



# Newsletter – Fall 2008

## OREGON CRIMINAL JUSTICE COMMISSION

### Executive Director's Column – Craig Prins:

Thank you for taking the time to read the Oregon Criminal Justice Commission's first newsletter! We hope this newsletter gives you an idea of who we are and what we do. As Executive Director of the Commission, it is my pleasure to serve the Commissioners and oversee the functions of our agency. I can break down the agency functions into four basic areas:

*First - Analysis.* Mile Wilson and Frank Silva do this work. Mike is in charge of our Statistical Analysis Center (SAC), providing analysis of crime and sentencing statistics for Oregon. In addition, Mike is an Economist, so he is working on cost-benefit analysis of different crime control policies. Frank is focused on gathering data regarding asset forfeiture and crime data from our tribal partners throughout the state.

*Second – Public Safety Planning.* Mike Stafford and I do this work. Mike runs several task forces and work groups focused on reducing crime and improving our system. The single thing that I am most proud of as Executive Director is the work we did with the Meth Task Force on controlling access to pseudoephedrine, the essential ingredient needed to manufacture meth. When the 2005 legislature worked with the Meth Task Force's recommendation and controlled access to this ingredient, domestic meth production in Oregon pretty much ended. That has made Oregon a better, safer place to live.

*Third – Grant Management.* At the present time we focus on drug court grants. In the near future, at the Governor's request, we will also manage the JAG (formerly Byrne) and RSAT grants. We are honored to be taking on this new responsibility, and are thankful for the great folks at Oregon State Police who are helping us with this transition. Additionally, I am personally very happy that our Commission Chair, Judge Larson, had many years experience working on the board that guides the JAG grants. Devarshi Bajpai heads up the drug court grants, while Jeanette Ewald and Diana Fleming administer the federal JAG and RSAT funds.

*Fourth – Oregon Sentencing Guidelines.* Maintaining these guidelines, which are quickly approaching their twentieth anniversary, falls to me. If you have questions about the guidelines themselves, or would like to comment on our fledgling newsletter please call or email me.

### Chair's Column – Judge Darryl Larson:

The Criminal Justice Commission's purpose is to improve the efficiency and effectiveness of state and local criminal justice systems by providing a centralized impartial forum for statewide policy development and planning.

The Commission is charged with developing a long-range public safety plan for Oregon, including making recommendations on the capacity and use of state prisons and local jails, implementation of community corrections programs and methods to reduce future criminal conduct. The Commission also has a role in funding and evaluating Oregon's drug courts.

The Commission conducts research, develops impact estimates of crime-related legislation, acts as a statistical and data clearing house, administers Oregon's felony Sentencing Guidelines and provides staff to the advisory committees regarding asset forfeiture and racial profiling. During the legislative session the Commission is also asked to participate in determining the cost of new felony crime measures. As specific issues arise, the Governor and the Legislature also ask the Commission to conduct specific policy discussions.

Commission members are appointed to four-year terms by the Governor and confirmed by the senate. The legislature also appoints two non-voting members.

The Commission members are:

- Darryl L. Larson – Chair and Sr. Circuit Court Judge  
Term: 2/18/2008 – 2/17/2012
- Mike Burton – Vice-Chair and Vice Provost, Portland State University; Term: 2/1/2008 – 1/31/2012
- Lee Ayers-Schlosser, Ph. D. – Associate Professor of Criminology and Criminal Justice at Southern Oregon University; Term: 2/18/2008 – 2/17/2012
- J. Mark Eddy, Ph.D. – Research Scientist with Oregon Social Learning Center at Oregon Research Institute; Term: 2/18/2008 – 2/17/2012
- Willie Frank Grace – Chief of Police, Gladstone, OR; Term: 11/2005 – 10/31/2009
- Joshua Marquis – District Attorney of Clatsop County; Term: 4/20/2005 – 4/19/2009
- Eva Temple – Attorney in Umatilla County; Term: 4/20/2005 – 4/19/2009
- Andy Olson – State Representative, District 15
- Ginny Burdick – State Senator, District 18

The Commission's focus is in a process of transition and this is reflected in both the professional staff and Commission members. The work of the Commission is becoming less "law" oriented and more researched based with emphasis on using credible objective data to develop sound policy. The Criminal Justice Commission is becoming more invested in reviewing evidence-based practices and program/policy evaluation. This includes overseeing both the Drug Courts and federal JAG and RSAT grants.

The Commissioners believe that true public safety will only be achieved if we understand what is actually happening and have reliable, credible, objective data on effectiveness of the various parts of the system and the tools that are being applied. Only then can meaningful public policy decisions be made as to what the system should be and how it should be funded.

The Commissioners and professional staff are excited about the possibilities for the future and look forward to working with everyone in the justice system to make Oregon the U.S. leader in public safety.

### Oregon Statistical Analysis Center (SAC) – Mike Wilson: Oregon Crime Rates

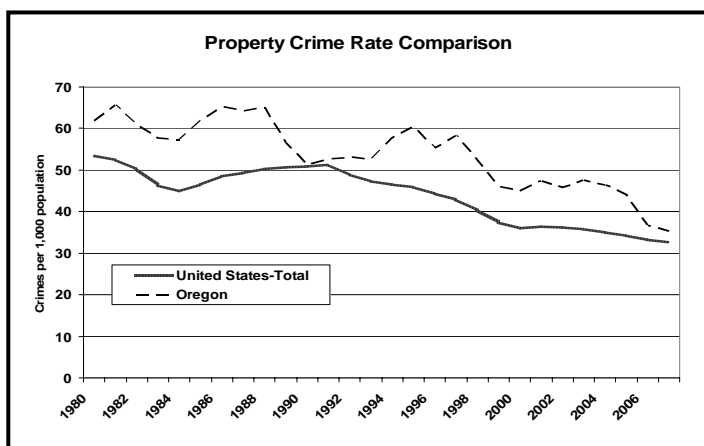
The Oregon Statistical Analysis Center provides the Governor, Legislature, Criminal Justice Agencies and the public with

objective research and data analysis. The SAC also provides direct support to the agency development of legislative fiscal impact statements. These statements are required for proposed legislation that may increase or decrease state costs for prison beds and felon supervision. The SAC's main focus is to serve as a clearinghouse for the collection, analysis and dissemination of criminal justice information. A recent example of this was the release of the 2007 Uniform Crime Reports.

	Violent Crime			Property Crime		
	2006	2007	% Change	2006	2007	% Change
State	10373	10777	3.9%	135895	132143	-2.8%
Portland	3872	3701	-4.4%	31996	31586	-1.3%
Salem	691	583	-15.6%	8267	7436	-10.1%
Eugene	370	426	15.1%	8113	7804	-3.8%
Gresham	562	470	-16.4%	4026	4332	7.6%
Beaverton	208	220	5.8%	2205	2330	5.7%
5 City Total	5703	5400	-5.3%	54607	53488	-2.0%
Rest of State	4670	5377	15.1%	81288	78655	-3.2%

The Federal Bureau of Investigation (FBI) issues annual information on reported crimes. The Uniform Crime Report (UCR) is compiled from data from nearly 17,000 law enforcement agencies across the United States. The data is accumulated by looking at the actual crimes that were reported to law enforcement agencies, not the number of crimes committed. Property crime is composed of three offenses: burglary, larceny-theft and motor vehicle theft. Property crimes are defined in the UCR program as those theft-type offenses where money or property is taken; however, there is no force or threat of force against the victims. Violent crime is composed of four offenses: murder and non-negligent manslaughter, forcible rape, robbery, and aggravated assault. Violent crimes are defined in the UCR program as those offenses which involve force or threat of force.

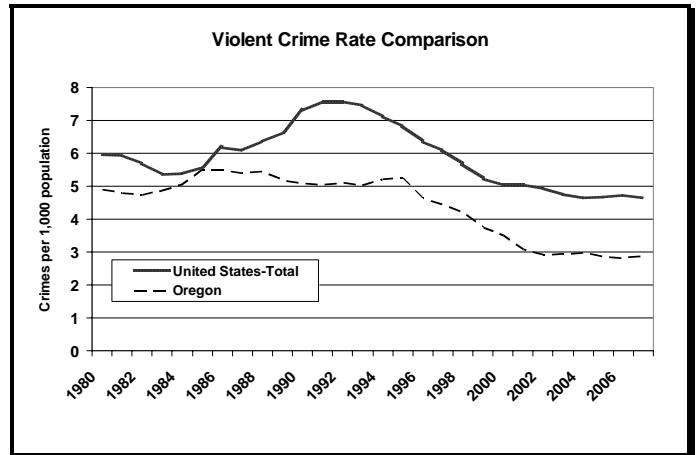
The FBI's 2007 report showed that Oregon's property crime rate fell by 4.0% from 2006 to 2007.



This was a larger decrease than the national 2.1% decrease. All three UCR property crime categories had decreases in their rates. From 2005 to 2007 Oregon's property crime rate fell by 20%, the second largest drop of any state. From 1995 to 2007 the property crime rate fell 42%, the 5<sup>th</sup> largest drop of any state over that time period. This is Oregon's lowest property crime rate since 1967. Although we have seen large decreases in the property crime rate over the past 15 years, our property crime rate remains above the nation as a whole.

Our state ranking remained unchanged from 2006 at 18<sup>th</sup> highest.

Oregon's violent crime rate increased by 2.6% from 2006 to 2007.



In the United States as a whole the violent crime rate decreased by 1.4 percent. This was the largest increase in Oregon since a 3.5% increase from 1993 to 1994. Since 1995 Oregon's violent crime rate has dropped by 45%. This was also the 5<sup>th</sup> largest drop of any state over this time period. Oregon's violent crime ranking went down two spots to 36<sup>th</sup> highest (50<sup>th</sup> being the lowest rate). Of the five largest cities in Oregon (Portland, Salem, Eugene, Gresham and Beaverton), three saw a decrease in the number of violent crimes reported by their police departments. Portland's reported violent crimes fell by 4.4%, Salem's by 15.6% and Gresham's by 16.4%. Eugene and Beaverton say an increase in the number of reported violent crimes by their city police of 15.1% and 5.8% respectively (the city increases are not rates, but actual number of reported offenses). Reported offenses fell by police agencies in Oregon's five largest cities by 5.3% and increased by more than 15% in the rest of the state. Oregon's murder rate fell from 2006 to 2007 to 1.9 per 100,000. A murder rate of 1.8 per 100,000 in 1964 was the last time it was lower.

### Public Safety Policy Review – Mike Stafford:

The Criminal Justice Commission staff is regularly tasked with running, or serving on many public safety policy Task Forces and Workgroups. As an example, in 2004 the Governor created a systemic overview of Oregon's public safety system. He created the Methamphetamine Task Force, The Adult Sentencing Task Force, the Public Safety Review Task Force, the Elder Abuse Task Force and also held a Juvenile Justice Summit. The Commission either staffed, or served on all of these Task Forces. The Commission also housed the Law Enforcement Contacts Policy and Data Review Committee (LECC – Racial Profiling) until it was transferred to Portland State University in 2007. The Commission also held statewide Local Public Safety Coordinating Council (LPSCC) conferences in 2005, 2006 and 2007.

## Public Safety Policy Review (continued)

The longest running of these Task Forces is the Methamphetamine Task Force, we have staffed and housed this Task Force since its inception in January of 2004.

Other workgroups that Commission staff have served on include: Representative Gelser's Vulnerable Victims' workgroup, the Walsh Act Workgroup, the Prison Population Forecast workgroup, and the Timber Counties workgroup. A great deal of time in the last two years has been spent analyzing Ballot Measures 57 and 61, then presenting this information to interested groups throughout the state; and coordinating the Public Safety Data Sharing workgroup.

The Commission is also tasked by the legislature with creating the annual Local Public Safety Coordinating Council report to the Legislature (HB 3369 – 2007) and creating an annual report to the legislature on crime in Oregon.

### **AFOAC and the CJC – Frank Silva:**

Asset forfeiture is a civil and criminal process. In a civil forfeiture proceeding, the property seized by law enforcement (any property that is instrumental in committing prohibited conduct or facilitating prohibited conduct), not the property owner, is the defendant. A person, such as the person from whom the property was seized, may file a claim on the property for the court to consider, in which case the person is a claimant, not a defendant. A civil process by its nature has a lower burden of proof than does a criminal matter and does not create a right to legal counsel or to a jury trial.

In May 2008, Oregon voters passed Ballot Measure 53, amending the constitutional restrictions on civil forfeiture created by Measure 3 in 2000. Although law enforcement agencies continued to pursue criminal forfeitures from 2000-2008, civil forfeitures effectively ended. The main change is that law enforcement must obtain a criminal conviction in order to sustain a civil forfeiture.

Asset forfeiture, both criminal and civil, is used to fight crime in a variety of ways. The property seized is used to fund the following: investigations and prosecutions; the Illegal Drug Clean-up Fund; Drug Courts; Relief Nurseries for the State Commission on Children and Families; and the staffing of the Asset Forfeiture Oversight Advisory Committee (AFOAC).

The AFOAC was created in ORS 475A.155 and referred to in Article XV, section 10 of the Oregon Constitution and is staffed by the Criminal Justice Commission. The AFOAC is tasked with aiding the legislature in tracking the number and nature of forfeitures in Oregon, and submitting an annual report to the Legislature. There are 12 members appointed to the AFOAC. They include:

#### Governor's Appointments:

- Rob Bovett – Lincoln County DA elect
- Michael Dingeman – Oregon State Police
- vacant

#### Attorney General's Appointments:

- David Fidanque – ACLU of Oregon
- Steven Bechard – Chief of Police, Lincoln City
- Dennis Dotson – Sheriff, Lincoln County

#### Senate President's Appointments:

- Sen. Ted Ferrioli
- Sen. Avel Gordly
- Sen. Floyd Prozanski

#### House Speaker's Appointments:

- Rep. Jeffrey Barker
- Rep. Andy Olson
- Rep. Patti Smith

### **Grant Management – Devarshi Bajpai:**

In 2005, the 73<sup>rd</sup> Legislative Assembly approved HB 2485 and SB 907. These bills, along with their companion funding bills (HB 5174 and SB 5630), addressed the burgeoning statewide methamphetamine problem. Along with several policies aimed at reducing methamphetamine supply in Oregon, they established a grant program through the Criminal Justice Commission (CJC) to create new drug courts and expand existing drug courts.

The CJC currently manages 22 grants to drug courts in 19 counties statewide. These grants fund addiction and mental health treatment services, court coordinators, and other services that enable treatment success, such as housing, employment and parenting groups.

The CJC is currently in the process of conducting a statewide evaluation of drug courts. This study will help us answer the question of whether Oregon drug courts reduce crime and whether the additional costs of drug courts are justified by their results.

In July, Governor Kulongoski transferred program management of the Edward Byrne Justice Assistance Grants (JAG), and Residential Substance Abuse Treatment (RSAT) grants for state prisoners to the CJC. This transition began in August. Future newsletters will focus on the direction of the entire CJC Grant Program.

#### **Office location:**

885 Summer Street NE  
Salem, OR 97301  
(in the McGilchrist House across from the State Archives Building)

#### **CJC Contacts:**

Craig Prins, Executive Director – (503) 378-4858

[Craig.prins@state.or.us](mailto:Craig.prins@state.or.us)

Devarshi Bajpai, Grant Program Coordinator – (503) 378-4848

[Devarshi.Bajpai@state.or.us](mailto:Devarshi.Bajpai@state.or.us)

Annola DeJong, Executive Assistant – (503) 378-4830

[Annola.Dejong@state.or.us](mailto:Annola.Dejong@state.or.us)

Jeanette Ewald, Grant Coordinator – (503) 378-4078

[Jeanette.EWALD@das.state.or.us](mailto:Jeanette.EWALD@das.state.or.us)

Diana Fleming, Grant Coordinator – (503) 378-4068

[Diana.FLEMING@das.state.or.us](mailto:Diana.FLEMING@das.state.or.us)

Frank Silva, Research Analyst – (503) 378-4850

[Frank.SILVA@das.state.or.us](mailto:Frank.SILVA@das.state.or.us)

Mike Stafford, Public Safety Coordinator – (503) 378-4845

[Mike.Stafford@state.or.us](mailto:Mike.Stafford@state.or.us)

Mike Wilson, Economist – (503) 378-4850

[Michael.K.WILSON@das.state.or.us](mailto:Michael.K.WILSON@das.state.or.us)