-government partners to design and implement a strategy to further the goals of the region's Justice Reinvestment efforts. For any regional approach, one county must serve as the main applicant for purposes of administering the grant agreement and managing sub-agreements.

## Deadlines

All applications by the date and times stated on the front page of the Request for Grant Proposal. See "How to Apply" in Section VI for details.

## Contact Information

For technical assistance with submitting an application, contact Angel Jenkins, Grant Coordinator, at (503) 991-3290 or [angel.pairan@oregon.gov](mailto:angel.pairan@oregon.gov). For questions about the grant, contact Ian Davidson, Justice Reinvestment Program Manager, at (503) 302-1990 or [ian.davidson@oregon.gov](mailto:ian.davidson@oregon.gov).

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## 1. Overview

From 2000 to 2010, Oregon’s incarceration rate increased by nearly 50% growing to 14,000 adults in custody with a total biennial corrections budget of more than \$1.6 billion. In response to this rapid growth, the bipartisan interagency Commission on Public Safety was convened to analyze state corrections and sentencing policies. The commission’s recommendations became the foundation for House Bill (HB) 3194,<sup>1</sup> known as the Justice Reinvestment Act, which the Oregon Legislature passed in 2013. HB 3194 made several sentencing changes and created the Justice Reinvestment Grant Program with the goal of reducing prison populations, reducing recidivism, increasing public safety, and holding offenders accountable.

The Justice Reinvestment Grant Program is Oregon’s proactive approach to spending resources more effectively by controlling prison growth and investing a portion of the avoided operational prison costs in the state’s local public safety systems. In the 2013–15 biennium, \$15 million was distributed among all 36 counties to begin their justice reinvestment programs while the 2015–17 biennium grant program was funded in the amount of \$38.7 million. For the 2017–19 biennium, the grant program was funded at \$47.1 million (this included the \$7 million to support downward departure programs from HB 3078<sup>2</sup> in 2017) while the 2019-2021 biennium was funded at \$48.9 million.

Prior to the passage of HB 3194, the April 2013 corrections forecast estimated that Oregon should plan to house 16,089 adults in custody in state prisons by July 1, 2021. The latest forecast, issued October 2020, calls for 13,383 adults in custody by that same date, a reduction of 2,706 adults in custody. As a result of the slowing growth of the prison population, Justice Reinvestment is projected to result in more than \$560 million in avoided costs for Oregon by the end of the 2021–23 biennium.<sup>3</sup>

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<sup>1</sup> Oregon Legislature. 77th Assembly, HB 3194 (2013).

<https://olis.leg.state.or.us/liz/2013R1/Downloads/MeasureDocument/HB3194/Enrolled> (Accessed May 2019).

<sup>2</sup> Oregon Legislature. 79th Assembly, HB 3078 (2017).

<https://olis.leg.state.or.us/liz/2017R1/Downloads/MeasureDocument/HB3078/Enrolled> (Accessed March 2021).

<sup>3</sup> For more information on avoided cost see the full Cost Avoidance Report released January 2021.

<https://www.oregon.gov/cjc/CJC%20Document%20Library/HB3194CostAvoidanceReportJan2021.pdf> (Accessed March 2021).

## 2. Program Goals

The Justice Reinvestment Grant Program is Oregon’s proactive approach to effectively spend resources in the state’s criminal justice system. Under the justice reinvestment model, prison growth is limited and a portion of the avoided operational prison costs are reinvested in the state’s local public safety systems.

The purpose of the Justice Reinvestment Grant Program is to provide funding for counties to plan, implement, and/or expand initiatives that establish a process to assess offenders and provide a continuum of community-based sanctions, services and programs that are designed to:

- a. Reduce recidivism while protecting public safety and holding offenders accountable and
- b. Decrease the county’s utilization of imprisonment in a Department of Corrections institution while protecting public safety and holding offenders accountable.<sup>1</sup>

The Justice Reinvestment Program supports two grants that are separate but applied for concurrently. The first grant is the formula grant, which is distributed to all qualifying counties that meet eligibility requirements and the goals of Justice Reinvestment using a formula, which determine award amounts. The second grant is the supplemental grant, which is a competitive grant designed to *supplement* formula grant programs. Supplemental grant funds are directed to programs that have dedicated downward departure prison diversion programs.

## 3. Eligible Program Requirements

In order to be considered for Justice Reinvestment funding, a program must:

- a. Establish a process to assess populations served by JRI funding;
- b. Serves offenders charged with or convicted of property, drug, or driving offenses;
- c. Consider and accept short-term transitional leave candidates as appropriate;
- d. Provide assistance to clients enrolling in the Oregon Health Plan;  
Utilize treatment providers that accept the Oregon Health Plan; and
- e. Work towards imbedding equity throughout the county’s criminal justice system.

## 4. List of Evidence-based Curriculum

Programs receiving Justice Reinvestment funding should be evidence-based. Counties are encouraged to consult the Adult Criminal Justice Section of the [Benefit-Cost Results page](#) by the Washington State Institute for Public Policy as a resource for evidence-based programs. While the list is not authoritative or comprehensive for each community, it does serve as a valuable resource.

<sup>1</sup> Oregon Legislature. 77th Assembly, HB 3194 (2013).

<https://olis.leg.state.or.us/liz/2013R1/Downloads/MeasureDocument/HB3194/Enrolled>. (Accessed March 2021).

## 5. Unallowable Uses for Award Funds

Unallowable uses for award funds include, but are not limited to, the following activities:

- Land acquisition, including renting, leasing, or construction of buildings or other physical facilities except with the prior written approval of the CJC;
- Physical facility improvements, restoration, or remodeling except with the prior written approval of the CJC;
- Compensation of federal employees including salary, consulting fees, travel, or other compensation;
- Bonuses;
- Firearms;
- Tactical equipment;
- Polygraphs;
- Marketing or branding;
- Lobbying;
- Fundraising or donations;
- Taxes;
- Entertainment, including amusement, diversion, social activities, and any associated costs (i.e. tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities);†
- Fines and penalties;
- Home office workspace and related utilities;
- Passport charges;
- Food or drink, except as per diem in accordance with Oregon’s Statewide Travel Policy; †
- Membership to lobbying organizations;
- Pets and pet care;
- Tip line and rewards; or
- Survey rewards.

*† If approved in advance by the Criminal Justice Commission, Victim Service providers receiving Justice Reinvestment funds may spend a portion of their award on these items.*

## 6. How to Apply

Applicants will complete and submit applications online through the CJC's grant administration website at <https://cjc-grants.smapply.io>. Each county may submit a single two-stage application for a Justice Reinvestment Grant that should include the Formula Grant application and, optionally, the Supplemental Grant application. The application will be submitted in two stages: first, a preliminary application will be submitted to receive feedback from CJC staff and the Grant Review Committee, and second, a final application for the Grant Review Committee to evaluate. **Late applications will not be accepted.**

Before completing an application on the grant administration website, the applicant will need to set up a user account and log in credentials. CJC staff screening of the application will determine whether any modifications are required before advancing the application to the Grant Review Committee. If modifications or additional information is necessary, the identified program contact will receive electronic notice asking for revisions to be made within a specified time frame.

Applicants are encouraged to consult the Criminal Justice Commission Grant Management Handbook.

### Estimated Grant Application Timetable

April 1, 2021	Request for Grant Proposals (RFGP) Released
May 14, 2021	Preliminary Application Due at 1:00 PM
May 28, 2021	Grant Review Committee Meets to Review Preliminary Application
June 15, 2021	Preliminary Application Feedback Provided
July 1, 2021	Final Application Released
August 25, 2021	Final Application Due
September 30, 2021 October 1, 2021	Grant Review Committee Meets to Review Final Application
October 2021	Commission Award Decisions
November 2021	Intent to Award Letters
December 2021	Grant Award Letters/Agreements

**Upon final execution of contract, the payment for the first half of Year 1 (six months) will be released.**

## 7. Preliminary Application

### 7.1. Preliminary Application Contents

- Cover Sheet
- Identification of Gaps in Local Criminal Justice System
- Evaluation of Success and Challenges of Current Use of Grant Funds
- Engagement of Historically Underserved Communities and Community Partners
- Statements of Commitment
- Description of How County will Select Victim Service Providers
- Plan for Evaluation Funding
- Plan for Supplemental Grant

### 7.2. Cover Sheet

- County
- Primary Applicant Contact Information
- LPSCC Chair Contact Information

### 7.3. Identification of Gaps in Local Criminal Justice System

- What gaps presently exist in your local criminal justice system?
- What changes does the county need to make to be able to reduce prison usage of nonviolent offenders?
- What changes does the county need to make to be able to reduce recidivism?
- What gaps, if any, exist within your county's population that result in inequitable access to established or developing programs or services offered?

### 7.4. Evaluation of Successes and Challenges

- Is the County experiencing a reduction in prison usage of nonviolent offenders?
- Is the County experiencing a reduction in recidivism?
- Is the County experiencing or anticipating additional impacts from COVID-19?

### 7.5. Inclusion of Input of Historically Underserved Communities and Community Partners

- How do you intend to include the input of historically underserved communities and community partners?

### 7.6. Statement of Commitments

Pursuant to OAR 213-060-0050, the district attorney, presiding judge, community corrections director, and relevant stakeholders of the service or program for which the county is requesting funding must include a statement of commitment to:

1. Reduce recidivism while protecting public safety and holding offenders accountable
2. Decrease the county's utilization of imprisonment in a Department of Corrections institution while protecting public safety and holding offenders accountable.

CJC has provided [example statements of commitment](#) that you may use as guides to help each of the relevant stakeholders develop their own statements of commitment.

### 7.7. Victims Service Providers

How does the County intend to select which victim service providers in the community to award funds? If the county will run a competitive process, please briefly describe it.

## 7.8. Evaluation

Three percent of the total amount of Justice Reinvestment grant funds will be used to help fund randomized controlled trials (RCTs) or other evaluations. Applicants can choose to remit funding for research described in this section to the CJC or may retain these funds to conduct an approved evaluation overseen by the applicant. Applicants seeking to retain funds must submit a detailed plan for the use of research funds in the Final Application.

## 7.9. Supplemental Grant

In 2017, HB 3078 created a competitive grant to support downward departure prison diversion programs. If funds are appropriated to the Supplemental Grant, these funds are limited to positions and trainings that directly support downward departure prison diversion programs.

- Does the County intend to apply for the Supplemental Grant in the Final Application?

## 8. Final Application

### 8.1. Final Application Contents

- Cover Sheet
- Description of Overall Justice Reinvestment Effort
- Description of Proposed Programs
- Goals of Justice Reinvestment
- Cultural Responsiveness
- Evidence of Collaboration in Planning and Implementation
- LPSCC Membership
- LPSCC Staff
- Proposed Program Budget
- Victim Services 10% Narrative(s)
- Proposed Victim Services 10% Budget(s)
- Evaluation Plan, if applicable
- Racial and Ethnic Impact Statement
- Letter of Support from County Commission
- Letter of Support from LPSCC Chair
- Letter of Support from Presiding Judge
- Supplemental Grant Application (Optional)
- Signature Page

### 8.2. Cover Sheet

- Primary Applicant Contact Information
- Fiscal Contact Information
- Contact Person to Answer Questions on Review Day

### 8.3. Narrative

#### Description of Justice Reinvestment Effort

Provide a detailed description of the activities for which funding is requested, including activity goals and objectives. The description should be presented in a way that helps stakeholders, such as administrators, staff, evaluators, funding agencies, advocacy groups, citizens, and elected officials, understand and communicate about the program.

Each County's Justice Reinvestment effort may include multiple programs. Each program must be described in

detail. The following information will be requested:

- Overall goal of the program (500-word maximum).
- Target population (500-word maximum).
- Description of what evidence-based practices will be used (300-word maximum).
- Metrics that will be used to measure success (250-word maximum).
- How the program meets the goals of Justice Reinvestment (500-word maximum)?
- Whether any of the programs included in the application received a Corrections Program Checklist review. If so, when was the review? Briefly describe the outcome and any steps to address the findings (500-word maximum).

#### **8.4. Goals of Justice Reinvestment**

Responses must include all proposed grant-funded activities, as well as local policy changes or collaborative efforts that support the county's progress toward meeting the goals of Justice Reinvestment. The application must address the goals of Justice Reinvestment. In this section, it is **required** that the LPSCC review the county-specific data found on the [CJC dashboards](#). Applications **must reference** the dashboards and clearly articulate the county's progress toward meeting the goals, as well as how the proposed program will assist in meeting those goals in the future.

##### **8.4.1. Reduce recidivism through evidence-based practices while increasing public safety and holding offenders accountable.**

Applicants are expected to use the [CJC recidivism dashboards](#) to contextualize the county's current recidivism rates and explain how the proposed program will decrease these rates while increasing public safety and holding offenders accountable. Describe efforts to reduce recidivism during the past biennia and how the proposed program will change or continue those efforts.

The statewide definition of recidivism includes new arrest, conviction, or incarceration within three years of a prior conviction or release from custody (ORS 423.557). CJC dashboards show statewide and county-specific recidivism data for both one and three years. Applicants are encouraged to address comparisons to the statewide rate.

##### **8.4.2. Reduce prison utilization for property, drug, and driving offenses while increasing public safety and holding offenders accountable.**

Applicants must identify how the proposed program will reduce county prison usage for property, drug, and driving offenses while increasing public safety and holding offenders accountable. Applicants are expected to use the [CJC Justice Reinvestment Prison Usage dashboards](#) to address data trends. Applicants are encouraged to incorporate data specific to the county's prison intakes, revocations, length of stay, and relationship to the statewide rates when discussing past, present, and projected prison usage.

In addition, applicants will be asked to respond to CJC dashboard data regarding county prison usage specific to **female** property, drug, and driving offenses, as well as describe local efforts to address this population.

**OPTIONAL: If your county has prison-reduction efforts outside of property, drug, and driving offenses please briefly describe them.**

## 8.5. Cultural Responsiveness

Culturally responsive services are comprehensive processes that have been adjusted to consider and support the principles, practices, culture and needs of underserved populations within a community. Underserved populations are comprised of individuals who identify with specific cultural connections based on their ethnic or racial origin, place of birth, familial structure, gender identity, and language spoken in the home.

- What underserved populations does your program serve?
- What culturally responsive practices does the county use with justice-involved individuals?
- How did you include the input of historically underserved communities, including, but not limited to, racial and ethnic minorities, women, lesbian, gay, bisexual, transgender, queer, and other minority gender identity communities? Please describe all consultations or attempts at outreach.
- How did you include the input of community partners in the implementation of the proposed services? Please identify community partners.
- How do you intend to ensure that services funded by these grant dollars are used to promote social equity for historically underserved communities? Detail what controls you will put in place or metrics you will use to track success.

## 8.6. Evidence of Collaboration in Planning and Implementation (300-word maximum)

Effective collaboration within the LPSCC is expected in the development, submission, and monitoring of the county's Justice Reinvestment grant. Describe the collaborative partnerships in place that will support the county's performance and progress toward the goals of Justice Reinvestment. Counties will also be required to identify LPSCC members and staff that supports the LPSCC, if the county employs any.

## 8.7. Proposed Program Budget

Applicants must prepare a budget based on the full **two-year, 24 month cycle**. The budget should clearly show a breakdown of costs in the following categories: personnel, contractual/consultant services, supplies, travel/training, equipment, rent/utilities, evaluation, and administrative. Administrative costs must not exceed 10% of the overall award. If funds will be used to hire new personnel, the budget must reflect a realistic start date for each position, taking into account time to post jobs, recruit, and hire. Regular updates to CJC on hiring will be required.

## 8.8. Victim Services Narrative

8.8.1. **Ten percent** of Justice Reinvestment grant funds must be allocated to community-based nonprofit victim services providers. Each victim services provider must complete a separate Victim Services Narrative.

8.8.2. Each narrative must include a description of the community-based nonprofit victim services providers that are identified to receive these funds (**500-word maximum**). Each community-based nonprofit victim services provider must have:

- A documented history of effectively providing direct services to victims of crime;
- A mission that is primarily focused on providing direct services to victims of crime; and
- The capacity and specific training to effectively deliver direct services to victims of crime.

8.8.3. Each narrative must also include a description of the proposed services (**1,000-word maximum**) and explain how the proposed services will address the following criteria:

- Need for the proposed services in the community targeting marginalized and underserved populations in the community;

- Access barriers, such as, but not limited to: language, literacy, disability, transportation, and cultural practices;
- Capacity increases for areas where services are difficult to access, limited, or nonexistent; and
- Trauma-informed interventions and services.

### 8.9. Victim Services Budget

CJC requires applicants prepare a budget based on the 24 month budget cycle. The proposed budget should be completed individually for each community-based nonprofit victim services providers requesting funding. The budget should clearly show a breakdown of costs in the following categories: personnel, contractual/consultant services, supplies, travel/training, equipment, rent/utilities, evaluation, and administrative.

Administrative costs may include activities such as purchasing, budgeting, payroll, accounting, and staff services.

### 8.10. Evaluation Plan

8.10.1. **Three percent** of the total amount of Justice Reinvestment grant funds will be used to help fund randomized controlled trials (RCTs) or other evaluations. Applicants can choose to remit funding for research described in this section to the CJC or may retain these funds to conduct an approved evaluation overseen by the applicant. Applicants seeking to retain funds must submit a detailed plan for the use of research funds as described below. If a county selects to retain the 3% funds and conduct evaluations in-house, funding will be released on a reimbursement basis. In choosing programs for RCTs or other rigorous evaluations, CJC will consider the following factors:

- The proposed program is promising and has the capability of being reproduced in other counties.
- The proposed program is capable of being evaluated through RCTs when taking into account sample size and other practical requirements.
- The proposed RCT will meet the requirements of the institutional review board process.
- Studying the program will benefit the state and more broadly the field of criminal justice by adding to the body of knowledge available.

8.10.2. Applicants will select, in the application template, **one of two options** to meet the evaluation portion of a proposal.

- County remits 3% of awarded funds to the CJC's statewide evaluation budget.
- County retains 3% of awarded funds for a locally administered RCT when possible and appropriate.

8.10.3. Questions if applicants choose to retain 3% of awarded funds for a locally administered RCT

- What is the primary research question that the proposed project will seek to answer?
- What, if any, are the secondary research questions that the proposed project will seek to answer?
- Please provide a brief review of the existing social scientific research related to the proposed project.
- Please describe how this project will benefit the State of Oregon as well as the field of criminal justice more broadly.
- Please describe your dissemination plan for the results of this project. Also, how will other Oregon criminal justice stakeholders be able to replicate your program in their jurisdictions?
- Please describe the research design/methodology for this project.
- Describe the study population and expected sample size. Please describe the method used to arrive at sample size estimates.

- Please describe the control group; if a random control trial is not possible, please explain how the proposed research will employ a quasi-experimental design.
- What statistical method(s) will be used to analyze your data?
- If the project involves the collection of primary data, please describe the IRB process you will use and the expected IRB timeline for this project.
- List project deliverables and expected completion dates, including the following:
  - IRB approval letter;
  - Quarterly updates on research progress and recruitment;
  - A written report of study results; and
  - If using a subcontracted researcher, applicants must provide a plan for the overall management of the project.

8.10.4. If cooperating with another county (or counties) to increase your sample size, specify how fidelity to the program between (or among) counties will be monitored and maintained.

### 8.11. Racial and Ethnic Impact Statement

Pursuant to Section 4, Chapter 600, Oregon Laws 2013, grant applicants are required to complete a Racial and Ethnic Impact Statement. One Racial and Ethnic Impact Statement must be completed per application. This statement should reflect the impacts of ALL activities, victim services, and evaluations proposed in the application.

## 9. Supplemental Grant Funds (Optional)

### 9.1. Overview of Justice Reinvestment Supplementary Grant Program

In 2017, HB 3078 created a competitive grant to support **downward departure prison diversion programs**. If funds are appropriated to the Supplemental Grant, these funds are limited to positions and trainings that directly support downward departure prison diversion programs.

### 9.2. Supplemental Victim Services

Ten percent of supplemental funding requested must be dedicated to nonprofit community-based victim services providers approved in the county's formula-based Justice Reinvestment grant application.

### 9.3. Program Performance Objectives

Qualifying programs must:

- Identify a specific eligible population agreed upon by all key stakeholders, including the district attorney's office, the judiciary, and community corrections.
- Use presentencing assessments to inform downward departure sentencing. Assessments used may include, but are not limited to, the PSC, LS/CMI, URICA, TCUDS, ASUS, and WRNA.
- Establish regular communication regarding program participants' progress, including collaboration on revocation decisions.
- Use structured sanctions for all program participants.
- Provide supervision, sanctions, and services appropriate to participants' criminogenic risks and needs.
- Aim to decrease county prison intakes—including revocations—for the target population.
- Use data to monitor and evaluate program in order to improve program operations.

### 9.4. How to Apply

Applications must be submitted online through the CJC's grant administration website at <https://cjc-grants.smapply.io>. Simply indicate your interest in applying for the supplemental grant funds when filling out the

main Justice Reinvestment grant. **Late applications and applications without letters of support will not be accepted.**

### 9.5. Allowable Uses

Supplemental grant funds are restricted to supporting key personnel positions that increase local capacity to engage in a collaborative, effective downward departure prison diversion program. Funding is available to support **critical** personnel in participating agencies including, but not limited to, the following:

- Public Defense Services
- District Attorney's Office
- Judiciary
- Community Corrections

Funding may also be used for **training** directly related to the development or operation of the downward departure prison diversion program.

Funding **may not** be used to support wraparound services or sanctions for program participants, such as treatment, housing, skills training, jail beds, or community service programming. Applicants are *strongly* encouraged to use their formula-based Justice Reinvestment grant funding to build appropriate local service and sanction capacity.

### 9.6. Application Contents

9.6.1. Application must include a program narrative that:

- Describes the target population eligible for the county's downward departure prison diversion program, including, but not limited to, crime types, criminal history factors, risk scores, and residency. Include specific assessments to be used, as well as factors that would result in automatic exclusion from the program **(200-word maximum)**.
- Describes the referral process by which participants are identified, assessed, and departed into the program. How will victim input be considered in the decision to depart an individual to this program? **(200-word maximum)**
- Explains the elements of supervision for this program and highlight differences from standard supervision in your county including, but not limited to, caseload ratios, contact standards, drug testing schedules, response to violations, and use of incentives **(500-word maximum)**.
- Describes your county's capacity to provide the necessary level of services appropriate to the target population. Examples include, but are not limited to, substance use treatment, housing, mentors, mental health, and cognitive treatment **(1,000-word maximum)**.
- Describes your county's capacity to provide the appropriate level of local sanctions necessary to manage the target population. Examples include, but are not limited to, jail-bed availability and community service **(200-word maximum)**.
- Explains whether structured sanctions be used for every downward departure participant.
- Describes the process for determining revocation of program participants **(200-word maximum)**.
- Explains how the program will be monitored, evaluated, and adapted. Describes what body will oversee implementation and track program outcomes. **(400-word maximum)**
- Describes the county's **total** prison intakes for the program's target population during the 2019–21 biennium.

- Explains how many fewer intakes are anticipated for the target population during the 2021–23 biennium given full program implementation and describes how the estimate was calculated through anticipated decreases in first sentences, revocations, or both.
- Explains whether funding is being requested to support a new or existing (prior to August 25, 2021) program and if new, describes when the program is expected to be operational

#### 9.6.2. Letters of Support for Application

Each Supplemental Grant application must contain a signed letter of support for the proposed Supplemental Grant program from the following:

- County board of commissioners;
- The director of community corrections;
- The district attorney;
- The defense attorney serving on the LPSCC;
- The presiding judge of the local circuit court; and
- The LPSCC chair.

## 10. Application Review and Award Decisions

### 10.1. Formula Grant Review Process

CJC staff will conduct the initial review of all Preliminary Applications received by 1:00 p.m. on May 14, 2021. Each application will be examined for responsiveness to the guidelines provided in this RFGP related to timeliness and contents. The Grant Review Committee will meet to review all counties.

The Grant Review Committee will meet on **May 28, 2021** to review Preliminary Applications. The Grant Review Committee will return feedback to counties on the Preliminary Application by June 15, 2021.

CJC staff will conduct the initial review of all Final Applications received by 1:00 p.m. on August 25, 2021. Each application will be examined for responsiveness to the guidelines provided in this RFGP related to timeliness and contents. **If CJC staff determines that modifications are required before advancing the application to the Grant Review Committee, the identified program contact will receive electronic notice asking for revisions to be made within a specified time frame.**

CJC may negotiate the components of the application. An application will be deemed nonresponsive if it does not conform to the application requirements. LPSCCs submitting applications deemed nonresponsive will be contacted in order to address deficiencies in the application.

See “Unallowable Uses for Award Funds” in Section 5 to determine whether budget items requested are allowable **prior** to submitting your budget.

All applications that are responsive to the guidelines will be provided to the Grant Review Committee for review and evaluation based on the following criteria as found in OAR 213-060-0060:

- Whether the applicant’s program is designed to reduce recidivism of offenders;
- The extent to which the applicant’s county has historically reduced the utilization of imprisonment in Department of Correction facilities by offenders convicted of felonies described in ORS 137.717, 475.752 to 475.935, 811.182, 813.010, or 813.011.
- Whether the applicant’s program is designed to reduce prison use by offenders convicted of felonies described in ORS 137.717, 475.752 to 475.935, 811.182, 813.010, or 813.011;

- Whether the applicant’s program would increase public safety; and
- Whether the applicant’s program would hold offenders accountable.

The Grant Review Committee will meet on **September 30, 2021 and October 1, 2021** to review applications. **Each county must identify someone that will be available to answer questions about this application if the Grant Review Committee has any.** The Grant Review Committee will recommend approved applications to the Criminal Justice Commissioners for final award decisions. If an application needs rehabilitation, the Grant Review Committee will notify CJC staff, who will work with the county to address deficiencies.

**10.2. Supplemental Grant Review Process**

All applications responsive to the guidelines will be provided to the Grant Review Committee for review and evaluation based on the following criteria:

- Start date of program, with preference given to programs established on or after August 25, 2021;
- Applicant estimation of total decrease in prison intakes for program’s target population from the 2019–21 biennium to the 2021–23 biennium;
- County capacity to provide appropriate level of services, sanctions, and supervision for program participants;
- Level of demonstrated commitment to reducing county prison intakes by critical stakeholders including, but not limited to, the district attorney’s office, the judiciary, and community corrections; and
- Total amount of funding requested compared to expected program capacity and applicant estimation of decrease in prison intakes.

**10.3. Award Decisions and Protests**

10.3.1. **Awards.** The Grant Review Committee will recommend approved applications to the Criminal Justice Commissioners for final award decisions. CJC may approve an application in whole or in part, as well as issue a provisional one-year award with continued funding contingent upon program performance and progress. CJC will issue Award Notification Letters and Grant Award Agreements.

10.3.2. **Protests.** The affected applicant shall have seven (7) calendar days from the date of the Intent to Award Notice to file a written protest. An applicant is considered affected only if the applicant would be eligible for the award in the event that the protest is successful.

Protests must:

- Be delivered to the CJC via email to [CJC.grants@oregon.gov](mailto:CJC.grants@oregon.gov) or hard copy
- Reference the RFGP name
- Identify applicant’s name and contact information
- Be signed by an authorized representative
- Specify the grounds for the protest
- Be received within seven (7) calendar days of the Intent to Award Notice

CJC will address all timely submitted protests within 30 days and will issue a written decision to any respective applicants. The agency will not consider protests that do not include the required information.

**10.4. Award Conditions**

Counties receiving awards must agree to the grant award terms and conditions. CJC may negotiate the terms of the Grant Award Agreement. In the event that mutually agreeable terms cannot be reached within a reasonable time period, as judged by CJC, the Commission reserves the right to cancel the award to the applicant.

**11. Monitoring and Reporting**

### 11.1. Award Conditions

Once awarded, CJC will monitor whether grantees are operating their programs as described in their approved applications, as well as county performance and progress toward the goals of the Justice Reinvestment Grant Program. To assist CJC in the monitoring process, quarterly financial reporting, semi-annual progress reporting, periodic communications, and occasional site visits by CJC.

### 11.2. Reporting

- 11.2.1. **Financial:** Grantees will be required to report program expenditures quarterly through the CJC’s grant administration website at <https://cjc-grants.smapply.io>. All documented expenses (time sheets, invoices, travel charges, etc.) must be documented and retained for six years following the close of the grant.
- 11.2.2. **Program Progress Report:** Grantees will be required to submit semi-annual progress reports through the CJC’s grant administration website. Progress Reports will be narrative and require the grantee to evaluate to program performance and progress toward the goals of Justice Reinvestment with reference to the most recent data available on the CJC Justice Reinvestment dashboards.
- 11.2.3. **Victim Services Progress Report:** A brief report is to be provided annually regarding services to victims with the Victim Services funding.

## 12. Distribution of Funding

CJC will provide grant funds in four installments during the biennium to the designated county applying for Justice Reinvestment grant program funding. Initial funding will be provided following the execution of the CJC Grant Award Agreement. Subsequent funding disbursements will be made contingent upon spend down and performance and progress towards the goals of Justice Reinvestment on a regular basis.

**CJC may issue partial awards or a provisional one-year award with continued funding contingent upon improved performance and progress toward the goals of the Justice Reinvestment Grant Program.**

## 13. Grant Suspension or Termination

Following reasonable notice to grantees and attempts to resolve problems informally, CJC may suspend funding in whole or in part, terminate funding, or impose another sanction for any of the following reasons:

- Failure of the program to comply substantially with the requirements or statutory objectives of Justice Reinvestment Grant Program guidelines issued hereunder, or with other provisions of state law;
- Failure of the program to make satisfactory progress toward the approved goals and objectives;
- Failure of the program to adhere to the requirements of the grant award and standard or special conditions;
- Proposing or implementing substantial changes that result in a program that would not have been selected if it had been subjected to the original review of applications; or
- Failure of the program to comply substantially with any other applicable state statute, regulation, or guideline.

It is the role of CJC to ensure that the funds, as awarded, comply with state and local statutes and rules. CJC reserves all rights regarding this opportunity, including, but not limited to, the right to:

- Amend or cancel this opportunity without liability if it is in the best interest of the public to do so;
- Reject any and all applications upon finding that it is in the best interest of the public to do so;
- Waive any minor irregularity, informality, or nonconformance with the provisions or procedures of this opportunity;
- Reject any applications that fail to substantially comply with all prescribed solicitation procedures and requirements;
- Amend, at CJC's sole discretion, any agreements that are a result of this opportunity;
- Engage other grantees or contractors by selection or procurement independent of this opportunity process and/or any contracts/agreements under it;
- Accept applications in whole or in part. CJC is under no obligation to do so, but at its discretion may request additional information or clarification from applicants for the purposes of assuring a complete understanding of their applications and supporting an accurate review, evaluation, and comparison;
- Require applications to be modified if it is found to be in the best interest of the public;
- Extend any agreement resulting from this opportunity without an additional solicitation process; and
- Modify the type of agreement vehicle employed, based on what CJC deems appropriate to the type of work for which funds may be awarded, if it is in the best interest of the public to do so.

Section 10

CITY OF SALEM POLICE DEPARTMENT-  
INDEPENDENT ASSESSMENT

APRIL 22, 2021

Protecting What Matters<sup>®</sup>

## *City of Salem, Oregon*

An Independent Assessment of the Salem Police Department's  
Policies, Procedures and Operations

FINAL REPORT

April 22, 2021



HILLARD HEINTZE<sup>®</sup>  
A JENSEN HUGHES COMPANY



April 22, 2021

Mr. Steve Powers  
City Manager  
555 Liberty Street  
SE RM 220  
Salem, Oregon 97301

Dear Mr. Powers:

Please find attached our final report detailing our independent assessment of the Salem Police Department's policies, procedures and operations. We commend the City of Salem for proactively requesting an independent perspective in response to the growing national spotlight on the relationship between police departments and the communities they serve.

Our assessment recognizes the Salem Police Department's areas of strength and identifies opportunities to adopt best practices. We focused on the Department's interactions with unsheltered individuals and individuals experiencing behavioral health crises, as well as its engagement with the community with particular attention to those who are Black, Indigenous or People of Color. We also assessed the Department's response to assemblies and crowds, its use of force policies and procedures and officer accountability processes.

Please let me know if you have any questions on this report – in part or in whole. We place enormous value on the trust that you have extended to us in this matter and look forward to supporting your requirements in the future.

Sincerely,  
Hillard Heintze, a Jensen Hughes Company

A handwritten signature in black ink that reads "Robert L. Davis". The signature is written in a cursive style with a small flourish at the end.

Robert L. Davis  
Senior Vice President + Practice Lead  
Law Enforcement Consulting



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## *Executive Summary*

### **Strategic Context and Assignment**

The City of Salem identified several community concerns involving the Salem Police Department (SPD). The City and the community want to understand how the SPD prepares for and interacts with unsheltered individuals and individuals experiencing behavioral health crises. Additionally, the City sought more information about the SPD's plans and responses to assemblies, permitted protests and demonstrations, and impromptu crowds.

To address these concerns, the City and the community asked the following questions:

- + Do the SPD's policies and tactics align with City Council's and the community's values and expectations?
- + What is the Department's capacity for engaging in effective community policing during its unobligated patrol time?
- + Do SPD officers engage with all Salem residents?
- + Are the Department's engagement efforts with youth effective?
- + Are the Department's policies, tactics or training biased or discriminatory?
- + Are the Department's and City's systems, policies and procedures for officer accountability effective?

In partnership with the City Manager's Office, the City sought assistance in developing recommendations to help drive new SPD policing strategies to ensure they align with best practices to produce better outcomes, especially for communities comprised primarily of those who are Black, Indigenous and People of Color (BIPOC); unsheltered; or experiencing behavioral health crises. The City sought to help the SPD and Salem community develop a proactive partnership and determine how the Department can deliver policing services under a strategy that prioritizes the policing tactics that best reflect communities' insights and voices.

The City of Salem engaged Hillard Heintze to assess the SPD's operations and prepare a report detailing our observations, findings and recommendations regarding the Department's policies and procedures. We solicited input from historically underserved groups and evaluated how the SPD focuses on and is accountable to those groups. Within this report, we suggest structural changes to the SPD to ensure the Department adheres to best practices.



## **Methodology and Approach**

### **Six Key Principles**

Emerging from our experiences as leaders in a variety of law enforcement-related fields, the Hillard Heintze methodology is based on the following six strategic principles.

1. Independent and objective analysis
2. Solicitation of multiple perspectives and viewpoints
3. An acute focus on collaboration and partnership
4. An information-driven, decision-making mindset
5. A structured and highly disciplined engagement approach
6. Clear and open lines of communication.

### **An Intensive and Collaborative Approach**

During this engagement, the Hillard Heintze assessment team performed the following tasks.

- + Conducted a kick-off meeting with key City of Salem officials, SPD staff and community stakeholders.
- + Developed an understanding of the SPD's mission, vision and values, as well as its history, organization and cultural environment.
- + Designed, disseminated and analyzed an internal survey of SPD employees.
- + Requested, received and reviewed the SPD's policies relating to use of force; handling complaints; managing crowd control incidents; interacting with unsheltered individuals and those experiencing behavioral health crises, engaging in community-oriented policing efforts, particularly in Salem's BIPOC communities; and planning and providing training to SPD personnel.
- + Assessed the SPD's training, documentation and reviews regarding members' use of force; the reception and handling of complaints; community-oriented policing and community engagement; cultural awareness; and bias-free policing.
- + Analyzed the social, political, cultural and economic environment in Salem and the SPD.
- + Interviewed key personnel and stakeholders, including elected officials; the SPD Chief; representative members of all ranks within the SPD; the SPD's Collective Bargaining Unit officials; community leaders from organizations that provide services to those who are unsheltered and/or those experiencing mental health crises; and representatives from faith-based organizations, school districts, nonprofit organizations and social service organizations.



- + Hosted and facilitated multiple community group discussions regarding the Salem community’s concerns about policing issues, with a particular focus on engaging with individuals from Salem’s BIPOC communities.
- + Worked with the City Manager’s Office and others to identify community members willing to actively participate in partnership efforts to create a new SPD vision, mission, goals and guiding principles.
- + Participated in meetings with the Community Police Performance Audit Steering Committee to keep the members apprised of the assessment’s progress.
- + Evaluated the SPD’s technology and equipment that sworn and nonsworn personnel use to conduct daily policing operations, with a focus on evaluating how the equipment and technology impact use of force and community policing effectiveness.
- + Researched other cities’ approaches to community policing and community engagement, with a focus on BIPOC communities; interacting with unsheltered individuals and those experiencing mental health crises; and protecting protests and managing crowd control incidents.

To support Hillard Heintze’s assessment, the City of Salem assembled the Salem Community Policing Performance Audit Steering Committee, an advisory group of community leaders and others with expertise in our assessment’s areas of focus. In February 2021, the group renamed itself the Salem Community Engagement Audit Steering Committee. The Chair of the Salem Community Police Review Board, Jodi Sherwood, served as the Chair of the committee.

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### Salem Community Engagement Audit Steering Committee Members

#### Committee Members

- + Jodi Sherwood, Community Police Review Board Chair
- + Ann-Marie Bandfield, Marion County Public Safety Coordinating Council
- + George Burke, Deputy Chief of Police
- + Ashley Hamilton, ARCHES
- + Levi Herrera, Mano a Mano
- + Kathleen Jonathan, Salem-Keizer School District
- + Casey Kopcho, Oregon Secretary of State Audits Division
- + Cyndi Leinassar, Salem Health and Salem Police Foundation
- + Scotty Nowning, Salem Police Employees Union
- + Oni Marchbanks, Salem Human Rights Commission

#### City Staff

- + Debra Aguilar, Lieutenant
- + Gretchen Bennett, Manager
- + Courtney Knox Busch, Manager
- + Kirstin Madigan, Senior Human Resources Manager
- + Marc Weinstein, Assistant City Attorney



The committee served as a sounding board at key milestones and decision points during our assessment. As we began to develop our preliminary findings and observations, we presented them to the committee for its insight and consideration.

Based on our interviews with City employees, elected officials, community stakeholders and partners, community members, and sworn and non-sworn SPD personnel from all ranks, we developed our initial key findings, which we provided in our report “Key Themes and Concepts.”<sup>1</sup> Following our review of SPD policies, procedures, directives, and other supporting organizational and operational documents, we further refined our findings, which we present in the Key Findings section below.

Our team then prepared our report, which provides our key findings and recommendations for enhancing the SPD’s community policing and engagement efforts to ensure a community of trust and mutual respect with then all Salem communities.

## Background for the SPD’s Organizational Structure

The Salem Police Department (SPD) has 242 employees, of which 189 are authorized positions for sworn officers. The Chief of Police is responsible for the day-to-day operations of the Department.<sup>1</sup> Directive 1.01, revised October 20, 2017, describes the Department’s organizational structure. Three Deputy Chiefs report to the Chief, and each is responsible for one of the divisions within the Department:

- + **Field Operations:** Patrol duties, including Traffic, Canine, Community Service Officers and Youth Services, as well as the Downtown Enforcement, Behavioral Health, Domestic Violence Response and Problem Oriented Policing teams.
- + **Investigative Services:** Criminal investigative units, the Crime Lab and the Street Crimes Unit, which is an investigative special operations unit that works in tandem with the local Drug Enforcement Agency (DEA) Task Force.
- + **Support Services:** Internal Affairs, Personnel and Training, Volunteer Coordinator, Property and Evidence, police records, crime analysis, and public relations and social media platforms.

Lieutenants represent the next level of supervision. They report directly to the Deputy Chief of the division to which they are assigned. The eight lieutenants oversee the 24 sergeants, who represent the first line of supervision. The SPD has a corporal level generally composed of senior patrol officers or investigators who step in as acting supervisors when sergeants are absent due to time off or training. Eighteen corporals augment the 136 officers. The SPD does not have an official organizational chart to provide a more detailed breakdown by division, unit or collateral assignments, although the Chief is leading an effort to update the organizational structure, including creating an organizational chart to reflect the new organizational responsibilities. The organizational structure

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<sup>1</sup> Key Themes and Concepts: Phase 1 and 2 (see appendices)



may change due to the potential need to add staffing or other support services based upon the recommendations in this report.

### **Staffing Levels**

Although a formal, detailed staffing analysis was not part of the scope of our assessment, we noted the number of sworn officers and the total number of SPD employees has not kept up with the growth of the city's population. In 2011, SPD had 194 authorized positions for sworn officers and 234 total employees to serve a population of approximately 155,100 people (1.25 officers per 1,000 people). The SPD's 2021 data reflects 189 sworn officers and 242 total employees for a population of approximately 169,580 people (1.11 officers per 1,000 people). Calls for service have similarly increased from 97,692 calls for service in 2010 to 118,344 in 2019. While the City's population increased by 10 percent and calls for service by 21 percent in the last 10 years, the SPD's sworn staffing level has decreased over this period.

Of note, in 2018, the average ratio of sworn officers to 1,000 residents in the Pacific Northwest for populations of 100,000 to 249,999 was 1.6 officers. In the same year, the SPD had 1.14 officers and the ratio has since fallen to 1.11 in 2021.

This stagnation of the SPD's staffing levels has resulted in patrol officers performing key police functions as collateral duties such as domestic violence investigations, juvenile investigations and recruiting activities. Typically, these are standalone functions that belong in investigative and support service divisions rather than patrol. Patrol personnel's time spent on these responsibilities diminishes their unobligated patrol time during which they could be engaging in robust community policing interactions and collaborations with community stakeholders. The SPD has required its school resource officers (SRO) to handle the investigations of some crimes involving juveniles, which has negatively impacted these officers' abilities to adhere to widely recognized approaches for effective SRO programs such as mentoring and providing support.

### **Span of Control**

The SPD has not aligned its supervisory spans of control equitably. Interviewees at all levels frequently used the word "silos" to describe the way the three divisions operated. Many described the Department as having no formalized or consistent personal exchange of information between investigative units and patrol units or even among patrol specialized units and the patrol officers.

However, this lack of communication does not appear to be an intentional effort or a lack of camaraderie among Department personnel, but rather is the byproduct of officers' increased workload constraints and a lack of clarity regarding the organizational structure. However, many law enforcement agencies are short-staffed for a variety of reasons, including due to budgetary and recruiting challenges, yet they manage to establish the critical communication link between relevant investigators and patrol personnel. This exchange is of critical importance in policing operations, especially when the agency is short-staffed. This lack of communication has become a major



obstacle toward the SPD achieving its goal of its members participating in meaningful and ongoing community engagement, internal procedural justice, and problem-solving crime and quality of life issues within the Salem community. The SPD must have internal discussions about the challenges the Department faces and how to address them to develop a coordinated community policing effort.

To address these issues the Department must establish formal work time allocations and encourage staff to interact proactively with each other and with community stakeholders such as residents, nonprofit organizations, social service agencies, and other government agency partners. Many of these stakeholders stated they are not experiencing the robust level of communication with Department members that is necessary to facilitate successful collaboration. We recommend the SPD conduct a comprehensive organizational structure analysis and a staffing needs projection and budgetary analysis to determine solutions within the context of the City's budget and available resources. The staffing study should include an analysis of calls for service, the nature of those calls for service, how long the types of calls take and, most importantly, the Department's operational priorities. A staffing study reviews the noted data, but it is only effective if the department clearly understands and articulates its expectations for how much time it wants its officers to spend responding to calls for service and other proactive activities, such as collaborative community policing activities with community stakeholders.



## *Key Findings*

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- 1. We commend the City of Salem and the SPD for taking steps to enhance the Department's relationship with the community and ensure the services it provides align with best practices.**

By all accounts, the civil unrest and protests that occurred in Salem in the weeks and months leading up to our assessment were of a magnitude not previously seen. Additionally, the pandemic and economic crisis in our nation have exacerbated the community's struggles with aiding the increasing number of unsheltered individuals and individuals facing with behavioral crises. However, we believe the City of Salem and the SPD will work collaboratively with the community to address these issues and identify creative solutions.

- 2. If the City of Salem and SPD chooses to address this report's recommendations, the Department must increase its staffing level to succeed.**

It has been several years since the SPD has had an authorized increase in its staffing levels. This staffing issue has already impacted the SPD's operations. For example, community members have criticized how the SPD tasks its school resource officers with investigating crimes associated with students on school campuses.

To develop a multidisciplinary approach to addressing the issues associated with unsheltered individuals or those experiencing behavioral health crises would require the Department to conduct a detailed staffing analysis. The results of the analysis would identify the demands for police services and explain the level of staffing support needed to address the operational recommendations made in this report.

- 3. The SPD does not have a formal community policing plan, nor an overarching strategic plan.**

These plans are key components needed to align the Department's mission with the pillars of 21st century policing<sup>2</sup> and the principles of community policing.<sup>3</sup> It is important for the SPD to have a strategic plan to guide its many operations and help Department members understand the overall mission, goals and objectives that drive the delivery of all policing services in Salem, including the formal community policing effort.

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<sup>2</sup> President's Task Force on 21st Century Policing, May 2015. [https://cops.usdoj.gov/pdf/taskforce/taskforce\\_finalreport.pdf](https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf)

<sup>3</sup> Hassan Aden, "Inviting the Community into the Police Strategic Planning Process," *The Police Chief* 80 (October 2013): 28–31. <https://www.policechiefmagazine.org/inviting-the-community-into-the-police-strategic-planning-process/?ref=0df0a48284f2c6eac1fa2150a107524a>



Subsequently, the SPD should develop a formal community policing strategic plan to guide the community policing and engagement efforts of the SPD personnel responsible for identifying and developing proactive and collaborative responses to repetitive calls for service involving Salem's unsheltered and at-risk populations. Such a plan would address the Department's current inconsistent and uncoordinated efforts.

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**4. Although the SPD engages in some promising operational activities, the Salem community does not have robust, proactive strategies for addressing unsheltered populations and individuals experiencing behavioral health crises.**

The SPD must enhance its work with its community partners and stakeholders to improve its proactive and multidisciplinary approaches to aid individuals and families experiencing homelessness and/or behavioral health crises. The SPD cannot do this alone and succeed. The City of Salem should lead the effort to develop a community-wide strategy to address these issues, with community stakeholders, the SPD and other city agencies playing key roles.

This must be a formal collaborative process that includes residents, nonprofit organizations, social services agencies, faith-based groups and other government agencies committed to tackling the root social issues that drive crime and can contribute to a diminished quality of life for everyone in Salem. In particular, additional support from government agencies and community organizations is necessary for the City to succeed in developing alternative approaches to address these social issues.

The City of Salem has achieved some success in this regard as it has worked with Marion and Polk Counties to provide medical, mental health and sheltering services to unsheltered individuals and individuals dealing with behavioral health crises. They accomplished this in part by providing various types of funding to a vast array of service providers that include county, nonprofit and healthcare agencies. These efforts could serve as a model for how other issues of community concern noted in this assessment report could be addressed in a similar collaborative manner.



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**5. The City has a need for youth-based outreach and programs provided by the SPD.**

Engagement of youth is a critical component of any police department's community policing efforts.<sup>4</sup> Although the SPD participates in several nationally recognized youth programs, the Department must expand its youth-focused outreach efforts by collaborating with other service providers and organizations to create additional, ongoing opportunities for youth engagement and problem-solving efforts focused on youth-related issues specific to the City.

---

**6. The SPD does not operate its school resource officer (SPD) program in a way that engenders the support of many students and parents, which in turn creates a barrier between these families and the SPD.**

One main issue is that the SROs often conduct criminal and child-abuse investigations on school campuses rather than having detectives focus on this work, due to staffing shortages. Consequently, students and parents view SROs as enforcement-oriented police personnel who do not necessarily have students' best interests in mind, rather than being seen as officers who have a presence on campus focused primarily on school safety and mentoring students.

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**7. The SPD must substantially increase its outreach to members of BIPOC communities and provide additional training to its personnel to help facilitate collaborative community engagement.**

Although the SPD has made a number of efforts to increase its community engagement with members of BIPOC communities, community members we interviewed indicated a significant need for the SPD to do more. Gaining the trust of Salem's BIPOC communities is important if SPD wants to enact new community engagement efforts that will address these communities' important concerns.

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<sup>4</sup> Michael Sullivan, "Implementing a Youth Engagement Strategy," *Police Chief* 87, no. 8 (August 2020): 30-35. <https://www.policechiefmagazine.org/implementing-a-youth-engagement-strategy/?ref=98f6fb88c00e998a0a88f2b477b9124d>



**8. The Department must increase its capacity to recruit, test and hire diverse officers, while promoting diverse candidates to serve as supervisors and command officers.<sup>5</sup>**

The SPD must recruit and hire candidates who are reflective of the demographics of Salem's population and its many diverse communities. All SPD candidates must be sensitive to the needs of the communities they will serve and embody the Department's commitment to community engagement and problem-solving strategies.<sup>6</sup> This requires the Department reassess the knowledge, skills and abilities (KSAs) it looks for in officer candidates as it reimagines the police services it would like these new officers to provide. The SPD must also mentor current employees as it seeks to provide promotional opportunities that lead to greater diversity among the Department's sergeants and command officers.

**9. To succeed in its community engagement and outreach efforts, the SPD must undergo an organizational transformation, one that incorporates community policing into all aspects of SPD's services.<sup>7</sup>**

Such a transformation is a critical step toward enhancing the SPD's approach to community engagement and outreach because currently, not all SPD work efforts embrace the principles of community policing. The Department must fully explain the importance of and embrace these principles to inform, shape and guide the SPD's delivery of every aspect of its police service model. Every Department member, no matter their assignment, must embrace a philosophy that encourages and requires community collaboration to better inform their community policing efforts. All Department members must understand the core tenets of community policing and the important role they play in incorporating this philosophy into their daily work efforts.

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5 Morison, Kevin P. 2017. Hiring for the 21st Century Law Enforcement Officer: Challenges, Opportunities, and Strategies for Success. Washington, DC: Office of Community Oriented Policing Services. <https://cops.usdoj.gov/RIC/Publications/cops-w0831-pub.pdf>

6 Cassi L. Fields. "Recruiting a Diverse Law Enforcement Workforce." *The Police Chief* 82 (June 2015): 26–29. <https://www.policechiefmagazine.org/recruiting-a-diverse-law-enforcement-workforce/?ref=405de605a086ecc63d2d089f561eb9fc>

7 Edward Connors and Barbara Webster, "Transforming the Law Enforcement Organization to Community Policing," Institute for Law and Justice – Prepared for National Institute of Justice. January 2001. [http://ilj.org/publications/docs/Organization\\_Transformation\\_Final\\_Report.pdf](http://ilj.org/publications/docs/Organization_Transformation_Final_Report.pdf)



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**10. The SPD does not have a robust process for collecting and analyzing data to guide its collaborative efforts to address crime, the social causes of disorder and quality-of-life issues.**

The SPD must expand and enhance its analytical and data collection capabilities to assist in allocating internal and external resources and to develop proactive problem-solving approaches to addressing complex public safety and quality-of-life issues. It is critical that the SPD collect, analyze and share important data.<sup>8</sup> For example, the Department could share aggregate data about where child abuse crimes most frequently occur with nonprofit agencies committed to ending child abuse. This would allow these agencies to better allocate their resources, which in turn helps the SPD. The Department must have the information necessary to collaborate with external community partners to address social issues that help drive crime and quality of life issues. Additionally, the SPD must develop mechanisms to facilitate sharing key data with its community partners so they can work collaboratively to address the community's concerns.

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**11. The SPD experienced significant challenges during its response to the protests in May and June 2020, but it has since improved its planning and implemented accepted principles and best practices.**

Our review revealed that some of the command staff assigned to the early protests had varying perceptions regarding how they were to engage with protestors, which resulted in isolated instances in which they issued conflicting orders to personnel handling crowd control. Additionally, many community members expressed concern that the SPD officers who respond to protests appear to treat protest groups differently based on their ideologies. Although the SPD has improved its response to protests, it still needs to improve its policies, procedures and training to respond more effectively.

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<sup>8</sup> Jonas Baughman, "The Case for Crime Analysis: A Necessity in Modern Policing," *Police Chief* 87, no. 12 (December 2020): 34–39. <https://www.policchiefmagazine.org/case-for-crime-analysis/?ref=9a2f9a55a7cdd940dfb56ee79bcb8c9>



## Community Insights

### City of Salem Community Satisfaction Survey

To provide additional context and background information, we reviewed the City of Salem’s 2020 Community Satisfaction Survey results. From September 1 to 19, 2020, DHM Research surveyed 400 Salem residents. The survey covered many topics across all City services, including the SPD, public safety and top issues of concern.

The survey results<sup>9</sup> indicate that the community’s concern about homelessness has increased steadily. In 2016, seven percent of individuals said it was their top concern, compared to 49 percent in 2020. Crime and drugs were the second most common concern, with six percent of respondents noting them as their top concern. Three percent of respondents identified police reform as their most important issue.

From 2016 through 2019, the survey questions did not distinguish between fire, ambulance, 911 and police services. In 2020, the survey made a distinction between the SPD and these other public safety services. As seen in the table below, in 2020, 72 percent of respondents indicated they were very satisfied or somewhat satisfied with the SPD. This compares to 87 percent of respondents who indicated they were very satisfied or somewhat satisfied with the fire, ambulance and 911 services. Although these results indicate the community is not as satisfied with the SPD’s services as it is with the fire, ambulance and 911 services, overall, the majority of surveyed residents view the SPD positively.

2020 City of Salem Community Satisfaction Survey					
Response Category	Very Satisfied	Somewhat satisfied	Not too satisfied	Not at all satisfied	Do Not Know
n=400					
Police	40%	32%	14%	8%	6%
Fire, Ambulance and 911 Services	58%	29%	3%	2%	7%

The survey results reveal significant differences in levels of satisfaction among different demographic groups.

“White residents (77%) are more satisfied than people of color (54%). Residents ages 55+ (83%) are more satisfied than residents ages 35–54 (76%) and ages 18–34 (55%). Those who have resided in Salem 11+ years (77%) are more satisfied than those who have lived in the City for 0–5 years (57%) or 6–10 years (51%).”

<sup>9</sup> The complete survey results are on the City’s website: <https://www.cityofsalem.net/citydocuments/community-satisfaction-survey-2020.pdf>.



Gallup polls ask respondents a slightly different question about their confidence in the police. In a recent national Gallup poll, respondents' confidence in the police is on a decline and "confidence in the police fell five points to 48%, marking the first time in the 27-year trend that this reading fell below the majority level." In the past, the public's confidence level in the police has been as high as 64 percent.<sup>10</sup> Compared to these national baselines, it appears the Salem community has more confidence in the SPD than the nation as a whole has in the police.

### 'Share Your Story' Community Survey

On November 10, 2020, the City of Salem launched a "Share Your Story" survey on its website to augment this report. The last "story" was shared on January 2, 2021. The City of Salem originally indicated that it received 140 stories; however, we cleaned the data further to eliminate entries that did not contain substantive information or contained information that was not relevant to the SPD (e.g., a story about a traffic stop in another town.) Once the City removed these entries from the data, we analyzed 119 responses.

### Sentiment Analysis

We began our sentiment analysis of the "Share Your Story" responses by categorizing each response as positive, negative or both positive and negative. The breakdown is as follows.

Response Type	Number
Positive Response	18
Negative Responses	98
Both Positive and Negative Response	3
Total	119

We analyzed each response to categorize its nature. We disaggregated the positive responses from the negative responses. For some responses, the story included multiple sentiments and therefore, fit into multiple categories.

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<sup>10</sup> <https://news.gallup.com/poll/317135/amid-pandemic-confidence-key-institutions-surges.aspx>



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## Negative

We provided our categorization of negative responses below.

Topic of Response	Number
Protests	49
Profiling, inequitable service and harassment	25
Service	19
Illegal search	11
Unsheltered individuals	5
Police not wearing masks	3
General	13

The overwhelming number of negative sentiments were associated with the protests and demonstrations in 2020. Most comments focused on what respondents perceived as SPD personnel treating left-leaning groups and right-leaning groups differently. Many respondents indicated that the officers showed force and dressed in riot gear in the presence of Black Lives Matters protestors, but they showed camaraderie and protected Proud Boys and other right-wing groups and let those other groups engage in illegal behaviors and protests without permits.

The second largest category of responses related to profiling, inequitable service and harassment. In this category, we included stories involving individuals who witnessed or experienced a stop by police officers for no apparent reason or a stop because of the individual's race. This also included individuals who witnessed or experienced harassment from the police.

Service complaints includes stories about officers reportedly not responding to an incident or an officer who was in some way rude, inappropriate or lacked empathy when interacting with a victim. Several of the lack-of-service complaints were associated with calls related to the response, or lack of response, to issues with unsheltered individuals.



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### Positive

We provided our categorization of positive responses below.

Topic of Response	Number
Professionalism	12
Unsheltered individuals	6
Responsiveness	2
De-escalation	2
General	6

The data included significantly fewer positive responses than negative responses. The positive responses were complimentary of the SPD and mentioned specific circumstances wherein the respondent observed SPD officers acting in a professional manner, displaying compassion for a person's circumstances or appropriately de-escalating a situation where an individual was having a behavioral health crisis.

Regarding issues with unsheltered individuals, respondents told stories of officers who appropriately interacted with unsheltered individuals who were behaving in a disruptive manner. One respondent noted appreciation for the work the SPD was doing but thought that interacting with and responding to unsheltered individuals should not be SPD's responsibility.



## *Internal Survey of SPD Personnel*

We conducted a survey of SPD employees between December 8 and 25, 2020. The survey was composed of 44 questions regarding topics including diversity and inclusiveness, morale, supervision and command, community relationships and trust, fairness, and other factors. One-hundred eleven sworn members and 22 civilian staff members responded to the survey. Our summary reflects the combined responses of sworn and civilian personnel, but when the answers differ by the employees' statuses, we discuss the difference. We provide additional information in **Appendix B**.

### **Treatment of Employees**

Most respondents agreed that personnel in their area or division treat them with respect (92.36 percent), the Department promotes diversity for all employees (93.95 percent) and the Department promotes inclusiveness for employees (83.62 percent). Overall, 80.62 percent agreed that their supervisor gives them regular feedback on the quality of their work. Specifically, 81.82 percent of sworn personnel agreed with that statement and 73.69 percent of civilians agreed. Despite these factors, only 26.16 percent overall and 20 percent of sworn personnel agreed that the Department's morale is high. This contrasts with 60 percent of civilians who agreed that the Department's morale is high.

### **Community Engagement**

More sworn personnel (89.91 percent) than civilian personnel (77.78 percent) agreed that their supervisors frequently encourage them to have positive engagements with the community. Conversely, fewer sworn personnel (82.41 percent) than civilian personnel (100 percent) agreed that their supervisors are open to innovative ways of working with the community. We noted 93.65 percent of all respondents agreed that their supervisors actively encourage them to promote positive community relations. While these respondents noted this encouragement from supervisors, only 53.27 percent of sworn personnel and 33.33 percent of civilian personnel agreed that their direct supervisor actively monitors their community contacts. Overall, 69.73 of respondents agreed that the SPD incorporates community policing competencies into performance evaluations (69.73) and promotional determinations (58.59 percent sworn and 87.5 percent civilians).

Respondents agree that the SPD works with community members to solve local problems (80.37 percent sworn and 100 percent civilian) and that the SPD should have an active role in building and sustaining collaborative community relationships (98.41 percent). Of sworn personnel, 79.81 percent responded that they actively incorporate community policing strategies into their daily activities, while 90.91 percent of civilian personnel agreed.

In questions directed only at civilian employees, 88.89 percent said they have an active role in promoting positive community relations and 61.11 percent said they are encouraged to engage in proactive activities to help with community engagement efforts.



While the respondents indicated that they understand the importance of the Department collaborating with the community, only 55.84 percent of sworn personnel and 78.57 percent of civilian personnel reported that the SPD supports them in working with community members by allowing them time to solve local problems. This response may be indicative of the Department members' increased workloads and calls for service without concurrent increases in staffing.

Regarding community relations, respondents agreed that the majority of the officers with whom they work treat all members of the community fairly and impartially (99.20 percent), and that SPD officers are approachable and make it easy for community members to provide input (e.g., comments, suggestions, concerns) (97.6 percent). All respondents indicated that the officers in their area and division treat people of all racial and ethnic groups fairly all or most of the time and agree that how they engage with all members of the community influences the way the community perceives the SPD. Finally, while 97.24 percent of sworn respondents agree that residents trust them as individual officers, only 88.89 agreed that residents trust the SPD as an organization. Of sworn respondents, 98.16 percent agreed that the community trusts them as police officers.

### **Training**

Respondents felt that the training they have received provides them with the skills needed to perform their job always or most of the time (97.25 of sworn personnel and 88.89 of civilian personnel). They noted that they feel very or somewhat prepared to communicate courteously and respectfully (99.21 percent), de-escalate situations (98.4 percent), meet community expectations (99.08 percent) and meet the Department's expectations with respect to community policing (94.07 percent). In addition, 98.17 of sworn employees agreed that they feel very or somewhat prepared to work through use of force decision making.

### **Additional Perceptions of the Department**

Our assessment identified opportunities for improvements or changes, but it is also important to note the SPD's practices that represent its professionalism, progressiveness and willingness to implement change. Based on the community surveys, it is clear the SPD is generally well-liked and respected. Based on our interviews and an internal SPD survey, the Department members demonstrate a respect and appreciation for the community they serve, have a sense of pride in the SPD and are willing to do better as an organization. Department personnel revealed little trepidation about the possible findings of our assessment, and many stated our findings would only serve to make the Department better.



## *Assessment of the SPD's Community Engagement Activities*

### **1. Mission and Value Statements**

Law enforcement agencies leverage their mission and value statements in policies to foster a more efficient and goal driven environment and policing strategy and provide clarity of purpose. Agencies strive to align their annual goals with the agency's overall mission and values statements and processes to measure the implementation or integration of those goals into their daily operations.

As stated in the policy manual, the SPD's mission is to keep "Salem safe by providing superior police service." Its vision is "to be the recognized leader of police practices through innovation, equipment, technology and training in order to fight crime, enhance trust and protect our community." Its values are "honor, integrity, service, and compassion."

In 2019, the then-Chief developed guiding principles for all members focused on the following topics:

- + Community Oriented – Embrace the Culture of Policing
- + Empower People/Recognize Good Work
- + Teamwork
- + Mentoring
- + Work/Life Balance
- + Communication/Consistent Police and Oversight
- + Timely Decisions and Response
- + Law Enforcement Leadership
- + Fair and Impartial Policing
- + Diversity and Building Community Trust

These principles focus on creating partnerships and developing trust in the community, internal and external accountability, officer wellness, recognizing diversity, and treating people with respect and courtesy. These principles provide a basis for strong community policing programs, as well as internal and external procedural justice. We commend the Department for its focus on the importance of connecting with the community and addressing bias-based policing. However, we find the Department's written directives fall short as they do not establish strategic programs and metrics to address specific crime or quality of life issues. The SPD must ensure Department personnel adhere to the concepts and philosophies contained in these principles once it implements such strategic efforts.



Although the SPD's vision is appropriate and the principles are laudable, the Department should review them as part of a Department-wide strategic planning process and adopt the mission, values statement and associated principles into a more cohesive document. The Department should develop specific strategic goals to help to define its priorities more clearly and include them in its policies, operational objectives and actions.

### **Recommendations**

<b>Rec. #</b>	<b>Recommendation</b>
1.1	Review the vision and principles as part of a Department-wide strategic planning process and adopt the mission, values statement and associated principles into a more cohesive document.
1.2	Develop specific strategic goals to help to define the Department's priorities more clearly and include them in its policies, operational objectives and actions.



## 2. Community-Policing Strategy

The SPD does not have a formal written strategic plan. Instead, the Department relies on formal and informal operational directives to guide police services. Although the project did not task us with identifying key findings and making specific recommendations to the SPD's overall strategic plan, leadership must develop a community-policing strategic plan<sup>11</sup> to create a clear path toward community policing and engagement efforts as the SPD moves forward. Such a plan will guide the Department's efforts to work with the community to address issues associated with unsheltered individuals and those experiencing behavioral health crises, as well as improve its collaborative relationships with members of BIPOC and LGBTQ+ communities.

Without a community-policing strategic plan to guide its related efforts, the SPD might not be taking full advantage of the strategies, resources and partners available to them in the community. As such, the Department might not achieve the same success as other police departments that apply community-policing best practices by leveraging the resources of local non-profit agencies, social service organizations, school districts, and other organizations.<sup>12</sup>

Although the SPD integrates community-policing philosophies<sup>13</sup> into some daily operations, personnel do not consistently apply the core community-policing components in all operations. Additionally, they do not problem solve by using the partnerships available to them to aid in organizational transformation.<sup>14</sup> The SPD must understand how to apply community policing in its daily operations before leadership can create a community-policing-based department with meaningful and lasting partnerships. The Department must first build its internal capacities and capabilities and incorporate the following three key components of community policing into its operations as recommended by the U.S. Department of Justice COPS Office.<sup>15</sup>

### Community Partnerships

- + Identify key community stakeholders, conduct outreach and establish formal written agreements to create collaborative partnerships.<sup>16</sup>
- + Build mutual trust and respect with the community.
- + Engage in fair and impartial policing practices.

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11 Hassan Aden, "Inviting the Community into the Police Strategic Planning Process." *The Police Chief* 80 (October 2013): 28–31. <https://www.policechiefmagazine.org/inviting-the-community-into-the-police-strategic-planning-process/?ref=0df0a48284f2c6eac1fa2150a107524a>

12 USDOJ COPS Office. Grantee Success Stories for Community Policing: <https://cops.usdoj.gov/granteesuccessstories>

13 USDOJ COPS Office – "Community Policing Defined." Revised 2017: <https://cops.usdoj.gov/RIC/Publications/cops-p157-pub.pdf>

14 U. S. Bureau of Justice Assistance. "Understanding Community Policing: A Framework for Action." January 1994: <https://bja.ojp.gov/library/publications/understanding-community-policing-framework-action>

15 U. S. Department of Justice, Office of Community Oriented Policing Services. *Community Policing Defined*. <https://cops.usdoj.gov/RIC/Publications/cops-p157-pub.pdf>

16 An example of a working model to achieve this goal is the City of San Jose, California's *Mayor's Gang Prevention Task Force*: <https://www.sanjoseca.gov/your-government/departments-offices/mayor-and-city-council/mayor-s-office/our-work/public-safety/mayor-s-gang-prevention-task-force>



- + Use effective community-engagement techniques.
- + Nurture and sustain collaborative partnerships.
- + Establish clear external communication networks with community stakeholders.

#### **Organizational Transformation**

- + Understand and support community-policing philosophies.
- + Transition the internal and external organizational culture.
- + Reimagine the Department (i.e., marketing, media, equipment).
- + Reorient the purpose and practices.
- + Align operational units and the supporting components.
- + Establish clear internal communication networks.
- + Develop policies and procedures that embody the Department's core values.
- + Train personnel on community policing and problem-solving strategies.
- + Adopt best practices and lessons learned.
- + Review reward and recognition practices.
- + Update measurements and evaluation matrices (e.g., provide ongoing feedback systems and processes).

#### **Problem Solving**

- + Develop standard proactive problem-solving methodologies and strategies and encourage personnel to use them.
- + Engage community stakeholders in the problem-solving process.
- + Strategically use data to allocate internal and external resources.
- + Align goals, objectives and outcome measures with community policing efforts.

When the SPD develops a community-policing strategic plan, it is imperative that all supervisory and command-level personnel study and understand the plan in detail and work with those tasked with the coordination and implementation. Each unit supervisor should develop and submit a supporting operational plan for their unit that incorporates the Department's revised mission and the fundamental principles of community policing. These support plans should provide clarity and unify the Department around a shared vision regarding its overall community policing strategic plan.



Once the chain of command reviews and approves the supporting plans, the unit supervisors should implement the plan and provide regular progress reports to their supervisors that describe the barriers officers have encountered. Through this coordinated process, the Chief can align the organization and ensure the SPD works together to support and coordinate community-policing efforts.

As described elsewhere in this report, because the SPD has become short staffed as the population of Salem has grown, City leaders should consider conducting a formal staffing analysis to determine precisely how many staff members the SPD needs to implement the recommendations in this report. To engage in the level of strategic community engagement needed to implement our community policing recommendations, the SPD must increase patrol officers' unobligated patrol time and reduce the detectives' caseloads.

### Recommendations

Rec. #	Recommendation
2.1	Develop a community-policing strategic plan to augment the Department's strategic plan.
2.2	Ensure the community-policing strategic plan supports and aligns its policies, procedures and written directives. Embrace a guardian mindset to build public trust and legitimacy and adopt procedural justice as the guiding principle for its strategic plan. Explicitly support the pillars of 21st-century policing and a community-policing paradigm that embraces the constructs of police legitimacy, rather than a more traditional policing model, which does not traditionally stress the need for proactive collaboration with community stakeholders.
2.3	When writing the strategic plan, use online resources about community policing and problem-oriented policing from Department of Justice's Office of Community Oriented Policing Services (COPS) Office, International Association of Chiefs of Police (IACP), Police Executive Research Forum (PERF) and other policing organizations.
2.4	Create a community-policing strategic plan working group open to Salem community members and organizations, City officials, public and private partners, SPD staff, and other representatives. This group should review research, analyze results and aggregate input from various sources and develop a guiding community-policing strategic plan for the Department.
2.5	Clearly state in the community-policing strategic plan that all SPD operational units of the SPD must work with and support one another.
2.6	Conduct a formal staffing study to determine the number of SPD personnel required to implement the recommendations identified in this report.



### 3. Organizational Transformation

As discussed, refocusing the Department's efforts to partner with the community is key to its organizational transformation. The new leadership has a fresh perspective on how the Department should approach unsheltered individuals and individuals experiencing behavioral health crises, addressing crowd control challenges, and interacting with members of BIPOC communities. This is an opportune time for the Department to commit to becoming an organization based on community policing.<sup>17</sup>

To transform the organization, leadership must overhaul how Department personnel delivers policing services. A well-managed strategic planning process can play a key role in this organizational transformation. Additionally, SPD leadership personnel must communicate their revised fundamental mission, vision and values with the community and the SPD. The community should be involved in key decision making and in determining Department priorities. The Department, community stakeholders and other partners should be part of the transformation process and should collaboratively identify how the Department can best inform the public of the new policing efforts. We met with community members and found that many are willing to partner with the SPD to help them develop new approaches. We recommend the Department take the following steps to advance organizational transformation:

- + Inform the community about the Department's new direction. Solicit community collaboration to develop a safer and healthier community.
- + Gather regular evidence that shows the Department's progress, and make it available to the community.
- + As the Department starts to transform, leadership should ask themselves:
  - What is the Department now?
  - Where is the Department going?
  - How will the Department get there?

The answers to these questions should, in part, inform how the SPD revises its mission, values, principles and strategies.

When leadership announces the redesign of key policing operations, they must communicate their long-term vision, how they plan to get there and how these changes will benefit the Department and the community. They should also relate how the Department practices will change and how personnel should use the new practices to achieve the Department's mission.

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<sup>17</sup> Drew Diamond and Deirdre Mead Weiss, "Advancing Community Policing Through Community Governance: A Framework Document." USDOJ COPS Office. June 26, 2009. <https://cops.usdoj.gov/RIC/Publications/cops-p161-pub.pdf>



## Recommendations

Rec. #	Recommendation
3.1	Engage in organizational transformation to enhance community engagement and outreach efforts.
3.2	Identify the agencies that the Department will collaborate with and that have the ability to help the SPD address citywide challenges, including working with unsheltered populations and those experiencing behavioral health crises.
3.3	Ensure lieutenants have active working relationships with the relevant leaders of City agencies. Supervisors should also maintain an agency point of contact list for their districts, which they can offer to frontline patrol officers via rollcall trainings, resource guides or pocket cards.
3.4	Schedule regular in-person or virtual forums and meetings, where community members can interact with the police and discuss programs and policy.
3.5	Re-establish outreach and engagement efforts with neighborhood watch groups. This will help develop ongoing proactive crime-prevention strategies for the watch groups and provide current information on policing and community issues.
3.6	Regularly work with community residents to identify problems and implement solutions that produce meaningful results for the community.
3.7	Try to understand the City's and the community's expectations about how the Department should address crime issues at the neighborhood level. Solutions might include nuisance-abatement laws, code enforcement and local ordinances.
3.8	Collaborate with community members to assist the City of Salem in developing a comprehensive plan to address the complexities of helping Salem's unsheltered populations.
3.9	Create a community advisory board to assist in creating the written strategic plan for community policing. The Department should also discuss community safety, police response, and building trust with the community. The advisory board members should include those of different races and backgrounds and with varying ideas and opinions. Ensure the board has representatives from neighborhood associations, faith leaders, business leaders, youth leaders, social service providers, nonprofit organization leaders and SPD personnel from every rank.
3.10	Assess the SPD's community engagement and outreach. Ensure the Department employs a comprehensive and coordinated effort to achieve community engagement that informs and shapes overall police service.



#### 4. Data Collection and Analysis Capability

Collecting and analyzing data is key to successful community policing. However, the SPD does not regularly analyze all its crime and calls-for-service data to help it make decisions about where, when and how to use its resources. As one interviewee stated, “Salem Police Department is an excellent 20th Century police department in the 21st Century.” More effective use of data analysis and tools would help SPD move beyond such a sentiment.

For example, the SPD could more effectively use the data collected in the Computer Aided Dispatch (CAD) system used to dispatch and log the calls for service it receives. This effort could help the SPD be more effective at:

- + Placing its personnel in areas identified as being hot spots for crime,
- + Documenting the amount of unobligated time personnel spend engaging directly with community stakeholders, and
- + Documenting data that could be used to determine whether there are any disparate outcomes in enforcement for Salem’s diverse community members.

The SPD could capture the latter type of data using new, innovative case clearance codes that SPD personnel could use when clearing a call for service with radio dispatchers or via a mobile computer terminal. These new codes would represent a variety of data points, such as the race and ethnicity of a driver or pedestrian. Coupled with the CAD data indicating where the call was handled within Salem, data analysts could identify, mix and match data points that indicate precisely where certain types of police-community interactions most frequently take place, as well as at what time and under what circumstances.

We cannot overstate the importance of using proper data collection and analyses to achieve efficiency in the Department. Collecting and analyzing data would help the Department enhance safety for law enforcement personnel and community members who work collaboratively with SPD personnel, as well as contribute to improved decision making, situational awareness, productivity, efficiency, transparency and collaboration with partner agencies.<sup>18</sup> Data can also help leadership make more cost-effective decisions for the department. The Department can share this information with the public and other stakeholders, which communities now expect. This transparency is key to developing trust with the community.

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18 U.S. Department of Justice. 2019. *Law Enforcement Best Practices: Lessons Learned From the Field*. Washington, DC: Office of Community Oriented Policing Services. 2019. Pages 111-123.



The SPD can immediately strengthen the following programs with data analysis:

- + **Problem-Oriented Policing Team:** This team focuses on geographical areas with high volumes of service requests. The team eases the burden on patrol and helps them problem solve. They use the Scanning, Analysis, Response and Assessment (SARA) Model to identify and address problems. We spoke with some of the team members and found that they do not perform much data analysis beyond analyzing the calls for service to identify, respond or assess recurring issues. Although the team is reasonably effective, enhanced data analysis would increase their efficiency.
- + **Overall patrol operations:** Patrol officers problem solve moment to moment in the field. However, if they had access to relevant data on the identified problems in their districts, they could spend their unobligated patrol time working toward solutions and evaluating the impact of current solutions.
- + **Criminal Investigations:** When conducting a thorough investigation, the investigators must mine and analyze every datapoint relevant to potential suspects, witnesses, evidence and more. Having solid crime analysis capabilities allows investigators to develop timely leads and to act on them before they go stale. Additionally, conducting link analyses<sup>19</sup> helps establish crime patterns for lone suspects or among groups of suspects. The SPD can also share the aggregate data with community stakeholders working with the Department to address the root social causes driving crime. For example, a domestic violence nonprofit or social service agency would likely welcome additional information on areas of Salem experiencing increases in domestic violence.

Developing more robust data gathering and analysis systems and protocols would also allow the SPD to research any disparate enforcement outcomes on members of BIPOC communities. The Department could then determine if bias on the part of officers contributed in any way to the disparities.

As public safety challenges increase and budgets and staffing decrease, the SPD must prioritize data collection and analysis. Without an effective and coordinated data collection and analysis process, the SPD will continue struggling to counter rising crime rates and criminal activity and to meet community expectations. The SPD dedicates many of its personnel to the core law enforcement functions, so they must find a way to incorporate data collection.

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<sup>19</sup> Link analyses involve connecting various data that may seem disparate to identify relationships that could reveal investigative clues.



## Recommendations

Rec. #	Recommendation
4.1	Develop enhanced analytics and data collection methods.
4.2	Increase the crime analysis staff to improve the SPD's ability to be a data-driven department. For example, the SPD should more effectively use the data collected in the Computer Aided Dispatch (CAD) system used to dispatch and log the calls for service it receives. This would help the SPD more effectively place its personnel in areas identified as being hot spots for crime, document the amount of unobligated time personnel spend engaging directly with community stakeholders, and document data that could be used to determine whether there are any disparate outcomes in enforcement for Salem's diverse community members.
4.3	Develop a system to report crime data in real time, strengthen crime analysis and assign personnel to crime hotspots and chronic offenders.
4.4	Include community-policing strategies and associated responses in the formal data collection and analysis processes. This will assist in managing performance and enhancing the operation of each Department unit as they implement community policing strategies.
4.5	Create a multi-agency data advisory group to explore the full capabilities of data collection and analysis efforts internally and externally. Encourage a detail-driven dialogue on the best use of data analysis for SPD and partner agencies.
4.6	Use data analysis and continuous information-sharing to support policing and problem-solving efforts. When appropriate, share information, such as crime trends, in aggregate form with collaborating community stakeholders who are also dedicating resources to addressing social issues that drive crime.
4.7	Broaden the SPD's data collection and analysis coordination efforts to reach across the districts and the Department and to create a centralized data analysis process.
4.8	Train the appropriate SPD members to use the Department's data collection capabilities on a routine and ongoing basis to provide timely information for patrol officers on crime and quality of life in their districts.
4.9	Use data analytics to direct current and future staffing needs, including staff to engage in community policing and engagement. Do not solely rely on calls for service to determine staffing levels.
4.10	Ensure SPD technology gathers detailed information on offenders, victims, crime locations, and the community's quality-of-life concerns. This information will support crime and problem-solving analysis functions and decentralized decision-making.



4.11

Provide regularly updated data to the public on the Department website and other social media platforms. The Department and community stakeholders should agree on what data to share. Be sure to share data on citizen complaints, officer-involved shootings, criminal investigation clearance and more.

4.12

Once more robust data gathering and analysis systems are in place, research to identify any disparate enforcement outcomes on members of BIPOC communities, then determine if any bias on the part of officers contributed to the disparities.



## 5. Interactions with Individuals Who Are Unsheltered or Experiencing Behavioral Health Crises

Like many cities across the country, Salem is home to an ever-expanding population of unsheltered individuals, as well as those individuals experiencing behavioral crises. The pandemic and economic fall-out created by it have increased and exacerbated concerns about law enforcement officers' ability to respond to individuals experiencing homelessness and behavioral crises. In many instances, these issues overlap, creating the need for a multi-dimensional response that is inclusive of police, City, health, social and nonprofit services.

### Overview of City Resources

The City of Salem is fortunate to have a vast array of service providers that include county, nonprofit, and healthcare agencies. Funding for the individual programs vary from grants to individual and collaborative funding through the City of Salem and Marion and Polk Counties. With their partners, the City of Salem offers the following programs and resource to unsheltered individuals and individuals dealing with behavioral health crises.<sup>20</sup>

- + Triage and connection services
- + Health and mental healthcare
- + Basic needs such as food, clothing and storage
- + Temporary emergency and warming shelters
- + Transitional housing
- + Affordable housing

Additionally, the City is actively exploring additional options to increase its capacity to provide services, which include:

- + A Sobering Center
- + 24-hour managed tent sites
- + Managed care sites
- + Low-barrier shelters
- + Emergency and time-limited shelter with case management and a pathway to housing

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<sup>20</sup> <https://www.cityofsalem.net/Pages/meeting-housing-needs.aspx>



### **Multidisciplinary Responses**

The SPD primarily uses its Behavioral Health Unit, Downtown Enforcement Team and Problem-Oriented Policing Team to partner with City entities responsible for the services noted above. Although these SPD teams do a good job of interacting and partnering with the providers, those relationships and partnerships do not generally extend to the patrol teams, leading to inconsistencies in the Department's response, as some of Salem's community service providers described to us.

Similarly, although the City of Salem and Marion and Polk Counties have worked to provide funding to support services for the individuals in their community who are unsheltered and/or experiencing behavioral health crises, they must address some basic infrastructure issues if they decide to move forward with having multidisciplinary responses to calls for service involving these community members. For example, we learned that City leadership is leading an effort to establish a sobering center where individuals could receive treatment rather than go to jail.

Such sobering centers play a key role in other communities' responses to similar challenges, such as in Eugene, Oregon.<sup>21</sup> The lack of a sobering center becomes even more acute when county jail and other detention facilities, as have many across the country, create policies stating they do not accept inebriated or individuals under the influence of a drug into their facilities. Given this reality, officers and other community stakeholders often must determine their own responses to provide services to those individuals without being able to count on other agencies' assistance, and individuals experiencing substance abuse often require a vast array of social services.

Other costs associated with a multidisciplinary approach include those incurred by healthcare providers and/or social service professionals who could respond to some SPD calls for service involving unsheltered individuals or those experiencing behavioral health crises. If the Salem community desires to implement such multidisciplinary responses, it would be imperative to establish the necessary patrol personnel staffing to allow continued response to such calls, albeit with other social service or health providers joining them.

We recognize that developing these additional resources, within the community and within the SPD, is not a simple task. It would require the City and other community stakeholders to come together and prioritize how they will develop a strategic plan to create such additional resources and address the costs associated with them. However, other law enforcement departments and their communities have succeeded in leveraging resources to help address these issues, such as the HOST program that began in Salt Lake City in April 2011.<sup>22</sup>

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<sup>21</sup> <https://wfts.org/sobering.htm>

<sup>22</sup> Worwood, Erin B., Jessica Seawright, and Robert P. Butters. 2016. Evaluation of the Homeless Outreach Service Team (HOST) Program. Washington, DC: Office of Community Oriented Policing Services. <https://cops.usdoj.gov/RIC/Publications/cops-w0814-pub.pdf>



### **Non-Violent Calls and Alternative Response Units**

The City of Salem has been exploring different approaches beyond traditional police response for non-violent calls involving individuals in crises. Currently, the SPD has three officers, two serving Marion County and one serving Polk County, and a sergeant assigned to the Behavioral Health Unit (BHU), a program that pairs a crisis intervention trained officer with a qualified mental health expert (QMHE) to respond to calls for service involving individuals experiencing behavioral crises. The BHU also includes a Woodburn, Oregon police officer and two deputies from the sheriffs' offices in Polk and Marion Counties.

Although it has been a successful program, it has not been enough. This unit is not available on a 24-hour basis. Interviewees shared with us that the BHU's response time is lengthy enough that the patrol teams just take care of the issues themselves and go to the next call. Patrol officers wait for the BHU if a custodial issue exists, but if it is not a situation in which a person is a danger to themselves or others and the BHU is unavailable, the patrol officer clears the call and moves the person along. These are lost opportunities to get someone needed help and to potentially reduce further calls for service if officers are unable to address the individuals' needs during the first interaction. As previously noted, improved data identification, capturing and analysis could help in the effort to support the operations of BHU, as well.

The City of Salem has been evaluating the viability of a mobile crisis team similar to the successful program used in Eugene, Oregon known as CAHOOTS (Crisis Assistance Helping Out on The Streets).<sup>23</sup> The program is a joint effort between the City of Eugene and White Bird Medical Clinic.<sup>24</sup> It pairs a nurse or emergency medical technician (EMT) with an experienced mental health worker who respond to non-violent and non-criminal calls for service involving individuals in behavioral crises. The team stabilizes the situation and determines the appropriate next steps, including providing transportation to services. As noted, the City of Eugene also has a sobering center, which is a key component as it offers a place to take those who are inebriated in public to the point of not being able to take care of themselves rather than to jail.

The United Way of Mid-Willamette Valley submitted a proposal for Community Response United, a mobile crisis response team that uses an EMT and a QMHP to respond to individuals experiencing health crises. It is similar to the programs described above and is intended to serve Marion, Polk and Yamhill Counties, which include the City of Salem.

The City of Salem must consider infrastructure, cost, available services and need when deciding which type of model is best suited for Salem. All stakeholders, including the SPD, need to be part of the process. The City should review the mobile crisis team models that have been effective in other cities, including the following.

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<sup>23</sup> Eugene, Oregon's CAHOOTS Program: <https://www.eugene-or.gov/4508/CAHOOTS>

<sup>24</sup> White Bird Clinic website: <https://whitebirdclinic.org/cahoots/>



### **Community Assessment and Transport Team in Alameda County, California**

This model pairs a behavioral health clinician with an EMT to assist law enforcement in evaluations and transporting individuals to services absent any criminal charges.<sup>25</sup> The Community Assessment and Transport Team (CATT) was a three-year pilot program funded as part of a ballot measure in 2004 to support county mental health programs. The County rebooted the program in 2020<sup>26</sup> in tandem with the Bonita House nonprofit mental health agency.<sup>27</sup> Various law enforcement agencies in the county use the program, including those in San Leandro, Hayward, Oakland and Fremont.

### **Crisis Response Unit in Olympia, Washington**

A partnership between the Olympia Police Department and Recovery Innovations International,<sup>28</sup> the Crisis Response Unit (CRU) aids police through peer navigators for individuals in crisis. The peer navigators can aid in identifying circumstances and need, and they can provide voluntary crisis response assistance.

### **Policy and Training Review**

Regarding community outreach, Directive 2.21 Profiling and Bias-Based Policing states that “to maintain public confidence, the Salem Police Department expects its members to provide equitable law enforcement services to the community with due regard to the protected class status of those served. Members will provide equal protection under the law to all people contacted, fairly and without discrimination toward any individual or group.”

Directive 3.01 Community Relations states that “community relations are based upon the principle that in a democratic society the police are an integral and indivisible element of the public they serve. Community relations are manifested by positive interaction between the people and the police and represent their unity and community purpose.”

We did not identify any formal, written policies that address the methodologies SPD personnel should use when interacting with unsheltered individuals or individuals experiencing behavioral health crises. It is critical that the SPD research, design, train on and implement such policies once the Department identifies what those policies and procedures should be after working with its community stakeholders.

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25 Community Assessment and Transport Team (CATT) in Alameda County California:

[https://mhsoc.ca.gov/sites/default/files/documents/2018-10/Alameda\\_INN%20Project%20Plan\\_Community%20Assessment%20and%20Transport%20Team\\_8.6.2018\\_Final.pdf](https://mhsoc.ca.gov/sites/default/files/documents/2018-10/Alameda_INN%20Project%20Plan_Community%20Assessment%20and%20Transport%20Team_8.6.2018_Final.pdf)

26 East Bay Times. “Alameda County Mobile Teams to Help People in Mental Crisis.” June 15, 2020.

<https://www.eastbaytimes.com/2020/06/15/alameda-county-mobile-teams-to-help-people-in-mental-crisis/>

27 Bonita House, Inc.: <https://bonitahouse.org/>

28 Recovery Innovations International. Crisis Response Unit in Pierce County, Washington:

<https://riinternational.com/listing/crisis-response-unit-cru-pierce-county-wa/>



We learned that the SPD has taken steps over the last few years to provide Crisis Intervention Training, a 40-hour specialty course that educates officers about how to interact with individuals experiencing mental illness and/or behavioral health crises during calls for service. Such training is widely recognized as a best practice within the law enforcement community. For example, the SPD indicated 25 officers completed the CIT training course between 2016 to 2020. The Department also sent Behavioral Health Unit (BHU) personnel to a 30-hour CIT International Conference in 2016, 2017 and 2019. The SPD also sent a BHU Sergeant and an officer to a CIT Regional Conference in 2018 for 30 hours of training and sent a BHU Sergeant to an eight-hour CIT Training Coordinator Conference in 2019. These are promising steps, and we encourage SPD management to continue working to have all SPD officers receive CIT training.

### Community Perspectives

We conducted virtual focus group interviews with most of the local service providers for unsheltered individuals and individuals experiencing behavioral crises, as well as community members in general, to seek their input, ideas and insights. These providers included the following.

- + Northwest Human Services<sup>29</sup>
- + ARCHES Program<sup>30</sup>
- + City of Salem Public Works – Community Development (Street Outreach Providers)<sup>31</sup>
- + Salem Health System<sup>32</sup>
- + Center for Hope and Safety<sup>33</sup>
- + Ending Youth Homelessness Groups
- + State Youth Homeless Program
- + Health/Outreach/Shelter/Transitions (HOST) Program<sup>34</sup>
- + City of Salem Fire Department
- + Willamette Valley Communications Center
- + African American Pastors Focus Group
- + Mano a Mano<sup>35</sup>
- + National Association for the Advancement of Colored People (NAACP)
- + Members of the LGBTQ+ Communities
- + School District Officials

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29 <http://www.northwesthumanservices.org/West-Salem---Total-Health-Community-Clinics.html>

30 <https://mwvcaa.org/programs/the-arches-project/>

31 <https://www.cityofsalem.net/Pages/community-development-department.aspx>

32 <https://salemhealth.org/services/adult-psychiatric-medicine-center>

33 <https://hopeandsafety.org/>

34 <http://www.northwesthumanservices.org/HOST.html>

35 <https://manoamanofc.org/>



- + Humans Rights Commission Members
- + Civilian Police Review Board Members
- + Chairs of Neighborhood Associations
- + Salem's Public Works and Parks Representatives
- + Community Services Department Representatives
- + Local Business Community Representatives
  - Salem Chamber of Commerce<sup>36</sup>
  - Salem Main Street Association<sup>37</sup>
  - Strategic Economic Development Corporation (SEDCOR)<sup>38</sup>
  - Homebuilders Association of Marion and Polk Counties<sup>39</sup>
  - Realtors Association

In the following sections, we discuss some of the key issues the stakeholders from these groups shared with us. In later sections, we discuss the specific programs and issues in greater detail.

## Resources

Some representatives from the community groups and healthcare providers working to provide services to those in need of care indicated that they never thought they would "intersect with legal issues in policing" as much as they have. Many have realized how difficult it is to provide resources and services to those experiencing homelessness and behavioral health crises given the shortage of resources in the SPD and greater Salem community and Marion and Polk counties.

Although these group members widely recognized that a multidisciplinary approach to handling incidents involving unsheltered individuals and those experiencing behavioral health crises would provide benefits to all stakeholders, some expressed concern that the City lacks a Crisis Intervention Team (CIT) composed of healthcare workers capable of responding to handle calls involving individuals experiencing behavioral health crises. They noted that under some circumstances, the CIT may be able to fully address a call and the SPD may not need to respond.

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<sup>36</sup> <https://salemchamber.org/>

<sup>37</sup> <https://salemmainstreetassociation.org/>

<sup>38</sup> <https://www.sedcor.com/page/1>

<sup>39</sup> <https://www.homebuildersassociation.org/>



## Police Response and Training

All representatives with whom we spoke expressed a common desire to achieve community-based healthcare services for those experiencing behavioral health crises. However, while some shared successes they have had in the past through collaboration with the SPD, they also advised that members of the Department have not been “at the table enough” lately to discuss how they can continue moving forward with new and innovative ideas for implementing multidisciplinary approaches in response to the mental health crises within the community.

Some representatives noted that they assisted in the past to provide training to SPD officers regarding mental health issues and responses. However, none currently do so. Representatives believe that new SPD personnel need to undergo robust training regarding mental health issues and how they should respond, as well receive updated information regarding the community resources available to assist them in their work with those who are experiencing behavioral health crises. It was apparent that these representatives were willing and wanted to collaborate proactively with the SPD to address their mutual concerns regarding the most effective ways to interact with those experiencing behavioral health crises.

Although the providers stated they generally work well with the Downtown Enforcement and Problem Oriented Policing Teams, they stated it is dependent on the officers assigned. This indicates that the SPD must provide ongoing training that addresses how officers should respond to calls involving unsheltered individuals and those experiencing behavioral health crises. SPD leadership, particularly first-line supervisors, need to understand that having officers handle these types of calls for service effectively and professionally is a priority for both the Department and the community.

Black community members expressed a concern over the interactions between police and those who are experiencing behavioral health crises. They would like to see more transparency in the Department’s policies and procedures for handling calls for service involving these individuals, with an emphasis on ensuring that mental health professionals are somehow involved in the response and follow-up. They also wished to ensure that the SPD is taking the steps necessary to implement de-escalation tactics whenever possible when officers are interacting with people who are less than cooperative.

Although the majority of providers’ comments were favorable of the SPD, they expressed some frustrations primarily around inconsistencies in the way patrol officers often respond to calls rather than members of the SPD’s specialized units. Some cited a lack of consistency around with whom they interact at the SPD when issues occur. Most said they would call the downtown sergeant when problems occurred, but the SPD has not shared clear direction as to who community members should contact to address specific issues of concern.



Service providers and police personnel also expressed frustration about the City of Salem’s ordinances intended to combat issues in the downtown business area. Several commenters noted that the City cannot “arrest our way out of homelessness” as it is not a crime to experience homelessness and absent a crime or dangerous behavior, the SPD should not respond to these calls for service. The service providers want to achieve a good partnership rather than requiring ordinances that outline every action that the entities should take when addressing these issues.

### Recommendations

Rec. #	Recommendation
5.1	Work with the City of Salem and community partners to develop proactive strategies for addressing unsheltered individuals and those individuals experiencing behavioral health crises. Empower SPD personnel and community partners to work together.
5.2	Establish ongoing and regular meetings between specialized patrol units and all community partners and stakeholders with whom they collaborate and interact. Ensure timely conversations regarding issues surrounding unsheltered individuals and those individuals experiencing emotional crises. All members of the patrol team should be in attendance, not just a supervisor.
5.3	Ensure the SPD continues to maintain a command-level officer to serve as a proactive and fully engaged liaison between the SPD and service providers in the City of Salem for unsheltered individuals and those individuals dealing with behavioral crises.
5.4	Encourage and formally recognize SPD staff who have developed and used proactive strategies and responses to situations involving unsheltered individuals.
5.5	Collect and document SPD initiatives and programs that have successfully addressed reoccurring problems. Instruct all SPD staff to use these model approaches to respond to citywide challenges, such as those associated with unsheltered individuals.
5.6	Determine new approaches to the interactions SPD personnel have with unsheltered individuals and those experiencing behavioral health crises. Create formal policies that reflect these new approaches in tandem with community stakeholders.
5.7	Design and implement training for SPD personnel about the new policies regarding interactions with unsheltered individuals and those experiencing behavioral health crises. Involve community stakeholders and subject-matter experts to assist in providing instruction during these courses.
5.8	Require all SPD officers to complete Crisis Intervention Team (CIT) training.



## 6. Interactions with BIPOC and LGBTQ+ Communities

To gain a sense of how communities of color, particularly the Black and Latino communities, and members of the LGBTQ+ community interact with and perceive the SPD, we interviewed representatives from the following organizations, as well as numerous other members of the BIPOC communities during our interviews with other associations, groups and individuals.

- + Pastors from local churches with predominantly Black congregations
- + Mano a Mano program<sup>40</sup>
- + Local Salem-Keizer chapter of the NAACP

We also interviewed individuals from these communities and conducted focus groups. We describe their feedback and experiences below.

### Relationship Building and Taking the Next Steps

SPD leaders and representatives have reached out over the years and visited some of the churches in Salem with predominantly Black congregations. However, Black stakeholders felt that although the effort to establish mutual understanding between the police and the Black community is generally positive, it often felt like follow-up effort was minimal regarding the opportunities discussed to improve relationships. Representatives stressed that what is most important are the steps the SPD needs to take if serious collaboration is to occur between the SPD and Black community.

Black community members expressed a desire to bring the SPD into their community. What they described seeking most is a partnership with the SPD and being involved in a community policing strategy. Stakeholders were concerned about the limited number of community events specifically for the Black community that an SPD officer would attend. Some advised that this engagement process has a lot of “starts and stops” in that for a while, they would see officers at their meetings and then a lull would occur before any renewed SPD efforts. This leaves the Black community members feeling that no partnership exists between them and the SPD. Initiatives are underway to assist law enforcement agencies accomplish racial reconciliation, such as that provided by the National Initiative for Building Community Trust and Justice<sup>41</sup>

A leader of a local organization dedicated to the Black community described the relationship he had had with the former Chief of Police in Salem as being a “fruitful” and he expressed hope that the relationship with the new Chief would be as productive.

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<sup>40</sup> The Mano a Mano organization helped facilitate a meeting between youth and parents from Salem’s Latino community, and these individuals shared experiences and concerns that affect children in schools, the greater Latino community in the Salem area and members of the LGBTQ community <https://manoamanofc.org/>

<sup>41</sup> <https://trustandjustice.org/resources/intervention/reconciliation>



Overall, it was clear that a number of Black community members are serious about establishing a working partnership with the SPD to address issues of concern. Many feel that because of the current national focus on racism, this is the perfect time to finally make such a partnership a reality. One interviewee stated, “If people are serious about making change, I’m serious about working with you [SPD].”

### **Interactions with the Police**

One stakeholder expressed concern that during a recent protest, some SPD officers told some protesters of color that they needed to leave the area but allowed protestors from alt-right movements to stay. They believe the police treated them differently because of their identity.

Latino community members echoed these concerns and expressed that SPD officers treat protesters from the Proud Boys and other white supremacist groups differently than protesters of color. We did not investigate these claims as part of our assessment; however, even the perception of this being true should concern the SPD. Some community members believed that the Chief should publicly articulate where the SPD stands regarding alt-right and white supremacist groups. After we completed our interviews, the SPD Chief issued a statement on December 18, 2020 denouncing racism and reiterating that in its response to protests, the SPD’s “priorities for any protest are to protect the rights of citizens to freely express themselves and peaceably assemble, while preventing violence and destruction of property.”<sup>42</sup>

Some interviewees were supportive of SPD personnel engaging in more proactive community policing efforts and outreach. That said, one individual acknowledged that after going a ride-along with an officer, they believe officers spend most of their time going from call to call and do not have a lot of time to engage with the community. Another concern expressed was the issue of “mission creep,” by which the lack of an established or communicated SPD mission regarding day-to-day police operations contributes to less-than-ideal police-community relations.

Latino youth and parents expressed concerns over the perception that the SPD has a working relationship with representatives of Immigration and Customs Enforcement (ICE). They told us of incidents in which they believe SPD members supported ICE agents to take Latino community members into custody.

A member of the LGBTQ+ community stated that a couple of years ago, their friend had an interaction with the SPD during which when the man said he was bisexual, the officer responded with what the man described as an eye-roll, which was rude and disrespectful. However, the interviewee also described a situation in which the interviewee had direct contact with an SPD officer while medical personnel treated them during a behavioral health crisis. The interviewee said the SPD officer was kind and thoughtful, and helped the interviewee get through the experience. The interviewee stated they personally were not aware of any major issues between members of the Salem LGBTQ+ community and the SPD.

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<sup>42</sup> <https://www.cityofsalem.net/a-statement-from-chief-womack-regarding-protests.aspx>



### **Youth Outreach and School Resource Officers**

One community member stated that it was very important for Black youth and the SPD to engage with each other in circumstances not involving law enforcement activity. For example, one individual mentioned a program that once existed in Salem called Voice to Men, in which youth in the community and members of the SPD have breakfast together and talk. This individual thought it was extremely beneficial to have a young person sit at the table and speak with police officers. However, the representative stressed that this effort should be broader, and the Department should take steps to develop opportunities for all youth to have such an opportunity, particularly if the SPD's focus is to make youth see police officers as "for them" rather than "against them."

As discussed in depth in the section addressing concerns with the SPD's School Resource Officers (SRO) program, many of the Latino youth with whom we spoke shared personal experiences that illustrated their concerns that they are quite frequently treated differently than others. For example, they shared experiences in which they believed SPD officers singled them out for interviews because of the way they were dressed, which they described as being distinct from what their white counterparts wore.

Latino youth and parents also expressed concern that some of their children are bullied at school because of their Mexican heritage. When some parents bring these bullying incidents up to school officials or an SRO, these individuals downplayed the incidents. This left many parents to not have trust and confidence in the police. The Latino youth with whom we spoke were concerned that the SROs in schools were not there simply to provide for school safety; instead, they felt the SROs' focus was to take proactive law enforcement action against students whenever it was possible, which they described as contributing to the reported school-to-prison pipeline for youth of color.

Some youth described how they would see SPD vehicles cruising around the neighborhood all the time in the Latino neighborhoods in Northeast Salem, but that when one of the youth interviewees moved to South Salem, the individual did not see that level of activity in the new neighborhood. They believed this demonstrated concerning disproportionate levels of policing in minority neighborhoods.

### **Diversity and Recruitment**

Stakeholders expressed concern about a lack of diversity within the SPD, advising that it is difficult to encourage people to join the SPD when the officers seen patrolling the streets and those engaged in recruiting efforts do not "look like you." A stakeholder suggested that the SPD should focus its recruiting efforts on advertisements targeting individuals from historically Black colleges and universities (HBCU), although stakeholders recognized that travel may be expensive to initiate such efforts. Some Black community members said they would be willing to work with the SPD on its recruiting efforts if the Department reached out to them. In fact, an individual suggested the SPD should have community members help SPD recruiters write some of the questions posed to candidates during hiring interviews. An individual also recommended that members of the BIPOC community serve on the hiring boards that interview candidates. A stakeholder suggested the SPD focus on candidates who would be willing to live in the City of Salem.



We heard commentary from Latino youth who were members of the LGBTQ community regarding the lack of SPD officers who look like them or represent their communities. They expressed concerns that because of the lack of diversity, SPD officers do not understand their culture, which leads to more Latino individuals being singled out for attention and treated differently. They believed a lack of diversity at the SPD contributes to systemic racism.

### Training

Interviewees noted they would like to see the SPD provide advanced training to help officers become more culturally competent, noting that while the Department cannot necessarily train bias out of an individual, officers should understand what the SPD expects of officers in terms of its policies and procedures and the Department should hold officers accountable to those standards. One interviewee stated, "Culture eats policy for breakfast" to express the concern that the SPD must provide appropriate training regarding cultural competency and bias-free policing, along with the establishing appropriate measurement data to ensure that the SPD's culture reflects the success of the training.

The SPD has taken steps to provide some training to address bias issues and other similar concerns, including Ethics Training in 2017 (two hours), 2019 (two hours) and 2021 (one hour); Implicit Bias Training in 2019 (one hour); Bias Crime Training in 2020 (online video through the Department's PowerDMS system); and Bias Training in 2021 (one hour). These are promising steps that will help ensure SPD personnel are aware of the role bias, overt and implicit, plays in police interactions with the public. We encourage the SPD to continue focusing on providing training on fair and impartial policing, bias-free policing and implicit bias. The Department should also consider inviting community members to attend and participate in the training presentations associated with these topics.

### Recommendations

Rec. #	Recommendation
6.1	Clarify in writing in an official policies and procedures manual the SPD's mission and values statement to ensure officers treat all people in Salem with equity and fairness. Ensure all SPD personnel uphold this commitment.
6.2	Engage in a strategic effort to formalize the future initiatives intended to achieve a collaborative collaboration between communities of color and the SPD and ensure follow up.
6.3	Develop a formal recruiting and hiring program focused on increasing the diversity in the Department. Collaborate with the City of Salem's Human Resources Department, communities of color and specific organizations willing to assist the SPD recruit candidates of color, which could include outreach to HBCUs. Reach out to stakeholders of color to collaborate on interview questions. Include stakeholders of color on SPD hiring panels.



6.4

Develop formal protocols and training addressing the concerns that during protests, officers treated some individuals differently based on their race or perceived ideology. Ensure officers adhere to these protocols during any future protests.

6.5

Consider inviting members of the Salem BIPOC community to the Department's training sessions when teaching topics, such as cultural diversity, bias-free policing and de-escalation, as many members of the Salem BIPOC community offered to assist during the presentation of these trainings.



## 7. Youth Engagement

The SPD has a long history of working with youth in the community. This work has included the following current engagement efforts.

- + Cadet Program
- + School Resource Officer (SRO) Program
- + The SPD Gladiator Program
- + Police participation in various youth camps
- + Bike rodeos
- + Shop with a Cop
- + Law Enforcement Torch Run for Special Olympics
- + West Salem Dream Center<sup>43</sup>
- + Teen Court<sup>44</sup>

### Staffing and Resources

Police departments nationwide engage in most of these programs.<sup>45</sup> Some, like youth camps, bike rodeos, 'Shop with a Cop' and Special Olympics, occur once or twice each year and rarely impact staffing on any long-term basis.

During our assessment, it became clear that SPD officers wanted more involvement and opportunities to work with youth. Several officers expressed during interviews that they wanted to spend more time and have positive interactions with youth. Many officers interviewed shared stories of how they used to be able to spend time playing sports and engaging in more activities with young people.

The pandemic has caused SPD officers to reduce their interaction with the public, which has consequently impacted their ability to have ongoing positive interactions with Salem's youth. Staffing shortages have also impacted SPD officers' discretionary time and reduced the amount of time officers have to spend on youth interactions and other collaborative community efforts. Based on our assessment and these realities we suggest the Department conduct a staffing analysis that accounts for SPD personnel's need for unobligated patrol time during which they can engage in community efforts.

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43 <https://salemdreamcenter.org/>

44 Teen Court is a Marion and Polk Counties Boys and Girls Club program in which the District Attorney's Office and the Juvenile Department forward some lower-level offences cases to the Teen Court. It is a peer court program in which the defendants are tried and adjudicated by a group of their peers. Lawyers act as the judge, but the jury is made up of their peers. At the conclusion of the trial, the defendant must participate as a peer on a Teen Court jury.

45 USDOJ COPS Office – Community Policing Dispatch: "Much More than Fun And Games." March 2020, Volume 13, Issue 3 [https://cops.usdoj.gov/html/dispatch/03-2020/youth\\_programs.html](https://cops.usdoj.gov/html/dispatch/03-2020/youth_programs.html)



## Notable Programs

Two youth-related programs emerged as being particularly significant for the City and Department: the School Resource Officer (SRO) program and the Gladiator Program.

### School Resource Officers

The SPD and Keizer Police Department has partnered with the Salem-Keizer School District to provide school resource officers (SROs) on middle and high school campuses. As is the case in other cities across the country, the Salem-Keizer School District evaluated the program's effectiveness and whether the presence of an SRO on a school campus disproportionately affects youth of color and youth with disabilities. As noted, Latino community members with whom we spoke questioned the efficacy of the program and if SROs treat students of color fairly. The Salem-Keizer School District decided it will not move forward with the SRO Program. As such, it is imperative that the City, the SPD, school district officials and community stakeholders determine collaborative steps that they can take to ensure Salem's youth are still a focus when it comes to providing needed services.

One factor that hindered the program's effectiveness and SPD personnel's satisfaction with the program was the SROs' collateral capacity as juvenile detectives responsible for some investigative follow-up on child abuse incidents and some criminal cases involving juveniles. In interviews with school district leaders and current SROs, interviewees estimated SROs spent more than 40 percent of their time on collateral investigative work, which required them to be in their office writing or making phone calls. Additionally, some SROs had other collateral assignments, such as with the Special Weapons and Tactics (SWAT) teams, which required regular training that often took them away from being available to the schools.

SROs being so intertwined with juvenile investigations adds an inherent conflict: some view them as enforcers first, rather than representing the triad model of an SRO being a mentor, educator and law enforcer. The SPD explicitly provided its SROs this model through the National Association of School Resource Officers' training course.<sup>46</sup>

Many current and past SROs interviewed expressed a need for the Department to create a Child Abuse Unit in the Criminal Investigations Division to remove this collateral duty and "allow us to focus on relationships and mentorship as opposed to investigations." They stated that the existence of such a unit would allow SROs more time to educate students on issues such as drugs and alcohol, domestic violence, and driving under the influence.

Based on numerous comments made during our interviews with community members, SPD officers need more juvenile diversionary programs to recommend in lieu of arrests, especially on school campuses. One example of such a program that the SPD and Salem community stakeholders may

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46 <https://www.nasro.org/>



want to consider is the Safe Alternatives and Violence Education (SAVE) project in Sacramento County.<sup>47</sup>

Project SAVE is a program for adolescent first-time offenders aged 10 to 17 who have been involved in violence or weapons possession on or near a school campus. SAVE offers alternatives for youth who act without thinking or in response to peer pressure, and who are not yet intimately involved in the juvenile justice system. SAVE requires parent participation. Youth and their parents or guardians attend a six-hour Saturday class that addresses weapons and violence and provides information and skills related to effective anger management, refusal, choices and consequences, and parenting.<sup>48</sup>

### The Gladiator Program

The Gladiator Program<sup>49</sup> is SPD's only youth-specific program. Officers from the Downtown Enforcement Team developed this successful program in collaboration with Taylor's House, a 24-hour shelter for unsheltered youth between 11 and 18 that is a part of the Home Youth Services community action agency.<sup>50</sup> United Way of the Mid-Willamette Valley<sup>51</sup> and the Mid-Valley Community Action Agency<sup>52</sup> also partnered to sponsor the program.

The officers saw an opportunity to forge positive engagement with a vulnerable part of the community who often distrusted the police. The officers consulted with staff and asked if they could start "hanging out" with the youth in an effort to get to know them better. Through sports, video games and other shared activities, the officers began developing mentoring relationships that have since led to an annual camping trip, Gladiator Camp, and assistance and guidance with applications for employment, college and the military.

SPD personnel and social service partners lauded the Gladiator Program repeatedly in interviews as an example of positive community engagement by the SPD. It will be important for the Department to develop mechanisms to measure the success of such programs as it develops a formal community oriented strategic plan.

### Policy Review

The only SPD youth program that has a specific written policy is the Cadet Program with Policy 2.14, last revised on September 30, 2020. No written policies or procedures exist related to SROs or the Gladiator Program. The local school district and the SPD have a memorandum of understanding (MOU) for SRO services; however, the SPD and Taylor's House do not have a MOU.

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47 [https://www.scoe.net/divisions/ed\\_services/prevention/project\\_save/](https://www.scoe.net/divisions/ed_services/prevention/project_save/)

48 [https://www.scoe.net/divisions/ed\\_services/prevention/project\\_save/](https://www.scoe.net/divisions/ed_services/prevention/project_save/)

49 <https://www.youtube.com/watch?v=fUIhQoR9IJU>

50 <https://www.facebook.com/HOME.Youth.Services/>

51 <https://www.unitedwaymwv.org/home-for-unsheltered-teens.html>

52 <https://mwvcaa.org/>



### Training Review

SPD officers assigned to the SRO program must attend the external National Association of School Resource Officers' 40-hour SRO course,<sup>53</sup> which addresses the following topics:

- + Ethics
- + Developing and supporting successful relationships with diverse students
- + Understanding special needs students
- + Serving as an informal counselor and mentor
- + Social media and cyber-safety
- + Understanding the teen brain
- + Violence and victimization
- + Sex trafficking of youth
- + School law
- + Effects of youth trends and drugs on the school culture and environment
- + Preventing violence in school settings
- + School safety and emergency operation plans
- + Guest speaking
- + Crime Prevention through Environmental Design (CPTED)

### Recommendations

Rec. #	Recommendation
7.1	Increase the number of SPD youth-based programs.
7.2	Consider eliminating the SRO program with the Salem-Keizer School District until the SPD's staffing needs are addressed.
7.2	Re-evaluate the duties of SROs, specifically with regard to their collateral duties as investigators for crimes involving juveniles and the negative impact that collateral duty is having on their effectiveness.
7.3	Create a Juvenile-Child Abuse Unit within the Criminal Investigations Division to handle follow-up investigative work related to juvenile crimes and reported child abuse cases to allow SROs to focus on mentoring, educating and enforcement of laws that directly ensure the safety of students and staff at local Salem schools.

53 [https://www.nasro.org/clientuploads/Course%20Agendas/NASRO\\_Basic\\_Course\\_Description\\_and\\_Outline.pdf](https://www.nasro.org/clientuploads/Course%20Agendas/NASRO_Basic_Course_Description_and_Outline.pdf)



7.4

Explore partnerships with the Circuit and Municipal Courts, Department of Health Services and the District Attorney's Office to identify or increase any potential or existing programs directly related to diversion of juvenile offenders from the justice system, such as the Teen Court program.

7.5

Formalize the Gladiator Program procedurally and with MOUs between key participating social agencies and funding sources to ensure its ongoing effectiveness, sustainability and consistency.

7.6

Develop procedures or protocols specific to SPD youth-based programs, as well as protocols for regular and consistent evaluations of these programs to ensure the programs are in line with best practices and legal updates or changes.

7.7

Develop a readily available resource document for officers to use in the field for social services and community programs that can serve to assist families with youth-based issues.



## 8. Response to Assemblies and Demonstrations

The City of Salem has a lengthy history of peaceful protests, including counter-protest activity. The Department's response and their interaction with certain groups has drawn criticism from some citizens. We focused on the preparation, training, policies, planning and response associated with the protests that followed George Floyd's death and extended into 2021 in response to a variety of social issues and concerns. The majority of protests centered around the national focus on police brutality and racial equality; however, the Department has responded to nearly three dozen days of protests since May, including protests regarding the 2020 election, COVID-19 restrictions, anti-abortion advocacy, and the breach of the State Capitol.

The Mobile Response Team (MRT) typically leads the SPD's response to protests. The MRT is an element of the specialized Emergency Operations Group (EOG) that supports the Portland Police Bureau (PPB) and the Oregon State Police (OSP) in addition to staffing protests and incidents within Salem. For example, the SPD scheduled the MRT to travel to Portland, Oregon to support the PPB on May 30, 2020 for a planned protest when local intelligence indicated individual were planning a protest in Salem and interest was steadily increasing. The SPD leadership decided to withdraw their offer to provide MRT support to Portland and instead, assigned the team to the local protest.

That decision proved extremely beneficial, as the Department faced a large-scale protest that was complicated when some local business owners invited armed counter-protestors to their establishment to help protect their businesses. As with many cities throughout the country, the City of Salem had not previously experienced the level of unrest seen at the May 30, 2020 protest or others that followed into 2021.

According to our review, the Department worked through some early challenges by leveraging its experience and dedication to preparedness. Because of this experience, the SPD had a framework from which to approach the protests in an organized, methodical manner using specifically trained and experienced officers. This included the activation of a well-structured incident command post and field command post, as applicable.

The Department continues to work through challenges and adapt its approach and techniques after reviewing the operations plans and after-action reports from past protests. The SPD's most recent operations plans represent significant improvement, including the use of Incident Command System (ICS) forms during the planning process and preparing comprehensive after-action reports that address each element of the planning and response processes and describe any issues and recommended solutions.

Additionally, SPD leadership implemented staffing changes that have enhanced the Department's operational performance. We learned that some command staff assigned to the early protests were not well aligned regarding the rules of engagement with protestors, which resulted in some isolated instances where conflicting orders were issued to personnel handling crowd control. The SPD brought in supervisors with MRT experience to oversee MRT and the Department benefited from their experience, which positively impacted the Department response after the initial protest in May 2020.



## Incident Command System

Directive 4.10 Management of Major Incidents provides guidance for response to a major incident. The directive is specific about how an event or incident should be managed from the first officer on scene or first notice of incident through the maturation of establishing the formal command. The directive requires officers' response to focus on negotiating with protest organizers to prevent violence and disorder rather than relying primarily on arresting protestors and other crowd control tactics.

The directive explains the operational structure and response guidelines, including use of resources, mutual aid resources, and command and control. It also provides guidance on implementing the ICS and assigning an Incident Commander.

The ICS<sup>54</sup> provides an organizational framework for the efficient and effective command, control and coordination of an emergency response for first responders. The ICS is important when addressing protest activity, as it defines the operational plan, roles and responsibilities for those assigned to and anticipated as needing to respond. Because most law enforcement agencies train on this system, the ICS allows for rapid expansion to meet the demands of evolving incidents to minimize harm, personal injury and property loss.

The Incident Commander provides a centralized command of resources, which is paramount to an effective ICS implementation. The directive states that the Incident Commander has the responsibility for directing the Department's response.

Such a policy typically includes language regarding the development of an incident action plan (IAP), commonly referred to as operation plans, which includes strategies, goals and tactics as well as establishing rules of engagement, including use of force options, and the criteria necessary for enforcement actions to be taken. We did not identify a directive that requires the development of an IAP; however, we identified comprehensive operations orders and it appears SPD personnel consistently follow them. As noted, the Department also recently adopted the use of ICS forms in the planning process for large-scale incidents, events and crises.

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### Incident Command System

The Incident Command System (ICS) is a standardized hierarchical structure that allows for a cooperative response by multiple agencies, within and outside of government, to organize and coordinate response activities without compromising the decision-making authority of local command.

ICS ensures that agencies address the most pressing without duplicating or wasting precious resources.

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54 Text box source:

[https://www.nationalservice.gov/sites/default/files/olc/moodle/ds\\_online\\_orientation/viewf265.html?id=3139&chapterid=908#:~:text=The%20Incident%20Command%20System%20\(ICS,making%20authority%20of%20local%20command](https://www.nationalservice.gov/sites/default/files/olc/moodle/ds_online_orientation/viewf265.html?id=3139&chapterid=908#:~:text=The%20Incident%20Command%20System%20(ICS,making%20authority%20of%20local%20command)



We reviewed multiple operations plans that dated before the late May 2020 protests, during the May 2020 protests and from the most recent protests in January 2021. We found that although the ICS forms represent a different structure from the more narrative-based plans used by many agencies, the SPD's early plans were comprehensive and detailed. The SPD carefully prepared the plans to address the "who, what, when, where, why and how" of the Department's actions. However, the mission-specific objectives and rules of engagement in the later protests appeared more robust and more clearly defined in the operations plans. The primary objectives we identified in the operations plans addressed the Department's objective to protect protestor's rights of assembly and free speech.

### **After-Action Reports**

The after-action reports (AARs) we reviewed demonstrated an evolution in the SPD's strategies. The AARs completed following the early protests were essentially a brief summary of events and the identification of issues that arose. These reports were typically limited to two to three pages, much of which was devoted to the staffing assignments. The more recent AARs include a detailed description of events and a chronological review of the incident. The AARs note identified issues, including a pre-formatted section for each element of the operation, such as notifications, briefings and radio communications.

In discussion with SPD officers and leadership, we learned that timely and meaningful after-action meetings have consistently occurred among MRT members, and they openly shared identified issues. However, as we learned in our discussion with SPD leadership, they believe the AARs prepared in the early protests did not reflect the appropriate level of detail to review issues that negatively impacted the Department's performance during those protests. SPD leadership expressed a much greater level of satisfaction with the more recent AARs.

### **Intelligence Gathering**

The SPD's level of intelligence and information gathering in preparation for demonstrations was more robust in the later operations plans. Although the operations plans provide a comprehensive review of information relevant to the activities, the SPD provided us with additional information that circulated throughout the planning ranks to inform commanders of the proposed actions more effectively.

We were surprised to learn the SPD does not have a designated intelligence unit. Given the frequency of incidents and the intensity of recent protests, it is prudent that the SPD designate an individual, group or unit to monitor information networks. This process serves the obvious purpose of informing the SPD of planned events, organizers and intent, but also allows the Department to proactively monitor public sentiment regarding national trends, local issues and events of interest that may impact the Department by informing it of community perspectives that they Department may wish to address to support increased communication with the community.



### **MRT Operations Training**

The Department's typical response to protest activity centers around the resources of the EOG, primarily the MRT. Directive 4.11 Emergency Operations Group defines the MRT's structure and operations. This directive also establishes the operations of the following specialized units: Special Weapons and Tactics (SWAT), Hazardous Devices Team (HRD), Tactical Negotiations Team (TNT) and the MRT. The internal operational document "Salem Police Department Mobile Response Team Operational Guidelines," last revised in 2007, further addresses the MRT. The document focuses on protecting citizens' freedom of speech and right to lawful assembly. It further explains the unit from personnel selection, training and equipment to weapons and operational tactics.

The Department does not have a standalone written directive for crowd control that lays the foundation for preserving First Amendment rights.

The Department participates in the Pacific Northwest Civil Disturbance Course, an interdepartmental training initiative. The OSP, PPB and SPD partnered to create a civil disturbance training course, finding that the U.S. Department of Homeland Security's (DHS) Federal Emergency Management Agency (FEMA) Mobile Field Force (MFF) training was not effective in meeting their expectations. This group determined they could more efficiently and effectively deliver course content and make it more available to area officers. As the training course and popularity increased, officers from across the country have attended the course.

However, SPD leadership shared with us that as specialized MRT training increased, basic crowd control tactics training for patrol officers not assigned to MRT decreased. Similarly, Department members not assigned to the MRT lacked the necessary crowd control equipment, such as helmets, batons and gas masks. The SPD is similar to many agencies that followed the trend of designating training and crowd-control responsibilities to a specialized, trained unit and decreasing or discontinuing departmentwide training and equipment for officers to respond to civil disturbance. Additionally, like many agencies that experienced significant civil unrest in summer 2020, the SPD is now purchasing equipment and reinstating crowd-control training for all officers.

### **Equipment**

SPD officers must complete the long-baton training course prior to deploying on an incident. Department Directive 5.03, Use of Weapons and 5.05 OC Spray and Impact Launchers explains the requirements for weapons and equipment used by the MRT. Specifically, Directive 5.03 states that MRT members should only use weapons that they have been assigned, on which are properly trained on and for which they are currently qualified. The Department must approve the MRT's weapons and ammunition.



Grenadiers, who are officers who deploy less-lethal munitions, must complete a basic grenadier course of instruction before deploying as a grenadier on an incident. Pepper ball<sup>55</sup> operators must complete the Pepper Ball Certification and Qualification course with an annual requalification. 40mm launcher operators must complete a certification and qualification course with an annual qualification. Directive 5.05 provides detailed instruction for the use of less-lethal impact launchers and the police baton. Acceptable target areas are defined and clearly restrict officers from targeting the head, neck, spine, chest and groin.

### **Interactions with the Community**

As noted, the overwhelming number of negative sentiments expressed through the ‘Share Your Story’ program were associated with the protests and demonstrations in 2020. These comments reflected respondents’ perceptions that the SPD treated groups such as Black Lives Matter protestors differently than the Proud Boys and other alt-right groups. Many respondents indicated that while the SPD officers showed force and dressed in riot gear in the presence of Black Lives Matters protestors, they showed camaraderie and protected Proud Boys and other right-wing groups and let those other groups engage in illegal behaviors and protests without permits.

We reviewed directives and documents related to SPD officers’ interactions with participants in protests. It is a best practice in preparation and response to protest for police departments to engage in outreach with event organizers as it is an important tool in planning and preparation. We were pleased to learn that the SPD has embraced this concept and has engaged in such outreach for years. The SPD’s plans for protests included directives to Department members such as, “MRT will deploy resources as needed to control traffic, encourage protestors to use sidewalks, obey all traffic laws and allow protestors to exercise their 1st Amendment Rights. The final results desired are for all participants to enjoy their rally/march in a safe and controlled environment free of various forms of interference.”

Although we found evidence that the SPD attempted to reach out to organizers during the May protest, we learned that the SPD’s efforts beginning in summer 2020 were not as effective as they had been in the past because the Department could not identify the organizers. When the Department determined a possible organizer, it reached out through a number of channels, including social media, in attempt to connect in advance of the event. During one protest, the Department received a call from an organizer requesting assistance as the group was returning to the statehouse, fearing for the group’s safety due to counter-protestors. The Department obliged the request in the interest of public safety and its primary objective to ensure peaceful expression.

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<sup>55</sup> Pepper ball launchers are CO2- or nitrogen-charged less-lethal weapons for deploying small oleoresin capsicum (OC) capsules or “balls.”



As noted, community members have criticized the Department for allegedly favoring protestors or groups that adhere to a right-wing ideology. Although we learned that organizers of many of these right-wing groups tended to readily identify themselves to authorities and expressed and often demonstrated a willingness to comply with officers' instructions, officers must recognize the delicate balance of managing openly armed individuals in a crowd control setting and the importance of maintaining neutrality toward the various groups in a protest.

We reviewed the Department's operational objectives that addressed how officers should focus on ensuring opposing groups can peacefully express their Constitutional rights, while preventing conflicting groups from converging. This objective was in place for the during a May protest in which a local business owner invited openly armed individuals to assist with ensuring the business remained open. By keeping protestors and counter-protestors separated, the SPD's intervention prevented potential clashes between these individuals and a larger protest group primarily assembling at the State Capitol.

#### **Additional Training Considerations**

We reviewed the Department's training related to the policies and procedures that officers use when responding to crowd control or riot incidents. The SPD Training Section facilitates the Department's training efforts, including documenting and filing records about completed training with the Oregon Department of Public Safety Standards and Training (DPSST). When officers complete any training, the SPD completes the State-required F-6 form to document it. This documentation includes the course title, training category, date and officer names or roster. The SPD maintains a copy and forwards the form to the DPSST, which updates each officer's training record accordingly.

No mandate exists to provide associated lesson plans or curriculum to the DPSST with the F-6. The DPSST informed us that the only requirement for updating the training record is the F-6. Although the DPSST maintains lesson plans and curriculum for the basic academy, it does not provide, approve or require this information for agency training submissions.

The SPD's process for designing, developing and documenting lesson plans is not as robust as we expected, but the Department follows the state requirements that govern law enforcement training mandates.



## Recommendations

Rec. #	Recommendation
8.1	Revise Directive 4.10 Major Incident Management to include the planning process and development of an incident action plan.
8.2	Create an intelligence unit that provides dedicated 24-hour monitoring to ensure the Department maintains consistent awareness of trends, events and issues with potential impact.
8.3	Create a crowd management directive for protest responses that includes an emphasis on the protection of the First Amendment rights (i.e., freedom of speech, assembly and to petition the government).
8.4	Create routine joint training opportunities for the SWAT team and MRT to ensure clear objectives in crowd control situations.
8.5	Maintain baseline crowd control tactics training for patrol officers and supervisors
8.6	Continue to ensure the MRT has dedicated crowd-control equipment, including transport vehicles for ready response. Maintain a sufficient surplus of crowd control equipment for Department personnel.
8.7	Ensure the training records accurately reflect the topics of each training course, especially those that address use of force and de-escalation, to help ensure the Department presents and documents training on these topics.
8.8	Ensure the SPD Training Unit creates and retains detailed lesson plans for training courses.
8.9	Follow the model set by progressive policing agencies and schedule and complete a regular, proactive review and modification of crowd-control policies and procedures to identify, establish and implement best practices. Additionally, establish a schedule for assigning policies to officers for review.
8.10	Create a program to proactively review officer contacts during response to demonstrations for any bias-based policing issues.



## 9. Recruiting, Hiring and Promoting to Promote Diversity

### Gender and Race Breakdown

As of March 2, 2021, the SPD employs 187 sworn personnel. Nearly 90 percent are men and just over 10 percent are women. We contrasted the SPD's racial demographics with that of the City of Salem below.

Race	Percentage of the SPD	Percentage of City of Salem <sup>56</sup>
<b>White</b>	89.84% (168)	86
<b>Black</b>	1.60% (3)	4
<b>Latino or Hispanic</b>	8.56% (16)	24
<b>American or Alaskan Native</b>	0	3.9

It is clear that the SPD needs to increase its diversity. Community members of color, as noted in an earlier section, echoed this need to us during our meetings with focus groups and individual interviews.

### Recruitment

The Department tasks its officers with a collateral duty to be recruiters. While some officers enjoy and volunteer for recruiting activities, others are assigned to participate based on who is available during an event, such as a recruiting fair. Recruitment activities have primarily focused on recruitment fairs and events at colleges and military installations. The SPD has done little recruiting within communities and business sectors within the City of Salem itself. Furthermore, the Department gave little to no fiscal consideration to recruitment in its FY2021 budget.

During interviews, several Department personnel spoke to the importance of focusing on recruitment and recognized the need for increased diversity among the sworn ranks. Many cited staffing and fiscal constraints for the Department not being more proactive in its efforts.

<sup>56</sup> These figures are from the U.S. Census.



The Department has been successful at recruiting and hiring through its Community Service Officer (CSO) program. CSOs are civilian employees who respond to certain non-emergency calls for service and cold crime scenes to take the written report, thereby freeing officers to do proactive work. Three of the Department’s recent hires are former CSOs, all of whom identify as nonwhite. Continuing to recognize and recruit future officers from the CSO ranks is a good practice.

Hiring police officers is an integral component of community engagement. The SPD must partner with community stakeholders to assist in the recruitment process and provide the SPD with recommendations on how best to expand their outreach. As such, the Department and the City need to commit to the process with dedicated recruiters who have the time to do the necessary outreach and who will ensure the broadest spectrum of potential applicants. This should include proactive efforts to work with community groups and other community stakeholders to identify and recruit individuals from Salem’s neighborhoods who could serve as an SPD CSO or as a police officer.

It is also important to have a diverse group of community representatives serve on interview panels for new police officers testing for positions, which allows for a community perspective in the selection of those who will provide policing services to their neighborhoods.

Recruiting, testing, background checking and hiring new police officers can be a difficult, time consuming and costly endeavor. However, putting the appropriate resources, focus and effort into the process will pay dividends in the satisfaction and increased engagement between the Department and the community. All SPD members must recognize that they play a key role in recruiting individuals to serve on the Department and mentor candidates through all stages of the recruiting, testing, hiring and field training processes.

**Policy and Training**

During our assessment, we found no written strategy, guidelines or training to assist officers assigned to hire and recruit new officers. This will be important as the Department focuses attention on the processes it will use to diversify the Department staff.

**Recommendations**

Rec. #	Recommendation
9.1	Increasing the capacity and diversity in recruitment and hiring efforts.
9.2	Create a proactive recruiting unit to facilitate the Department’s recruiting efforts. Recruiters should have demonstrated a commitment to community policing, be a self-starter and reflect the diversity of the targeted applicant pool. These personnel should attend formal training courses to help them understand best practices for recruiting officers.



9.3

Develop a written recruitment strategy that identifies specific strategies aimed at attracting diverse, personable, strategic-thinking, mature and emotionally intelligent personnel who are representative of the Salem community.

9.4

Examine the testing, screening and background processes to ensure they are relevant, legal and not unintentionally excluding or disproportionately impacting the Department's ability to hire those applicant's representative of their community.

9.5

Extend outreach to community groups through BIPOC-, LGBTQ- and faith-based organizations to assist in recruitment efforts and participate during oral interview and hiring boards.

9.6

Encourage Department members to engage in active recruit efforts in their daily interactions and incentivize personnel who successfully recruit a new hire.



## 10. Use of Force

### Trends in the Department's Use of Force

The SPD reported that in 2019, out of 119,000 public contacts, officers did not use force 99.35 percent of the time. The Department further reported that when physically arresting people, officers only used force 8.7 percent of the time.

Its annual report provides additional data regarding trends from 2015 through 2019. Use of force reports rose from 576 incidents in 2015 to 897 incidents in 2019. The data indicates that while the raw numbers of uses of force increased over 55.7 percent over the five-year period, the number of calls for service increased by 47.8 percent during that period as well. Although use of force increased, the percentage of individuals and officers injured during these incidents decreased.

### Use of Force Policy

Directive 4.01, last reviewed on July 31, 2019, is the primary directive for use of force, although elements of the use of force are included in the following directives:

- + Emergency Vehicle Operation (4.02)
- + Use of Deadly Physical Force or In-Custody Death (4.14)
- + Use of weapons (5.03)
- + OC Spray & Impact Weapons (5.05)
- + Use of Taser (5.06)
- + Forms Control 67: Use of Force Report

Given the ongoing national dialogue focused on use of force, the Department's approach to providing use of force guidance to officers is inconsistent with best practices. The use of force directive is based on the principles decided in *Graham v. Connor*, stating that officers "will only use such force as is objectively reasonable under all circumstances taking into account the person's emotional and mental state." However, the directive is not consistent with typical law enforcement agency policies nor the model use of force policies such as those outlined in the National Consensus Policy on Use of Force.<sup>57</sup>

The Department restricted carotid holds (i.e., chokeholds) in June 2020 following George Floyd's death, which is consistent with the direction of many agencies. Also consistent with best practices, the Department prohibits firing warning shots and firing at moving vehicles, unless the Department has authorized the use of deadly force.

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<sup>57</sup> <https://www.theiacp.org/resources/document/national-consensus-discussion-paper-on-use-of-force-and-consensus-policy>



De-escalation has emerged as a foundational principle governing the relationship between the police and community. De-escalation promotes procedural justice and legitimacy in that allowing a person the freedom to voice their concerns is paramount in any attempt to resolve conflict. De-escalation can be used in any situation involving conflict. The SPD's training presentation provides officers with Force Science Institute's definition of de-escalation, but that definition is not in the Department's directives.

Debate continues regarding whether police departments should promulgate de-escalation as a single policy or include de-escalation in a related policy. We recommended promulgating de-escalation concepts in all applicable policies and training. Although the SPD emphasizes the value of de-escalation in training, its directives were silent regarding the actual use of de-escalation in resolving conflict. Additionally, we did not see a directive regarding the duty to intervene, which requires officers intervene and attempt to stop the use of unreasonable force by another officer and subsequently report such circumstances. Both the duty to intervene and de-escalation whenever possible represent are best practices and model policies.

### Training Review

The SPD reports that officers complete 240 hours of use of force training during their police academy training. The Oregon Department of Public Safety Standards and Training (DPSST) requires officers complete eight hours of continuing use of force training each year. SPD officers exceed this standard. For example, stakeholders indicated officers completed 26 hours of use of force training in 2019. However, during our review of the SPD's training records, we did not observe any specific courses titled "Use of Force." In discussion with Department personnel, we learned that the training is often included with Con-Sim (Confrontational Simulation) training, quarterly firearms qualifications and other similar training sessions. The Department also advised it distributed a training video regarding de-escalation to SPD personnel in 2020. The SPD may want to consider other programs that focus on de-escalation, such as the Police Executive Research Forum's Integrating Communications, Assessment and Tactics program.<sup>58</sup>

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<sup>58</sup> <https://www.policeforum.org/icat-training-guide>

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De-Escalation,  
as Defined by the Force  
Science Institute

De-escalation refers to a range of integrated strategies and tactics that officers use to lower the intensity of potentially volatile situation.

The goal is to reduce the necessity or level of force required for successful resolution, while ensuring the optimization of officer and public safety.



Similarly, we reviewed a use of force report from the Chief of Police that indicates the Department provides training in de-escalation every quarter. However, our inspection of the training records did not reveal those entries for de-escalation training and further, we did not see consistent annual training on the topic. During our interviews, we learned that like use of force, de-escalation training is often included in the Department's Con-Sim or other similar training courses.

We requested the SPD's lesson plans or training curriculum to confirm the training exists. Pursuant to Directive 2.13 Department Training, lead instructors must submit their lesson plans, including course objectives for training sessions, to the Personnel and Training Coordinator before the training. The Personnel and Training Section retains the lesson plans. The Department provided PowerPoint presentations on the requested topic areas and several others; however, it did not provide us with lesson plans nor could we confirm what training content the instructors provided at any of the specific training sessions.

We inquired about the process requiring officers to review the content of directives for familiarization and any administrative review for necessary updates. SPD representatives explained that the Department facilitates its directive reviews for officers through PowerDMS. Our review of a sample officer's PowerDMS record identified documentation of the review of multiple Department directives, including an annual review of the primary use of force directive, 4.01 Law Enforcement Operations. Although we commend the Department for this important element of training, a recognized best practice, we could not find this requirement memorialized in any directive.

We reviewed training bulletins and memos. Importantly, the Chief of Police issued a carotid control hold (CCH) memo on June 18, 2020 addressing the tactic. Per the memo and as noted, effective immediately, the Department no longer authorized the CCH and removed Directive 5.04. The Department only authorizes the use of a CCH as a survival skill and requires officers to explain their use of this deadly force option in a use of force report.

As indicated, we inquired about a schedule or process to prompt the administrative review of directives to ensure the Department considers new information for the directives. It appears the SPD does not facilitate a review on a pre-determined schedule but rather a case-by-case basis.

## Recommendations

Rec. #	Recommendation
10.1	Create a single Use of Force Policy directive that addresses all the various individual use of force directives that exist. The new directive should reflect the best practices in the National Consensus Policy on Use of Force including, but not limited to, de-escalation and force options, the duty to intervene, and banning chokeholds or similar holds except under deadly force circumstances. Require personnel to review and attest to the policies every year.



## 11. Processes to Ensure SPD Personnel's Accountability

The State of Oregon empowers police officers to execute authority over civilians; this is unlike any other occupation. Police have this authority because they are entrusted with keeping the community safe. As such, it is important that police leadership ensure personnel adhere to a strict set of policies, procedures and protocols based on the law and the legal standards that the courts have identified.

Law enforcement agencies must establish a process for citizens to make complaints against police personnel if they believe an officer has violated the department's policies and procedures or, possibly, the law. We often refer to this process as internal affairs (IA) procedures. If residents do not believe their police department acts professionally, the department will have a hard time developing and maintaining the community's trust and confidence.

We reviewed the state of the SPD's complaint intake, investigation and adjudication processes and compared these processes with other departments that employ industry best practices.

The SPD IA Unit has one full-time sergeant. Although the IA Sergeant should report directly to the Chief of Police, in practice, the sergeant reports to the Deputy Chief of the Support Division.

The IA Sergeant uses a case management system called Administrative Investigations Management (AIM) to automate the administrative processes for receiving, investigating and reporting complaints. Before using AIM, the process was paper based. Automating this process allowed individuals to file a complaint using the SPD's online form.<sup>59</sup> This is a best practice because citizens can file their complaint without going to the department. As some citizens are hesitant to go to the police, this process makes it more likely they will file. AIM also solved the challenges the paper-based system presented in collecting and analyzing data to identify trends of misconduct, and it makes generating routine reports much easier. This includes the annual IA report, which the Department does not as a matter of course make this report available to the public.

The SPD allows the IA Sergeant to delegate investigations of lower-level complaints to the subject member's direct supervisor. Having supervisors investigate lower-level complaints is a best practice because it brings the complaint to the immediate attention of the supervisor, provides incentive for the supervisors to ensure their personnel adhere to Department policies and procedures, and allows supervisors to monitor the behavior that led to the complaint. Additionally, this allows the IA Sergeant to focus on the more serious complaints.

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<sup>59</sup> <https://www.cityofsalem.net/Pages/file-a-police-complaint.aspx>



## **Complaint Investigation Process**

The IA Sergeant adheres to the requirements of SPD Directive 2.01 when processing complaints. Leadership last updated this directive on October 12, 2016.

When an individual makes a complaint, the IA Sergeant scans the intake information into AIM, including documented evidence, such as photos. Once the IA Sergeant enters the complaint into AIM, if the IA Sergeant cannot resolve it with their initial discussion with the complainant, the IA Sergeant determines how to proceed with the investigation.

The AIM system classifies complaints as Citizen Contacts (CitCon) with a subcategory of Inquiry or Formal Complaint. More serious complaints or complaints that may result in discipline, are considered formal complaints. Third-party complaints are considered inquiries. Per SPD Directive 2.01, III, C, "Questions which arise from misunderstanding police policy, procedures, and tactics, or from a lack of information about the actions of employees that are clearly within policy, may be resolved at intake as an inquiry if acceptable with the complainant."

Once the Department processes the complaint, the IA Sergeant sends a certified letter to the complainant to let them know the Department received the complaint and is investigating. If the IA Sergeant classifies the complaint as an inquiry, they forward it to the subject member's direct supervisor. The supervisor refers the inquiry back to the IA Sergeant for investigation if their preliminary investigation indicates formal discipline might be necessary.

The IA Sergeant may have the direct supervisor investigate a formal complaint if it involves rude conduct, insubordination or tardiness. The IA Sergeant handles all complaints involving use of force, bias and issues that might require serious discipline. Although the IA Sergeant may assign lower-level inquiries to the immediate supervisors, the IA Sergeant is still responsible for monitoring the investigation and providing guidance as needed.

The IA Sergeant immediately refers allegations of criminal activity to the Deputy Chief overseeing investigations, who coordinates with the office of the Chief of Police. The Department then brings in an outside agency to investigate. However, after the agency completes the criminal investigation, the IA Sergeant investigates administrative violations. This process applies to all officer-involved shootings, as well.

Per SPD Directive 2.01, III, G, direct supervisors and the IA Sergeant must complete the investigation within 45 days from the time the complaint is received. If the investigation is conducted by the Internal Affairs Office, personnel must complete the investigation within the time restriction set forth in the directives and Article 37 of the Salem Police Employees' Union (SPEU) contract. The IA Unit may request an additional 30 days, if necessary. The investigator must notify the complainant if the case will take more than 45 days.



Once the IA Sergeant completes the investigation, the IA Sergeant forwards the investigative file to a Deputy Chief, who issues a finding. The Deputy Chief reviews the investigation report and determines if the allegation occurred (sustained), did not occur (unfounded), there was insufficient evidence to prove or disprove the allegation (not sustained), or occurred but was lawful and proper (exonerated). The Deputy Chief also recommends disciplinary action for sustained cases, and then the Chief of Police makes the ultimate decision.

When a complaint investigation is complete, the IA Sergeant sends a certified letter to the complainant that explains the case finding. For cases involving sustained misconduct, the IA Sergeant and Department command officers coordinate formal discipline with the City Attorney and other City officials, which gives the officer access to the appropriate appeals protocols.

In general, the SPD policies and procedures for handling complaints is consistent with those of other agencies of similar size and comport. The Department requires the IA Sergeant takes the basic internal affairs investigative course within three to six months of the assignment. We recommend requiring they complete the training before starting in the position.

The SPD has a single investigator, the IA Sergeant, who handles the formal IA complaints. At the time of our assessment, the investigator had approximately 17 open investigations and 107 inquiries. While some of the open investigations were assigned to various supervisors to complete, the IA Sergeant still needed to monitor them and track them administratively. This is a significantly heavier caseload than the typical internal affairs investigator handles or coordinates. We also found a delay in the findings and recommendations review stage, which the Deputy Chiefs conduct. We do not believe these delays are intentional, but rather the result of high workloads and the limited number of management staff available to assist the Deputy Chiefs in this effort. In fact, it is a practice among many police agencies to have mid-level command officers perform this level of case review before forwarding an internal affairs case to the Deputy Chiefs' or Chief's level for review and adjudication. To avoid the backups, we recommend the Department considers assigning findings and recommendations to lieutenants or captains in the subject member's chain of command and having the Deputy or Assistant Chiefs review their report before forwarding it to the Chief of Police.

The IA Sergeant reports directly to a Deputy Chief. The Deputy Chief is also the one who makes the ultimate finding and recommendations. It would be best if the individual responsible for findings and recommendations is not directly involved in the ongoing investigation. This allows for a more objective review. We recommend that the IA Sergeant reports to a command officer, such as a lieutenant, either full-time or as a collateral duty. This will create a more thorough, fair and objective process.

Such efforts support internal procedural justice<sup>60</sup>, which is the efforts law enforcement leadership takes to ensure department personnel are treated fairly. Additionally, promoting internal procedural justice supports procedural justice in the field during police-citizen interactions.

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60 U.S. Department of Justice. 2019. *Law Enforcement Best Practices: Lessons Learned From the Field*. Washington, DC: Office of Community Oriented Policing Services. 2019. Pages 75-76.



### Community Police Review Board

The City of Salem established the Community Police Review Board (CPRB) board on July 8, 2002.<sup>61</sup> The board serves as an advisory group to Salem's City Manager, and the City Attorney acts as legal counsel. When a complainant is not satisfied with the outcome of a complaint investigation, these civilians review the IA cases and offer their opinions and perspectives to the City Manager. This helps increase transparency and establishes independent oversight, which builds public trust.<sup>62</sup>

The board's membership comprises seven permanent members and two alternates. Members serve a two-year term, and City Council makes the appointments. The members take an oath of confidentiality. They participate in trainings on the IA complaint review process, the Department's policies and procedures, and civil rights and ethics issues. Members also participate in a ride-along with an SPD officer before participating in a Board hearing and then two additional ride-alongs per year thereafter.

To accomplish its mission, per the founding ordinance, the CPRB has the following authority, powers and duties:

- + Review unresolved complaints against sworn members of the Department.
- + Hold public meetings to conduct requests for review.
- + Take testimony.
- + Review and discuss confidential information in executive session.
- + Maintain written minutes at board meetings.
- + Make written recommendations on requests for review, which a complainant might make if they are unsatisfied with the investigation's outcome.
- + Review Department policy and procedure and recommend improvements, if needed.
- + Review and analyze complaint summaries and trends of the Department.
- + Refer issues of concern to the Chief of Police.
- + Conduct public outreach to educate the public on the board's mission.
- + Request additional training on civil rights, legislation, community concerns, diversity and cultural issues.

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61 <https://www.cityofsalem.net/CityDocuments/cprbord-ord-no-41-2002.pdf>

62 Ibid, Page 85.



### Community Police Review Board Appeal Process

Before a complainant can take their case before the CPRB, they must file an initial complaint with the Department and cooperate with the Department investigation. The Complainant can only file a request for review after the Department investigation closes. Complainants receive written information regarding the Board and the request-for-review process when they file the original complaint.

The SPD deems a complaint unresolved if the complainant is not satisfied with the resolution within 45 days of filing or within an additional 30 days if the Chief deems it necessary. The Department notifies the complainant if the additional 30 days are deemed necessary. The Board only accepts requests for review regarding unresolved complaints.

The CPRB may make the following advisory recommendations:

- + After reviewing the case, the Board may make recommendations to the Chief of Police about policies and procedures. The Board may request additional information or comment from the Department or City Manager. Board recommendations are not binding. The City Manager and Chief of Police base their requests on these recommendations.
- + The Board may submit a request to the City Manager to consult an independent investigator or auditor. The City Manager has the sole discretion to decide if an investigator or auditor is necessary, to then hire the person and to define their scope of work.
- + At the discretion of the Chief of Police, the Department might refer complaints or other matters to the Board for findings and recommendations.

The Chief of Police, who reports to the City Manager, is responsible for the operation and direction of the Department. The Board will not alter or shift this decision-making authority in any way. We praise the City of Salem for its long-established CPRB, which has enhanced transparency in SPD's operations. However, we recommend the City and Department review the CPRB's operational practices to further enhance their value to the IA process. Leadership might consider having the CPRB help facilitate the complaint filing process. In some cities, this allows complainants to feel more comfortable coming forward with complaints, particularly when the independent entity is not in the same building as the police department. In most cases, these documented complaints are then forwarded to the IA Unit for investigation using standard IA policies and procedures.

The CPRB could contribute to revising the SPD's policies and procedures regarding the complaint management process. It can offer guidance based on trends its members have observed while working on cases. Establishing this collaborative relationship helps demonstrate the Department's willingness to be transparent in the complaint process. Because SPD members associated with the IA investigation process feel positively about most of the interactions they have had with the CPRB, we believe this might be a mutually beneficial arrangement.



We have found that when external review entities work with law enforcement departments to develop alternative dispute resolution processes for complaints, the community views the collaboration positively. Law enforcement personnel who are the subject of the complaint also often feel they have received a fair review. Additionally, some complainants want to sit down face-to-face with the subject members and discuss the incident with a facilitating mediator. The complainant may leave with a sense that they have been heard and that their complaints are recognized and understood. This method often reduces the time it takes to reach a resolution.

We recognize that IA investigation processes are continuously evolving and improving. Having the CPRB is a positive step toward transparency and incorporating community input. The National Association for Civilian Oversight of Law Enforcement (NACOLE), an association of external review entities across the U.S., published its oversight models on its website to help cities establish their own boards and for established boards to gain insights for improvements. These profiles<sup>63</sup> may be of value to the City of Salem.

### Early Intervention Systems

The SPD must take steps to help prevent incidents that lead to complaints. Many agencies across the country have established early intervention systems (EIS) or early warning systems (EWS),<sup>64</sup> which are formal mechanisms used to collect data on law enforcement personnel's day-to-day work and to identify individuals engaging in activities that might be precursors to misconduct. Possible indicators for future misconduct include but are not limited to being routinely late for work, missing court dates, misusing sick leave, submitting late crime reports, receiving poor performance evaluations, receiving complaints and being involved in vehicle collisions. EIS systems are non-disciplinary. Instead, they help identify candidates for intervention before misconduct occurs or a citizen files a complaint.

SPD leadership have considered establishing an EIS system for the last few years, using the City of Portland's system as a model. We recommend leadership contact a variety of the EIS program vendors for recommendations about what cities of similar size use and to learn more about how to successfully implement an EIS program.

EIS systems are a best practice that the SPD should incorporate to become a more progressive and professional agency.<sup>65</sup> This will benefit the community and the Department personnel who will receive early assistance.

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63 [https://www.nacole.org/agency\\_profiles](https://www.nacole.org/agency_profiles)

64 U. S. Department of Justice. 2019. *Law Enforcement Best Practices: Lessons Learned From the Field*. Washington, DC: Office of Community Oriented Policing Services. 2019. Pages 61-73.

65 U.S. Department of Justice. 2019. *Law Enforcement Best Practices: Lessons Learned From the Field*. Washington, DC: Office of Community Oriented Policing Services. 2019. Pages 61-73.



## Recommendations

Rec. #	Recommendation
11.1	Determine if Internal Affairs (IA) staffing is sufficient for the caseload.
11.2	Consider adding a dedicated Internal Affairs lieutenant who reports directly to the Chief of Police. This will help ensure the individual responsible for making findings and recommendations in a disciplinary case is not directly involved in the ongoing investigation.
11.3	Publish an annual report containing aggregate data that describes received complaints and how they were adjudicated. Post it on the Department website to support transparency.
11.4	Expand the Department's after-action analyses to include critical areas such as use of force and vehicle pursuits. This will help guide supervisory response and will identify procedural and training gaps.
11.5	Implement an early intervention system (EIS) to identify behavioral patterns that might indicate the need for proactive intervention.
11.6	Develop policies and protocols to address system maintenance, how to collect and enter data, who can access data, who will analyze the data and how to secure the system.
11.7	Train Department personnel on how to use the early intervention system, and train supervisors on how to conduct any needed interventions with officers identified by the system to help prevent misconduct before it occurs.
11.8	Re-examine the roles and responsibilities of the Community Police Review Board (CPRB) and create a new mission that includes helping the Department review its policies and procedures related to the complaint process.
11.9	Provide a method for the CPRB to be a secondary venue for receiving initial complaints from the public, as some individuals may not feel comfortable filing a complaint directly with the Department.



## *Additional Considerations*

### **Employee Wellness**

Although not included in the scope, we reviewed the SPD's employee wellness efforts. Robust officer wellness programs and an early intervention system are important factors for a strong community policing and engagement strategy and ensuring the achievement of internal procedural justice throughout an agency. When police departments value their officers, seek and consider their views and opinions, treated them with equity and fairness and demonstrate mutual respect and trust, officers are more likely to treat those outside of their organization as having value as well. It was clear from interviews that the SPD is actively working to help ensure personnel's wellness through the following programs:

- + Peer support
- + Chaplaincy program
- + No-cost counseling services targeted to sworn and non-sworn law enforcement personnel
- + Comfort dog program

Key supervisors and officers, who collaborated with the City of Salem Employee Assistance Program, created and designed many of these programs.

### **Policies and Directives**

The Oregon Accreditation Alliance (OAA) accredited the Department. As such, the SPD meets the OAA's standards, including those for bias-based policing, deadly force, less-lethal weapons and control devices, use of force reporting and review, duty to intercede and report, personnel complaint procedure, and training policy.<sup>66</sup>

Although a current general orders manual was not available, we reviewed selected policies and directives that addressed topics such as use of force, internal affairs processes and training. We noted that although they provide general guidance for many situations officers may face, the policies and directives lack clarity. Additionally, we did not identify some policies that one would expect to exist in modern police department, such as policies that embrace the concepts of community policing. Furthermore, we found that the SPD has not updated some directives for a significant length of time, such as Community Relations, which the Department last revised in 2009.

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<sup>66</sup> <https://www.oracall.org/accredagencies.html>



## *Final Recommendations*

Although the SPD faces challenges in its efforts to increase its collaboration with the community, it is clear that Department members, community members, non-profit groups and social service organizations are willing to work together to tackle Salem's most pressing challenges. The SPD hired a new chief at the end of 2020. We believe the new Chief of Police not only recognizes the importance of these efforts, but has the skills and knowledge needed to carry the effort forward in tandem with SPD officers and the community. We underscore the fact that the SPD alone cannot achieve the results that it and the community would like to see regarding addressing issues involving unsheltered individuals and those experiencing behavioral health crises and improving its interactions with members of the BIPOC communities. True community policing and engagement requires a collaborative effort between police department personnel and social services organizations; nonprofit agencies; faith-based organizations; school officials, parents and students; business leaders; elected officials; and other local, county and state government partners.

Our interviews also indicated that the Chief has already recognized some of the Department's challenges that we identified in this report. As such, he is actively reviewing the organization and its policies and working on improving the management structure, creating an organizational chart and looking to create an improved process for policy development. This report should serve as a strategic roadmap that helps the Chief, City leaders and community stakeholders move forward and collaborate to address the issues facing the City. To be sure, implementation of these recommendations will take some time – it is a long-term commitment. As the Department takes steps toward implementation, the SPD and Salem community should prioritize these recommendations, clearly assign responsibilities for completion and create a tracking mechanism to ensure these recommendations are adequately addressed. However, implementing many of our recommendations would require a formal staffing study of the SPD's staffing levels, which have not changed for many years while the City has continued to grow.

During our interviews, we also noted that SPD personnel and community members share a genuine desire and willingness to work together to improve the Department's services and approaches. The SPD's multi-disciplinary approaches such as the Behavioral Health Unit, Domestic Violence Response Team and Downtown Enforcement Team are clear evidence of the Department's collaborative problem-solving approaches toward crime and social issues that demonstrate a sincere willingness to engage with the community.



## Appendices

### Appendix A: The Hillard Heintze Assessment Team

**Kenneth A. Bouche, Chief Operating Officer, Executive Guidance**



Ken helped Hillard Heintze's CEO transform a small team of seasoned professionals into one of the leading security risk management firms in the world. Ken has advised clients across many industries and sectors on how to align their security strategies with their corporate strategies to improve efficiencies and effectively mitigate risk. He currently guides the performance of the firm's operations from end-to-end, across all six of its practices. He served as a national leader in improving America's information-sharing capacity and implementing post-9/11 intelligence reforms. Ken dedicated 23 years to the Illinois State Police (ISP). As Colonel and CIO, he was responsible for modernizing and standardizing the agency's technology functions.

**Debra K. Kirby, Esq., Senior Vice President, Executive Guidance**



Debra serves as Senior Vice President for Hillard Heintze's operations. She drives efficiency in our operations and supports our law enforcement and cross-practice projects for municipal and corporate clients. She has been a champion for change throughout her career in the public safety field, including as the Deputy Chief Inspector with the Garda Síochána Inspectorate, which reports to the Minister of the Irish Department of Justice and Equality, and the Chicago Police Department, where she held multiple leadership roles including Chief of the Bureau of Organizational Development.

**Robert L. Davis, Senior Vice President and Practice Lead, Law Enforcement Consulting, Project Oversight**



Rob is a highly regarded and innovative national leader in policing and public safety with extensive experience assessing federal, state and local law enforcement agencies across the U.S. Rob served in a variety of capacities during his 30-year career with the San Jose Police Department, including as the Chief of Police. During his time as chief, Rob served as the President of the Major Cities Chiefs Association. He consulted for the U.S. State Department to provide training in community policing methods addressing gang prevention, intervention and suppression. Rob has been involved in numerous assessments of police departments, including serving as the Project Director for Hillard Heintze's Department of Justice (DOJ) Collaborative Reform Initiative for Technical Assistance (CRI-TA) contract.



**Robert C. Haas, Vice President, Project Manager**



Robert is a retired police commissioner with extensive experience in law enforcement reform, operational assessments and community engagement. In addition to recently assisting Hillard Heintze with several high-stakes projects, such as the U.S. Department of Justice COPS Office CRI-TA Program, he has served as an expert in numerous agencies. Before joining Hillard Heintze, Robert served as a member of a consent decree monitoring team, performing operational assessments with Strategic Policy Partnership, LLC. His role with Strategic Policy Partnership also included a collaboration with the New York University School of Law Policing Project, where he served as the policing expert on two different teams working to foster greater engagement between the police departments and the communities and to initiate alternative policing approaches.

**Robert Boehmer, Esq., Vice President, Law Enforcement Consulting**



Robert Boehmer is an experienced facilitator, trainer and public speaker, with expertise in collaborative problem solving, community policing, partnership development and information sharing. For the past several years, he has been facilitating sessions for the Department of Homeland Security's Building Communities of Trust Initiative, focusing on developing trust among law enforcement, fusion centers and the communities they serve. As a Vice President in the Law Enforcement Consulting practice at Hillard Heintze, Robert manages complex law enforcement assessments and helps police agencies transform their organizations and adopt national best practices and industry standards central to improving accountability, transparency and community trust.

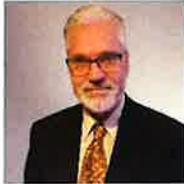
**Chad M. McGinty, Senior Director, Security Risk Management**



Chad McGinty brings nearly three decades of law enforcement, public safety, emergency preparedness and security leadership experience to his role as Senior Director at Hillard Heintze. Chad served in the Ohio State Highway Patrol for nearly 28 years, starting as a Trooper in 1989 and later serving as Sergeant, Lieutenant and Captain before joining the Senior Staff as Major, Commander of Field Operations in 2014. He concluded his tenure by coordinating and leading the crowd control/field force response for the 2016 Republican National Convention in Cleveland, Ohio. Chad implemented a sophisticated staging and response for 1,400 field force officers from 18 different agencies and 15 states.



**Brian Kauffman, Ph.D., Subject Matter Expert and Trainer**



Dr. Kauffman serves as the Executive Director of the Western Community Policing Institute, a nationally recognized community policing and tribal public safety training institute. Brian has over 29 years of experience in law enforcement and public safety-related positions including patrol deputy and patrol supervisor, tactical entry team member, police and corrections training and curriculum development expert, and Lieutenant and Captain with the Oregon Department of Public Safety Standards and Training. During his career, he has trained thousands of public safety and community representatives across the nation in a variety of topics including executive leadership, community policing, tribal relations, problem solving and homeland security.

**Rikki Goede, Subject Matter Expert**



Rikki is an accomplished law enforcement leader and subject matter expert with more than 30 years of experience. She has provided subject matter expertise and technical assistance for comprehensive police department assessment projects, including work under the U.S. DOJ COPS Office CRI-TA program. Rikki has served as the Chief of Police of the Piedmont, California Police Department and the Assistant Chief of Police of the San Jose, California Police Department, where her duties included organizing and directing the overall operational activities, establishing and enforcing policies to improve operations, and maintaining a competent, motivated police force.



*( City of Salem, Oregon )*

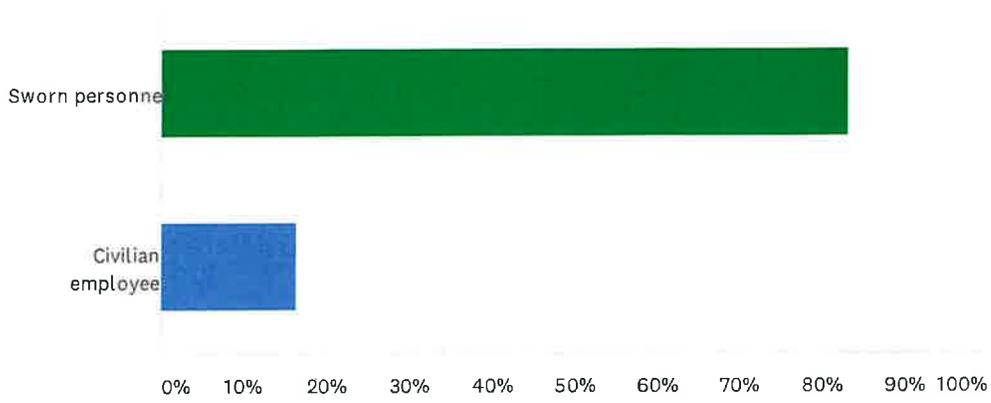
**An Independent Assessment of the Salem Police Department**

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## **Appendix B: SPD Personnel Survey Results**

### Q1 What best describes your position in the SPD?

Answered: 133 Skipped: 0



**ANSWER CHOICES**

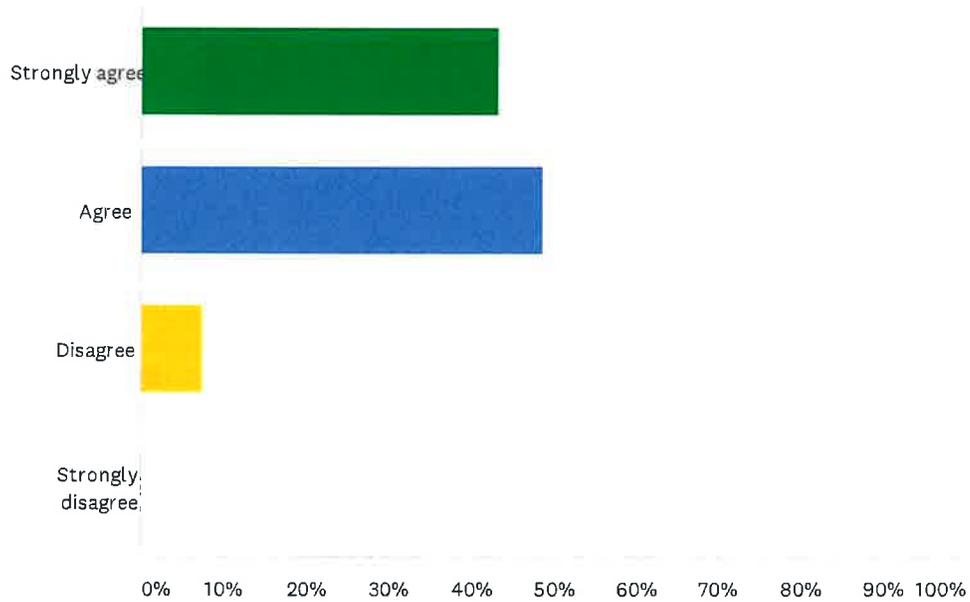
Sworn personnel  
Civilian employee

**RESPONSES**

83.46%	111
16.54%	22
<b>TOTAL</b>	<b>133</b>

### Q2 Virtually all SPD personnel in my area or division treat me with respect.

Answered: 131 Skipped: 2



**ANSWER CHOICES**

Strongly agree

Agree

Disagree

Strongly disagree

TOTAL

**RESPONSES**

43.51%

48.85%

7.63%

0.00%

57

64

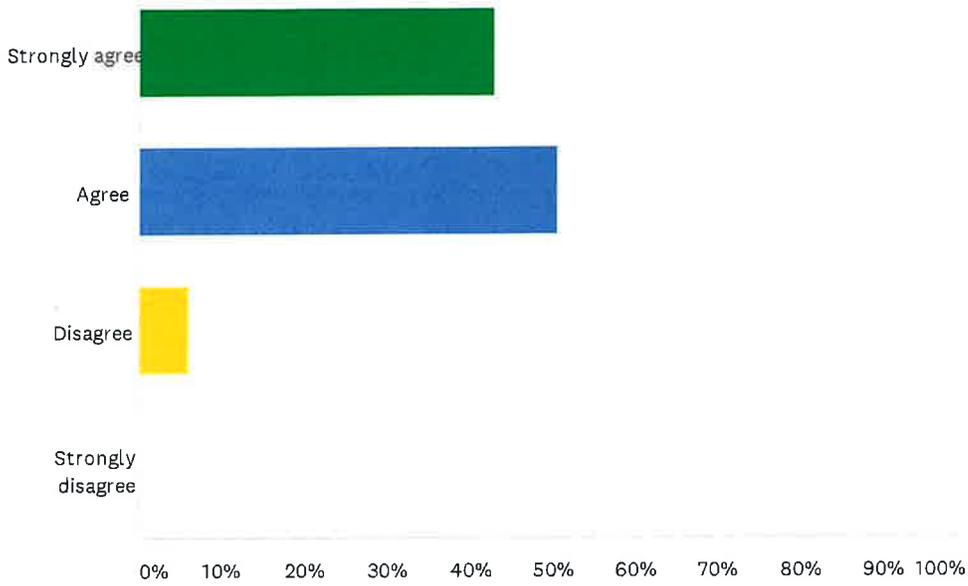
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0

131

### Q3 The Department provides an environment that promotes diversity for all employees.

Answered: 130 Skipped: 3



**ANSWER CHOICES**

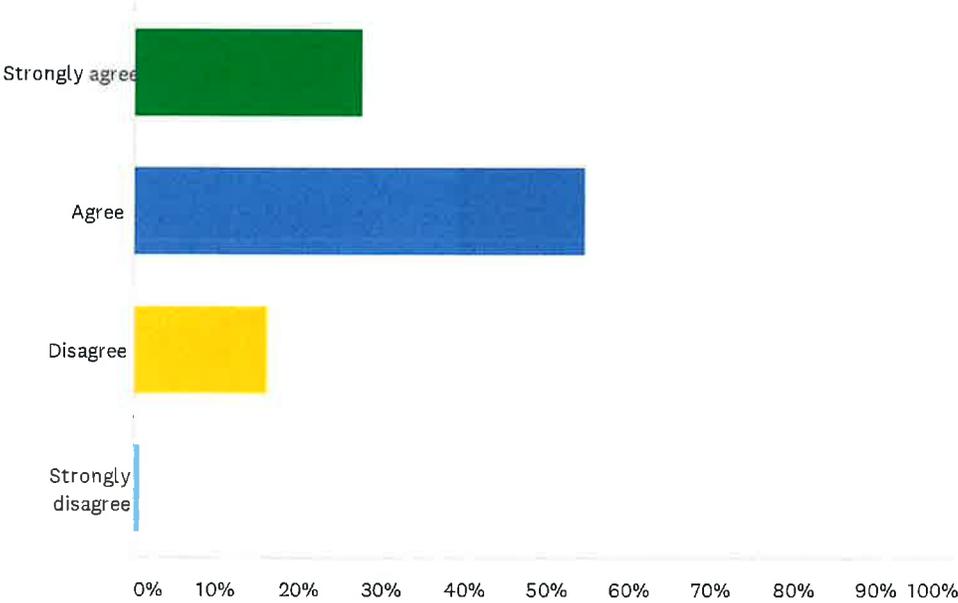
Strongly agree  
Agree  
Disagree  
Strongly disagree  
TOTAL

**RESPONSES**

43.08% 56  
50.77% 66  
6.15% 8  
0.00% 0  
130

### Q4 The Department provides an environment that promotes inclusiveness for all employees.

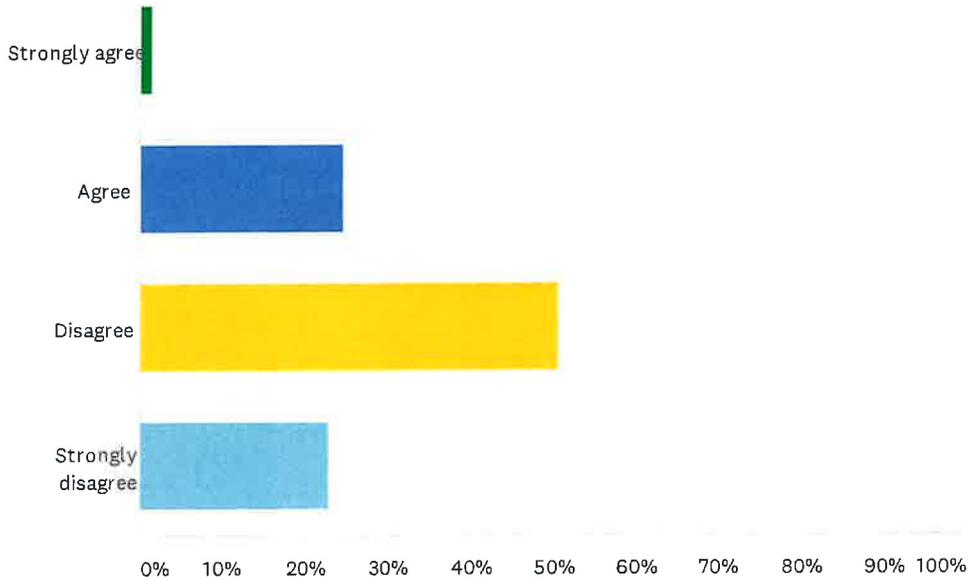
Answered: 129 Skipped: 4



ANSWER CHOICES	RESPONSES	
Strongly agree	27.91%	36
Agree	55.04%	71
Disagree	16.28%	21
Strongly disagree	0.78%	1
TOTAL		129

### Q5 The current morale (i.e., job motivation) of the Department is high.

Answered: 130 Skipped: 3



**ANSWER CHOICES**

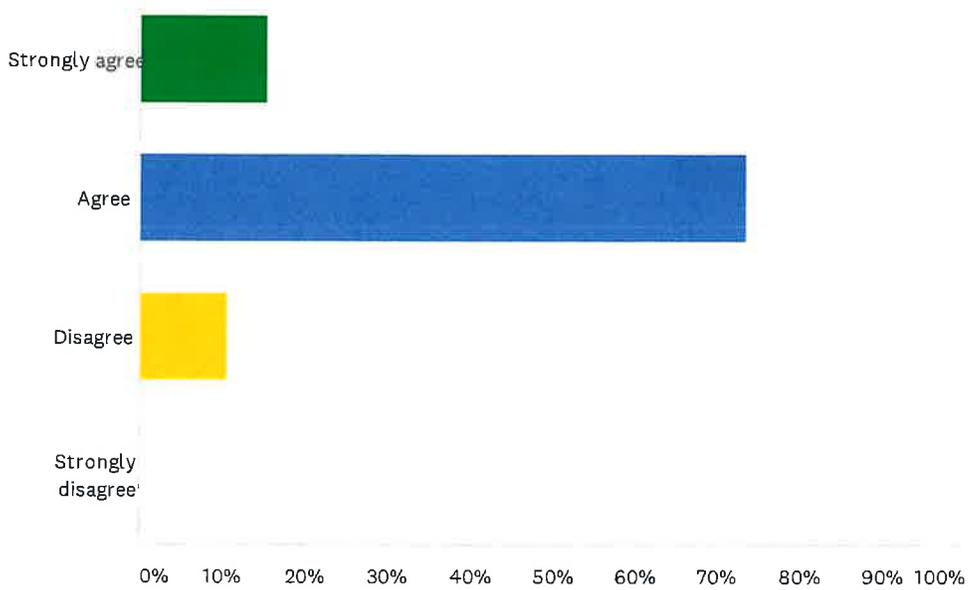
- Strongly agree
- Agree
- Disagree
- Strongly disagree

**RESPONSES**

Response	Percentage	Count
Strongly agree	1.54%	2
Agree	24.62%	32
Disagree	50.77%	66
Strongly disagree	23.08%	30
<b>TOTAL</b>		<b>130</b>

### Q6 Employees of the Department are representative of the community population.

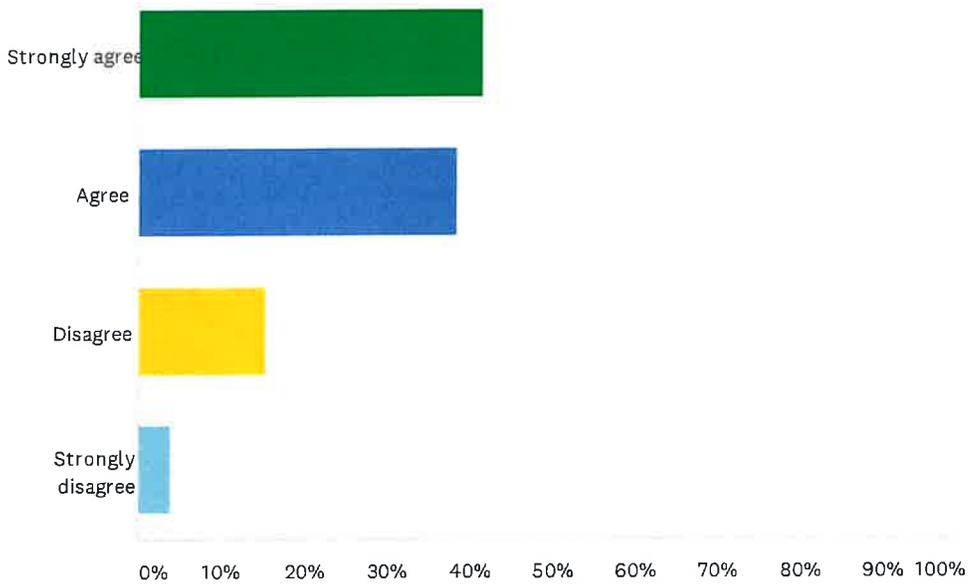
Answered: 130 Skipped: 3



ANSWER CHOICES	RESPONSES	
Strongly agree	15.38%	20
Agree	73.85%	96
Disagree	10.77%	14
Strongly disagree	0.00%	0
TOTAL		130

### Q7 My immediate supervisor gives me regular feedback on the quality of my work.

Answered: 129 Skipped: 4



**ANSWER CHOICES**

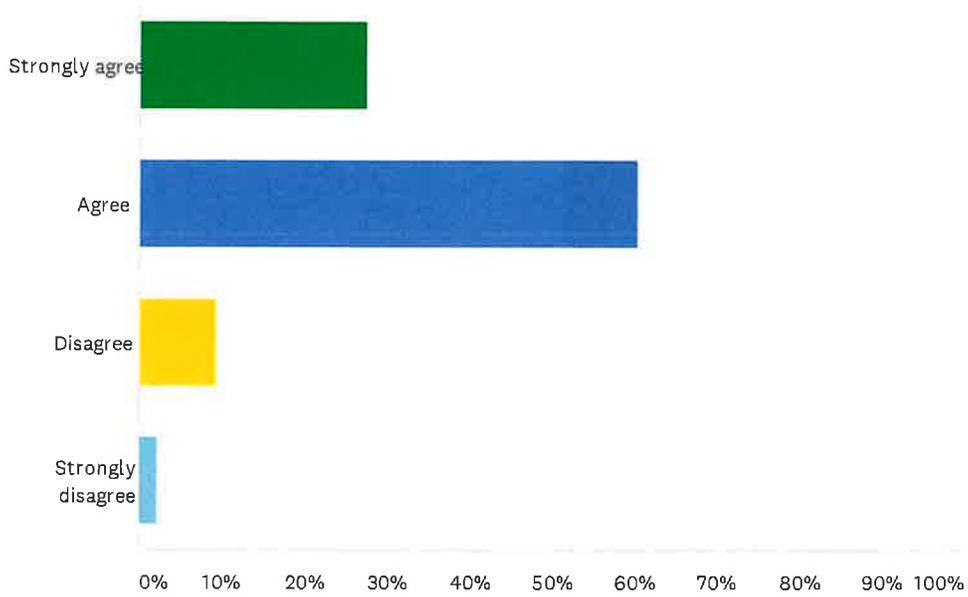
- Strongly agree
- Agree
- Disagree
- Strongly disagree
- TOTAL

**RESPONSES**

Percentage	Count
41.86%	54
38.76%	50
15.50%	20
3.88%	5
	129

### Q8 SPD supervisors frequently encourage me to have positive engagements with the community.

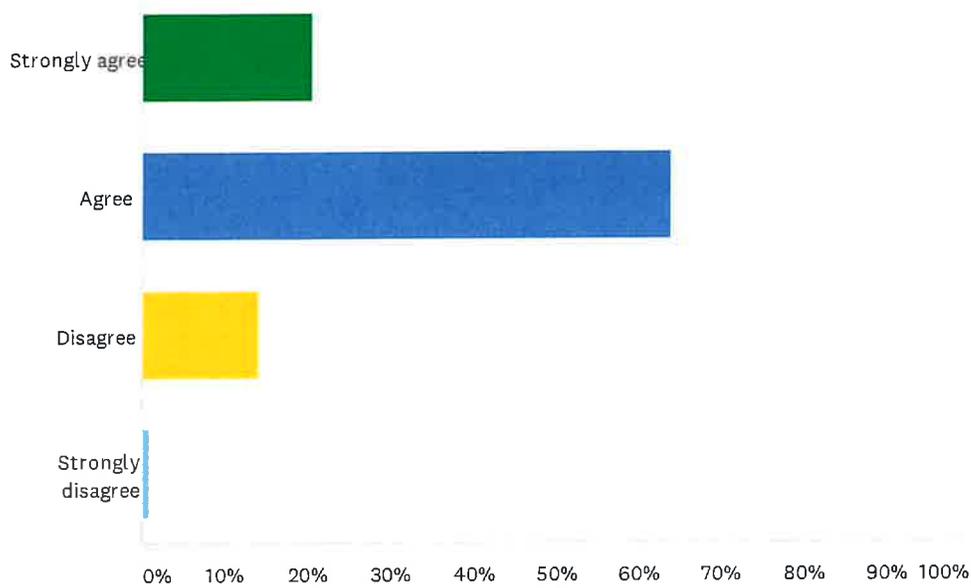
Answered: 127 Skipped: 6



ANSWER CHOICES	RESPONSES	
Strongly agree	27.56%	35
Agree	60.63%	77
Disagree	9.45%	12
Strongly disagree	2.36%	3
TOTAL		127

### Q9 SPD supervisors are open to innovative ways of working with the community.

Answered: 126 Skipped: 7



**ANSWER CHOICES**

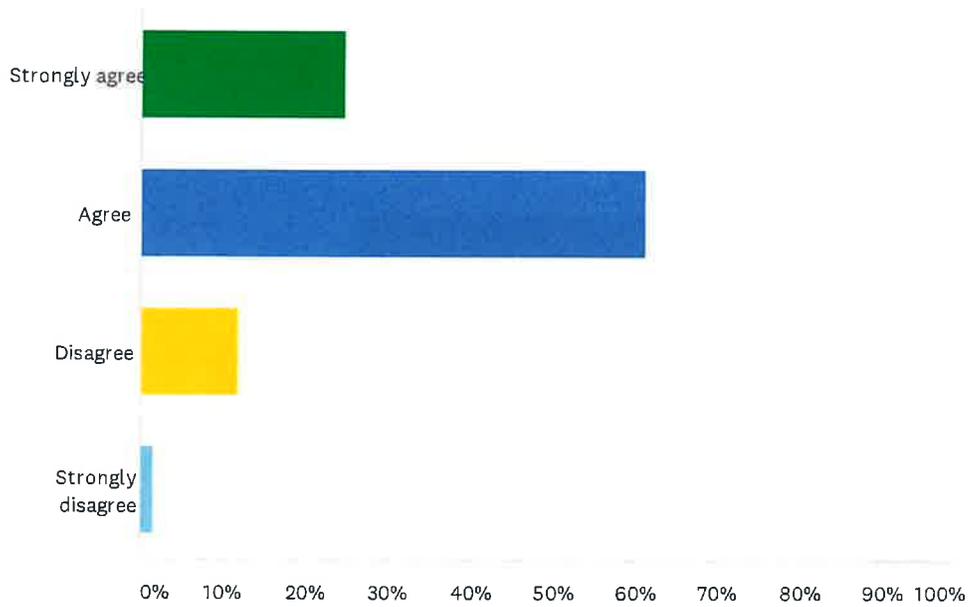
- Strongly agree
- Agree
- Disagree
- Strongly disagree
- TOTAL

**RESPONSES**

Strongly agree	20.63%	26
Agree	64.29%	81
Disagree	14.29%	18
Strongly disagree	0.79%	1
TOTAL		126

### Q10 SPD commanders actively promote positive community relations.

Answered: 125 Skipped: 8



**ANSWER CHOICES**

Strongly agree  
Agree  
Disagree  
Strongly disagree

**RESPONSES**

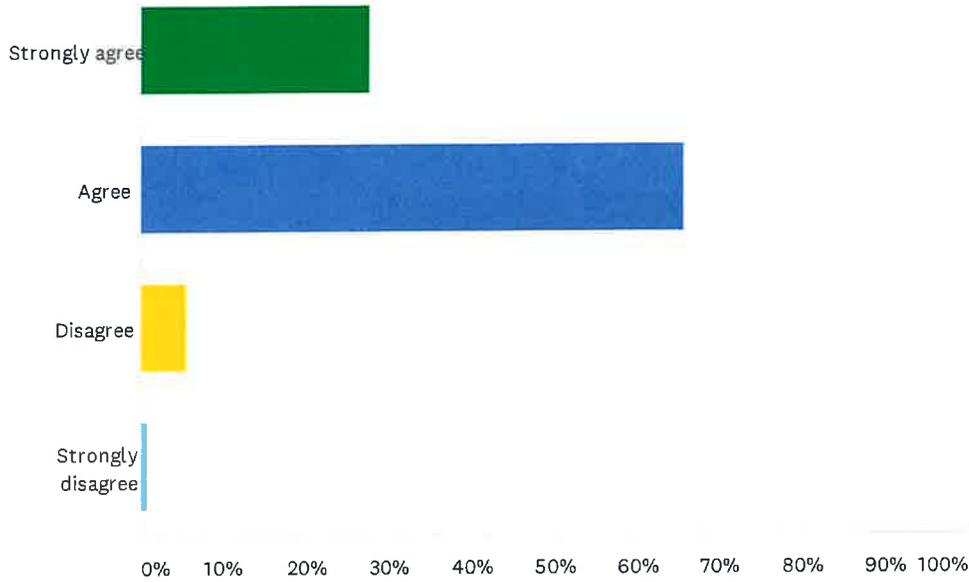
24.80% 31  
61.60% 77  
12.00% 15  
1.60% 2

TOTAL

125

### Q11 SPD supervisors actively promote positive community relations.

Answered: 126 Skipped: 7



**ANSWER CHOICES**

Strongly agree  
Agree  
Disagree  
Strongly disagree

**RESPONSES**

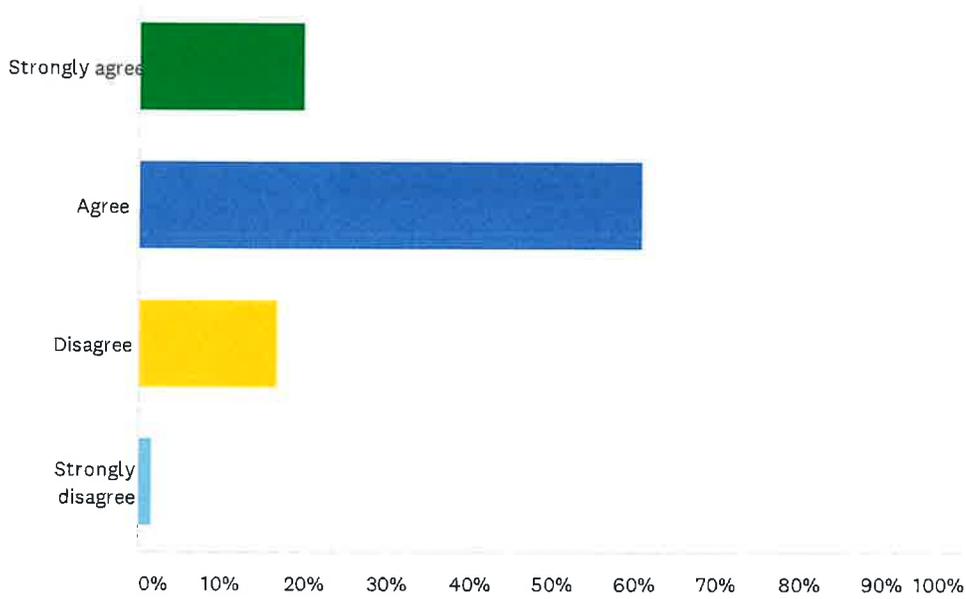
27.78% 35  
65.87% 83  
5.56% 7  
0.79% 1

**TOTAL**

**126**

### Q12 SPD supervisors encourage proactive problem-solving activities in my daily patrol duties.

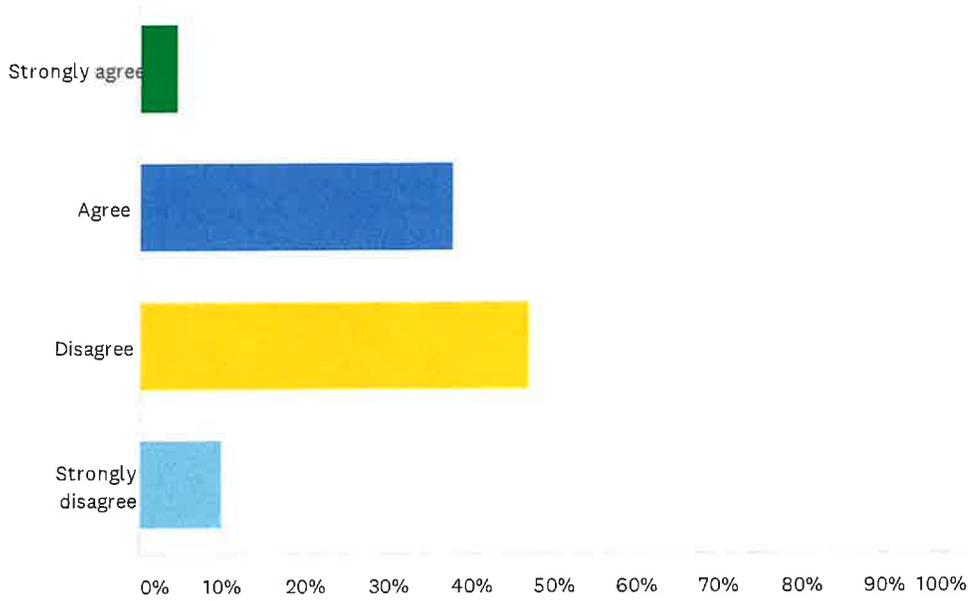
Answered: 124 Skipped: 9



ANSWER CHOICES	RESPONSES	
Strongly agree	20.16%	25
Agree	61.29%	76
Disagree	16.94%	21
Strongly disagree	1.61%	2
TOTAL		124

### Q13 Employees are regularly recognized for their efforts to work with the community.

Answered: 129 Skipped: 4



**ANSWER CHOICES**

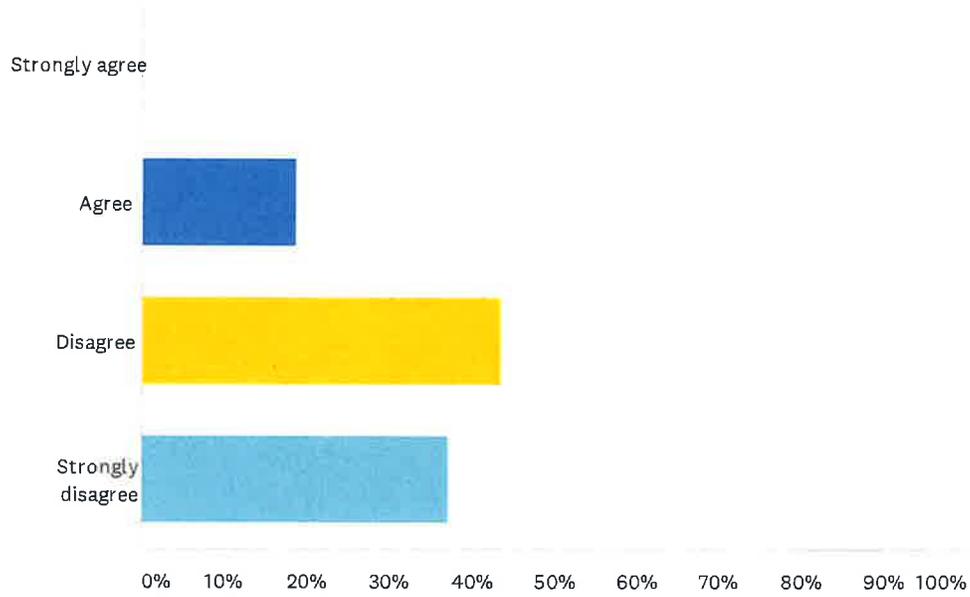
- Strongly agree
- Agree
- Disagree
- Strongly disagree
- TOTAL

**RESPONSES**

Strongly agree	4.65%	6
Agree	37.98%	49
Disagree	47.29%	61
Strongly disagree	10.08%	13
TOTAL		129

### Q14 I feel like I am not treated as a valued part of the department.

Answered: 16 Skipped: 117



**ANSWER CHOICES**

Strongly agree

Agree

Disagree

Strongly disagree

TOTAL

**RESPONSES**

0.00%

18.75%

43.75%

37.50%

0

3

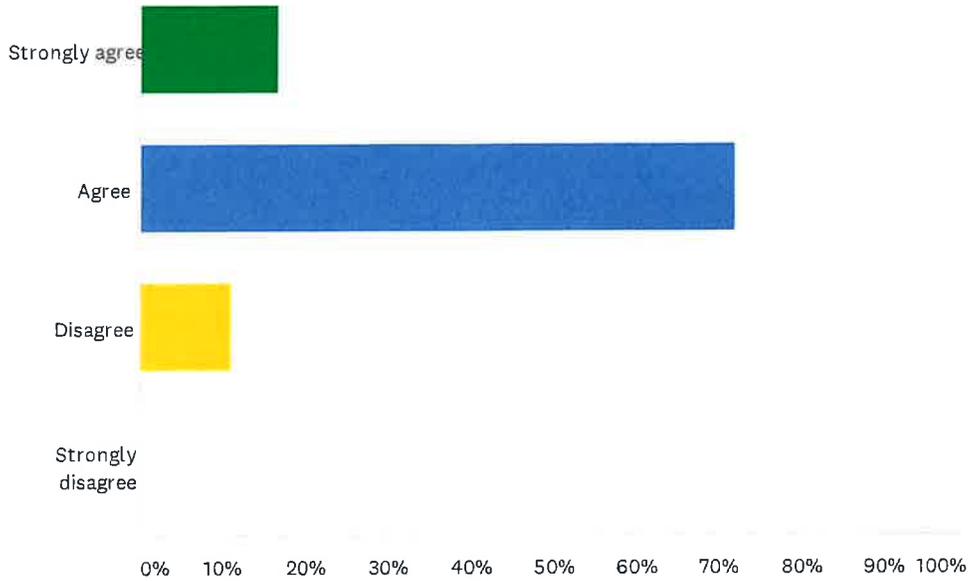
7

6

16

### Q15 I have an active role in promoting positive community relations.

Answered: 18 Skipped: 115



**ANSWER CHOICES**

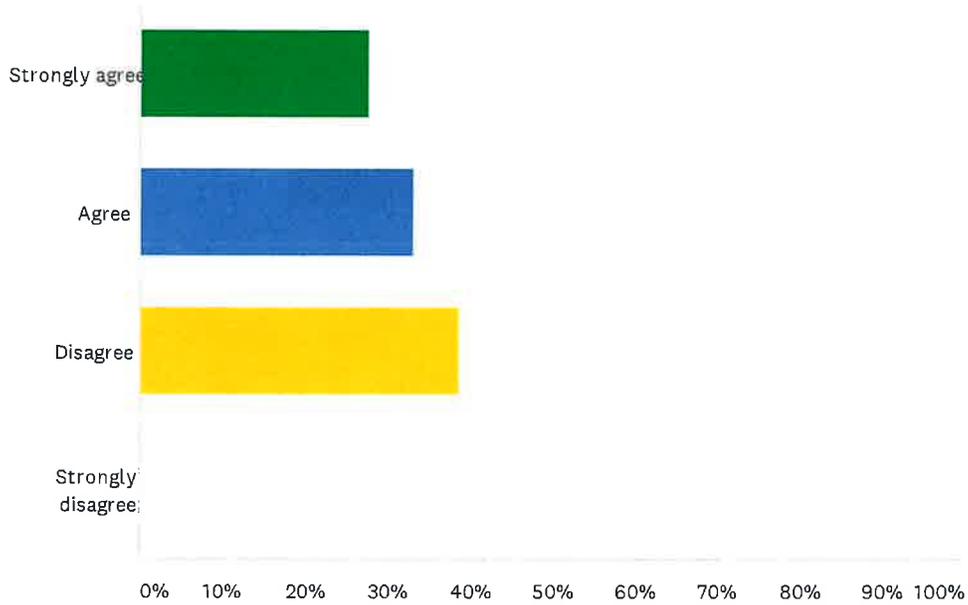
- Strongly agree
- Agree
- Disagree
- Strongly disagree

**RESPONSES**

Strongly agree	16.67%	3
Agree	72.22%	13
Disagree	11.11%	2
Strongly disagree	0.00%	0
<b>TOTAL</b>		<b>18</b>

### Q16 I am encouraged to engage in proactive activities to help with community engagement efforts.

Answered: 18 Skipped: 115



**ANSWER CHOICES**

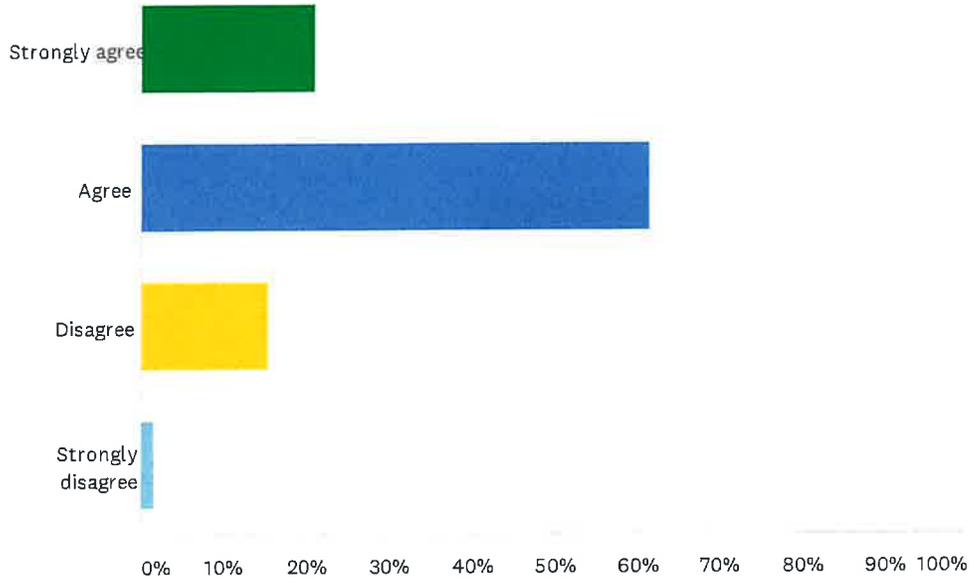
Strongly agree  
Agree  
Disagree  
Strongly disagree  
TOTAL

**RESPONSES**

27.78%	5
33.33%	6
38.89%	7
0.00%	0
	18

### Q17 The SPD works with community members to solve local problems.

Answered: 123 Skipped: 10



**ANSWER CHOICES**

- Strongly agree
- Agree
- Disagree
- Strongly disagree

**RESPONSES**

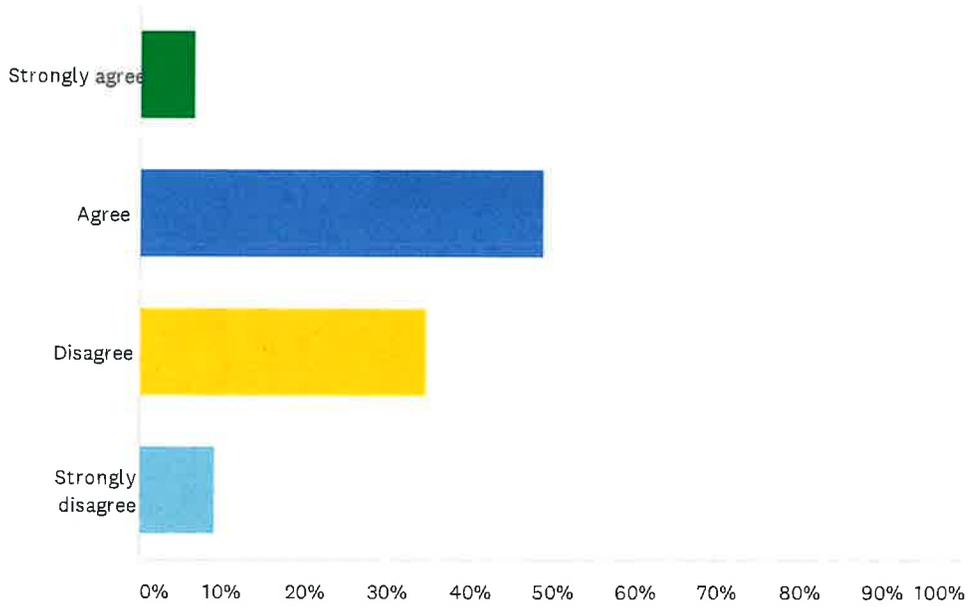
Strongly agree	21.14%	26
Agree	61.79%	76
Disagree	15.45%	19
Strongly disagree	1.63%	2

TOTAL

123

### Q18 The SPD supports me in working with community members by allowing me time to solve local problems.

Answered: 120 Skipped: 13



**ANSWER CHOICES**

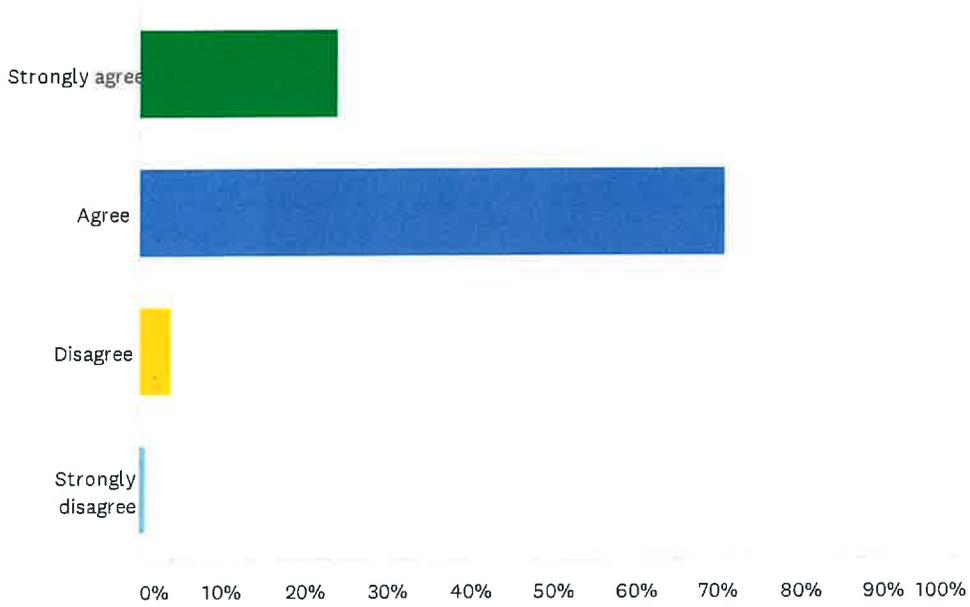
Strongly agree  
Agree  
Disagree  
Strongly disagree  
TOTAL

**RESPONSES**

6.67% 8  
49.17% 59  
35.00% 42  
9.17% 11  
120

### Q19 Residents in the city trust the SPD.

Answered: 125 Skipped: 8



**ANSWER CHOICES**

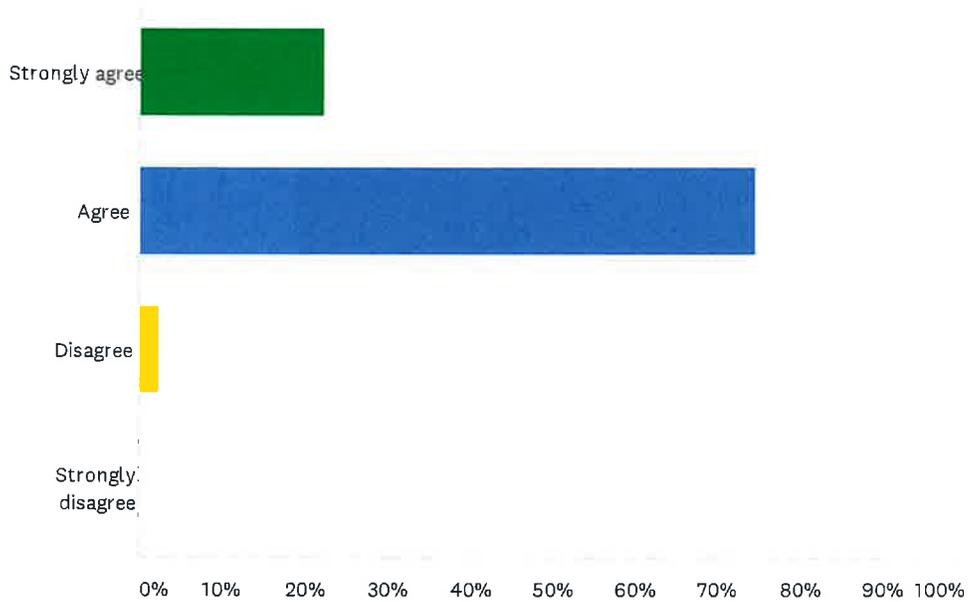
- Strongly agree
- Agree
- Disagree
- Strongly disagree

**RESPONSES**

Strongly agree	24.00%	30
Agree	71.20%	89
Disagree	4.00%	5
Strongly disagree	0.80%	1
<b>TOTAL</b>		<b>125</b>

## Q20 Residents in the city trust me as a police officer.

Answered: 116 Skipped: 17



**ANSWER CHOICES**

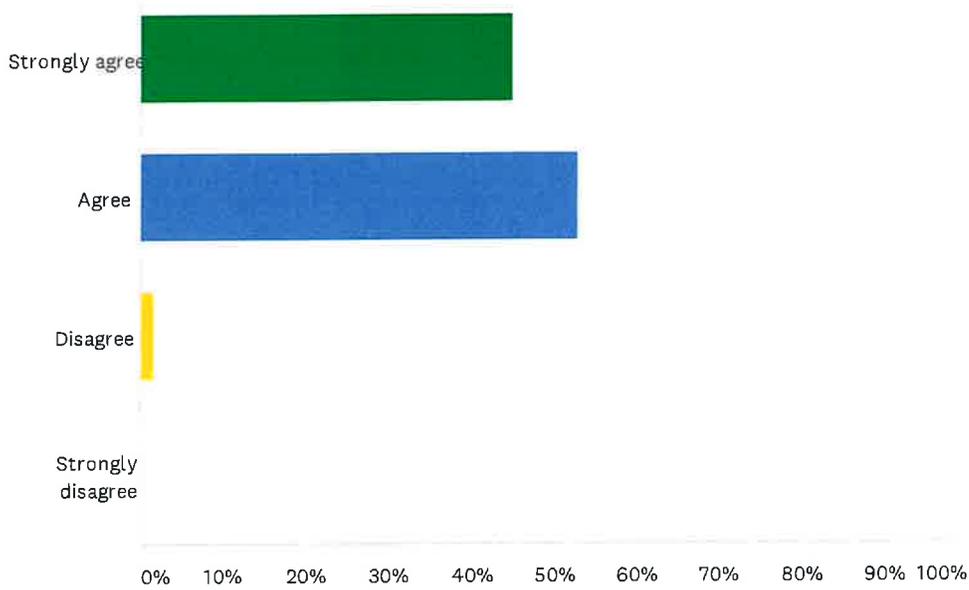
Strongly agree  
Agree  
Disagree  
Strongly disagree

**RESPONSES**

Strongly agree	22.41%	26
Agree	75.00%	87
Disagree	2.59%	3
Strongly disagree	0.00%	0
<b>TOTAL</b>		<b>116</b>

### Q21 It should be the role of the SPD to have an active role in building and sustaining collaborative community relationships.

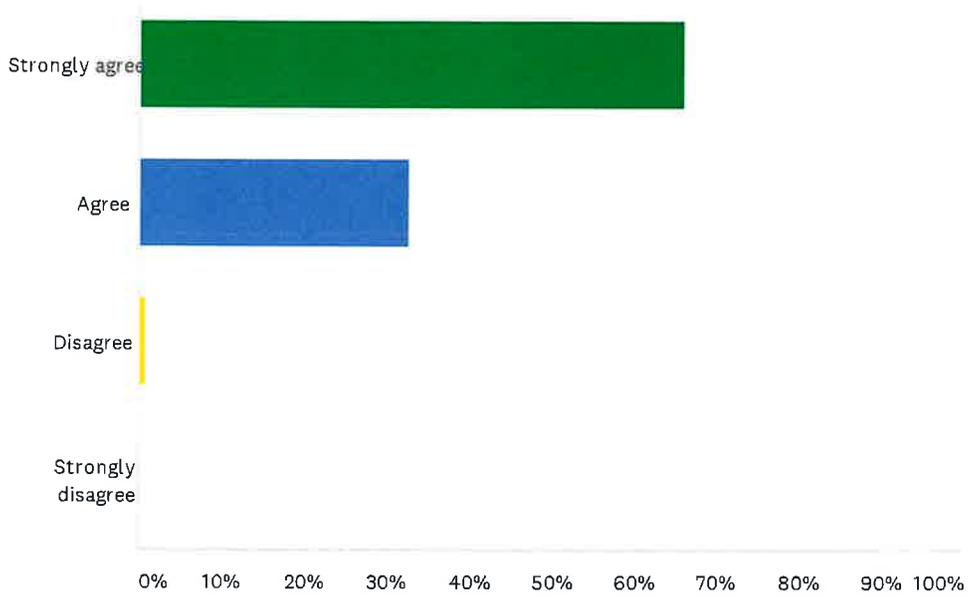
Answered: 126 Skipped: 7



ANSWER CHOICES	RESPONSES	
Strongly agree	45.24%	57
Agree	53.17%	67
Disagree	1.59%	2
Strongly disagree	0.00%	0
<b>TOTAL</b>		<b>126</b>

### Q22 The majority of the officers I work with treat all members of the community fairly and impartially.

Answered: 125 Skipped: 8



**ANSWER CHOICES**

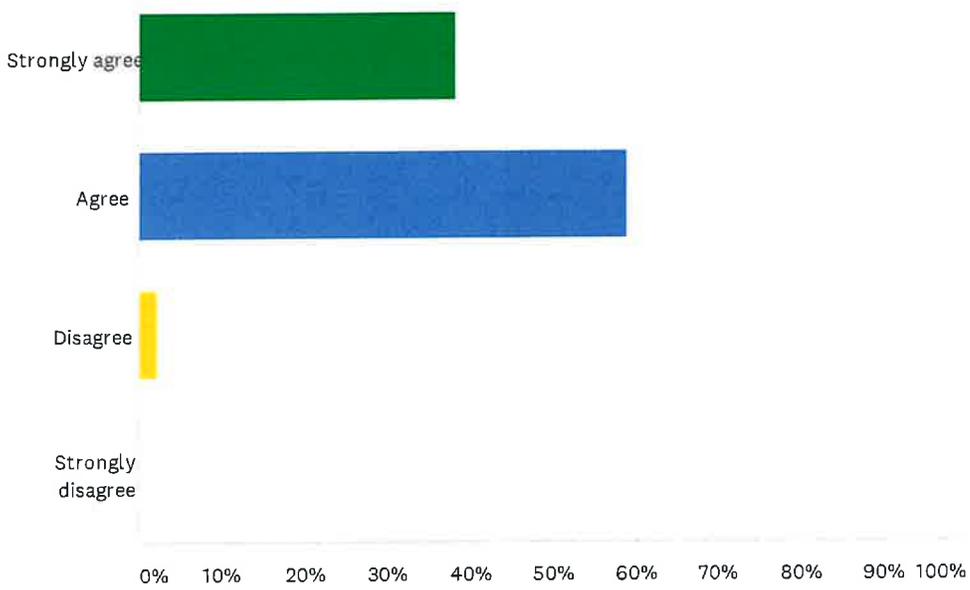
Strongly agree  
Agree  
Disagree  
Strongly disagree  
TOTAL

**RESPONSES**

66.40% 83  
32.80% 41  
0.80% 1  
0.00% 0  
125

### Q23 SPD officers are approachable and make it easy for community members to provide input (e.g. comments, suggestions, concerns).

Answered: 125 Skipped: 8



**ANSWER CHOICES**

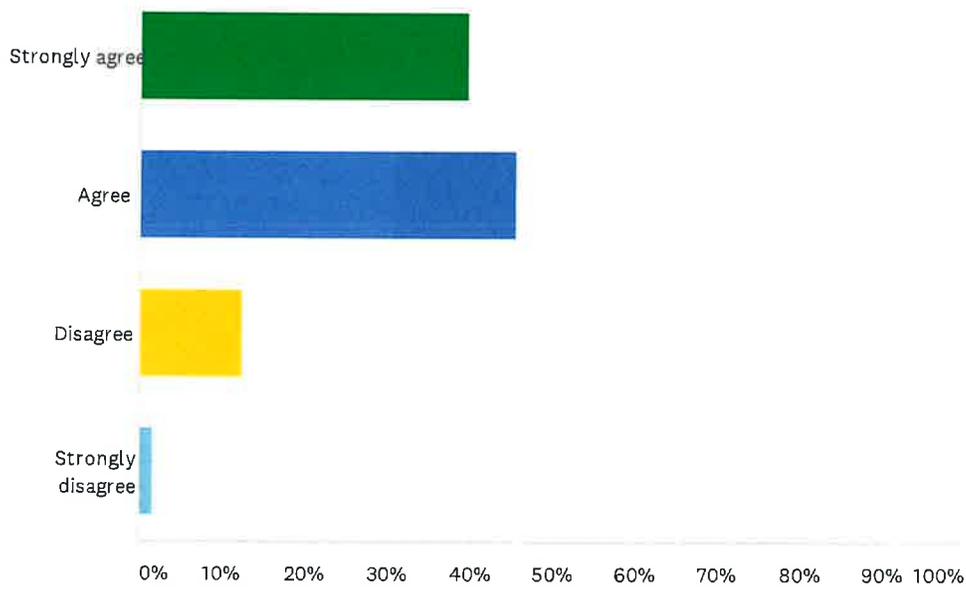
Strongly agree  
Agree  
Disagree  
Strongly disagree  
TOTAL

**RESPONSES**

38.40%	48
59.20%	74
2.40%	3
0.00%	0
	125

## Q24 Youth programs improve relations between the SPD and the community where I work.

Answered: 120 Skipped: 13



**ANSWER CHOICES**

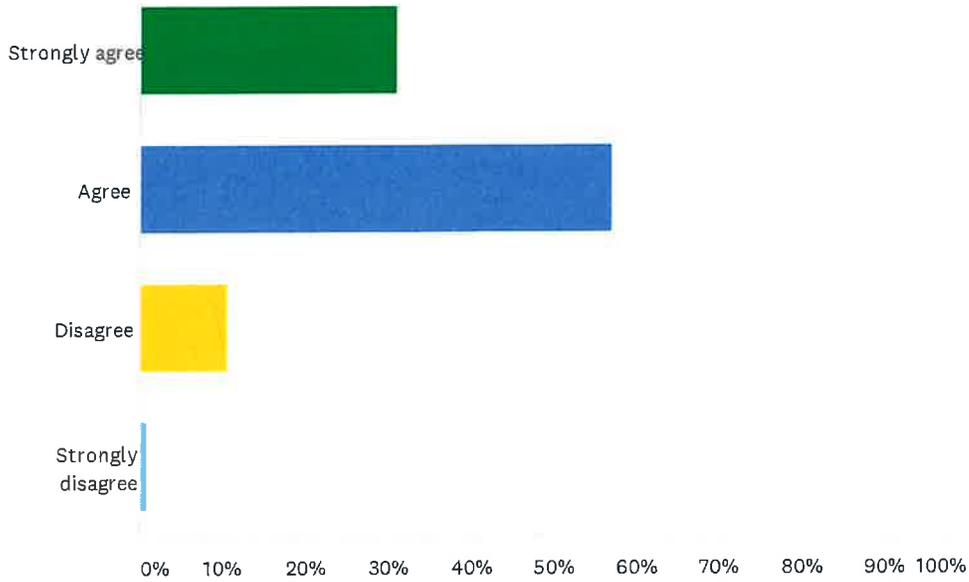
Strongly agree  
Agree  
Disagree  
Strongly disagree  
TOTAL

**RESPONSES**

40.00%	48
45.83%	55
12.50%	15
1.67%	2
	120

## Q25 Youth programs help reduce crime.

Answered: 122 Skipped: 11



### ANSWER CHOICES

Strongly agree  
Agree  
Disagree  
Strongly disagree

### RESPONSES

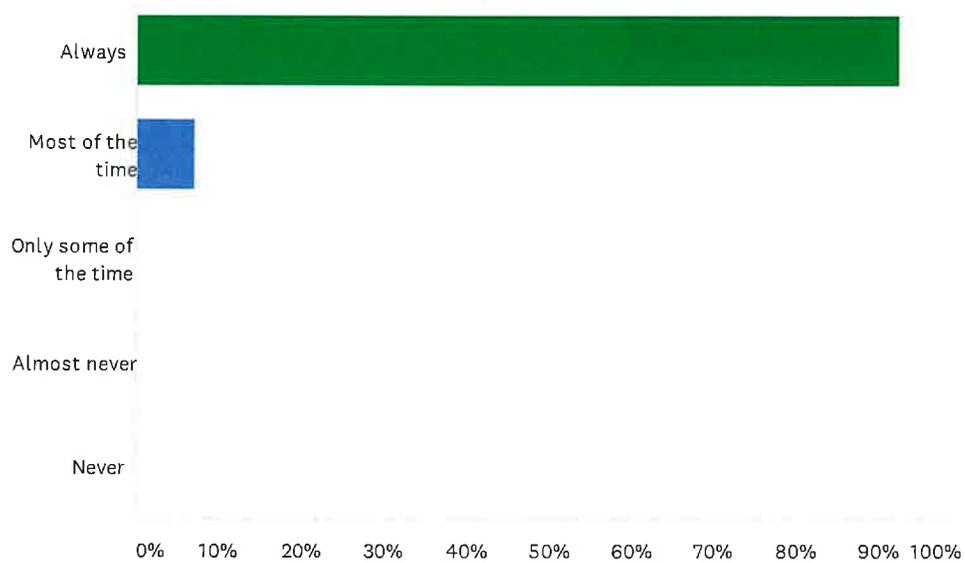
31.15% 38  
57.38% 70  
10.66% 13  
0.82% 1

TOTAL

122

## Q26 The officers in my area and division treat people of all racial and ethnic groups fairly.

Answered: 126 Skipped: 7



**ANSWER CHOICES**

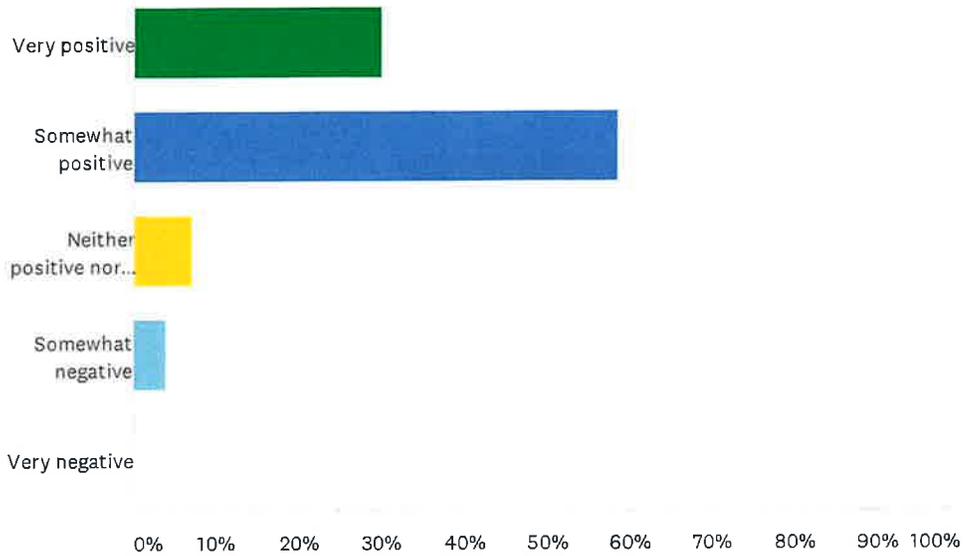
Always  
 Most of the time  
 Only some of the time  
 Almost never  
 Never  
 TOTAL

**RESPONSES**

92.86%      117  
 7.14%      9  
 0.00%      0  
 0.00%      0  
 0.00%      0  
 126

## Q27 The relations between the police and the community where I work today are:

Answered: 126 Skipped: 7



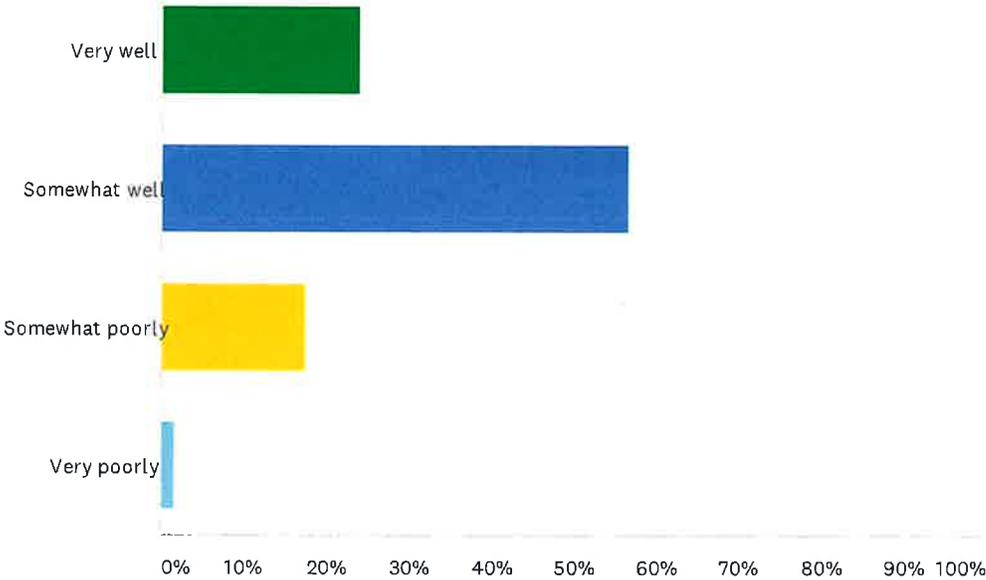
**ANSWER CHOICES**

**RESPONSES**

Very positive	30.16%	38
Somewhat positive	58.73%	74
Neither positive nor negative	7.14%	9
Somewhat negative	3.97%	5
Very negative	0.00%	0
<b>TOTAL</b>		<b>126</b>

### Q28 Overall, how would you say that racial and ethnic groups in the City of Salem are getting along these days?

Answered: 125 Skipped: 8



**ANSWER CHOICES**

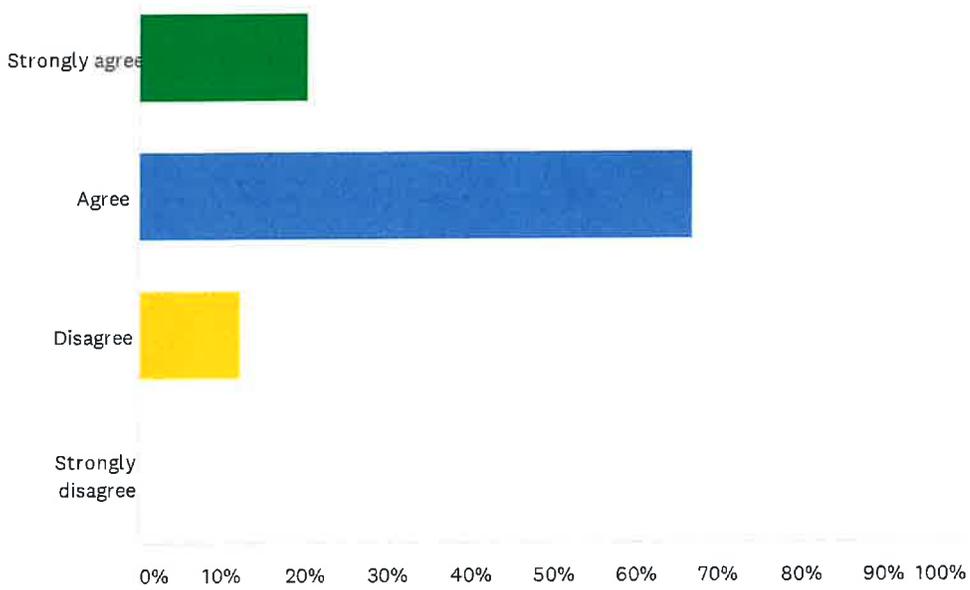
- Very well
- Somewhat well
- Somewhat poorly
- Very poorly
- TOTAL

**RESPONSES**

24.00%	30
56.80%	71
17.60%	22
1.60%	2
	125

### Q29 The work of the SPD improves relations between racial and ethnic groups in the City of Salem.

Answered: 122 Skipped: 11



**ANSWER CHOICES**

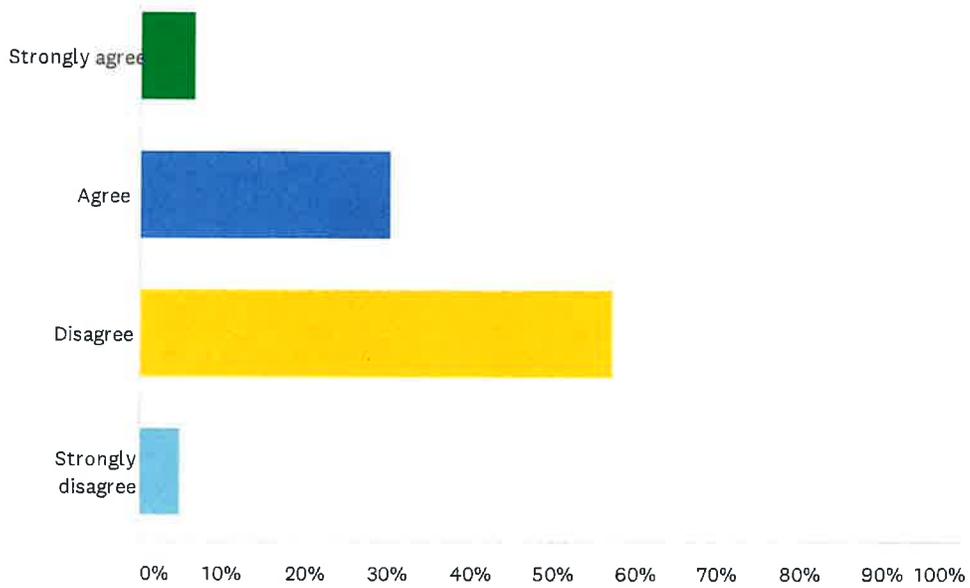
- Strongly agree
- Agree
- Disagree
- Strongly disagree
- TOTAL

**RESPONSES**

Strongly agree	20.49%	25
Agree	67.21%	82
Disagree	12.30%	15
Strongly disagree	0.00%	0
TOTAL		122

### Q30 Residents in Salem care more about safety than fairness in policing.

Answered: 118 Skipped: 15



**ANSWER CHOICES**

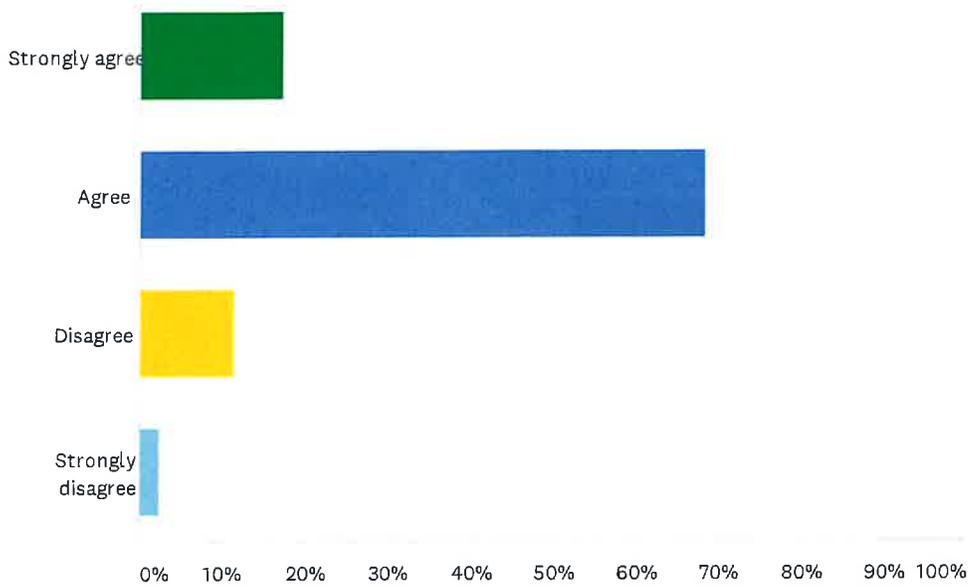
Strongly agree  
Agree  
Disagree  
Strongly disagree

**RESPONSES**

Percentage	Count
6.78%	8
30.51%	36
57.63%	68
5.08%	6
<b>TOTAL</b>	<b>118</b>

### Q31 The SPD's leadership has improved relations with the community.

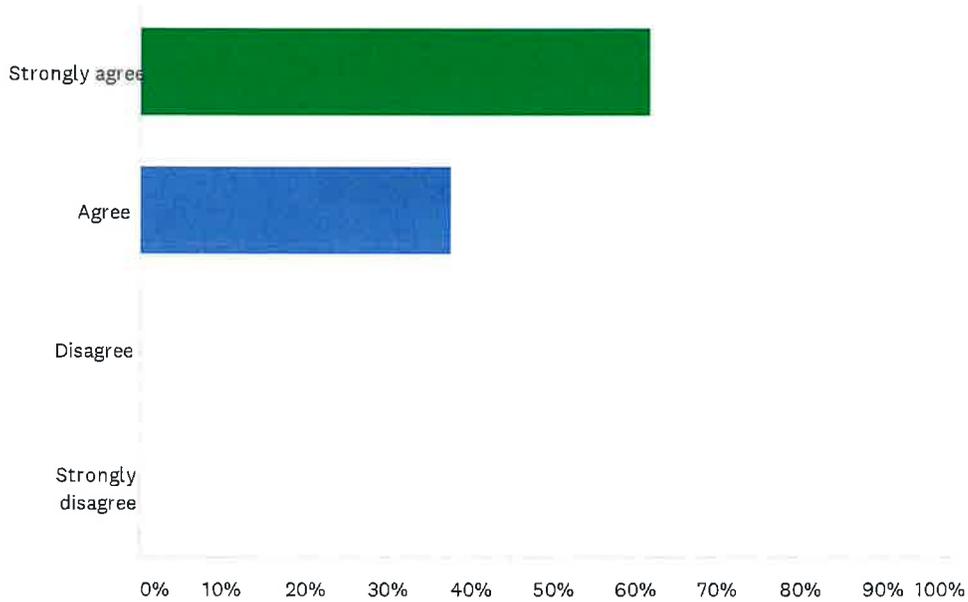
Answered: 121 Skipped: 12



ANSWER CHOICES	RESPONSES	
Strongly agree	17.36%	21
Agree	68.60%	83
Disagree	11.57%	14
Strongly disagree	2.48%	3
TOTAL		121

### Q32 How I engage with all members of the community influences the way the community perceives the SPD.

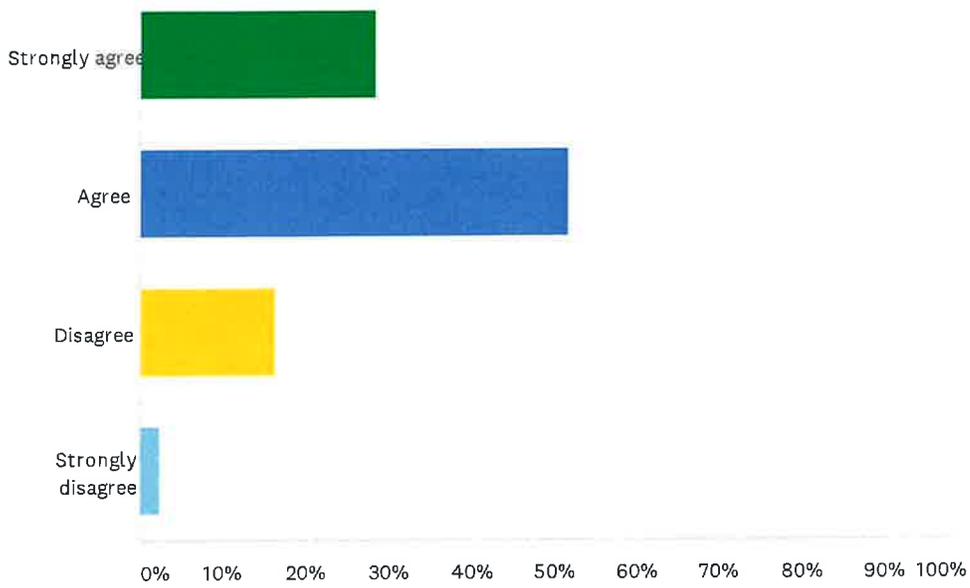
Answered: 124 Skipped: 9



ANSWER CHOICES	RESPONSES	
Strongly agree	62.10%	77
Agree	37.90%	47
Disagree	0.00%	0
Strongly disagree	0.00%	0
TOTAL		124

### Q33 I actively incorporate community policing strategies in my daily activities.

Answered: 115 Skipped: 18



**ANSWER CHOICES**

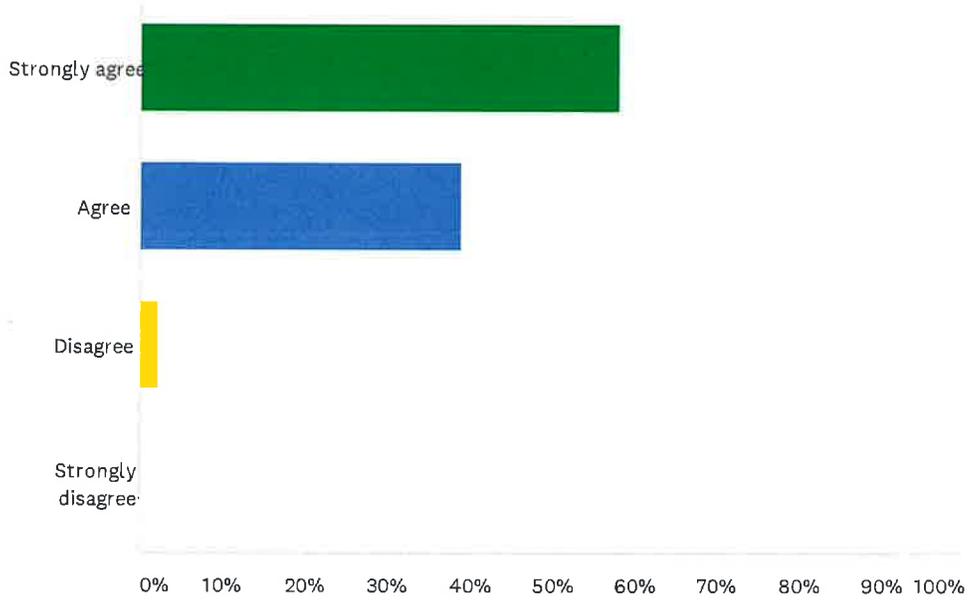
- Strongly agree
- Agree
- Disagree
- Strongly disagree
- TOTAL

**RESPONSES**

Strongly agree	28.70%	33
Agree	52.17%	60
Disagree	16.52%	19
Strongly disagree	2.61%	3
TOTAL		115

### Q34 The quality of my work influences the way the community perceives the SPD.

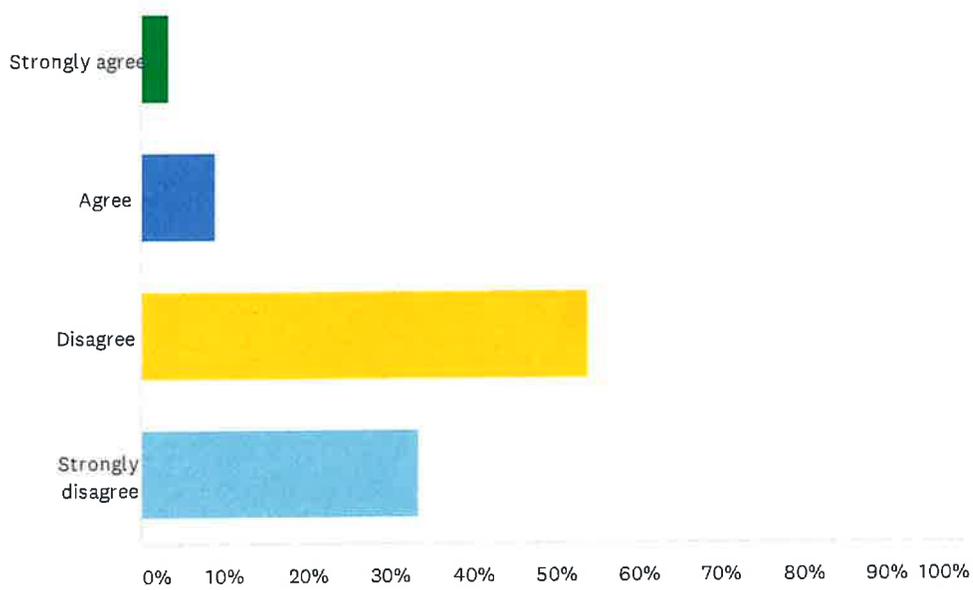
Answered: 125 Skipped: 8



ANSWER CHOICES	RESPONSES	
Strongly agree	58.40%	73
Agree	39.20%	49
Disagree	2.40%	3
Strongly disagree	0.00%	0
TOTAL		125

### Q35 Policing strategies used by SPD negatively affect community relations.

Answered: 122 Skipped: 11



**ANSWER CHOICES**

Strongly agree

Agree

Disagree

Strongly disagree

TOTAL

**RESPONSES**

3.28%

9.02%

54.10%

33.61%

4

11

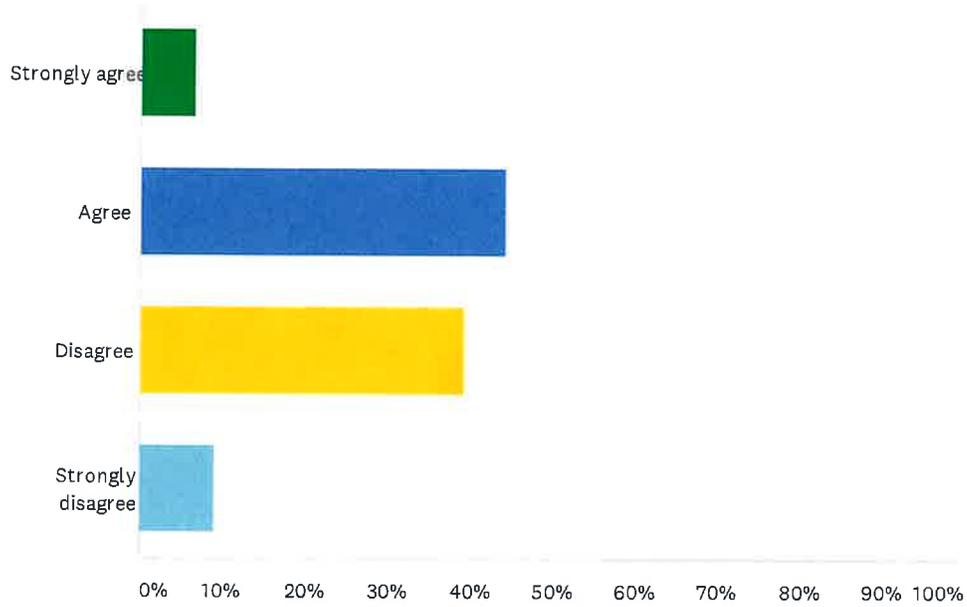
66

41

122

### Q36 My direct supervisor actively monitors my community contacts.

Answered: 119 Skipped: 14



**ANSWER CHOICES**

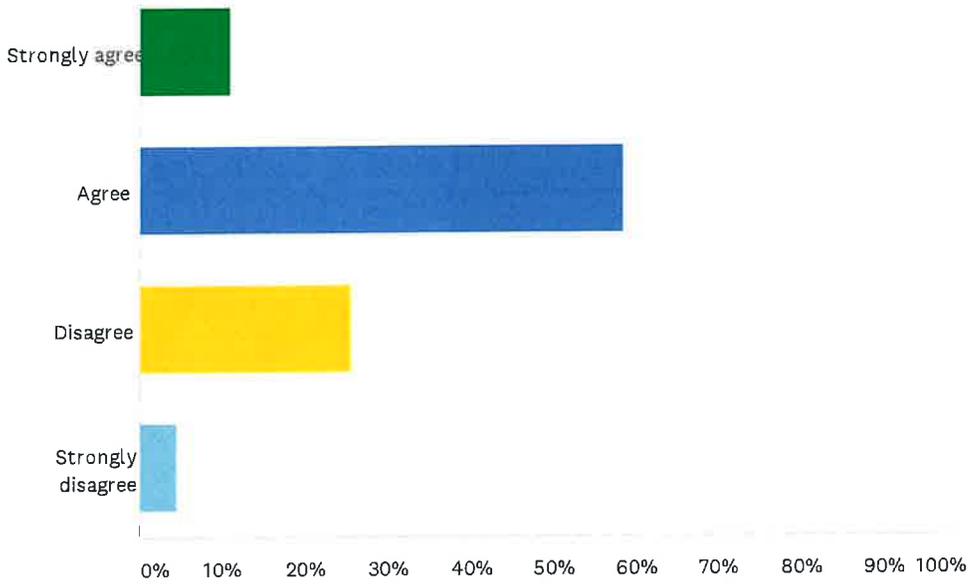
- Strongly agree
- Agree
- Disagree
- Strongly disagree

**RESPONSES**

Strongly agree	6.72%	8
Agree	44.54%	53
Disagree	39.50%	47
Strongly disagree	9.24%	11
<b>TOTAL</b>		<b>119</b>

### Q37 The SPD incorporates community policing competencies into performance evaluations.

Answered: 109 Skipped: 24



**ANSWER CHOICES**

- Strongly agree
- Agree
- Disagree
- Strongly disagree

**RESPONSES**

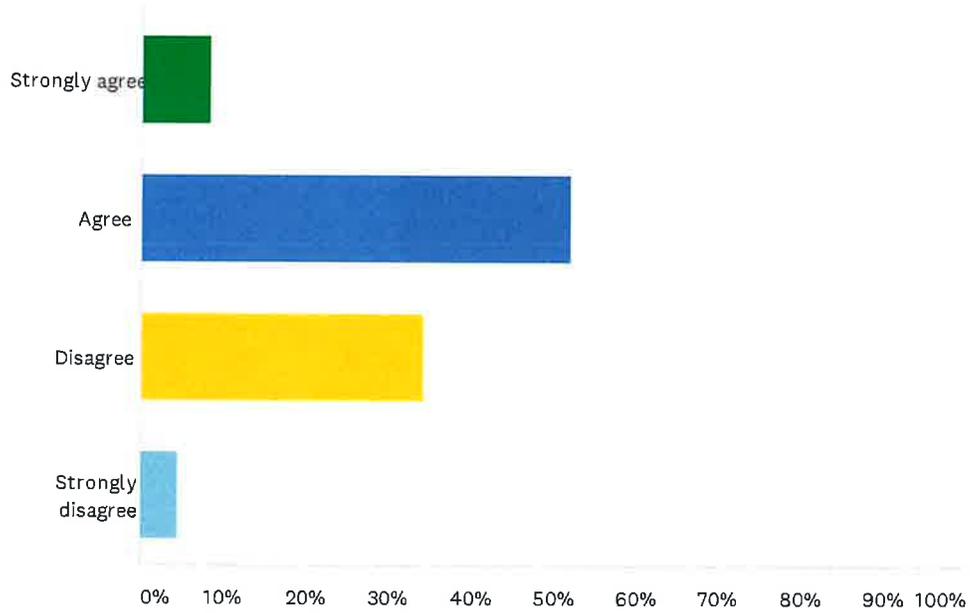
Strongly agree	11.01%	12
Agree	58.72%	64
Disagree	25.69%	28
Strongly disagree	4.59%	5

TOTAL

109

### Q38 The SPD incorporates community policing competencies into promotional determinations.

Answered: 107 Skipped: 26



**ANSWER CHOICES**

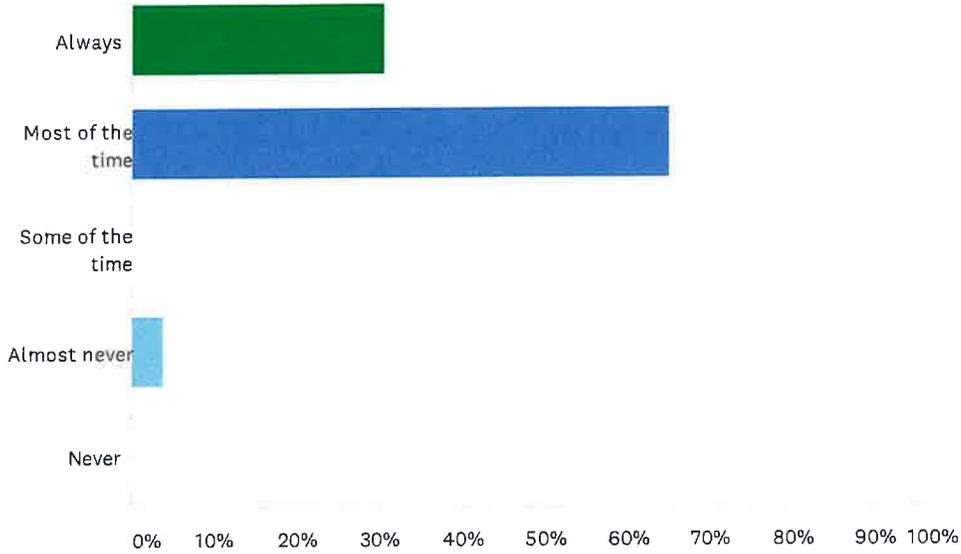
- Strongly agree
- Agree
- Disagree
- Strongly disagree
- TOTAL

**RESPONSES**

Strongly agree	8.41%	9
Agree	52.34%	56
Disagree	34.58%	37
Strongly disagree	4.67%	5
TOTAL		107

### Q39 Do you feel that the training you have received provides you with the skills needed to perform your job?

Answered: 127 Skipped: 6



**ANSWER CHOICES**

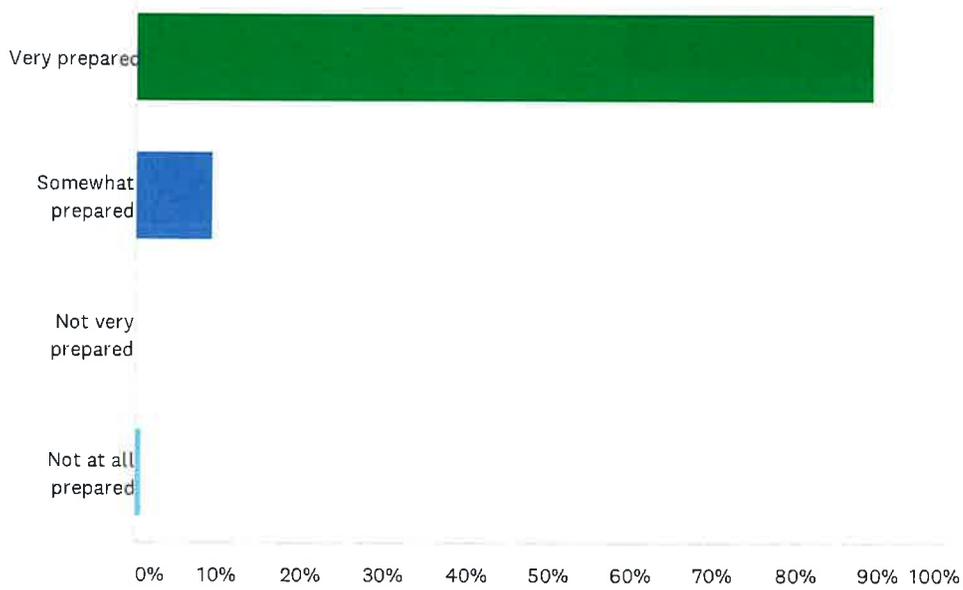
- Always
- Most of the time
- Some of the time
- Almost never
- Never
- TOTAL

**RESPONSES**

Response	Percentage	Count
Always	30.71%	39
Most of the time	65.35%	83
Some of the time	0.00%	0
Almost never	3.94%	5
Never	0.00%	0
TOTAL		127

### Q40 How prepared do you feel to communicate courteously and respectfully?

Answered: 127 Skipped: 6



**ANSWER CHOICES**

Very prepared

Somewhat prepared

Not very prepared

Not at all prepared

TOTAL

**RESPONSES**

89.76%

9.45%

0.00%

0.79%

114

12

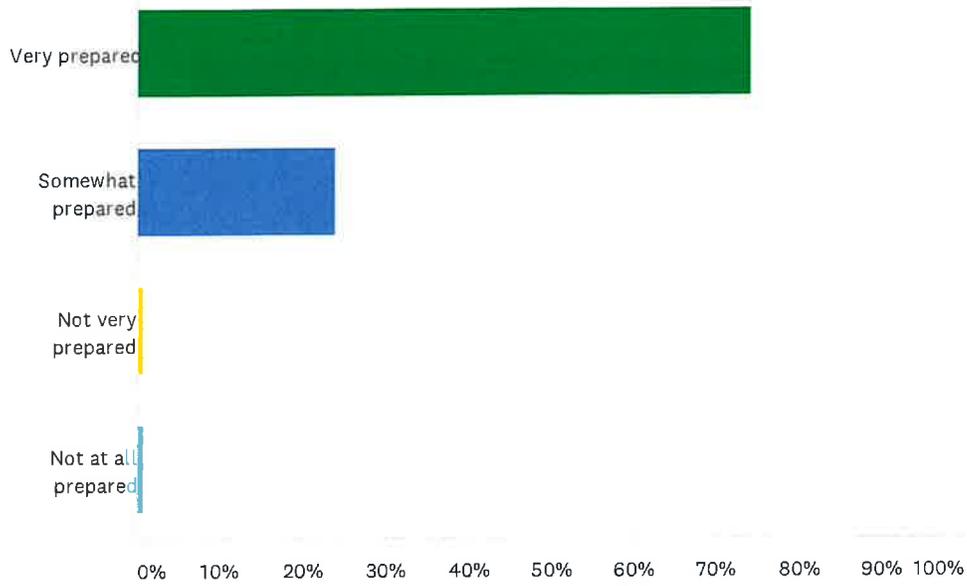
0

1

127

### Q41 How prepared do you feel to de-escalate situations?

Answered: 125 Skipped: 8



**ANSWER CHOICES**

Very prepared

Somewhat prepared

Not very prepared

Not at all prepared

TOTAL

**RESPONSES**

74.40%

24.00%

0.80%

0.80%

93

30

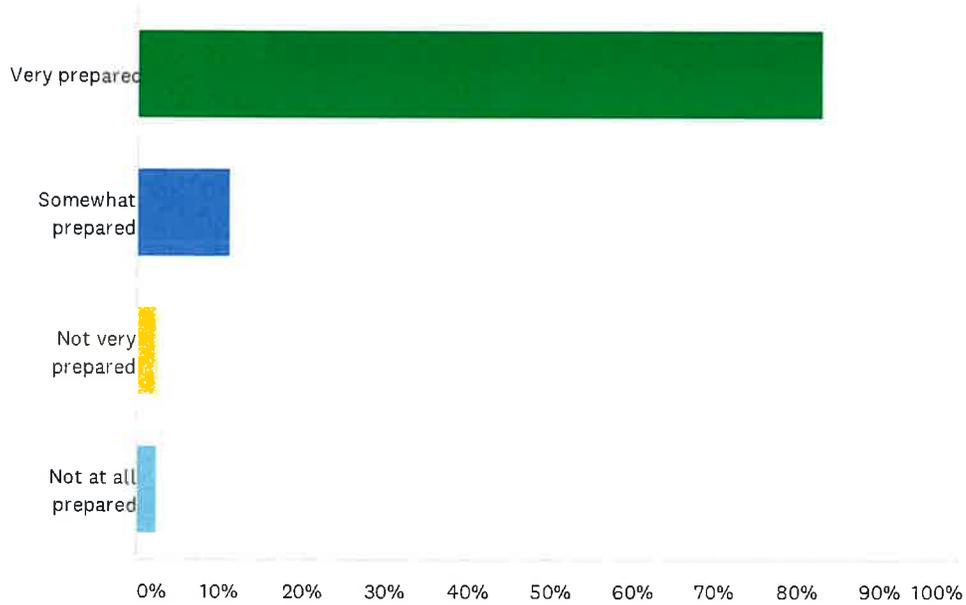
1

1

125

### Q42 How prepared do you feel to work through use of force decision making?

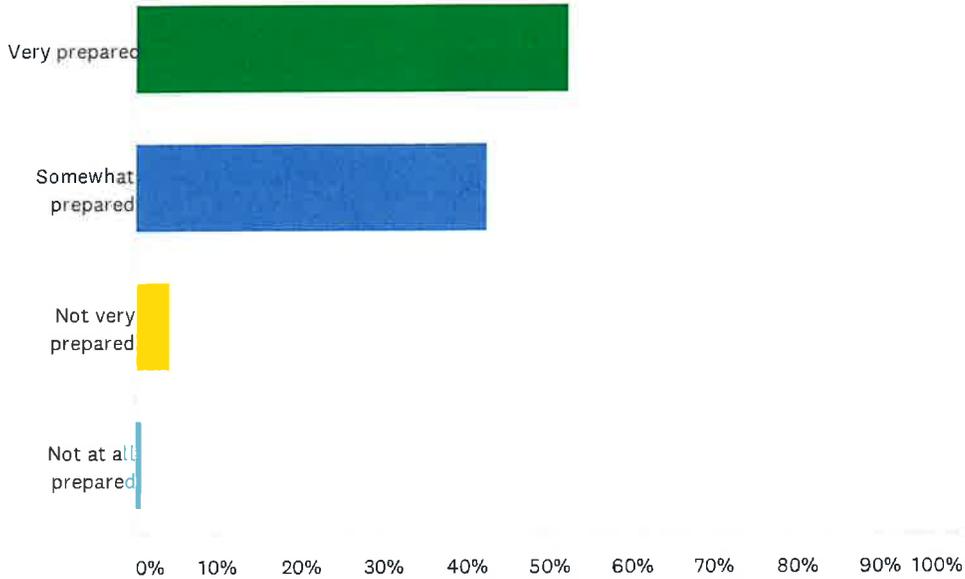
Answered: 115 Skipped: 18



ANSWER CHOICES	RESPONSES	
Very prepared	83.48%	96
Somewhat prepared	11.30%	13
Not very prepared	2.61%	3
Not at all prepared	2.61%	3
TOTAL		115

### Q43 How prepared do you feel to meet community expectations?

Answered: 122 Skipped: 11



**ANSWER CHOICES**

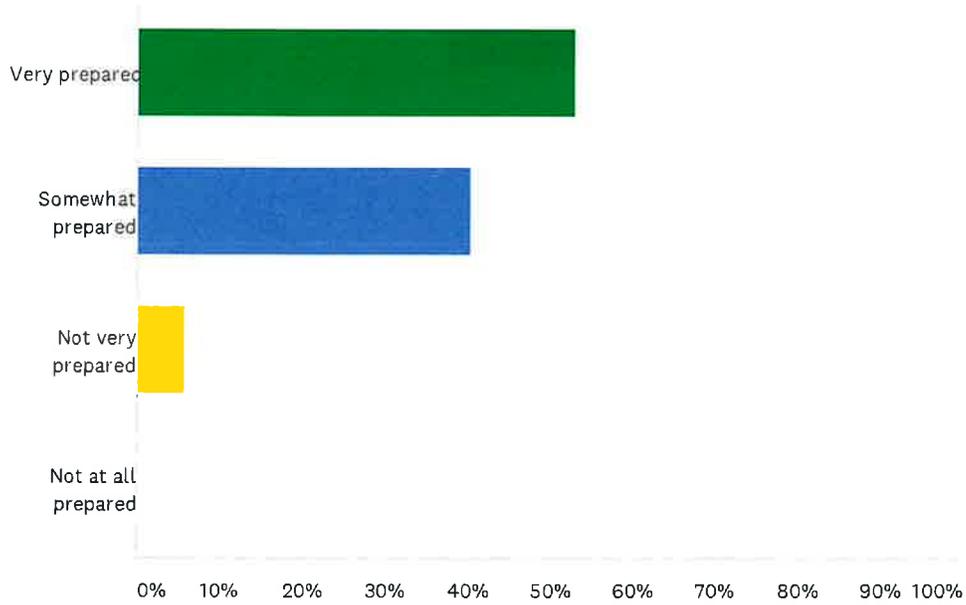
- Very prepared
- Somewhat prepared
- Not very prepared
- Not at all prepared

**RESPONSES**

Very prepared	52.46%	64
Somewhat prepared	42.62%	52
Not very prepared	4.10%	5
Not at all prepared	0.82%	1
<b>TOTAL</b>		<b>122</b>

### Q44 How prepared do you feel to meet Department expectations with respect to community policing?

Answered: 118 Skipped: 15



**ANSWER CHOICES**

- Very prepared
- Somewhat prepared
- Not very prepared
- Not at all prepared

**RESPONSES**

ANSWER CHOICES	PERCENTAGE	COUNT
Very prepared	53.39%	63
Somewhat prepared	40.68%	48
Not very prepared	5.93%	7
Not at all prepared	0.00%	0
<b>TOTAL</b>		<b>118</b>

Section 11

LEGISLATIVE ITEMS - 2021 LEGISLATIVE SESSION

**DATE:** June 28, 2020  
**TO:** AOC Public Safety Steering Committee  
**FROM:** Rob Bovett, AOC Legal Counsel and Legislative Director  
**SUBJECT:** Staff Memo at the close of the 2021 Regular Oregon Legislative Session

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The 2021 Regular Legislative Session came to a close on Saturday, June 26, 2021, at around 5:30 PM. It was, by all measures, an unusual session conducted during an unusual time – worldwide pandemic, hyper-partisan politics, etc. Here is a brief run-down with regard to AOC top priorities in the public safety policy portfolio, followed by special notes with regard to 9 bills:

#### **A. AOC Top 2021 Legislative Priorities in Public Safety**

- **1. Police Reform: “Identify and facilitate appropriate legislative responses to the causes of racial and ethnic disparities in the justice system to reduce and ultimately eradicate them, fostering public trust and promoting public safety.”**

Oregon law enforcement has a proven track record of working closely with the Oregon State Legislature on public safety legislation that is responsive to community needs and improves public safety outcomes for all Oregonians. With this as a goal, AOC and Oregon law enforcement were pleased to play a role in the collaborative and bi-partisan process that resulted in the series of 7 police reform bills that were passed in the first and second 2020 special sessions and the 16 police reform bills that were passed in the 2021 regular session - for a total of 23 bills. That legislation represents meaningful and comprehensive change to police practices that will translate into increased equity, transparency and enhanced community trust in Oregon policing. All 23 of these bills were also supported by the [Oregon State Sheriffs Association \(OSSA\)](#), the [League of Oregon Cities \(LOC\)](#), and the [Oregon Association Chiefs of Police \(OACP\)](#).

AOC wishes to express special thanks to the members of the [House Judiciary Committee](#), Chaired by Representative Bynum and Vice-Chaired by Representatives Noble and Power, the members of the [House Subcommittee on Equitable Policing](#), Chaired by Representative Bynum and Vice-Chaired by Representative Noble, the members of the [Joint Committee on Transparent Policing and Use of Force Reform](#), Co-Chaired by Senator Manning and Representative Bynum, and the members of the Joint Committees of the [First](#) and [Second](#) Special Session. For convenience, here is a list of all 23:

#### *2020 First Special Session*

- [SB 1604](#) Police discipline matrix and arbitrator decisions
- [HB 4201](#) Transparent Policing and Use of Force Reform Committee
- [HB 4203](#) Use of force reform – chokeholds
- [HB 4205](#) Duty to intervene with regard to misconduct
- [HB 4207](#) DPSST database of suspensions and revocations

- [HB 4208](#) Use of force reform - tear gas  
2020 Second Special Session
- [HB 4301](#) Use of force reform – generally  
2021 Regular Session
- [HB 2162](#) Police training and certification
- [HB 2481](#) Limits on use of military surplus equipment
- [HB 2513](#) CPR training and EMS referrals
- [HB 2575](#) Interactions with persons who experienced trauma
- [HB 2928](#) Limits on use of teargas and riot munitions
- [HB 2929](#) Duty to report misconduct
- [HB 2930](#) Police discipline arbitration reform
- [HB 2932](#) Reporting to FBI use of force database
- [HB 2936](#) Background checks and social media policies
- [HB 2986](#) Gender crime training
- [HB 3047](#) Civil cause of action for doxing
- [HB 3059](#) Unlawful assembly response
- [HB 3145](#) Police discipline database
- [HB 3164](#) Revisions to interfering with a police officer
- [HB 3273](#) Regulating release of booking photos
- [HB 3355](#) Crowd management uniforms in larger cities

- **2. Probation Fees: “Make it optional for counties to collect parole and probation fees (changing “shall” to “may” in ORS 423.570).”**

AOC and the [Oregon Association of Community Correction Directors \(OACCD\)](#) supported [Senate Bill 620](#) to allow counties the discretion to not charge and collect probation fees. That bill passed the Senate without any opposition. However, the incredibly positive May revenue forecast, combined with the infusion of federal COVID relief funds, meant the legislature could entirely eliminate probation fees statewide with a \$10 million backfill to prevent service reduction. As a result, Senate Bill 620 was amended to remove the fees and Section 165 of [House Bill 5006](#) provided the backfill.

- **3. Community Corrections Funding: “Secure full funding of baseline community corrections essential to the efficacy of supervised probation and ensuring public safety.”**

AOC supported full baseline funding for community corrections, taking into account cuts resulting from the failure of the 2019 and 2020 legislative sessions to fully fund community corrections during the 2019-2021 biennium, as well as the passage of Ballot Measure 110 that further reduced funding for community corrections. Further, AOC supported additional funding for community corrections by way of special programs under the auspices of the Oregon Criminal Justice Commission, such as the Justice Reinvestment Initiative (JRI). Further, AOC supported expanding community correction services to include certain misdemeanor domestic violence and sex crime cases. Here are the highlights:

- \$32 million added to baseline budget.
- Full funding for JRI and other specialty court programs.
- Elimination of probation fees with a \$10 million backfill to maintain services.
- Expansion of community corrections to include certain misdemeanor domestic violence cases.

Baseline funding was expanded through the Department of Corrections (DOC) budget bill, [HB 5004](#). Full funding for JRI and other specialty programs occurred through the Criminal Justice Commission (CJC) budget bill, [HB 5005](#), and expansion to include certain domestic violence misdemeanors was accomplished by way of [SB 497](#). Further, [SB 620](#) eliminated probation fees, but [HB 5006](#) provided the backfill for that revenue loss.

- **4. Emergency Management: “Enhanced Emergency Notification and Preparedness: The ongoing COVID-19 pandemic and wildfire disasters have called attention to the need for enhanced attention and funding for emergency management services.”**

AOC and the [Oregon Emergency Management Association \(OEMA\)](#) have supported the major restructuring of emergency management services for a number of years and legislative sessions. These efforts have been spearheaded by Representative Paul Evans (Polk County), who chairs the [House Committee on Veterans and Emergency Management](#). The COVID pandemic and wildfire disasters further highlighted the need to move forward with this major restructuring and modernization of the way emergency services are delivered in Oregon. It should be noted that, while emergency management currently resides in the public safety policy portfolio, it touches nearly every other portfolio, as we were all reminded by the COVID pandemic (Health & Human Services) and wildfires (Natural Resources). Cross-portfolio work in this arena will certainly continue, as previously discussed by the AOC Legislative Committee. Here are the highlights of this major [restructuring and modernization](#) of emergency management services in Oregon:

- [HB 2927](#) renames the Office of Emergency Management (OEM) as the Oregon Department of Emergency Management (ODEM) and establishes ODEM as an independent state agency, directing it to carry out various functions related to emergency response and preparedness.
- The bill also transfers the Oregon Emergency Response System (OERS) from the Oregon State Police (OSP) to ODEM, and makes the State Fire Marshal an independent state agency.
- The bill also establishes the Emergency Preparedness Advisory Council (EPAC) to make recommendations related to catastrophic disaster, establishes the Local Government Emergency Management Advisory Council (LGEMAC) to make recommendations to ODEM regarding emergency preparedness and response functions.

It should also be noted that In January of 2021, AOC added the following principle to the AOC Public Safety Steering Committee list of principles: *“Government at all levels should fully support the fundamental principles of emergency management, including preparedness, response, mitigation and recovery.”*

## **B. Notes on Specific Bills**

### **1. [SB 218](#) - Expansion of conditional discharge**

This bill expands the types of charges eligible for conditional discharge to include any misdemeanor or Class C felony, other than driving while under the influence of intoxicants, if the defendant has been formally accepted into a specialty court program. **NOTE:** AOC Legal Counsel has spent many years and legislative sessions [expanding the reach](#) of conditional discharge. This bill may eliminate the need to continue to do so, but should be watched closely to ensure the bill encompasses all it intends.

### **2. [SB 295](#) - State hospital diversions to community care**

AOC and many of its partners engaged in the lead up to this major reform bill as part of the SB 24 work group. The COVID pandemic exacerbated the [pressures](#) on the Oregon State Hospital which gave further impetus to the legislation. **NOTE:** The net effect of diverting criminal defendants from the state hospital to community care also transfers significant liability from the state to counties and CMHP’s. In an effort to address that, AOC and its partners urged the passage of legislation in the form of [SB 198](#) to have the state retain that liability through indemnification. The state was unwilling to accept that result, but the Oregon Health Authority has committed \$5 million to purchase excess insurance for counties and CMHP’s. That is only a temporary fix to this issue, which needs to be watched closely and brought to the 2023 legislative session.

### 3. [SB 620](#) - Elimination of probation fees

AOC supported the original version of this bill that provided counties with discretion whether to charge supervision fees. The bill was amended late in the session to eliminate supervision fees, but with a backfill of \$10 million to ensure community correction services are not impaired. **NOTE:** [SB 817](#) made similar changes in the juvenile delinquency system.

### 4. [SB 755](#) - Implementation of Ballot Measure 110

AOC Legal Counsel participated on the main implementation work group and all three subgroups - treatment, enforcement, and youth. **NOTE:** Ballot Measure 110: (a) Decriminalized most illicit drug possession and replaced that with a Class E violation as described above; and (b) diverted the majority of marijuana tax revenues to a new system of services as described above and primarily focused on harm reduction. Oregon is the first state in our nation to take this type of action. The nation of Portugal was cited as the model - however, Oregon is not a small conservative nation that still morally frowns on illicit drug use and took two years to implement decriminalization. As a result, Oregon is now a [test case](#) - this should be monitored closely as things progress.

### 5. [HB 2930](#) - Police discipline arbitration reform

This is one of the 16 police reform bills referred to above. **NOTE:** AOC Legal Counsel believes this bill is an improvement to the current police discipline arbitration system, but not a fix to the underlying problem of using a police discipline arbitration system in the first place. See [here](#) for a more complete explanation. The impact of this bill should be closely monitored for both effectiveness and consequences. AOC Legal Counsel has concerns about both.

### 6. [HB 2204](#) - Restorative justice pilot projects

HB 2204 was completely replaced (“gut-and-stuffed”) late in the session with this proposal, originally made as part of HB 2002. The bill directs the Oregon Criminal Justice Commission (CJC) to establish a program to award grants for restorative justice programs. **NOTE:** Although this particular gut-and-stuff occurred too late in the session for AOC to directly engage, AOC Legal Counsel, who also serves as Vice-Chair and Acting Chair of the CJC, is excited about the possibilities of this new program.

### 7. [HB 3000](#) - Regulation of new impairing cannabis products

Along with key state agency partners, AOC was heavily engaged in the development of this legislation to address growing public health and safety issues surrounding the production, processing, and sale of new impairing cannabinoids on the open market. Those challenges have been most profoundly felt in Southwest Oregon, but this is a growing national issue. **NOTE:** With leadership from Representative Lily Morgan (Josephine County), legislators recognized the significant and growing public health and safety issues surrounding the hemp industry and the impacts of the unregulated artificial conversion of non-impairing cannabinoids to impairing cannabinoids and the sale of those new impairing products on the unregulated open market. One of the consequences of those developments has been an [explosion of cannabis production](#) in Southwest Oregon to feed that unregulated market for new impairing cannabinoids, as well as law enforcement [raids](#) on some very large illegal grows. Since HB 3000 is a rather large omnibus cannabis bill, here is a summary of it’s contents:

#### *Regulating the new impairing cannabinoids*

- Prohibits sale of adult use cannabis items to minors.
- Permits the Oregon Department of Agriculture (ODA) to consider artificially-derived cannabinoids to be an adulterant.
- Permits the Oregon Liquor and Cannabis Commission (OLCC) to regulate artificially-derived cannabinoids.

- Permits OLCC to set potency and concentration limits for tetrahydrocannabinol (THC) and other adult use cannabinoids for marijuana items and hemp items, in consultation with ODA and the Oregon Health Authority (OHA).
- Includes artificially-derived cannabinoids in OLCC’s labeling rules.
- Allows OHA to require testing for other adult use cannabinoids.
- Directs ODA to establish tracking requirements for hemp commodities and products intended for human consumption, which may include associating test results to the batch that was tested.
- Allows ODA to expand the scope of hemp handler activities and establish other license types.

*Addressing illicit cannabis production*

- Doubles funding for the Illegal Marijuana Market Enforcement Grant Program Fund.
- Creates a Class A misdemeanor for unlawful production of marijuana and allows for destruction of unlawfully produced cannabis as contraband.
- Directs OLCC to establish a method for presumptively distinguishing between hemp and marijuana - if ODA finds a hemp licensee is producing marijuana, ODA may order it be destroyed.
- Allows ODA to enter into agreement with OLCC for OLCC staff to inspect hemp crops.
- Allows law enforcement to accompany ODA to licensed hemp operations for the purpose of providing protection to agency staff.
- Allows the Governor to order the Oregon National Guard to assist ODA enforcing hemp laws.
- Requires hemp growers to report when they do not plant a crop or when they lose a crop.
- When a crop exceeds 0.3% THC and must be destroyed, requires hemp growers to provide ODA with documentation of the destruction.
- Requires that ODA refuse to register a hemp grower that planted prior to applying for registration unless all plants are removed – and places limitations around registering a hemp grower that planted after applying for registration but before receiving the registration.
- Allows ODA to impose a civil penalty of up to \$10,000 for a crop that exceeds 10% THC.

*Implementing the 2018 Farm Bill for hemp production*

- HB 3000 contains the authority necessary to have a state hemp plan approved by USDA under the 2018 Agricultural Improvement Act (the “2018 Farm Bill”) - this includes authority for criminal records checks and allowing license denials based on an applicant’s criminal record.

*Establishing a Task Force*

- Establishes a bipartisan and bicameral task force - including representation from cities, counties, law enforcement, hemp growers, hemp handlers, marijuana licensees, OSU’s Global Hemp Innovation Center, ODA, OHA, and OLCC – to consider and make recommendations on long-term and structural concerns around cannabis regulation in Oregon.

**8. SB 5505 - County courthouse project bonds**

Among many other things, SB 5505 provides state general obligation bonds for a number of county courthouse projects:

- |                                 |              |
|---------------------------------|--------------|
| a. Benton County Courthouse:    | \$20,730,000 |
| b. Clackamas County Courthouse: | \$95,400,000 |
| c. Crook County Courthouse:     | \$11,885,000 |
| d. Linn County Courthouse:      | \$16,110,000 |

AOC works in partnership with the Oregon Judicial Department (OJD) to prioritize courthouse improvement and replacement projects for funding by the legislature. The AOC-OJD Court Facilities Task Force is currently Chaired by Umatilla County Commissioner George Murdock. **NOTE 1:** The Task Force will need to start meeting again this Fall to work on updating the priority and project lists in preparation for the 2023 legislative session. **NOTE 2:** The budget note from the Capital Construction Subcommittee of the Joint Ways and Means Committee attached to this bill provides as follows:

*“The Subcommittee approved the following Other Funds expenditure limitations for the Oregon Courthouse Capital Construction and Improvement Fund and both state and local matching funds, with the difference between the state and local match related to the cost of bond issuance that is paid as part of the state match:*

<i>Courthouse Project</i>	<i>State Match</i>	<i>Local Match</i>	<i>Total</i>
<i>Benton County</i>	<i>\$20,730,000</i>	<i>\$20,383,129</i>	<i>\$41,113,129</i>
<i>Linn County</i>	<i>\$16,110,000</i>	<i>\$15,900,000</i>	<i>\$32,010,000</i>
<i>Crook County</i>	<i>\$11,885,000</i>	<i>\$11,700,000</i>	<i>\$23,585,000</i>
<i>Clackamas</i>	<i>\$1</i>	<i>\$1</i>	<i>\$2</i>

*The revenue to support state matching funds is General Obligation bonds (Article XI-G) authorized in SB 5505 (2021). The timing of the issuance of the bonds will occur late in the 2021-23 biennium and therefore there is no associated General Fund debt service related to the issuance for the 2021-23 biennium.*

*The Subcommittee provided the following instruction to the Judicial Department about the Clackamas County Courthouse project.*

**BUDGET NOTE**

*The Oregon Judicial Department (OJD), in coordination with Clackamas County, is requested to submit a report to the Joint Committee on Ways and Means, prior to the legislative session in 2022, on the design, build, finance, operation, and maintenance public-private partnership (P3) agreement(s) for the Clackamas County Courthouse, as well as the funding agreement between OJD and Clackamas County, related to constitutional and statutory requirements for state support and local matching funds for the Oregon Courthouse Capital Construction and Improvement Fund (OCCCIF). The report is to include, but not limited to:*

- the legal sufficiency of the Clackamas County public-private partnership agreement(s), from the state’s perspective, pertaining to funding agreement requirements;*
- estimated total cost of ownership to construct, occupy, and maintain the Clackamas County Courthouse;*
- affirmation of county ownership of the Clackamas County Courthouse building and property;*
- a final master funding agreement; and*
- a long-term flow-of-funds for state and local matching deposits into, and withdrawals from, the OCCCIF.*

*The report may also include recommendations for statutory changes related to public-private partnership agreement(s) and the OCCCIF. The submission of this report is a prerequisite for the consideration of supplemental Other Funds expenditure limitation for the Clackamas County Courthouse project.”*

**9. [SB 5512](#) - District Attorney budget**

AOC testified in favor of the District Attorney budget, and again implored the state to reverse course and restore some of the recent cuts to the DA budget for political and other unacceptable reasons. **NOTE:** In addition to supporting this budget request, AOC again provided information to Ways & Means - this time in a [one-pager](#) and by way of oral testimony - regarding the State walking away from its financial obligations to help support the longstanding DA services partnership with Counties. A set of talking points has started to develop among certain State folks as a counter argument - namely that counties agreed to keep funding DA services as part of the grand bargain struck in the early 1980’s regarding the court system and defense attorney services. However, even if those talking points were accurate and not misleading, they fail to explain the subsequent recommendations from State executive and legislative officials to restore subsequent legislative cuts to the DA budget in the late 1990’s and early 2000’s, the cuts to the DA budget throughout the

2000's, or the recent cuts to the DA budget for political purposes. Hence, those talking points are in error and should be soundly rejected by counties as misleading, at best. Counties should continue to push for a restoration of recent State budget cuts to DA services. A renewed effort in that regard was made following the outstanding May revenue forecast - but was similarly ignored. This issue should be closely monitored and fully discussed by AOC membership. Counties are currently paying for 96% of a state function (\$306 million out of \$320 million). This "partnership" needs help.



## Oregon's State Courts: 2021 Legislative Overview

### Oregon Judicial Department Bills

- **Aid and Assist Reform (SB 295)**. Modifies processes to address persons not able to aid and assist in their defense to criminal charges. The 2021 request, supported by a broad coalition of stakeholders, includes consensus amendments to SB 1575-A. **Signed 06/23/21 Effective 06/23/21**
- **Fairness in Court Collections (HB 2176)**. Repeals the \$50 minimum charge to set up a payment plan; authorizes compromise (settlement) of financial obligations in criminal judgments other than restitution or compensatory fines. **Signed 06/11/21 Effective 09/21/21.**
- **Criminal Case Initiation Fees (HB 2177)**. Allows the Chief Justice to charge reasonable fees to charge for providing electronic filing services for felony and misdemeanor cases. Applies where the District Attorney files more than 500 felony cases per calendar year. Supports OJD's tech fund. **4/27 Update: Died in House Judiciary.**
- **Chief Justice Authority During Emergencies (SB 296)**. Grants the Chief Justice authority to extend or suspend specified statutory timelines and order remote appearances in civil and criminal cases in a declared state of emergency. **Signed 06/08/21 Effective 06/08/01**

### Leading Non-OJD Concepts Impacting Court Services

**SB 48**: Pretrial reform **Enrolled**

**SB 179**: Oregon State Bar Bill – includes provision for authorized court staff to assist with forms **Introduced**

**SB 183**: Full faith and credit between state and tribal justice systems **Signed 06/15/21 Effective 01/01/22**

**SB 218**: Conditional discharge reforms **Signed 06/15/21 Effective 01/01/22**

**SB 282**: Extends grace period to pay back residential rent **Signed 05/19/21 Effective 05/19/21**

**SB 397**: Streamlining expungements **Enrolled**

**SB 578**: Appointed counsel for respondents in protective proceedings (pilot) **Signed 06/23/21 Effective 01/01/22**

**SB 572**: Authorizes vulnerable youth guardianships for youth age 18-21 **Signed 06/23/21 Effective 09/25/21**

**SB 755**: Implement Ballot Measure 110 **Enrolled**

**SB 819**: Sentencing reconsideration **Signed 06/23/21 Effective 01/01/22**

**SB 817**: Juvenile fees reform **B-Engrossed**

**HB 2002**: Criminal justice reform package **A-Engrossed**

**HB 2239**: Launch a statewide veterans' court **A- Engrossed**

**HB 2539**: Requires use of juror numbers in lieu of names **Signed 06/15/21 Effective 01/01/22**

**HB 2547**: Study to improve trauma-informed court services **A-Engrossed**

**HB 3112**: Cannabis Equity – provides expungement for qualifying marijuana offenses **A-Engrossed**

**HB 3182**: Oregon ICWA **A- Engrossed**

**HB 3366**: Family Treatment Courts **A-Engrossed**

# **OREGON DISTRICT ATTORNEYS ASSOCIATION**

**The Oregon Legislature has officially adjourned!** Below is a brief summary of final bills we were monitoring as the 2021 Legislature came to a close. A complete Legislative Report will be shared with the Legislative Committee in August.

## **2021-22 Interim Dates of Interest**

Sept. 20 – 21<sup>st</sup> Possible Special Session (Redistricting)  
Sept. 22 – 24 Interim Committee Days  
Sept. 24<sup>th</sup> Deadline for Legislature to Approve Redistricting/Legislative Districts  
Nov. 15 – 18<sup>th</sup> Interim Committee Days  
Nov. 18<sup>th</sup> 2022 Session Bill Request Deadline  
Jan. 10 – 13<sup>th</sup> Interim Committee Days  
Jan. 14<sup>th</sup> 2022 Session Bill Filing Deadline  
Feb. 1 – Mar. 7<sup>th</sup> 2022 Session

## **Bills of Interest Upon Adjournment**

### **SB 48C– Pretrial Release ODAA Neutral after negotiations**

The bill advanced out of Ways and Means with the \$2.2M OJD funding request. View budget recommendation [here](#). The bill included a budget note directing OJD to return to the Legislature with a report on the guidelines laid out in SB 48. Rep. Stark commented on the record that he appreciates the work of the victim advocates and the DA's and urged the Chief Justice to continue to make the victim voice the center of the discussion. He also noted that the need for funding for new release officers is going to be necessary. View ODAA Testimony [here](#).

**STATUS: Passed out of Senate 22 - 7 and House on vote of 39 - 16. Awaiting signature by Governor.**

### **SB 397 – Expungement Reform ODAA Support after negotiations**

**STATUS: Passed out of Senate 24 - 5 and House on vote of 57 - 1. Awaiting signature by Governor.**

### **SB 497 – Misdemeanor DV Supervision Bill ODAA Support**

ODAA supported the bill with the [-2 Amendment](#). See our written testimony [here](#). We shared support for supervised probation for misdemeanor domestic violence offenders and the statements by the Dept. of Corrections committing to define compliance programs for these offenders to ensure they complete domestic violence specific programs like Batters Intervention Programs, evaluation for risk and future violent and victim notification prior to discharge.

**STATUS: Passed out of Senate 26 - 3 and House on vote of 57 - 0. Awaiting signature by Governor.**

### **SB 835 – Early Medical Release AIC/BM 11 Implications ODAA Oppose**

ODAA has shared significant concern with this bill. The bill would significantly expand the availability of medical parole as a mechanism for the early release of Adults in

Custody, including all serious person felonies including Ballot Measure 11 crimes such as attempted murder, sexual assault and sexual abuse. ODAA testimony in opposition [here](#). The Board of Parole shared similar concerns [here](#).

**STATUS: DIED in Ways and Means. Was not released to subcommittee.**

**[HB 2002](#) – PSJ Police Reform ++ ODAA Oppose**

While the omnibus policy bill died, there were three sections that were adopted in other bills – including supervision fees in [SB 620](#) (\$10M replacement funding in [HB 5006 \(pg. 72\)](#)), expanded earned discharge with notice in [HB 2172](#), and funding for the Restorative Justice Grant Program in [HB 2204](#) (funding of \$1.5M in the Program Change Bill).

**STATUS: DIED IN COMMITTEE**

**[HB 3112](#) – “Cannabis Equity” Bill ODAA Oppose**

As proposed includes DA data/hand review of cases mandate and prohibition on MJ use as a supervision condition.

**STATUS: DIED in Ways and Means. Was not released to subcommittee.**

**[HB 2746](#) – Hope Cards ODAA Support**

HB 2746 appropriates \$120,711 General Funds to the Department of Justice, Crime Victim Survivor Services to develop and implement the Hope Card Program. This bill was the result of a Rep. Noble workgroup that ODAA participated in – thank you Susana Escobedo/Marion Co!

**STATUS: Passed out of Senate 26 - 3 and House on vote of 53 - 0. Awaiting signature by Governor.**

**[SB 177](#) – AG’s Hearsay and the Fearful Victim Witness (*State v Iseli*)**

STATUS: Signed by Governor. Effective June 15, 2021

**[SB 176](#) – AG’s Privilege and Abuse of Elders and Other Vulnerable Adults**

STATUS: Signed by Governor. Effective January 1, 2022

**[SB 201](#) – Hedgepeth/Guzman DUII Fix**

STATUS: Awaiting signature by Governor. Effective upon signature.

**[SB 218](#) –Expansion of Specialty Court Bill**

STATUS: Signed by Governor. Effective January 1, 2022

**[SB 649](#) –Bailey’s Bill/Sex Abuse 2 Bill**

STATUS: Signed by Governor. Effective January 1, 2022

**[SB 752](#) – Haltom Fix**

STATUS: Signed by Governor. Effective January 1, 2022

**[SB 819](#) – Conviction Integrity Bill**

STATUS: Signed by Governor. Effective January 1, 2022

## [Closing message on public safety from Speaker Kotek-D:](#)

### **Critical Policing and Criminal Justice Reforms Cross Finish Line**

*Leaders urge more work in next year's session*

SALEM – Listening to the voices of Oregonians across the state who demanded reform of policing and criminal justice systems, the Legislature responded by passing more than two dozen policy bills and funding new programs to begin transforming these systems to ensure justice, accountability and equity for communities of color.

“Transforming how law enforcement operates in Oregon will not happen overnight, nor will behavior change simply because we pass good legislation,” House Speaker Tina Kotek (D-Portland) said. “Yet, we can strengthen accountability and give clear direction for the changes we want to see. These bills are long overdue, and we anticipate more work ahead in next year’s session.”

“We built the necessary infrastructure for our law enforcement agencies and their oversight systems to be responsive to the community’s needs,” said Rep. Janelle Bynum (D-East Portland/Happy Valley), chair of the House Committee on Judiciary. “We heard Oregonians when they said that the power of policing comes from community. This session, the community rebuilt policing. We began with an ambitious agenda, and we finished strong. We also realize that our work is not yet done, and we intend on bringing forth more bills in the interim session. For now, I’m focused on seeing how communities, cities and counties will build locally. We’ve given them the keys, now it’s time for them to drive.”

One piece of unfinished business is House Bill 2002, which did not emerge from the budget committee at the end of the session. The bill was a comprehensive, community-driven approach to reform public safety policies and procedures, such as interrupting low-level interactions with police that have led to dangerous or deadly encounters for BIPOC Oregonians and individuals experiencing a mental health crisis.

“Seeing House Bill 2002 not move forward was far and away my biggest disappointment of this session,” Kotek said. “I’m so appreciative of the community-driven process that was behind the bill. The discussion will continue, and I look forward to working with the coalition to bring the bill back in next year’s session.”

Key funding pieces from House Bill 2002 did advance, including a \$10 million special purpose appropriation for culturally-specific justice reinvestment programs, \$4 million to the Oregon Criminal Justice Commission for restorative justice grants, \$1.5 million for the Reimagine Safety Fund, and \$10 million for Senate Bill 620 to backfill local dollars resulting from the elimination of the fees that counties charge folks who are in post-prison supervision.

Below is a summary of police and criminal justice reform measures that passed during the 2021 session:

#### **Public Defense Reform (HB 2003)**

Expands the Public Defense Services Commission to include individuals who have previously received services from public defenders. Modernizes contracting requirements by directing the commission to adopt new compensation, caseload, and oversight requirements.

#### **DPSST Training and Accreditation (HB 2162)**

Requires law enforcement agencies to achieve accreditation, adds public members to the Department of Public Safety Standards and Training (DPSST) board, requires equity training of all officers, and requires DPSST to revoke or suspend an officer’s certification if they have engaged in certain actions, like domestic violence and sexual abuse.

#### **Post-Prison Supervision Eligibility Expansion (HB 2172)**

Expands access to Oregon’s statewide post-prison supervision discharge program. Eligible persons must have substantially complied with the terms of their supervision.

#### **Restorative Justice Grants (HB 2204)**

Pairs with a \$4 million funding package and directs the Oregon Criminal Justice Commission to award grants for restorative justice programs. Eligible programs must show collaboration with affected parties, district attorneys, defense, and more.

**Military Surplus Equipment Ban (HB 2481)**

**Airway Training (HB 2513)**

Prohibits law enforcement agencies from receiving certain military surplus equipment from the federal government and requires approved purchases to be noticed and signed off on by local governing bodies. Requires officers to be trained on airway and circulatory anatomy to avoid seriously injuring or killing someone while trying to restrain them and to contact emergency medical services if a restrained person is having a medical emergency.

**Standards for Private Licensing Security Agencies (HB 2527)**

Brings private security into the professional workforce by requiring licensure through the Department of Public Safety Standards and Training.

**Trauma-Informed Training (HB 2575)**

Provides grants to develop local trauma-informed training to inform future statewide training through Department of Public Safety Standards and Training.

**Munition Regulation (HB 2928)**

Regulates the use of chemical incapacitants, impact projectiles, sound devices and strobe lights by law enforcement agencies and makes further clarifications to the use of tear gas.

**Duty to Intervene (HB 2929)**

Requires officers who witness misconduct of fellow officers to report the violation within 72 hours to a direct supervisor, a superior officer in the chain of command, or the Department of Public Safety Standards and Training and requires investigations to occur within specified time frames.

**Arbitration Standards (HB 2930)**

Establishes a process to adopt statewide standards of conduct and discipline for officers and establishes a statewide evidentiary standard for arbitrators' decisions for misconduct cases.

**Use of Force Reports (HB 2932)**

Requires all law enforcement agencies in the state to report to the national use-of-force database and requires the Oregon Criminal Justice Commission to regularly analyze this data and report back to the Legislature on its findings.

**Background Checks (HB 2936)**

Requires the DPSST to standardize background check processes through a statewide system to identify applicants for law enforcement positions who have participated in hate groups, racial supremacist organizations, or militant groups.

**Bias Crimes Training (HB 2986)**

Requires the DPSST to ensure that officers are trained to investigate, identify and report crimes motivated by bias based on the perceived gender of the victim.

**Doxing Prevention (HB 3047)**

Provides the ability to sue someone who releases personal information if that person knowingly disseminates information with the intent to provoke stalking, harassment, or injury (aka "doxing").

**Unlawful Assembly (HB 3059)**

Clarifies archaic statutory language directing how local authorities can declare an "unlawful assembly."

**Misconduct Records (HB 3145)**

Requires law enforcement agencies to report officer discipline when an economic sanction is imposed.

**Interference with a Peace Officer Reform (HB 3164)**

Aligns statute with recent Oregon Supreme Court rulings to limit the use of the charge of “interfering with a peace officer” to instances where an individual knowingly or intentionally interferes with an officer, thereby reducing its overuse in arrests for non-criminal behavior.

**Booking Photos (HB 3273)**

Restricts the way booking photos can be released and used publicly.

**Officer Uniforms and Identification (HB 3355)**

Specifies what identification must be worn by officers during crowd management situations and how the public can access this information.

**Access to Police Reports (SB 204)**

Allows civilian oversight boards of local law enforcement agencies to access the Law Enforcement Data Systems (LEDS).

**False Promises Youth Interviews (SB 418)**

Prohibits coercion and other forms of deceit by law enforcement when interviewing youth under certain circumstances.

**Expungement (SB 575)**

Removes barriers to expungement by providing for automatic expunction for certain juvenile records.

**Post-Prison Supervision Fee Elimination (SB 620)**

Eliminates post-prison supervision fees so individuals can focus on recovery and reentry.

**Civilian Oversight Agencies (SB 621)**

Affirms Measure 26-217, which Portlanders overwhelmingly passed last November.

**Sentencing Reconsideration (SB 819)**

Upon the consent of a district attorney and an incarcerated person, provides that a court may resentence an individual if the current sentence no longer advances the interest of justice.

**Alternative Programs for Persons in Custody (SB 836)**

Ensures incarcerated persons have access to alternative programs while incarcerated and that notice be given prior to suspending or terminating a program.

**Anti-Slavery Constitutional Amendment (SJR 10)**

Asks the people to vote to modernize the Oregon constitution through an amendment to abolish a provision that allows involuntary servitude and slavery.

2021 Legislative Session  
Wrap-up – Quick overview

Bill Number	Summary
<b>OYA Agency Bills</b>	
<a href="#">SB 83</a>	<p>JCP Basic/Diversion dollars have been managed by OYA for years, but were not in our statutes. This bill places them in OYA statutes.</p> <p>It also directs us to work with juvenile departments and Youth Development Division to align JCP Basic/Diversion with JCP prevention services.</p>
<a href="#">SB 131</a>	<p>Allows OYA to share records with medical examiner in death investigation. Prior to the bill it was not clear that we could easily share our records, and we ran into snags in one case having to get court orders. This makes the process much smoother and allows us to promptly share records for these investigations.</p>
<a href="#">SB 132</a>	<p>The current retention of fingerprints is 5 years. We knew that with youth committed to us for longer periods of time due to SB 1008, those prints needed to be retained longer.</p> <p>This bill allows OYA to print youth upon intake to YCF (only as a last resort – it should be done <i>before</i> the youth gets to us.) Also changes retention of fingerprint records for youth committed to a YCF. OSP will keep them until we tell them the youth is no longer in our custody.</p>
<a href="#">SB 133</a>	<p>There were several victim related updates in this bill:</p> <ol style="list-style-type: none"> <li>1) Gave us the legal framework for a facilitated dialogue and responsibility letter bank program (restorative justice like programs);</li> <li>2) We can share limited youth info with victims when seeking impact on parole decisions or upon request of the victim; and</li> <li>3) Allows court to share written waiver findings with victim</li> </ol> <p>We don't have capacity for programs, yet. And we have work to do with how we are going to operationalize the sharing of information with victims.</p>
<a href="#">SB 134</a>	<p>There was a gap for DOC youth in OYA facilities regarding release of records. They did not have the same protection as OYA youth nor adults in custody (AIC) at DOC. The new standard for these youth is the same for AIC at DOC, which is balancing confidentiality with public interest.</p>
<a href="#">SB 135</a>	<p>When OSP does criminal investigations in a YCF, there was not clear authority for us to receive those reports or share those reports with the courts for second look hearings. The new law allows for both to occur.</p>
<b>Juvenile Justice System Bills</b>	
<a href="#">SB 436</a>	<p>In all juvenile statute, changes youth offender to <i>adjudicated youth</i>. (Definition stays the same, which is person under 18 adjudicated on crime.)</p>
<a href="#">SB 575</a>	<p>Currently, youth must request expunction of their juvenile record. This bill modified the process for informal cases – the juvenile departments will initiate expunction in all informal cases once the youth turns 18 and the case is closed.</p>

	The bill made several other procedural changes to expunction on formal cases, most notably that youth requesting expunction are eligible for court appointed counsel.
<a href="#">SB 817</a>	Removes all fines and fees (except for DOC youth), including child support, from juvenile court for youth and parents. Goes into effect in January 2022.
<a href="#">HB 2163</a>	Directs Housing and Community Services Dept to develop a rental assistance program for youth coming out of sub care, detention, YCF, or mental health program. It must be operated in three or four regions in the state and it was funded with 4.5M dollars.
<a href="#">HB 2939</a>	SB 1008 fixes: <ul style="list-style-type: none"> <li>• Venue is county of occurrence if a waiver is filed in the case. If not waiver, then venue can be either county of occurrence or residence.</li> <li>• Youth may be admitted to a YCF until age 20 for Measure 11 crimes. All other crimes, admission must still be prior to age 19.</li> <li>• Effective on June 11, 2021</li> </ul>
<a href="#">HB 2940</a>	Changes pre-adjudication detention timelines in cases where a waiver has been filed. The 56-day limit no longer applies, and the review hearings happen at less frequent intervals (every 30 days instead of every 10 days).