

Marion County HB 3194 Presentation

Mike Schmidt
Oregon Criminal Justice Commission
December 8, 2015



Key provisions of HB 3194: Sentencing

- **Probation for all Marijuana offenses**
 - Exceptions: Manufacture or Delivery w/in 1000 feet of a school & Delivery to a minor.
- **Probation for Felony Driving While Suspended**
 - Exceptions: Murder / Manslaughter / Criminally Negligent Homicide / Assault with serious physical injury / Aggravated vehicular Homicide / Aggravated Driving While Suspended.
- **Robbery in the Third & Identity Theft**
 - Presumptive sentence reduced to 18 months prison from 24 months in prison.

Key provisions of HB 3194: Sentencing

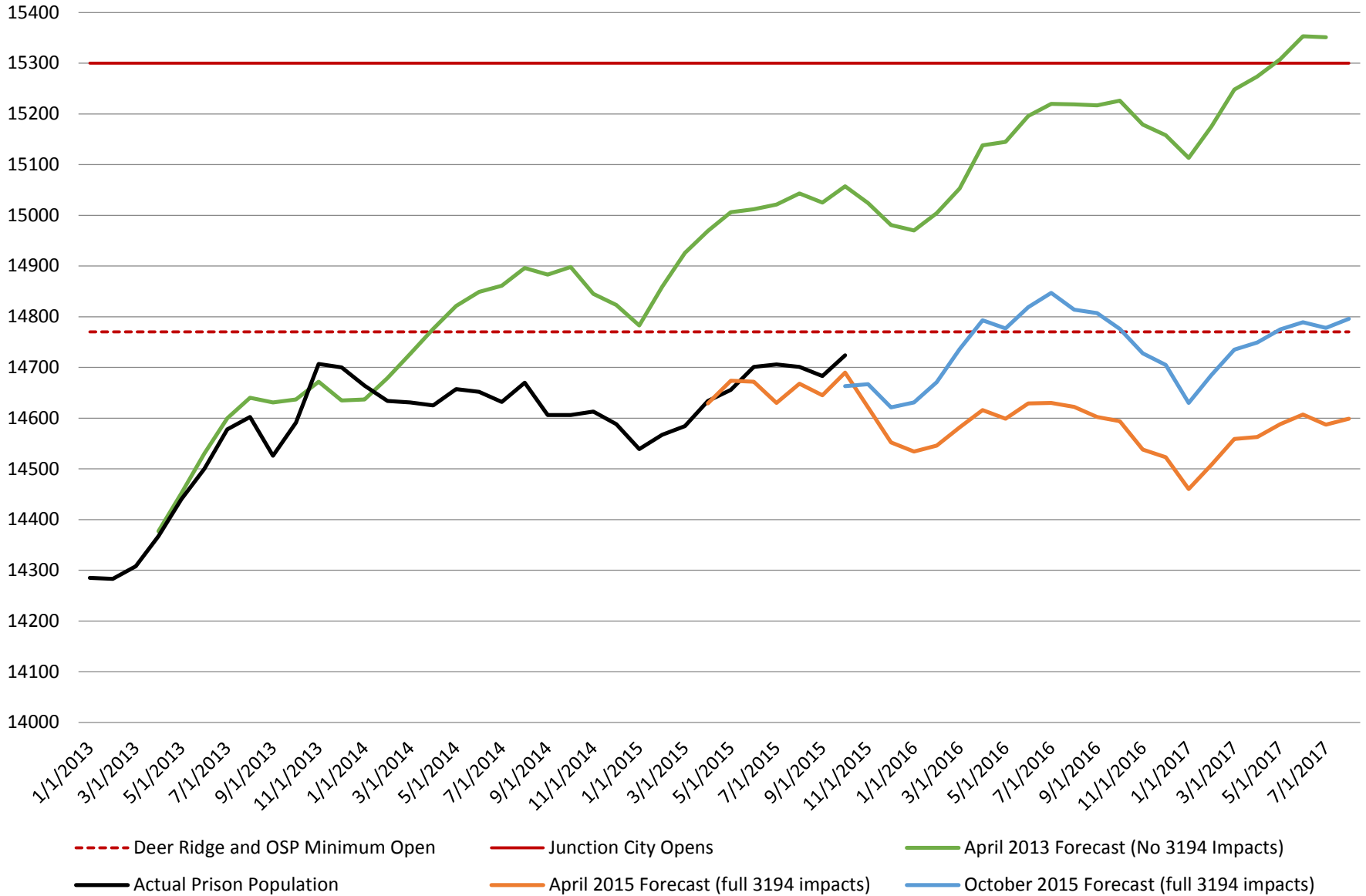
- **Drug delivery & manufacturing sentences.**
 - ORS 475.933 repealed until 2023.
 - Gives judges ability to give optional probation on drug offenses even where the person has previous convictions for the same or similar drug offenses.
- **Transition Leave**
 - The final 90 days of a prison sentence may be served in the community under certain circumstances.
 - Department of Corrections identifies eligible offender and works with community to which they will be released to set rules and a transition plan.

Key provisions of HB 3194: Justice Reinvestment Program

- Establish the Grant Review Committee to write rules for future JRI grant applications and to make recommendations to the CJC for awarding future grants.
- Commissioners of the CJC have the final say on LPSCC plans being funded.
- Reinvesting money **not** spent on prison into community based sanctions, services and programs.
- Marion County 2013-15 funding: \$1,507,834.
- Marion County 2015-17 funding: \$3,534,081.

Prison Population and Forecasts

Prison Population and Forecasts

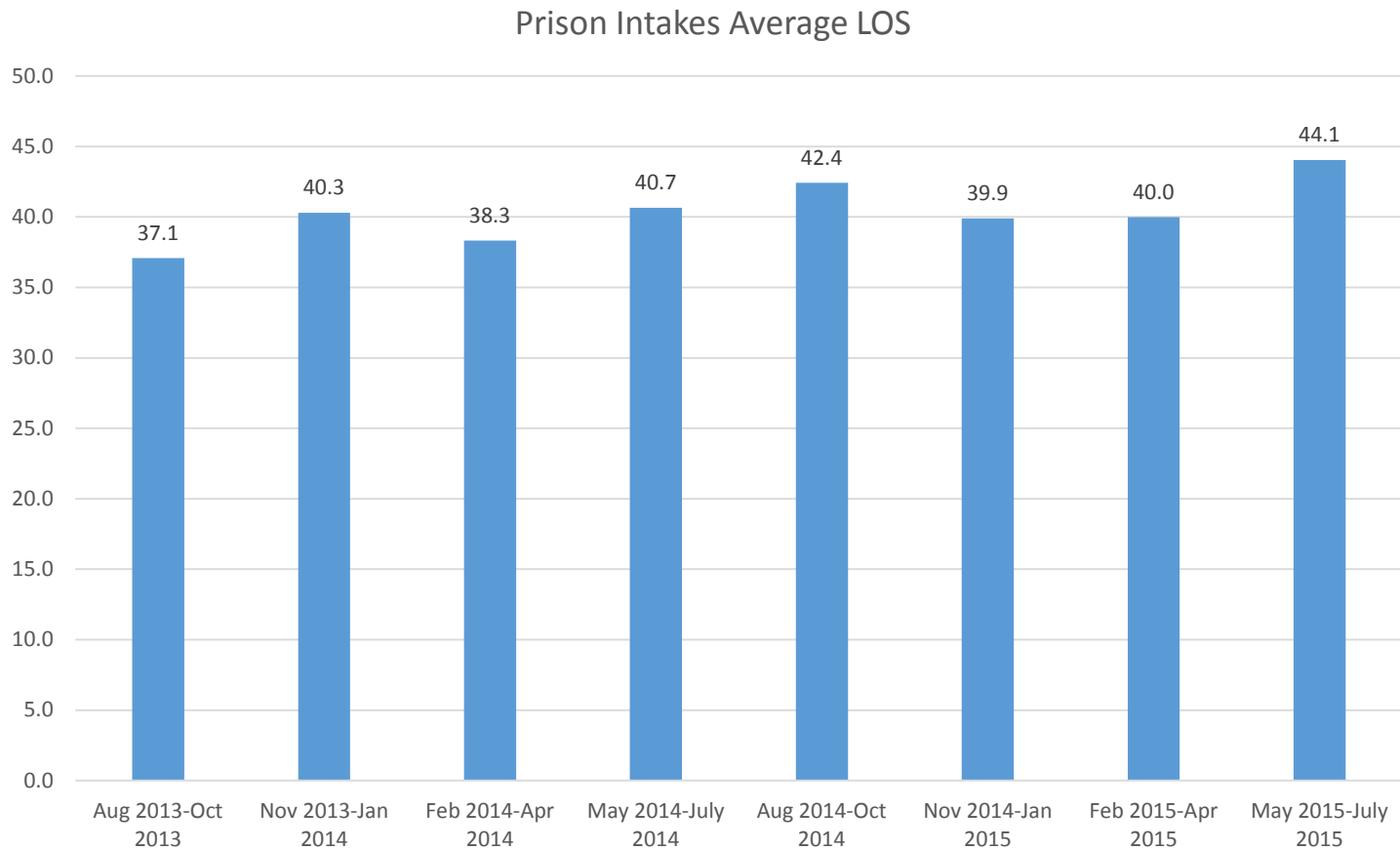


Why the increase in the October forecast?

- From the Office of Economic Analysis and October 2015 Forecast Summary:
 - Diminishing impacts from HB 3194 sentencing changes
 - Changes in release profile
 - Slightly longer average estimated length of stay
 - Fewer intakes with an estimated short length of stay (0 to 12 months)

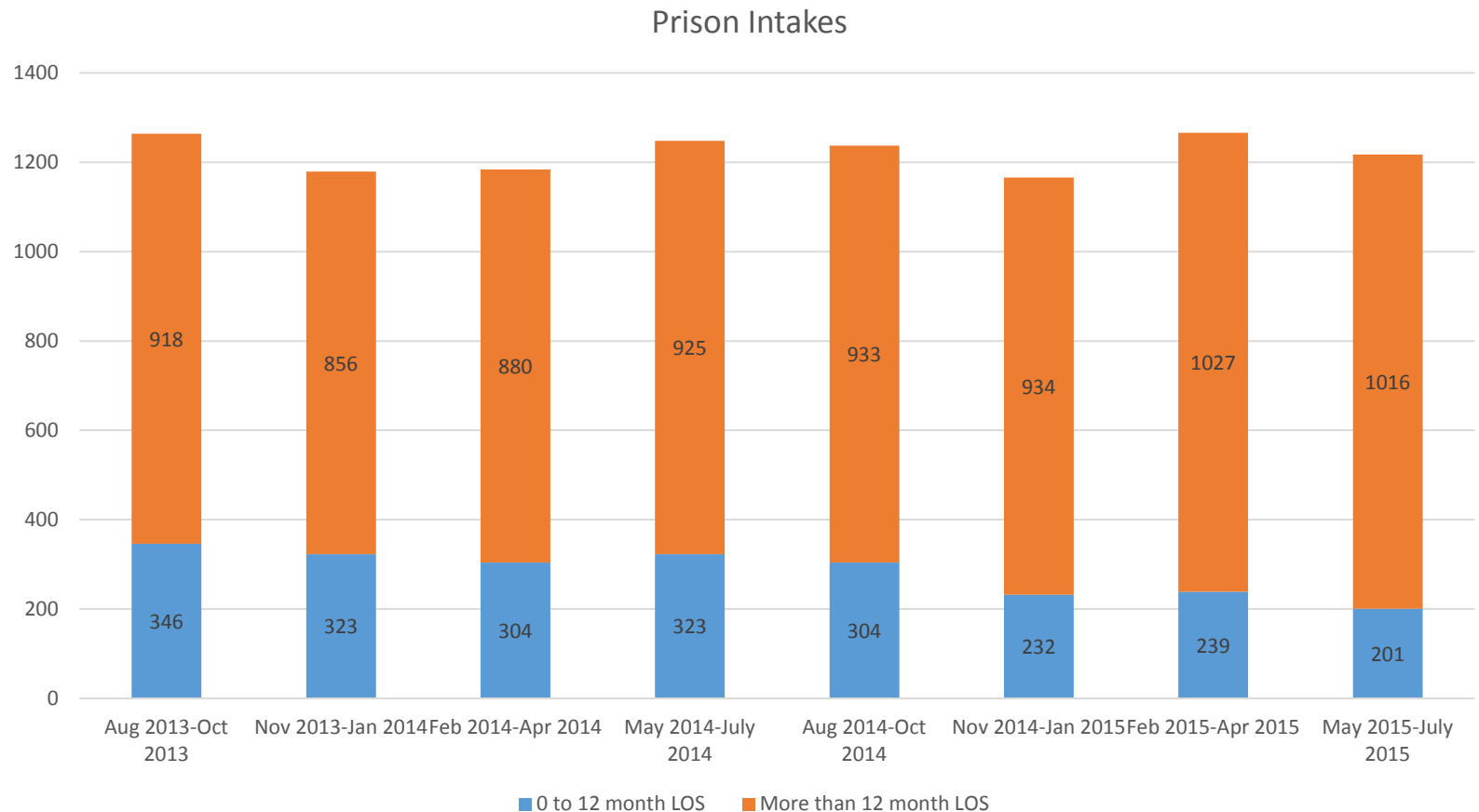
Prison Intakes Average LOS

- The average estimated length of stay for all prison intakes has slightly increased

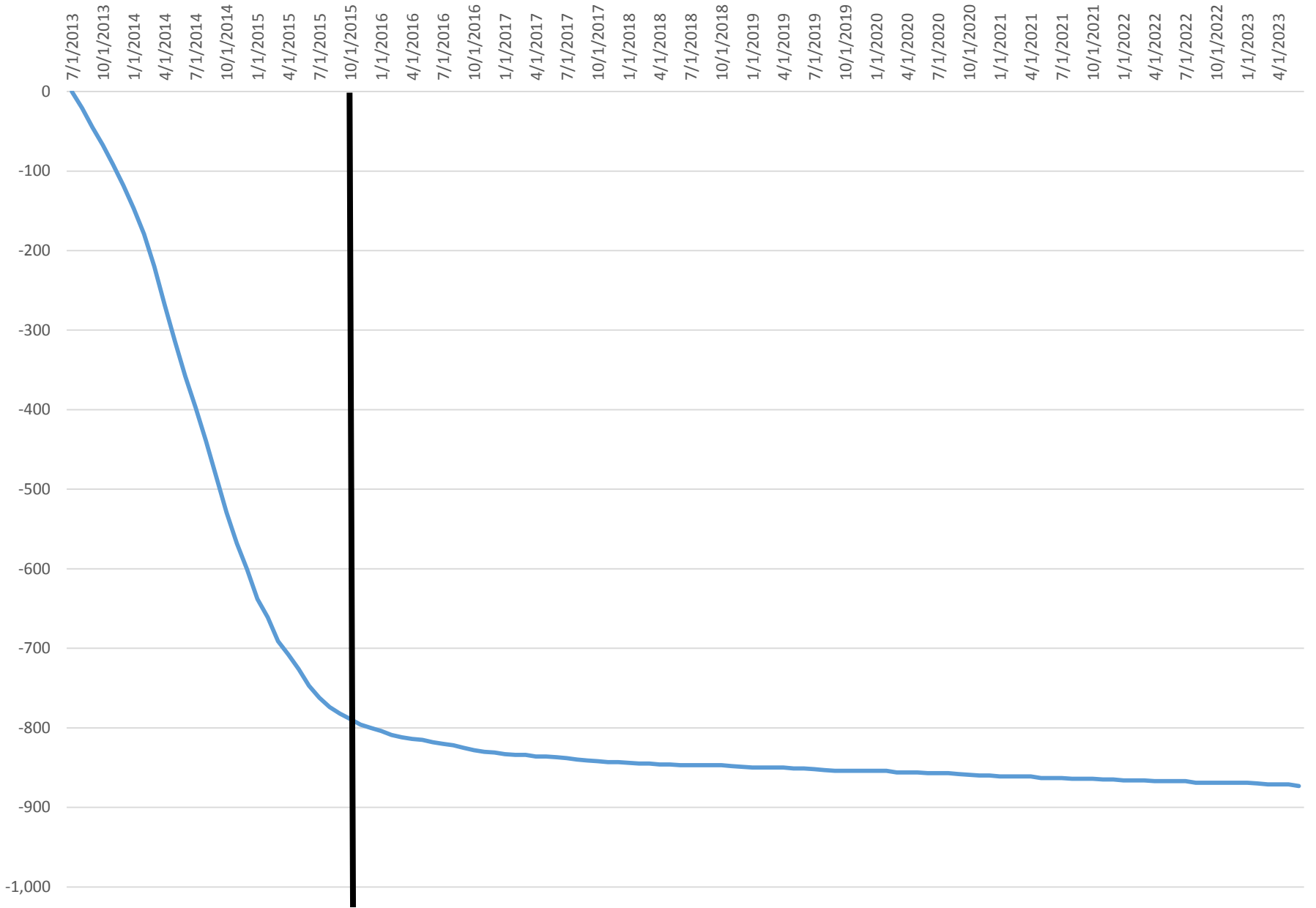


Prison Intakes

- The number of intakes with an estimated length of stay of less than 12 months has gradually declined

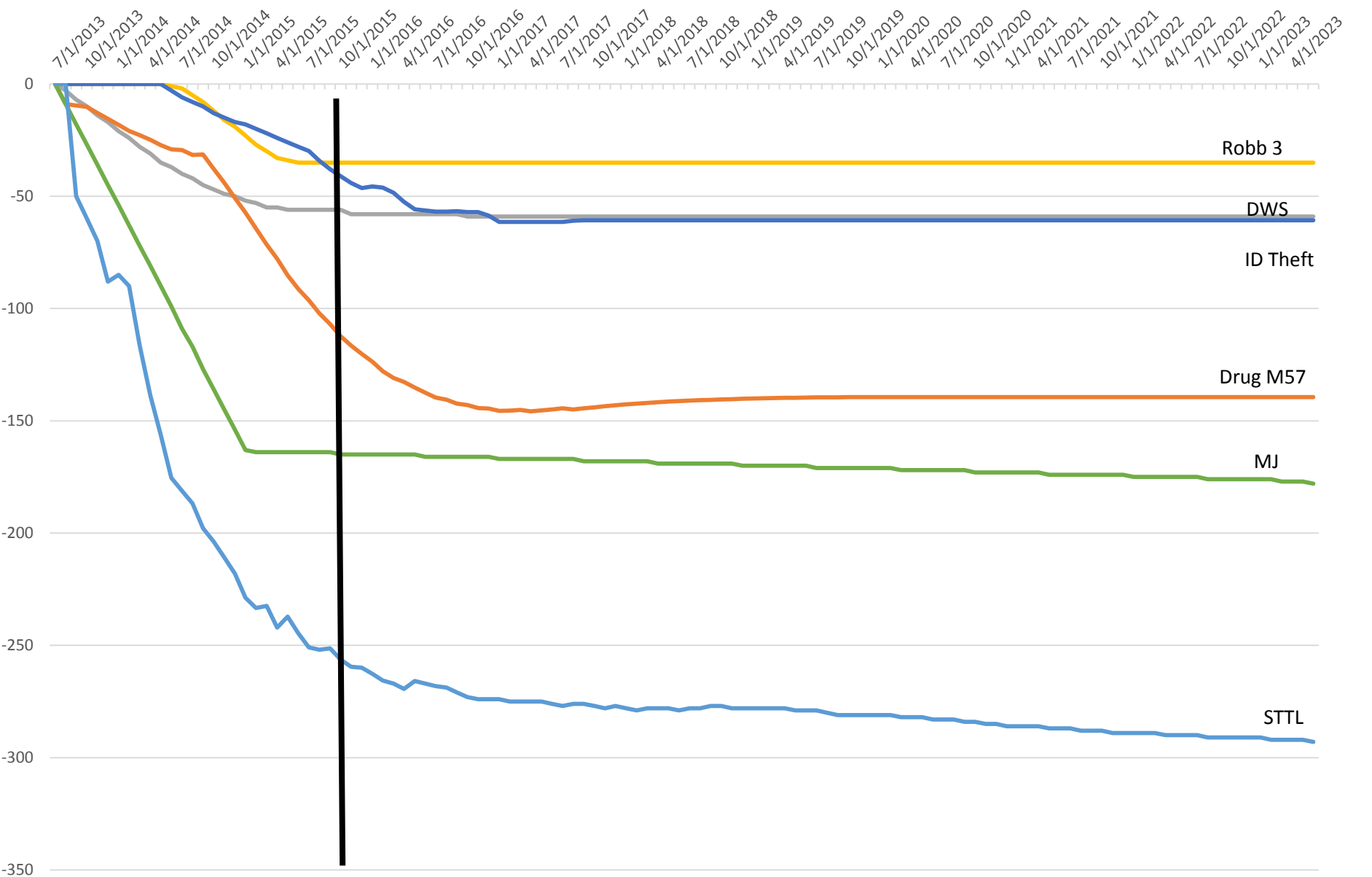


HB 3194 Total Estimated Bed Savings



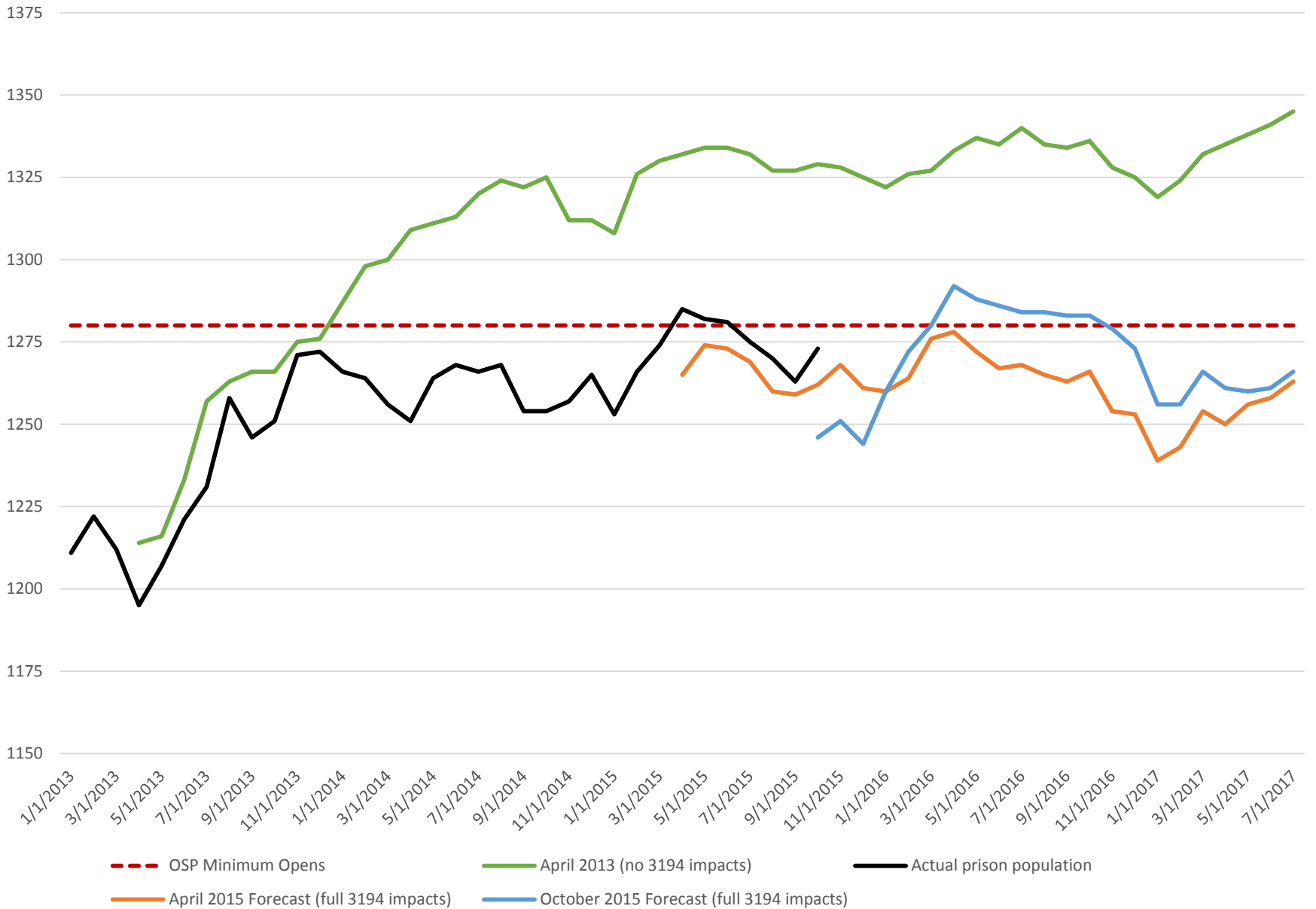
HB 3194 Estimated Bed Savings

Robb 3 DWS ID Theft Drug M57 MJ STTL

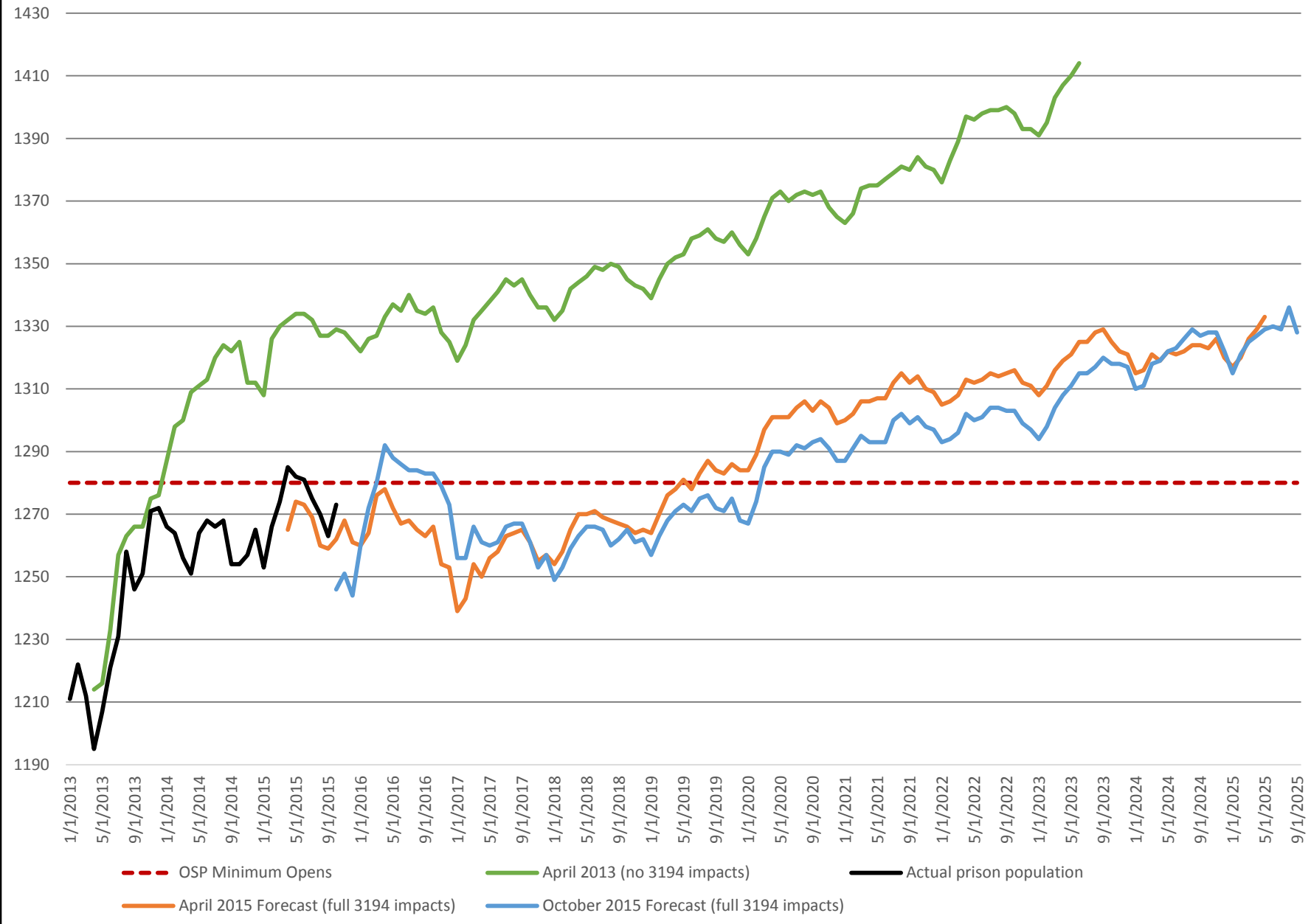


Prison Population and Forecasts by Gender

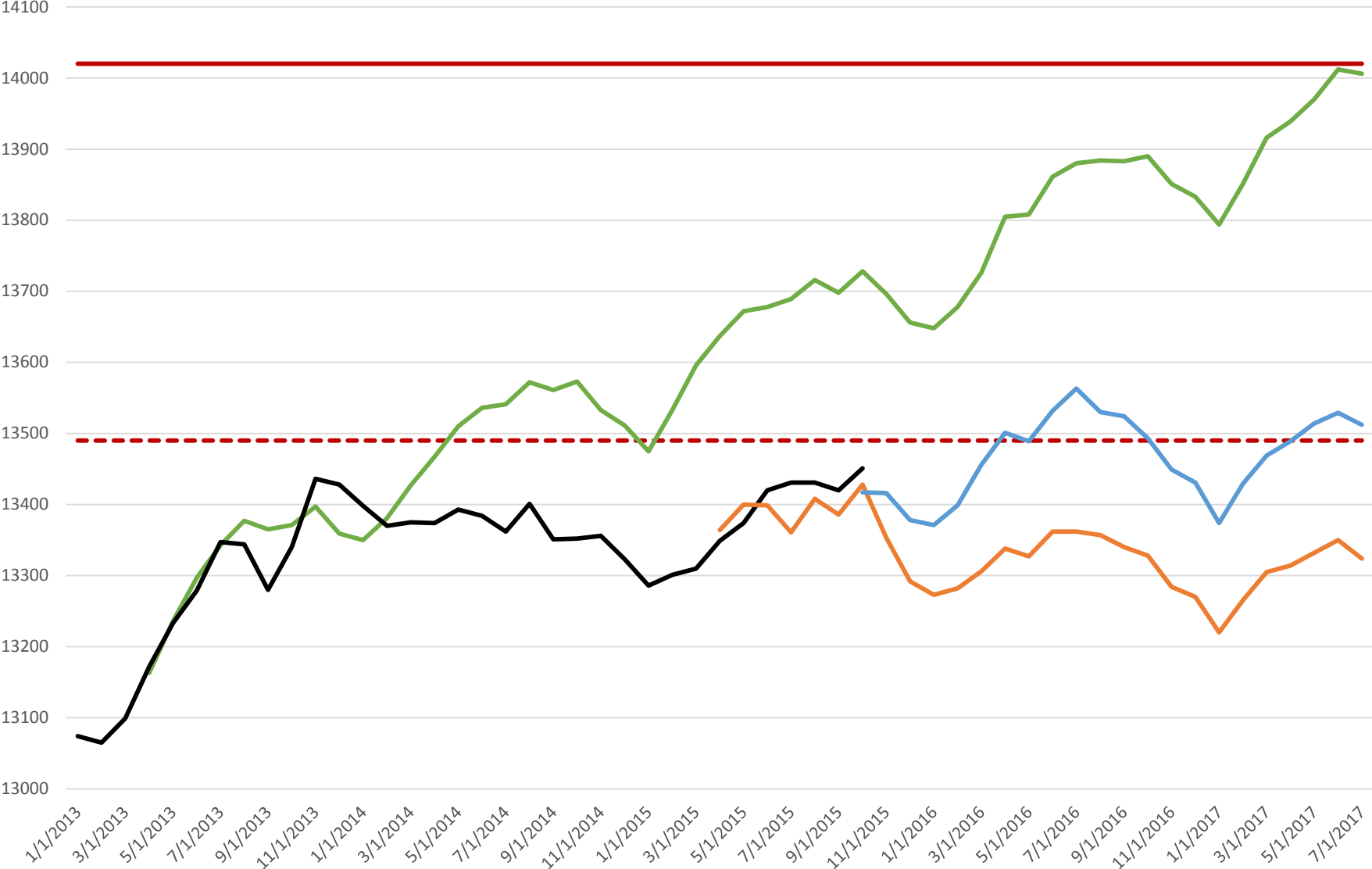
Female Prison Population and Forecasts



Female Prison Population and Forecasts to Sept 2025



Male Prison Population and Forecasts



--- Deer Ridge Opens

— Junction City Opens

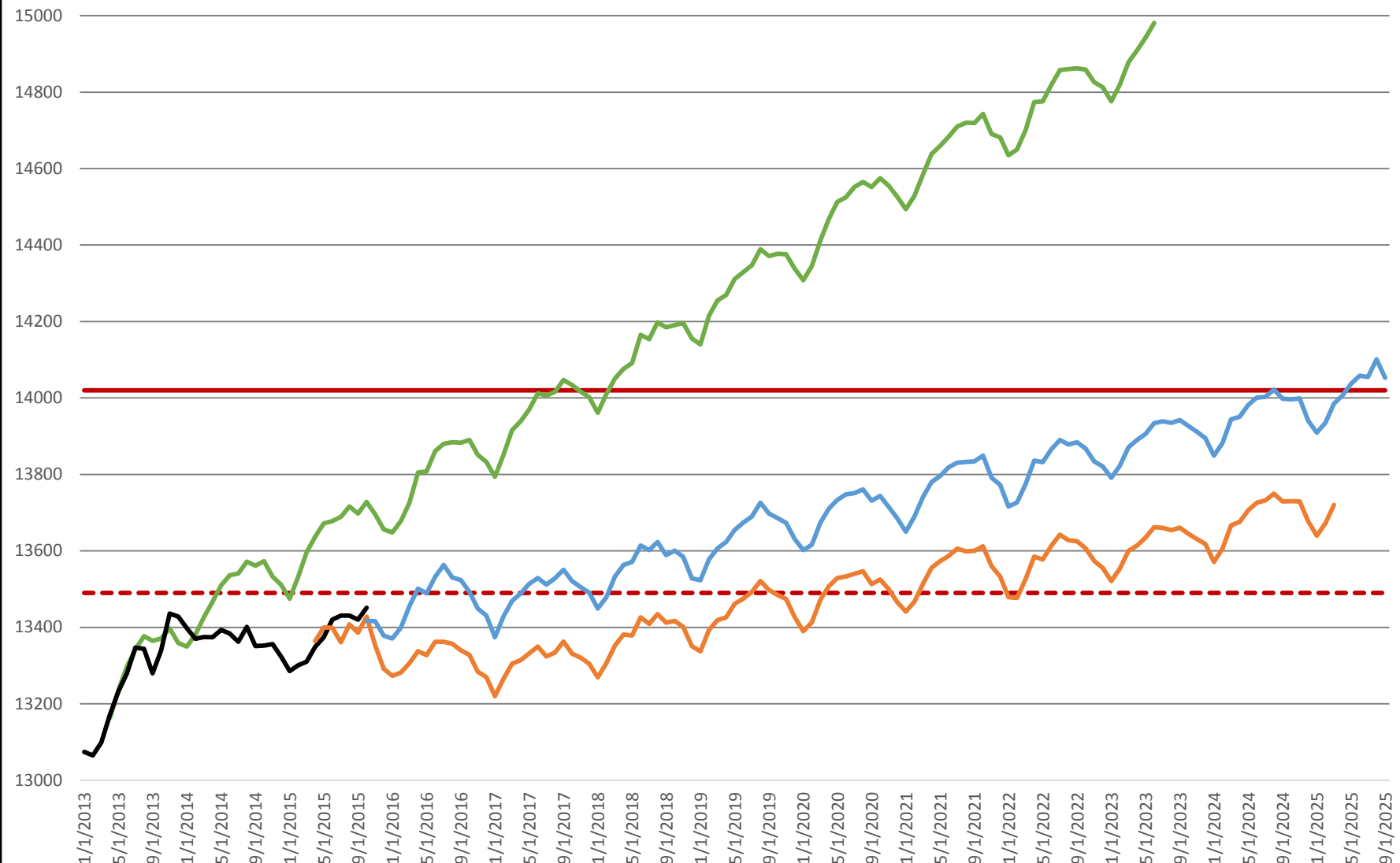
— April 2013 Forecast (no 3194 impacts)

— Actual prison population

— April 2015 Forecast (full 3194 impacts)

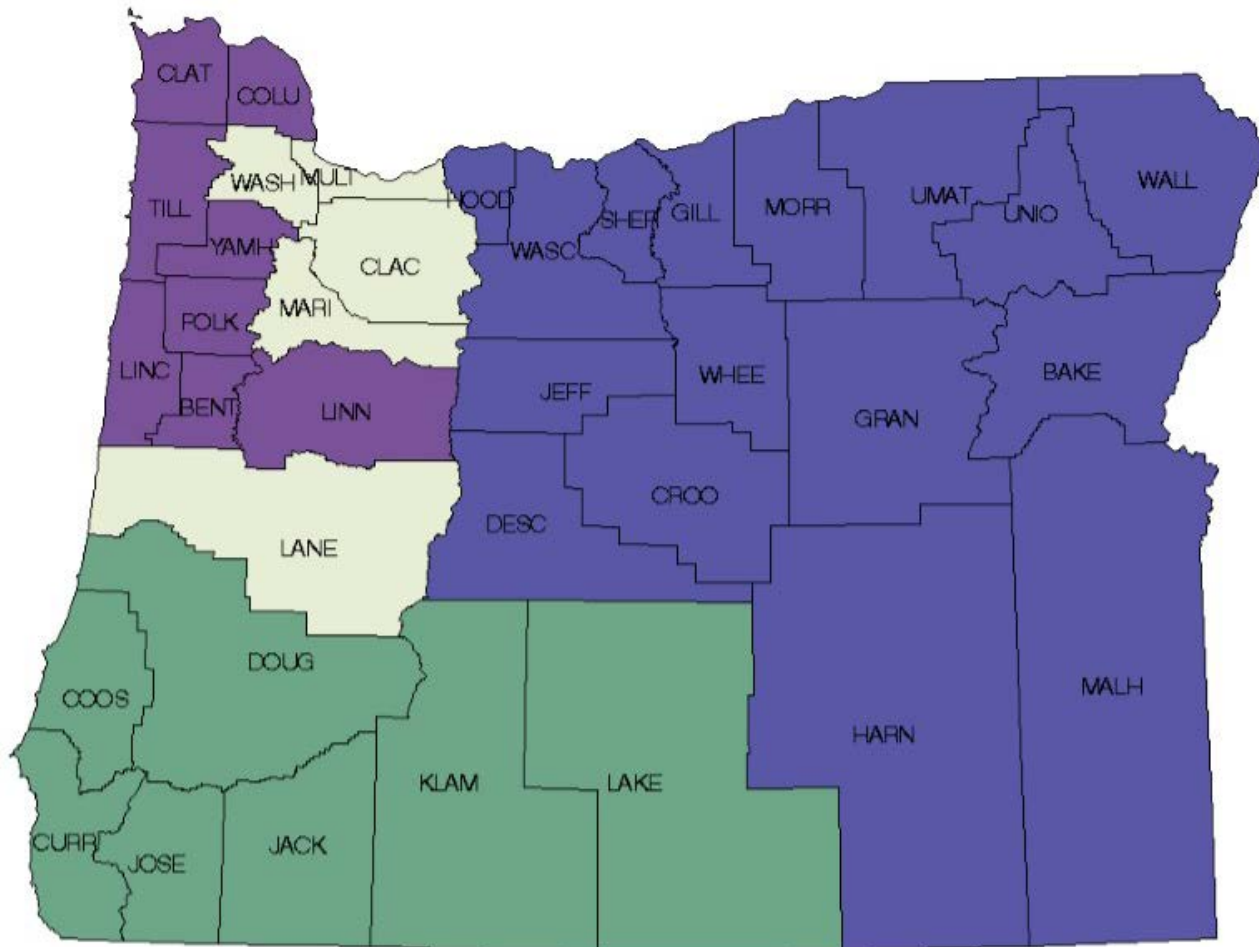
— October 2015 Forecast (full 3194 impacts)

Male Prison Population and Forecasts to Sept 2025

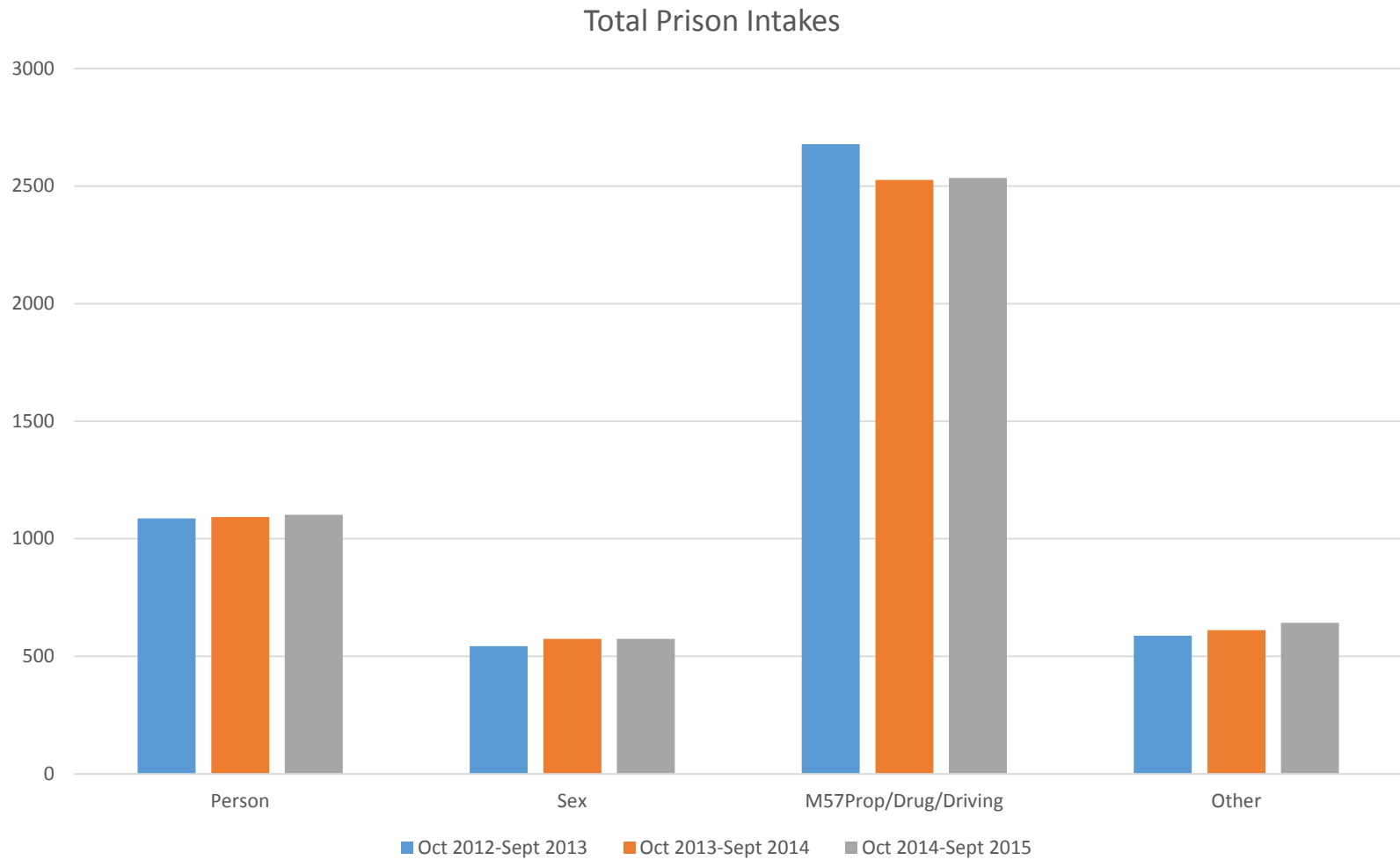


- - - Deer Ridge Opens
- Junction City Opens
- April 2013 Forecast (no 3194 impacts)
- Actual prison population
- April 2015 Forecast (full 3194 impacts)
- October 2015 Forecast (full 3194 impacts)

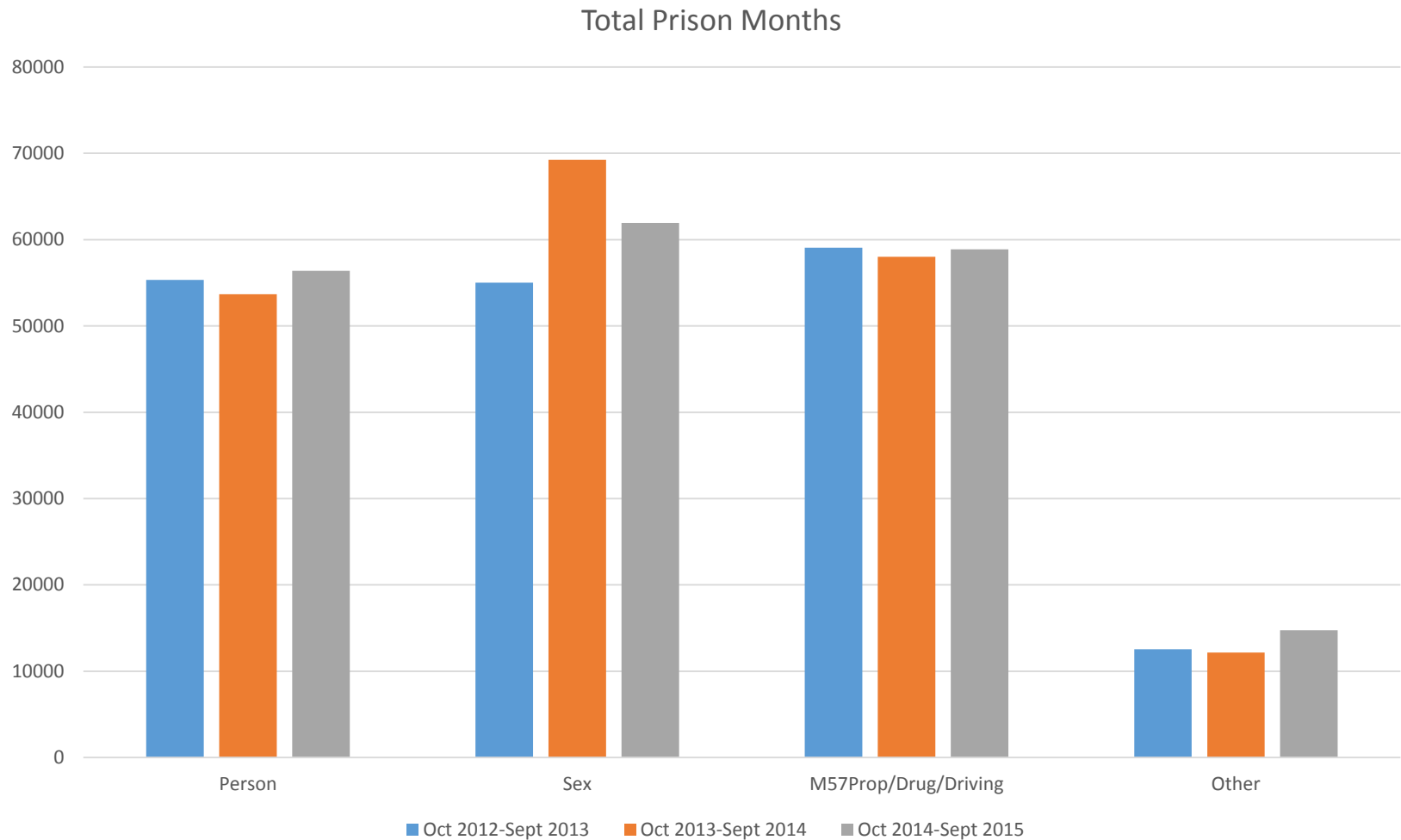
Statewide Prison Usage All Offenses October 2012 - September 2015



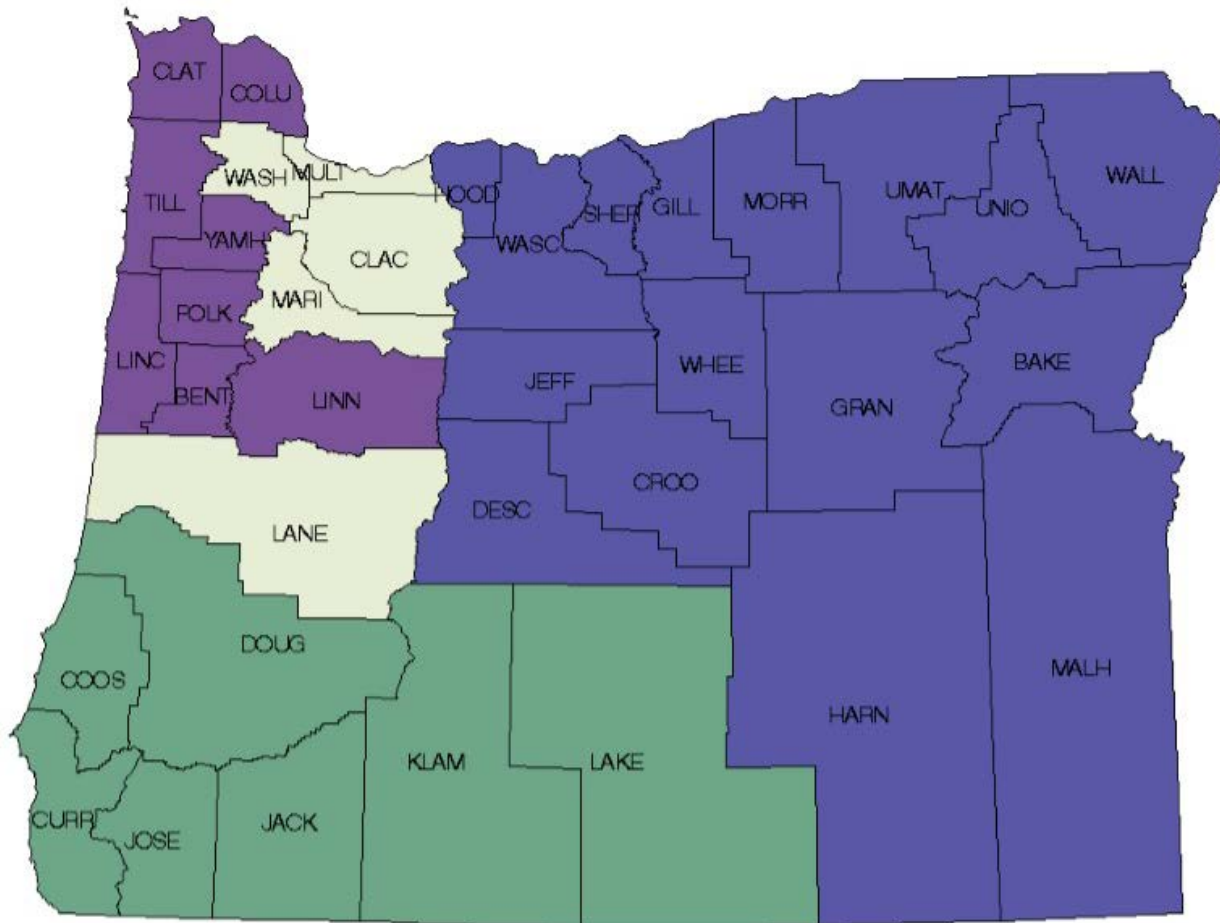
Total Prison Intakes



Total Prison Months

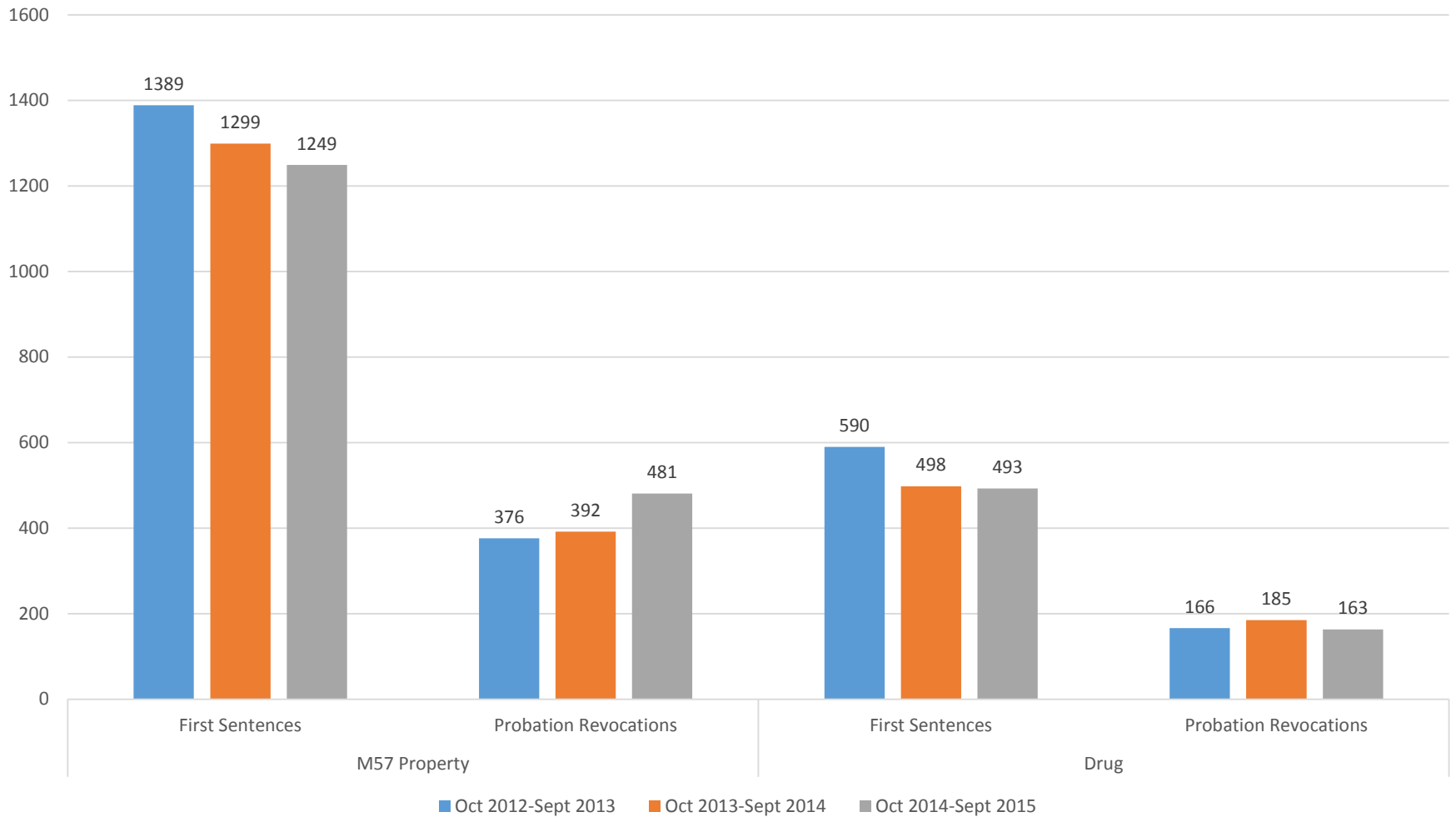


Statewide Prison Usage:
M57 Property and Drug Offenses
October 2012 - September 2015



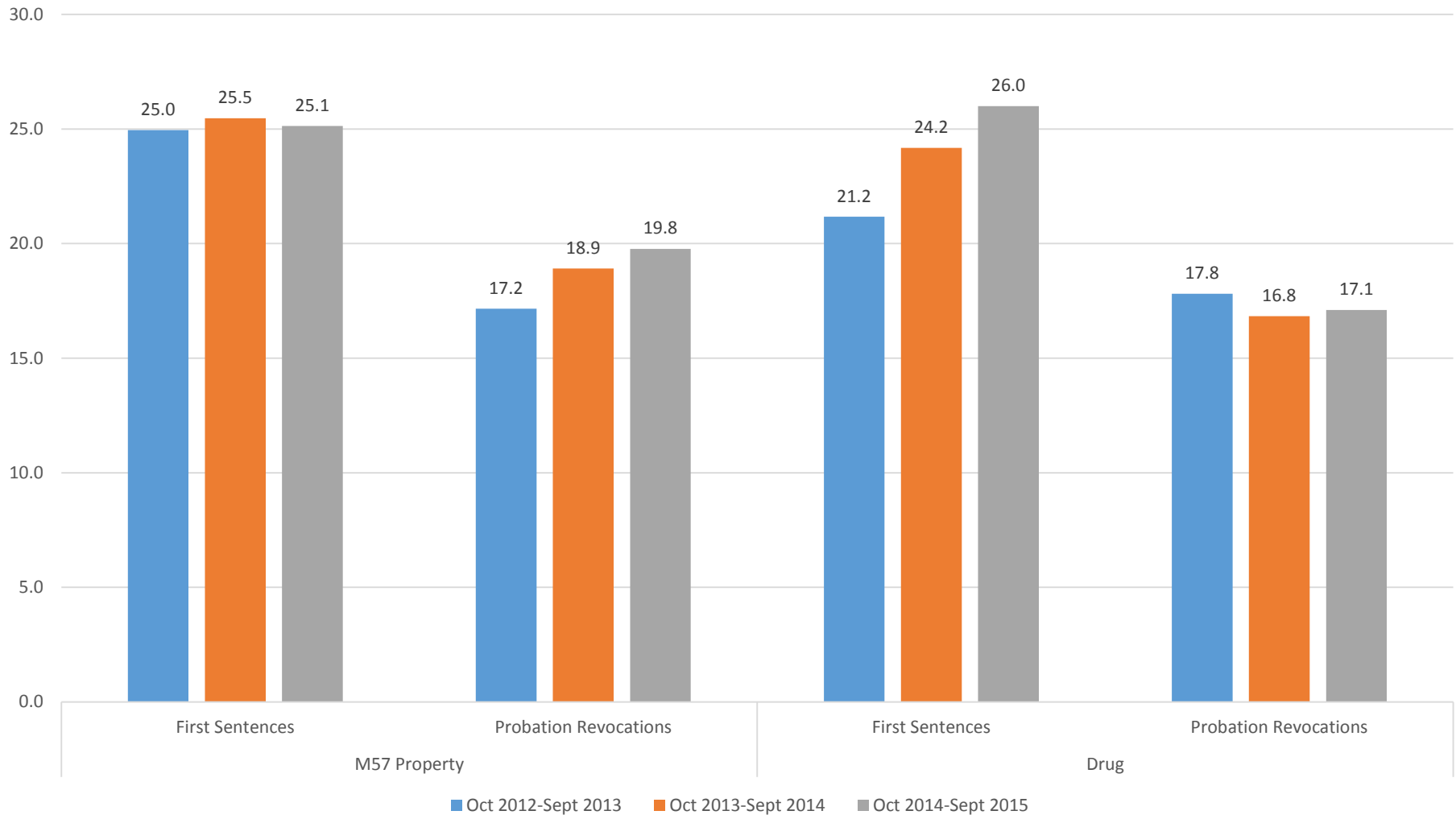
Prison Intakes

Property and Drug Prison Intakes



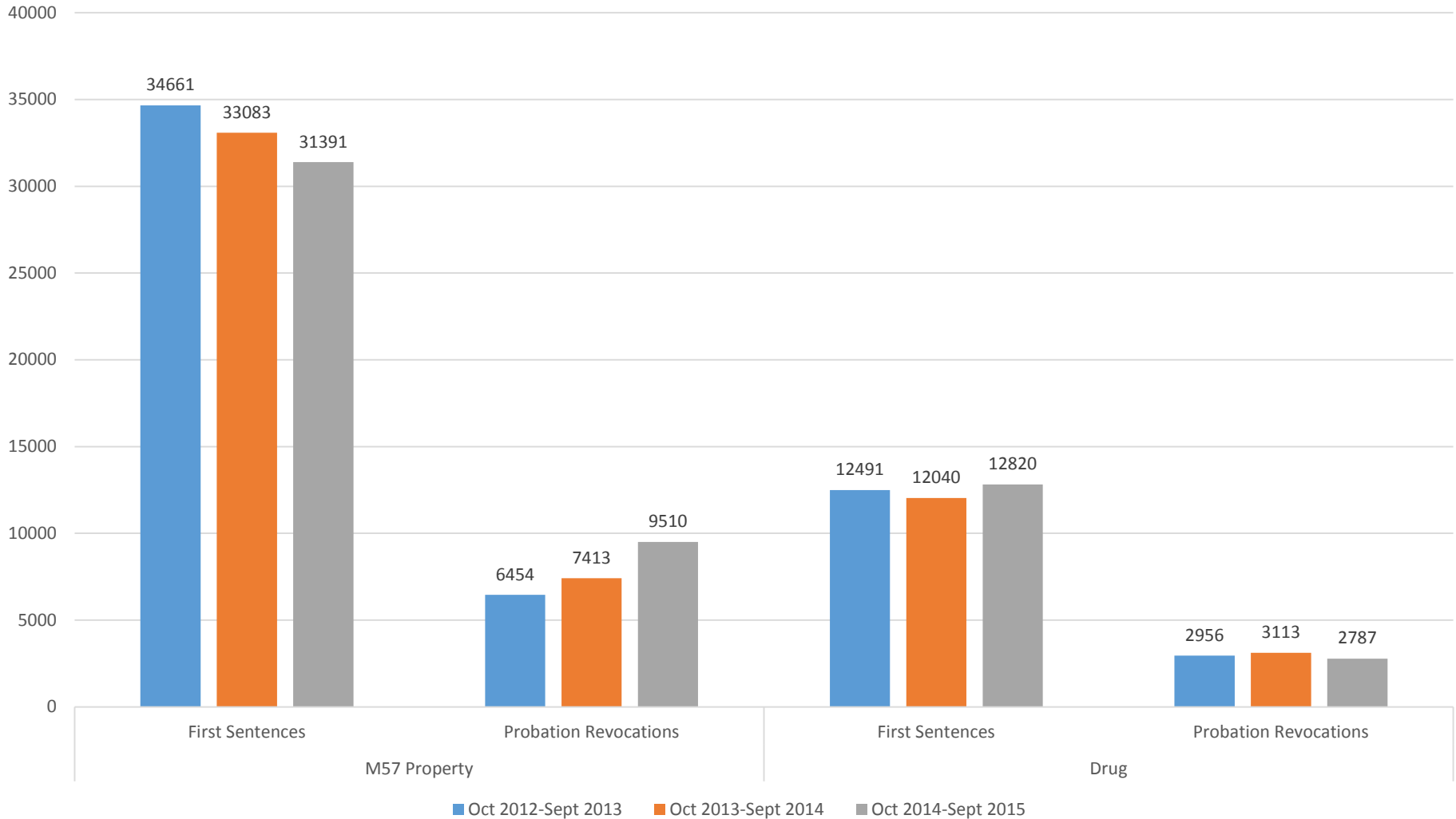
Average LOS

Property and Drug Prison Intakes Average LOS

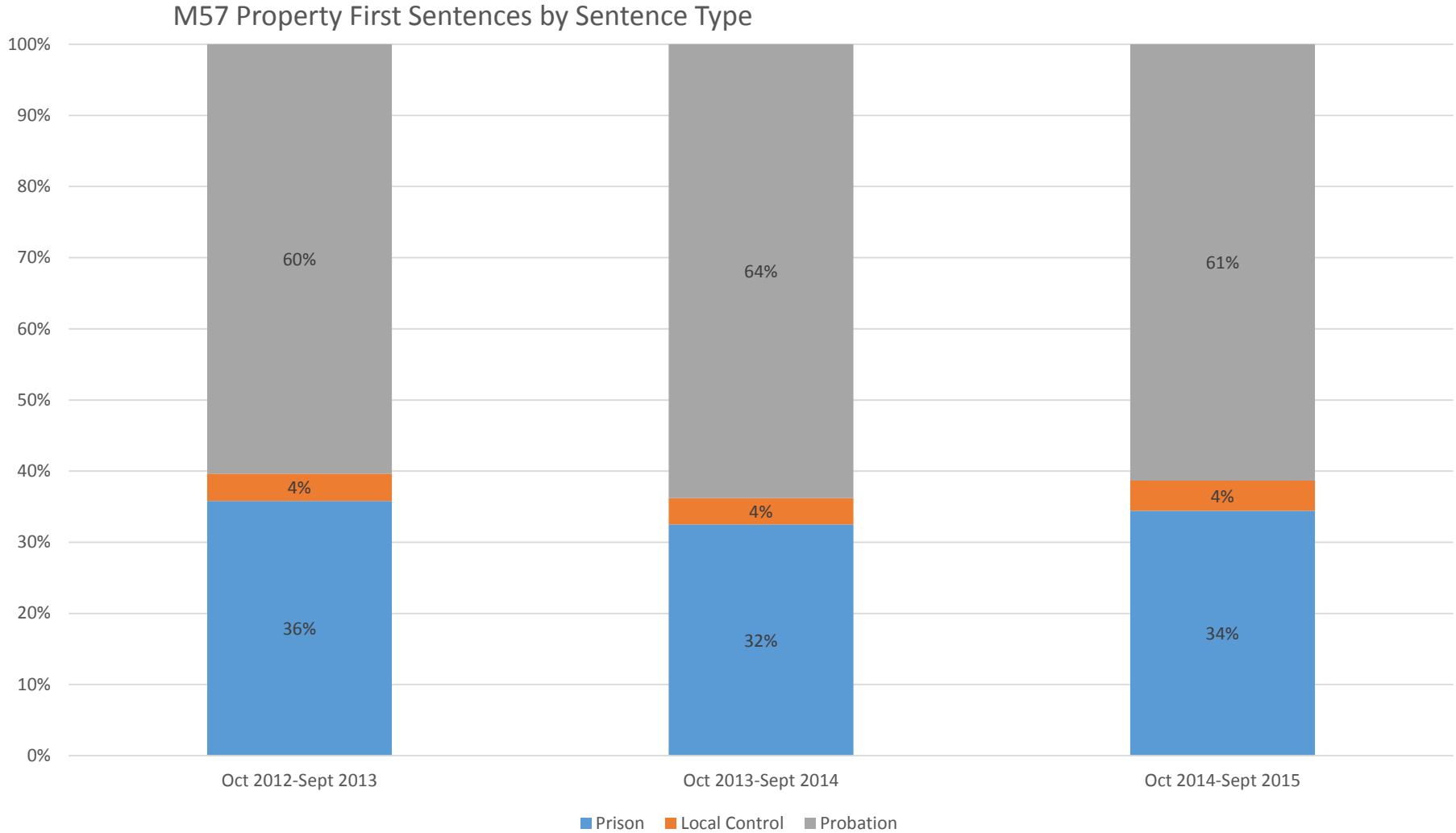


Total Prison Months

Property and Drug Total Prison Months

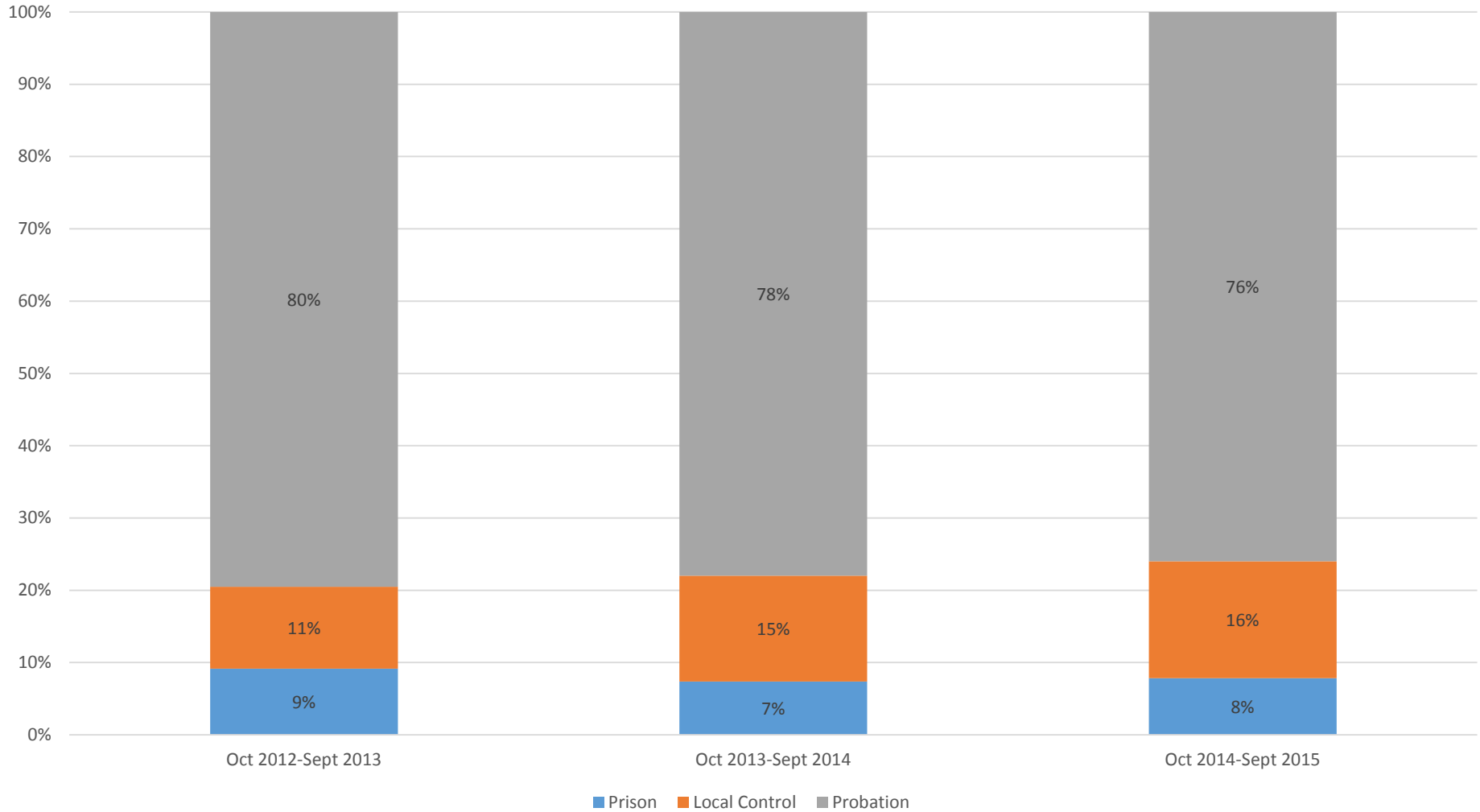


M57 Property Sentence Types



Drug Sentence Types

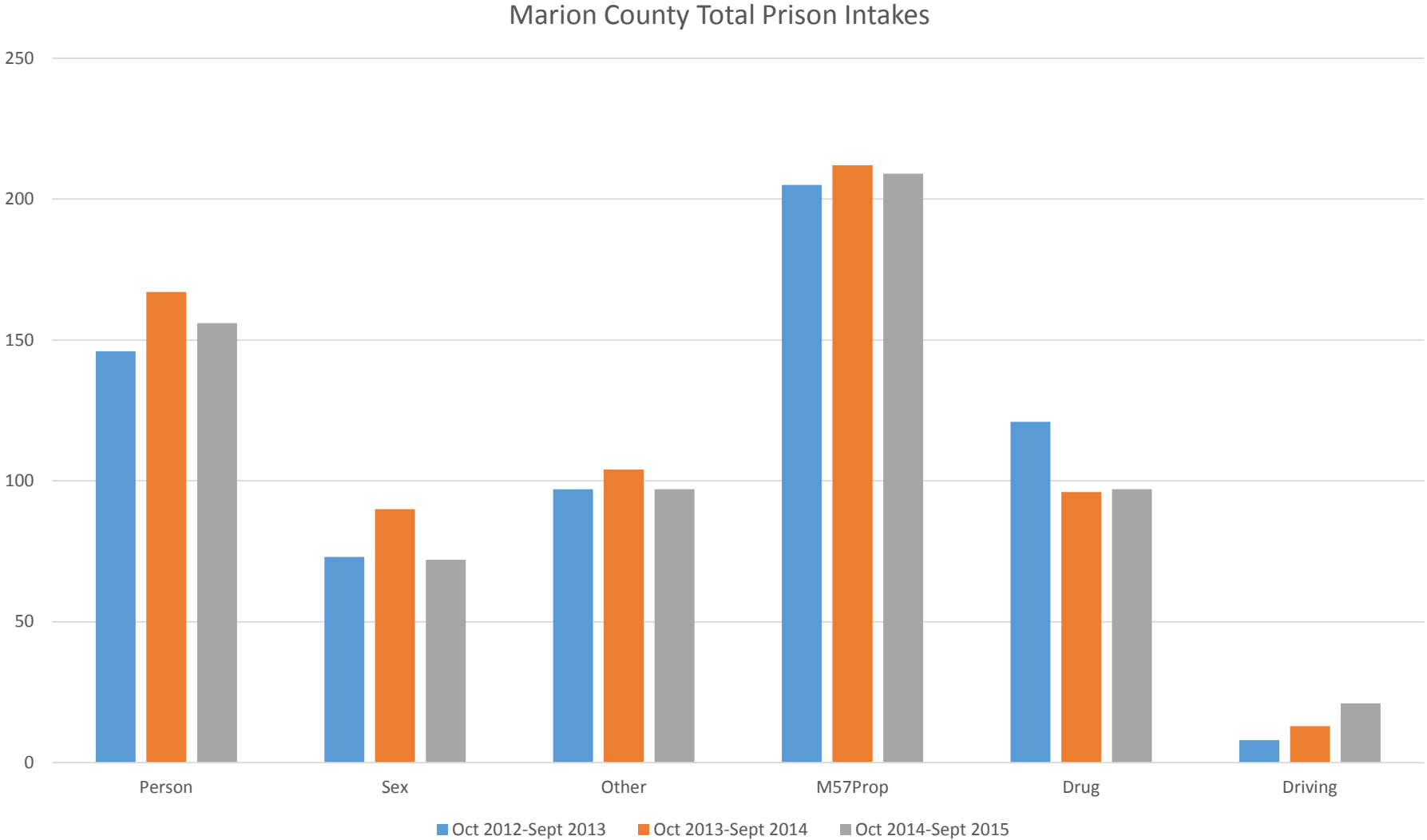
Drug First Sentences by Sentence Type



County Level Prison Usage

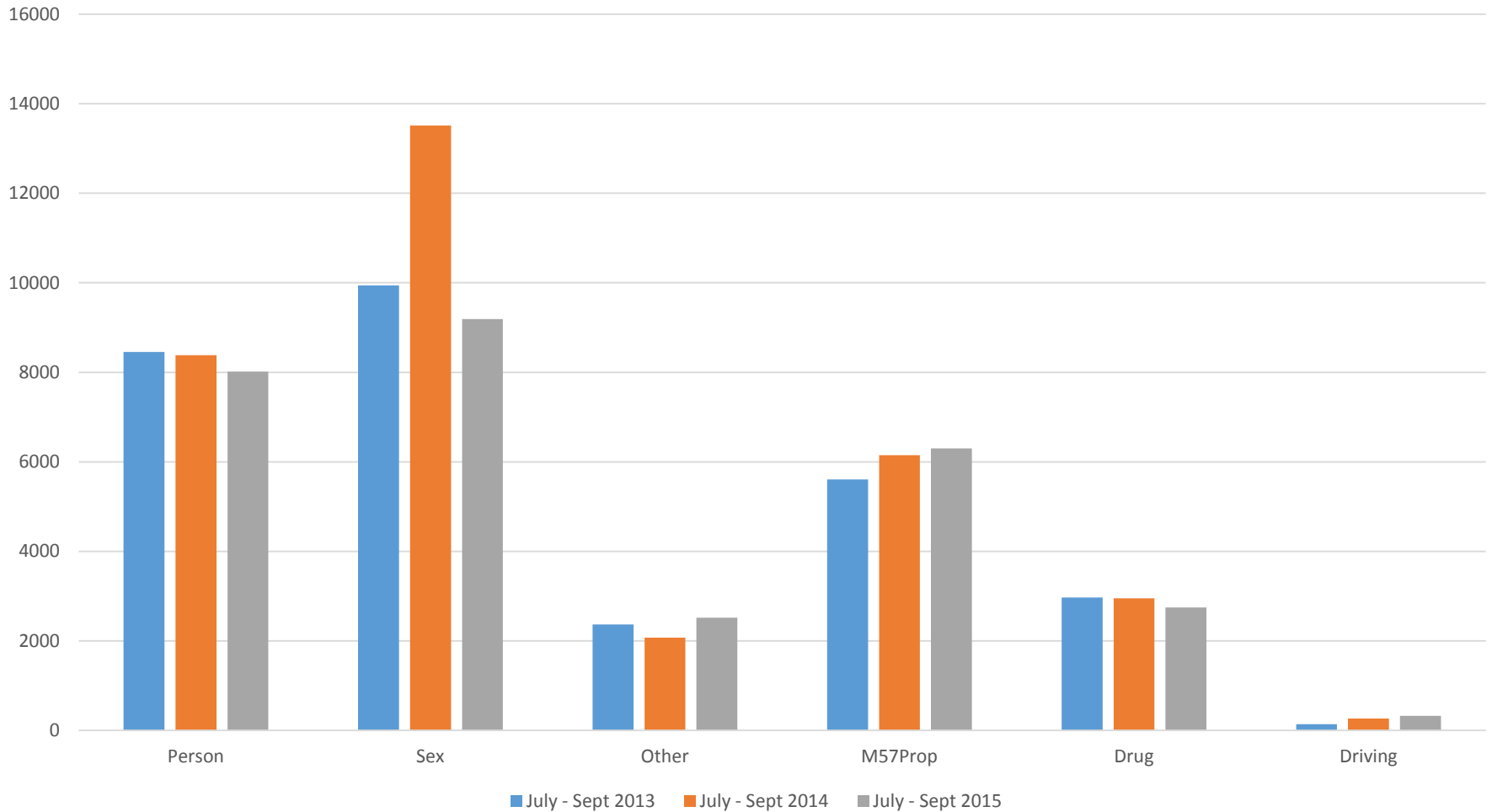
October 2012 to
September 2015

Marion County Total Prison Intakes



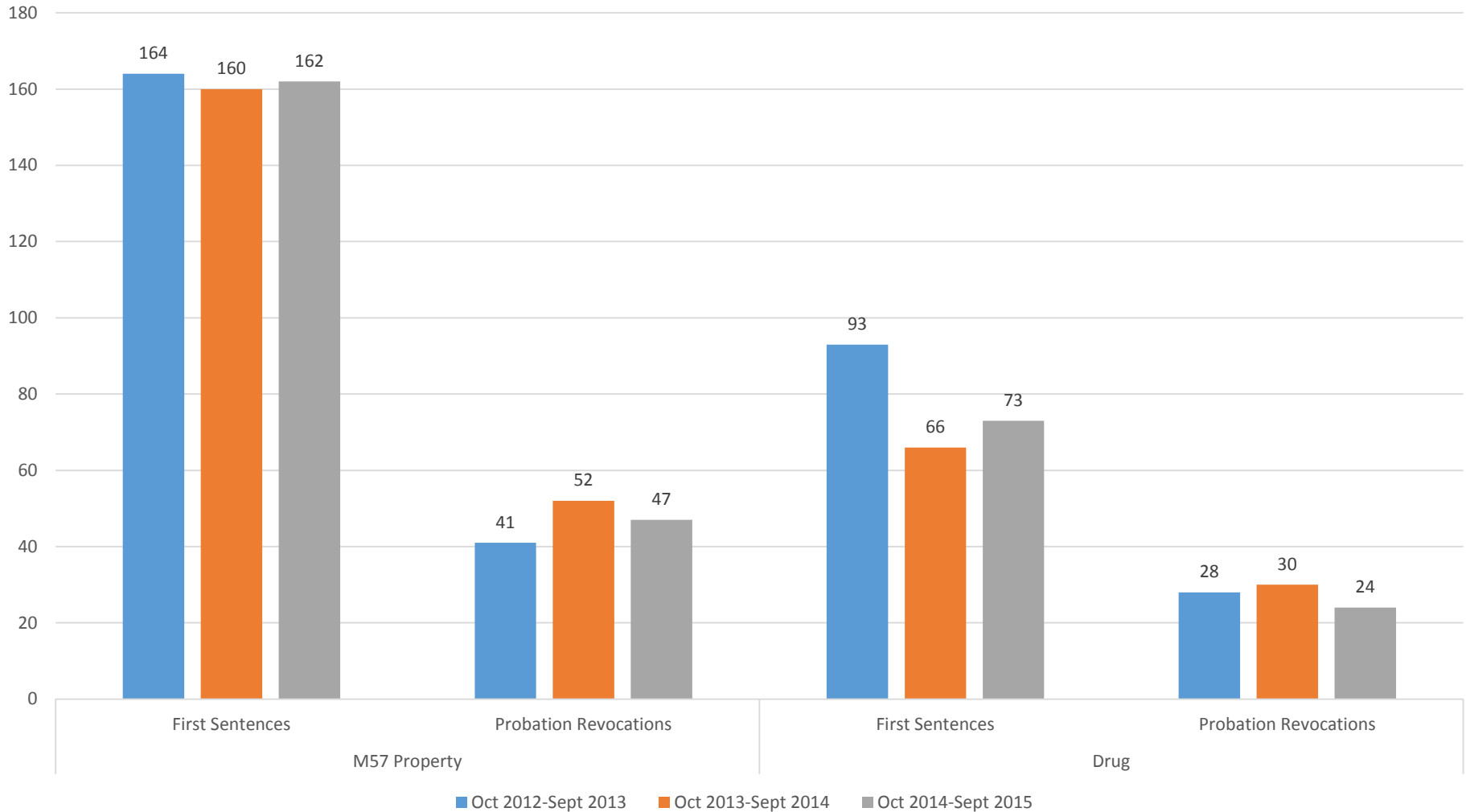
Marion County Total Prison Months

Marion County Total Prison Months



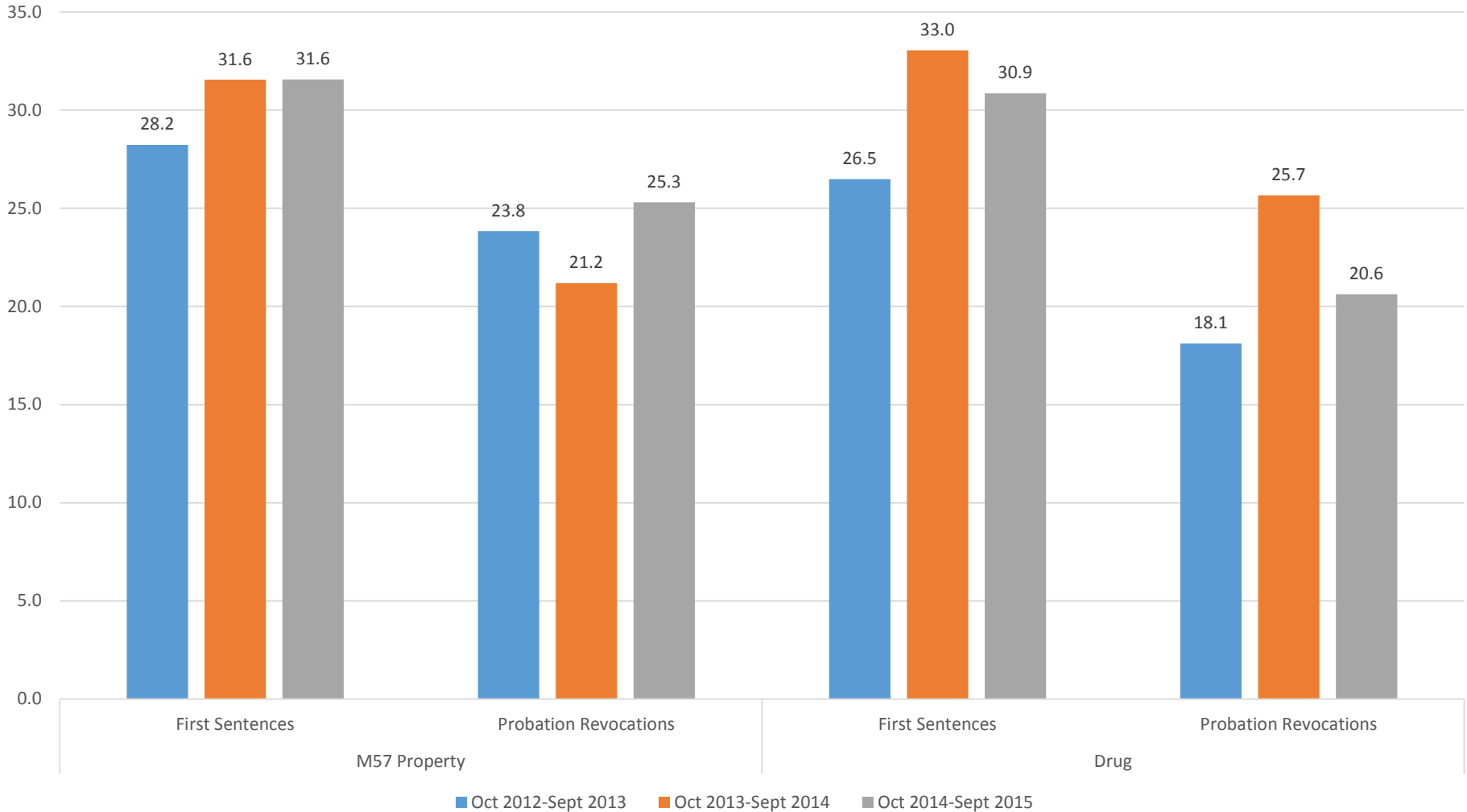
Marion County Prison Intakes

Marion County Property and Drug Prison Intakes



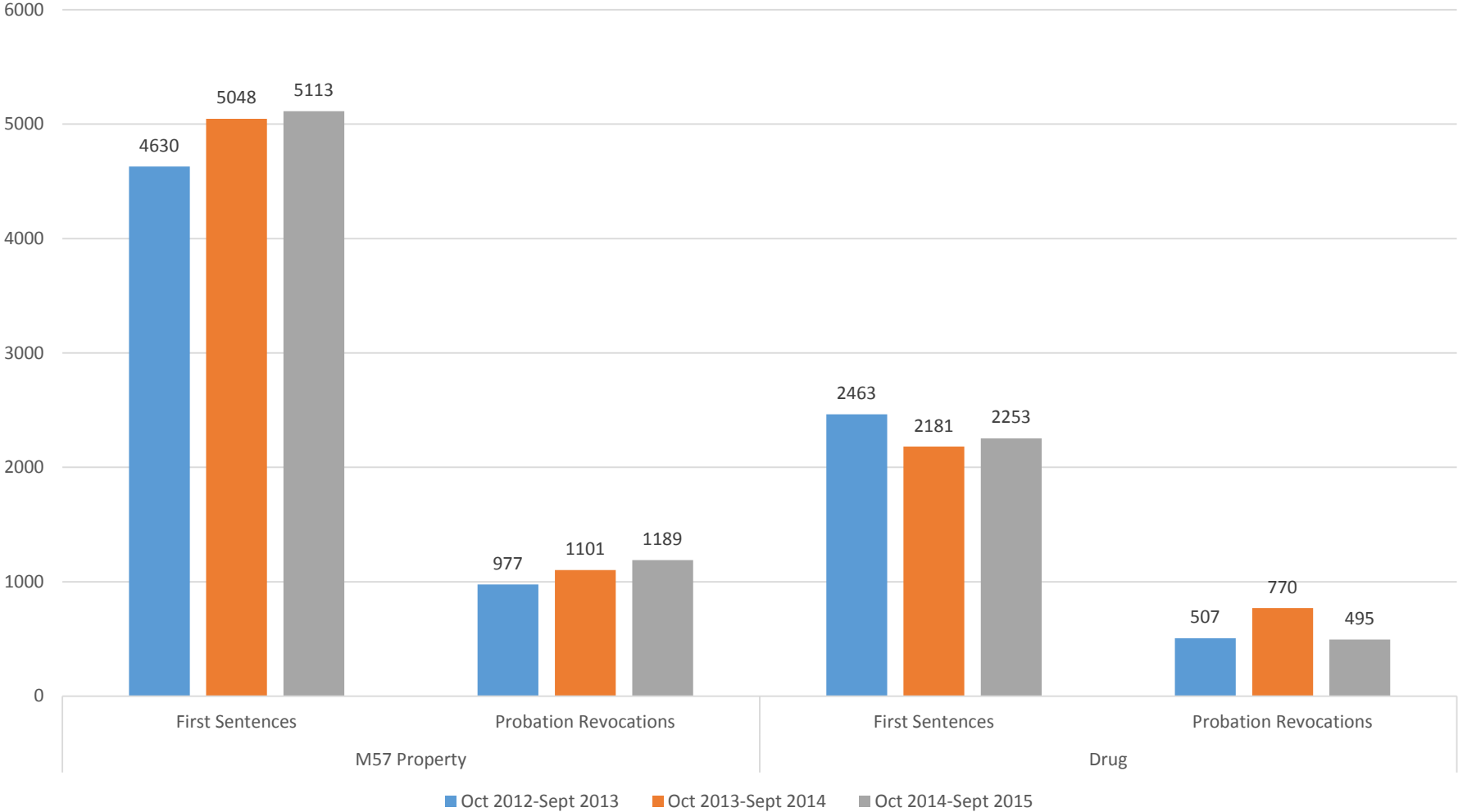
Marion County Average LOS

Marion County Property and Drug Prison Intakes Average LOS

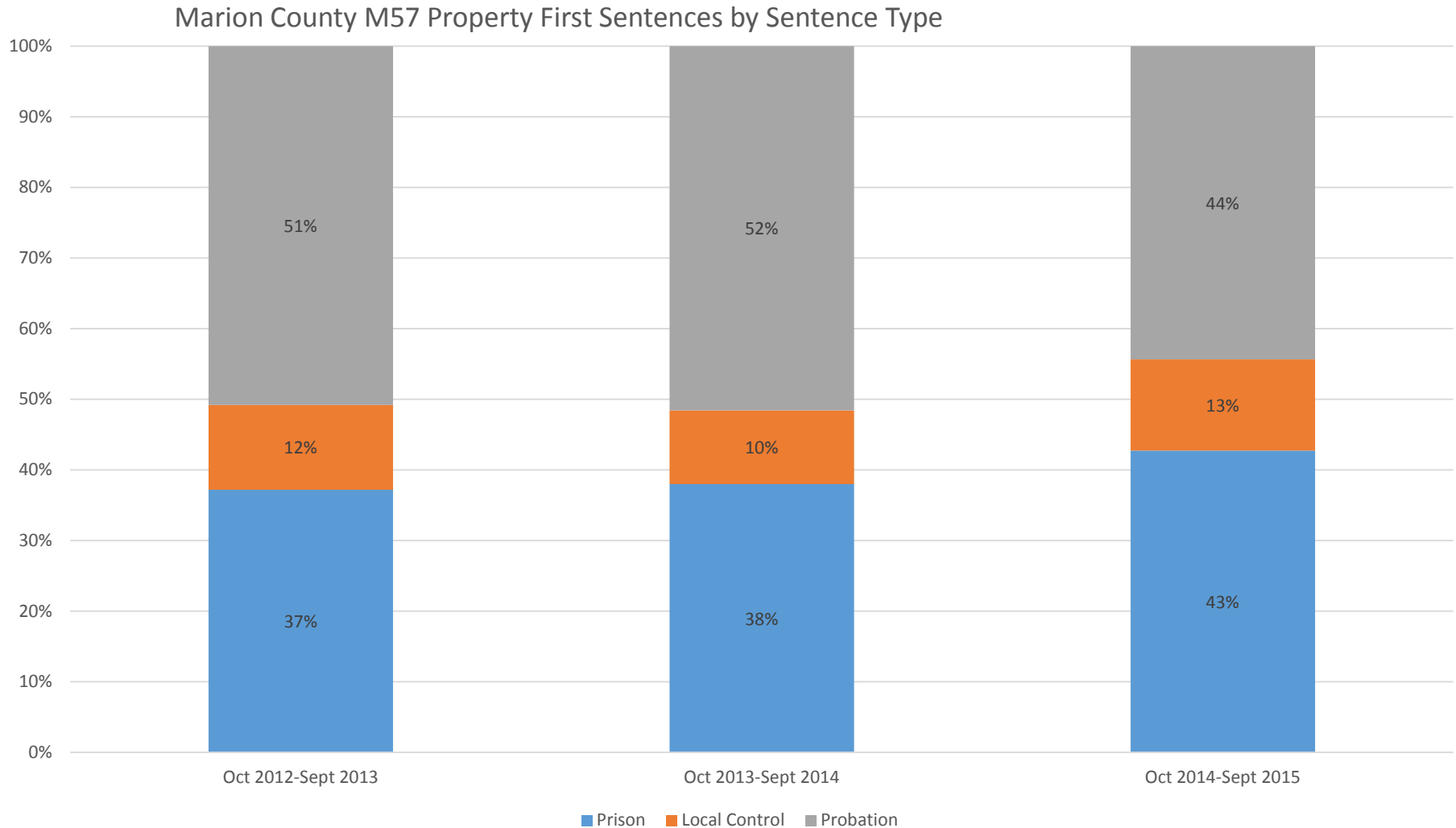


Marion County Total Prison Months

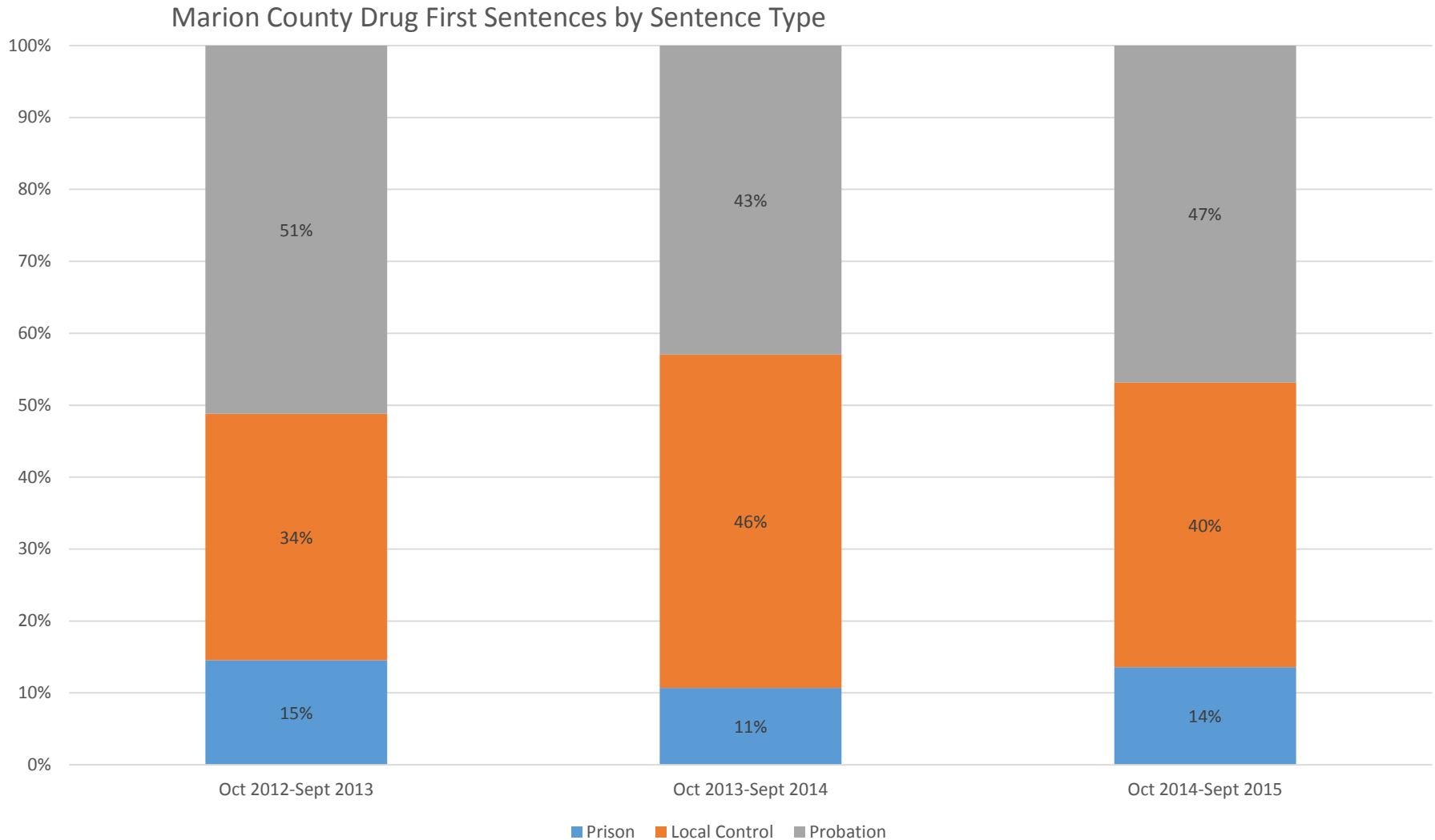
Marion County Property and Drug Total Prison Months



Marion County M57 Property Sentence Types

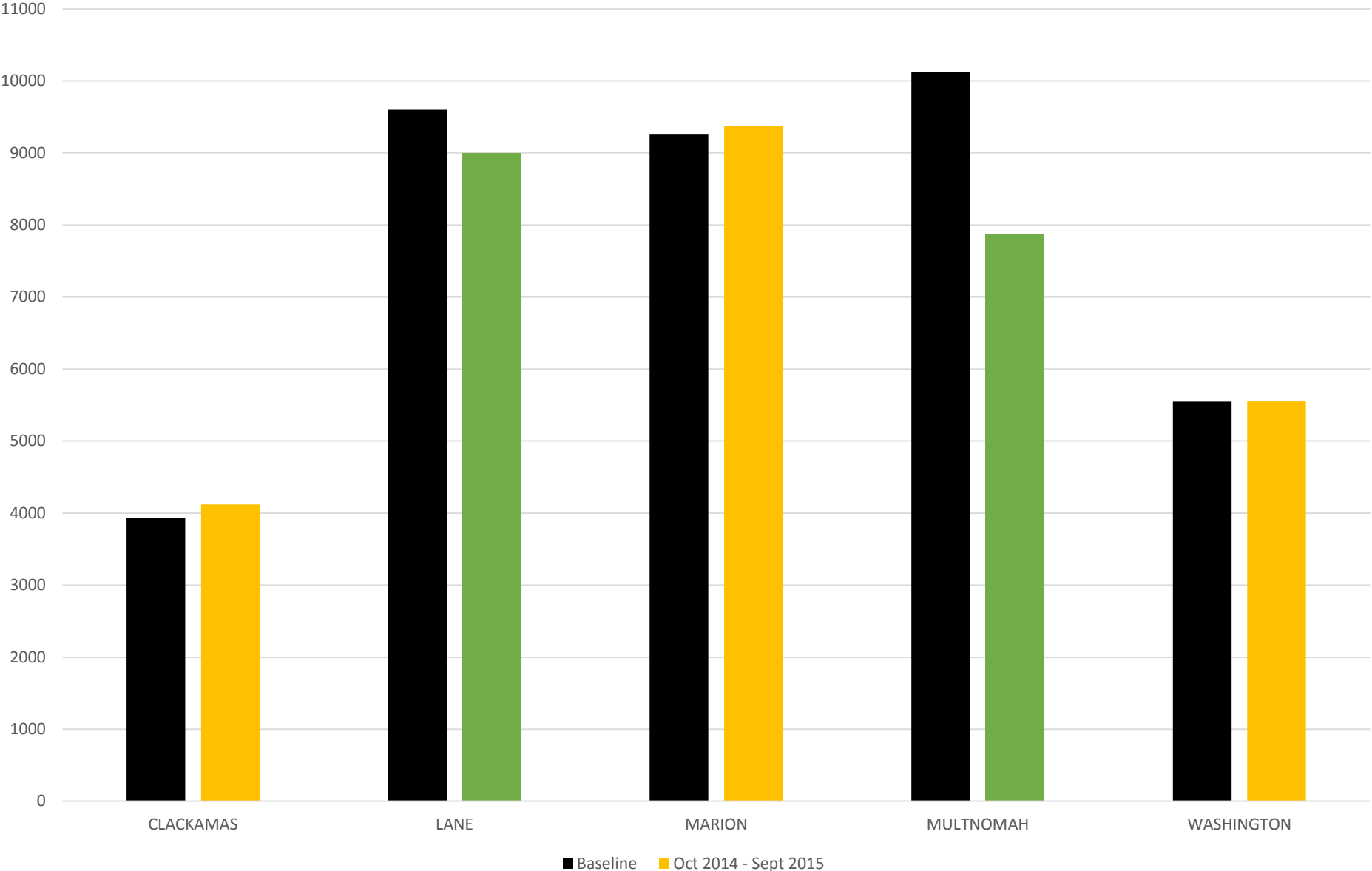


Marion County Drug Sentence Types



JRI Prison Utilization by Metro Counties

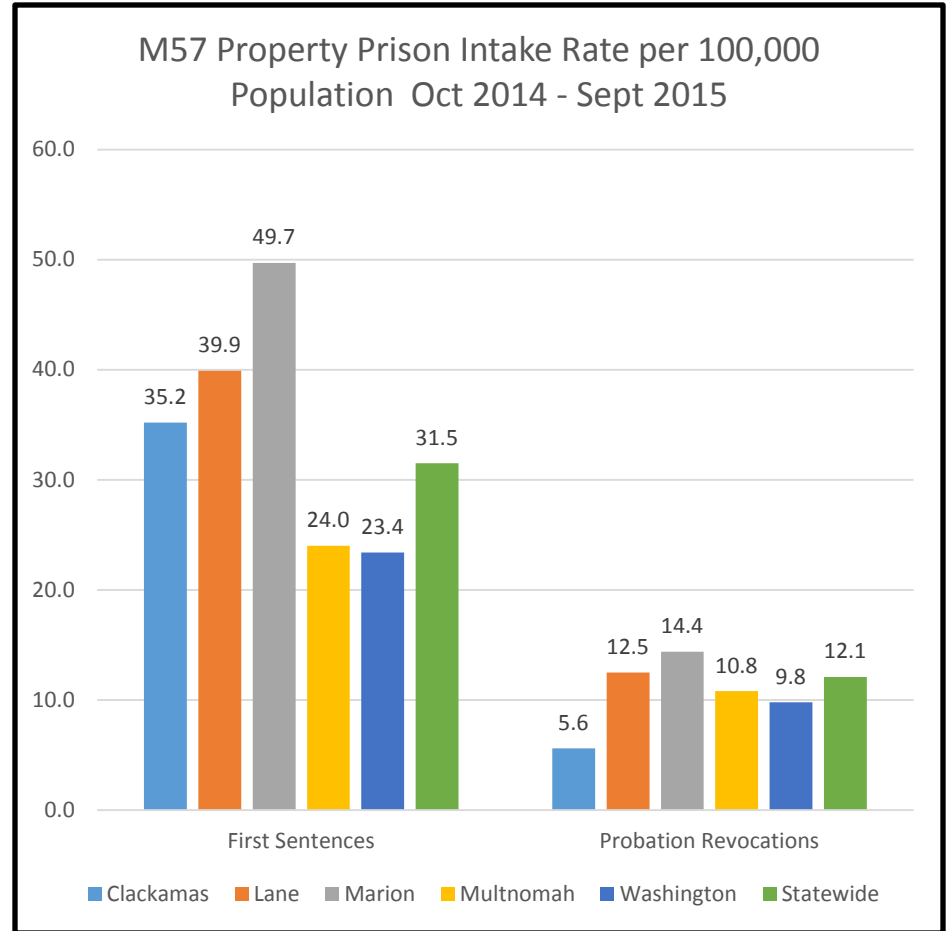
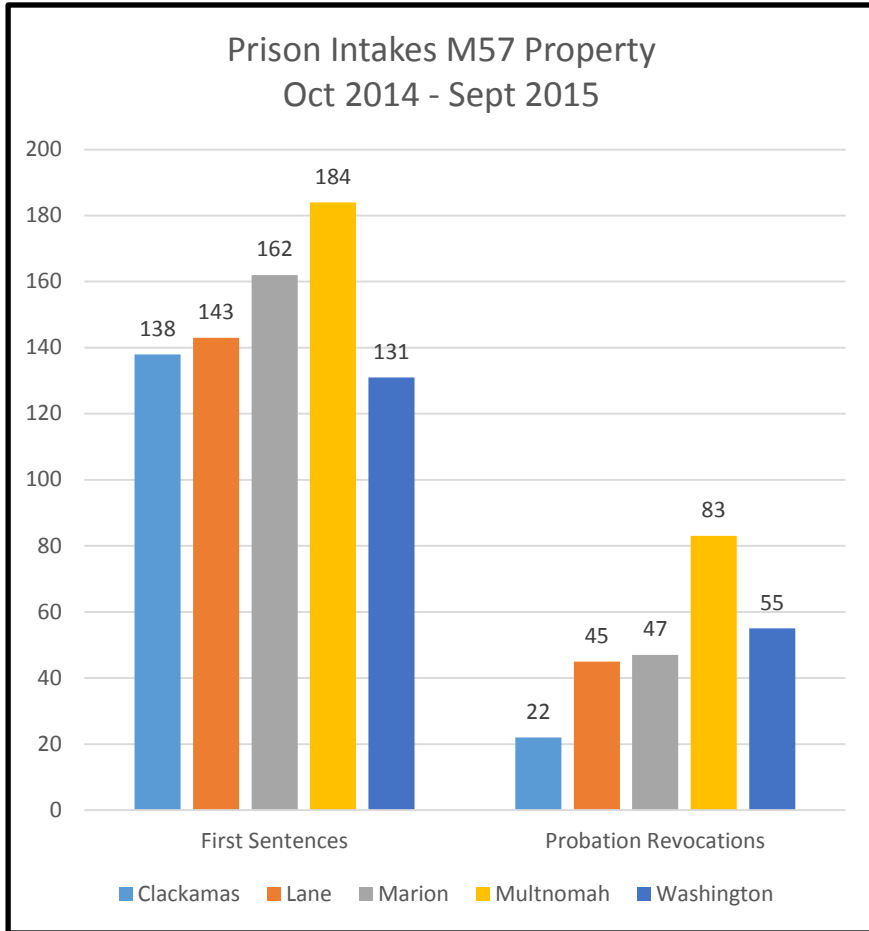
Oct 2014 - Sept 2015



M57 Property Prison Usage County Comparison

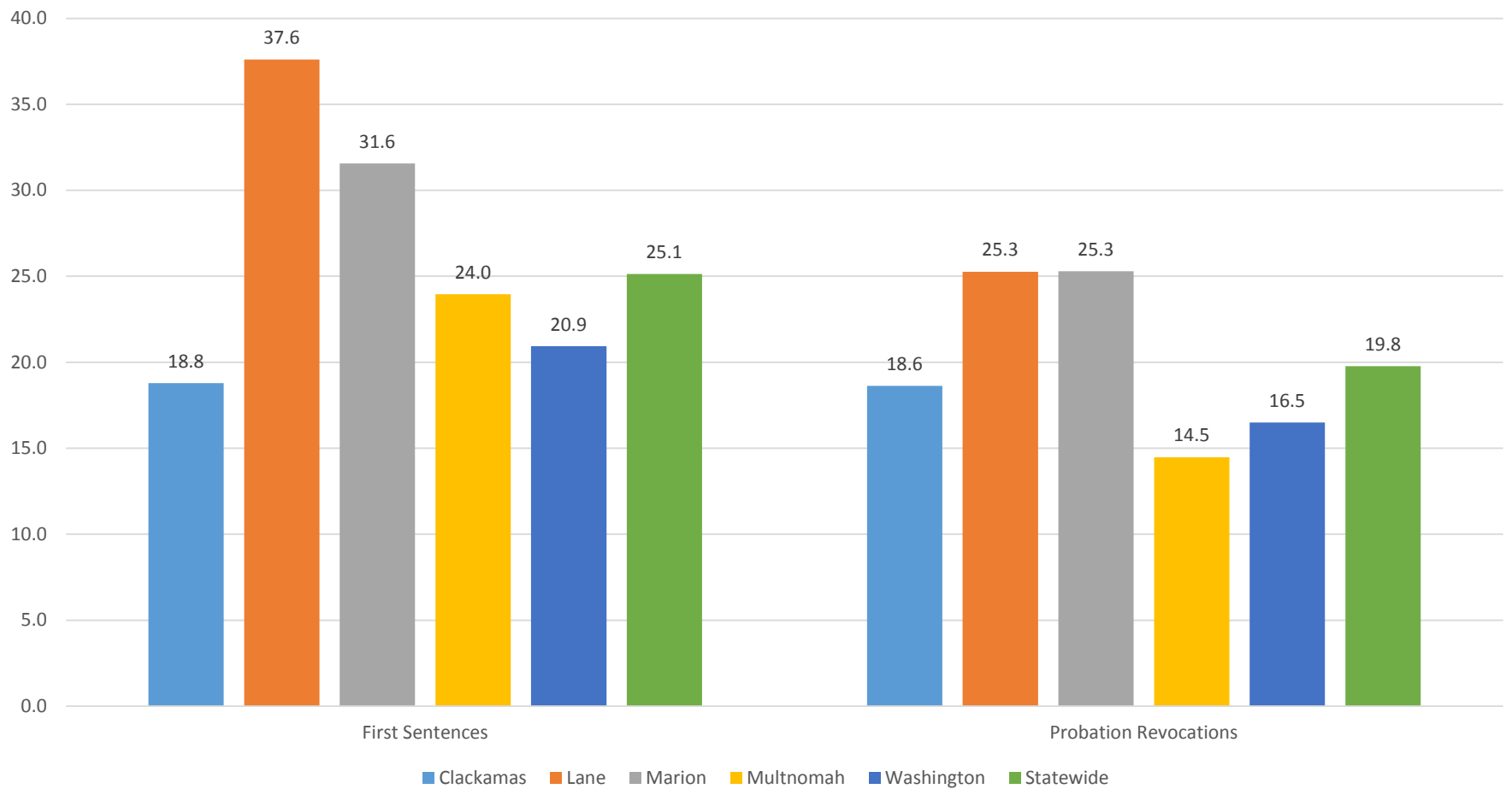
October 2014 to
September 2015

M57 Property Prison Intakes

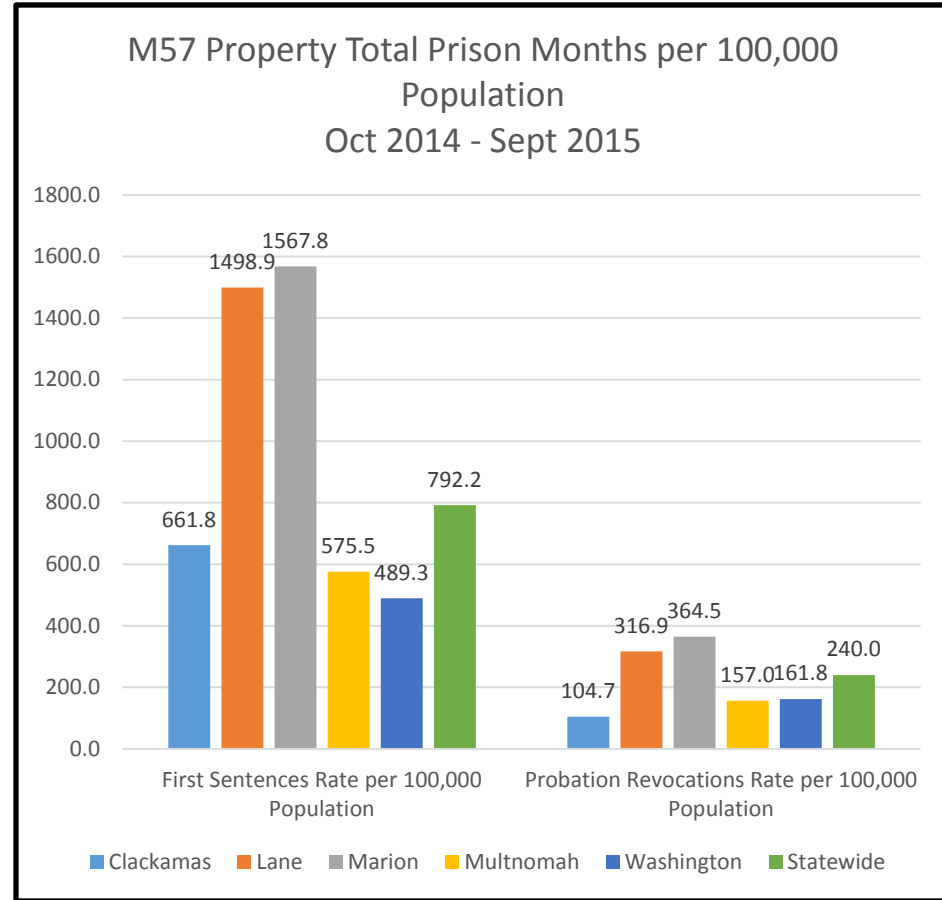
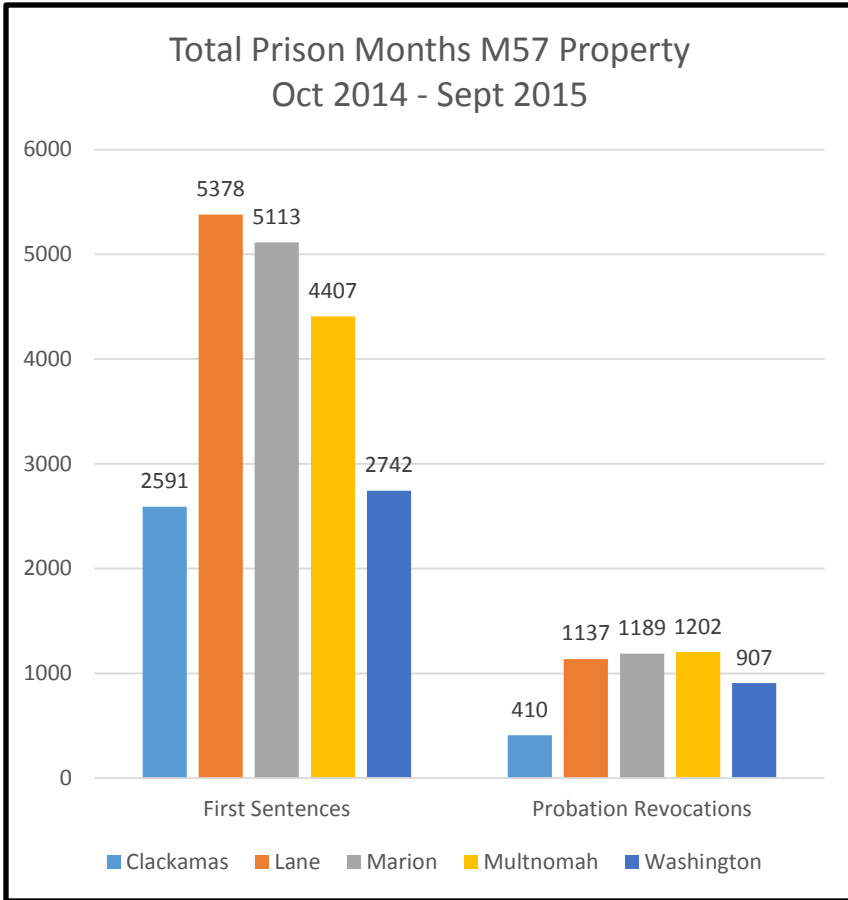


M57 Property Prison Average LOS

Prison Intakes M57 Property Average LOS
Oct 2014 - Sept 2015

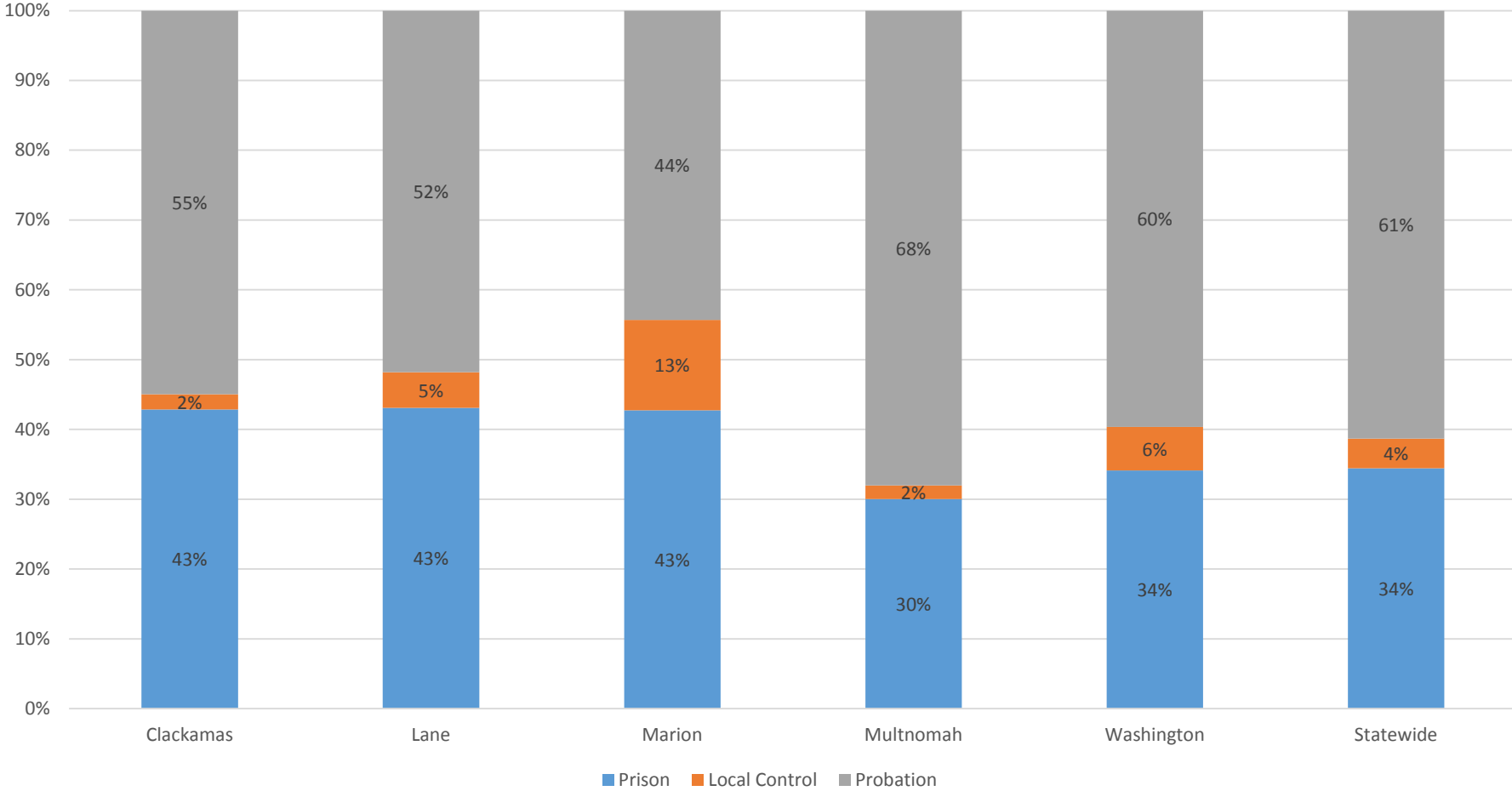


M57 Property Total Prison Months



M57 Property Sentence Types

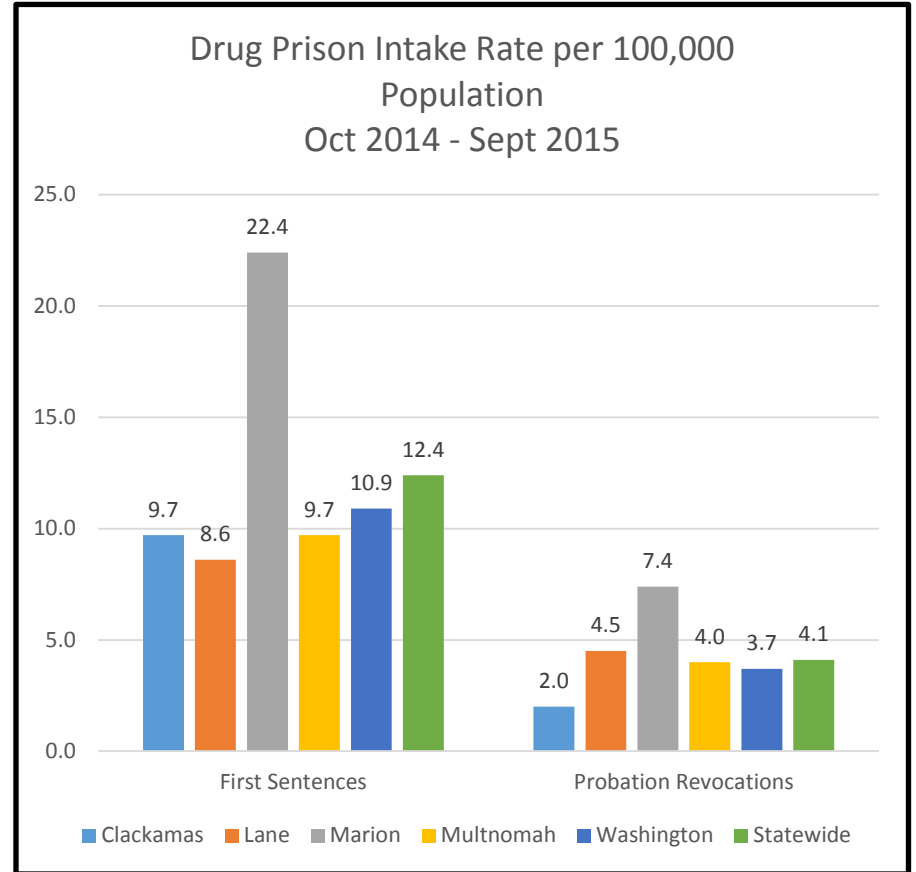
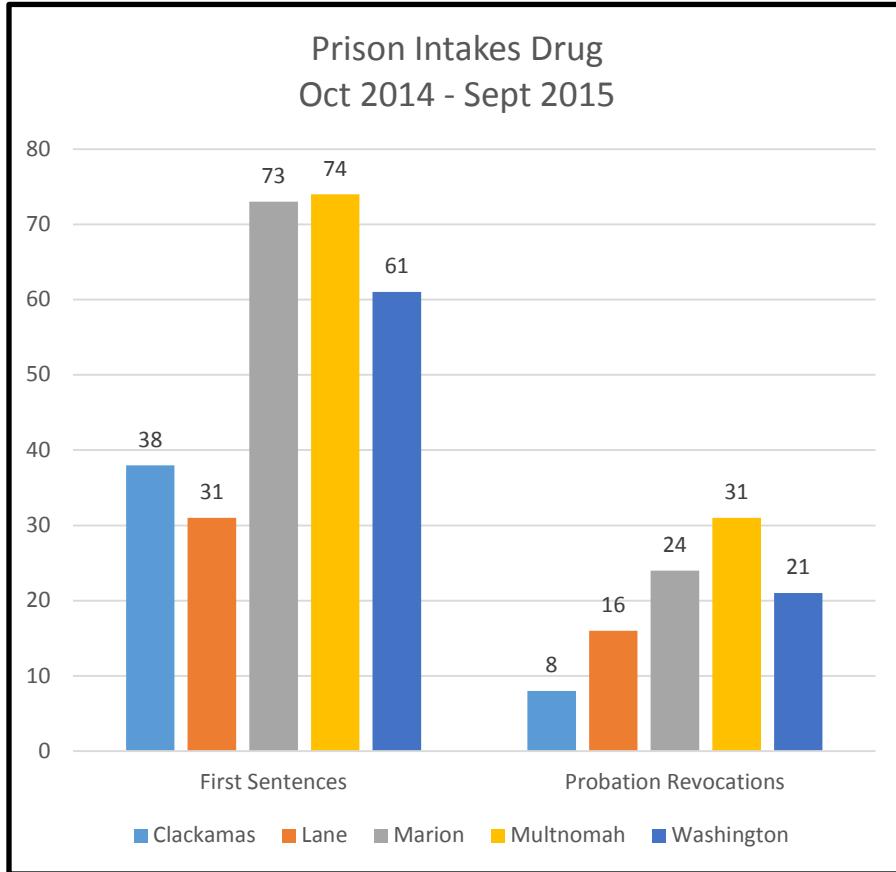
M57 Property First Sentences by Sentence Type
Oct 2014 to Sept 2015



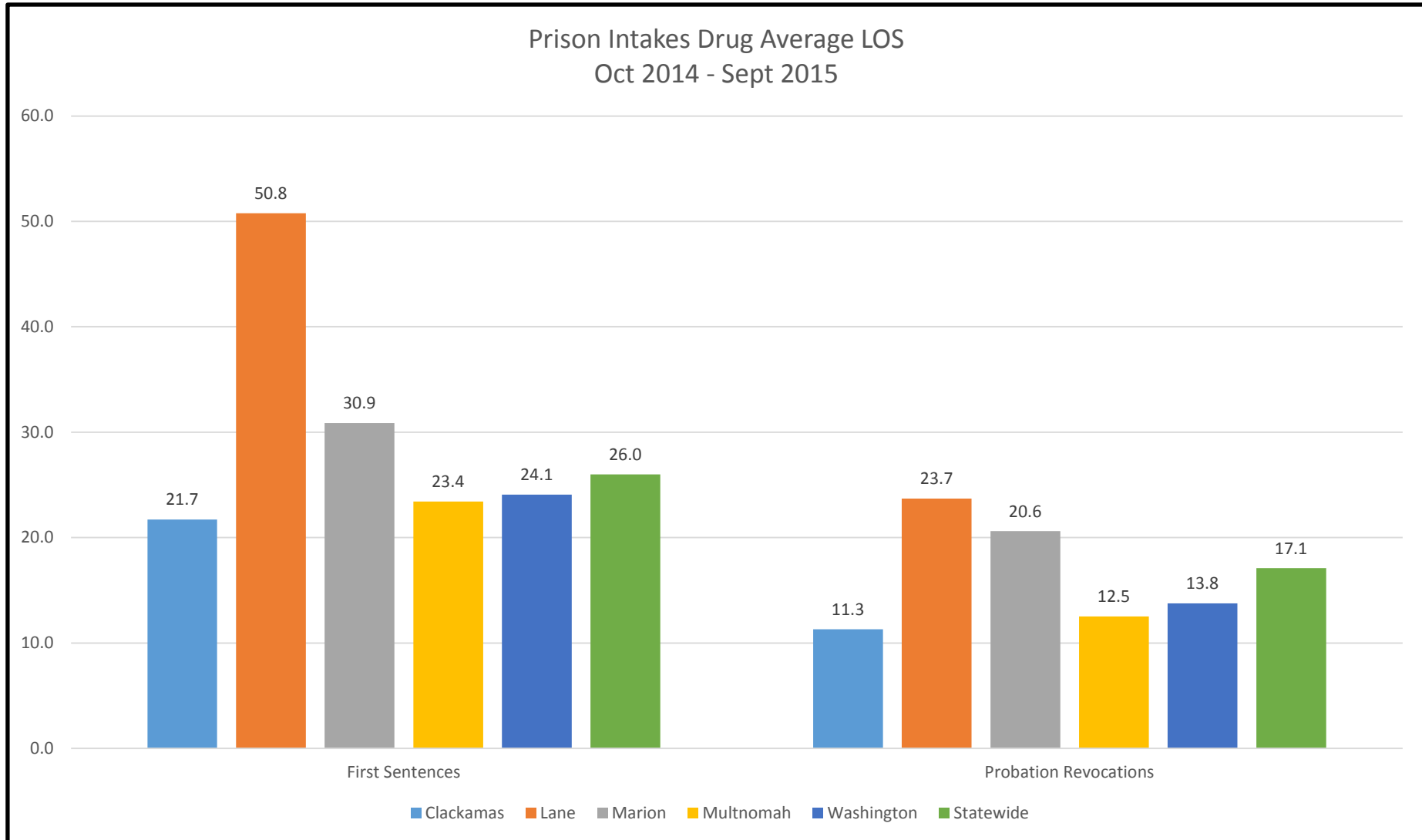
Drug Prison Usage County Comparison

October 2014 to
September 2015

Drug Prison Intakes

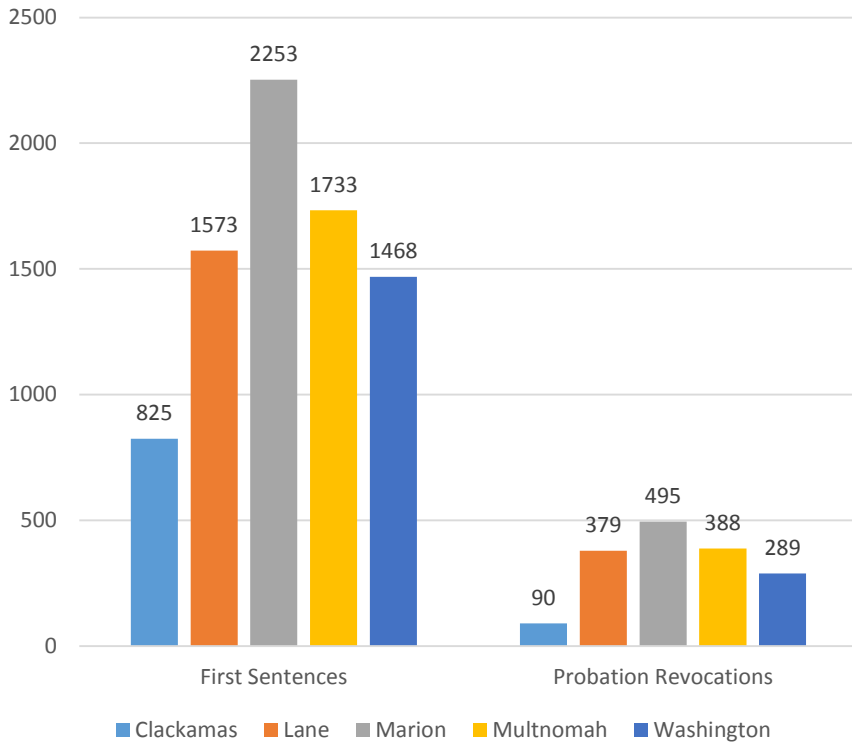


Drug Prison Average LOS

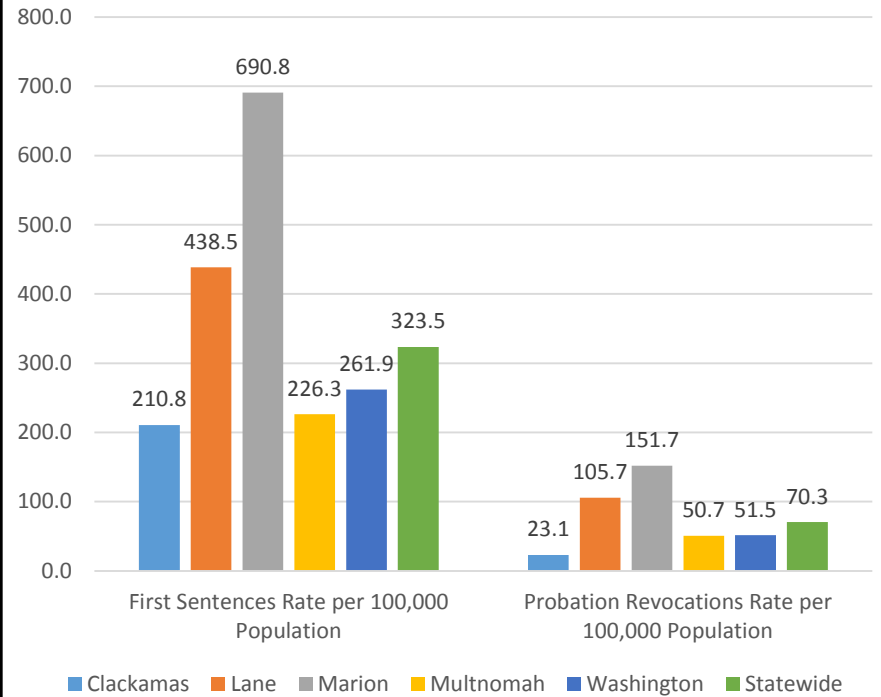


Drug Total Prison Months

Total Prison Months Drug
Oct 2014 - Sept 2015

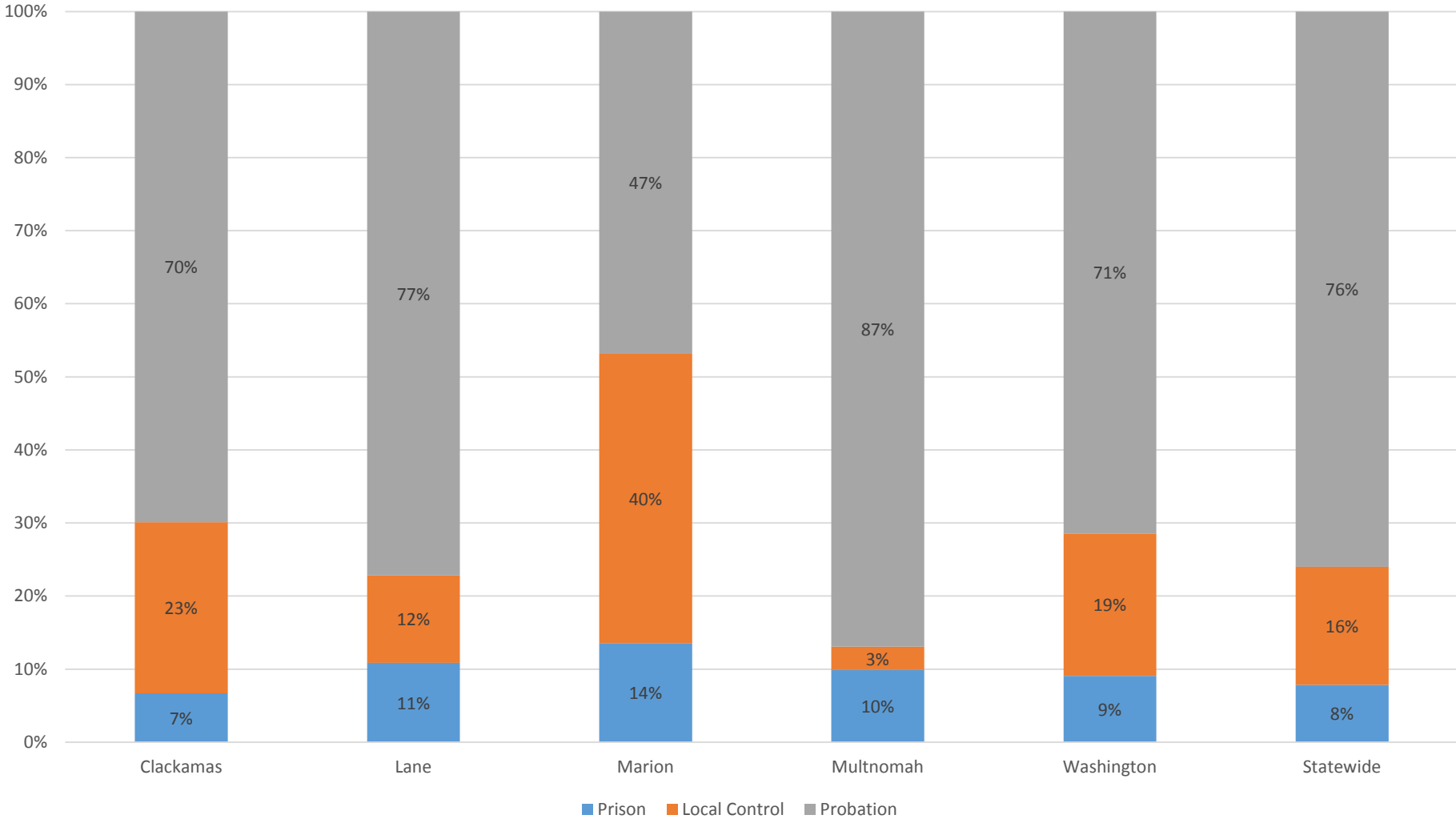


Drug Total Prison Months per 100,000
Population
Oct 2014 - Sept 2015

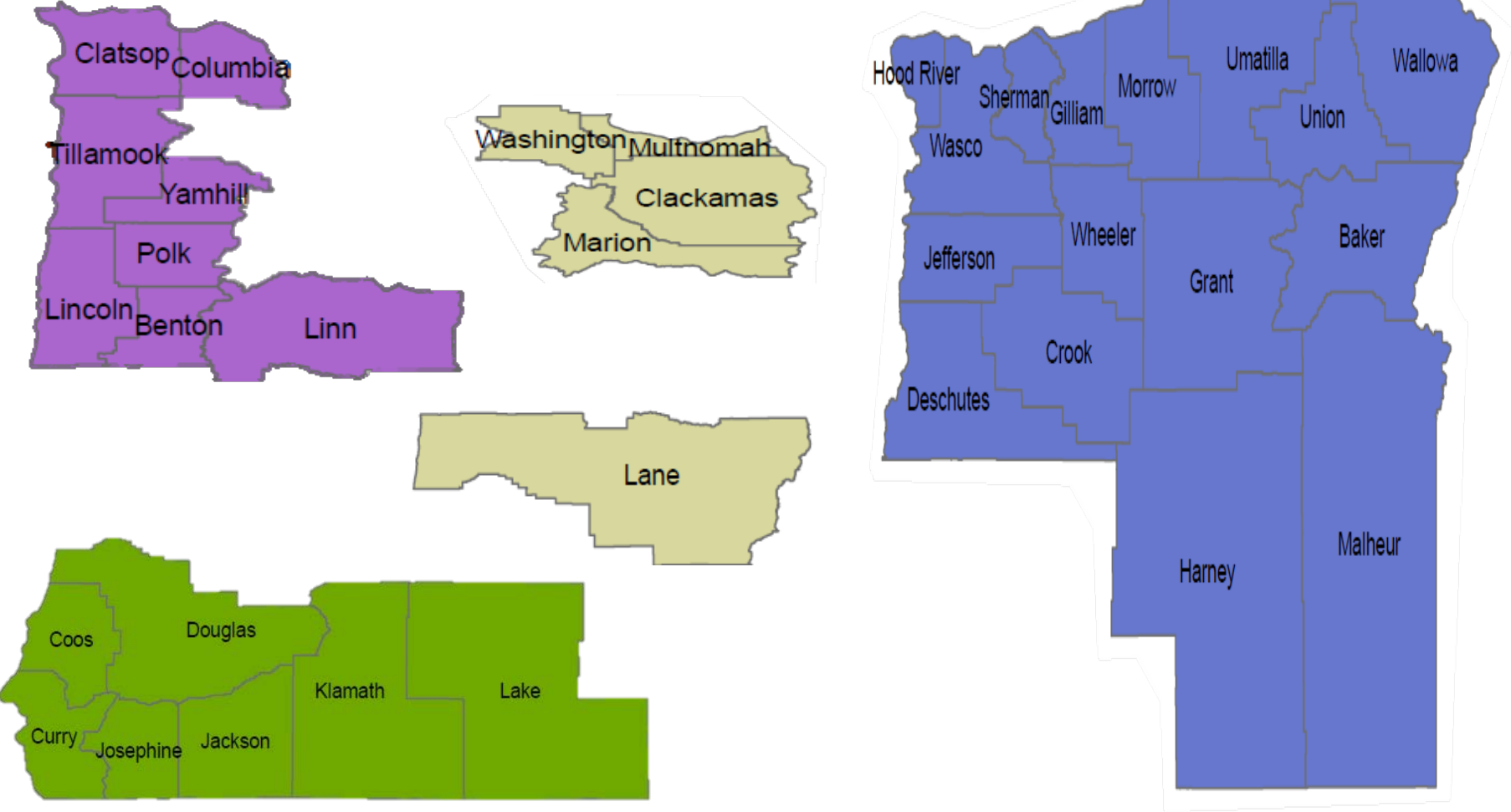


Drug Sentence Types

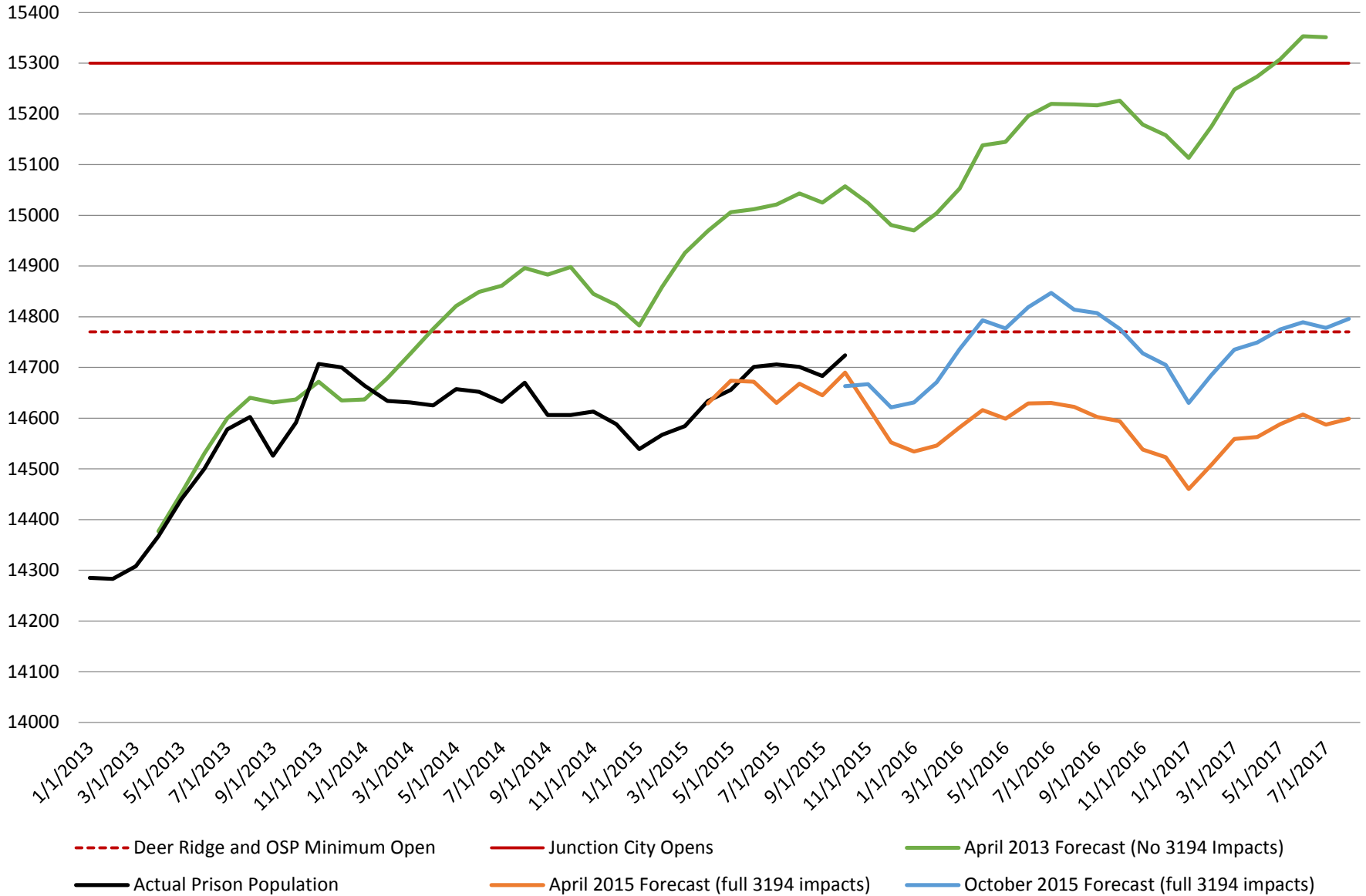
Drug First Sentences by Sentence Type
Oct 2014 to Sept 2015



Intakes Reduction Goal



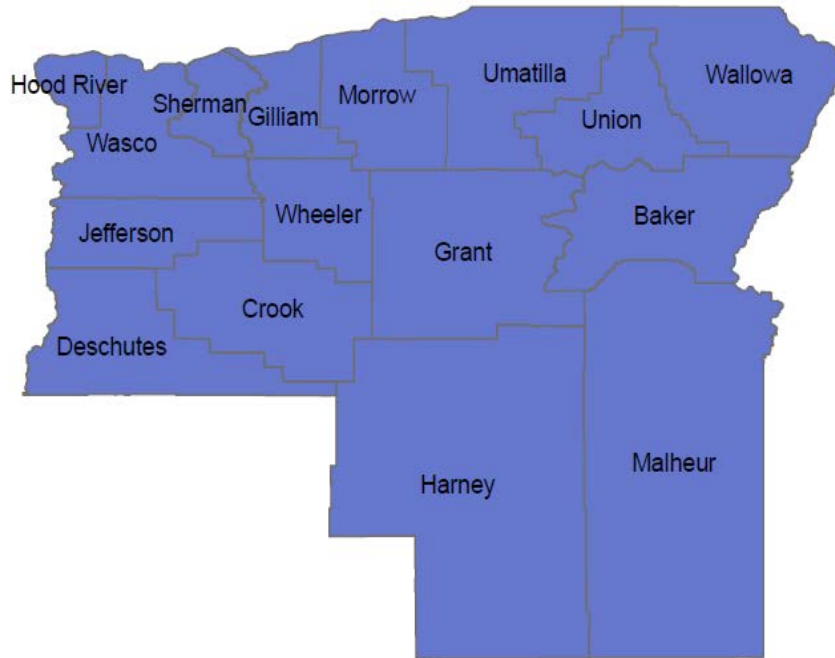
Prison Population and Forecasts



Intakes Reduction Goal

- To avoid additional permanent beds intakes must be reduced
- A statewide reduction of 25 male intakes a month beginning December 2015 will avoid new permanent beds
- A statewide reduction of 6 female intakes a month beginning December 2015 will also avoid new permanent beds

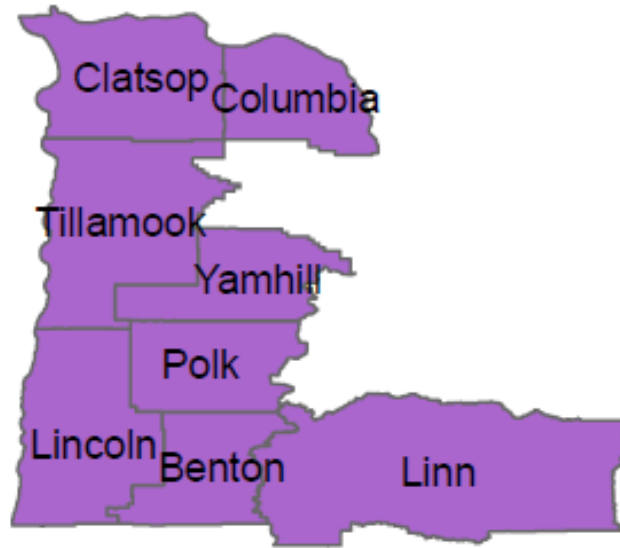
Central/Eastern Region



**Central/Eastern:
10% of total
prison months**

- 3 fewer male intakes a month
- 1 less female intake a month

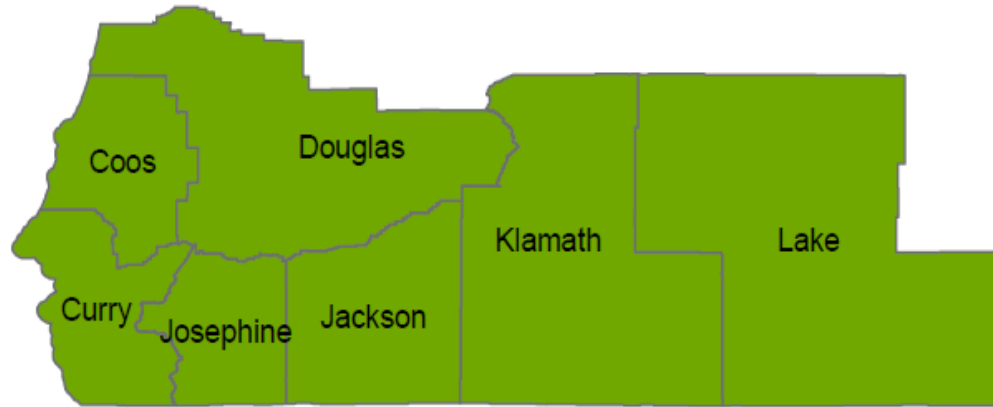
NW Coastal Region



**NW Coastal:
14% of total
prison months**

- 3 fewer male intakes a month
- 1 less female intake a month

Southwest Region



**Southwest:
15% of total
prison months**

- 4 fewer male intakes a month
- 1 less female intake a month

Metro Region



- 15 fewer male intakes a month
- 3 fewer female intakes a month



**Metro:
61% of total
prison months**

If **Marion** were to get intakes down to the statewide rate:

- 66 fewer property intakes over a year (5.5 per month)
- 43 fewer drug intakes (3.5 per month)

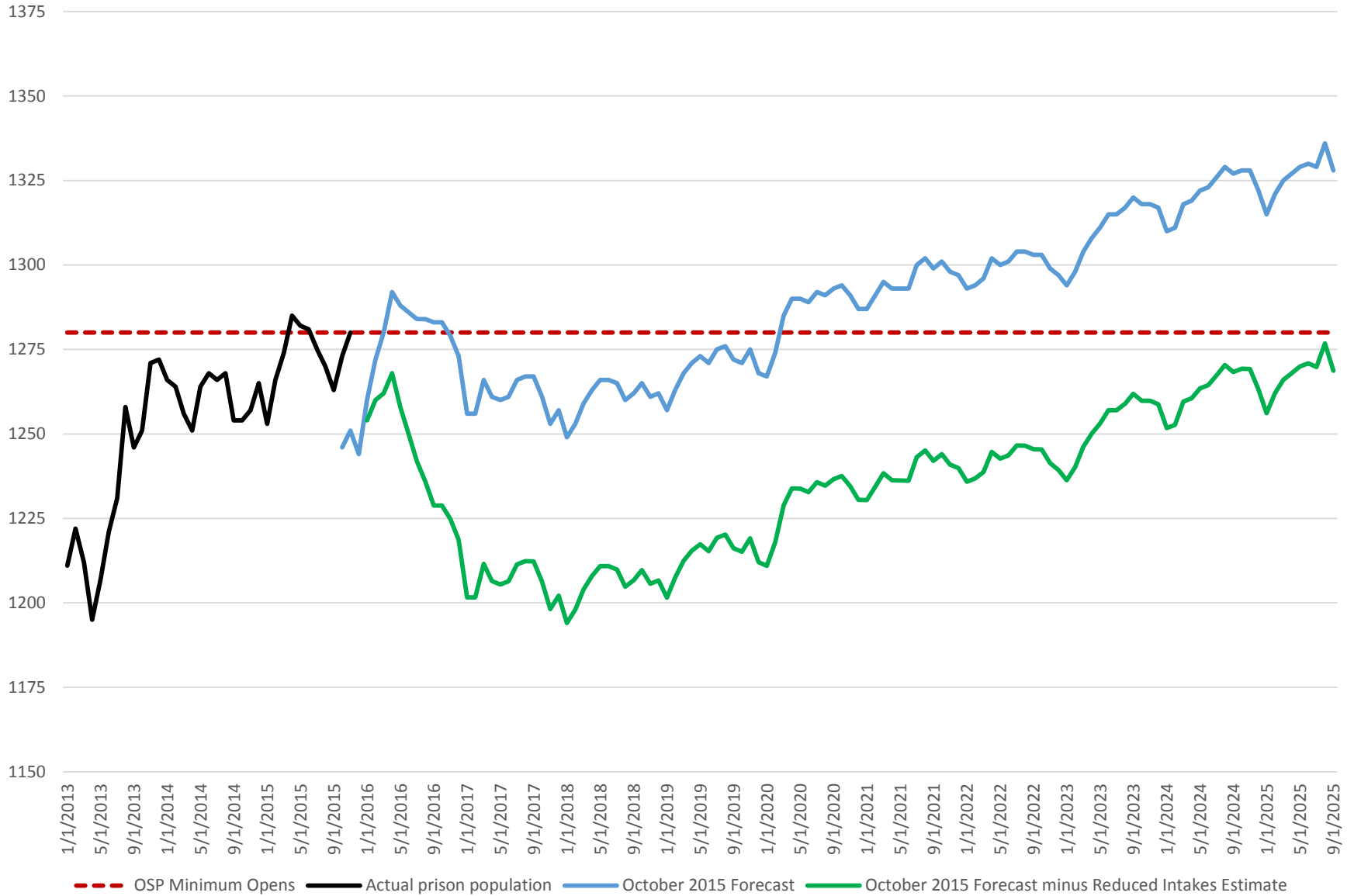
If **Lane** were to get intakes down to the statewide rate:

- 31 fewer property intakes over a year (3 per month)

With this drop in intakes we would avoid Deer Ridge in 2016.

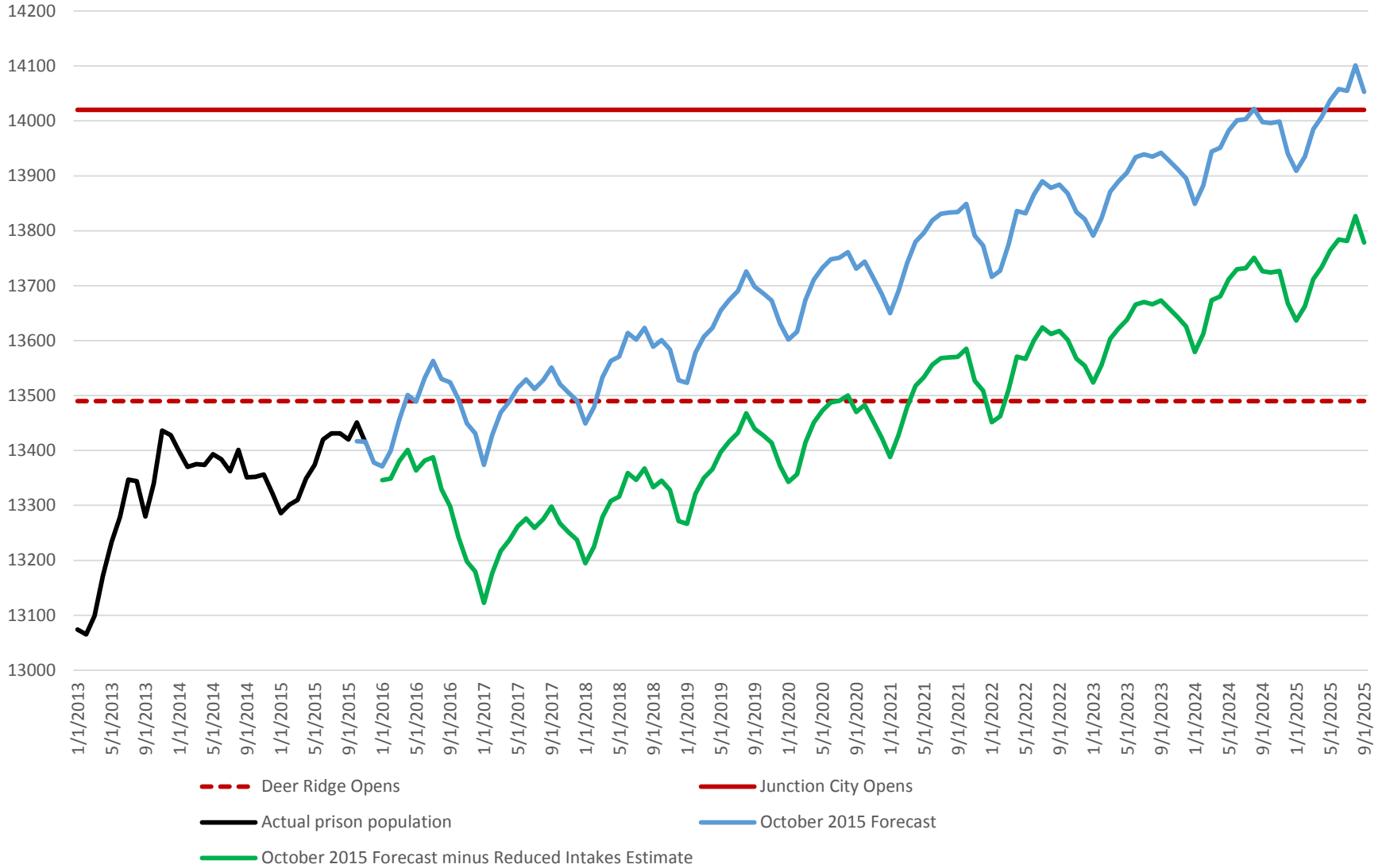
If Marion and Lane could get the average LOS down, that would help in the longer term. More of Lane's prison use is driven by LOS than intakes. The drug intake rate for Lane is currently below the statewide average, but the LOS is almost double the statewide average.

Female Prison Population and Forecasts to Sept 2025



OSP Minimum is avoided in the 10 year horizon

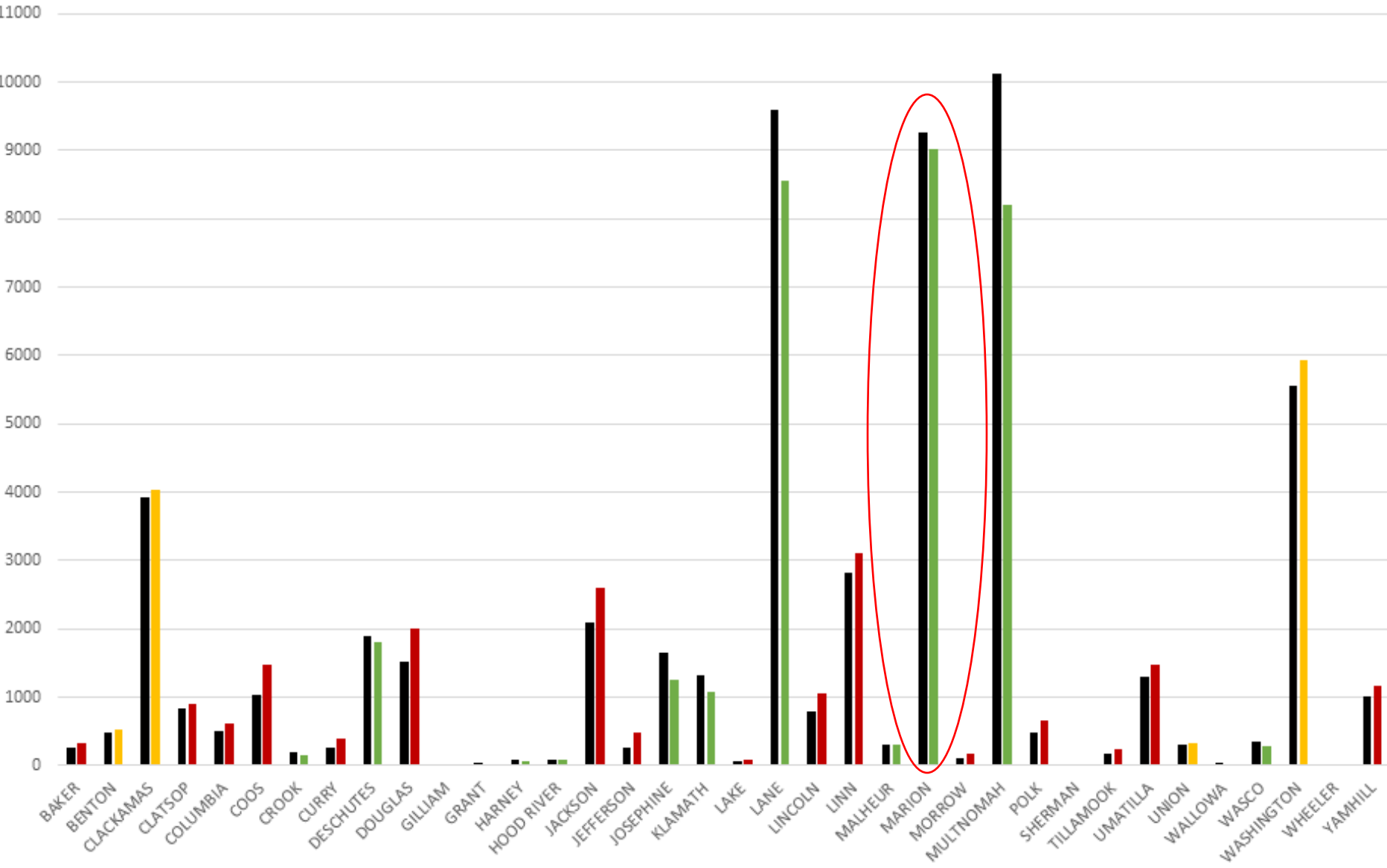
Male Prison Population and Forecasts to Sept 2025



Deer Ridge comes online July 2020
 Junction City is avoided in the 10 year horizon

JRI Prison Utilization by County

Dec 2014 - Nov 2015



■ Baseline (3 year average of total prison months from July 2012 to June 2015 for M57 property, drug, and driving offenses)
■ Dec 2014 - Nov 2015 (Total prison months for M57 property, drug, and driving offenses)

Questions?

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