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cost may have been diverted, Schmidt says the state is only within about 200 prison beds of having to open the other half of Deer Ridge Correctional Institution in central Oregon.

But he's hopeful the Legislature will find more money to put toward the grant program. He says that he knows Gov. Kate Brown is aware of the program and that two members of the Public Safety Task Force, Rep. Jennifer Williamson and Sen. Jackie Winters, are "both really big advocates" for the investment and can influence its future funding.

Winters says that while "recidivism is lower and communities are safer in the long run," it's a matter of priorities.

What the co-chairs did in their recommended budget, Winters says, "was cut it down in order to give greater funding to education. All of us really support education as well." Although, she says she didn't expect such a drastic cut.

"We need at least \$30 million," she says. "Anytime we can invest in lowering prison beds and keeping communities safe, we should."

Spending money to help criminals get services might seem like a lower priority than education for children, but Citizens Crime Commission director Suzanne Hayden points out, "It's all related."

"We're finding that a lot of the offenders, in (Multnomah County's) program at least, are parents," she says. "If you make investments in the right way in this area, it will free up more funds in the future and provide better outcomes for kids whose parents are in the criminal justice system. And that's going to have better results for our community in the long run."

Local lawyers call foul

Unlike other counties, which invested the state grant money in existing treatment and related programs, Multnomah County created a whole new sentencing evaluation and probation system for high-risk offenders. The Multnomah County Justice Reinvestment Program, or MCJRP, has been up and running since July.

Some defense lawyers argue that while more money from the state's grant program for treatment and housing services is a good thing, the way Multnomah County has chosen to use its funds creates unnecessary processes and may infringe on a defendant's constitutional rights.

Hayden, who also serves as MCJRP's committee chair, explains the county casts a very wide net, evaluating everyone who might be facing prison to see if they are eligible for the program. People convicted of homicide, sex crimes, domestic violence crimes and other top-tier Measure 11 offenses are not eligible.

Eligible defendants who wish to take part in the program must undergo a risk assessment while they're in custody, but before sentencing. Going through this process is no guarantee a defendant will not go to prison. So far, out of 365 people to undergo pre-sentencing risk assessments, 41 received prison sentences.

Defense lawyers argue this assessment, which is designed to determine how likely a person is to re-offend, should not be conducted prior to sentencing because the prosecutor is privy to the results.



Michael Fields, 29, sits with his girlfriend, Kayla Strauch. Fields was accepted into Multnomah County's Justice Reinvestment Program instead of going to prison.

"In a normal world, a defense attorney would never in a million years create a report that says, 'My client is likely to commit crimes in the future,' and then turn it over to the district attorney, but that's what we're forced to do, and that's something that is incredibly troubling to me," says Josh McCarthy, an attorney with Metropolitan Public Defender Services.

He says that without MCJRP, that same person would be just as likely to be eligible for probation under HB3194, but now, in order to have a better chance at probation, the defendant has to give up his or her right to silence before sentencing.

In the last budget cycle, Multnomah County received \$3.2 million in grant money, which it used, in part, to develop MCJRP in 2014.

McCarthy says more of the grant money could have gone toward the county's resource-strapped treatment programs had it not been spent on developing administrative processes and salaries for new positions in MCJRP.

"The benefits of JRP were going to happen anyway, so why they overlaid these additional processes and requirements on top of it is baffling to me," McCarthy says.

The assessment, also known as the Level of Service/Case Management Inventory, is given to anyone who goes on to probation, but usually it's after sentencing. The interview, which has been shown to accurately predict a person's likelihood of committing future crimes, was intended to help determine what kind of treatment someone needs, not play into sentencing.

Martin, who oversees Multnomah County's probation department as deputy director of the Department of Community Justice, says the idea of conducting the interview before sentencing is the foundation of the program.

"To create the informed sentencing process was really the whole basis of this county's approach to justice reinvestment," Martin says. She says that most everyone in the program is at a high risk to reoffend and that the goals of this new approach are to know about people's criminal risk factors, what kind of interventions they need and their stability in the community — before sentencing.

"Yes, it's very unusual," she says. "I know the defense bar has been cautious about the whole thing, but we don't ask questions in

the interview about the current offense."

Other complaints from defense attorneys include the cumbersome nature of the processes involved with MCJRP and that probationers in the program get more access to services than do people who might have opted out of the program but received probation anyway. They say this rewards people for giving up their constitutional rights and punishes those who don't by giving them less access to services once they're on probation.

Martin says that while people on regular probation also have access to services, it's true that MCJRP probationers have been prioritized.

"As a criminal justice system in the community, we said these are the people we really want to do a good job with and we really want to focus on," she says. "Part of it is because they are the higher recidivism population and they are always the people we would have paid attention to."

Hinojosa says she didn't mind giving up her right to remain silent and go through the risk assessment pretrial; of course she had — almost immediately after being arrested — admitted to the assault, according to police reports.

"They ask you what you need to change your life," she says.

Rewriting futures

It's not every day you see a convict hug his or her probation officer. But on March 5, in the boardroom at the Multnomah Building, several felons did just that as they took center stage to receive certificates for being the first group of MCJRP probationers to make it to the 120-day mark.

One woman wept as she clung to her "milestone certificate," several spoke of being homeless and without hope prior to their arrest, and one man — the last to take the stage — joked that he was surprised no one else had mentioned they were "scared of going to prison" when they agreed to the terms of probation.

Months earlier, these same felons were facing potentially long prison sentences, but the eight men and two women being honored that day all say they have drastically turned their lives around, thanks to the program.

Also in attendance and cheering on the honorees were other MCJRP probationers.

Michael Miyamura, 60 days into the program, watched from the back row.

"They set the bar," he says of his peers. "If they can do it, the rest of us can do it."

Miyamura says he was homeless, addicted to meth and facing a 15-year prison sentence for stealing cars before being offered a second chance instead.

"It's a blessing," he says. It would have been his first stint in prison.

Michael Fields was facing a six-year sentence for identity theft, illegal possession of a firearm and delivery of meth but was accepted into Multnomah County's Justice Reinvestment Program instead of going to prison.

"The program makes you realize there is an alternative to the lifestyle," says Fields, who completed drug and alcohol treatment and is moving on to phase two. For him, that includes parenting classes and looking for employment through Southeast Works, says his probation officer, Brenda Bunce.

"I was stuck in the lifestyle," Fields says. "It was a vicious circle. I didn't ever think about the next day. Now I'm motivated. I've seen myself become hungry for a better life."

In addition to treatment counselors, social workers and probation officers, most people in MCJRP also have a mentor through Volunteers of America, where they receive treatment.

Thi Vu spent about 17 years in prison and struggled with drugs and alcohol for many years. Now he's mentoring 20 people in MCJRP. "I'm able to talk to them in a language they understand. I was in their shoes a few years ago," he says.

It wasn't until he went through Multnomah County's Re-entry Enhancement Coordination, or REC, program after his last prison stay ended that he was able to turn his life around. The MCJRP program is modeled after the REC program in many ways because REC has been shown to reduce offenders' likelihood of committing another felony by 33 percent.

Vu credits much of his post-prison success to a mentor he had in that program, and now, he says, he wants to pay it forward.

"A lot of being a mentor is about the ability to be there," Vu says. "They're told over and over that they have support, but then everybody is clocked off when the support is needed the most. I tell them my phone is always on."

Hinojosa was present at the milestone ceremony as well. Her probation officer, Tynan, and counselors are helping her apply for scholarships to go to school, find permanent housing, and stay in treatment and on her medications.

Hinojosa also has recently reconnected with her grown daughter whom she's barely spoken with in more than a decade. And next week, she's getting her teeth fixed.

"Many of these clients on MCJRP will face extremely difficult hurdles to overcome," Tynan says. "With Carole, we are working to address the cause of her involvement in the criminal justice system with the wrap-around services."

Hinojosa says it's been easy to stay clean now that she has a roof over her head, and for the first time in her life, "I'm healing from my childhood."