

2024 Official Report

Clackamas County Grand Jury



Conditions and Management of Clackamas County Correctional Facilities

October 21st, 2024

Introduction

Per Oregon Revised Statute ORS 132.440 “once yearly a Grand Jury shall inquire into the condition and management of every correctional facility and youth correctional facility... in the county.” A seven-member Grand Jury addressing this issue in Clackamas County was empaneled on October 1, 2024, and convened October 1, 2024, through October 4, 2024, and later again on October 21, 2024. The Grand Jury, comprised of Clackamas County citizens of varying backgrounds and experiences, was tasked with reviewing the operations, conditions, and management of correctional facilities in Clackamas County.

The Grand Jurors inspected the County’s following Correctional Facilities:

- Clackamas County Jail Facilities
- Clackamas County Courthouse
- Courthouse Correctional Holding Cells
- Clackamas Substance Abuse Program (CSAP)
- Clackamas County Transitional Center

Witness testimony was received from:

- Clackamas County District Attorney John Wentworth
- Captain Lee Eby, CCSO
- Melanie Menear, Jail Health Care Administrative Manager, CCSO
- Chief Deputy District Attorney Chris Owen, CCDA
- Lt. Brian Imdieke, CSAP Supervisor, CCSO
- Clackamas County Presiding Judge Michael Wetzel
- Clackamas County Sheriff Angela Brandenburg
- Captain Malcolm McDonald, CCSO
- Clackamas County Administrator Gary Schmidt
- Clackamas County Juvenile Department Director, Christina McMahan

In speaking to the witnesses, it was clear to the Grand Jury that this County is served by many dedicated and hardworking, well-trained public servants and contractors who provide a high level of service and are well-versed in their roles. In particular, the Clackamas County Jail leadership and staff strive to create a collaborative, supportive, and relationship-based environment for deputies, contractors, and inmates. Additionally, Clackamas County Jail leadership and staff create a rehabilitative environment for inmates

to access various activities, education, transitional, and wrap around services in an effort to reduce recidivism. Inmates also have consistent and reliable access to technology for communication with medical staff, deputies, and activities.

The following are the 2024 Clackamas County Corrections Grand Jury observations and recommendations regarding Clackamas County Correctional Facilities:

Clackamas County Jail

Based on information provided by the Clackamas County Sheriff's Office, the Clackamas County Jail is a funded 491-bed facility that is currently operating at a 398-bed capacity. Renovations on aging or inadequate parts of the Jail infrastructure are not expected to be completed until 2025. It was apparent that the facility as a whole needs repair because of the concern for the health and safety of inmates and staff. It was noted the kitchen floor needed replacement and was identified as a county health violation. This is a priority and Jail leadership is in the process of trying to get the kitchen floor replaced. The Sheriff's Office is currently in the process of training recently hired staff to make all 491 jail beds available for use as soon as possible.

The inmates and staff have a largely positive stream of communication. Inmates are given electronic tablets they can use to send communications (kites) to staff if they have a request. This is a reliable and efficient method to provide immediate complaints, questions, medical needs, and join addiction programs, etc. However, this jury did not inquire about the current grievance policy and procedures.

The Clackamas County Jail offers several programs not offered in other counties; these include the GED program, Medical Assisted Treatment program (MAT), National Alliance on Mental Illness program (NAMI), Alcoholics Anonymous (AA), Narcotics Anonymous (NA), Church Services, and the Jail Substance Abuse Program (JSAP). The JSAP program has proven to be very beneficial as there is currently a waitlist for admission to the program. After speaking with JSAP inmates, it is clear they are learning valuable tools to work on their substance abuse issues related to their criminality while currently in jail. The Grand Jury recognizes the importance of these programs and would like to see an effort to secure long-term, sustainable funding for the JSAP program, and an expansion to include a dedicated block for female inmates. This Grand Jury is also encouraged to see two additional Mental Health providers hired on to this program. Clackamas Community College has also continued to provide GED education in person. The Jail graduated more people through the GED program in 2023 (18) than Clackamas Community College this did year, and has done this in the past.

This Grand Jury recognizes the Jail's effort to include and offer various programs such as the Rapid Forensic Evaluation Assessment Program. The rapid forensic evaluations are for individuals who are in custody and their fitness to proceed in a criminal prosecution is in question due to mental health issues. This program targets defendants who are often involved with law enforcement due to mental health reasons and seeks to reduce recidivism through the availability of alternative community-based services, programs, or treatments. Clackamas County Jail is the only Jail to currently have an Opioid Treatment Program, with plans to expand to a Methadone Treatment Program soon. These types of programs are at the forefront of a modern approach to corrections.

The Clackamas County Jail holds an accreditation from the National Commission on Correctional Health Care (NCCCHC). That accreditation process involved a detailed external peer review, including a site survey, to ensure that the Clackamas County Jail meets national standards for the provision of health services, as set by the health, legal and corrections professions.

It is evident to this Grand Jury that a new Jail is necessary for Clackamas County. The current facility is aging with high maintenance costs, can no longer be updated, is undersized for the population, and has an outdated design impeding efficient operations. After interviewing jail and support staff, we believe there is a need for a newer, larger facility of approximately 900 beds to meet the growing population and needs of the County in the future. Unfortunately, as of this year, there is currently no money in the budget to provide a replacement for the current Jail.

The County is in year three of a stated 10-year plan for the development of a new Jail with a goal for construction to commence by 2030. This plan has twice been postponed due to other priorities such as the new courthouse and the Light Rail project. This Grand Jury recognizes the Board of Commissioner's commitment to not raise taxes for funding. Therefore, all other viable funding options should be explored.

Juvenile Intake and Assessment Center Program

Clackamas County does not have a correctional facility for juveniles. At this time, the Juvenile Intake and Assessment Center in Clackamas County provides assessments, screening, and other processes of youth who are referred for an offense. If it is determined the situation requires detention to a correctional facility, then Clackamas County Juveniles are currently sent to Marion County to be housed. As a result, this Grand Jury believes any plans to build a new Clackamas County Jail should incorporate a design for a new juvenile detention facility and shelter center as a part of that project. This would significantly reduce the long-term financial burden on the County, improve safety, decrease transit costs, and provide for oversight of juvenile offenders in the local Clackamas County community.

Forced Releases

An ongoing concern of previous Corrections Grand Jury Panels is the issue of forced releases. A forced release occurs when the number of inmates to be lodged exceeds the number of available jail beds, so the jail must release those individuals that pose the least risk to the public. There is a work group in place that includes multiple agencies to continue work on the issue of forced releases. Possible contributing factors to improve forced release metrics are Pretrial Release, Early Resolution processes, alternative sentencing options, the opening of a Mental Health Stabilization Center, and a new facility with higher bed capacity.

The criteria and matrix used by the CCSO Jail for forced releases has community safety as the primary focus. As of September 15, 2024, there have been 2,691 forced releases. The total number of forced releases in 2023 was 4,151. The total number in 2024 is expected to be approximately the same as 2023 (roughly 4000). This panel recognizes forced releases will also be less of an issue with the completion of a new Jail.

Medical Services

NaphCare contracted medical services, which came on board in 2019, is in use at the jail. The goal of the Clackamas County Jail medical team is to provide a level of care at or above what the inmate would receive on an outpatient basis when not in custody. The Healthcare Administrative Manager is still seeking improvements to access inmate healthcare medical records. The medical staff are not always able to access a patient's medical and mental health records outside of the jail system or communicate with their primary care provider through the current system. Additionally, jail medical staff should work together to provide the same level of care off hours as during business hours.

Recommendations for the continuation of patient care for Clackamas County inmates should include improved health care communication systems for medical referrals, prescription information, and increased coordination with the Mental Health Court Coordinator. Additionally, it is recommended there be an expansion of single-occupancy medical cell facilities for severe mental health inmates. This would help serve the unique needs of these individuals. This communication has improved with some health systems but needs to be an ongoing project. This Grand Jury would like to commend the medical staff for demonstrating a high level of care given the resources and logistical constraints on their department.

Clackamas Substance Abuse Program (CSAP)

The Grand Jury took an extensive tour of CSAP and found the program to be very valuable to the individuals, the community, and overall public safety. CSAP is an 80-bed residential program that houses 60 men and 20 women. This is a reduction from the 2020 Grand Jury report indicating the availability of 84 beds in CSAP. CSAP is the only residential program of its kind in Oregon.

CSAP incorporates a holistic treatment plan that addresses Alcohol and Drug treatment as well as Medically Assisted Treatment (MAT). This program is less costly than incarceration for Clackamas County taxpayers. From 9/1/2022 to 9/30/2023, which are the most recent statistics available, the program had only 20% of male graduates return to CSAP within a year and zero women graduates return within a year, meaning those graduates who did not return were not arrested again within one year of completion. Inmates are informed about this voluntary program while incarcerated. CSAP includes intensive rehabilitation that lasts 18 months after being released from jail.

CSAP is still a single facility and operating as a co-ed program. However, CSAP staff want to return to a separate facility for men and women based on the original design of the program. The lease is also expiring soon and CSAP is in negotiations with OLCC to take over the property ownership. This Grand Jury recommends permanent funding for the CSAP program and expansion of the alumni program. Given the high success rate of this program, we recommend this model be adopted by other jurisdictions across the state and develop a method to spread awareness about this program's positive impact.

Transitional Center

Clackamas County offers services at the Transitional Center which is located on the Clackamas County Jail campus to provide easy and immediate access for individuals upon release. This resource provides necessary personal items, basic needs, and informational resources for inmates re-entering society.

It is not only an important asset to the community to help released inmates reduce recidivism, but also for Clackamas County citizens who need these services as well. Transitional Center workers can initiate contact with individuals while they are still incarcerated to set up successful plans before they are released. The Grand Jury recognizes the proximity of the Transition Center significantly contributes to its success. As a result, the Grand Jury recommends moving the CSAP program next to the Transition Center sometime in the future as an opportunity to utilize dual staff expertise for both programs.

Probation and Parole

Parole and Probation provides community supervision for convicted individuals in Clackamas County. In 2022, the Parole and Probation department merged with the Clackamas County Sheriff's Office. This reorganization has created new efficiencies in operations and collaboration across many of the public safety partners in the Clackamas County Criminal Justice System.

Clackamas County Courthouse

The new Clackamas County Courthouse is currently under construction and is supposed to be move-in ready by May of 2025. The Courthouse is expected to serve the increasing demands of our fast-growing County.

The Courthouse will be built closer to the Jail which will help reduce costs associated with transportation and other things. This will also reduce the security risk created by the distance and length of time between destinations. The Jail currently does multiple daily transports to and from the Courthouse.

The Grand Jury commends the Clackamas County Sheriff's Office on the safe and efficient running of the Courthouse holding facility and efficient transportation of inmates into the Courthouse. Their daily work is very impressive considering the design constraints of the original building and the tight quarters they must navigate with inmates among the employees and citizens at the Courthouse.

Summary

The Grand Jury went on comprehensive tours of the Clackamas County Jail, including the JSAP block, the Clackamas County Courthouse, including the holding cells, the Transition Center, and the CSAP residential facility. Additionally, testimony was given by witnesses in regard to the Juvenile Intake and Assessment Center. The Grand Jury found this experience to be extremely educational and enlightening. We recognize the passion and efforts of the Sheriff's Office, the Circuit Court, the County Administrator, and the District Attorney's Office. There is clearly a strong system of collaboration between agencies to enhance the delivery of services for the improvement of the County as a whole.

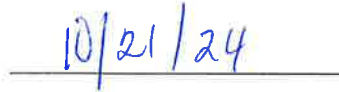
This Grand Jury also recognizes the benefits of the various programs within the Clackamas County Jail to the community at large. We believe these programs should be prioritized as an investment for the future.

This Grand Jury recommends that the County focus on the planning and development of a new jail, juvenile detention facility and shelter center. This includes educating the community on the benefits and need of the construction of a new facility and shelter. These benefits include fewer forced releases, increased public safety, increased operational efficiency, safety within the jail, and greater opportunities for inmates to reform while incarcerated.

The Grand Jury of 2024 respectfully submits this report.

A handwritten signature in blue ink, appearing to read "M. S. Allen", is written over a horizontal line.

Foreperson (on behalf of the Corrections Grand Jury)

The date "10/21/24" is handwritten in blue ink over a horizontal line.

Date