

**TALKING POINTS
for
PORTLAND POLICE BUREAU
ADVANCED ACADEMY**

I. INTRODUCTION

- A. Thank you for the opportunity to speak to your group.
- B. I am glad that you share my interest in one of my favorite topics--our community and the crime issue.

II. OVERVIEW OF CRIMINAL JUSTICE SYSTEM

- A. Spokes on a wheel
 - 1. Police
 - 2. Courts
 - 3. Prosecution
 - 4. Defense
 - 5. Corrections
- B. Need all of the components working together to move forward.

III. CRIME SITUATION

A. Scorecard on the local level for '97

1. Case Summary

	1997
Misdemeanors/Violations/TRAFFIC Issued:	11,184
DUII Issued:	3,522
Domestic Violence (M & F) Issued:	1,562
Felonies Issued:	9,274
Total Issued:	25,542
Misdemeanors/Violations/Traffic Declined:	3,923
DUII Declined:	96
Domestic Violence (M & F) Declined:	2,863
Felonies Declined:	2,380
Total Declined:	9,262

2. Homicides

1988	1989	1990	1991	1992	1993	1994	1995	1996	1997
53	48	42	60	49	64	60	50	48	50

3. Child Abuse

	1992	1993	1994	1995	1996	1997
MDT Case Reviews	4996	6144	6253	5895	2865	3663
Children Involved	7181	8418	8078	7843	4280	5975

B. Drugs a Continuing Problem

1. Felony Drug Cases Issued by DA

1989	1990	1991	1992	1993	1994	1995	1996	1997
2726	2681	2561	3347	3725	3590	4430	4133	4487

2. Locally, we have established a Drug Court which has helped get people into treatment.

C. Juvenile Crime

1. Nationally, juveniles are becoming involved in more serious crime at a younger age.
2. Locally, we have seen the same phenomena. November 1994 passage of Ballot Measure #11 by over 70% of voters in Oregon sent a clear message.

V. **BALLOT MEASURE #11**

A. An initiative petition

B. Went into effect April 1, 1995

C. Means that Ballot Measure #11 offenses (listed on the attached handout)

1. When committed by juveniles 15, 16 and 17 years old, that the juveniles must be tried in adult court and, if convicted, serve the mandatory sentence in the adult system.
2. When committed by adults and convicted the adults must serve the mandatory sentence.

D. Impacts of Ballot Measure #11

1. Significant changes throughout the criminal justice system in the procedures around arraigning, charging and prosecuting juveniles.
2. Significant increases in the length of time juveniles and adults will be incarcerated which translates into the need for greater prison capacity at the state level and, due to changes at the state level, (the domino effect) the need for additional jail capacity at the local level.
3. A great deal of attention has been given to the impact on juveniles but as of September 22, 1998, there have been 642 juveniles arrested on Measure #11 charges but 3,628 adults have been arrested or charged.
4. The real impact is on the adult side because, with the mandatory sentences there is little opportunity to negotiate sentences therefore little incentive to plea.

VI. SENTENCING GUIDELINES

- A. Ballot Measure #11, because it was an initiative petition, is not entirely integrated with Oregon's Sentencing Guidelines.
- B. The intent of Sentencing Guidelines is to insure an even handed response to both the crimes and the persons charged with the crimes - that persons with similar criminal histories convicted of a burglary in Gold Beach or Harney County receive a similar sentence to a person convicted in Multnomah or Clackamas County.
- C. Sentencing Guidelines Grid (handout)

VII. JAIL CAPACITY

- A. Between Ballot Measure #11 and SB #1145 Multnomah County is going to need additional jail capacity. Ballot Measure #11 will put offenders in prison for longer periods of time which will take up space currently used for those offenders who are in the lower regions of the Sentencing Guidelines Grid.
- B. SB #1145 places responsibility for offenders sentenced to 12 months or less at the county level. In Multnomah County we expect about 700 additional offenders will become our responsibility as a result of this bill. These offenders became the responsibility of the county in January, 1997.
- C. Each county was required to submit a plan to the state as to how the county will incarcerate, supervise and monitor these offenders sentenced to 12 months or less.

- D. Multnomah County's plan includes building an additional 330 beds and acquiring 150 secure beds for alcohol and drug treatment to hold the 700 additional offenders we are expected to have in our local criminal justice system. On March 2, 1998, a total of 280 new jail beds were launched at Inverness Jail.
- E. These 330 beds will be in addition to what is in place in Multnomah County. We also must recognize the need to accommodate the increasing population in this area and the continuing crime rate.
- G. Though they are basic to an effective public safety program, we know that jails alone are not the answer.
- H. Budget reductions from Measure 47 will place an added burden on criminal justice agencies.

VIII. ROLE OF PROSECUTION

- A. Traditional prosecution -- responding to the individual crime.
 - 1. In trial.
 - 2. Negotiating pleas.
 - 3. Getting convictions.
 - 4. Sending the "bad guys and gals" off to jail.
- B. Standard view of the prosecutor
 - 1. Fighting crime
 - 2. In the courtroom.
 - 3. In the courthouse.

4. On a case by case basis.

(The whole move toward community policing requires us to look at the prosecution component and examine who we work with the police.)

IX. THE PROSECUTOR AND COMMUNITY POLICING

- A. What are the concerns police officers hear about from citizens?
 1. Livability crimes
 2. Maintenance and order crimes
 3. Misdemeanors

- B. How can the prosecutor help the police with these crimes?
 1. Can stick with the traditional criminal justice response; arrest, prosecute and attempt to punish, crime by crime.
 2. Determine if there are other ways to get at the crime problems that affect our neighborhoods day in and day out.
 3. Determine if there are non criminal justice remedies to standard public safety issues like, theft and vandalism, car prowls, offensive public behavior, aggressive pan handling and illegal camping.
 5. Basically requires a reexamination of the methods used by the District Attorney's Office to serve the citizens -- customer service so to speak.

C. The prosecutor supports the police role.

1. Police officers with years of experience and expertise in traditional police work are now being asked to look for new tools in solving community crime problems.
2. The police are creative, they develop possibilities and need to be supported by the prosecutor and the courts. (Such as the trespass authority issue.)
4. The prosecutor can answer the questions police have about whether or not they can do something different.
5. Prosecutor and police can work together to bring greater definition to community policing.

Which leads us to:

X. OVERRIDING GOAL

- A. We all know that a clean, safe and vibrant community offers the best climate for families, for business, for recreation and for education.
- B. A safe community is essential to our "quality of life". We need to improve the "quality of life" within our community.
- C. How can we work together to do that? By developing and implementing long term strategies that attack "maintenance and order" crimes such as theft and vandalism, car prowls and street disorder crimes.

- D. We are trying what we call the Neighborhood DA Program and a Community Court in NE Portland.

XI. NEIGHBORHOOD DA PROGRAM

- A. Began as a response to concerns from one district (Lloyd/Holliday) re: crime.
- B. Now in place in five geographic areas within Multnomah County and a sixth deputy is located with Tri-Met.
 - 1. The original project began in November of 1990 in the Lloyd District.
 - 2. In April of 1991 a second program was put in place in the residential communities of North and Northeast Portland.
 - 3. In January of 1993 the third program was established in the Central Business District of Portland.
 - 4. In November, 1993 the fourth program began in the City of Gresham.
 - 5. The fifth program began in July 1994 in the Southeast area of Portland. It includes a support enforcement component.
 - 6. Thanks to Tri-Met a sixth deputy began work on crime problems associated with public transportation in August 1995.
 - 7. Thanks to the City of Portland's Local Law Enforcement Block Grant, a seventh DDA began work in the outer SE neighborhoods in November 1996.

XII. COMMUNITY COURT

- A. A Community Court opened March 4, 1998, at the King Neighborhood Facility.
- B. It is in session the first and third Wednesday of each month with Judge Clifford Freeman presiding.
- C. Targets non person misdemeanor-low level, quality of life, crimes.
- D. Eligible defendants reside in North or Northeast precincts or commit the crime in those target areas.
- E. It is a plea court where defendants are sentenced to community service.
- F. Between March and September we have had an appearance rate of 78% and a completion rate of 71%.
- G. It has an active Community Advisory Board and we all want to see the Community Court expanded both in scope and location.
- H. Southeast Portland (Lentz & Brentwood-Darlington) and Downtown Portland are our next target areas.
- I. We want to get to the point where police officers can cite directly to the Community Court in your neighborhood.
- J. I believe one of the key factors behind these changes has been community policing.
 - 1. We also work closely with law enforcement (community policing) in each of these neighborhoods. Community policing changes the way law enforcement does their job. It has an impact on what police need from the prosecutor. Community policing also affects the public's perception of and expectations from the justice system.
 - 2. Community policing is having wide ranging effects. We have had to change the way we do business and it is beginning to change the way courts do business -- community courts.