

# Oregon Criminal Justice Commission

---

*Presentation to the Nevada Department of Sentencing Policy  
Local Justice Reinvestment Coordinating Council*



Ken Sanchagrin  
Executive Director

Kelly Officer  
Research Director

Ryan Keck  
Programs Director

1 February 2023

# Agency Overview

## Mission Statement

To improve the legitimacy, efficiency, and effectiveness of state and local criminal justice systems.

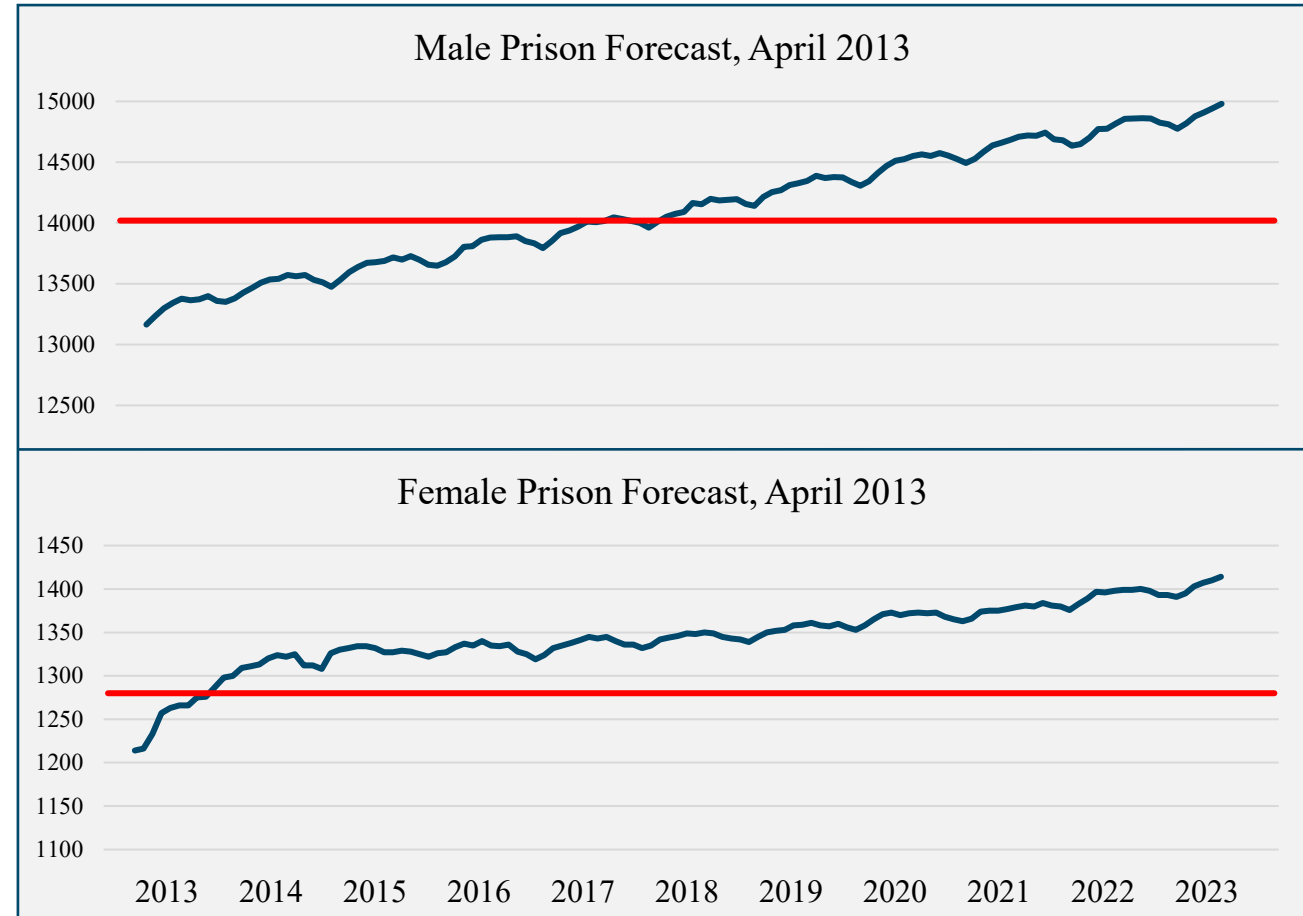
## Primary Duty of the Commission

To develop and maintain a state criminal justice policy and comprehensive long-range plan for a coordinated state criminal justice system that encompasses public safety, offender accountability, crime reduction and prevention, and offender treatment and rehabilitation. *ORS 137.656*

# Oregon's Justice Reinvestment Initiative

## BACKGROUND

- Between 2000 and 2012, Oregon's prison population grew by nearly 50%, from 9,500 to 14,250 individuals.
- Concurrently, the state's biannual corrections budget grew by nearly 40% to \$1.3B in 2011-2013.
- At that rate of growth, the prison population was forecasted to increase by an additional 2,300 individuals and require the construction of a new men's prison and the reopening of two vacant prisons.



# Oregon's Justice Reinvestment Initiative

## BACKGROUND

- In July of 2013, HB 3194 was passed, creating Oregon's JRI program according to four goals:
  - Reduce prison usage to avoid new prison construction, and
  - Reduce recidivism, while
  - Protecting public safety, and
  - Holding offenders accountable.
- One aspect of JRI was sentencing changes.
- The other was the creation of the JRI Grant Program, which included additional oversight and assessment of local public safety programs.

### HB 3194 Sentencing Changes

*Probation for most marijuana offenses*

*Probation for Felony Driving While  
Suspended*

*Sentence Reductions for Robbery III and ID  
Theft from presumptive 24 mos to 18 mos*

*Greater judicial discretion for Drug  
Delivery/Manu probation sentences*

*Significant expansion of Transition Leave*

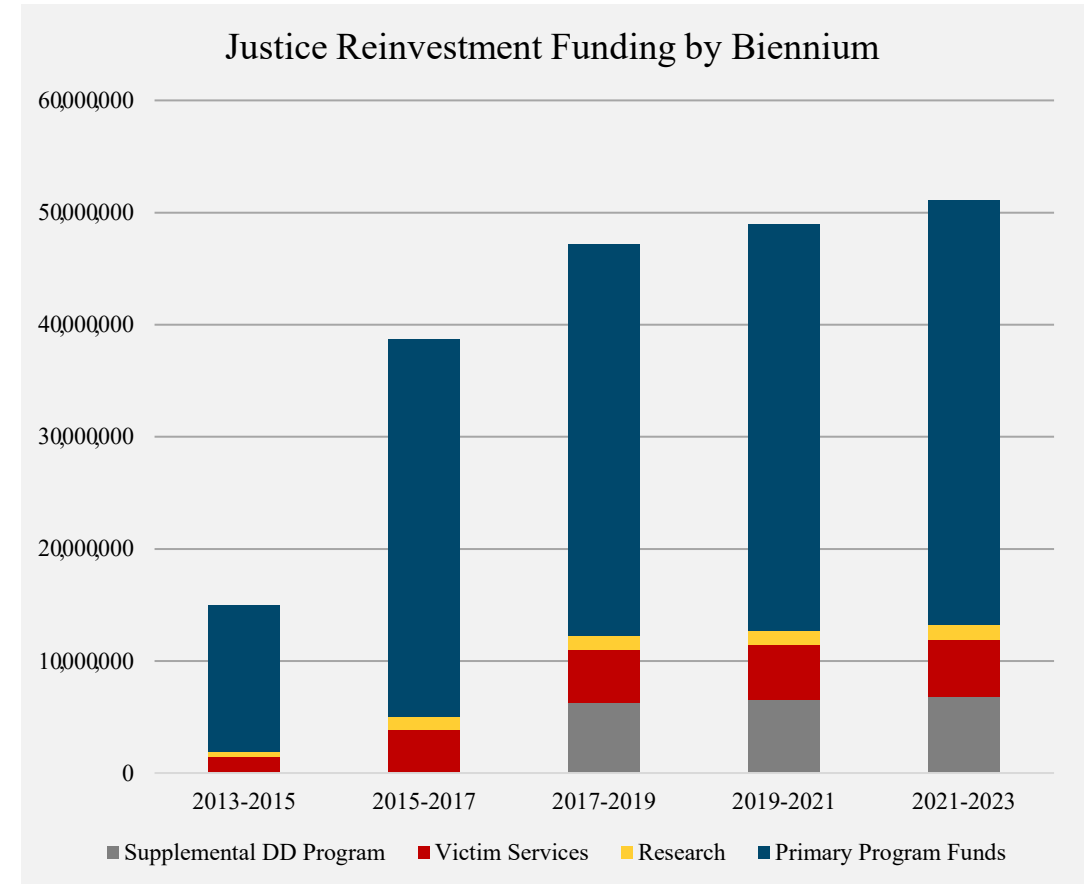
*Earned Discharge from Probation*

# Oregon's Justice Reinvestment Initiative

## GRANT PROGRAM BACKGROUND

The JRI Program was implemented over the 2013-2015 biennium.

- Initially, \$15M in funding was provided to the CJC.
  - Formula distribution of funds;
  - No formal prison targets
  - Applicants must provide a plan and letters of support.
- After the initial funds were disbursed, the agency developed program rules, aiming to have them in place for the 2015 grant cycle.



# Oregon's Justice Reinvestment Initiative

## GRANT PROGRAM BACKGROUND

It is important to note that Oregon's JRI Program has grown iteratively.

- HB 3078 (2017)
  - Recognized that reducing the female prison population required different, additional reforms.
  - Created an additional, targeted downward departure grant.
  - Lengthened the short-term transitional leave time from 90 to 120 days.
- HB 3064 (2019)
  - Added seats to the JRI Grant Review Committee
  - Refined the grant-making process
  - Required the CJC to evaluate the degree to which JRI programming was equitable
- SB 1510 (2022)
  - Created the Justice Reinvestment Equity Program, which seeks to fund community-based organizations to address crime and its causes, imprisonment, and recidivism

# Implementation of Oregon's JRI Grant

# Implementation of Oregon's JRI Grant

## GOVERNANCE STRUCTURE

The basic structure of the JRI grant process was established in statute by HB 3194.

- Local LPSCC's, which include relevant local public safety stakeholders, craft the JRI application and submit it to the CJC.
- A statutorily defined grant review committee (GRC) examines and makes recommendations on grant approvals.
- The Criminal Justice Commission reviews the GRC recommendations and makes grant awards.





# Implementation of Oregon's JRI Grant

## JRI SUCCESS IS LOCAL ...

The primary body with responsibility for setting local policy is each county's Local Public Safety Coordinating Council.

- In most cases, state-level changes can only create the *possibility* of criminal justice system changes and savings.
- To realize or maximize that potential, the state must rely on decision-making processes of local actors, such as
  - Prosecutors when choosing to pursue a prison sentence
  - Judges when imposing sentences
  - Parole and Probation officers when deciding whether to seek incarceration for clients due to violations

### HB 3194 Sentencing Changes

Police Chief	Sheriff
District Attorney	State Court Judge
Public Defender	Community Corrections Dir.
County Commissioner	Juvenile Dept. Director
Local Health Dept. Dir	Member of the Public
City Councilors/Mayors	OSP Representative
OYA Representative	

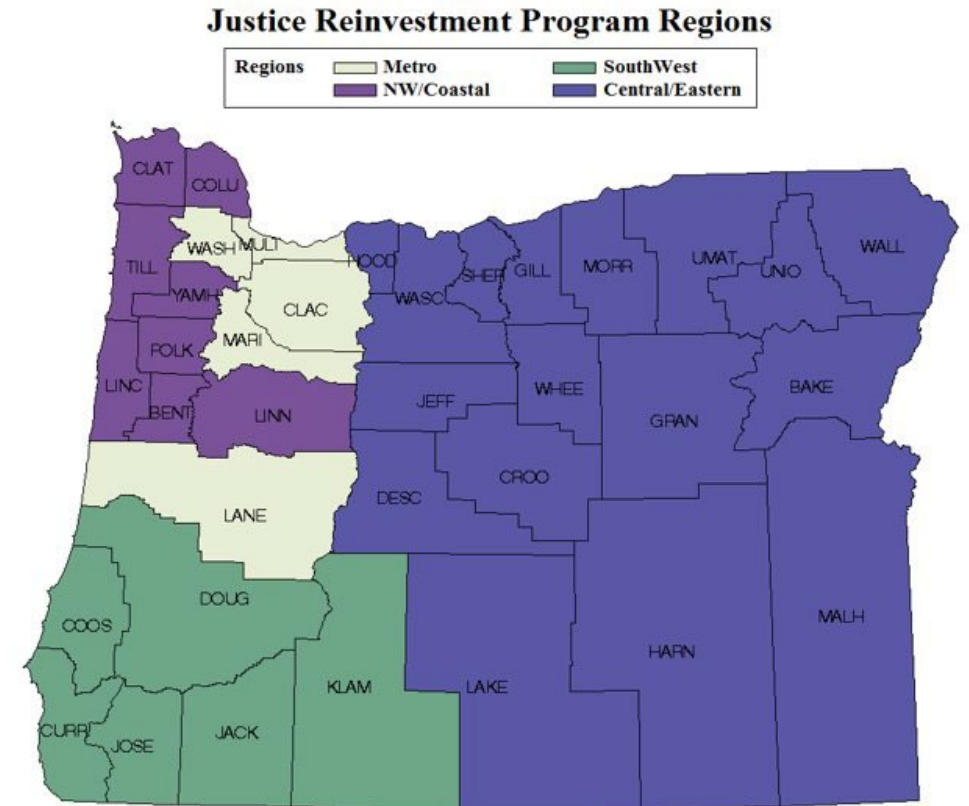


# Implementation of Oregon's JRI Grant

## JRI SUCCESS IS LOCAL ...

RICs meetings were held quarterly around the state

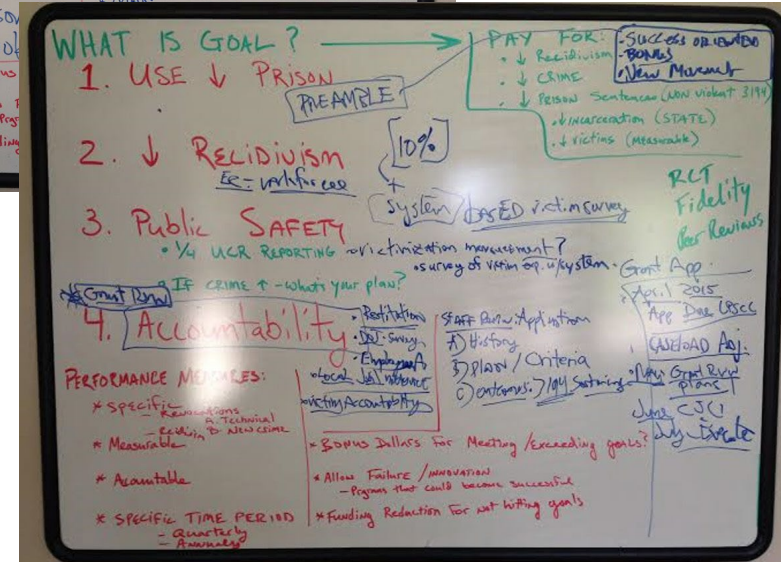
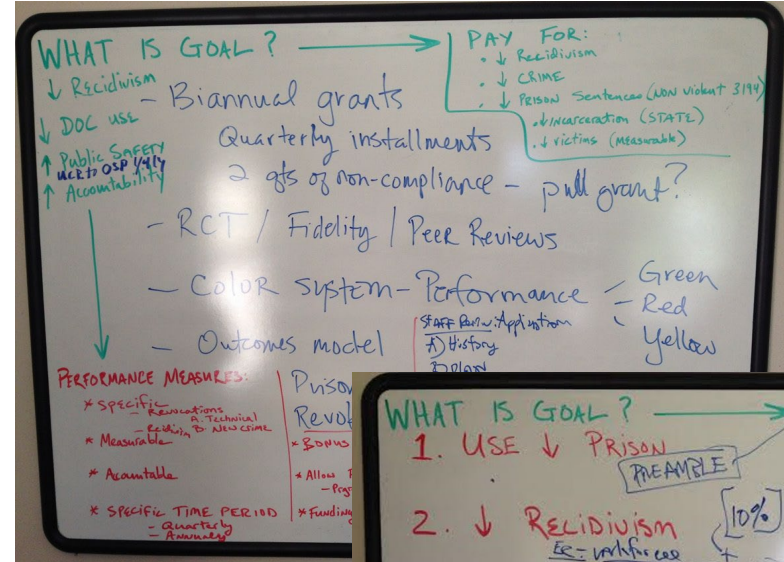
- CJC provided comprehensive data presentations to RIC attendees.
  - State and local data presented on prison usage by crime, average lengths of stay, sentence types, trends
  - When local actors know how they are using system resources, they can more easily consider the policies, practices, and decisions that underly that usage.
  - Outlier data points and trends often led to regional and/or local discussions.
- Through this work, true partnerships were created and the CJC was able to obtain local buy-in.



# Implementation of Oregon's JRI Grant

While some CJC staff worked to get local buy-in, others focused on crafting program rules.

- Staff started to brainstorm using the four goals of JRI as an anchor point.
- For all identified issues, similar questions were asked. How could the given issue be:
  - Specific
  - Measurable
  - Bring about accountability
  - Be bounded within a specific time period
- Initial brainstorming was assembled and brought before the Grant Review Committee



# Implementation of Oregon's JRI Grant

## THE JRI GRANT REVIEW COMMITTEE

The JRI Grant Review Committee is a statutorily defined group of criminal justice system stakeholders and experts.

- The JRI GRC is designed to do the heavy lifting when it comes to grant application review
- The GRC is constructed to provide CJC staff with local expertise when evaluating programs and applications
- Initially, the GRC was also used to vet and develop program rules.

### Current JRI Grant Review Committee Seats

District Attorney	County Sheriff
Chief of Police	County Commissioner
Community Corrections Director	Two Members of the Senate†
Judge†‡	Two Members of the House†
Two CBO Reps providing services to underrepresented communities‡	

† Non-voting members

‡ Added via HB 3064 (2019)



# Implementation of Oregon's JRI Grant

## BACK TO THE PROGRAM RULES ...

CJC staff used the brainstorming sessions to develop a *Preamble* upon which the rules were to be based:

*The Justice Reinvestment Grants are meant to be targeted at counties that are establishing a processes of assessing offenders and providing a continuum of community-based sanctions, services, and programs designed to reduce recidivism and decrease the county's utilization of imprisonment in the Department of Corrections institution while protecting public safety and holding offenders accountable. These funds are not meant to be used to pay for success in these key goal areas. These funds are not meant as an additional need-based subsidy to counties. These funds are meant to incentivize innovation and results. They are a bonus paid to counties who demonstrate and willingness to look at their local public safety system critically, and who will do the hard work necessary to go above and beyond the baseline necessary public safety system improvements and move into demonstrating growth that furthers the goal of HB 3194. Counties that claim a willingness to target the goals [of JRI] and back up their plans with tangible results will be rewarded.*

# Implementation of Oregon's JRI Grant

## RULES IN GREATER DETAIL: WHAT SHOULD BE INCLUDED OR CONSIDERED?

### Program Definitions (213-60-0030)

- The JRI Rules provide definitions for the standard items (e.g., “Commission” or “Grant Review Committee”)
- Also included is a list of appropriate programming:
  - Work release,
  - Transitional leave programs,
  - Evidence-based programming designed to reduce recidivism,
  - Reentry courts,
  - Specialty courts aimed at medium and high risk offenders, and
  - Evidence-based policing strategies.
- Recidivism is defined to assist with statewide comparable data tracking

# Implementation of Oregon's JRI Grant

## RULES IN GREATER DETAIL: WHAT SHOULD BE INCLUDED OR CONSIDERED?

### Grant Applications (213-60-0050)

- At the outset of each grant cycle, the CJC publishes a funding table based on the appropriation to the JRI Grant Program.
  - The funding table follows a formula defined in statute which is based on each county's share of the statewide probation population.
  - Due to substantial geographic differences in population, CJC elected to establish a \$100,000 funding minimum for all counties.
- The rules in this section also provide details on the grant application itself:
  - Only one application can be submitted per county and must be submitted by the local LPSCC
  - Each application must be accompanied by statements of commitment from local stakeholders (e.g., elected DA, local presiding judge, community corrections director)
  - Each county is limited to requesting 10% administrative costs
  - A 90 day award notification requirement following the closure of the application period
  - A provision enabling the CJC to establish a supplemental grant award should funding remain after awards



# Implementation of Oregon's JRI Grant

## RULES IN GREATER DETAIL: WHAT SHOULD BE INCLUDED OR CONSIDERED?

### Grant Review Criteria (213-60-0060)

- The primary assessment of applicants focuses on the application's potential to meet the four goals of Justice Reinvestment.
  - Prison usage reductions are limited to "JRI crimes" (e.g., property, drug, and driving crimes); both an applicant's historical prison usage and current proposals to reduce prison usage are considered.
  - The other three goals (reduce recidivism, hold offenders accountable, and protect public safety) are looked at prospectively, not retroactively.
- For grant applications utilizing funds for victim's services, the GRC should consider:
  - Local needs and whether there is an emphasis on services targeting marginalized, underserved communities.
  - Services aimed at addressing barriers (e.g., language, literacy, disability, cultural practices, transportation issues).
  - Whether proposed services increase capacity in areas with limited/no current capacity.
  - A demonstration that services will be trauma informed.

# Implementation of Oregon's JRI Grant

## RULES IN GREATER DETAIL: WHAT SHOULD BE INCLUDED OR CONSIDERED?

### Grant Application Processing (213-60-0070)

- CJC staff are required to perform an initial assessment of applications and to present recommendations to the JRI GRC. Staff are also required to work with applicants if substantial deficiencies are identified.
- Upon review, the GRC may approve/reject portions of an application.
- The GRC may also propose provisional funding plans for applicants.

### Statutory Grant Program Changes (2019)

- To create greater accountability, legislation in 2019 required:
  - If a grant application is recommended to be denied due to a county not reducing its prison use, the Commission must decline the grant, provide technical assistance to the county, or terminate an existing award.
  - When considering GRC recommendations the Commission also must adopt those recommendations or return the application for reconsideration by the GRC.

# Implementation of Oregon's JRI Grant

## RULES IN GREATER DETAIL: WHAT SHOULD BE INCLUDED OR CONSIDERED?

### Supplemental Grant Period (213-60-0080)

- If unallocated funds remain after the grant acceptance period or become available mid-cycle, the Commission shall make supplemental awards. The Commission may:
  - Use funds to supplement or expand the scope of an existing award without the need for a new solicitation.
  - Issue a supplemental grant solicitation, following the rules of the standard grant solicitation process defined previously.

### Statutory Grant Program Changes (2019)

- If funds remain due to grant application denial(s) stemming from a failure to reduce imprisonment, priority distribution for those funds must be given to applicants funding programs for historically underserved communities.

# Implementation of Oregon's JRI Grant

## RULES IN GREATER DETAIL: WHAT SHOULD BE INCLUDED OR CONSIDERED?

### Evaluating Efficacy (213-60-0130)

- Each program must submit quarterly data to the CJC for evaluation.
- If a county is not achieving the criteria outlined in 213-06-0060, they may be given notice and opportunity to improve performance. Termination may follow if improvement does not occur.

### Evaluating Funded Program (213-060-0140)

- Up to 3% of program funds are earmarked for evaluation. Funds may be either retained by counties to conduct their own studies or “returned” to the CJC for statewide evaluations. Evaluated programs should:
  - Have the potential to be reproduced in other counties across the state.
  - Be on a subject that can be evaluated using experimental or quasi-experimental statistical methods.
  - Be a program that could benefit the state as a whole and/or contributed to the research literature.

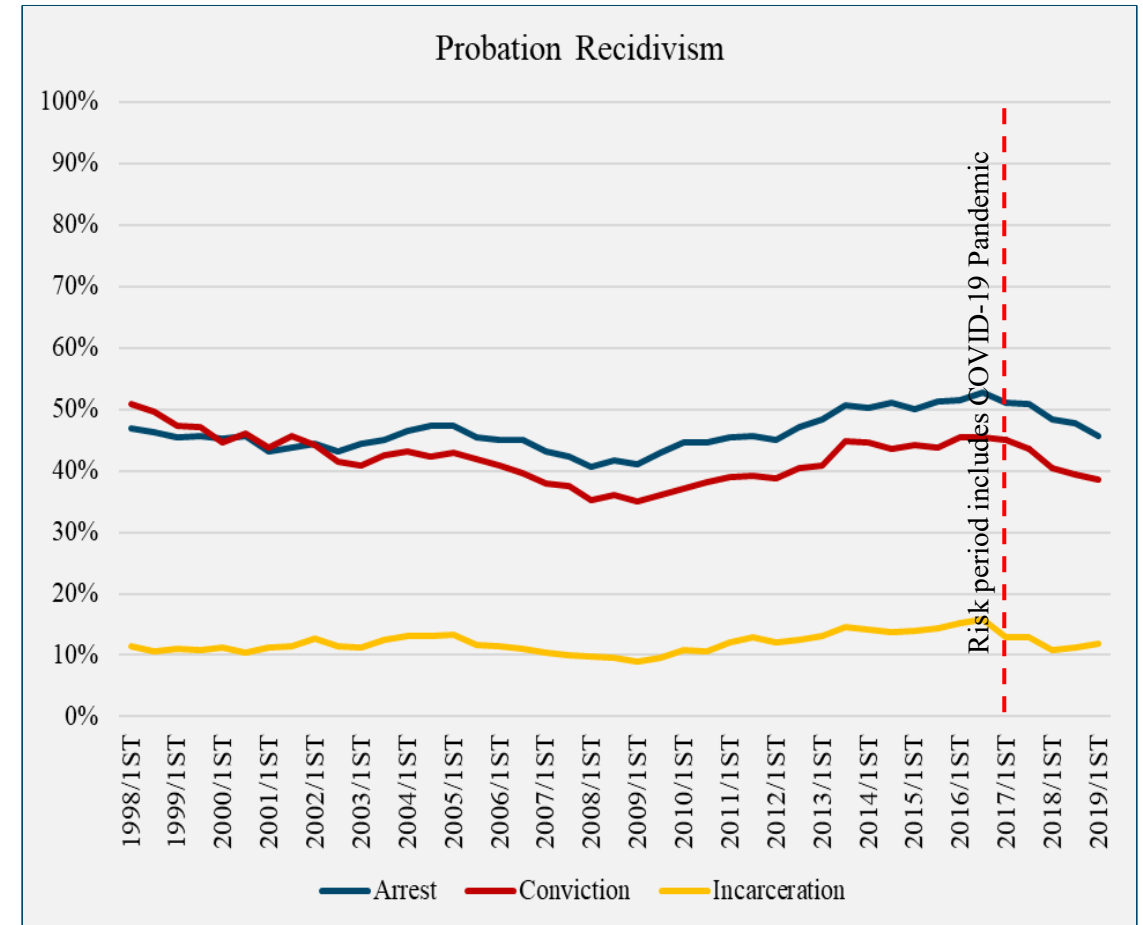
# Evaluating and Assessing JRI

Kelly Officer, Research Director

# Evaluating and Assessing JRI

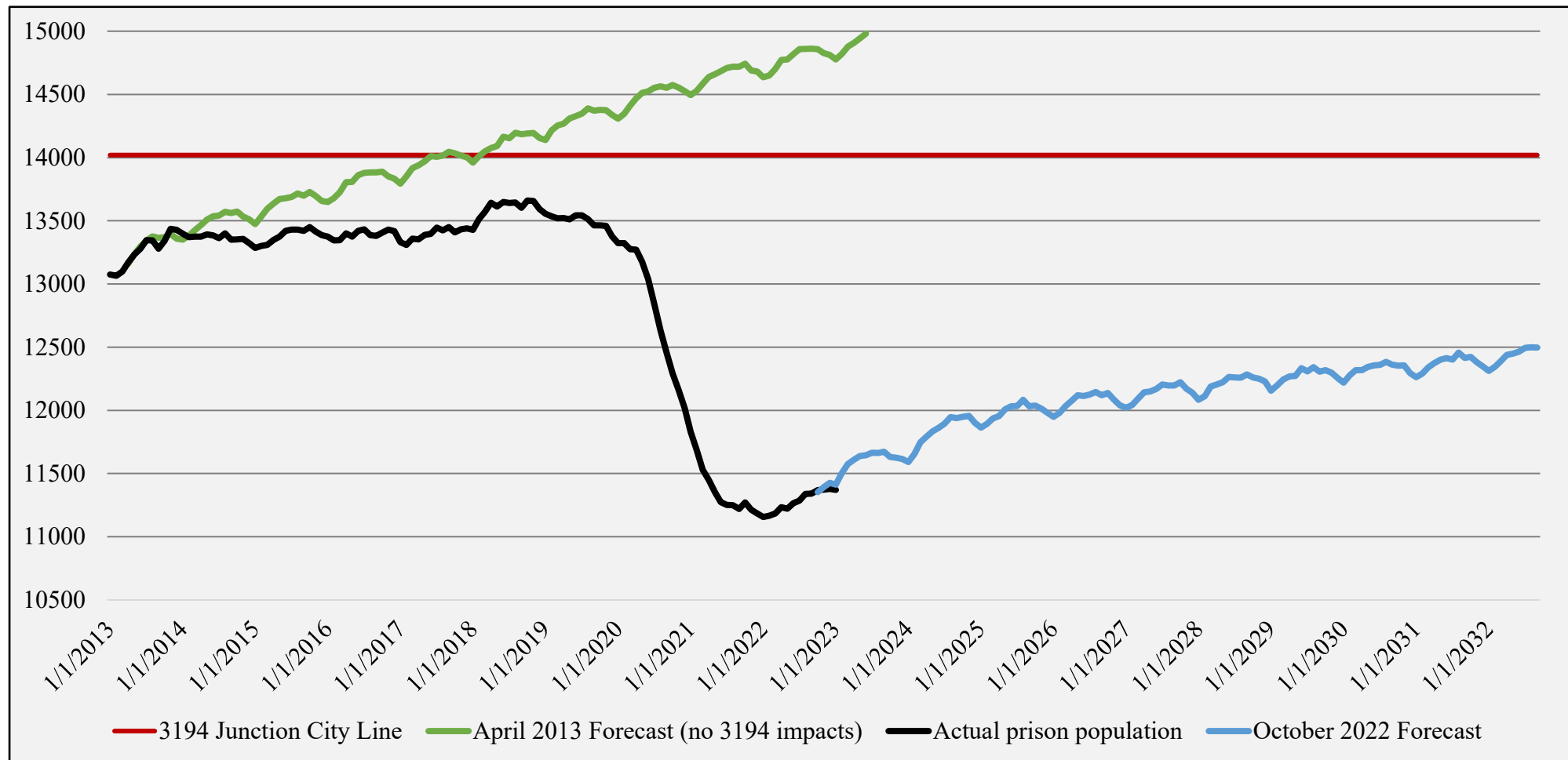
## BACKGROUND

- How to measure JRI four program goals?
  - Reduce prison usage to avoid new prison construction, and
  - Reduce recidivism, while
  - Protecting public safety, and
  - Holding offenders accountable.
- Program measures need to be evaluated at
  - State level
  - County level
  - Demographic breakouts



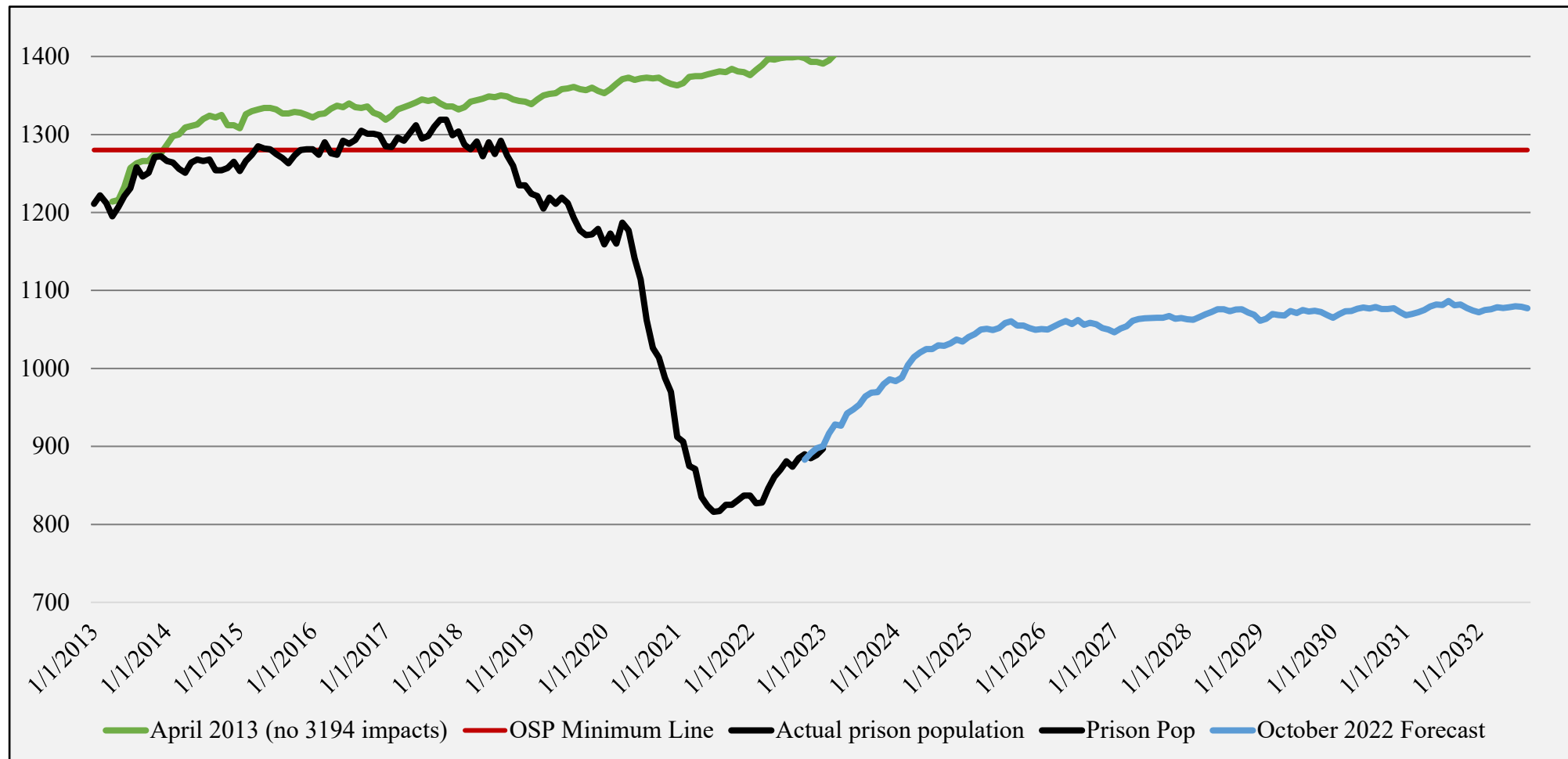
# Prison Population Trends

MALE



# Prison Population Trends

FEMALE



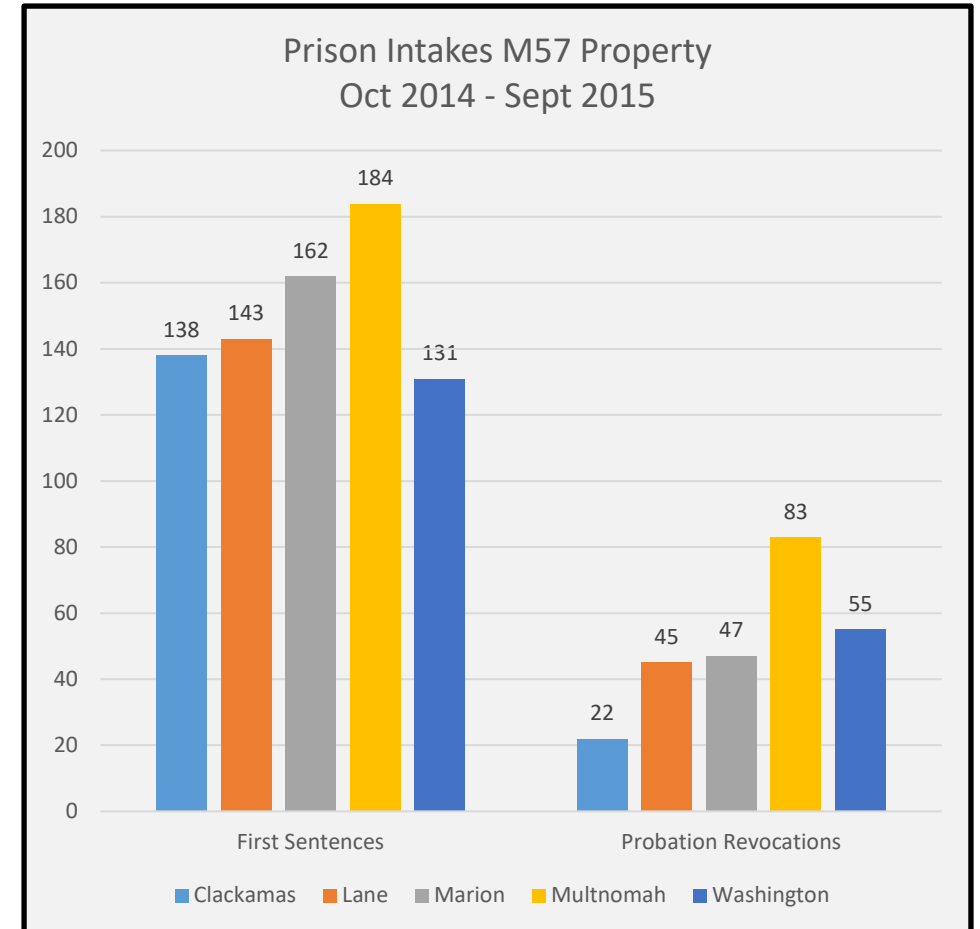


# Early Effort at Assessing JRI

## RIC MEETINGS

RIC Meetings were used for presentation and discussion of JRI Performance Measures

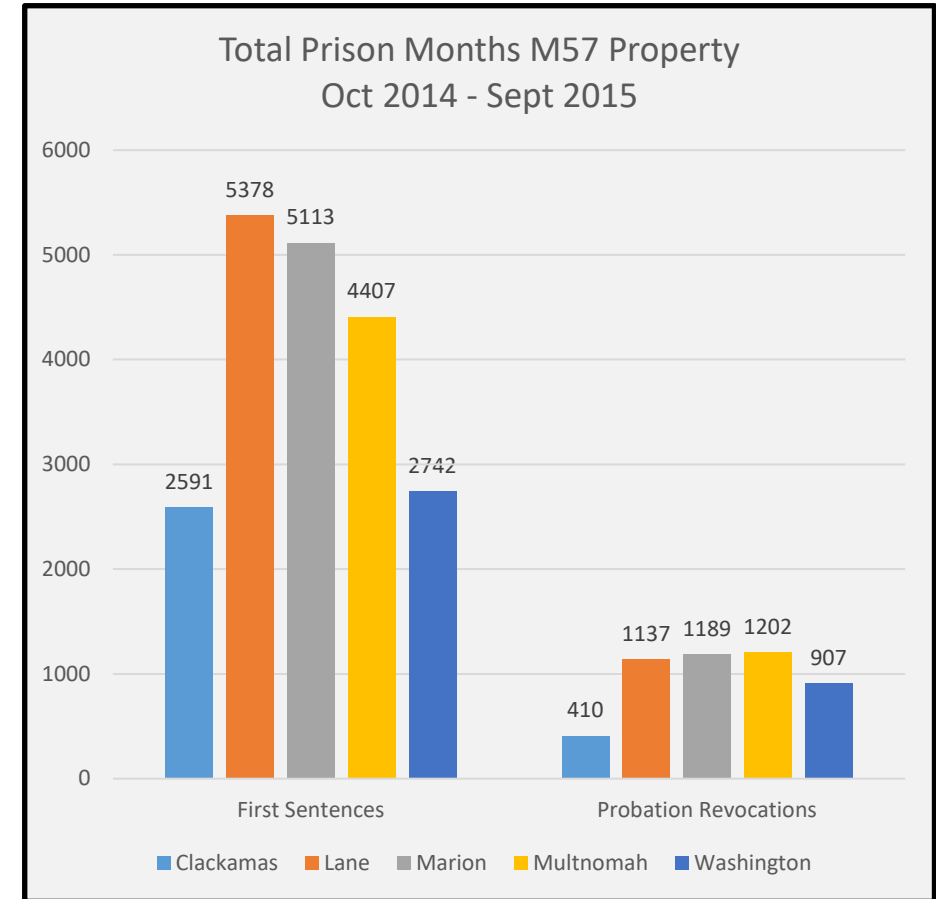
- Long PowerPoint presentations with a lot of bar charts
  - Intake, LOS, and Prison Month Trends
- RICs met quarterly and members from each LPSCC sent representatives.
  - Iterative process of data updates and program implementation



# Early Effort at Assessing JRI

## Total Prison Months

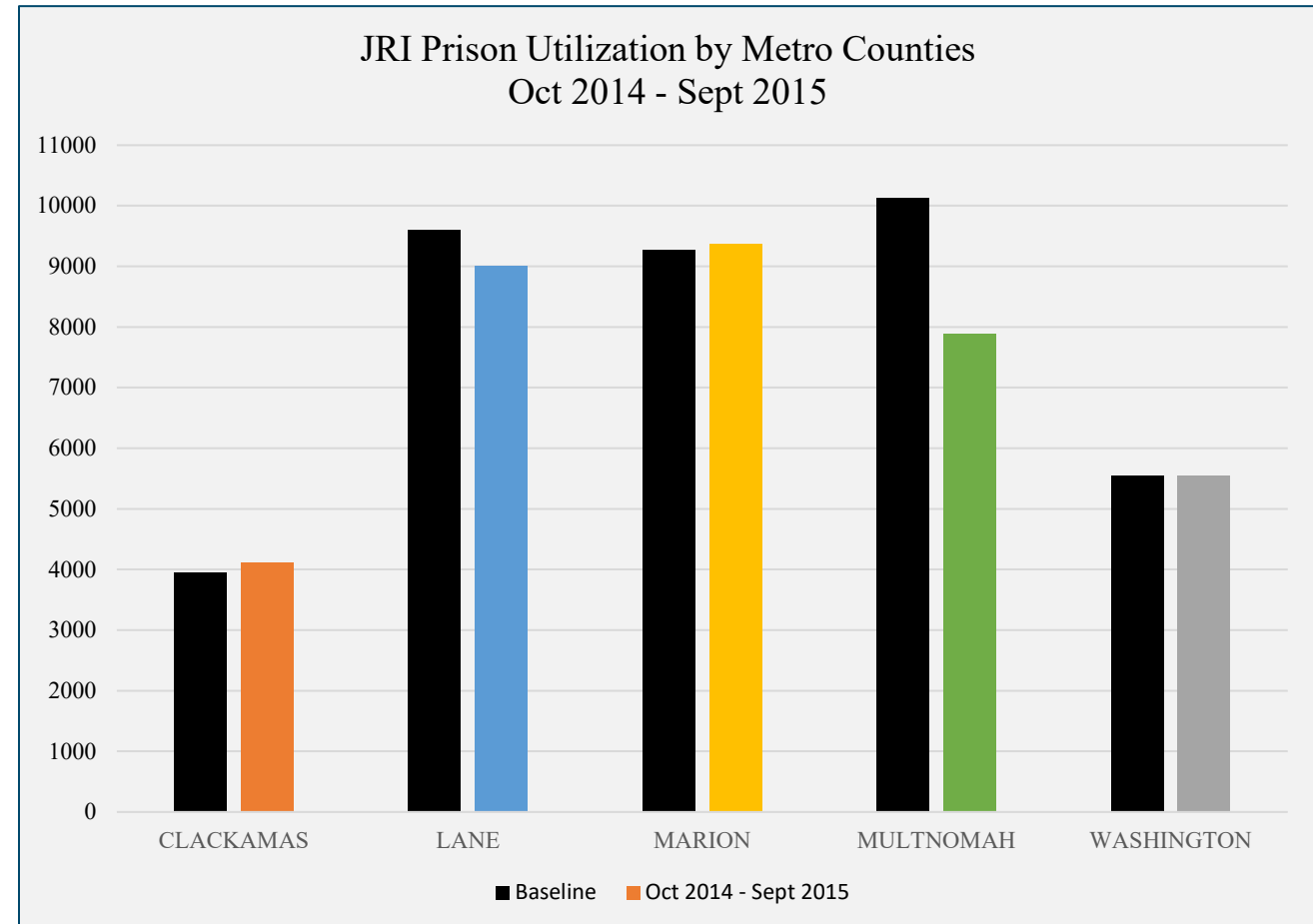
- County trends were different for intakes or average Length of Stay (LOS)
  - Established total prison months as summary measure
  - Defined process for measuring prison use by county for property, drug, and driving crimes



# Early Effort at Assessing JRI

## Historical Baseline

- Established historical baseline for total prison months
  - Three-year average from July 2012 to June 2015 for property, drug, and driving crimes
- Invested in dashboard platform to display information on an interactive webpage
  - Dedicated research staff needed





# Justice Reinvestment

Reducing Recidivism & Incarceration While Protecting Public Safety & Holding Individuals Accountable

All

Statewide

A+

## How is prison use for JRI crimes changing over time?

A primary goal of the JRI program is to reduce Oregon's prison population and avoid the costs associated with building and staffing new prison facilities. Each county contributes to this goal by seeking to reduce their prison usage for JRI (nonviolent) crimes through targeted interventions as shown on the **JRI County Programs** page.

[To view prison use for all crime types, click here](#)

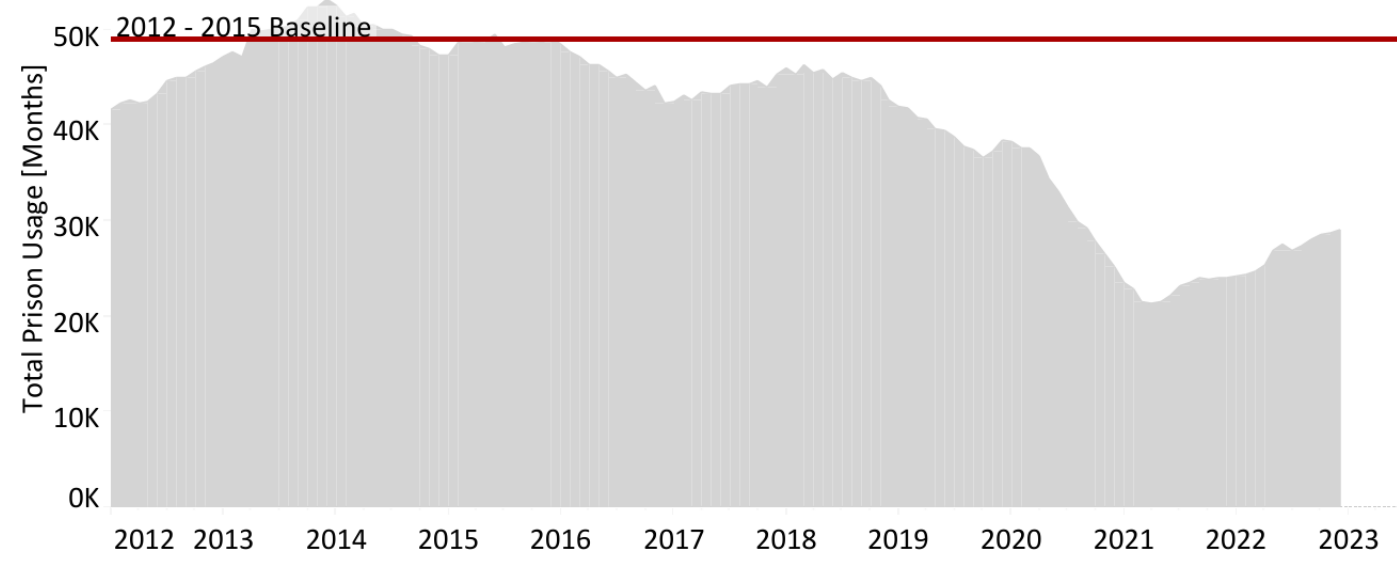


Chart: Total Prison Usage

CJC measures prison use primarily in terms of total months of incarceration or length of stay (LOS). The chart above shows a one year rolling sum of LOS over time. The data is limited to the last full month reported by the Department of Corrections. The 2012 - 2015 Baseline represents the average prison usage for the three years prior to the implementation of the JRI program and is provided for comparison.

## What is driving prison use?

Total prison use is driven by the number of admissions and the length of stay for each individual. Use the charts below to identify the cause of changes in total prison use.

Chart: Sentence Length

Changes in the **average LOS** over time (yellow boxes), will cause a corresponding trend in total prison usage. Long individual sentences (**outliers** shown as darker, larger dots) may cause a spike in prison usage.

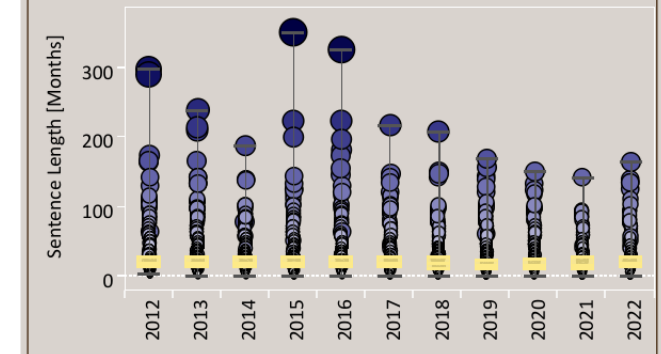
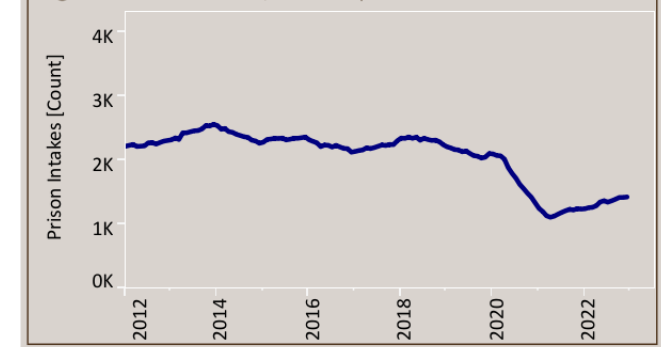


Chart: Number of Prison Intakes

The number of admissions over a one year rolling window, regardless of duration, as a simple count of intakes.



JRI Home

JRI County Programs

JRI Prison Use

JRI Sentencing

JRI Racial Disparity

Recidivism Portal

Incarceration Portal

# Administering the JRI Program

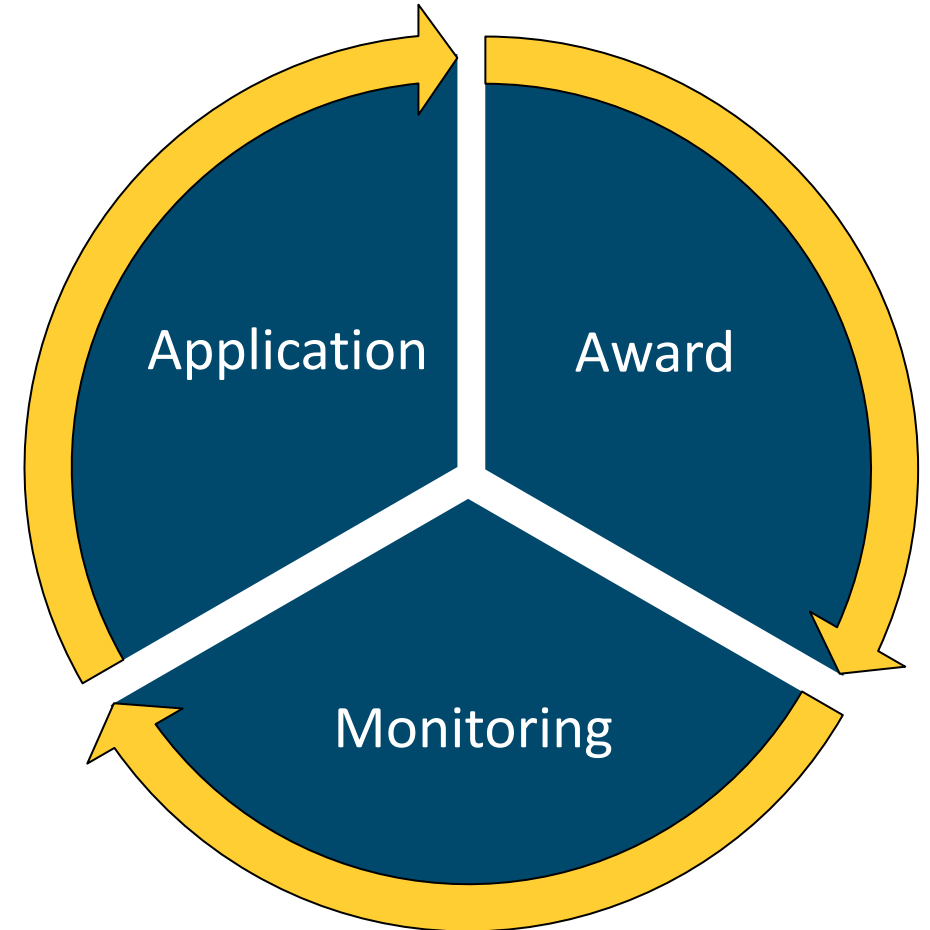
Ryan Keck, Programs Director

# Administering Oregon's JRI Grant

IF JRI SUCCESS IS LOCAL...

...THEN communication and adaptation are critical.

- A two-stage, interactive application process provides counties with a meaningful opportunity to evaluate priorities and progress toward JRI goals.
- The award process couples a tiered analysis with stakeholder expertise to prioritize funding and support improvement in key areas.
- Beyond compliance, CJC staff strive to maintain ongoing relationships with grantees that foster mutual growth and innovation.

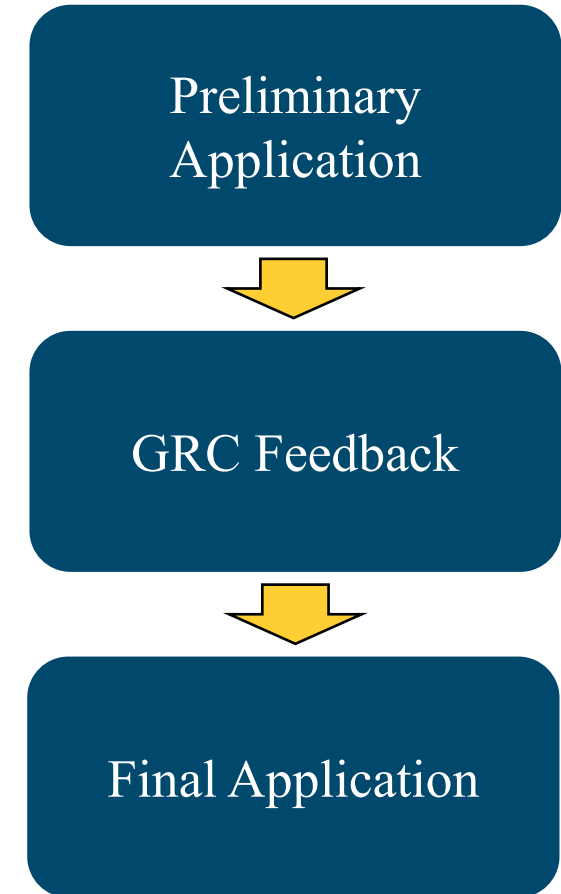


# Administering Oregon's JRI Grant

## HOW IT WORKS: APPLICATIONS

The application period is five months, with an intermediate and final deadline.

- Application requirements:
  - Program description, goals, & measures
  - Responsive to data dashboards
  - Statements of commitments
  - Efforts to embed equity
  - Budget
- Mid-process review by GRC provides applicants with specific feedback intended to strengthen final submissions
- Extended application period intended to foster greater inclusion and collaboration at the county level

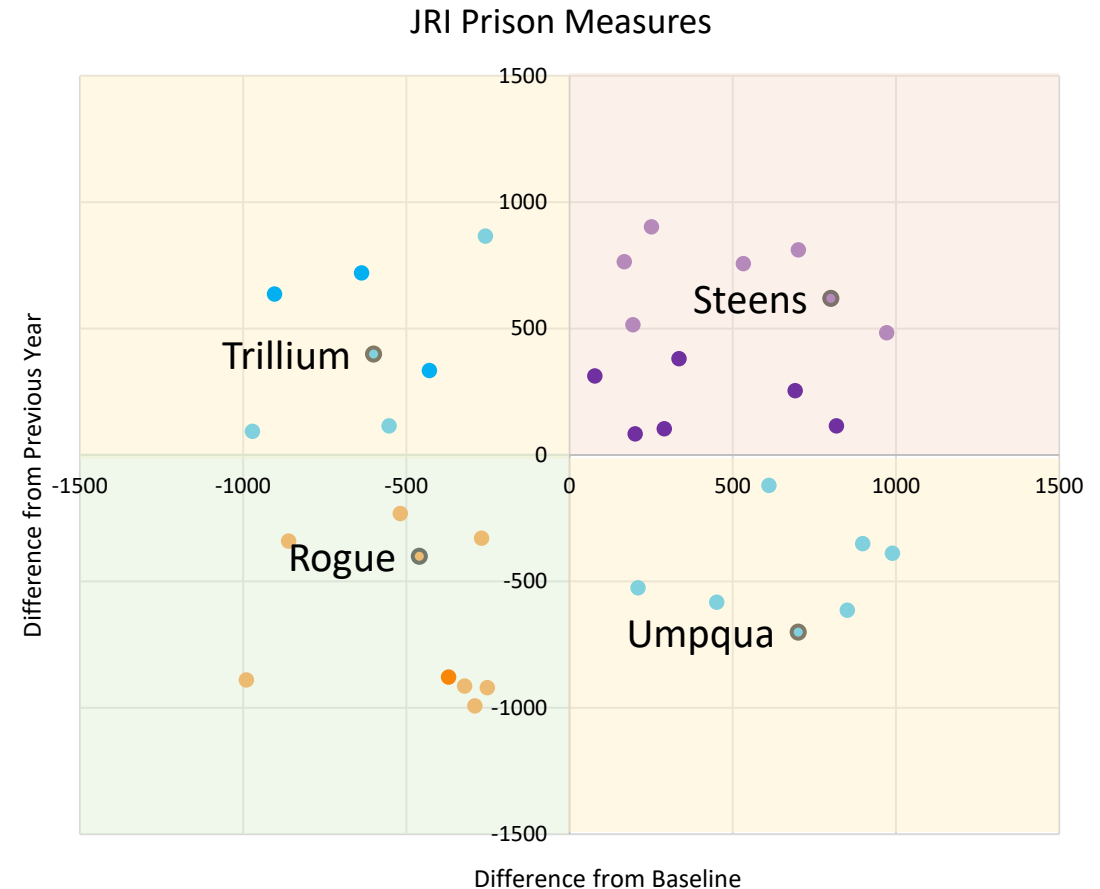


# Administering Oregon's JRI Grant

## HOW IT WORKS: AWARDS

A triage tool is used to determine the depth of analysis prepared for the GRC.

- Levels of analysis:
  - Qualitative review of application
  - Culturally responsive services
  - Baseline/prison usage data
  - Recidivism data
  - Data by crime type, LOS, etc.
- All applicants are invited to attend GRC meetings and provide clarity when necessary
- Provisional funding option can help motivate improvement in targeted areas





# Administering Oregon's JRI Grant

## HOW IT WORKS: MONITORING

Once funding is awarded, CJC continues to engage with grantees on progress, as well as promote future innovations.

- Monthly roundtable meetings
  - Agency updates, Q&A, etc.
  - Program showcases
  - Educational presentations
- Quarterly expenditure reporting
- Semi-annual progress reporting
  - Performance based on dashboard data
  - Victim services
- Site visits, summits, and local presentations
- Supplemental funding opportunities



# Administering Oregon's JRI Grant

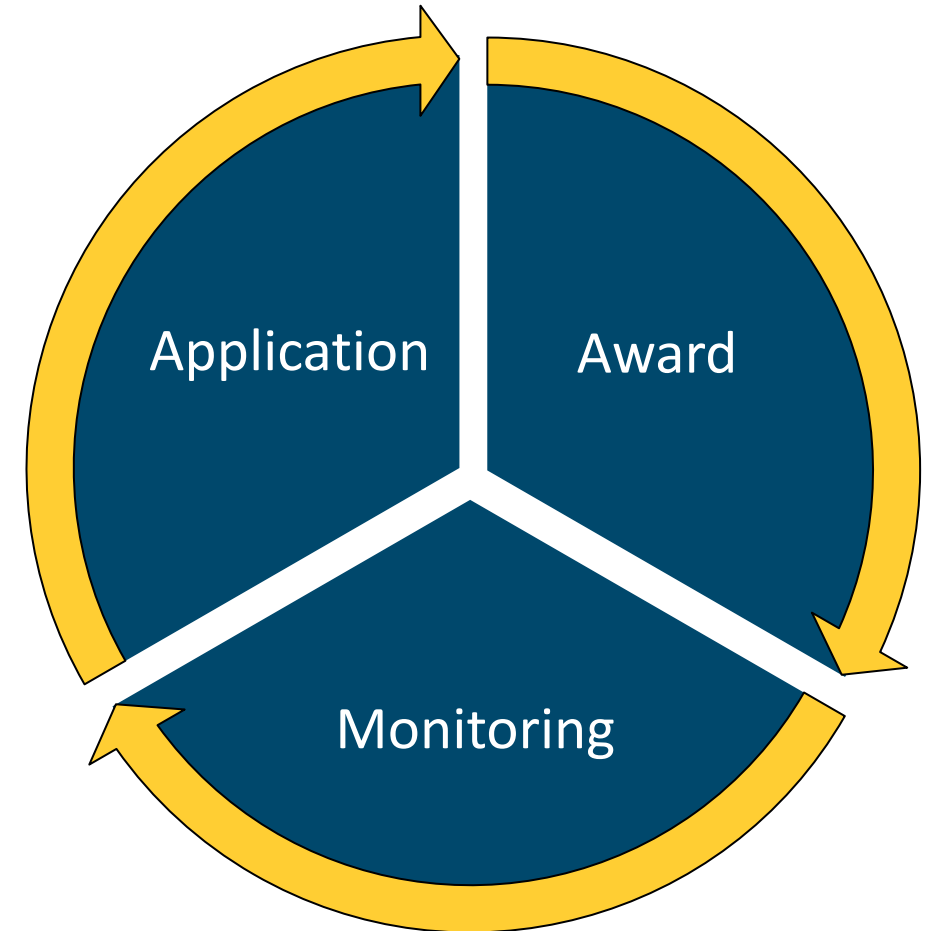
## CONTINUOUS LEARNING

### What works:

- Realistic expectations are critical to counties with limited/non-existent grant writing capacity
- Data access and visualization promote performance accountability locally, as well as expedite grantmaking
- Dedicated staff are necessary to implement practices and sustain relationships that exceed the traditional “apply and comply” model

### What's next:

- Focus groups to identify additional efficiencies
- Data tools to understand racial disparities
- Collaborations to promote/expand culturally responsive services
- Resources for implementing evidence-based practices

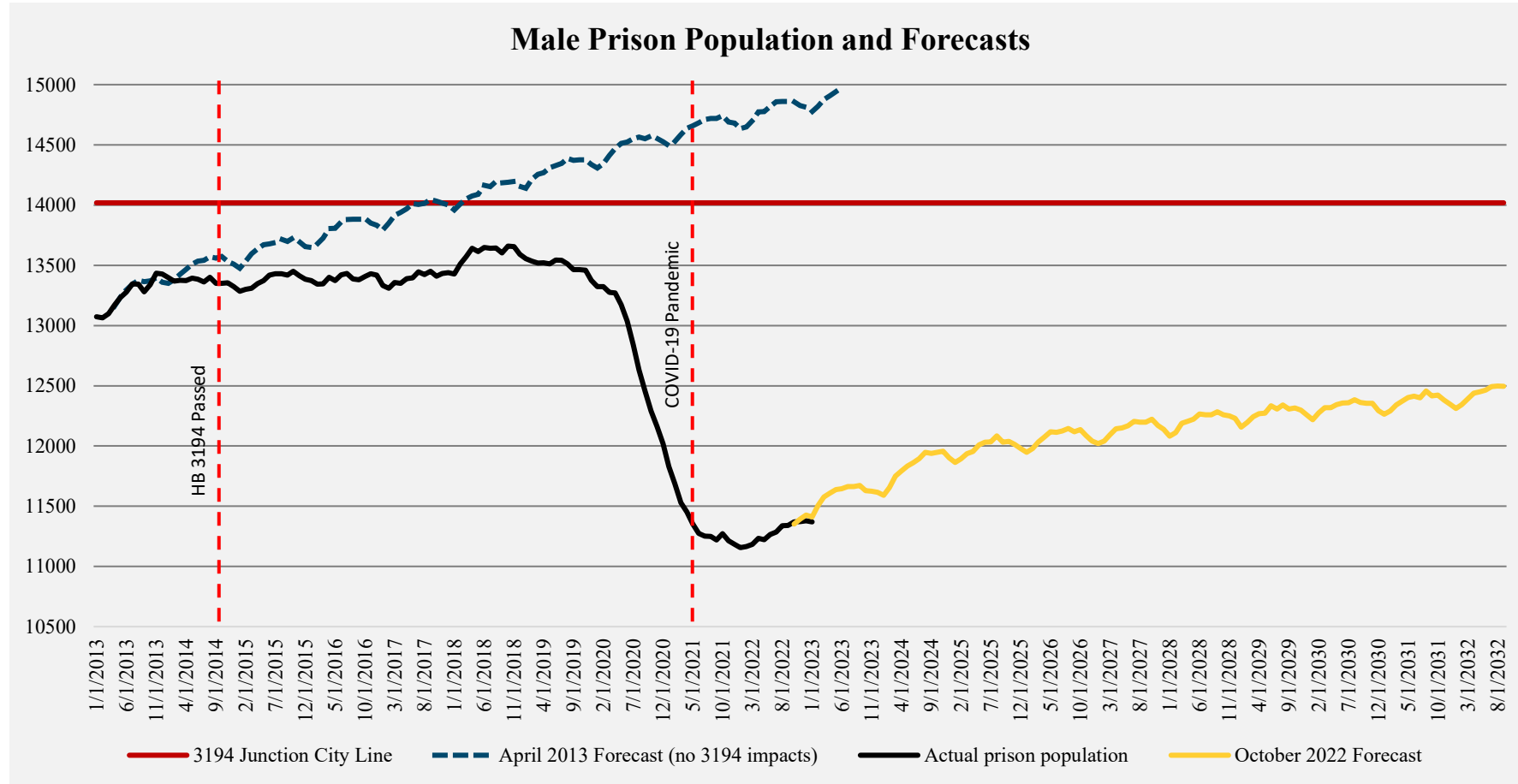


# Conclusions and Key Takeaways

Ken Sanchagrin, Executive Director

# Conclusions and Key Takeaways

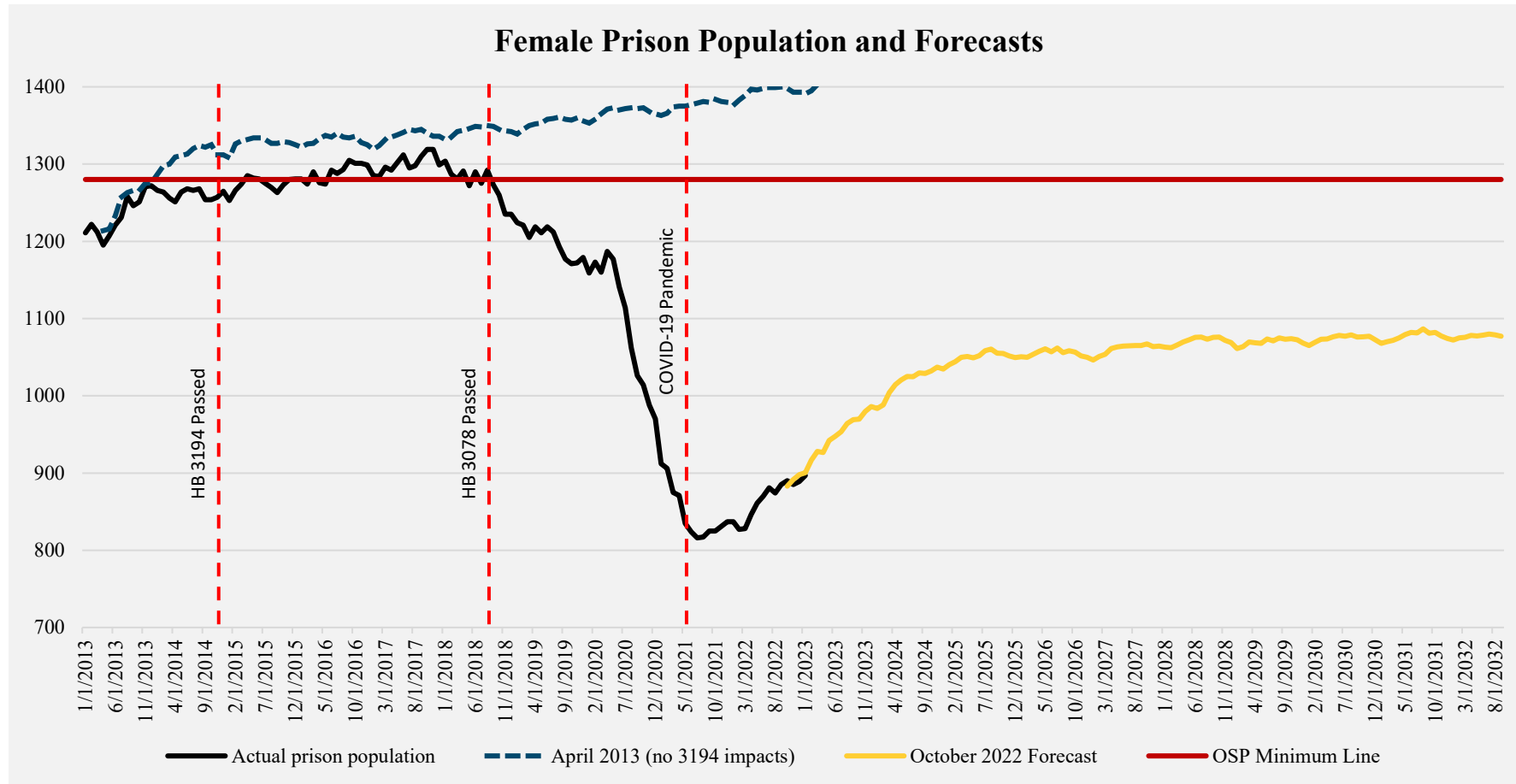
## HOW ARE OREGON'S JRI EFFORTS GOING?



- The January 2023 CJC Avoided Costs report found net avoided state costs of \$634.5M.
- JRI facilitates the Short-term Transitional Leave Program, which saves 144,175 prison bed days per biennium, at a cost of \$140 per day.

# Conclusions and Key Takeaways

## HOW ARE OREGON'S JRI EFFORTS GOING?



- In 21-23, nearly \$5M were distributed to CBO non-profits to provide victim services in areas where such services are difficult or would be impossible to access.
- JRI funds approximately 192 positions statewide. Nearly 40% of those positions provide treatment or wrap around services for justice involved individuals.

# Conclusions and Key Takeaways

## PROGRAM IMPLEMENTATION

- The importance of *local buy-in* and *connections* between local and state public safety systems is paramount. Without local effort, it is difficult to meet program potential.
- It is important to try to define how “*punitive*” your program is going to be early in the process.
  - What does accountability look like?
  - Who makes the difficult decisions?
- What is your ideal *grant review structure*?
  - Does the entire Nevada Local Justice Reinvestment Coordinating Council read, analyze, and review all applications? Does a subcommittee do this work? How much of a staff role is envisioned?
  - What role, if any, can/does the Nevada Sentencing Commission play?
- What *data* will be tracked? How is *accountability* defined?
  - Start early because it is often difficult to go back in time to collect historical data
  - Include a mix of quantitative measures but also leave room for qualitative data as well

# Conclusions and Key Takeaways

## PROGRAM IMPLEMENTATION

- How do you *bridge the urban/rural divide* in resources, population, etc.?
  - Oregon chose a funding floor to supplement a formula funding approach.
  - What does data mean when counties can have huge swings in their metrics based on 1 or 2 cases?
- How do you balance the need for *accountability* with the need for *flexibility*?

# Questions



## Contact Info:

Ken Sanchagrin, JD PhD  
Executive Director  
[ken.sanchagrin@oregon.gov](mailto:ken.sanchagrin@oregon.gov)

Kelly Officer  
Research Director  
[kelly.j.officer@cjc.oregon.gov](mailto:kelly.j.officer@cjc.oregon.gov)

Ryan Keck  
Programs Director  
[ryan.keck@cjc.oregon.gov](mailto:ryan.keck@cjc.oregon.gov)