

Governor's Re-entry Council

August 19, 2009
Labor and Industries Building
Room 260
Meeting Minutes

Attendees:

Council Members: Rep. Kevin Cameron, Ron Chase, Colette Peters, Thomas McClellan, Jerry Moore, Vicki Walker, Camille Preus, Mark Royal, Ross Shepard, Lisa Smith, Laurie Warner, Max Williams

Steering Committee Members: Cindy Booth, Martin Burrows, Mark Cadotte, Pegge McGuire, Nancy Sellers, Heidi Steward

Interested Observers: Patty Katz, David Rogers, Paul Solomon, Chane Griggs, Sharon Darcey, Douglas Cooper, Jennifer Black, Sharon Shannon, Craig Prins, Janet Carlson, Yachi Iisako, Frederick Woods

Max Williams: Welcome and Introductions

Max Williams, Director of the Department of Corrections, thanked everyone for attending. This is the first meeting since February, as the meeting scheduled for May 27th fell in the midst of a busy legislative session and was cancelled. The council members introduced themselves, as did the steering committee members present and other interested parties.

Announcements and Information Sharing

Re-entry Wiki <http://oregonreentry.wikidot.com>

Mr. Williams invited everyone to go to the newly activated Re-Entry Wiki. The DOC established the Wiki to be maintained by those with services and information to offer. Several counties had added county-specific content to the site prior to it being released to the world on the internet with the expectation that the remaining counties will follow suit, as well as treatment providers, non-profit agencies and other service providers. Anyone with feedback is encouraged to contact DOC Public Services Division.

Paula Brown, Department of Veterans' Affairs said the Secretary of Veterans' Affairs, Eric Shinseki is visiting Oregon and one of the issues being discussed is access to medical care by the VA for incarcerated veterans. Veterans are entitled to many benefits throughout their incarceration. One misunderstanding in the process of access was that the veteran must be seen by a VA doctor for a disability pension physical. The US Dept of VA has now corrected this in the system. Incarcerated veterans can have their physical by a physician and gain access to benefits. Mr. Williams noted that in many cases it would be cost effective for the DOC to provide transportation to the VA hospital in Portland for the incarcerated veterans for their medical care that is covered

by their benefits. Establishing their benefits while still incarcerated will make their re-entry much smoother as additional benefits are available to veterans who are not incarcerated. Incarcerated veterans have honorably served their country and are entitled to VA benefits. The DOC does ask offenders during the intake process if they are veterans and we do track those who reply in the affirmative. Mr. Williams requested that the VA and DOC health services meet to facilitate access to benefits for incarcerated veterans.

Ms. Brown also reported that the VA is working with law enforcement agencies on suicide prevention. They are developing tools to determine alternatives to arrest and available resources. Mr. Williams said we are very interested in any tools that can be used for incarcerated veterans around suicide issues.

Ross Shepard offered that a legislative workgroup is being convened on Sept 23rd to discuss veterans' issues. The Re-entry Council will be represented by Jim Willis, Director for Oregon Department of Veterans Affairs.

Mark Royal said a 13 bed transition home is nearing completion. It is a modular building erected on property next to the Umatilla County Jail. The occupancy permit is the last requirement and September 1st is the target date for opening.

Mr. Williams asked if there is any special housing news based on the availability of stimulus dollars. Pegge McGuire said currently the tax exchange program and the tax credit assistance program are moving forward. There were a number of projects in the pipeline, like the transition housing Mr. Royal mentioned, which lost many equity investors and are being completed with federal stimulus dollars.

Ron Chase updated us on the construction of the Sponsors, Inc. project. Electrical utilities to the property are currently being installed. All of the permits have been obtained and construction is underway. Occupancy is expected to be fall of 2010. They, too, lost investors; however, have been able to make up the difference with different investors and assistance through their partnership with the Department of Housing and Community Services. Mr. Williams thanked Mr. Chase and asked that his appreciation be passed on to Director Merced for his commitment to this effort.

Mr. Williams welcomed Director Colette Peters to the Council. She is a familiar face to many as she was formerly an Assistant Director with DOC and attended meetings as an observer since the Council began.

Tom McClellan was asked about the pilot program DOC and ODOT/DMV to provide identification cards to releasing inmates. Mr. McClellan said a "lessons learned" meeting is scheduled and will be reported on through the Steering Committee at the next Council meeting.

Review Meeting Minutes:

The draft minutes from the February 25th meeting were sent to the members electronically and comments have been incorporated in the version distributed today. There were no additional edits suggested and the minutes were approved. They will be posted to the Governor's Re-entry Council Website.

Public Input:

No one signed in to speak to the Council. Mr. Williams asked if there was anyone who would like to address the Council. There was no response.

HB 3508 Impact

- **Earned Time Credit**
- **Inmates with ICE Detainers**
- **M-57 Phase-in and Phase-out**
- **M-57 Funding**

Mr. Williams explained that during the last legislative session, there was a complicated conversation in regard to the budget and how the changes in the sentences of repeat property offenders, the increase in the commitment to fund drug and alcohol treatment and the increase in earned time would be processed. The four areas listed above have a direct affect on public safety and Mr. Williams provided a general review on each.

- **Earned Time Credit:** For certain non-person crimes, the law increases the ETC by 10% to 30% and made the increase retroactive. DOC had until August 31, 2009 (60 days from the date the bill became law) to determine which inmates are affected and to begin releasing. After DOC Research Unit identifies the inmates, DOC Offender Information and Sentence Computation Unit will notify the inmates, the District Attorney (DA) in the county of conviction and the court. The DA notifies the victim. The victim or the DA can object to the additional Earned Time Credit in an amended sentence, in which case, a hearing must be scheduled with the court. We do not know how many objections there will be or how quickly the counties will make their decisions. DOC expects there to be an increase in immediate releases in September and October, assuming that every eligible inmate is resentenced with 30% ETC and that the process isn't delayed by the court. Housing for immediate releases will be an issue. Pegge McGuire said her agency received \$7 million in Housing for Homelessness Prevention Rapid Re-housing and our understanding of the use of the money is that it can be used for housing those returning to the community from incarceration. There is a window of 18 months for receiving this subsidy and there must be a plan for moving into permanent housing. Mr. Chase pointed out that finding landlords who will accept someone just released from prison without employment, even though they have the subsidy, is a huge problem. Many landlords are apprehensive about renting to someone without a recommendation from a transitional housing agency. Mr. Williams had voiced his concern to the legislature that

- there may be an increase in recidivism because of a reduction in release preparation for immediate releases while this bill was being debated.
- **Inmates with ICE Detainers:** This provision of the law addresses the Rapid Repatriation System through the Immigration and Customs Enforcement arm of the U.S. Department of Homeland Security. The legal status of inmates is identified at DOC intake by 2 ICE officers. Those with 6 months or less to serve and who have committed specific crimes may waive their rights to Oregon appeal and any deportation defense. If they choose to waive those rights, the remainder of their sentence will be commuted and they will be released up to 6 months early with custody transferred to ICE for deportation to their country of origin.
 - **M-57 Phase-in and Phase-out:** Measure 57 includes mandatory sentences for specific drug and property crimes under certain circumstances. The law went into effect for crimes committed on or after January 1, 2009. The law governing the property crimes listed in the measure is suspended on February 15, 2010 in HB 3508. The drug crimes listed in the law are not affected by the suspension in HB 3508. On January 1, 2012, the suspension ends and sentencing returns to January 1, 2009 requirements. The suspension of M-57 in HB 3508 was created as a cost saving tool.
 - **M-57 Funding:** \$15 million was appropriated for enhanced drug and alcohol treatment of those offenders sentenced under M-57. DOC received \$5 million for prison treatment programs and \$10 million will go to community treatment programs. The law identifies the criteria for funding treatment (required to be evidence-based, outcomes tracked, etc.) and the process for administering the funding. The application, including all pertinent information and forms, is attached. This information has been distributed to the counties and the application process is underway. The Oregon Administrative Rule is being written by a group comprised of those representatives named in the law. Mr. Williams said this funding is one of the few positive outcomes for public safety in the last legislative session. A minimum of \$50,000 will be awarded to each qualifying county.

Vicki Walker shared that the Board of Parole and Post-Prison Supervision (BPPPS) is working with DOC to create informational links on their web page to explain HB 3508. By early fall there will be information about the DOC process for identifying offenders eligible for the 30% earned time credit and how it is applied; victims' rights in the process and the BPPPS role in the process.

Mr. Williams asked Craig Prins, Executive Director for the Criminal Justice Commission, to give an update on Transition Service Centers. During the last legislative session, SB 385 was brought forward by the Committee on Judiciary at the request of Ross Shepard. Because of the budget situation, very few bills with a fiscal impact were passed and this one did not. The governor does support the concept and decided to award \$1.5 million from an Edward Byrne Memorial Justice Assistance Grant to a joint federal, state and county partnership with the community to go toward three transition service centers. At the first meeting, discussion centered on which resources can be

provided by which partner and where the best use of the JAG funds would be used. The counties where the pilot transition service centers will be located are: Lane, Multnomah and Klamath/Jackson. Mr. Williams read both versions of the proposal from the Steering Committee (attached). After a brief discussion, the proposal was adopted by the Council.

Update on Repaying Debts Project:

David Rogers, Executive Director of the Partnership for Safety and Justice gave a brief overview of the reason for this project (see attached) and progress to this point.

To begin, Mark Cadotte and Ginger Martin identified the individuals who have a deep understanding of their agency policies to facilitate the information gathering from the agencies either responsible for levying debt or collecting it. This group has yet to convene, but the PSU graduate students are developing the qualitative groundwork, which is preparation for interviewing 40 – 60 individuals with a criminal history and debt as a result and 40 – 60 victims who are owed restitution. It is expected the data analysis and assessment work will go rather quickly. Mr. Rogers anticipates presenting to the Council at a meeting early in 2010.

Update from Statewide Transition Network:

Mark Royal explained that the Transition Network is one of several networks chartered by the Oregon Association of Community Corrections Directors (OACCD). The networks' members have expertise in specific areas and report out and bring requests for approval of policy and/or procedural change to OACCD. This network was created out of a need exposed by the Re-entry Council. There are members from county parole and probation offices, Board of Parole and Post-Prison Supervision, DOC Transition and Release, DOC Inmate Services Unit, and DOC Behavioral Health Services. Heidi Steward and Dale Primmer co-chair this group. They recently brought to OACCD a recommendation for the minimum standards of a "reach-in". They are working to ensure all counties and institutions are participating with consistent policies and procedures and eliminating barriers each agency has inadvertently created. Ms. Steward listed a few of the issues the workgroups created by the network are addressing, such as special needs releases, OAR language changes and stressed that this work is not duplicating effort by the Council or the Steering Committee workgroups. This group also trains DOC and Community Corrections staff on the many processes and policies to keep transition consistent.

DPC Re-entry Program/Transition Coordinators

Ms. Steward distributed a copy of a brief overview (attached) of the Road to Success Re-entry Program that is conducted by the Transition Coordinators at the DOC designated releasing institutions. The limited duration positions for the Transition Coordinators were permanently funded in this legislative session. This curriculum was developed in conjunction with Volunteers of America, field tested and modified over the

past year. Employment is the component on which the most time (18 hours) is spent. Housing is also a focus. Also distributed and attached is a copy of a letter from a former inmate and successful graduate of the Road to Success Re-entry Program.

Mr. Williams asked Martin Burrows to give an update on the DOC inmate access to the Employment Department's website WorkSource Oregon. Mr. Burrows said meetings have taken place between the OED and DOC information technology services staff and it is becoming clear to DOC that the WorkSource Oregon website, while technically on the internet, is essentially secure. The developers of the WorkSource Oregon site provided a demonstration at the last steering committee meeting and all were impressed by the wealth of information available. Mr. Williams said that employment for people with a criminal history is a major problem and with the statewide rate at 12%, it's that much more difficult for our target population.

Re-entry Messaging:

Mr. Williams asked Pegge McGuire to provide an update on what has happened on this issue since many Council members attended the workshop on messaging she had arranged and have since been required to focus their attention and efforts on the legislative session. Ms. McGuire assured Mr. Williams that work has continued in this area. The Ending Homelessness Advisory Council identified former inmates as important to include in their efforts. The programs working with both populations are encountering similar issues. The Housing Workgroup has expanded a subset of what should be addressed which includes changing the messaging when working with private landlords. A messaging meeting is scheduled for the near future. Ms. McGuire asked if there are members present who were not at the last meeting and not had the opportunity to volunteer. Cindy Booth requested that they combine efforts because she has been working with a small group that was addressing employment. She would like the two groups to collaborate on the design of a survey process so an effective statewide survey can be taken on the topic of re-entry. Mr. Williams asked that anyone interested in working on this effort, contact Pegge McGuire and that an update be provided to the Council at the next meeting.

Mr. Williams asked Marion County Commissioner Janet Carlson to give us some information on the breakfast the Marion County Re-entry Initiative is planning. Commissioner Carlson explained that Marion County is hosting a breakfast titled *People Can Change* on October 15, 2009 with speakers addressing re-entry issues. Commissioner Carlson will be the MC, Council member Representative Kevin Cameron will be a speaker and Dick Withnell will be the closing speaker. This will be a combination informational and motivational event, as well as a fundraiser for the Marion County Re-entry Initiative. Invitations will go out to 2,000 people. Mr. Williams said he will attend and is very interested to learn if this is an effective model for approaching employers about re-entry and moving opinion about this population.

Mr. Williams asked Doug Cooper to tell us about the progress of the Transition Center ROAR is about to open in Portland. Mr. Cooper said the opening is planned for the first

week in September. They have hired one full-time and one part-time navigator, both people with criminal histories, to assist clients moving through the center. They have a budget of \$148,000 per year from the United Way and expect to provide significant services to 270 individuals the first year. The partnership the center is establishing includes the federal system. There are currently 3 priority levels for referrals. The first are referrals from the center's United Way partners which are currently conducting "reach-ins" to prisoners; the second are referrals from other ROAR partners; and the third will be "walk-ins". Mr. Williams told Mr. Cooper he is interested in seeing the center in action and to let him know when they are in full implementation, as he would like to visit.

Mr. Williams said he is always encouraged at each Council meeting by the various activities ongoing and the work being done, both with and without the Council's involvement. The energy focused on the issue of re-entry is encouraging and the DOC and the Re-entry Council want to continue to promote this effort.

As we prepare for our next meeting, Mr. Williams asked the members to be cognizant of the legislature will be in session again in February, closely following the January election. The voters may reverse several tax measures, which would have a significant impact on the State budget (estimated at \$800 million to \$1 billion) and the issues we are addressing. We are also planning on the steering committee workgroups reporting out at the next meeting.