

**Corrections Grand Jury
2020 Report**



**Review of the Correctional Facilities
In Multnomah County, Oregon**

TABLE OF CONTENTS

INTRODUCTION	1
Statutory Background.....	1
Methodology	1
THE FOCUS OF THIS YEAR’S REPORT	2
COVID-19 RESPONSE AND IMPACT.....	2
COVID-19 Response and Impact on AIC Experience.....	2
Changes Made to Intake Process.....	2
COVID-19 Mitigation Efforts within MCDC and MCIJ	3
COVID-19 Mitigation Efforts within CRCI	4
Recommendations	4
CORRECTIONS BUDGET.....	5
Key Findings	5
Acknowledgements	5
Recommendations	5
Overtime	5
COVID-19	6
Commissaries & AIC Labor Wage.....	6
STAFFING, MODERNIZATION, POST RELEASE	7
Preface.....	7
Acknowledgements	7
Staff Levels	7
Challenges	8
Opportunities/Solutions.....	8
Modernization Efforts (Whole Person)	9
Modernization Efforts (Vocational Training)	10
Post-Release Support.....	11
Current Status	11
Challenges	11
Opportunities/Solutions	12
GRIEVANCES	13
Acknowledgements	13
Grievance Process	13
Findings.....	13
Recommendations	14
The Corrections Grand Jury’s Grievance.....	15
WITNESSES.....	16
JUROR SIGNATURES	18

INTRODUCTION

Statutory Background

Pursuant to Oregon Revised Statute 132.440, a grand jury convened on October 20, 2020, with the ultimate goal of writing a public report about the condition and management of the four correctional facilities in Multnomah County. Under ORS 132.440:

- At least once yearly, a grand jury shall inquire into the condition and management of every correctional facility and youth correctional facility as defined in ORS 162.135 in the county.
- The grand jury is entitled to free access at all reasonable times to such correctional facilities and juvenile facilities, and, without charge, to all public records in the county pertaining thereto.
- Other than indictments presented under ORS 132.310 or presentments presented under ORS 132.370, the grand jury shall issue no report other than a report of an inquiry made under this section.

Methodology

Seven jurors were selected to serve as the 2020 Corrections Grand Jury. Over the period of one week, the Corrections Grand Jury made inquiries into the condition and management of the four correctional facilities located within Multnomah County. To inform this report, the jurors viewed a brief video of the Multnomah County Detention Center (MCDC) and the Multnomah County Inverness Jail (MCIJ) and viewed a PowerPoint presentation of the Donald E. Long Juvenile Detention Center (JJC). Due to COVID-19 concerns, the Corrections Grand Jury did not visit any of the facilities this year. Witnesses appeared before the Corrections Grand Jury by either GoToMeeting or Webex in order to adhere to social/physical distancing. Witnesses included a variety of staff and stakeholders involved in various capacities with the corrections system. The four correctional facilities located within Multnomah County are as follows:

- **Multnomah County Detention Center¹:**
 - Maximum security jail located at 1120 S.W. 3rd Ave., Portland, Oregon 97204
- **Multnomah Country Inverness Jail²:**
 - Medium security jail located at 11540 N.E. Inverness Dr., Portland, Oregon 97220

¹ The Multnomah County Detention Center (MCDC) opened in 1983 and is a maximum security facility located in downtown Portland. MCDC occupies a portion of the Justice Center building, and is a direct-supervision layout with each housing area having a staffed deputy station. MCDC serves as the initial booking facility for all arrestees within Multnomah County, apart from those starting the procedure at the Temporary Booking Facility in Gresham, and houses Adults in Custody (AICs) for the county, as well as state and federal AICs involved in court matters.

² The Multnomah County Inverness Jail (MCIJ) is a medium security facility providing proper custody, control, and supervision for county, state, and federal AICs in Multnomah County. It opened in 1988, expanded in 1991 and expanded again in 1998. MCIJ is a direct-supervision facility with a mix of open dormitory and single cell housing. Units house 10 to 78 AICs and each have a staffed deputy station.

- **Donald E. Long Juvenile Detention Center³:**
 - Youth detention center located at 1401 N.E. 68th Ave., Portland, Oregon 97213
- **Columbia River Correctional Institution⁴:**
 - Minimum security state prison located at 9111 N.E. Sunderland Ave., Portland, Oregon 97211

THE FOCUS OF THIS YEAR’S REPORT

The Corrections Grand Jury focused on the staffing and funding of the facilities, in-custody and post-release support of adults in custody (AIC), the impact and response to COVID-19, commissary, AIC labor wage, communications to AICs within the facilities, and the grievance process.

COVID-19 RESPONSE AND IMPACT

COVID-19 Response and Impact on AIC Experience

It is the opinion of the Corrections Grand Jury that the Multnomah County Sheriff’s Office (MCSO) has taken appropriate precautions to mitigate the spread of the COVID-19 pandemic within the correctional facilities. To date, there have been no cases of COVID-19 contracted within the facilities.

Changes Made to Intake Process

- During intake, arrestees are all provided with masks prior to entering the facility and, if they exhibit symptoms consistent with COVID-19, are screened by medical staff at the initial intake area prior to being accepted by corrections staff.
- Non-symptomatic arrestees are kept in open holding during intake with social/physical distancing maintained. Seating has been removed in the intake area to assist with this. There are also single cells and negative pressure cells available for individuals who have a medical condition that require separation.
- Once processed, AICs are sent to a “Medical Classification Unit” where they are kept in single cell housing for at least 14 days prior to going into general population housing. There are separate medical classification units for both males and females.

³ Donald E. Long Juvenile Detention Center (JJC) is a regional facility that houses youth from the tri-county area (Multnomah, Washington and Clackamas). The facility has a capacity of 191 beds. Currently it is not running at full capacity and is utilizing 64 beds. Multnomah County is funding 34 beds, Washington County 17 beds and Clackamas County is funding 13 beds. The building has additional types of space including six courtrooms and office space for District Attorney Staff and other system partners. Staff working in the detention facility are juvenile court counselors; however, are not sworn corrections deputies. A parent orientation session is held every 90 days. There is a full-time school, staffed by Multnomah Education Service District (MESD), operating in the facility. Youth are required to attend classes. On-site school hours are from 8:00 a.m. to 3:00 p.m. and is a year-round school. Food service staff are county employees as opposed to outside contractors.

⁴ Columbia River Correctional Institution (CRCI) is a state-run facility built in 1990 located in northeast Portland adjacent to the Portland Airport. This is an all-male facility built for a maximum population of 600 AICs who have fewer than four years left on their sentence and qualify for the programs offered by CRCI to prepare the AIC for life outside of the prison system and to return them to the community as productive citizens.

COVID-19 Mitigation Efforts within MCDC and MCIJ

- Programming provided at both facilities by outside providers was suspended and all internally provided programming is taking place inside the housing units instead of inside program rooms.
- Face to face and lobby kiosk visitation has been suspended, but video kiosk visitation is still available. Professional contact visits have been limited and are at the approval of the facility commander.
- Outside work crew assignments for MCIJ have been suspended.
- Shift briefings at both locations are being conducted in a virtual format to avoid congregation of large groups prior to shifts. Movement inside the facility has also been limited to necessary operational moves and required court and medical appointments.
- Where necessary, Plexiglas shields have been installed where facility design prevents adequate social/physical distancing.
- Handwashing supplies are provided at no cost to AICs and are re-stocked on a regular schedule. An internal warehouse maintains additional stock for both facilities.
- Enhanced cleaning of facilities and vehicles has been implemented. This includes staff, AIC work crews, and contracted cleaning services.
- COVID-19 tests are available to any AIC presenting symptoms.
- Alternative extended leave options are available to all staff and they are directed to self-screen for symptoms and stay home if ill. Teleworking options are available to staff, where possible.
- Where possible, court appearances have been carried out using technology, such as video meetings.
- MCSO transport vehicles include multiple separate holding areas to move AICs in small numbers while maintaining social/physical distancing.
- Law enforcement has moved toward issuing citations when possible to reduce the number of unnecessary admissions. Bookings at MCDC have been at less than 50% of the average.
- Clean face coverings are provided to AICs during established clothing and linen exchanges. They are also provided when AICs are transported outside of their individual housing units.
- MCSO has been working with the Department of Community Justice to identify AICs who can be released with supervision (Close Street Supervision program) or community treatment support. These efforts have resulted in an overall downturn in AIC population. Facility populations are currently down to 60% of budgeted capacity from 95% before COVID-19.
- Both facilities have provided free or reduced charge phone and video calls during the pandemic to ensure that AICs are able to connect with friends and family. At this time, the free video calls are no longer available.
- Supervisors and managers of both facilities are conducting frequent compliance checks for all of these guidelines and so far have a compliance rate of roughly 95%.

- Corrections Health has medical staff on duty 24/7 inside both facilities to address medical needs of AICs. Negative pressure airflow cells are available at each location as part of infectious disease protocol.

COVID-19 Mitigation Efforts within CRCI

- Classes and programs are limited to 10 AICs per class and they are required to wear masks when in general population.
- Each housing unit is given individual yard time, which has resulted in an overall reduction in the amount of yard time per person, but helps to maintain adequate social/physical distancing.
- There is currently only one work crew each day.
- In-person visits were discontinued at the beginning of the pandemic, but they are currently working on setting up an area to provide in-person visit access with barriers to maintain separation.
- Implemented cleaning and sanitizing procedures, much of which is handled by the AICs.
- All staff are screened for COVID-19 symptoms upon arrival to the facility.
- AICs were provided with two free phone calls per week, but that has recently stopped.

Recommendations

The COVID-19 pandemic has presented some unique opportunities to expand existing programs such as Close Street Supervision. It is the hope of the Corrections Grand Jury that these programs will help maintain a reduced capacity and decrease the recidivism rate.

We heard testimony from corrections deputies that the reduced population of AICs has had an overall positive impact on the operation of the facilities. We also want to acknowledge that the AIC population was reduced from 95% of capacity to 60% within just a few weeks. This immediately led to improvements, due to the increased ratio of corrections deputies to AIC population.

While the pandemic is ongoing, some consideration should be given to how we can improve the AIC experience for those required to remain in custody. We have heard of an increase in mental health concerns among the AIC population. Some of this has been due to the lack of available programs and some of it has come from a lack of communication to the AIC population regarding the measures being taken to protect them from the pandemic.

With the limitation of outside providers currently having access to the facility, MCSO should look for alternative ways to provide these programs again while still maintaining their COVID-19 mitigation efforts.

We are also concerned that free phone calls are no longer provided at certain facilities where there are currently no in-person visitation options. The lack of in-person contact with

friends and family, places additional mental health strain on the AIC population. Access to free phone calls will help to mitigate negative mental health effects.

We also heard testimony that the “walk time” of the AICs has been reduced due to the COVID-19 mitigation efforts and this has had a negative impact on mental health. Options should be researched on how to increase the amount of walk time available to AICs while maintaining necessary social/physical distancing.

CORRECTIONS BUDGET

Key Findings

The operating budget of MCSO was approximately \$147 million for the 2019-2020 Fiscal Year, with approximately \$113 million allocated for use by the corrections division. Of the overall operating budget, approximately 7% (\$10 million) was utilized to fund staffing overtime expenses. Overtime expenses represent a significant burden to the corrections division operating budget.

The COVID-19 pandemic presents a unique fiscal challenge to the corrections division. From an operational viewpoint, MCDC and MCIJ have seen an AIC reduction of approximately 30%. However, the corrections division has incurred additional overtime staffing costs, as more corrections deputies are required to oversee additional physical areas and AICs are distributed throughout the facility to increase their social/physical distances within the facility. At this time due to current AIC management protocols, MCSO is unable to capitalize on the opportunity to reduce overhead cost.

Each correctional facility operates a commissary, providing an array of items for purchase by the AICs. These items are not sold at cost, and net revenue gained by MCSO from the sale of these items is used to fund a limited number of AIC programs. Fiscally related to the commissaries is the wage rate of AICs employed by the corrections division for voluntary work crew duties. At this time AICs are paid \$1 per day for their service, as mandated per Oregon Administrative Rule 291-077-0010 to 291-077-0040. This wage has not been updated to reflect inflation or other fiscal influences over the approximately 26-year duration of the administrative rule.

Acknowledgements

The Corrections Grand Jury acknowledges the efforts and adaptability of MCSO for their continued service, given the unique circumstances of COVID-19 and their ability to work within their allocated operating budget to keep the correctional facilities operating safely.

Recommendations

Overtime

The Corrections Grand Jury recommends that an overtime study be completed immediately by an independent consulting firm. The current burden of overtime cost is unsustainable to the annual operating budget, is detrimental to the funding of AIC programs, and negatively impacts the quality of service being provided to AICs by corrections deputies.

The purpose of the overtime study would be to review how the facilities are operated, in order to determine the appropriate level of staffing and reduce overtime expenses. From testimony given by the Multnomah County Sheriff's Association Union President Mark Bunnell, the overtime expenditures are creating an undo strain on the corrections deputies. Additional testimony given by Multnomah County Human Resource Manager Keri Kern stated how challenging it has been to hire qualified corrections deputies, therefore simply hiring more corrections deputies would compound stress on currently employed corrections deputies and would not address the core issue of facility operation and management.

COVID-19

It is the understanding of the Corrections Grand Jury based on testimony given by front-line supervisors of the corrections division, that both MCDC and MCIJ operate more effectively and place less strain on the AICs and staff when operating at 65% than at the previous year's 90-95%. It is the Corrections Grand Jury's opinion that operating conditions and capacities in the coming fiscal years will remain consistent. The Corrections Grand Jury recommends that an independent consulting firm perform a review to identify possible staffing efficiencies within the operation of the facilities. It is imperative that the corrections division capitalize on the financial opportunities given by a reduction in bed capacity. This review should be an evaluation of the current roles served by the largest overtime drivers and find alternate solutions in staffing efficiencies or performance of work by a certain individual role.

Commissaries & AIC Labor Wage

The Corrections Grand Jury supports a fiscal review of the revenue produced from commissary sales with the intent that:

- The revenue stream produced from mark ups on commissary products be replaced with funding from the general operating budget.
- If the AICs are to indirectly pay for their own programs through revenue produced on mark-ups, AICs should choose which programs they fund and at what rate.

It is the recommendation of the Corrections Grand Jury that \$1 per day wage rate be changed to reflect the following:

- The base wage rate (\$1 per day) should be adjusted for inflation based on the Bureau of Labor Statistics' Consumer Price Index. The additional cost above the current wage would be supplemented by the contractor who contracted the work.
 - This wage rate applies to all in house positions in which AICs receive wages (e.g., laundry service, kitchen work).
 - AICs should be duly compensated for work that involves more risk (e.g., hazardous waste clean-up).

STAFFING, MODERNIZATION, POST RELEASE

Preface

Staffing continues to be a challenge due to several contributing factors, some more deeply rooted than others. We recognize the additional strain that has been placed on all staff members within the organization due to the rise of COVID-19 and other political turmoil that may negatively affect staff morale.

While many programs and systems exist to aid AICs in navigating the corrections system, there are barriers that prevent dissemination of information about help that may be available. AICs testified that they were more likely to learn about available resources from other AICs, rather than from printed materials or staff.

Acknowledgements

It is an unfortunate truth that the first time many of our most challenged citizens have their needs identified is when they are brought into the correctional system. While solving the challenges of poverty and mental illness is a task that outstrips the capacity of any one county or institution, this does provide us one of our best opportunities to initiate the kind of services that will better serve the individual and our community.

While we feel that the will to keep improving and modernizing attitudes exists at a leadership level, we do not necessarily see this working deeper within the system. Staffing allocations still favor the punitive side of corrections rather than the “whole person services” which have proven successful. We were disturbed to learn that hiring standards for corrections deputies have actually been lowered in recent years. While troubling, we see the solution to this problem as an opportunity to replace what’s lacking with something more effective and forward-positioned.

Staff Levels

The Multnomah County Correctional Staff composition is as follows:

- 6 Corrections Captains:
 - 5 Male (83%), 1 Female (17%)
 - 5 White (83%), 1 Black (17%)
- 8 Corrections Lieutenants:
 - 7 Male (87.5%), 1 Female (12.5%)
 - 7 White (87.5%), 1 Black (12.5%)
- 41 Corrections Sergeants:
 - 36 Males (88%), 5 Female (12%)
 - 33 White (80%), 5 Black (12%), 3 Hispanic (8%)
- 377 Corrections Deputies:
 - 296 Male (78.5%), 81 Female (21.5%)
 - 291 White (77%), 31 Black (8%), 37 Hispanic (10%), 10 Asian (3%), 8 Other (2%)

The racial demographics of this staffing allocation roughly reflects the broader Multnomah County composition as recorded in the 2010 Census (76.5% White, 6.5% Asian, 5.6% Black, 10.9% Hispanic) though it does not reflect the incarcerated populations.

In addition to the above mentioned correctional staff, medical, dental, and mental health staff include:

- 12 Medical Providers
- 56 Registered Nurses
- 2 Licensed Practical Nurse
- 24 Mental Health Consultants
- 10 Office Assistants
- 4 Medical Assistants
- 13 Medical Aides
- 1 Dental Assistant

Challenges

As described in the Funding Section, overtime costs amount to roughly 7% of the annualized operational budget. This staffing shortage causes exhaustion and low morale amongst the staff. However, due to COVID-19, AIC capacity levels were reduced from previous levels averaging between 90-95% to a current average between 60-65%. While staff expressed feeling spread too thin at the >90% capacity level, multiple witnesses testified that the staff-to-AIC ratio feels more sustainable and beneficial at the ~65% capacity level even when considering additional challenges due to COVID-19 precautions.

Opportunities/Solutions

Our recommendation is to adjust the ideal capacity to be 70% of the previous maximum. This adjusted capacity allows for a better level of service from the existing set of corrections deputies, corrections counselors, and all other critical staff. The current staffing levels should not be reduced based on the lower AIC population; rather, the ratio of AICs to staff should be improved.

With this permanent adjustment, the current staffing allocations will be better suited to handle their responsibilities, have more time to give to each AIC, and experience improved staff morale. We recognize that there are additional measures and efforts needed currently to support COVID-19 related precautions and procedures that may continue to wear on the existing staff. As COVID-19 passes, the Corrections Grand Jury believe that the continued reduced capacity will be what best serves current staff, future staff, the AICs, and the broader Portland community.

It should be noted that this reduction in capacity was achieved by increasing the number of AICs who qualified for one of the two Pre-Trial Services programs. While data is still pending regarding the successful adherence to conditions of pre-trial release for this expanded population, previous data shows a >96% success rate for enrolled participants. Additionally, it is documented that adults who are given access to their community's resources are more likely to receive improved sentencing outcomes. Moreover, the costs

for pre-trial supervision are more financially sustainable for Multnomah County as compared to the costs for pre-trial incarceration which is projected to cost \$296.61 per AIC per day in FY'21. We strongly encourage the continued expansion of the Pre-Trial Services programs to limit the restriction of freedom placed on adults who do not need to be held in custody before an upcoming trial.

The Corrections Grand Jury strongly supports and encourages the continued participation in the MacArthur Safety and Justice Challenge to ensure racial biases within the judicial system are identified and addressed. With a particular focus on the correlation between pre-trial release and improved sentencing outcomes, it would be a disservice to our community to disproportionately deny pre-trial release to adults who have historically been oppressed by the judicial system. The current findings from 2014 reveal few racial disparities in adults who qualify for pre-trial release, but these numbers should be updated with more recent data and used when determining possible program expansion. Additional racial disparities were uncovered at nearly every intercept point leading to a Multnomah County rate of incarceration for Black adults that is 6x the average incarceration rate of White adults (9.2 per 1,000 vs. 1.5 per 1,000). While the rate of incarceration is not as stark for members of other minority populations, they show undeniable evidence of racial disparities with Hispanic adults being 1.2x more likely to be incarcerated and Native Americans being 1.8x more likely to be incarcerated as compared to their White counterparts. The continued collection, analysis, and dissemination of data along these lines is critical to the continued pursuit of racial justice within the judicial system.

If the Corrections Grand Jury were to recommend additional staffing needs in any area(s), they would be as follows:

- Prioritize staffing to support expansion of Pre-Trial Services (both Pre-Trial Services led by DCJ and the Close Street Supervision Program).
- Prioritize staffing to support whole-person and pre-release programming.

Modernization Efforts (Whole Person)

Multnomah County currently has approximately 16 corrections counselors who are tasked with a wide range of responsibilities within the facilities ranging from distribution of eyewear to notifying AICs of court dates to providing mental health support. Nearly 30% of AICs have a significant mental health diagnosis and the counselors play a critical role in their in-facility care experience. Due to COVID 19, many programs and support groups normally available to AICs, most notably related to the treatment of substance abuse, have been postponed indefinitely. Corrections counselors are largely responsible for filling in these gaps without additional resources. It is extremely important that their department receive the staffing and support that it needs to maintain manageable caseloads.

Throughout the Corrections Grand Jury's process of interviewing the experts, it was made clear to us that AICs were more successful after custody when they received "Whole Person Services." While job training alone does not reduce statistics for recidivism, mental health care and in-depth case management does. When we address the circumstances that

create desperation, we reduce the crimes born of desperation. We find this to be a more rehabilitative and less punitive model of corrections.

“Whole Person Services” is an approach that considers the holistic needs of the specific individual in custody. These would include, but are not limited to, access to mental health services, physical health needs and ongoing health education, in-depth case management, skills training, and connection to post-detention programs that will benefit the individual once back in the community. Progress toward this goal requires systemic changes, such as the elimination of mandatory sentencing to return discretion to judges, higher standards for corrections deputies, and a firmer handoff of the AIC into the kinds of community and health services that can best help them to be successful post-detention.

We believe that many of the programs that are effective at a juvenile level warrant potential implementation at an adult level. Youth Offenders are regularly reassessed to determine whether they need to remain under full-time care. The rapid AIC reduction under COVID-19 circumstances suggests that there is a place for this kind of assessment in the adult population. The Close Street Supervision program, which has been 99% successful with previous participants, is a practical solution to support adults who no longer need full-time detention.

As Eric Scott Williams, Program Manager for Mental Health services at MCDC and MCIJ testified, “When you take away the things that instill hope for people, it makes our job more of a challenge.” As such, we feel it is imperative that our corrections system continues to pursue “Whole Person Services” that leave the AIC, the corrections staff, and the broader community better than they were before.

In order to better serve all parties, we need to direct resources toward more appropriate staffing which emphasizes the care and improvement of the individual, whether they serve 60 days or 60 years. As such, we need to be cognizant and committed to these priorities at a funding and allocation level. We must make the right choices, but most of all, we must have the will to change.

Modernization Efforts (Vocational Training)

We emphasize these priorities because we are very aware that staffing is an ongoing issue within the department and we wish to loudly remind all parties involved that these staffing challenges provide us with a powerful opportunity to instill long term improvement.

The Corrections Grand Jury was troubled to learn that hiring standards for correctional deputies have been reduced in recent years. Currently, there is no base education required for corrections deputies beyond a high school diploma and two years of “life experience.” Where military experience had not been considered to be an inherent qualifier in the past, it now is. This represents a wrong direction in priorities, reinforcing punitive values over rehabilitative and creating a more contentious atmosphere within the facilities. During the screening process, applicants were merely asked to share their social media accounts to help identify troubling attitudes such as white supremacy. Worryingly, queries into the deeper aspects of the mental health and bias screening process received few details in

return. These initial screenings should be expanded to identify candidates with attitudes that do not align with the modern vision of MCSO leadership. Most training is peer-provided and often inconsistent, which contributes to an unfortunate cycle of stagnant cultural attitudes that replace solid professional training. We see the entry point as our first, best opportunity to avoid problems like violence and racial strife, rather than after someone is already employed in the system.

One proposal that received positive, enthusiastic responses from both Sheriff Reese and Deputy Bunnell was that of a high school level vocational/magnet training program for youth interested in public service. This proposal is directly in-line with Multnomah County's own Workforce Equity Strategic Plan.

Such a program would focus not merely on the bare physical expectations of corrections deputies, but provide our best conduit for updating and modernizing our system with forward-facing approaches to "Whole Person Services." Students would receive a more solid foundation in mental health, social work, cultural contexts and other complementary subjects rather than mere physical security.

- As a consequence, we would improve the diversity of our local corrections and law enforcement agencies.
- Provide job pathways to redirect potentially at-risk youth.
- Create a pool of candidates with modernized attitudes and skillsets suitable to the future of law enforcement and corrections, and be a tremendous benefit for the hiring of well-qualified job candidates – not simply in Multnomah County but across the country as these youth move into their adult lives.

Those students who do not pursue careers in public service would still have an incredibly well-rounded skillset from which to approach life in this modern world. Such a program additionally serves to improve the relationship between peacekeepers and traditionally underserved communities as they come to see themselves better represented.

Post-Release Support

Current Status

As noted in the Acknowledgements, we recognize that the onus of solving some of society's most challenging tasks does not fall on the corrections department. However, the corrections department has a unique position within the system to help those who have struggled to succeed and to provide critical insights into some of society's shortcomings. While some of this support happens within the walls of the facilities, we believe that, for continued success, it should be done in partnership with organizations and institutions that can continue to support the AIC after their release.

Challenges

To follow additional COVID-19 security precautions, many programs have been reduced or entirely canceled. The absence of these programs does not serve the AIC community's best interests and likely increases rates of recidivism.

Many of these programs rely on volunteers and there are notable gaps in areas that could serve the AIC population. While programs cover skills ranging from cooking basics, to resume writing, to starting a business, to public speaking, there are several overlooked critical skills. We would like to see programs that focus on financial literacy, housing options, new skills training, and job placements. Ideally, these would be delivered by staff or be priority programs for volunteers to provide to ensure they are consistently offered to AICs regardless of fluctuations in volunteers. With the upcoming distribution of tablets to AICs, there will be an available technological platform for running these programs during pre-existing COVID-19 restrictions.

Opportunities/Solutions

While the average stay across all facilities is under 14 days, the average stay within MCIJ is 64 days. For this reason, we recommend expansion of programs with a focus on MCIJ due to both its role as a release facility and the average length of stay allowing for program completion. These programs should be robust enough to convey the required information, but brief enough that they are available to AICs with shorter stays. Ideally, these programs would be abbreviated offerings that can be completed in less than 4 weeks, though some, like new skills training, would need to be longer.

We support the creation and expansion of programs that focus on the life skills AICs will need when re-entering society. Specifically, we support the creation of four areas of programming.

- **Financial Literacy** – Covering the basics of opening a bank account, creating and managing a monthly budget, savings and investment practices, the role of credit scores (and how to improve them), tax filing, and common deceptive practices (e.g., payday loans).
- **Housing Options** – Connect AICs with short-term and long-term housing opportunities in the community that are appropriate to their needs. This may include homeless shelters, Section 8 housing, transition housing, acquiring a PO Box, and other viable learnings.
- **New Skills Training** – There are existing programs that teach employable skills in areas like food preparation or yard care, however, many of these programs prepare AICs for minimum wage jobs. While there are opportunities for those with pre-existing skillsets to continue using those skills while in custody, these skills should be taught to those without previous experience. This increases the likelihood of employment for an AIC and increases the wages for which they could qualify upon release.
- **Job Placement** – As an extension of New Skills Training, Multnomah County should expand partnerships with external organizations that can offer jobs to newly released AICs. This may take the shape of immediate positions or free/discounted training programs to continue professional skill development. There are pre-existing partnerships between Multnomah

County and Portland Community College (PCC) for AICs who wish to continue their education upon release; we recommend similar partnerships are created for those who wish to continue a line of employment.

GRIEVANCES

Acknowledgements

Most of the staff we spoke with were kind and conscientious, and seemed to be genuinely concerned with the wellbeing of the people in their charge. Staff at all levels had the desire to connect AICs with services that could reduce recidivism, improve their quality of life both during and after incarceration, and prevent the spread of COVID-19 within Multnomah County's correctional system. All three of the AICs we spoke to reported that they felt physically safe in custody. They were aware of how to file a grievance and seek medical treatment.

Grievance Process

The grievance process is outlined for AICs in their inmate manual available at the kiosk or deputy desk. An AIC can write a grievance and it is submitted to the deputy on duty. The deputy implicated is expected to resolve the issue at the lowest level and has five days to respond to the grievance. If the AIC does not feel that the grievance was heard or addressed they can appeal to the captain, who has 10 days to respond. The Sheriff may review all grievances. In 2019 there were 248 grievances filed at MCIJ and 1,275 grievances filed at MCDC. Deputies are trained on the grievance process during their probationary period and are observed by the training officer to determine skills in processing grievances. Currently, all audits of the grievance process are completed by MCSO staff. This closed system allows for biased processes without accountability.

Prison Rape Elimination Act (PREA) Process: AICs are asked in their intake interview if they have experienced sexual assault or harassment in their lifetime. During intake AICs are given a pamphlet that defines sexual assault and the reporting process. While in custody, AICs can make any verbal or written report to any person on staff. Every report is investigated by MCSO jail detective staff and the AIC is evaluated by a Sexual Assault Nurse Examiner (SANE) nurse. AICs are kept away from the accused to maintain safety. If an AIC does not feel safe reporting to MCSO staff, they can report to Clackamas County or the Inspector General Hotline. In 2019 there were 186 allegations and two cases substantiated.

Findings

Testimony and documentation shared by MCSO indicate racial inequities in arrest and jailed populations. Due to the lack of data and investigation of racial inequities in corrections, we question whether the same racialized practices extend to the grievance process. AICs testified that they have seen deputies receive a grievance and immediately throw it away without addressing the AIC. Testimony also demonstrated there was confusion about the grievance process that kept AICs from filing a grievance.

Recommendations

- **Outside Auditor** – An independent impartial entity that can review the grievance process and ensure that grievances are all being addressed fairly. An outside auditor would not have pressure from coworkers to address grievances in a certain way. An outside auditor can provide non-biased feedback to the Sheriff and Commissioners to improve the function of facilities. We suggest auditors align with the mission of the MacArthur Safety and Justice Challenge and or the National Governing Alliance for Racial Inequity.
- **Grievance filing options** – The role of the deputy is to make certain that everyone in the facility is safe. The role of the counselor is to take care of the AIC’s wellbeing. We recommend that counselors process grievances instead of deputies due to their AIC centered work.
- **Kiosk** – We recommend that the kiosks have a grievance filing option as well as a description of how to file a grievance. We understand that AICs may not have relationships with any individual in the facility (counselor or deputy) and are more likely to file grievances to an option outside of the facility.
 - We also recommend a function in the kiosk grievance process that allows the AIC to circumvent the deputy accused when necessary.
- **Listening sessions** – The Sheriff’s Office Budget Advisory Committee has emphasized centering the needs of most impacted communities to drive change. To align with this goal AICs should have an opportunity to provide feedback on facilities and programming. We recommend monthly AIC listening sessions to give AICs the opportunity to learn about processes and programs, and share feedback with facility staff. It is another opportunity to provide a safe space to file or express grievances. This feedback can be useful to determine budgets and budget cuts to make certain the most effective programs and activities remain present at the facilities.
- **Access** – In addition to verbal communication from staff, mainly corrections counselors, orientation manuals are made available to all incoming AICs containing key information about programs and services. However, AICs testified that they were more likely to obtain this information from other AICs or not at all. We recommend that all brochures and pamphlets be written at a third grade reading level for increased accessibility.
- **PREA Information** – We understand that sexual assault and harassment is a traumatic experience. We recommend some wording changes to the Sexual Assault Awareness Brochure.
 - Include Call to Safety Hotline for AICs to report anonymously without fear of retaliation from corrections staff.
 - We recommend the inclusion of the impact of power dynamics on the ability to consent in the sexual assault definition.
 - We recommend a change in language in the Sexual Assault Avoidance section. The fourth paragraph is judgmental and places blame on the victim. We recommend language such as “folks who are unlikely or are unable to report sexual assault.”

- We recommend that a section be added to indicate that AICs can report sexual assault by staff (paid, sworn, or volunteer) and or by an AIC.
- **Racial Equity** – Testimony indicated that AICs were more likely to communicate openly with staff of a similar racial or ethnic background. We recommend the continued hiring of diverse staff and training on culturally sustaining practices.
 - We also recommend the hiring of an equity and inclusion specialist for AIC experience and facility operations to ensure AIC needs are met and to reduce the impacts of systemic racism. This position should be independent from the equity and inclusion specialist in the Human Resources Department. The majority of AICs identify with some of our most marginalized communities (e.g., BIPOC, disabled, houseless, LGBTQIA+) and their needs should not be lumped with the needs of staff.

The Corrections Grand Jury's Grievance

The meal given to jurors from MCDC was neither nutritious nor appetizing. The meal was heavy on carbohydrates, salt and sugar. The vegetarian option was limited and not nutritious. The Corrections Grand Jury recognizes that this was one meal out of a month long rotation that is available to AICs.

WITNESSES

Multnomah County Sheriff's Office

Sheriff Michael Reese
Chief Deputy Steve Alexander
Chief Deputy Chad Gaidos
Captain Jeffery Wheeler, Facility Commander
Captain Denise Diamond, PREA Coordinator
Captain Nicholas Jarmer, Facility Services
Captain Derrick Peterson, Auxiliary Services
Captain Kurtiss Morrison, Facility Commander
Captain Stephen Reardon, Court Services
Sergeant Thomas Jacobs
Sergeant Nicholas Carter, East Operations
Corrections Deputy, Mark Bunnell, Union President
Kezia Wanner, Civil Chief of Business Services
Michelle Myers, Budget and Finance Manager
Stephanie LaCarrubba, Programs Manager
Rebecca Sanchez, Equity and Inclusion Manger
Keri Kern, Human Resources
Eric Scott Williams, Corrections Counseling Manager
Mark Hale-Brown, Corrections Counselor

Multnomah County - Adults In Custody (AIC)

Misty Gamble
Terrance Yiggins

Aramark Food Service

Edward Climer, Aramark Kitchen Supervisor

Columbia River Correctional Institution (CRCI)

James Henley, Corrections Rehabilitation Manager
Brandon Craine (AIC)

Donald E. Long Juvenile Justice Facility

Deena Corso, Juvenile Services Division Director

Medical Staff

Michael Seale, MD, Multnomah County Health Department
Myque Obiero, RN, Program Manager, Multnomah County Health Department

Multnomah County District Attorney's Office

District Attorney, Mike Schmidt
Thomas P. Cleary, Sr. Deputy District Attorney
Jeffrey M. Lowe, Deputy District Attorney

Multnomah County Circuit Court

The Honorable Cheryl A. Albrecht, Chief Criminal Judge

Multnomah County Board of Commissioners

Deborah Kafoury, County Chair

Sharon Meieran, County Commissioner District 1

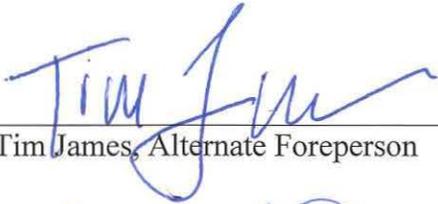
Adam Reardon, Senior Policy Advisor

JUROR SIGNATURES

2020 Corrections Grand Jurors



Matthew Powers, Foreperson



Tim James, Alternate Foreperson



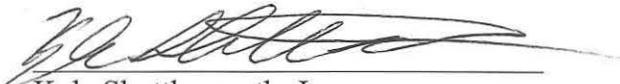
Kelly Scally, Clerk



Elizabeth Kellett, Juror



William Rhodes, Juror



Kyle Shuttlesworth, Juror



Krystal Toderick, Juror