



# Benton County Criminal Justice Assessment

January 15, 2019

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Oregon Center on  
Behavioral Health &  
Justice Integration



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## Table of Contents

EXECUTIVE SUMMARY .....	1
1. BACKGROUND .....	5
2. CRIMINAL JUSTICE SYSTEM MAPPING .....	7
3. EVIDENCE-BASED PRACTICES .....	21
4. JUSTICE SYSTEM PROFILE .....	27
5. COMMUNITY ENGAGEMENT .....	78
6. SUMMARY OF FINDINGS .....	86
7. BENTON COUNTY JUSTICE SYSTEM – ALTERNATE SCENARIOS .....	90
APPENDIX A: DATA SOURCES .....	103
APPENDIX B: INTERVIEWS .....	109
APPENDIX C: RESEARCH BIBLIOGRAPHY .....	111
APPENDIX D: POPULATION PROJECTION STATISTICAL MODELS .....	114
APPENDIX E: PERFORMANCE MEASURES .....	116
APPENDIX F: BENTON COUNTY CRIMINAL JUSTICE ASSESSMENT COMMUNITY SURVEY .....	117
APPENDIX G: BENTON COUNTY CRIMINAL JUSTICE SYSTEM MAP .....	Separate Attachment





## EXECUTIVE SUMMARY

### Background

Past criminal justice assessments in Benton County have focused on a single aspect of the system, such as the jail or services within the court house. By contrast, this report represents a

*Benton County  
Justice System Mission:*

*The citizens of Benton County require an effective, efficient, and equitable criminal justice system that maintains public safety and holds people accountable, while providing treatment opportunities that address underlying causes of criminal behavior.*

comprehensive review of the criminal justice system, with the primary purpose of providing a vision for a trusted and accessible system of justice that provides a high degree of safety and confidence. In support of this approach, the County brought together consulting expertise in quantitative data analysis, forecasting methodologies, community engagement, and evidence-based practices for preventing and reducing crime. The consultants worked in consultation and partnership with the County Board of Commissioners, the Criminal Justice Assessment Steering Committee, an Operations Team, and feedback from community

organizations, agencies, and residents.

### Findings

Key project findings include:

- Reported crime in Benton County has increased by 28 percent over the last five years. Arrests have declined over the same period. The majority of arrests are for behavioral crimes such as drug use, DUII, or disorderly conduct. On a per capita basis, Benton County ranks 6<sup>th</sup> highest in crime rate among Oregon counties and has a higher reported crime rate than its peer comparison group counties.<sup>1</sup> Although violent crimes against persons make up a relatively small proportion of crime, this represents the fastest growing category of offenses.
- Overall, Benton County corrections services utilize specific research-based programs like Drug Court. The overarching implementation of the risk, need, responsivity approach,

<sup>1</sup> [www.oregonlive.com\\_expo\\_news\\_erry-2D2018\\_12\\_990e6f7fec2802\\_oregons-2D20-2Dmost-2Dcrimeridden-2Dco.html&d=DwlFAg&c=v1Y8Qk70Gghps0Nb6ixKazpMM4Fe-4vKMn3pbaDCTuM&r=pvWJ7pTOTxuMAX4-X-8UdYKHjopdLpAWMGYyucKCIS0&m=0JMBAZvBDXfmD0FzaTD26ontBqi1CdA39z0dFsYeS8Y&s=as\\_IT9F3lfDWNYSclJ\\_SweF-N1iZMJL2ZKE5Z1dhw&e=](http://www.oregonlive.com_expo_news_erry-2D2018_12_990e6f7fec2802_oregons-2D20-2Dmost-2Dcrimeridden-2Dco.html&d=DwlFAg&c=v1Y8Qk70Gghps0Nb6ixKazpMM4Fe-4vKMn3pbaDCTuM&r=pvWJ7pTOTxuMAX4-X-8UdYKHjopdLpAWMGYyucKCIS0&m=0JMBAZvBDXfmD0FzaTD26ontBqi1CdA39z0dFsYeS8Y&s=as_IT9F3lfDWNYSclJ_SweF-N1iZMJL2ZKE5Z1dhw&e=)

however, is limited. Community-based substance abuse services and mental health treatment are limited.

- Benton County law enforcement agencies make extensive use of citation and release due to lack of capacity at the Benton County Jail. Sixty-six percent of arrests result in a jail booking.
- The number of defendants who fail to appear for court hearings is very high. This appears to be a result of the lack of meaningful sanctions for non-compliance with court-ordered appearances.
- The lack of adequate staff resources in the District Attorney's Office impairs overall criminal justice system performance.
- Benton County has an extremely low incarceration rate relative to comparable counties and other local correctional systems throughout the United States. Over 3,000 offenders are booked annually into the Benton County Jail, which has a capacity of 40 beds. The County relies on contracting for beds at the Northern Oregon Regional Correctional Facility (NORCOR) to supplement its own jail capacity. Jail staff must continually release inmates early to make space available for those arrestees that require incarceration.
- The Benton County Jail does not assess offender program needs and provides minimal program opportunities. Incarcerated offenders have little access to rehabilitative programs such as mental health, substance abuse treatment, educational support, and other services that reduce the likelihood of repeat offending.
- Key justice system facilities—the jail, the courthouse, and the law enforcement center — are all in poor physical condition and have serious operational deficiencies.

### Scenarios for Improvement

The Criminal Justice Assessment Steering Committee, with support by the Operations Team, developed three distinct approaches to address future system needs, each relying upon a different program strategy:

**Scenario 1 – Best Practices:** This plan relies on research into “best practices” in justice system programs and features a comprehensive approach to investment in community-based social services for persons at risk for justice system involvement, as well as development of evidence-based programs within the jail to ensure accountability and facilitate rehabilitation. Initiatives will include expansion of current services, as well as development of new programs such as a crisis respite center, sobering center, work release, and pre-trial release. New facilities would include a courthouse, jail, and law enforcement center to better support justice system operations.



Underlying the approach is a commitment to objective assessment of offender needs, and the development of program strategies that respond to these needs. In support of this approach, the plan also includes an initiative for collection of data to support a robust evaluation of program outcomes and creation of a citizens advisory group to foster improved communication between the public and the justice system as programs are implemented. The following table summarizes the projected cost of this scenario by program component:

**Scenario 1 – Best Practices**

	Capital Projects	Annual Cost	20-Year Cost
Prevention and Treatment	\$ 2,475,000	\$ 1,354,343	\$ 27,086,861
Justice/Accountability and Rehabilitation	\$ 82,359,157	\$ 9,321,611	\$ 184,776,230
System Support	\$ -	\$ 44,167	\$ 883,333
<b>TOTAL</b>	<b>\$ 84,834,157</b>	<b>\$ 10,720,121</b>	<b>\$ 212,746,424</b>

**Scenario 2 – Invest in Prevention:** This approach focuses on expansion of current services in the community, as well as development of new programs that will prevent at-risk persons from entering the justice system. The plan includes development of additional transitional housing, expansion of current community mental health and community substance abuse treatment, as well as development of a crisis respite center and a sobering center. New courthouse and jail facilities will support justice system operations, and the plan includes the program data/evaluation and citizens advisory group initiatives outlined in Scenario 1. The following table summarizes the projected cost of this scenario by program component:

**Scenario 2 – Invest in Prevention**

	Capital Projects	Annual Cost	20-Year Cost
Prevention and Treatment	\$ 2,475,000	\$ 1,354,343	\$ 27,086,861
Justice/Accountability and Rehabilitation	\$ 60,342,576	\$ 7,900,867	\$ 146,391,356
System Support	\$ -	\$ 44,167	\$ 883,333
<b>TOTAL</b>	<b>\$ 62,817,576</b>	<b>\$ 8,799,377</b>	<b>\$ 174,331,550</b>

**Scenario 3 – Invest in Accountability and Rehabilitation:** In this scenario, the plan focuses on development of programs for offenders after they have entered the justice system. A pre-trial services program will divert low-risk offenders from entry into the jail. Those offenders booked into the jail will receive evidence-based rehabilitative programs, including in-custody mental health and substance abuse treatment, cognitive behavioral therapy, and education. Additional alternatives for sentenced offenders, such as work release and electronic detention, will also be



developed. The approach assumes construction of a new courthouse and jail, and like Scenarios 1 and 2, includes a data/evaluation component, as well as a citizens advisory group. The following table summarizes the projected cost of this scenario by program component:

**Scenario 3 – Invest in Accountability and Rehabilitation**

	Capital Projects	Annual Cost	20-Year Cost
Prevention and Treatment	\$ -	\$ -	\$ -
Justice/Accountability and Rehabilitation	\$ 57,460,980	\$ 7,688,514	\$ 152,114,285
System Support	\$ -	\$ 44,167	\$ 883,333
<b>TOTAL</b>	<b>\$ 57,460,980</b>	<b>\$ 7,732,681</b>	<b>\$ 152,997,619</b>

The scenarios described here represent long-term strategies to address justice system needs. However, the amount of time required for the planning and implementation of new programs, as well as the design and construction of new justice facilities, is extensive. For example, under a “best case” schedule, taking a new jail or courthouse from initiation of facility planning to actual operation will generally require 24-30 months at best. Moreover, the County faces the additional complexity of deciding what to do with the existing, historic courthouse. Similarly, reviewing new program designs, selecting the model that works best for the County, and training staff also will require substantial time. Moreover, future plans for implementation of any of the components of these scenarios will require due consideration by the community and identification of funding. Given the timeframes involved and the critical nature of the issues present in the justice system, it is vital that the Benton County community arrive at a consensus on the future path required for the local justice system and begin work toward its implementation.

**Summary:** Benton County justice system stakeholders have a significant knowledge base concerning “what works” to prevent and reduce crime, and the community has a high level of support for a balance of accountability and rehabilitative services. However, current conditions in the County’s justice system make effective performance in these service areas problematic.

An effective plan to improve justice system performance will require a comprehensive approach that addresses program needs and opportunities for improvement in enforcement, justice, and accountability. The pathway toward achievement of these goals requires a plan that coordinates program strategies among social service agencies, law enforcement, custody, the courts, and community corrections. This report provides three scenarios and analysis of a recommended option that best achieves the community’s vision of safety and rehabilitation.



## 1. BACKGROUND

In January 2018, the Benton County Board of Commissioners commissioned a comprehensive review of the County criminal justice system. The objective of the review was a full investigation of all aspects of the system to provide a complete assessment of local issues, needs, and priorities. Key elements of the review included:

- Documentation of the use of current justice systems programs and facilities
- Analysis of justice system characteristics and conditions
- Mapping of current justice system processes
- Profile of the offender population
- Projection of future service level demands
- Assessment of facility conditions and suitability for purpose used
- Assessment of program and facility use strategy
- Community engagement
- Recommendations for future justice system development

The information provided by the review will support development of a trusted and accessible system of justice that provides a high degree of safety and confidence.

### **Project Team**

CGL, a consultant firm specializing in justice systems management, operations, program and facility analysis, provided the technical analysis supporting the review. Greater Oregon Behavioral Health Inc. (GOBHI), a nonprofit, accredited Managed Behavioral Health Organization, facilitated public engagement, conducted research on evidence-based practices in criminal justice, and provided project management services. Consultation is under GOBHI's Center of Excellence on Behavioral Health and Justice Integration.

In addition to CGL and GOBHI, the project featured a unique collaborative process that produced extensive County stakeholder involvement in the project. An Operations Team composed of CGL, GOBHI, and County staff guided project development. A fifteen-member Criminal Justice Assessment Steering Committee composed of local officials and community representatives provided direction and feedback over the course of the year-long assessment.

### **Project Approach**

The project team employed a multi-faceted approach in support of this analysis that relied on quantitative and qualitative data, as well as the latest available research on justice system programs. The team requested a large amount of data from the County, documenting the programs, operations, and policies of the different components of the justice system, as well as





characteristics of the offender population. The project also examined available performance and activity measure data, planning documents, management reports, and other documentation of justice system processes. **Appendix A** provides a summary list of the documents and data provided in support of this project.

The project team supplemented the written documentation and data provided by the County with information gained from extensive interviews with key justice system stakeholders and program administrators. These interviews centered on internal perspectives of the key issues facing the County justice system. Interview subjects provided invaluable insight into the unique challenges facing Benton County. **Appendix B** lists the individuals interviewed over the course of the project.

The project team also conducted extensive public outreach to identify community opinion on key justice system issues. This outreach included community forums, workshops, and individual surveys.

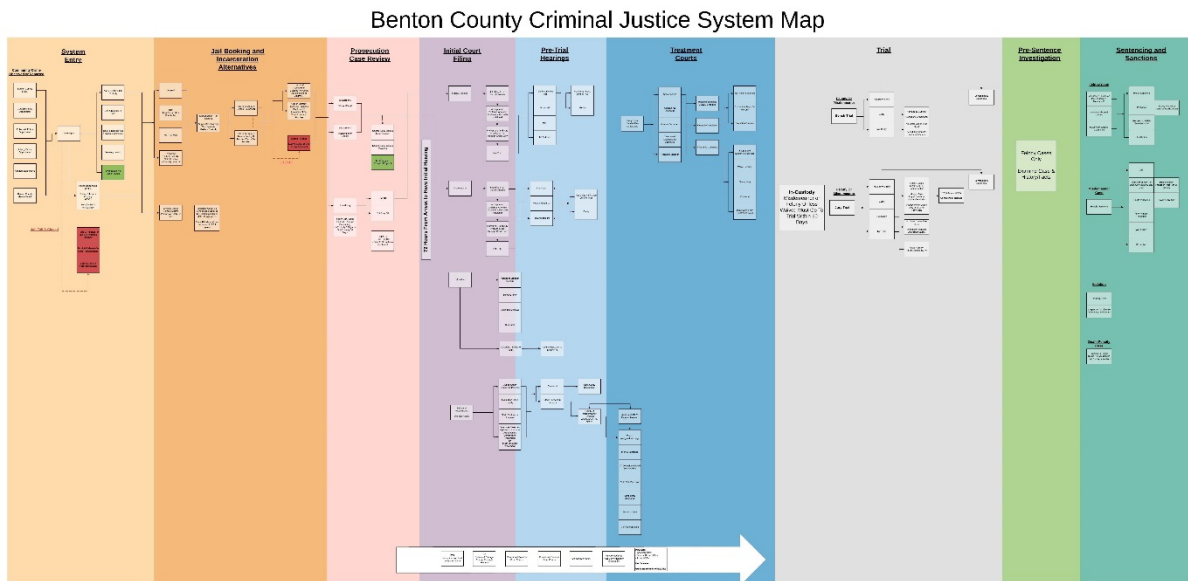
Finally, the project approach incorporated a literature review of research on best practices in offender programs and treatment for the purposes of evaluating current County services and making recommendations for future program development. **Appendix C** contains a bibliography of this research.

### **Report Organization**

The report begins in Chapter 2 with an overview of the different component processes of the County criminal justice system. Chapter 3 profiles the characteristics of the criminal justice system, with a focus on programs, trends, and a comparison with other benchmark counties. Chapter 4 summarizes the current state of research on effective strategies in criminal justice program and management strategies. Chapter 5 documents the results of the community engagement process for this project. Chapter 6 assesses the current and projected future needs of the County's criminal justice system. Chapter 7 presents three alternative scenarios for how the County may respond to these needs. Finally, Chapter 8 details out the implementation issues associated with these alternative scenarios, and provides analysis of which option best reaches the community's vision of safety and rehabilitation.

## 2. CRIMINAL JUSTICE SYSTEM MAPPING

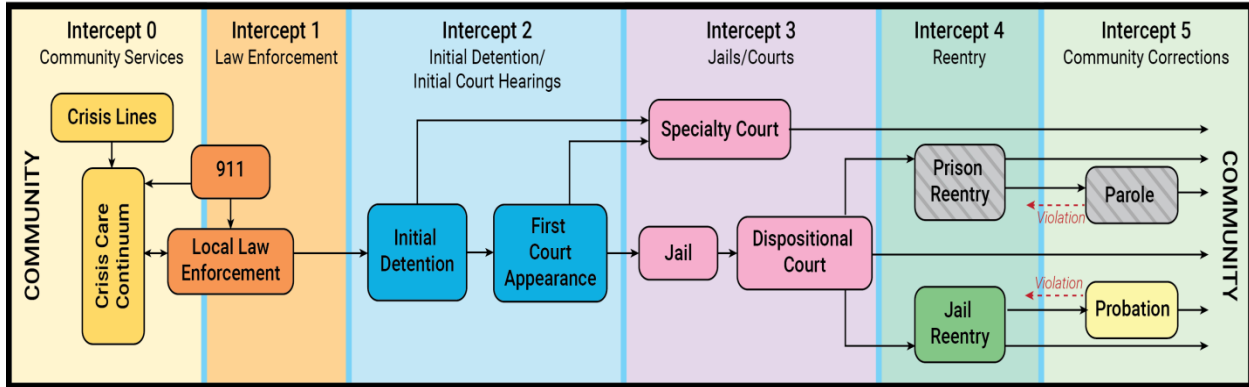
As part of the planning process for this project, CGL developed a detailed map of current Benton County criminal justice system processes and how the different agencies involved within the criminal justice system work together. The system map illustrates each step in the criminal justice process, beginning with initial law enforcement contact, through to the conviction and sentencing phases.



A larger, fold-out version of the system map is attached (Appendix G).

The project team conducted workshops and interviews with key stakeholders to determine each step and interaction required as justice-involved individuals move through the system. Key stakeholders, including representatives from the Benton County Sheriff's Office (BCSO), Parole and Probation, Benton County Behavioral Health, the District Attorney's Office (DA), Circuit Courts, and the Corvallis Police Department (CPD) took part in the workshop. During the development of the mapping process, it was determined that the justice system can be disaggregated into nine key sub-processes: (1) System Entry, (2) Jail Booking and Incarceration Alternatives, (3) Prosecution Case Review, (4) Initial Court Filing, (5) Pre-trial Hearings, (6) Treatment Courts, (7) Trial, (8) Pre-Sentence Investigation, (9) Sentencing and Sanctions. The sequential order for case flow through each of the nine sub-processes was determined by the project team and the stakeholders involved in the workshops and interviews.

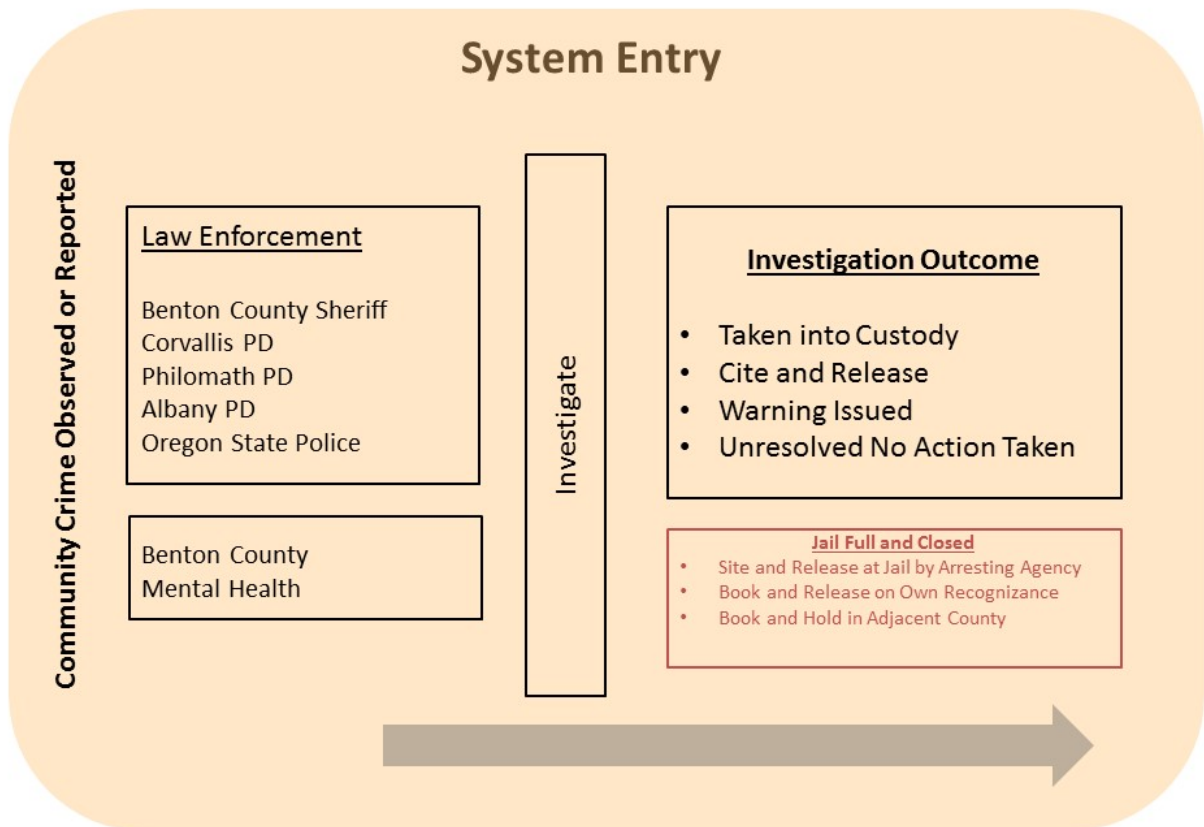
A step-by-step process and understanding of each justice system decision point was then determined for all nine sub-processes. Within the nine areas, each decision point reflects different interactions that individuals from the public have with the justice system.



- **Intercept 0 – Community Services**
  - See Section 3 for a list and description of community care options
- **Intercept 1 – Law Enforcement**
  - System entry
  - Jail booking and incarceration alternatives
- **Intercept 2 – Initial Detention/Initial Court Hearings**
  - Prosecution case review
  - Initial court filings
  - Pre-trial hearings
  - Courts
- **Intercept 3 – Jail/Courts**
  - Courts
  - Treatment Courts
  - Trial
  - Sentencing and sanctions
- **Intercept 4 – Re-Entry**
  - Sentencing and sanctions
  - Parole and Probation
- **Intercept 5 – Community Corrections**
  - Sentencing and sanctions
  - Parole and Probation
  - Community services (See Section 3 for a list and description of community care options)

## System Entry

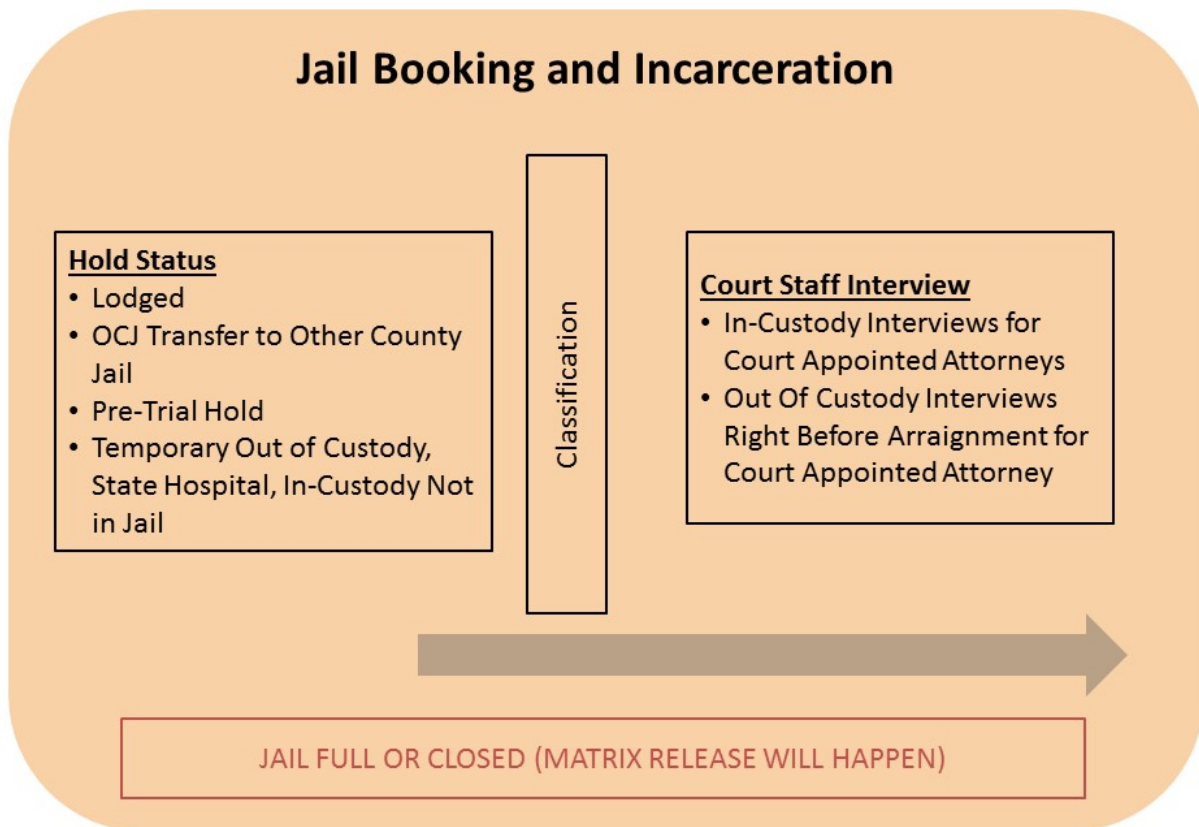
Each decision point, starting with crimes observed or reported in the community, illustrates the interaction between the public and the local agencies. Each agency will investigate and determine if further action is needed (arrest and booking individuals into the Benton County Jail) or proceeds to the decision point unresolved—no action is taken. There are numerous out-of-custody resources available in Benton County when the investigation turns up that the individual does not need to go through the criminal justice system process but is still in need of some services. During the investigation process, law enforcement has the ability, on a case-by-case basis, to reach out to County Behavioral Health to intervene when deemed appropriate for the situation. The decision points shown in red were developed to best manage individuals when an arrest is appropriate, but the jail is closed due to lack of available capacity.



## Jail Booking and Incarceration Alternatives

Upon booking, the system map shows decision points to hold individuals for various reasons, including pre-trial holding, pending transfer to other agencies, and state hospital mental health holds. Individuals held at the Benton County Jail are classified and housed by the BCSO. With limited bed space at the Benton County Jail, the County has contracted with the Northern Oregon Regional Correctional Facility (NORCOR), which is located out of county. Typically, sentenced inmates are sent to NORCOR to serve their sentence, while pre-trial inmates can waive their right to remain at Benton County Jail and can be transported to NORCOR.

Next, the court staff interview inmates being held in custody to determine eligibility for court-appointed counsel. BCSO staff score each individual booked into the jail based upon current and past crime history among other factors, which provides the matrix score. An individual with a matrix number below an established threshold is released on their own recognizance in order to make needed space at the jail. With the jail constantly full, numerous individuals are matrix released from jail.

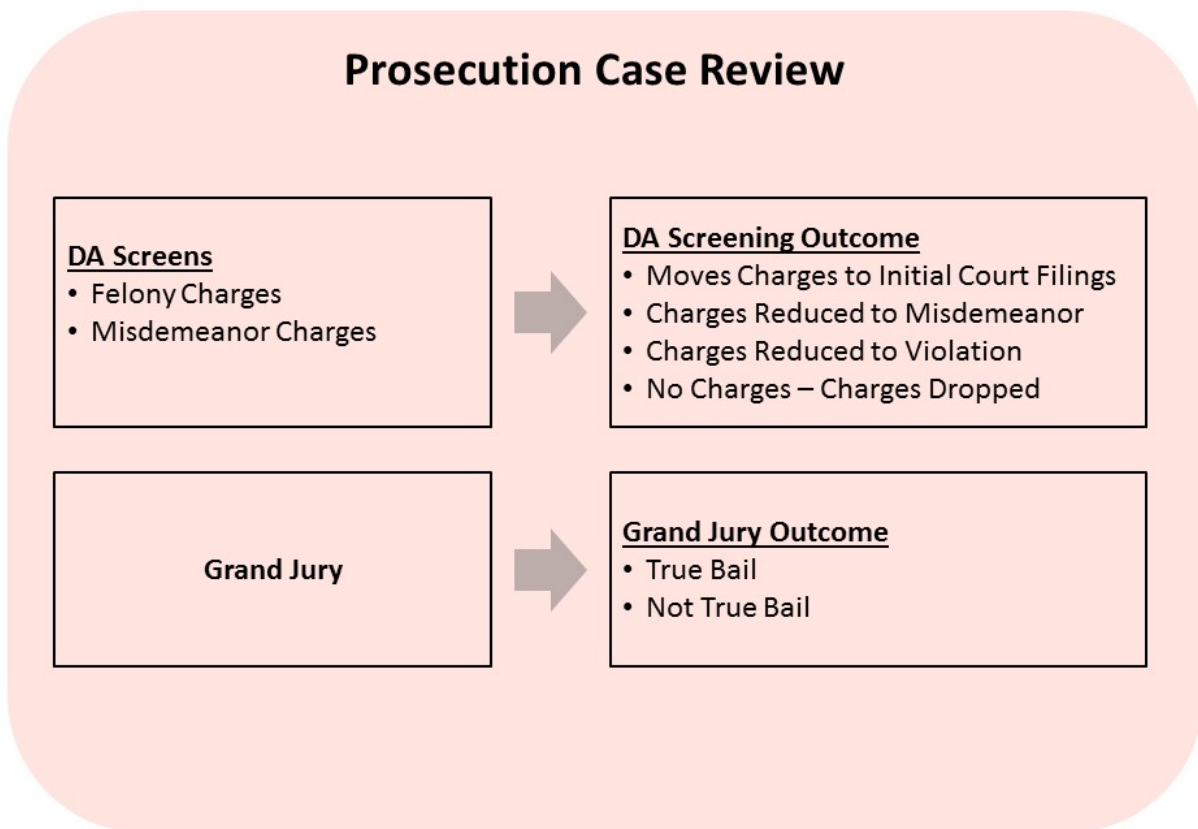




### Prosecution Case Review

The District Attorney then reviews all misdemeanor and felony charges to decide if a reduction to violation, misdemeanor, or dropping charges is appropriate. If applicable, the District Attorney can determine if a grand jury is required for the case (required to take place within 5 days for in-custody, and within 30 days for out-of-custody).

The grand jury process has two outcomes, True Bill or not True Bill. If the grand jury decision is True Bill, there is enough evidence for the prosecutor to move to trial. If the decision is not True Bill, the case will not move to trial and may be looked at as a violation, and may be dropped.





## **Initial Court Filing**

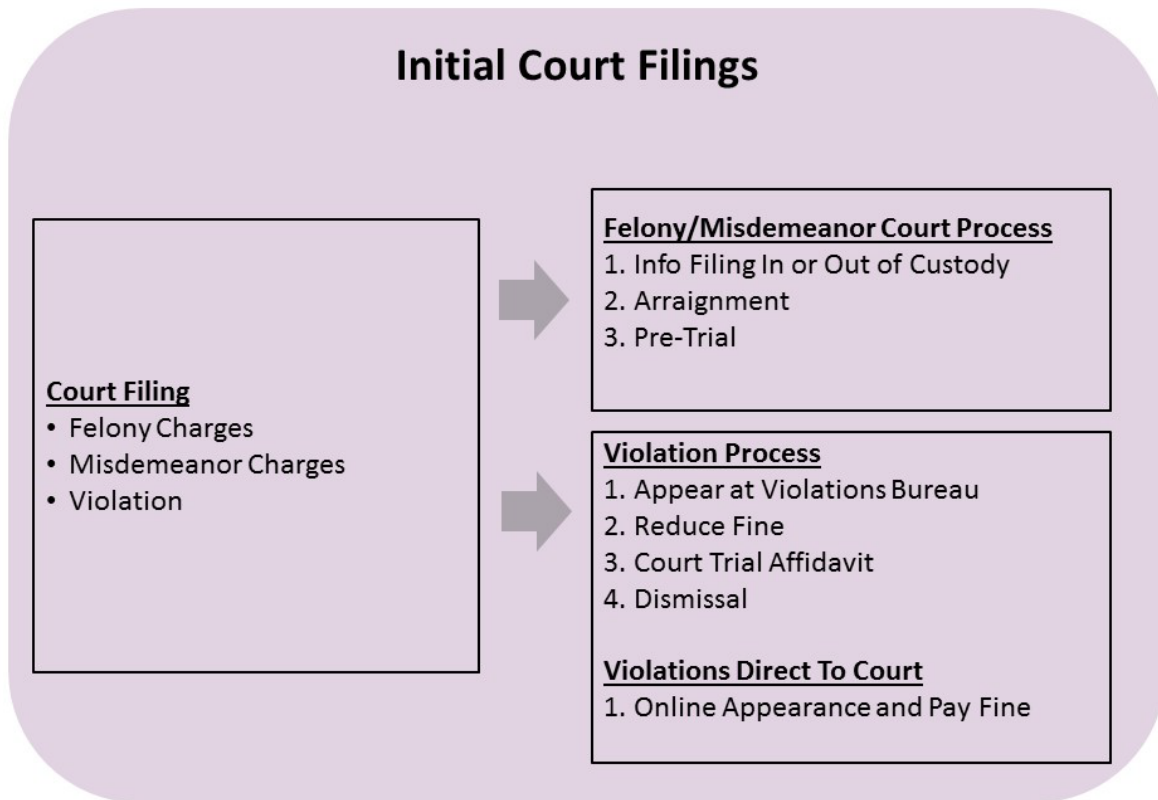
The judges and prosecutors have 72 hours from the time of arrest to conduct an initial hearing. Depending on the charges, there are three options: felony, misdemeanor, and violation. Both felony and misdemeanor decisions go through the same process, while the violation process follows a different track, with most cases ending with a fine or dismissal of charge.

For a felony or misdemeanor case, the court process follows three steps:

1. Info Filing In- or Out-of-Custody – Information is filed with the courts whether for in-custody or out-of-custody defendants.
2. Arraignment – Defendant appears before the judge to be arraigned.
3. Pre-trial – Should the defendant go to trial, a pre-trial hearing will be set up to discuss the trial process.

A violation process has four steps:

1. The defendant appears at the Violations Bureau.
2. A judgement is set based on a court trial affidavit process, which produces a written statement of the case and facts.
3. A fine (or reduced fine) is paid.
4. Finally, the violation can be dismissed.



Where the judge, District Attorney, or defense doubts the individual’s fitness to proceed due to incapacity because of mental illness, a 161.365 order is filed, requiring the Community Mental Health Program (CMHP) director or designee to consult with the defendant to determine if:

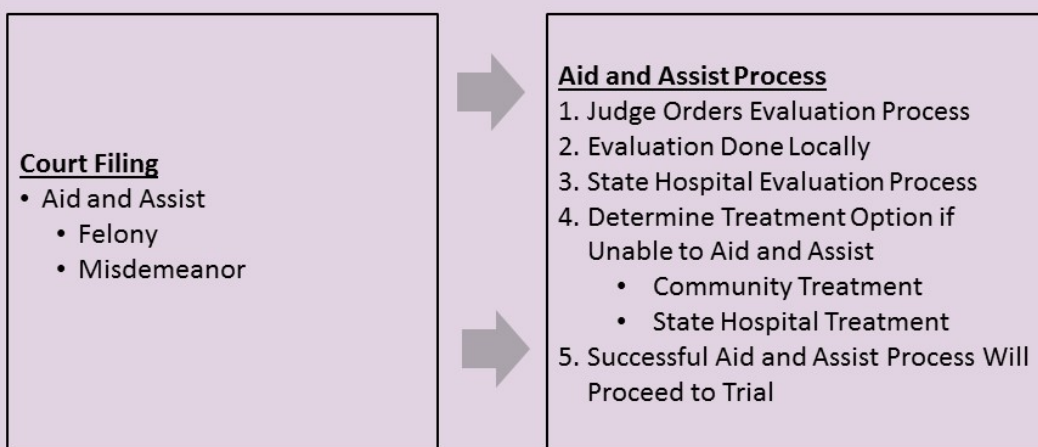
- Defendant is incapacitated due to a qualifying mental health disorder.
- Services are available to gain or regain fitness to proceed locally.

The CMHP director or designee reports findings to the court within seven days. If the CMHP director or designee determines that services are available locally, and the defendant is believed to be safe to release to the community, the judge may order the CMHP to provide competency restoration services in the community under the supervision of the court. In this case, the defendant is released to the community under the supervision of the court. Restoration services occur using community-based interventions by identified CMHP staff.

If the CMHP director or designee determines that the defendant is not safe to release to the community, and/or services are not available locally to safely maintain the defendant and work toward restoring competency, the CMHP director or designee may make a recommendation for further evaluation. Further evaluation can be done using a certified evaluator or an order committing the defendant to the Oregon State Hospital (OSH). While at OSH, ongoing

evaluations will occur to determine if the defendant has gained or regained competency to stand trial. If competency is restored, the defendant proceeds through the conventional criminal justice process. If competency cannot be restored, charges may be dropped, as the defendant is not fit to proceed with trial.

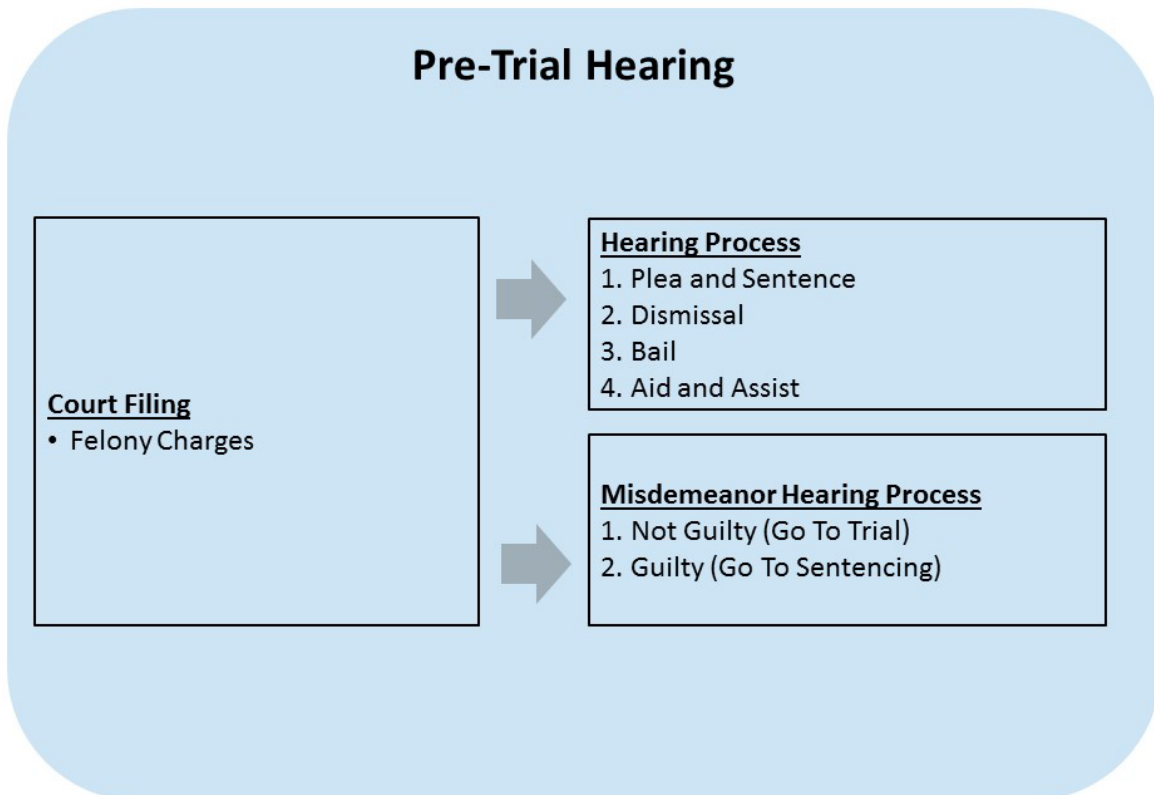
## Mental Health Aid and Assist Process



## Pre-Trial Hearing

As the flow of the system continues from the initial court filing to the pre-trial hearing phase, decision points are similar for felony and misdemeanor charges. Both felony and misdemeanor cases include decision points such as plea agreements and dismissal, while the felony track includes bail for eligible individuals and an option for “aid and assist.” Aid and assist is utilized when a person is accused of a crime, but is not able to participate in their trial because of a mental illness. In these cases, the court may issue an order under ORS 161.370 for the defendant to be sent for mental health treatment, most often at the OSH, so they can become well enough to aid and assist in their own defense.<sup>2</sup>

Upon making a plea, the individual can decide whether to bargain with the District Attorney’s Office and plead guilty or no contest in exchange for a recommendation to the court for a more lenient punishment, or for additional charges to be dropped. If the defendant pleads not guilty, the case goes to trial.

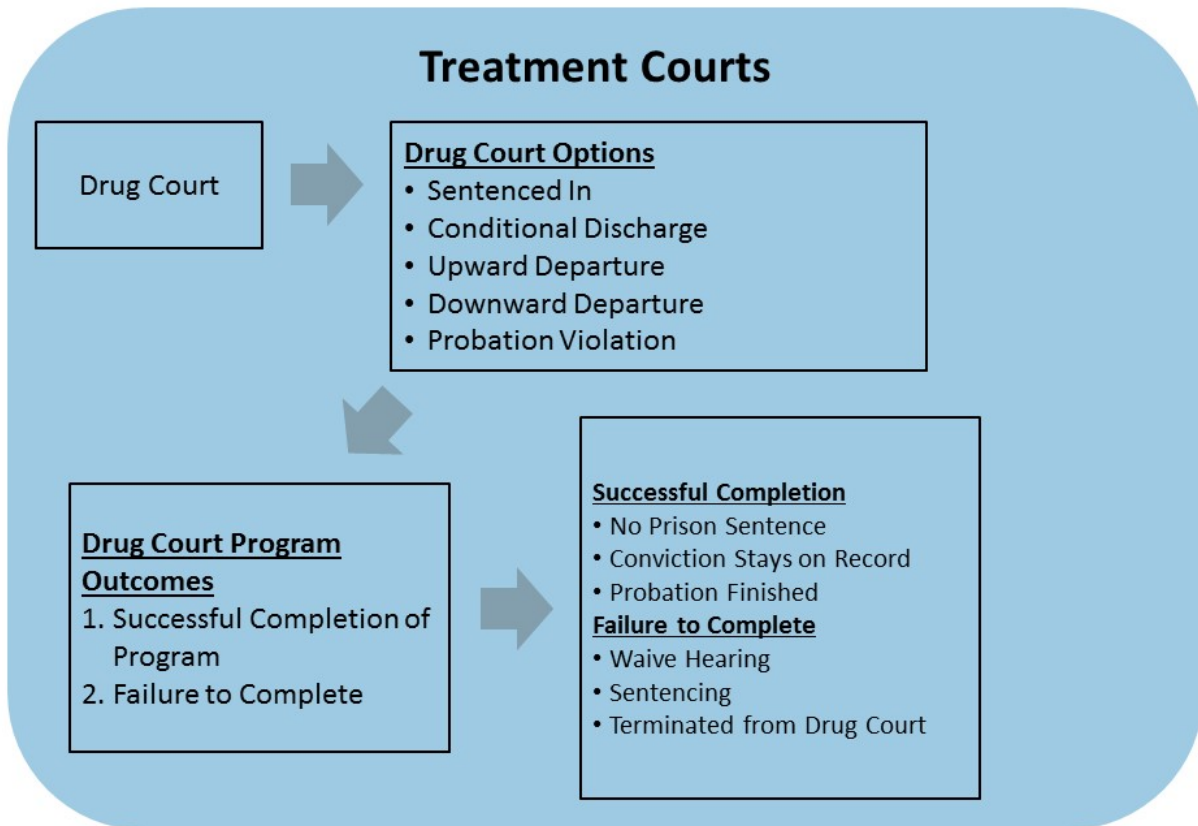


<sup>2</sup> <https://www.oregon.gov/oha/OSH/LEGAL/Pages/Aid-Assist-Orders.aspx>



## Treatment Courts

The Drug Treatment Court program (Drug Court) is a collaborative effort that provides offenders an opportunity to address their serious substance abuse issues in an intensely supervised environment. Individuals who successfully complete Drug Court are diverted from incarceration in local or state prisons.<sup>3</sup> Candidates for Drug Court must be recommended and approved by a group of individuals who work in the Benton County criminal justice system. Once approved, the defendants who would benefit most from the treatment program are allowed into the alternative court process, as there are only so many resources available in this alternative process funded by the state.



<sup>3</sup> <https://www.co.benton.or.us/sheriff/page/parole-probation-programs>



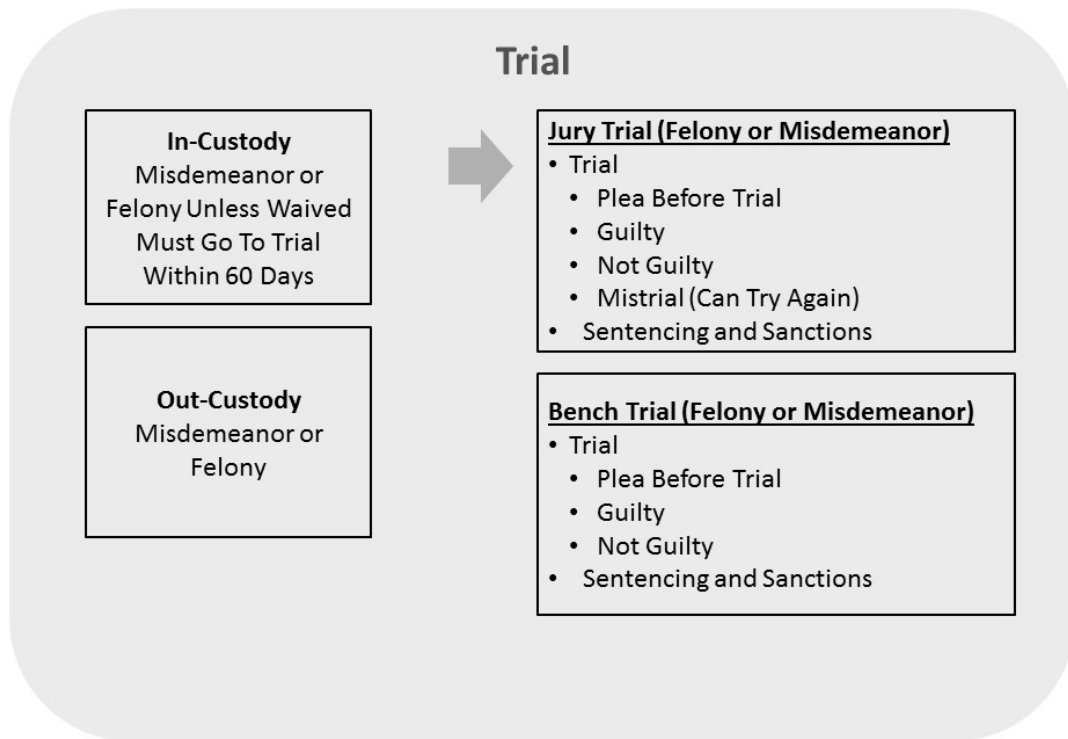
## **Trial**

Trials for defendants that remain in custody must proceed within 60 days. Trials for defendants who are out of custody do not have a similar time limit to bring the case to trial, but there are constitutional speedy trial considerations that require the court to schedule a trial within a reasonable time. The trial phase for misdemeanor and felony follows two tracks.

The first track is called a jury trial. The defendant has a number of decision points to choose from, ranging from a plea deal before the trial begins to a plea of not guilty. If a plea deal is struck, the defendant enters a plea of guilty or no contest, and sentencing and sanctions will be determined by the court. If the defendant does not enter a plea of guilty or no contest as part of a plea deal, the case goes to a jury trial. At trial, the jury will render a verdict of guilty or not guilty.

Misdemeanor cases requires a jury verdict of 6 to 0. Felony cases require 10 of the 12 jurors to reach the same verdict. In murder cases, all 12 jurors must reach the same verdict. If the jury finds the defendant not guilty, and if no other cases are against the defendant, the individual is free to go. If the jury finds the defendant guilty, the defendant has a right to wait at least 48 hours before being sentenced. If the defendant exercises this right, the court may hold the defendant in custody on security until sentencing, or may release them until sentencing with security conditions. If the court rules a mistrial, which means that the trial cannot proceed because something has occurred that irreparably impacts the fairness of the trial, the defendant can, in most cases, be tried again by the District Attorney.

The second track is a bench trial. A bench trial only occurs if the defendant waives the right to a jury trial. The bench trial follows the same process as a jury trial, except the court decides the case outcome.



## **Pre-Sentence Investigation**

A pre-sentence investigation report may be developed to assist the court in determining the appropriate sentence to impose on a defendant who has been found guilty of a felony crime. Historically, the investigation was performed by probation officers. The report examined case history and facts around the individuals involved in the case, which can help the District Attorney and courts show a pattern or history of behavior. While these reports were provided to the District Attorney and the courts in the past, Benton County courts do not currently receive pre-sentence investigation reports prior to sentencing, due to budget shortfalls.

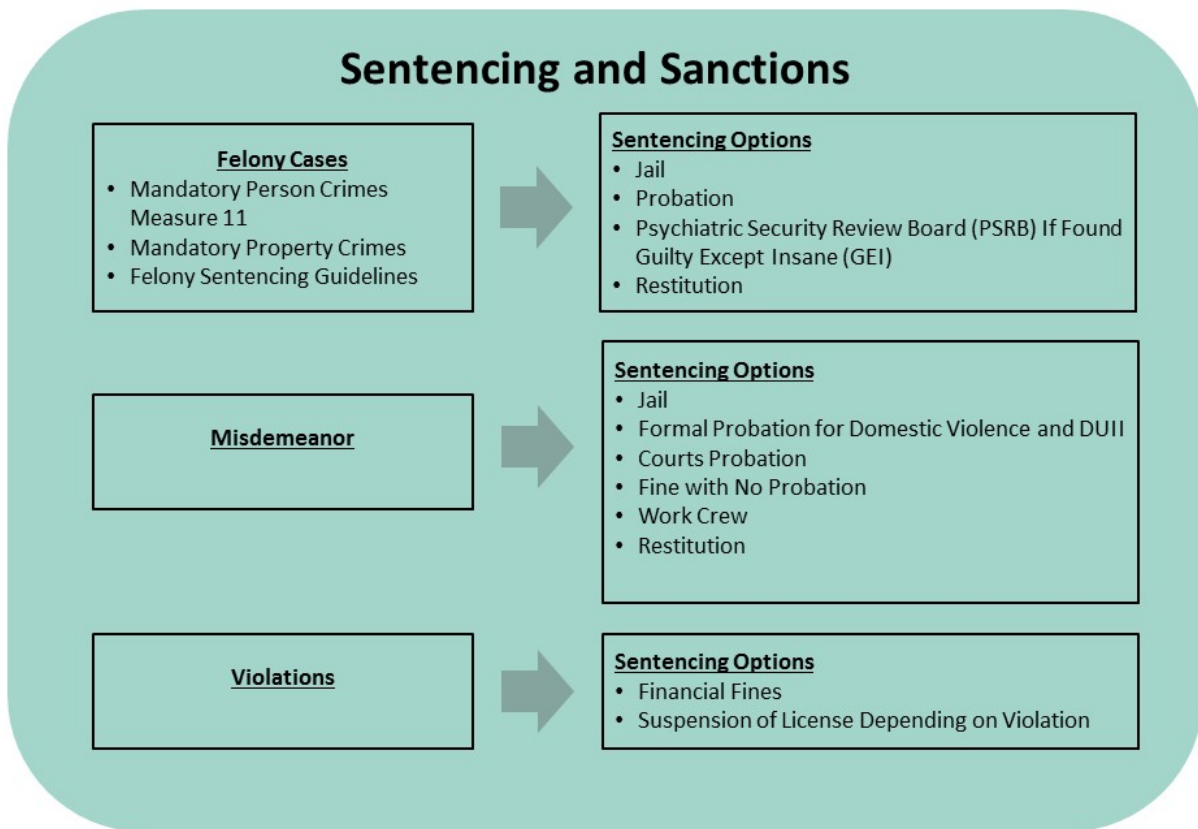
### **Pre-Sentence Investigation**

**Felony Cases Only**

**Examination of the  
Case/History/Facts**

## Sentencing and Sanctions

Sentencing and sanctions is broken into three tracks: felony, misdemeanor, and violations. Each track has its own outcomes, and many of the outcomes involve probation and treatment for the individual and do not involve in-custody jail time. This alternative to incarceration has allowed numerous individuals in the County to keep their jobs, stay close to their family and community, and receive the proper treatment and care in their community—not in the jail system.





### 3. EVIDENCE-BASED PRACTICES

#### What works to prevent and reduce crime?

Researchers brought together over 40 years of criminology research to identify what helps to reduce crime and rehabilitate offenders. One of the strengths of this research is that it is not based on a single study. Instead, it used a meta-analysis of hundreds of rigorous research studies. A meta-analysis combines the results from multiple studies and uses a statistical approach to improve the size of the effect of single research analyses. In short, researchers were able to identify what consistently decreased crime and what consistently increased the likelihood of someone reoffending by an analysis of hundreds of criminology research projects.

That meta-analysis identified one of the most influential approaches to crime reduction, which is the “Risk/Need/Responsivity” model. Studies included in the meta-analysis are listed in Appendix C. The approach correlates with significant reductions in reoffenses; it is also a validated decision-making tool when sentencing offenders. Briefly, the three core principles of this approach include:

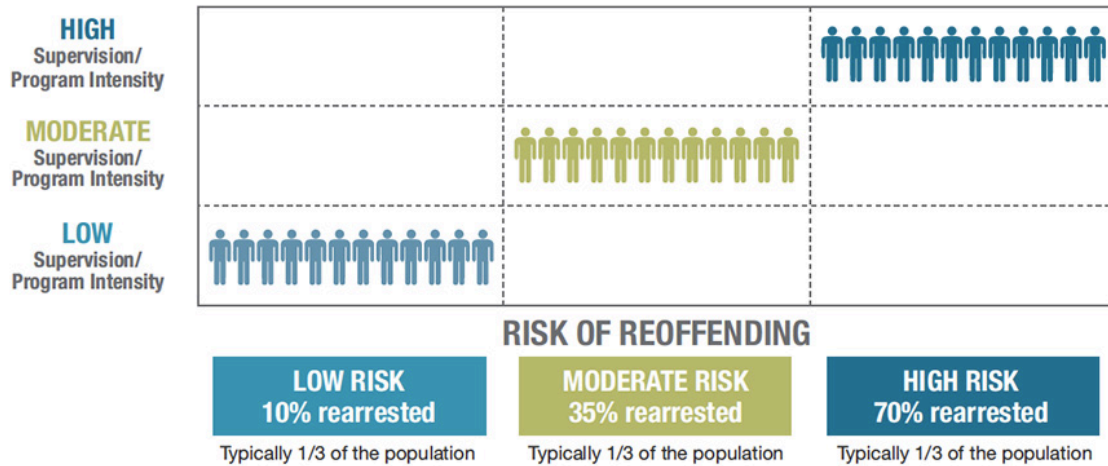
- Risk Principle – Identify the offender’s risk to reoffend, and match the level of services to the offender’s risk level. High-risk offenders receive more intensive services (treatment and corrections responses), while lower-risk offenders receive less intensive services.
- Need Principle – Assess criminogenic needs and target those needs in treatment services.
- Responsivity Principle – The goal is to maximize the offender’s ability to learn from rehabilitative interventions by aligning treatment with learning styles and “readiness” to learn.

**Risk Principle:** Risk and need are assessed at various points of the criminal justice system – at arrest, the jail, on probation, in prison, returning to the community, etc. The goal of these assessment tools is to approximate a person’s likelihood of reoffending. They predict the likelihood of future outcomes according to the analysis of “static” or past activities, such as age of first crime, and “dynamic” factors such as antisocial attitudes or beliefs. Only dynamic factors can be addressed in treatment. The results of these assessments help put people in groups of different risk levels, usually categorized as being at low, medium, or high risk of reoffending.

These tools guide the development of treatment options and dosage of services so that they align with the level of risk. Research indicates that the most effective responses match the level of intensity of services with the severity of risk to reoffend. Conversely, providing either a high level of service for low-risk offenders or a low level of service for high-risk offenders can

increase recidivism. The following is an illustration of matching risk level to intensity of responses.

**EXAMPLE OF PROVIDING INTENSITY OF PROGRAMMING BASED ON RISK**



The ability to predict the probability of reoffending becomes a key task in that matching process. There are a variety of risk tools that have been tested to achieve a high rate of accuracy. However, no tool has the definitive insight into an individual’s future behavior. A variety of information is collected as part of the community safety decision-making process. Examples of assessment tools include:

- Correctional Assessment and Intervention System (CAIS), which was based on the earlier Wisconsin Risk and Needs (WRN) instruments and the Client Management Classification (CMC) planning guide
- Correctional Offender Management Profile for Alternative Sanctions (COMPAS)
- Level of Service Inventory-Revised (LSI-R) and Level of Service/Case Management Inventory (LS/CMI)
- Offender Screening Tool (OST)
- Ohio Risk Assessment System (ORAS)
- Static Risk and Offender Needs Guide (STRONG)

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**Need Principle:** Needs are assessed to identify the underlying factors which contribute to criminal behavior. These are known as criminogenic factors. There are both changeable (dynamic) and unchangeable (static) factors related to criminal behavior. The seven dynamic risk factors which are closely associated with criminal conduct and included in risk assessment tools include the following:

1. Antisocial Personality Pattern—impulsive, adventurous, pleasure seeking, restlessly aggressive, and irritable behavior
2. Pro-Criminal Attitudes—offering rationalizations for crime and expressing negative attitudes toward the law
3. Social Supports for Crime—having criminal friends and being isolated from prosocial peers
4. Substance Abuse—abuse of alcohol and/or drugs
5. Poor Family/Marital Relationships—poor family relationships and inappropriate parental monitoring and disciplining
6. School/Work Failure—poor performance and low levels of satisfaction with school or work
7. Lack of Prosocial Recreational Activities—a lack of involvement in prosocial recreational and leisure activities

Highly effective crime reduction strategies combine treatment that addresses these factors with corrections responses, rather than providing solely corrections responses. Corrections responses include diversion programs, jail, specialty courts like drug court, probation, prison, and parole. The services provided within these responses, or intercepts of the corrections system, either help reduce crime or cause it to increase, which makes treatment a pivotal aspect of rehabilitation and preventing future victimizations.

An example of how treatment strives to address these factors follows:

Major Criminogenic Factors	Indicators	Intervention Goals
Antisocial personality patterns	Impulsive, adventurous, pleasure seeking, restlessly aggressive and irritable	Build self-management skills, teach emotional regulation
Pro-criminal attitudes	Rationalizations for crime, negative attitudes towards the law	Counter rationalizations with prosocial attitudes; build up a prosocial identity
Social supports for crime	Criminal friends, isolation from prosocial others	Replace pro-crime friends and associates with prosocial friends and associates
Substance abuse	Abuse of alcohol and/or drugs	Reduce substance abuse, enhance alternatives to substance use
Family/marital relationships	Inappropriate parental monitoring and disciplining, poor family relationships	Teaching parenting skills, enhance warmth and caring
School/work	Poor performance, low levels of satisfactions	Enhance work/study skills, nurture interpersonal relationships within the context of work and school
Prosocial recreational activities	Lack of involvement in prosocial recreational/leisure activities	Encourage participation in pro-social recreational activities; teach pro-social hobbies, sports, and community engagement activities

**Responsivity Principle:** Responsivity focuses on offenders’ “readiness” to positively engage in and benefit from treatment through increased prosocial skills and positive behaviors. There are two parts to the responsivity principle: general and specific responsivity. General responsivity calls for the use of cognitive social learning methods to influence behavior. Cognitive social learning strategies are the most effective, regardless of the type of offender (i.e., female offender, psychopath, sex offender). Core correctional practices such as prosocial modeling, the appropriate use of reinforcement and disapproval, and problem solving are specific skills represented in a cognitive social learning approach. Specific responsivity is a “fine tuning” of the cognitive behavioral intervention. It takes into account strengths, learning style, personality, motivation, and bio-social (e.g., gender, race) characteristics of the individual.



Addressing mental health issues is part of responsivity. Nationally, 64.2 percent of all people in local jails have a mental health problem. This includes all mental health issues such as anxiety, depression, bi-polar, schizophrenia, etc. Individuals experiencing mental illnesses cannot fully engage in treatment without stabilization of their emotional issues. Treatment that includes mental health services will be more successful. To that end, treatment is expanding to include motivational interviewing, dialectical behavior therapy (DBT), neurobiological treatments, wraparound services, medication management, and other effective mental health treatment approaches.

Those approaches include trauma-informed services because of the high prevalence of trauma for people in the corrections system. This occurrence has risen to such a high level that there are now specialized trainings for corrections staff working on trauma-informed care. The study of trauma includes the “NEAR” science – Neurobiology, Epigenetics, Adverse Childhood Experiences, and Resilience. Neurobiology is the complex study of the brain.

As it relates to the work in Benton County, it is important to understand that trauma can impact the ability to think and regulate emotions and behaviors. It impacts our brains and our biological makeup. Extensive or intense traumatic experiences can affect the brain in ways that make it difficult for people to experience empathy or to regulate their emotional responses. For example, people with post-traumatic stress disorder (PTSD) tend to exhibit fear, anxiety, and more extreme stress responses when faced with stimuli not associated with their specific trauma. That experience is called being “triggered or activated” and creates a freeze, flight, or fight response. When someone feels threatened or scared, their brains move resources away from thinking and being rational and towards survival. In short, people who have experienced trauma can perceive a threat when it is not truly there and react in ways that are inappropriate for the situation, including using extreme aggression.

Epigenetics is the study of biological mechanisms that will switch genes on and off. There are certain circumstances in life that can cause genes to be silenced or expressed over time. Epigenetics is everywhere. It is what we eat, where we live, who we interact with, when we sleep, or how we exercise—all things that cause chemical modifications around the gene that will turn those genes on or off over time. This science helps us to understand the impact of toxic stress across generations.

The Adverse Childhood Experiences Study (ACEs) is based on a Centers for Disease Control and Prevention (CDC) study conducted in partnership with Kaiser Permanente. It involved over 17,000 adults and asked how many of them had exposure to trauma as children, then looked at the link between that trauma and later health problems. Abuse was defined as physical,



emotional, or sexual abuse, physical or emotional neglect, or household dysfunction such as someone at home with a mental illness, domestic violence, divorce, or having an incarcerated relative or household member with substance abuse. Those with four or more of these experiences were significantly more likely to commit suicide, smoke tobacco, have serious job problems, experience depression, become an alcoholic, develop a sexually transmitted disease, inject drugs, use antidepressants, be absent from work, be obese, exhibit violence, etc.

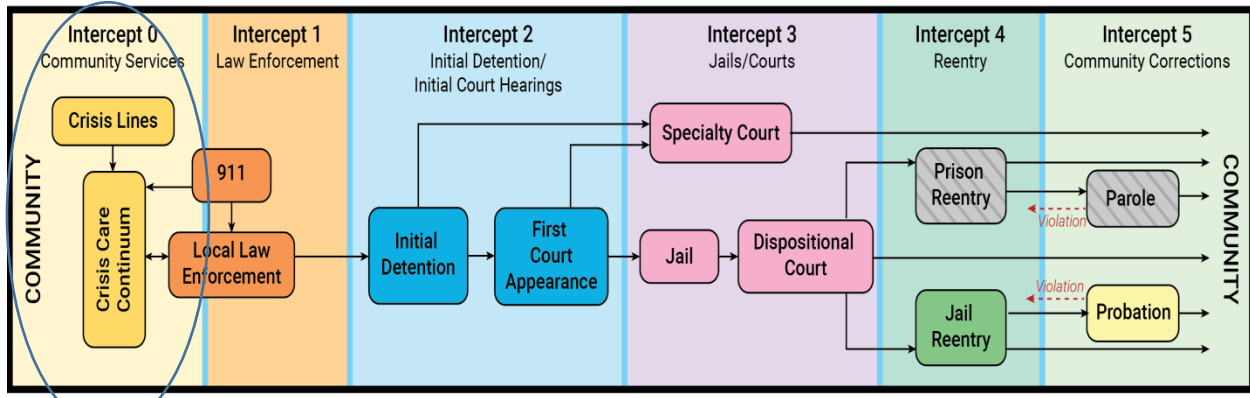
### **Social Determinants of Health**

As seen above, various disciplines and studies have been integrated, and through that blending, it becomes more and more clear that there is not a single cause of crime, but rather a multifaceted and highly interconnected relationship among risk, need, responsivity, trauma, mental health, and even social determinants of health. The latter includes housing, employment, education, positive relationships, transportation, etc. These support systems are critical to transitioning people out of the corrections system and into living positively in the local community. It is difficult for individuals to engage in treatment, for example, when they are hungry or dealing with the significant stress of finding a job or a safe home, or lack support systems. It takes extreme amounts of time and energy to deal with a multitude of barriers that arise without these support systems. Having them, on the other hand, allows people to focus their attention and energy on the difficult and often shameful areas of mental health, drug issues, and learning new emotional regulation skills.

In summary, the ability to reduce crime rests on reducing the likelihood of offenders repeating crimes. Research shows that the success of these goals is weighted on providing a balance of corrections and treatment, and that the treatment aspect must address the criminogenic factors underlying criminal activity. That treatment must provide for mental health needs, addictions issues, and the trauma which fuels these issues. This is the enigma of crime, and when treatment is provided with corrections responses as the research indicates, it can turn the tides from criminal activity to being a productive member of the community.

## 4. JUSTICE SYSTEM PROFILE

### Community Services



### Intercept Description

Involvement in the criminal justice system can carry lifelong impacts on the health, safety, and well-being of individuals, families, and neighborhoods. Numerous individuals with justice involvement face poverty, trauma, mental illness, and/or substance abuse. While traditional perspectives on criminal justice systems focused almost exclusively on the activities of law enforcement and court agencies, contemporary research affirms the critical role that community social service programs play in local justice systems.<sup>4</sup> Ample research documents that attending to dynamic criminogenic needs through proper treatment and control programming can positively affect offending behavior and reduce crime.<sup>5</sup> Programs provided by social services agencies can play a key role in reducing crime through addressing individual needs in areas such as substance use, antisocial cognition, family and marital relations, housing, and employment.

Benton County has an extensive network of community treatment options connecting those in the community to services such as mental health and substance abuse treatment, transportation, career, public assistance, education, and legal. The system provides a

<sup>4</sup> Washington State Institute for Public Policy, *Inventory of Evidence-Based, Research-Based, and Promising Programs for Adult Corrections*, February 2018.

<sup>5</sup> Andrews DA, Bonta J. *The psychology of criminal conduct*. New Providence, NJ: Anderson; 2010; Vieira TA, Skilling TA, Peterson-Badali M. *Matching court-ordered services with treatment needs predicting treatment success with young offenders*. *Criminal Justice and Behavior*. 2009; 36:385–401; Dowden C, Andrews DA. *What works for female offenders: A meta-analytic review*. *Crime & Delinquency*. 1999; 45:438–452; Latessa EJ, Lowenkamp C. *What works in reducing recidivism*. *University of St. Thomas Law Journal*. 2006; 3:521–535.



comprehensive array of services to provide assistance to individuals. These community programs support public safety by addressing issues directly related to an individual's likelihood to commit a crime.

Community resources can assist the criminal justice system by providing the following:

- Ensure accountability while addressing issues that lead to criminal behavior and activity.
- Without duplication of services, bridge gaps in the existing community resources.
- Create linkages with systems that people navigate—including health care, housing, education, workforce, family services, law enforcement, and the courts.
- Take a holistic approach to facilitating individual, family, neighborhood, and community wellness.
- Provide a warm-handoff to offenders heading back to the community.

Key Benton County health service agencies that serve the community include:

*Good Samaritan Regional Medical Center (GSRMC).* GSRMC is a not-for-profit regional health system that brings together community hospitals, physician clinics, and health insurance plans to serve more than 250,000 residents of Oregon's Benton, Lincoln, and Linn counties. In addition to emergency and higher-level medical care, Samaritan Treatment & Recovery Services is open to persons needing alcohol or drug rehabilitation. A personalized program and intensive treatment is available based on individual needs. GSRMC partners with local health care providers, public and private agencies, community organizations, and the 12-step community to help patients once they complete treatment.

*Benton County Behavioral Health.* The County's comprehensive set of mental health treatment services includes the following core programs:

- **Assertive Community Treatment (ACT).** ACT is an evidence-based program that improves outcomes for people with severe mental illness, who are most vulnerable to homelessness and hospitalization. The program currently serves 70 clients.
- **Early Assessment and Support Alliance (EASA).** EASA is an assessment program that seeks to identify young adults experiencing mental health issues for the first time and provide linkages to treatment. The program currently serves nine clients and their families.



- **Choice Model.** This program promotes the availability of individualized community-based services and supports, so that adults with severe and persistent mental illnesses are served in the most independent environment possible, thereby minimizing the use of long-term institutional care.
- **Supported Employment.** The program helps people with mental health issues find and retain employment. The service is provided to ACT and EASA clients.
- **Medication Assisted Treatment (MAT).** MAT uses FDA-approved medications in combination with counseling and behavioral therapies for the treatment of opioid addiction.

In addition to these programs, Benton County Behavioral Health provides assessments, individual therapy, group therapy, case management, medication management, peer specialist support, client-centered service planning, substance abuse treatment, and crisis services.

*Oregon State University Student Health Services.* The University provides clinical services and wellness programs to the students of Oregon State University. Other services include survivor care and advocacy for victims of sexual assault. The university also provides information on violence prevention and alcohol and drug abuse prevention.

Homelessness is a serious issue in Benton County, with a significant indigent population that has frequent contact with law enforcement and social service agencies<sup>6</sup>. Local agencies that provide services to the homeless include the following:

*Community Outreach Inc.* In operation since 1971, Community Outreach, Inc. (COI) provides a wide range of homeless services. COI's homeless housing services generally follow a tiered model, providing emergency shelter and offering applications for dorm-style men's, women's, and family housing. Homeless individuals who use emergency services are encouraged to apply for transitional housing. COI's emergency family shelter is available regardless of intoxication, but the organization generally has a zero-

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<sup>6</sup> Interviews with virtually all community stakeholders provided extensive description of the scope of the homelessness issue in Benton County. Significant sources of information on this issue included Mitch Anderson, County Health Administrator; Jen McDermott, Corvallis Housing First Case Manager; Andrea Myhre, Corvallis Housing First Executive Director; Brad Smith, Corvallis Housing First Board Member; and Jim Swinyard, former Benton County Sheriff.

tolerance policy for illegal drugs and/or alcohol in transitional housing. COI's services include:

- **Emergency Family Shelter:** Free, year-round drop-in shelter for families seeking a safe place to sleep for the night. The program is open to families with a male and/or female 18 or older with children, regardless of drug/alcohol intoxication. Clients are seen on site as early as 7 p.m. and have to be checked in no later than 9 p.m., generally leaving the next morning. Multiple-day housing is sometimes possible, depending on clients' behavior and bed availability.
- **Sunflower Shelter:** COI's Sunflower Shelter is a no- or minimal-cost transitional housing program for families. Enrolled families participate in the program for six months to up to two years. During that time, they meet regularly with COI case managers and receive access to COI's food pantry, support for job searches, and training in money management and other life skills. Participants must be drug- and alcohol-free.
- **Transitions:** COI's Transitions program is a transitional housing program for homeless young adults, aged 18 to 25, which provides housing for 12 to 18 months in locations operated by COI partnership organizations such as the Jackson Street Youth Shelter and Willamette Neighborhood Housing. Participants meet weekly with COI case managers and have a peer support network and vocational training.
- **Good 2 Go Veteran Shelter:** COI's veterans program is a transitional housing program for homeless U.S. military veterans and their families. Participants receive shelter through COI partner facilities, peer support, and weekly COI case management meetings. Participants are enrolled in the Veteran's Administration's (VA) Grant Per Diem program, which provides additional employment, education, and housing assistance.

Additional COI services include outpatient alcohol and drug treatment, outpatient mental health counseling, the community food bank, transitional housing case management, and free medical and dental clinics.

*Corvallis Daytime Drop-In Center for Homeless (CDDC).* Services provided by CDDC include:



- **Project Action:** This program offers assistance to homeless individuals in obtaining or replacing official documents, gaining access to health providers, pursuing a GED, or completing official paperwork.
- **Employment:** Under the umbrella of CDDC, the Homeless Employment Launching Project (HELP) connects homeowners and businesses having work to be done, with clients eager to work. Through HELP, clients receive job training, learn good work habits, develop a work history, earn a paycheck and Social Security credit, and most importantly, experience a renewed sense of self-worth.
- **Prescription Assistance:** If funds are available, the CDDC helps many individuals who would otherwise be unable to obtain needed medications.
- **Counseling:** The CDDC peer counseling program provides responses to issues that can affect a person's safety and well-being.
- **Safe Haven:** The CDDC rents space in a local church and is able to offer a few hours each day during which the homeless can socialize, snack, and receive information from local health and social organizations, receive mail, and make phone calls.
- **Basic Needs:** The CDDC helps the homeless with personal hygiene by assisting in the provision of weekly supervised showering at a nearby church. In addition, CDDC also assists the homeless in obtaining funds for emergency transportation to other cities.
- **Pet Assistance:** The CDDC's Advocates for Pets of the Homeless project provides limited veterinary assistance and advocacy for pets of individuals who are homeless or have very low income.

*Corvallis Men's Shelter.* Operated by a small cadre of paid staff augmented by community volunteers. The shelter is funded by the City of Corvallis and Benton County (\$60,000 each) and private donations. The Unitarian Universalist Fellowship of Corvallis (UUFC) serves as the fiscal agent for shelter operations. While year-around operation is the goal, the Corvallis Men's Shelter currently operates from November 1 through March 31, providing emergency housing for up to 50 adult men in a dormitory setting. Evening snacks and a light breakfast are provided. Service/companion animals are allowed in the shelter. Sobriety and drug use are not conditions of admittance; however, clients' behavior must not be disruptive to shelter operations.

*Room at The Inn (Women's Shelter).* Operated by a board of directors including members from the First United Methodist Church, Room at the Inn is located in the church's community center. The shelter is open November 1 through March 31, and provides emergency housing for up to 15 adult women (18 and older) with no children. Service and companion animals are allowed.

*Corvallis Housing First (CHF).* CHF currently operates Partners Place, which are supportive Housing First projects for persons experiencing chronic homelessness. In addition, CHF coordinates a Women's Rental Assistance Program (WRAP) that offers rental assistance and case management for women with children, single women, and families who are in danger of losing their housing. CHF addresses homelessness by:

- Providing supported housing with case management for up to 31 homeless residents of Corvallis
- Providing case management to transition homeless into housing, jobs, medical, and psychological care

According to the National Alliance to End Homelessness, Housing First is an approach to ending homelessness that centers on providing people experiencing homelessness with housing as quickly as possible—and then providing services as needed. This approach has the benefit of being consistent with what most people experiencing homelessness want and seek help to achieve.

CHF looks to meet the needs of local citizens who are homeless and at risk of being homeless regardless of how challenging it may be to meet these needs. Many of the people they serve have been chronically homeless for many years and are addicted with physical and mental illnesses along with drug and alcohol dependency.

- *Jackson Street Youth Services.* Started in 1999, Jackson Street Youth Services offers both overnight and transitional housing for youth aged 10 to 17 (18 with permission, 16 and younger with legal guardian permission). Jackson Street operates emergency youth shelters in Corvallis and in Albany. Houses are initially open to youth for 72 hours. Additional housing is behavior-dependent; drugs/alcohol are not permitted. After a maximum of 21 days, clients begin formal case management and goal setting. The Next Steps program is a transitional housing program for 18- to 20-year-olds, provided in collaboration with COI's Transition program. Participants must be sober and meet weekly with a case manager. Housing is in a community dormitory/apartment, and participants have opportunities for training and peer support.



## Key Findings

Benton County has a substantial network of public and nonprofit agencies that provide vital services to individuals that may be at risk for entry into the justice system. The public health system offers counseling and treatment programs that address the needs of individuals in crisis as well as those with chronic, ongoing issues. The number of programs that provide assistance and/or support for homeless individuals is impressive relative to the size of the community.

Despite this infrastructure however, the capacity of these programs is not sufficient in some cases to meet community needs, nor are the programs necessarily targeted to the at-risk population. Current mental health treatment, substance abuse treatment, and transitional housing assistance all require expansion to provide an effective level of prevention. The system also lacks a specialized facility or program that could provide a safe place for sobering intoxicated individuals who now end up in the hospital emergency room or jail. Similarly, the system lacks a non-forensic facility for persons who anticipate or are experiencing a mental health crisis and require stabilization. These individuals likewise often require law enforcement intervention, resulting in admission to the jail or the hospital. Finally, many communities have found restorative justice programs beneficial in assisting both victims and offenders in addressing the consequences of crime in a way that can lead to long-term positive changes in offender behavior.

## Opportunities for Improvement

Individuals in the community at risk for behavior that may result in their entry into the justice system include persons with mental illness, substance abuse issues, and the homeless. Investment in community programs that will provide services to at-risk individuals will address their needs and reduce the probability of justice system involvement. Specific program strategies identified in support of prevention include:

*Expand current community mental health treatment programs.* Provide additional treatment services with outreach to those individuals identified with mental health issues that may place them at risk for incarceration or involvement with law enforcement. This would require adding two Qualified Mental Health Professionals (QMHP) at \$80,000 per position, for a total annual cost of \$160,000. Because these services would be available to the community at large, the specific impact of the service expansion to the justice system is difficult to forecast.



*Open a crisis respite center.* This facility would provide emergency crisis stabilization services for individuals experiencing severe mental health issues. Crisis respite centers serve people who anticipate or are experiencing a mental health crisis, and provide a temporary residential stay in a safe and supportive environment. Currently, such individuals often end up in a hospital emergency room or jail as a result of acting out behaviors. The facility would allow for stabilization that is currently happening in many jail systems in a non-forensic setting. Services could include linkage to medical and psychiatric providers, medication management, support groups, individual counseling, and psycho-education. A six-bed facility, staffed 24 hours per day, seven days per week, would require 8.75 Qualified Mental Health Assistants (QMHA) level staff at a projected annual cost of \$398,255. Additional facility and support costs bring the projected annual cost of a crisis respite center to \$507,095. Based on the volume of persons booked into jail with apparent mental illness, a conservative projection of impact is that a crisis respite center would reduce projected jail population levels by two inmates on average.

*Increase community transitional housing.* The lack of sufficient shelter housing for the indigent population in the community is a significant factor in placing individuals at risk for incarceration. The Corvallis Police Department (CPD) has identified ordinance violations, crime, and behavioral issues by indigent persons—particularly in the Corvallis downtown and park areas—as a significant public issue. Public officials and citizens all cited the lack of transitional housing as a significant community need. Development of a 10-bed transitional housing center would increase the capacity of the community to address this issue. The projected cost of construction of a 10-bed transitional housing facility is \$787,500. Such a facility would reduce the projected average daily population at the jail by up to two inmates. However, development of transitional housing is expensive, and siting such facilities is difficult.

*Expand current community substance abuse treatment programs.* Providing additional treatment services to those individuals identified with substance issues that may place them at risk for incarceration or involvement with law enforcement addresses a key justice system issue. This initiative would add two Substance Use Disorder (SUD) providers to current community programs at \$70,000 per position, for a total annual cost of \$140,000. Because these services would be available to the community at large, the specific impact of the service expansion to the criminal justice system is difficult to forecast.

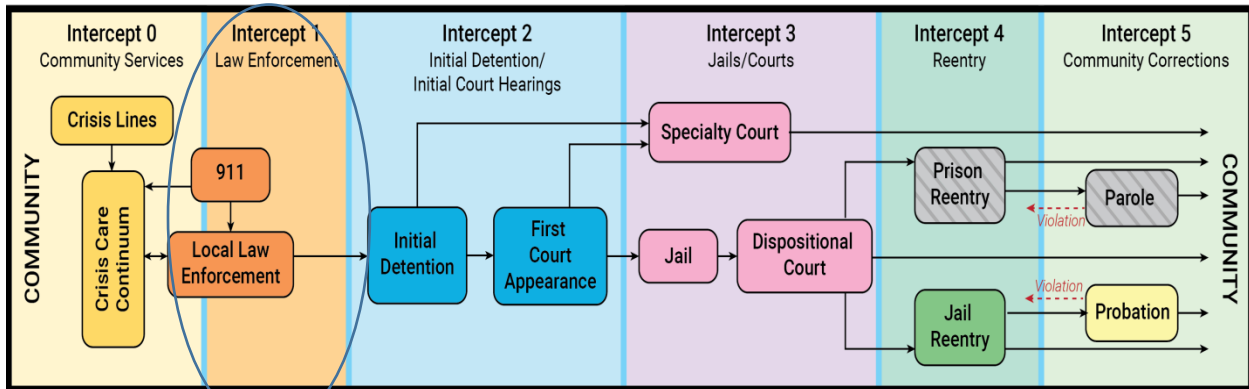
*Open a sobering center.* A sobering center provides an alternative to hospitals and jails in many communities across the country, as a safe place where an acutely intoxicated person can be observed and safely housed until he or she becomes sober. Currently, such individuals who commit public nuisance crimes may be taken to the jail or the hospital emergency room, which is not an effective use of these facilities. Based on the experience of other communities, a 12-



room sobering center could be developed with an annual cost of \$300,000, and could reduce the projected jail population by two inmates.

*Develop a restorative justice program.* Restorative justice programs respond to and repair the harm caused by crime by explicitly acknowledging and addressing the obligations of the offender to the victim/survivor and community, as well as the community towards the offender. Specific program elements may include victim-offender mediation, family group conferencing, sentencing circles, community restorative boards, victim impact classes, victim impact panels, victim impact statements, community service, and restitution. Such a program would require one full-time trained professional to develop and coordinate program activities, at a projected annual cost of \$75,000.

### Law Enforcement



### Intercept Description

Benton County law enforcement agencies have primary responsibility for maintaining public safety and responding to criminal activity. The County has four primary police departments: the Benton County Sheriff’s Office (BCSO), Corvallis Police Department (CPD), Philomath Police Department (PPD), Oregon Liquor Control Commission (OLCC), which oversees sale and distribution of alcohol and recreational marijuana; and the Oregon State Police (OSP), detailed to provide campus security for Oregon State University. In 2017, these agencies employed 118 law enforcement officers supported by 49 civilian staff.



### Key Findings

The number of sworn law enforcement officers employed within Benton County is in the mid-range compared to other peer counties.<sup>7</sup> In overall terms, Linn County has much higher law enforcement officer staffing, while Polk and Lincoln are substantially lower than Benton County. The rates of sworn officer staffing in Yamhill and Lane counties are relatively close to the Benton County level.

**Crime:** The two primary metrics for criminal activity are reported offenses and arrests. Crime in Benton County, as reported by police agencies consistent with the Oregon Uniform Crime Reporting program, falls into three categories: Person, Property, and Behavioral crimes. Table 1 summarizes the primary offenses included in each category.

**Table 1: Criminal Offenses by Category**

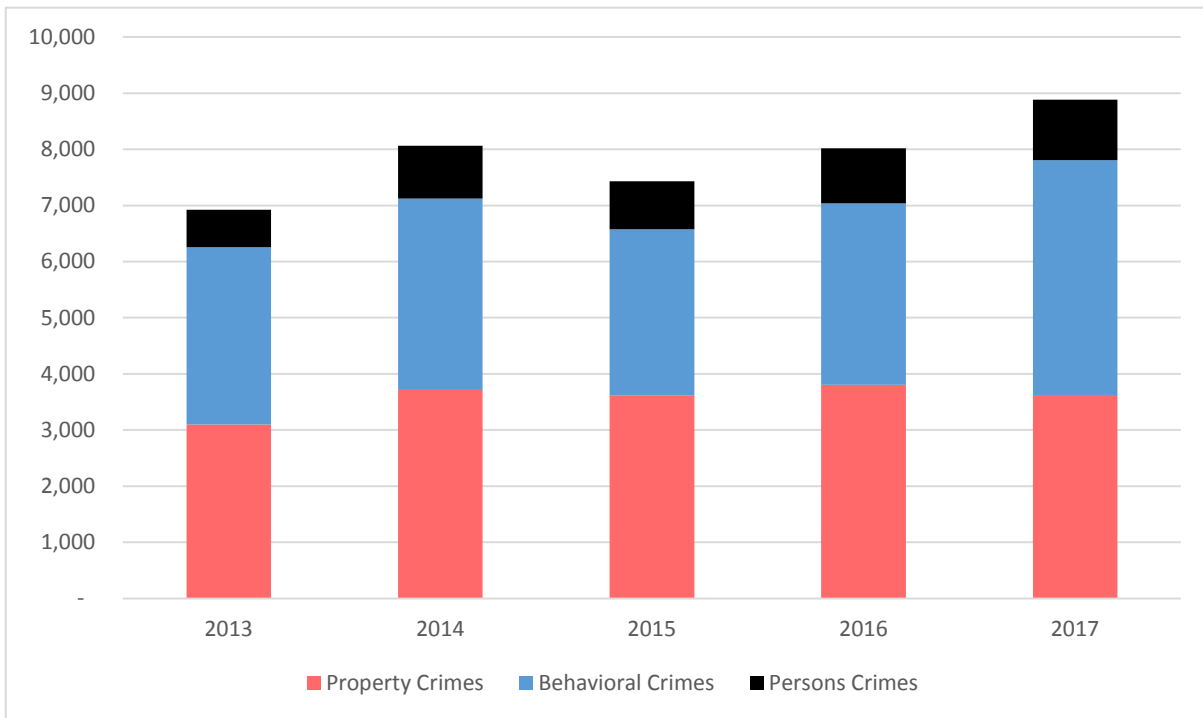
Person Crimes	Property Crimes	Behavioral Crimes
Murder/Homicide	Robbery	Weapon Laws
Sex offenses	Burglary	Prostitution
Kidnapping	Larceny	Gambling
Assaults	Motor Vehicle	Drug laws
	Theft	DUII
	Arson	Liquor Laws
	Forgery	Disorderly Conduct
	Fraud	
	Embezzlement	
	Bribery	
	Extortion	
	Vandalism	

Source: State of Oregon Report of Criminal Offenses and Arrests, 2017 Annual Report

<sup>7</sup> For the purpose of benchmark comparison with Benton County, we selected four counties with similar demographic and economic characteristics: Yamhill, Polk, Linn, and Lincoln counties. We also included Lane County for comparison with another jurisdiction that supports a large public university.

**Types of Crimes:** In aggregate, reported criminal offenses in Benton County over the last five years have increased by 28 percent. The number of reported property crimes has remained stable over the period. Behavioral offenses are now the most frequently reported category of crime in the County and have increased by 22 percent. The number of reported person crimes has increased by 62 percent. This is significant, in that person offenses are the more serious crimes most likely to increase justice system workload. Figure 1 summarizes Benton County crime data.

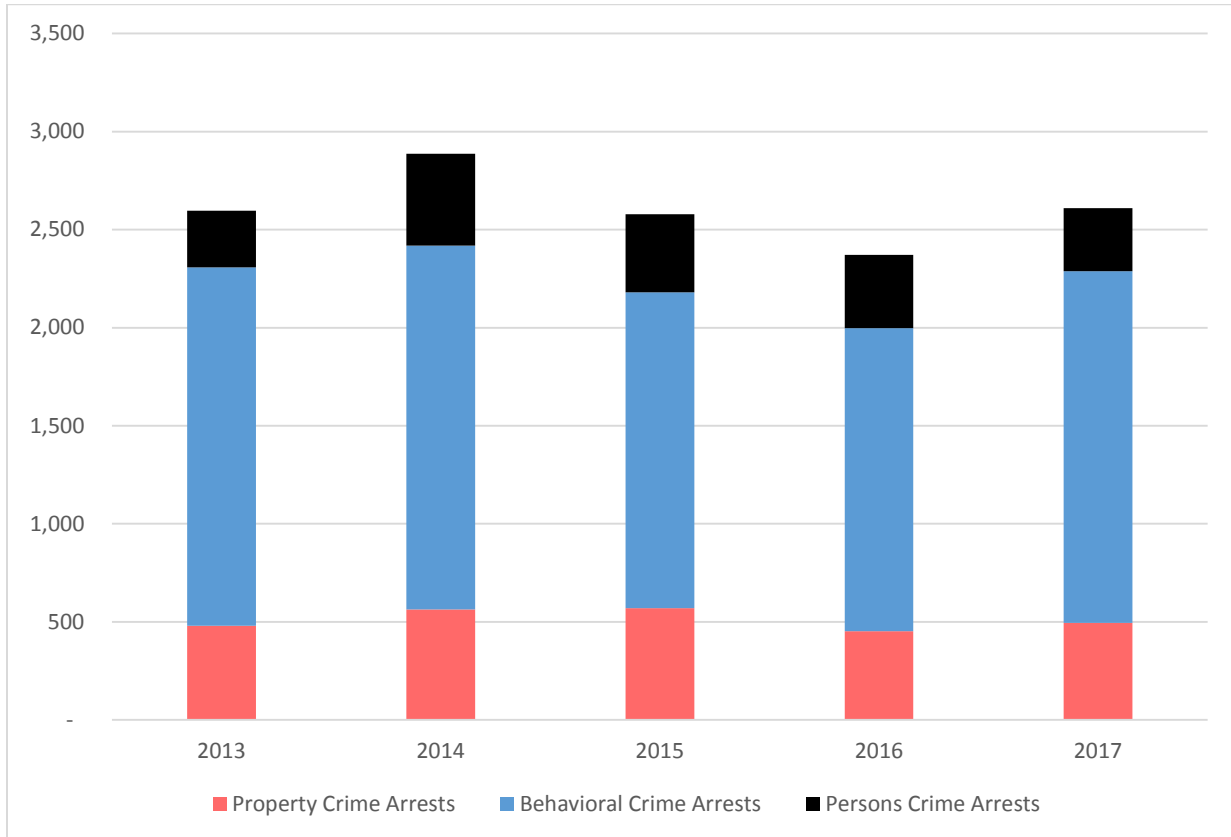
**Figure 1: Benton County Reported Offenses by Category of Crime**



Source: State of Oregon Report of Criminal Offenses and Arrests, 2013-2017 Annual Reports

**Arrests:** Annual reported County adult arrests overall have declined 22 percent since peaking in 2014, to 2,264 arrests in 2017. The largest category of arrests by far is for behavioral crimes, at nearly 58 percent of all arrests.

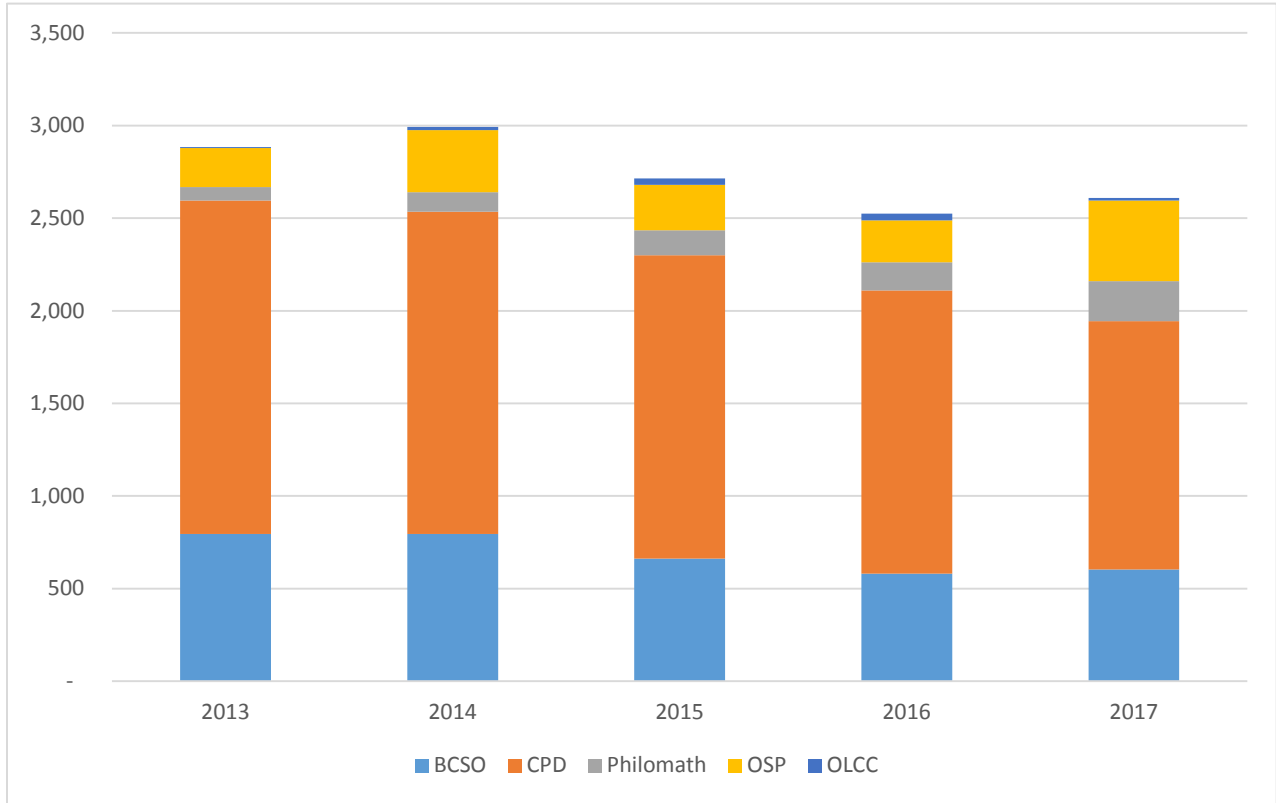
**Figure 2: Benton County Reported Arrests by Category of Crime**



Source: State of Oregon Report of Criminal Offenses and Arrests, 2013-2017 Annual Reports

The CPD made over 50 percent of all arrests in the county in 2017, followed by the BCSO with 23 percent of arrests. The number of arrests by each of these agencies has declined by 23 percent since 2014, as shown in Figure 3.

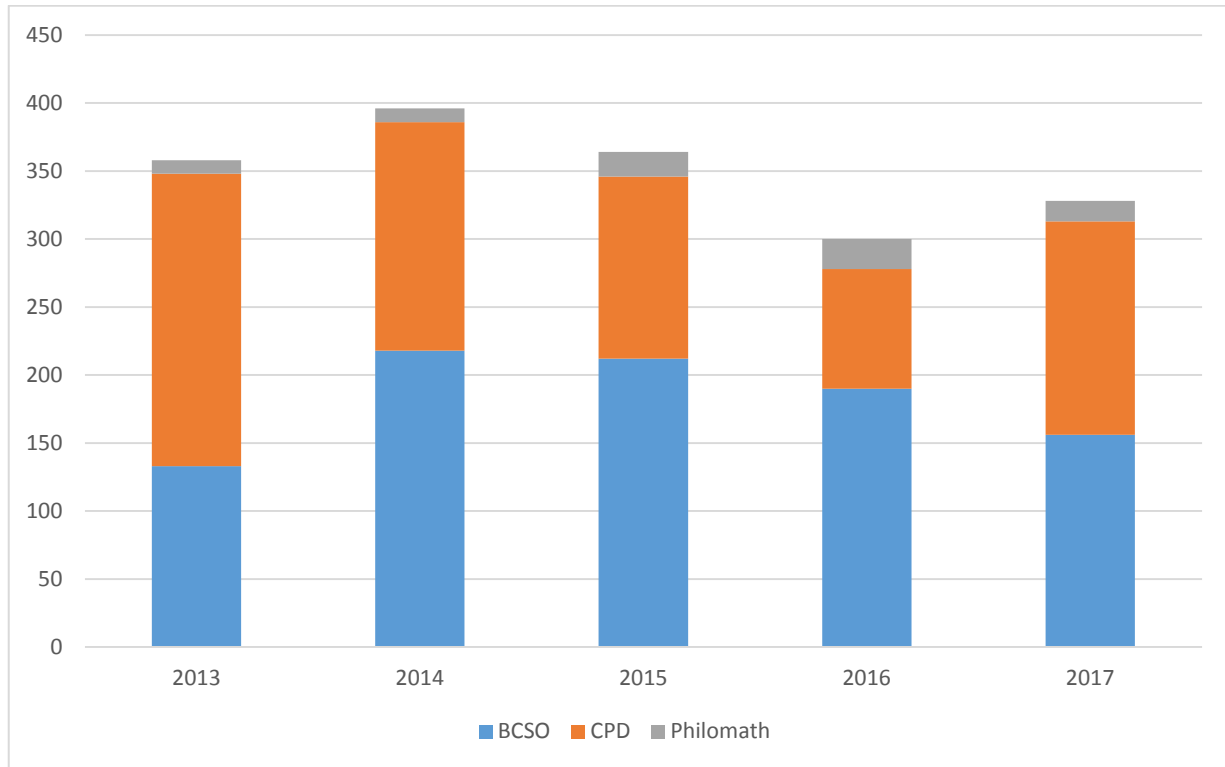
**Figure 3: Benton County Adult Arrests by Arresting Agency**



Source: State of Oregon Report of Criminal Offenses and Arrests, 2013-2017 Annual Reports

Juvenile arrests in Benton County have shown a slower decline than adult arrests, dropping by 17 percent since peaking in 2014. The more rapid decline in adult arrests may be driven by lack of jail space. The County has a contract with the Linn-Benton Detention Center to house juvenile arrestees, which provides sufficient capacity to meet law enforcement needs. The BCSO and CPD each make approximately 50 percent of juvenile arrests in the county.

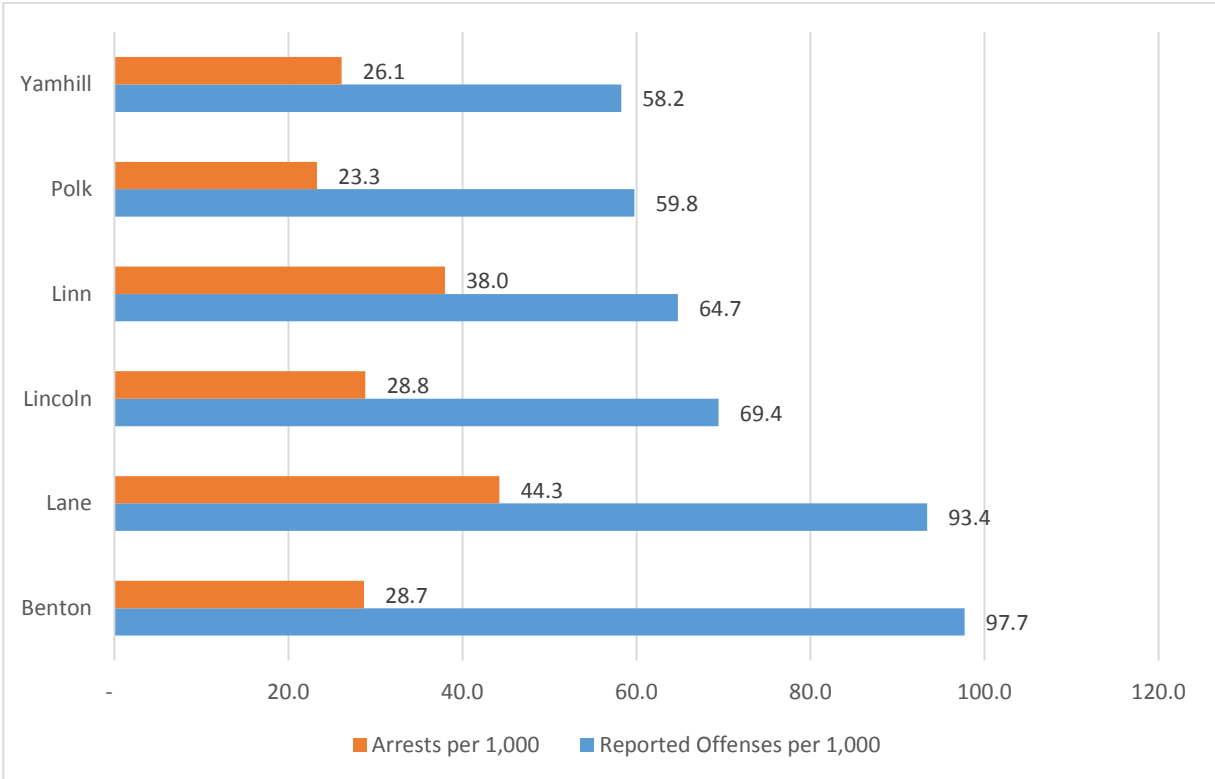
**Figure 4: Benton County Juvenile Arrests by Arresting Agency**



Source: Benton County Sheriff's Office, Corvallis Police Department, and Philomath Police Department

Comparing reported crime and arrest data for Benton County with peer counties shows that Benton County has the highest rate of reported crime and ranks 4<sup>th</sup> in arrest rate. The gap between the reported crime rate and the arrest rate for Benton County is by far the highest in the group.

**Figure 5: 2017 Crime and Arrest Rates – Benton and Peer Counties**

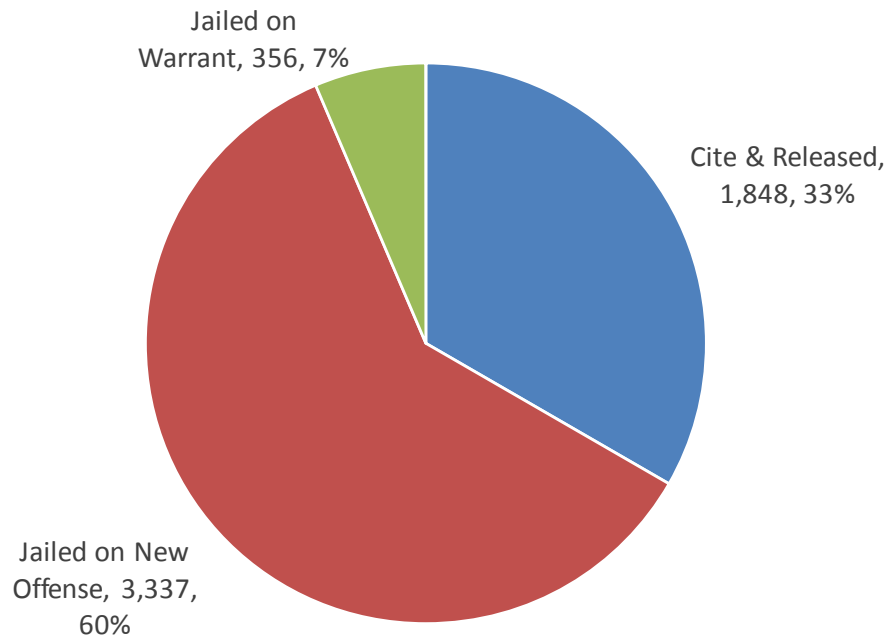


Source: State of Oregon Report of Criminal Offenses and Arrests, 2017 Annual Reports



**Outcomes:** Figure 6 shows the outcomes of arrests by Benton County law enforcement agencies in 2017. Over 60 percent of the arrests end with the individual jailed on a new offense. In 33 percent of arrests, the arresting officer issues a citation to the offender, and releases them on their own recognizance. In 7 percent of arrests, the offender has an outstanding warrant and is jailed on that basis or cited and released because the jail is full. The use of citation and release in Benton County appears substantially higher than levels found in other comparable jurisdictions.

**Figure 6: Benton County 2017 Arrest Outcomes**



Source: Corvallis Police Department

**Citation and Release:** A citation and release is a written or electronic order issued by a law enforcement officer. Instead of an arrest or continued detention, the citation releases the person on the promise to appear in court at a specified date and time. Many jurisdictions across the United States use citations or Notices to Appear as a method to divert arrestees for minor offenses from the jail. Research shows that persons arrested for minor offenses such as shoplifting, public intoxication, criminal trespass, or disorderly conduct generally pose little risk to the public and have a high probability of appearing in court. Moreover, detention and exposure to more serious offenders appears to increase future criminal activity and recidivism

for low-risk offenders.<sup>8</sup> Use of citation and release benefits the arrestee, as it allows them to remain out of jail, continue employment, and maintain family connections.

Moreover, judicious use of citation and release allows more effective use of law enforcement resources, keeping officers on the street instead of extended periods spent transporting arrestees and transferring them to the custody of the jail. Citation and release can also be a useful tool in jail population management, providing a means to address intermittent periods of jail crowding.

The most common approach to citation and release limits its use to misdemeanor or petty offenses, subject to the discretion and judgement of the arresting officer. However, even in the case of minor offense, admission to jail will generally be required if any of the following factors apply:

- There are reasonable grounds to believe the person will not appear in court, or the person has previously failed to appear.
- There are reasonable grounds to believe the person poses a danger to persons or property, or that the offense will continue.
- The person has outstanding warrants.
- An ongoing investigation or prosecution could be jeopardized by release.
- The person requires physical or mental health care.<sup>9</sup>

While officers may in some jurisdictions deviate from these guidelines, the presumption will generally be that arrest results in commitment to custody.

The use of citation and release in Benton County differs from the approach described here in that, per policy, for the CPD, the presumptive outcome for misdemeanor arrests not involving violence will be citation and release. In addition, felony arrestees may receive citation and release:

### **1.2.3 Arrest and/or Pre-Arrest Confinement**

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<sup>8</sup>Lowenkamp, C. T., Latessa, E. J., & Holsinger, A. M. (2006). The Risk Principle in Action: What Have We Learned From 13,676 Offenders and 97 Correctional Programs? *Crime & Delinquency*, 52(1), 77–93. <https://doi.org/10.1177/0011128705281747>; Bonta, J., & Andrews, D. A. (2007). Risk-need-responsivity model for offender assessment and rehabilitation. *Rehabilitation*, 6(1), 1-22.

<sup>9</sup> Pirrus, Rebecca, *Citation and Release*, National Council of State Legislatures, Washington DC, 2018.



A. *Purpose*

*The purpose of this policy is to ensure that offenders are processed at the level of the justice system appropriate to the offense and to ensure judicious use of public safety resources.*

B. *Pre-arraignment Confinement - Citation in Lieu of Custody:*

1. *Officer taking physical custody of person arrested for felonies and crimes involving violence and those arrestees may be booked at Benton County Jail (BCJ). In the event that BCJ is at capacity, the on-duty supervisor may contact another correctional facility for the processing of the individual or authorize citation in lieu of custody.*
2. *Officers will generally issue citations in lieu of custody for misdemeanor crimes not involving violence. Arrestees can be taken into custody for these offenses if the circumstances of that incident merit custody. If this occurs, those circumstances will be documented in the police report. Those circumstances include, but are not limited to:*
  - a. *The suspect poses an immediate threat to the victim, community, or self; or*
  - b. *The identity of the suspect cannot be verified; or*
  - c. *There is a history of Failure to Appear (FTA) in court; or*
  - d. *The arrest is mandated by law; or*
  - e. *Citing and releasing the arrestee would continue to have a negative impact on community livability; or*
  - f. *There is an articulable reason to believe the suspect will reoffend if not taken into custody.*
3. *When citations in lieu of custody are issued, officers shall cite defendants into Municipal Court when there is an applicable ordinance unless there is an articulable reason to cite the arrestee through Circuit Court. These reasons will be documented in the officer's report. The only primary exception to this is when there are concurrent State Court charges on the same defendant, and in these cases, officers shall cite*



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*the defendant into State Court on all charges using the appropriate ORS sections for the offenses.<sup>10</sup>*

The genesis of this policy is the lack of available capacity at the Benton County Jail. The fact that the jail often has no available beds for new admissions requires prioritization of the use of the jail only for those arrestees that have committed the most serious offenses. As a result, approximately one-third of arrests by the BCSO and the CPD result in a citation and release. While there are no good data documenting the general use of citation and release by law enforcement agencies, the project team's work with local justice systems throughout the United States indicates that use of citation and release rarely exceeds 10 percent of arrests in a given jurisdiction.

The heavy reliance on citation and release in the County results in minimal sanctions for offenders that, in many instances, should be processed through the jail. This practice diminishes justice system integrity by failing to hold offenders accountable for their actions. For example, an offender given notice to appear in court typically faces little consequence for disregarding that notice, in some cases even after repeated notices. Both the BCSO and the CPD have expressed concern that current citation and release policies have a detrimental impact on public order and respect for the justice system.

**Facilities:** The current City/County Law Enforcement center located in downtown Corvallis, Oregon is shared by the BCSO and the CPD. This shared building has been used by both departments for over 30 years and, although functional, the building has some issues that need consideration in order to achieve optimal operational effectiveness.

Both departments outgrew their current space years ago, and operationally have expanded into every possible area of the building. This has necessitated establishment of storage sites throughout the county to keep operations going. The building has limited security—enough only to provide visual monitoring around the exterior of the building, as well as some access control. The parking location, shared by the District Attorney's Office and court staff, allows the public to drive or walk through staff parking areas.

There are no good options to expand this building, if desired. The following are some high level points outlining issues at the existing combined law enforcement center:

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<sup>10</sup> Corvallis Police Department, *General Orders*, rev. 4/13/09.



- Space deficiencies: restrooms, training, evidence processing, offices, storage, equipment, etc., are lacking throughout the facility.
- Fire, electrical, and ADA codes and HVAC and information technology deficiencies which do not meet current standards, creating liability issues for the County.
- Parking deficiencies.
- Current facility and property are inadequate for upgrade or expansion.
- Security and safety deficiencies.
- Current facility is in need of repairs.
- Limited public meeting areas.
- Lobby security concerns for residents and staff who work in the facility.
- Lack of adequate offices, training areas, restrooms, locker rooms, storage, and breakrooms.
- Emergency response center location in the basement of the building is not appropriate and has major space deficiencies, including basement flooding.

In summary, the current facility is undersized, has an inefficient layout, presents security concerns, and has health and safety issues. All of these issues combine to hinder the management of public safety in Benton County.

### **Opportunities for Improvement**

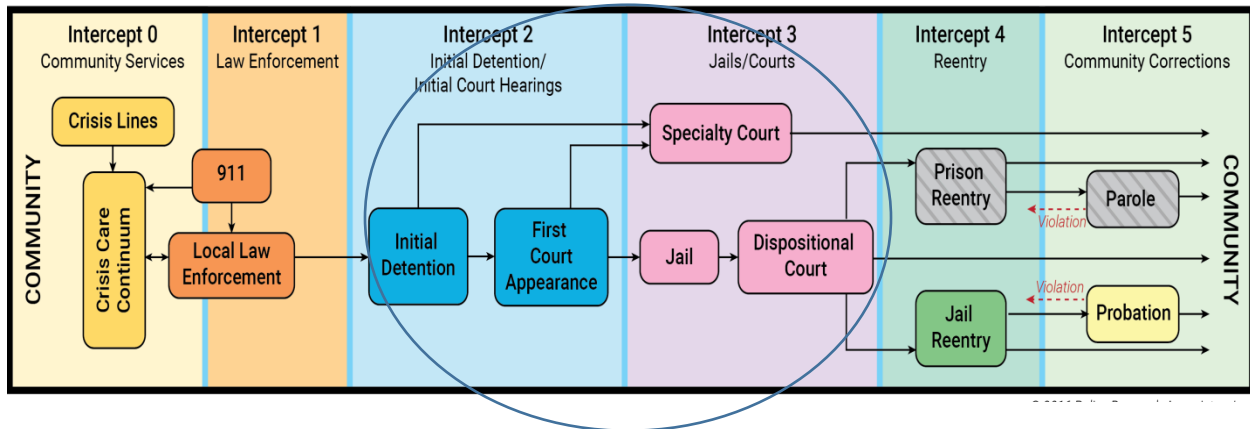
Assuring effective enforcement of the law and protection of public safety requires adequate police staffing, facilities, and policies. Program needs in this area focus on enabling law enforcement to more effectively perform its mission.

*Citation and Release.* The most significant local issue is the inability of law enforcement to arrest and detain individuals for a broad spectrum of criminal offenses due to lack of capacity at the jail. This results in a very high use of citation and release, even for offenses that should arguably require at least some jail time. As noted earlier, current policies result in a citation and release in 33 percent of arrests conducted by Benton County law enforcement agencies. The Sheriff and the Chief of the CPD indicate that best practices in policing would result in a citation and release in approximately 10-15 percent of arrests. Implementing a change a policy that would reduce citation and release to this level would substantially increase bookings into the jail. Adjusting the projection model for this policy change would increase the forecasted jail population by 13 inmates.

*Law Enforcement Center.* The other significant need identified for law enforcement is a replacement facility for the current law enforcement center. The lack of space and issues with

the current facility impair the efficiency of CPD, BCSO, Probation, and 911 operations, and preclude any needed increase in current staffing levels. A replacement facility would require approximately 50,000 square feet of space. Construction costs for such facilities average \$408/square foot (SF). Adding in “soft costs” for facility design, engineering, project management, equipment, and facility fixtures results in projected total facility cost of approximately \$26,500,000. This cost does not include land acquisition.

### Courts



### Intercept Description

The 21<sup>st</sup> Judicial District Circuit Court conducts criminal, civil, and juvenile judicial proceedings for Benton County, and supervises the County’s Drug Court program. Three judges preside over cases filed in the court. The District Attorney’s Office has a key role in the prosecution of cases brought before the court.

### Key Findings

While small, the court processes cases in an efficient manner. Ideally, courts should maintain a neutral balance between the number of cases opened and the number of cases closed annually. The most common metric for case flow efficiency is the case disposition rate. The disposition rate reflects the number of cases resolved or terminated divided by the number of new cases filed in a given year. A 100 percent case disposition rate shows the court disposes of existing cases as quickly as new cases are filed. This is an indication that the number of judicial officers is adequate to dispose of current caseloads and that case flow is efficient. When cases are not cleared in a timely manner, the case backlog grows, as defendants must wait longer for their cases to be resolved. When defendants are waiting in custody, the result is increased lengths of stay in jail. As shown in Table 2, the disposition rate for the Benton County Court consistently exceeds 90 percent.



**Table 2: Benton County Criminal Court Case Disposition Rates**

	2014	2015	2016	2017
<b>Felony</b>				
Cases Filed	599	519	486	446
Cases Terminated	577	579	456	446
Disposition Rate	96%	112%	94%	100%
<b>Misdemeanor</b>				
Cases Filed	1,058	1,171	1,161	1,153
Cases Terminated	1,233	1,073	1,181	1,069
Disposition Rate	117%	92%	102%	93%

Source: Oregon Judicial Department, 2017 Circuit Court Case Statistics

Another indicator of court processing efficiency is the age of cases at time of resolution. As shown in Table 3, the court resolves nearly 87 percent of misdemeanor cases and 74 percent of felony cases within six months of filing. Termination rates approach 100 percent within one year.

**Table 3: Age of Cases at Termination, 2017**

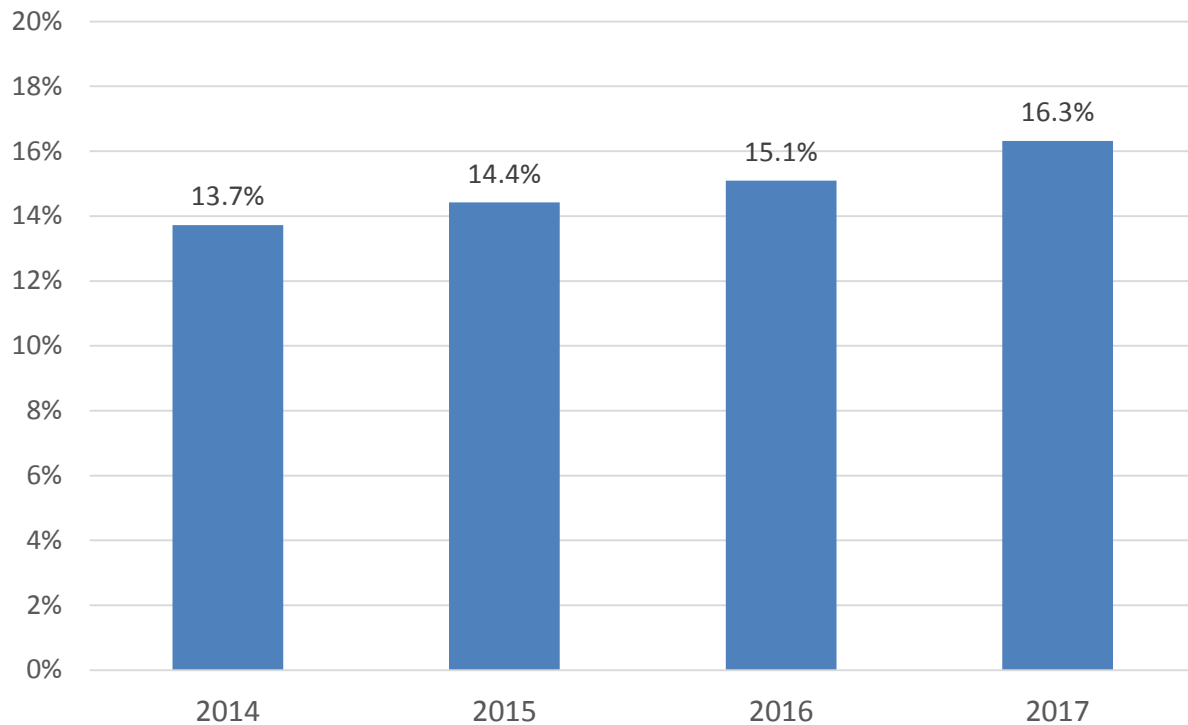
<b>Misdemeanor</b>				
Age of Case	0-90 Days	91-180 days	181-365 days	366+ days
Terminated Cases	349	142	58	17
Cumulative % of Terminated Cases	61.7%	86.8%	97%	100%
<b>Felony</b>				
Age of Case	0-120 Days	91-180 days	181-365 days	366+ days
Terminated Cases	128	33	47	11
Cumulative % of Terminated Cases	58.5%	73.5%	95%	100%

Source: Oregon Judicial Department, 2017 Circuit Court Case Statistics



**Failure to Appear:** The level of efficiency shown by the court is particularly notable in light of the very large number of defendants that fail to appear (FTA) for their scheduled court hearings. The number of hearings in which the defendant fails to appear before the court has increased steadily since 2014, and now stands at over 16 percent of scheduled hearings. This is roughly three times the rate generally viewed as acceptable by court systems.

**Figure 7: Failure to Appear in Court Rates**



Source: Benton County Court

In 2017, the courts experienced 1,813 hearings in which the defendant failed to appear. These defendants generally have been charged with minor offenses, and have been cited and released, or released from custody based on the low level of risk they pose to the community. First Appearance, Arraignments, and Status Check hearings represent over 70 percent of the hearings in which the defendant fails to appear. In many instances, the defendant fails to appear at rescheduled hearings as well. Although these offenders do not necessarily represent a public safety threat, the need to schedule and reschedule multiple hearings on the same offense slows case processing and wastes court resources. Many jurisdictions use cell-phone-based text reminders or email reminders to assist defendants in remembering their scheduled court dates. Benton County should explore the use of such technology to address the high FTA rate.



Court and law enforcement staff believe the core issue underlying the high FTA rate is the inability of the court to enforce meaningful sanctions for failure to comply with court-ordered appearances. The very limited amount of jail beds available to law enforcement and the court seriously diminishes the justice system's capacity to discipline an often flagrant disregard for the court.

**District Attorney Staffing:** An effective judicial system requires adequate resources for all the key system actors—judges, court staff, the defense bar, and prosecutors. The Benton County District Attorney currently has seven deputy district attorneys (DDAs), a level that has remain unchanged for the last 25 years. This level of staffing failed to keep pace with increases in workload driven by the growth of the County and increased justice system workload through the years. By way of comparison, Lincoln County has 8 DDAs, Linn County has 10 DDAs, and Yamhill County has 10 DDAs. Moreover, the recent initiative to add body cameras to law enforcement will create a substantial additional workload for DDAs who must review extensive body-camera video in the course of assessing cases. The District Attorney is also seeing increased workload associated with evaluations of Aid and Assist defendants.

The impact of inadequate staffing of the District Attorney's Office is, quite simply, less time to investigate and prosecute cases, creating greater pressure to settle cases through plea-bargaining. The lack of District Attorney staff also precludes the County from entering into beneficial new programs that would increase the District Attorney's workload, such as mental health court.

**Diversions:** A robust set of sentencing diversions is available to persons charged with crimes in Benton County:

- Violation Treatment (ORS §161.566). Criminal offenses may be reduced to a violation and/or fine.
- Civil Compromise (ORS § 135.703). The defendant reaches agreement with the victim on a financial settlement, in exchange for dismissal of the case.
- DUII Diversion (ORS § 813.215). For a first conviction, the defendant enters into a plea agreement that requires treatment and evaluation for one year. At the completion of treatment, the case is dismissed.
- District Attorney Misdemeanor Diversion (ORS § 135.881 et seq.). Discretionary diversion to offense-specific treatment programs.
- District Attorney Felony Diversion (ORS § 135.881 et seq.). Discretionary diversion to offense-specific treatment programs.

- Conditional Discharge (ORS § 475.245). Diversion into treatment for felony cases with no prior arrests.
- Felony Reduction to Misdemeanor (ORS § 131.705). A statutory provision that allows for reduction at sentencing or completion of probation.
- Felony Durational Departures (OAR 213-008-0001; 213-008-0002). Discretion to move up or down in duration from the presumptive sentence with conditions.
- Felony Dispositional Departures (OAR 213-008-0001; 213-008-0002). Discretion to move up or down to a different sentence from the presumptive sentence with conditions.

In addition, the County's Drug Court program offers structured, intensive treatment for offenders with substance abuse issues as an alternative to jail or probation. An interdisciplinary team, including a judge, prosecutor, defense attorney, treatment provider, police officer, and probation officer, staffs the program. Carefully screened offenders progress through a five-phase program that requires 19 months on average to complete. State and federal grant funds support the program, which has an annual budget of \$460,000. The program can support an annual caseload of 48 participants.

The structure and components of the program appear consistent with model drug court programs developed in other jurisdictions. However, while the program collects extensive data on the characteristics of program participants including their risk factors, there are no data available on recidivism or long-term outcomes for program graduates.

One of the challenges facing the program is the lack of available jail beds to provide sanctions for program participants that violate rules. Most participants that do violate conditions understand that the County lacks jail space and take advantage of that fact. Lack of residential treatment housing in the County is also a problem. Currently, the closest residential treatment is in Eugene, Oregon, and space is limited, with a three- to four-month waiting list.

**Facility:** The historic Benton County Courthouse is located in the heart of downtown Corvallis and was built in 1888. The courthouse is located directly adjacent to Benton County Jail, as well as centrally located near other law enforcement and justice department offices. The current courthouse has a total of four courtrooms (one traffic court, two felony courtrooms, and one misdemeanor court).

The courthouse is over 130 years old, and is an esthetically pleasing structure, but the physical plant is antiquated and is beyond the lifespan of a typical building. In 2016, Benton County hired Miller Consulting Engineers, Inc., to conduct a seismic evaluation of the courthouse building using current standards. As stated in the 400-page report, the building was not

constructed to withstand a significant seismic event. To bring the building up to code would take substantial building upgrades and resources.

However, if the seismic issues could be addressed, the courthouse lacks the following characteristics of a modern, efficient, functioning courthouse:

- Proper courthouse organization
- Courthouse site design
- Courthouse security
- Proper court sets
- Jury facilities and court administration space
- Specialized court services
- Proper in-custody defendant receiving, holding and transport
- Open and secure public spaces
- Adequate building support services space
- Proper mechanical systems
- Proper lighting levels
- Proper building communication
- Audiovisual system requirements
- Acoustical requirements
- Current code requirements
- Structural, ADA, fire life safety, electrical, and plumbing

The current Benton County Courthouse does not support and encourage proper modern court functions and efficiencies, and will not support the future needs of the County.

**Operations:** The operational issues at the Benton County Courthouse range from tight corridors to cramped office spaces, ADA non-compliance, inadequate court rooms, lack of adequate staff and public space, inadequate separation of offenders and the public, lack of courthouse security, no attorney/client conference rooms, and one elevator. With as many as 150 to 250 people in the courthouse at one time, the building is too small and was never intended to be used as it is today.

The courthouse has a laundry list of operational issues that do not meet modern standards for courthouse operations and efficiency. The following outlines minimal requirements of a modern courthouse not met at the existing court building:

*Public spaces:* The public space should be designed as an integrated continuum of spaces that leads from the building's main entrance to the various public destinations

within it. Each segment of space along the continuum performs multiple functions and should be designed accordingly. The functions include ingress/egress, admittance/discharge, security screening, the provision of information/orientation, circulation/conveyance, and accommodation/queuing/waiting/seating.

*Entrance:* The entrance or entrance vestibule should be clearly visible and recognizable as such from the exterior of the building. The vestibule should be a minimum of seven feet in depth and able to handle the flow of traffic at peak times.

*Security screening station:* The security screening station should be designed with a non-secure zone in front of the screening equipment (i.e., metal detectors and X-ray machine). The non-secure zone should be large enough to provide safe and comfortable queuing during peak load periods.

*Lobby:* The main occupant and public gathering point is the building lobby on the secure side of the security screening station. The size and shape of the lobby should facilitate the process of understanding the layout of the building. The amount of floor area required for the lobby space will be determined by the number of people who pass through it.

*Corridors:* Corridors convey, orient, and provide places for people to confer and, often, to wait. Corridor lengths and widths vary according to the volume of traffic and the nature of the spaces to which they lead. Basic corridor widths should enable a minimum of four people to pass abreast of each other (one person escorted by two others and a fourth passing from the opposite direction).

*Court staff entry:* Other spaces common to all courts include the court staff entry. Staff entry should be through the central public screening point. If a separate staff entrance is required, the entrance should be staffed by a court security officer and be provided with the required screening equipment. Circulation for judges and others requiring additional security should not intersect public circulation; these individuals should enter through a restricted lobby from secure parking.

*Secure parking:* Parking for judges and court staff should be secure and located within the court building or on the site behind a secure fenced area.

*Service areas:* A building service area requires loading docks with direct restricted entry. The area requires access via freight or an elevator to all building offices.

*Heavy traffic areas:* All areas generating heavy traffic, such as the clerk's office, cafeteria, and building services, should be located on or adjacent to the main public entry level.

*Court function offices:* The offices of the court functions should have convenient access to public circulation, courtrooms, and judges' chambers.

*Judges' chambers:* Judges' chambers may be located close to a courtroom or clustered in a separate area. Chambers are accessed from restricted circulation with convenient access to the courtroom(s).

Consistent with contemporary justice facility design practices, the judicial functions of the County, including the District Attorney's Office, should have approximately 37,000 square feet, while the existing courthouse provides only about 21,000 square feet.

When the existing courthouse was built in downtown Corvallis in 1888, the County had one-third its current population. This was long before modern building code standards for earthquakes or access for those with disabilities were in place. Many years' worth of daily public use, combined with increased demands from today's larger county population, have created major functional difficulties and serious safety problems that must be resolved.

The courthouse is an essential home for the County's daily judicial operations and must be functional even in the case of a major catastrophe like an earthquake. The courthouse is one of the few community spaces that the public must enter—for activities ranging from jury duty to fulfilling legal obligations by paying a parking ticket or serving as a trial witness. The County should consider building a new courthouse to house the courts and allow for future expansion to serve the County for many years to come.

### **Opportunities for Improvement**

Effective administration of justice requires efficient court operations that support the management of cases through the justice system. Several factors currently impair court operations to the detriment of the justice system.

*Failure to Appear.* The number of persons who fail to appear for court-ordered hearings in Benton County is very high. In 2017, the summoned person failed to appear in over 1,800 hearings in Benton County Court. This represents over 16 percent of court hearings. The Corvallis Municipal Court reports similar issues. This lack of compliance is primarily attributable to the inability of the courts to credibly hold individuals accountable with a realistic prospect of incarceration as a consequence of failure to appear in court. The lack of available jail capacity

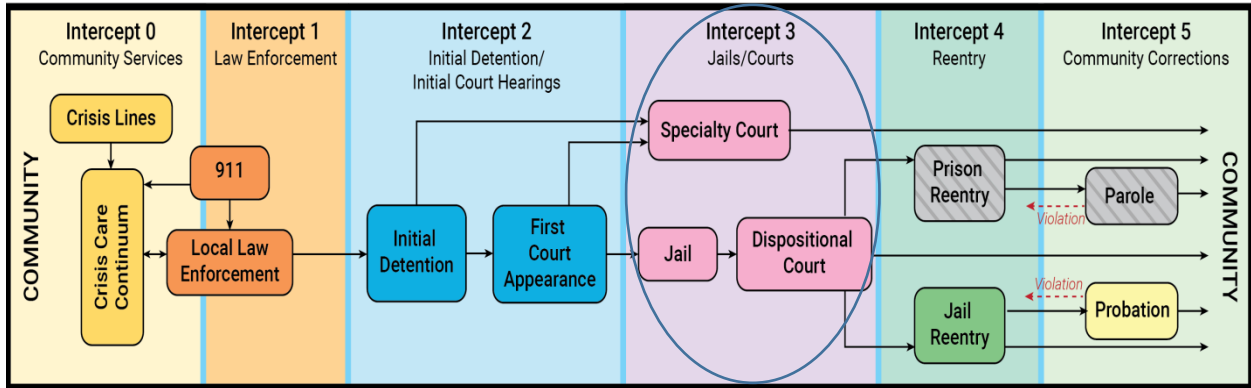


typically precludes incarceration as a sanction in these cases. Increasing compliance to a more acceptable level accordingly requires establishing sufficient jail capacity to provide the court with a realistic sanction. Court systems throughout the United States generally regard a 5 percent rate of “failure to appear” as minimally acceptable. Achieving this rate of compliance in Benton County would increase the projected jail population by 15 inmates.

*District Attorney staffing.* Lack of adequate staff resources in the District Attorney’s Office is a significant weakness in the local justice system, with the potential to become much worse given projected initiatives that will increase the DA’s workload. The District Attorney will assume additional responsibility for review of police body camera video used in criminal cases that will entail substantial increased workload. Evaluations of aid and assist orders for defendants receiving mental health treatment are also increasing. Finally, the projected growth in the County and justice system case processing will increase District Attorney workload over time. The District Attorney received authorization for one additional DDA in the current year County budget. The office requires an additional seven DDAs to be phased in as workload continues to grow. At an estimated cost of \$138,000 per DDA, full implementation of projected District Attorney staffing needs will have total cost of \$1,104,000.

*Courthouse.* The current building has serious operational inadequacies, which hamper efficient conduct of court proceedings. Issues such as the movement of offenders and the public through the same, shared space pose a potential public safety issue. In addition, the facility is seismically unsafe and will fail in any future earthquake of significant magnitude and will require substantial capital investment to allow continued use. Court functions need to be moved out of this building as soon as possible. A replacement facility would require approximately 48,000 square feet of space. Construction costs for such facilities average \$500/SF. Adding in “soft costs” for facility design, engineering, project management, equipment, and facility fixtures results in projected total facility cost of approximately \$31,200,000. This does not include land acquisition.

## Jail

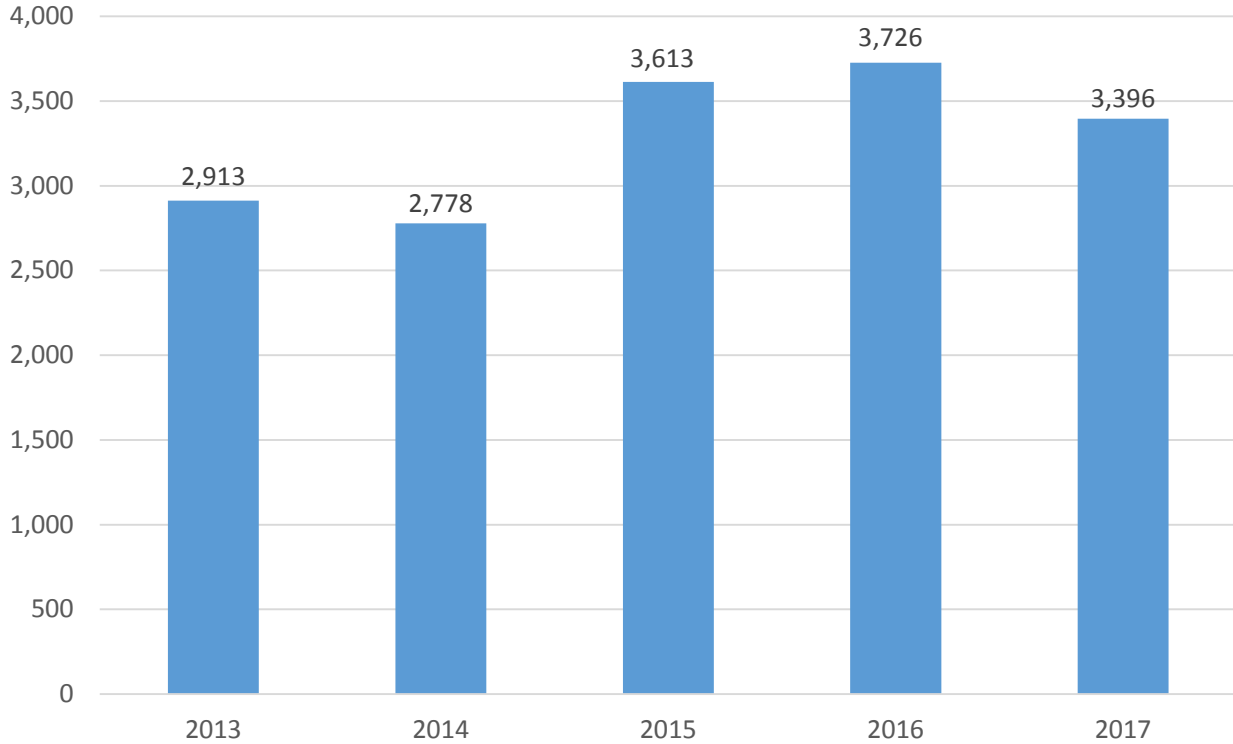


### Intercept Description

The Benton County Jail has a capacity of 40 beds. The County supplements available jail capacity with a contract with the Northern Oregon Regional Corrections Center (NORCOR).

Bookings into the jail have increased since 2013, peaking in 2016 before declining to 3,396 jail in 2017.

**Figure 8: Annual Jail Bookings, 2013-2017**

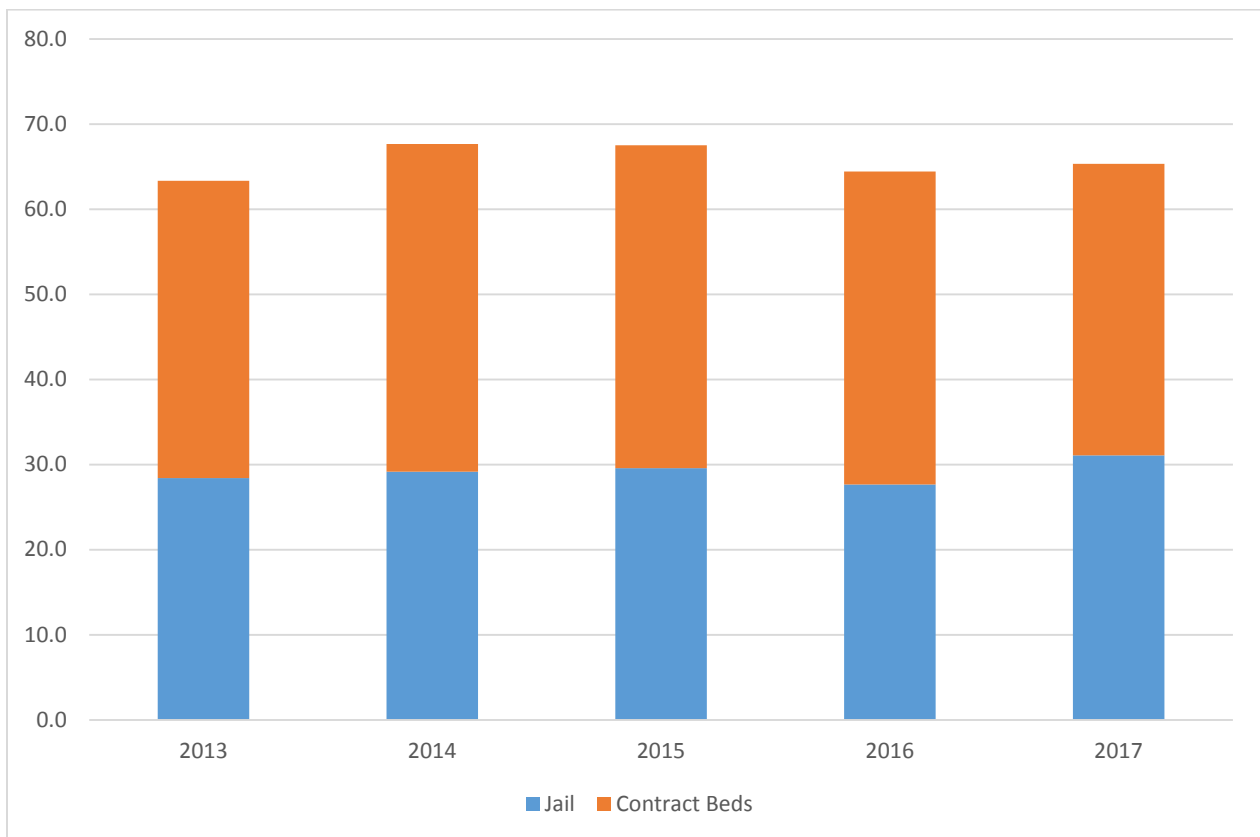


Source: Benton County Sheriff's Office



Repeat offenders are a significant factor in booking volume. Approximately 12 percent of the persons booked into the jail had three or more bookings for the year. This relatively small group accounted for nearly 33 percent of all bookings into the jail. In contrast to the fluctuations in jail bookings, the average daily population (ADP) in the jail system has been very stable. The ADP in 2017 for the County, including both the jail and contract beds, was 65 offenders. As shown in Figure 9, the overall jail population level for the County has ranged between 60 and 67 inmates on average.

**Figure 9: Benton County Jail Population, 2013-2017**



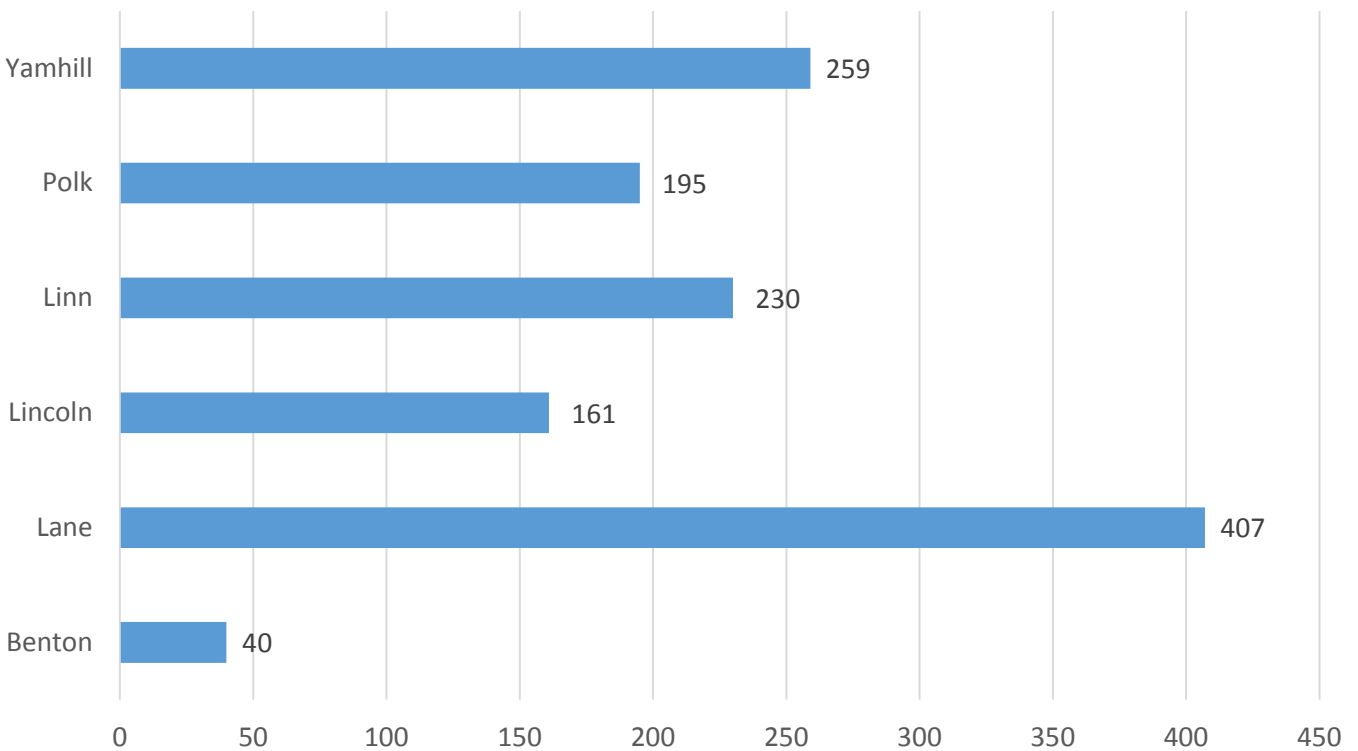
Source: Benton County Sheriff's Office

The ADP at the County's jail facility has averaged 29 offenders over the period. The need to keep different classifications of inmates separate, as well as accommodate female offenders in a separate housing unit, dictates that utilization of the facility will rarely reach maximum capacity levels. The County has averaged 36.5 inmates in contract beds over the same period. However, in December 2017, the Benton County Court ruled pre-trial inmates must be held in Benton County or an adjacent county, unless they request to be housed at NORCOR. As a result, in 2018 the contract bed population has dropped below 30 inmates on average.

## Key Findings

Benton County’s jail capacity is extremely low given the size of the community, both in absolute terms and on a per capita basis. Figure 10 compares the Benton County Jail facility capacity with that of peer counties, all of which (with the exception of Lane County) are similar in size and demographics to Benton County. The Benton County facility has only 25 percent of the capacity of the next smallest jail in the group. The other facilities have capacity that ranges from five to eight times the capacity of the Benton County Jail.

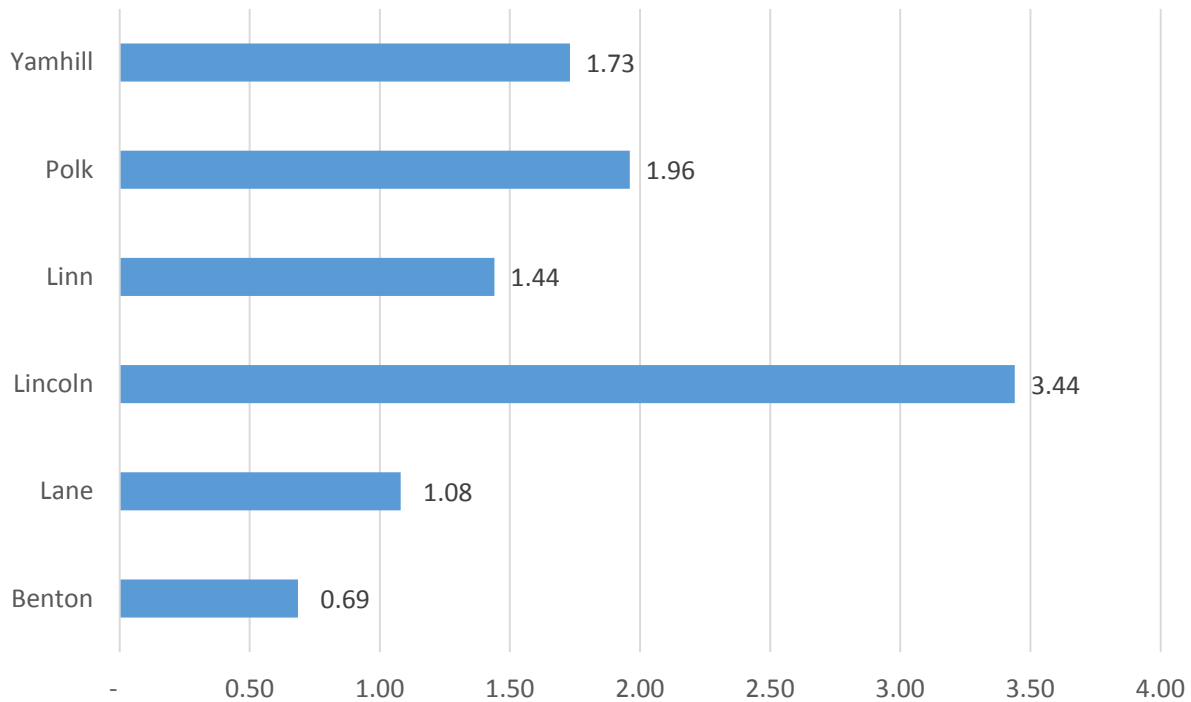
**Figure 10: County Jail Capacity Comparison**



Source: CGL survey

Even after factoring in Benton County’s use of contract jail beds, the County’s use of incarceration still rests far below that of comparison counties. **In fact, the Benton County incarceration rate is the lowest the project team has encountered in jails throughout the United States.** Based on US Bureau of Justice statistics, the 2016 national average jail incarceration was 2.29 per 1,000 population (down from peak of 2.59 in 2007). By contrast, the Benton County incarceration rate, even after factoring in the use of contract beds at NORCOR, stands at 0.69 per 1,000 population.

**Figure 11: County Incarceration Rates per 1,000 Population**



Source: CGL survey

**Releases:** The stable jail population experienced over the last five years has been achieved largely through reliance upon a policy of early release from jail. The jail uses two types of release to manage available capacity: matrix release and forced release. Matrix release is a system whereby each offender booked into the jail is assessed for risk based on factors such as criminal history, charged offense, pending warrants, and any history of FTA in court. The assessment produces a numerical score, and those offenders with scores that fall below a designated threshold are automatically released at the conclusion of the booking process. In 2017, 244 offenders received a matrix release at booking.

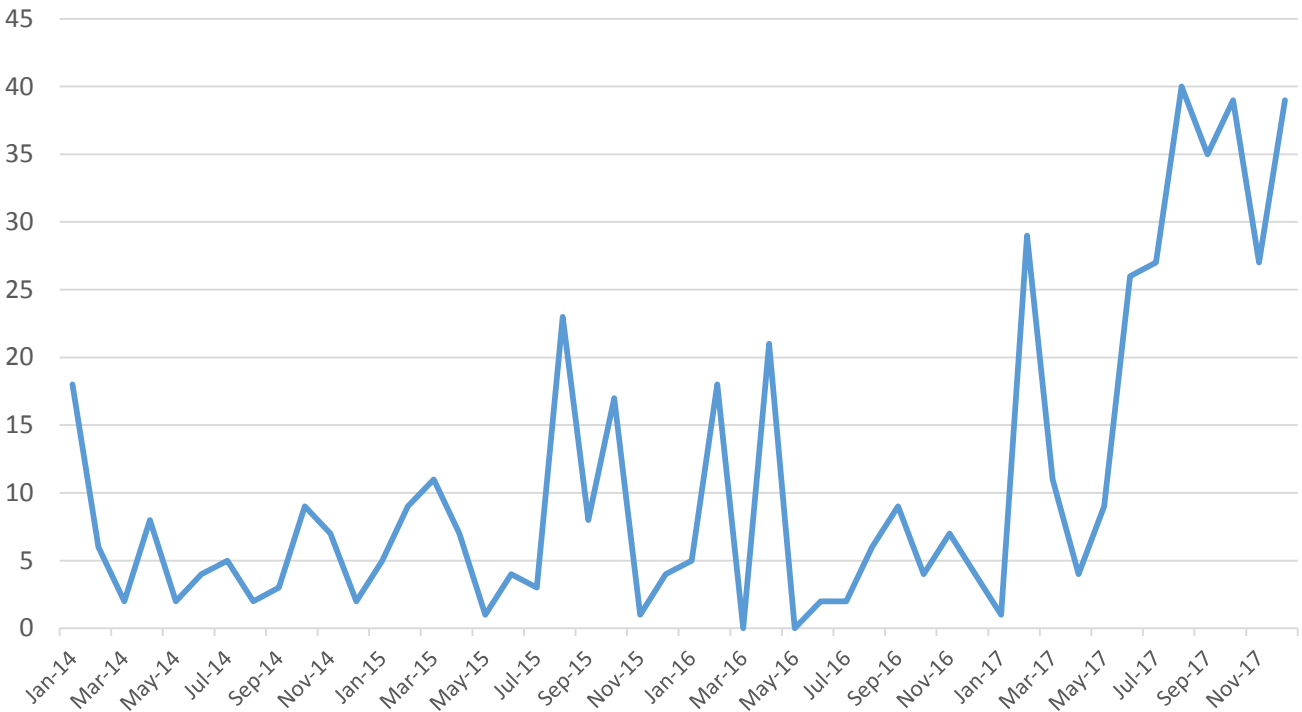
The instrument used to score the matrix is a basic risk assessment tool that was developed in-house by BCSO staff over 25 years ago. The instrument has never been validated or tested for reliability.

Forced release is a policy for the release of offenders when the jail population is at effective operational capacity. When the jail population reaches a level where no suitable bed space is available, the jail will proceed to release inmates in pre-trial status in order of their matrix score, starting with offender with the lowest score. If it becomes necessary to release

sentenced offenders, they will be released in order of release date, beginning with those closest to release. In 2017, the jail released 68 pre-sentence offenders and 219 sentenced offenders under this policy, reducing projected time served by 1,222 days.

Reliance on forced release has grown, particularly since the latter half of 2017, as shown in Figure 12.

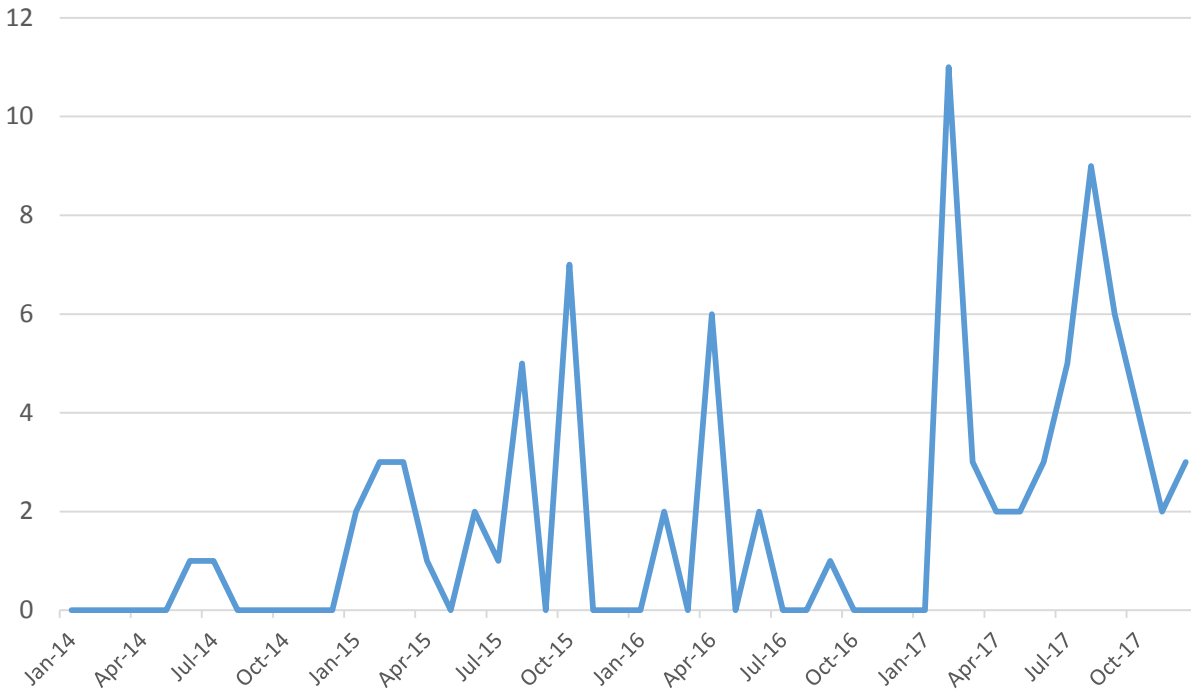
**Figure 12: Forced Releases, 2014-2017**



Source: Benton County Sheriff's Office

Accompanying this trend, a number of offenders released under the program are reoffending and then force released again. In 2017, 22 offenders had multiple forced releases from the jail. This pattern of releasing offenders who commit new crimes but are then released early again raises issues about the validity of the matrix risk-scoring instrument. Figure 13 shows the growing number of individuals with multiple forced releases.

**Figure 13: Forced Releases of Repeat Individuals**



Source: Benton County Sheriff's Office

Table 4 shows the basic demographics of the current inmate population for the first five months of 2018—the most recent data snapshot of the Benton County Jail population. Similar to most jail systems, the population is disproportionately male (85 percent) and has a large cohort of young offenders (30 percent age 25 or younger). The average inmate age is 31. The majority of the population (68 percent) is in pre-trial status. The jail population is 79 percent white. African-Americans are disproportionately represented, making up 8 percent of the inmate population, although they represent approximately 1 percent of the Benton County population.

**Table 4: Jail Population Characteristics**

Attribute	Inmates	%
<b>Total</b>	<b>65</b>	<b>100%</b>
<b>Facility</b>		
Pre-Trial	44	68%
Sentenced	21	32%
<b>Gender</b>		
Female	10	15%

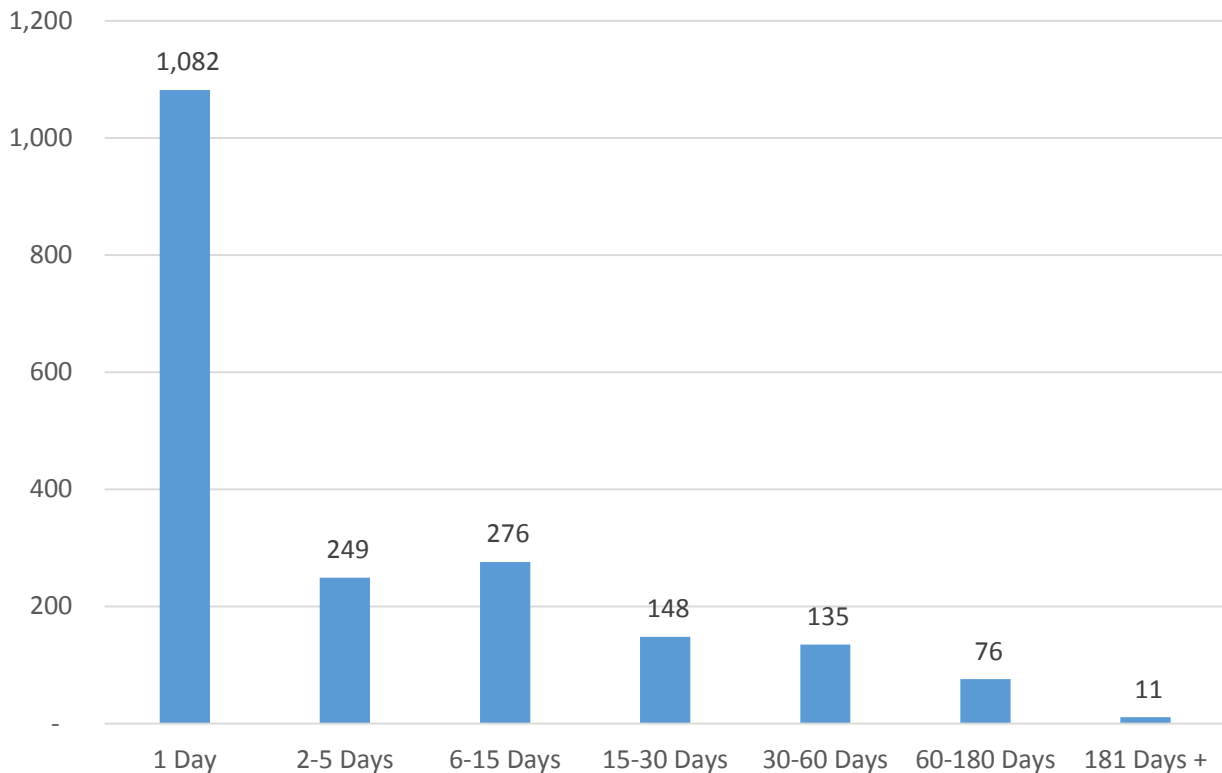


Attribute	Inmates	%
Male	55	85%
<b>Race</b>		
White	52	79%
Black	5	8%
Asian	2	3%
Hispanic	5	8%
Native American	1	2%
<b>Age</b>		
18-25	19	30%
26-45	33	52%
46-64	12	18%
65+	1	1%

Source: Benton County Sheriff's Office

The average length of stay (ALOS) in the jail for released offenders in 2017 was 12.5 days. As shown in Figure 14, the vast majority of offenders have very short stays. The relatively small group of inmates that have had extremely long stays in the jail system drives up the ALOS.

**Figure 14: Jail Average Length of Stay for Released Offenders, 2017**



Source: Benton County Sheriff's Office

**Programs:** The Benton County Jail has extremely limited program treatment capacity. The jail does not conduct any type of standardized assessment of program need, as the facility has no classrooms or space for individual counseling. Current programs are limited to Narcotics Anonymous, Alcoholics Anonymous, and religious services. By contrast, inmates sent to NORCOR have an initial screening to determine specific service needs with a validated assessment instrument, the Level of Service Inventory (LSI). Once their needs are identified, they may be referred to a wide array of programs, including CBT, anger management, job readiness, re-entry, substance abuse treatment, and mental health treatment.

Mental health services at the jail are similarly limited. Currently, Benton County Behavioral Health staff visit the jail weekly to see inmates who have requested services. A psychiatrist provides service one day per week. There are indications of significant need for mental health services in the population. Through April of 2018, jail staff offered full mental health screening to 151 inmates. Of those, 100 persons were screened, with 48 showing a need for further mental health evaluation and/or treatment. In addition, about 1/3 of spending on

pharmaceuticals at the jail is for psychotropic medication. Moreover, a recent study of frequent jail utilizers in Oregon counties showed that 44 percent of persons booked in jail three or more times in one year show indicators of mental illness. As described earlier, 161 persons were booked into the Benton County Jail three or more times in 2017. Using these same assumptions, this would indicate that 71 persons with indications of mental illness and a need for treatment were booked into the jail in 2017.

**Facilities:** The current Benton County Jail was built in 1976 with an original design capacity of 27 beds. Its intended use was to serve as a temporary facility pending the construction of a larger regional correctional facility. It has instead continued to serve as the County's permanent jail.

The Benton County Jail was not designed to house the types of individuals that are housed in the facility today. In addition to the lack of bed capacity, there is an absence of private space to conduct and provide services that are common practice in county jail systems today. Moreover, proper separation of inmates by classification is difficult to maintain due to the current physical plant design and lack of capacity. Staff must continually reassign the cellblocks to different security levels in order to accommodate the population that is in custody at any given time. Separating male and female inmates from sight and sound contact is also problematic.

The physical condition of the jail is also inadequate. The facility is a deteriorating structure that has the potential of being unsafe for deputies and inmates. Plumbing and electrical systems have exceeded their life span and are in a continuous state of failure. Also, as the jail is connected to the courthouse, any seismic failure that damages the courthouse would likely result in severe damage to the jail as well.

**Classification:** A classification system is critical to any jail operation. Effective classification systems assist the staff in maintaining the safety and security of the facility, reduce inmate assaults, flag potential victims and predators, establish those with special needs, and generally assist in the overall management of the facility. A validated and reliable classification process assists the staff in establishing the risk factors associated with any given inmate, so that appropriate housing and program assignments can be made.

Consistent placement of offenders in an appropriate housing unit requires a structured, objective, empirically based risk assessment process, along with a physical plant that facilitates appropriate separation of inmates. Use of an objective scoring instrument to determine classification status is a recognized professional standard in jail systems across the United States. To support this practice, the National Institute of Corrections has issued a publication entitled "*Objective Jail Classification Systems: A Guide for Jail Administrators,*" which outlines



the process and includes a sample classification manual and forms<sup>11</sup>. This publication outlines the components of a structured classification review process for the classification of jail offenders.

This recommended process requires the following elements:

- *Validity* – The system must be capable of assigning a custody level that reflects the offender’s true risk for disruptive and violent behavior within the facility.
- *Reliability* – The system must promote similar classification decisions for comparable offenders.
- *Equity* – The system must use decision-making items that are non-discriminatory and are consistent with commonly accepted values.
- *Utility* – The system must be efficient, simple to use, and easy to understand.

The current classification system used by the jail has not been validated for use on Benton County inmates, and there is no data to suggest that it provides an accurate or reliable assessment of offender risk. Accordingly, jail staff should begin the process of updating and refining the jail’s classification system. This should include a validation study of the offender population that identifies key classification factors, weights, and elements that accurately identify offender risk, and a reliability study of the classification process to confirm that the factors can be scored consistently for like offenders. The development of a scoring manual that would govern this process will also greatly enhance the reliability of the risk tools.

**Jail Population Projections:** An analysis of Benton County criminal justice system needs necessarily requires a forecast of future system demands, beginning with the jail population. The projection of the future jail population looks at a wide variety of factors that can influence the future growth or decline in a criminal justice system population. The forecast seeks to mimic the County’s pre-trial/court and sentencing structure, as well as the flow of inmates to and from the jail. Therefore, it must look at a wide array of data that have both a direct and indirect impact on inmate population growth. These factors fall into two major categories—external and internal.

External factors reflect the interplay of demographic, socio-economic, and crime trends that produce arrests and offenders’ initial entry into the criminal justice process. Internal factors

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<sup>11</sup> National Institute of Corrections, Washington, DC, 1998.



reflect the various decision points within the criminal justice system that cumulatively determine jail admissions and length of stay (LOS). These decisions begin with the police and end with jail staff, who, within the context of the court disposition process (for pre-trial offenders) and court-imposed sentences, have the authority to release inmates from jail. The policies and practices of the primary actors in the County's criminal justice system have the largest effect on the jail's population. This includes law enforcement citation and booking practices, the speed of criminal case processing, early release mechanisms, and the availability of alternatives to incarceration.

Data in support of this analysis derives from three primary sources: (1) demographic, reported crime and arrest trends, (2) counts as reported by the BCSO used for historical trends, and (3) analysis of extract data files that captured jail admission and release data as generated by the BCSO.

Projections for ADP and bed space needs were calculated to the year 2040 for the purposes of facilitating long-term criminal justice system planning.

**Database for Projections:** A database was developed to support the analysis, profiling, and forecasting activities. This database includes information on both the inmate population and existing diversion programs, as well as other components of the criminal justice system that can affect jail population levels. The database will support multiple models used to project jail ADP projections and subsequent bed space need projections. Data was collected from the BCSO, State of Oregon Office of Economic Analysis, US Department of Justice, US Census Bureau, and other relevant sources.

**Historical and Projected Total County General Population:** Historical county population data for the study is from the US Census Bureau. Population projections are from the State of Oregon Office of Economic Analysis. County population data is a key variable in jail population projections.

Table 5 presents County population trends from 2000 to 2015. Benton County's population has grown by 9,393 residents since 2000, an increase of 12.0 percent. The annual growth rate in Benton County from 2000 to 2015 was 0.8 percent. The population by gender shows that the male population increased slightly more than the female population in Benton County by percentage change. The male population increased by 12.6 percent, while the female population increased by 11.4 percent. Benton County's population growth was slower than the state's overall population growth. The state of Oregon's population grew by 17.5 percent from 2000 to 2015, while Benton County's population grew by 12.0 percent.



**Table 5: Benton County Population (2000-2015)**

Year	Population	# Change	Male Pop	Female Pop	Oregon Pop
2000	78,179	--	38,926	39,253	3,430,000
2001	78,175	(4)	38,865	39,310	3,468,000
2002	79,622	1,447	39,560	40,062	3,513,000
2003	79,414	(208)	39,429	39,985	3,547,000
2004	78,949	(465)	39,246	39,703	3,569,000
2005	79,427	478	39,458	39,969	3,613,000
2006	80,145	718	39,798	40,347	3,671,000
2007	81,583	1,438	40,480	41,103	3,722,000
2008	81,775	192	40,557	41,218	3,790,060
2009	82,605	830	41,005	41,600	3,825,657
2010	85,565	2,960	42,827	42,738	3,831,074
2011	86,025	460	43,092	42,933	3,871,859
2012	86,441	416	43,351	43,090	3,899,353
2013	86,024	(417)	43,143	42,881	3,930,065
2014	86,414	390	43,384	43,030	3,970,239
2015	87,572	1,158	43,825	43,747	4,028,977
Total % Change 00-15:		12.0%	12.6%	11.4%	17.5%
Annual % Change		0.8%	0.8%	0.8%	1.2%

Source: US Census April, 2018.

The State of Oregon Office of Economic Analysis projects that the resident population of Benton County will increase to 105,049 by the year 2040, an increase of 20.0 percent overall, or an average annual increase of 0.8 percent. The projected population by gender reverses the historical population shown in Table 5, with the female population projection outpacing the male population projection. Female residents are projected to increase by 21.1 percent, while males are projected to increase by 18.8 percent.



**Table 6: Projected Benton County Population (2016-2040)**

Year	Population	# Change	% / Year	Male Pop.	Female Pop.	Oregon Pop.
2020	91,379	3,807	0.9%	45,576	45,801	4,252,100
2030	98,514	7,135	1.6%	48,970	49,544	4,768,000
2040	105,049	6,535	1.3%	52,058	52,990	5,203,000
Total % Change 2015-2040:		20.0%		18.8%	21.1%	29.1%
Annual % Change		0.8%		0.8%	0.8%	1.2%

Source: State of Oregon - Office of Economic Analysis, Department of Administrative Services, March 2013.

**Crimes and Reported Offenses:** Historical annual reported crimes are used in population projection modeling, tying the number of reported crimes to the ADP and the jail admissions (ADM) when the variables are correlated. Most often, annual reported crimes will correlate more directly with ADM, while the ADP of most jails often does not correlate with the number of annual arrests. ADP is more dependent on the number of admissions (not all arrests will result in an admission to the jail, as some are cited and released or ordered to appear in court without being taken to jail). As noted earlier in this report, annual reported county adult arrests overall have increased from 4,446 in 2008 to 5,995 in 2017.

**Criminal Caseload Filings:** One of the largest indicators of jail bed needs is the number of criminal court filings. Increased time to disposition often increases the ALOS in the jail, resulting in more jail beds needed. There has been an overall increase in filings from 2013 to 2017, from 1,528 to 1,599. The felony filings decreased from 498 to 446, while the misdemeanor filings increased from 1,030 to 1,153.

**Jail Admissions:** Historical jail admissions have increased from 2,913 to 3,396, an increase of 16.5 percent since 2013. The peak annual ADM occurred in 2016, with 3,726 jail admissions. Increasing jail admissions, with ALOS held constant, will increase the number of jail bed spaces needed in the criminal justice system.

**Jail Average Daily Population:** The ADP in the jail is the primary variable for projections, as it determines future bed space need. The historical annual ADP from 2013 to 2017 is the average monthly number of inmates held in Benton County system wide. The system-wide ADP includes both the ADP at the Benton County Jail and the ADP contracted to other facilities by Benton County. The annual ADP has increased from 63 in 2013 to 65 in 2017, an increase of 3.3 percent.



The ADP is the primary variable in the projections of ADP and associated bed space need. The high ADP for each year is compared to each year's average ADP to calculate the peaking value. The peaking value will be used to determine the bed space need from the projected ADP. The incarceration rate (IR) measures the ADP in relation to the resident population. The IR in Benton County has decreased 0.3 percent from 2013 to 2017.

**Forecast Correctional System Needs:** The development of the needs assessment projection model uses 13 forecast methodologies. The primary data used to populate the models were the system-wide ADP, ADM, ALOS, arrests, and population projections for Benton County and the State of Oregon.

The models are grouped into three major categories: systems-based statistical models, demographic-based models, and time series models. The 13 projection models used different independent variables and statistical methods to analyze and project historical data. The 2017 annual ADP served as the base year. Appendix D provides more detail on the characteristics of these models.

**Average Daily Population Projections:** The base projection assumes continuation of the status quo for current criminal justice system policies and practices. The ADP projections employ 9 models of the 12 considered. The only models excluded from the projection model were Ratio to State Population Percentage Increase, Multiple Regression, and the ARIMA models. The Multiple Regression and ARIMA models need longer data sets to be effective.

The nine models used were given equal weight. Projections are presented in 10-year increments to the year 2040. The model projects the status quo jail ADP will increase to 92 by 2040.

**Capacity Needs:** Criminal justice facilities cannot be planned for the ADP solely; peaks in population must be accommodated, along with beds for differing inmate classification. A peaking factor accounts for seasonal variations in the inmate population. The peaking value of the Benton County Jail is calculated using monthly data from January 2013 to December 2017. The percentage difference from the highest month was compared to the annual ADP for each year to determine a peaking factor of 10.0 percent for Benton County.

A classification factor accounts for a fluctuation in the type of inmates held at any given time. There may be times where there are more maximum-security inmates than the average number, and conversely, there may be times when there are more minimum-security inmates than the average. There needs to be enough flexibility in the type of beds at any given time to



provide appropriate separations between the classification levels and types of inmates. Based on experience with other jail systems, the model assumes a 7 percent classification factor.

The peaking and classification factors are added together and then applied to the projected population to calculate the number of beds needed. Using these assumptions, the projected status quo bed space need for Benton County grows to 107 beds by 2040. This population level assumes continued use of forced release and citation and release.

**Projected Jail Beds by Gender:** Disaggregated projections by gender are based on the annual ADP and the daily snapshot data from 2017 for gender. The overall ADP projection models were used with gender-specific population to determine ADP projections by gender.

The projected jail bed space need for females in Benton County grows from 12 in 2017 to 16 in 2040. The jail bed space need for males in Benton County increases from 64 in 2017 to 91 in 2040. Table 7 summarizes the status quo projections.

**Table 7: Status Quo Jail Population and Capacity Need Projections**

Year	2017	2020	2030	2040
County Population	89,094	91,378	98,514	105,049
TOTAL PROJECTED ADP	65	70	78	92
Peaking Factor (10.0%)	7	7	8	9
Classification Factor (7%)	5	5	6	6
<b>Bed Space Need Recommended</b>	<b>77</b>	<b>82</b>	<b>92</b>	<b>107</b>
Female ADP	10	11	12	14
Male ADP	55	59	66	78
Female Bed Space Need	12	13	15	16
Male Bed Space Need	64	69	77	91

Source: CGL Projection Model

It is possible to adjust these projections based on different policy assumptions. For example, eliminating forced release or matrix release will increase the status quo projections. Accordingly, the needs assessment projection model will modify the status quo projections to reflect the impact of the specific policy and program assumptions used in development of alternate scenarios later in this report.



## Opportunities for Improvement

An effective criminal justice system retains sufficient custodial capacity to support law enforcement and court needs while ensuring that the decision to incarcerate an offender is based on an objective assessment of risk to the community. The system's interest in the rehabilitation of the offender requires proven, evidence-based programs to reduce recidivism and future crime. The current Benton County Jail falls far short of attaining these standards. Specific needs and opportunities for improvement include the following:

*Eliminate matrix and forced release.* Lack of available jail capacity forces jail staff to make decisions on the release of offenders that law enforcement and the courts have determined require incarceration. The elimination of matrix release and forced release would restore responsibility for the decision to incarcerate an individual back to the courts and law enforcement. The projection model indicates eliminating these policies would increase the projected jail population by 10 inmates.

*Pre-Trial Services.* While the rationale for matrix and forced release is to align the number of inmates in the jail with available beds, pre-trial service programs instead evaluate arrestees as they enter the jail to determine the degree of risk they pose to the community, and if they may be released under supervision back into the community. Such programs require use of an evidence-based, validated risk instrument to assess offenders and provide an objective basis for a decision on the need for incarceration. Management of such a program requires trained staff to assess incoming arrestees, as well as probation officers to provide community supervision. Referrals to social service programs as needed may also be a condition of release.

Pre-trial service programs are used widely throughout the United States to ensure that jail capacity is reserved for those offenders that represent a threat to public safety. Because the program diverts arrestees from jail, it has a similar impact to matrix release in that it lowers the jail population. The specific impact of pre-trial services on the jail population will vary depending upon the other diversion programs that may be in place. The program would require hiring two probation officers and the purchase of an assessment instrument. The estimated annual cost is \$204,303.

*In-Custody treatment programs.* Research shows that in-custody treatment programs are often more effective than community-based programs in terms of reducing recidivism. The fact of incarceration is often a motivating factor in offender receptivity to programming, and the absence of free-world distractions can allow more opportunity to focus on personal issues. The current jail has essentially no space for program service delivery or management.



Implementation of a “best practices” approach to jail programming would provide the following evidence-based services to inmates:

- Substance abuse treatment
- Mental health treatment
- Cognitive behavioral therapy (CBT)
- Education/GED preparation

Provided on the basis of assessed offender need, these programs have been shown to reduce recidivism. Table 8 shows the projected impact of these programs on the jail population and their estimated cost.

**Table 8: Evidence-Based In-Custody Programs**

	Staff	Total Cost	Jail Population Reduction
Mental Health	1 QMHP 1 PHMP	\$285,000	3
Substance Abuse	2 SUD providers	\$140,000	1
CBT	Contract services	\$8,700	1
GED	Contract services	\$3,648	1
<b>Total</b>		<b>\$437,348</b>	<b>6</b>

*Alternatives for sentenced offenders.* A full range of options for sentenced offenders includes community supervision, community service, work crews, electronic monitoring, and work release. Electronic monitoring and work release are currently not available as alternatives to jail for sentenced offenders in Benton County. Electronic monitoring, particularly when paired with some level of supervision, has become a widely accepted, inexpensive mode of sanctioning sentenced offenders that do not require incarceration. The typical cost of GPS electronic monitoring is \$7 per day, which is often charged to the offender. Assuming an average of four sentenced offenders assigned to electronic monitoring, the program would have an annual cost of \$10,220.

Work release programs have the benefit of allowing an offender to maintain employment and community contacts—factors that substantially reduce recidivism. Work release requires a facility to house sentenced offenders who are released during the day to approved work assignments. The facility can be a standalone structure in the community or co-located with the jail. A 10-bed facility would require 4,500 square feet and cost approximately \$1,975,500.

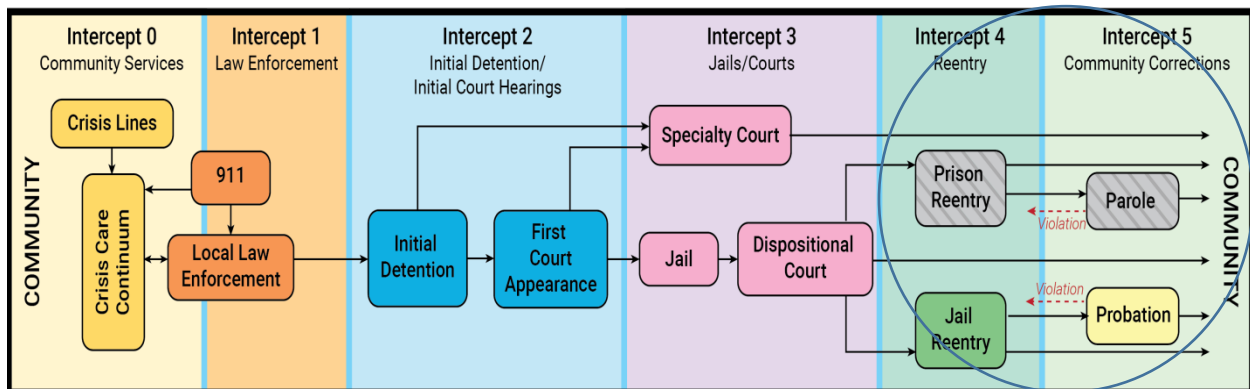


Facility staffing would require 3.5 full-time equivalencies (FTEs) at an annual cost of \$415,491. As with electronic monitoring, offender fees often defray some portion of these costs. The program could reduce the projected jail population by up to eight inmates on average.

*Updated classification system.* The jail’s current classification system does not meet contemporary standards for objective assessment of offender risk. The cost of acquiring an evidence-based classification system and training staff in its use is approximately \$50,000.

*Jail facility.* The programs initiatives described above will require a new jail facility that provides: (1) sufficient capacity to meet court and law enforcement needs, (2) the ability to appropriately separate different classifications of inmates, (3) adequate space for program service delivery, and (4) dedicated housing for inmates with mental health issues. The size and design of the facility are contingent upon the projected inmate population, which in turn will depend upon the overall mix of programs and policies implemented by the criminal justice system. On average, jail construction typically requires 439 square feet per jail bed. Jail construction cost currently averages \$354.88/SF. “Soft costs” for design, engineering, equipment, construction management, fixtures, and other associated costs add 30 percent in addition to construction costs. Land acquisition costs would be in addition to these amounts.

### Community Corrections



### Intercept Description

The Probation and Parole Office (P&P) of the Benton County Sheriff’s Office coordinates community corrections programs and services for the County, providing services for offenders released from state prison as well as local probationers. Probation staff uses a validated risk instrument for determining risk and supervision level requirements as well as program needs, consistent with national standards.



## Key Findings

Key programs include:

- *Community Supervision.* Probation uses a variety of supervision strategies and techniques that include enforcement of conditions of release, offender accountability for behavior while under supervision, and application and delivery of rehabilitation programs designed to reduce reoffending. The desired outcome of applying these strategies is to reduce the need to utilize jail, prison, and parole resources by providing an effective, community-based alternative. Probation staff employ evidence-based correctional interventions when working with offenders, while also monitoring offenders' compliance with service referrals and the terms and conditions of supervision.
- *Work Crew/Community Service.* Probation staff place and monitor offenders ordered to perform work crew or community service as a condition of supervision in lieu of jail.
- *Transition Services.* Staff provide pre-release planning for state inmates and locally sentenced offenders scheduled for release to community supervision. Staff assist in the development of release plans, counsel offenders on re-entry issues, and provide statutory notifications of release to justice system stakeholders and victims.
- *Drug Court.* Probation staff are part of the multi-disciplinary team that supports this collaborative substance abuse treatment program.
- *Sex Offender Supervision.* This program provides specialized management of sex offenders in the community. Services include referrals to treatment, scheduling polygraph exams, home and office contacts, and case management.
- *Sex Offender Treatment.* The program funds cognitive-based treatment services for indigent sex offenders. Program elements include assessment and evaluation, group therapy, individual counseling, and polygraph exams.
- *Subsidy/Transition Services.* The program provides short-term financial assistance to released, indigent offenders for transitional living expenses.
- *Outpatient Substance Abuse Treatment.* Milestones Treatment program provides evidence-based substance abuse treatment. This includes individual assessment and evaluation, outpatient groups, drug testing, and individual counseling.



- *Evidence-Based Programming.* This program provides cognitive behavioral therapy sessions conducted by specially trained probation staff.
- *Transition Center.* This facility provides housing for up to six released offenders in a highly structured, safe, clean, and sober living environment monitored by probation staff.

Table 9 summarizes the budgeted caseload and funding for these programs.

**Table 9: Benton County Community Corrections Program Budget, 2017-2019**

Program	Average Caseload	Biennial Budget
Administration		Grants: \$349,647
Supervision <ul style="list-style-type: none"> <li>• Community Supervision</li> <li>• Work Crew/Community Service</li> <li>• Transition/Pre-Release Planning</li> <li>• Drug Court</li> <li>• Sex Offender</li> </ul>	450	Grants: \$3,079,391 County/Supervision Fees: \$1,742,588
Sex Offender Treatment	50	Grants: \$25,000 Fees: \$50,000
Subsidy/Transition Services	10	Inmate Release Subsidy Fund: \$9,645
Outpatient Substance Abuse Treatment	30	Grants: \$161,600
Evidence-Based Cognitive Programming	10	Grants: \$2,000
Transition Center Housing	3	County Levy: \$443,586
<b>Total</b>		<b>\$5,863,457</b>

Source: Benton County Community Corrections Plan, 2017-2019

### Opportunities for Improvement

Probation staff maintain data on program caseload and activities. While this information is useful, these programs would benefit from collection of data on outcomes by program. Such data would inform an evaluation of the relative effectiveness of programs in reducing recidivism, lowering client risk levels, and enhancing public safety.

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## System Support

Underlying all of these intercepts is a support system that provides information and feedback to inform policymaking in each intercept area. Maintaining an effective criminal justice system is a dynamic, ongoing process that requires development of key support systems to provide policymakers and system staff with information on how system components are working, where improvements need to be made, and how the public perceives justice system performance.

*Data/Evaluation.* Benton County maintains very little meaningful outcome data for current programs. Few of the programs or systems reviewed in this report are being evaluated to determine their impact on offender behavior and recidivism. There is no central repository of planning or research data available to criminal justice system stakeholders seeking basic information on the operational performance of the system or its characteristics.

As a result, policymakers have very limited means to assess whether, in fact, programs are working and affecting offender behavior as designed. Moreover, very little data is collected and analyzed to assess the productivity level of the various system elements. As a result, key policy decisions must be made on either anecdotal information or very limited data analysis. The lack of a basic understanding of program outputs further makes it impossible to perform any type of meaningful cost/benefit analysis on programs to determine whether the impact of a program is worth the investment of resources required.

The County needs to be able to identify basic metrics of program activity and the effects of these activities. Activity data should be maintained on admissions, attendance, phase completions, program completions, and terminations for all programs. In addition, outcome data that tracks offender behavior in terms of violations of supervision, re-arrests, convictions, and other indicators of recidivism should be collected. This data should then provide the basis for analysis of cause-effect relationships that result in desired program and operational outcomes.

In addition to collecting appropriate data, criminal justice system policymakers need regular reports that summarize trends, activities, and outcomes for key system components. Many counties use a monthly dashboard report that provides key system metrics in a clear, concise format. Appendix E contains a summary of criminal justice system metrics most commonly used for such a report.

The collection of data by itself is important, but not sufficient. In order to effectively use data to make decisions on program investments and assess system needs, the County needs to develop



a robust evaluation system for programs currently in place and those to be developed. The best means to this end is to contract with a local university to design a research model to study these programs. University criminal justice and sociology programs make good partners in developing rigorous evaluations of criminal justice system performance.

*Training.* This report recommends development of a number of new programs consistent with best practices in criminal justice system management around the country. Effective management of these programs will require staff training on the content, methods, and tools underlying these programs. Ongoing training to refresh staff skills and update program approaches will be essential to maximizing the benefit to the County from its investment in these programs.

*Equity.* An effective criminal justice system requires a means to facilitate communication and the sharing of information between the community and justice stakeholders. This is particularly critical with regard to community perception of sensitive issues such as use of force and disparate treatment of marginalized groups. Justice system managers need to hear and understand concerns expressed by the public, and the community benefits from a better understanding of perspective that criminal justice system managers bring to their jobs.

Citizens advisory groups are a well-established approach to foster this communication. These boards typically have a more narrow focus on law enforcement, but there is no reason such a body could not be established with a mandate to review the entire spectrum of the criminal justice system. The Willamette Criminal Justice Council currently provides a forum for all agencies in the Benton County criminal justice system to come together and discuss issues of mutual interest and concern. Affiliating a citizens advisory group with the Council could provide a relatively simple path toward enabling the type of community interaction and oversight required for effectively informing the criminal justice system of community issues and concerns.

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## 5. COMMUNITY ENGAGEMENT

**Background:** Benton County officials wanted both quantitative and qualitative information in the system-wide assessment. In addition to data regarding crime, capacity calculations, court processing, and evidence-based practices, information related to community perceptions about the criminal justice system and community safety was a key aspect of this assessment. The project team held 22 events which resulted in feedback from 614 people. Community insights and feedback were collected via community forums, workshops, meetings with community groups or individuals representing those groups, and surveys administered at two community fairs. Specifically, there were:

- *Community forums* – An open invitation went out to the Benton County community to attend each of the four criminal justice assessment forums. Three have been completed and are part of this report.
  - The first forum was a “kickoff,” where the project team shared background information on the assessment’s goals, purpose, process, etc. In addition, attendees were asked the standard assessment questions (see below). There was both an open discussion with the audience and a form for them to write out their responses. The forums were taped and made available on the Benton County website.
  - The second forum was held with the purpose of providing an update on initial assessment findings, asking attendees what other types of information should be included in the assessment, and allowing attendees vote on the workshop topics via instant polling technology.
  - The third forum provided information on the three scenarios for moving forward. Attendees were asked to comment on each scenario version.
  - A final forum in January of 2019 will provide the final report and the transition plan for implementing next steps.
- *Workshops* – As described above, during the second forum, attendees were asked to vote on workshop topics. The goal of the workshops was to have a more in-depth conversation on specific criminal justice topic areas. The group voted on items that were commonly mentioned during the community engagement events. They also added to the list of possible topics. Two areas received high scores: evidence-based practices and the jail. Other items covered at the forum were integrated into these two topics.
- *Community meetings* – The assessment team also met with specific community groups. These groups were identified early on in the process by the Criminal Justice Assessment



Steering Committee and by community members. At the first two forums, attendees were asked to review the list of community organizations and add to that list. Not all groups were able to meet with the consultants. Schools had difficulty with the summer schedule and some other groups were unavailable. More of these factors are covered below in “opportunities for improvements.”

- Consultants also attended the Linn/Benton Festival Latino and the Benton County Fair and Rodeo to connect with people who might not otherwise attend community meetings.

While the respective conversations with these groups and individuals may have varied due to the community member’s type of feedback, a standard set of questions was asked of each group:

- What is included in your vision of an effective criminal justice system for Benton County?
- What do you consider important elements of treatment for offenders (if any)?
- What might help repeat offenders – those that cycle in/out of the jail?
- Have you been in the jail – toured it?
- Have you heard of the matrix system?
- Any other comments to share?

In addition, people attending community fair settings were given a survey to complete. The survey was available in English and Spanish and included the questions above. Unlike the community meetings and forums, the survey provided fixed answers and a place to add open-ended responses.

## Response Themes

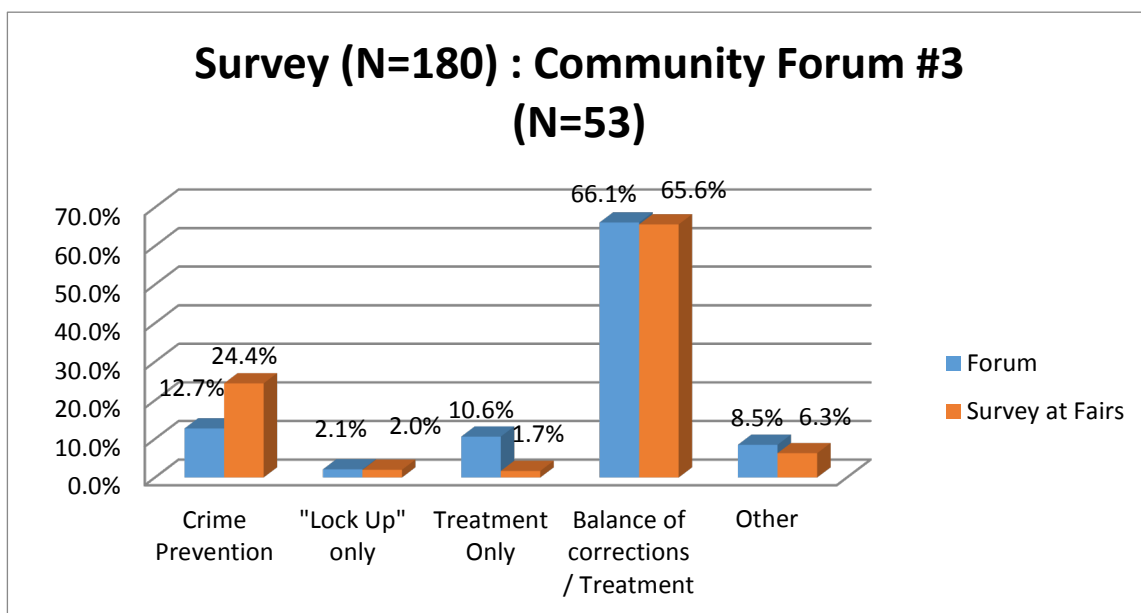
The open discussion at community meetings did not use a written survey. Instead, the meetings topics were tracked via a scale to indicate the rate at which a topic was discussed at a community meeting. That scale includes:

- 1 = 1% to 10% of total participants commented on a response during the discussion
- 2 = 11% to 25%
- 3 = 26% to 50%
- 4 = 51% to 75%
- 5 = 76% to 100%

What is included in your vision of an effective criminal justice system for Benton County?

This question was included in the forum meetings, with community groups, and at the community fairs. Responses at all events were highly weighted on having crime prevention strategies, treatment for those in the corrections system, and providing a balance of treatment and corrections to reduce the likelihood of reoffenses.

Specifically, at the forums and meetings with community groups, prevention was scored 2, or 11% to 25% of participants talked about this as part of their vision. Responses regarding providing a balance of treatment and corrections scored a 5, or 76% to 100% of the participants discussed these as part of their vision. These themes were echoed in written surveys, which were collected at the community fairs, and also at the third public forum, which used an instant polling technology.







What do you consider important elements of treatment for offenders (if any)?

This question was also included in the forum meetings, in meetings with community groups, and at the community fairs. Response themes include substance abuse treatment, mental health services, re-entry services when leaving the corrections system and transitioning back into the community, address the needs of victims, and address housing needs and trauma. The scoring related to the prevalence of these topics at community forums and meetings with community groups includes:

- Substance abuse treatment = 5 (76% to 100% of participants discussed this)
- Mental health services = 5
- Re-entry services = 3 (26% to 50%)
- Consider the need of victims = 4 (51% to 75%)
- Housing = 4 (51% to 75%)
- Trauma informed services = 4 (51% to 75%)

On the written survey, 210 respondents answered this question. Of those, 72.4% answered “all of the above,” which included substance abuse treatment, mental health, education, and jobs as important to include in treatment.

To follow are the number of responses of “yes” to the following questions for participants at the third community forum and for those who answered the written survey:

Question	From Community Forum (N=53) % with “Yes”	From Survey (N= 201) % with “Yes”
Do you think Benton County needs a work release center?	92%	83.2%
Do you think Benton County needs a sobering center?	90%	88.8%
Do you think it is important for Benton County to have a Drug Court program?	94%	90.2%
Have you toured the jail?	62%	Not present on survey



Other questions on the survey include:

This question relates to law enforcement in Benton County (Police/Sheriff Deputies). How often do you think they are respectful and treat people fairly? **Circle One:**

- a. Almost all the time = 42.8%
- b. Most of the time = 43.4%
- c. Rarely = 3%
- d. It really varies = 10.8%

To follow are comments to this item regarding the above question – please briefly describe:

- I've always had positive experiences
- Helpful when I needed them
- Depends on if they are repeat offenders
- For white people
- I am consistently impressed by the performance of our law enforcement officers
- I feel safe and respected
- I have only interacted with Corvallis city police and they have been very helpful, respectful professional
- I think for the most part they are fair people
- I've seen both sides really great and really bad
- It can vary depending on the responses I give. The more short answers and less info the more rude the officers
- I've been made aware that some people feel racially profiled, let's work on ensuring that does not happen
- Officers are courteous. Some help with safety in town
- Patience is hard to practice with repeat offenders
- People of color are targeted more often
- People with mental illnesses are misunderstood and treated unfairly
- They don't give different people different punishments
- Unsure
- From what I see on TV, I want to help them to help make their day



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The following question was asked about the jail - *What grade would you give the local jail?*

**Circle one:**

- a. Excellent Job = 8.9%
- b. Above Average = 25.5%
- c. Average = 38%
- d. Below Average = 16.1%
- e. Failing = 11.7%

To follow are the comments to this item regarding the above question – please briefly describe:

- Inadequate space
- Overcrowded
- No longer appropriate for size of county
- Jail staff extraordinary but hands tied on inadequate building
- They are doing the best they can
- Unsure – do not have enough info
- Doing their best with small space outsourcing – renting space – some early releases
- The jail system has hindered my family and friends from moving forward
- Does a good job with outdated facility
- Too small so prisoners are sent far away to be house and are separated from family & friends
- Staff does their very best under circumstances (including probation) The facility while very well maintained is failing and grossly undersized
- Given the space constraints
- Old, crowded, staff not trauma informed. Claim on collaboration with other depts..
- Never been there, but its small
- Due to limited space, its impossible to offer much life enrichment at the jail. They do the best they can with the space
- Outdated facilities, not enough cells
- Lets pass bond to build new jail as extension of courthouse – also acknowledge space for co.govt
- Good workers, bad building, too old & too small
- Way too small! Outdated
- Inadequate
- Don't know – have never been there

- Temps too cold
- Facility outdated and undersized, employer do great with facilities they have
- No room for inmates because of cell amounts

In addition, key informant interviews were conducted with people with lived experiences. This occurred by talking to those booked at the Benton County Jail and by conversations with people at the community forums who approached the consultants after the meetings to disclose that they had been in the jail. To follow is a summary of questions asked of people with lived experiences and their most common responses.

The questions included:

- What do you think would prevent people from committing crimes and being in the jail?
- Do you think treatment would help people, and if so, what kind?
- Would you go to treatment while in jail?
- What would help people from committing crimes when they leave the jail?

The most common responses to these questions were having treatment for drug abuse, mental health, and support with housing and employment.

Some of the comments included:

- A lot of people in here have drug problems. They need help
- A mentor out there to help me get through things. I feel like more people in here – the staff – care about me more than anyone out there
- I didn't get through school. So I don't have all the words to make this sound right but some help for drugs would be good
- A place to live. Even if someone stops using drugs in here, what happens when they get out? You can't get a job with a record or a place to live. Its much easier to go back to the people I know. And they do drugs.
- Housing is a big problem. Most of the people in here have been homeless at some point before they got here
- People do things that hurt others. That's not ok and I guess this is where we go but most everyone I know needs some kind of help. A job. Get off drugs. Its hard. I say that now, but I've been in treatment
- I lost a treatment bed because I'm in here. Those are hard to get. They should have held it for me – or let me go during the day or something like that

Responses to the survey questions from people among communities of color or advocacy groups of and for these individuals had a theme not captured in the larger groups. There were



concerns about the possible overlay of national issues existing in the local community. Those included:

- Overrepresentation issues.
- Law enforcement responses and the extent to which there was overuse of force with members of ethnic minority communities.
- Concerns for people who are not documented and how local law enforcement treated them.
- Contracting for beds with organizations that also contract with ICE.
- Support for the balance of corrections and treatment in a new system, but with concerns that people with limited English proficiencies will not be able to access the treatment (if it is conducted in English), or that the treatment will not be culturally relevant.
- Concerns that the “balanced approach” may not be a priority of future elected officials, and they may use the new space for “lock up” only.

### **Key Findings**

Whether it was collected from large forum meetings, smaller community groups, individual surveys, or key informant interviews, the vast majority of responses support a combination of treatment with corrections. Respondents echoed what the literature describes as best practices regarding treating the underlying causes of criminal behavior while ensuring community safety. Comments also described the need for additional support services in terms of education and housing as gateways out of crime and into prosocial activities.

### **Opportunities for Improvements**

A notable aspect of the community engagement section of this assessment is that the number of people who contributed is just over 600. The positive aspect of this representation is that regardless of the setting, their answers were consistently similar. However, it would be beneficial to verify that this is representative of the larger Benton County community, via outreach to a random sample of households with stratification between the more urban and rural areas of the county.

Another area for improvement is through closing the gap between experiences and insights from people among communities of color and officials and staff within the corrections system. It is recommended that they be directly linked to the implementation’s citizens advisory group as seen in the three scenarios. In addition, it is recommended the evaluation design of the project implementation include a parity study.

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## 6. SUMMARY OF FINDINGS

Current conditions in Benton County’s criminal justice system make effective performance problematic. Community prevention programs lack the capacity and key programs to meet local needs and divert at-risk persons from the criminal justice system. Law enforcement agencies lack access to adequate jail capacity, forcing heavy reliance on citation and release of arrestees beyond advisable levels. Jail staff must continually release inmates early to make space available for those arrestees that require incarceration. Defendants fail to appear at a substantial number of court-ordered hearings because there is often no consequence for their absence. Incarcerated offenders have little access to rehabilitative programs or needed mental health and substance abuse treatment. Finally, key criminal justice system facilities—the jail, the courthouse, and the law enforcement center, are all in poor physical condition and have serious operational deficiencies.

These issues have developed over time and have multiple, complex dimensions. As such, an effective plan to improve criminal justice system performance will require a comprehensive approach that addresses program needs and opportunities for improvement in enforcement, justice, and accountability. The pathway toward achievement of these goals requires a plan that coordinates program strategies among social service agencies, law enforcement, custody, the courts, and community corrections. The project team’s review of County services in these areas indicates a number of program needs and opportunities that will improve the current system and make progress on criminal justice system goals.

Key project findings include:

- Benton County has a robust infrastructure of social service programs that address public health, homelessness, substance abuse treatment, and behavioral health needs in the community.
- Addressing the issue of the large homeless population in the community is one of the most significant challenges facing the County.
- Police agencies in Benton County employ 118 law enforcement officers. This ranks in the mid-range of peer comparison group counties.
- Reported crime in Benton County has increased by 28 percent over the last five years. Although violent crimes against persons make up a relatively small proportion of crime, this represents the fastest growing category of offenses.
- Arrests have declined over the same period. The majority of arrests are for behavioral crimes such as drug use, DUII, or disorderly conduct.



- Benton County has a higher reported crime rate than its peer comparison group counties, as well as the largest gap between crime rates and arrest rates.
- Sixty-six percent of arrests result in a jail booking.
- Benton County law enforcement agencies make extensive use of citation and release due to lack of capacity at the Benton County Jail, leaving a great deal of discretionary authority in the hands of sworn officers.
- The current law enforcement center has numerous building issues that impair law enforcement operations.
- Workload metrics indicate that the Benton County courts process cases in an efficient manner.
- The number of defendants who fail to appear for hearings is very high. This appears to be a result of the lack of meaningful sanctions for non-compliance with court-ordered appearances.
- The lack of adequate staff resources in the District Attorney's Office impairs overall criminal justice system performance.
- The court administers a number of alternative sanction, including a large drug court program. The system would benefit from a structured evaluation of program outcomes.
- Benton County books over 3,000 offenders annually into a jail facility with a capacity of 40 beds. The County relies on contracting for beds at NORCOR to supplement its own jail capacity.
- The average daily jail population (ADP) for the County has been stable, ranging between 60 and 67 inmates over the past five years. Slightly more than half of these offenders are housed outside the County.
- Benton County has an extremely low incarceration rate relative to comparable counties and other local correctional systems throughout the United States.
- Jail staff relies on early release mechanisms to manage the size of the jail population. These include matrix release at booking and forced release for general population inmates. In 2017, 531 inmates were released from jail early through these programs. It is not uncommon for offenders to receive multiple early releases from jail after they have been re-incarcerated for a new offense.
- The jail population is predominantly male (85 percent), white (79 percent), relatively young (average age 31), with a majority in pre-trial status (68 percent).



- The jail does not assess offender program needs and provides minimal program opportunities. The jail population appears to have a significant number of inmates with mental health treatment needs.
- The offender classification system used by the jail does not meet contemporary professional standards and cannot be used in an effective manner due to inadequate bed space.
- The physical condition and layout of the jail facility is extremely poor.
- Benton County Probation and Parole supports a wide range of community programs that supervise and provide services for released offenders. The programs are based on evidence-based research and are consistent with best practices and professional standards found in community corrections programs throughout the United States.
- Reported program data includes process and activity measures, but fails to track program outcomes for program participants. Such data is essential for evaluation of program effectiveness.
- Assuming current policies remain in place, the County jail population will grow to an ADP of 92 inmates by 2040. This population level would require a jail capacity of 107 beds to accommodate population fluctuations and inmate management issues.
- A strategy to address criminal justice program needs and opportunities for system improvement must be balanced—addressing law enforcement, justice, accountability systems, and program treatment.
- System needs for community social services programs include expansion of community mental health treatment, development of a crisis respite center, increased transitional housing, expansion of community substance abuse treatment, development of a sobering center, and a restorative justice program.
- The use of citation and release should be reduced to approximately 15 percent of arrests to ensure an appropriate public safety response to crimes in the community.
- A new law enforcement center is needed to improve working conditions and operations for Benton County law enforcement agencies.
- Benton County courts require the ability to effectively sanction persons who fail to appear at court-ordered hearings.





- The District Attorney's Office requires an additional seven deputy district attorneys (DDAs) phased in over time to resolve long-standing understaffing and projected workload increases.
- The Benton County Courthouse has serious physical and operational deficiencies. The facility needs to be replaced as soon as possible.
- The Benton County Jail needs to eliminate reliance on matrix release and forced release to manage jail population levels.
- Implementation of a pre-trial release program, consistent with evidence-based guidelines for offender assessment and supervision, and an updated offender classification system would improve management of the County's jail capacity.
- The development of in-custody programs for substance abuse treatment, mental health treatment, cognitive behavioral therapy, and education would provide needed opportunities for rehabilitation in jail.
- The development of additional alternatives to jail for sentenced offenders, such as electronic monitoring and work release, would provide a superior means to facilitate re-entry back into the community for appropriate offenders and would relieve demand for jail capacity.
- The County requires a new jail facility with adequate capacity to support law enforcement and the courts, with a design that provides the opportunity for delivery of effective rehabilitative programs.
- The County criminal justice system requires improved data collection and outcome evaluation to support policymaking and resource allocation decisions.
- Ongoing investment in staff training will ensure that the County makes optimal use of criminal justice system resources.
- Establishment of a citizens advisory group for the entire County criminal justice system would facilitate communication between criminal justice agencies and the community.

## 7. BENTON COUNTY JUSTICE SYSTEM – ALTERNATE SCENARIOS

Over the course of this assessment, members of the project team had extended opportunities to discuss the primary goals members of the Benton County community believe the criminal justice system should achieve. The most common themes expressed indicated a desire for a balanced approach to justice. Such an approach would address both the factors that may place individuals at risk for criminal behavior, as well as the need for effective, fair response to crimes as they occur. Consistent with these themes, the Benton County Criminal Justice Assessment Steering Committee developed the following vision statement:

*The residents of Benton County require an effective, efficient, and equitable criminal justice system that maintains public safety and holds people accountable, while providing treatment opportunities that address underlying causes of criminal behavior.*

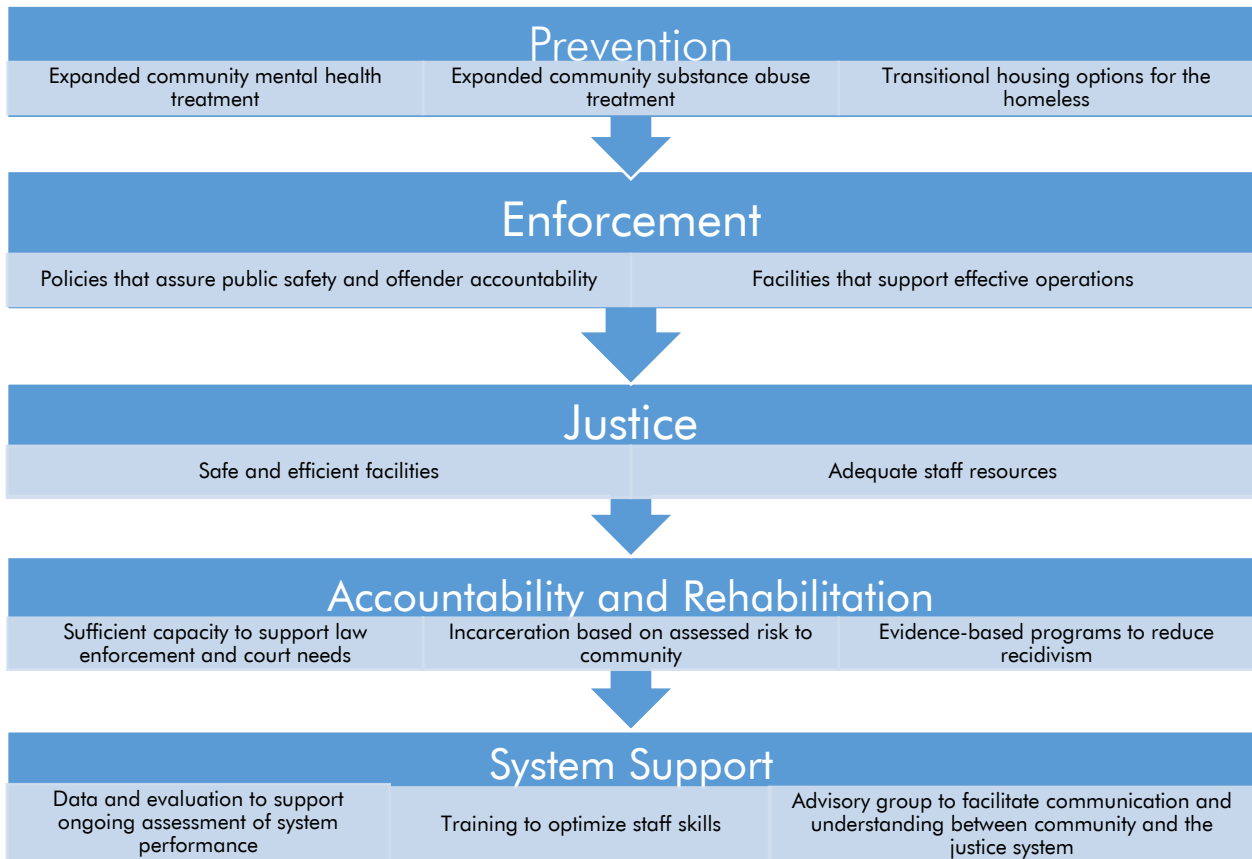
From this vision statement, four primary criminal justice system goals emerge:

- Rapid and effective response to crimes as they occur
- Efficient processing and adjudication of cases through the system
- Incarceration based on potential risk to the community
- Treatment, programs, and case management to reduce criminal behavior

The pathway toward achievement of these goals requires a comprehensive plan that coordinates program strategies among social service agencies, law enforcement, custody, the courts, and community corrections. The project team's review of Benton County services in these areas indicates a number of program needs and opportunities that will improve the current system and make progress on criminal justice system goals. These opportunities fall into five broad categories: prevention, enforcement, justice, accountability and rehabilitation, and support.

Figure 15 summarizes Benton County's key program needs and opportunities.

**Figure 15: Benton County Criminal Justice System Needs and Opportunities**



Using the analysis developed in this report, the project team developed three alternate scenarios for the future development of the Benton County criminal justice system. The first scenario assumes a “best practices” approach to address program and facility needs, and best reaches the community’s vision of safety and rehabilitation, addressing all of the program needs identified in Chapter 6. The second scenario prioritizes investment in prevention and emphasizes community-based treatment programs. The third scenario prioritizes investment in accountability and rehabilitation and emphasizes in-custody treatment programs.

All scenarios assume the County jail population grows as projected, with additional increases attributable to a reduction in the use of citation and release and a reduction in number of persons who fail to appear at court-ordered hearings. The status quo projection indicates that the ADP will increase by 27 inmates to 92 inmates by 2040. Reducing the use of citation and release to 15 percent of arrests will increase the jail population by 13 inmates on average. The elimination of matrix release and forced release will increase the projected jail population by 10 inmates on average. Reducing the number of hearings in which the offender does not appear to



5 percent will further increase the jail population by 13 inmates. These actions increase the projected 2040 ADP to 130 inmates. The specific number of jail beds required in each scenario will reflect the specific mix of program strategies used and assumes elimination of the use of contract out-of-county jail beds.

All scenarios also assume replacement of the County's courthouse, addressing District Attorney staffing needs, and funding indicated system support initiatives.

### **Scenario 1 - Best Practices**

This scenario assumes addressing all program needs, both in the community and the jail, consistent with best practices in justice system management and includes the following elements:

- Community mental health treatment
- Community substance abuse treatment
- Crisis respite center
- Sobering center
- Restorative justice
- transitional housing
- Pre-Trial services
- Jail classification system
- Electronic monitoring
- Work release center
- In-custody mental health treatment
- In-custody substance abuse treatment
- In-custody education/GED prep
- In-custody cognitive behavioral therapy
- New courthouse
- New law enforcement center
- New jail
- Data/Evaluation
- Training
- Community advisory group

The elimination of forced release, citation and release, and matrix release; in conjunction with a reduction in the "Failure to Appear" rate to 5 percent, will increase the projected jail population to 130 inmates by 2040. However, full implementation of the program strategies identified in



this scenario will lower the forecast by 34 inmates to a projected population of 96 inmates by 2040. Applying a classification and population peaking factor to this projected number of inmates results in a need for a jail with a capacity of 112 beds. Table 10 summarizes the impact of these assumptions on jail capacity requirements.

**Table 10: Scenario 1 - Jail Population Projections**

Scenario 1 Projected Bed Needs	Population Change	ADP
Base jail population-2018		65
Population growth to 2040	27	92
Eliminate forced release	6	98
Eliminate matrix release	4	102
Cite and Release @ 15% of arrests	13	115
FTA rate @ 5%	15	130
Crisis respite center	(2)	128
Sobering center	(2)	125
Transitional housing	(2)	123
Pre-Trial services	(9)	114
Electronic monitoring	(4)	110
Work release center	(8)	102
In-custody mental health treatment	(3)	99
In-custody substance abuse treatment	(1)	98
In-custody education/GED prep	(1)	97
In-custody cognitive behavioral therapy	(1)	96
Classification/Population peaking factor	16	112

The required 112-bed jail could be configured to include one 8-bed mental health unit, a 16-bed female housing unit, a 16-bed maximum-security housing unit, and two 36-bed direct observation, general population housing units. This scenario also assumes a new courthouse, a new law enforcement center, seven additional DDAs, as well as funding for data collection/evaluation, training, and a community advisory group. Table 11 details out the financial impact of this scenario.



**Table 11: Scenario 1 Cost Summary**

Prevention	Capital Cost	Debt Service*	Annual Cost - Full	
			Implementation	Total 20 Year Cost
Additional substance abuse treatment			\$ 140,000	\$ 2,800,000
Additional mental health treatment			\$ 160,000	\$ 3,200,000
Respite Care Center			\$ 507,095	\$ 10,141,900
Sobering Center	\$ 1,687,500	\$ 117,442	\$ 417,442	\$ 8,348,837
Restorative Justice			\$ 75,000	\$ 1,500,000
Transitional Housing	\$ 787,500	\$ 54,806	\$ 54,806	\$ 1,096,124
<b>Sub Total</b>	<b>\$ 2,475,000</b>	<b>\$ 172,248</b>	<b>\$ 1,354,343</b>	<b>\$ 27,086,861</b>
<b>Justice/Accountability &amp; Rehabilitation</b>				
Pretrial Services			\$ 185,303	\$ 3,706,053
Update classification system			\$ 2,500	\$ 50,000
Electronic monitoring			\$ 10,220	\$ 204,400
Work Release Center	\$ 1,975,500	\$ 137,485	\$ 552,977	\$ 11,059,535
In-custody mental health treatment			\$ 285,000	\$ 5,700,000
In-custody substance abuse treatment			\$ 140,000	\$ 2,800,000
In-custody education/GED prep			\$ 3,648	\$ 72,960
In-custody cognitive behavioral health treatment			\$ 8,700	\$ 174,000
New Courthouse	\$ 31,200,000	\$ 2,171,369	\$ 2,171,369	\$ 43,427,384
7 additional Deputy District Attorneys**			\$ 966,000	\$ 17,664,008
New Law Enforcement Center	\$ 26,500,000	\$ 1,844,272	\$ 1,844,272	\$ 36,885,438
New 112-bed Jail***	\$ 22,683,657	\$ 1,578,673	\$ 3,151,623	\$ 63,032,452
<b>Sub-Total</b>	<b>\$ 82,359,157</b>	<b>\$ 5,731,799</b>	<b>\$ 9,321,611</b>	<b>\$ 184,776,230</b>
<b>System Support</b>				
Data Collection			\$ 4,167	\$ 83,333
Evaluation			\$ 20,000	\$ 400,000
Training			\$ 20,000	\$ 400,000
Community Advisory Group			\$ 5,000	\$ 100,000
<b>Sub Total</b>			<b>\$ 44,167</b>	<b>\$ 883,333</b>
<b>GRAND TOTALS</b>	<b>\$ 84,834,157</b>	<b>\$ 5,904,047</b>	<b>\$ 10,720,121</b>	<b>\$ 212,746,424</b>
*3.5% interest rate-20 years				
**Full annual cost/7 year phase-in				
***Net new jail operating cost shown. Current annual jail spending estimated at \$5,042,000				

Financing the approximately \$85 million in new facilities will result in an annual debt service cost of \$5.9 million. Including debt service, the annual additional cost to the County of these initiatives once fully implemented, net of current jail spending, will total \$10.7 million.



## Scenario 2 – Prevention

This scenario focuses on investment in community programs while still meeting courthouse and jail needs. The scenario includes the following components:

- Community mental health treatment
- Community substance abuse treatment
- Crisis respite center
- Sobering center
- Restorative justice
- Transitional housing
- New courthouse
- New jail
- Data/Evaluation
- Training
- Community advisory group

Assuming the elimination of forced release and matrix release and a reduction in the “Failure to Appear” rate to 5 percent, the projected jail population will grow to 130 inmates by 2040, as in Scenario 1. The development of a crisis respite center, sobering center, and transitional housing will lower the projected jail population by six inmates on average. Applying a classification and population peaking factor to this projected number of inmates results in a need for a jail with a capacity of 144 beds. Table 12 summarizes the impact of these assumptions on jail capacity requirements.

**Table 12: Scenario 2 - Jail Population Projections**

Scenario 2 Projected Bed Needs	Population Change	Average Daily Population
Base jail population-2018		65
Population growth to 2040	27	92
Eliminate forced release	6	98
Eliminate matrix release	4	102
Cite and Release @ 15% of arrests	13	115
FTA rate @ 5%	15	130
Crisis respite center	(2)	128
Sobering center	(2)	126
Transitional housing	(2)	124
Classification/Population peaking factor	20	144



The required 144-bed jail could be configured to include one 8-bed mental health unit, a 16-bed female housing unit, a 16-bed maximum-security housing unit, and two direct observation, general population housing units with capacity for 104 inmates. This scenario also assumes a new courthouse, a new law enforcement center, seven additional DDAs, as well as funding for data collection/evaluation, training, and a community advisory group. Table 13 details out the financial impact of this scenario.

**Table 13: Scenario 2 Cost Summary**

Prevention	Capital Cost		Annual Cost - Full	
			Debt Service*	Implementation
Additional substance abuse treatment			\$ 140,000	\$ 2,800,000
Additional mental health treatment			\$ 160,000	\$ 3,200,000
Respite Care Center			\$ 507,095	\$ 10,141,900
Sobering Center	\$ 1,687,500	\$ 117,442	\$ 417,442	\$ 8,348,837
Restorative Justice			\$ 75,000	\$ 1,500,000
Transitional Housing	\$ 787,500	\$ 54,806	\$ 54,806	\$ 1,096,124
<b>Sub Total</b>	<b>\$ 2,475,000</b>	<b>\$ 172,248</b>	<b>\$ 1,354,343</b>	<b>\$ 27,086,861</b>
<b>Justice/Accountability &amp; Rehabilitation</b>				
Pretrial Services				
Update classification system				
Electronic monitoring				
Work Release Center				
In-custody mental health treatment				
In-custody substance abuse treatment				
In-custody education/GED prep				
In-custody cognitive behavioral health treatment				
New Courthouse	\$ 31,200,000	\$ 2,171,369	\$ 2,171,369	\$ 43,427,384
7 additional Deputy District Attorneys**			\$ 966,000	\$ 17,664,008
New Law Enforcement Center				
New 144-bed Jail***	\$ 29,142,576	\$ 2,028,182	\$ 4,263,498	\$ 85,269,965
<b>Sub-Total</b>	<b>\$ 60,342,576</b>	<b>\$ 4,199,552</b>	<b>\$ 7,400,867</b>	<b>\$ 146,361,356</b>
<b>System Support</b>				
Data Collection			\$ 4,167	\$ 83,333
Evaluation			\$ 20,000	\$ 400,000
Training			\$ 20,000	\$ 400,000
Community Advisory Group			\$ 5,000	\$ 100,000
<b>Sub Total</b>			<b>\$ 44,167</b>	<b>\$ 883,333</b>
<b>GRAND TOTALS</b>	<b>\$ 62,817,576</b>	<b>\$ 4,371,800</b>	<b>\$ 8,799,377</b>	<b>\$ 174,331,550</b>
*3.5% interest rate-20 years				
**Full annual cost/7 year phase-in				
***Net new jail operating cost shown. Current annual jail spending estimated at \$5,042,000				

Financing the approximately \$60 million in new facilities will result in an annual debt service cost of \$4.2 million. Including debt service, the annual additional cost to the County of these initiatives once fully implemented, net of current jail spending, will total \$7.4 million.





### **Scenario 3 – Accountability and Rehabilitation**

This scenario focuses on investment in in-custody programs. The scenario includes the following components:

- Pre-Trial services
- Jail classification system
- Electronic monitoring
- Work release center
- In-custody mental health treatment
- In-custody substance abuse treatment
- In-custody education/GED prep
- In-custody cognitive behavioral therapy
- New courthouse
- New law enforcement center
- New jail
- Data/Evaluation
- Training
- Community advisory group

Using the same assumptions on jail population growth as the other scenarios, the program initiatives in this scenario would lower the ADP from 130 to 103 inmates. Applying a classification and population peaking factor to this projected number of inmates results in a need for a jail with a capacity of 120 beds. Table 14 summarizes the impact of these assumptions on jail capacity requirements.



**Table 14: Scenario 3 - Jail Population Projections**

Scenario 3 Projected Bed Needs	Population Change	ADP
Base jail population-2018		65
Population growth to 2040	27	92
Eliminate forced release	6	98
Eliminate matrix release	4	102
Cite and release @ 15% of arrests	13	115
FTA rate @ 5%	15	130
Pre-trial Services	(9)	121
Electronic Monitoring	(4)	117
Work Release Center	(8)	109
In-custody mental health treatment	(3)	106
In-custody substance abuse treatment	(1)	105
In-custody education/GED prep	(1)	104
In-custody cognitive behavioral therapy	(1)	103
Classification/Population Peaking Factor	17	120

The required 120-bed jail could be configured to include one 8-bed mental health unit, a 16-bed female housing unit, a 16-bed maximum-security housing unit, and two 40-bed direct observation, general population housing units. This scenario also assumes a new courthouse, a new law enforcement center, seven additional DDAs, as well as funding for data collection/evaluation, training, and a community advisory group. Table 15 details out the financial impact of this scenario.



**Table 15: Scenario 3 Cost Summary**

Prevention	Capital Cost	Debt Service*	Annual Cost - Full	
			Implementation	Total 20 Year Cost
Additional substance abuse treatment				
Additional mental health treatment				
Respite Care Center				
Sobering Center				
Restorative Justice				
Transitional Housing				
<b>Sub Total</b>	\$ -	\$ -	\$ -	\$ -
<b>Justice/Accountability &amp; Rehabilitation</b>				
Pretrial Services			\$ 185,303	\$ 3,706,053
Update classification system			\$ 2,500	\$ 50,000
Electronic monitoring			\$ 10,220	\$ 204,400
Work Release Center	\$ 1,975,500	\$ 137,485	\$ 552,977	\$ 11,059,535
In-custody mental health treatment			\$ 285,000	\$ 5,700,000
In-custody substance abuse treatment			\$ 140,000	\$ 2,800,000
In-custody education/GED prep			\$ 3,648	\$ 72,960
In-custody cognitive behavioral health treatment			\$ 8,700	\$ 174,000
New Courthouse	\$ 31,200,000	\$ 2,171,369	\$ 2,171,369	\$ 43,427,384
7 additional Deputy District Attorneys**			\$ 966,000	\$ 17,664,008
New Law Enforcement Center				
New 120-bed Jail***	\$ 24,285,480	\$ 1,690,152	\$ 3,362,797	\$ 67,255,946
<b>Sub-Total</b>	\$ 57,460,980	\$ 3,999,006	\$ 7,688,514	\$ 152,114,285
<b>System Support</b>				
Data Collection			\$ 4,167	\$ 83,333
Evaluation			\$ 20,000	\$ 400,000
Training			\$ 20,000	\$ 400,000
Community Advisory Group			\$ 5,000	\$ 100,000
<b>Sub Total</b>			\$ 44,167	\$ 883,333
<b>GRAND TOTALS</b>	\$ 57,460,980	\$ 3,999,006	\$ 7,732,681	\$ 152,997,619
*3.5% interest rate-20 years				
**Full annual cost/7 year phase-in				
***Net new jail operating cost shown. Current annual jail spending estimated at \$5,042,000				

Financing the approximately \$57.5 million in new facilities will result in an annual debt service cost of \$4.0 million. Including debt service, the annual additional cost to the County of these initiatives once fully implemented, net of current jail spending, will total \$7.7 million.

Table 16 compares the three scenarios in terms of programs supported, jail size, and cost. Scenario 1, which includes investment in best practice programs for both community prevention and in-custody rehabilitation, requires the largest capital expenditure and would require approximately \$10.7 million in additional annual expenditures, once fully implemented. As Scenario 1 is the only option that includes the proposed law enforcement center, its capital and debt service cost are substantially higher. Scenarios 2 and 3 have similar capital and annual



costs despite their different program approaches. Scenario 2 results in the largest jail (144 beds) because the community programs do not achieve the same level of jail population reduction as the in-custody programs.



**Table 16: Scenario Comparison**

	Scenario 1 - Best Practices			Scenario 2 - Invest in Prevention			Scenario 3 - invest in Accountability		
	Capital Projects	Annual Cost*	20 Year Cost	Capital Projects	Annual Cost*	20 Year Cost	Capital Projects	Annual Cost*	20 Year Cost
Prevention & Treatment	\$ 2,475,000	\$ 1,354,343	\$ 27,086,861	\$ 2,475,000	\$ 1,354,343	\$ 27,086,861	\$ -	\$ -	\$ -
Justice/Accountability & Rehabilitation	\$ 82,359,157	\$ 9,321,611	\$ 184,776,230	\$ 60,342,576	\$ 7,400,867	\$ 146,361,356	\$ 57,460,980	\$ 7,688,514	\$ 152,114,285
System Support	\$ -	\$ 44,167	\$ 883,333	\$ -	\$ 44,167	\$ 883,333	\$ -	\$ 44,167	\$ 883,333
<b>TOTAL</b>	<b>\$ 84,834,157</b>	<b>\$ 10,720,121</b>	<b>\$ 212,746,424</b>	<b>\$ 62,817,576</b>	<b>\$ 8,799,377</b>	<b>\$ 174,331,550</b>	<b>\$ 57,460,980</b>	<b>\$ 7,732,681</b>	<b>\$ 152,997,619</b>
<b>KEY ASSUMPTIONS:</b>									
Cite & Release (current rate is 33% of arrests)	15% of arrests			15% of arrests			15% of arrests		
FTAs (current rate is 15% of scheduled court appearances)	5% rate			5% rate			5% rate		
Community programs	Expand existing services; create Respite Center, Sobering Center, & additional transitional housing			Expand existing services; create Respite Center, Sobering Center, & additional transitional housing					
Justice programs	Add pretrial services, electronic monitoring, work release center, & expanded jail programs						Add pretrial services, electronic monitoring, work release center, & expanded jail programs		
New Facilities	Court, Jail, Law Enforcement Center			Court, Jail			Court, Jail		
Jail Capacity	112			144			120		
Other Components	Seven DDAs, classification update, data collection, training, and Equity Advisory Group			Seven DDAs, classification update, data collection, training, & Citizens Advisory Group			Seven DDAs, classification update, data collection, training, & Citizens Advisory Group		

\*Includes debt service for capital projects



The scenarios described in this chapter represent long-term strategies to address criminal justice system needs through the year 2040. However, the amount of time required for the planning, design, and construction of new criminal justice facilities is extensive. Under a “best case” schedule, taking a new jail or courthouse from initiation of facility planning to actual operation will generally require 24-30 months at best. Similarly, reviewing new program designs, selecting the model that works best for the County, and training staff also will require substantial time. Moreover, future plans for implementation of any of the components of these scenarios will require due consideration by the community and identification of funding. Given the timeframes involved and the critical nature of the issues present in the criminal justice system, it is vital that the Benton County community arrive at a consensus soon on the future path required for the local criminal justice system and begin working toward its implementation.



## APPENDIX A: DATA SOURCES

### Documents Provided by Benton Circuit Courts

Age of Pending Court Cases as of December 31, 2017

Benton County Circuit Court Case Filing Statistics 2014 through 2017

Benton County Circuit Court Case Termination Statistics 2014 through 2017

Benton County Circuit Court – Failure to Appear Statistics 2014 through 2017

Benton County Circuit Court Felony Cases Filed and Terminated Summary 2014 through 2017

Benton County Circuit Court Misdemeanor Cases Filed and Terminated Summary 2014 through 2017

Case Filing Statistics Report – Felony 01/01/2014 to 12/31/2014

Case Filing Statistics Report – Misdemeanor 01/01/2014 to 12/31/2014

Case Filing Statistics Report – Felony 01/01/2015 to 12/31/2015

Case Filing Statistics Report – Misdemeanor 01/01/2015 to 12/31/2015

Case Filing Statistics Report – Felony 01/01/2016 to 12/31/2016

Case Filing Statistics Report – Misdemeanor 01/01/2016 to 12/31/2016

Case Filing Statistics Report – Felony 01/01/2017 to 12/31/2017

Case Filing Statistics Report – Misdemeanor 01/01/2017 to 12/31/2017

OJD Hearing and Trial Report Time to Hearing Duration for hearings resulted from 1/1/2014 to 12/31/2014

OJD Hearing and Trial Report Time to Hearing Duration for hearings resulted from 1/1/2015 to 12/31/2015

OJD Hearing and Trial Report Time to Hearing Duration for hearings resulted from 1/1/2016 to 12/31/2016

OJD Hearing and Trial Report Time to Hearing Duration for hearings resulted from 1/1/2017 to 12/31/2017

Oregon Judicial Department Ages of Original Felony Cases Pending on Last Day of Period Benton 12/31/2013



Oregon Judicial Department Ages of Original Misdemeanor Cases Pending on Last Day of Period  
Benton 12/31/2013

Oregon Judicial Department Ages of Original Felony Cases Pending on Last Day of Period Benton  
12/31/2014

Oregon Judicial Department Ages of Original Misdemeanor Cases Pending on Last Day of Period  
Benton 12/31/2014

Oregon Judicial Department Ages of Original Felony Cases Pending on Last Day of Period Benton  
12/31/2015

Oregon Judicial Department Ages of Original Misdemeanor Cases Pending on Last Day of Period  
Benton 12/31/2015

Oregon Judicial Department Ages of Original Felony Cases Pending on Last Day of Period Benton  
12/31/2016

Oregon Judicial Department Ages of Original Misdemeanor Cases Pending on Last Day of Period  
Benton 12/31/2016

Oregon Judicial Department Ages of Original Misdemeanor Cases Pending on Last Day of Period  
Benton 12/31/2017

Oregon Goals for Timely Disposition Age of Terminated Cases – Civil January 1 to June 30, 2017

Oregon Goals for Timely Disposition Age of Terminated Cases – Civil Summary January 1 to June  
30, 2017

Oregon Goals for Timely Disposition Age of Terminated Cases – Domestic Relations January 1 to  
June 30, 2017

Oregon Goals for Timely Disposition Age of Terminated Cases – Felony January 1 to June 30,  
2017

Oregon Goals for Timely Disposition Age of Terminated Cases – Misdemeanor January 1 to June  
30, 2017

Oregon Goals for Timely Disposition Age of Terminated Cases – Felony January 1 to December  
31, 2016

Oregon Goals for Timely Disposition Age of Terminated Cases – Misdemeanor January 1 to  
December 31, 2016





Oregon Judicial Department Ages of Original Felony Cases Terminated Benton 1/1/2014 to 12/31/2014

Oregon Judicial Department Ages of Original Felony Cases Terminated Benton 1/1/2015 to 12/31/2015

Oregon Judicial Department Ages of Original Felony Cases Terminated Benton 1/1/2016 to 12/31/2016

Oregon Judicial Department Ages of Original Felony Cases Terminated Benton 1/1/2017 to 12/31/2017

Oregon Judicial Department Ages of Original Misdemeanor Cases Terminated 1/1/2014 to 12/31/2014

Oregon Judicial Department Ages of Original Misdemeanor Cases Terminated Benton 1/1/2015 to 12/31/2015

Oregon Judicial Department Ages of Original Misdemeanor Cases Terminated Benton 1/1/2016 to 12/31/2016

Oregon Judicial Department Ages of Original Misdemeanor Cases Terminated Benton 1/1/2017 to 12/31/2017

State Trial Courts – Age of Pending Cases as of 12/31/2016

State Trial Courts – Age of Pending Cases as of 06/30/2017

**Documents Provided by Benton County Sheriff's Office (BCSO)**

BCSO – ADP

BCSO – Arrest Statistics Master

BCSO Arrests by Charge, Arrest, & Type

Benton County Jail Virtual Jail Statistics April 4, 2018

Benton County Jail (2013 – 2017) 5 Year ADP

Benton County Jail 2014 - 2017 Forced Release Data

Benton County Jail 2017 Intake Report

Benton County Jail 2017 Release Types

Benton County Jail Total Bed Days

Benton County Jail Total Bookings Frequency



Benton County Jail Population Snapshots 2-9-17, 4-21-17, 5/15/17, 6/22/17, 7/11/17, 8/23/17, 9/7/17, 10/24/17, 11/16/17, 2/8/18

Benton County Jail Population Summary Table Snapshots

BCSO Corrections Division Org Chart July 17, 2017

BCSO – Division 17, fund 108 – Jail Expenditures (5 Year Actual)

BCSO – Division 17, Jail Expenditures (3 Year Actual & Current Year Budget)

BCSO – Division 17 Overtime Expenditure (3 Year Actuals + Current Budget)

BCSO – Total Bed Days in Contract Facilities (Past 5 Years)

**Documents Provided by Corvallis Police Department**

BCSO – Adult Arrests by Charge

BCSO – Juvenile Arrests by Charge

BCSO – ORIBRS Cross Tab

CPD – Adult Arrests by Charge

CPD – Juvenile Arrests by Charge

CPD – ORIBRS Cross Tab

**Documents Provided by Benton County Juvenile Department**

00258C – All Programs Disposition Rollup Extract

00238 – JCP Assessment

00628a – Disposition by Demographics – Active Youth Summary by County

00205 – Disposition Demographics by ordered date – Youth Summary

Offense Category Extract – Misd/Felony

Final Disposition 10 years of historical data

Detention Population Annual 2017-2018

Current Population Snapshot

Offense Category Extract

Diversion Referral Extract



**Documents Provided by Oregon State Police**

Arrests and Offenders 2014 – 2017

Oregon State Police Benton County ONIBRS

Offense Report 2014 – 2017

**Documents Provided by Benton County Sheriff's Office Parole and Probation**

OR 2014 Sentencing Guideline Grid

OR 2016 Sentencing Guideline Grid

PP Feb 2018

PP Jan 2018

Stats 2017 with Summary

Structured Sanction Training

Benton County Parole and Probation 2017-2019 Community Corrections Plan

Oregon Department of Corrections 2017-19 Community Corrections Allocation Document

**Additional Documents Received**

Benton County Drug Court Program Overview Document

Benton County Drug Court Daily Population in Program Snapshot

2013 YCSO Annual Report

2018 Age Veteran Race Excel

2010-2018 Daily Population County Capture

DOC Forecast 201804

State of Oregon County Forecast March 2013

County Forecast March 2013

Poverty Table State

Benton County Courthouse Repair Criteria Response

Courthouse Replacement Criteria Response

Correctional Mental Health Screen for Men



Correctional Mental Health Screen for Women

Benton County Jail Outreach/Diversion Services 5/7/2018

Lane County District Attorney Contact Information

Lincoln County District Attorney Contact Information

Linn County District Attorney Contact Information

Polk County District Attorney Contact Information

Yamhill County Personnel Monthly Salaries

Benton County Community Corrections Plan 2017 – 2019

Benton County Jail Needs Final Report – July 19, 2013

Owner-Directed Facility Seismic Evaluation – January 26, 2016



## **APPENDIX B: INTERVIEWS**

Mitch Anderson – Health Administrator

Xanthippe Augerot – Benton County Commissioner

Justin Carley – Benton County Community Corrections

David Connell – Benton County Circuit Court Judge

Helen Cunha – Advisory Committee Member

Dr. Allison Davis-White Eyes – Oregon State University Director of Community Diversity Relations

John Detweiler – Citizen

Matthew Donohue – Benton County Circuit Court Judge

John Haroldson – Benton County District Attorney

Thomas Hill – Benton County Defense Bar Attorney

Linda Hukari – Trial Court Administrator

Scott Jackson – Benton County Sheriff

Annabelle Jaramillo, Benton County Commissioner

Eric Judah – Oregon State Police Officer

Joe Kerby – Benton County Administrator

Kate Ko – Drug Court Coordinator

Mario Lattanzio – Chief of Police for the City of Albany

Jen McDermott – Corvallis Housing First Case Manager

Andrea Myhre – Corvallis Housing First Executive Director

Karen Nibler – League of Women Voters

Becky Pape – CEO, Good Samaritan Regional Medical Center-Corvallis



Greg Ridler – Benton County Sheriff’s Office Undersheriff

Diana Rubago – Benton County Sheriff’s Office Captain

Ken Rueben – Chief of Police for the City of Philomath

John Sassaman – Chief of Police for the City of Corvallis

Anne Schuster, Benton County Commissioner

Brad Smith – Corvallis Housing First Board Member

Jim Swinyard – Former Benton County Sheriff

Matthew Wetherell – Benton County Juvenile Department Director

**APPENDIX C: RESEARCH BIBLIOGRAPHY**

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## APPENDIX D: POPULATION PROJECTION STATISTICAL MODELS

The following is a description of each model, broken into the three modeling categories.

### System-Based Statistical Models

*Model 1 - Historical Trend Percentage Change* calculates the total percentage change from the beginning point to the end point of the historical data series. The annual percentage increase rate used in the model was applied to the base year 2017 and subsequent years to calculate future daily counts.

*Model 2 – Historical Compound Annual Growth Rate (CAGR)* uses the historical annual growth rates to determine a percentage of growth. Often used in financial forecasting, the CAGR is applied to the projection end date of Fiscal Year 2030.

*Model 3 – Mean Deviation* compares the peak year population to the average from the historical data. The model is standardized by dividing the number of years observed. The mean deviation model shows the high points in most models as it is projected forward.

### Demographic-Based Models

*Model 4 – Ratio of ADP to State Population* uses the historical system wide ADP and compares it to the state population. The projected figure applies the average ratio of system-wide ADP to the projected state population to the year 2030.

*Model 5 – Ratio of ADP to County Population* uses the historical system-wide ADP and compares it to the county population. The projected figure applies the average ratio of system-wide ADP to the projected county resident population to the year 2030.

*Model 6- Arrests/Average Daily Population* uses historical arrests to project ADP to the year 2030. The existing, average, high, and low average arrest rates are calculated using historical data.

*Model 7 – Incarceration Rate to State Population* determines the incarceration rate per state population. The existing, average, high, and low incarceration rates are applied to the projected state population projections to the year 2030.

*Model 8 – Incarceration Rate to Benton County Population* determines the incarceration rate per county population. The existing, average, high, and low population incarceration rates are applied to the projected Benton County population projections to the year 2030.

*Model 9- Admissions/Average Length of Stay* uses historical admissions to project admissions to the year 2030. The existing, average, high, and low average length of stay (ALOS) in days is

calculated using historical data and applied to the projected admissions to determine a projected ADP.

### **Time Series Modeling**

*Model 10 - Linear Regression* determines a best fit line considering the historical inmate ADP over time. This best fit line is extended to Fiscal Year 2030.

*Model 11 – Multiple Regressions* determines a best fit line considering the historical ADP over time and county population. This best fit line is extended to Fiscal Year 2030.

*Model 12– Box-Jenkins ARIMA* uses an Autoregressive Integrated Moving Average technique from a computerized formula. This model is used typically for accurate short-term projections of data that shows predictable repetitive cycles and patterns. The Box-Jenkins model uses historical annual data from 2013 to 2017.

*Model 13 – Exponential Smoothing ARIMA* identifies levels and trends by smoothing the latest data points to decrease irregularity and adds a seasonality factor. The seasonal indexes are obtained by smoothing seasonal patterns in the historical data. Exponential Smoothing is an alternate ARIMA model. The Exponential Smoothing model gives older data progressively less weight, while new data is weighted more. The Exponential Smoothing model uses historical annual data from 2013 to 2017.

Models determined to have appropriate statistical reliability and significance were weighted equally to determine forecast figures. For the ARIMA models, the r-squared values below 0.8 were not used in the final average. R-squared shows the amount of explained variance in the statistical model. There are no concrete levels for acceptable r-squared.

All statistically significant models, with at least one from each of the three subsections, were selected and averaged. Each model presents a differing snapshot to the future that is beneficial to the final projection. While one must recognize that all have limitations and precautions in the forecasting model, the averaging of multiple models dampens the extremes and finds some model agreement necessary for long-range projections.



## APPENDIX E: PERFORMANCE MEASURES

### Jail Metrics

- Level of service need
- Rate of identified services need to treatment placement
- Average length of stay by dispositional status
- Risk level
- Forced release by risk level
- Inmate cost per day
- Recidivism by:
  - Release type
  - Risk level
  - Needs/treatment level
  - Program
  - Demographics

### Community Corrections Metrics

- % Successful completion of supervision
- % Successful completion of program
- % Employed
- % With negative drug test
- % Population with decrease in needs
- % Population with decrease in risk level
- Rate of identified needs to treatment placement
- Risk and supervision level match
- Violation rate
- Revocation rate
- Restitution paid
- Rate of compliance with "no contact" orders



**APPENDIX F: BENTON COUNTY CRIMINAL JUSTICE ASSESSMENT COMMUNITY SURVEY**

1. Are you a Benton County Resident? **Circle One:**

Yes      No

2. What is included in your vision of an effective criminal justice system for Benton County? **Circle One:**

- a. Focus on crime prevention
- b. "Lock up" only
- c. Treatment only
- d. Balance of corrections responses with treatment for offenders
- e. I need more information about "what works" with offenders
- f. Other (**please describe**):

3. What do you consider important elements of treatment for offenders (if any)? **Circle One:**

- a. Substance abuse treatment
- b. Mental health treatment
- c. Education attainment support
- d. Employment – support getting a job
- e. All of the above
- f. None of the above



4. Do you think the following services are important to include in Benton County?

Name	Description	Y	N
Work Release Program	Allows those in the jail to leave and work during the day – or work and live at home with a monitor bracelet	Y	N
Sobering Center	A place for people who are impaired by drugs or alcohol – a place for them to sober up safely	Y	N
Drug Court	Works with offenders who have drug issues – they receive court supervision and treatment	Y	N

5. This question relates to law enforcement in Benton County (Police / Sheriff Deputies). How often do you think they are respectful and treat people fairly? **Circle One:**

- e. Almost all the time
- f. Most of the time
- g. Rarely
- h. It really varies

➤ **Please briefly describe:**

6. What grade would you give the local jail? **Circle one:**

- f. Excellent Job
- g. Above Average
- h. Average
- i. Below Average
- j. Failing

➤ **Please briefly describe:**



7. Please tell us about you:

➤ <b>Gender:</b>	Male	<input type="checkbox"/>	Female	<input type="checkbox"/>									
➤ <b>Age:</b>	Under 18	<input type="checkbox"/>	18 – 30	<input type="checkbox"/>	31 – 50	<input type="checkbox"/>	50+	<input type="checkbox"/>					
➤ <b>Race / Ethnicity:</b>	African American / Black	<input type="checkbox"/>	Native Hawaiian or Other Pacific Islander	<input type="checkbox"/>	American Indian or Alaska Native	<input type="checkbox"/>	Hispanic or Latino	<input type="checkbox"/>	Asian	<input type="checkbox"/>	White	<input type="checkbox"/>	Other:

8. Other comments?

Thank you!



## **Community Engagement Groups and Events**

### **Organization**

Benton County Positive Youth Development Coalition (PYDC)  
OR Health Equity Alliance  
Casa Latinos Unidos de Benton County  
Chambers of Commerce: Corvallis  
City Councils: Adair, Monroe, Philomath  
People with Lived Experiences  
Homeless Opportunities Action Council  
King Legacy Advisory Board (KLAB), City of Corvallis  
Linn / Benton Health Equity Alliance  
NAACP Executive Committee  
NAMI Mid-Valley  
North Albany Neighborhood Association  
OSU Center for Civic Engagement  
Thriving Communities 2040  
Health Equity Alliance  
OR State Credit Union

### **Events**

Benton County Fair participants - Booth at Fair  
Linn / Benton Festival Latino  
Kick-off forum  
May forum  
Workshop on the jail  
Workshop on evidence-based practices  
October forum with scenarios



