

**REPORT OF THE 2011 MULTNOMAH COUNTY
CORRECTIONS GRAND JURY:**



**MULTNOMAH
COUNTY**

**Conditions and Management of
Correctional Facilities within Multnomah County**

October 2011 – December 2011

Conditions and Management of Correctional Facilities within Multnomah County

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STATUTORY BACKGROUND

Pursuant to the Oregon Revised Statute 132.440, a Corrections Grand Jury convened on October 11, 2011 to inquire into the condition and management of every adult and youth correctional facility in Multnomah County. The jurors were charged with the task of submitting a report encompassing their findings after physically inspecting 5 separate correctional facilities and taking witness testimony from those who operate, are housed in or are associated in some form with those facilities. In accordance with their statutory duty, this Corrections Grand Jury toured the following 5 operational facilities:

1. the Multnomah County Detention Center (MCDC),
2. the Multnomah County Courthouse Jail (MCCJ),
3. the Multnomah County Inverness Jail (MCIJ),
4. the Donald E. Long Juvenile Detention Center (JDH) and
5. the Columbia River Correctional Institute (CRCI).

During the course of 6 weeks, the jurors heard from 83 witnesses and reviewed numerous documents submitted by the agencies that are responsible for the conditions and management of each correctional facility. The grand jurors sought information from a wide variety of individuals with an eye toward receiving input from witnesses who had particularized knowledge about the conditions and management of each facility. The witnesses not only fielded a number of questions but were asked if they had any suggestions or opinions to provide.

FACILITIES

The Grand Jury recognizes the sustainability initiatives pursued by the Multnomah County Sheriff's Office (MCSO) and those facilities under its purview. MCSO has replaced disposable eating utensils and dishes with reusable products where possible. The facilities compost, recycle, and recondition. Ongoing research to consider alternate methods of food service and procurement continues in an attempt to improve sustainability efforts. Also, the Grand Jury noted that rather than issuing pencils to the inmates, MCSO supplies flexible pens which are more environmentally friendly. As a result of such efforts the Sheriff's office was awarded the Multnomah County Sustainability Award in 2011.

With the rewards of increased sustainability, comes the added advantage of significant decline in operating expenses. The Grand Jury noted the following:

- 70% reduction of waste at CRCI due to composting
- Significant cost savings by replacing golf pencils with flexible pens
- Significant cost savings by procuring produce locally
- Support of local economy by procuring produce locally
- Minimized waste as the result of improved methods of serving food
- Reconditioning mattresses at CRCI for cost savings

Multnomah County Inverness Jail (MCIJ)

The Corrections Grand Jury visited the MCIJ facility and reviewed the dorms, transportation hub, control rooms, law libraries, offices, medical and common exercise facilities. Each dorm contains restrooms, showers, and small exercise facilities. MCIJ was well kept and sanitary.

The Grand Jury was served lunch and found the quality and quantity of food to be adequate. The cost of each meal is approximately \$1.30. Bag lunches, required by the work crews, cost about \$2.53 each. The higher cost is attributed to the additional packaging and the greater caloric requirement of these workers.

MCIJ processes 1.5 million pounds of laundry per year for Multnomah County and the Red Cross. MCIJ also administers 7 work crew programs that consist of contracts between MCSO and Metro as well as other agencies. Approximately 200 community volunteers participate in the programs which include the following:

- Alcoholics and Narcotics Anonymous
- Counseling for Dual Diagnoses
- Domestic Violence Awareness
- HIV Awareness
- Meditation

The physical layout of the entire facility at nearly a quarter mile from end to end could present logistical challenges in the event of an emergency. The medical, counseling and inmate visitation facilities appeared to be well-maintained, readily available for use. Where appropriate the use of video conferencing equipment was available for those inmates who need to appear before a judge thereby saving transportation costs.

Donald E. Long JDH

The 2011 Corrections Grand Jury was favorably impressed by the operations of the facility as well as the highly qualified staff at the Donald E. Long Juvenile Detention Center. We found it to be well-run by personnel at every level with attentive consideration provided to the youth entrusted to their care. Sustainability efforts continuously promoted and integrated into the food preparation and delivery are to be commended. We found meals to be cost effective while remaining nutritious and appetizing. Food cost is subsidized by the free and reduced food service program administered by the Federal National School Lunch Program.

Although it was difficult to fully determine the quality of follow up to education due to the short lengths of stay, the jury felt that the instruction environment maximized teacher effectiveness, maintaining a low instructor to youth ratio and a calm atmosphere. Students and instructors interacted with each other easily and respectfully.

Of particular note is the Project Payback program. For example, JDH is currently contracted with the Portland Water Bureau in a program that allows youth to work. All

proceeds earned recompense the victims. The result is that the program holds the youth accountable for their actions while allowing them to restore damages. This also aids in reformation of behavior and teaches them skills and competencies. We also noted that the youth are rewarded for good behavior in the form of additional privileges. Youth programs include the following:

- Project Payback
- Residential Alcohol and Drug Treatment Program (RAD)
- Education Support Center
- Incarcerated Youth Program and GED

The findings of the 2011 Corrections Grand Jury are summarized in the following points:

Positives

1. Diverse staff – good staff to youth ratio.
2. Caring staff; supportive of youth. Evident that they like and take pride in their job.
3. Use volunteers from Portland State University and Pacific Northwest College of Art.
4. Youth actively involved in various, creative activities that generate high self esteem.
5. Project Payback – a work program for the youth.
6. Reward for good behavior.
7. Café is profitable and sustainable.
8. Well designed facility saves money, e.g., courtrooms on premises is environmentally friendly as well as cost saving.

Recommendations

The Corrections Grand Jury was positively impressed by the artwork and creative writing produced by the youth. The jury witnessed beautiful art painted as wall murals. Several of us also had the opportunity to read a compilation of the youth's creative writings. We feel that the quality of this work is exceptional and could possibly be sold to the community as a fundraiser for maintenance of the facility or to fund programs. Perhaps these items could be made available for sale in the café.

- Construct greeting cards and/or t-shirts from the murals
- Compile the writings into a professional book

Multnomah County Detention Center (MCDC)

The Grand Jury visited the Multnomah County Detention Center facility and reviewed modules and individual cells, kitchen facilities, control modules, exercise facilities, booking, medical and library facilities.

The Grand Jury was served lunch and found the quality and quantity of the food to be adequate. Each of the meals served at the MCDC costs approximately \$2.47. Due to the design of the facility, paid staff rather than inmate workers must be used. This

results in higher cost of food at MCDC than at MCIJ. The facility was well maintained and sanitary. Inmate workers clean the facility.

MCDC is located in the flood plain in the downtown area of Portland. A need for sudden evacuation would pose several hazards to the staff, the inmates, and the community. In accordance with FEMA guidelines¹, the facility has a 3 day supply of fuel and food. However, no mock disaster recovery test has been conducted. Advantages to keeping the location of the facility downtown include its proximity to the courthouse and easy access to mass transit.

Columbia River Corrections Institution (CRCI)

The Grand Jury visited the Columbia River Correctional Institution facility and reviewed the cafeteria, dorm, medical, exercise area, offices, counseling offices, commissary, transitional and work facilities. The facility was well maintained and sanitary. We note that a recent escape from a work crew occurred for the first time in years. The jury was served lunch and found the food to be of high quality and sufficient quantity. The cost of food is approximately \$2.10 per day per inmate.

The Grand Jury noted the lack of a railing on the second story. Witnesses testified that an inmate recently attempted to jump from the second story to the first floor. Although staff successfully impeded the jump, the potential for other suicide attempts exists. We recommend installing safety railing on the top floor.

CRCI runs internal and external work programs for the inmates. Four work programs were cut due to budget constraints. The external programs are service contracts with government agencies. The internal work programs include the following:

- repair and manufacture of boots
- vehicle reupholstering
- building maintenance
- workshops

In an effort to ease the inmates' transition back into society, prepare them for job readiness, and equip them with life skills the following programs are offered.

- Turning Point Residential Treatment Program (Drug and Alcohol Rehabilitation)
- Parenting Inside-Out
- Pathfinders
- Computer Lab
- GED Tutoring Program
- Pre-Release Resource Education
- Pre-Release Reach-In and Orientation Services

¹ www.fema.gov/pdf/library/f&web.pdf

Multnomah County Courthouse and Jail (MCCJ)

The Corrections Grand Jury visited the MCCJ and reviewed the transportation area, old jail, holding area and desks. This jury found the facility to be well maintained and sanitary despite the obvious challenges associated with the age of the building. We have seen evidence that the MCSO has adopted as many safety measures as possible within the confines of the budget. For example, a sallyport is to be installed at the shipping entrance on the Salmon Street side of the building for added security. However, several witnesses testified that MCCJ is not earthquake ready. Addressing earthquake readiness is a function that has been tasked to Multnomah County and has yet to be solved.

The Grand Jury was escorted through the facility using the same route that the inmates from MCDC and MCIJ use for their daily court appearances at MCCJ. This extensive route begins at a street level elevator, continues through an underground tunnel, and finally up an elevator 7 floors to the jail facility. MCSO has dedicated a significant number of staff in support of this process.

The Grand Jury heard testimony from many that MCCJ lost 8 Full Time Equivalent (FTE) positions, causing delays in transporting inmates to courtrooms. We noted that the presence of the Corrections Officers in the court rooms created a safe, calm environment.

Security

Several updates have been made within the last year to improve security at MCCJ. A metal detector inside the Fifth Avenue entrance used by the disabled was installed in response to an incident where a gun was brought into the building through that entrance by an individual in a wheelchair.

Most cameras in use at the facilities are not recording; they are simply providing real time video feeds. However, a camera does record activity in the booking area at MCDC. Of concern to the Grand Jury are blind spots in this area where these cameras are not able to catch all activity within that area. This concern was relayed to and witnessed by the Grand Jury upon inspection of the area.

CLASSIFICATION

The 2010 Corrections Grand Jury noted that use of the new classification system proceeded erratically, causing confusion among staff members who did not understand the new system. This noted confusion and misunderstanding was not a stated concern in any of the testimony heard by the 2011 Corrections Grand Jury. Testimony does indicate that mistaken classifications are rare. Possibly this is due to the fact that the quality of recruits is higher. Further testimony indicates that a better job is being done in keeping high risk inmates, e.g. those who are detoxifying or who have other behavior problems, separated from the general population. This jury was impressed by the initiation of more intensified watch over first-time offenders who might possibly be at

higher risk for behavior that is harmful to them, including suicide. Cases are reviewed weekly which allows them to ensure correct classification including a reclassification if necessary. It was noted that the red diaries² are being computerized and integrated into Correctional Inmate Management System (CIMS) which this jury recognizes as a positive move. Because classification is a special assignment 6 out of 15 deputies are being rotated into another position this year. This is a cause of concern because of the high learning curve required for one to become a proficient user of the new classification system.

Close Street Program

The Close Street Program provides an alternative to holding inmates in custody when determined that there is a low risk for failure to appear (FTA) to a court appointment or for reoffending. Various levels of supervision are provided that range from telephone check-in, in person visits, and electronic monitoring. This Corrections Grand Jury was impressed by the good job of evaluating candidates to be released pending trial. Allowing defendants to be at home is more cost effective than housing them within the jail system. Of particular note is the fact that the numbers indicate a positive trend. 43% of the population to be released pending trial was accepted into the program in 2009; this percentage rose to 47% in up to date 2011. The FTA rate has shown a significant decrease from 4.6% in 2009 down to 2.5% in up to date 2011. The Grand Jury views the Close Street Program as a positive because it helps to reduce the population of an already overburdened system.

The findings of the 2011 Corrections Grand Jury are summarized in the points following.

Positives

1. COVIS – Track disciplinary reports (records scanned following hearings)
2. Fewer classification mistakes
3. Successful identification of inmates with possible tendency toward high-risk behavior
4. Close Street program accurately evaluating candidates for release pending trial with low FTA rate

Concerns

1. 6 out of 15 deputies will be rotated to another position resulting in a significant loss of classification expertise.

We recommend that deputy officer assignments be staggered to overlap with others. For example, perhaps only 2 deputies could rotate at a time rather than 6.

² Red Diaries are handwritten logs that track the location and behavior of inmates when in their dormitories. A camera monitors the corrections officer recording entries into the logs.

SAFETY

The Sheriff and his staff testified that their mission is to provide safety and security for the inmates and the people of Multnomah County. The Grand Jury concentrated heavily on these stated missions. The Grand Jury was generally impressed with the overall safety of inmates and staff.

When defendants enter the system they are sent to MCDC where they are given a short physical review to determine if medical attention is needed. The level of medical treatment required will determine whether an inmate needs treatment prior to the classification process.

Part of the intake process includes trying to assess whether an inmate will be a risk to other inmates or at risk for self harm. In the previous Grand Jury report mention was made of having the arresting officer remain in the intake area. The longer the arresting officer is present during the intake process the better. The arresting officer can provide valuable information about how the inmate has behaved and what the corrections staff might expect. Having the arresting officer remain at the intake area allows for a safer transition from the street to the jail. We are pleased that the Sheriff's office has worked with the arresting agencies to adopt the procedure of overlap in the booking process.

The Sheriff's Office overhauled their booking process approximately ten years ago by instituting open booking. This type of booking process has been adopted in many institutions in the United States. Open booking essentially reversed the linear form of intake where inmates were housed in holding cells with one another. Inmates who were in the holding cells were frequently combative and angry once they left the cell. The old system proved to be dangerous for corrections officers as well as inmates. One corrections officer testified that it would not be unusual to engage in 5 'Use of Force' incidents a shift during the old process. The open booking process has significantly reduced the numbers of fights in the booking area. The open booking model allows inmates to sit in chairs in an open room setting with a television on at all times. The inmates are then called for their one on one classification interview with a corrections officer. The move toward open booking caused the frequent fights among inmates inside cells to significantly decrease. The open booking system seems to pacify inmates during a time in which they might be more susceptible to combative behavior.

While the open booking system has reduced fights in the booking area there remains the possibility of fights between inmates or between inmates and staff. A number of corrections deputies raised an incident that occurred approximately 2 years ago. A deputy in the intake area was permanently disabled after an inmate became combative. The inmate crossed into the staffing area and began to beat her. Officers who would ordinarily have been on hand were escorting inmates and otherwise occupied. It is difficult to know whether the inmate could have caused the same amount of injury to the officer had others been present. This incident has been referred to as the perfect storm.

The Sheriff's office did an internal examination of the facility and decided that a saloon style door would deter future attacks. Corrections Officers indicated that the doors actually were a hazard given that they were tripping when entering or exiting the area. Eventually the doors came down. Most of the corrections deputies continue to be concerned about safety in the intake area. Deputies have suggested that Plexiglas could be used or that the open booking area has a chain linked fence which could still accommodate a television, a restroom and access to phones.

The Grand Jury listened to the safety concerns of the corrections officers and to management. The safety of staff in the booking process is one of our primary concerns. Although physical barriers have been suggested by some correction officers, it would defeat the purpose of how open booking has diminished the violence in the intake process. We would recommend more corrections officers in the classification section. Policies and procedures need to be followed to ensure the safety of the officers.

Officers did indicate that the cameras in the intake area do not cover all areas. Additionally, officers thought that the nursing staff should be supplied with radios to communicate with officers immediately in the event that they are at risk.

A number of positive changes have occurred relating to the safety of the facilities. All deputies must attend an 8 hour class on suicide prevention. This class is administered by the Multnomah County Health Department and has been well received by the corrections officers. Management has done a number of things relative to preventing suicides within the facilities. The last suicide occurred in 2010. This inmate had not been red flagged as a suicide risk because he had been incarcerated approximately 30 times with no apparent attempts at self harm.

The Sheriff's office has done a number of things to reduce suicides in the facilities. At MCDC, upper bunks have been taken out of the cells on the fourth floor in an effort to prevent inmates from hanging themselves. Additionally, if inmates are considered at risk for suicide, they will be placed in a cell that has a large window allowing for correction officers to clearly observe the inmate. The Sheriff has extended the upper tier hand rails to the ceiling, thereby limiting people from harming themselves or others. Flex pens were introduced as a cost saving measure with the added benefit of preventing inmates from using pencils to harm themselves or others.

HEALTH CARE

Providing Health Care to detained persons in Multnomah County is the responsibility of Multnomah County Corrections Health Department. Health care provided at the Multnomah County Detention Center is composed of booking, 4th floor special housing, and mental health housing and 3 additional floors of housing. The staff assists in screening inmates at booking until release. A significant amount of resources is used at MCDC based on the number of mentally impaired inmates and the unpredictability of the incoming inmates' health needs. Over 35,000 individuals are cared for each year

with over 60% having serious unstable and chronic health conditions such as diabetes, infections and mental or behavioral issues.

The medical staff at MDCDC provide around the clock treatment for inmates. The medical infirmary has a limited number of skilled care beds and mental health beds on the fourth floor of MDCDC. The health staff has a dialysis machine, a lab, an x-ray machine, dental care and other means to take care of the inmates. Having these services in the jail saves unnecessary trips; which would be costly. In the past an inmate would be transported in custody back and forth from jail costing much more than the present system.

An inmate initially meets with a medical professional during the intake process to identify whether the inmate is in need of medical care. If the inmate appears to be seriously injured the sheriff will not accept the inmate. These inmates are typically taken to a Portland area hospital. Some of these inmates may be placed in 1 of 2 secure rooms Portland Adventist Hospital. Throughout intake an inmate answers various questions, including medical information to assist in the placement process. The information is given to the nurse who will work with the classification officer to determine where the inmate should be housed and later what type of treatment is required.

The employees of the health department have a difficult job given the patient population. Many of the inmates come into the jail with Hepatitis C, HIV, and other medical issues associated with their lifestyle. Some inmates also suffer from mental problems and need treatment while they are in custody. With limited resources the nursing staff and the correctional officers pay close attention to inmates with mental health problems. The nursing staff know that many of the inmates who have mental problems require on-going medication to alleviate some of the symptoms. The nursing staff try to obtain information pertaining to the inmate's medical history in order to allow them to identify any medications the inmate may require.

The medical team attempt to stabilize any medical issues that inmates bring to their attention. The average inmate stays in jail for approximately 14.5 days; however, many inmates stay in custody pending trial well past 100 days. Many of the inmates who come into the jail are addicts and in need of medication to ease withdrawal symptoms. The nursing staff try to determine the type of medication necessary in order to keep the inmate stable. Prescriptions are outsourced to an independent pharmaceutical company in order to reduce costs.

It should be noted that emphasis is placed on an inmate's potential for attempting suicide. A therapist makes daily contact with inmates who are at risk of suicide. These inmates are placed in single cells where they are checked every 15 minutes by a corrections officer or watched 24 hours a day by a corrections deputy if the risk of suicide is high. The medical team advises the corrections officers if they deem an inmate to be highly suicidal. It is interesting to note that the 2 suicides that occurred in MDCDC in 2010 were inmates who were not on suicide watch. Neither of the inmates

talked about committing suicide and there was nothing in their past history that would indicate that they were suicidal. (Additionally 1 suicide occurred in 2011.)

One of the concerns of the Grand Jury was the cost associated with housing suicidal inmates. The 2010 Corrections Grand Jury noted how costly it is to have a corrections officer watch an inmate for 24 hours a day. The watches are effective but costly. The 2010 Grand Jury reported that the overtime cost for direct supervision of the inmates is approximately \$1.2 million. The 2010 Corrections Grand Jury recommended placing at risk inmates together in one module with clear visibility by one single corrections deputy and indicated that the Sheriff's Office was studying a system design to adopt this type of suicide watch. To date the suicide watch protocol remains the same as it was in 2010. The staff indicated that the risk of suicide typically drops when an inmate is housed with another inmate. The 2011 Corrections Grand Jury recommends adding an open module for those inmates who are under 24 hour watch. We believe that the construction cost of remodeling will eventually save money in the long run.

Evidence suggests that when inmates are housed together suicide attempts drop, likely due to the fact that someone else is present. The Grand Jurors heard that until 1998 inmates were in single cells at MDCDC. Testimony provided by the nursing staff indicated that 2 to 3 suicides would occur yearly in the jail from 1983 to 1998 when inmates were in single cells. Further testimony indicated that only 2 or 3 suicides happened during the entire 9 years when inmates were double bunked. Statistics indicate that single bunking is far more dangerous for suicidal inmates; it is clear that fewer suicides occur when inmates are housed together.

The Grand Jurors were impressed with the fact that all corrections officers attend an 8 hour suicide risk training provided by the Health Department. The officers who testified all found the class to be extremely useful.

As noted in the 2010 Grand Jury report, the cost of health care provided by the County had been contained for the previous 2 years. In the past, suggestions had been made to seek an outside medical provider to curtail costs; however, the Health Department was able to curtail their costs in 2009 and 2010. This past year the cost of health care from the County has risen by approximately \$211,000. This is a marginal increase and significantly lower than other health programs nationally. Part of the cost saving is due to contracting pharmacy services to a specialized nationwide mail order pharmacy. Replacing 14 to 15 nurse FTEs with medication aides who are far less expensive to employ helped to curtail costs.

The 2010 Grand Jury recommended that the Corrections Health Division work to regain accreditation from the National Committee on Corrections Health Care. The senior medical staff testified that they intend to seek accreditation. This Grand Jury also recommends regaining accreditation. The 2011 Corrections Grand Jury has been favorably impressed with the dedication of the health care staff and witnessed obvious

improvements over the last year. They are to be commended at having continuously kept costs low while keeping the level of care high.

The Grand Jury was also impressed by the medical services provided at CRCI. The facility has a dentist and regular medical staff. The inmates can make their own appointments for any medical concerns they may have. The health team also tracks people who have long term health care issues such as diabetes, heart problems or other diseases. The staff ensures that the inmates follow up with treatment and discharge them with enough medication for one month.

Another positive aspect of the medical care at CRCI is the counseling services provided. Any inmate can receive counseling. While touring CRCI the Grand Jury noticed how accessible the counselors are while making rounds in the separate dormitories.

Inmates interviewed at CRCI were complimentary of the medical and dental staff. A concern was expressed with how long it takes to dispense medication. Part of the delay in dispensing is ensuring that the inmate actually swallows the medication. The staff is vigilant in ensuring that inmates do not hoard medication. This is necessary to avoid redistributing the medications to other inmates or stockpiling to commit suicide.

CORRECTIONS OFFICERS

Work-Life-Balance/Counseling

The Grand Jury is concerned about the shortage of staff, down approximately 30 to 40 FTE. Several circumstances have lead to this shortage, including having only 1 FTE background checker position filled. In the next 3 to 5 years close to one-third of the corrections workforce will be eligible for retirement. In the past 5 years only about 30 deputies have been hired. However, recently 2 new background checkers have been hired and new officers have been hired as well.

The shortage of staff has led to excessive overtime which is costly, less flexible for training options and results in less than desirable work schedules. The added stress on the workforce also can lead to possible mistakes on the job and lost productivity. This lack of work life balance potentially is harmful to families and may lead to a shorter life expectancy for officers.³

Recruitment of corrections officers from the higher education system, military and other sources may help provide more potential candidates. It is important to continue to seek ethnic diversity in the workforce, including recruiting female candidates. Opportunity exists to promote a diverse workforce with the needed new hires over the next several years.

³ <http://www.vera.org/project/commission-safety-and-abuse-americas-prisons/public-hearing-3>
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This Grand Jury is very concerned about the overtime issue given that it is exceedingly expensive to pay overtime amounts when the hiring of new deputies would substantially keep costs down.

Hiring Process

Hiring new corrections officers is a lengthy and involved process. Those who are interested in corrections must have at least a 2 year degree. After filling out the corrections application a background check is done which can be quite time consuming. After taking a written exam, candidates are given a brief psychological exam, a drug test and a physical exam. The candidate must also pass the Oregon Physical Ability Test (ORPAT). The hiring process can take 6 months or longer.

Each officer receives 6 weeks of training at the Department of Public Safety Standards Training (DPSST). Certification takes several weeks. MCSO recertifies Corrections Officers. Required training includes Defensive Tactics, OSHA, Mandatory Report Writing and Mental Health.

During the first year officers rotate through several assignments with different work schedules. When employees are past the probationary period they are placed in a permanent position. They must wait 3 years before they can apply for a special assignment. Special assignments require a separate application and interview but, there is no guarantee that they will receive that assignment.

Officers' receive specialized training for special assignments, giving them new skill-sets and a fresh perspective. This also helps to keep morale high by providing a possible change of shift, schedule and working conditions. Rotations usually last 3 to 4 years; depending on the officer's rank and assignment.

Scheduling and Pay

Scheduling issues play a big role in an officer's work life balance. Prospective candidates are told up front about scheduling issues, including the reality of working most weekends and holidays, as well as a limited chance of getting vacations when desired. Vacation time and holidays are based on seniority. Since staffing is needed around the clock, Corrections Officers' work schedule may be less than desirable. It could take as long as 10 to 15 years to get weekends off or vacation time during the summer months.

Wages are based on a stepped program with longevity pay. Shift differential is 4% for Graveyard and 3% for Swing. Some specialty programs and relief shifts also receive incentive pay. Knowledge of a second language that can be helpful to the department adds another 2% increase. Officers earn vacation plus 11 personal days a year. Vacation for starting staff is 2 weeks and up to 6 weeks for a 20 year employee.

Understaffing has lead to the need for mandatory overtime (MOT). MOT requires an officer to work 2 shifts back to back. The pay is time and a half. Voluntary overtime is

available to those who want it. Officers are paid double time on their seventh consecutive working day.

TX Trade Shift

MCSO staff universally praised the Trading shifts (TX) process. This process allows deputies to trade shifts with each other. TXing provides a more flexible schedule while allowing better work life balance. This process can be used 52 times a year and limits back to back shifts to no more than 16 hours per individual. These limits are in place to address the concern of excess fatigue.

Sick Leave Management

MCSO conducted a sick leave abuse study in 2008. Past Corrections Grand Juries and others criticized the persistent leave abuse that existed in the agency. Time Analysis Review Team (TART) tracks patterns of leave which might constitute abuse. This system allows counseling and management to follow those employees who are suspected of abuse. Sick leave usage has been reduced by 38% with a savings of 1.1 to 1.4 million dollars a year. This drop in sick leave abuse has helped to keep morale high, improve attitude, and increase professionalism in the department.

Vacation

Many Corrections Officers testified that they were unable to get the vacation time and/or days off that they wanted. This is largely due to the seniority process by which vacation is allocated. Some deputies with more than 15 years of experience still cannot always get the vacation dates they desire.

Although financial incentive of shift differentials and overtime help to offset a less than optimal work schedule there is no substitute for Work-Life-Balance that would lead to a happier and healthier workforce. Although we are aware scheduling is largely a union issue based on seniority, our wish would be to look at ways to improve the scheduling process.

Employee Health

Management staff and several deputies testified that to remain healthy, employees are encouraged to “have a life outside of work”. Their testimony also indicated an awareness and occasional use of the Employee Assistance Program (EAP)⁴.

⁴ The Department of Corrections contracts with Cascade Counseling to provide a free, confidential counseling service to its employees. Employees and their immediate family members can use the services of EAP. Use of these services is strictly confidential and the employer will not know when employees use the program.

The EAP is available to corrections officers if the need arises. Peer counseling is also available, however because these programs are voluntary not everyone takes advantage of these services.

Promotion and Management Need

As stated in the 2010 Grand Jury Report, Corrections Officers are dedicated public servants in positions of great responsibility involving the safety of staff and inmates. We were favorably impressed with their standards. We heard testimony that staff are encouraged to seek promotion. Some of the deputy witnesses testified that they have no intention of seeking promotion because of disincentives such as less than desirable schedules. Many of the command staff had aspirations of seeking management level positions early in their careers. Some deputies and sergeants earn more money and have more job security than those of higher ranks because of the amount of overtime they work.

Several of those who will be retiring within the next 5 years are in upper management positions. Of the 38 to 39 sergeants, 12 to 13 are eligible to retire. We recommend that MCSO develop a plan to encourage leadership and training.

Deputy Training

The Grand Jury has extensively reviewed the training issues that have arisen in previous years. Currently the Oregon State Sheriff's Association (OSSA) recommends 82 hours of training over a 3 year period. It is recommended that deputies get 40 hours of training annually, but only average about 16 to 24 hours per year. This lack of training is partly due to budget cuts and limited personnel to cover other deputies while they are being pulled from their posts to attend classes. Currently officers get 8 hours of suicide prevention, 4 hours OSHA training and 4 hours for weapons and other combat training. Taser training is available for those who wish to use this device. We noted a lack of physical fitness training after hiring, which is a concern in the area of safety to all deputies when responding to emergencies. We would like to see a provision for fitness training for all deputies during their tenure at MCSO. This jury recognizes that the union and management will need to address fitness.

The new "VIVID Learning" program, an on-line training application, is expected to be installed and running by mid 2012. This will allow MCSO to become compliant with government recommendations. Because this new on-line training program can be scheduled to the officers' convenience, staffing constraints will be eased. More time will be available for ongoing training needs after newly hired officers receive initial training. The Grand Jury would like to see a diversity course included in the "Vivid Learning" programs. Other modules such as stress in the workplace, communication skills, as well as advancement and leadership training would be helpful.

The training received by the Deputies has helped them become more understanding of inmates who are suffering from mental illness, whether from substance addiction or

other underlying conditions. This is reflected in the amount of professionalism and empathy they show the inmates in their charge. While the quality of the training deputies receive is high, the Grand Jury would like to see more hours devoted to training.

Fitness Recommendations

We would like to see MCSO, with the help of the Union, develop a better plan to encourage deputies to seek a balanced lifestyle; including an emphasis on mental health and fitness. (We suggest looking at other police agencies to see how they promote physical fitness among their employees). Encouraging deputies to stay fit will benefit the workforce as a whole by reducing sick time, enabling faster response to emergencies.

DUE PROCESS

Inmates in all Multnomah County correctional facilities are afforded their basic constitutional rights. Those rights include but are not limited to the availability of an attorney, health care, food, safety, religious freedoms and the right to address their concerns in writing. Inmates who require a different diet due to their religious beliefs, medical needs or other preferences are provided such meals.

Inmates can address any concerns they might have directly to the floor corrections officer, a counselor or in writing. All requests are reviewed. If the complaint has merit the sheriff's office tries to address the complaint expeditiously.

Inmates who have committed violations within the county jail system will be written up for their behavior. The inmate will receive a hearing within 96 hours of the violation. A hearing officer conducts a hearing where the defendant is allowed to speak. The average number of such hearings is 70 per month. Inmates found in violation of the inmate rules can receive loss of privileges, loss of good time or may be moved to a disciplinary cell depending on the severity of the violation.

Inmates are entitled to meet or call their attorneys during specific hours of the day. The correction officers do their best to accommodate attorneys wishing to speak with their clients. Delays can be expected due to security procedures. Inmates who are in disciplinary cells still have access to their attorneys but the time allowed for a visit may be shorter based upon the inmate's status.

When inmates are on trial they are accompanied by at least one corrections officer. The corrections officers in the courthouse have to ensure that jurors do not see inmates while handcuffed or chained. This prevents jurors from making a decision based on the inmate's custody status.

The Sheriff and his staff are committed to the Prison Rape Elimination Act (PREA). All deputies are trained to detect and prevent such incidents from occurring. Allegations of such crimes will be thoroughly investigated by a Deputy Sheriff. If the evidence of a

crime is sufficient the deputy sheriff will forward reports to the Multnomah County District Attorney's Office.

Chaplains, counselors and volunteers are available at MCIJ, MCDC, JDH and CRCI. One alcohol and drug counselor is shared between MCDC and MCIJ. A number of community volunteers assist the chaplain in reaching out to inmates.

Depending on the facility, inmates can participate on work crews, can obtain trade skills, and receive counseling. At CRCI inmates can work, attend parenting classes, go to alcohol and drug counseling and anger management classes. Inmates who are within 4 months of release obtain counseling services tailored toward their re-entry into the community.

This Grand Jury recommends adding corrections officers at the County Courthouse as a safety measure. During gang related murder trials extra officers are necessary in the courtroom in order to contain control of individuals who threaten witnesses. When such a trial is in progress the number of correction officers available for other appearances diminishes. The grand jurors heard testimony that court proceedings have been delayed in excess of an hour in criminal cases.

INFORMATION TECHNOLOGY

The Grand Jury gathered information about various computer systems used by the Sheriff's office. Witnesses testified about the following systems:

- Correctional Inmate Management System (CIMS)
- Sheriffs Warrant Inmate System (eSWIS)
- COVIS – database management software
- On-line Training (Vivid Learning Systems)
- Integrated Library System (ILS)
- Red Diary systems

MCSO manages the inmate population data with eSWIS, CIMS, COVIS and other applications. The eSWIS system is a purchased software package that manages inmate records and correction data and is shared by various county agencies. The CIMS system is a custom application built by the Sheriff's office that captures suicide watch data, tracks inmates and generates alerts. COVIS tracks disciplinary report data that can be shared with other facilities. It also allows for the scanning and indexing of documents related to the inmate population.

Communications Equipment

MCSO staff appears to be sufficiently equipped with Motorola radios for convenient communication and where necessary, such as the transportation staff, MCSO has provided Nextel multiband phones. The Motorola equipment used by most of the

Sheriff's staff is over ten years old and out of date. This jury recommend that this equipment be replaced within the next few years.

Control Modules

Of concern to the Grand Jury was the condition of the equipment within the control modules. In many cases we were made aware that parts were scavenged from unused, non-functional equipment in order to perform necessary repairs. Although the equipment has been updated at the MCDC 200 desk it has not been replaced at the 400 desk at MCCJ or at any of the desks at MCIJ. The Grand Jury understands that the remaining aged equipment will be replaced in 2014.

IT Findings

The Grand Jury was encouraged by the progressive attitude of the MCSO regarding the use of technology and its ability to automate collaboration as well as other functions. A new module to integrate hand written red diaries into CIMS is being evaluated. Digitizing these logs will allow Near Real-Time data to be shared, while assuring a higher degree of safety to both the inmates and MCSO staff. Transitioning from hard copy books to a computerized law library will result in significant cost savings to the county. Maintaining current hard copy law books costs \$120,000 annually. Vivid Learning Systems, on-line training system being implemented by MCSO will result in cost savings and improved training opportunities for staff.

BUDGET

The Sheriff's total budget for fiscal year 2012 is \$116,591,334 down from the 2011 budget of \$117,400,000. 67% or \$77,986,912 of the Sheriff's total budget is spent on the corrections side of the office with 56% of the corrections budget allocated to members of the Multnomah County Corrections Deputies Association. Additional money is spent on Local 88 employees, the executive Office and the Business Services Office. The Sheriff's office is budgeted to fill 402 corrections officer positions.

The budget for the fourth floor of MCDC consumes more than 10% of the Sheriff's correction budget for a total of \$11.3 million. The fourth floor houses mentally and physically ill inmates along with inmates who are in segregation due to their behavior. The 2010 Grand Jury suggested housing the mentally ill inmates in a group congregation or at one of the closed dorms at MCIJ so they could cut down on expenses. At present, deputies watch certain mentally ill inmates for up to 24 hours a day for multiple days. One of the added benefits of housing these inmates in a dorm setting is that the incidence of suicide should go down given that other inmates will likely try to stop any attempts at suicide.

The future of the Sheriff's budget is hard to predict; however the Sheriff has been under budget constraints for nearly 10 years. During the fiscal year the state contributions to the Multnomah County Board of Commissioners were reduced resulting in a \$1.1 million

cut. Further revenue cuts by the State are projected to be 3%. The economic state of the country and specifically Multnomah County, will likely lead to more cuts in the Sheriff's budget in the future.

7.3% of the Sheriff's budget comes from housing federal prisoners. 9% of the Sheriff's budget comes from housing state inmates who in the past would be incarcerated at one of Oregon's penitentiaries. Reimbursement for a jail bed for the state inmates and the federal inmates are lower than the average bed cost, with the state at \$92.81 per bed and the federal government at \$128 per bed along with medical expenses. The average cost of a county bed is approximately \$176.

We encourage the Sheriff's office to continue to invest in sustainability measures which saves money. Additionally, we are encouraged by the Sheriff's decision to replace one of the command staff with an experienced auditor. We are hopeful that this change will result in drilling down to areas that can be run more efficiently.

The Sheriff has done a number of things to reduce costs in the system. His program to reduce sick time abuse has saved between 1.1 and 1.4 million dollars (down 25 – 30%). The sustainability measures employed has saved 392,000 feet of plastic from being wasted. The Sheriff has saved \$55,000 by having inmates wash their own clothing and towels. In the future the Sheriff hopes to cut down on the expense of water by using grey water where possible.

The Grand Jury is concerned about filling the correction officers' positions to help reduce overtime expenses. This jury recognizes, however, that the Sheriff is in a tough situation given the limited amount of money that he receives from the county.

MANAGEMENT

Overview

The 2011 Corrections Grand Jury noted significant positive changes in the management of the Multnomah County jail system. Some of the noted issues are difficult to address because they are institutional.

Decision Making

Testimony from corrections officers indicates that there is some frustration about the decision making process and the time it takes to make critical decisions. The Grand Jury noted that changes have been instituted to alleviate what was previously a top heavy management structure and allow for decision making to be delegated to lower management staff. This has been accomplished by reducing the number of command staff, primarily captains. MCSO received significant praise from other agencies in the county for their openness and willingness to work with those agencies toward a common goal. These agencies included the Commissioner's office, District Attorney's office, Department of Human Services (DHS), and Judiciary staff.

Hiring/Turnover

Due to pending retirements MCSO will need to hire aggressively for the next 5 years. Steps to alleviate this issue include hiring new background checkers as well as pre-qualifying pools of individuals to have them available. At the inception of this Grand Jury there was only one background checker on the job. Recently another has been hired and another is in training.

Based on testimony the Grand Jury heard that turnover among MCSO staff is low. Testimony from several corrections officers indicated that they like their jobs.

As mentioned in previous Grand Jury reports, annual performance evaluations for the entire staff would benefit the overall work quality of the organization. We recommend MCSO implementing a performance evaluation process.

Diversity

Overall the Sheriff's office appears to be doing well in the area of diversity. In terms of racial diversity the Sheriff's office staff is in proportion to the population of Multnomah County. Concerns were heard about the lack of female representation in the staff.

Retirement/Succession Planning

The Sheriff's office could lose a significant number of deputies and command staff over the next 5 years because they are eligible for retirement. During the first 10 months of 2011 there were 16 retirements and only 8 new hires. It is critical to replace these outgoing individuals with well trained and qualified staff to maintain the safety and high standards of the Sheriff's office.

With such a large number of senior management eligible for retirement there is the potential for a significant loss of leadership within the MCSO. Witnesses testified that succession planning is being actively discussed at the highest levels of MCSO staff. To solve this problem, some staff are being promoted.

RECOMMENDATIONS FOR THE MULTNOMAH COUNTY SHERIFF'S OFFICE

Overall, the 2011 Corrections Grand Jury is favorably impressed by the professionalism of the staff of the Multnomah County Sheriff Office (MCSO). We found that inmates are treated with dignity and that due diligence is paid to their safety and care. The Grand Jury found the condition of the facilities clean and well maintained. Going forward our recommendations follow:

1. Continue hiring new deputies. We find that the recent hiring of 8 to 10 FTE's is a positive trend. We'd recommend that this trend continue until most empty posts are filled, especially in light of the fact that approximately 30% of the staff is eligible for retirement in the next 5 years.

2. Use existing budget still available to hire additional background checkers. 1 to 2 additional FTE's have been recently hired. We recommend that this staff be increased to a total of 4 to 5 FTE's. Perhaps retirees and facility security officers (FSO) could serve as a resource of talent for the new hires.
3. More actively recruit perhaps using some of the methods employed by the military.
4. While this Grand Jury recognizes that the shortage of staffing severely curtails the number of training hours that can be made available to deputies, we do have a concern that only the bare minimum is being met. We recommend pulling in retirees to fill "desk-jobs", rotating other deputies in such a way that would allow more extensive training for all staff. Current recommended guideline is 40 hours per year. In actuality they receive approximately 16 hours composed of 4 OSHA and Medical/4 Defensive Tactics/8 Suicide. The Grand Jury commends MCSO for implementing VIVID, an on-line training program, by the end of 2012.
5. The 2011 Grand Jury heard testimony regarding the need to stagger deputies while on special assignments. The Grand Jury's concern from this testimony is that too many deputies begin and end the same assignments during the same time period. Reassigning skilled deputies to be replaced by newly trained deputies leaves programs and departments such as classifications, close street, and others vulnerable. We are concerned about the lack of cross training and solid team building that such vacancies could potentially leave. Testimony indicates that some of these programs require at least 2 years for a deputy to become completely proficient. Staggering deputies at different intervals would allow not only the more experienced deputies to smooth the transition for the newly trained deputy coming onto the new assignment, but would also allow the departments to run more efficiently. We believe such cross-training would ultimately result in greater bench strength and show significant cost savings.
6. MCDC was completed and opened in 1983. Since then, designs for jail facilities have greatly improved across the nation bringing about necessary modifications such as an easier, more thorough way for deputies to monitor inmates, advanced sustainability, more cost efficacy, and other significant advantages. This jury heard testimony and/or witnessed several adverse elements of this building. They include the following:
 - a. high cost of providing inmates with meals because they cannot be prepared by inmates in the current facility
 - b. wear and tear on the elevators
 - c. complexities of traffic navigation and parking around the building because of its location, as well as other factors
7. The Grand Jury heard testimony that indicates that MCCJ is not earthquake-ready posing obvious dangers to the staff, the defendants, and the inmates, as well as the great number of public citizens who occupy this building on any given day. Further, we believe that although the sheriff has continually raised the subject to the county level, we are concerned that no positive step has been taken toward reconciling this problem. One of the witnesses testified that more than a decade has been spent by the county looking at various options but, still

no viable plan has been presented. We find this unacceptable and urge the county commissioners to present a solution.

CLEAN SLATE PROJECT

The 2011 Corrections Grand Jury heard testimony from Roy Jay, founder of Project Clean Slate. In an effort to help past offenders expunge their records and become eligible to qualify for a driver's license, as well as procure jobs, Roy Jay founded Project Clean Slate on July 9, 2005. MCSO supports the program. The Grand Jury applauds the success of this program and is pleased to see the cooperation between Clean Slate Project and MCSO and other partners in the criminal justice system.

EXECUTIVE SUMMARY

The Corrections Grand Jury extensively reviewed the operations of the 3 public agencies responsible for the detention of inmates in Multnomah County. The public agencies include the Multnomah County Sheriff's Office (responsible for MCDC, MCCJ, MCIJ JDH), the Department of Community Justice (responsible for JDH) the State Department of Corrections (responsible for the Columbia River Correctional Institute). The operations of the Multnomah County Health Department Corrections Health Division, which provides medical care in the county jails and the juvenile facility, were also reviewed.

In general the operations of the Sheriff's county jail system continue to improve relative to issues that have been raised in previous Corrections Grand Jury reports. Sheriff Staton has acted on previous Grand Jury recommendations to eliminate some upper management positions including 4 captains' positions. The Sheriff's Office, like many county agencies have struggled to provide adequate service to the community given several years of budget cuts. The Sheriff instituted an effective program to combat sick time abuse which saved a significant amount of money, also increased savings by instituting sustainable living measures, and provided mandatory 8 hour training in the area of suicide prevention for all corrections deputies and management personnel. However, the Grand Jury does have a concern regarding the significant overtime expense and would urge immediate new hires.

A number of corrections officers and others who work within the Multnomah County Jail system have been complimentary of management. The officers showed a sense of pride in what they do and this is obviously conveyed to those around them. Other partners in the systems as well as inmates give the officers high marks in terms of their professionalism. The partnership between the corrections officers and the County Correction Health Department is one of mutual respect.

Several witnesses testified to the fact that communication with system partners and the overall safety of the courthouse has risen substantially. Operations are efficient and

morale is high. Testimony largely attributed these factors to the positive, supportive attitude of the captain in charge of this unit.

The grand jurors thought that the operations at the Juvenile Detention Center were excellent. The juvenile detainees have school daily, counseling and a number of resources directed at intervening at a crucial stage in their life. The facility was clean, well managed and the food was exceptional.

Finally, the Grand Jury would like to see a safety railing implemented on the top floor of CRCI. Although no suicide has occurred, the Grand Jury felt that the potential of future suicide attempts exists. Overall, the operation of the Columbia River Correctional Institute, a state prison facility, appears to be running smoothly.

2011 CORRECTIONS GRAND JURY WITNESSES

1 Chad Guidos	40 Davia NemKevich	76 Randall
2 Nate Reaver	41 Elizabeth	Mcperson
3 Nathan Smith	LaCarney	77 Molly McDade-
4 Donald LeRoy	42 Dave Fife	Hood
Russel	43 Stephanie	78 Erica Murray
5 Ronald Hubbert	Gaidosh	79 Scott Williams
6 Mary Lindstrand	44 Meredith Olson	80 Joyce Griffin
7 Gayle Burrow	45 Richard O'Brien	81 Kurtiss Morrison
8 Barbara Topor	46 Leonard Kinnison	82 Tamara Levi
9 Steve Sutton	47 David Rieman	83 Mike Wroten
10 Shannon Goulter	48 William Salser	
11 Ron Bishop	49 Kari Kolberg	
12 Linda Yankee	50 Kris Spencer	
13 Robert Camp	51 Barrett Taylor	
14 Dennis Bryant	52 Jordan Bryant	
15 Dave Rader	53 James Powers	
16 Byron Moore	54 Ruth Miller	
17 Lewis Kyle	55 Israel Chinn	
18 Katie Burgard	56 Bernard Lynch	
19 Jeannie Chesney	57 Markeley Drake	
20 Rai Adgers	58 Drew Brosh	
21 Edward Climer	59 Wanda Yantis	
22 Vera Pool	60 The Honorable	
23 Shawn Skeels	Jean Maurer	
24 Jon Mathews	61 Mark Hale-Brown	
25 Cathy Gorton	62 Maureen Raczko	
26 Christine Popoff	63 Guadalupe Lee	
27 Deborah Kafoury	De La Garza	
28 Beckie Lee	64 Leo Irvan	
29 Judy Shiprack	65 Michael Shults	
30 Steve De Jongh	66 Daniel Staton	
31 Scott Aljets	67 The Honorable	
32 Gina Madsen	Julie Frantz	
33 Brittany Phillips	68 Michael Schrunk	
34 Melanie Parker	69 Kathleen Dunn	
35 Kevin Hunking	70 Tom Jacobs	
36 Craig Bachman	71 Bobbi Luna	
37 Rick Jensen	72 Roy Jay	
38 Thomas Cleary	73 Roger Gelvik	
39 Christina	74 Dan Brown	
McMahan	75 John Tillinghast	

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Sheriff Daniel Staton
Director Nate Reaver
Captain Rai Adgers
Captain Mary Lindstrand
Captain Linda Yankee
Captain Ron Bishop
Security Manager Elizabeth LaCarney
Superintendent Christine Popoff
Sergeant Tom Jacobs
Sergeant Dennis Bryant
Deputy Chad Guidos
Executive Director Roy Jay

MEMBERS OF THE 2011 CORRECTIONS GRAND JURY

Angela Quinones
Daniel Pratt
Danniel Schorr
Elaine Edgel
Farrell Ortiz
Laurie Christopher, Foreperson
Mary Nordlund

2011 Grand Jurors



**Laurie Christopher
Foreperson of the Grand Jury**



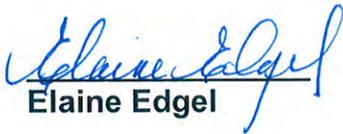
Angela Quinones



**Farrell A. Ortiz
Clerk of the Grand Jury**



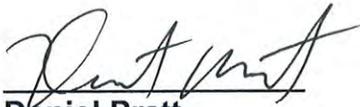
Mary Nordlund



Elaine Edgel



Danniell Schorr



Daniel Pratt

Dated this 15th of December 2011