



Newsletter – Summer 2010

OREGON CRIMINAL JUSTICE COMMISSION

Executive Director's Column – Craig Prins:

"It's not denial. I'm just selective about the reality I accept." This quote from Bill Watterson, creator of the "Calvin and Hobbes" comic strip, resonates with the human capacity for denial about a reality we do not want to face. A 2.5 Billion dollar reduction in funds to provide for education, human services, and a statewide public system in Oregon is a reality I would rather not accept. I would rather selectively focus on the fact that Oregonians are safer today, less likely to be a victim of violent crime or property crime, than they have been since the 60s. I would rather hope we can "do nothing" and ask the legislature to make cuts elsewhere and not touch spending on public safety. But I realize that hoping we can get through this by "doing nothing" to reduce the cost of our system is a form of denial: it fails to acknowledge the criminal justice system will get a hard look from the legislature in light of the magnitude of these reductions. To fail to plan for reduced budgets for public safety would be a form of denial in this environment.

Governor Kulongoski asked his Reset Committee to move from denial to planning for a "decade of deficits" if we make no changes. During that time, Oregon will require 2,000 additional prison beds to carry out the sentencing policies we have put in place over the last 20 years. Adding that many beds in light of the magnitude of the budget cuts seems like an impossibility. How would we add 2,000 beds while subtracting hundreds of millions of dollars from the public safety budget? Whether you think adding those beds is a good or bad idea in this budget season becomes moot: it looks like a financial impossibility.

All of us are committed to public safety. None of us want to make cuts to the system that has been in place while crime in Oregon has dropped to historically low levels, but I am glad Governor Kulongoski asked his Reset Cabinet to accept the reality of fewer resources and plan for the future. If we plan wisely and face reality, Oregon will continue to enjoy safe communities. The public safety subcommittee report to Governor Kulongoski's Reset Cabinet, which accompanies this newsletter, lays out the reality and provides options for a new legislature and new Governor to consider in planning for Oregon's future.

Chair's Column – Judge Darryl Larson:

It may be summer but the Criminal Justice Commission is definitely not on vacation. One of the most difficult jobs being undertaken by the CJC is how to adequately, fairly and successfully accomplish the task put before it by the Legislature in the form of SB 77 concerning county public safety "emergencies."

There is a justifiable and very real concern that after 2012, the U.S. Congress may no longer authorize funding of what used to be called the O&C timber payments but are now commonly known as the Safe and Secure Rural Schools (SSR) funds. Twenty four of Oregon's 36 counties receive some of this funding. However, some counties are particularly at risk from a cessation of the SSR funding. These counties suffer from a multiplier effect of structural features which could negatively affect public safety in these counties if that funding ends: (1) they have substantial percentages of their general funds dependent on the SSR funds (40-70%), (2) most of their general funds are dedicated to public safety, (3) they have relatively low property tax rates and/or receive a small percentage of the property taxes levied in that county with little legal room, or political opportunity, to increase those rates, and (4) substantial fractions of these counties are federally owned, not subject to taxation.

The last Legislature, concerned about the looming potential loss of SSR funding, enacted SB 77 relating to the declaration of a "public safety services emergency." In the face of such a declaration, the CJC would be required to "review and analyze public safety services provided by the county" to determine whether the county is providing a "minimally adequate level of public safety services." There are substantial differences between counties in terms of, among other things, their geographic and demographic characteristics, historic crime rates and their willingness to tolerate certain levels of crime and their past and present funding of various public safety services. Given these, and other, substantial differences, writing rules for how to determine whether a particular county is providing "minimally adequate public safety services" is a difficult task indeed. A committee of the Commission is currently at work developing both a conceptual framework as well as draft rules to comply with the legislative directives laid out in SB 77. The Commission hopes to finalize the initial draft rule by the end of July, 2010.

You are invited and encouraged to participate in this effort by making recommendations to the CJC concerning our efforts to write the rules for determining "minimally adequate" public safety services in an affected county. What services should be taken into account, what are the key data elements in measuring a particular public safety service and how should they be measured? The current thought is that the rules should be such that, given the variability in counties, these rules must be flexible in application while being based on uniformity in the categories and data categories utilized for any given public safety service. We look forward to your input.

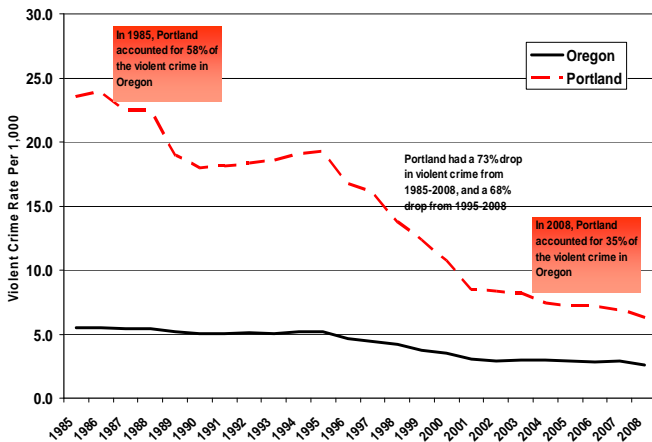
Oregon Statistical Analysis Center (SAC)
– Mike Wilson, Kelly Officer:

Crime in Oregon

Violent and property crime in Oregon has been decreasing since the late 1990's. In 2008 Oregon ranked 40th for violent crime and 23rd for property crime; both the lowest state rankings for Oregon since 1960. These declining crime rates are welcome news, but why are they declining? Explaining changes in crime with a few indicators is an oversimplification. Crime is difficult to explain and predict, and the factors that could possibly affect crime are numerous. The following is an overview of crime in Oregon, as well as an exploratory look at three of the most commonly assumed indicators of crime.

Violent crime in Oregon follows a similar trend as the rest of the nation, and has historically been lower than the nation as a whole. The FBI Uniform Crime Reports (FBI-UCR) violent crime index rate in Oregon reached its peak in 1986. It fell by 11 percent from 2007 to 2008 and by 14 percent from 2004 to 2008, both the largest percentage drops of any state. When looking at Oregon's violent crime trend, it's of interest to know how the major cities in Oregon affect that trend. When looking at the city level data it is apparent that the decreases in violent crime in Oregon can be attributed to decreases in Portland. As the graph shows, Portland had a 73 percent drop in violent crime from 1985 to 2008. In 1985 Portland accounted for 58 percent of the violent crime in Oregon, however by 2008 that percentage was down to 35 percent.

Violent Crime Rate Comparison



Property crime in Oregon also follows a similar trend as the rest of the nation and has historically been higher than the nation as whole. From 2007 to 2008 property crime in Oregon fell by seven percent. From 2004 to 2008 it fell by 29 percent, which was the largest drop of any state.

In May 2010 the FBI released UCR data for 2009 for cities over 100,000 people. This includes four cities in Oregon: Portland, Eugene, Salem, and Gresham. The table below shows the percent changes in violent and property crime from 2008 to 2009. Oregon's four largest cities experienced drops in violent and property crime.

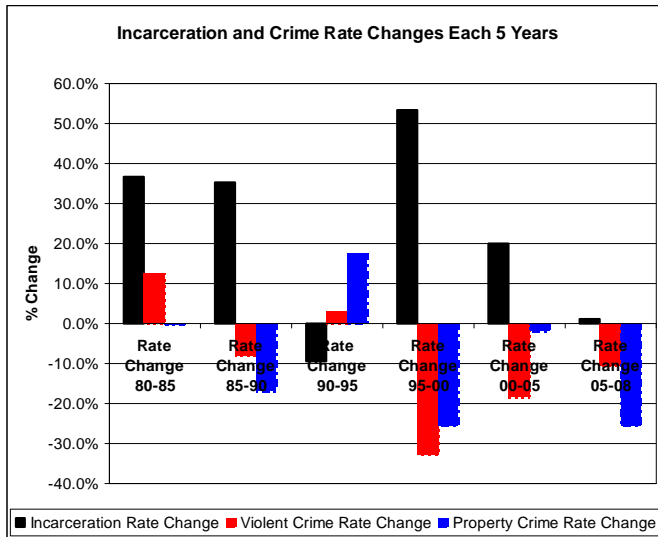
Change in Index Crimes from 2008 to 2009 (Oregon's four largest cities)		
City	Violent Crime Change	Property Crime Change
Eugene	-5%	-12%
Gresham	-23%	3%
Portland	-10%	-9%
Salem	0%	-14%
4 City Total	-10%	-10%

Oregon State Police Uniform Crime Reports (OUCR) data for 2009 are available for other cities in Oregon. The table below shows the change in violent and property crime from 2008 to 2009 for the larger cities in Oregon. Again, most cities experienced decreases in property and violent crime. The exception is Corvallis, with a 21 percent increase in property crime.

Change in Index Crimes from 2008 to 2009 (Larger Cities in Oregon)		
City	Violent Crime Change	Property Crime Change
Beaverton	-6%	-23%
Bend	-6%	-19%
Corvallis	0%	21%
Hillsboro	-10%	-26%
Medford	-17%	0%
Springfield	-3%	-27%
6 City Total	-8%	-15%

The declining crime rates in Oregon are welcome news, but why are they declining? There are three indicators that are commonly associated with predicting crime: the economy, incarceration, and demographics. In the late 1990's these three indicators were favorable and the crime rate decreased. However, at times in the last decade the unemployment rate increased and the incarceration rate flattened, while the crime rate has continued to drop.

In the late 1990's the unemployment rate was relatively low in Oregon and the crime rate was decreasing. This is the commonly assumed relationship between the unemployment rate and crime; however this is not always the case. In 2002-2004 and again in 2008 and 2009 the unemployment rate was relatively high and the crime rate has continued to decrease. The relationship between incarceration and crime is inconsistent as well. The graph below shows that from 1995-2000 incarceration in Oregon increased by over 50 percent, while violent crime decreased by over 30 percent and property crime by over 20 percent. However from 2005-2008 the incarceration rate was flat, while violent and property crime continued to fall. Research has shown that increasing incarceration is a factor in reducing crime, but the relationship is not consistent and the setting is more complex than just looking at these two factors.



Another common indicator of crime is demographics. Most crime is committed by people age 15-39, and the proportion of this group in the total population is used as a predictor of crime. Since 1985 the percentage of the population age 15-39 has continued to decrease, and crime has also generally decreased. While this relationship is fairly consistent, again the setting is more complex than just looking at these two factors.

The relationship between crime, incarceration, and the economy is inconsistent and predicting crime with a few indicators is an oversimplification. Oregon has seen historic drops in crime since the late 1990's, and explanations of this crime drop continue to be debated.

To see the full report please visit the Criminal Justice System website:
http://www.oregon.gov/CJC/docs/Crime_Report_2010.pdf

Also on the CJC website is a study conducted by graduate students at the University of Oregon (in conjunction with the CJC): "The Costs Associated with Prosecuting Crime in Oregon" This study looks at the costs of courts, prosecution and criminal defense from 2003 to 2009. (<http://www.oregon.gov/CJC/index.shtml>)

Grant Management – Devarshi Bajpai:

About two-thirds of the grant money that CJC administers goes to provide funding to drug courts. While adult criminal drug courts are among the most researched criminal justice interventions available, other types of treatment courts are being developed with less of a research base (i.e. juvenile, family dependency, DUII, domestic violence).

In 2007, Oregon State Police worked with CJC in contracting with NPC Research of Portland to conduct evaluations of the 11 drug courts funded by the Byrne Methamphetamine Reduction Grant. NPC conducted process evaluations of all 11 programs, and also completed a more in-depth outcome and cost-benefit evaluation of 2 family dependency treatment court programs. These are among the first evaluations of Family Dependency Courts in the country!

The findings include:

Marion County Fostering Attachment Treatment Court (FATC)

Compared to child welfare involved parents who experienced traditional family court processes, the FATC participants (regardless of whether they graduated from the program):

- Spent nearly twice as long in treatment and were twice as likely to complete treatment,
- Had their children spend less than half the time in foster care in the 2 years after drug court entry,
- Were reunified with their children twice as often and significantly sooner (in half the time),
- Had 4 times fewer terminations of parental rights (TPRs),
- Were significantly less likely to be re-arrested for any charge, and
- Had significantly reduced re-arrests with drug charges over time.

The cost evaluation showed:

- A criminal justice, treatment, and child welfare system cost savings per participant of \$13,104 over 2 years,
- A projected 30% return on its investment after 2 years (a 1:1.3 cost-benefit ratio), and
- A projected 230% return on its investment after 5 years (a 1:3.3 cost-benefit ratio).

Jackson County Community Family Court

Compared to child welfare involved parents who experienced traditional family court processes, the CFC program parents (regardless of whether they graduated from the program):

- Spent nearly twice as long in treatment and were almost twice as likely to complete treatment,
- Had their children spend 257 fewer days in foster care (104 fewer per child) in the 4 years after drug court entry,
- Were re-unified with their children more often and significantly sooner,
- Had significantly fewer terminations of parental rights (TPRs),
- Were re-arrested nearly half as often for any charge,
- Had 33% fewer re-arrests with drug charges over time.

The cost evaluation showed:

- A criminal justice, treatment, and child welfare system cost savings of \$5,593 per participant over 4 years
- A 6% return on its investment after 5 years (a 1:1.06 cost-benefit ratio)

The complete reports can be accessed on the CJC website at:
<http://www.oregon.gov/CJC/newdrugcourt.shtml>

AFOAC – Mike Stafford:

Asset Forfeiture reporting is now online. Prior to activating the website, CJC ran three online 'webinar' trainings during May for the new online Asset Forfeiture reporting system. These were well attended with over 75 people taking part from all 36 counties and several cities. Following this training the participants were able to use a 'demo' website to practice using the forms and to then give feedback to CJC staff as to potential issues with the website.

The week following the final training CJC staff attended a training delivered by Agate Systems (the vendor who created the program) which will allow CJC staff to directly edit online forms and address and fix issues that the webinar attendees found with the program.

CJC also created a State Library 'listserve' mail link for all members to trade e-mails about Asset Forfeiture and to ask each other questions regarding Asset Forfeiture. This will also be used by CJC staff to notify all people involved in Asset Forfeiture about any changes in the Asset Forfeiture law or other issues that may come up about Asset Forfeiture. A second Asset Forfeiture legal issues listserve is being created by Crook County District Attorney Daina Vitolins.

LPSCC – Mike Stafford:

CJC staff visited the Baker, Clatsop, Columbia, Deschutes, Jackson, Josephine, Klamath, Lane, Umatilla, Union, and Washington LPSCCs last fall and early winter outlining the process the CJC would use to meet the requirements of SB 77 directing the Commission to develop rules and criteria for counties to declare a fiscal emergency that would prevent them from providing "Minimally Adequate Public Safety Services".

As a follow up to those visits the Commission held SB 77 hearings hosted by Yamhill, Josephine and Union counties in April and May. These were to give the Commission feedback as to what they should look at as they create the rules.

Finally, the CJC, in conjunction with the Lincoln County LPSCC will hold a ***Statewide LPSCC Conference September 10th*** at the **Oregon Coast Community College** (400 SE College Way, Newport, OR 97366). Rooms have been reserved at the Elizabeth Street Inn and reservations can be made at: <http://www.elizabethstreetinn.com/>. Please let us know if you are planning on attending. We will send out an agenda later this summer.

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CJC Website:

<http://www.oregon.gov/CJC/index.shtml>

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