Justice Reinvestment Summit
Keynote Remarks for Colette S. Peters
April 6, 2015, 1:00 p.m.

Thank you, Director Schmidt, for the kind introduction, and to the Criminal Justice Commission for the opportunity to speak with you today. I am so honored to be here to discuss the past, present, and future of justice reinvestment, and I am pleased to see so many people in attendance, representing every corner of our state. Today is filled with opportunities to learn about what each other is doing to improve public safety, and for key policymakers to hear from Oregon's public safety community about what is happening in our counties and at the state level, and why justice reinvestment is so important.

I'd like to start by going back in time just a little because history is important. It is said, it takes seven years for an idea to make it through the Capitol – and our public safety reform makes that true. We began talking about public safety reform back when I was the Inspector General for the Department of Corrections in 2006 – seven years before we passed House Bill 3194. This has been an ongoing conversation – and a challenging one I admit.

It was 2011 when then-Governor Kulongoski created the Commission on Public Safety by Executive Order and charged it with studying the core functions of state government, and with analyzing criminal justice data to develop recommendations for sentencing reform.

A year later, then-Governor Kitzhaber extended the work of the Commission with a new executive order, including a broadened membership base. He too charged us with analyzing our state's sentencing and corrections data, auditing existing policies, and then submitting recommendations that would protect public safety, hold offenders accountable, reduce recidivism, and contain corrections costs. That last charge was one of the commission's top-stated goals – to slow prison population growth.

HB 3194 represents two years of work by the Commission on Public Safety; four months of hearings by the Joint Committee on Public Safety; and hundreds of hours of dialogue with public safety stakeholders. We all know this was an important opportunity to save Oregon taxpayers hundreds of millions of dollars and make our communities safer.

There are several things we need to recall.

The Commission recognized that Oregon is a state with tremendous public safety achievements.

- We have historic and sustained crime decline
- We have used probation extensively in lieu of incarceration
- We have an incarceration rate below the national average
- We have a prison system focused largely on offenders convicted of violent and sex offenses, and
- We utilize evidence-based practices in our prisons and in Community Corrections, which has led to one of the lowest recidivism rates in the nation.

All of these points were never lost on us, and we were committed to making recommendations that would not erode these outcomes. But, we saw that we were slipping in the areas that had made our state one of the safest in the nation.

- Like most states, Oregon sends the majority of its felony offenders to probation rather than prison – but we were trending in the wrong direction. Since 2000, Oregon had increased by 18 percent the use of prison over probation.
- Oregon's incarceration rate is still below the national average – but we were trending in the wrong direction here as well. The state's incarceration rate had grown four times faster than the national rate.

- We admitted increasing percentages of offenders convicted of nonviolent offenses, offenders revoked for violating the terms of their community supervision, and offenders assessed as low risk to re-offend.
- Not only was our prison population expected to grow, but it was expected to grow almost entirely in offenders convicted of nonviolent offenses.
- Offenders were staying in prison longer in 2011 that at any other point in the last decade, with length of stay for drug offenses up 22 percent, and length of stay for technical violations for probation up 20 percent.

It is important to remember that, at that time, we were looking at an increase of 2,300 inmates over a 10-year period at a cost to taxpayers of $600 million dollars. In early 2012, when I became Director of DOC, my conversations with legislators were intense; we were focused on the fact that, absent reform, we would need to open the medium facility at Deer Ridge in Madras, and get our shovels out to break ground on the Junction City prison.

And, instead, we made change! Under the leadership of Chair and Chief Justice DeMuniz, the Commission worked tirelessly over a two-year period to develop the recommendations that would become House Bill 3194, and it took great collaboration from a variety of stakeholders and policymakers to pass that bill.

Now, forward to today, nearly two years since 3194 passed. Thanks to great collaboration, I am pleased to say that we are seeing results.

Prison Population Forecast

Based on the April 2015 Forecast – with the full HB 3194 impacts – the estimated prison population will not trigger the need to construct the Junction City Prison in the 10-year forecast window. And, the activation of the Deer Ridge medium facility will not become necessary until the 2019-21 biennium. Let me remind you, prior to public safety reform, we

would have opened the medium facility in Madras in July 2014 and would be opening the Junction City facility in February 2017.

This means we will realize $18.4 million in net cost avoidance for 2013-15, and $58.5 million in 2015-17. These are the averted costs that come from not having to open Deer Ridge or begin construction on a new prison in Junction City, offset by increased costs in Community Corrections.

Short Term Transitional Leave

Specifically from the Department of Corrections side, Short Term Transitional Leave was one of the biggest bed savers in the changes made by 3194. As you know, it increased the time someone could release to short term transitional leave from 30 days to up to 90 days.

3194 also changed the process for admitting individuals into the short term trans leave program. It used to be that the ownness was placed on the adult in custody to reach out to his/her institution counselor to apply. It is now the department's responsibility to identify those who are statutorily eligible and to place them in the application process.

Since December 2013, we have released 1,271 individuals to short term transitional leave. This has resulted in an estimated 50,256 bed days saved. Out of those 1,271 individuals, only 52 have failed, giving us a 96 percent success rate. This success rate is no doubt because of our dedicated staff appropriately preparing and screening adults in DOC custody for placement and equally, our partnership with Community Corrections and local public safety partners.

To my team and to our partners: thank you!

Short Term Transitional Leave is the back-end strategy of 3194. By and large, the intent of the bill was to invest in the front-end to prevent people from going to prison in the first place,

which is where the conversation point of today comes in to play. In this biennium, $56.9 million was generated for public safety out of these efforts. Let me detail those dollars.

Justice Reinvestment

The justice reinvestment grant program included $15 million in 2013-15 for grants to counties to fund programs and services to reduce recidivism and the reliance on state prison beds.

In addition to the justice reinvestment grant program, savings were distributed to:

- Community Corrections ($17 million)
- Drug courts ($9 million)
- Local jails ($5 million)
- The Oregon Domestic and Sexual Violence Services fund, which serves crime victims ($4 million)
- Oregon State Police ($3 million)
- Public defense services ($2.9 million)
- And, the Oregon Center for Policing Excellence at DPSST ($1 million)

I would like to boast that Oregon is the first state to dedicate 10 percent of justice reinvestment funds to community-based victim services. As a former victims' advocate, this piece is so important to me. We wouldn't be here without victims. As we travelled to victims' roundtables, sadly we learned that, in 2011, there were 20,000 unmet requests for emergency shelter beds for victims of domestic and sexual violence. During our efforts, we heard from many victims and victims' advocates about the lack of services available.

And, while many felt we didn't go far enough and others felt we may have gone too far, in the end support for justice reinvestment comes from many allies including victim advocates, Community Corrections, OYA, OSP, sheriffs, chiefs, district attorneys, reform advocates, business leaders, mental health advocates, and the faith community, among others.

This truly is an historic collaboration. One of the outcomes I am so pleased with is the fact that we are talking about data in a way we never have before – and in a collaborative manner. We have LPSCCs and parts of local communities looking at data like never before. DOC used to be considered an endless resource. Especially through the Regional Implementation Councils, counties are looking at data in new ways, which is resulting in richer decisions being made at the local level.

And this summit is yet another example. All the counties, the Executive, Legislative, and Judicial Branches, partners, and stakeholders coming together to talk about what is working well, what needs improvement, and all of the innovative things Oregon is doing through justice reinvestment to make our communities and our state safer and more efficient. I am confident we will continue to see positive public safety outcomes as a result.

Conclusion

I want to conclude by saying thank you. Thank you for being here today. Thank you for your honest and real conversations during public safety and reform and for all you are doing at the local level to implement 3194 and to help us realize an even greater return on our public safety investments. I can tell you, after attending the national justice reinvestment conference in California in February, all eyes are on Oregon. That is in large part due to you and everything you are doing around justice reinvestment. So, thank you. Thank you for continuing to make Oregon a leader in evidence-based public safety practices, and a leader in operating one of the best public safety systems in the country. We can all be proud.

For questions about this presentation, please call 503-945-0930 or email Elizabeth.A.Craig@doc.state.or.us.